

EA12-005

CHRYSLER

12-13-2012

Enclosure 3 – Public

1984-1992 XJ

Lawsuits and Claims

SUMMARY OF INPUTS RELATED TO 1984 THROUGH 1992 JEEP CHEROKEE/WAGONEER (XJ) VEHICLES

	Name	VIN	Field Reports (EAA Reports)	CAIR	Lawsuit	Claim	Notice	
1.		1JCMT754XHT			√			
2.		1J4FJ58S0ML6			√			
3.		1JCMT783XJ		√				
4.		1J4FJ58S3NL		√(2)		√		
5.		1J4FJ28S4ML5			√			
6.		1J4FT38L4KL			√			
7.		1JCWB7812GT			√			
8.		1JCMR7833H			√			
9.		1JCUX7813FT			√			
SUBTOTALS			Field Reports (EAA Reports)	CAIR	Lawsuit	Claim	Notice	VOQ Inputs (Name)
			0	2 VINs (Ficenko also was a claim)	7	1	0	0
TOTAL	9 unique inputs		9 unique VINs					

133524

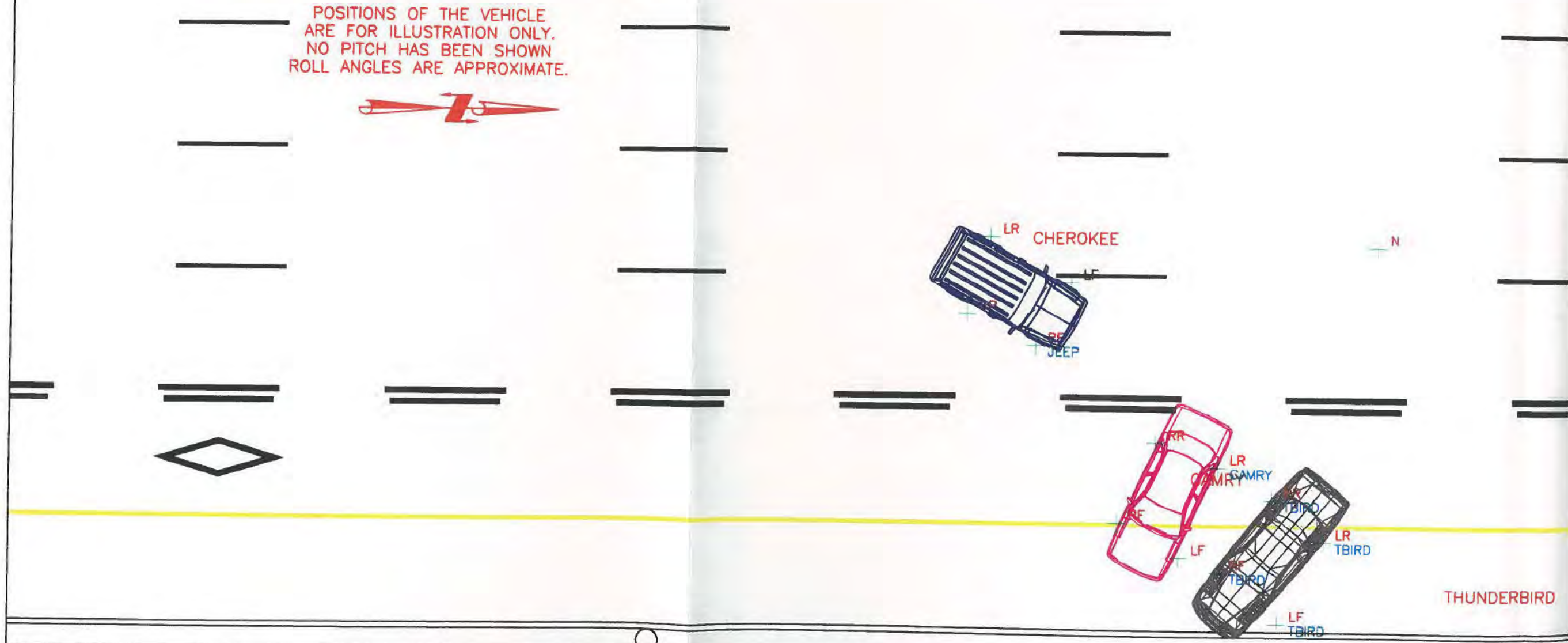
ACCIDENT SCENE
I-85 SOUTHBOUND AT PIEDMONT ROAD, ATLANTA, GEORGIA
SEA

PROJECT NO. 133524



SCALE 1"=10'

POSITIONS OF THE VEHICLE
ARE FOR ILLUSTRATION ONLY.
NO PITCH HAS BEEN SHOWN
ROLL ANGLES ARE APPROXIMATE.



POLE BE14

Cherokee
BEV = 12-14 mph

Cherokee
BEV = 158,000 ft/lb
BEV = 36-40 mph

W. 169's
Mar 32-485's

BEV = 20 mph

35 mph
Bump
road

BEV = 35 mph
DU = 40-45 mph

BEV = 30-32 mph
T. Bird

25-30 mph

M2 M1

P1

P2

P1

O2

POLE BE1



ERBIRD



nsk



J

I

E



POLE BE12



POLE BE224 EA12-005 Chrysler-008612

█ vs. Chrysler
S.E.A. Project No. 133524

Summary and Comments

1. BEV- impact between Jeep Cherokee and Ford Thunderbird

The crush energy absorbed by the Jeep Cherokee in the collision with the Ford Thunderbird is about 158,000 ft-lb. The fixed barrier equivalent velocity (BEV) of the crush energy absorbed by the Jeep Cherokee during the impact is about 36-40 mph.

The crush energy absorbed by the Ford Thunderbird in the collision with the Jeep Cherokee is about 116,000 ft-lb. The BEV of the crush energy absorbed by the Ford Thunderbird during the impact is approximately 30-32 mph.

2. BEV- impact between Jeep Cherokee and Toyota Camry

The crush energy absorbed by the Jeep Cherokee in the collision with the Toyota Camry is about 18,000 ft-lb. The BEV of the crush energy absorbed by the Jeep Cherokee during the impact is about 12-14 mph. One should note that the driver's side was shortened and "hardened" after the impact with the Ford Thunderbird.

The crush energy absorbed by the Toyota Camry in the collision with the Jeep Cherokee is about 40,000 ft-lb. The BEV of the crush energy absorbed by the Toyota Camry during the impact is approximately 20 mph.

EA12-005- Chrysler -008613

3. Speeds- impact between Jeep Cherokee and Ford Thunderbird

The Jeep Cherokee was assumed stopped when it was struck by the Ford Thunderbird, which appeared to fit the post-impact travel of the Ford Thunderbird. Immediately after the impact with the Ford Thunderbird, its speed was approximately 35 mph. The speed change of the Jeep Cherokee was about 35 mph with a PDOF of approximately 6:00. The Jeep Cherokee had experienced an average acceleration of 16 g's and a maximum acceleration of 32-48 g's. The Jeep Cherokee rotated clockwise due to its orientation slightly to the right at the time of impact and the impact being offset to its left. The Jeep Cherokee rotated about 60-70 degrees and traveled 20-30 feet before its driver's side impacted the rear of the Toyota Camry.

The initial speed of the Ford Thunderbird was approximately 75-80 mph. After 55-ft of braking, the Ford Thunderbird struck the Jeep Cherokee at about 65-70 mph. Immediately after the impact with the Jeep Cherokee, the speed of the Ford Thunderbird was approximately 35 mph. The Ford Thunderbird traveled about 80 feet to its final rest. The speed change of the Ford Thunderbird was about 30-35 mph with a PDOF of approximately 12:00. The Ford Thunderbird had experienced an average acceleration of 15 g's and a maximum acceleration of 30-45 g's.

4. Speeds- impact between Jeep Cherokee and Toyota Camry

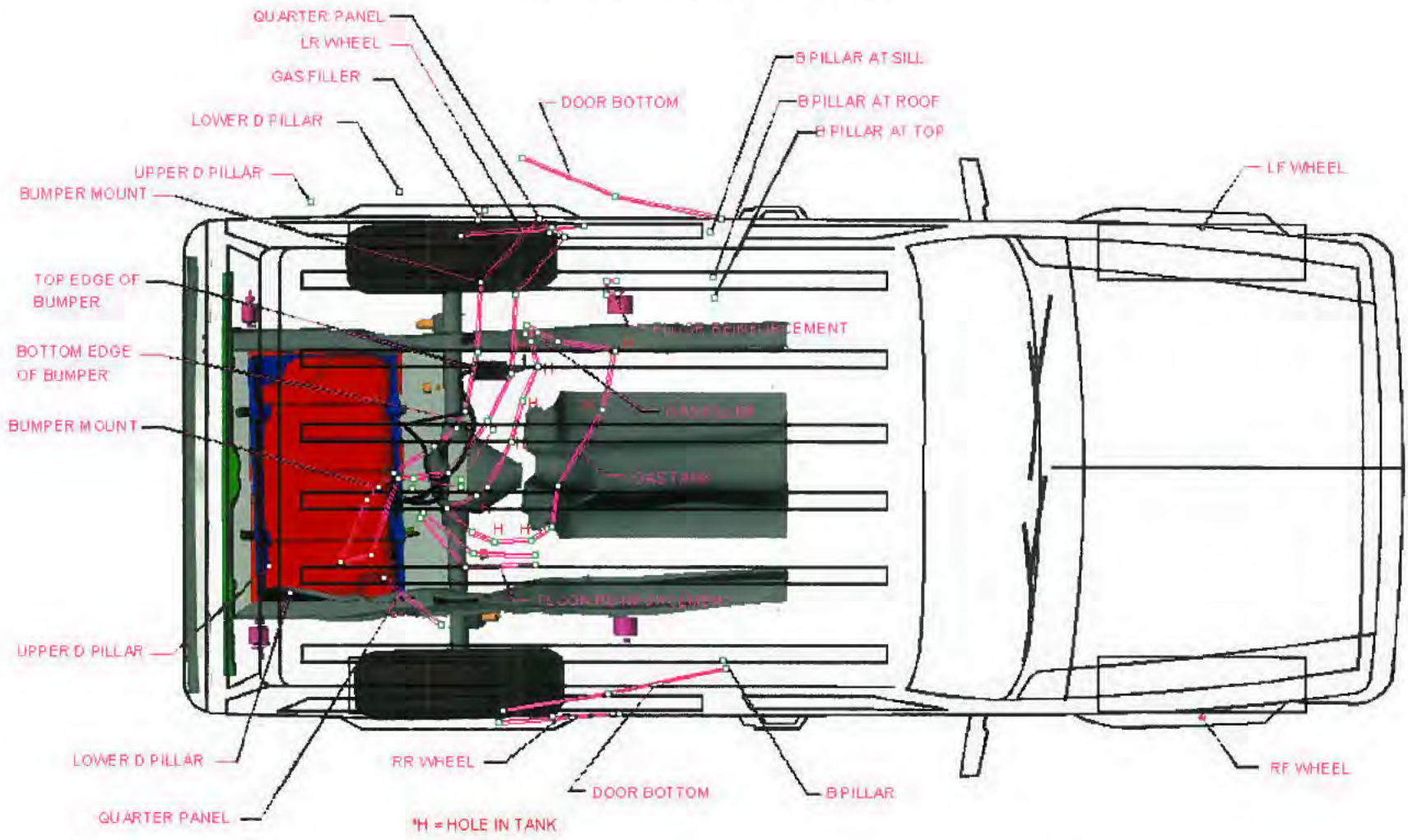
The Toyota Camry was stopped when it was struck by the Jeep Cherokee. Immediately after it was impacted by the Jeep Cherokee, the speed of the Toyota Camry was approximately 15 mph. The Toyota Camry traveled about 40 feet to its final rest. The speed change of the Toyota Camry was about 15 mph with a PDOF of approximately 6:00. The Toyota Camry had experienced an average acceleration of 7 g's and a maximum acceleration of 13-20 g's

The pre-impact speed of the Jeep Cherokee was approximately 30-35 mph. Immediately after the impact with the Toyota Camry, the Jeep Cherokee's speed was approximately 20 mph. The Cherokee's post-impact speed was slightly higher than the Camry's post-impact speed due to the orientation and the impact point of the Cherokee. The Cherokee traveled 50-60 feet and rotated counterclockwise for approximately 210 degrees before it came to rest. The speed change of the Jeep Cherokee was about 12-15 mph with a PDOF of approximately 9:00-10:00. The Jeep Cherokee had experienced an average acceleration of 6 g's and a maximum acceleration of 12-18 g's.

5. Impact severity

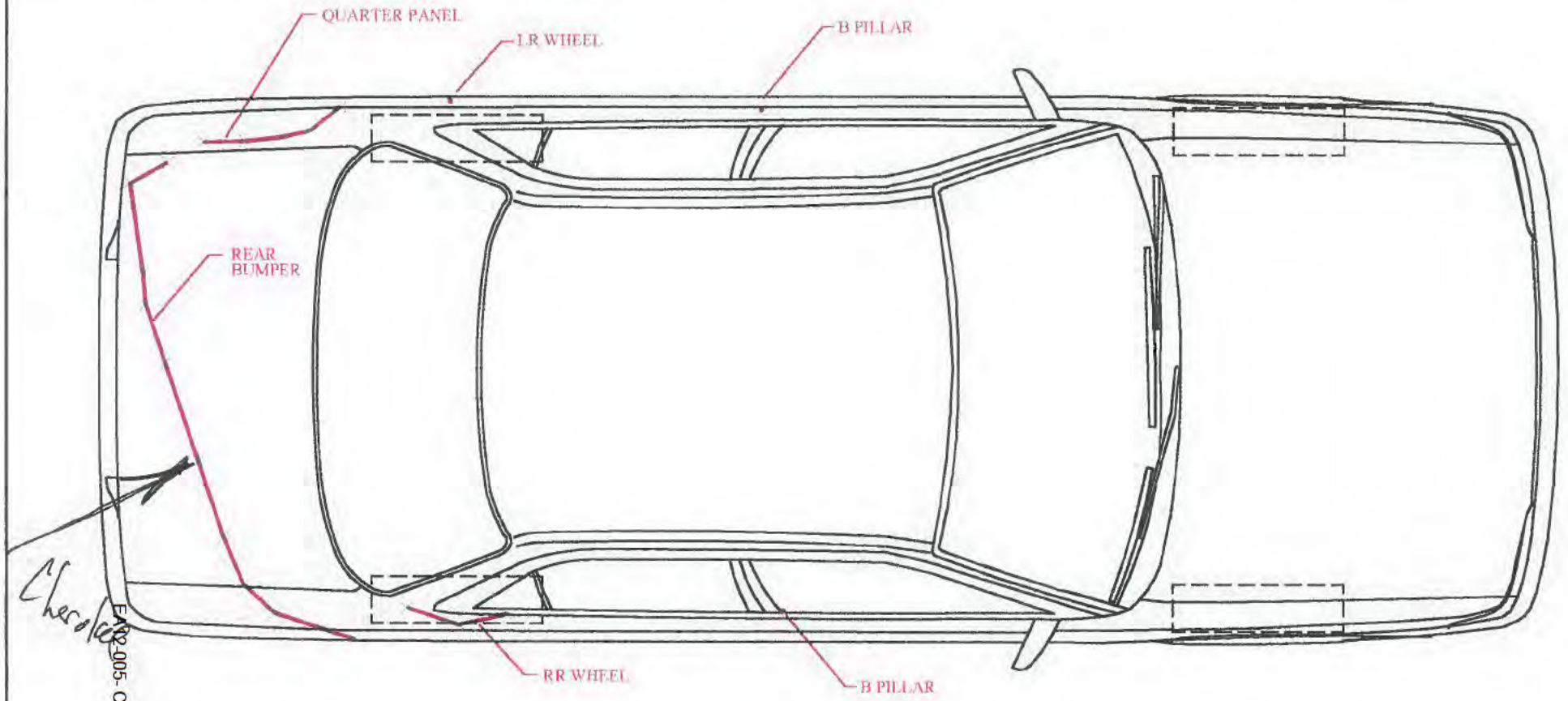
It's a very severe impact between the Jeep Cherokee and the Ford Thunderbird. The impact speed of the Ford Thunderbird, which was 65-70 mph, and the underriding of the Ford Thunderbird caused the undercarriage structure of the Cherokee to be compromised and the damage to the Cherokee's fuel tank.

██████████ vs. CHRYSLER SEA PROJECT NO. 133524

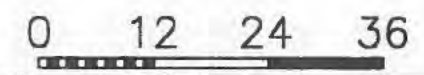


CRUSH PROFILE OF THE 1991 JEEP CHEROKEE

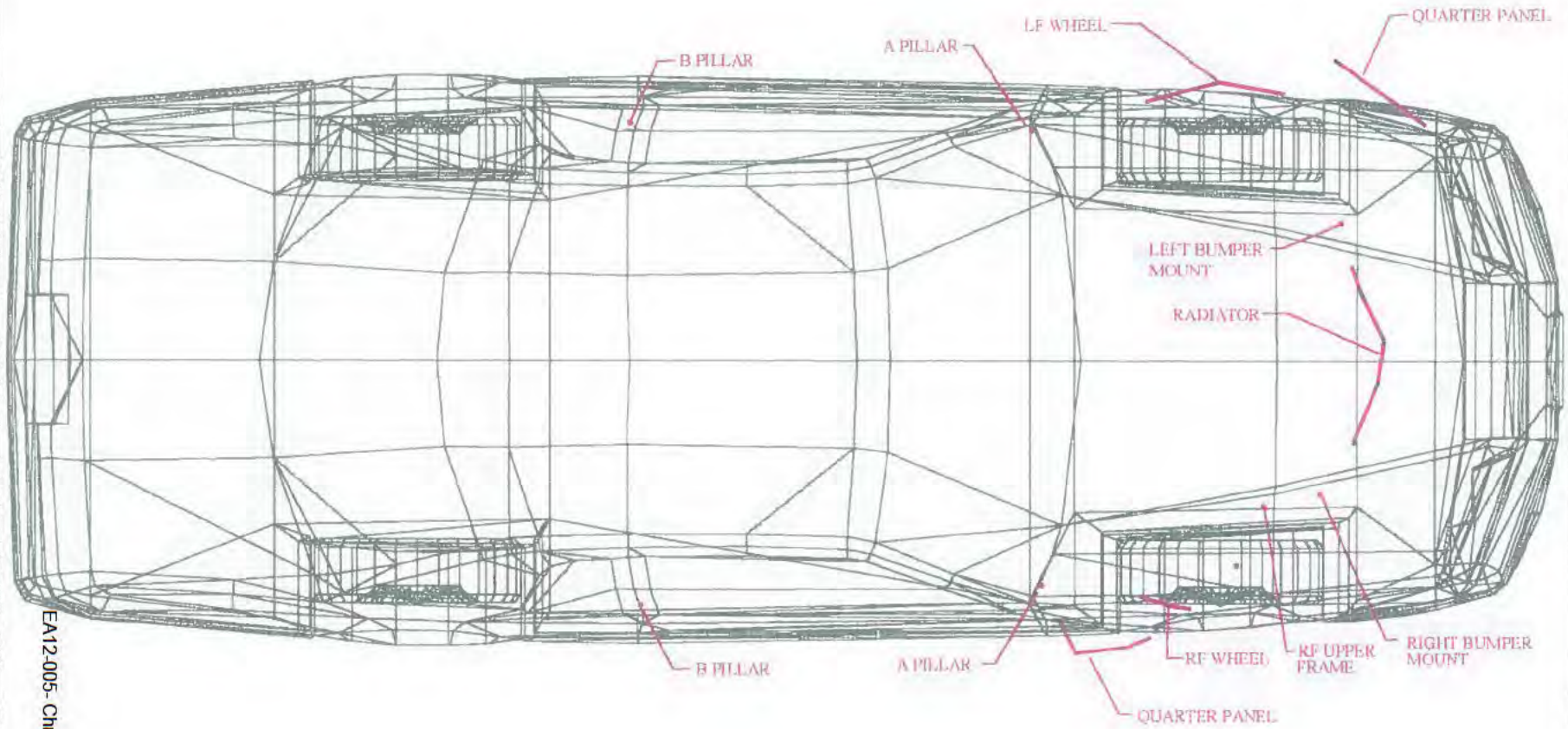
██████ vs. CHRYSLER
SEA PROJECT NO. 133524



CRUSH PROFILE OF THE 1996 TOYOTA CAMRY

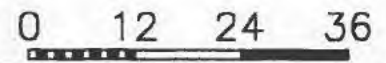


██████ vs. CHRYSLER
SEA PROJECT NO. 133524

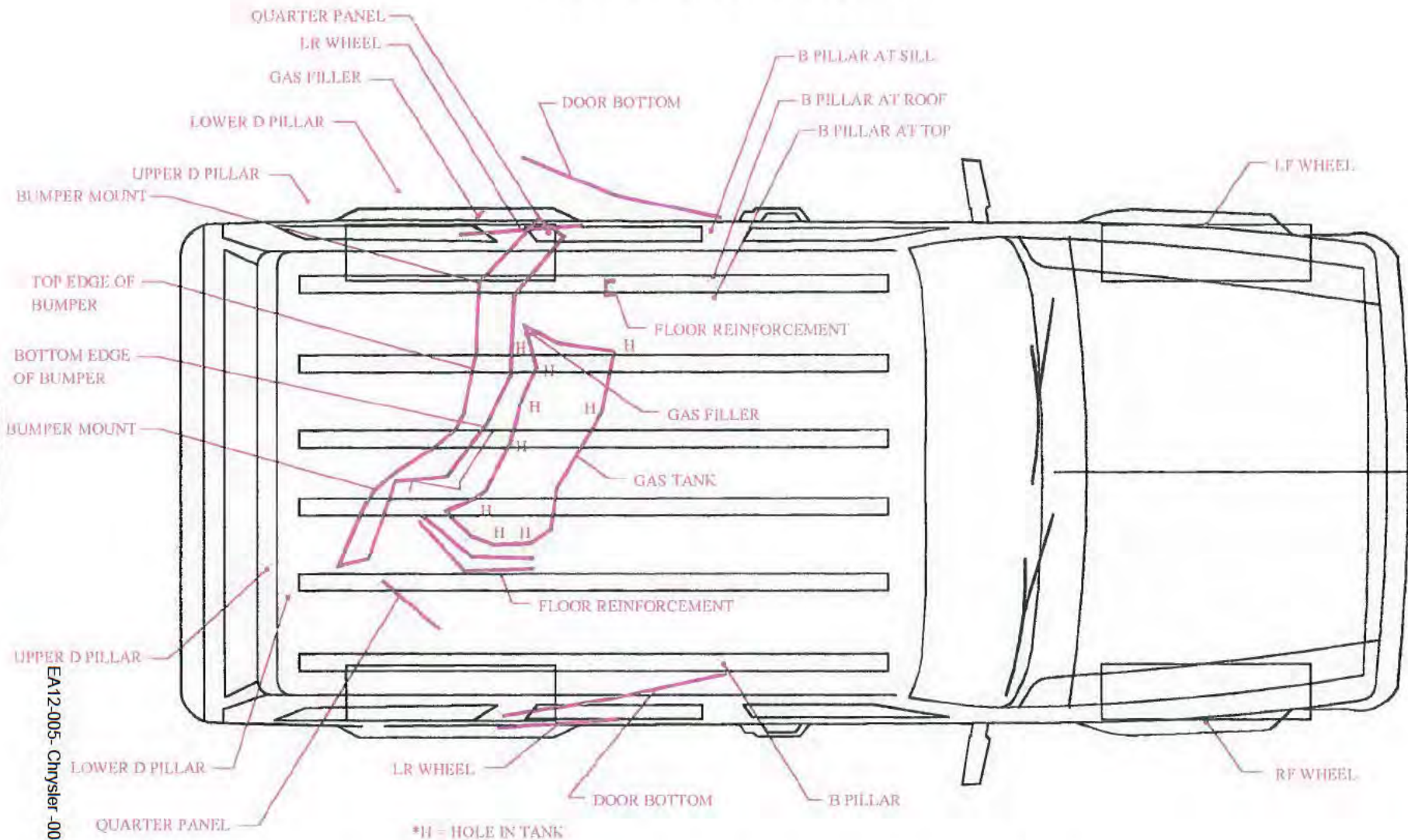


EA12-005 - Chrysler - 008618

CRUSH PROFILE OF THE 1988 FORD THUNDERBIRD

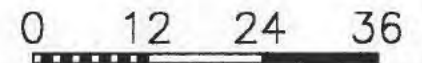


vs. CHRYSLER
SEA PROJECT NO. 133524



EA12-005 - Chrysler - 008619

CRUSH PROFILE OF THE 1991 JEEP CHEROKEE



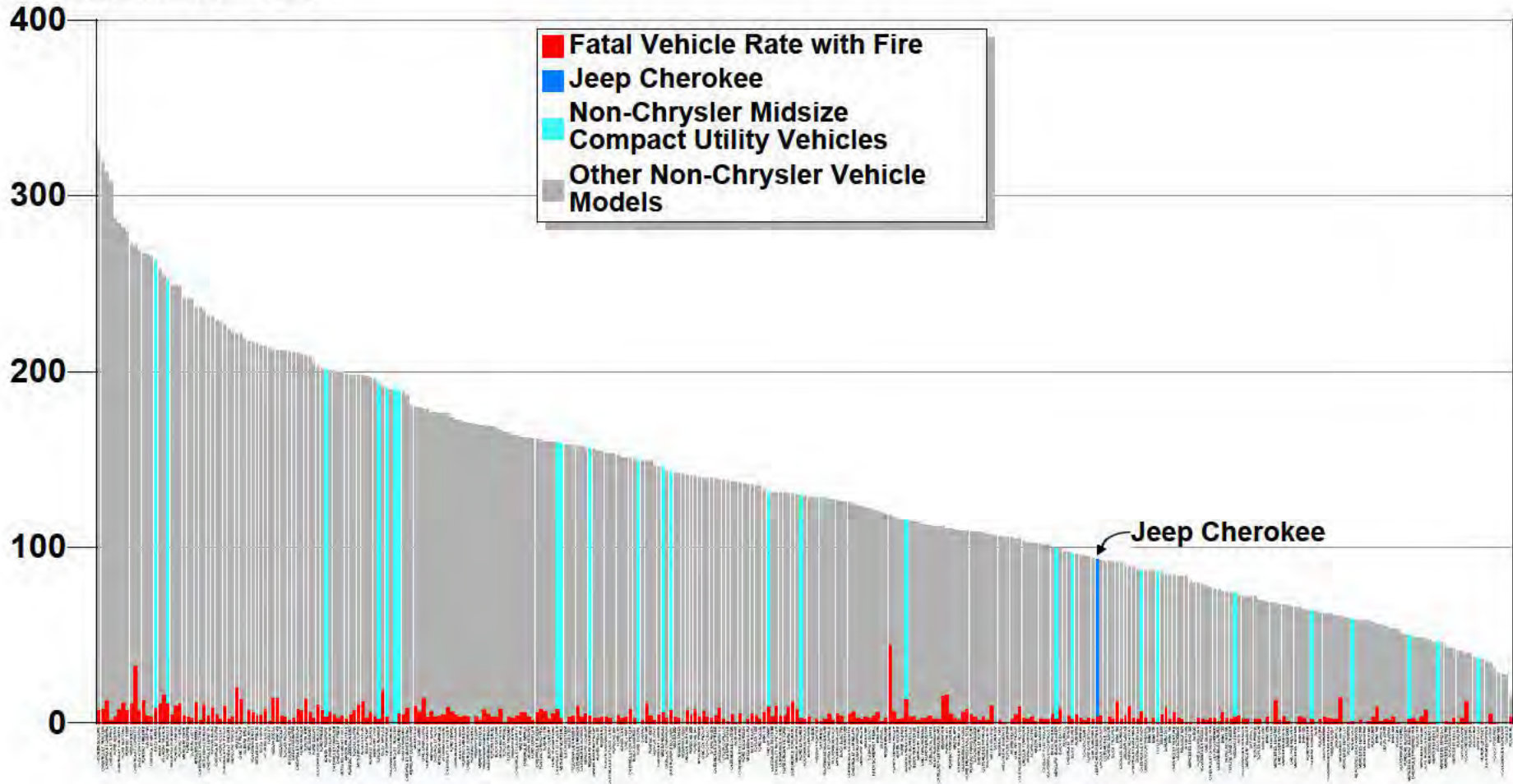
OPINIONS

1. Many other models, including many midsize non-Chrysler compact utility vehicles and many passenger car models, have higher fatal vehicle rates than that of model year 1984-2001 Jeep Cherokees vehicles. This holds for all collisions as well as rear impact collisions.
2. Many other models, including many midsize non-Chrysler compact utility vehicles and many passenger car models, have higher fatal vehicle rates with fire than that of model year 1984-2001 Jeep Cherokees vehicles. This holds for all collisions as well as rear impact collisions.
3. The fatal or major vehicle rates of model year 1984-2001 Jeep Cherokees are comparable to those of midsize non-Chrysler compact utility vehicles of the same vintage. This holds for all collisions as well as rear impact collisions.
4. Post-collision fire rates of model year 1984-2001 Jeep Cherokees are comparable to those of non-Chrysler midsize compact utility vehicles. This holds for all collisions as well as rear impact collisions.

Fatal Vehicle Rates

Jeep Cherokee and Non-Chrysler Passenger Cars and Light Trucks

Fatal Vehicles
Per Million Vehicle Years



Vehicle Models

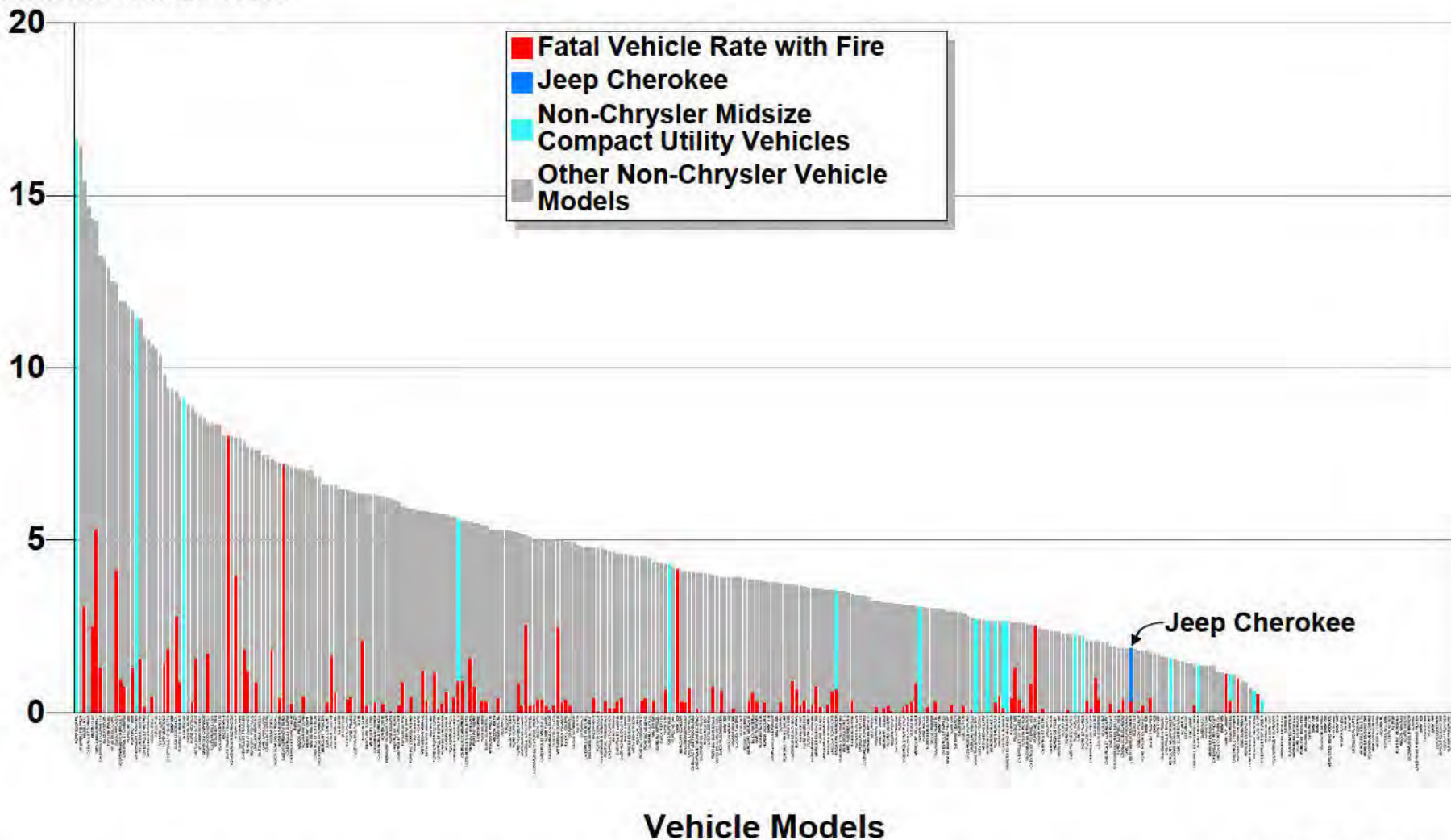
EA12-005- Chrysler -008621

*Model year 1984-2001 vehicles in FARS 1984-2001 with 100,000 or more registered years from Polk NVPP 1984-2001.
Non-Chrysler passenger cars and light trucks do not include Chrysler, Dodge, Jeep, Plymouth, Eagle or AMC.
Jeep Cherokee includes Jeep Cherokee and Jeep Grand Cherokee.*

Fatal Vehicle Rates in Rear Impacts

Jeep Cherokee and Non-Chrysler Passenger Cars and Light Trucks

Fatal Vehicles
Per Million Vehicle Years



Model year 1984-2001 vehicles in FARS 1984-2001 with 100,000 or more registered years from Polk NVPP 1984-2001.
 Non-Chrysler passenger cars and light trucks do not include Chrysler, Dodge, Jeep, Plymouth, Eagle or AMC.
 Jeep Cherokee includes Jeep Cherokee and Jeep Grand Cherokee.

EA12-005- Chrysler -008622

Fourteen State Accident Databases

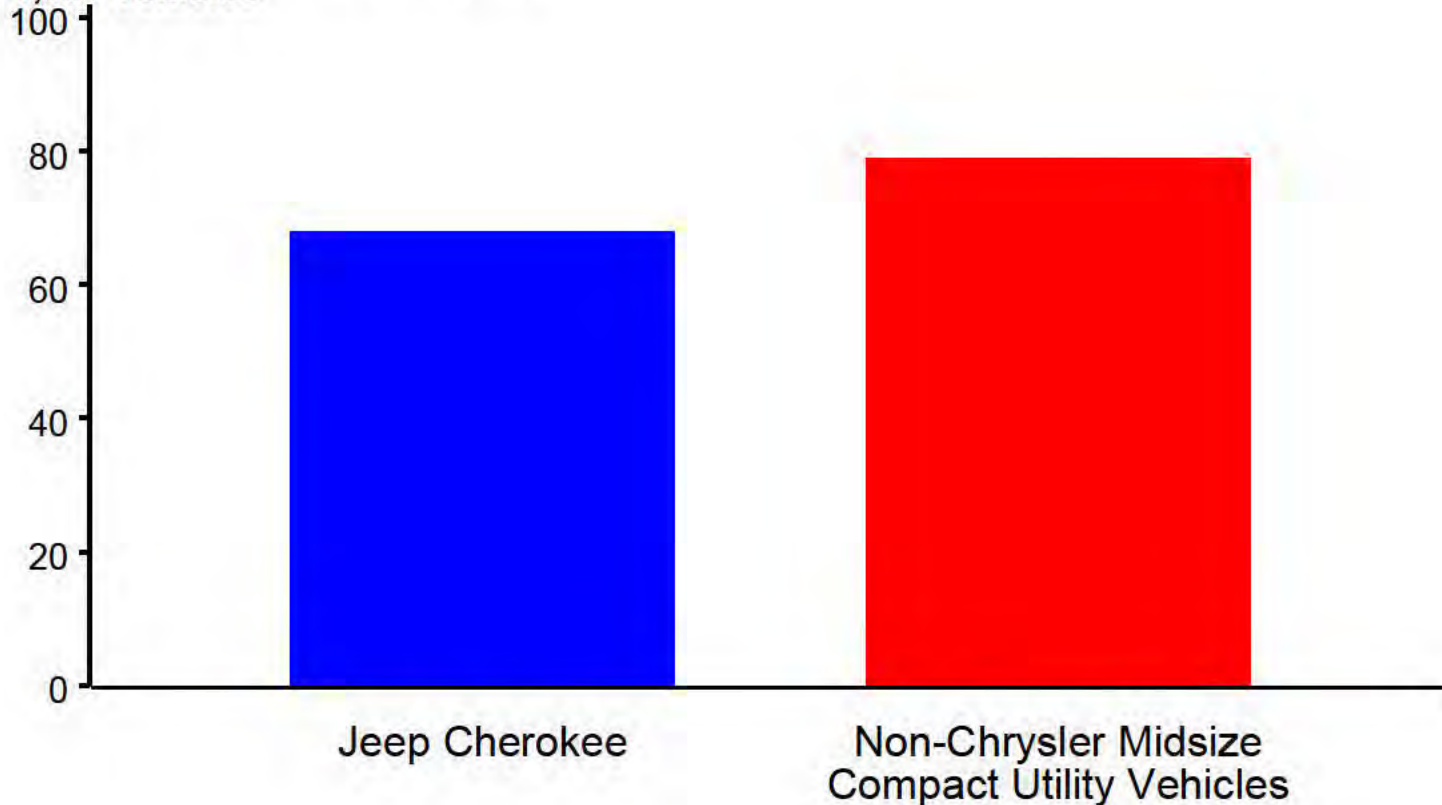
Publicly Available with Vehicle Identification Numbers and Fire Indicators

	<u>Accident Years</u>	<u>All Impacts</u>	<u>Rear Impact</u>
Alabama	1989-2001	●	●
Arkansas	1990-1996	●	●
Florida	1986-2001	●	●
Idaho	1989-2001	●	●
Illinois	1993-1995	●	
Iowa	1990-2000	●	
Maryland	1988-2000	●	●
Michigan	1983-1991	●	●
Nebraska	1993-2000	●	●
New York	1983-2000	●	
North Carolina	1988,1990-1999	●	●
Ohio	1991-1997,1999	●	
Wisconsin	1994-2001	●	
Wyoming	1988-2001	●	●

Fatal or Major Injury Rates

Midsized Compact Utility Vehicles in Injury Accidents

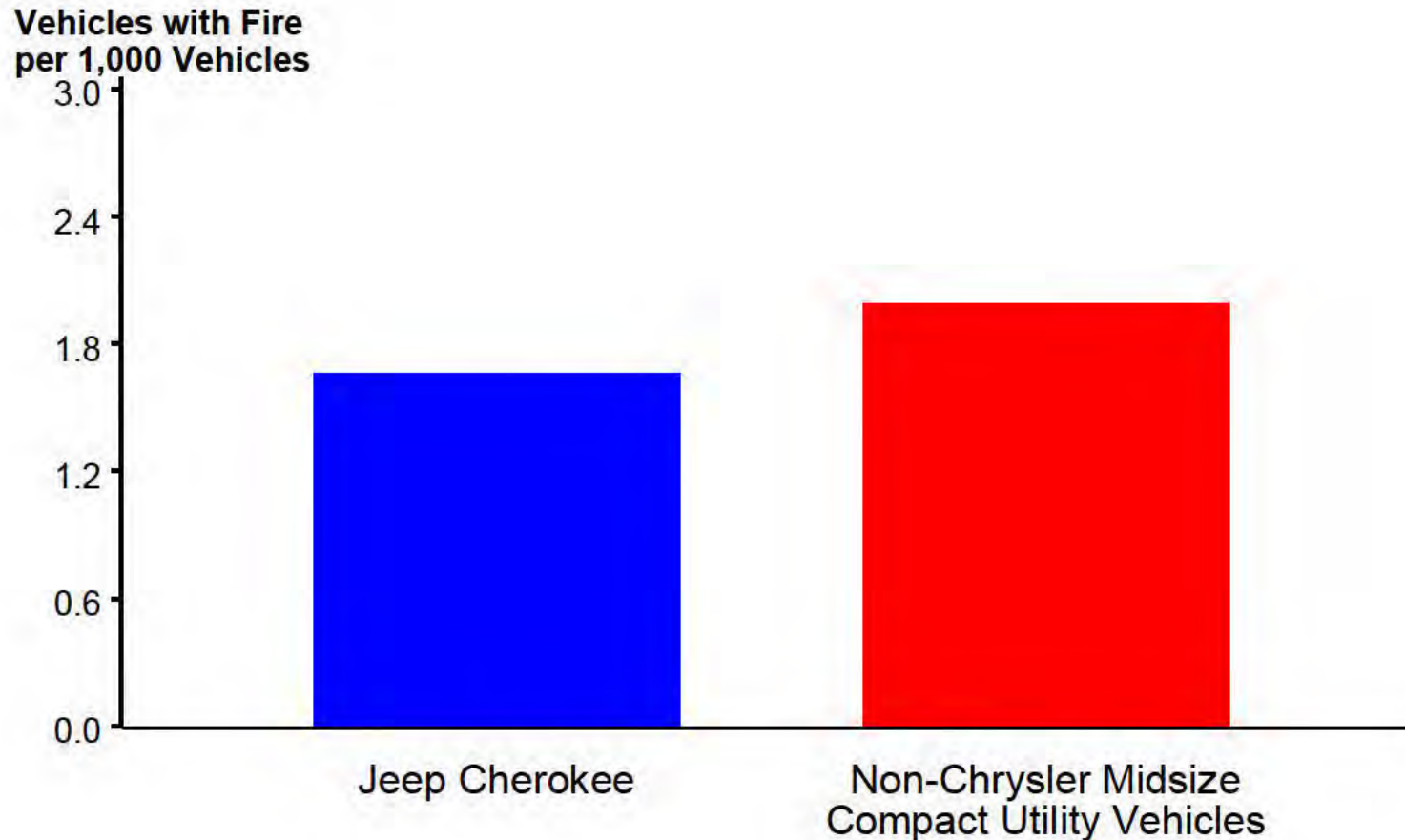
Vehicles with Fatal or Major Injury
per 1,000 Vehicles



Model year 1984-2001 compact utility vehicles in police reported collisions in Alabama, Arkansas, Florida, Idaho, Illinois, Iowa, Maryland, Michigan, Nebraska, New York, North Carolina, Ohio, Wisconsin or Wyoming.
Non-Chrysler midsized compact utility vehicles do not include Dodge or Jeep vehicles.
Jeep Cherokee includes Jeep Cherokee and Jeep Grand Cherokee.

Post-Collision Fire Rates

Midsized Compact Utility Vehicles in Injury Accidents

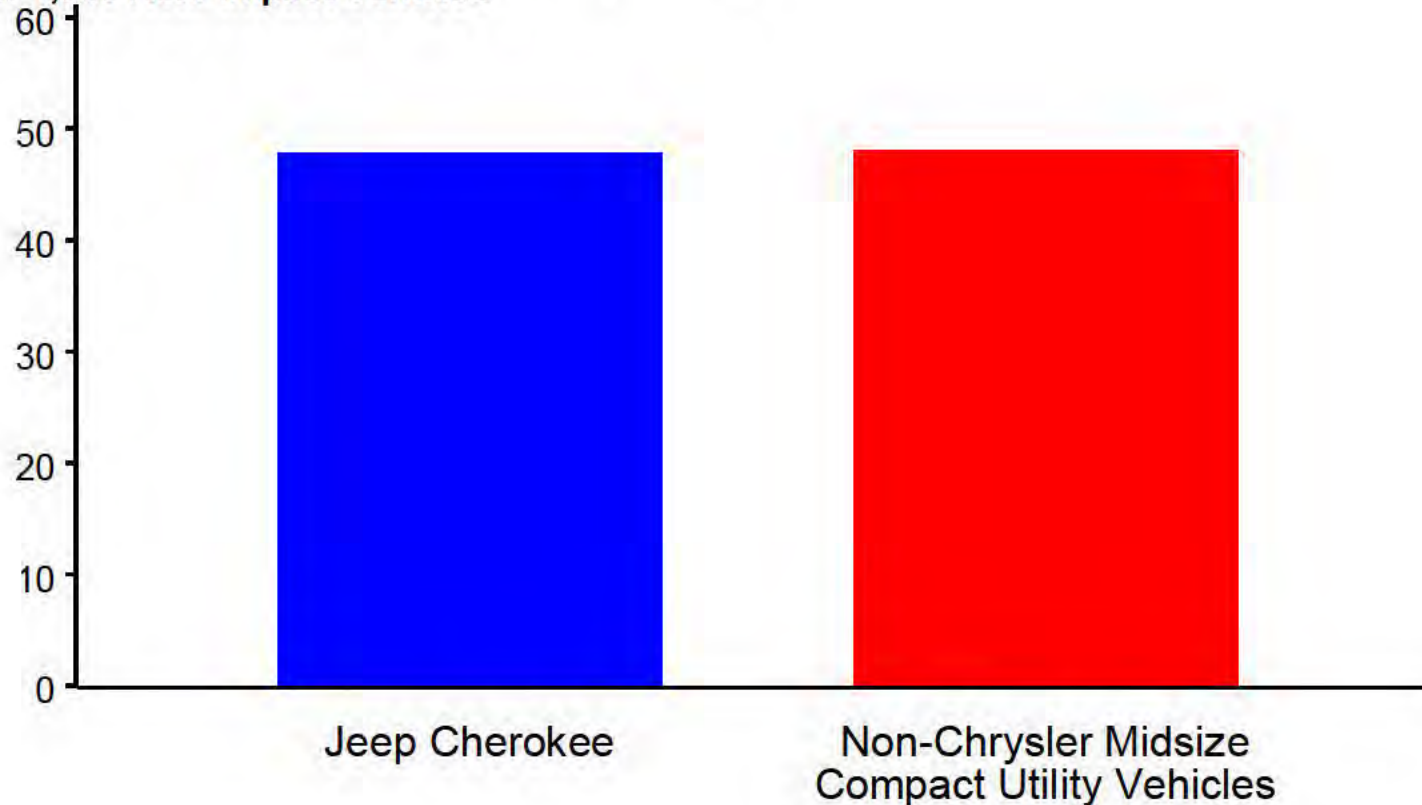


Model year 1984-2001 compact utility vehicles in police reported collisions in Alabama, Arkansas, Florida, Idaho, Illinois, Iowa, Maryland, Michigan, Nebraska, New York, North Carolina, Ohio, Wisconsin or Wyoming
Non-Chrysler midsized compact utility vehicles do not include Dodge or Jeep vehicles.
Jeep Cherokee includes Jeep Cherokee and Jeep Grand Cherokee.

Rear Impact Fatal or Major Injury Rates

Midsized Compact Utility Vehicles in Injury Accidents

Rear Impact Vehicles with Fatal or Major Injury
per 1,000 Rear Impact Vehicles



Model year 1984-2001 compact utility vehicles in police reported collisions in Alabama, Arkansas, Florida, Idaho, Maryland, Michigan, Nebraska, North Carolina or Wyoming.

Non-Chrysler midsized compact utility vehicles do not include Dodge or Jeep vehicles.

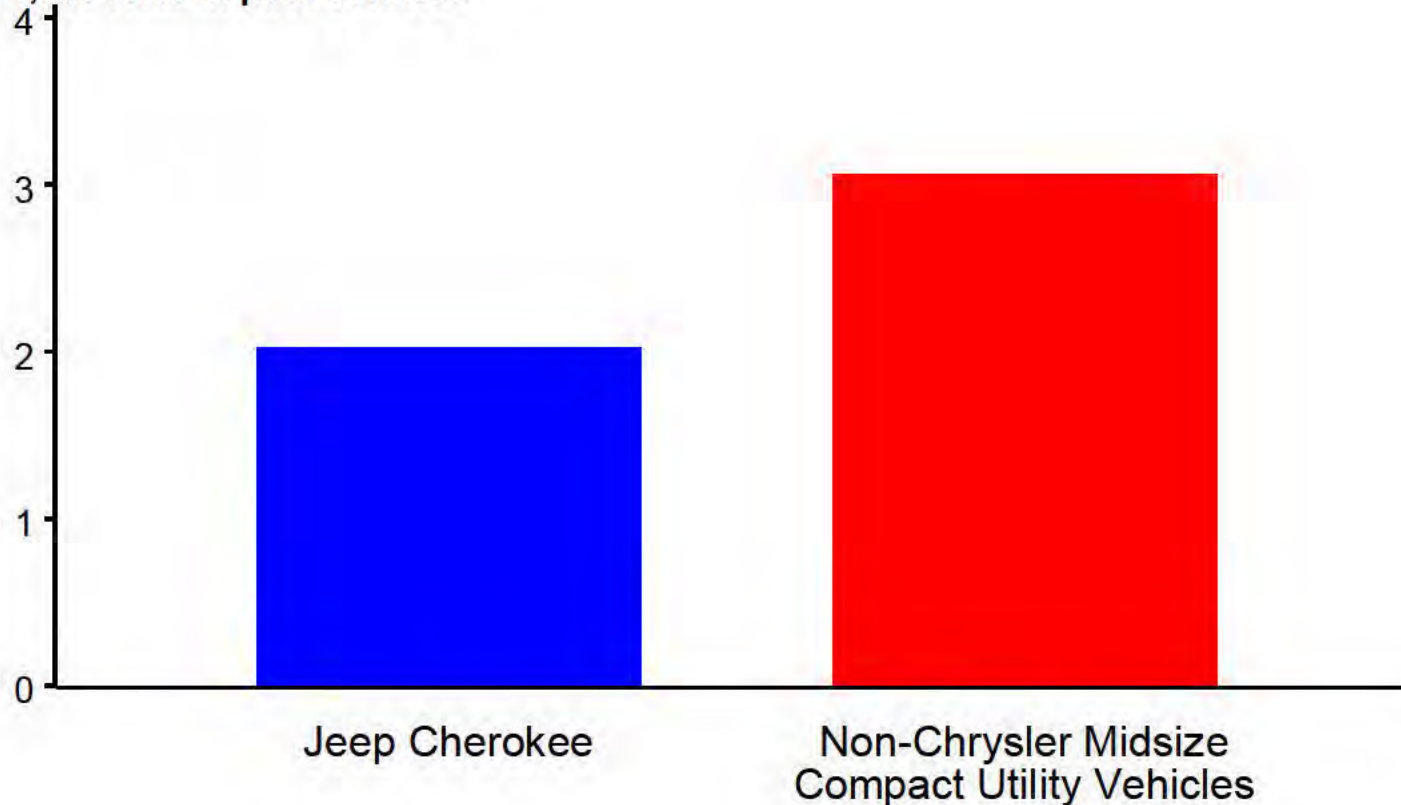
Jeep Cherokee includes Jeep Cherokee and Jeep Grand Cherokee.

EA12-005- Chrysler -008626

Rear Impact Post-Collision Fire Rates

Midsized Compact Utility Vehicles in Injury Accidents

Rear Impact Vehicles with Fire
per 1,000 Rear Impact Vehicles



Model year 1984-2001 compact utility vehicles in police reported collisions in Alabama, Arkansas, Florida, Idaho, Maryland, Michigan, Nebraska, North Carolina or Wyoming.

Non-Chrysler midsized compact utility vehicles do not include Dodge or Jeep vehicles.

Jeep Cherokee includes Jeep Cherokee and Jeep Grand Cherokee.

EA12-005- Chrysler -008627

Fatal Vehicle Rates in All Impacts
 Model Year 1984-2001 Jeep Cherokee and Non-Chrysler Passenger Cars and Light Trucks in Fatal Collisions in FARS 1984-2001
 with 100,000 or more Registered Years from POLK NVPP 1984-2001

Obs	Vehicle	Fatal Vehicle Rate	Fatal Vehicle Rate with Fire	
1	HYUNDAI SCOUPE	326.1	7.8	
2	CHEVROLET TRACKER	319.6	8.8	
3	CHEVROLET CAMARO	313.1	13.6	
4	CHEVROLET SPRINT	307.5	2.4	
5	FORD FESTIVA	286.6	3.9	
6	CHEVROLET CHEVETTE	284.3	8.4	
7	FORD MUSTANG	281.4	12.4	
8	PONTIAC T1000	279.0	7.8	
9	NISSAN 300 ZX	272.3	11.6	
10	CHEVROLET CORVETTE	271.0	32.9	
11	SUZUKI SWIFT/SA310	268.9	8.1	
12	PONTIAC FIREBIRD	267.2	13.4	
13	KIA SEPHIA	266.2	5.3	
14	CHEVROLET METRO	264.7	4.0	
15	ISUZU AMIGO	263.0	9.0	***
16	ISUZU HOMBERE	258.1	11.7	
17	HYUNDAI TIBURON	254.3	16.4	
18	FORD BRONCO II	251.8	11.5	***
19	DAIHATSU CHARADE	248.9	5.7	
20	PONTIAC LEMANS	248.5	10.3	
21	PONTIAC FIERO	248.1	12.0	
22	MERCURY CAPRI	241.6	5.0	
23	FORD ASPIRE	241.2	4.4	
24	SUBARU JUSTY	240.6	3.5	
25	MITSUBISHI 3000GT	236.5	12.4	
26	CHEVROLET SPECTRUM	236.5	2.5	
27	MITSUBISHI STARION	234.2	10.8	
28	CHEVROLET BERETTA	231.5	5.0	
29	TOYOTA ECHO	231.2	8.9	
30	CHEVROLET STORM	229.0	5.6	
31	HYUNDAI ACCENT	227.8	2.9	
32	CHEVROLET S/T PICKUP	226.4	10.1	
33	RENAULT ENCORE	224.2	3.2	
34	MERCURY TRACER	222.2	4.5	
35	MAZDA RX7	221.8	21.2	
36	GMC S/T PICKUP	221.6	14.2	
37	SUBARU BRAT	218.4	0.0	
38	MAZDA MX-3	216.9	8.0	
39	VOLKSWAGEN GTI	216.7	6.9	
40	MITSUBISHI PRECIS	216.4	5.3	
41	ISUZU I-MARK	215.0	5.5	
42	HYUNDAI EXCEL	214.5	8.6	

Note 1: Jeep Cherokee includes Jeep Cherokee and Jeep Grand Cherokee

Note 2: Non-Chrysler Passenger Cars and Light Trucks do not include Chrysler, Dodge, Jeep, Plymouth, Eagle or AMC

Note 3: *** = Non-Chrysler Midsize Compact Utility Vehicles

Fatal Vehicle Rates in All Impacts
 Model Year 1984-2001 Jeep Cherokee and Non-Chrysler Passenger Cars and Light Trucks in Fatal Collisions in FARS 1984-2001
 with 100,000 or more Registered Years from POLK NVPP 1984-2001

Obs	Vehicle	Fatal Vehicle Rate	Fatal Vehicle Rate with Fire	
43	YUGO GV	212.5	1.8	
44	NISSAN 200 SX	212.0	15.1	
45	BMW M3	211.9	14.8	
46	NISSAN PICKUP	211.9	5.1	
47	TOYOTA PICKUP	211.5	4.4	
48	MINISUBISHI CORDIA	211.5	2.5	
49	SUZUKI SAMURAI	210.6	3.7	
50	CHEVROLET CITATION	210.0	8.6	
51	FORD RANGER	209.6	7.7	
52	TOYOTA MR2	209.1	14.0	
53	GMC SONOMA	208.7	7.0	
54	FORD ESCORT	204.8	3.6	
55	VOLKSWAGEN SCIROCCO	202.7	11.2	
56	FORD PROBE	201.4	7.9	
57	HONDA PASSPORT	200.6	4.2	***
58	HYUNDAI ELANTRA	200.6	6.7	
59	CHEVROLET CAVALIER	200.3	5.6	
60	CHEVROLET PRIZM	199.8	3.7	
61	MINISUBISHI MIGHTY MAX	199.4	4.8	
62	MAZDA PROTEGE	198.7	3.0	
63	PONTIAC J2000/SUNBIRD	197.7	5.7	
64	TOYOTA SUPRA	197.5	8.2	
65	MINISUBISHI ECLIPSE	197.4	11.1	
66	ISUZU STYLUS	197.4	13.2	
67	ISUZU PICKUP	196.9	3.7	
68	RENAULT ALLIANCE	196.1	6.5	
69	MERCURY LYNX	195.0	4.4	
70	TOYOTA 4 RUNNER	192.7	2.9	***
71	ISUZU IMPULSE	190.7	19.3	
72	KIA SPORTAGE	189.9	4.3	***
73	VOLKSWAGEN CORRADO	189.6	0.0	
74	CHEVROLET TRACKER	189.3	0.0	***
75	ISUZU RODEO	188.9	6.3	***
76	SUZUKI SIDEKICK	188.0	5.6	
77	CHEVROLET MONTE CARLO	185.8	9.2	
78	MERCURY COUGAR FWD	180.3	0.0	
79	MAZDA GLC	180.0	10.1	
80	GMC S/T JIMMY	179.4	7.5	
81	GMC CABALLERO	178.3	14.9	
82	OLDSMOBILE OMEGA	178.2	3.8	
83	MERCURY TOPAZ	176.8	7.3	
84	CHEVROLET NOVA	176.5	4.4	

Note 1: Jeep Cherokee includes Jeep Cherokee and Jeep Grand Cherokee
 Note 2: Non-Chrysler Passenger Cars and Light Trucks do not include Chrysler, Dodge, Jeep, Plymouth, Eagle or AMC
 Note 3: *** = Non-Chrysler Midsize Compact Utility Vehicles

Fatal Vehicle Rates in All Impacts
 Model Year 1984-2001 Jeep Cherokee and Non-Chrysler Passenger Cars and Light Trucks in Fatal Collisions in FARS 1984-2001
 with 100,000 or more Registered Years from POLK NVPP 1984-2001

Obs	Vehicle	Fatal Vehicle Rate	Fatal Vehicle Rate with Fire
85	MINISUBISHI MIRAGE	176.2	4.9
86	HYUNDAI SONATA	175.9	5.7
87	CHEVROLET S/T BLAZER	175.7	9.8
88	FORD TEMPO	173.5	7.1
89	OLDSMOBILE CALAIS	172.3	5.6
90	BUICK SKYHAWK	172.2	4.1
91	PONTIAC GRAND AM	171.0	5.1
92	CHEVROLET CORSICA	170.5	4.0
93	PONTIAC PHOENIX	170.4	0.0
94	NISSAN PULSAR	169.7	4.4
95	MERCURY MYSTIQUE	169.4	2.6
96	NISSAN 200 SX/240 SX	169.0	8.4
97	OLDSMOBILE FIRENZA	168.7	6.3
98	TOYOTA TERCEL	168.1	4.5
99	BUICK SKYLARK	167.9	4.3
100	MINISUBISHI VAN	166.8	8.3
101	TOYOTA PASEO	165.2	1.2
102	TOYOTA TACOMA	165.1	4.2
103	NISSAN SENTRA	163.6	3.4
104	CHEVROLET CELEBRITY	163.4	4.8
105	MAZDA MX-6	162.2	6.5
106	CHEVROLET IMPALA	162.1	6.6
107	ACURA INTEGRA	162.1	4.5
108	FORD CONTOUR	162.0	2.2
109	CHEVROLET BLAZER	161.4	6.9
110	PONTIAC GRAND PRIX	160.7	8.7
111	SUBARU XT6	159.7	7.3
112	BUICK CENTURY	159.7	3.6
113	FORD THUNDERBIRD	159.5	6.4
114	CHEVROLET S/T BLAZER	159.4	8.6
115	MINISUBISHI MONTERO	158.8	3.7
116	SUZUKI ESTEEM	157.8	0.0
117	MAZDA 323	157.7	4.6
118	VOLKSWAGEN RABBIT	157.6	4.8
119	OLDSMOBILE BRAVADA	157.6	10.2
120	OLDSMOBILE ACHIEVA	157.5	4.1
121	MERCURY COUGAR	156.1	6.5
122	NISSAN PATHFINDER	155.9	5.1
123	MAZDA B-SERIES PICKUP	155.8	3.6
124	HONDA PRELUDE	155.0	3.6
125	NISSAN NX	154.4	4.7
126	TOYOTA VAN WAGON	153.9	4.4

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 Note 3: *** = Non-Chrysler Midsize Compact Utility Vehicles

Fatal Vehicle Rates in All Impacts
 Model Year 1984-2001 Jeep Cherokee and Non-Chrysler Passenger Cars and Light Trucks in Fatal Collisions in FARS 1984-2001
 with 100,000 or more Registered Years from POLK NVPP 1984-2001

Obs	Vehicle	Fatal Vehicle Rate	Fatal Vehicle Rate with Fire	
127	OLDSMOBILE CUTLASS CIERA	152.7	3.6	
128	PORSCHE 924	152.5	0.0	
129	FORD LTD	152.0	4.8	
130	HONDA CIVIC	151.2	3.6	
131	GMC JIMMY	150.7	4.3	
132	CHEVROLET C/K PICKUP	150.5	8.4	
133	BUICK SOMERSET	150.2	3.7	
134	FORD ESCAPE	149.4	0.0	***
135	SUBARU	149.3	2.0	
136	BMW 325	148.9	11.3	
137	PONTIAC 6000	148.9	5.2	
138	MERKUR XR4TI	146.3	2.3	
139	CHEVROLET LUMINA	145.6	5.8	
140	MAZDA NAVAJA	145.0	6.6	***
141	CADILLAC CIMARRON	143.0	3.7	
142	LAND ROVER DISCOVERY	142.8	8.1	***
143	MAZDA 929	142.1	4.5	
144	NISSAN STANZA	141.7	3.3	
145	NISSAN AXCESS	141.7	0.0	
146	LINCOLN MARK VIII	140.8	7.8	
147	PORSCHE 928	140.8	5.9	
148	PORSCHE 944	140.6	8.5	
149	MITSUBISHI TREDIA	140.0	4.5	
150	GMC C/K PICKUP	139.4	7.3	
151	TOYOTA CELICA	139.3	4.5	
152	STERLING 825	139.1	3.6	
153	OLDSMOBILE SUPREME	139.0	4.9	
154	LINCOLN MARK VII	138.1	8.9	
155	TOYOTA COROLLA	137.9	2.6	
156	SUBARU LOYALE	137.7	1.8	
157	OLDSMOBILE OLDS 98	137.4	5.3	
158	AUDI 4000	137.1	1.1	
159	CHEVROLET EL CAMINO	136.8	6.1	
160	FORD EXCURSION	136.0	0.0	
161	MITSUBISHI EXPO	135.6	2.7	
162	BUICK REGAL	135.3	5.9	
163	TOYOTA T100	135.0	4.9	
164	FORD FOCUS	134.6	3.0	
165	BMW 318	132.6	7.0	
166	GMC S/T JIMMY	131.4	9.5	***
167	OLDSMOBILE DELTA 88	131.0	4.5	
168	CHEVROLET R/V PICKUP	130.9	10.3	

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Fatal Vehicle Rates in All Impacts
 Model Year 1984-2001 Jeep Cherokee and Non-Chrysler Passenger Cars and Light Trucks in Fatal Collisions in FARS 1984-2001
 with 100,000 or more Registered Years from POLK NVPP 1984-2001

Obs	Vehicle	Fatal Vehicle Rate	Fatal Vehicle Rate with Fire
169	OLDSMOBILE ALERO	130.8	4.8
170	FORD CROWN VICTORIA	130.6	4.9
171	SUBARU XT	130.2	9.5
172	OLDSMOBILE TORONADO	130.0	13.0
173	MERKUR SCORPIO	129.5	8.4
174	FORD EXPLORER	128.9	3.7
175	VOLKSWAGEN GOLF	128.9	3.2
176	BUICK LESABRE	128.2	3.9
177	AUDI 80	128.2	0.0
178	NISSAN FRONTIER	128.1	3.0
179	SATURN SC	128.1	1.6
180	VOLKSWAGEN QUANTUM	127.8	3.1
181	CHEVROLET CAPRICE	127.5	6.1
182	VOLKSWAGEN FOX	127.3	2.6
183	MINIBISHI GALANT	126.5	6.1
184	BUICK ELECTRA	126.1	4.8
185	INFINITI G20	125.6	1.2
186	OLDSMOBILE SILHOUETTE	125.6	6.3
187	CHEVROLET LUMINA APV	124.1	7.6
188	SUBARU IMPREZA	123.7	3.3
189	MERCURY MARQUIS	122.9	3.1
190	MAZDA 626	122.4	3.8
191	SUBARU LEGACY	122.1	3.5
192	BUICK SOMERSET REGAL	120.8	4.8
193	BMW 635	120.6	6.7
194	SATURN SL	119.2	1.9
195	NISSAN MAXIMA	118.9	3.6
196	FERRARI	117.9	45.4
197	FORD F-SERIES PICKUP	116.6	7.2
198	HONDA ACCORD	116.4	3.1
199	FORD TAURUS	115.4	3.7
200	SUZUKI GRAND VITARA	115.1	14.4
201	PONTIAC BONNEVILLE	114.6	4.2
202	BUICK PARK AVENUE	114.4	4.4
203	MERCURY SABLE	114.4	2.5
204	GMC YUKON/DENALI	112.7	3.7
205	FORD AEROSTAR	112.4	3.8
206	CADILLAC ALLANTE	112.3	4.9
207	BUICK ROADMASTER	112.0	2.6
208	CADILLAC FLEETWOOD/LIMO	111.7	2.7
209	NISSAN VAN	111.6	15.9
210	PORSCHE 911	110.8	16.4

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Fatal Vehicle Rates in All Impacts
 Model Year 1984-2001 Jeep Cherokee and Non-Chrysler Passenger Cars and Light Trucks in Fatal Collisions in FARS 1984-2001
 with 100,000 or more Registered Years from POLK NVFP 1984-2001

Obs	Vehicle	Fatal Vehicle Rate	Fatal Vehicle Rate with Fire
211	PONTIAC PARISIENNE	110.3	6.1
212	MAZDA MPV	109.8	3.8
213	CHEVROLET MALIBU LS	109.6	2.1
214	OLDSMOBILE CUTLASS	109.4	6.8
215	FORD BRONCO (FULL SIZE)	109.4	8.5
216	PONTIAC TRANS SPORT	108.9	5.3
217	TOYOTA CRESSIDA	108.6	4.2
218	CHEVROLET ASTRO	108.3	2.5
219	OLDSMOBILE INTRIGUE	107.8	4.0
220	VOLKSWAGEN JETTA	107.1	2.4
221	MAZDA MILLENIA	106.8	10.5
222	SATURN SW	106.7	0.0
223	NISSAN ALTIMA	106.2	2.4
224	MITSUBISHI DIAMANTE	105.6	1.2
225	TOYOTA TUNDRA	105.4	0.0
226	ACURA VIGOR	105.2	2.7
227	GMC R/V PICKUP	105.2	5.8
228	LAND ROVER RANGE ROVER	104.8	9.7
229	LINCOLN TOWN CAR	103.4	3.5
230	CADILLAC DEVILLE	102.7	2.8
231	ACURA LEGEND	102.4	4.3
232	MAZDA MIATA	102.3	1.6
233	GMC SAFARI	102.2	2.9
234	CADILLAC FLEETWOOD	101.5	2.9
235	VOLKSWAGEN CABRIOLET	101.3	3.0
236	BUICK RIVIERA	99.6	6.2
237	MERCURY MOUNTAINEER	99.4	3.2
238	BUICK REATTA	99.2	8.6
239	ACURA CL	97.5	0.0
240	CHEVROLET TAHOE	97.4	4.7
241	ISUZU TROOPER	96.3	2.7
242	AUDI 5000	96.0	5.7
243	BMW Z3	95.7	3.5
244	TOYOTA CAMRY	95.0	2.5
245	FORD EXPEDITION	94.2	3.7
246	GMC SUBURBAN	93.3	3.0
247	JEEP CHEROKEE	92.7	4.4
248	LINCOLN NAVIGATOR	92.3	5.1
249	OLDSMOBILE LSS	91.9	0.0
250	PONTIAC SAFARI	91.8	3.8
251	ISUZU TROOPER	91.5	3.0
252	BMW 750	91.3	13.0

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Obs	Vehicle	Fatal Vehicle Rate	Fatal Vehicle Rate with Fire	
253	CADILLAC ELDORADO	91.2	2.9	
254	JAGUAR XJS/XK8	90.2	4.9	
255	PONTIAC MONTANA	89.0	10.3	
256	CHEVROLET SUBURBAN	88.9	3.4	
257	CADILLAC SEVILLE	87.3	2.7	
258	OLDSMOBILE BRAVADA	87.0	7.5	***
259	LINCOLN CONTINENTAL	87.0	3.3	
260	BMW 540	86.6	0.0	
261	BMW 535	85.9	3.5	
262	TOYOTA RAV4	85.7	1.0	***
263	SAAB 900	85.2	5.8	
264	SUBARU SVX	85.1	9.5	
265	BMW 735	84.3	3.0	
266	CHEVROLET VENTURE	84.0	6.7	
267	LEXUS SC300/400	83.8	3.3	
268	PEUGEOT 505	83.6	2.6	
269	INFINITI Q45	83.2	1.3	
270	MERCEDES BENZ 190	80.9	0.9	
271	AUDI 90	79.5	0.0	
272	FORD E-SERIES VAN	79.5	3.7	
273	VOLKSWAGEN PASSAT	78.7	3.2	
274	GMC SAVANA	78.1	2.2	
275	CHEVROLET G-SERIES VAN	76.7	3.4	
276	LEXUS GS300/400	76.4	3.6	
277	OLDSMOBILE AURORA	75.4	1.4	
278	BMW 733	74.3	6.8	
279	CADILLAC CATERA	74.3	3.7	
280	TOYOTA LAND CRUISER	74.2	3.0	
281	NISSAN XTERRA	74.2	4.1	***
282	AUDI 100	72.4	4.8	
283	VOLKSWAGEN VANAGON	72.2	2.8	
284	MERCURY VILLAGER	72.0	3.1	
285	SATURN LS	71.9	0.0	
286	TOYOTA PREVIA	71.9	3.0	
287	TOYOTA AVALON	69.6	2.8	
288	INFINITI M30	69.6	0.0	
289	BMW 328	68.7	4.6	
290	INFINITI J30	67.9	0.0	
291	MERCEDES BENZ 560	67.8	13.9	
292	GMC G-SERIES VAN	67.6	2.6	
293	MERCEDES BENZ SL	67.4	4.5	
294	SAAB 9000	67.1	1.9	

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Obs	Vehicle	Fatal Vehicle Rate	Fatal Vehicle Rate with Fire	
295	GMC P-SERIES VAN	66.1	0.0	
296	MERCEDES BENZ 500	65.6	0.0	
297	BMW 528	65.4	4.3	
298	BMW 525	64.2	3.4	
299	FORD WINDSTAR	64.2	1.3	
300	SUBARU FORESTER	63.5	2.6	***
301	AUDI	63.4	0.0	
302	VOLVO 244	62.1	3.1	
303	LEXUS ES250/300	62.1	4.5	
304	VOLKSWAGEN NEW BEETLE	62.0	3.8	
305	NISSAN QUEST	61.4	2.9	
306	JAGUAR XJ	61.0	2.9	
307	MITSUBISHI SIGMA	60.7	15.2	
308	MERCEDES BENZ CLK	59.5	0.0	
309	VOLVO 760/780	59.3	1.0	
310	HONDA CR-V	58.8	1.9	***
311	MERCEDES BENZ 400/500E	58.5	0.0	
312	MERCEDES BENZ 300	58.4	2.6	
313	MERCEDES BENZ 260	58.4	0.0	
314	INFINITI I30	58.0	1.7	
315	VOLVO 960	57.9	4.5	
316	BMW 740	56.3	9.7	
317	ACURA TL	55.8	1.5	
318	LEXUS LS400	54.7	3.1	
319	AUDI A4	53.9	2.4	
320	BMW 323	53.8	4.1	
321	VOLVO 940	53.2	1.3	
322	VOLKSWAGEN CABRIO	51.4	0.0	
323	PORSCHE BOXSTER	50.1	0.0	
324	MERCEDES BENZ M-SERIES	49.9	2.6	***
325	CHEVROLET P-SERIES VAN	49.1	3.4	
326	VOLVO 740	48.2	1.6	
327	MERCEDES BENZ 420	48.0	4.0	
328	ALFA ROMEO VELOCE	48.0	8.0	
329	MERCEDES BENZ C	47.1	1.1	
330	MERCEDES BENZ E	45.8	0.9	
331	LEXUS RX300	45.7	0.0	***
332	MERCEDES BENZ SLK	45.4	0.0	
333	MERCEDES BENZ 380	43.0	1.8	
334	TOYOTA SIENNA	42.8	1.3	
335	MERCEDES BENZ S	41.9	3.5	
336	VOLVO 240	40.8	1.0	

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Obs	Vehicle	Fatal Vehicle Rate	Fatal Vehicle Rate with Fire
337	TOYOTA SOLARA	40.6	3.7
338	VOLVO 80 SERIES	39.4	13.1
339	VOLVO 245	39.2	0.6
340	VOLVO 850	36.8	0.0
341	INFINITI QX4	36.4	0.0
342	HONDA ODYSSEY	36.3	1.2
343	ALFA ROMEO SPIDER	35.1	0.0
344	AUDI A6	34.3	6.2
345	VOLVO 70 SERIES	30.9	1.3
346	BMW 530	28.1	0.0
347	VOLKSWAGEN EUROVAN	27.5	0.0
348	SAAB 9-3	27.4	0.0
349	ACURA RL	15.4	3.8

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Obs	Vehicle	Fatal Vehicle Rate	Fatal Vehicle Rate with Fire	
1	FORD ESCAPE	16.6	0.0	***
2	HYUNDAI TIBURON	16.4	0.0	
3	MAZDA RX7	15.4	3.1	
4	CHEVROLET SPRINT	14.7	0.0	
5	MAZDA GLC	14.3	2.5	
6	MINIBISHI 3000GT	14.2	5.3	
7	CHEVROLET CORVETTE	13.2	1.3	
8	ISUZU STYLUS	13.2	0.0	
9	TOYOTA PASEO	12.9	0.0	
10	HYUNDAI SCOUPE	12.5	0.0	
11	ISUZU IMPULSE	12.4	4.1	
12	VOLKSWAGEN CABRIOLET	11.9	1.0	
13	CHEVROLET CAMARO	11.9	0.8	
14	PORSCHE 928	11.7	0.0	
15	PONTIAC T1000	11.7	1.3	
16	CHEVROLET TRACKER	11.5	0.0	***
17	HYUNDAI ELANTRA	11.4	1.6	
18	CHEVROLET METRO	10.9	0.2	
19	MINIBISHI STARION	10.8	0.0	
20	NISSAN 300 ZX	10.6	0.5	
21	KIA SEPHIA	10.5	0.0	
22	SUBARU JUSTY	10.4	0.0	
23	FORD MUSTANG	9.8	1.5	
24	CHEVROLET CHEVETTE	9.4	1.9	
25	BMW 530	9.4	0.0	
26	SUZUKI SIDEKICK	9.3	2.8	
27	PONTIAC FIREBIRD	9.1	0.9	
28	INFINITI QX4	9.1	0.0	***
29	TOYOTA ECHO	8.9	0.0	
30	FORD FESTIVA	8.8	0.3	
31	MINIBISHI ECLIPSE	8.7	1.6	
32	HYUNDAI ACCENT	8.6	0.0	
33	DAIHATSU CHARADE	8.5	0.0	
34	NISSAN 200 SX/240 SX	8.4	1.7	
35	OLDSMOBILE LSS	8.4	0.0	
36	MINIBISHI VAN	8.3	0.0	
37	VOLKSWAGEN GTI	8.3	0.0	
38	MAZDA MX-3	8.0	0.0	
39	ALFA ROMEO VELOCE	8.0	8.0	
40	VOLKSWAGEN SCIROCCO	8.0	0.0	
41	NISSAN VAN	8.0	4.0	
42	SUZUKI SAMURAI	8.0	0.0	

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Fatal Vehicle Rates in Rear Impacts
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Obs	Vehicle	Fatal Vehicle Rate	Fatal Vehicle Rate with Fire
43	CHEVROLET TRACKER	7.9	1.8
44	RENAULT ALLIANCE	7.7	1.2
45	MERCURY MYSTIQUE	7.7	0.0
46	LINCOLN MARK VII	7.6	0.9
47	OLDSMOBILE OMEGA	7.6	0.0
48	GMC CABALLERO	7.4	0.0
49	CADILLAC CATERA	7.4	0.0
50	NISSAN 200 SX	7.3	1.8
51	BUICK SOMERSET REGAL	7.2	0.0
52	NISSAN SENTRA	7.2	0.4
53	SUZUKI GRAND VITARA	7.2	7.2
54	CHEVROLET STORM	7.2	0.0
55	CHEVROLET SPECTRUM	7.1	0.3
56	BMW 23	7.1	0.0
57	MAZDA PROTEGE	7.0	0.0
58	ACURA INTEGRA	7.0	0.5
59	MERCURY CAPRI	7.0	0.0
60	MAZDA MILLENIA	7.0	0.0
61	CHEVROLET CITATION	6.8	0.0
62	VOLKSWAGEN CORRADO	6.8	0.0
63	MERCURY TRACER	6.6	0.0
64	BUICK CENTURY	6.6	0.3
65	JAGUAR XJS/XK8	6.6	1.6
66	HONDA PRELUDE	6.6	0.6
67	AUDI 4000	6.5	0.0
68	INFINITI J30	6.5	0.0
69	BUICK SKYLARK	6.4	0.4
70	FORD PROBE	6.4	0.5
71	OLDSMOBILE ALERO	6.4	0.0
72	AUDI	6.3	0.0
73	TOYOTA MR2	6.3	2.1
74	MERCURY TOFAZ	6.3	0.2
75	MERCURY LYNX	6.3	0.0
76	CHEVROLET PRIZM	6.3	0.3
77	OLDSMOBILE FIRENZA	6.3	0.0
78	HONDA CIVIC	6.3	0.3
79	MERCURY COUGAR FWD	6.2	0.0
80	FORD ESCORT	6.2	0.1
81	CHEVROLET NOVA	6.1	0.0
82	CHEVROLET CAVALIER	6.1	0.2
83	TOYOTA SUPRA	5.9	0.9
84	SUBARU BRAT	5.9	0.0

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Obs	Vehicle	Fatal Vehicle Rate	Fatal Vehicle Rate with Fire
85	PONTIAC J2000/SUNBIRD	5.9	0.5
86	PONTIAC PHOENIX	5.9	0.0
87	ISUZU HOMBRE	5.9	0.0
88	MITSUBISHI MIRAGE	5.8	1.2
89	TOYOTA VAN WAGON	5.8	0.4
90	MAZDA 323	5.8	0.0
91	FORD CROWN VICTORIA	5.8	1.2
92	CHEVROLET BERETTA	5.8	0.1
93	PONTIAC GRAND AM	5.8	0.3
94	HYUNDAI SONATA	5.7	0.6
95	VOLKSWAGEN FOX	5.7	0.0
96	CHEVROLET CELEBRITY	5.6	0.5
97	HONDA CR-V	5.6	0.9
98	CADILLAC CIMARRON	5.5	0.9
99	OLDSMOBILE SILHOUETTE	5.5	0.0
100	RENAULT ENCORE	5.5	1.6
101	PONTIAC FIERO	5.5	0.8
102	FORD ASPIRE	5.5	0.0
103	PONTIAC 6000	5.4	0.4
104	BUICK SOMERSET	5.4	0.3
105	MITSUBISHI PRECIS	5.3	0.0
106	MAZDA MIATA	5.3	0.0
107	HYUNDAI EXCEL	5.3	0.4
108	ACURA CL	5.3	0.0
109	YUGO GV	5.3	0.0
110	SUZUKI ESTEEM	5.3	0.0
111	FORD CONTOUR	5.2	0.0
112	FORD THUNDERBIRD	5.2	0.9
113	OLDSMOBILE CALAIS	5.2	0.2
114	LINCOLN NAVIGATOR	5.1	2.6
115	TOYOTA TERCEL	5.1	0.2
116	OLDSMOBILE CUTLASS CIERA	5.0	0.3
117	MAZDA MPV	5.0	0.4
118	CHEVROLET MALIBU LS	5.0	0.4
119	FORD TEMPO	5.0	0.2
120	OLDSMOBILE OLDS 98	5.0	0.1
121	TOYOTA CELICA	5.0	0.2
122	MITSUBISHI CORDIA	5.0	2.5
123	NISSAN PULSAR	5.0	0.3
124	BUICK LESABRE	5.0	0.4
125	SATURN SL	4.9	0.2
126	LEXUS SC300/400	4.9	0.0

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Obs	Vehicle	Fatal Vehicle Rate	Fatal Vehicle Rate with Fire
127	AUDI 100	4.8	0.0
128	SATURN LS	4.8	0.0
129	CHEVROLET VENTURE	4.8	0.0
130	VOLKSWAGEN RABBIT	4.8	0.0
131	MAZDA MX-6	4.8	0.4
132	TOYOTA COROLLA	4.8	0.1
133	VOLKSWAGEN VANAGON	4.7	0.0
134	PONTIAC PARISIENNE	4.7	0.4
135	CHEVROLET CORSICA	4.7	0.1
136	BUICK REGAL	4.7	0.1
137	CHEVROLET LUMINA	4.6	0.3
138	OLDSMOBILE DELTA 88	4.6	0.4
139	ISUZU I-MARK	4.6	0.0
140	MERCEDES BENZ 500	4.5	0.0
141	MITSUBISHI TREDIA	4.5	0.0
142	MERKUR XR4TI	4.5	0.0
143	PONTIAC GRAND PRIX	4.5	0.4
144	PONTIAC LEMANS	4.5	0.4
145	SUBARU LOYALE	4.5	0.0
146	MAZDA 626	4.4	0.4
147	SUBARU IMPREZA	4.3	0.0
148	BUICK REATTA	4.3	0.0
149	FORD LTD	4.3	0.7
150	KIA SPORTAGE	4.3	0.0
151	PORSCHE 944	4.2	0.0
152	BMW 323	4.1	4.1
153	MERCURY COUGAR	4.1	0.3
154	VOLKSWAGEN GOLF	4.1	0.3
155	CHEVROLET CAPRICE	4.1	0.7
156	CADILLAC FLEETWOOD/LIMO	4.1	0.0
157	CHEVROLET MONTE CARLO	4.1	0.1
158	OLDSMOBILE INTRIGUE	4.0	0.0
159	NISSAN QUEST	4.0	0.0
160	TOYOTA SIENNA	4.0	0.0
161	PONTIAC BONNEVILLE	4.0	0.8
162	MITSUBISHI MIGHTY MAX	4.0	0.0
163	BUICK ROADMASTER	3.9	0.7
164	BMW 325	3.9	0.0
165	LINCOLN MARK VIII	3.9	0.0
166	NISSAN MAXIMA	3.9	0.1
167	TOYOTA TUNDRA	3.9	0.0
168	VOLVO 940	3.9	0.0

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169	VOLVO 70 SERIES	3.9	0.0
170	MERCURY MARQUIS	3.9	0.4
171	BUICK RIVIERA	3.8	0.6
172	GMC SONOMA	3.8	0.3
173	PONTIAC SAFARI	3.8	0.0
174	HONDA ACCORD	3.8	0.3
175	BMW 318	3.8	0.0
176	CADILLAC FLEETWOOD	3.8	0.0
177	MAZDA 929	3.8	0.0
178	SUBARU	3.7	0.3
179	PONTIAC TRANS SPORT	3.7	0.0
180	INFINITI G20	3.7	0.0
181	OLDSMOBILE ACHIEVA	3.7	0.9
182	BUICK SKYHAWK	3.7	0.7
183	ISUZU PICKUP	3.7	0.2
184	FORD WINDSTAR	3.6	0.4
185	TOYOTA CAMRY	3.6	0.1
186	OLDSMOBILE SUPREME	3.6	0.3
187	MERCEDES BENZ 300	3.6	0.8
188	FORD TAURUS	3.6	0.2
189	MITSUBISHI DIAMANTE	3.6	0.0
190	MITSUBISHI GALANT	3.5	0.3
191	LINCOLN TOWN CAR	3.5	0.6
192	NISSAN PATHFINDER	3.5	0.7
193	CHEVROLET EL CAMINO	3.5	0.0
194	MERCEDES BENZ S	3.5	0.0
195	GMC P-SERIES VAN	3.5	0.0
196	BUICK ELECTRA	3.4	0.4
197	TOYOTA AVALON	3.4	0.0
198	CADILLAC SEVILLE	3.4	0.0
199	OLDSMOBILE TORONADO	3.4	0.0
200	MERCEDES BENZ C	3.4	0.0
201	SATURN SC	3.2	0.0
202	NISSAN ALTIMA	3.2	0.2
203	GMC S/T JIMMY	3.2	0.0
204	MERCURY SABLE	3.2	0.2
205	ACURA LEGEND	3.2	0.2
206	NISSAN PICKUP	3.2	0.0
207	TOYOTA CRESSIDA	3.1	0.0
208	AUDI A6	3.1	0.0
209	CHEVROLET S/T PICKUP	3.1	0.2
210	BUICK PARK AVENUE	3.1	0.3

Note 1: Jeep Cherokee includes Jeep Cherokee and Jeep Grand Cherokee
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Fatal Vehicle Rates in Rear Impacts
 Model Year 1984-2001 Jeep Cherokee and Non-Chrysler Passenger Cars and Light Trucks in Fatal Collisions in FARS 1984-2001
 with 100,000 or more Registered Years from POLK NVPP 1984-2001

Obs	Vehicle	Fatal Vehicle Rate	Fatal Vehicle Rate with Fire	
211	VOLVO 244	3.1	0.3	
212	MERCURY VILLAGER	3.1	0.9	
213	TOYOTA RAV4	3.0	0.0	***
214	FORD FOCUS	3.0	0.0	
215	FORD AEROSTAR	3.0	0.2	
216	VOLVO 760/780	3.0	0.0	
217	VOLKSWAGEN JETTA	3.0	0.3	
218	BMW 735	3.0	0.0	
219	CHEVROLET IMPALA	3.0	0.0	
220	MAZDA B-SERIES PICKUP	2.9	0.0	
221	SAAB 900	2.9	0.3	
222	SUBARU LEGACY	2.9	0.0	
223	SAAB 9000	2.9	0.0	
224	GMC SAFARI	2.9	0.2	
225	OLDSMOBILE AURORA	2.8	0.0	
226	CADILLAC DEVILLE	2.7	0.1	
227	LAND ROVER DISCOVERY	2.7	0.0	***
228	SUZUKI SWIFT/SA310	2.7	0.0	
229	MITSUBISHI EXPO	2.7	0.0	
230	SUBARU FORESTER	2.6	0.0	***
231	MERCEDES BENZ E	2.6	0.0	
232	FORD BRONCO II	2.6	0.3	***
233	NISSAN STANZA	2.6	0.5	
234	TOYOTA 4 RUNNER	2.6	0.2	***
235	MERCEDES BENZ M-SERIES	2.6	0.0	***
236	AUDI 5000	2.6	0.4	
237	PEUGEOT 505	2.6	1.3	
238	CHEVROLET S/T BLAZER	2.6	0.4	
239	TOYOTA PICKUP	2.6	0.2	
240	OLDSMOBILE BRAVADA	2.5	0.0	
241	CHEVROLET P-SERIES VAN	2.5	0.8	
242	PORSCHE 911	2.5	2.5	
243	TOYOTA PREVIA	2.4	0.0	
244	CHEVROLET ASTRO	2.4	0.1	
245	JAGUAR XJ	2.4	0.0	
246	CHEVROLET TAHOE	2.4	0.0	
247	HONDA ODYSSEY	2.3	0.0	
248	MERCEDES BENZ 190	2.3	0.0	
249	VOLVO 245	2.3	0.0	
250	FORD RANGER	2.3	0.1	
251	OLDSMOBILE CUTLASS	2.3	0.0	
252	ISUZU AMIGO	2.2	0.0	***

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Fatal Vehicle Rates in Rear Impacts
 Model Year 1984-2001 Jeep Cherokee and Non-Chrysler Passenger Cars and Light Trucks in Fatal Collisions in FARS 1984-2001
 with 100,000 or more Registered Years from POLK NVPP 1984-2001

Obs	Vehicle	Fatal Vehicle Rate	Fatal Vehicle Rate with Fire	
253	GMC SAVANA	2.2	0.0	
254	FORD EXPLORER	2.2	0.0	***
255	TOYOTA TACOMA	2.1	0.3	
256	CHEVROLET C/K PICKUP	2.1	0.1	
257	VOLVO 240	2.0	1.0	
258	LEXUS ES250/300	2.0	0.4	
259	VOLVO 850	2.0	0.0	
260	CHEVROLET LUMINA APV	2.0	0.0	
261	GMC S/T PICKUP	1.9	0.3	
262	VOLKSWAGEN NEW BEETLE	1.9	0.0	
263	FORD E-SERIES VAN	1.9	0.1	
264	CADILLAC ELDORADO	1.9	0.4	
265	GMC YUKON/DENALI	1.9	0.0	
266	JEEP CHEROKEE	1.9	0.3	
267	VOLVO 740	1.8	0.0	
268	GMC C/K PICKUP	1.8	0.1	
269	FORD F-SERIES PICKUP	1.8	0.2	
270	BMW 535	1.8	0.0	
271	ISUZU TROOPER	1.7	0.4	
272	BMW 528	1.7	0.0	
273	INFINITI I30	1.7	0.0	
274	VOLKSWAGEN PASSAT	1.6	0.0	
275	CHEVROLET BLAZER	1.6	0.0	
276	MERCURY MOUNTAINEER	1.6	0.0	***
277	VOLKSWAGEN QUANTUM	1.5	0.0	
278	GMC G-SERIES VAN	1.5	0.0	
279	ACURA TL	1.5	0.0	
280	SATURN SW	1.4	0.0	
281	GMC JIMMY	1.4	0.0	
282	CHEVROLET G-SERIES VAN	1.4	0.2	
283	ISUZU TROOPER	1.4	0.0	***
284	SUBARU XT	1.4	0.0	
285	INFINITI Q45	1.3	0.0	
286	MERCEDES BENZ 420	1.3	0.0	
287	CHEVROLET R/V PICKUP	1.3	0.0	
288	LINCOLN CONTINENTAL	1.2	0.0	
289	BMW 525	1.1	0.0	
290	GMC S/T JIMMY	1.1	1.1	***
291	ISUZU RODEO	1.1	0.4	***
292	CHEVROLET SUBURBAN	1.1	0.0	
293	TOYOTA LAND CRUISER	1.0	1.0	
294	GMC SUBURBAN	0.9	0.0	

Note 1: Jeep Cherokee includes Jeep Cherokee and Jeep Grand Cherokee

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Fatal Vehicle Rates in Rear Impacts
 Model Year 1984-2001 Jeep Cherokee and Non-Chrysler Passenger Cars and Light Trucks in Fatal Collisions in FARS 1984-2001
 with 100,000 or more Registered Years from POLK NVPP 1984-2001

Obs	Vehicle	Fatal Vehicle Rate	Fatal Vehicle Rate with Fire	
295	MERCEDES BENZ 560	0.9	0.0	
296	FORD BRONCO (FULL SIZE)	0.7	0.0	
297	MITSUBISHI MONTERO	0.6	0.0	***
298	LEXUS LS400	0.5	0.5	
299	CHEVROLET S/T BLAZER	0.4	0.0	***
300	PORSCHE 924	0.0	0.0	
301	SUBARU SVX	0.0	0.0	
302	VOLKSWAGEN EUROVAN	0.0	0.0	
303	SAAB 9-3	0.0	0.0	
304	MERCEDES BENZ SLK	0.0	0.0	
305	FERRARI	0.0	0.0	
306	ALFA ROMEO SPIDER	0.0	0.0	
307	MERCEDES BENZ CLK	0.0	0.0	
308	FORD EXCURSION	0.0	0.0	
309	PORSCHE BOXSTER	0.0	0.0	
310	MITSUBISHI SIGMA	0.0	0.0	
311	SUBARU XT6	0.0	0.0	
312	BMW 733	0.0	0.0	
313	BMW 635	0.0	0.0	
314	VOLVO 80 SERIES	0.0	0.0	
315	BMW 750	0.0	0.0	
316	MERCEDES BENZ 400/500E	0.0	0.0	
317	INFINITI M30	0.0	0.0	
318	BMW 540	0.0	0.0	
319	NISSAN AXXESS	0.0	0.0	
320	AUDI 80	0.0	0.0	
321	BMW M3	0.0	0.0	
322	CADILLAC ALLANTE	0.0	0.0	
323	NISSAN NX	0.0	0.0	
324	MERCEDES BENZ SL	0.0	0.0	
325	MERCEDES BENZ 260	0.0	0.0	
326	VOLKSWAGEN CABRIO	0.0	0.0	
327	MERKUR SCORPIO	0.0	0.0	
328	NISSAN XTERRA	0.0	0.0	***
329	ACURA RL	0.0	0.0	
330	TOYOTA SOLARA	0.0	0.0	
331	STERLING 825	0.0	0.0	
332	AUDI 90	0.0	0.0	
333	PONTIAC MONTANA	0.0	0.0	
334	MAZDA NAVAJA	0.0	0.0	***
335	ACURA VIGOR	0.0	0.0	
336	OLDSMOBILE BRAVADA	0.0	0.0	***

Note 1: Jeep Cherokee includes Jeep Cherokee and Jeep Grand Cherokee
 Note 2: Non-Chrysler Passenger Cars and Light Trucks do not include Chrysler, Dodge, Jeep, Plymouth, Eagle or AMC
 Note 3: *** = Non-Chrysler Midsize Compact Utility Vehicles

Fatal Vehicle Rates in Rear Impacts
 Model Year 1984-2001 Jeep Cherokee and Non-Chrysler Passenger Cars and Light Trucks in Fatal Collisions in FARS 1984-2001
 with 100,000 or more Registered Years from POLK NVPP 1984-2001

Obs	Vehicle	Fatal Vehicle Rate	Fatal Vehicle Rate with Fire	
337	AUDI A4	0.0	0.0	
338	LAND ROVER RANGE ROVER	0.0	0.0	
339	BMW 328	0.0	0.0	
340	LEXUS RX300	0.0	0.0	***
341	VOLVO 960	0.0	0.0	
342	BMW 740	0.0	0.0	
343	LEXUS GS300/400	0.0	0.0	
344	MERCEDES BENZ 380	0.0	0.0	
345	NISSAN FRONTIER	0.0	0.0	
346	HONDA PASSPORT	0.0	0.0	***
347	TOYOTA T100	0.0	0.0	
348	GMC R/V PICKUP	0.0	0.0	
349	FORD EXPEDITION	0.0	0.0	

Note 1: Jeep Cherokee includes Jeep Cherokee and Jeep Grand Cherokee
 Note 2: Non-Chrysler Passenger Cars and Light Trucks do not include Chrysler, Dodge, Jeep, Plymouth, Eagle or AMC
 Note 3: *** = Non-Chrysler Midsize Compact Utility Vehicles

Fatal or Major Injury Rates

Model Year 1984-2001 Midsize Compact Utility Vehicles in Injury Accidents and Police Reported Collisions in Alabama, Arkansas, Florida, Idaho, Illinois, Iowa, Maryland, Michigan, Nebraska, New York, North Carolina, Ohio, Wisconsin or Wyoming

Vehicle	Vehicles with Fatal or Major Injury per 1,000 Vehicles
Non-Chrysler Midsize Compact Utility Vehicles	79.0
Jeep Cherokee	68.0

Note: Non-Chrysler midsize compact utility vehicles do not include Dodge or Jeep vehicles.
Note: Jeep Cherokee includes Jeep Cherokee and Jeep Grand Cherokee.

Post-Collision Fire Rates

Model Year 1984-2001 Midsize Compact Utility Vehicles in Injury Accidents and Police Reported Collisions in Alabama, Arkansas, Florida, Idaho, Illinois, Iowa, Maryland, Michigan, Nebraska, New York, North Carolina, Ohio, Wisconsin or Wyoming

Vehicle	Vehicles with Fire per 1,000 Vehicles
Non-Chrysler Midsize Compact Utility Vehicles	2.0
Jeep Cherokee	1.7

Note: Non-Chrysler midsize compact utility vehicles do not include Dodge or Jeep vehicles.

Note: Jeep Cherokee includes Jeep Cherokee and Jeep Grand Cherokee.

Rear Impact Fatal or Major Injury Rates
Model Year 1984-2001 Midsize Compact Utility Vehicles in Injury Accidents Police Reported Collisions in Alabama, Arkansas,
Florida, Idaho, Maryland, Michigan, Nebraska, North Carolina or Wyoming

Vehicle	Vehicles with Fatal or Major Injury per 1,000 Vehicles
Non-Chrysler Midsize Compact Utility Vehicles	48.0
Jeep Cherokee	47.9

Note: Non-Chrysler midsize compact utility vehicles do not include Dodge or Jeep vehicles.
Note: Jeep Cherokee includes Jeep Cherokee and Jeep Grand Cherokee.

Rear Impact Post-Collision Fire Rates

Model Year 1984-2001 Midsize Compact Utility Vehicles in Injury Accidents Police Reported Collisions in Alabama, Arkansas, Florida, Idaho, Maryland, Michigan, Nebraska, North Carolina or Wyoming

Vehicle	Vehicles with Fire per 1,000 Vehicles
Non-Chrysler Midsize Compact Utility Vehicles	3.1
Jeep Cherokee	2.0

Note: Non-Chrysler midsize compact utility vehicles do not include Dodge or Jeep vehicles.

Note: Jeep Cherokee includes Jeep Cherokee and Jeep Grand Cherokee.

SUMMARY OF INPUTS RELATED TO 1984 THROUGH 1992 JEEP CHEROKEE/WAGONEER (XJ) VEHICLES

	Name	VIN	Field Reports (EAA Reports)	CAIR	Lawsuit	Claim	Notice	
1.		1JCMT754XHT			√			
2.		1J4FJ58S0ML			√			
3.		1JCMT783XJT		√				
4.		1J4FJ58S3NL		√ (2)		√		
5.		1J4FJ28S4ML			√			
6.		1J4FT38L4KL			√			
7.		1JCWB7812GT			√			
8.		1JCMR7833HT			√			
9.		1JCUX7813FT			√			
SUBTOTALS			Field Reports (EAA Reports)	CAIR	Lawsuit	Claim	Notice	VOQ Inputs (Name)
			0	2 VINs (Ficenko also was a claim)	7	1	0	0
TOTAL	9 unique inputs		9 unique VINs					

IN THE STATE COURT OF FULTON COUNTY

STATE OF GEORGIA

_____))
ROY LOUIS BELLI, Individually and))
as Administrator of the Estate of))
JOHN NICOLAS BELLI; SARA C.))
BELLI; HENRY THEODORE URQUHART))
BELLI; and HENRY THEODORE))
URQUHART, JR., and ROY LOUIS))
BELLI, as Co-Administrators of))
the Estate of NICOLE LAINE BELLI,))
))
Plaintiffs,))
))
-vs-) No. 01VS018431G
))
DAIMLERCHRYSLER CORPORATION, a))
Delaware Corporation; ADRIAN))
CAMARILLO; NEBIYU DEMISSIE))
MULETA; and JOSEPH BRENNAN,))
))
Defendants.))
_____)

Deposition of MARK M. NOBLE, taken
at 9:35 A.M., Thursday, February 27, 2003, at
1430 Chapala Street, Santa Barbara, California,
before SHARON M. BEST, CSR#6025, Certified
Shorthand Reporter in and for the State of
California.

REPORTED BY: SHARON M. BEST, CSR#6025
OUR FILE NO: 56747

1 APPEARANCES OF COUNSEL:

2

3 For Plaintiff:

4 BUTLER, WOOTEN, FRYHOFER,
5 DAUGHTERY & SULLIVAN, LLP
6 BY: GREGORY R. FEAGLE, ESQ.
7 2719 Buford Highway
8 Atlanta, GA 30324
9 (404) 321-1700

7

For Defendant DAIMLERCHRYSLER CORPORATION:

8

9 SWIFT, CURRIE, MCGHEE & HIERS, LLP
10 BY: JOHN W. CAMPBELL, ESQ.
11 1355 Peachtree Street, NE
12 Suite 300
13 Atlanta, GA 30309
14 (404) 888-6115

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I N D E X

WITNESS	EXAMINATION BY	PAGE
MARK M. NOBLE	MR. FEAGLE	5

E X H I B I T S

PLAINTIFF'S	DESCRIPTION	PAGE
1	Witness' list of trial and deposition testimony	13
2	Curriculum Vitae of Mark M. Noble, 1 pg.	15
3	Notice of Deposition of Mark Noble and Subpoena	23
4	Noble Engineering billing statements	24
5	Folder containing correspondence, 26 pp.	26
6	Notes and photos from 7-20-01 vehicle inspection	41
7	Notes and photoes from tank removal 6-18-02	42
8	Notes and photoes from Thunderbird inspection 7-19-01	42

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E X H I B I T S

PLAINTIFF'S	DESCRIPTION	PAGE
9	Notes and photos from scene inspection 7-19-01	45
10	DaimlerChrysler Corp's Second Supplemental Response to Interrogatory No. 20, 14 pp.	50
11	Belli Post Insp. Observations, 2 pp.	51
12	CD of photos, inspection notes and depositions	80
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16	Notes and photos from Toyota Camry inspection 7-19-01	163
17	DVD	167
18	Folder labeled "PX Stevens Exhibits Selected Animations"	177

SANTA BARBARA (805) 966-4562

1 Santa Barbara, California
2 Thursday, February 27, 2003
3 9:35 A.M.

4
5 MARK M. NOBLE,
6 having been first duly placed under oath,
7 was examined and testified as follows:

8
9 EXAMINATION

10 BY MR. FEAGLE:

11 This is going to be the deposition of Mark
12 Noble taken by plaintiffs in this action for all
13 purpose allowed by the Georgia Civil Practice Act.

14 Q Would you like to read and sign, Mr. Noble?

15 A Yes.

16 MR. FEAGLE: Mr. Campbell, I assume we'll
17 have the same stipulations that we've had before?

18 MR. CAMPBELL: That's fine.

19 MR. FEAGLE: That being we reserve
20 objections except those going to form and
21 responsiveness?

22 MR. CAMPBELL: Correct.

23 BY MR. FEAGLE:

24 Q Mr. Noble, my name is Greg Feagle. I'm here
25 on behalf of plaintiffs in this action against

5

FRANK O. NELSON & ASSOCIATES, INC.

1 DaimlerChrysler Corp.

2 I'm going to be asking you a series of
3 questions today. If at any time I'm not clear, will
4 you please let me know?

5 A Yes.

6 Q Please state your full name for the record.

7 A Mark Mitchell Noble.

8 Q And is it correct that you've been retained
9 by DaimlerChrysler Corporation as an expert witness in
10 this case?

11 A Yes, by Mr. Campbell and Ms. Owens or on
12 their behalf.

13 Q And what is your current business address?

14 A 1090 Eugenia Place, Carpinteria, California.

15 Q Do you also reside in Carpinteria?

16 A In the area.

17 Q And how are you currently employed?

18 A By Noble Engineering.

19 Q Do you engage in any other income producing
20 work outside of your work with Noble Engineering?

21 A No.

22 Q Are you the sole owner of Noble Engineering?

23 A It's a corporation. And yes, I'm the sole
24 stockholder.

25 Q And what is the corporate purpose of Noble

1 Engineering?

2 A To analyze automotive accidents.

3 Q How many employees do you have?

4 A There's two others besides myself. A total
5 of three.

6 Q And your company has been in existence how
7 long?

8 A 1987.

9 Q What percentage of your work is litigation
10 consulting?

11 A Well, all of it involves the analysis of
12 accidents that have the potential to be in litigation.

13 Q And did you do all of your work in this case
14 or did you have someone assist you?

15 A I think all three of us worked on it to some
16 extent.

17 Q Did you name the other two people?

18 A No. Kathy Ferro. And Stein Husher.

19 Q Are either of those individuals engineers?

20 A Stein Husher is.

21 Q And what exactly did he do?

22 A I don't recall anything specifically other
23 than I think looked at some of the digitized drawings
24 and so on.

25 Q And did he generate any of those that you

1 provided us?

2 A I don't believe he generated any. If he
3 did, they'd be in the file.

4 Q And what is his hourly rate?

5 A I believe it's \$190 this year.

6 Q And the other individual?

7 A Kathy's rate, I'm not sure. I believe it's
8 65 dollars per hour.

9 Q And what is your hourly rate?

10 A It's \$290 this year.

11 Q Approximately how many open cases do you
12 have right now?

13 A Estimate about 30 to 35.

14 Q And what percentage of that client base
15 involves the representation of defendants as opposed
16 to plaintiffs?

17 A I don't believe I currently have any
18 plaintiff cases.

19 Q Do you recall if you've ever been retained
20 by a plaintiff in a product liability case?

21 A On a consulting basis.

22 Q Did you provide any deposition or trial
23 testimony?

24 A I believe there's only one that involves
25 deposition testimony.

1 Q Can you -- do you recall the name?

2 A I believe it's Lew. L-e-w I think is the
3 spelling. It's quite a while ago.

4 Q Do you recall what the product liability
5 allegations were?

6 A They related to hose length.

7 Q Filler hose?

8 A No.

9 Q What hose?

10 A Fuel supply, I believe.

11 Q And do you recall any of the -- were there
12 case names for any of the other consulting plaintiff's
13 work that you did?

14 A Not that I recall right now. There were
15 names, but I don't recall them.

16 Q And how many times generally have you been
17 retained by DaimlerChrysler or its predecessors?

18 A Out of the 1,500 cases I've had, I'd
19 estimate somewhere under ten percent. Maybe a hundred
20 cases throughout the years.

21 Q And how many times do you recall being
22 retained by the Law Firm of Swift, Currie, McGhee &
23 Heirs or by Diane Owens?

24 A I don't remember any other cases
25 specifically.

1 Q Has fuel systems design and performance been
2 your primary area in the 1,500 or so cases you've
3 worked on?

4 A In addition to accident reconstruction, yes.

5 Q And I'm going to list off some automotive
6 manufacturers and just get you to tell me how many
7 times you recall working for them.

8 A All right.

9 Q I'll start with GM.

10 A Okay. This will be an estimate.

11 Q Sure. And if it doesn't all add up to
12 1,500, I mean, that's--

13 A And you're talking about of the 1,500, so --

14 Q Yeah, if that's the universe of the -- yeah.

15 A Less than ten.

16 Q Volkswagen.

17 A Two or three.

18 Q Toyota and Lexus together.

19 A Maybe about ten.

20 Q Hyundai.

21 A One or two.

22 Q Honda.

23 A Two or three.

24 Q Isuzu.

25 A Five.

1 Q Nissan or Infiniti.
2 A I believe a couple.
3 Q Audi.
4 A Don't recall any.
5 Q Mitsubishi.
6 A A dozen.
7 Q Mazda.
8 A A couple.
9 Q Fiat.
10 A One.
11 Q Suzuki.
12 A Five to ten.
13 Q Saab.
14 A I don't believe so.
15 Q Mercedes.
16 A One or two.
17 Q Volvo.
18 A Don't recall any.
19 Q BMW.
20 A Four to six.
21 Q Kia.
22 A One.
23 Q Ford.
24 A I'd estimate about 30 to 40.
25 Q Would you say that of all the auto

1 manufacturers, you've done the most work for Ford?

2 A Well, it varies from time to time. But I
3 would say Chrysler and Ford.

4 Q Would you ever take a case against Chrysler
5 on behalf of a plaintiff in a product liability case?

6 A I imagine that would be a conflict in most
7 situations.

8 Q Have you ever testified that a Chrysler fuel
9 system is defective?

10 A I don't recall doing that.

11 Q Have you ever testified that a product
12 manufactured by Chrysler was defective?

13 A Not that I recall.

14 Q Have you ever testified that a product hurt
15 anybody?

16 MR. CAMPBELL: Object to the form of the
17 question as vague, but --

18 A Yeah, I've testified that people have been
19 injured.

20 BY MR. FEAGLE:

21 Q I assume, based on your previous response,
22 you've never been a witness on behalf of the plaintiff
23 alleging fuel system failure.

24 A Against Chrysler?

25 Q Anybody.

1 A Well, I believe we talked about the one
2 case.

3 Q I'm sorry, right.

4 A That's the only testimony I recall.

5 Q That's the only one?

6 I'm trying to find your four-year list. Is
7 it in here?

8 A In here.

9 Q Thanks.

10 MR. CAMPBELL: I think it's actually a
11 six-year list.

12 MR. FEAGLE: What?

13 MR. CAMPBELL: I think it's actually a
14 six-year list.

15 MR. FEAGLE: Okay.

16 (Plaintiff's Exhibit 1 was marked
17 for identification by the court reporter,
18 and retained by the witness.)

19 THE WITNESS: I'll need a copy if we both
20 want to look at it at the same time.

21 BY MR. FEAGLE:

22 Q You want --

23 A I mean, if you want to both look at it at
24 the same time now, we should run a copy. Or if you
25 don't need to, that's --

1 Q I'll try to do it so we don't. But if so,
2 I'll go ahead and make a copy.

3 A Okay.

4 Q Is Exhibit 1 a true and accurate copy of
5 your testimony list?

6 A Yes.

7 Q And what period of time does that cover?

8 A From the beginning of 1997. So it would be
9 six years.

10 Q And that's all-inclusive for that time
11 period, of deposition and trial testimony?

12 A Correct. Should be.

13 Q Are there any cases referenced on there that
14 were rear-end -- strike that.

15 Can you mark for me the cases on that list
16 that would involve allegations of fuel system failure
17 in a rear-end collision? Do you suspect it's a
18 majority of the entries?

19 A I don't know. I don't know without marking
20 them. I wouldn't think it was a majority. Rear-end
21 only?

22 Q Yes. If it's a handful of them. I don't
23 want you to waste too much of your time.

24 Thank you.

25 So is it correct then that there's only one

1 case on here that involved a Chrysler rear-end impact
2 allegation of fuel system?

3 A Six that I've marked, and one of them,
4 Tolliver versus Chrysler is the only one of these on
5 the list that I recall to be a rear impact. Fire.

6 Q Do you recall the vehicle of Tolliver?

7 A It was a Plymouth Acclaim, I believe.

8 Q Has your testimony ever been excluded or
9 limited in any way?

10 A No.

11 Q Do you advertise your services?

12 A No.

13 Q What is the year and make of the vehicle
14 that you drive?

15 A It's a '98 Chrysler Sebring convertible.

16 Q Are there any other vehicles that any
17 immediate family members drive?

18 A No.

19 (Plaintiff's Exhibit 2 was marked
20 for identification by the court reporter,
21 and retained by the witness.)

22 BY MR. FEAGLE:

23 Q Is Exhibit 2 an accurate copy of your C.V.?

24 A Yes.

25 Q And when was it last updated?

1 A I don't recall doing it recently.

2 Q Is there any part of your background or
3 education of particular relevance to this case that is
4 not contained on your C.V.?

5 A No.

6 Q How about any publications that relate to
7 this case that are not listed on the C.V.?

8 A No.

9 Q What would you put on the C.V. if you were
10 to update it today?

11 A Nothing. I believe it's updated.

12 Q Have you authored or co-authored an article
13 addressing the design or performance of fuel systems?

14 A No.

15 Q Do any of your publications have any
16 specific bearing on any of your opinions in this case?

17 A No.

18 Q And your C.V. contains all of your
19 employment background and professional accomplishments
20 to the best of your knowledge?

21 A Yes.

22 Q What degrees do you hold?

23 A I have a Bachelor's and Master's in
24 mechanical engineering at the University of Michigan.
25 And the other things listed here are the certificate

1 courses.

2 Q Do you currently hold an engineering
3 license?

4 A No.

5 Q And it looks like you worked for Chrysler
6 Corporation for a period of time?

7 A Yes.

8 Q Would that be between 1969 and 1980 all
9 inclusive?

10 A Yes.

11 Q And where did you start at Chrysler?

12 A At the Chrysler Institute Program.

13 Q What were your job duties in a very general
14 manner there?

15 A They involved three-month assignments. My
16 first one was in chassis design, as I recall. And
17 they're listed on my C.V.

18 Q Did you work for a Performance Analysis
19 Group after that?

20 A Yes.

21 Q And generally, what did that involve?

22 A The analysis of various performance
23 features. Acceleration, fuel economy, drivability,
24 things of that nature. Both in our vehicles and
25 competitive vehicles.

1 Q And when did you leave that particular
2 position and move to another position?

3 A I'd estimate I was there between '71 and --
4 '71 and '72.

5 Q And then what did you do after that?

6 A I was in Product Planning for approximately
7 a year.

8 Q And then after that?

9 A Fuel Systems.

10 Q So help me out. Would that be sometime in
11 the mid-seventies that you started at Fuel Systems?

12 A Yes.

13 Q And what positions did you hold with Fuel
14 Systems?

15 A Well, I ultimately supervised the
16 department. But when I started there I was the
17 coordinator for fuel system integrity.

18 Q And if we said mid-seventies, do you
19 remember the year?

20 A I think it would have been '73 or possibly
21 '74.

22 Q And then a few years later you became the
23 supervisor?

24 A Yes. With some jobs in between.

25 Q And what was your -- what's the full title

1 for your position as supervisor?

2 A Supervisor of Fuel Supply Systems. Design
3 at one time, and development at another.

4 Q And then that was between --

5 A It would be the late seventies.

6 Q Approximately how many years were you a
7 supervisor?

8 A Three or four years.

9 Q When did you leave Chrysler?

10 A In 1980.

11 Q So maybe 1976, 1977 to 1980, something like
12 that?

13 A Yes. Probably more like '77.

14 Q And you were in charge of designing fuel
15 systems?

16 A Yes.

17 Q Can you tell me any vehicles for which you
18 were in charge of designing fuel systems?

19 A I would have been responsible for all of the
20 passenger cars and eventually trucks towards the end
21 of the seventies. And chassis that were used in motor
22 homes.

23 Q And I assume there was a period of time
24 between when you began as supervisor and when designs
25 you supervised were released, correct?

1 A Yes.

2 Q So when do you think the first year
3 production would be for cars that you supervised the
4 fuel system work on?

5 A Well, the first vehicles that I had input
6 into would have been the '76 and '77 models, but not
7 as a supervisor.

8 As far as when I got the title of
9 supervisor, I'm not sure exactly which ones, but we --
10 I kept on working on those vehicles up through the
11 pickup trucks in the early -- they came out in the
12 early eighties and some of the other vehicles that
13 came out after I left.

14 Q Can you be more specific about particular
15 vehicles?

16 A No, other than all of them during that time
17 period.

18 Q So all of the cars released between '77 -- I
19 mean '77 and '80; is that fair to say?

20 A Yes.

21 Q And were you doing the actual design work,
22 putting pencil to paper, or were you signing off on
23 drawings at the highest level?

24 A Well, there were designers, you might call
25 them draftsmen, that did that aspect of the designing.

1 There were engineers and technicians that did the
2 testing and development. I supervised both of those
3 activities as well as coordinate the effort in the
4 corporation, which involved other departments, to
5 improve fuel system integrity.

6 Q Would it be fair to say you were responsible
7 for fuel system integrity between 1977 and 1980?

8 A Yes.

9 Q And that would apply to all the Chrysler
10 vehicles?

11 A Yes. As I said, the trucks came in later
12 during that period of time, not the whole period of
13 time.

14 Q It's not that you weren't working on the
15 trucks, they just weren't in existence?

16 A Initially truck engineering was a separate
17 entity. And so in Fuel System Integrity we operated
18 as advisors. And then towards the end of the
19 seventies we got actual responsibility for releasing
20 the parts.

21 Q And have you completed all of the work that
22 you need to do to render your final opinions?

23 A So far. Maybe a few things to do.

24 Q Are all of your opinions in final form?

25 A Well, based on the material I've reviewed

1 today, yes. I presume in the next few months I'll be
2 getting other materials, including the other -- any
3 other expert depositions and exhibits, things like
4 that.

5 Q And is that what you meant by maybe a few
6 other things to do?

7 A Yes.

8 MR. CAMPBELL: We may -- I'll just state
9 this on the record. We may have him review some of
10 the materials associated with your OSI's that you
11 designated a couple of weeks ago in discovery
12 responses. And if he does that and formulates any
13 opinions with respect to any of those other incidents,
14 then we'll make them available for deposition on those
15 issues.

16 MR. FEAGLE: Okay. As long as we can set up
17 some kind of cutoff date for when he's going to
18 finalize his opinions so we're not deposing him the
19 night before trial.

20 MR. CAMPBELL: Right. I certainly wouldn't
21 do that. Maybe two days before trial.

22 BY MR. FEAGLE:

23 Q I'm sorry, I think you brought your notice
24 and all that stuff?

25 A I think here it is.

1 (Plaintiff's Exhibit 3 was marked
2 for identification by the court reporter,
3 and retained by the witness.)

4 BY MR. FEAGLE:

5 Q Mr. Noble, is Exhibit 3 a notice and
6 subpoena for this deposition?

7 A Is that a question?

8 Q Yes. Yes, sir. Is that --

9 A Yes.

10 Q -- the notice for this deposition?

11 A Yes.

12 Q And did you bring all of the requested
13 documents?

14 A I brought my entire file.

15 Q Have you relied upon anything that you
16 generated or obtained working on a prior case or
17 matter?

18 A Not specifically.

19 Q Was anything removed from your file?

20 A No.

21 Q Do we have all cover sheets?

22 A Yes.

23 Q Has anything been added to the file since
24 Dr. Guenther's depo other than the transcript and
25 exhibits?

1 A I believe that's correct. We've got some
2 Arndt exhibits maybe recently. Whatever the
3 correspondence shows.

4 Q Okay. All right, we'll go through that in a
5 second.

6 A And I got some documents relative to
7 statistics from Wecker.

8 Q Okay. All right.

9 (Plaintiff's Exhibit 4 was marked
10 for identification by the court reporter,
11 and retained by the witness.)

12 BY MR. FEAGLE:

13 Q Exhibit 4, is that your complete billing
14 file for this case?

15 A Yes.

16 Q Do you put any type of numbering system for
17 your cases?

18 A No. Just the plaintiff's name.

19 Q And how current is that file?

20 A Through last month.

21 Q And when do you expect to send another bill
22 to Mr. Campbell?

23 A At the end of this month. So pretty soon.

24 MR. FEAGLE: And, obviously, we'll request
25 that.

1 Q Do you know off the top of your head the
2 value of the services you've rendered? And you don't
3 have to go through and add it up, if I can add it up
4 later.

5 A Yeah. I don't know offhand.

6 Q You don't know off the top of your head?

7 A No.

8 Q And who does the -- who generates these
9 bills? One of those people you mentioned earlier?

10 A Yeah.

11 Q And what do you do when you are initially
12 contacted in a case?

13 A What do you mean?

14 Q Do you create an initial contact sheet or
15 any kind of thing like that?

16 A Usually it's a phone discussion. And then
17 it's followed up with correspondence. When I receive
18 that, I open a file.

19 Q Is the April 30, 2001, is that your first --
20 would that be your first billing statement?

21 A Yes.

22 Q Or your first bill?

23 A Yes.

24 Q And when were you first contacted in this
25 case?

1 A About that time period.

2 Q The April 30, 2001 time period?

3 A I think earlier in the month. I think the
4 first correspondence is from the beginning of that
5 month.

6 Q Okay.

7 MR. CAMPBELL: Is that 2001 or 2002?

8 THE WITNESS: 2001.

9 MR. CAMPBELL: 2001?

10 (Plaintiff's Exhibit 5 was marked
11 for identification by the court reporter,
12 and retained by the witness.)

13 BY MR. FEAGLE:

14 Q Let me mark as Exhibit 5 what appears to be
15 your correspondence folder. Is that your complete
16 correspondence folder?

17 A Yes.

18 Q There's a February 26, 2001 letter in here.
19 Do you know when you received that?

20 A No. I think it was sent to me sometime
21 along the way when we were trying to arrange the
22 inspection of the vehicle which occurred in July. So
23 sometime after April and before July.

24 Q Looks like the first correspondence in your
25 file is dated April 3, 2001, a letter to you from the

1 Swift Currie Law Firm; is that correct?

2 A Yes.

3 Q And what's the purpose of that letter?

4 A It sent the police report and photographs of
5 the vehicle.

6 Q And do you --

7 A And retained me in the case.

8 Q I'm sorry?

9 A And retained me in the case.

10 Q And did you speak to John Campbell or Diane
11 Owens sometime shortly before April 3, 2001?

12 A Yes, I believe so.

13 Q And would that be your first contact in this
14 case?

15 A I don't recall specifically, but I would
16 assume so, yes.

17 Q Do you think you talked to them the day
18 before they sent this letter, a week before?

19 A I don't recall.

20 Q You don't recall?

21 A Correct.

22 Q Probably safe to say it was less than a
23 couple of weeks before they sent this letter out, I
24 would imagine, right?

25 A I don't know. I mean, I don't know if they

1 called me and followed up with a letter a few months
2 later or followed up with it right away. I just don't
3 recall for this case.

4 Q But you don't have anything to establish
5 that it was more than a week --

6 A Correct.

7 Q -- before this letter?

8 A Correct.

9 Q And who was it that contacted you? Was it
10 Diane Owens or John Campbell or someone else?

11 A I don't remember.

12 Q You don't remember anything about the
13 initial conversation?

14 A Correct. Other than it may have involved a
15 discussion of my availability to inspect the vehicle.

16 Q Do you think you actually talked to somebody
17 yourself?

18 A I don't know. I'm just assuming I did.

19 Q And would you have agreed to perform
20 services in this case when you talked to them?

21 A I don't know. I generally don't open a file
22 until I receive a letter and the materials.

23 Q But safe to say by April 30, 2001 you would
24 have agreed to performing services in this case?

25 A I would have opened a file and I would have

1 agreed to review the materials, yes.

2 Q April 20, 2001 letter, what's the purpose of
3 that letter?

4 A Appears that more materials were being
5 forwarded to me.

6 Q And did you ask for those materials?

7 A I don't recall if I asked for them
8 specifically.

9 Q June 13, 2001 letter enclosing the
10 complaint, it looks like; is that correct?

11 A Yes.

12 Q Do you know if you asked for that complaint?

13 A I don't recall asking for it specifically.

14 Q July 24, 2001 letter, what's the purpose of
15 that?

16 A I was forwarding the photographs I had taken
17 during the inspection in July.

18 Q January 4, 2002 letter, looks like it's
19 discussing arranging for an LEC; is that correct?

20 A Yes.

21 Q January 10, 2002 letter enclosing copies of
22 documents produced by plaintiffs. Do you know what
23 documents it was enclosing?

24 A No.

25 Q Do you know if you asked for the documents

1 that were being enclosed?

2 A Not that I recall.

3 Q June 4, 2001 letter enclosing to you police
4 photographs. Do you know if you asked for those
5 photographs?

6 A Yes, I did.

7 Q Why did you ask for those?

8 A Because I wanted them for my analysis.

9 Q June 25, 2002 letter, looks like you're
10 sending some photographs to Diane Owens. I imagine
11 she requested those.

12 A It's not specifically, just as a matter of
13 course after my inspection.

14 Q August 28, 2002 letter enclosing photographs
15 to you.

16 A Yes.

17 Q And you don't recall whether you asked for
18 those?

19 A Correct.

20 Q Same thing, September 30, 2002 letter.
21 What's the purpose of that?

22 A More material sent to me.

23 Q Supplemental Responses, do you know if you
24 requested those?

25 A If what?

1 Q If you requested those?

2 A I don't believe so, specifically.

3 Q Here's a September 12, 2002 letter,
4 discussing LEC in November, correct?

5 A Yes.

6 Q October 14, 2002 letter is next. Also
7 discussing an LEC, correct?

8 A Yes.

9 Q October 16, 2002 letter enclosing survey of
10 competitive vehicles by Dr. Guenther as well as some
11 accompanying materials. Is that correct?

12 A Yes.

13 Q Did you ask for those materials?

14 A We had discussed the project before that.

15 Q Who is "we"?

16 A Well, a number of people, but Diane Owens
17 and Dennis Guenther and myself.

18 Q And I assume did you use that survey in your
19 opinions?

20 A I reviewed the material, yes.

21 Q And then there's a November 7, 2002 letter
22 enclosing mainly depositions and exhibits of
23 plaintiff's experts. Is that correct?

24 A Yes.

25 Q And did you request those or did they just

1 send them to you?

2 A Well, both. I think I've generally
3 requested the materials, and I believe that they're
4 familiar with the materials that are helpful to my
5 analysis. And whether at some point in time I may
6 have mentioned that I want the exhibits as well as the
7 expert depositions, I think that was assumed.

8 Q And on the bottom of this November 7 letter
9 there's some handwriting. Looks like maybe some other
10 things that were thrown in at the last minute perhaps?

11 A Well, the handwriting is from my office.
12 Either they're in addition to or they're just more
13 specific on some of the things that are mentioned in
14 the letter.

15 Q Probably that stuff that's -- or I assume
16 that stuff that's mentioned in handwriting there is in
17 your file somewhere?

18 A Yes.

19 Q November 14, 2002 letter enclosing a CD with
20 some various things on it that you apparently
21 requested at the November LEC; is that correct?

22 A Yes.

23 Q December 6, 2002 letter enclosing digitized
24 documents. Is that correct?

25 A Yes.

1 Q Do you know what the source of those
2 documents were? Was?

3 A I believe they were -- they came from Denny
4 Guenther. But some of them were originally Arndt
5 documents and Klima documents.

6 Q There's a December 12, 2002 letter enclosing
7 what would include your designation in this case?

8 A Yes.

9 Q Would that be the first time you saw your
10 designation?

11 A I believe so.

12 Q December 13, 2002 letter enclosing articles
13 by Dr. Burton; is that correct?

14 A Yes.

15 Q And that would be the names of the articles
16 in handwriting on the bottom?

17 A I believe so, yes.

18 Q Did you ask for those articles?

19 A I'm sorry?

20 Q Did you ask for those articles?

21 A I don't recall asking for them specifically
22 in this case.

23 Q So they just sent those to you?

24 A I believe so.

25 Q January 24, 2003, materials relating to the

1 police officer depositions in this case?

2 A Yes.

3 Q Did you request those?

4 A I don't recall requesting them specifically.

5 Q February 13, 2003 letter enclosing
6 significant exhibits from Dr. Guenther's deposition,
7 it says?

8 A Yes.

9 Q Is that correct?

10 A Yes.

11 Q Do you know who deemed the exhibits
12 significant? Probably Swift Currie, someone there?

13 A I believe so.

14 Q February 19, 2003, enclosing some, looks
15 like fuel tank graphics and drawings; is that correct?

16 A Yes.

17 Q Do you know what the original source of
18 those materials was?

19 A The letter indicates it was Chrysler.

20 Q February 24, 2003. Looks like additional
21 Dr. Guenther exhibits, correct?

22 A Yes. And also Arndt exhibits.

23 Q I'm sorry?

24 A And also Arndt exhibits.

25 Q Okay. Do you know if you requested those?

1 A Yes, I asked for both groups.

2 Q And then some more Dr. Guenther work,
3 February 25, 2003 letter?

4 A Yes.

5 Q Did you request that?

6 A Yes, some of it.

7 Q After you talked to whoever it was you
8 talked to sometime in early April or late March of --
9 was it 2001?

10 A Spring of 2001.

11 Q Do you recall when you next talked to an
12 attorney representing Chrysler about this case?

13 A No. I imagine the next discussions were
14 about the inspection.

15 Q That was the July 20, 2001 inspection?

16 A Correct.

17 Q So you probably talked to them sometime
18 shortly before that?

19 A Yes.

20 Q Do you recall who you talked to?

21 A No.

22 Q But your best guess is that your second
23 contact was sometime in July 2001?

24 A I believe during the time period of April
25 through July that I had contact with Ms. Owens' office

1 in arranging the inspections.

2 Q Do you know how many times in that time
3 period?

4 A No.

5 Q Do you have anything to memorialize any of
6 those conversations?

7 A Just -- no, not other than the invoices.
8 And the inspections that resulted. They were about
9 arranging the inspections and the inspections
10 occurred.

11 Q It looks like you spent 5.7 hours sometime
12 in maybe April 30, 2001?

13 A Yes.

14 Q Do you know what you were doing?

15 A I would imagine reviewing materials and
16 talking about arranging the inspection.

17 Q And if the bill says April 30, 2001, then
18 it's going to -- it refers to work done during the
19 month of April?

20 A Correct. Doesn't appear to be too much time
21 after that. Just less than two hours in June. And
22 then July when I did the inspection. So it kind of
23 suggests that there was some activity initially in
24 April to arrange things and look at the initial
25 material and then activity in July preparing for the

1 inspection and performing the inspections.

2 Q Do you bill for telephone conversations?

3 A No.

4 Q Did you ever receive any documents in this
5 case that wouldn't be reflected in the correspondence
6 file?

7 A Everything I have is in the file in front of
8 us. So I can't tell you if every correspondence
9 letter contains everything that was sent with it. But
10 we have all the materials in front of us.

11 We also have a list of materials that were
12 prepared by my office that probably are more inclusive
13 than the correspondence letters.

14 Q Does that list indicate when you received
15 the materials?

16 A No. The correspondence would.

17 Q So did you attend both legal engineering
18 conferences?

19 A Yes.

20 Q The first one was March 5, 2002 in Michigan;
21 is that correct?

22 A Seems about right.

23 Q Do you have any -- you don't have any notes
24 or any materials that you generated or received at
25 that meeting, do you?

1 A No. My recollection is that I presented
2 photographs from my inspection, which are in the file.
3 And talked about my observations based on those
4 photographs.

5 Q What specifically did you tell everybody
6 there?

7 A Well, I think some of the observations that
8 I have listed in the two pages that I have in my file
9 are my observations and probably presented some of
10 those thoughts at the time.

11 Q Did you say to the group at the LEC that in
12 your opinion the 1991 Jeep Cherokee fuel system was a
13 reasonably safe design?

14 A I don't remember stating it in those terms.
15 I think there was a discussion and review of the
16 materials as opposed to some legal phraseology.

17 Q Would it be fair to say that that would be
18 an implication of whatever you said at the meeting?

19 A Probably.

20 Q Did you say anything about any testing that
21 needed to be done?

22 A I think we discussed more testing that had
23 been done. Crash testing that was available for the
24 reconstruction, I recall. I don't -- I don't recall
25 if we discussed any testing yet or not.

1 Q Were your opinions final at that March LEC?

2 A Well, I don't know how to answer that. They
3 were my opinions at the time. I've reviewed more
4 material and done other things since that time, so my
5 observations and opinions have been refined based on
6 the additional material and efforts.

7 Q Do you recall how long that meeting was?

8 A Not specifically. I'd estimate a couple of
9 hours.

10 Q Do you recall anything anybody else talked
11 about there?

12 A I recall Denny talking about the
13 reconstruction as it existed at that time. And
14 Dr. Benedict talked about some medical and bio
15 aspects.

16 I believe Mike James was also present and
17 may have talked about seats. Don't recall what he
18 said about them.

19 Q What did Dr. Benedict say about injury
20 causation?

21 A My general recollection is I believe at that
22 time he talked about the fact that Mrs. Belli probably
23 received fatal injuries in the impact. That the
24 child, I don't recall anything definite about that
25 either that that was a possibility. As far as the

1 likelihood, I don't recall. And that the -- I believe
2 he talked about some traumatic injuries to the driver.

3 Q Did he reference any specific evidence?

4 A Well, I know we probably talked about
5 carboxyhemoglobin relative to the two rear seat
6 passengers. And as far as traumatic injury to the
7 driver, I just recall something about -- some evidence
8 about some type of spinal injury or something like
9 that.

10 Q Did anybody say anything about a carseat?

11 A We did talk about that because, you know,
12 there is one child seat, I don't know if it's a
13 child's carseat, that's on the road in the on-scene
14 photographs. So I remember some discussion about the
15 child seat and whether the child was in the child seat
16 or not. But I don't recall anything beyond that.

17 Q And you inspected the vehicle on July 20,
18 2001, I believe you said?

19 A Yes. And again on June 18th, 2002.

20 Q The June 18, was that a vehicle inspection
21 or was that the tank removal?

22 A Both.

23 Q Who was present for the July vehicle
24 inspection?

25 A Possibly Dr. Benedict. And a fellow from

1 Denny's office. And Paul Luke, the plaintiff
2 representative.

3 Q Did you tell anybody anything about any of
4 your observations during that inspection?

5 A I imagine we had some discussion, but I
6 don't recall anything specifically.

7 MR. FEAGLE: I'll go ahead and mark this.

8 (Plaintiff's Exhibit 6 was marked
9 for identification by the court reporter,
10 and retained by the witness.)

11 BY MR. FEAGLE:

12 Q Is Exhibit 6 all the materials relating to
13 the July 20, 2001 vehicle inspection?

14 A I believe so, yes.

15 Q And the three --

16 A If there are any additional digital photos
17 on any of these they'd in the -- they be duplicative.

18 Q Okay.

19 A They'd be on the CD.

20 Q And it looks like there are three
21 handwritten pages of notes.

22 A Yes.

23 Q And are these the notes you actually took
24 while you were in Birmingham?

25 A Yes, I believe so.

1 Q I'm going to set those aside right now, and
2 as we discuss your opinions we'll pull these out and
3 go through them in detail.

4 And June 18, 2002 was the tank removal that
5 you attended?

6 A Yes.

7 MR. FEAGLE: Go ahead and mark these as
8 Exhibit 7.

9 (Plaintiff's Exhibit 7 was marked
10 for identification by the court reporter,
11 and retained by the witness.)

12 BY MR. FEAGLE:

13 Q And that's the file of your tank removal?

14 A Yes.

15 Q Materials, Exhibit 7? And again, these are
16 -- the handwritten notes in Exhibit 7 are the notes
17 that you actually took while you were at the removal?

18 A I believe so, yes.

19 (Plaintiff's Exhibit 8 was marked
20 for identification by the court reporter,
21 and retained by the witness.)

22 BY MR. FEAGLE:

23 Q Exhibit 8, same thing for the Thunderbird
24 inspection?

25 A Yes.

1 Q And that was on July 19, 2001, it looks
2 like.

3 Do you remember who was at the tank removal?

4 A Yes. John Campbell, Fred Arndt, I believe
5 Jeff, a fellow from the plaintiff's attorney's office,
6 and Donna that videotaped it.

7 Q And did you -- did you -- I assume you
8 inspected the tank after it was removed?

9 A Yes.

10 Q And did you talk to Mr. Campbell about your
11 findings at any time during that trip?

12 A We probably discussed some of my
13 observations.

14 Q You don't recall any specifics?

15 A No.

16 Q Is anyone doing a computer animation for
17 Chrysler that you know of?

18 A I'm not aware of it. If they are.

19 Q Have you conducted any testing in this case?

20 A No, I don't believe anything that I would
21 call testing.

22 Q And you don't know of any other testing
23 being conducted other than Dr. Guenther's test?

24 A That's correct.

25 Q And do you think Dr. Guenther's rubber hose

1 test mimicked all the real world factors that would be
2 present in an actual collision?

3 A Well, I don't know about that, but I think
4 it demonstrated the properties of the hose. And
5 that's helpful in analyzing the accident.

6 Q But it's correct that it did not mimic all
7 the real world factors that would occur in an
8 accident?

9 MR. CAMPBELL: I'm going to object to the
10 form. Depends on what accident you're talking about.

11 MR. FEAGLE: Okay, fair enough.

12 Q Is it correct it does not mimic all the
13 factors that were present in the accident underlying
14 this case?

15 A I haven't really analyzed it from that
16 standpoint. There's obviously differences between the
17 test and the accident.

18 Q Can you tell me anything about what
19 differences there are?

20 A Well, I didn't look at that from that
21 standpoint. What I looked at it is is it helpful for
22 me to analyze what I think happened in the accident.
23 And so I believe it was accurate in the things that
24 affect that. Mainly the amount that it was stretched
25 and so on.

1 Q But as far as differences, can you tell me
2 what differences there are?

3 A Well, one occurred in a laboratory and the
4 other one occurred out on the road. There are
5 differences in the rate of loading I guess are the two
6 major differences that I would see, again, without
7 analyzing it.

8 Q You said "rate of loading"?

9 A Yes.

10 Q What's the other difference?

11 A Well, just the -- the one is a vehicle
12 that's out on the road and the other one is a
13 laboratory apparatus. So, obviously, the two are not
14 the same, nor can they be.

15 Q What do you mean by rate of loading?

16 A How quickly the hose is stretched.

17 Q And have you been to the scene?

18 A Yes.

19 Q Looks like that was -- was that on the way
20 to Birmingham for the Thunderbird inspection on July
21 19, 2001?

22 A I don't remember the travel route, but it
23 was on that day.

24 (Plaintiff's Exhibit 9 was marked
25 for identification by the court reporter,

1 and retained by the witness.)

2 BY MR. FEAGLE:

3 Q And is Exhibit 9 your materials relating to
4 that scene inspection?

5 A Yes.

6 Q And who was present for that?

7 A I don't recall. I seem to think
8 Mr. Campbell was there, and I was. And I don't recall
9 if there was anybody else in the vehicle or not.

10 Q And but was it -- the road was open, I
11 assume --

12 A Yes.

13 Q -- when you inspected it?

14 A Yes.

15 Q What was your vantage point?

16 A My recollection is that we -- well, the
17 vantage point is where the photographs show us. And I
18 recall taping the measurements that are a part of my
19 notes and taking photographs. It would be on the
20 inside shoulder where those things were done.

21 Q How long were you out of your vehicle?

22 A I don't recall that I was or not. I think I
23 got out for some short period of time. As I recall, I
24 think we did some of the measurements while still in
25 the van. And I don't -- maybe the total time was 20

1 minutes. I think we might have made a few passes by,
2 not done it all at once, is my recollection.

3 Q Have you obtained any exemplar vehicles or
4 vehicle parts?

5 A No, I haven't. And that's something I might
6 do is inspect an exemplar vehicle.

7 I have reviewed the drawings and the
8 specifications and I believe some photographs. But
9 that might be something that I'll do in the future.

10 Q What exactly would that involve?

11 A Just inspecting and photographing an
12 exemplar vehicle.

13 Q For what purpose?

14 A Just to demonstrate some of my observations
15 that we'll talk about today and to show the design and
16 configuration of the vehicle. And some photographs of
17 that to explain to the jury.

18 Q If at any time we talk about something that
19 you think you might use an exemplar vehicle to further
20 demonstrate, will you tell me?

21 A I'll try to do that.

22 Q What did you do to prepare for this depo?

23 A Gathered the materials together and reviewed
24 them. I met with Mr. Campbell yesterday in that
25 effort.

1 Q How long did you all meet about the case?

2 A I'd estimate about three or four hours
3 possibly.

4 Q What case-related things did you all talk
5 about?

6 A Well, one was being sure that I had the
7 materials. And so there was some effort expended in
8 that regard. And we reviewed the testing by Guenther
9 and also the statistics by Wecker.

10 Q What do the Wecker statistics mean to your
11 work in this case?

12 A Well, I think they show that the vehicle,
13 the Jeep in this case, as I recall, was -- had a
14 generally better or lower fatality rate than other
15 vehicles and generally comparable as far as fire rate.
16 So that it did not appear to be worse as far as fire
17 rate and it appeared to be better in terms of general
18 crashworthiness than other vehicles, and that the
19 rate, both of those rates were quite low.

20 Q Are statistics a proper basis for analyzing
21 crash performance?

22 A They're one factor to look at.

23 Q I assume you haven't had any interaction
24 with any lay witnesses in this case.

25 A Correct, other than I did meet and talk to

1 Officer Hensal when I inspected the Thunderbird, I
2 believe.

3 Q Was that in Birmingham?

4 A Atlanta.

5 Q Do you recall if any representative of the
6 plaintiffs was present?

7 A It was in Atlanta. I don't recall who was
8 there. That was during the inspection of the
9 Thunderbird. I believe the vehicle was impounded, and
10 so it was necessary to have an officer there.

11 Q Have you reviewed any witness depositions in
12 your work on this case?

13 A Very briefly.

14 Q Anything that -- is there anything that you
15 encountered in any of the witness depositions that's
16 of particular relevance to your opinions?

17 A I've focused more on the physical evidence
18 than on the witness testimony.

19 Q So --

20 A So general background as to what happened.
21 Nothing in particular that I'm relying on in terms of
22 the testimonial evidence.

23 Q And aside from depositions, any other
24 sources of witness testimony that you've utilized and
25 that you've relied upon?

1 A No, other than what would be in police
2 reports or something like that.

3 Q But your answer would be the same as in
4 depositions, there's nothing in particular that you
5 relied upon?

6 A I believe that's correct, yes.

7 MR. CAMPBELL: Greg, when you get to a
8 stopping point --

9 MR. FEAGLE: Any time is fine with me.

10 MR. CAMPBELL: -- let's take a break.

11 MR. FEAGLE: Fine, let's take a break.

12 (Recess taken.)

13 (Plaintiff's Exhibit 10 was marked
14 for identification by the court reporter,
15 and retained by the witness.)

16 MR. FEAGLE: Back on.

17 Q Mr. Noble, I'm handing to you Plaintiff's
18 Exhibit 10. I've turned it to the page headed Mark
19 Noble. Is that your designation?

20 A It appears to be, yes.

21 Q And is that a complete and accurate
22 statement, to your knowledge?

23 A I don't know. Some of the things I may not
24 talk about. Some I may. There may be other things we
25 talk about today in the deposition. It seems to

1 generally cover the areas that I would expect to talk
2 about.

3 Q Have you put into writing your opinions?

4 A I think my list, two-page list of
5 observations here would be the closest to that.

6 (Plaintiff's Exhibit 11 was marked
7 for identification by the court reporter,
8 and retained by the witness.)

9 BY MR. FEAGLE:

10 Q That's Exhibit 11 is your two-page
11 observations?

12 A Yes. Yes.

13 Q Could you just go ahead and tell me in your
14 own words what your opinions are?

15 A That we had a very extreme collision
16 exposure in this case both due to the closing speed on
17 the vehicles involved, the Jeep and the Thunderbird,
18 because of the offset and underride nature of the
19 impact. The severity of the impact was such that the
20 survivability of the occupants from the trauma itself
21 was not clear.

22 That the fuel system received some punctures
23 to the tank which allowed leakage at impact and after
24 impact. And as a result of that a fire occurred.

25 That the filler system remained intact

1 through the impact. And that the fire occurred due to
2 the various openings that I've identified in my
3 inspection notes during my inspection. One of which
4 is related to the concentrated step nature of the
5 deformation to the bumper which tore the bumper and
6 then ended up, I believe the tank tear is associated
7 with that.

8 There is a very minute opening on the left
9 rear that I think is associated with a pocketing
10 caused by the structure of the Thunderbird.

11 There is a laceration to the top left front
12 of the tank and also some -- I think there's a very
13 small or minute puncture associated with some scraping
14 on somewhere else on the tank. And also some lack of
15 concentricity between the filler neck and the tank
16 body due to the tank deformation that would -- could
17 also allow a slight amount of leakage.

18 Q Are you finished?

19 A Yes.

20 (Off the record.)

21 (The record was read.)

22 MR. FEAGLE: Back on the record.

23 Q Sir, do you have any opinions about the
24 feasibility of an alternative design?

25 A Well, if you mean locating the tank forward

1 of the axle, I haven't done a detailed design study of
2 it. But it doesn't appear like a tank will fit in
3 that location on this vehicle, to me.

4 And whether a tank in that location would
5 have survived this accident, I can't say that it
6 necessarily would have.

7 Q You said, Mr. Noble, that this is a severe
8 collision. What do you base that on?

9 A Well, I think we're talking about a Delta-V
10 that's in the range of 35. And that puts it in at
11 least the top one or two percent in terms of severity.
12 And some of the data that was generated by some of the
13 other experts seem to indicate even a rarer event than
14 that. So just based on a one impact energy level,
15 it's a rare event.

16 And then you have the different factors that
17 caused the underride, the configuration of the
18 striking vehicle and the brake dive that's occurring.
19 And so you have an underride that makes it a more
20 severe impact from the point of view of the fuel
21 system.

22 And then also this offset and concentration
23 of the impact that causes the step deformation in the
24 bumper where the right rear longitudinal just doesn't
25 happen to be included in the direct impact. So you

1 have this differential deformation that causes a
2 tearing of the bumper and is associated with the stiff
3 structure of the Thunderbird that caused it to be even
4 more severe.

5 You also have the second impact involving
6 the Camry where you have taken the rear of the Jeep
7 and deformed it because of the severe impact, and then
8 it undergoes a second -- a second impact as well in a
9 deformed and vulnerable area because of that
10 deformation.

11 So I think all those things go to make it a
12 severe exposure for both the occupants and the fuel
13 system.

14 Q And when you mentioned occupants, and
15 earlier you referenced the survivability of the
16 accident for the occupants?

17 A Yes.

18 Q What exactly are your opinions regarding
19 that?

20 A Well, my opinion is that there will be other
21 experts to talk about that, and so I've just had
22 general observations early on. And it just is another
23 factor that shows the severity of the impact. But I'm
24 not going to be offering any expert testimony in that
25 area.

1 Q Okay. Now, Exhibit 11, it's entitled "Belli
2 Post Inspection Observations." When did you generate
3 this document?

4 A It's -- I think I started it after my first
5 inspection. I refined it after the second inspection
6 and up to the present time.

7 Q And it would be a collective grouping of the
8 -- of all of the particularly relevant observations
9 that you've made in this case?

10 A I hope they're relevant. And I can't say
11 it's all inclusive of all of them, but they're the
12 ones that came to mind at the time and as I've refined
13 it during my continuing analysis.

14 Q And I guess I mean --

15 A So I think most of them are there, yes.

16 Q I guess I mean relevant to your work, you
17 know, your opinions.

18 A Yes. And some of them will be initial
19 observations that are now covered by other people.
20 For example, reconstruction or the medical aspects of
21 just some initial observations that I had. And now
22 that they're covered by other people, I don't plan on
23 analyzing those areas any further, or offering
24 testimony.

25 Q Do you have any criticisms of any of the

1 Bellis in this accident?

2 A I don't know what the restraint use was.
3 And so -- or whether any restraint use or lack of
4 restraint use might have on the injuries. So it's not
5 an area I've analyzed. But it's the only area that
6 comes to mind.

7 Q Do you have any reason to believe that they
8 were not adequately restrained, i.e., using seatbelts?

9 A I just don't know about the child. And then
10 I really haven't analyzed any of them, so I can't
11 offer an opinion.

12 Q Okay. And this is probably redundant. But
13 you don't have an opinion then about whether Nicole
14 Belli was in a carseat?

15 A Correct.

16 Q Do you have an understanding beyond what you
17 mentioned earlier about Dr. Benedict's discussion at
18 the LEC of the particular types of injuries that the
19 Belli occupants received?

20 A No, other than I do recall something about
21 the child's injuries being more of a closed head type
22 of injuries, where the mother's were more open trauma
23 to the head. I just remember some comparison or some
24 distinction between their injuries in that regard. I
25 believe I've mentioned everything else I recall.

1 Q And have you reached any resolution in your
2 mind about whether or not the Belli vehicle was
3 stopped or it was moving at the time of the accident?

4 A I'm comfortable with the zero to five miles
5 per hour. I have a general impression that it was
6 stopped, but that's not really based on anything
7 specific. So I think if it wasn't stopped, it was
8 moving very slowly.

9 Q Can you take me through one by one of the
10 each instance of deformation that you observed in the
11 fuel tank? And we can --

12 A Oh, okay.

13 Q I believe you there were several things you
14 mentioned a second ago. And I just want to go through
15 those one by one.

16 A Let's refer to my photographs from the
17 second inspection, which was June 18th, 2002, and
18 that's Exhibit 7. And my photographs are numbered via
19 a six digit number that refers to -- 0618 is June
20 18th. And then they're numbered sequentially 01
21 through 061898.

22 So if we refer to 061802, we can see this
23 what I call a step deformation to the bumper of very
24 distinct fold that I believe is associated with the
25 structure of the Thunderbird that has come into that

1 area, torn the bumper and torn the tank in this area.

2 So that's one --

3 Q Okay.

4 A -- hole that I referred to.

5 Q When you say associated with the -- did you
6 say -- I don't recall exactly what you said. The
7 shape of the T-Bird or something like that?

8 A I believe the structure of the T-Bird is
9 what causes this distinct deformation in that area.
10 And the alignment of the two vehicles as they come
11 together to kind of concentrate the deformation in
12 that area.

13 Q And what particular nature of the structure
14 of the T-Bird?

15 A I didn't match it up to anything in
16 particular. It's the vicinity of the right
17 longitudinal, I believe. So it may be the right
18 longitudinal that comes in here or the right edge of
19 the vehicle that caused that type of deformation.

20 Q Would it be the bumper or the hood that's
21 contacting the folded part of the Jeep bumper in that
22 picture? If indeed that's consistent with what you
23 said.

24 A Well, I'm looking beyond both of those
25 structures to the structure underneath there rather

1 than the outside.

2 Q Okay.

3 A So certainly the exterior would contact the
4 vehicle. But I'm associating this more with either
5 the -- with the longitudinal of the vehicle, the
6 structure of the vehicle on that side. Or possibly
7 the end of the -- or the side of the vehicle or the
8 edge of the vehicle causes it. I haven't tried to
9 refine that.

10 Q And what was the resulting deformation to
11 the tank from this sequence that you're discussing?

12 A There's a tear to the tank in that area. If
13 you look at the other areas where the bumper has
14 contacted the tank, there are not tears or punctures.
15 But here, by virtue of the tear to the bumper, an edge
16 is created that appears to either have cut the tank or
17 whatever structure on the Thunderbird that cut the
18 bumper of the tank as well.

19 Q So you don't have an opinion about whether
20 that was -- the actual tear to the tank was caused by
21 direct contact with the Jeep component as opposed to
22 the Thunderbird?

23 A Well, I think to get this type of
24 deformation, you're probably getting that from the
25 striking vehicle. And in that area you have the tear.

1 So it's being caused by the striking vehicle. And the
2 -- when I say tear, tear to the bumper. And the tear
3 to the tank matches. So it seems that whatever
4 deforms the bumper causes the tear, cuts the tank.

5 Q So you do have an opinion and it's that the
6 Thunderbird, some part of the Thunderbird actually
7 poked a hole in the tank?

8 A Well, I believe this deformation is
9 associated with -- yes, I believe it's connected the
10 way that I described.

11 Q And is that --

12 A But it could be that the deformation from
13 the structure of the Thunderbird creates the fold
14 which creates the tear. And then that torn bumper
15 goes into the tank as well.

16 Q And do you have -- I guess a less likely
17 alternative would be a fair way of characterizing it?

18 A I don't know if I'd characterize it one way
19 or the other.

20 Q Okay. And what's the -- are you going to
21 show me more pictures of this particular deformation
22 or --

23 A No, I was going to move on to other ones.

24 Q Okay.

25 A Unless you have more questions about it.

1 Q Well, I just wanted to -- I didn't want to
2 beat this picture to death if you were going to show
3 me more, but you don't have to.

4 I just want to ask you the size and nature
5 of this particular tear.

6 A I think I recorded that during my first
7 inspection, roughly. And it's between a quarter and
8 an eighth of an inch wide. And looks to have two
9 segments, each about an inch long.

10 Q And you're referencing page three,
11 handwritten notes of Exhibit 6, correct?

12 A Yes.

13 Q And are both of the sketches on this page
14 three with respect to the tear we're discussing?

15 A Just this.

16 Q Just the bottom one?

17 A The middle one.

18 Q Or the middle, I'm sorry. The middle
19 drawing. And is this middle drawing on page three,
20 that's a drawing of the shape and dimensions of this
21 tear?

22 A I believe so, roughly.

23 Q Okay. Just for the record, do you have any
24 other close-ups of that tear that you want to
25 identify?

1 A I guess the next photo, 03, you can see it
2 as well.

3 Q Okay. What's the -- what's the next
4 deformation that you documented?

5 A There's another one on the left side of the
6 rear surface on the tank upper that's very small. I
7 call it a minute puncture. And it's associated within
8 an area of concentrated deformation. There's a pocket
9 in generally in that area to suggest that some
10 structure has come in and caused that local
11 deformation, some part on the Thunderbird. And
12 there's this minute puncture associated with that.

13 Q And it's your opinion that that deformation,
14 did you say was caused by a direct contact with the
15 Thunderbird bumper or with the Thunderbird?

16 A Some part of the Thunderbird structure, yes.

17 Q Can you be any more specific than that?

18 A No.

19 Q And how do you know there weren't, you know,
20 any Jeep components that may have caused it? Are
21 there none in that area?

22 A Correct.

23 Q I'm sorry.

24 A There don't appear to be any in that area
25 that are consistent with that type of pocketing and

1 deformation.

2 Q And what are the dimensions of this -- is it
3 a tear?

4 A Those are on the same page of notes. It's a
5 triangle with a triangular flap inside of it. The
6 base is a quarter inch and the height is three-eighths
7 of an inch, of which half of that or three-sixteenths
8 of the height is a flap.

9 Q Do you calculate the surface area of holes
10 and tears?

11 A Can I?

12 Q I mean, have you?

13 A No, I haven't calculated the area of those
14 openings, but that could be done.

15 Q You could from the information that's here?

16 A Yes.

17 Q Okay. What other deformation have you
18 observed?

19 A Where did my observations go?

20 Q Oh, I took them.

21 A Okay. There's also a puncture to the upper
22 on the left front of the tank. That is shown in photo
23 061815.

24 Q And these are, again, the photos from
25 Exhibit 7?

1 A Yes.

2 Q And what -- what are the dimensions of this
3 deformation?

4 A The maximum width is a half an inch.

5 Q And are you referring to page two of your
6 handwritten notes in Exhibit 7?

7 A Yes. And the length is roughly an inch and
8 a half.

9 Q Okay. And what caused this hole?

10 A I'm not sure. It's in the vicinity of the
11 strap on that side. And I believe it may be
12 associated with the strap.

13 It may have occurred on the second impact,
14 although I haven't analyzed that or been able to
15 analyze it to say that it didn't occur until the
16 second one. So it may have occurred on the first
17 impact as well. But we do know that the second impact
18 is in that area.

19 Q Would you agree that the most likely
20 explanation is that it was caused by the strap in the
21 initial collision?

22 A I haven't -- I haven't definitely analyzed
23 it to say that it happened in the first one.

24 Q But whether it's the most likely
25 explanation? Would you agree that it's the most

1 likely explanation?

2 A Well, without analyzing it to determine
3 which one it is, I can't say it's more likely than
4 not. But not having done an analysis to pin it down
5 to the second one, I'm willing to assume it happened
6 in the first one.

7 Q Any others?

8 A The deformation of the tank from the impact
9 in the area of the where the filler neck joins the
10 body of the tank. And then that is sealed with a --
11 like, a solder type of material, which is melted at
12 this point.

13 But that deformation has produced a slight
14 difference in the diameters of the opening in the
15 tube. And so there's a small crescent shaped opening
16 between the neck and the tank that is up high in the
17 tank and faces aft in the vehicle.

18 I don't see a good photo of that crescent
19 aspect of it. But the area that I'm talking about can
20 be seen in 061877.

21 Q What caused that particular --

22 A Well, it's the deformation of the tank
23 caused by the impact.

24 Q That would have happened as a result of the
25 initial impact with the Thunderbird, correct?

1 A Probably.

2 Q Any reason to think that it did not?

3 A Just that the other, the second impact is in
4 that area. So I suppose that's a possibility.

5 Q And did you undertake to measure that gap?

6 A The widest part of the crescent is 0.3
7 inches.

8 Q Did you measure the length?

9 A No.

10 Q Are there any other holes, tears or other
11 deformations that you observed in the fuel tank?

12 A It seems to me there was another, just a
13 small scrape that may or may not have produced an
14 opening at the time. And may have occurred after the
15 impact. But I noted it. Just a very minute hole on
16 the right lower rear associated with a small scrape.

17 Q Is that paragraph four of your observations?

18 A I'm sorry.

19 Q Was that paragraph four of your
20 observations?

21 A Yes. And I'm not sure, but it might be the
22 one depicted in 061887.

23 Q And what caused that scrape?

24 A I don't recall.

25 Q And what -- where -- is that on the fuel

1 tank?

2 A Other than what I've just testified.

3 Q Where on the fuel tank is that scrape?

4 A Right rear lower.

5 Q More likely -- strike that.

6 Do you believe that occurred as a result of
7 the initial Thunderbird impact?

8 A I haven't really analyzed it, it's so small.

9 Q Any other holes, tears or other deformations
10 in the tank?

11 A Well, the tank is definitely deformed by the
12 impact. The other ones I guess that I noted were the
13 deformation of the sending unit and the sealing ring.
14 And the deformation appeared to be such that the seal
15 that would have been present would seal it from
16 leakage.

17 And the other areas that I noted were the
18 rollover valve openings where the components that were
19 inside them were consumed. But the gasket material is
20 still present at both of those openings, indicates
21 that the components were in place before the fire and
22 simply melted during the fire.

23 So both of the last two areas I've talked
24 about are findings of deformation or observations.
25 But that indicated that the tank maintained its

1 integrity at those locations.

2 Q What do you mean by "tank maintained its
3 integrity"?

4 A Well, I made observations that indicate that
5 they remained sealed in that location.

6 Q So these last two deformations that you've
7 referred to --

8 A I don't believe there are openings, but they
9 may be something that people would look at and think
10 they are. And so that's why I made the observations
11 to show that they're not.

12 Q So they were areas that were deformed to a
13 significant degree, but that in your opinion did not
14 fail in the sense of allowing fuel to escape?

15 A Well, I wouldn't say that they deformed
16 significantly. They're just areas of the tank that I
17 made observations to relative to the state of
18 integrity.

19 Q Other than the word "significantly," would
20 you agree with my last question?

21 A Well, specifically in the area of the
22 rollover valves, it's a lack of deformation in the
23 immediate area that's part of the observation.

24 As far as the sending unit, there is
25 deformation, but it's the fact that the extent of it

1 is less and allows the seal to maintain integrity.

2 So in both cases it's kind of the lack of
3 deformation or small amount of deformation that leads
4 to the conclusions.

5 Q What paragraph of Exhibit 11 would refer to
6 this sender unit opinion?

7 A The first paragraph on the second page.

8 Q Okay. And what photographs do you have that
9 show us what you're talking about?

10 A 061893.

11 Q And this area was deformed but it did not
12 result in an opening? Is that a correct statement?

13 A There is deformation to the tank generally
14 and including this area. And I believe it was such
15 that the tank would remain sealed with the seal that
16 is in between these mating components.

17 Q And those are in the circular rings that you
18 see in the photograph?

19 A Correct.

20 Q And how have you verified that no openings
21 resulted?

22 A Just visual observation.

23 Q And what have you undertaken to identify
24 what caused the deformation to that sender unit?

25 A Well, I think the Thunderbird is what caused

1 the general deformation of the tank.

2 Q Did anything directly impact the sender unit
3 area?

4 A Not that I recall.

5 Q Including a component of the Jeep?

6 A I didn't identify anything that did.

7 Q What paragraph of your Exhibit 11 would
8 refer to your opinion about the performance of the
9 rollover valve?

10 A The next one on page two, the second
11 paragraph.

12 Q Okay. And can you direct me to a photograph
13 that illustrates that?

14 A 061874, you can see an opening for one of
15 the rollover valves. And you can see the black
16 remnants of the grommet in that area. And you can see
17 that generally the surface immediately surrounding the
18 opening is now deformed and that it is circular in
19 shape. So that this indicates that the seal was there
20 and the lack of deformation indicate that it was
21 sealed.

22 Q And is there any other way other than a
23 visual inspection to verify that there was no
24 compromise of the seal?

25 A Well, I think that covers it.

1 Q I'm sorry?

2 A I think that covers it.

3 Q So there is no other way other than a visual
4 inspection to verify that there was a compromise in
5 the seal?

6 A Other than looking at the physical evidence,
7 I don't know of one, no.

8 Q And did anything come directly in contact
9 with that area?

10 A No, I don't -- not the Thunderbird, I don't
11 believe.

12 Q I believe we've discussed seven different
13 areas, particular areas of deformation or lack thereof
14 that you looked at in detail. Are there any other
15 areas that you looked at in detail?

16 A Well, I looked at the filler in the filler
17 system and noted that there there were clamps and hose
18 remains on both the bottom of the filler tube and the
19 filler neck on the fuel tank as well as the fill vent
20 neck to indicate to me that those connections
21 maintained their integrity during the impact.

22 There is also remnants of the filler hose as
23 it passes through the longitudinal access oval to
24 indicate its presence before the fire eventually
25 consumed the hose.

1 Q What paragraphs in Exhibit 11 relate to
2 filler unit?

3 A Five and six on the first page.

4 Q And can you refer me to any handwritten
5 notes that you took at any of the inspections that
6 would relate specifically to this?

7 A The September 20th inspection notes, Exhibit
8 6, "hose and clamps on fuel tank filler and vent
9 necks."

10 And then Exhibit 7, the second inspection,
11 talk about the filler neck and fill vent on the tank
12 having clamps and hose remnants. And also in those
13 notes talk about the hose remains inboard and in a
14 longitudinal pass through. And also talk about the
15 hose and clamps on the lower end of the filler tube
16 that are visible through the filler door.

17 Q And just for the record, I want to clarify
18 that in your notes from Exhibit 6, it looks like,
19 unless I'm missing something, looks like inadvertently
20 it's got the date of September 20.

21 A Can I correct that?

22 Q Yes, please.

23 A Okay.

24 Q Show me all the photographs that support
25 your opinion in this regard.

1 A Well, I don't know if I can show all of them
2 to you, but I'll show you a representative of them.

3 I think 061880 shows the fill vent and the
4 filler neck on the tank with the hose remains and the
5 clamps present.

6 Q Okay. And what -- what does the presence of
7 the hose remains and clamps -- is that what's
8 significant about that photograph?

9 A Yes.

10 Q And what does that tell you?

11 A That they weren't pulled apart during the
12 impact.

13 Q Why does it tell you that?

14 A Because they're present. The clamps and the
15 hose remains are present at the end. So, therefore,
16 it didn't pull off those necks during the impact. As
17 far as the connection.

18 Q And this is the connection at the tank,
19 correct?

20 A Correct.

21 Q And -- okay.

22 A I don't see another photo to show the hose
23 on the filler. It may be a digital photo and so it
24 would be on the CD and not be printed out here.

25 But I'll show you a photo that --

1 MR. CAMPBELL: I've got it right here on the
2 screen if you want to show it.

3 THE WITNESS: Okay, let me -- does it have a
4 number?

5 MR. CAMPBELL: No.

6 THE WITNESS: Okay. Let me show you a hard
7 copy of one first and then you can look at the screen.

8 Underneath it's -- you can't see the bottom
9 of it because of the different components that are
10 there. So you see it from the top. As you look down
11 the edge of the tube in this photograph on the screen,
12 you can see the -- again, the end of the hose on the
13 filler. This photo, it's -- the light didn't get down
14 there so you can't see it, so --

15 MR. FEAGLE:

16 Q But it would be a similar --

17 A That's what we're looking for. And there's
18 the screen that --

19 Q But it would be a similar showing to that
20 that we just looked at on the other end of the hose in
21 that it's got the clamps and the remnants of the
22 rubber that was under the clamp?

23 A Exactly. Precisely.

24 Q And you've got a picture showing that in
25 more detail about the filler neck end of it, but we

1 don't have the hard copy?

2 A Correct.

3 MR. CAMPBELL: Let me see if I can identify
4 it.

5 MR. FEAGLE: Is there any way to identify
6 that picture?

7 MR. CAMPBELL: There's the hose that we're
8 talking about. And -- let me see if I can get an
9 identification of the picture.

10 You've got it listed here as fill hose one
11 and fill hose two.

12 THE WITNESS: I think they would be part of
13 the inspection group that are digital photos. Just --

14 MR. FEAGLE: Is there any way to --

15 MR. CAMPBELL: This is part of the file.

16 THE WITNESS: That's the way they're
17 identified on the CD.

18 MR. FEAGLE: Is it in a folder?

19 MR. CAMPBELL: On the CD, yeah, it's under
20 photos and it's photos, dash, jeep2, number two, then,
21 dash, MMN, dash, DC.

22 MR. FEAGLE: That's the name of the folder?

23 MR. CAMPBELL: Yeah.

24 THE WITNESS: So those are my digital
25 photographs from the second inspection of the vehicle.

1 BY MR. FEAGLE:

2 Q So, Mr. Noble, is it possible for the rubber
3 hose to fail anywhere besides where it's clamped onto
4 the -- at the end?

5 A It's possible.

6 Q Is there any way --

7 A Not as likely, but possible. And that's why
8 the distance between the connections is important to
9 determine, and then comparing that with the original
10 length of the hose and the ability of it to elongate.

11 And that's what the Guenther tests
12 demonstrate, that the -- and that there's an analysis
13 to determine the distance between those connections
14 now and then -- and then the tests show that those
15 distances are well within the ability of the hose to
16 stretch.

17 Q But --

18 A And you also have the hose remnants in the
19 longitudinal pass through, which is adjacent to the
20 tank neck to show that it was located there before the
21 fire. And the fire consumed it, which typically
22 occurs over a period of time.

23 Q But even the presence of remnants could be
24 explained by, you know, one end of the hose going one
25 way and one going the other, correct?

1 A Well, only in a particular way. You think
2 that if this thing -- there's two possibilities. I
3 think the most likely is this connection is stretched
4 would be that one of the clamps pulls off ultimately.
5 And that we know didn't happen.

6 Other possibilities would be that something
7 comes in and cuts the hose. I don't see anything in
8 that area to do that.

9 And thirdly, that the hose tears rather than
10 the clamps letting loose, from the tension. I would
11 think that the clamp is more likely to come off before
12 that occurs, and we know that didn't happen.

13 But secondly, if that did occur, you would
14 expect that it would probably occur at an area of
15 stress concentration when it should be in the
16 longitudinal, which means that if it was cut there it
17 would retract and be somewhere else, it wouldn't be
18 there. So the fact that it's there throughout the
19 fire indicates to me that it's intact there.

20 Q You're talking about the remnants?

21 A Yes.

22 Q And where exactly are those remnants
23 located?

24 A I called it the longitudinal pass through.
25 There's an oval shaped passageway in the longitudinal

1 so that the tank can come from outboard longitudinal
2 and go inboard of it to where the tank is.

3 Q And do you have any evidence of these
4 remnants?

5 A Photographs. Photograph 061839. This is
6 the pass through and here's the hose.

7 Q And how much hose is shown there?

8 A Well, I'd estimate there's -- I didn't
9 measure it, but appears that there is hose inside the
10 pass through and then there's a portion of it that
11 extends beyond that maybe an inch.

12 Q Is that in the picture?

13 A Yes, right here, the black.

14 Q So it's about an inch of hose?

15 A Beyond what's inside the longitudinal, yes.

16 Q But there's an inch that you can see?

17 A Correct.

18 Q And then you think that there's probably
19 more inside that longitudinal pass?

20 A Yes.

21 Q How much more do you think is in there?

22 A I don't know exactly. You can't see.

23 Q Are there any other photographs that relate
24 to your analysis of the performance of the hose?
25 We discussed the remnants on the inside and the two

1 clamps in place at the end. Is there any other -- any
2 other aspect of your opinion that we haven't covered
3 in that regard?

4 A No, I think we've discussed it.

5 Well, I guess the other area that plays into
6 this would be the police photographs at the scene,
7 particularly photographs at the point of impact. I
8 sent my originals back to the law firm, so -- I would
9 have the police photographs on the disk. So I don't
10 have the hard copies to look at unless you've brought
11 a set.

12 Q No, but there were --

13 A There are some in there, but not the ones.
14 I've got xeroxes in the file.

15 Q Yeah, these are copies?

16 A Those were, I think, taken at the scene
17 later.

18 Q Do you have any other photos that we can
19 look at today that show what you're talking about, or
20 are we limited to the police photos?

21 A Let me see. These others --

22 Q If the answer is no, then I guess we can
23 maybe try to look at them on the disk and identify
24 them like we did the other one.

25 A They are identified on the disk as police

1 photos or at-scene photos.

2 Q Okay.

3 A So you'll see a folder that has those.

4 Q Do you want to pull those up. It would be
5 easier to just pull those up on the police -- on the
6 disk. Whatever is easier for you.

7 MR. CAMPBELL: I've got it. I think I know
8 which one you're talking about.

9 MR. FEAGLE: Is there a case for this CD
10 we're looking at?

11 MR. CAMPBELL: Yeah, but it didn't have
12 anything on it. It's written on the CD itself.

13 MR. FEAGLE: I'm just going to go ahead and
14 mark the case.

15 (Plaintiff's Exhibit 12 was marked
16 for identification by the court reporter,
17 and retained by the witness.)

18 BY MR. FEAGLE:

19 Q That's number 12. And that's the CD of
20 photographs?

21 A "Inspection notes and depos."

22 Q "Inspection notes and depos" I guess is the
23 title. And earlier we referred to --

24 A A DVD that has everything.

25 Q Okay. And then when we've talked about the

1 filler hose, we referred to a photograph on here that
2 showed the clamps at the filler neck end. And that's
3 also on Exhibit 12?

4 A It's actually on both.

5 Q Okay.

6 A But it's on the CD as well.

7 Q Oh, okay.

8 THE WITNESS: There's one that's a little
9 further away.

10 MR. CAMPBELL: Well, I think it's this one,
11 if you need -- is that not it?

12 THE WITNESS: I think that is it, okay.
13 Let's identify that.

14 MR. CAMPBELL: I believe that's number 47.
15 Let me check and make sure that that's right.

16 MR. FEAGLE: Are we in a particular folder
17 of that CD?

18 MR. CAMPBELL: High resolution at-scene
19 photographs.

20 MR. FEAGLE: That's the name of the folder?

21 MR. CAMPBELL: Right.

22 MR. FEAGLE: And then we're going to talk
23 about individual numbered photographs within that
24 folder?

25 MR. CAMPBELL: Right. Which is number 47 is

1 the --

2 THE WITNESS: Okay. So in this photograph
3 you can see the area of the point of impact. You see
4 the two -- I believe these are the Thunderbird front
5 tires coming towards the point of impact. You have a
6 gouge in the center here I associated with the engine
7 underbody of the Thunderbird in the center.

8 BY MR. FEAGLE:

9 Q That's the large white area in the
10 foreground?

11 A Yes. And then this gouge to the right I
12 believe is associated with the right rear longitudinal
13 that I think comes into that pocketed area in the
14 Jeep.

15 And here it's being forced down into the
16 ground and gouging as it underrides the Jeep. And so
17 in here you can see some cloudiness that extends in
18 the direction of runoff of the vehicles that I believe
19 may be associated with a fire from the punctures that
20 we identified. Which are high on the tank in
21 elevation. You don't see a large fluid shaped pattern
22 showing any kind of large loss of fuel that you might
23 expect with a filler.

24 But in any event, I think that's what we're
25 looking at in that area.

1 Q So the two significant things about this
2 photograph is the upper right gouge mark and the lack
3 of a pattern that you would expect to come from
4 gasoline escaping from the filler neck?

5 A Yes. If we have a large fluid leak to
6 emanate from.

7 Q Describe to me what you would expect to see
8 if you had a large fuel leak emanating from the rubber
9 hose?

10 A Well, I think you might see more of a fluid
11 type of pattern, more distinct pattern in terms of
12 having a large amount of fluid on the ground which
13 then eventually burns and leaves kind of a fluid
14 pattern as opposed to this.

15 Q Would that necessarily be the case?

16 A Usually, but not necessarily, I guess.

17 Q When does it not happen?

18 A Well, if there was no -- not much fuel in
19 the tank, I suppose it might not happen.

20 Q Anything else?

21 A That's the only one I can think of right
22 now.

23 Q Is it possible the fuel would burn before it
24 would splash on the ground?

25 A Not if there's a large fluid there.

1 Q Even if it exploded?

2 A It doesn't explode.

3 Q But if? What doesn't explode?

4 A Gasoline under these circumstances doesn't
5 explode.

6 Q Under what circumstances?

7 A It explodes in the movies when they use
8 dynamite, but other than that it doesn't. In
9 automotive collisions we don't have what you would
10 call an explosion. I shouldn't say what you would
11 call an explosion, but what a scientist would call an
12 explosion. There is sometimes a rapid fire, but it's
13 not an explosion. I think Fred Arndt alluded to that
14 as well.

15 Q And this photograph you're referring to, it
16 shows the point of impact between the Thunderbird and
17 Jeep Cherokee?

18 A I believe so, yes.

19 Q And did the vehicles continue to move after
20 the impact?

21 A Yes.

22 Q Pretty good -- pretty good bit?

23 A About 35 miles an hour.

24 Q So is it possible that fuel could come out
25 of the filler neck further along in the accident

1 sequence and that would explain the lack of a pattern
2 that you're looking for in this photograph?

3 A Well, if in fact the hose wasn't -- through
4 all the other evidence, I don't believe the hose was
5 compromised.

6 If, for example, some of these other
7 punctures occurred at the second impact, then you may
8 see a distinct pattern in that area. But I believe if
9 you had the type of disruption that's being theorized
10 by the plaintiff's experts, and you had any
11 significant fuel in the tank, then you would expect
12 more of a fluid loss at the point of impact.

13 There isn't a primary bit of physical
14 evidence that says the hose connection wasn't
15 breached. The other things were. But I think the
16 observations here are consistent with it in.

17 Q Any other aspect of your opinion regarding
18 performance of the hose that we haven't discussed?
19 We've now discussed the -- your opinion regarding the
20 placement of the clamps and the remnants underneath
21 the clamps as well as the remnant in the longitudinal
22 passage. And now we've discussed the lack of fuel
23 pattern on the roadway. Which reminds me, we did not
24 discuss in detail the upper right gouge mark in that
25 photograph.

1 A Yes.

2 Q What was the -- what's the relevance of that
3 to your analysis of the hose performance?

4 A Well, I don't know if it --

5 Q Or did you --

6 A -- relates specifically to the hose
7 performance, but to the fuel system in general and to
8 the configuration of the impact, to the underriding
9 nature and the severity of it and the nature of the
10 structure of the striking vehicle.

11 Q What -- can you be more specific? What
12 caused that gouge mark?

13 A Well, without doing a detailed analysis of
14 the vehicle match-up at impact, as I think that's part
15 of the reconstruction, but short of doing that, I
16 think it's the right rear -- right front longitudinal
17 or bumper extension in that area where the composite
18 bumper mounts. There seems to be -- that seems to be
19 the proper placing for it.

20 Q Are you talking about the rear Jeep bumper?

21 A No, the front of the Thunderbird bumper, the
22 right front.

23 Q Would it cause the smaller refined right
24 upper gouge mark?

25 A Correct. I believe that's the most likely.

1 MR. FEAGLE: What photograph number was
2 that?

3 MR. CAMPBELL: 47.

4 MR. FEAGLE: 47.

5 Q And the fact that the Thunderbird is making
6 that gouge mark signals what?

7 A That it's down on the ground. So that it's
8 underriding, can't get any lower. And that it's a
9 prominent stiff structure. And it also places it
10 there locationwise relative to the marks that come
11 from the Jeep, for example. And so with that type of
12 evidence, one could match up all those components.

13 Q And what does that have to do with the
14 performance of the fuel system?

15 A Well, it goes into the nature of what the
16 exposure was in terms of the things that I mentioned
17 earlier that make this accident severe. The way the
18 vehicles came together and the nature of the striking
19 vehicle and the speeds and so on.

20 Q So it's mainly the severity of it that ties
21 it into the performance of the fuel system?

22 A Yes. And understanding what hit what and
23 how they matched up as they -- as the impact occurred.

24 Q And then back to the performance of the
25 rubber hose, are there any other aspects of that

1 analysis of yours that we haven't covered, or any
2 other photographs that you rely upon?

3 MR. CAMPBELL: Are you talking about only
4 his analysis or are you including the Guenther testing
5 that he mentioned? He mentioned it. I don't know if
6 -- it's not technically his work, so I don't know if
7 your question would encompass that or not.

8 BY MR. FEAGLE:

9 Q Yeah, I guess for purposes of the question
10 I'm excluding any of Guenther's work for purposes of
11 the question.

12 A I can't think of anything. I do recall, I
13 think there's some material specification or something
14 that indicates that the hose will accommodate a rather
15 generous amount of elongation.

16 Q And you're referring to Dr. Guenther's work?

17 A Well, I think -- I don't think it relates to
18 the Guenther work. He elongated it in his tests a
19 certain amount. But I think the material
20 specifications indicate that it would elongate even
21 more.

22 Q More than?

23 A What he did in his test. But what he did in
24 his test was sufficient to show that would accommodate
25 what occurred in this accident, the performance of the

1 hose would.

2 Q But can you say that with certainty
3 considering what we discussed earlier about the lack
4 of certain factors in his testing?

5 A I believe so, yes.

6 Q Would you agree that the environment that
7 the hose was subjected to in the Belli accident was,
8 from a general standpoint, more hostile than the
9 environment that it was subjected to in Dr. Guenther's
10 test?

11 A In some ways, yes.

12 Q In what ways?

13 A Well, it was eventually subjected to fire
14 from another source, I think is the major one that put
15 it in its present condition.

16 As far as comparing the test conditions with
17 the accident conditions, some may be more severe, some
18 may be less severe. But to me it all appears to be in
19 the range of that can be relied on to show that it
20 will not fail in tension based on the positions of the
21 connection points on the accident vehicle.

22 MR. FEAGLE: Let's go off the record for a
23 second.

24 (Off the record.)

25 (At 12:05 P.M. the deposition was

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1 adjourned for luncheon recess, to be resumed at
2 12:35 P.M.)
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SANTA BARBARA (805) 966-4562

1 Santa Barbara, California
2 Thursday, February 27, 2003
3 1:55 P.M.

4
5 MARK M. NOBLE,
6 the witness testifying at the time of the
7 adjournment, testified further as follows:

8
9 EXAMINATION (Resumed)

10 BY MR. FEAGLE:

11 Back on.

12 Q Mr. Noble, would it be your contention that
13 relative to the amount of force that this fuel tank
14 was subjected to, that the tears and holes that did
15 result are relatively minor?

16 A Well, I don't know if I would term it that
17 way. What I would say would be that an accident of
18 this severity that involved the different factors that
19 we discussed, I don't believe a vehicle could be
20 designed that would prevent leakage in all cases.
21 That in some of the leakage that occurred here the
22 fuel loss seemed to be less than what could occur
23 under different circumstances with a larger tear of
24 the tank or degree of separation that did not occur in
25 this accident.

91

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1 Q Have we discussed all the failures of this
2 fuel system that occurred in this accident?

3 A I don't know if I would call it failures.
4 But we talked about the areas that I observed, some of
5 which showed resulted in leakage of the fuel system.

6 Q We have discussed all the areas of leakage
7 in detail, correct?

8 A Yes, I think so.

9 Q What area of the fuel system resulted in the
10 greatest amount of leakage?

11 A I would think that the tear to the right
12 rear that we talked about would be one significant
13 opening. And possibly the left front puncture would
14 be what I would think of as contributing also.

15 Q The former being the one-quarter to
16 one-eighth inch tear --

17 A Yes.

18 Q -- to the surface of the tank?

19 A Yes.

20 Q And the latter being the tear that you
21 testified would involve the strap?

22 A Correct.

23 Q Those would be the two that resulted in the
24 greatest amount of leakage?

25 (Off the record.)

1 BY MR. FEAGLE:

2 Q So we were discussing the two of the
3 leakages. And is it correct that those two leakages
4 that we've just identified would be the greatest
5 source of initial gasoline escape from the fuel
6 system?

7 A Well, they may have been, yes. They, I
8 think, are the most significant openings. And then
9 it's a question of the location relative to where the
10 fluid was and where it wanted to go, which would favor
11 the tear on the rear surface in terms of the fluid
12 going in that direction relative to the vehicle and
13 during the impact.

14 The puncture on the top left is quite high
15 and it's on the forward face. So you wouldn't quite
16 have the hydrodynamic forces working in that direction
17 to expel fluid. But you still have the opening, which
18 is at least as big if not bigger than the tear to the
19 right rear.

20 Q So because of the nature of the pressure and
21 other factors you can help me identify, the inside of
22 the fuel tank, because of the nature of those factors,
23 the one-quarter or one-eighth inch tear would be more
24 likely to put out more fluid, correct?

25 A Well, possibly.

1 Q Is that the gist of --

2 A Those are the things you have to factor in.
3 I don't have an analysis that says a certain amount
4 came out of this hole and a certain amount less or
5 more than that came out of another hole.

6 But in terms of trying to analyze and
7 comparing those two holes, I would note that the
8 location of them, both in elevation and front and
9 rear, would favor the rear hole in terms of expelling
10 fluid. Even though the front one may be a slightly
11 larger hole. I'm not saying that it is, but it may
12 be.

13 Q Okay. And in all of the tears and holes
14 that we've discussed, is there any appreciable time
15 difference other than the possibility you raised of it
16 occurring as a result of the Camry impact? Other than
17 that, is there any appreciable time difference as far
18 as when they occurred in relation to each other?

19 A I don't think so.

20 Q When -- and I assume that it's your opinion
21 that gasoline in some form did escape through each of
22 the holes and tears that we've identified.

23 A Well, not necessarily all of the ones that
24 we talked about. Some are quite minute and may have
25 developed after the the impact. So I wouldn't say

1 that about all of the ones that we talked about.

2 Q Which ones -- which ones may have developed
3 after the impact? And you're going to have to help
4 me, tell me what "after impact" means specifically.

5 A Well, again, we're talking about ones that
6 are so minute that I haven't tried to analyze that in
7 detail. But there was that one scrape on the bottom
8 right --

9 Q Right.

10 A -- that I just didn't analyze. So I don't
11 know if the manner in which it did occur.

12 The other ones I think I talked about -- the
13 other ones to the rear face, I talked about when I
14 know those occurred. And I guess we've talked about
15 the other ones as well.

16 Q So when you said after the initial impact a
17 minute ago, you meant the possibility of the Camry
18 impact causing those deformations?

19 A Well, that, and, for example, that scrape on
20 the bottom on the right side, I don't know if that
21 happened in the impact or during subsequent handling.
22 I'm not saying that it did, I just haven't analyzed it
23 to determine that it did necessarily occur in the
24 impact.

25 Q If we leave the scrape out of it, then safe

1 to say that your reference to after the impact would
2 only refer to the possibility of the Camry impact as
3 having resulted in the deformation?

4 A Yes. And, of course, the subsequent fire
5 modifies things like the filler and things of that
6 nature. But as far as punctures to the tank and so
7 on, I think we discussed that.

8 Q How much -- strike that.

9 Do you know how much gasoline was in the
10 tank?

11 A No.

12 Q Do you have loose understanding in your own
13 mind of what you think was in the tank?

14 A Well, I tend to think it was less rather
15 than more. I don't have anything to base that on
16 other than the things that we talked about in terms of
17 eventual -- well, the burn pattern on the road and the
18 eventual burn, but -- and I guess the deformation to
19 the tank doesn't suggest that it was filled, but where
20 in between empty and filled I don't really know.

21 Q In what way did the deformation to the tank
22 indicate that it was not filled?

23 A Well, you might see a little bit more
24 teardropping of the tank towards the rear if it was
25 totally filled.

1 Q What do you mean by teardropping?

2 A Deformation in that direction due to the
3 weight of that fluid wanting to go aft relative to the
4 vehicle. So it pulls away from the front and goes
5 towards the rear. It's a volume rearrangement
6 accommodating those forces.

7 Q Would you only see that if it was full or
8 very close to full?

9 A Well, it matters what the loading is both in
10 terms of how full it is and also the impact speed and
11 specifically the G's that the vehicle is subjected to.
12 So it varies with those different things. And I
13 wouldn't say looking at it you can tell conclusively
14 it wasn't full. But I don't see a shape that suggests
15 to me that it certainly was.

16 Q Does the lack of teardrop -- teardropping
17 indicate to you the tank was not half full?

18 A I can't tell. I haven't done an analysis to
19 try and determine that.

20 Q So do you have an opinion about -- sorry
21 about that.

22 Do you have an opinion about the pressure
23 inside of the gas tank?

24 A No.

25 Q One would have to know the volume of gas

1 inside the tank to determine the pressure, or not?

2 A Well, what do you mean by pressure? What
3 time?

4 Q Prior to impact. Prior to -- strike that.
5 At the time the deformation, initial
6 deformation occurred of the tank.

7 A As far as what the absolute level was at any
8 given location in the tank, I haven't tried to
9 determine that, no.

10 Q You said as far as the absolute?

11 A Well, of so many PSI.

12 Q What about the flexible hose connectors?
13 Would you have any opinion about the pressure of
14 gasoline inside of the connector?

15 A No. Other than that that type of connection
16 appears to be adequate in the impacts to maintain the
17 connection relative to pressure as well as tension.

18 In other words, I wouldn't expect the
19 connections to fail due to any hydrodynamic pressure
20 that occurs during an impact. I haven't seen that
21 happen in testing. And no indication that it happened
22 here.

23 Q How much fuel do you think escaped from the
24 fuel system collectively before there was an ignition?

25 A Well, if the discoloration I see in the

1 afterscene photographs is in fact from the fire, I
2 would say it was immediate.

3 Q What was immediate?

4 A The ignition of the leakage at impact.

5 Q So then very little gasoline would have
6 escaped prior to ignition?

7 A Correct.

8 Q Can you quantify that in any way?

9 A No, not beyond that.

10 Q When the gasoline initially escaped from the
11 fuel system through the holes and tears, what form did
12 it escape in?

13 A I assume it would be a vapor droplet
14 combination.

15 Q And you don't have an opinion about the
16 force with which it exited the tank?

17 A Not in terms of an absolute number, no.

18 Q How about otherwise?

19 A Well, it would be pressurized beyond
20 atmospheric pressure. It would be a positive pressure
21 until it's released, I would think. At least relative
22 to the rear tear.

23 Q And what's the significance of that?

24 A Just that it would be expelled through and
25 not just something because of gravity.

1 Q Because of the difference in pressure, the
2 tendency to move from one pressure to another?

3 A Yes, due to the fact that the fluid wants to
4 stay where it is and the vehicle is being accelerated
5 away at 35 miles an hour. So it's going to tend to be
6 toward -- to stay where it is and, therefore, relative
7 to the vehicle will want come out the tear in the
8 back. So there would be some positive pressure
9 associated with that.

10 Q Do you have an opinion regarding the initial
11 source -- strike that.

12 Do you have an opinion regarding the
13 ignition source?

14 A Most likely gouging in the pavement relative
15 to the -- any gasoline.

16 There is also a release of other fluids at
17 impact. I think the radiator fluid of the Thunderbird
18 probably released at that time. My recollection is
19 that I didn't have access to the engine compartment of
20 the Thunderbird. We couldn't get it open in terms of
21 inspection of other fluids that had been released.
22 But as I recall, you could tell that there would be
23 some fluid released.

24 But as far as any gasoline released, I would
25 think the most likely ignition source would be the

1 gouging in the pavement.

2 Q Is it your opinion that some other --
3 something other than gasoline was the ignition source
4 as far as fuel for the fire in this accident?

5 A It could have been but not necessarily.

6 Q And by gasoline I meant, obviously, gasoline
7 from the tank of the Jeep Cherokee.

8 A Yes. It could have been, I can't rule it
9 out. But it appears that there was gasoline released
10 at that time and that there was a competent ignition
11 source in terms of mechanical sparking. And so you
12 had the ingredients to have ignition at that time.

13 Q Can you point me to any evidence that would
14 support the notion that some other fuel was the source
15 as far as a fuel source?

16 A Just the fact that the radiator of the
17 Thunderbird was compromised at that time. And so,
18 therefore, fluid would leak and could ignite. But
19 beyond that, no.

20 There might be something in that police
21 photograph in terms of the patterns on the ground that
22 might point to other fluids being involved as well.
23 Like the radiator fluid. But I haven't analyzed it to
24 try to determine that.

25 Q What's the -- strike that.

1 Can you describe for me the volatility of
2 radiator fluid as opposed to gasoline?

3 A Well, I don't know in terms of volatility,
4 that being a technical term for a specific
5 characteristic. Big difference between the two
6 relative to ignition is that it generally ignites from
7 hot surfaces, whereas gasoline generally will not
8 ignite from that but will ignite from mechanical
9 gouging, scraping, sparks.

10 Q Which is what you've identified in this case
11 as the most likely ignition source?

12 A For gasoline, yes.

13 Q And, again, have you identified an ignition
14 source for radiator fluid?

15 A It would either be a hot surface generally.
16 Or if it ignites after another fire, like gasoline,
17 then it would ignite from that, or vice versa. I
18 mean, it's possible one starts before the other and
19 then starts the other fire, starts the other one on
20 fire.

21 Q Well, if we take out the possibility of the
22 radiator fluid igniting after the gasoline, what
23 ignition sources can you identify?

24 A For the coolant? The radiator fluid?

25 Q Yes, sir, that's what we're talking about.

1 A Generally a hot surface ignition would be
2 what ignites that.

3 Q What specifically in this accident?

4 A The engine, the exhaust manifold and
5 components.

6 Q So just to be clear, is it your opinion that
7 the radiator fluid of the Thunderbird may have ignited
8 prior to the gasoline of the Jeep Cherokee igniting?

9 A I think both happened very close to each
10 other, so I wouldn't really try and -- try and
11 differentiate one happening before the other.

12 Q Do you have anything to support the notion
13 that the Thunderbird radiator fluid ignited before the
14 Jeep Cherokee gasoline?

15 A Not that I can think of right now.

16 Q Are there any of your observation references
17 from Exhibit 11 that relate to this discussion?

18 A Yes. I have observations relative to the
19 Thunderbird that talk about some of the things that
20 we've discussed.

21 Q Can you point me to a -- oh, I see. On page
22 two of Exhibit 11?

23 A Yes.

24 Q So it was the gouging or friction sparks
25 that would be the -- you would identify as the most

1 likely ignition source for the Jeep Cherokee gasoline;
2 is that what you said?

3 A Yes.

4 Q Anything else that you consider as a
5 reasonable possibility for an ignition source?

6 A I don't believe so.

7 Q And what is -- have you identified what
8 exactly was contacting the pavement to cause the
9 sparks?

10 A Well, I think the two things we have
11 identified are the -- well, the one thing is the
12 underbody of the Thunderbird. It looks like we have
13 the gouging right at the point of impact from the two
14 components we talked about, either the engine or the
15 structure underneath the engine and the right
16 longitudinal. So we know those are gouging pretty
17 deeply. There may be other things that are gouging as
18 well.

19 Q Would you rely on picture number 47 that we
20 looked at earlier from the compact disc that we marked
21 in that regard?

22 A Yes.

23 Q Is that the most --

24 MR. CAMPBELL: That's number 12.

25 BY MR. FEAGLE:

1 Q That was Exhibit 12, photograph 47. Would
2 there be any other photos that you would specifically
3 rely upon in that regard?

4 A I think that was the best one.

5 Q So did the sparks rise up off the pavement
6 to where the fuel is coming out of the tank? Is that
7 what happens?

8 A Well, they're in proximity to each other.
9 The sparks can't go down, so -- because the pavement's
10 there, so it will go up relative to the pavement.

11 Q Have you measured the lowest point at which
12 fuel was exposed in terms of height off the ground?

13 A I've located some of the openings relative
14 to other parts of the vehicle that could be used, I
15 suppose, to determine the elevation of some of those
16 openings. But I haven't measured the number directly
17 that you're inquiring about.

18 Q So have you pinpointed a particular region
19 of the fuel tank where the fire would have initially
20 started?

21 A No, other than we've discussed.

22 Q Other than the presence of the -- or the
23 location of the holes and tears?

24 A Yes.

25 Q Could the impact itself have caused the

1 fire?

2 A It did.

3 MR. CAMPBELL: Object to the form.

4 A Depending on what you mean by that.

5 BY MR. FEAGLE:

6 Q Was the Jeep Cherokee gasoline ignited
7 immediately upon impact with the Thunderbird?

8 MR. CAMPBELL: Objection.

9 A I think probably very soon afterwards, yes.
10 During the impact phase. If I'm interpreting the
11 police photograph accurately.

12 BY MR. FEAGLE:

13 Q Have you undertaken to sort of quantify how
14 far into the impact that the ignition would have
15 occurred?

16 A No. Not precisely. Just that it appears to
17 have occurred in the area of impact.

18 Q Do you have an opinion about when the fire
19 traveled into the occupant compartment?

20 A Not precisely, although that I believe it
21 takes sometime to burn into the occupant compartment.
22 And I do recall seeing the animation that was produced
23 by the plaintiff's experts, and that appeared to me to
24 be depicting the fire too large and too quickly in the
25 engine, inside the vehicle, as opposed to outside.

1 Q What do you base that opinion on?

2 A Just that I don't think it would happen that
3 way. My recollection of the animation was that it
4 didn't show anything on the ground or under the
5 vehicle, and it showed the fire instantly consuming
6 the inside of the vehicle, which I don't believe is
7 what occurred. I believe that would occur over a
8 period of time.

9 Q Can you take me through then your opinion
10 about the path, the path by which the fire moved in
11 the vehicle?

12 A Well, not precisely, other than we have
13 broken glass and deformation, and we have a fire on
14 the underside of the vehicle that eventually ignites
15 things inside the vehicle. And also flames coming
16 around the vehicle and in through the window openings
17 and things of that nature that will eventually consume
18 the things inside the vehicle.

19 Q Did the burns that the occupants ultimately
20 sustained have any bearing on your opinion about the
21 speed and path of the fire?

22 A Well, I think they're consistent with my
23 view of how the fire occurred.

24 Q Can you explain?

25 A Well, in that the two people that did not

1 get out of the vehicle appeared to have sustained
2 either fatal or serious injuries in the impact, which
3 would explain why they didn't get out. But -- and the
4 driver, and I would leave this to Dr. Benedict, but
5 appears to have received some injuries that would
6 delay his exit of the vehicle. And so that it would
7 take a finite time to get out of the vehicle.

8 I have not analyzed his burns specifically
9 in terms of where and how he might have received them
10 and that's something that could be done.

11 Q But what you're generally saying is based
12 upon what Dr. Benedict may opine, that Mr. Belli may
13 have been in the car long enough for the fire to
14 spread slowly?

15 A Or more slowly than is depicted in the
16 animation.

17 Q Okay. Have you reviewed any witness
18 testimony about the condition of John Belli's -- the
19 condition of John Belli as he exited the vehicle?

20 A I don't recall any specifically.

21 Q And have you told me as specifically as you
22 can the paths by which the fire entered the passenger
23 compartment?

24 A Yes.

25 Q Do you have any opinion about any type of

1 secondary explosions?

2 A Like what?

3 Q I don't know. There may be a better term
4 than "secondary explosion." But any other combustion
5 that would result in an explosion type noise.

6 A Well, tires eventually burn through and
7 produce a loud noise that is sometimes mistaken by
8 witnesses for an explosion. So I don't know if
9 there's any of that testimony in this particular case.
10 But that often does occur.

11 And since it's coincident with the release
12 of air that's in the tires, it often produces a rise
13 in flames that people note as well. So that can often
14 occur.

15 Sometimes there will be ammunition in
16 vehicles that goes off and produces a lot of noise
17 that people recall. Those are generally the things
18 associated with that kind of sound.

19 Q Can you tell me when exactly the windows
20 were broken? Or strike that.

21 Is it your understanding that the windows
22 broke at some point?

23 A Yes. And it appears at least the ones -- a
24 good number of them would have broken during the
25 impacts with the vehicles. The Thunderbird, I think,

1 and the Camry, based on the distortion of frames and
2 the crash tests.

3 Q Other than what we discussed earlier as far
4 as the notion that the Camry impact may have resulted
5 in some of the deformation we discussed earlier, was
6 there any other significance from a fuel system
7 integrity standpoint about the impact with the Camry?

8 A Well, I think that's the major significance.
9 It also could -- in that it could have produced a
10 separate puncture or affected some of these other
11 openings that we talked about, it would have some --
12 it could have some significance relative to the
13 occupants. And that's not just fuel system but it
14 could have some significance for their injuries. I'm
15 not saying that it does, just the potential exists.

16 And it could have some consequence relative
17 to where the fuel is or goes in the tank relative to
18 any openings. In other words, you have another
19 impact, and so that can cause the fuel to go a
20 particular way that it otherwise would not have.

21 Those are the areas I guess I could think of
22 that might have some significance relative to the
23 second impact.

24 Q Do you have any reason to believe that a gas
25 cap was not in place on the Jeep Cherokee prior to

1 impact?

2 A I don't have anything to say that it was
3 definitely in place, as I recall. So the possibility
4 exists that there was an opening there.

5 The area is protected behind the door, and I
6 don't see any direct intrusion in that area to damage
7 the fuel cap. So if it was not there, I would believe
8 that would be because it was not present or installed
9 before the impact. But I haven't -- I haven't
10 determined that it wasn't there. It's just a
11 possibility that it wasn't.

12 Q Most likely thing is that it was properly in
13 place and burned off; would you agree?

14 A I can't say it's most likely, but that's
15 certainly an explanation.

16 We typically find some remnants of the cap
17 in that situation. And I don't see any obvious ones
18 in my photos or at the time of my inspection to say
19 that. But I believe it is possible to be consumed and
20 still be consistent with those observations generally.

21 Q Do you have any opinions about the heat that
22 this fire generated?

23 A No.

24 Q Do you have any opinions, and this is
25 somewhat redundant, about the temperature inside the

1 occupant compartment at any time?

2 A No.

3 Q Have we discussed all of the possible ways
4 in which the Thunderbird may have directly impacted
5 the Jeep Cherokee fuel tank or any other part of the
6 Jeep Cherokee fuel system?

7 A I think so.

8 Q And I know we've discussed on a micro level,
9 but could you just tell me generally your
10 understanding about how the Thunderbird made initial
11 contact with the rear of the Jeep Cherokee?

12 A Well, I guess I would refer to either the
13 Arndt exhibits or Exhibit 17 in the Stevens
14 deposition. That shows a matchup of the two deformed
15 vehicles. And I don't -- and I think that generally
16 represents how the two vehicles came together.

17 Q Do you have any criticisms of Exhibit 17 of
18 the Stevens deposition?

19 A Well, I haven't looked at it in detail, but
20 I think the matchup looks generally correct.

21 Q Have you relied upon that in formulating
22 your opinions in this case?

23 A Well, just -- I haven't relied on it. I
24 relied on my inspection and observations of the
25 general matchup of the vehicle which is enumerated in

1 my notes. And this diagram and the digitizing of the
2 vehicles seem to be consistent with that.

3 Q But you haven't generated a diagram like
4 that, have you?

5 A Correct. I have not.

6 Q Did the fuel tank of the Jeep Cherokee move
7 forward as a result of the Thunderbird impact?

8 A Did it move what?

9 Q Forward.

10 A Yes, I think relative to other parts of the
11 vehicle it was forced forward.

12 Q Can you be any more detailed than that about
13 how much it moved relative to the other parts of the
14 vehicle?

15 A Not in terms of numbers, no.

16 Q In any other way?

17 A I have photographs of the underbody which
18 would show its position. And those could be compared
19 to an exemplar to determine something with that.

20 For example, 072133 of Exhibit 6, there's an
21 underbody view of the rear of the vehicle. And so one
22 could compare that to an exemplar and see how the
23 location of the tank has changed.

24 Q Have you undertaken to measure the relative
25 displacement of the fuel tank and the filler neck?

1 A I had some rough indirect measurements in my
2 first inspection that are in the notes. And we then,
3 I think at the LEC, talked about getting more detailed
4 measurements, and I think those were then derived by
5 Denny. And in conjunction with the tests that were
6 run to show the ability of the hose to elongate and
7 maintain its integrity.

8 Q Would it be the top portion of page three of
9 your handwritten notes of Exhibit 6 that would be what
10 we're talking about?

11 A Yes.

12 Q The first two, would be the first two --
13 first two or three paragraphs there?

14 A Yes.

15 Q It says, "top filler roughly 20 inches aft;"
16 is that correct?

17 A Yes, it is.

18 Q And then "six inches" --

19 A -- "outboard and eight inches above filler
20 tank neck." Those are very rough measurements.

21 Q So would you defer to Dr. Guenther on the
22 relative displacement of the fuel tank and filler
23 neck?

24 A Yes.

25 Q Have you measured how far the rear axle of

1 the Jeep Cherokee was moved as a result of the
2 collision with the Thunderbird?

3 A No.

4 Q Have you done anything as far as preparing a
5 time line of the accident sequence?

6 A No.

7 Q Have you told me all of your opinions to the
8 greatest detail about the path and timing of the fire?

9 A I think I described it. Yes.

10 Q And would the same be true with regard to
11 cause and origin of the fire?

12 A I think so, yes.

13 Q Is there a metal portion of the filler
14 system?

15 A Yes.

16 Q Did you observe any deformation to that?

17 A No, to the extent that I could visualize it.

18 Talking about the filler tube which we see the
19 outside -- from the outside with the cap in place.

20 Q Uh-huh.

21 A And that looked to be protected and
22 undeformed.

23 The bottom I don't believe I was able to
24 visualize.

25 As far as the other end of the hose on the

1 tank neck, we talked about the deformation to that.

2 Q So what other opinions do you have, other
3 than the severity of the accident and the various
4 deformations that we've discussed in detail?

5 A Well, that the fact that someone is injured
6 in an accident, or that they are burned in an accident
7 does not of itself mean the vehicle is defective.
8 That injuries and also fires do occur in some
9 accidents, and this is one of them.

10 In particular, the location of the tank aft
11 of the axle is a typical location for a rear wheel
12 drive vehicle, which this is. I'm not sure in this
13 particular vehicle that one would be able to fit a
14 reasonable sized tank forward of the axle.

15 And a tank forward of the axle still has its
16 set of risks that may be elevated from the rear
17 location. For example, its exposure to the components
18 of a four-wheel drive vehicle. The transfer case in
19 frontal and front angular collisions and the exposure
20 in side impacts, particularly narrow object impacts.

21 And so those types of things happen to tanks
22 that are located forward of the axle and would be a
23 consequence of placing the tank there, if it was able
24 to be placed there, which I think in this particular
25 vehicle would be very difficult just in terms of the

1 space available.

2 Q Anything else?

3 A Not that I can think of.

4 Q So if you could put a -- if you could put a
5 midship tank in this vehicle, your criticisms of the
6 midship location would be exposure to the transfer
7 case?

8 A Yes.

9 Q As well as exposure to narrow object side
10 impacts?

11 A Well, side impacts in general, but
12 particularly narrow objects. Tree, pole type impacts.

13 Q Do you see that as a high frequency type of
14 impact?

15 A Well, I've had several cases involving that,
16 yes.

17 As far as the frequency of front, side and
18 rear, that depends on what exposure level you're
19 looking at. But I believe that there are higher
20 proportions of frontal impacts, for example, than
21 rears.

22 Strictly a matter of there are impacts from
23 a lot of different areas. And looking at one
24 particular accident and placing the tank in all
25 vehicles based on that is not a wise way to analyze

1 the situation. So you have to think of the various
2 impacts that the vehicle will be subject to.

3 Q But as far as the specific scenario of the
4 narrow object side impact, you would say that's a high
5 frequency risk?

6 A No, I wouldn't say it's high frequency. But
7 if I look at my list of my testimonial list, I think
8 we came up with six rear fires. And there might be
9 just as many side fires in there as well. So it's
10 just a matter that when accidents become very severe
11 and unusual and rare like this, then leakage can occur
12 regardless of where the tank is.

13 Q But aside from your testimony list, you
14 would agree that it's not a high frequency scenario?

15 MR. CAMPBELL: Object to the form to the
16 extent there's no qualification or quantification of
17 high frequency. I don't really think that the
18 question is capable of being answered by in the way
19 it's worded.

20 A It depends on what population you're talking
21 about of accidents.

22 BY MR. FEAGLE:

23 Q Do you rely on any particular -- do you rely
24 on anything in particular with respect to your opinion
25 about the risk of the midship location for side

1 impacts, and more specifically narrow object side
2 impacts?

3 A Mainly my analysis of accidents over the
4 years. Exposure to analyzing a variety of them.

5 Q But you wouldn't direct me to any document
6 in your file, correct?

7 A Other than my testimony list, which I
8 mentioned, I can't think of any other one.

9 Q Okay. Would the same be true about the risk
10 of interaction with the transfer case?

11 A Well, I have seen that in analyzing
12 accidents as well. I think if you looked at direction
13 of impact statistics, you would generally see more
14 from the front. I don't know what particular
15 significance that might have, but that statistic would
16 exist.

17 As far as any publication directly talking
18 about that particular risk, none come to mind.

19 Q And just to help me appreciate it, what
20 exactly -- what exactly is the risk as far as the
21 interaction?

22 A In a frontal impact or a front angular
23 impact, the engine generally gets driven rearward.
24 And with four-wheel drive vehicles you have additional
25 components, transfer case and things of that nature,

1 which need to be located somewhere. So they take some
2 of the underbody space up. And when the engine or the
3 transfer case are deformed rearward and there's a tank
4 located there, then the two can interact and punctures
5 can occur.

6 In addition, relative to having the tank
7 located forward on a rear wheel drive vehicle, you
8 have the risk of the prop shaft being damaged in
9 impact which occurs quite a bit in frontal and rear
10 end impacts that are severe. And I've also seen cases
11 where the prop shaft punctures the fuel tank in that
12 location.

13 Q But those two areas would be the extent of
14 the risk that you would identify for the midship
15 location in this vehicle?

16 A Well, there may be more. But the most
17 significant ones that come to mind are the prop shaft,
18 the frontal or front angular impacts that cause
19 components, particularly with the four-wheel drive
20 vehicle, to intrude into that area, and side impacts
21 to that area I think are three most significant areas
22 that come to mind.

23 And, of course, here we're talking about a
24 claimed failure of the filler system that to some
25 degree is connected with the tank location, but it's

1 not directly connected. In other words, the filler
2 could be in the same place and then the tank forward
3 between the axles.

4 Q Can you think of any reason why a nonrigid
5 connector could not have been utilized for this
6 vehicle?

7 A I believe a hose was used in terms of
8 connecting the filler to the tank, a flexible hose.

9 Q I guess I'm referring to the hose connection
10 to the external neck area.

11 A Well, the hose connection to the filler we
12 know is maintained by that photograph that we looked
13 at. But as far as the connection of the steel filler
14 tube to the body of the vehicle, maybe that's what
15 you're referring to?

16 Q I think so.

17 A Yes, that can be either rigidly affixed or
18 often what's called the breakaway attachment is used.
19 And those started to be used in the mid-seventies in
20 particular with coupes.

21 You get deformation generally in the pickup
22 area. And the quarter panels adjacent to that area
23 would flare outwards. And in an attachment where you
24 had a steel tube into the grommet of the tank,
25 sometimes the outward movement of the quarter panel

1 could cause the tube to be retracted from the tank.

2 And so a number of different things were
3 done. But one was to put a breakaway panel, so if the
4 panel moved outwards it might leave the tube behind
5 and attached to the tank.

6 The trade-off on that approach is that when
7 it's rigidly affixed, you know where it is. And when
8 it breaks away, you don't have as much control over
9 where it is. And so you have that trade-off.

10 And here you have a vehicle that doesn't
11 have that type of phenomenon, outward bowing of the
12 quarter panels to detract the tube from the grommet.
13 In fact, you have a hose connection. So you have a
14 more robust or solidly attached filler connection than
15 with the other alternative.

16 The other thing that's helped increase the
17 use of the breakaway panel is that it was -- it's
18 generally a plastic panel that mounts the filler
19 behind the door, such as we have here. And emission
20 requirements have mandated a certain angle to that
21 filler on vehicles. And so one way of complying with
22 that requirement was to produce these types of
23 breakaway fixtures.

24 So here I believe that the filler maintained
25 its connection. So regardless of which approach was

1 taken, it looked like it was successful in this
2 particular case.

3 Q So just to help me out here, can you
4 summarize for me the downside of utilizing a breakaway
5 on this vehicle?

6 A I believe in this particular vehicle, the
7 type of vehicle it is doesn't call for it quite as
8 much as it would if it was, for example, a coupe with
9 a grommet type connection at the tank.

10 As far as the downside, it is with this and
11 with any vehicle, in that you don't have as much
12 control over where that filler is, the top of the
13 filler where the cap is which you're trying to
14 connect. So there's a little more variation or risk
15 in that regard that you're balancing out.

16 And in some cases, in a lot of cases you may
17 be better off with a breakaway, not necessarily here.
18 And apparently not in this particular accident did it
19 make any difference because it maintained its
20 integrity with the approach that the Jeep did choose.

21 Q Would it be safe to say that the primary
22 risk in this vehicle would be the lack of -- or loss
23 of protection of the external neck area?

24 A The lack of control over that, yes.

25 Q "Lack of control" meaning where it would

1 move?

2 A Where it is at any particular time. Once
3 it's free, then it has some ability to be various
4 places as opposed to the one place it would be if it's
5 solidly attached.

6 And as I say, it's done both ways on
7 different vehicles for various reasons. There's not,
8 you know, one is completely good and one is completely
9 bad. It's a mixture of both.

10 Q And I assume there was an attempt in the
11 design of this hose to protect it with various
12 components?

13 A Protect the filler tube and the top of the
14 filler tube and the cap?

15 Q Yes, sir, and including the hose.

16 A Yes, and the hose, yes. All the structure
17 around it, particularly with the top you had the --
18 it's recessed inside the quarter panel with a door
19 access as opposed to an external cap. And so it's in
20 a protected area that way. And then there is
21 structure around the filler.

22 And we talked about the pass through with
23 the reinforcement as it goes through the longitudinal
24 as well. And so all of those things go to protecting
25 the filler system.

1 Q And then you mentioned earlier that there's
2 some uncertainty about whether a midship location
3 would even fit on this vehicle. Can you tell me any
4 more about that?

5 A Yes. I don't recall seeing anything from
6 Arndt or any of the other experts relative to
7 specifically talking about a specific alternative in
8 terms of trying to design a tank in this location.
9 But generally, in looking at this vehicle, I note a
10 few things as compared to some other vehicles that may
11 have a tank forward.

12 One, of course, a lot of them being
13 passenger cars with front wheel drive, so you don't
14 have a driveshaft going through there. And so there's
15 more opportunity to put a tank forward of the rear
16 axle on those vehicles.

17 But with rear wheel drive vehicles, then you
18 have a prop shaft, you have the risk of the prop shaft
19 coming loose and puncturing the tank. But then you
20 also have the space taken up by that prop shaft where
21 you can't put a tank.

22 Generally, you have exhaust running through
23 the vehicle, so that's going to take up one side. So
24 at best you have one side of the prop shaft to work
25 with, generally between there and the longitudinal.

1 Now, on some vehicles that are based on
2 pickups, or more of a truck type of chassis where you
3 have a body and frame that are separate, those
4 vehicles are generally higher. And that has some
5 relationship with stability and so on.

6 So the fact that we have a unibody here, the
7 Cherokee generally is lower compared to some of the
8 other vehicles in the class, and that has some
9 advantages in terms of stability. But also, you have
10 less depth available to put the tank.

11 So if you want to give yourself proper
12 clearance of the prop shaft on the inboard side and
13 you want to keep it within the longitudinal on the
14 outboard side, and in the front you're limited by the
15 transfer case and those other components that in a
16 frontal impact would be moved aft, and then you have
17 the rear axle after that, I don't think you have
18 enough space to put any kind of a reasonable sized
19 tank.

20 Q So would it be your opinion that no feasible
21 alternative design exists for the Jeep's fuel system?

22 A Well, at this point I don't think you could
23 fit a reasonable sized fuel tank in the forward
24 location. And I guess that's the criticism of this
25 particular one. So that would be my answer to that.

1 I haven't -- again, I haven't seen a
2 detailed design study of it. But those are the
3 limitations that I see.

4 Q Do you rely on any crash tests that show the
5 negative properties of a midship location in forming
6 any of your opinions?

7 A No. I have mentioned and I do recall a
8 couple of cases that involved risks in that area from
9 the transfer case and from the prop shaft. There
10 would also be -- and those are specifically with these
11 types of vehicles.

12 But there's been a number of cases that I
13 have been involved in with midship tanks that show
14 that they -- under certain circumstances that they can
15 leak as well.

16 Q Is that anything that you rely upon in your
17 opinions in this case?

18 A Not specifically, other than I've
19 identified.

20 Q Or anything that you intend to show to the
21 jury here, anything like that?

22 A It depends how -- to what degree that
23 someone disagrees with that, I suppose, if it's
24 necessary to try and get some documentation to show
25 those things.

1 Q Do you have an opinion about whether or not
2 a remedy or any specific recall method of the 1991
3 Jeep Cherokee would have been feasible?

4 A I don't know why something like that would
5 be necessary and I don't know what would -- one would
6 do on a campaign.

7 Q In general, does retaining four-wheel drive
8 capacity of a vehicle increase the ability to utilize
9 a midship tank location?

10 A It may.

11 Q Does it have to?

12 A What do you mean?

13 Q Does retaining the four-wheel drive capacity
14 necessarily influence the ability to have a midship
15 location?

16 A Well, it may not, because even with
17 two-wheel drive it may not fit in there. So I don't
18 know if it does or not.

19 I would think it would be pretty tight even
20 with two-wheel drive based on the limitations that I
21 described in the other dimensions. So what further
22 limitations occur because of four-wheel drive in terms
23 of capacity reduction and safety and having a tank in
24 that location, I'm not sure if that would only make it
25 less feasible.

1 Q Do any of the Jeep fuel systems utilize
2 shields?

3 A Yes.

4 Q Do you have an opinion about whether a
5 shield on this fuel system would have had a different
6 outcome?

7 A I don't think any additional shielding would
8 have -- of any reasonable nature would have produced
9 any different outcome.

10 Q Do you -- is it your opinion that speeds and
11 resulting energies in this accident were such that any
12 rear fuel system would fail?

13 A Oh, I think the factors including those of
14 this accident would be enough that you couldn't
15 guarantee you wouldn't get fuel leakage with a tank
16 mounted in the rear or even forward of the axle. And
17 certainly with a slightly different impact
18 configuration, it could be more likely with the
19 forward of the axle location than the rear location.

20 Q Are you saying that a fuel system failure
21 could be more likely at the midship location in this
22 accident, or in an accident in a rear-end impact with
23 the same energies and speeds of this accident?

24 A Well, I'm saying with a slightly different
25 configuration, maybe, for example, being less rear and

1 more from the side, it could get to a point that it
2 would be more likely with the side than the rear.

3 I mean, obviously, in a side impact, the
4 side location is probably going to be more likely to
5 be damaged than in a rear impact. But I don't have
6 the benefit of designing for one particular type of
7 impact. But the levels are such that I don't think
8 you could guarantee that you weren't going to get a
9 fuel leakage regardless of where you had the tank in
10 this case, including forward of the axle.

11 MR. FEAGLE: Want to take a break?

12 (Recess taken.)

13 BY MR. FEAGLE:

14 Q Mr. Noble, would you agree that the tank of
15 the Jeep Cherokee was located in the no crush area?

16 A Well, almost any location in the vehicle is
17 crushed at some time or another. So to that degree,
18 any area is known. Beyond that I don't know.

19 Q Have you looked at any internal
20 Daimler-Chrysler documents in any of your work on this
21 case?

22 A Yes, those that were supplied to me. There
23 were drawings and graphics and standards of crash
24 tests were in video form. So I've reviewed those
25 materials.

1 Q And do you rely upon any of those in any of
2 your opinions?

3 A Well, yes, to some degree.

4 Q And these are mainly crash tests?

5 A I recall more the drawings and graphics of
6 the configuration of the system. And I have reviewed
7 all the crash tests. And in that regard, I don't
8 recall any fuel leakage, so I think they demonstrated
9 that.

10 Q Do you know were these -- do you know if any
11 of these materials have been purposely produced in
12 this case?

13 A I assume so.

14 MR. CAMPBELL: I think they all have.

15 MR. FEAGLE: Okay.

16 MR. CAMPBELL: Now, he got some drawings,
17 what, two weeks ago or something?

18 THE WITNESS: Yes.

19 MR. CAMPBELL: And those I don't know if
20 they've been produced or not. I just couldn't tell
21 whether Mark Canfield has produced those to you or
22 not. But everything else has been produced to you.

23 MR. FEAGLE: Okay.

24 THE WITNESS: And I think some of those, I
25 noticed that some of those have been previously

1 produced.

2 MR. CAMPBELL: I think all the drawings and
3 schematics have been produced already in the case.

4 BY MR. FEAGLE:

5 Q These drawings and crash tests we're talking
6 about, Mr. Noble, can you help me find these?

7 A The crash tests are here.

8 Q Okay.

9 A And the drawings I reviewed on the computer,
10 so they're on the DVD. As far as whether some of them
11 might be in these documents, that's a possibility.

12 Q What would you rely upon those drawings for?

13 A The configuration of the vehicle, the design
14 of the vehicle.

15 Q And can you be any more specific than that?

16 A The placement of the tank. The detachment
17 of the tank and the filler system and how it was
18 configured prior to the impact mainly.

19 Q Would it be essentially a substitute for an
20 exemplar?

21 A It would be -- you could look at it that
22 way.

23 (Plaintiff's Exhibits 13 and 14
24 were marked for identification by the court
25 reporter, and retained by the witness.)

1 BY MR. FEAGLE:

2 Q Exhibits 13 and 14 are, these are videos of
3 crash tests?

4 A Yes.

5 Q You say you've relied upon these to some
6 extent in your opinions?

7 A Well, I've reviewed all of them. And I
8 think they demonstrate the testing that occurred and
9 also the performance of the system.

10 Q And what testing are you referring to?

11 A These are rear-end impact tests, as I
12 recall. Some of the vehicles had been previously
13 impacted in the front, but as I recall, all the tests
14 on this video are rear impact.

15 Q Are they all 301 tests?

16 A I don't know if they're 301 tests or not.
17 They are with a rear moving barrier.

18 Q They were conducted by Chrysler?

19 A Yes. I think there's a group of them that
20 were conducted by AMC before it became a part of
21 Chrysler. And then a group that were conducted after
22 the two combined.

23 Q So they're all -- looks like there's a
24 number of tests here. They're all rear moving barrier
25 tests, but we don't know whether they're 301 or not?

1 A Well, it's my recollection they're all rear
2 test. I believe they're all rear moving barrier
3 tests.

4 As far as whether they're 301 or not depends
5 on some of the details of the tests. For example, the
6 test speed and so on. But I suspect that most if not
7 all of them are run according to the 301 or SAE rear
8 moving barrier standard. Some of them may be at a
9 higher or lower speed.

10 Q And have you --

11 A I think some of them were lower speed than
12 30. Some of them may have been higher.

13 Q Have you -- looks like there's a number of
14 tests on each of these videos. Have you segregated
15 any of the more significant ones?

16 A No. I think I noted one that appeared to be
17 a '91 development vehicle. Test 3690 on Exhibit 13.
18 3960, if that's not what I said.

19 Other than that, they appear to be similar.
20 I didn't see any significant or documented fuel
21 leakage in them. And they seem to document the
22 compliance in development prior to that over a number
23 of years.

24 Q You say the 3960 involved a '91 Cherokee?

25 A I think -- I'm sorry.

1 Q Development vehicle?

2 A That's the way it was labeled for the test,
3 it was for '91 development. So that the other ones
4 were vehicles before and after, some of which may have
5 represented the '91 vehicle or may not have, dependent
6 upon what differences might have occurred over the
7 years. But they were all in that time frame, you
8 know, generally the configuration of our vehicle.

9 Q Are these all Jeep Cherokee tests?

10 A I believe they're all XJ tests. Whether
11 some of the earlier ones might have been a different
12 configuration or not, I just don't recall. I mean,
13 the vehicle looked a little different, but how that
14 related to our vehicle, it may have been the same
15 general vehicle.

16 Q Are they all 1991's?

17 A No. Those occurred over a period of time.

18 Q Do you know what years they encompassed?

19 A As I recall, they began in, I think the
20 eighties, I'm not sure if they went back any further
21 than that.

22 Q Do you rely in particular on the -- I'm
23 sorry, on the number 3960 crash test as opposed to the
24 others?

25 A No, I just noted that that one was labeled

1 as a '91 development, so it's around the time period
2 of our vehicle. But there were ones before and after
3 and they showed a general program of testing over the
4 years of the vehicles and also showed them generally
5 successful testing history relative to fuel leakage.

6 Q And is that the extent of your reliance on
7 these Exhibits 13 and 14?

8 A Yes, I believe so. One could use them to
9 compare the deformation with what happened in our
10 accident in terms of the high level of energy involved
11 in our accident and some of the other specific factors
12 that I talked about, underide and offset and so on,
13 in terms of trying to compare to these.

14 Q Does the rear moving barrier test do a good
15 job of replicating the accident sequence that we have
16 in this case?

17 A Well, that wasn't the goal of the testing or
18 for the federal government in the standard or in the
19 companies in using these tests to improve their system
20 integrity, it's not to duplicate a particular
21 accident. It's to develop a test methodology where
22 one could compare changes and improvements to see what
23 the result is. So it wasn't attempted to try to
24 reconstruct this particular accident before it
25 happened.

1 Q So is the significance of these crash tests
2 that in your opinion they signal the prudence of
3 Chrysler in its development of fuel systems?

4 A That's one aspect of it. The other aspect
5 is the performance of the vehicle under those
6 conditions under a number of tests.

7 Q And did you observe any leakage in any of
8 these tests?

9 A I didn't. Nor do I recall seeing anything
10 that was attempting to document something that looked
11 like it might have been leakage.

12 Now, whether there was some less than
13 significant leakage in some of them, that may have
14 occurred. But I didn't see any indication in the
15 videos or during the tests or after the tests that
16 indicated that.

17 Q Are there supplementary paper materials that
18 go with these tests?

19 A Not that I recall, unless there's some that
20 are part of somebody, some expert's exhibits.

21 Q Okay. Did any of these involve the testing
22 of shields?

23 A I think some of the vehicles had shields in
24 them.

25 Q Was there gasoline in the tank in any of the

1 tests?

2 A Stoddard solvents in most if not all of
3 them.

4 Q And did they fill the tank with the Stoddard
5 solvents or is it partially filled?

6 A It's generally 95 percent. And in these
7 tests, at least in the latter ones, the amount is
8 written right on the vehicle. I recall some being 19
9 gallons. Some were as high as I think 21.8.

10 Q And why don't they use gasoline in the
11 tests?

12 A Because it tends to ignite more easily than
13 Stoddard solvent. And there are generally flashbulbs
14 and things of that nature that are used in the
15 photography and in the testing. And so it's safer to
16 have something that's less apt to ignite if there is
17 leakage.

18 Q Were any other fluids substituted in these
19 tests? Were any other fluids substituted in these
20 tests?

21 A Any other fluids?

22 Q Right.

23 A You mean in other parts of the vehicle?

24 Q Right. Any other vehicle fluid other than
25 gasoline?

1 A I don't know what the test situation is in
2 these tests relative to other fluids.

3 Q Have you reviewed the 301 tests that
4 Chrysler ran for the 1991 XJ?

5 A If it's on these videos I have. Otherwise I
6 haven't.

7 Q Who put together this particular grouping of
8 crash tests?

9 A I don't know specifically if it was -- looks
10 to be responsive to Request for Production number one.
11 So I would assume Chrysler put it together in response
12 to your request.

13 Q Do you know what the speeds were of all the
14 tests?

15 A I think a number of them were nominally 30
16 miles per hour. Some appeared to be less than that.
17 Some may have been more.

18 Q Do you have any other opinions about these
19 crash tests that you haven't told me about?

20 A No. I guess that they do disclose -- there
21 are some, for example, underbody camera shots. So
22 they disclose some of the dynamics of a rear impact
23 that occur. We talked about the hydrodynamic forces
24 and tank movement and things like that. So they could
25 be used to be demonstrative of some of those

1 phenomena.

2 Q And other than these crash tests and the
3 drawings that you used in place of an exemplar
4 vehicle, would that be the extent of the internal
5 Chrysler documents that you've relied upon?

6 A I recall reviewing graphics and I think some
7 standards, material standards, performance standards.
8 That's all I recall right now. But it's all on the --
9 in my file or on a DVD as far as what I looked at.

10 Q Do you rely on any of those graphics or
11 standards in your opinions?

12 A Well, the graphics, for example, might be
13 handy to show how the components are assembled or how
14 they fit. And same thing with some of the drawings.
15 And so in terms of understanding that, I've relied on
16 them.

17 Q Did you say drawings?

18 A Yes.

19 Q Like design drawings?

20 A Yes.

21 Q Were these -- were you talking about the
22 actual design drawings of the '91 XJ?

23 A Yeah, some of them would relate to that.
24 Also layout drawing that shows how the fuel system is
25 located and attached. And some of the specific

1 drawings relative to the components involved.

2 Q Can you tell me with any greater detail how
3 you relied upon any of these materials?

4 A No, I think that I've described it basically
5 to have an understanding of the components and how
6 their position relative to each other and how the
7 system is manufactured.

8 Q Do you intend to reference any of these
9 materials at trial?

10 A I haven't planned on it other than what I've
11 just mentioned in terms of some of them might be
12 useful in just demonstrating to the jury how the
13 vehicle is configured.

14 Q Okay. Do you hold the opinion that FMVSS
15 301 is an adequate standard for fuel system
16 performance?

17 A Yes, I think that it has proven to be
18 beneficial in terms of the improvements that have
19 occurred over time since it was enacted and modified.
20 And I suppose all things, or most things evolve over
21 time. And that's not to say that you couldn't make
22 changes to it in the future that might improve it as
23 our performance and expectations increase. But I
24 think it's proven to be quite effective and useful.

25 Q Would you say this design is by definition

1 not defective if it passes all of the federal
2 standards in effect?

3 A That sounds like a legal conclusion, so I'll
4 leave that to an expert in that area. I suppose that
5 would depend on what the laws in any particular
6 jurisdiction as to how it relates.

7 Q Well, what if we say is a design not flawed
8 from an engineering standpoint if it passes all the
9 federal standards in effect?

10 A Well, the way I look at it is that's one
11 test and that's one area where one can compare
12 different designs and different approaches and judge
13 performance. And it's one of several areas. I think
14 we talked about statistics. Also engineering judgment
15 and looking at the design, and also experience in the
16 field with it.

17 So I think there's a number of areas that go
18 into it. And in my mind that particular test is one
19 of them. Whether it has more significance in certain
20 jurisdictions or under certain laws, you know, I don't
21 know.

22 Q So from an engineering perspective, would
23 you say a design is not flawed if it passes all of the
24 federal standards in effect?

25 MR. CAMPBELL: Object to the form. I think

1 he just answered the question.

2 MR. FEAGLE: I don't think he did.

3 A I would simply say if it passes the test,
4 then it passes the test. I don't think that's
5 conclusive in my mind, at least, of the bigger
6 question as to whether, as you say, the design is
7 flawed.

8 BY MR. FEAGLE:

9 Q From a fuel system integrity standpoint,
10 does an automotive manufacturer have an obligation to
11 meet performance standards beyond 301?

12 A Well, I think there's an obligation to
13 design a reasonable -- reasonably useful and safe
14 vehicle to the extent possible, balancing all those
15 things. And that that's the way I viewed my
16 responsibility.

17 Q Have you reviewed any studies of tank
18 location of Jeep vehicles?

19 A Well, I've reviewed the Guenther study as
20 far as a survey of tank locations on various vehicles,
21 which shows that tanks are located in various places,
22 some behind the axle, some forward of the axle, in
23 these types of vehicles. So to that extent I've
24 reviewed that type of material for this particular
25 case.

1 I've conducted surveys in the past relative
2 to tank locations generally, not as specific as this
3 one or -- so I'm aware of those types of studies.

4 Q So based upon your work at Chrysler with
5 regard to fuel systems, can you tell me what the
6 origin of the '91 XJ fuel system design comes from?

7 A It's my understanding that the XJ came about
8 in '84, that model year. And I don't have an
9 understanding specifically of differences from
10 year-to-year and so on. But I understand there's some
11 commonality between, I believe, '84 to 2001, 2002.

12 Q When they designed the XJ in '84, did they
13 essentially draw up a new fuel system design or did
14 they take an old one and patch it up, or do you have
15 any idea?

16 A I don't have a specific understanding.

17 Q Are you familiar with any major changes to
18 the Jeep Cherokee fuel system since '84?

19 A Seems to me something changed in '92, the
20 year after this. And I don't know if it was just
21 something in the fuel system or the body style or
22 what. But something triggers in my mind that there
23 was something that happened in '92, I thought.

24 And I believe in '97, I believe they
25 switched to a plastic tank from a steel tank. Those

1 are the two things I recall.

2 Q What's your understanding of the
3 significance of going with the plastic tank?

4 A Well, it's a difference. In terms of why it
5 was done, I don't know specifically other than there's
6 more of a tendency to use plastic as the years have
7 evolved, for various packaging reasons among other
8 things. As far as the performance, I think they're
9 essentially similar.

10 Q Do you have any opinions about the
11 similarity of the XJ fuel system to the other Jeep
12 vehicles?

13 A Well, no, other than I believe there's other
14 Jeep vehicles that have the tank rear of the axle.
15 And I can recall some in the past, at least, that had
16 it forward of the axle. But a bigger vehicle that is
17 more room to put it there and in various dimensions.
18 And I think had -- it was subject to puncture there as
19 well as from some of the modes that I mentioned
20 earlier. Prop shaft and transfer case.

21 Q Is there much interchangeability, I guess is
22 what I'm getting at, across vehicle lines? As far as
23 for sake of efficiency, can you take a design
24 component in this car and insert it in the other car
25 and not have to reinvent the wheel, so to speak?

1 A Well, I assume a fuel cap is pretty
2 interchangeably among the different vehicles. But as
3 far as tanks, I think they're specific for a
4 particular chassis design.

5 Q Okay. How far is it from the inside of the
6 Jeep Cherokee rear bumper to the fuel tank?

7 MR. CAMPBELL: Objection, vague as to what
8 reference point are you using? The bumper is not a
9 flat line.

10 BY MR. FEAGLE:

11 Q I will change my answer to the nearest point
12 to the fuel tank. I mean, my question.

13 A Well, I don't have a particular number in
14 mind. And that would -- might be something to look at
15 in an exemplar to get -- or there are some numbers
16 relative to that in the Guenther survey.

17 But I would note that as we discussed the
18 various punctures to the tank, that although there was
19 contact between the bumper and the tank, there were no
20 breaches to the tank associated with that other than
21 the tear that we talked about.

22 Q Are you aware of any published papers that
23 have documented increased bodily injury potential from
24 crash tests or crashes of vehicles with midship fuel
25 systems?

1 A I'm sorry, published literature, you said?

2 Q Right.

3 A I don't recall any offhand.

4 Q What are your criticisms of Fred Arndt's
5 opinions.

6 A Well, I think we've talked about several of
7 my opinions that differ from his. Those that come to
8 mind are that I believe he is basically asserting that
9 any vehicle with a tank located aft of the axle is
10 defective. I don't agree with that.

11 I believe he's indicating that the filler
12 was disrupted in this case. I don't believe that
13 happened.

14 Those are the two most significant things
15 that come to mind.

16 Q Do you have any other particular criticisms
17 of any of the other plaintiff's experts?

18 And I guess I should ask you have you
19 summarized any of the depositions?

20 A They're on the CD.

21 Q Your summaries?

22 A Yeah. They're not summarized, but they're
23 -- that's the way I review them, and they're
24 highlighted.

25 Q Oh, you've highlighted, okay.

1 A Bold.

2 Q Other than that, you don't have any hard
3 copy summaries of --

4 A That's correct. Yeah.

5 Let me think. I have nothing specific that
6 comes to mind.

7 Q Are you preparing to use exhibits at trial?

8 A I would anticipate using some of the
9 photographs and maybe some of the drawings that I
10 mentioned. Maybe some excerpts from some of the crash
11 tests. And possibly there would be an exemplar
12 vehicle and the accident vehicle available to use.

13 Q Other than what we've already discussed, do
14 you have any additional criticisms of the animation
15 done by the plaintiff's experts?

16 A That's what I can recall from the time I
17 viewed it, which was some time ago. And I don't have
18 a video of it so I haven't reviewed it recently.

19 Q Have we discussed all of the photographs
20 that you've taken that are of particular significance
21 to your opinions?

22 A I think so.

23 Q And what I wanted to ask you to do, and I
24 apologize because it might be kind of tedious, but
25 some of these handwritten notes, I just want to make

1 sure for the record that I can read it when I go home.

2 Page two of your handwritten notes of
3 Exhibit 6, the last entry, will you read that for me
4 please?

5 A "Left rear number one spring fractured both
6 front and rear. Also right rear front and
7 rear."

8 So I'm talking about the magnitude of the
9 impact causing these rather substantial springs to
10 fracture.

11 Q And does that relate to your opinion about
12 the overall severity of the crash?

13 A Yes.

14 Q And it doesn't really have anything to do
15 with fuel system performance?

16 A Well, it does in that it relates to
17 severity. But as far as one of those particular
18 components puncturing a tank or something, no.

19 Q And would that be essentially true of all of
20 the notes on page two, that it relates to your
21 opinions about severity?

22 A Yes.

23 Q Page three of those notes, that first entry,
24 it says, "Fuel filler without cap"?

25 A Yes.

1 Q And it says -- it continues.

2 A "Sealing surface circular and undeformed."

3 Q And we've discussed all that, right?

4 A Yes.

5 Q And would you mind just reading these three?

6 A These three?

7 Q Yes, sir.

8 A "Hose and clamps on fuel tank filler and
9 vent necks. Top filler roughly 20 inches aft,
10 six inches outboard and eight inches above
11 filler tank neck.

12 "Fuel filter -- fuel tube three inches with
13 end patterns and aircraft clamp retained on
14 lower tube.

15 "Minute puncture left rear tank two and
16 three-quarter inches above seam and three and a
17 half inches inboard of left tank surface.
18 Brackets, side at left rear."

19 Q And the drawing that follows after that --

20 A We discussed.

21 Q We discussed that, okay.

22 Did we discuss your entry about the fuel
23 filter? Is that what that says?

24 A Yes. I don't think we have. And I think I
25 covered that in the next inspection, too, just in

1 terms of indicating that that appeared to stay intact,
2 the connection.

3 Q Page one of your notes in Exhibit 7
4 references a panel?

5 A Yes.

6 Q What is that referring to?

7 A A piece of sheetmetal, or a panel, that
8 obscures the view of the filler tube from underneath
9 that we talked about earlier.

10 Q Okay. And we talked about everything else
11 on that, right?

12 A Yes.

13 Q Is that it for page two?

14 A Yes.

15 Q The reference to the wheel house and floor
16 plan seams --

17 A Yes.

18 Q -- have we discussed that?

19 A No, I don't think we have. "Wheel house
20 floor pan seams slightly separated on both sides
21 with pulled nuggets."

22 It indicates that the weld was good. That
23 when the panel separated, they pulled a nugget on the
24 adjacent panel, which indicates that it's a good weld.
25 So that's what that refers to.

1 Q What area of the vehicle are we talking
2 about?

3 A This would be the rear wheel house or floor
4 pan joints.

5 Q And what opinion would that observation
6 relate to, if any?

7 A Just that there was adequate welding of
8 those components in that area. That they were
9 properly welded.

10 Q Does that relate at all to the fuel system?

11 A Not directly.

12 Q You mention worn clamps for the filler
13 system?

14 A What I called worm clamps.

15 Q Oh, I'm sorry.

16 A That's all right. It's not that easy to
17 read.

18 Q That's just your reference to the type of
19 clamp that's utilized in the filler system?

20 A Yes.

21 Q There's a reference also on page two to
22 melted alloy?

23 A Yes. When we looked at the filler neck
24 going into the filler tank, and I had talked about
25 that thin crescent opening. And that there's some

1 sealant used in there, like a solder type material,
2 solder or bracing material. And after the fire that
3 melts away, and you could see a drip of it in that
4 photograph that we referenced. And that's what that's
5 talking about.

6 Q Does that have any bearing on the
7 performance of the filler system?

8 A Well, it indicates that that material was
9 present and it also indicates that that crescent
10 opening that we see might have been smaller following
11 the impact, but that the subsequent fire has melted
12 some of that material away to make it appear larger at
13 the present time.

14 Q Anyway, but you don't know for sure whether
15 that happened?

16 A Well, I do know that it was present because
17 it's there now. And I do know that it melted because
18 of the condition that it is now in a kind of a molten
19 drip form.

20 Q There's a reference to rings being slightly
21 displaced by deformation.

22 A Yes.

23 Q What -- help me out there. What is that
24 referring to?

25 A That's the sending unit that we looked at.

1 Locking rings.

2 Q Okay. Which is consistent with what we
3 discussed earlier?

4 A Yes.

5 Q You mentioned on the Thunderbird notes in
6 Exhibit 8 that the burn pattern does not suggest
7 ground fire?

8 A Yes.

9 Q What was the burn pattern that you observed?

10 A I don't remember specifically. But I
11 believe I was referring to there -- to the engine
12 compartment fluids in the Thunderbird.

13 Q The possibility of the ground fire would
14 have referred to that?

15 A I believe that that's what it refers to,
16 yes.

17 Q Okay. What's that word on the very bottom?
18 Upper something?

19 A "Upper load structure involved, especially
20 right."

21 Q Did you tell me everything that -- every
22 opinion that you've come to with regard to the burn
23 pattern on the roadway?

24 A I think so.

25 (Plaintiff's Exhibit 15 was marked

1 for identification by the court reporter,
2 and retained by the witness.)

3 BY MR. FEAGLE:

4 Q Exhibit 15 are Material List?

5 A Yes.

6 Q And that's just an index of everything that
7 you have in your file?

8 A Yes.

9 Q Let me clarify something that we talked
10 about earlier. I made a note about you mentioned
11 1,500 as a figure of cases that you've worked on?

12 A Yes.

13 Q And you said you've probably done 30 to 40
14 Ford cases, and I understand you're -- just what you
15 can recall as you sit here. And it's somewhere around
16 the same number for Chrysler perhaps?

17 A I think I said around a hundred for
18 Chrysler.

19 Q Okay. There seems to be a lot more out
20 there, cases that you've worked on --

21 A Yes.

22 Q -- that were not brought up for
23 manufacturers; is that correct?

24 A There would be a number of those, yes.

25 Q Would that be the vast majority?

1 A I don't know about vast, but I would think
2 it would be the majority.

3 Q But that would not be for automotive
4 manufacturers?

5 A That's correct.

6 Q And what types of parties would that be for?

7 A Individuals. Municipalities. Trucking
8 companies. Insurance companies.

9 Q But all in the area of fuel system work and
10 reconstruction work primarily?

11 A Yes.

12 Q I believe I neglected to ask you about the
13 second LEC you attended.

14 A That's correct.

15 Q And that would have been in November of 2002
16 on the 13th?

17 A Seems about right.

18 Q Sound about right? And that was at the
19 Atlanta airport?

20 A Yes. It was --

21 Q Or at a hotel nearby or something?

22 A Yes, exactly, that's my recollection.

23 Q What input did you have at that LEC?

24 A Well, I think we all talked about our
25 opinions. And I recall expressing generally the

1 opinions that I've expressed today.

2 Q Were your opinions final at that point?

3 A Well, as I said before, they are refined as
4 I receive additional information. So they have been
5 refined since that point based on some of the work
6 that has been completed since then and some of which
7 we discussed at that meeting, the survey and the hose
8 stretch test and determining the relative locations of
9 those connections on the accident vehicle. Some of
10 those things. Some of Dr. Guenther's work.

11 Q Would it be things that you received after
12 that LEC --

13 A Yes.

14 Q -- that would factor into your opinions?

15 A Yes. I believe the survey information may
16 have been partially complete or mostly complete at the
17 time of that meeting. But I don't recall the other
18 data relative to the tests being done at that time.

19 Q Do you recall how long that meeting lasted?

20 A As I recall, that was a shorter meeting, at
21 least for me. And I recall maybe a couple hours.

22 Q And what did Dr. Benedict talk about at that
23 meeting?

24 A I don't recall. I don't recall anything
25 specifically.

1 Q As far as this survey that Dr. Guenther put
2 together, what bearing does that have on any of your
3 opinions?

4 A Well, I think it shows the variety of tank
5 locations and other features that are used in various
6 vehicles that shows that there's nothing unique with
7 the Jeep design. And I think that's the major use of
8 it.

9 Q And is that the extent to which you relied
10 upon it in your opinions?

11 A So far, yes. If there's a more definite
12 allegation from the plaintiff experts as far as
13 favoring a particular vehicle or a particular design
14 or attempting to actually design a tank in the forward
15 location, then some of the material might be helpful
16 in relation to that.

17 Q Was there ever a time at which you finalized
18 your opinions?

19 A I suppose when I'm done testifying at trial.
20 I mean, it's always subject to receiving new material
21 and new information.

22 I think that they're generally pretty set
23 and anything in addition would just be response to
24 something else that's been generated or some of the
25 things that we talked about today. For example,

1 looking at an exemplar. But I don't expect any major
2 changes to my opinions.

3 Q But aside from refining your opinions based
4 on new information, essentially staying course with
5 the same opinions, I mean, other than that, there was
6 a point at which you initially said, okay, these are
7 my conclusions unless I encounter some contrary
8 evidence?

9 A There wasn't an exact time like that, no. I
10 think once I start processing information I come up
11 with certain observations and opinions based on that.
12 And then as I do additional things, for example,
13 inspect the vehicle or get the police photographs or
14 inspect the vehicle a second time and take the tank
15 down and all those things add information. And then
16 in my response to that information.

17 MR. FEAGLE: Can we take a quick break?

18 (Recess taken.)

19 BY MR. FEAGLE:

20 Q When you were the supervisor at Chrysler
21 between somewhere in the -- back in 1977 to 1980 time
22 period, were all of the fuel systems that you worked
23 on rear located fuel systems?

24 A No.

25 Q Were most of them rear located fuel systems?

1 A Probably.

2 Q Can you tell me which ones were not?

3 A Pickup trucks and depending on different
4 periods of time, some period of time some had rear
5 tanks, some had midship tanks. The front wheel drive
6 car, the Omni Horizon had a rear axle location for its
7 first year in '77, I believe, and subsequently.

8 There might have been some motorhome chassis
9 that had tanks located elsewhere, although, as I
10 recall, we consolidated them into a position aft of
11 the axle in the late sixties. I think that's about
12 it.

13 Q And what other vehicles in 1991 used a
14 similar design fuel system as the Jeep Cherokee?

15 MR. CAMPBELL: What other Chrysler vehicles?
16 Or what other vehicles on the roadway?

17 BY MR. FEAGLE:

18 Q Let's start with Chrysler vehicles.

19 A I don't know specifically, but as far as any
20 rear wheel drive passenger cars, I believe they
21 probably would have. And the B-van would be located
22 aft of the axle. And as far as whether any other
23 pickups still had tanks in that location, I don't
24 know. I don't think so.

25 Q Any other Jeeps?

1 A Yes. I'm not as familiar with the Jeep
2 products and their locations. But I do believe that,
3 for example, the Wrangler has a tank aft of the axle.

4 Q And Mr. Campbell mentioned earlier that you
5 may be developing opinions about other similar
6 accidents. Have you done any preliminary work on
7 that?

8 A No.

9 Q Have you come to an understanding in your
10 own mind about what you would consider a similar
11 incident to this accident?

12 A I'm not familiar with that terminology that
13 you guys used.

14 Q Well, the word "similar" has meaning to you,
15 right?

16 A Yes.

17 Q In your own meaning, in your own sense of
18 the word "similar," can you answer that question?

19 A Depends what I was trying to demonstrate in
20 terms of similarity. So depends on what context we're
21 using it.

22 Q Well, I'm --

23 A I don't know what Mr. Campbell was referring
24 to when he talked about developing those. So I guess
25 I need more of a definition on what we were trying to

1 do in terms of what would be selected or what the
2 criteria would be that we wanted to compare.

3 Q Okay. Well, forget about all that. In this
4 case if you took out the -- if you took out the wreck
5 sequence with the Camry, what would you describe as a
6 similar accident?

7 A I don't know whether I would. I mean, I
8 need to know more to answer your question.

9 Q Are any two accidents similar?

10 A Well, they -- there's differences in most
11 accidents and there's some similarities in terms of
12 different factors. So if I was trying to make a point
13 about something, well, then I would select something
14 based on that similarity.

15 So I mean, I don't even understand what the
16 object is in terms of the observations or the points
17 that I would be trying to make. So it's difficult for
18 me to say something is useful in that regard because I
19 don't understand what the goal is yet.

20 Q I'm not talking about using it for anything.
21 I'm just trying to get your understanding of what
22 would be similar.

23 A It depends what you're comparing. In what
24 respect that you want to make comparisons of
25 similarity.

1 I mean, in one respect cases with that --
2 with a '91 Jeep would be similar in that they have the
3 same vehicle. In other cases there might be a
4 similarity that a Thunderbird was a striking vehicle
5 or that there was a fire or that there was a rear
6 impact or any number of other things. So one could
7 establish similarities based on a number of factors.

8 Q Okay.

9 (Plaintiff's Exhibit 16 was marked
10 for identification by the court reporter,
11 and retained by the witness.)

12 BY MR. FEAGLE:

13 Q Is Exhibit 16 your notes and photographs
14 from the Camry inspection?

15 A Yes.

16 Q Do any of the -- other than what we've
17 discussed, does the Camry, or what happened to the
18 Camry or how the Camry was involved in this accident
19 have any particular bearing on any of your opinions?

20 A I think mainly that it was a substantial
21 impact.

22 Q And how would that have a bearing on your
23 opinions?

24 A Well, that there's another significant
25 exposure to the already deformed Jeep and the

1 occupants in the Jeep.

2 Q And the significance of that would be that
3 it would in your opinion render more likely the
4 scenarios we discussed involving the Camry impact
5 causing deformation to the fuel tank of the Jeep
6 Cherokee?

7 A Yes, the more significant the impact, the
8 more likely that that could occur.

9 Q Anything else?

10 A Just reflected in my notes some observations
11 relative to the tire conditions and the fuel system on
12 this vehicle.

13 Q So would you say that the Camry-Jeep impact
14 was a severe collision?

15 A Not as severe as the initial one. I think
16 there's a quite a difference in energy levels between
17 the two.

18 Q But would you also use the word severe in
19 respect to the Camry?

20 A Certainly not as severe. Probably not.

21 Q You would not use the word severe to
22 describe that accident?

23 A If I looked at this particular accident and
24 was classifying it, I probably wouldn't use the term
25 severe. Moderately severe, significant, but certainly

1 not extremely severe. Like the Thunderbird impact to
2 the Jeep.

3 What made it more severe for the Jeep or
4 significant was that the Jeep was already deformed
5 from the impact prior to that.

6 Q Is there any other way in which the Camry
7 impact or the materials in Exhibit 16 relate to your
8 opinions?

9 A Not that I can think of now.

10 Q These look like previously produced photos.
11 Do you rely on any of these in particular?

12 A Not specifically.

13 Q Same here?

14 A Yes.

15 Same.

16 Same.

17 Q Do you rely on the police report?

18 A I have reviewed it. I can't remember
19 relying on anything specific.

20 Q Did you make a summary or anything?

21 A No.

22 Q Looks like you've selected certain exhibits
23 from Dr. Guenther's deposition.

24 A Yes.

25 Q Have you written any notes on any of this?

1 A I don't believe so.

2 Q And we've discussed the full extent of his
3 application, the application of his opinions to yours?

4 A I believe so, yes.

5 Q Same thing for all this stuff?

6 A Yes.

7 Q To what extent do you rely on any of the
8 exhibits to Arndt or Stevens depositions?

9 A I looked at it for the vehicle deformation
10 and match up the digitizing of the vehicles that was
11 done.

12 Q And that would be the handful of diagrams
13 right here?

14 A Yes.

15 Q So the Exhibits 15 through 19?

16 A Of the Stevens depo?

17 Q Yes, sir.

18 A Yes, those are the ones that I've selected.

19 Q And anything else?

20 A In this folder?

21 Q Yes, sir.

22 A No, I think that was -- those are the main
23 things. I don't recall relying on anything else
24 specifically.

25 Q These are extras. Is that the one we took

1 out?

2 A That's it. That's it right there.

3 (Plaintiff's Exhibit 17 was marked
4 for identification by the court reporter,
5 and retained by the witness.)

6 BY MR. FEAGLE:

7 Q Mr. Noble, what is Exhibit 17?

8 A That's a DVD of my electronic file. Would
9 include all the photographs I have, inspection notes,
10 depositions, the digital form of the drawings and documents
11 that were produced by Chrysler, as well as the
12 exhibits of the various experts that were available on
13 digital form. In digital form.

14 Q Can you tell me if there's anything on that
15 disk that you've relied upon that we don't have in
16 this room otherwise?

17 A Well, I think we talked about the police
18 photographs that we don't have hard copies of. I
19 think some of the photos that we were referring to
20 relative to the hose remnants on the filler are
21 digital photographs that I don't have a hard copy of.
22 I think some of the drawings that we discussed that
23 were produced by Chrysler are in digital form and not
24 in hard copy. I don't recall anything else offhand.

25 Q Did you mention graphics earlier?

1 A Yes.

2 Q Would that be the same thing as drawings?

3 A Yes.

4 Q Okay. Anything else on Exhibit 17 that
5 you've relied upon that would not otherwise be in your
6 file?

7 A I think I mentioned the depositions.

8 Q Okay. And you've highlighted electronically
9 passages of depositions in Exhibit 17?

10 A Yes.

11 Q Would you rely upon this police file other
12 than what we've already discussed?

13 A I looked through it. I don't recall
14 anything specific that I've relied on.

15 Q How about the fire report?

16 A Same answer.

17 Q How about the extrication photos?

18 A I think that I've reviewed them. But I
19 think the other photos that we have in digital format
20 are the ones that I have relied on and reviewed. Show
21 the vehicles in place at the scene.

22 Q And you've already identified those
23 photographs to me otherwise?

24 A Yes. Yeah, the ones we talked about.

25 Q Autopsy reports, does that come into your

1 analysis?

2 A I think I probably looked at them initially,
3 or documents similar to this, to determine the
4 carboxyhemoglobin levels since that time, which we
5 know somebody is going to be covering that for the
6 defense side. So I haven't done anything other than
7 initial look at some of the documents relative to
8 that.

9 Q You utilized the understanding of the
10 carboxyhemoglobin levels in reaching your opinions?

11 A Not in the ones that I'll be presenting. I
12 think they relate to -- we discussed earlier
13 survivability issues that Dr. Benedict will be talking
14 about.

15 Q It looks like we have some Ron Kirk selected
16 exhibits. Anything in there that you've relied upon
17 in particular?

18 A No, not in particular. I do remember
19 reviewing the reconstruction drawing and I believe
20 some maybe crush diagrams as well.

21 Q What about select exhibits from Dr. Burton's
22 deposition? Did you rely on anything in there?

23 A No, not specifically.

24 Q How about Officer Hensal's exhibits?

25 A I don't think I relied on anything

1 specifically. I have reviewed the photographs of this
2 other incident that he mentioned.

3 MR. FEAGLE: We all have these, correct?

4 MR. CAMPBELL: What, Hensal's photos?

5 MR. FEAGLE: Of this other, '99?

6 MR. CAMPBELL: Yeah, that came from you.

7 BY MR. FEAGLE:

8 Q Why is this in your file?

9 A It was supplied to me.

10 Q Have you done anything with it?

11 A I've looked at it.

12 Q Do you believe that that was demonstrated an
13 unacceptable performance of a fuel system?

14 A Well, I haven't analyzed it in terms of the
15 exposure that it represents in terms of energy and so
16 on. It doesn't look like there's a fire that resulted
17 from the impact. I believe there is some discussion
18 that there was some leakage associated with it.

19 Q Do you have any opinions about the fuel
20 system performance in that vehicle?

21 A Not beyond what I've just said. It got hit
22 by a pretty big vehicle, though.

23 Q Would you say that's a similar incident?

24 A Depends on how you want to compare it. I
25 think the vehicle is somewhat different, somewhat

1 similar. It involves a rear impact. Apparently
2 doesn't involve a fire. So there's similarities and
3 there's differences.

4 MR. FEAGLE: Okay. Just for the record,
5 we're discussing the Hearse incident brought to our
6 attention by Officer Hensal. The name Hearse,
7 H-e-a-r-s-e.

8 Here's another -- looks like more of the
9 police file.

10 MR. CAMPBELL: That's exhibits to his
11 deposition.

12 BY MR. FEAGLE:

13 Q Anything in Fred Arndt's exhibits?

14 A Well, now we're getting into the unselected
15 portions of them.

16 Q Okay.

17 A And so other than look through them to see
18 what was what and whether to put it into the selected
19 portion, I haven't done anything with those documents
20 and the rest of the documents that follow in the
21 boxes.

22 Q Okay. Have you reviewed these "60 Minutes"
23 videos?

24 A I fast forwarded through them and they all
25 look to be about seats, so I didn't watch them in any

1 detail.

2 Q And this is your copy of Dr. Guenther's
3 tests, correct?

4 A Yes.

5 Q There's a number of CD's in your file. Can
6 you just tell me if you relied on anything in
7 particular on any of these CD's?

8 A If I did, I made an electronic copy of it
9 and included it on my DVD. And they will be the
10 things that we talked about.

11 Q Should be things already discussed?

12 A Some of the things for example, the
13 animation I wasn't able to open, or to view.

14 Q This fuel tank files disk, is that something
15 that's been produced?

16 A I believe so in that it includes these
17 things that we got a while back.

18 MR. CAMPBELL: Yeah.

19 THE WITNESS: Looks to me like it was
20 organized as a response to production. Includes the
21 drawings, durability report, graphics, recall service
22 manual, things of that nature.

23 MR. CAMPBELL: I believe that was all part
24 of the initial production by Miller Canfield.

25 THE WITNESS: Subject to a protective order.

1 So that would kind of suggest that it was something
2 that was produced.

3 BY MR. FEAGLE:

4 Q Okay. Do you have any comment about any of
5 Andy Gilberg's testimony?

6 A No.

7 Q Have you reviewed the Butler depo exhibits
8 from the Baker, Foster, Lazarus, Perion depositions?

9 A No.

10 Q You have not reviewed these?

11 A No.

12 Q Have we marked every document you intend to
13 reference in any way in support of your opinions?

14 MR. CAMPBELL: Or folders containing those
15 documents.

16 A I don't know. I think we've talked about
17 them. And it looks like we've marked most of them.

18 But as far as what I talk about at trial,
19 it's going to depend upon to some degree what's
20 important at that time and what positions the
21 plaintiff takes as far as what's necessary to
22 emphasize or to explain to the jury. I think that the
23 materials that we've talked about and marked will
24 suffice for that, but it depends what other issues
25 might come up or what things might be concentrated on.

1 BY MR. FEAGLE:

2 Q Have we marked or specifically identified as
3 already produced to plaintiffs, or produced by
4 plaintiffs every document that you rely upon in
5 support of your opinions?

6 A I don't know. I think so, at least at this
7 point. I think -- I can't think of anything that we
8 haven't talked about that I'm planning on talking
9 about at this point. I think we've identified the
10 things that I have in mind that I might do. For
11 example, look at an exemplar, respond to any more
12 specific opinions that the plaintiff experts may have
13 by then.

14 Q And have you told me all the basis of all of
15 your opinions?

16 A I think we've covered that, yes.

17 Q Including your opinion that this was a
18 severe -- regarding the severity of this accident?

19 A Yes.

20 Q And that primarily being the closing speeds,
21 the offset nature, and the underride nature?

22 A Yes. And the nature of the striking vehicle
23 in terms of configuration and structure. The two
24 impacts that were involved.

25 Q And have you told me all of your opinions?

1 A No other ones come to mind.

2 MR. FEAGLE: Just go off the record for one
3 second.

4 (Off the record.)

5 BY MR. FEAGLE:

6 Q In your billing file, Exhibit 4, each of
7 your billing statements references "Details attached."

8 A Yes.

9 Q Where are those details?

10 A They would be with Mr. Campbell's law firm.

11 Q And is that --

12 A In other words, I attach that and send it to
13 the client. And then I keep a copy of the cover sheet
14 till I get paid.

15 Q Which is what's in Exhibit 4?

16 A Correct.

17 MR. FEAGLE: Mr. Campbell, do you assert a
18 privileged objection to --

19 MR. CAMPBELL: I frankly did not know until
20 right this minute that there was anything else to his
21 file. I don't get the billings and I don't review
22 them, so I can't tell you right now what else may be
23 part of that that we might or might not object to.
24 I'm happy to take a look at those when I get back and
25 see what --

1 MR. FEAGLE: I'd like to go ahead and
2 request production of those materials.

3 MR. CAMPBELL: Okay. I'll take a look at
4 them when we get back and give you a call.

5 MR. FEAGLE: Because the billing statement
6 is very -- there's no description of any of the
7 activity.

8 MR. CAMPBELL: Right.

9 MR. FEAGLE: So I can sit here and ask him
10 what he did on all these dates, or you can tell me
11 that you'll probably be able to produce those
12 materials.

13 MR. CAMPBELL: I think anything he sends to
14 us is discoverable.

15 MR. FEAGLE: Okay.

16 MR. CAMPBELL: If he generates it. If it's
17 something we generated, it would be different. But if
18 he generated and sent it to us, I think it would be
19 discoverable and I don't see any reason why we
20 wouldn't produce it to you.

21 BY MR. FEAGLE:

22 Q Mr. Noble, the details that you attached to
23 the bills, does that describe what you did for the
24 hours that you worked?

25 A Yes.

1 Q Okay. And what do you all want to do about
2 copying these things?

3 A Is this what we're talking about here?

4 Q Yeah. I may --

5 A I'm okay with leaving them here and having
6 them copied and then returning the originals to me.

7 Q I'm going to mark a couple of these selected
8 folders, just small things, but that's it.

9 A Sure.

10 MR. CAMPBELL: As long as it's just
11 basically this stuff, we can leave it.

12 This can be off the record.

13 (Off the record.)

14 MR. FEAGLE: That's all the questions I have
15 at this time. Thank you very much, Mr. Noble.

16 THE WITNESS: Thank you.

17 (Plaintiff's Exhibit 18 was marked
18 for identification by the court reporter,
19 and retained by the witness.)

20 (Whereupon at 4:00 P.M., the
21 deposition of MARK M. NOBLE was concluded.)

22

23 --ooOoo--

24

25

SANTA BARBARA (805) 966-4562

1 I declare, under penalty of perjury under the
2 laws of the State of California, that the foregoing
3 testimony is true and correct.

4 Signed and dated this _____ day of
5 _____, 2003, at _____,
6 California.

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MARK M. NOBLE

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1 STATE OF CALIFORNIA)
) ss.
2 COUNTY OF VENTURA)

3 I, SHARON M. BEST, CSR No. 6025, a Certified
4 Shorthand Reporter, do hereby certify:

5 That prior to being examined, the witness named in
6 the foregoing deposition, to wit, MARK M. NOBLE, was
7 by me previously duly placed under oath to testify the
8 truth, the whole truth and nothing but the truth;

9 That said deposition was taken down by me in
10 shorthand at the time and place therein named, and
11 thereafter reduced to typewriting under my direction
12 and supervision, and I hereby certify the foregoing
13 deposition is a full, true and correct transcript of
14 my shorthand notes so taken.

15 I further certify that I am neither counsel
16 for nor related to any party to said action nor in
17 anyway interested in the outcome thereof.

18 WITNESS my hand this 10th day of March, 2003.

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25

Certified Shorthand Reporter

IN THE STATE COURT OF FULTON COUNTY

STATE OF GEORGIA

ROY LOUIS BELLI, Individually)
and as Administrator of the)
Estate of JOHN NICOLAS BELLI;)
ET AL.,)

Plaintiffs,)

vs.)

No. 01VS018431G

DAIMLERCHRYSLER CORPORATION,)
a Delaware Corporation;)
ADRIAN CAMARILLI; NEBIYU)
DEMISSIE MULETA; and JOSEPH)
BRENNAN,)

Defendants.)

DEPOSITION OF WILLIAM E. WECKER

Novato, California

Thursday, February 13, 2003

Volume I

Reported by:
JODI L. BOSETTI, RPR
CSR No. 11316

JOB No. 40131

IN THE STATE COURT OF FULTON COUNTY
STATE OF GEORGIA

ROY LOUIS BELLI, Individually)
and as Administrator of the)
Estate of JOHN NICOLAS BELLI;))
ET AL.,)

Plaintiffs,)

vs.)

No. 01VS018431G

DAIMLERCHRYSLER CORPORATION,)
a Delaware Corporation;)
ADRIAN CAMARILLI; NEBIYU)
DEMISSIE MULETA; and JOSEPH)
BRENNAN,)

Defendants.)

Deposition of WILLIAM E. WECKER, Volume 1,
taken on behalf of Plaintiffs at the Marriott
Courtyard Marin, 1400 North Hamilton Parkway,
Novato, California, beginning at 1:20 p.m. and
ending at 5:44 p.m., on Thursday, February 13, 2003,
before JODI L. BOSETTI, RPR, Certified Shorthand
Reporter No. 11316.

1 APPEARANCES:

2

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WITNESS EXAMINATION

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2 Binder; 164 pages 13

3 Notice of Deposition; 6 pages 24

4 Copies of Labels of discs; 3 pages 26

1 Novato, California, Thursday, February 13, 2003

2 1:20 p.m. - 5:44 p.m.

3
4 WILLIAM E. WECKER,
5 having been first duly sworn, was examined and testified
6 as follows:

7
8 EXAMINATION

9 BY MR. FEAGLE:

10 Q This is going to be the deposition of
11 Dr. William E. Wecker taken by plaintiffs in this action
12 for all purposes allowed by law under the Georgia Civil
13 Practice Act.

14 Would you like to read and sign, Dr. Wecker?

15 A Yes.

16 Q Dr. Wecker, my name is Greg Feagle. I'm here
17 on behalf of plaintiffs in this action against
18 DaimlerChrysler Corporation. I'm going to be asking you
19 some questions here today. If at any time you don't
20 understand one of my questions, will you please let me
21 know?

22 A I'll try that.

23 Q Please state your full name for the record.

24 A William E. Wecker.

25 Q And what is your age, sir?

EA12-005- Chrysler -008833

1 A 61.

2 Q Is it correct that you have been retained by
3 DaimlerChrysler Corporation as an expert witness in this
4 case?

5 A Yes.

6 Q What is your current business address?

7 A 505 San Marin Drive, Novato, California.

8 Q Do you also reside in Novato?

9 A Yes.

10 Q And how are you currently employed?

11 A I work at William E. Wecker & Associates,
12 Incorporated.

13 Q And are you the sole shareholder of William E.
14 Wecker --

15 A Yes.

16 Q -- Incorporated?

17 And how many employees do you have?

18 A Approximately 30.

19 Q And what is the corporate purpose of your
20 company?

21 A I don't understand the question.

22 Q What's the purpose of your company?

23 A Companies don't have purposes. I don't
24 understand your question.

25 Q What does your company do?

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1 A We do consulting in statistics and applied
2 mathematics.

3 Q Do you engage in any other income-producing
4 work that is not associated with this company outside of
5 investments, that kind of thing?

6 A Occasionally I teach and receive payments for
7 that, or lectures, but in recent years I haven't done
8 very much of that.

9 Q When is the last time you taught?

10 A A couple of years ago at Stanford.

11 Q Was that a law class?

12 A It was a class in statistics within the law
13 school.

14 Q What textbook did you use?

15 A I didn't use one.

16 Q What were your primary sources of materials for
17 the class?

18 A My own background and experience. Let me back
19 up to that. When you said "materials," there were no
20 materials. I was lecturing.

21 Q Did you assign reading --

22 A No.

23 Q -- to the students?

24 And what percentage of the work for which you
25 bill involves consulting for attorneys in cases?

1 A Oh, I misunderstood. Sorry. She, at my
2 direction, did the calculations that resulted in the
3 charts that are in tab 4 of the materials that I've
4 handed you.

5 Q Did she perform all of the underlying
6 calculations?

7 A No.

8 Q She assisted you in many of the calculations?

9 A Yes. But if you'll allow me to just elaborate
10 a little bit, I can probably explain.

11 Q Please.

12 A I mentioned two people's names, and I didn't
13 intend to -- you picked on one, but really I think it
14 was the two together.

15 Q Okay. Yeah, if they've done essentially the
16 same thing.

17 A Well, I started with one, and then she went off
18 to have a baby, and the work got picked up by the other.
19 The pregnancy issue is not fundamental here, so I'll
20 just talk about the two of them.

21 I asked them to make certain calculations.
22 They went and did that, probably asking other people to
23 pitch in, but I didn't notice exactly who else they got
24 involved in the work, although the invoice I brought
25 might show some other names. And then they brought

1 those materials to me, and I critiqued them and fixed up
2 the labeling, and no numbers were made larger or
3 smaller, but the charts were, to my mind, improved by
4 better footnoting and so on. And then they put those
5 materials together for me in the books, the book that I
6 brought and gave to you.

7 Q But they did not perform the entirety of the
8 calculations?

9 A I don't understand that. I think that they
10 did. Oh, you mean except they might have had help
11 themselves? Is that what you mean?

12 Q No, that's not what I mean. They did the
13 calculations then, essentially?

14 A That's the way I view it, yes.

15 Q Fair enough.

16 A I told them what to do, but they did it for me,
17 yes.

18 Q Of course. Do you bill their time
19 individually?

20 A Yes.

21 Q And what are their rates?

22 A I don't know. Let me look at the invoice.

23 Q Is it apparent in the bills?

24 A I'm going to look. Yes, their names are listed
25 and their rates are listed.

1 MR. FEAGLE: Let's go off the record for a second.

2 (Recess.)

3 (Plaintiffs' Exhibit 1 was marked for
4 identification by the court reporter.)

5 BY MR. FEAGLE:

6 Q Dr. Wecker, is the folder I've marked as
7 Exhibit 1 your complete billing file for this case?

8 A Yes.

9 Q And what date does it stop?

10 A The invoice contained in Exhibit 1 is for the
11 period 10-1-2002 through 11-30-2002.

12 Q Do you know the value of the services you've
13 rendered since 11-30-2002?

14 A No, I don't. I expect it would be more than is
15 shown in the only invoice we've sent so far.

16 Q What's the amount of the invoice that you have
17 sent?

18 A 15,652. Let me finish that sentence.

19 Q I'm sorry.

20 A I would expect it would be more than the
21 invoice that's included, but I've never seen and I'm
22 told that we have not yet created an invoice, which
23 annoyed me, and I told them to get on the stick and put
24 in the invoice.

25 Q And I assume you'll forward that

1 Mr. Campbell and he'll send it to us?

2 A I don't know what he'll do, but when I get them
3 to make my invoices I'll send them to Mr. Campbell with
4 a slightly different quote.

5 Q Okay. Have you ever worked strictly as a
6 litigation consultant at any time in your career?

7 A I don't know what that means.

8 Q Before you referred to one-third, one-third,
9 one-third, and it sounded like one-third of that was
10 working with attorneys in these cases, which I call
11 litigation consulting. Have you ever done 100 percent
12 litigation consulting in your career?

13 A Well, today. For very short periods of time.
14 That's the way you're asking the question. I don't know
15 how else to answer it.

16 Q That's fair. Have you ever done strictly
17 litigation consulting for a period of more than one
18 year?

19 A No.

20 Q Okay. How many open cases are you currently
21 retained to work on?

22 A I don't have an exact count, but the count
23 could be in the hundreds, because there are a number of
24 what I understand are called consolidated cases, and
25 I've been asked to provide opinions with respect to

1 those, and depending on how you count, that could be a
2 couple of hundred cases.

3 Q Can you give me a ballpark percentage of the
4 portion of your litigation consulting client base
5 presently that involves the representation of plaintiffs
6 as opposed to defendants?

7 A It would be primarily defendants. It's easier
8 for me to answer a slightly different question, which is
9 instead of thinking today, which is thinking over recent
10 pasts, and I have a testimony list that I brought with
11 me, and it's in your book, and I think there would be a
12 handful of plaintiffs and the rest defendants.

13 Q Okay. And we'll get to that in a second.

14 Do you know whether you are currently retained
15 on behalf of any plaintiff against an auto manufacturer?

16 A I think not. I think I know that the answer is
17 no.

18 Q Have you ever been retained by any party that
19 was in litigation adverse to an automotive
20 manufacturer? And if you want to refer to tab 9 of what
21 I'll mark as Exhibit 2, that's fine with me.

22 (Plaintiffs' Exhibit 2 was marked for
23 identification by the court reporter.)

24 THE WITNESS: I think not, especially if you
25 define automobile manufacturer as being one of the major

1 brands as opposed to a supplier of automotive parts.

2 BY MR. FEAGLE:

3 Q Would that include suppliers?

4 A Probably there's some in there.

5 Q Can you think of any names?

6 A There was a plaintiff's action against a
7 British company that made catalytic converters for an
8 automobile company some years ago. TRW, I think, was on
9 the opposite side of the insurance matter that I was
10 involved in. TRW makes truck parts.

11 Q Okay.

12 A I think the issue there had to do with a truck
13 steering part. So it comes up occasionally.

14 Q Were any of those cases personal injury cases
15 or death cases?

16 A The plaintiff was not a personal injury person,
17 although the issues were issues of safety with respect
18 to individuals.

19 Q Okay.

20 A In the TRW case that's true. In the catalytic
21 converter case I don't think anybody was physically
22 injured. It was an environmental question.

23 Q So just to be clear, have you ever been
24 retained by a plaintiff in a personal injury case, and
25 that would include --

1 A Against an automobile company?

2 Q I'm not limiting that to automotive companies.

3 A But let's limit personal injury to mean
4 physical personal injury.

5 Q Physical personal injury, right.

6 A An individual physically injured against any
7 company?

8 Q Right. And you being on the side of the
9 injured person, not some other peripheral -- not other
10 corporate entity.

11 A I think not.

12 Q Before the Belli case, how many times have you
13 been retained by Chrysler or any of its predecessors,
14 including AMC, Jeep?

15 A The way you put the question, I'll have to say
16 at most twice, and it could be once or it could be zero.

17 Q Would those two times be on your exhibit
18 list -- I mean your testimony list?

19 A I don't think so.

20 Q Can you tell me the case names?

21 A I'll tell you what I can remember as I think.
22 One of them is -- the way you put the question was
23 before, and I took that to mean before in time. And
24 there was one for sure before that was years ago. It
25 began, it settled, it went away. I don't think there

1 was ever any testimony.

2 There's another one, and that's where I don't
3 know if it's before in time or after in time, but it's
4 recent. And I am not disclosed, and I think counsel
5 will object if you ask further about it.

6 Q That's fine.

7 In addition to this case, have you ever been
8 retained by the law firm of Swift, Currie, McGhee &
9 Hiers or Diane Owens?

10 A I don't know. Is that this law firm?

11 Q It is.

12 A That's not something I keep track of.

13 Q Okay.

14 A It's possible. Well, I don't know who retains
15 me. Is it the law firm or is it the client?

16 MR. CAMPBELL: Well, it's technically the law firm
17 that retains you.

18 THE WITNESS: I don't organize my thinking in terms
19 of that, so I can't be sure. But maybe since we have a
20 member of the firm here he can help us.

21 BY MR. FEAGLE:

22 Q I'm going to name some automotive
23 manufacturers, and if you would, will you tell me how
24 many times you've been retained by them to the best of
25 your knowledge as you sit here? And if the answer is

1 no, never, then just tell me that, too.

2 A Okay.

3 Q I'm going to start with GM.

4 A That would be among all the names you're going
5 to name the most. I don't think -- have a crisp enough
6 understanding of what "retained" means, but I'll give
7 you a sense of what my confusion is. I've been asked by
8 GM years ago to do calculations and be prepared to
9 explain them with respect to issues with their full-size
10 pickup truck from the '70s and '80s. That's at least
11 one. But then as time has passed I've been called upon
12 to explain that more than once. I don't know if you
13 want to count that as once or more than once. It's one
14 thing to me. It's maybe several things, I don't know.

15 There have been a small number of additional
16 General Motors matters, but they've been predominantly
17 that one.

18 Do you want to name another manufacturer?

19 Q Yeah. Before we move on, I guess if I were to
20 say in cases that you were actually designated as an
21 expert witness in a litigation, how many litigations
22 would that be for GM, if you could throw out a number?

23 A I would say it could be 15 or 20.

24 Q 15 or 20 cases?

25 A Right. Many of them being the same subject.

1 the same testimony, but there have been quite a few
2 reports that I've written.

3 Q Okay. Same thing for Volkswagen.

4 A I am sorry, I might not have listened. If your
5 question said testify, that would be very different than
6 retained. I don't know if you've shifted the question.
7 I was answering with respect to being retained.
8 Typically -- commonly a case goes away before there's
9 any testimony. So I would be retained, but there would
10 be no testimony.

11 I wasn't listening carefully enough, but I
12 thought you shifted to testified.

13 Q Anytime that you were retained and that you did
14 any work that you billed for and that you can tell me
15 about that is not confidential, I want to know that.

16 A Okay. That's the way I understood it
17 originally, and the 15 or 20 would be correct.

18 Q And then that would be the same question for
19 Volkswagen.

20 A I don't think any in Volkswagen.

21 Q Toyota or Lexus.

22 A I think zero in Lexus. I think Toyota I
23 remember one regulatory matter. I don't know if that's
24 litigation or not.

25 Q Hyundai?

1 A I don't think any for Hyundai.

2 Q Honda.

3 A I don't remember any.

4 Q Isuzu.

5 A It's possible. If it was -- if there were any,
6 it might be one.

7 Q Nissan or Infiniti.

8 A There was one Nissan matter I remember.

9 Q Audi.

10 A I don't think any Audi.

11 Q Mitsubishi.

12 A I don't recall any of those.

13 Q Mazda.

14 A I don't recall any Mazda.

15 Q Fiat.

16 A No.

17 Q Suzuki.

18 A Are we away from the personal injury now? Any
19 Suzuki matter?

20 Q Anything related to automotive safety.

21 A Okay. I recall one with Suzuki.

22 Q Saab.

23 A No.

24 Q Mercedes.

25 A I don't recall any of those.

1 Q Volvo.

2 A No.

3 Q BMW.

4 A I'm sure I'm going to be incorrect in a couple
5 of these. I don't recall any.

6 Q I understand. I understand you're just telling
7 me what you remember without any references. And Ford,
8 finally.

9 A That's where this large collection of Ford
10 Explorer cases is located, and then there were one or
11 two other Ford matters of a different kind.

12 Q Can you give me an all inclusive number?

13 A I don't know how to count the Ford cases. They
14 come in collections. Is an MDL more than one? I don't
15 know.

16 Q As far as cases, can you say more than 20?

17 A If I counted the biggest number I could think
18 of, it would be hundreds.

19 Q Okay.

20 A But just to be clear, I've only done one
21 thing. I only have one notebook. I only have one thing
22 to say, and it's usually said in a collective form where
23 there are multiple parties. That's the best
24 description.

25 Q I guess I am interested in how many times you

1 say it. How many times you come in and say I'm William
2 Wecker and I'm here to talk about --

3 A That would be a much smaller number. I could
4 look at my reference to help with that. Well, here's
5 another one. If I counted right, I've got 14 in the
6 last five years, and I think there were probably none
7 before that. I didn't have any work with Ford for a
8 long time.

9 Q Okay. Have you ever testified about a product
10 manufactured by an automotive manufacturer that had an
11 unacceptable field performance with comparison to other
12 similar products?

13 A No. It's not a phrase that I would use.

14 Q Can you help me with the phraseology?

15 A I don't know how to help you either. That
16 just -- I'm confident I never said anything like that.
17 Here's some help. The reason I'm so confident, it's
18 just not a statistical concept to go outside my area. I
19 try to stay within my area.

20 Q Is your area generating comparisons of products
21 in actual performance?

22 A No.

23 Q No?

24 A No. That's a sliver of my area. What I meant
25 by -- you can instruct me to tighten up these answers.

1 I can see where there's confusion between us, and I'll
2 just volunteer some stuff. What I meant by "my area" is
3 statistics and applied mathematics. The concept of
4 something being unacceptable is just not in that expert
5 area.

6 Q Do you advertise your services?

7 A No. I've got a website. You might want to
8 think of that as advertising, I don't. It's got
9 directions for finding my office.

10 Q What year and make is the vehicle that you
11 drive?

12 A I drive a 1987 Mercedes diesel.

13 Q What year and make vehicles of any immediate
14 family members?

15 A My wife drives a 1991 small size Mercedes.

16 Q Do you -- I assume you have never worked
17 directly for an auto manufacturer; is that correct?

18 MR. CAMPBELL: As an employee?

19 THE WITNESS: As an employee?

20 BY MR. FEAGLE:

21 Q Direct employee, yes.

22 A Not as an employee.

23 Q Anyone in your immediate family?

24 A No.

25 MR. CAMPBELL: Hang on for just one second. SA 2001 Chrysler -008850

1 (Recess)

2 BY MR. FEAGLE:

3 Q Dr. Wecker, is tab 8 a true and accurate copy
4 of your CV?

5 A Yes.

6 Q And does it contain all of your employment
7 background and professional acknowledgements, to the
8 best of your knowledge?

9 A It's a rough summary. There's nothing
10 intentionally omitted.

11 Q Is there anything that you would put on it if
12 you were updating it today?

13 A Well, this is February 2003.

14 Q It looks like it's pretty up to date.

15 And have you completed all of the work that you
16 need to do to render your final opinions in this case?

17 A From what I understand now, my experience
18 teaches me that when a trial occurs, there will be
19 testimony and opening statements that may elaborate or
20 inject some issue that I could respond to usefully and
21 would -- as long as the court would permit that, I would
22 try to be helpful if some new issue arose. Leaving that
23 aside, I think it would be correct in thinking that my
24 work is complete as far as I can anticipate the
25 information in this case, period.

1 Q So your opinions are in final form?

2 A I've answered that, and I couldn't give you a
3 simple yes or no to that. I thought that it's entirely
4 possible that the opinions could be elaborated to fit
5 better with the testimony that may occur over the course
6 of the trial, and it might even call for additional
7 work, and I'll leave it to the court to decide what is
8 allowed. And if something came up that I could respond
9 to, I would try to respond to it.

10 Something could come up today in the
11 questioning. It hasn't yet, but you could bring up some
12 issue that might suggest to me that I might do some
13 other work to clarify or respond.

14 Q Is Exhibit 3 a copy of the Notice and Subpoena
15 for this deposition?

16 A Yes.

17 (Plaintiffs' Exhibit 3 was marked for
18 identification by the court reporter.)

19 BY MR. FEAGLE:

20 Q Did you bring all of the requested documents?

21 A Well, I brought what I have. Maybe we should
22 go through -- let me look here to see what I have in the
23 way of an exception. A lot of things I simply don't
24 have any of those, so I could not bring them. I didn't
25 bring any documents with respect to this NEW YORK COUNTY CLERK
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1 which I am not disclosed that could be responsive to
2 number 18 -- no, not 18.

3 MR. CAMPBELL: Greg, for the record, we have not
4 produced, you know, the actual computer programs. We've
5 produced xeroxed copy of the discs that the programs are
6 contained on.

7 MR. FEAGLE: So you've identified the programs?

8 MR. CAMPBELL: We've identified the programs.

9 MR. FEAGLE: You're not giving us the software?

10 MR. CAMPBELL: We're not giving you the software.
11 That is either publicly available software or -- I think
12 it's all publicly available software. But we've
13 identified what we've used.

14 If there is software -- and I might need
15 correction on this, Dr. Wecker. But to the extent that
16 there is software that was utilized, we are not at
17 liberty to turn it over because of contractual and
18 confidentiality requirements by the manufacturer. We
19 can discuss with you supplying those subject to a
20 protective order that specifically governs those
21 documents since they're not our documents. I mean
22 they're not our programs.

23 You know, as long as the manufacturer or the
24 creator of those programs are willing to release them
25 under a confidentiality and protective order, then we're

1 willing to do that. But since they're not ours, we
2 cannot do that.

3 Some of the data came from publicly available
4 sources, and we've identified all of those sources under
5 tab 7 or 8. Seven.

6 MR. FEAGLE: Are you still talking about the
7 software?

8 MR. CAMPBELL: No. That's data. The software,
9 that wasn't specifically included. The software point
10 is, we're telling you what we've used. If you
11 specifically want us to produce that, and it can be done
12 by agreement with the creator of the software, the
13 license holder of the software, under protective order,
14 then we'll do that. You may have access to it through
15 other beings or sources. I don't know.

16 MR. FEAGLE: Okay.

17 MR. CAMPBELL: We can't turn it over without some
18 protection in place because of our licensing agreement
19 with the company who made it.

20 (Plaintiffs' Exhibit 4 was marked for
21 identification by the court reporter.)

22 BY MR. FEAGLE:

23 Q Exhibit 4 would be the software -- the
24 identification of all of the software, correct, that
25 we've been discussing?

1 A Exhibit 4 is responsive to your Notice, Exhibit
2 3, request number nine, where you specifically invite me
3 to bring a representative document from the package.
4 And what I did was just xeroxed the CDs.

5 Q Okay.

6 A Counsel was essentially correct on this other
7 category of licensed materials, but it involves not just
8 data. It involves some computer programs that are
9 licensed or computer programs that I write to access the
10 licensed data, which, in turn, reveals details of the
11 data.

12 All of that you're welcome to have, and I've
13 produced it in other cases a number of times, but we'd
14 have to do it under a protective order.

15 Q That's fine. I just at some point want to
16 identify the universe of what we're talking about.

17 A Sure.

18 Q And I understand that those other more
19 complicated things are not referenced in Exhibit 4?

20 A Right. But I have prepared some things that I
21 think will cover all of that, and that is the lists in
22 tab 7 and tab 6 of Exhibit 2. Many of these items
23 listed in Exhibit 2 are not -- would not be covered by
24 the protective order by themselves, and are, in fact,
25 publicly available and nearly free in a lot of cases.

1 But the way I'm using them is in conjunction with other
2 things that are protected, and it's not possible or
3 certainly not convenient to separate them because
4 they're being used together.

5 Q These other things that you are using in
6 conjunction with some of the materials are in tab 6 and
7 7?

8 A The lists in tab 6 and 7, I think, are
9 comprehensive as to what we're discussing now.

10 Q And what exactly are you talking about when you
11 say the things that you've used in conjunction with
12 those lists? You mentioned earlier writing programs or
13 something. What exactly are we talking about there?

14 A What I was trying to explain, when I talk about
15 in conjunction with, is that, for example, the first
16 item listed in tab 6 where I give you a telephone number
17 to call, if you called that number you could have that
18 data for a nominal charge. You can also download it
19 completely free of charge. There's nothing really
20 protected about that data. And I've even called that
21 number and asked for -- would it be all right if I just
22 made a copy of what you've sold me for \$200 and gave it
23 to somebody else? And they were not so pleased about
24 that. They would rather keep a record as to who is
25 using their data. And they said why don't you just have

1 them call me and I would be glad to send it to them.

2 But I don't think of that part as protected.
3 But we go to another item, like on the -- probably the
4 most aggressive of the licensed holders is the Polk
5 Company in tab 7, item number five. There I need to
6 actually get the Polk Company to agree to the wording of
7 the protective order, because that is what they've told
8 me is required. And the two items that I just discussed
9 with you are used together in a single calculation that
10 doesn't break apart. So I can't sort of just give you
11 half of it.

12 Q And then you said there were some protected
13 things used with the non-protected things. Polk would
14 be an example of one of the protected things?

15 A Yes.

16 Q Are there any others?

17 A Yes. The state databases, think, will have to
18 be included in the protective order. I've gotten
19 counsel to advise me on this, and there are a number of
20 reasons why we have to do that, one of which is privacy
21 laws under the different states. And others are the
22 states just have -- that we've called have insisted on
23 it, or at least they've told me they didn't want me to
24 hand it over without restrictions.

25 Q Okay. And you mentioned earlier something 08857

1 about writing programs, what was that?

2 A Well, the thing that you would get if you
3 would be signing a protective order to cover this would
4 be all of the material that are on these lists and the
5 computer programs that pull them together to make the
6 charts.

7 Q And it's the computer programs that pull them
8 together to use the charts, are they identified at least
9 in Exhibit 2?

10 A No, I don't have a separate listing of that.
11 The description I gave you would cover that. You'll
12 have to count up the number of accidents, and I've got
13 counting up programs that do that.

14 Q So can you at least identify for me those
15 computer programs?

16 A I don't have anything here that would give you
17 -- give me the ability to identify them any better than
18 I have, although we can skip the identification step by
19 just giving them to you, and then you don't have to
20 think hard about it.

21 Q Okay. But just so I have a level of comfort,
22 subject to reaching a protective order, we can get
23 access to all of these programs that you're talking
24 about?

25 A Yes. What I would give you, subject to the

1 protective order -- and I have to get approval each time
2 from Polk, and they modify my license and they're very
3 insistent that I go through this process. But what I
4 would give you when we completed that, and it can be
5 done quickly, I think, is everything required to
6 essentially press a button that says execute, and the
7 programs execute, go to find the databases, count up the
8 vehicles and make the charts. So it's everything from
9 one end to the other.

10 Q But as you sit here, you're not prepared to
11 tell me what all of the computer programs involved are?

12 A Well, I can describe them to you. I thought
13 you wanted a list. I don't have a list.

14 Q As you sit here, you're not prepared to name
15 them for me?

16 A No, I don't know any names. But there are
17 other ways where I can communicate with you that would
18 essentially get you the information for which your
19 question is seeking.

20 Q Which is?

21 A It will be a program that does chart number one
22 and a program that does chart number two.

23 Q Okay.

24 A I don't know if it's named chart one.

25 MR. CAMPBELL: Chart one in Exhibit 2 PA1105-008859

1 you're referring to?

2 BY MR. FEAGLE:

3 Q Right. And it may be more appropriate to get
4 into more detail as we go through the work.

5 So aside from this issue of software that we've
6 been discussing and data, do we have your entire file?

7 A Yes, sir.

8 Q And we marked Exhibit 1 as your billing file
9 earlier. Do you maintain activity descriptions for the
10 particular billings?

11 A No, just separate by project, by project and by
12 person.

13 Q But when you put hour, you know, 5.95, do you
14 have anywhere a description of what was done?

15 A No. This is the entirety of the invoice. That
16 is the only thing that I've seen or am aware of. It's
17 the only thing that the client gets. It's what we do
18 normally for every client, whether it's litigation or
19 non-litigation. It's all treated the same.

20 Q Is it correct that your billing rate is \$500 an
21 hour?

22 A It was at the time. I'm thinking of increasing
23 it, but I haven't yet.

24 Q You haven't done so yet?

25 A No.

1 Q Okay. Do have a correspondence file,
2 Dr. Wecker?

3 A No. There is no correspondence to put in a
4 file.

5 Q Have you received any letters from the law firm
6 of Swift, Currie, McGhee & Hiers?

7 A I've seen no letters. It's possible, though I
8 haven't seen any, so I can't verify that. When I
9 received the Complaint and the accident report there
10 could have been a cover letter that says like, here is
11 the Complaint and the accident report. We normally
12 don't keep those. And I never saw it anyway. The only
13 thing I've seen is the Complaint and accident report.

14 Q So any cover letters would have been discarded?

15 A If there were any. If they had informational
16 content or substance, we would have them.

17 Q Okay.

18 A But if they're just a transmittal with no
19 content, it's not our practice to keep those.

20 Q So since you have none with substance, so I'm
21 assuming you didn't receive any with substance?

22 A I didn't. I've never seen any letters of
23 anything.

24 Q Someone in your office probably got it?

25 A The secretary probably got the Complaint, and

1 she has the instruction that if there's a
2 non-substantive cover letter, or the same with faxed
3 materials, a fax material comes in, she doesn't pass me
4 the fax cover sheet.

5 Q Okay. When were you first contacted about this
6 case, Dr. Wecker?

7 A I thought you would ask that so I wrote it
8 down. April of 2002.

9 Q You were contacted during the month of April
10 2002?

11 A Yes.

12 Q Do you have an exact date that you can give me?

13 A No.

14 Q What was that contact?

15 A It was a phone call by Mr. Campbell.

16 Q And did you actually speak to Mr. Campbell when
17 he made the phone call?

18 A I'm not sure. I think I did, but I have zero
19 recollection. I think I did, and I think it was a very
20 brief call indicating that there would be some stuff
21 coming in the future.

22 Q When you wrote down that date of April 2002,
23 what did you refer to to get that date?

24 A I asked Ms. McGrath if she remembered when that
25 happened, and she said she thought it was in April.

1 Q So other than that, there's no other way to
2 verify that date?

3 A Yeah. We can ask Mr. Campbell.

4 MR. CAMPBELL: I have no recollection. It was
5 sometime in 2002, and it was a telephone call from me.

6 BY MR. FEAGLE:

7 Q What did Mr. Campbell tell you about this
8 matter when he had spoke to you in April 2002?

9 A What I recall is just that there -- a request,
10 first of all, would I be willing to work on a new
11 matter. And if so, he would be sending me some
12 materials, and subsequently some materials arrived.

13 Q Did you agree to provide the services that he
14 requested you to provide?

15 A The request was vague, would I work on it. No
16 specific list of services. But I agreed to take a look
17 into it. Sometimes when people send me materials I take
18 a look at them, and I call them back and say you've got
19 the wrong guy, this is not my area, or something like
20 that.

21 Q Right.

22 A But I certainly agreed up to the point that I
23 invited him to send the Complaint and an accident
24 report, and that I would take a look at it and see if
25 there was anything that I could help him with.

1 Q Did you during that time discuss any prior work
2 that you had done in fuel-fed fire cases?

3 A No.

4 Q Do you have any notes of that contact? I
5 assume you do not.

6 A No.

7 Q So after speaking to Mr. Campbell in April of
8 2002, when is the next time you spoke to an attorney
9 from Chrysler about this case?

10 A The only attorney that I've spoken to about
11 this case is Mr. Campbell. I saw him in December of
12 2002, but we didn't discuss the case. He was visiting
13 our offices, and I don't know on what matter. He wasn't
14 talking to me.

15 Q That was in December 2002?

16 A December 2002.

17 Q You spoke to him, but not about this case?

18 A It was hello, you want some lunch, that kind of
19 conversation.

20 Q Okay. After December 2002 when is the next
21 time you talked to Mr. Campbell?

22 A This morning.

23 Q And what did you all discuss this morning?

24 A I showed him the materials that I just handed
25 to you and explained portions of them to him and the

1 it.

2 Q Did you ever tell him what you were -- what
3 charts you were going to make or what type of work
4 specifically you were going to do?

5 A Well, when he came this morning, everything had
6 been completed for sometime, so I'm not following you
7 exactly. I showed him the charts. I explained them to
8 him.

9 Q And it's correct that you have not attended any
10 legal engineering conferences, vehicle inspections,
11 scene visits?

12 A No, none of that.

13 Q Are there any statistical texts that you
14 consider authoritative in the field?

15 A Yes, but let me -- I'm puzzling about your last
16 question, because you must have meant something
17 different than what I understood by it. So let me just
18 say that I've never had any conversation with him, other
19 than the ones I've already described to you, about any
20 subject bearing on this case. So that ought to close
21 out a lot of questions.

22 Q Are you talking about the contacts with
23 Mr. Campbell?

24 A You asked a question whether I had discussed
25 charts with him in some fashion.

1 Q Right.

2 A I didn't fully understand the question. But
3 the only discussion I've had with him about substantive
4 matters in this case occurred this morning, and all the
5 material had already been created, and I was simply
6 going through as we are today and explained it to him.

7 Q Okay.

8 A There were no other conversations. So whatever
9 you meant, if you meant a conversation, there weren't
10 any.

11 Q Okay. And you were going to tell me about some
12 authoritative statistical texts.

13 A Sure. There's a lot of them.

14 Q Can you name the top two in your mind?

15 A Yes. I'd say "The Advanced Theory of
16 Statistics" by Kendall and Stuart is authoritative and
17 comprehensive as well. Since that's in multiple
18 volumes, maybe it will be enough for you.

19 Q Have you reviewed any other depositions in this
20 case prior to today?

21 A I've seen no depositions in this case at any
22 time, including today.

23 Q Okay. Let's turn to Exhibit 2. I just want to
24 ask you, do tabs 3 and 4 of Exhibit 2 summarize all of
25 the conclusions and opinions that you have reached and

1 expect to give in this case?

2 A Yes, I think so, although I will need to
3 explain myself, so I'll use more words than you'll see
4 here, but I think this sums it up.

5 Q Okay. And have the materials behind tabs 3 and
6 4, did you generate those for this case specifically?

7 A Yes.

8 Q Okay.

9 MR. CAMPBELL: Greg, just for clarification
10 purposes, tab 5 is the same information that's contained
11 on the charts in tab 4. It's just in a different
12 format. So it would be part of his opinions or the
13 basis for his opinions.

14 MR. FEAGLE: Okay. Thanks.

15 BY MR. FEAGLE:

16 Q And just to make sure I've asked my last
17 question properly, none of your work in this case is --
18 wasn't updating your prior work you've done in previous
19 cases, correct?

20 A You're correct.

21 Q What databases have you utilized for -- shall
22 we say, chart, graph?

23 A Say chart, and use the number in the lower
24 right-hand corner.

25 Q Okay. For charts one and two, what database or

1 what databases did you utilize?

2 A I've written that on the charts. And so let me
3 call your attention to the notes at the bottom of each
4 chart.

5 Q Uh-huh.

6 A Those are not just casual notes. Those are
7 notes that are intended that an expert could just pick
8 up this chart and he could probably replicate this chart
9 with what he can read on this chart.

10 Before discovery became as intensive as it is
11 in the modern era, this was the way I communicated what
12 I had done to the experts. Because rarely will you ask
13 the question that gets out all these details, so I just
14 wrote them down. So now I will get around to answering
15 your questions.

16 The databases here are the Polk database
17 described at the bottom of the page and the FARS
18 database described at the bottom of the page.

19 Q What is Polk?

20 A Polk is a company name, and they're in the
21 business of going around to different states and
22 gathering the state's information on automobile
23 registrations, and then they take that back to their
24 headquarters and they assemble it and put it in a common
25 format and sell it to anybody that wants it.

1 Q And is Polk the source of the vehicle years'
2 portion of your work? Is that a fair way to say it?

3 A Yes. I would -- you've said it just fine, but
4 let me say it a slightly different way. It's the
5 measure of exposure that is used in this chart.

6 Q And another way of saying measure of exposure
7 might be to say extent of the utilization of various
8 vehicles?

9 A Yes.

10 Q And FARS, tell me what FARS is, please, sir?

11 A That's a different database. It's a collection
12 of fatal accidents that's maintained by the Federal
13 Government.

14 Q And does NHTSA generate FARS?

15 A NHTSA is the part of the Federal Government
16 that maintains and provides to the public this data.

17 Q And what programs do you use to process the
18 FARS data? And this is going to revisit us on our
19 earlier discussion, I imagine.

20 A I think you mean in this case?

21 Q Yes.

22 A The principal program that I use is the SAS,
23 S-A-S, all caps, computer system which has built-in
24 utilities for counting things up. Counting things up is
25 basically all I am doing.

1 Q And what does SAS stand for?

2 A Statistical analysis system.

3 Q And is this a product that is manufactured by a
4 third-party company?

5 A Yes. The company name is actually the same.
6 The company is actually SAS.

7 Q Okay. And in layman's terms, what is SAS?
8 What does that program enable you to do with the FARS
9 data?

10 A Well, it's very powerful and it has many
11 different functions, but the functions that I use are
12 really the most elementary possible. The only function
13 that I'm using here -- well, I might make a mistake.
14 The primary function that I'm using here is just a
15 tabulation, just counting up. So that, for example, if
16 I want to make chart number one, I have the SAS program
17 identify Jeep Cherokees, and I have a tab here that
18 shows you how I do that.

19 We'll turn to that if you want. And I restrict
20 it to the model years shown at the bottom of the page.
21 So I have to say, if it's Jeep Cherokee and it's a model
22 year in this range, then check if there was a fatality.
23 And if there was, count one, and then just keep doing
24 that. And when you're done, divide that number by the
25 Polk number that you count in a similar fashion.

1 Q You don't use the SAS number to manipulate any
2 of the Polk data, correct?

3 A Yes.

4 Q You do?

5 A I use the same program for both. That's why I
6 said it's all one thing and it doesn't separate out
7 easily.

8 Q And where is the FARS data that I assume you
9 used the SAS program to count from?

10 A It's resident on our computer system in my
11 office, but it's publicly available at the phone number
12 I gave you in a later tab, or you can just download it
13 it on the Internet.

14 Q So you have the -- is there a complete set of
15 FARS data that you have at your office?

16 A I have a complete set.

17 Q And is there a -- do they differentiate by
18 versions or cutoff dates or -- you know what I mean?

19 A Well, as time passes they add more information.

20 Q So are there year spans assigned to the FARS
21 database, or how does that work?

22 A Well, they didn't start it until 1974, and then
23 each year around November they release the new data
24 covering the prior year.

25 Q So what are we up to now as far as what you

1 used for this case? Up through 2002? 2001?

2 A 2001 is the latest. And it says that at the
3 bottom of the page.

4 Q And where does the underlying information about
5 -- strike that.

6 The data in FARS, is it organized by vehicle or
7 by accident? How does that --

8 A It's organized in a complicated way. It's
9 called a hierarchical database. In general terms it's,
10 I'd say, by accident, but the organization is more
11 complex than that.

12 Q And where do the FARS people -- I assume that
13 FARS maintains a staff of people who undertake to
14 maintain that database?

15 A Yes. It's a multimillion dollar use of
16 taxpayer money every year.

17 Q And the FARS people, where do they get the
18 underlying information off the street to put in there?

19 A I'll describe that. Within NHTSA there's a
20 statistical division, and within the statistical
21 division there are the people who do this work on FARS,
22 but they reside not only in Washington, they have -- I
23 don't know if they are civil servants or contract
24 employees, but they have the people who work for them
25 located in all the different states in the United States

1 as well as the people in Washington.

2 The way the process works is the individuals
3 out in the field, they gather from essentially all
4 public records. They would be not just a police report,
5 but they look at autopsy records, hospital records. If
6 you look in the first couple of pages in the FARS
7 manual, I can check and see if I've even printed them in
8 here, but the FARS manual is quite thick. I didn't
9 bring it all. They described this process and they
10 list, it seems if memory serves, 15 or 20 different
11 kinds of records that they look at.

12 So then those individuals out in the field,
13 they take that information, they put it into a computer,
14 and they send it electronically back to Washington. The
15 people back in Washington then check it for completeness
16 and internal consistency and reasonableness. They have
17 computer programs that do that. And when it passes
18 those screens to ensure its reliability, it is then
19 assembled into the database for the coming year. That's
20 the process.

21 Q So as far as the underlying sources, are the
22 most prominent sources police reports, autopsy records?
23 Can you tell me?

24 A No, I can't tell you, because I can't tell you
25 what is prominent. But I can give a reasonable summary

1 that a police report would be an important resource, but
2 I think it would depend on the accident. I think
3 different accidents would lead the person in the field
4 to different kinds of documents.

5 For example, a person can die a week later in
6 the hospital, and the police report would never even
7 indicate that. You wouldn't even know it was a fatality
8 if you looked only at the police report.

9 Q Is there a minimum amount of elements of data
10 that are required to generate a FARS entry?

11 A A FARS entry?

12 Q Or whatever you want to call it.

13 A I didn't understand if you said injury or
14 entry.

15 Q Entry or accident.

16 A Well, the FARS records for an accident is quite
17 large. They have more than 100 data elements.
18 Depending on how complicated the accident, it could have
19 quite a bit more than that.

20 Q And is it correct that the source of all of
21 this underlying information that we're discussing, the
22 source is people -- strike that.

23 Is it fair to say that all of the underlying
24 documents, autopsy reports, police reports, whatever
25 else FARS specifically mentions in that list of records

1 are that you discussed, is it safe to say that all of
2 that material is put together by people besides yourself
3 or your office?

4 A Yes.

5 Q And is it also correct that you have not gone
6 back to verify each of those individual documents for
7 any of the accidents that become data in your work in
8 this case?

9 A Mostly that's correct, but not completely.
10 When -- there would, of course, be millions and millions
11 of documents that would underlie this database, and I
12 don't go looking for the millions of documents. But
13 whenever a document comes into my possession that should
14 have a -- the same kind of information that the computer
15 file would have, I usually make a comparison. And I've
16 done that with the accident report in this case. But
17 it's a routine for me. Whenever I see the chance to do
18 that, I do it.

19 Q But have you seen the accident report for any
20 of the accidents that did appear in any of your FARS
21 work in this case?

22 A Yes.

23 Q You have?

24 A Yes.

25 Q How many?

1 A Well, for sure one, which is the one of this
2 case.

3 Q Correct.

4 A And probably more than 20. It could be 20 to
5 30 or 40 maybe, just from other happenstance receipts of
6 material like that. But not as a part of this case, but
7 just over the course of time.

8 Q But as a part of this case, is it correct that
9 you haven't reviewed for accuracy any police reports
10 other than the Belli case?

11 A That's correct, but I've reviewed them
12 previously, and they would pertain to data that's being
13 used now in this case.

14 Q And why was the FARS database initiated? What
15 is the purpose of it?

16 MR. CAMPBELL: I'll object to the form as far as it
17 calls for him to speculate. If you can answer the
18 question, you can answer.

19 THE WITNESS: Well, I -- it is likely that we could
20 find, although I do not have a perfect recollection of
21 such a document, something that's -- a document that
22 would describe the purpose of the database in general
23 terms from the point of view of the Government, like the
24 purpose is to provide information about safety on the
25 American highway, something like that. I don't think

1 that really tells us much.

2 I think a more accurate description, and I've
3 been a consultant to the Federal Government on issues
4 like this and I try to teach them about this when I do
5 consulting for them, the Federal Government really
6 cannot anticipate all the different ways that the
7 citizens of the United States and citizens of other
8 countries might find helpful or even valuable or
9 critical a database like this. They shouldn't try.
10 They should -- because they'll be doomed if they try to
11 do that. But rather they should make a database that is
12 comprehensive, not aimed at any narrow objective, and
13 then let the public decide how they want to use it and
14 what they want to use it for. And there will be a
15 million different uses.

16 Q Okay. And I forgot to ask you a second ago
17 when we were talking about police reports and other
18 underlying documents, you mentioned that in FARS there
19 is a specific list somewhere of what these underlying
20 documents might be or a graph that qualifies all of
21 those underlying documents. Can you refer me to a
22 specific reference or somewhere where I might find that
23 or where you got the materials you brought with you
24 today?

25 A Well, I don't have that page with me. 1105- Chrysler-008877

1 would be the principal manual distributed by FARS
2 describing the FARS system. If you would like, you can
3 download this thing yourself, but if it's a request, I
4 would be glad to, when I go back to my office, get a
5 copy of that page or couple of pages and have counsel
6 send them to you.

7 Q Okay.

8 A I'll do this after I get the deposition,
9 because then I won't have to bother taking a note.

10 Q Thank you.

11 Is it correct for an accident to be included
12 in the FARS system that the occupant must die within 30
13 days of the accident?

14 A That's correct. No, that's not quite correct.

15 Q Okay.

16 A You missed one thing. It doesn't have to be an
17 occupant. It can be a pedestrian.

18 Q Okay. Is it correct that FARS contains every
19 motor vehicle accident on a U.S. public roadway since at
20 least January 1975 that resulted in fatality?

21 MR. CAMPBELL: I'll object to the form of the
22 question to the extent that it is at odds with your
23 prior question. If you clarify your question and say
24 involves a fatality within 30 days of the date of the
25 accident, then I'll withdraw my objection to the

1 question.

2 THE WITNESS: That's the way I'm understanding the
3 question. You don't have to clarify. I think you're
4 correct, it's essentially -- let me just restate it in
5 case I missed it. Essentially every fatal accident in
6 the United States, I think since 1974 when the database
7 started. You said 1975. Maybe I remembered wrong.
8 Maybe it's 1975.

9 BY MR. FEAGLE:

10 Q And did you say earlier that the Belli accident
11 would be a data point in the FARS system?

12 A Yes, it's included.

13 Q Do the fatalities included in FARS and
14 comprising some of the underlying data of charts one and
15 two, would that include fatalities of unbelted
16 occupants?

17 A Yes.

18 Q And is it correct that the FARS database does
19 not indicate what the cause of the fatal injury to the
20 occupant that died was?

21 A Well, it might, but there's no attempt to
22 assign the cause. Your question said indicate, and
23 that's kind of vague.

24 Q But FARS won't tell you what caused the
25 injury?

1 A FARS makes no attempt to assign a cause, that's
2 correct.

3 Q Is it correct that FARS does not tell you
4 whether a fatal injury was or wasn't caused by a
5 post-collision, fuel-fed fire?

6 A It makes no attempt to assign a cause of any
7 kind, but it will record the presence of a
8 post-collision, fuel-fed fire.

9 Q So is it correct that FARS does not indicate
10 whether a fatal injury was or was not caused by a
11 post-collision, fuel-fed fire? Can you give a yes or no
12 answer?

13 A No. And I will tell you why I can't. It's
14 because of the vague word "indicate."

15 Q What if I just said is it correct that FARS
16 does not tell you whether a fatal injury was or wasn't
17 caused by a post-collision, fuel-fed fire?

18 A It's getting closer, but I couldn't give a yes
19 or no to that either. What it can tell you is that
20 there was a post-collision, fuel-fed fire. And what it
21 can tell you is that there was a fatality. But what it
22 cannot tell you is whether, for example, the individual
23 was fatally injured by trauma in the crash even though
24 there was post-collision fire that burned the whole car
25 up. That's where it can't tell you things like that

1 Q So it can't tell you if a fire killed somebody?

2 A It cannot tell you that definitively, but it
3 might tell you that -- you might read it that way and
4 you might just be correct.

5 Q It can provide you circumstantial evidence that
6 that may have happened, but it cannot tell you
7 conclusively that it did, correct?

8 A I think that's something that I can agree with.

9 Q Another way of saying it is that FARS doesn't
10 tell you the particular cause of the fatal injury other
11 than that the injury occurred in the wreck?

12 A I really don't think I can agree with it that
13 way. I think this is a better language. FARS makes no
14 attempt to assign an unambiguous cause. What it does is
15 describe the circumstances of the crash. Some of those
16 circumstances may in fact be a cause. And if it's
17 telling you that circumstance, it's told you a cause,
18 but it has not made the attempt to assert affirmatively
19 what is the cause and what isn't.

20 Q It may mention something that is in fact a
21 cause, but it's not telling you that that is the cause
22 -- or that in fact is a cause? It might mention an act
23 that was a cause, but it's not saying this act caused
24 this injury?

25 A It doesn't say that. It doesn't say the word

1 "cause of." It's descriptive of the accident.

2 Q Is it correct that FARS does not tell you
3 whether or not a fuel system failed in the accident?

4 MR. CAMPBELL: Object to the form of the question.
5 It's vague and ambiguous, but you can answer the
6 question to the extent you understand it.

7 THE WITNESS: I think that's correct. It could
8 indicate, for example, the presence of a fire and other
9 features of the accident that would be strongly
10 suggestive of a fuel-tank involvement, but it doesn't
11 have to be the fuel tank. It could be something under
12 the hood.

13 MR. CAMPBELL: Greg, when you get to a stopping
14 point, let's take a break.

15 MR. FEAGLE: Let's go ahead and stop now.

16 (Recess.)

17 BY MR. FEAGLE:

18 Q So Dr. Wecker, what is the point of chart one?
19 How would you explain to the jury what the message is
20 there?

21 A Okay.

22 Q Is this when we go to tab 3?

23 A No. I think it's in tab 4.

24 Q Okay.

25 A You asked me about chart one. I would say that

1 this shows the field performance of the fleet of Jeep
2 Cherokees over the relevant model years, as well as the
3 field performance of numerous other passenger cars and
4 light trucks. Light trucks include vans and SUVs. And
5 it shows that performance in terms of the risk of
6 fatality and the risk of fatality with fire. So it's a
7 chart about risks for the fleet.

8 Q And is each vertical line on this chart a
9 separate vehicle line?

10 A Yes.

11 Q And the microscopic writing underneath each
12 line, is that the identity of the vehicle?

13 A Yes, but you needn't get a microscope because
14 the next tab prints it in normal size print.

15 Q And do they appear --

16 A They're in the same order.

17 Q In the same order. Top to bottom, left to
18 right?

19 A Right.

20 Q Let's start with the Jeep Cherokee line. And
21 that includes, as the chart says, I believe, all Jeep
22 Cherokee and Jeep Grand Cherokees for 1984 to 2000?

23 A Model year '84 to 2001.

24 Q 2001. And what is the number that the height
25 of that vertical line indicates?

1 A It indicates the rate of fatal vehicles per
2 million years of exposure.

3 Q And what is the quantity of that rate?

4 A You mean the numerical value?

5 Q Yes.

6 A You can look that up in the next tab. It's a
7 little less than 100. If you want to know the exact
8 number, you just go to the next tab.

9 MR. CAMPBELL: 247.

10 THE WITNESS: It's on page 1.6. I've numbered in
11 the lower right-hand corner of the pages.

12 BY MR. FEAGLE:

13 Q Okay.

14 A And it looks like 92.7.

15 Q What is the OBS number? 247, correct?

16 A It's just a line number for the printout.

17 Q But for the Jeep Cherokee it looks like it's
18 247, correct?

19 A You said what is it. It's a line number.

20 Q And 92.7 is the number that's depicted in line
21 form on chart one?

22 A Yes.

23 Q And then the 4.4 is going to relate to chart
24 two?

25 A No. Shall I explain?

1 Q Yes, please.

2 A The 4.4 is also depicted on chart one, and it's
3 the red piece.

4 Q Got you. So 92.7 is a rate, correct?

5 A Yes. Call it a rate or a risk.

6 Q And do you get that rate by dividing a
7 numerator by a denominator?

8 A Yes.

9 Q And can you tell me what the numerator and
10 denominator are that you divided to get 92.7?

11 A I don't have those numbers here, but they would
12 be provided to you with the protected materials since
13 they are part of the licensed Polk materials.

14 I've done one other thing. In addition to
15 providing you the basic materials, I've prepared another
16 version of the book that you have -- that you can have
17 if you sign the protective order that actually lists the
18 numerators and the denominators so you don't have to
19 calculate them yourself. But I can't give them to you
20 unless you agree not to disclose them outside the case.

21 Q So there's no way we can talk about these
22 underlying numbers today?

23 A I don't have them here. I could only get
24 them -- give them to you if you agree to the protective
25 order.

1 Q I agree.

2 A Okay. Let's see if I can get one here and sign
3 it.

4 MR. CAMPBELL: Okay.

5 THE WITNESS: Can we take a short break?

6 MR. FEAGLE: Let's go off the record for a second.

7 (Recess.)

8 BY MR. FEAGLE:

9 Q Dr. Wecker, for the 92.7 rate for the Jeep
10 Cherokee for chart one, to get that rate did you first
11 determine how many total occupants suffered fatalities
12 in Jeep Cherokees for the years listed?

13 A No.

14 Q Do you know how many total fatalities there
15 were for the Jeep Cherokees for the years listed '84 to
16 2001?

17 A Not off the top of my head. I know how to
18 calculate. It's an easy calculation. I didn't memorize
19 it.

20 Q To arrive at the rate of '92.7 for chart one,
21 did you divide the total number of Jeep Cherokee
22 fatalities or did you -- strike that.

23 Did you divide the total number of Jeep
24 Cherokee fatalities by the total number of registered
25 injuries for the time listed on chart one?

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1 A Not quite. There's -- it's helpful to
2 distinguish between a fatal occupant and a fatal
3 vehicle. The idea of a fatal occupant is pretty
4 obvious. The idea of a fatal vehicle might not be so
5 obvious. And notice that chart one is titled "fatal
6 vehicles."

7 Q Okay.

8 A And so this is not a chart about counting fatal
9 occupants. It's a chart counting fatal vehicles. And a
10 fatal vehicle is any vehicle within which there is at
11 least one fatality. So that's what it is.

12 Q Okay. So to generate the rate of the Jeep
13 Cherokee for chart one, did you first determine how many
14 fatal vehicles there were for Jeep Cherokees and Grand
15 Cherokees from '84 to 2001?

16 A I don't think I would say I did it first. I
17 did simultaneously the computer all at one whack, did
18 the determination of fatal vehicles and exposure and
19 then reported out this rate.

20 Q Did the computer divide the total number of
21 fatal vehicles by the total number of vehicle years with
22 the limitations that the chart designates to get that
23 rate?

24 A Yes, the computer did that.

25 Q Will the protected material that you have

1 indicated you will provide to us, will it show us the
2 total number of fatalities that was the numerator for that
3 calculation?

4 A I'm volunteering to do that, but the actual
5 program that I used didn't show those numbers. That was
6 a computation internal to the program. But there's been
7 some interest on the part of plaintiffs in seeing those
8 numbers, and you have expressed that interest, so I'm
9 volunteering to make the simple modification that will
10 perform all the calculations that are necessary for
11 chart one and produce the numbers that you're asking
12 for.

13 Q So we'll be able to see every number in every
14 step of the calculation to get that rate?

15 A No, that would be -- you couldn't lift that
16 much. What I will produce for you is a table showing
17 both numerator and denominator for each of the rates
18 depicted on chart one.

19 Q But as I understood here, is it correct that
20 you cannot tell me what the numerator or denominator are
21 for the Jeep Cherokee rate on chart one?

22 A Not exactly. I can give you rough numbers, but
23 I can't give them to you exactly.

24 Q And just to make sure I'm clear, the
25 numerator -- the numerator that was utilized

1 calculate the Jeep Cherokee rate included every fatal
2 vehicle in the FARS database for Jeep Cherokee and Grand
3 Cherokee from '84 to 2001?

4 A Yes.

5 Q That total number was not narrowed before any
6 calculations were made, correct?

7 A That's correct. With the protected materials
8 you'll get the actual computer program and you'll see
9 that's correct for yourself.

10 Q What does one need to know to calculate this
11 92.7 rate, what figures?

12 A It's pretty simple really. You can just read
13 the bottom of the chart, and I think that's the way to
14 take you through it. Imagine the database as containing
15 a bunch of different vehicles. First throw away all the
16 vehicles that aren't the Jeep Cherokees and throw away
17 all the vehicles -- what the computer does is just
18 ignore them, not throw them away. Let's say throw away
19 all the Jeep Cherokees that are not model years '84
20 through 2001.

21 Now the calculation is simple. Just look at
22 them one at a time. And if there's a -- if it's a fatal
23 Jeep Cherokee, count it as one. If you find another
24 one, now you're up to two. Another one, now you're up
25 to three. That's all there is to it. Then you have to

1 do the same thing for vehicle years from another
2 database, and then there's division.

3 Q So you have two numbers, one is that total,
4 absolute total Jeep Cherokee fatalities from FARS for
5 the years indicated?

6 A Right.

7 Q And you put that over the Polk number of the
8 absolute total -- or you put that over -- well, you tell
9 me what you put that over.

10 A The registered vehicle years for the vehicle.

11 Q For the same time period indicated?

12 A Right.

13 Q And again you've got the total registered
14 vehicle years from Polk?

15 A Right. Well, you have to add them up.

16 Q But you have the pure numbers that come from
17 those FARS and Polk databases, correct?

18 A I don't understand. Purer than what?

19 MR. CAMPBELL: Pure.

20 BY MR. FEAGLE:

21 Q Pure. Like you take all the fatalities for
22 Jeep Cherokees that you've been telling me?

23 A I don't know why you call that pure, but it's
24 the total.

25 Q And you divide that FARS number by the Polk

1 number?

2 A Right.

3 Q And what does that give you?

4 A A rate.

5 Q 92.7?

6 A Right.

7 Q You said earlier you can't tell me what
8 numerators and denominators are as you sit here, but you
9 said you can kind of tell me generally. Can you give me
10 a ballpark?

11 A I can't give you a precise number simply
12 because I don't carry these thousands of numbers around
13 in my head, but there are millions of Jeep Cherokee
14 registered vehicle years. So let me just -- I'm going
15 to -- I'll put this is a hypothetical rather than as an
16 estimate. But very roughly there would be maybe 25
17 million, give or take, because I don't remember exactly,
18 registered vehicle years. So that would be about 2,500
19 fatal vehicles to get a rate of around 100. But you can
20 see the exact numbers when I send them to you. And that
21 2,500 is not fires. We're talking about the total fatal
22 vehicles since 1984 just for context.

23 Q Uh-huh. So if I were to call up FARS -- and
24 they wouldn't do this, I wouldn't think, in real life.
25 But just supposing they would. If I called them up and

1 said give me all the fatals, that number and the number
2 you used would be the same number?

3 A Well, the question is an impossible one. Like
4 you said, if you called them they won't do that work for
5 you. I don't know how to complete the question.

6 Q Okay.

7 A Let me answer it this way. I think anybody who
8 did this calculation, I'd be surprised to get them -- if
9 they could get any different number than I get. If
10 there were a different number, we could put our heads
11 together and figure out what we could have done
12 differently.

13 Q Okay. So have you told me every element of how
14 you calculated the 92.7 rate?

15 A I've told you or you can read it on the chart.
16 We haven't gone through every detail on the chart.

17 Q For that 92.7 number, what's on the chart that
18 we haven't discussed?

19 A I spoke to soon. I was thinking the chart as a
20 whole, and you're thinking of one bar chart with your
21 question. So I think we covered that.

22 Q Now the fire bar for the Jeep Cherokee --

23 A Uh-huh.

24 Q -- is 4.4, correct?

25 A Yes.

1 Q So tell me how you calculated the numerator and
2 denominator for that figure?

3 A Everything is the same as I told you before,
4 except as you're looking through the Jeep Cherokees, you
5 throw away all the vehicles that didn't have any fires,
6 because you only want to count the ones with fires.

7 Q How do you know which ones didn't have fires?

8 A There's a fire variable, and I've printed it
9 out. In tab 10 I've given you variables that I used to
10 do the work. And on page 39 of that tab you'll see the
11 variable for fire.

12 Q It looks like in the FARS entry they'll put the
13 number one, which is meant to specify that a fire
14 occurred in the vehicle during an accident --

15 A Yes.

16 Q -- is that correct?

17 A Right.

18 Q And who puts that number one in the FARS entry?

19 A The government employees who operate the FARS
20 system.

21 Q And where do they get their understanding that
22 there was a fire in the vehicle?

23 A As I described before, they contract workers in
24 the field and they gather numerous sources of
25 information and reach the determination based on

1 studying those documents.

2 Q Are there any fires that are not included in
3 that number one coding?

4 A I think essentially all of them are included.
5 There's remarks on this page that refer to spontaneous
6 fires that begin in the vehicle before it has an impact.
7 So it's just driving along and the fire starts in the
8 back of a pickup truck and there's some -- it doesn't
9 want to count those if no damage was produced. So maybe
10 a guy does a barbecue in the back of his pickup truck,
11 and we don't want to count those.

12 So within the limitations that are described on
13 this page, which I think aren't of a practical matter of
14 any consequence, they're going to cause fire.

15 Q But if the barbecue causes damage to a car then
16 it gets a one, right?

17 A Not necessarily. Remember this is the FARS
18 database. There has to be a fatality.

19 Q Assuming that.

20 A I mean there are a lot of barbecues without
21 fatalities, so it's an important aspect. So if there's
22 a fatality in the accident, and then it has to be on a
23 public roadway. So if he's in his own driveway with a
24 barbecue, even if he burns himself up it doesn't get in
25 here.

1 Yes, there are some unusual things that may
2 occur rarely that wouldn't get in here. But the intent,
3 as I understand it, if there's a fire of the kind that
4 we've been discussing in an accident where someone is
5 killed, it will be recorded in this database as a fire.

6 Q The numerous other vehicles that are referenced
7 in chart one, did you use the exact same method to
8 derive those rates?

9 A Yes.

10 Q That being you took the total number of fatal
11 vehicles in 1984 to 2001 vehicles, correct?

12 A Yes.

13 Q As the numerator, correct?

14 A Right.

15 Q And then you divided that number by the total
16 number of vehicle years --

17 A Yes.

18 Q -- correct?

19 A Yes.

20 Q Some of these vehicle lines are gray and some
21 of them are blue. It looks like you've included
22 non-Chrysler midsize compact utility vehicles and you
23 also included the gray, which is other non-Chrysler
24 vehicle models. What is the point of including those
25 two different categories?

1 A So that you can assess the risk for the Jeep
2 Cherokee in the context of other models that were
3 produced contemporaneously.

4 Q And what exactly do you include as non-Chrysler
5 midsize compact utility vehicles?

6 A Non-Chrysler compact utility vehicles, there's
7 a category in FARS. I think it's number 14, but we can
8 look it up, for compact utility vehicles, and there's
9 several of them. I'm using all of them.

10 Q This is a FARS generated classification?

11 A Yes.

12 Q And you used all of the vehicles that FARS
13 includes in that classification?

14 A Yes, with the limitation that they have to be
15 from model years '84 through 2001.

16 Q Of course.

17 A I won't put on all the limitations all the
18 time. Literally the answer was no, but I think you had
19 the right idea.

20 Q And tell me about other non-Chrysler vehicle
21 models?

22 A That's the ones that aren't the midsize compact
23 utility vehicles, and they include passenger cars and
24 light trucks and vans. Something called a utility
25 stationwagon is in there, and a few other vehicle types

1 that are less common.

2 Q What vehicle classifications would you not
3 include in this chart?

4 A Motorcycles are out. 18-wheelers aren't in
5 there.

6 Q But everything between a motorcycle and an
7 18-wheelers?

8 A I'm not sure what lies between those, but I was
9 explicit in choosing passenger cars and light trucks
10 because there's a category for that. And those
11 categories encompass most of the things that I see on
12 the road that are not motorcycles and not 18-wheelers,
13 but there might be some other things. Cement trucks
14 don't have 18 wheels, but they would be excluded because
15 they're not light trucks.

16 Q And chart one does not limit by the area of
17 impact, correct?

18 A Correct.

19 Q And would it include accidents such as a
20 rollover accident?

21 A Yes.

22 Q Would it include side impacts?

23 A Yes.

24 Q Would it include front impacts?

25 A Yes.

1 Q Would it include an accident that happened
2 because the driver had a heart attack potentially?

3 A If subsequent to the heart attack there was an
4 automobile accident.

5 Q Would it include accidents where drivers were
6 intoxicated?

7 A Yes.

8 Q Were there any speed limitation on the wrecks?

9 A No.

10 Q Does chart two refer to a smaller group of
11 data than chart one?

12 A Yes, but let me explain. It's exactly the same
13 as chart one, except it's limited to rear impacts.

14 Q And just as there is a code injury for a fire,
15 is there a code injury for a rear impact?

16 A Yes. There's clock points. Point five, six
17 and seven are rear impacts.

18 Q So all the accidents appearing on chart two
19 were five, six or seven o'clock impacts?

20 A Yes.

21 Q Does FARS include an entry for a secondary
22 impact?

23 A I don't think they call it that. There's a
24 principal impact, and that's what I'm using, and then
25 there's an initial impact. Often those are the same

1 but I don't think there's any secondary impact.

2 Q So what's the difference between principal
3 impact and initial impact?

4 A Usually there isn't any, but sometimes there
5 are unusual accidents where there's a minor contact
6 between the vehicles followed by a more serious contact,
7 so they developed a special code called principal
8 impact.

9 Q So does this chart include initial impacts in
10 the rear of the car?

11 A Almost -- a great majority of time, since the
12 two variables are the same, it would, but not
13 intentionally, because this is rear impacts as coded by
14 FARS as the principal point of impact.

15 Q I'm not quite clear. Is it correct that this
16 would include all accidents with -- subject to the
17 limitations of the chart, all accidents with initial
18 impact in the rear zone?

19 A No. There might be some -- I would have to
20 look, but there might be some where there was like, say,
21 a vehicle might have a minor impact on the front, spin
22 around and then rear end into a telephone pole, and the
23 principal impact is the rear impact. That one could
24 show an initial impact on the front end, and there might
25 be others that would be the exact reverse of that.

1 So even though mostly the impact points are the
2 same, they are not always the same.

3 Q My question is, if there's an initial impact in
4 the rear, will that by definition be included?

5 A Not by definition. But as a practical matter
6 it is typically included. The chart is based on
7 principal impact.

8 Q Okay.

9 A And the point that either you're not
10 understanding or you're choosing to pretend you don't
11 understand is that usually those are the same. So yes,
12 usually it turns out that the initial impacts are the
13 same as the principal impacts.

14 Q So the initial impacts in the rear, the
15 principal impacts in the front, it's not going to be
16 included?

17 A Right.

18 Q Okay. And what's the -- did you tell me the
19 numerical value of the Jeep Cherokee vertical blue line
20 in chart two?

21 A I don't have a perfect recollection of that
22 number. I can give you a rough guide as to what it is,
23 and when you get the protected materials you can see it
24 exactly.

25 Q Are you talking about numerator/denominator?

1 A I thought that's what you were asking me is
2 numerators for one of these lines. I don't have those
3 with me. They're coming to you as soon as we complete
4 the protective order.

5 Q Tell me what you think the numerator and
6 denominator are for that vertical Jeep Cherokee line?

7 A I'll give you a rough number. This is -- I
8 don't have a memory of all these numbers in this chart,
9 but I think it will probably turn out to be 25 for the
10 numerator for the total bar and around maybe 6 for the
11 red part, 6 or 7.

12 Q I'm not holding you to those numbers because
13 you're going to give us the exact numbers. But just so
14 I understand what we're talking about, when you say with
15 the red the 6 or 7, that would be if the 6 and 7 turns
16 out to be the right number, that would refer to the
17 fatals when there was a fire?

18 A And a rear impact.

19 Q And a rear impact?

20 A Right.

21 Q At any point in making these calculations,
22 because I know you used software, did you at any point
23 eyeball these numbers that are the numerators and
24 denominators --

25 A No.

1 Q -- in charts one and two?

2 Is it correct that the material that you're
3 going to provide to me subject to a protective order,
4 that clearly would indicate to me what the numerators
5 and denominators are for all of these figures?

6 A Yes. To explain the answer a moment ago --
7 I'll stop this if you think I'm just chattering too
8 much. I sense an element of confusion here. Just to
9 explain why I don't focus on numerators and
10 denominators, but rather focus on the rates, I print out
11 rates and I display rates, but not numerators and
12 denominators, because you can't compare one vehicle to
13 another unless you look at the rates.

14 The numerators simply cannot be used to compare
15 one vehicle to another. So you can't assess the risk
16 just with the numerator. The darn thing isn't useful.
17 The thing that is useful for this work is only the
18 rates.

19 Q And will you tell me what exact programs or
20 software I'm going to need to be able to look at these
21 rates?

22 A I'm going to give them all to you.

23 Q In these line figures?

24 A I'm going to give you everything you need,
25 except you need to buy your own copy of one of these

1 Q The SAS?

2 A Yes.

3 Q Okay. Page 3 of tab 4, what is that?

4 A That's a background information chart. It's
5 not by itself supportive in any opinion. Because I have
6 numerous states, I sometimes get the questions of which
7 are the states and which ones have rear impact codes and
8 which ones don't and those kind of details. And so in
9 another case I just wrote this all down, and since I had
10 it I included it here.

11 Q It's an index of the state data that you've
12 utilized for your opinions in this case?

13 A It's a kind of index. It's really in response
14 to questions I've gotten about the states and I thought
15 you might have. And since it was already made I just
16 included it.

17 Q Is there any state data that you've utilized,
18 and we're not talking about FARS anymore, that's not on
19 page 3, tab 4?

20 A There is not.

21 Q Did you utilize elements of all of the data
22 referenced on page 3, tab 4?

23 A Yes.

24 Q Page 4, tab 4, what's the point of that?

25 A It's in support of my opinions in this case.

1 It displays the field performance or the risk of the
2 fleet of Jeep Cherokees compared to non-Chrysler midsize
3 compact utility vehicles in not only fatal accidents but
4 also major injury accidents, which is something I can do
5 with the state data which I can't do with the federal
6 data.

7 Q You said major injury?

8 A Yes.

9 Q What are non-Chrysler midsize compact utility
10 vehicles?

11 A I've got a list. Just a minute.

12 Q Is it the same as in the FARS chart?

13 A Yes, I think it's a code 14, except that states
14 don't use the FARS codes, so you have to go find them by
15 name. It's the same as in the FARS records.

16 Q You've utilized all in that classification?

17 A Yes.

18 Q Has FARS specifically used that phrase,
19 "midsize compact utility vehicles"?

20 A Yes.

21 Q And have you shown me specifically where?

22 A I was looking for that. Just a minute. Here
23 we go. In tab 10, beginning with the second page where
24 it says "body type," there's a body type code, and
25 towards the bottom it says "utility vehicles and other

1 "compact utility vehicles" is listed, and it's got a
2 code of 14. So whenever you find one of those vehicles
3 in the FARS database, it will have a 14 on it. So
4 that's how you find them.

5 Q So all of the charts that you've done in this
6 case are limited comparisons to compact utility
7 vehicles?

8 A No. The FARS charts were not limited to that.

9 Q Not to digress too much, but the gray vehicle
10 lines in the FARS chart, what does that include?

11 A I explain practically everything else.
12 Motorcycles are out, but passenger cars and light
13 trucks.

14 Q Does it include midsize and large utility --

15 A Yes.

16 Q -- on page 3 of tab 10?

17 A Right. Those are in the light truck category.

18 Q Okay.

19 MR. CAMPBELL: Well, let me correct something you
20 just said. The gray bars would not include midsize
21 SUVs, because those are included in the blue lines.

22 THE WITNESS: Well, he said he was color blind so
23 it doesn't matter.

24 MR. CAMPBELL: But it would include the large
25 utility.

1 THE WITNESS: Counsel is correct that the midsize
2 I have put in blue and everything else was in gray.

3 BY MR. FEAGLE:

4 Q And in the state charts it looks like we're
5 looking at the midsize and the compact?

6 A No, those words go together. It's a midsize
7 compact. It's not an "and." Midsize compact is the
8 category.

9 Q Draw a line for me, please. From here up?

10 A Not this. This is small.

11 Q But it's compact?

12 A Midsize compact does not include small. It's
13 this group.

14 Q Okay.

15 A And, of course, this list has a lot on it that
16 isn't going to get included because it might not be the
17 right model years, but it's this category that I'm
18 working with.

19 Q Okay. Well, let's clarify. To the extent that
20 the 1984 through 2001 vehicle exists in this category,
21 will it necessarily appear in the chart?

22 A Yes.

23 Q Okay. So the only way you would not include
24 one of these is for the years -- for the year
25 limitations, if it's not in existence for that year.

1 A Or if it's not a Chrysler.

2 Q Right.

3 MR. CAMPBELL: Doesn't it also have to qualify with
4 the 100,000 registered?

5 THE WITNESS: Yeah. On some of the charts it has
6 to be a large enough volume production. If you'll look
7 at the bottom of, say, chart two, it says on there with
8 more than 100,000 registered vehicle years. So if
9 there's some very small volume production, it might not
10 get on the chart.

11 BY MR. FEAGLE:

12 Q You don't mention that same specific limitation
13 in the state charts to the present?

14 A No, because the state charts aren't using
15 registered vehicle years.

16 Q Okay. What is the numerical value of the rate
17 in chart four for Jeep Cherokee?

18 A You can find it in the next tab. 68.

19 Q And that's on page 4 of tab 5?

20 A Right.

21 Q And tell me how you calculated that rate?

22 A You count up in these various states that are
23 listed at the bottom of the page the number of vehicles
24 with either fatal or major injury, and we also need to
25 count up the number of vehicles with any kind of injury,

1 because that's the measure of exposure, and then you
2 combine ten or so states to arrive at this rate of 68.

3 Q So tell me how you get that information from
4 each state?

5 A It's really the same as we discussed in FARS,
6 although the states each do things a little different.
7 They're all pretty much the same as the Federal
8 Government. They have the database and they have
9 variables. And one of the things that I will include in
10 the protected materials you're going to receive is the
11 coding manual for every state. So you can look in there
12 and see what their variable is for, say, fire. It will
13 be in the coding manual.

14 And so the only real difference here is,
15 instead of using just fatal vehicles, I'm using vehicles
16 with fatal or major injury as indicated in the database.
17 They'll have a code for that. And instead of using as a
18 measure of exposure the registered vehicle years, I can
19 use the total number of vehicles that were in injury
20 accidents of any kind. A huge number in the states.
21 Way more than anything in the FARS database. And then
22 those are the elements of these state charts.

23 Q So the numerator includes -- when you talk
24 about chart four -- and you can enlighten me to the
25 extent of things we talked about in other charts as

1 well. The numerator in chart four for Jeep Cherokee is
2 the total of all fatal or major injuries in the
3 specified Jeep Cherokee vehicles from the states given?

4 A That's either exactly true or it's
5 approximately true. The thing that may make it
6 approximately -- I mean it's exactly or very close to
7 correct. But the reason it would be only very close to
8 correct -- I forget which one, but one of these two bars
9 is calculated based on a statistical technique that's
10 somewhat complicated but standard to statisticians known
11 as a Mantel-Haenszel Technique. And it's the standard
12 method for combining different, what we call strata.
13 And since we have different states here, I combine them
14 not in what's called the crude way, which would be just
15 to treat them all as one thing, but in the
16 Mantel-Haenszel way, which is for 30 years, since the
17 method was invented, the way people do that.

18 Q You mentioned that technique for which bars?

19 A That's what I've forgotten. It's -- let me
20 think for a minute. The Mantel-Haenszel Technique gives
21 the ratio of the rates. It doesn't give you a rate. It
22 gives you the ratio of the rates. And so you can pick
23 either one and you'll -- and you can do that in the
24 straightforward fashion. And you use the ratio to
25 calculate the other one. I think I used the ratio to

1 calculate the red one starting with the blue one. If I
2 did it the other way around we would still have the same
3 ratio.

4 Q So you can't tell me as you sit here today
5 that the numerator of any of these graphs of the state
6 materials -- well, let's strike that.

7 You can't tell me as you sit here that the
8 numerator for Jeep Cherokee on chart four is the total
9 sum of all the fatal and major injuries as opposed to
10 some other value, correct?

11 A Well, I think it is, but I wasn't 100 percent
12 sure the -- as to which direction I did the
13 calculation. But the -- this I can tell you for sure,
14 is that when you get the protected materials showing
15 these details, you'll also get the numerators from every
16 single state as well as the calculation for the chart.

17 I think I did the Jeep Cherokee using what's
18 called the crude method, and the Mantel-Haenszel ratio
19 to get the red bar. I think that's the way I did it.

20 Q Crude method would mean total sums?

21 A Just total sums.

22 Q Now, for each state do you go to that state,
23 get the information, load it into your computer, and
24 then use the SAS software to count from it? How does it
25 work?

1 A Do it all at once. I've got all the state data
2 loaded on one computer and also the -- well, that's all
3 you need for this, and then the one computer program
4 does everything.

5 Q How does Alabama define major injury?

6 A It's the KABC Method. It's an A. I don't know
7 if Alabama uses A. Sometimes they use one through
8 three, but they're equivalent to the KABC Method.

9 Q So what's considered a major injury?

10 A K and A are the two categories included on the
11 chart.

12 Q As a major injury?

13 A K is fatal. A is major.

14 Q And do all the states, in your opinion, define
15 what A is the same?

16 A They appear to. I've looked through each of
17 their definitions and I see only superficial differences
18 in the descriptions.

19 Q As you sit here, can you tell me how Alabama
20 defined A?

21 A The total number of pages for these different
22 states is a foot of documents, and I haven't got that in
23 memory.

24 Q How would one find out how Alabama defines A?

25 A I'm going to ship the coding manual to you

1 Q And it's going to be readily apparent from that
2 coding manual?

3 A I don't know how apparent it's going to be.
4 You'll have to search through it. How about this, if
5 you have a -- I'll go back and I'll look too, and if I
6 find it before you, maybe I can help you.

7 Q Okay.

8 MR. FEAGLE: Can we take a quick break?

9 MR. CAMPBELL: Sure.

10 THE WITNESS: During the break I checked on two
11 things, and I can confirm that my answers are correct,
12 that Alabama does use A for the major injury. And I've
13 asked my assistant to put a yellow sticker on that page
14 so that you can find it easily when it arrives.

15 The other thing I remembered correctly is that
16 in calculating the state rates, it's the Jeep Cherokee,
17 the blue bar that is done in the straightforward crude
18 manner, and then the red bar is based on the
19 Mantel-Haenszel ratio, another standard technique, but
20 it's more of a statistical flavor than the blue bar.

21 BY MR. FEAGLE:

22 Q Is the numerator and denominator data that
23 underlies the Jeep Cherokee bar, is that the input to
24 get this other bar with this technique that you've
25 discussed?

1 A The input is all of the individual numerators
2 and denominators for each of the individual states. All
3 of those will be displayed separately for you when you
4 receive the materials, as well as the combination of
5 them.

6 Q But are there separate numerators and
7 denominators specifically for each of the non-Chrysler
8 midsize compact utility vehicles that are included?

9 A No. The category is treated as a composite
10 category. What is separate is that each state has its
11 own numerator and denominator.

12 Q But you have a numerator and denominator for
13 each state --

14 A Yes.

15 Q -- for this classification of vehicles?

16 A Yes.

17 Q And is the numerator for these non-Chrysler
18 vehicles the total fatal and major injuries?

19 A You can construct a numerator like that, but
20 that's not how this chart is constructed. The only
21 exception to my previous description about these bars
22 being a ratio of numerator and denominator is the red
23 bar. That is simply not a ratio of a numerator and
24 denominator. It's a ratio as between the blue bar and a
25 so-called Mantel-Haenszel calculation of ~~the ratio of~~

1 the blue and the red. That's how that red bar is
2 calculated.

3 Q So have you eyeballed any of the underlying
4 numerators or denominators for anything in this chart?

5 A No, I have not.

6 Q Have you done so for any of the other charts?

7 A I don't think so. At least I don't remember
8 doing it.

9 Q Okay. And who in each of these states collects
10 the data for the state databases?

11 A Each state is going to have their own state
12 employees that do that. I don't have names for you, but
13 they would be employees working for the state.

14 Q And did all of these states have these
15 databases at least back as far as 1984?

16 A You have to look at the previous page. That
17 previous page answers that question.

18 Q So these state charts, they just reflect the
19 state numbers that are available for the given years on
20 page 3?

21 A Sure, they only reflect what's available.

22 Q So it's correct, then, that none of these
23 totals, fatal to major injuries, none of the numerators
24 are going to be the actual totals for the given years,
25 because they're limited by the availability of the state

1 information as indicated on page 3, correct?

2 A That's one way of looking at it, or you can say
3 they're the actual for what is available.

4 Q Right. But they're not the actual for what
5 happened, correct?

6 A To the extent that the thing that happened was
7 not in a year for a state that -- I'm saying that
8 clumsily. Let me take an example. Michigan doesn't
9 have a publicly available 1992 database with the
10 variables that I need to do the work. So what happened
11 in 1992 in Michigan is not included in this calculation.

12 Q Why did you pick the states that you did?

13 A It's all that I've got. It's all that we can
14 find that are publicly available that have this
15 information.

16 Q So these are the only states from which you
17 were able to obtain information?

18 A Not quite. There's two things. First the
19 state has to be willing to sell us or give us the
20 information. And the second thing is that the
21 information they sell us has to include vehicle
22 identification numbers, and for some charts, indication
23 of a rear impact.

24 Q Is it correct that you haven't used any Georgia
25 information?

1 A Georgia is not included because it doesn't have
2 VINS in its publicly available data.

3 Q And is it correct that the Belli accident would
4 not even appear in any of these charts?

5 A Not in the state charts, but it would appear in
6 the FARS charts.

7 MR. CAMPBELL: Just for clarification purposes,
8 doesn't the state information have to include fire in
9 order to be utilized?

10 MR. FEAGLE: For the subsequent charts.

11 THE WITNESS: For the charts that have fire in
12 them, right. And it says this on this page. I haven't
13 read every line on this page.

14 MR. FEAGLE: I see.

15 THE WITNESS: Let me be complete since counsel
16 brought this up. It says, "Publicly available with
17 vehicle identification numbers and fire indicators."
18 And then there's a column indicating rear impact, so
19 there has to be a variable that allows you to indicate a
20 rear impact, and not all states have that.

21 BY MR. FEAGLE:

22 Q Is it correct that chart one includes accidents
23 that were rollovers?

24 A Yes.

25 MR. CAMPBELL: Chart one?

1 BY MR. FEAGLE:

2 Q I'm sorry, the first state chart, chart four.
3 I apologize.

4 A That's also true for chart four.

5 Q And would it also include side impacts?

6 A Yes.

7 Q Front impacts?

8 A Yes.

9 Q Accidents where the driver was intoxicated?

10 A Yes.

11 Q Accidents where the driver had a heart attack
12 that precipitated the accident?

13 A Yes.

14 Q And when each state undertakes to put together
15 its databases, what is the original source of
16 information?

17 A A variety of documents, including police
18 reports, similar to what the Federal Government uses.

19 Q Do the state databases contain as much detail
20 about each accident as the FARS database?

21 A They differ. Sometimes they have details the
22 Federal Government doesn't have and sometimes it's the
23 other way around.

24 Q Do all the states contain the same level of
25 detail about the accidents?

1 A No. The states differ.

2 Q So the states are inconsistent in what
3 information they record for each accident; is that
4 correct?

5 A I wouldn't phrase it as inconsistent unless you
6 are hostile toward the federal form of government.
7 States of the United States conduct business of this
8 kind as they think best, and they don't all do it the
9 same way. That's no consistency failure. It's just the
10 way our government is constructed.

11 Q But it is of an inconsistency; I'm not saying
12 it's a failure.

13 A I wouldn't even call it an inconsistency
14 because of the connotation that consistency is the
15 standard against which it could be measured.

16 Q So what is the underlying source of the
17 information? Where does it come from?

18 A Each state would look at materials it thinks
19 best. But I think it's a fair description to say that
20 the police report is prominent and -- but other
21 documents like hospital records, autopsies, similar to
22 what the Federal Government uses, would also play a
23 necessary role.

24 Q And have you undertaken to verify the accuracy
25 of the information recorded for each accident?

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1 underlies your charts, any of your charts?

2 A Yes. Not recently, but I have from time to
3 time compared documents that I've read that allow
4 comparison to both state and federal databases. I've
5 also compared state databases to federal databases and
6 generally found good agreement.

7 Q For the purposes of working on this case, have
8 you undertaken to verify any of the input from original
9 sources at the state level for these state databases?

10 A No. That's work I did before getting involved
11 here in this case.

12 Q So the answer is no?

13 A No, with the explanation that I've done that
14 work, but I did it before getting involved in this case.

15 Q If you had done that work, would it only have
16 been a small minority of the accidents that are
17 reflected in your charts?

18 A No. Some of it would be a large majority
19 because I can use computers to compare federal and state
20 databases.

21 Q But my question was whether you verified the
22 accuracy of the police report and its input into the
23 system. How do you verify that? By comparing?

24 A Well, that may be your current question.

25 That's not how I've understood some of your earlier

1 questions. When it comes to the police report I can
2 only do that when I happen to have a police report.
3 When I have them I typically make comparisons and I find
4 good agreement.

5 Q Have you done that with this case with
6 exception to the Belli police report for the purposes of
7 working on this case?

8 A No. I've done it prior to doing this case.

9 Q Dr. Wecker, how does chart six compare to chart
10 four?

11 A Chart four is like chart six, except that chart
12 six is limited to rear impacts.

13 Q And does each state have a system where it
14 designates the principal and initial impact points?

15 A No, not all states will indicate rear impacts,
16 but the ones that I used do.

17 Q As indicated on page 3 --

18 A Right.

19 Q -- tab 4?

20 For the ones that do, that you did utilize
21 those states, did they have a principal and initial
22 impact point system like the FARS?

23 A No, they don't all follow that system exactly,
24 but they have some similar indication of point of impact
25 or that I feel I can use for the same purpose.

1 Q Do any of the states include secondary impact
2 points?

3 A I think -- well, I don't know if they use that
4 term, but I think some of the states have codes of that
5 kind, but my recollection is a bit vague on that. I
6 would have to go through the individual state coding
7 books to verify that.

8 Q It's possible that all or some states could
9 include an initial rear impact followed by principal
10 front impact?

11 A It's possible, only because of my recollection
12 of what each state code is on this is too vague to give
13 you a sharp answer. What I can tell you is that I can
14 find adequate information to indicate for me that we've
15 got a rear impact, and you'll have to wait because I
16 can't tell you and I don't have the documents here.
17 You'll have to wait until I send you the documents and
18 you'll see the codes that I used. Or let me think.
19 Maybe I brought them with me. Let me look.

20 No, I didn't bring the states because I treated
21 their coding book as protected like I treat their data,
22 so I only brought the federal codes.

23 Q So as you sit here, you cannot show me how any
24 of the states coded accidents for rear impact?

25 A No, not in that level of detail. EA12053 on 1/21/03

1 you generally it's an obvious coding with respect to
2 direction of impact, and you'll see that detail when I
3 send you each of their coding manuals.

4 Q So how did you calculate the numerator for the
5 Jeep Cherokee bar in graph six?

6 A By going state to state and looking at the rear
7 impact vehicles that are also Jeep Cherokees that were
8 involved in injury accidents and counting an additional
9 count if there was a fatal or major injury.

10 Q But you used only the ones with the fatal or
11 major injury as the numerator?

12 A Yes.

13 Q And then how did you calculate the denominator?

14 A That measure of exposure is all injury
15 accidents for this vehicle, a huge number.

16 Q So the bar depicts essentially how many fatal
17 or major -- strike that.

18 For an accident to be included in this chart,
19 it had to have an injury on some level?

20 A Yes. It had to be an injury accident.
21 Somebody in the accident had to have an injury.

22 Q To be included in the denominator?

23 A Right.

24 Q And to be included in the numerator it had to
25 be a fatal or major injury?

1 A Right.

2 Q So what is this chart -- what does this chart
3 show the jury?

4 A It shows the level of risk for these kinds of
5 events for the fleet of Jeep Cherokees, and it shows it
6 by way of comparison to other midsize compact utility
7 vehicles that were produced contemporaneously.

8 Q But it's a ratio of how many accidents with
9 injuries were serious? It's not a matter of how many
10 people were fatally injured or majorly injured in any
11 accident?

12 A I don't understand the point of your question.
13 I agree fatal or major injury is serious.

14 Q I guess what I want to know is, why does the
15 denominator, why is it limited to injury accidents?

16 A In a way that's a lack of limitation. That's a
17 measure of exposure of the widest kind that you can get
18 from the databases. Accidents that are so minor that
19 they never come to the attention of the state are not in
20 the database. It's the injury accidents that are in
21 here.

22 This is the broadest net that I cast to get a
23 measure of the exposure of these vehicles to the
24 potential of having a fatality or having a fire or
25 having a major injury. I suppose -- I'll agree that it

1 assumes there's no spontaneous combustion fires. It's
2 looking -- it anticipates fires that occur only if you
3 happen to have an accident. And you can only have a
4 fatal or major injury if you had an injury accident, so
5 it's a sensible measure in my view.

6 Q So all the states limit what they record to
7 injury accidents?

8 A Some states have some property damage
9 accidents, but not all states, but they all have the
10 injury accidents. So I used what they share in common
11 with respect to the databases.

12 Q What is the point of chart five?

13 A It's looking at the risk of post-collision
14 fires in Jeep Cherokees when they're involved in injury
15 accidents and comparing that to other midsize compact
16 utility vehicles. It's a measure of risk for the fleet.

17 Q And the numerator is what exactly?

18 A For the Jeep Cherokee it would be all of the
19 Jeep Cherokees coded as having a post-collision fire
20 that are in these various states, in the databases of
21 injury accidents.

22 Q And what's the denominator?

23 A All the injury accidents without regard to fire.

24 Q And do all states have a specific code for
25 post-collision fire?

1 A No, but the ones I used do.

2 Q For the rear impact chart, you included a graph
3 of what states did or didn't include that on page 3 of
4 tab 4?

5 A I think you're misunderstanding page 3.

6 Q It shows you which states don't code for rear
7 impact, correct?

8 A That's one of the things that it shows.

9 Q Right.

10 A But it shows other things, too.

11 Q Right. My question is, what states code for
12 post-collision fire?

13 A Oh, I list them. Every chart lists the states
14 that are being used.

15 MR. CAMPBELL: Every state on number three codes
16 for fire. That's why it was chosen.

17 THE WITNESS: It says at the top, "Publicly
18 available with vehicle identification numbers and fire
19 indicators." But there's a more straightforward way to
20 get to which states, and that is every chart actually
21 lists the states one after another for fire.

22 BY MR. FEAGLE:

23 Q Right. But you said a second ago not all
24 states code for post-collision fire.

25 A Right.

1 Q Which states are those?

2 A Every other state in the United States.

3 Q But you're not talking about any of the ones on
4 page 3 that you've used for other charts?

5 A I'm not following you. I think what I've done
6 here is so straightforward that it defies
7 misinterpretation. There's been no picking and choosing
8 on my part. I'm using all the states that I have that
9 have the available data to make these charts.

10 Q Tell me how each of these states codes for
11 post-collision fire?

12 A It's usually very simple. They have a fire
13 variable and they'll -- the typical case is they'll set
14 it equal to one if it's fire, but states can vary
15 slightly in how they do that, but those are only
16 superficial differences.

17 Q Can you explain to me how they vary in any
18 detail?

19 A Not confidently, no. But when you get your
20 manuals, you can look and you can see how they code
21 fire.

22 Q And when you made the numerator and
23 denominator, you took the totals of what you found in
24 the state databases, correct?

25 A We're talking about which chart? EA11051 Chy slide 001926

1 Q Chart five, Jeep Cherokee bar?

2 A Yes.

3 Q Did you utilize -- help me out with the name of
4 the German fellow?

5 A The Mantel-Haenszel.

6 Q Did you utilize that method in chart five?

7 A Yes, for the red bar.

8 Q How did you utilize that method for the red
9 bar?

10 A The Mantel-Haenszel calculation will produce the
11 ratio between the two bars. So let's say the ratio is
12 1.2, so to do the red bar you would take the blue bar
13 and multiply it by 1.2.

14 Q Why is it necessary to consider Jeep Cherokee
15 information when you're generating this other vehicle
16 information?

17 A Because what we're trying to get at when the
18 two are displayed together is how they relate one to the
19 other, and the statistical theory teaches us if we want
20 to know that, there is a more powerful way to do that
21 that combines all the information, according to the
22 Mantel-Haenszel formula. And that is superior, they
23 proved to us, to doing the two bars separately and
24 displaying them and then looking to see what you got.
25 There's actually improvement that can be made using

1 their formulas.

2 Q So did you at some level calculate a numerator
3 and denominator for each state?

4 A Yes.

5 Q For the non-Jeep bar on chart five?

6 A Yes.

7 Q And each numerator and denominator was the
8 total, the universe of what you found in the state
9 databases?

10 A For each state?

11 Q Correct.

12 A Correct.

13 Q And you take those totals and you divide them
14 all and you get a rate --

15 A No.

16 Q -- for each state?

17 A No. You enter them into --

18 Q Is that the point of the calculation where this
19 other technique --

20 A Right.

21 Q -- comes in?

22 A Right.

23 Q Okay. Can you explain that to me in lay terms
24 how you get from the point where you have -- you've got
25 the aggregate totals for the numerator and denominator

1 of everything in the universe you found for each state,
2 and then you want to get from there to the point you
3 divide and you get your rate?

4 A Right.

5 Q Take me -- you've got 15 or however many
6 different fractions?

7 A Right.

8 Q And you get to this rate using this technique?

9 A The Mantel-Haenszel formula is a long and
10 complicated one. Maybe if I think hard I can actually
11 write it down for you. For sure it will be in the
12 computer code, and you'll have it exactly.

13 It takes as an input each and every numerator
14 for each state and each and every denominator for each
15 state and produces this one number that I need, which is
16 the ratio between these two bars. It's not at all
17 obvious that that technique is superior to just doing
18 what's called the two crude grades, but it's
19 mathematically proven that it is superior. And, in
20 fact, it wouldn't be that much of a surprise to a
21 statistician because there's a lot of situations that
22 are like this.

23 And so following that standard method I
24 calculate the Jeep Cherokee bar in the crude fashion and
25 then apply it to calculate the ratio -- to estimate the

1 ratio between the two based on all this data, and I used
2 the Mantel-Haenszel formula for the ratio.

3 Suppose that is 1.2, and then all I have to do
4 is take the blue bar and multiply it by 1.2 to get the
5 red bar.

6 Q And you get your Haenszel ratios from the
7 non-Chrysler numerators and denominators that you
8 figured?

9 A And the Jeep ones too.

10 Q And is every step in this process going to be
11 transparent from the materials you're going to produce
12 to us?

13 A Yes, but you'll want -- it will probably be
14 over your head here in statistical technique and you --

15 Q I would agree?

16 A -- might want to consult a statistician.

17 Q But will it be transparent to --

18 A To any statistician this is known stuff.

19 Q But they'll be able to read each step in this
20 calculation?

21 A Yes.

22 Q Every single step of changing figures until we
23 get the ultimate --

24 A Every single step.

25 Q Okay. So is chart seven the same thing as

1 chart five except that you've limited further by only
2 those coded as rear impacts?

3 A Yes.

4 Q And other than including the limitation for
5 rear impact, the way you calculated your Jeep Cherokee
6 numerator and denominator is exactly the same?

7 A Yes.

8 Q And did you also apply the Haenszel formula to
9 get your non-Chrysler bar?

10 A Yes.

11 Q Did you apply the Haenszel formula to get all
12 your non-Chrysler bars for the state graphs?

13 A Yes. The technique for each state chart is the
14 same.

15 Q And what will you tell the jury that is
16 significant about chart seven?

17 A That it shows the risk of the fleet of Jeep
18 Cherokees for these kinds of accidents, and it compares
19 that to other midsize compact utility vehicles of the
20 same vintages.

21 Q And it's correct that you have not eyeballed
22 any of the numerators or denominators for any of state
23 charts four through seven, correct?

24 A I think that's correct.

25 Q And you also have not identified any of the

1 steps of that calculation with the Haenszel formula for
2 any of the state charts; is that correct?

3 A Well, I have when we originally developed the
4 technique and put it in the computer form, but that was
5 before this case. I haven't looked at it again in this
6 case.

7 Q But you would have seen the very same
8 calculations --

9 A The same method.

10 Q -- as you did before?

11 The precise calculations that result in the
12 charts that we have here, you have not eyeballed each
13 step of the application of the Haenszel formula to get
14 those results, have you?

15 A Well, I think I understand you better now.
16 Each step procedurally is the same, but the data in this
17 case is special to this case, and I haven't looked at
18 that. I haven't looked afresh at the procedure applied
19 to this data. I've looked at it numerous times in its
20 development.

21 Q You used the Haenszel formula before --

22 A Hundreds of times, yes.

23 Q But in this case you haven't eyeballed the
24 calculations utilized in the formula, correct?

25 A Only the results of it.

1 Q And who or what applies that formula to the
2 underlying figures? Software or a person?

3 A A computer does that.

4 Q And which software?

5 A It's written for a Unix computer and the SAS
6 program and language.

7 Q And is that going to be one of the materials
8 that we can reach an agreement?

9 A Right, I'm going to be sending that you.

10 Q And what specifically did you refer to that
11 software as?

12 A SAS.

13 Q That's the SAS?

14 A Yes.

15 Q That's what carries out the Haenszel formula
16 calculations?

17 A Yes.

18 Q Are all the state charts the same in the
19 programs that are necessary to carry out their
20 calculations?

21 A I've written a separate program for each one,
22 if memory serves at least, just because it's
23 procedurally easier to keep things straight. So there
24 should be a program corresponding to each chart. Now
25 that's the way I think I did it, but it's possible

1 there's a separate -- there's a program that does two
2 charts instead of one. I just have to refresh myself on
3 that.

4 Q And you've written these programs?

5 A Right. They're integral to the -- they're a
6 composite of the SAS programming language, my
7 instructions to the SAS programming language and certain
8 details about the databases. That's all one integral
9 product.

10 Q And does this appear in hard copy form or is
11 this on a CD that you'll give us?

12 A Well, I assumed you would want it as a CD. It
13 would be a lot easier for you. I was not going to make
14 a hard copy additionally. You can just print it.

15 Q And what do you call these programs that you
16 write for the specific charts?

17 A I don't remember the names, but they'll be --

18 Q How can we refer to them so we know what we're
19 talking about?

20 A I am sending you a directory. I'll have a
21 directory and I'll try to name them the obvious things
22 like chart one. I didn't actually look at the program
23 names for this case, so I don't recall exactly what we
24 named them. They should be obvious. If you execute the
25 program that produces chart five, it's probably the one

1 for chart five.

2 Q So all the necessary elements for the state
3 charts would be the SAS program, the programs that you
4 write for each chart, and then, of course, the
5 underlying data from the states. Am I missing anything?

6 A Are we just talking about the state charts?

7 Q Uh-huh.

8 A Those are the necessary elements. And then the
9 program instructions are the things that know the coding
10 manuals. They've had information from the coding
11 manuals put into them in the same fashion as the
12 materials I have here as FARS coding manuals
13 information.

14 You have to look at a state coding manual and
15 figure out how to find a Jeep Cherokee. That is the
16 parallel step to the work with FARS. It's the same work
17 as far as FARS work, except that the states use slightly
18 different codes. You have to go to their code books and
19 get those. I'm going to be sending the code books.

20 Q And are you going to tell us, to the extent
21 that we haven't discussed it in the deposition, what
22 specific codes you fed in --

23 A Right.

24 Q -- to get your results?

25 A Right. That's what is in the instructions.
SAS 935

1 the SAS instructions. If we look at the code book, and
2 it says for fire use this variable for this state, and
3 then we incorporate that into the instructions. So the
4 instructions that are in the SAS programming language
5 are simply embodiments of the instructions written in
6 the coding manuals.

7 Q And just so we're clear -- we touched on this,
8 of course, when we discussed the FARS charts -- all of
9 the necessary elements that we're going to need for the
10 FARS charts are the individual programs that you write
11 for each chart, correct?

12 A You haven't finished yet.

13 Q I just want to make sure you did write programs
14 for these charts as well, correct?

15 A Yes.

16 Q And then you also will need the SAS software,
17 correct?

18 A Yes.

19 Q You'll need the underlying FARS data?

20 A Yes.

21 Q And FARS data that you utilize is in no
22 different form than anyone would get from FARS if they
23 go out and buy it themselves, correct?

24 A Actually, I've made -- it's not quite correct
25 because of the following. I get the data each year as

1 an update, but if you were to go get it today, you would
2 get all the years at once. And the -- what I've done is
3 to -- let me think. I've put all the different years
4 that I received into a consistent, coherent structure,
5 because actually NHTSA has changed the way they code
6 things a little bit over the years.

7 If you were to download it you would get the
8 current, consistent method. So there might be some
9 superficial differences, but the information on each
10 axis is going to be the same. It's just the way that it
11 is in terms of its variables.

12 Q Are you saying that you have recoded parts of
13 the FARS database for your use?

14 A Recode is too strong. Let me tell you what I'm
15 going to send you. I'm going to send you the material
16 as I received it from FARS, exactly as it came in the
17 envelope. But I have to load that on my computer and I
18 have to put it in a file structure that piles all the
19 years together. So there's a little bit of a step
20 there. Well, I'm going to send you that too, so you'll
21 get both. And then you can look to see what
22 reconfiguration I made.

23 I don't change any of the numbers, but I need
24 to set up a file structure that is easy to manage, and
25 I've done that, but I won't send you just one of those

1 two, I'll send them both. That's the way I've been
2 doing it for others.

3 Q Okay. Under tab 7 you've got "material
4 reviewed," eleven different items. Have you relied upon
5 item number one in any of your opinions?

6 A No, I have no specific reliance. That's just a
7 general reference on traffic safety.

8 Q Other than numbers five and six, have you
9 specifically relied on any of these in your opinions?

10 A Well, number three is the FARS data.

11 Q I didn't catch that, three, five and six,
12 correct?

13 A I've only gone down to three. Three is the
14 FARS data. Five is the Polk data. Six is a computer
15 program that is proprietary to Polk and licensed to me
16 that I used, and I'll be sending that to you under the
17 protective order. It's a program that inputs VINs and
18 then it tells you what the vehicle is. And I used that
19 with the states so I can tell the Jeep Cherokee.

20 What's your question? Have I used in any way
21 these various things?

22 Q I want to know under tab 7 which ones you
23 utilized in formulating your opinions in this case?

24 A I made some use of number seven. It's included
25 in tab 11. And I just used it to decode the VIN in this

1 case.

2 Q Why did you need to decode the VIN?

3 A I probably didn't need to, but I did it anyway.

4 Q Why did you do it?

5 A I was interested to learn the specifics of the
6 vehicle in this case.

7 Q Are you referring to the Belli vehicle?

8 A Yes.

9 Q Okay. I haven't decoded any other VINs for the
10 underlying vehicles in the charts?

11 A Thousands, but not for -- for the main decoding
12 I've used this computer program. It does it
13 automatically.

14 Q And what did you -- what of interest did you
15 discover when you decoded the VIN for the Belli vehicle?

16 A Nothing that impacted my opinions. It was just
17 background. I wanted to learn about -- I read the
18 police report. I read the Complaint. I looked into the
19 specifics of the accident as a precursor to
20 understanding what the issues were in this case before I
21 started my work.

22 Q Have you relayed any information to Chrysler
23 attorneys about anything you discovered when decoding
24 the Belli vehicle?

25 A No, I've never discussed it with them. Chrysler -008939

1 Back to tab 7. Number eight is just a
2 background reference. We use it for identifying
3 different vehicles. I can't think of any specific or
4 necessary use that I put it to in this case.

5 Number nine is background. Again, no specific
6 use, but it's one of my background reading materials on
7 causes of traffic accidents.

8 Ten is the same. Eleven is the same.

9 MR. CAMPBELL: Just for clarification purposes, is
10 it just a typo that there's no number four?

11 THE WITNESS: It must be. I don't know what four
12 is.

13 Take this down please. Karen, check on that,
14 number four.

15 BY MR. FEAGLE:

16 Q Tab 6 is an identification of all the agencies
17 that -- of all the databases that you relied upon,
18 correct?

19 A Yes. It's more than that. Many times in
20 situations like this, especially where the parties you
21 represent have a statistical expert, that statistical
22 expert will either already have or be comfortable in
23 getting from public sources the data that is used. And
24 rather than this procedure where I'm sending you this
25 box with a protective order, they just call up these

1 numbers and they get the data that way.

2 In fact, the majority of cases that I've been
3 involved in, that's what people have done. So you'll
4 really get two alternative routes, either one of which
5 would work for getting this information.

6 MR. FEAGLE: Let's go off the record for a
7 second.

8 (Recess.)

9 BY MR. FEAGLE:

10 Q Dr. Wecker, when did you finalize your work in
11 this case?

12 A I think the calculations were complete by at
13 least a day or two ago, but I didn't actually finish
14 reviewing them until this morning.

15 Q What's your understanding about how the
16 accident in this case occurred?

17 A There's a diagram in the police report that is
18 handy for understanding that. It's one of the more
19 complicated accidents. I can read the narrative, but
20 it --

21 Q That's fine.

22 A It indicates an unusual convergence of
23 different situations that ended up with a -- I think a
24 Thunderbird rearending the subject vehicle.

25 Q Would you agree that sample size is an

1 important factor in determining reliability of a
2 statistical analysis?

3 A No. That's false.

4 Q Why is it false?

5 A Just because sample size has nothing to do with
6 reliability. Sample size can influence accuracy. And
7 you may, in your mind, see those two as the same things,
8 but I don't. Reliability to me has to do with the basic
9 trustworthiness of an inherent honesty of a
10 calculation. Sample size has nothing to do with that.

11 Q But sample size can impact accuracy, correct?

12 A For some purposes, and probably not for the
13 purposes that we're talking about here, because here
14 we're dealing with a census of data. And reporting
15 accurately what the historical facts are is reliable and
16 accurate if you do the reporting correctly, and it's
17 reliable and accurate whether the report consists of a
18 large or a small number.

19 Q So is it your opinion that sample size is not
20 an important factor in determining the reliability of a
21 statistical sample?

22 A I think I've answered that.

23 Q Yes?

24 A I think reliability is not at issue. Sample
25 size is not an issue with respect to reliability.

1 is influential in some instances, but not all on
2 accuracy of some estimates. But it's not a reliability
3 issue.

4 Q So your answer is no, sample size is not an
5 important factor in determining reliability, correct?

6 A No, not if you understand the words the way I
7 understand them.

8 Q Correct, my statement is correct?

9 MR. CAMPBELL: I'll object to that.

10 THE WITNESS: I will only answer that with the
11 explanation that I've given. But it's too easy to
12 confuse concepts of reliability and accuracy, and I've
13 tried to give a thoughtful and complete answer.

14 BY MR. FEAGLE:

15 Q Would the work in any of your -- strike that.

16 Would the benefits of an increased sample size
17 be present in any of the charts that you've put together
18 for this case?

19 A I don't believe there are any benefits to
20 increase sample size in reporting the historical results
21 of a census like the FARS data. Accurate reporting is
22 called for, but whether the accurate report is a report
23 of a small number or a large number, it's still an
24 accurate and reliable number.

25 Q And just to clarify something I asked you

1 earlier, whenever I asked you did you actually see or
2 eyeball a particular number in a calculation, is it safe
3 to say that whenever you said you didn't, that would
4 include any of your staff or anyone like that?

5 A Well, I wouldn't have firsthand knowledge to
6 give you assurance of that, but I can usually say not as
7 far as I know.

8 Q Okay.

9 A Well, let me add to that. Initially
10 constructing the calculation procedures we test them
11 out. We make sure that they're doing what we intend
12 them to do, and we run them on test cases in small
13 groups, and there we look at all the details. But when
14 it comes time to produce the charts here, the numbers
15 involved are so massive that you just don't stop and
16 look at them all.

17 Q Did you utilize any sort of standard error rate
18 in any of your calculations?

19 A No, I have no samples in this case. They're
20 all -- well, there are no samples.

21 Q Therefore there's no error rate?

22 A There's no sampling error.

23 Q For chart two did you tell me how FARS defines
24 rear impact?

25 A Yes.

1 Q Did you say 5, 6 and 7 o'clock?

2 A Yes.

3 Q Would that be the same for rear impact with the
4 state charts?

5 A Mostly they use five points, but sometimes for
6 some states they just say the word "rear," and I can't
7 tell you off the top of my head which states is which.
8 They're all clear enough if you look at the coding
9 manuals.

10 Q So you're not clear how all the states divide
11 rear impact, correct?

12 A I've not memorized them all, but I've looked at
13 them all at one time or another, and I've satisfied
14 myself that each of the states I'm using for rear
15 impacts is coding rear impacts. They just don't all do
16 it exactly the same method.

17 Q And the FARS chart, I asked you whether they
18 would include unbelted occupants in the underlying
19 vehicles, and you said that yes, they would. Would the
20 same apply for all the state charts?

21 A Yes, both belted and unbelted are included.

22 Q Do any of the charts differentiate based upon
23 severity of impact?

24 A I have to decide what we mean by "severity of
25 impact." A lot of people, and I mean being on the

1 group, think of severity in terms of the outcomes. Like
2 a fatal accident is one of the more severe kinds of
3 accidents.

4 Q Uh-huh.

5 A Others might think of severity in terms of
6 concepts like Delta V. So yes, there are distinctions
7 being made here in terms of severity by some measures
8 and not by some others.

9 Q If we were to quantify severity by Delta V or
10 SV figure, would any of these charts differentiate by
11 severity?

12 A Not by those measures.

13 Q Do any of the charts -- do any of your analyses
14 differentiate by whether the fuel tank of the vehicle is
15 located behind the rear axle?

16 A Only in the obvious sense that that's the
17 location for the fleet of Jeep Cherokee vehicles at
18 issue. But other than that, I don't discriminate by
19 excluding vehicles that were the same vintage. I let
20 them all have their own bar.

21 Q And how does FARS control for fire as far as
22 how accidents or vehicles are coded?

23 A It doesn't control for fire. Let me try to
24 read your mind on this. It doesn't control, but it
25 records. It has a variable describing the presence of a

1 fire.

2 Q How does it allow one to control by fire?

3 A Let's not use "control."

4 Q Okay.

5 A What does it record with respect to fire?

6 Q Okay.

7 A It has a variable, and I've listed it in the
8 booklet I'm giving you, and we lingered over that page.

9 Q And that's the extent of how it would --

10 A That's the one I use. There are some other
11 descriptions of the fire, but that's the variable that
12 I'm using.

13 Q Are those other descriptions included on that
14 same page that we referenced earlier?

15 A No, just the variable that I used.

16 Q What are the other ones that you're referring
17 to?

18 A Well, there's a variable called first harmful
19 event. I'm not using it, but one of the choices there
20 is fire. And so I think the concept of fire shows up in
21 a couple of different places, and I may not have listed
22 them all. But the place -- the main variable for fire
23 and the one I'm using is the one I showed you.

24 Q So there could be accidents that had listed
25 first harmful event as fire that were not included.

1 A No, that's not --

2 Q That's not correct?

3 A No. It's just that I'm not using -- if there's
4 a fire, it will show up in the fire column.

5 Q Okay.

6 A You know, I use first harmful event of fire.
7 Although that does happen it's pretty rare. Most
8 harmful event of fire is more common. But if you have a
9 most harmful event fire, you'll also have to have a
10 product. So I'm not going to miss any.

11 Q Have you provided testimony for Philip Morris
12 and RJ Reynolds?

13 A Yes.

14 Q And in those cases were you testifying as an
15 expert for those companies or for plaintiffs?

16 A They've been defendants.

17 Q You were retained by them as opposed to the
18 plaintiff?

19 A Yes. That is what I thought you asked earlier.

20 Q And what was the nature of your testimony in
21 those cases?

22 A It's been different in different situations.
23 Sometimes it's unrelated to health matters, or at least
24 not in any direct way related to health matters, having
25 to do with statistical technique or damage calculations,

1 things like that. Other times it has to do with smoking
2 and health.

3 Q Can you tell me a case that you did some
4 statistical work on smoking and health?

5 A Yes. I'll find it.

6 MR. CAMPBELL: Tab 9.

7 THE WITNESS: 44.

8 BY MR. FEAGLE:

9 Q Number 44 of tab 9?

10 A Yes.

11 Q Is it correct you don't consider yourself an
12 automotive engineer?

13 A That's correct.

14 Q And it's your testimony you've never been
15 excluded or limited by any court?

16 A Yes, a couple of times.

17 Q Can you give me the case names?

18 A I can give you one of them for sure. It was
19 recent. It was Howard -- it was in Georgia, so maybe
20 you can look it up. Actually it was your firm, so it
21 should be easy.

22 There was another one, but I don't remember the
23 name, and I have almost no information about it because
24 I was not present or had -- and otherwise had no
25 firsthand information. But I'm told it had to do with

1 scheduling issues that I was not a part of, and the
2 judge ruled that lawyers weren't timely or something, so
3 I didn't get to testify. I can -- the only thing I
4 remember is it was in Pennsylvania. I don't remember
5 the case name. It was years ago.

6 Q Any others?

7 A There was a case in California, again years
8 ago, where I had statistical data on fatal accidents
9 based on this FARS data. Same kind of data. And the
10 case was not a fatal accident that was at issue. And
11 the judge ruled that there was inadequate fit between
12 the analysis based on fatal accidents and his case which
13 involved a non-fatal accident.

14 Q Do you remember the name of the case?

15 A No, I don't.

16 Q Is that all?

17 A I think there's one more. This is another one
18 where I had no firsthand involvement. I was just called
19 by the lawyer and said that there was some general court
20 decision having to do with statistics. And all
21 statistics was out of the case for everybody, and they
22 took me out along with it.

23 Q Do you have any of these orders?

24 A No. I might have or at least could obtain the
25 one in Howard, but you have that.

1 Q Right.

2 A I don't have any of the others.

3 Q Have we discussed all of the opinions that you
4 have in this case?

5 A Yes.

6 Q Have we discussed the basis of all the opinions?

7 A Yes, we've discussed them. You can always keep
8 asking questions and perhaps new forms of explanation
9 will come up. I think you've done a thorough job and
10 better than most, and should have more than adequate
11 understanding.

12 MR. FEAGLE: Okay. And while we're on the record,
13 I just want to clarify that if the need arises based
14 upon the new information that Dr. Wecker is going to
15 produce, that plaintiffs shall have the right to
16 redepose him.

17 MR. CAMPBELL: We will make him available for
18 deposition on those new materials that are produced to
19 plaintiffs for that purpose.

20 MR. FEAGLE: Any questions that may arise from the
21 review of those materials.

22 MR. CAMPBELL: Right. We won't produce him to
23 cover the testimony that has already been covered today.

24 MR. FEAGLE: But to the extent it relates to any
25 new information, that's fair game, correct?

1 MR. CAMPBELL: Yeah. But, I mean, I think we're
2 talking in hypotheticals here.

3 MR. FEAGLE: We are.

4 THE WITNESS: I see the potential for a gray area.

5 MR. CAMPBELL: I don't think so. I think, you
6 know, if you see a need based upon the new materials
7 that are being produced under the protective order, if
8 that should, in fact, take place to redepose him on
9 those new materials, then we will make him available for
10 that purpose. We can figure out the boundaries.

11 THE WITNESS: How about the questions that have
12 been asked today are out?

13 MR. CAMPBELL: That's part of what I'm saying.
14 We'll deal with the boundaries of that and specifics at
15 the time of deposition if it's requested. We'll
16 certainly make him available to discuss those new
17 materials.

18 THE WITNESS: I'm pretty easy. If you call, I will
19 probably answer the questions.

20 MR. FEAGLE: I think that's all I have, Dr. Wecker.
21 Thank you very much.

22 THE WITNESS: Thank you.

23 EXAMINATION

24 BY MR. CAMPBELL:

25 Q Dr. Wecker, I have just got one ~~en-12-050~~ Chrysler -008952

1 questions. Let me turn your attention to chart number
2 two.

3 If you would, please, tell me the fire rate in
4 rear impacts for the Jeep Cherokee category of vehicles
5 from the FARS data?

6 A Okay. I can see that in tab 5. And it's 0.3
7 per million vehicle years.

8 Q And in layman's terms or in terms that a jury
9 might be able to relate to, what does that translate
10 into?

11 A It's an extremely low risk, way less than one
12 in a million years.

13 Q In other words, less than one rear impact
14 resulting in fire in a Jeep Cherokee in a million
15 vehicle years?

16 A In a million registered vehicle years which
17 equates to a million years of normal use.

18 Q Would that subsequently translate into a rate
19 of approximately one rear impact fire in a Jeep Cherokee
20 for every 3 million vehicle years?

21 MR. FEAGLE: Objection, leading.

22 THE WITNESS: But it's not a big lead. That's
23 approximately correct. It's the reciprocal of that,
24 which is about one in 3 million years. It's the same
25 concept; it's just a different mode of expression.

1 Either way it's an extraordinarily low rate. One rarely
2 sees risks this small.

3 MR. CAMPBELL: Thank you, Doctor. Those are all my
4 questions.

5 MR. FEAGLE: I don't have anything else at this
6 time. Thank you, Dr. Wecker.

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I, WILLIAM E. WECKER, do hereby declare under penalty of perjury that I have read the foregoing transcript; that I have made such corrections as noted herein, in ink, initialed by me, or attached hereto; that my testimony as contained herein, as corrected, is true and correct.

EXECUTED this ____ day of _____,
2003, at _____, _____.
(City) (State)

WILLIAM E. WECKER

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I, the undersigned, a Certified Shorthand Reporter of the State of California, do hereby certify:

That the foregoing proceedings were taken before me at the time and place herein set forth; that any witnesses in the foregoing proceedings, prior to testifying, were placed under oath; that a verbatim record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction; further, that the foregoing is an accurate transcription thereof.

I further certify that I am neither financially interested in the action nor a relative or employee of any attorney of any of the parties.

IN WITNESS WHEREOF, I have this date subscribed my name.

Dated: _____

JODI L. BOSETTI
CSR No. 11316

SUMMARY OF INPUTS RELATED TO 1984 THROUGH 1992 JEEP CHEROKEE/WAGONEER (XJ) VEHICLES

	Name	VIN	Field Reports (EAA Reports)	CAIR	Lawsuit	Claim	Notice	
1.		1JCMT754XHT			√			
2.		1J4FJ58S0ML			√			
3.		1JCMT783XJT		√				
4.		1J4FJ58S3NL		√ (2)		√		
5.		1J4FJ28S4ML			√			
6.		1J4FT38L4KL			√			
7.		1JCWB7812GT			√			
8.		1JCMR7833HT			√			
9.		1JCUX7813FT			√			
SUBTOTALS			Field Reports (EAA Reports)	CAIR	Lawsuit	Claim	Notice	VOQ Inputs (Name)
			0	2 VINs (Ficenko also was a claim)	7	1	0	0
TOTAL	9 unique inputs		9 unique VINs					

Atlanta Fire Department - Incident Report

FDID	Incident #	Exp N	Month	Day	Year	Day of Week	Alarmtime	Arrival Time	Time in Service
0061	01003466	0	1	26	1	Friday	6 06:03:04	06:06:46	10:55:43

Type of Situation Found				Type of Action Taken					
Vehicle Fire				13 Extinguishment					
Technical Rescue				MutualAid		Olympic		DollarLoss	
NOT A TECHNICAL RESCUE						No		No	
EMS Type of Situation Found				EMS Type of Action Taken					
NOT AN EMS INCIDENT				NOT AN EMS INCIDENT					
Fixed Property Use				Ignition Factor					
Paved public street, way				962 Part failure, leak, break					
Correct Address				Zip Code		NPU		CensusTrac	
I-85 SB EXPY NW / I-75 NB EXPY NW				30305-				0 0	
Occupant Name				Occupant Tel		Room / Apart			
UNK				404 000-0000		NA			
Owner Name				Owner Address				OwnerTel	
UNK				UNK				404 000-0000	
Method Of Alarm				District		Shift		Num Alarms	
Radio				4 6		C		0	

Complex				Mobile Property Type			
Road complex				96 Automobile			
Area of Fire Origin				Equipment Involved in Ignition			
Passenger area of transportation equipment				81 No equipment involved			
Form of Heat of Ignition		Type of Material Ignited		Form of Material Ignited			
Heat from Fuel-Fired, Fuel-Power		10 Class 1A flammable liquid (flash		21 Fuel			
Method of Extinguishment		Level of Fire Orgin		EstmdDollarLoss			
Preconnected hose lines/tank water only		5 Grade or ground level (0'-9')		1 \$50,000			

If Mobile Property	Year	Make	Model	SerialNumber	LicenceNumber
	0	JEEP	JEEP	000000000000000000	UNK

If Equipment Involved in Ignition	Year	Make	Model	Serial Number
	0	JEEP	JEEP	

Member Making Report	C. ROBINZINE	Rank member	LT	4	Date	1/26/01
Officer in Charge	C. ROBINZINE	Rank OFC	LT	4	Date	1/26/01

Comments	
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CITY OF ATLANTA FIRE DEPARTMENT INCIDENT REPORT

Battalion No. 6 Incident No.: 01003466 Incident Date 01/26/01 Date: 01/28/01
 Location (street and number) I-85 South before Buford Hwy Connector

Time of alarm: 0603 Arrival time _____ Control time _____ In service time 0820

Building where fire started (name, occupancy, etc.) _____

RESOURCES REQUIRED:	Number personnel
Engines: <u>21-29-23</u>	12
Ladders: <u>29</u>	3
Support units: <u>MC-1, S-4</u>	8
Chief officers: <u>Hill-Rioux</u>	3
Outside Agencies: <u>Atlanta Police Dept., Grady Hospital, H.E.R.O unit, Medical Examiner, State D.O.T</u>	
Totals:	26

BUILDING DESCRIPTION:		Height:	Ft.	No Stories		
Occupancy Type	Construction Type	Exterior Wall Construction		Roof Style:	Roof Supports	
<input type="checkbox"/> Residential	<input type="checkbox"/> I -Fire Resistive	<input type="checkbox"/> Block	<input type="checkbox"/> Balloon	<input type="checkbox"/> Flat	<input type="checkbox"/> Joists	
<input type="checkbox"/> Mercantile	<input type="checkbox"/> II -Non-Combustible	<input type="checkbox"/> Stone	<input type="checkbox"/> Platform	<input type="checkbox"/> Shed	<input type="checkbox"/> Trusses	
<input type="checkbox"/> Business	<input type="checkbox"/> III -Heavy Timber	<input type="checkbox"/> Brick	<input type="checkbox"/> Brick-Veneer	<input type="checkbox"/> Hip	<input type="checkbox"/> Right Frame	
<input type="checkbox"/> Industrial	<input type="checkbox"/> IV-Ordinary	<input type="checkbox"/> Precast	<input type="checkbox"/> Steel	<input type="checkbox"/> Gambrel	<input type="checkbox"/> Arches	
<input type="checkbox"/> Assembly	<input type="checkbox"/> V -Wood Frame	<input type="checkbox"/> Slab	<input type="checkbox"/> Glass/Lexan	<input type="checkbox"/> Mansard	<input type="checkbox"/> Domes	
<input type="checkbox"/> Healthcare		<input type="checkbox"/> Tilt-up		<input type="checkbox"/> Arched	<input type="checkbox"/> Cables	
Other: _____		Other: _____		Other: _____		

FIRE INVESTIGATION:			% Damage
Point of origin:			
Sprinklers <input type="checkbox"/>	Smoke Detectors <input type="checkbox"/>		
Fire Bldg:			
Sprinklers <input type="checkbox"/>	Smoke Detectors <input type="checkbox"/>		
Exposures:			
Sprinklers <input type="checkbox"/>	Smoke Detectors <input type="checkbox"/>		
Cause (in detail): _____			

Weather conditions: Temp. _____ Humidity _____ Wind _____

EXTINGUISHING AGENT	HOSE LINES/APPLIANCES			LADDERS USED		
<input type="checkbox"/> Water	No.	Size	Total feet	No.	Type	Total feet
<input type="checkbox"/> Carbon dioxide		Booster			Aerial	
<input type="checkbox"/> Dry chemical		1 3/4 inch			Extension	
<input type="checkbox"/> Pyrocap		2 1/2 inch			Roof	
<input type="checkbox"/> AFFF		3 inch			Short	
<input type="checkbox"/> Other: _____		5 inch		SALVAGE COVERS LEFT O.S.		
<input type="checkbox"/> No. Fire hydrants used		Deluge set/Stinger		No.	Floor	
		Ladder pipe				

INJURIES / DEATHS							
Name	Race	Sex	Age	DOB	Injury	Hospital	Trans. agency

EA 2-005- Chrysler -008407



NARRATIVE

Conditions on Arrival:

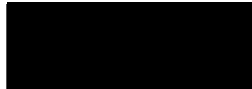
See Attachment

Critical Factors:

Actions Taken:

Conclusion & Lessons Learned:

Drawing:



Report Prepared By:

[Handwritten Signature]

Date:

EA12-005-Chrysler-008408

[Handwritten Date]



CITY OF ATLANTA

FIRE DEPARTMENT

BILL CAMPBELL
MAYOR

City Hall East 675 Ponce de Leon Avenue, NE Suite 2001
Atlanta, Georgia 30308-1807
(404) 853-7000 • (404) 853-7095
ICHIIEFS ID - ATLFDHQ

WINSTON L. MINOR
FIRE CHIEF

MEMORANDUM

TO: Joseph M. Tolbert
Assistant Chief D/1

FROM: Maurice J. Hill 
Battalion Chief B/6

DATE: January 28, 2001

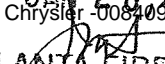
SUBJECT: I 85 incident

On January 26, 2001 0603 hours we had a multiple car fire with entrapment, three people were trapped in one vehicle. Upon receipt of the alarm Chief Rioux was already on the incident. Initially three people were trapped in one of the automobiles fully engulfed in flames. A passer-by was able to pull the driver to safety. The other two victims were unable to be rescued. They were dead upon my arrival.

After assuming command from Chief Rioux, I surveyed the area and started to assign companies tasks. I also gave an update to communication a short time later. In this update I included, we had two fatalities. This statement upset Chief Rioux, who had turned command over to me. He stated that I shouldn't have said that because " such statement would draw the media also he stated that he had already informed radio via telephone. More over, he felt like he had explained that to me before I assumed command. I felt like he over reacted. With I 85 south backed-up for miles and three cars on fire, the media would have shown up anyway. As per the SOP, you are expected to give an update when assuming command and or conditions change.

I am open to discussing this matter further with Chief Rioux if needed.

RECEIVED

JAN 28 2001
EA12-005- Chrysler -008409

ATLANTA FIRE DEPT
DIVISION 1



Conditions on Arrival:

Three were vehicles on fire with two entrapments in one vehicle. The vehicles were 100% engulfed in flames.

Critical Factors:

Patient care for the five patients. One of the five Patients refused treatment.

Actions Taken:

Medcom 1 was assigned a sector to do patient treatment, see attachment. E-29 and E-21 was assigned to extinguish the car fires with Squad 4, starting with the entrapped victims. T-29 was assigned to assist with fire operations. E-23 and part of E-29s and E-21 crew also assisted with patient care. Chief Ham assumed command around 0730 hours.

Lesson Learned:

Realize that sometimes it is nothing you can do to save a life.





FULTON COUNTY

OFFICE OF THE MEDICAL EXAMINER

Randy L. Hanzlick, M.D.
Eric L. Kiesel, M.D., Ph.D.
Michael M. Heninger, M.D.
Carol A. Terry, M.D.
John B. Parker, M.D.

430 Pryor Street, S.W., Atlanta, Georgia 30312
Office 404 - 730-4400 FAX 404 - 730-4405

Case Number..... 010228

Name..... [REDACTED]

Age, Race, Sex..... [REDACTED]

Procedure..... AUTOPSY Tuesday 02/06/2001 1230

Examination performed by..... Kay W. Fellows, MD

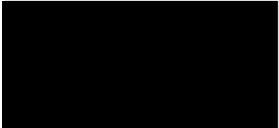
CAUSE OF DEATH: =====

SEQUELAE OF THERMAL BURNS

Manner of death: ACCIDENT (T)

[Signature of Kay W. Fellows]
Kay W. Fellows, MD

[Signature of Eric L. Kiesel] 3/28/01
Eric L. Kiesel, MD, PhD





REPORT OF
THE MEDICAL EXAMINER

2001-0228

PAGE 1

REASON FOR PERFORMING AN EXAMINATION:

This 36 year old Caucasian man was reportedly the driver in an SUV which was struck by another motor vehicle from the rear when he slowed to avoid another accident. His vehicle caught fire and he suffered burns to approximately 50 to 60% of his total body surface area. He was subsequently hospitalized at Grady Memorial Hospital where he underwent skin grafting, bilateral chest tube placement, and tracheostomy. He survived ten days in hospital. His wife and daughter also died in this accident.

DATE, TIME, AND PLACE OF EXAMINATION:

Under the provisions of the Georgia Death Investigation Act, an autopsy is performed in the morgue of the Fulton County Medical Examiner's Center on Tuesday, February 6, 2001, commencing at 12:30 p.m. Kay W. Fellows, M.D. is prosector. In attendance for a review of the findings is Eric L. Kiesel, M.D., Ph.D.

PRESENTATION, CLOTHING, AND PERSONAL EFFECTS:

The body is received supine in a white body bag without a red seal but with an attached Fulton County Medical Examiner's identification tag bearing the case number, 01-0228; the decedent's name, John Belli; his age, 36; and the letters WM. Also attached to the zipper of the bag is an appropriate Grady Memorial Hospital identification tag. No articles of clothing are on or accompany the body.

X-RAY EXAMINATION:

None.

EVIDENCE OF MEDICAL INTERVENTION:

1. A nasogastric tube exits the right nostril.
2. A tracheostomy tube is in the midline of the neck.
3. Bilateral chest tubes are present.
4. In the left groin is a triple-lumen intravascular access device.
5. A Foley catheter is in the urethra.



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2001-0228

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6. A single-lumen intravascular access device is in the right groin.
7. Skin grafts cover the entire right and left lower legs. These are covered with gauze.
8. Skin grafts cover the entire right arm, extending from the shoulder to the wrist.
9. The entire right arm and the entire left arm, including both hands, are covered with gauze.
10. Fasciotomies extend from the left shoulder area to the wrist and over the dorsum of the left hand.
11. Areas of skin harvesting with rectangular, superficial dermatome patterns are noted on the anterior abdomen and portions of the posterior chest.
12. The entire anterior upper chest has areas of debridement and partial grafting.

POSTMORTEM CHANGES:

The body has been refrigerated and is cold to touch. Rigor mortis is generalized, well developed, and difficult to break. It is difficult to appreciate livor mortis due to the extensive burning, skin grafting, and donor skin sites.

FEATURES OF IDENTIFICATION:

The body is that of an unembalmed, well-developed Caucasian man with evidence of extensive burns involving most of his body and anasarca. The body weighs 210 pounds and measures 72" in length. Bristly, black scalp hair, measuring less than 1/16" in length, is over the entire scalp. A single patch of 2" long hair is at the vertex. Facial hair is not present. The irides are brown. The teeth are natural and in good repair. Scars and tattoos are not seen.

EXTERNAL EXAMINATION:

The head is normocephalic with generalized edema, protrusion of the tongue, swelling of the lips and eyelids. The nasal and facial bones are without palpable fractures. The pupils each measures 4 mm. The conjunctivae are clear without petechiae. The septum of the nose is in the midline. The nose is charred. The entire skin of the face and scalp is a mottled, and erythematous with a green discoloration. The gums, teeth, tongue, and buccal mucosa are free of injury. The ears are normally formed, properly located on the head, and have desquamation of the epidermis with a gray-black appearance.



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The neck has the previously-described tracheostomy. The neck is symmetrical with the trachea in the midline. The neck is not crepitant nor excessively mobile. The skin of the neck is erythematous.

The torso is symmetrical, normally developed, and exhibits the previously-described, full-thickness burn/grafting area on the upper anterior chest. The abdomen is protuberant. The testes are bilaterally descended with a markedly edematous scrotum. The penis is edematous with a short foreskin. The genital region does not appear to have been burned. The inguinal region and buttocks are also free of burning.

The upper and lower extremities are symmetrical, normally developed, and free of palpable fractures. Previously-described fasciotomies and skin graftings are noted. The hands and feet are normally formed and have very a limited amount of burning. All digits are present. The fingernails and toenails are unremarkable.

The back has the previously-described donor skin sites. It is free of spinal deformity.

EVIDENCE OF INJURY:

It is difficult to entirely evaluate the extent of burns due to medical intervention.

It appears from the present condition of the body that the entire upper anterior chest, the entire right and left lower extremities, the nose, focal areas of the lower anterior abdomen, the entire right arm, focal areas of the left arm, have been burned with full thickness burns.

INTERNAL EXAMINATION:

Chest and Abdomen:

The skin of the chest and abdomen is reflected using the usual Y-shaped incision. The pleural spaces contain approximately 50 cc of blood-tinged serous fluid. The peritoneal cavity contains 600 cc of blood-tinged serous fluid. The pericardial sac has a fibrinous appearance on its inner surface and coating the epicardium of the heart. Approximately 50 cc of blood-tinged serous fluid is in the pericardial sac. At the level of the umbilicus, the subcutaneous fat measures 4 cm in thickness. A septic odor of probable



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Pseudomonas is noted. Examination of the organs in situ shows normal organ morphology and relationships. The viscera are mottled. The diaphragm is normal and free of defects.

Cardiovascular System:

The heart weighs 325 grams and has the previously-described fibrinous pericarditis. The coronary arteries are normally distributed and widely patent. The valve leaflets, chordae, and endocardium are normal. The myocardium is reddish-brown throughout and free of focal lesions and hemorrhages. The left ventricle measures 1 cm in thickness, the right ventricle, 0.3 cm in thickness. The aorta follows its usual course and the origins of the major arteries are normally disposed. The venae cavae are likewise unremarkable.

Respiratory System:

The tracheostomy is intact. The mucosa of the tracheobronchial tree is hemorrhagic throughout with focal areas of a green-black, sloughed appearance. Soot is not definitely identified. Much of the tracheobronchial tree contains a bloody material. The pulmonary hilar structures are normal. The major vessels are normally distributed and free of thrombi. The right lung weighs 2295 grams, the left lung, 1695 grams. All lobes of both lungs are consolidated.

Gastrointestinal System:

The esophagus is intact and lined by a hemorrhagic appearing mucosa. Focal lesions are not seen. A nasogastric tube is properly placed. The gastric mucosa is tan with pinpoint areas of hemorrhage. The stomach is empty. The small bowel, colon, and rectum are dusky. An unremarkable appendix is present.

Hepatobiliary System and Pancreas:

The liver weighs 2450 grams. The capsule is smooth and dull. The parenchyma is greenish-brown and mottled throughout. Focal lesions are not present. The gallbladder contains approximately 30 cc of thick sludge. Stones are not present.

The pancreas is of normal size with the usual tan, lobular architecture.



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Genitourinary System:

The right kidney weighs 200 grams; the left kidney, 200 grams. The capsules strip with ease to reveal a smooth, purple exterior. The renal cortices each measure 1 cm in thickness. The pyramids, calyces, pelves, and renal vessels are unremarkable. The ureters are of normal caliber and insert normally into the bladder. The bladder is empty.

The seminal vesicles, prostate, and testicles are normal to palpation.

Reticuloendothelial System:

The spleen weighs 391 grams. The capsule is intact and dull. Cut section shows a mottled, purple-red parenchyma. Lymph nodes in the body are grossly normal. The thymus is involuted.

Musculoskeletal System:

The axial skeleton is intact. The vertebral marrow spaces are grossly normal. The skeletal muscles are symmetrical and normal except in areas in which there has been exposure of the underlying muscles by fasciotomies or debridement for skin grafting.

Endocrine System:

The thyroid gland is of normal size, symmetrical, purple, free of nodularity and hemorrhage. Parathyroid glands are not identified. The adrenals are of normal size and free of nodularity and hemorrhage.

Neck:

The skin of the neck is dissected up to the angle of the mandible. There is no trauma to the soft tissues or vital structures in the neck. The airway shows the previously-described mucosal hemorrhagic appearance. The hyoid bone and thyroid cartilage are free of fracture. The carotid vessels are pliable and patent. The epiglottis is erythematous. Foreign objects are not in the airway. The anterior cervical spine and atlanto-occipital joints are stable to manipulation.



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Head:

The scalp is reflected with the standard intermastoidal incision. The calvarium is intact and free of discoloration. The dura is intact and free of discoloration and thickening. There is no epidural, subdural, or subarachnoid hemorrhage. The brain weighs 1390 grams. The gyral and sulcal pattern is normal with the interhemispheric sulcus in the midline. Cut section of the cerebrum, the midbrain, and the cerebellum shows multiple 1 to 5 mm hemorrhages. These have no specific distribution and are located both in the white and gray matter and are suggestive of septic emboli. The ventricular system is grossly normal. The circle of Willis is free of aneurysms and atherosclerosis. Removal of the dura from the base of the skull shows the usual anatomical features without abnormalities. The pituitary fossa is unremarkable. The foramen magnum shows the usual orientation and the first portion of the spinal cord as viewed through the foramen magnum is unremarkable.

OTHER PROCEDURES:

1. Peripheral blood submitted to the GBI State Crime Laboratory for holding for possible future use.
2. An air-dried blood card is retained in the Fulton County Medical Examiner's Center.
3. Documentary and identification photographs are obtained.
4. Tissue samples in 6 cassettes are processed to slides.
5. Dissected organs are released with the body.

MICROSCOPIC EXAMINATION:

Seven H&E stained glass slides are examined.

HEART: Epicardium and pericardium show fibrinous pericarditis.



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[REDACTED]
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BRAIN: Multiple areas of recent hemorrhagic necrosis consistent with septic emboli.

LUNGS: Organizing bronchopneumonia. Diffuse alveolar damage with hyaline membranes.

LIVER: Congestion with early centrilobular necrosis.

SPLEEN: Infarct.

KIDNEY: Autolysis.

ADRENAL: Medullary congestion. Lipid depletion of cortex.

PANCREAS: No significant diagnostic alterations.

THYROID: No significant diagnostic alterations.

SUMMARY OF FINDINGS:

- I. THERMAL BURNS, APPROXIMATELY 50% OF TOTAL BODY SURFACE AREA, WITH MEDICAL INTERVENTION CONSISTING OF SKIN GRAFTING, SKIN HARVESTING, AND FASCIOTOMIES.
- II. PULMONARY CONSOLIDATION WITH DIFFUSE ALVEOLAR DAMAGE.
- III. SEPTIC EMBOLI IN BRAIN, MIDBRAIN, AND CEREBELLUM.
- IV. FIBRINOUS PERICARDITIS.

CAUSE OF DEATH:

Sequelae of thermal burns.



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[REDACTED]
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MANNER OF DEATH:

Accident (traffic).

OPINION:

[REDACTED] age 36 year, was involved in a motor vehicle accident in which he was the driver of a sport utility vehicle which caught on fire when rear-ended by an automobile. He survived approximately ten days in hospital. His death is attributed to the sequelae of burns he suffered in the motor vehicle accident. As is typical with individuals who suffer extensive burns, he showed multi-system organ derangement with probable overwhelming infection. The reported circumstances and autopsy findings are consistent with an accidental death occurring from a traffic accident.

KWF/ELK/ems

Dictated: 02/06/01

Transcribed: 02/07/01

Finalized: 03/26/01



REPORT OF
THE MEDICAL EXAMINER

INVESTIGATIVE SUMMARY- PAGE 1

The information on this page reflects information obtained by the Medical Examiner's Investigator who responded to the initial report of death to the Medical Examiner.

CASE NUMBER..... 010228
LAST NAME..... [REDACTED]
FIRST NAME..... [REDACTED]
AGE..... [REDACTED]
RACE..... [REDACTED]
SEX..... [REDACTED]
DATE OF BIRTH..... [REDACTED]

HOME ADDRESS..... 1030 CHARTER CLUB DR 30043

INCIDENT ADDRESS..... I-85 SOUTHBOUND @ MILES MARKER 86, ATL

DATE DEATH REPORTED.... 02/05/2001
TIME DEATH REPORTED.... 1610
POLICE JURISDICTION.... APB
REPORTING PERSON..... DR INGRAM
REPORTING AGENCY..... GRADY HOSPITAL
UNIT, ZONE, OR PHONE.... 404-616-9852

COUNTY WHERE DEATH OCCURRED.... FULTON
CITY WHERE DEATH OCCURRED..... ATLANTA
DECEDENT STATUS..... DIED IN HOSPITAL
PLACE PRONOUNCED DEAD..... GRADY MEMORIAL HOSPITAL, ATLANTA
DATE AND TIME PRONOUNCED DEAD.. Monday 02/05/2001 1355

DISPOSITION OF BODY..... TAKEN TO COUNTY MORGUE
TAKEN TO COUNTY MORGUE BY..... EDWARDS & SONS

REASON FOR INVESTIGATION..... EVIDENCE OF INJURY OR VIOLENCE
SCENE INVESTIGATION?..... YES

MEDICAL EXAMINER'S INVESTIGATOR... MARK A. RUFFIN

[REDACTED] 23



REPORT OF
THE MEDICAL EXAMINER

INVESTIGATIVE SUMMARY -PAGE 2-

CASE NUMBER..... 010228
LAST NAME..... [REDACTED]
FIRST NAME..... [REDACTED]

The information on this page reflects information obtained by the Medical Examiner's Investigator when the death was initially reported to the Fulton County Medical Examiner.

NARRATIVE DESCRIPTION--
INCLUDES ITEMS TAKEN TO MORGUE AS PROPERTY OR EVIDENCE--

HX-RECEIVED A REPORT OF DEATH ON THE NAMED 36 Y/O W/M DEC. THE DEC WAS INVOLVED IN A MVA ON I-85 SOUTHBOUND. HE RECEIVED 70% THERMAL BODY INJURIES AND FRACTURES TO HIS SPINE 2-3-4/KRB.
COMPANION CASES: 01-0169, 01-0170





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THE MEDICAL EXAMINER

INVESTIGATIVE SUMMARY -PAGE 3-

CASE NUMBER..... 010228
LAST NAME..... [REDACTED]
FIRST NAME..... [REDACTED]

PAST MEDICAL HISTORY--

The decedent's past medical history was unknown.

OTHER MEDICAL INFORMATION--

KNOWN INJURIES: 70% THERMAL BODY INJURIES

NOTE: If you need to make inquiries about the case, please
call and ask for. MARK A. RUFFIN





FULTON COUNTY

OFFICE OF THE MEDICAL EXAMINER

Randy L. Hanzlick, M.D.
Eric L. Kiesel, M.D., Ph.D.
Michael M. Heninger, M.D.
Carol A. Terry, M.D.
John B. Parker, M.D.

430 Pryor Street, S.W., Atlanta, Georgia 30312
Office 404 - 730-4400 FAX 404 - 730-4405

Case Number..... 010169
Name..... [REDACTED]
Age, Race, Sex..... [REDACTED]
Procedure..... AUTOPSY Friday 01/26/2001 1000
Examination performed by..... ERIC L. KIESEL, M.D., Ph.D.

CAUSE OF DEATH: =====

MULTIPLE BLUNT FORCE TRAUMA

Other Conditions: POSTMORTEM TOTAL BODY BURNS

Manner of death: ACCIDENT (T)
=====

Eric L. Kiesel, M.D., Ph.D. 3/9/01
ERIC L. KIESEL, M.D., Ph.D. ELK





REPORT OF
THE MEDICAL EXAMINER

2001-0169

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PATHOLOGIC FINDINGS:

- I. MULTIPLE BLUNT-FORCE TRAUMA.
 - A. Bilateral rib fractures.
 - B. Hepatic lacerations with peritoneal hemorrhage.
- II. TOTAL BODY THERMAL BURNS.
- III. CHOLESTEROSIS.

CAUSE OF DEATH:

Multiple blunt-force trauma with total body thermal burns.

MANNER OF DEATH:

Accident (traffic).

OPINION:

Lynne U. Belli, age 37 years, was the left rear seat passenger in a Jeep Cherokee that had stopped on the freeway to avoid an accident and was struck from behind by another motor vehicle and subsequently collided with a second motor vehicle. The vehicle burst into flames and there are extensive thermal burns to the body. It is not known whether the deceased was restrained or not due to the extensive charring artifact. The body was not ejected. Her death is attributed to multiple blunt-force trauma with total body thermal burns. The manner of her death is classified as an accident (traffic.)

Eric L. Kiesel, MD, PhD
Deputy Chief Medical Examiner



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2001-0169

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DATE, TIME, AND PLACE OF EXAMINATION:

Under the provisions of the Georgia Death Investigation Act, an autopsy is performed in the morgue of the Fulton County Medical Examiner's Center on Friday, January 26, 2001, beginning at 10:00 hours.

IDENTIFICATION:

The body is identified by Fulton County Medical Examiner number 01-0169. The decedent's husband, who was also involved in the crash, identified that his wife and daughter were still in the vehicle as it was being consumed by flames. A driver's license identification is found in the vehicle with the decedent. Photographs and X-rays are taken under my direction for identification purposes.

PRESENTATION, CLOTHING, AND PERSONAL EFFECTS:

The body is brought to the Medical Examiner's facilities still seated on the left rear seat within the Jeep Cherokee. The charred remains are removed and placed in a body bag and placed in the morgue.

The following articles of clothing and personal effects are on or accompany the body:

1. A yellow-metal necklace with horseshoe-shaped pendant with a pivoting blackened stone in the center.
2. Remnants of jean-style slacks are present on the body.
3. Remnants of white female briefs are present on the body.
4. Remnants of a sock are present around the left ankle.

GENERAL DESCRIPTION:

The body is that of a well-developed, well-nourished, woman that is extensively charred. The top of the head and skull to the posterior base are essentially charred away. All skin from the external surface of the body, with the exception of the mons pubis and perineum, is charred away. There is a 7 x 4" area of exposure over the chest wall where thoracic contents are visualized. Abdominal contents are visualized through a 13 x 8" defect over the left abdomen. The abdominal contents are markedly charred away. The face and facial appendages are mostly charred away. There is extensive loss of bone from the maxilla and mandible. There are bilateral fractures of the clavicles associated with thermal charring. The arms and legs are flexed in a pugilistic fashion. There are

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heat related fractures of the right proximal humerus and mid- right forearm. The right hand is completely charred away. The phalanges are charred away from the left hand. The legs and feet are symmetrical and remarkable for scant residual skin over the feet. Residual dark pink nail polish is identified over the left great toenail. Bilaterally, the distal femur and patella are exposed. The genitalia are those of an adult female. The skin of the back and buttocks is charred away.

IDENTIFYING MARKS:

None discernable.

EVIDENCE OF INJURY:

1. The calvarium is charred away with extensive heat artifact involving the brain.
2. There are bilateral rib fractures involving left lateral ribs 3 through 5, left posterior ribs 3 through 8 and 10 through 12, and right posterolateral ribs 3 through 7. There is subpleural hemorrhage associated with these fractures.
3. There are multiple capsular lacerations of the liver with a scant amount of blood present within the peritoneal cavity.
4. There is retroperitoneal hemorrhage within the bilateral renal pelves and around the right adrenal gland.

INTERNAL EXAMINATION:

Head:

The brain is removed in the usual fashion and weighs 772 grams; the brainstem and cerebellum weigh 136 grams. There is extensive heat artifact of the cortex of the brain. The brainstem and cerebellum are relatively intact. Removal of the dura from the base of the skull shows the usual anatomical features. Fractures do not extend into the base of the skull. The foramen magnum shows the usual orientation. The foramen magnum shows the usual orientation; and the first portion of the spinal cord, as viewed through the foramen magnum, is unremarkable.

Neck Organs:

The neck organs are removed en bloc with the tongue. The anterior tracheal wall is charred away with a good amount of soot and heat artifact at the level of the trachea. The esophagus and larynx

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are opened revealing no soot on the mucosal surfaces. There are no obvious fractures of the hyoid bone, thyroid, or cricoid cartilages.

Body Cavities:

The body cavities are opened in the usual fashion. There is a scant amount of peritoneal hemorrhage as noted above, as well as retroperitoneal hemorrhages, as noted above. Pleural injury is associated with rib fractures. The mediastinum is unremarkable. The leaves of the diaphragm are intact. Numerous loops of bowel are charred away through the exposure in the abdominal wall.

Cardiovascular System:

The heart weighs 232 grams and the epicardium is unremarkable. The chambers of the heart show the usual shape and configuration without gross hypertrophy. The coronary arteries are normally disposed without significant atherosclerosis. Cut surfaces of the myocardium show a normal color and no thickening of the ventricular walls is identified. The valves are intact and the atria are unremarkable. The aorta follows its usual course and the origins of the major arteries are normally disposed. The venae cavae are likewise unremarkable.

Respiratory Tract System:

The larynx and trachea are continuous in the usual fashion with the primary bronchi. No soot is present over the mucosal surfaces. The pleural surface of the right lung, where exposed, shows charring. Otherwise, the pleural surfaces are smooth and glistening. The right lung weighs 232 grams and the left lung weighs 210 grams. Cut surfaces show a deep red to pink congested parenchyma. No consolidation or enlargement of air spaces are identified. Examination of the pulmonary vessels show no evidence of emboli.

Hepatobiliary System:

The liver weighs 1376 grams. Capsular lacerations are as noted above. The cut surfaces of the liver show a red-brown parenchyma. The gallbladder contains 22 cc of bile, and the mucosal lining exhibits cholesterosis.

Lymphoreticular System:

The spleen weighs 239 grams with a prominent accessory spleen. Cut surfaces show a deep red parenchyma. The thymus is atrophic and not identified. The lymph nodes, where noted, show no notable pathologic changes.



Urinary Tract System:

The right kidney weighs 104 grams, and the left kidney weighs 110 grams. The cortical surfaces are smooth and glistening with good corticomedullary differentiation. The pelves show the usual relationships and are continuous into normal appearing ureters which insert into an unremarkable bladder which contains approximately 17 cc of urine.

Internal Female Genitalia:

The uterus is of normal size and the endometrium is hemorrhagic and sloughed. The adnexa is remarkable for polycystic ovaries.

Gastrointestinal Tract:

The pharynx and esophagus are unremarkable. The stomach lies in a normal position and contains 135 grams of tan curd with recognizable fragments of admixed vegetable matter. The mucosal lining of the stomach is continuous into the duodenum. Loops of small bowel as well as left colon are charred away. The appendix is present.

Endocrine System:

The pituitary, thyroid, adrenals and pancreas are unremarkable without evidence natural disease or injury.

Musculoskeletal System:

Heat fractures are as noted above. The skeletal musculature has a cooked appearance. The bone marrow, where visualized, is unremarkable.

OTHER PROCEDURES:

1. Blood and urine are submitted to the GBI State Crime Laboratory for toxicological analysis.
2. Blood is submitted to Grady Memorial Hospital for carboxyhemoglobin determination,
3. A blood card is prepared, air-dried, and retained in this facility.
4. Routine tissue sections are submitted in four cassettes for processing to blocks for storage only.



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5. Dissected organs and personal effects are released with the body.

ELK/ems

Dictated: 01/26/01

Transcribed: 01/29/01

Finalized: 03/09/01

008429



REPORT OF
THE MEDICAL EXAMINER

INVESTIGATIVE SUMMARY- PAGE 1

The information on this page reflects information obtained by the Medical Examiner's Investigator who responded to the initial report of death to the Medical Examiner.

CASE NUMBER..... 010169
LAST NAME..... [REDACTED]
FIRST NAME..... [REDACTED]
MIDDLE NAME..... [REDACTED]
AGE..... [REDACTED]
RACE..... [REDACTED]
SEX..... [REDACTED]
DATE OF BIRTH..... [REDACTED]

HOME ADDRESS..... 1030 CHARTER CLUB DR 30043

INCIDENT ADDRESS..... I-85 SOUTHBOUND AT MILE MAKER 86, ATL

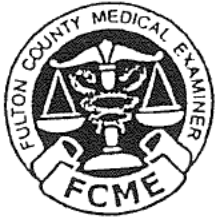
DATE DEATH REPORTED.... 01/26/2001
TIME DEATH REPORTED.... 0615
POLICE JURISDICTION.... APB 01-026-0314
REPORTING PERSON..... RADIO DISPATCH
REPORTING AGENCY..... ATLANTA POLICE

COUNTY WHERE DEATH OCCURRED.... FULTON
CITY WHERE DEATH OCCURRED..... ATLANTA
DECEDENT STATUS..... DIED ON SCENE
PLACE PRONOUNCED DEAD..... I-85 S BOUND AT MILE MARKER 86, ATL
DATE AND TIME PRONOUNCED DEAD.. Friday 01/26/2001 0635

DISPOSITION OF BODY..... TAKEN TO COUNTY MORGUE
TAKEN TO COUNTY MORGUE BY..... FULTON CO INV.

REASON FOR INVESTIGATION..... EVIDENCE OF INJURY OR VIOLENCE
SCENE INVESTIGATION?..... YES

MEDICAL EXAMINER'S INVESTIGATOR... MARY B. HAUPTLE



REPORT OF
THE MEDICAL EXAMINER

INVESTIGATIVE SUMMARY -PAGE 2-

CASE NUMBER..... 010169
LAST NAME..... [REDACTED]
FIRST NAME..... [REDACTED]

The information on this page reflects information obtained by the Medical Examiner's Investigator when the death was initially reported to the Fulton County Medical Examiner.

NARRATIVE DESCRIPTION--
INCLUDES ITEMS TAKEN TO MORGUE AS PROPERTY OR EVIDENCE--

HX-37/Y/O CAUCASIAN FEMALE BURNED TO DEATH IN A JEEP CHEROKEE VEHICLE THAT HAD BEEN REAR-ENDED AND GAS TANK CAUGHT AFIRE. THIS WAS A MULTIPLE VEHICLE ACCIDENT ON 1 85 SOUTHBOUND NEAR THE GA 400 JUNCTION.

EVIDENCE/PROPERTY TO MORGUE: WALLET AND ASSORTED PAPERS, GA DL
COMPANION CASE: 01-0170





REPORT OF
THE MEDICAL EXAMINER

INVESTIGATIVE SUMMARY -PAGE 3-

CASE NUMBER..... 010169
LAST NAME..... [REDACTED]
FIRST NAME..... [REDACTED]

PAST MEDICAL HISTORY--

There was no known history of significant medical problems.

OTHER MEDICAL INFORMATION--

KNOWN INJURIES: TOTAL BODY THERMAL INJURIES:
DR NAME: DR CRAWFORD, GWINNETT OFFICE 404-261-2590

NOTE: If you need to make inquiries about the case, please
call and ask for MARY B. HAUPTLE



01/26/2001 Sun M T W T F S 05:58 06:06 Vehicle 3 Pages 4 Statistics 2 City Of Atlanta

Road of Occurrence I-85 Southbound At Its Intersection Buford Hwy. On Ramp
 Not At Its Intersection But 1/4 Miles 1 North 3 East of 1 Interstate 2 Lowest St. Rt. 3 Co. Road 4 City St. 5 Co. Line
 And Continuing in the Direction Checked Above Brookwood Exit off of I-85
 The Next Reference Point is 1 Interstate 2 Lowest St. Rt. 3 Co. Road 4 City St. 5 Co. Line

Corrected Report Yes
 Supple. To Original Yes

Driver # 1	Last Name [Redacted]	First [Redacted]	Middle [Redacted]	Driver # 2	Last Name [Redacted]	First [Redacted]	Middle [Redacted]
Address [Redacted]				Address [Redacted]			
City Atlanta, GA State GA Zip [Redacted] DOB [Redacted]				City Lawrenceville, GA State GA Zip [Redacted] DOB [Redacted]			

Driver's License No. [Redacted]	Class C	State GA	Male <input checked="" type="checkbox"/> Female <input type="checkbox"/>	Driver's License No. [Redacted]	Class C	State GA	Male <input type="checkbox"/> Female <input type="checkbox"/>
---------------------------------	---------	----------	--	---------------------------------	---------	----------	---

Posted Speed 55	Insurance Co. Alpha General	Policy No. [Redacted]	Posted Speed 55	Insurance Co. United Svcs. Auto	Policy No. [Redacted]
Year 1996	Make Toyota	Model Camry	Year 1991	Make Jeep	Model Cherokee

VIN 4T1BG12K0TU [Redacted]	Vehicle Color Black	VIN 1J4FJ58S0ML [Redacted]	Vehicle Color White
Tag # [Redacted]	State GA County Fulton Year 2001	Tag # [Redacted]	State GA County [Redacted] Year 2001

<input checked="" type="checkbox"/> Same as Driver	Owner's Last Name [Redacted]	First [Redacted]	Middle [Redacted]	<input checked="" type="checkbox"/> Same as Driver	Owner's Last Name [Redacted]	First [Redacted]	Middle [Redacted]
--	------------------------------	------------------	-------------------	--	------------------------------	------------------	-------------------

Address [Redacted] City [Redacted] State [Redacted] Zip [Redacted]

Removed By Futo's Wrecker Svcs. Request List

Alcohol Test 1	Type 0	Results 1	Drug Test 1	Type 0	Results 1	Alcohol Test 2	Type 2	Results 2	Drug Test 2	Type 2	Results 2
Driver Condition 1	Direction of Travel 2	Vision Obscured 1	Contributing Factors 12	26	Driver Condition 1	Direction of Travel 2	Vision Obscured 1	Contributing Factors 01	Vehicle Condition 1	Vehicle Maneuver 4	Pedestrian Maneuver 15
Most Harmful Event 11	Vehicle Class 1	Vehicle Type 1	Most Harmful Event 11	Vehicle Class 1	Vehicle Type 11						

injured Taken To Grady Memorial Hospital By: Grady Hospital. E.M.S # 7921, 7111, 7099, 7971

EMS Notified Time 05:59 EMS Arrival Time 06:13 Hospital Arrival Time 06:27 Photos Taken Yes No By: Rogers #7347

Report By Officer J.L. Hensal #2301 Department Atlanta Police / Traffic Fatality Unit Report Date 01/26/2001 Checked By: [Signature] Date Checked 2-6-01

Witnesses: Name [Redacted] Address [Redacted] City [Redacted] State [Redacted] Zip Code [Redacted] Telephone No. [Redacted]

DIPS MICROFILM NUMBER (DO NOT WRITE IN THIS SPACE)

COMMERCIAL VEHICLES ONLY

Carrier Name [Redacted]	Vehicle # [Redacted]	Carrier Name [Redacted]	Vehicle # [Redacted]
Address [Redacted]		Address [Redacted]	
City [Redacted] State [Redacted] Zip [Redacted]		City [Redacted] State [Redacted] Zip [Redacted]	

Number of Axles	G.V.W.R.	Fed. Reportable	Cargo Body Type	Number of Axles	G.V.W.R.	Fed. Reportable	Cargo Body Type
Vehicle Config.	LC.C.M.C. #	U.S. D.O.T. #	Interstate <input type="checkbox"/> Intrastate <input type="checkbox"/>	Vehicle Config.	LC.C.M.C. #	U.S. D.O.T. #	Interstate <input type="checkbox"/> Intrastate <input type="checkbox"/>

C.D.L.? 1 Yes 2 No C.D.L. Suspended? 1 Yes 2 No
 Vehicle Placarded? 1 Yes 2 No Hazardous Materials? 1 Yes 2 No

If YES, Name or 4 Digit Number from Diamond or Box: [Redacted]

[Redacted] 2-005- Chrysler -008433

01/26/01 Sun M T W T H F S 05:58 06:06 Vehicle 3 Speed 1 Fatalities 2 City Of Atlanta

Road of Occurrence I-85 Southbound At Its Intersection Buford Hwy. On Ramp Corrected Report Yes [] Supple. To Original Yes []

Driver # 3 Last Name [redacted] First [redacted] Middle [redacted] Address [redacted] Ped []

City Gainesville, GA. State Ga. Zip [redacted] DOB [redacted]

Driver's License No. [redacted] Class C State Ga. [] Male [] Female

Posted Speed 55 Insurance Co. Omni Ins. Policy [redacted]

Year Make Ford Model Thunderbird Telephone No. [redacted]

VIN 1FABP62FXJH [redacted] Vehicle Color Blue

Tag # [redacted] State Ga. County Hall Year 11/2001

Trailer Tag # [redacted] State Ga. County Hall Year 11/2001

Same Owner's Last Name as Driver [] First [redacted] Middle [redacted]

Address [redacted] City Gainesville State Georgia Zip [redacted]

Removed By Futo's Wrecker Svcs. [] Request [] List []

Alcohol Test 1 Type 0 Results 1 Drug Test 1 Type 0 Results 1

Driver Condition 1 Direction of Travel 2 Vision Obscured 7 Contributing Factors 03 22

Vehicle Condition 1 Vehicle Maneuver 5 Pedestrian Maneuver 05

Most Harmful Event 11 Vehicle Class 1 Vehicle Type 1

Traffic Control 7 Device Inoperative? [] Yes [] No

injured Taken To Grady Memorial Hospital By: Grady Hospital, E.M.S # 7921, 7111, 7099, 7971

EMS Notified Time 05:59 EMS Arrival Time 06:13 Hospital Arrival Time 06:27

Report By: Officer J.L. Hensal #2301 Department Atlanta Police / Traffic Fatality Unit Report Date 01/26/2001

Witnesses: Name [redacted] Address [redacted] City [redacted] State [redacted] Zip Code [redacted] Telephone No. [redacted]

DIPS MICROFILM NUMBER (DO NOT WRITE IN THIS SPACE)

COMMERCIAL VEHICLES ONLY

Carrier Name Vehicle # [redacted] Address [redacted]

Number of Axles [redacted] G.V.W.R. [redacted] Fed. Reportable [redacted] Cargo Body Type [redacted]

Vehicle Config. [redacted] L.C.C.M.C. # [redacted] U.S. D.O.T. # [redacted] Interstate [redacted] Intrastate [redacted]

C.D.L.? [redacted] C.D.L. Suspended? [redacted] Vehicle Placarded? [redacted]

INDICATE ON THIS DIAGRAM WHAT HAPPENED

INDICATE NORTH



Please see Page # 3 for Diagram

Accident Investigation Site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	CITATIONS - VEHICLE # <u>3</u>	CITATIONS - VEHICLE # _____
Site Number: _____		

First Harmful Event 11	Traffic-Way Flow 4	Weather 1	Surface Cond. 1	Light Condition 4	Manner Of Collision 3	Location At Area Of Impact 1	Road Comp. 2	Road Defects 1	Road Character 4
------------------------	--------------------	-----------	-----------------	-------------------	-----------------------	------------------------------	--------------	----------------	------------------

VEH. # 3	VEH. #	SKID DISTANCE BEFORE IMPACT <u>55</u> VEH.	AFTER <u>20</u> VEH.	Width Of Road <u>78' 5"</u>
Number of Occupants <u>2</u>				
Point Of Initial Contact <u>12</u>				
Damage To Vehicles <u>5</u>				

Damage Other Than Vehicle: <u>None</u>	Owner: _____	AGE	SEX	VEH NO.	POS.	INJURY	TAKEN FOR TREAT.	EJECT	SAFETY EQUIP.	EXTRIC.	AIR BAG
--	--------------	-----	-----	---------	------	--------	------------------	-------	---------------	---------	---------

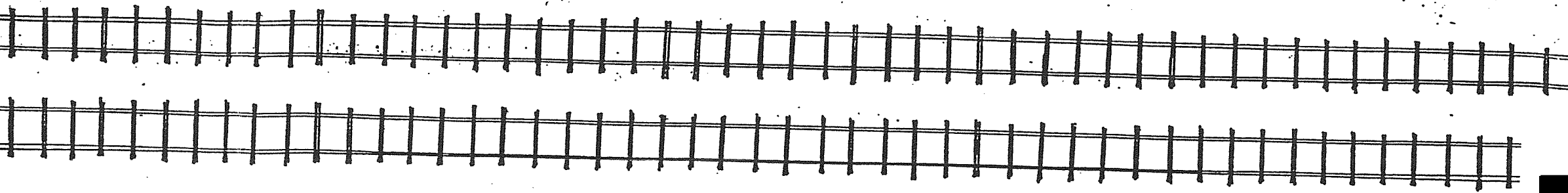
Occupants	Driver # <u>3</u> Or Pedestrian # _____					<u>2</u>	<u>1</u>	<u>1</u>	<u>3</u>	<u>2</u>	<u>Unk</u>
	Driver # _____ Or Pedestrian # _____										

Last Name	First	Address	City	State	Zip									
			<u>Atlanta, Ga.</u>				<u>3</u>	<u>3</u>	<u>2</u>	<u>1</u>	<u>1</u>	<u>3</u>	<u>2</u>	<u>Unk</u>

Report By:

Hensal, J.L. #2724

J.L. Hensal



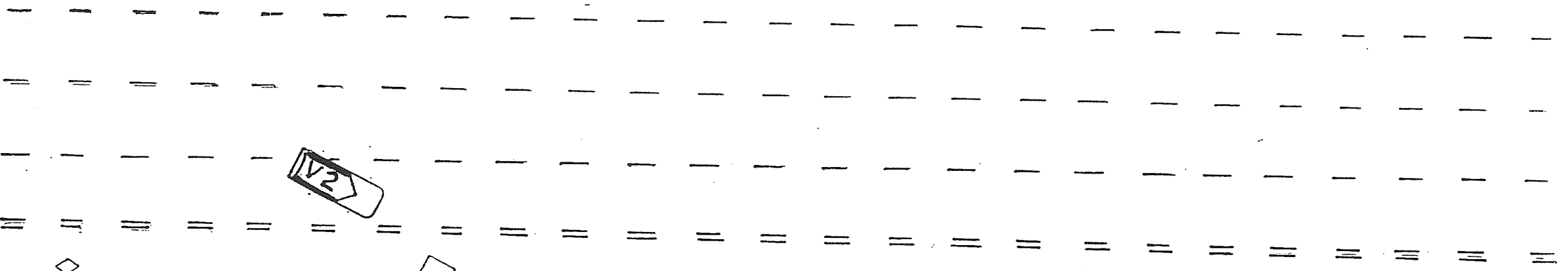
MARTA RAIL LINE



Scale = 1:20

CONCRETE WALL

I-85 SOUTH



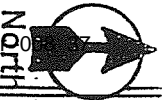
*AOI

V2

V1

V3

EA12-005- Chrysler

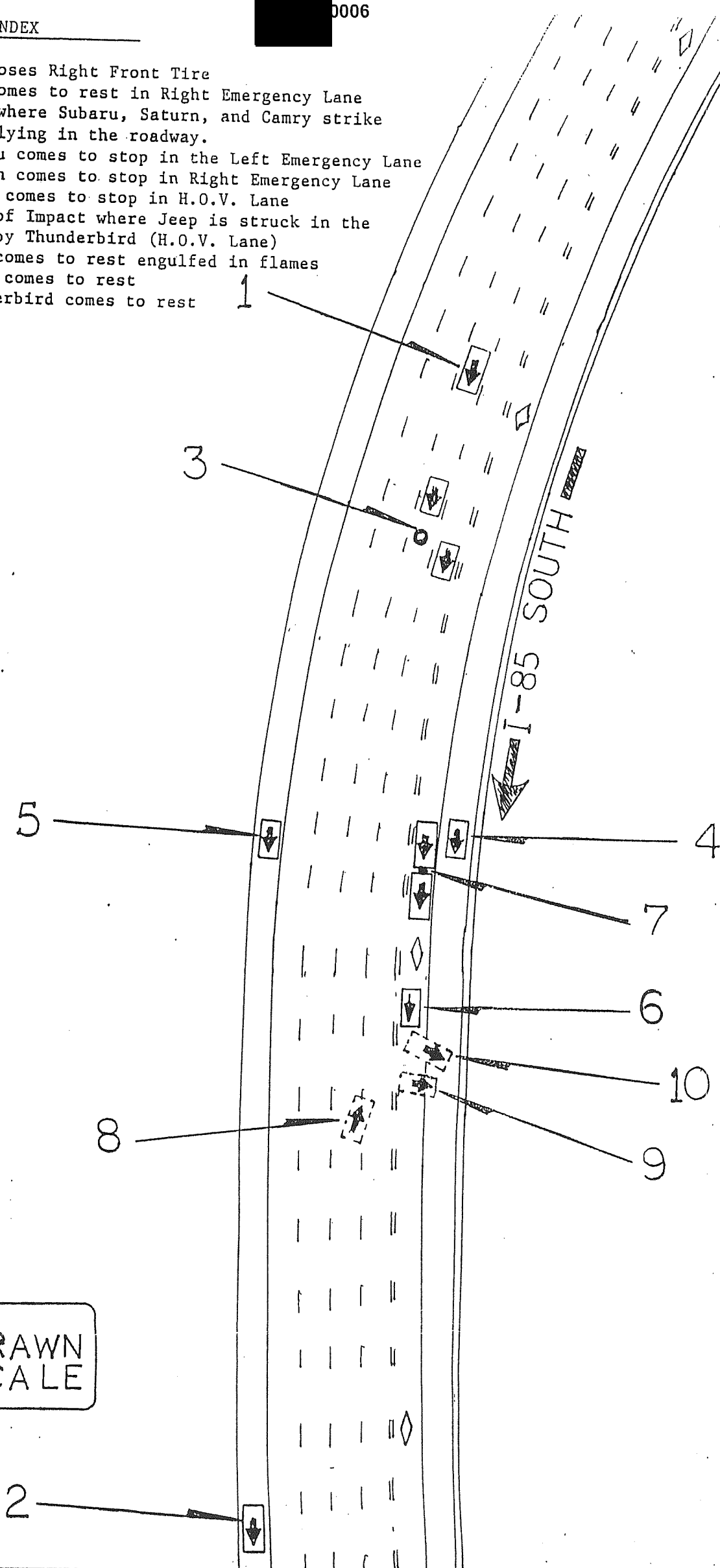


CONCRETE DIVIDER WALL

1. Van loses Right Front Tire
2. Van comes to rest in Right Emergency Lane
3. Area where Subaru, Saturn, and Camry strike tire lying in the roadway.
4. Subaru comes to stop in the Left Emergency Lane
5. Saturn comes to stop in Right Emergency Lane
6. Camry comes to stop in H.O.V. Lane
7. Area of Impact where Jeep is struck in the rear by Thunderbird (H.O.V. Lane)
8. Jeep comes to rest engulfed in flames
9. Camry comes to rest
10. Thunderbird comes to rest



EA12-005-Chrysler



* NOT DRAWN TO SCALE

Accident Number 010260314	Agency NCIC No. GAAPD0000	GEORGIA UNIFORM MOTOR VEHICLE ACCIDENT REPORT		County Fulton	Date Rec. By: DIPS
Date 01/26/2001	Day Of Week <input type="checkbox"/> Sun <input type="checkbox"/> M <input type="checkbox"/> T <input checked="" type="checkbox"/> W <input type="checkbox"/> T <input type="checkbox"/> F <input type="checkbox"/> S	Time 05:58	Off. Arrived 06:06	Total Number Of: Vehicles 3 Injuries 4 Fatalities 2	Inside City Of: Atlanta

Road of Occurrence I-85 Southbound	At Its Intersection <input checked="" type="checkbox"/> Interstate 2 <input type="checkbox"/> Lowest St. Rt. 3 <input type="checkbox"/> Co. Road 4 <input type="checkbox"/> City St. With	Corrected Report Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Not At Its Intersection But 1/4	<input type="checkbox"/> Miles 1 <input type="checkbox"/> North 3 <input type="checkbox"/> East Of Buford Hwy. On Ramp <input type="checkbox"/> Feet 2 <input type="checkbox"/> South 4 <input type="checkbox"/> West	Supple. To Original Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
And Continuing in the Direction Checked Above The Next Reference Point is	Brookwood Exit off of I-85 <input type="checkbox"/> Interstate 2 <input type="checkbox"/> Lowest St. Rt. 3 <input type="checkbox"/> Co. Road 4 <input type="checkbox"/> City St. 5 <input type="checkbox"/> Co. Line	

Driver # 1	Last Name [REDACTED]	First [REDACTED]	Middle [REDACTED]	Driver # 2	Last Name [REDACTED]	First [REDACTED]	Middle [REDACTED]
Ped <input type="checkbox"/>	Address [REDACTED]			Ped <input type="checkbox"/>	Address [REDACTED]		
City Atlanta, GA	State GA	Zip [REDACTED]	DOB [REDACTED]	City Lawrenceville, GA	State GA	Zip [REDACTED]	DOB [REDACTED]
Driver's License No. [REDACTED]	Class C	State GA	<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	Driver's License No. [REDACTED]	Class C	State GA	<input type="checkbox"/> Male <input checked="" type="checkbox"/> Female

Posted Speed 55	Insurance Co. Alpha General	Policy No. [REDACTED]	Posted Speed 55	Insurance Co. United Svcs. Auto	Policy No. [REDACTED]		
Year 1996	Make Toyota	Model Camry	Year 1991	Make Jeep	Model Cherokee		
VIN 4T1BG12K0TU	Vehicle Color Black	VIN 1J4FJ58S0ML	Vehicle Color White				
Tag # [REDACTED]	State GA	County Fulton	Year 2001	Tag # [REDACTED]	State GA	County [REDACTED]	Year 2001

<input checked="" type="checkbox"/> Same as Driver	Owner's Last Name [REDACTED]	First [REDACTED]	Middle [REDACTED]	<input checked="" type="checkbox"/> Same as Driver	Owner's Last Name [REDACTED]	First [REDACTED]	Middle [REDACTED]
Address [REDACTED]				Address [REDACTED]			
City [REDACTED]				City [REDACTED]			

Removed By Futo's Wrecker Svcs.	<input type="checkbox"/> Request <input checked="" type="checkbox"/> List	Removed By Futo's Wrecker Svcs.	<input type="checkbox"/> Request <input checked="" type="checkbox"/> List					
Alcohol Test 1	Type 0	Results 1	Drug Test 1	Type 0	Results 1	Alcohol Test 2	Type 1	Results 26
Driver Condition 1	Direction of Travel 2	Vision Obscured 1	Contributing Factors 12		Driver Condition 1	Direction of Travel 2	Vision Obscured 1	Contributing Factors 01
Vehicle Condition 1	Vehicle Maneuver 4	Pedestrian Maneuver 15	Most Harmful Event 11		Vehicle Condition 1	Vehicle Maneuver 5	Pedestrian Maneuver 15	Most Harmful Event 11
Traffic Control 7	Device Inoperative? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Traffic Control 7	Device Inoperative? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					

Injured Taken To Grady Memorial Hospital	By: Grady Hospital, E.M.S # 7921, 7111, 7099, 7971			
EMS Notified Time 05:59	EMS Arrival Time 06:13	Hospital Arrival Time 06:27	Photos Taken: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	By: Rogers #7347
Report By: Officer J.L. Hensal #2301	Department Atlanta Police / Traffic Fatality Unit	Report Date 01/26/2001	Checked By: [Signature]	Date Checked 2-6-01
Witnesses: Name [REDACTED]	Address [REDACTED]	City [REDACTED]	State [REDACTED]	Zip Code [REDACTED]

DIPS MICROFILM NUMBER (DO NOT WRITE IN THIS SPACE)

COMMERCIAL VEHICLES ONLY											
Carrier Name Vehicle # Address City State Zip						Carrier Name Vehicle # Address City State Zip					
Number of Axles	G.V.W.R.	Fed. Reportable	Cargo Body Type	Number of Axles	G.V.W.R.	Fed. Reportable	Cargo Body Type	Number of Axles	G.V.W.R.	Fed. Reportable	Cargo Body Type
Vehicle Config.	LC.C.M.C. #	U.S. D.O.T. #	Interstate Intrastate	Vehicle Config.	LC.C.M.C. #	U.S. D.O.T. #	Interstate Intrastate	Vehicle Config.	LC.C.M.C. #	U.S. D.O.T. #	Interstate Intrastate
C.D.L.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	C.D.L. Suspended? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Vehicle Placarded? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Hazardous Materials? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	C.D.L.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	C.D.L. Suspended? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Vehicle Placarded? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Hazardous Materials? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	C.D.L.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	C.D.L. Suspended? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Vehicle Placarded? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Hazardous Materials? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If YES, Name or 4 Digit Number from Diamond or Box:											

Accident Number 010260314	Agency NCIC No. GAAPD0000	GEORGIA UNIFORM MOTOR VEHICLE ACCIDENT REPORT			County Fulton	Date Rec. By DIPS
Date 01/26/01	Day Of Week <input type="checkbox"/> Sun <input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input checked="" type="checkbox"/> Th <input type="checkbox"/> F <input type="checkbox"/> S	Time 05:58	Off. Arrived 06:06	Total Number Of Vehicles 3	Injuries 4	Fatalities 2
Road of Occurrence I-85 Southbound						Inside City Of Atlanta

At Its Intersection <input checked="" type="checkbox"/> Interstate 2 <input type="checkbox"/> Lowest St. Rt. 3 <input type="checkbox"/> Co. Road 4 <input type="checkbox"/> City St. With		Corrected Report Yes <input type="checkbox"/>	
Not At Its Intersection But 1/4 <input type="checkbox"/> Miles 1 <input type="checkbox"/> North 3 <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> Feet 2 <input type="checkbox"/> South 4 <input type="checkbox"/> West		Supple. To Original Yes <input type="checkbox"/>	
And Continuing In the Direction Checked Above The Next Reference Point Is			

Driver # 3	Last Name [Redacted]	First [Redacted]	Middle [Redacted]	Driver #	Last Name	First	Middle
Address [Redacted]	Address [Redacted]			Address	Address		
City Gainesville, GA.	State Ga.	Zip [Redacted]	DOB [Redacted]	City	State	Zip	DOB
Driver's License No. C	Class C	State Ga.	<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	Driver's License No.	Class	State	<input type="checkbox"/> Male <input type="checkbox"/> Female
Posted Speed 55	Omni Ins.	Policy No. [Redacted]		Posted Speed	Insurance Co.	Policy No.	
Year 00	Make Ford	Model Thunderbird	Telephone No. [Redacted]	Year	Make	Model	Telephone No.
VIN 1FABP62FXJ	Vehicle Color Blue			VIN	Vehicle Color		
Tag # [Redacted]	State Ga.	County Hall	Year [Redacted]	Tag #	State	County	Year
Trailer Tag #	State	County	Year	Trailer Tag #	State	County	Year
<input type="checkbox"/> Same Owner as Driver	Name [Redacted]			<input checked="" type="checkbox"/> Same Owner as Driver	Owner's Last Name [Redacted]		
Address [Redacted]	Address [Redacted]			Address	Address		
City Gainesville	State Georgia	Zip [Redacted]		City	State	Zip	

Removed By Futo's Wrecker Svcs.	<input type="checkbox"/> Request <input checked="" type="checkbox"/> List	Removed By	<input type="checkbox"/> Request <input type="checkbox"/> List
Alcohol Test 1 <input checked="" type="checkbox"/> Type 1 <input checked="" type="checkbox"/> Results	Drug Test 1 <input checked="" type="checkbox"/> Type 1 <input checked="" type="checkbox"/> Results	Alcohol Test	Type Results Drug Test Type Results
Driver Condition 1 <input checked="" type="checkbox"/> Direction of Travel 2 <input checked="" type="checkbox"/> Vision Obscured 7 <input checked="" type="checkbox"/> Contributing Factors 03 22	Vehicle Condition 1 <input checked="" type="checkbox"/> Vehicle Maneuver 5 <input checked="" type="checkbox"/> Pedestrian Maneuver 05	Driver Condition	Direction of Travel Vision Obscured Contributing Factors
Most Harmful Event 7 <input checked="" type="checkbox"/> Vehicle Class 1 <input checked="" type="checkbox"/> Vehicle Type 1	Device Inoperative? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Most Harmful Event	Vehicle Class Vehicle Type
Traffic Control 7 <input checked="" type="checkbox"/>		Traffic Control	Device Inoperative? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Injured Taken To Grady Memorial Hospital	By: Grady Hospital, E.M.S # 7921, 7111, 7099, 7971
EMS Notified Time 05:59	EMS Arrival Time 06:13
Hospital Arrival Time 06:27	Photos Taken: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Report By: Officer J.L. Hensal #2301	Department Atlanta Police / Traffic Fatality Unit
Report Date 01/26/2001	Checked By Rogers #7347
Witnesses: Name [Redacted]	Address [Redacted]
City [Redacted]	State [Redacted]
Zip Code [Redacted]	Telephone No. [Redacted]

DIPS MICROFILM NUMBER (DO NOT WRITE IN THIS SPACE)

COMMERCIAL VEHICLES ONLY							
Carrier Name Vehicle #	Address			Carrier Name Vehicle #	Address		
City	State	Zip		City	State	Zip	
Number of Axles	G.V.W.R.	Fed. Reportable <input type="checkbox"/> Yes <input type="checkbox"/> No	Cargo Body Type	Number of Axles	G.V.W.R.	Fed. Reportable <input type="checkbox"/> Yes <input type="checkbox"/> No	Cargo Body Type
Vehicle Config.	LG.C.M.C. #	U.S. D.O.T. #	Interstate Intra-state	Vehicle Config.	I.C.C.M.C. #	U.S. D.O.T. #	Interstate Intra-state
C.D.L.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	C.D.L. Suspended? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Hazardous Materials? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		C.D.L.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	C.D.L. Suspended? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Hazardous Materials? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Vehicle Placarded? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Name or 4 Digit Number from Diamond or Box:			Vehicle Placarded? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Name or 4 Digit Number from Diamond or Box:		

INCIDENT DATA

1. Incident / CIGA No 0102:2603:14	2. Date of Report Mo Day Year Time 01 26 01 0558	3. Div. Code (4)	4. Group	5. Vlg. #	6. UCR Class	7. Reserved	
8. Beat 210	9. Location of Incident (Street #, street name, Apt. #) I-85 Southbound at Piedmont Rd.	<input type="checkbox"/> NW <input type="checkbox"/> NE <input type="checkbox"/> East <input type="checkbox"/> SW <input type="checkbox"/> SE <input type="checkbox"/> West <input type="checkbox"/> Airport		10. Location Type Hwy			
11. Date/Time Incident Mo Day Year Time 01 26 01 0558	12. Reporting Officer (L/F/M, Suffix) Hensul, J.L.		13. Sex M	14. APD ID No. 2301	15. Assignment 2724		
16. Court Code. <input checked="" type="checkbox"/> Reported Case <input type="checkbox"/> Witnessed Case		17. Days: S M T W T F S		Regular Court Time: 0900			
17. Describe how crime was committed / how incident occurred: Automobile accident with fatalities / injuries			16. Attempt Only? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		19. Weapon or Tool *		
25. Temperature / Weather <input type="checkbox"/> Hot <input checked="" type="checkbox"/> Cold <input type="checkbox"/> Warm <input type="checkbox"/> Cool		<input type="checkbox"/> 1 Clear <input type="checkbox"/> 4 Snow <input type="checkbox"/> 2 Cloudy <input type="checkbox"/> 5 Sleet <input type="checkbox"/> 3 Rain <input type="checkbox"/> 6 Fog		21. Forced Entry? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 22. Alcohol Related? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 23. Bias Incident? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		24. Gang Related? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 25. Family Violence? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 26. Security Devices? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
28. Incident appear drug related? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		29. If Yes, indicate type of drug(s):		<input type="checkbox"/> 01 Amphetamine <input type="checkbox"/> 02 Barbiturate <input type="checkbox"/> 03 Marijuana <input type="checkbox"/> 04 Methamphetamine <input type="checkbox"/> 05 Cocaine <input type="checkbox"/> 06 Heroin <input type="checkbox"/> 07 Synthetic Narcotic <input type="checkbox"/> 08 Other		05 Heroin <input type="checkbox"/> 06 Unknown <input type="checkbox"/>	

VICTIM / WITNESS DATA

1. Code V1	2. Name (L/F/M, Suffix)	3. Race W	4. Sex M	5. Date of Birth	6. UCR Code(s)	7. UCR Class	
8. Address (Street #, street name, Apt. #, City, St, Zip) Lawrenceville, GA			9. Work Phone		10. Sobriety <input checked="" type="checkbox"/> 1 Sober <input type="checkbox"/> 4 UI / Alcohol <input type="checkbox"/> 6 UI / Both <input type="checkbox"/> 2 Unk <input type="checkbox"/> 5 UI / Drugs Alcohol / Drugs		
11. Temporary Address			12. Home Phone		13. Prosecute / Testify <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
15. Relation to Offender N/A		16. Med. Treat. - Hospital / Treat. Center <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		17. Extent of Injury <input type="checkbox"/> None <input type="checkbox"/> Minor <input checked="" type="checkbox"/> Serious <input type="checkbox"/> Fatal		18. Location of Injury to body Entire Body	
19. Type of Injury Burned		20. If no injury, describe threat / act					
21. Victim's School (Name, Address)			22. Victim's School (Name, Address)				

REPORTING PERSON

1. Reporting Person's Name (L/F/M, Suffix) Officer Gilden, J.M.	2. Race W	3. Sex M	4. Date of Birth	5. UCR Code(s)	6. Relation to Victim / Offender None
7. Sobriety: <input type="checkbox"/> 1 Sober <input type="checkbox"/> 2 Unk <input type="checkbox"/> 3 Unknown <input type="checkbox"/> 4 UI / Alcohol <input type="checkbox"/> 5 UI / Drugs <input type="checkbox"/> 6 UI / Combination of Alcohol / Drugs					
8. Address (Street #, street name, Apt. #, City, St, Zip) Atlanta Police Zone 2 Precinct			9. Work Phone		10. Home Phone

VEHICLE DATA

1. Also see # report(s) 3	2. Owner's Name (L/F/M, Suffix)	3. Address (Street, street name, Apt. #, City, St, Zip)		4. Work Phone
4. Driver Name (L/F/M, Suffix)	5. Is Driver Owner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6. Record Type: <input type="checkbox"/> 1 Theft from Vehicle <input type="checkbox"/> 2 Suspect Vehicle	7. Stolen <input type="checkbox"/> 8. Recovered <input type="checkbox"/> 9. Other <input type="checkbox"/>	10. Home Phone
8. Vehicle Type	9. Year	10. Make	11. Model	12. VIN
13. Vehicle Style	14. Color	15. Tag Number	16. State	17. Year
18. Tag Type	19. Doors Locked? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	20. Ignition Locked? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	21. Keys in Ignition? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
22. Date Lost / Stolen	23. Stolen Veh. Value \$	24. Recovered Veh. Value \$	25. Vehicle Reported Stolen <input type="checkbox"/> In Atlanta <input type="checkbox"/> Outside	

PROPERTY DATA

1. Also see Prop # / Evidence Inventory(s)	2. Cont on back of suppl. num. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	3. RECORD TYPE D - Damaged L - Lost R - Recovered S - Stolen	4. PROPERTY TYPE: A - Currency C - Jewelry E - Clothing F - Office Equipment G - Electronics H - Household Goods I - Firearms J - Miscellaneous L - Other	5. PROPERTY STATUS: F - Found R - Returned N/A - Not in Possession of APD
3. Record Type	4. QUANTITY / DESCRIPTION Make - Model - Identifying Feature	5. Property Type	6. Social No. or Identifying No.	7. Estimated Value - \$ Amount
				8. Property Status

INCIDENT REPORT

ATLANTA POLICE DEPARTMENT

INCIDENT DATA

1 Incident / CICA No. 0:10:2:60:3:1:4		2 Date of Report Mo Day Year Time 01 26 01 0558		3 Cr. Code(s)		4 Agency		5 ICDPR Class		7 Reserved			
8 Boat 210		9 Location of Incident (Street #, street name, Apt. #) I-85 Southbound at Piedmont Rd.						<input type="checkbox"/> NW <input type="checkbox"/> NE <input type="checkbox"/> Fullon <input type="checkbox"/> No Location Type <input type="checkbox"/> SW <input type="checkbox"/> SE <input type="checkbox"/> DeKalb <input type="checkbox"/> Airport		11 Iwy			
11 Date/Time Incident Mo Day Year Time 01 26 01 0558		12 Reporting Officer (L/F/M, Suffix) Ilensal, J.I.				13 Sex M		14 APD ID No 2301		15 Assignment 2724			
16 Court Code		<input type="checkbox"/> Reported Case <input checked="" type="checkbox"/> Witnessed Case		17 Days S M T W T F S		Regular Court Time (900)		18 Attempt Only <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		19 Weapon or Tool *			
17 Describe how crime was committed / how incident occurred. Automobile accident with fatalities / injuries													
20 Temperature / Weather <input type="checkbox"/> Hot <input checked="" type="checkbox"/> Cold <input type="checkbox"/> Warm <input type="checkbox"/> Cool		21 Cloud <input type="checkbox"/> 1 Clear <input type="checkbox"/> 4 Snow <input type="checkbox"/> 2 Cloudy <input type="checkbox"/> 5 Sleet <input type="checkbox"/> 3 Rain <input type="checkbox"/> 6 Fog		22 Fenced Entry? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		23 Alcohol Related? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		24 Gang Related? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		25 Family Violence? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		27 Special Event? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (List)	
28 Incident appears drug related? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		29 If Yes, indicate type of drug(s)		31 Amphetamine		32 Barbiturate		33 Cocaine		34 Hallucinogen		35 Heroin	
36 Marijuana		37 Methamphetamine		38 Opium		39 Synthetic Narcotic		40 Unknown					
1 Code * V3		2 Name (L/F/M, Suffix)		3 Race * W		4 Sex M		5 Date of Birth		6 Ga. Code(s)		7 UCR Class	
8 Address (Street #, street name, Apt. #, City, St., Zip) Lawrenceville, GA						9 Work Phone		10 Sobriety <input checked="" type="checkbox"/> 1 Sober <input type="checkbox"/> 4 U / Alcohol <input type="checkbox"/> 6 U / Both <input type="checkbox"/> 2 Drunk <input type="checkbox"/> 5 U / Drugs Alcohol / Drugs		13 Prosecutor Testify <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		14 Victim Notified of Rights <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
11 Temporary Address						12 Home Phone		13 Prosecutor Testify		14 Victim Notified of Rights		15 Relation to Offender *	
15 Relation to Offender *		16 Med. Treat. - Hospital / Treat. Center <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Grady Memorial		17 Extent of Injury <input type="checkbox"/> None <input type="checkbox"/> Minor <input checked="" type="checkbox"/> Serious		18 Location of Injury to Body Entire Body		19 Type of Injury Burned					
20 If no injury describe threat / act.						21 Victim's School (Name, Address)							

VICTIM / WITNESS DATA

1 Code * V4		2 Name (L/F/M, Suffix)		3 Race *		4 Sex M		5 Date of Birth		6 Ga. Code(s)		7 UCR Class	
8 Address (Street #, street name, Apt. #, City, St., Zip) Gainesville, GA						9 Work Phone		10 Sobriety <input checked="" type="checkbox"/> 1 Sober <input type="checkbox"/> 4 U / Alcohol <input type="checkbox"/> 6 U / Both <input type="checkbox"/> 2 Drunk <input type="checkbox"/> 5 U / Drugs Alcohol / Drugs		13 Prosecutor Testify <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		14 Victim Notified of Rights <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
11 Temporary Address						12 Home Phone		13 Prosecutor Testify		14 Victim Notified of Rights		15 Relation to Offender *	
15 Relation to Offender *		16 Med. Treat. - Hospital / Treat. Center <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Grady Memorial		17 Extent of Injury <input type="checkbox"/> None <input type="checkbox"/> Minor <input checked="" type="checkbox"/> Serious		18 Location of Injury to Body Head		19 Type of Injury Trauma					
20 If no injury describe threat / act.						21 Victim's School (Name, Address)							

REPORTING PERSON

2 Reporting Person's Name (L/F/M, Suffix) Officer Gilden, J.M.		3 Race *		4 Sex M		5 Date of Birth		6 Testify <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		7 Relation to Victim / Offender	
8 Sobriety <input type="checkbox"/> 1 Sober <input type="checkbox"/> 2 Drunk <input type="checkbox"/> 3 Intoxicated <input type="checkbox"/> 4 U / Alcohol <input type="checkbox"/> 5 U / Drugs <input type="checkbox"/> 6 U / Combination of Alcohol / Drugs		9 Address (Street #, street name, Apt. #, City, St., Zip) Atlanta Police Zone 2 Precinct						10 Work Phone		11 Home Phone	
1 Also see # impound Report(s)		2 Owner's Name (L/F/M, Suffix)		Address: (Street, street name, Apt. #, City, St., Zip)						3 Work Phone	
4 Driver Name (L/F/M, Suffix)		5 Is Driver Owner? <input type="checkbox"/> Yes <input type="checkbox"/> No		6 Report Type <input type="checkbox"/> 1 Theft from Vehicle <input type="checkbox"/> 2 Suspect Vehicle <input type="checkbox"/> 3 Stolen <input type="checkbox"/> 4 Recovered <input type="checkbox"/> 5 Other		7 Home Phone					

VEHICLE DATA

1 Also see # impound Report(s)		2 Owner's Name (L/F/M, Suffix)		Address: (Street, street name, Apt. #, City, St., Zip)						3 Work Phone	
4 Driver Name (L/F/M, Suffix)		5 Is Driver Owner? <input type="checkbox"/> Yes <input type="checkbox"/> No		6 Report Type <input type="checkbox"/> 1 Theft from Vehicle <input type="checkbox"/> 2 Suspect Vehicle <input type="checkbox"/> 3 Stolen <input type="checkbox"/> 4 Recovered <input type="checkbox"/> 5 Other		7 Home Phone					
9 Vehicle Type *		10 Year		11 Make		12 Model		13 VIN			
13 Vehicle Style		14 Color		15 Tag Number		16 State		17 Year		18 Tag Type *	
20 Date Lost / Stolen		21 Stolen Veh. Value \$		22 Recovered Veh. Value \$		23 Vehicle Reported Stolen <input type="checkbox"/> In Atlanta <input type="checkbox"/> Outside		24 Vehicle Reported Stolen		25 Jurisdiction	

PROPERTY DATA

1 Also see # Prop. Evidence Inventory #		2 Conf. on back of prop. <input type="checkbox"/> Yes <input type="checkbox"/> No		RECORD TYPE: D - Damaged L - Lost R - Recovered S - Stolen		PROPERTY TYPE: B - Currency C - Jewelry E - Clothing F - Office Equipment G - Electronics H - Household Goods I - Firearms J - Consumables L - Other		PROPERTY STATUS: F - Found R - Returned NA - Not in Possession of APD		7 Estimated Value - \$ Amount		8 Property Status	
3 Record Type		4 Quantity		5 Description Make - Model - Identifying Feature		6 Property Type		7 Serial No. or Identifying No.		8 Estimated Value - \$ Amount		9 Property Status	

APD VEHICLE RECORD / IMPOUND REPORT

1. PAGE 1 2. OF 4 3. DATE (mm/dd/yy) 01/26/01 4. INCIDENT NUMBER 0:10:26:0:3:14

9999 / 9999

5 Veh # 1

6 Reporting Officer (L.F.M. Suffix): *Groves, J. M.* 7 APD ID Number *2897* 8 Assignment No. *1210*

9 Owner (L.F.M. Suffix): 10 Work Phone: 11 Home Phone:

12 Owner Address (Street No. Apt. #, City, St. Zip):

13 Driver (L.F.M. Suffix): 14. Is the driver the owner? Yes No 15. Was the driver arrested? Yes No

16. Record Type: Impound Stolen Suspect Vehicle Recovered Seized Other 17. Vehicle held as: Property Evidence

18. Vehicle Type: 01 Pass. Car 04 Tractor Trailer 10 Van 16 Recreation Veh. 02 Pickup Tk. 08 Single Unit Truck 13 Bus 17 Motorcycle

19 Year: 20. Make: *Jeep* 21. Model: *Cherokee* 22. Vin:

23. Vehicle Style: 20 Sedan, 2 DR HB Hatchback MY Minivan Other 40 Sedan, 4 DR SW Station Wagon SUV Sport Utility Veh.

24. Vehicle Color(s): 28 Tag Number: 25 Tag State: *GA* 27 Tag Year:

28 Tag Type: PC Pass. Car JK Truck NG National Guard PE Personalized/Customized CO Commercial CL College SI State Vehicle MC Motorcycle CU County Veh. DL Dealer US US Govt. Vehicle Other

STOLEN VEHICLE INFORMATION

29 Date Lost/Stolen: 30 Value of Vehicle: Stolen \$ Recovered \$ 31 Veh. Reported Stolen: In Atlanta Outside 32 If out, jurisdiction:

IMPOUND INFORMATION

33 Time Wrecker Called/Arrived: *0610 0610* 34. Reason for Impound: *Accident*

35 Impound Location: (Business/Street Address): *I 85 South bound / Present* 36. Beat: *210*

37 Supervisor (Name) Approving Impound: *Sgt. Payne* 38. Vehicle checked for stolen on Radio? Yes No

39 Missing Items: None Battery Radio Wheels Other 40. Damage: None Windshield Body damage Other Steering Column

41 Doors Locked? Yes No 42. Ignition Locked? Yes No 43. Ignition key with vehicle? Yes No 44. Remaining keys return to owner? Yes No 45. Evidence or property turned in? Yes No 46 If yes, status: Property Evidence Found

47 Ownership papers left with: Property Control Driver Did not locate ownership papers

48 Hold vehicle for: *H. J. Row* 49. Supervisor (Name) Approving Hold:

50 Wrecker Company: *Fulk's* 51. Wrecker Driver's Signature: *TSA 70*

52 Comments: 53. Impound No.

TRAILER INFORMATION

54 Year 55 Make: 56. Model: 57. Vin:

58 Is the trailer loaded? Yes No 59 Is the trailer sealed? Yes No 60 Cargo Description:

61 Tag Number: 62 Tag State: 63 Tag Yr:

GENERAL VEHICLE INFORMATION

IMPOUND DATA

TRAILER



APD VEHICLE RECORD / IMPOUND REPORT		1 PAGE	2 OF	3. DATE (mm/dd/yyyy)	4 INCIDENT NUMBER
9999 / 9999		3	4	011261.01	1102:607:1:Y
5 Vehicle #	6 Reporting Officer (L.F.M. Suffix):	7. APD ID Number	8. Assignment No.		
	GILDER J.M.	2897	1210		
	9 Owner (L.F.M. Suffix):	10. Work Phone:	11. Home Phone:		
12 Owner Address (Street No. Apt. #, City, St. Zip)					
13. Driver (L.F.M. Suffix):		14 In the driver the owner?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	15 Was the driver arrested?	
				<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
16 Record Type: <input checked="" type="checkbox"/> I Impound <input type="checkbox"/> S Stolen <input type="checkbox"/> V Suspect Vehicle <input type="checkbox"/> R Recovered <input type="checkbox"/> Z Seized <input type="checkbox"/> Other					
17. Vehicle held as: <input type="checkbox"/> Property <input type="checkbox"/> Evidence					
18 Vehicle Type: <input checked="" type="checkbox"/> 01 Pass. Car <input type="checkbox"/> 04 Tractor Trailer <input type="checkbox"/> 10 Van <input type="checkbox"/> 16 Recreation Veh. <input type="checkbox"/> Other <input type="checkbox"/> 02 Pickup Tk. <input type="checkbox"/> 08 Single Unit Truck. <input type="checkbox"/> 13 Bus <input type="checkbox"/> 17 Motorcycle					
19 Year	20 Make:	21 Model:	22 Vin:		
	Ford	T-Bird			
23. Vehicle Style: <input type="checkbox"/> 2D Sedan, 2 DR <input type="checkbox"/> HB Hatchback <input type="checkbox"/> MV Minivan <input type="checkbox"/> Other <input type="checkbox"/> 4D Sedan, 4 DR <input type="checkbox"/> SW Station Wagon <input type="checkbox"/> SU Sport Utility Veh.					
24. Vehicle Color(s):		25. Tag Number:	26. Tag State:	27 Tag Year:	
Blue			GA	01	
28 Tag Type: <input checked="" type="checkbox"/> PC Pass. Car <input type="checkbox"/> TK Truck <input type="checkbox"/> NG National Guard <input type="checkbox"/> PE Personalized/Customized <input type="checkbox"/> CO Commercial <input type="checkbox"/> CL College <input type="checkbox"/> ST State Vehicle <input type="checkbox"/> MC Motorcycle <input type="checkbox"/> CU County Veh. <input type="checkbox"/> DL Dealer <input type="checkbox"/> US US Govt. Vehicle <input type="checkbox"/> Other					
STOLEN VEHICLE INFORMATION					
29. Date Lost/Stolen:		30 Value of Vehicle:	<input type="checkbox"/> Stolen \$ <input type="checkbox"/> Recovered \$	31 Veh. Reported Stolen: <input type="checkbox"/> In Atlanta <input type="checkbox"/> Outside	
				32 If out, jurisdiction:	
IMPOUND INFORMATION					
33 Time Wrecker Called/Arrived:		34 Reason for Impound:			
0610 0610		Accident			
35 Impound Location: (District/Street Address):					36. Boat:
F 85 SB PMACT					210
37 Supervisor (Name):			38. Vehicle checked for stolen on Radio?		
Sgt. Payne			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
39 Missing Items:		40 Damage:			
<input checked="" type="checkbox"/> None <input type="checkbox"/> Whose <input type="checkbox"/> Battery <input type="checkbox"/> Other <input type="checkbox"/> Radio		<input type="checkbox"/> None <input type="checkbox"/> Windshield <input checked="" type="checkbox"/> Body damage <input type="checkbox"/> Other <input type="checkbox"/> Steering Column			
41. Doors Locked?		42. Ignition Locked?		43. Ignition key with vehicle?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
44. Remaining keys return to owner?		45. Evidence or property turned in?			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
46. If yes, status:		47. Ownership papers left with:			
<input type="checkbox"/> Property <input type="checkbox"/> Evidence <input type="checkbox"/> Found		<input type="checkbox"/> Property Control <input type="checkbox"/> Driver <input checked="" type="checkbox"/> Did not locate ownership papers			
48. Hold vehicle for:		49. Supervisor (Name):			
Hit & Run		Approving Hold:			
50. Wrecker Company:		51. Wrecker Driver's Signature:			
F4707		TSH70			
52. Comments:					53. Impound No.
TRAILER INFORMATION					
54 Year	55. Make:	56. Model:	57. Vin:		
58. Is the trailer loaded?		59. Is the trailer sealed?			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
60. Tag Number:		61. Tag State:	62. Tag Yr:		

GENERAL VEHICLE INFORMATION

IMPOUND DATA

TRAILER

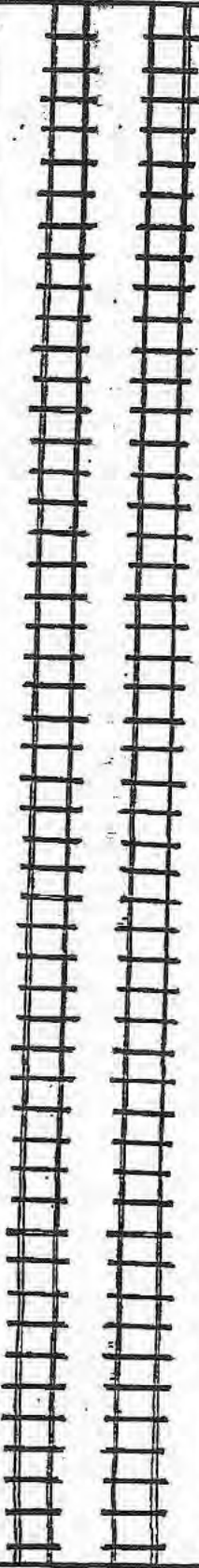


Accident Number
010260314

Agency NCC Number
GAAPD0000

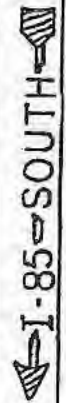
Accident Date
1/26/01

Georgia Uniform Motor Vehicle Accident Report Card outline

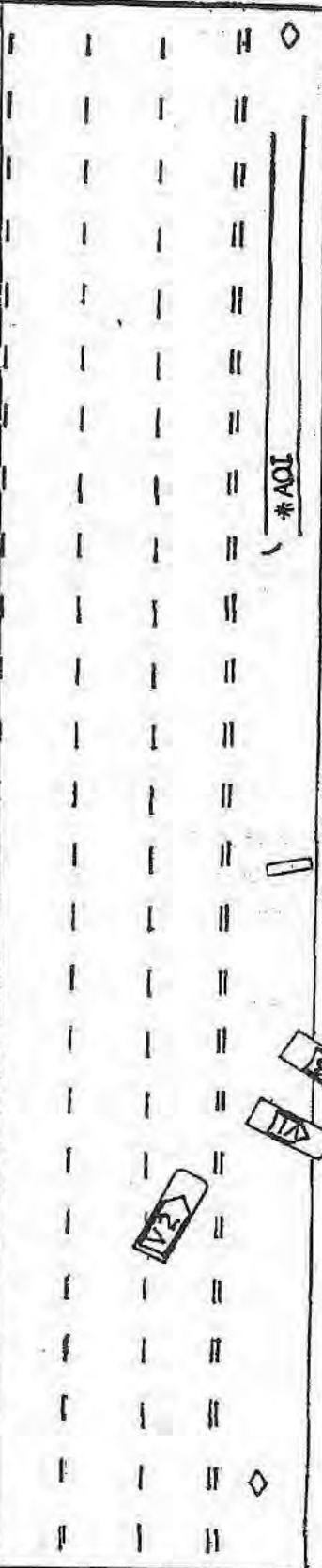


MARTA RAIL LINE

CONCRETE WALL



I-85 SOUTH



CONCRETE DIVIDER WALL

Scale= 1:20

Report By: Hensal, J.L. #2724 *J.L. Hensal*

Page 3 of 7

0078

EA12-005- Chrysler-008450

Accident Number

010260314

Agency NCIC Number

GAAPD0000

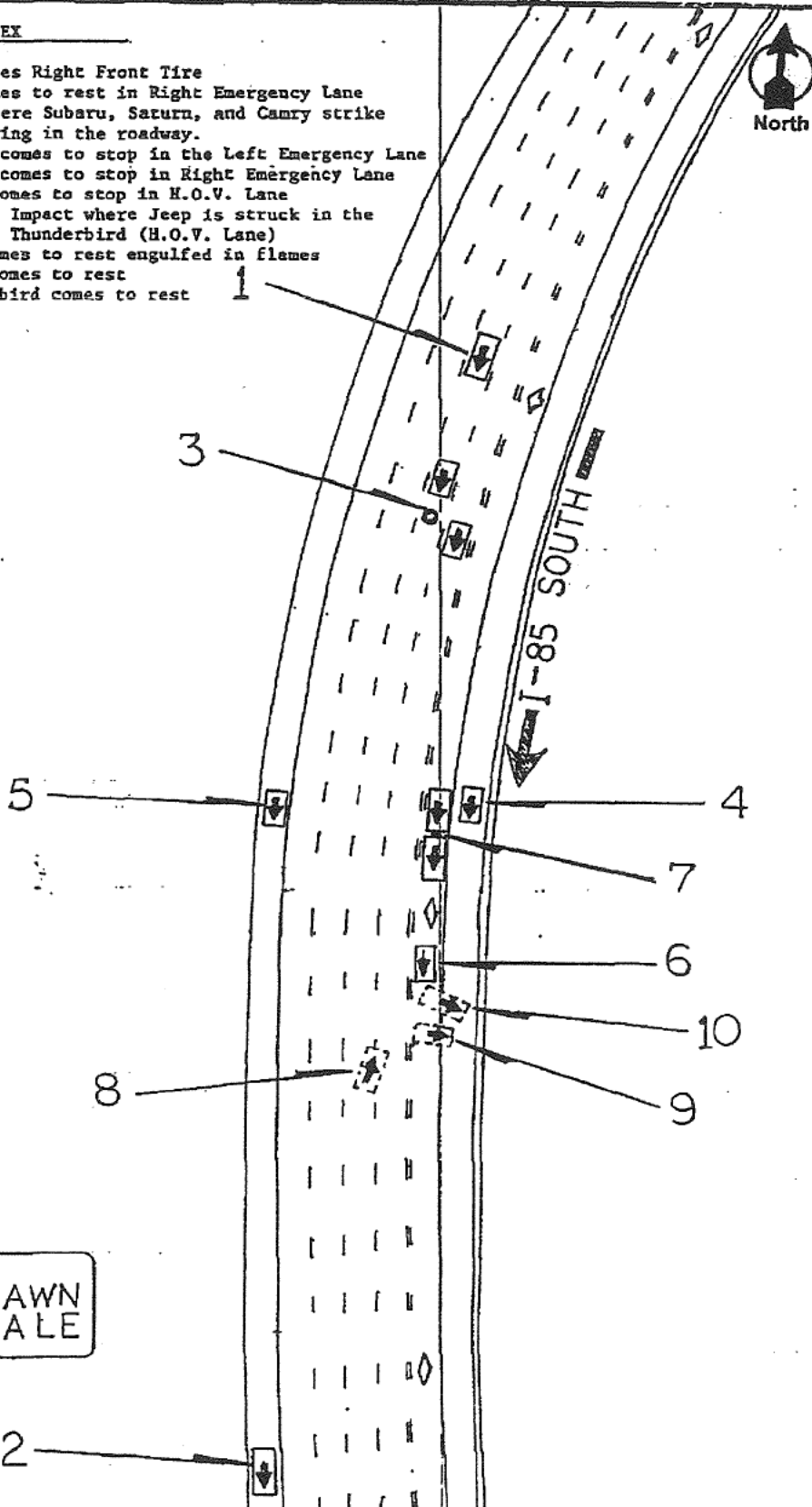
Accident Date

1/26/01

Georgia Uniform Motor Vehicle Accident Report Cont. Page 4

NUMBER INDEX

1. Van loses Right Front Tire
2. Van comes to rest in Right Emergency Lane
3. Area where Subaru, Saturn, and Camry strike tire lying in the roadway.
4. Subaru comes to stop in the Left Emergency Lane
5. Saturn comes to stop in Right Emergency Lane
6. Camry comes to stop in H.O.V. Lane
7. Area of Impact where Jeep is struck in the rear by Thunderbird (H.O.V. Lane)
8. Jeep comes to rest engulfed in flames
9. Camry comes to rest
10. Thunderbird comes to rest



* NOT DRAWN TO SCALE

Report By:

Hensal, J.L. #2724

J. Hensal

Page 4 of 7

Accident Number 10260314 Agency NCIC Number GAAPD0000 Accident Date 1/26/01 Georgia Uniform Motor Vehicle Accident Report Continuation

Table with columns: OCCUPANTS, Last Name, First, Address, City, State, Zip, AGE, sex, VEH NO., POS, INJURY, TAKEN FOR TREAT., EJECT, SAFETY EQUIP, EXTRIC., AIR BAG

Injured Taken To: By:

Witness - Name Phone Address

... HAGERSTOWN, MD. ...

ADDITIONAL REMARKS :

Report By: J. HENSAL [Signature]



CITY OF ATLANTA

HIT & RUN / FATALITY UNIT
675 PONCE DE LEON AVE
ATLANTA, GEORGIA 30308
(404) 765-2808

BILL CAMPBELL
MAYOR

BEVERLY HARVARD
CHIEF OF POLICE

Investigative File Folder Index

Date # **January 26, 2001**

Complaint # **010260314**

Item #	Item	# of Pages	Date	Initials
1	Investigative File Cover Sheet	2	02/14/2001	<i>CH</i>
2	Investigative Synopsis	1	02/14/2001	<i>CH</i>
3	Investigative Folder Check List	1	02/14/2001	<i>CH</i>
4	Accident Report	10	02/06/2001	<i>CH</i>
5	Rough Sketch	4	01/26/2001	<i>CH</i>
6	Measurement Log	3	02/13/2001	<i>CH</i>
7	Incident Report	6	01/26/2001	<i>CH</i>
8	Investigative Supplements : Off. Hensal	4	02/26/2001	<i>CH</i>
9	Investigative Supplements : Off. Kelley	1	01/26/2001	<i>CH</i>
10	Investigative Supplements : Off. Hensal	1	01/29/2001	<i>CH</i>
11	Investigative Supplements : Off. Hensal	1	01/30/2001	<i>CH</i>
12	Investigative Supplements : Off. Hensal	2	01/31/2001	<i>CH</i>
13	Investigative Supplements : Off. Hensal	1	02/01/2001	<i>CH</i>
14	Investigative Supplements : Off. Hensal	1	02/02/2001	<i>CH</i>
15	Investigative Supplements : Off. Baugh	1	02/05/2001	<i>CH</i>
16	Investigative Supplements : Off. Hensal	1	02/06/2001	<i>CH</i>
17	Investigative Supplements : Off. Hensal	1	02/08/2001	<i>CH</i>
18	Officers/Witness Statement: Off. Gilden	2	01/26/2001	<i>CH</i>
19	Officers/Witness Statement: Off. T.R. Rogers	2	01/26/2001	<i>CH</i>
20	Witness Statement: [REDACTED]	2	01/29/2001	<i>CH</i>
21	Witness Statement: [REDACTED]	2	01/26/2001	<i>CH</i>
22	Witness Statement: [REDACTED]	1	02/06/2001	<i>CH</i>
23	Witness Statement: [REDACTED]	2	01/31/2001	<i>CH</i>
24	Witness Statement: [REDACTED]	2	01/31/2001	<i>CH</i>
25	Witness Statement: [REDACTED]	2	01/26/2001	<i>CH</i>
26	Witness Statement: [REDACTED]	2	01/26/2001	<i>CH</i>



CITY OF ATLANTA

HIT & RUN / FATALITY UNIT
675 PONCE DE LEON AVE
ATLANTA, GEORGIA 30308
(404) 765-2808

BILL CAMPBELL
MAYOR

BEVERLY HARVARD
CHIEF OF POLICE

Investigative File Folder Index

Date # January 26, 2001

Complaint # 010260314

Item #	Item	# of Pages	Date	Initials
27	Witness Statement: [REDACTED]	2	01/26/2001	[Initials]
28	Witness Statement: [REDACTED]	2	01/26/2001	[Initials]
29	Witness Statement: [REDACTED]	2	01/26/2001	[Initials]
30	Witness Statement: [REDACTED]	2	01/26/2001	[Initials]
31	Fatality / Serious Injury Check List	2	01/26/2001	[Initials]
32	Fatality Worksheet: [REDACTED]	2	01/26/2001	[Initials]
33	Fatality Worksheet: [REDACTED]	1	02/05/2001	[Initials]
34	Drivers/Criminal History: [REDACTED]	4	01/29/2001	[Initials]
35	Drivers/Criminal History: [REDACTED]	3	01/29/2001	[Initials]
36	Drivers/Criminal History: [REDACTED]	4	01/29/2001	[Initials]
37	News Article: AJC Saturday January 27, 2001	7	01/27/2001	[Initials]
38	News Article: AJC Friday February 02, 2001	1	02/02/2001	[Initials]
39	Blood Consent Receipts: [REDACTED]	1	01/26/2001	[Initials]
40	Blood Consent Receipts: [REDACTED]	1	01/26/2001	[Initials]
41	Blood Consent Receipts: [REDACTED]	1	01/26/2001	[Initials]
42	Grady EMS Call Sheet	3	01/26/2001	[Initials]
43	911 Call/Dispatch Sheet	1	01/26/2001	[Initials]
44	Autopsy Request Forms	3	02/05/2001	[Initials]
45	Public Affairs News Release	1	02/01/2001	[Initials]
46	Miranda Warnings for [REDACTED]	1	02/01/2001	[Initials]
47	Transfer of Custody Sheet from Hall Co. S.O.	1	02/01/2001	[Initials]
48	Arrest Warrant (Copy)	1	01/31/2001	[Initials]
49	Arrest Warrant Return (Copy)	1	02/01/2001	[Initials]
50	Photo Copy of Citations issued to [REDACTED]	4	02/01/2001	[Initials]
51	Photograph Log	2	02/08/2001	[Initials]



CITY OF ATLANTA

BILL CAMPBELL
Mayor

ATLANTA POLICE DEPARTMENT
Hit & Run / Traffic Fatality Unit

BEVERLY J. HARVARD
CHIEF OF POLICE

Complaint # 01 026 0314 Date January 26, 2001

Location: I-85 S/B 1/4 MILE NORTH OF BUFORD HWY.

Victim's Name: [Redacted] DOB: [Redacted]
Address: [Redacted]
LAWRENCEVILLE, GA., [Redacted]

Victim's Name: [Redacted] DOB: [Redacted]
Address: [Redacted]
LAWRENCEVILLE, GA., [Redacted]

Victim's Name: [Redacted] DOB: [Redacted]
Address: [Redacted]
LAWRENCEVILLE, GA., [Redacted]

Suspect's Name: [Redacted] DOB: [Redacted]
Address: [Redacted]
GAINESVILLE, GA., [Redacted]

Date of Arrest: 02-01-01
Arrest Location: HALL COUNTY JAIL

Investigator: J.L. HENSAL Unit Number: #2724
Investigator: R.T. BAUGH Unit Number: #2727

Reviewing Supervisor's Signature
[Signature]
Supervisor Date 02-15-01

[Signature]
Section Commander Date 2/19/01

[Signature]
Unit Commander Date 2/19/01

1-1-2



CITY OF ATLANTA

BILL CAMPBELL
Mayor

ATLANTA POLICE DEPARTMENT
Hit & Run / Traffic Fatality Unit

BEVERLY J. HARVARD
CHIEF OF POLICE

Complaint # **01 026 0314** Date **January 26, 2001**

Location: **I-85 S/B 1/4 MILE NORTH OF BUFORD HWY.**

Victim's Name: [Redacted] DOB: [Redacted]
Address: [Redacted]
ATLANTA, GA.

Victim's Name: [Redacted] DOB: [Redacted]
Address: [Redacted]
ATLANTA, GA.

Victim's Name: [Redacted] DOB: [Redacted]
Address: [Redacted]

Suspect's Name [Redacted] DOB: [Redacted]
Address: [Redacted]

Date of Arrest:
Arrest Location:

Investigator: **J.L. HENSAL** Unit Number: **#2724**
Investigator: **R.T. BAUGH** Unit Number: **#2727**

Reviewing Supervisor's Signature
[Signature] 02-15-01
Supervisor Date

[Signature] 2/1/01
Section Commander Date

[Signature] 2/1/01
Unit Commander Date

[Redacted] 0087
005- Chrysler -008459

SUPPLEMENTARY OFFENSE
REPORT
DEPARTMENT OF POLICE
175 DECATUR ST., S E
ATLANTA, GA

COMPLAINT NO 010260314 NCR CRIME NUMBER
COMPLAINT [REDACTED]
ADDRESS [REDACTED] Lawrenceville, GA [REDACTED]

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.

FORM 110: SYNOPSIS OF INVESTIGATION

OFFENSE: Fatality Accident I-85

DATE OF OFFENSE: 01/26/2001

LOCATION OF OFFENSE: I-85 Southbound @ Piedmont Rd. Overpass

VICTIM'S NAME AND DOB: [REDACTED]

ADDRESS: [REDACTED] Lawrenceville, GA [REDACTED]

TELEPHONE:

DEFENDANT'S NAME AND DOB: [REDACTED]

ADDRESS: [REDACTED] Gainesville, GA [REDACTED]

TELEPHONE:

SYNOPSIS OF THE CRIME AND THE EVIDENCE: On 26 January, 2001 at approximately 05:58 hrs the victims listed above were in a 1991 Jeep Cherokee heading south toward the Atlanta Airport where they were scheduled to leave on a flight to Florida at about 07:00 hrs. The vehicle was being operated by [REDACTED] and the other two occupants were seated in the rear seat. The Jeep was traveling in southbound HOV Lane where it had to slow because of a Toyota Camry stopped on the HOV Lane. The Jeep was struck in the rear by a Ford Thunderbird traveling in the same direction at a higher rate of speed. The force of the impact caused the fuel tank of the Jeep to rupture and burst into flames. The Jeep was pushed into the Camry. The two female victims were trapped inside the rear off the Jeep and did not get out. The driver of the Jeep got out of the drivers door and was himself on fire. Bystanders at the scene put the flames out on [REDACTED] and he was transported to the hospital. [REDACTED] survived in the burn unit for 6 days and died as a result of the injuries on 02/05/2001. After interviewing witnesses and assessing the physical evidence recovered from the scene, charges were filed against the driver of the Thunderbird [REDACTED] was arrested in Gainesville on 02/01/2001 as a result of the warrant issued in Atlanta 01/31/2001 [REDACTED] was charged with two counts of 1st Degree homicide by vehicle, Reckless driving, Following too closely, and No insurance. [REDACTED] was charged with another count of 1st Degree Homicide by vehicle upon [REDACTED] death. [REDACTED] was picked up in Hall County and transported to Atlanta Pretrial Detention. He was given a \$10,000.00 bond and made bond on 02/07/2001 [REDACTED] the driver of the Camry was charged with failure to move his vehicle from the highway. [REDACTED] was transferred to the District Attorneys Office from the Solicitor General. *****Investigation Continues*****

OFFENSE IS DECLARED:

UNFOUNDED.....

CLEARED BY ARREST.....

EXCEPTIONALLY CLEARED.....

INACTIVE (NOT CLEARED).....

FORM 32-156

SIGNED J.L. Hensal DATE 02/14/2001

Reporting Officer

SIGNED [Signature] DATE 02-15-01

Supervisor

SIGNED _____ DATE _____

Review Officer

EA12-005- Chrysler -008460

2-1-1

0088

Accident Number 010260314		Agency NCIC No. GAAPD0000		GEORGIA UNIFORM MOTOR VEHICLE ACCIDENT REPORT				County Fulton		Date Rec. by OHP					
Date 01/26/2001		Day Of Week <input type="checkbox"/> Sun <input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input checked="" type="checkbox"/> T <input type="checkbox"/> F <input type="checkbox"/> S		Time 05:58		Off Arrived 06:06		Total Number Vehicles 3 Injured 4		Inside City Of Atlanta					
Road of Occurrence I-85 Southbound								At Its Intersection <input type="checkbox"/> Interstate 2 <input type="checkbox"/> Lowest St. Rt. 3 <input type="checkbox"/> Co. Road 4 <input type="checkbox"/> City St. With <input type="checkbox"/> Interstate 2 <input type="checkbox"/> Lowest St. Rt. 3 <input type="checkbox"/> Co. Road 4 <input type="checkbox"/> City St.		Current Report Yes <input type="checkbox"/>					
Not At Its Intersection But 1/4								Miles 1 <input type="checkbox"/> North 3 <input type="checkbox"/> East Of Buford Hwy. On Ramp		Supply To Original Yes <input type="checkbox"/>					
And Continuing in the Direction Checked Above The Next Reference Point is Brookwood Exit off of I-85								Interstate 2 <input type="checkbox"/> Lowest St. Rt. 3 <input type="checkbox"/> Co. Road 4 <input type="checkbox"/> City St. 5 <input type="checkbox"/> Co. Line							
Driver # 1 Last Name [Redacted] First [Redacted] Middle [Redacted] City Atlanta, GA. State GA Zip [Redacted] DOB [Redacted]				Driver # 2 Last Name [Redacted] First [Redacted] Middle [Redacted] City Lawrenceville, GA. State GA Zip [Redacted] DOB [Redacted]											
Driver's License No. [Redacted] Class C State GA <input type="checkbox"/> Male <input type="checkbox"/> Female				Driver's License No. [Redacted] Class C State GA <input type="checkbox"/> Male <input type="checkbox"/> Female											
Posted Speed 55 Insurance Co. [Redacted] Policy No. [Redacted]				Posted Speed 55 Insurance Co. United Svcs. Auto Policy No. [Redacted]											
Year 1996 Make Toyota Model Camry Telephone No. [Redacted]				Year 1991 Make Jeep Model Cherokee Telephone No. [Redacted]											
VIN 4T1BG12K0TU Vehicle Color Black				VIN 1J4FJ58S0ML Vehicle Color White											
Tag # [Redacted] State GA County Fulton Year 2001				Tag # [Redacted] State GA County [Redacted] Year 2001											
Trailer Tag # [Redacted] State [Redacted] County [Redacted] Year [Redacted]				Trailer Tag # [Redacted] State [Redacted] County [Redacted] Year [Redacted]											
<input checked="" type="checkbox"/> Same as Driver Owner's Last Name First Middle Address City State Zip				<input checked="" type="checkbox"/> Same as Driver Owner's Last Name First Middle Address City State Zip											
Removed By Futo's Wrecker Svcs. <input type="checkbox"/> Request <input checked="" type="checkbox"/> List				Removed By Futo's Wrecker Svcs. <input type="checkbox"/> Request <input checked="" type="checkbox"/> List											
Alcohol Test 1 Type 0 Results 1		Drug Test 1 Type 0 Results 1		Alcohol Test 2 Type 2 Results 2		Drug Test 2 Type 1 Results 1									
Driver Condition 1 Direction of Travel 2		Vision Obscured 1		Driver Condition 1 Direction of Travel 2		Vision Obscured 1									
Vehicle Condition 1 Vehicle Maneuver 4		Pedestrian Maneuver		Vehicle Condition 1 Vehicle Maneuver 5		Pedestrian Maneuver									
Most Harmful Event 1		Vehicle Class 1		Most Harmful Event 1		Vehicle Class 1									
Traffic Control 7		Device Inoperative? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Traffic Control 7		Device Inoperative? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No									
Injured Taken To Grady Memorial Hospital				By Grady Hospital, E.M.S # 7921, 7111, 7099, 7971											
EMS Notified Time 05:59		EMS Arrival Time 06:13		Hospital Arrival Time 06:27		Photos Taken <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		By Rogers #7347							
Report By Officer J.L. Hensal #230 Department Atlanta Police/Traffic Fatality Unit				Report Date 01/26/2001		Checked By [Signature]		Date Checked 2-6-01							
Witnesses: Name Address City State Zip Code Telephone No															
DIPS MICROFILM NUMBER (DO NOT WRITE IN THIS SPACE)															
COMMERCIAL VEHICLES ONLY															
Carrier Name Vehicle # Address City State Zip						Carrier Name Vehicle # Address City State Zip									
Number of Axles		GVWR		Fed. Reportable <input type="checkbox"/> Yes <input type="checkbox"/> No		Cargo Body Type		Number of Axles		GVWR		Fed. Reportable <input type="checkbox"/> Yes <input type="checkbox"/> No		Cargo Body Type	
Vehicle Config. LCCMC #		U.S. DOT. #		Interstate <input type="checkbox"/> Intrastate <input type="checkbox"/>		Vehicle Config. ICGMC #		U.S. DOT. #		Interstate <input type="checkbox"/> Intrastate <input type="checkbox"/>					
C.D.L. ? <input type="checkbox"/> Yes <input type="checkbox"/> No		C.D.L. Suspended? <input type="checkbox"/> Yes <input type="checkbox"/> No		Vehicle Placarded? <input type="checkbox"/> Yes <input type="checkbox"/> No		C.D.L. ? <input type="checkbox"/> Yes <input type="checkbox"/> No		C.D.L. Suspended? <input type="checkbox"/> Yes <input type="checkbox"/> No		Vehicle Placarded? <input type="checkbox"/> Yes <input type="checkbox"/> No					
If YES, Name or 4 Digit Number from Diamond or Box:															

4-1-10

12-005- Chrysler -008461

0089

REMARKS

Vehicle #1 was southbound on I-85 and had just passed Piedmont Road overpass. The driver stated that he struck in the roadway and came to stop in the High Occupancy Vehicle Lane (HOV). The tire had come off of the right front of a White Ford Van which had gotten off to the right side emergency lane. Vehicle #2 was traveling South in the HOV Lane and was forced to slow down in an attempt to get around, or avoid striking the rear of vehicle #1. Before Vehicle #2 could safely get around the stopped vehicle (Vehicle #1), it was struck in the rear by Vehicle #3 who was also southbound in the HOV Lane. At impact the front of Vehicle #3 went under the rear of Vehicle #2. This caused the fuel tank of Vehicle #2 to rupture and subsequently burst into flames. The force of the impact drove both vehicles forward and resulted in Vehicle #1 being struck in the rear by Vehicle #2. The fire which erupted as a result of the initial impact soon spread to fully involve all three vehicles. Driver #2 was able to get out of the vehicle but was severely burned. The two occupants of his vehicle were trapped inside of the vehicle and could not be rescued. Driver #1, Driver #3 and his passenger got out of the vehicles and were transported for treatment of their injuries. Driver #2 was also transported to the hospital for treatment. It was determined that the wheel in the roadway came from a disabled van that had gotten off to the break down lane up ahead of the accident. Two other vehicles had stuck the wheel and were in the process of changing their tires in the break down lane when the accident occurred in the roadway near them.

*****Investigation Continue*****

INDICATE ON THIS DIAGRAM WHAT HAPPENED

INDICATE NORTH



Please see Page # 3 for Diagram

Accident Investigation Site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		CITATIONS - VEHICLE # <u>1</u>				CITATIONS - VEHICLE # <u>2</u> None									
Site Number:															
First Harmful Event 11	Traffic-Way Flow 4	Weather 1	Surface Cond. 1	Light Condition 4	Manner Of Collision 3	Location At Area Of Impact 1	Road Comp. 2	Road Defects 1	Road Character 4						
VEH. # 1		VEH. # 2		SKID DISTANCE BEFORE IMPACT <u>0</u> AFTER <u>0</u>		Width Of Road <u>78' 5"</u>									
Number of Occupants		1 3		VEH.		VEH.		VEH.							
Point Of Initial Contact		6 6		VEH.		VEH.		VEH.							
Damage To Vehicles		5 5		VEH.		VEH.		VEH.							
Damage Other Than Vehicle: None		Owner:		AGE	SEX	VEH. NO.	POS.	INJURY	TAKEN FOR TREAT	EJECT	SAFETY EQUIP	EXTRIC	AIR BAG		
Occupants		Driver # 1 Or Pedestrian #						2	1	1	3	2	Unk		
		Driver # 2 Or Pedestrian #						2	1	1	3	2	Unk		
Last Name	First	Address		City	State	Zip									
				Lawrenceville, GA.				2	4	1	2	1	3	2	N/A
				Lawrenceville, GA.				2	5	1	2	1	4	2	N/A

4-2-10

Accident Number 010260314		Agency NCIC No GAAPD0000		GEORGIA UNIFORM MOTOR VEHICLE ACCIDENT REPORT				County Fulton		Date Rec. by Dist.	
Date 01/26/01		Day Of Week <input type="checkbox"/> Sun <input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input checked="" type="checkbox"/> Th <input type="checkbox"/> F <input type="checkbox"/> S		Time 05:58		Off Arrived 06:06		Total Number Vehicle Involved 3 Injured 1 Killed 2		Inside City Of Atlanta	
Road of Occurrence I-85 Southbound								At Its Intersection <input checked="" type="checkbox"/> Interstate 2 <input type="checkbox"/> Lowest St. Rt. 3 <input type="checkbox"/> Co. Road 4 <input type="checkbox"/> City St. With <input type="checkbox"/> Interstate 2 <input type="checkbox"/> Lowest St. Rt. 3 <input type="checkbox"/> Co. Road 4 <input type="checkbox"/> City St		Corrected Report Yes <input type="checkbox"/>	
Not At Its Intersection But 1/4 Miles 1 <input type="checkbox"/> North 3 <input type="checkbox"/> East Of Buford Hwy. On Ramp <input type="checkbox"/> Feet 2 <input type="checkbox"/> South 4 <input type="checkbox"/> West <input checked="" type="checkbox"/> Interstate 2 <input type="checkbox"/> Lowest St. Rt. 3 <input type="checkbox"/> Co. Road 4 <input type="checkbox"/> City St 5 <input type="checkbox"/> Co. Line								Supplier Original Yes <input type="checkbox"/>			
And Continuing in the Direction Checked Above The Next Reference Point is Brookwood Exit off of I-85 <input checked="" type="checkbox"/> Interstate 2 <input type="checkbox"/> Lowest St. Rt. 3 <input type="checkbox"/> Co. Road 4 <input type="checkbox"/> City St 5 <input type="checkbox"/> Co. Line											
Driver # 3 Last Name [REDACTED] First [REDACTED] Middle [REDACTED] Address [REDACTED] City Gainesville State Ga Zip [REDACTED] DOB [REDACTED]				Driver # [REDACTED] Last Name [REDACTED] First [REDACTED] Middle [REDACTED] Address [REDACTED] City [REDACTED] State [REDACTED] Zip [REDACTED] DOB [REDACTED]							
Driver's License No. [REDACTED] Class C State Ga <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female				Driver's License No. [REDACTED] Class [REDACTED] State [REDACTED] <input type="checkbox"/> Male <input type="checkbox"/> Female							
Posted Speed 55 Insurance Co. Omni Ins. Policy No. [REDACTED]				Posted Speed [REDACTED] Insurance Co. [REDACTED] Policy No. [REDACTED]							
Year [REDACTED] Make Ford Model Thunderbird Telephone No. [REDACTED]				Year [REDACTED] Make [REDACTED] Model [REDACTED] Telephone No. [REDACTED]							
VIN 1FABP62FXJH [REDACTED] Vehicle Color Blue				VIN [REDACTED] Vehicle Color [REDACTED]							
Tag # 840TFA State Ga County Hall Year [REDACTED]				Tag # [REDACTED] State [REDACTED] County [REDACTED] Year [REDACTED]							
Trailer Tag # [REDACTED] State [REDACTED] County [REDACTED] Year [REDACTED]				Trailer Tag # [REDACTED] State [REDACTED] County [REDACTED] Year [REDACTED]							
<input type="checkbox"/> Same Owner's Last Name as Driver [REDACTED] First [REDACTED] Middle [REDACTED] Address [REDACTED]				<input type="checkbox"/> Same Owner's Last Name as Driver [REDACTED] First [REDACTED] Middle [REDACTED] Address [REDACTED]							
City Gainesville State Georgia Zip [REDACTED]				City [REDACTED] State [REDACTED] Zip [REDACTED]							
Removed By Futo's Wrecker Svcs. <input type="checkbox"/> Request <input checked="" type="checkbox"/> List				Removed By [REDACTED] <input type="checkbox"/> Request <input type="checkbox"/> List							
Alcohol Test 1 <input type="checkbox"/> Type 0 <input type="checkbox"/> 1 <input type="checkbox"/> Results [REDACTED]		Drug Test 1 <input type="checkbox"/> Type 0 <input type="checkbox"/> 1 <input type="checkbox"/> Results [REDACTED]		Alcohol Test [REDACTED] Type [REDACTED] Results [REDACTED]		Drug Test [REDACTED] Type [REDACTED] Results [REDACTED]					
Driver Condition 1 <input type="checkbox"/> Direction of Travel 2 <input type="checkbox"/> Vision Obscured 7 <input type="checkbox"/> Contributing Factors 03 <input type="checkbox"/> 22 <input type="checkbox"/>		Driver Condition [REDACTED] Direction of Travel [REDACTED] Vision Obscured [REDACTED] Contributing Factors [REDACTED]		Driver Condition [REDACTED] Direction of Travel [REDACTED] Vision Obscured [REDACTED] Contributing Factors [REDACTED]		Driver Condition [REDACTED] Direction of Travel [REDACTED] Vision Obscured [REDACTED] Contributing Factors [REDACTED]					
Vehicle Condition 1 <input type="checkbox"/> Vehicle Manuever 5 <input type="checkbox"/> Pedestrian Manuever 05 <input type="checkbox"/>		Vehicle Condition [REDACTED] Vehicle Manuever [REDACTED] Pedestrian Manuever [REDACTED]		Vehicle Condition [REDACTED] Vehicle Manuever [REDACTED] Pedestrian Manuever [REDACTED]		Vehicle Condition [REDACTED] Vehicle Manuever [REDACTED] Pedestrian Manuever [REDACTED]					
Most Harmful Event 1 <input type="checkbox"/> Vehicle Class 1 <input type="checkbox"/> Vehicle Type 1 <input type="checkbox"/>		Most Harmful Event [REDACTED] Vehicle Class [REDACTED] Vehicle Type [REDACTED]		Most Harmful Event [REDACTED] Vehicle Class [REDACTED] Vehicle Type [REDACTED]		Most Harmful Event [REDACTED] Vehicle Class [REDACTED] Vehicle Type [REDACTED]					
Traffic Control 7 <input type="checkbox"/> Device Inoperative? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Traffic Control [REDACTED] Device Inoperative? <input type="checkbox"/> Yes <input type="checkbox"/> No		Traffic Control [REDACTED] Device Inoperative? <input type="checkbox"/> Yes <input type="checkbox"/> No		Traffic Control [REDACTED] Device Inoperative? <input type="checkbox"/> Yes <input type="checkbox"/> No					
Injured Taken To Grady Memorial Hospital				By Grady Hospital, E.M.S # 7921, 7111, 7099, 7971							
EMS Notified Time 05:59		EMS Arrival Time 06:13		Hospital Arrival Time 06:27		Photos Taken <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No By Rogers #7347					
Report By Officer J.L. Hensal #2301 Department Atlanta Police/Traffic Facility Unit				Report Date 01/26/2001		Checked By [Signature] Date Checked 01/30/01					
Witnesses) Name [REDACTED] Address [REDACTED] City [REDACTED] State [REDACTED] Zip Code [REDACTED] Telephone No. [REDACTED]				Witnesses) Name [REDACTED] Address [REDACTED] City [REDACTED] State [REDACTED] Zip Code [REDACTED] Telephone No. [REDACTED]							
DIPS MICROFILM NUMBER (DO NOT WRITE IN THIS SPACE)											
COMMERCIAL VEHICLES ONLY											
Carrier Name [REDACTED] Vehicle # [REDACTED]				Carrier Name [REDACTED] Vehicle # [REDACTED]							
Address [REDACTED]				Address [REDACTED]							
City [REDACTED] State [REDACTED] Zip [REDACTED]				City [REDACTED] State [REDACTED] Zip [REDACTED]							
Number of Axles [REDACTED] G V W R [REDACTED]		Fed. Reportable <input type="checkbox"/> Yes <input type="checkbox"/> No [REDACTED]		Number of Axles [REDACTED] G V W R [REDACTED]		Fed. Reportable <input type="checkbox"/> Yes <input type="checkbox"/> No [REDACTED]					
Vehicle Config [REDACTED] L C C M C # [REDACTED]		U.S. D.O.T. # [REDACTED] Interstate <input type="checkbox"/> Intrastate <input type="checkbox"/>		Vehicle Config [REDACTED] L C C M C # [REDACTED]		U.S. D.O.T. # [REDACTED] Interstate <input type="checkbox"/> Intrastate <input type="checkbox"/>					
C D L ? 1 <input type="checkbox"/> Yes 2 <input type="checkbox"/> No [REDACTED]		C D L Suspended? 1 <input type="checkbox"/> Yes 2 <input type="checkbox"/> No [REDACTED]		C D L ? 1 <input type="checkbox"/> Yes 2 <input type="checkbox"/> No [REDACTED]		C D L Suspended? 1 <input type="checkbox"/> Yes 2 <input type="checkbox"/> No [REDACTED]					
Vehicle Placarded? <input type="checkbox"/> Yes 2 <input type="checkbox"/> No [REDACTED]		Hazardous Materials? 1 <input type="checkbox"/> Yes 2 <input type="checkbox"/> No [REDACTED]		Vehicle Placarded? <input type="checkbox"/> Yes 2 <input type="checkbox"/> No [REDACTED]		Hazardous Materials? 1 <input type="checkbox"/> Yes 2 <input type="checkbox"/> No [REDACTED]					
If YES, Name or 4 Digit Number from Diamond or Box. [REDACTED]				If YES, Name or 4 Digit Number from Diamond or Box. [REDACTED]							

4-3-10

REMARKS

PAGE 2 OF 7

INDICATE ON THIS DIAGRAM WHAT HAPPENED

INDICATE NORTH



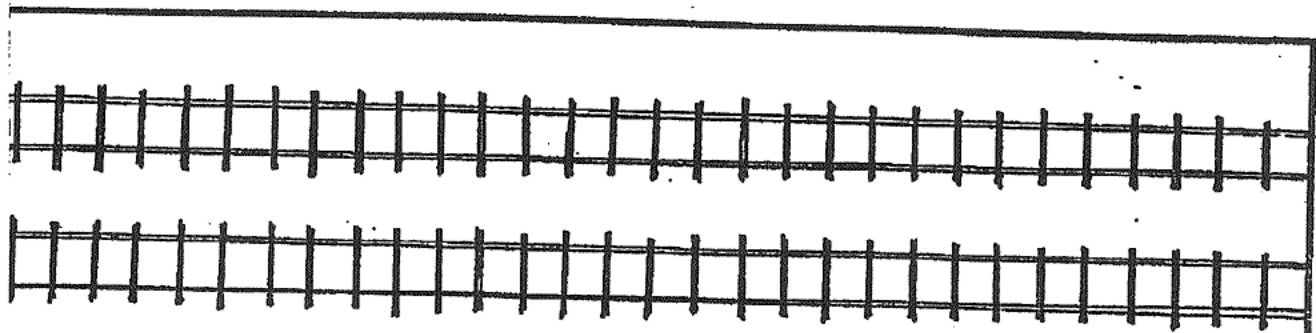
Please see Page # 3 for Diagram

Accident Investigation Site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		CITATIONS - VEHICLE # <u>3</u>				CITATIONS - VEHICLE # _____									
Site Number: _____															
First Harmful Event	Traffic-Way Flow	Weather	Surface Cond.	Light Condition	Manner Of Collision	Location At Area Of Impact	Road Comp.	Road Defects	Road Character						
11	4	1	1	4	3	1	2	1	4						
VEH. # <u>3</u>		VEH. # _____		SKID DISTANCE		AFTER		Width Of Road							
Number of Occupants		2		BEFORE IMPACT		20		78' 5"							
Point Of Initial Contact		12		VEH.		VEH.									
Damage To Vehicles		5		VEH.		VEH.									
Damage Other Than Vehicle:		None		Owner:											
Occupants		Driver # <u>3</u> Or Pedestrian # _____		Driver # _____ Or Pedestrian # _____		AGE	SEX	WEIGHT	POB	INJURY	TAKEN FOR TREAT	EJECT	SAFETY EQUIP	EXTRIC	AIR BAG
Last Name		First		Address		City		State		Zip					
[REDACTED]		[REDACTED]		Atlanta, Ga.		[REDACTED]		[REDACTED]		3		2		1 1 3 2 1 Ink	

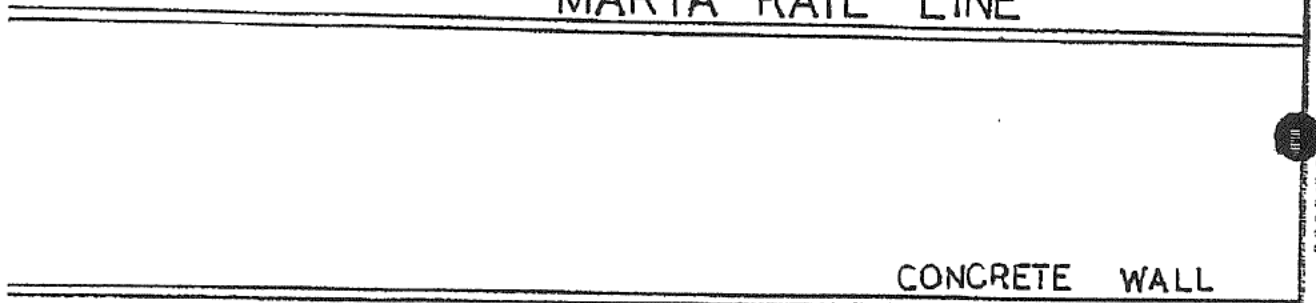
4-4-10

EA12-005- Chrysler -008464

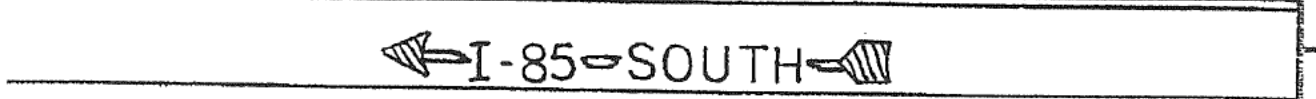
[REDACTED] 0092



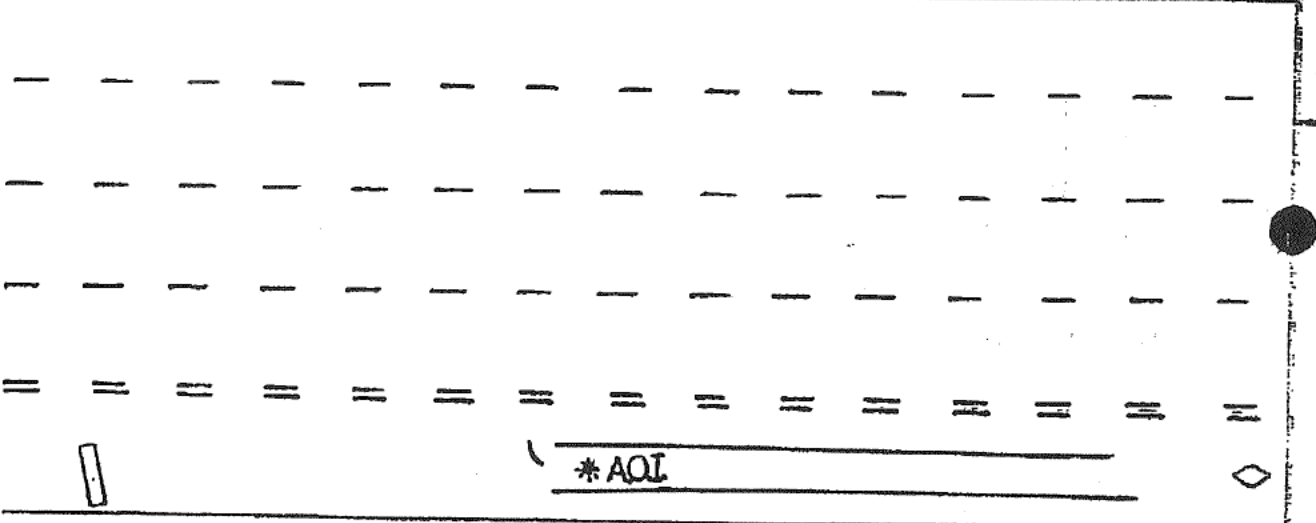
MARTA RAIL LINE



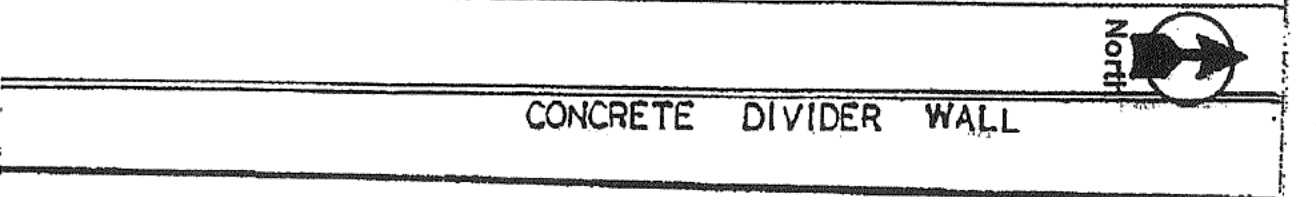
CONCRETE WALL



I-85-SOUTH



*AOI



CONCRETE DIVIDER WALL



010260314

GAAPD0000

1/26/01

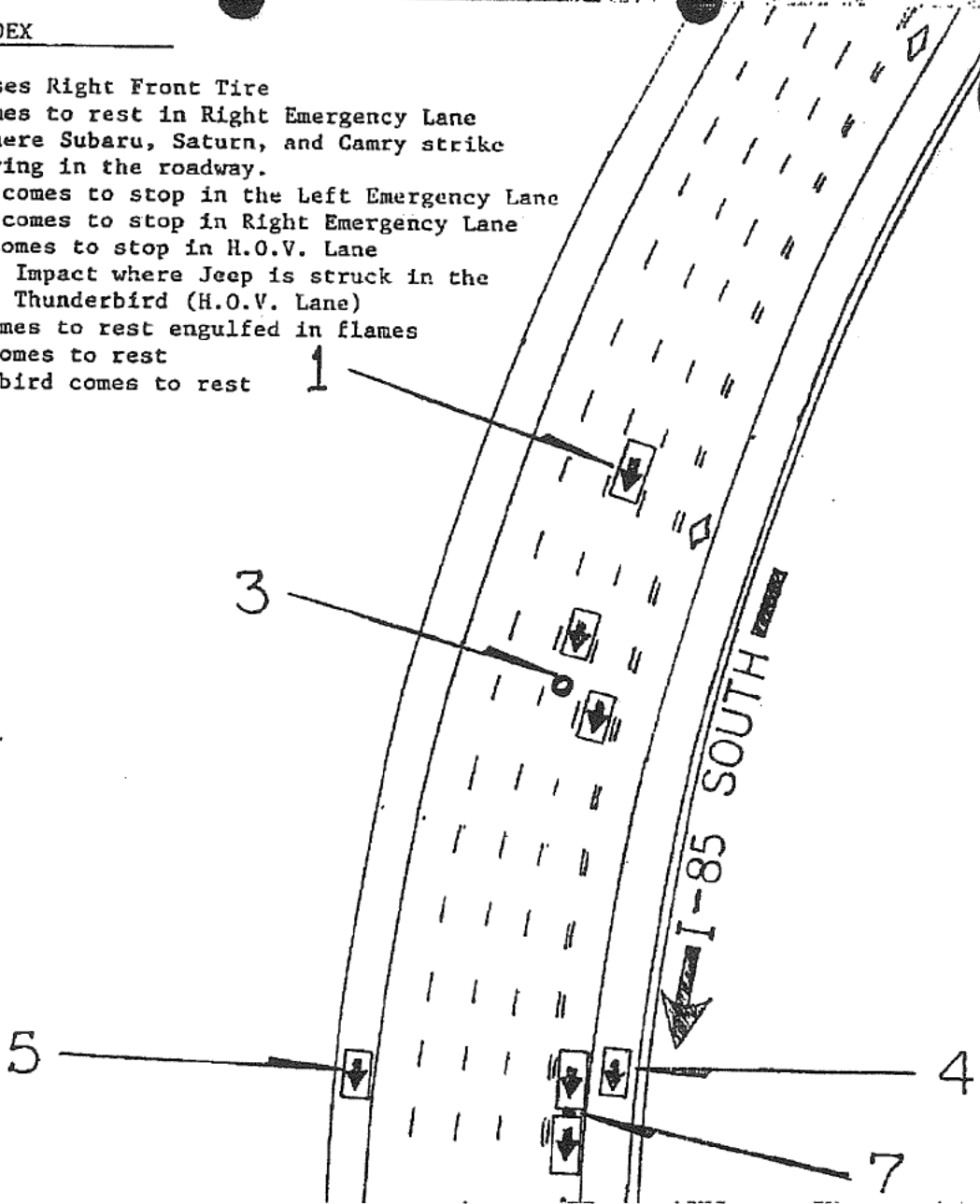
4-5-10

0093

slr-008465

NUMBER INDEX

- 1. Van loses Right Front Tire
- 2. Van comes to rest in Right Emergency Lane
- 3. Area where Subaru, Saturn, and Camry strike tire lying in the roadway.
- 4. Subaru comes to stop in the Left Emergency Lane
- 5. Saturn comes to stop in Right Emergency Lane
- 6. Camry comes to stop in H.O.V. Lane
- 7. Area of Impact where Jeep is struck in the rear by Thunderbird (H.O.V. Lane)
- 8. Jeep comes to rest engulfed in flames
- 9. Camry comes to rest
- 10. Thunderbird comes to rest



4-6-10

W/11/11/11

11/11/11

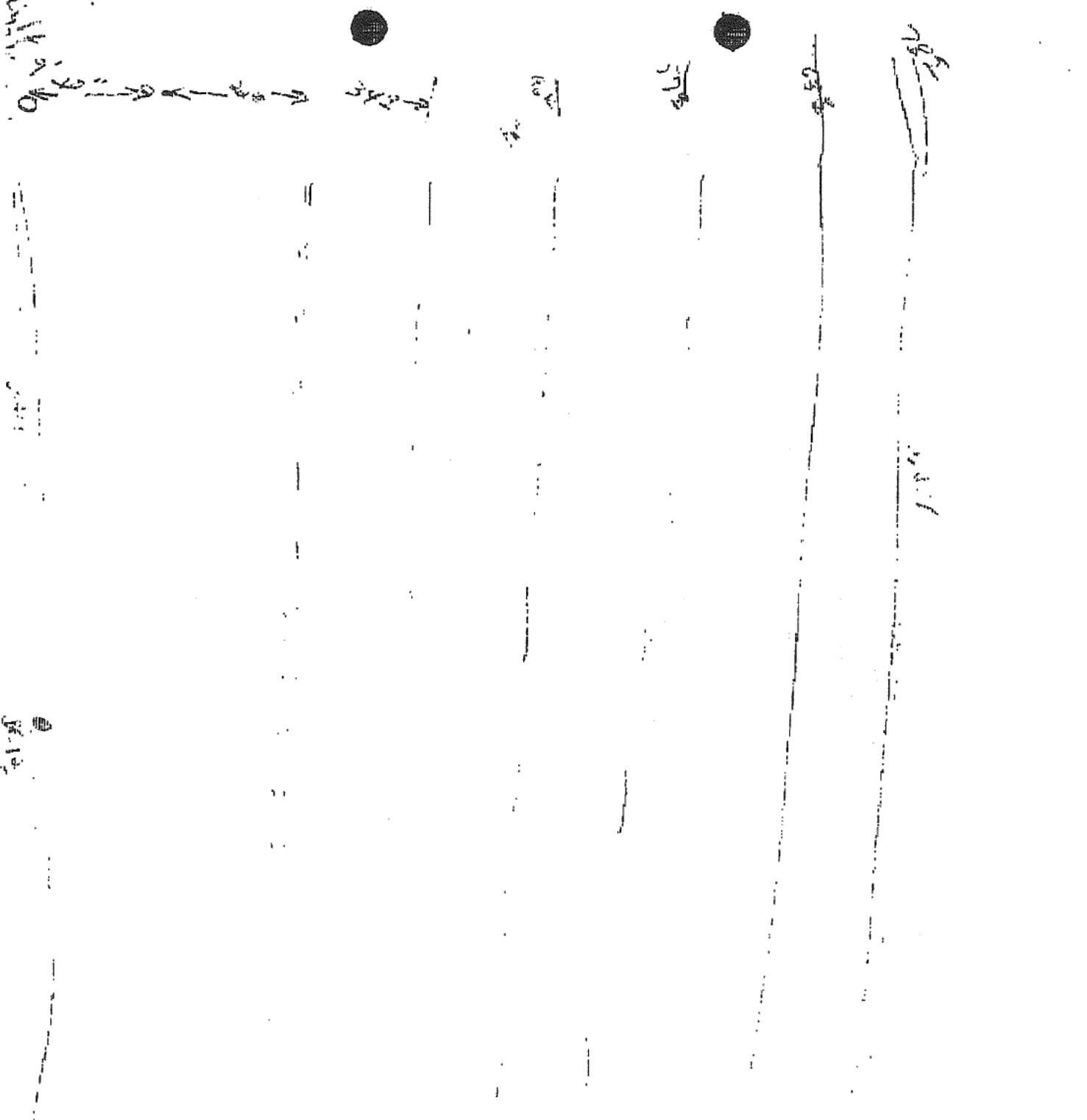
11/11/11

11/11/11

5-1-4

36 w/m

EA12-005- Chrysler -008472



DEBRUS Field

Plan
Base
Line

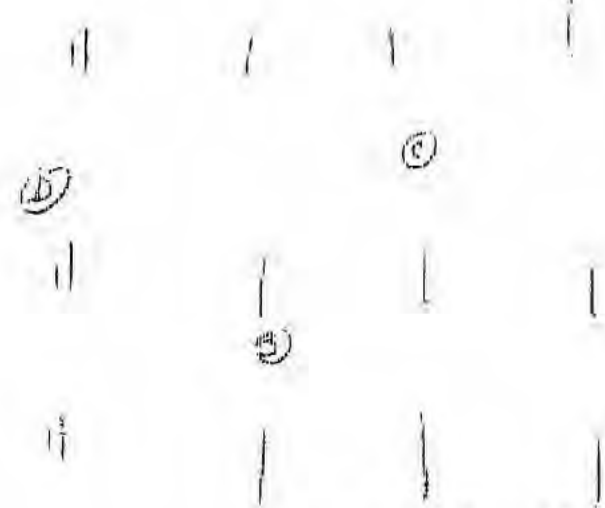
0-181E

Shot w/ Laser
meter in North
downward

- 35E 563E A glass cap
- 35W 4982 B gauge mark
- 35W 465E C bearing
- 9W 39E D found photo
- 7E 371E E " (Spring no. 20011)
- 6E 365E F "
- 3W 364E G "
- 10W 358E H "
- 6E 316E I "
- 8E 275E J " Spring
- 29W 183E K gauge mark
- 22W 173E L Bearc
line
- 27W 130E M1 street gauge
marking
- 26W 102E M2 Found L
- 26W 77E N SCRAP 2E

BEID

0-191E



ROAD CURVATURE

--- J wall



5-2-4

EA12-005 Chrysler-008473

Accident Scene

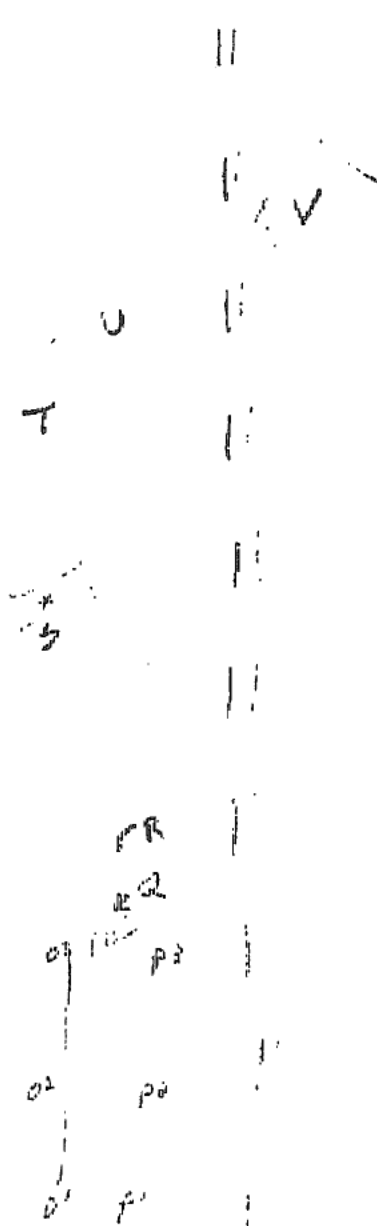
2000 3 3^W 0' 374.1
 190° 34 0' center
 1956 30 03 END
 1200 8' P' VADP
 190° 8 02 M. 001
 1556 8 03 END
 1599 5 0 Q ADI
 1532 7 0 R Gouge
 1012 4 0 S ^{CAST} _{STAIN} _{WOOD}

T V 3
 LR 73 6'E
 LF 69 7 1/2 E
 RR 63 3 1/2 W
 RF 63 3 1/2 E

U V 1
 LR 63 6 1/2 W
 LF 60 0 1/2 E
 RR 57 8 1/2 W
 RF 54 1 1/2 W

V 2
 RF 46 17 W
 LF 38 2 1/2 W
 RR 40 19 W
 LR 42 26 W

Laser
 1300

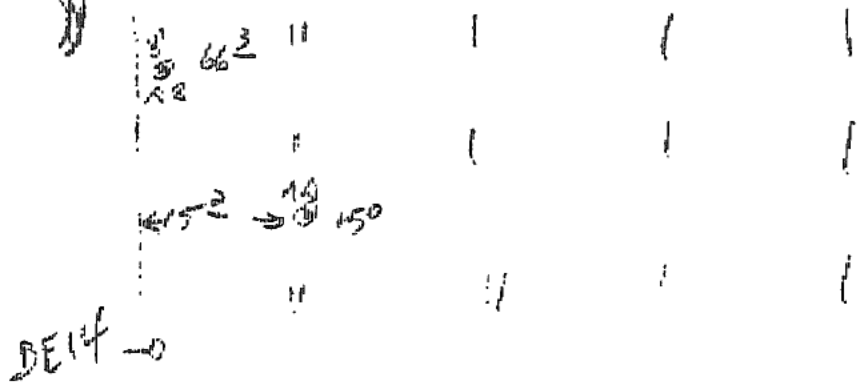


5-3-4



AC
1052

South



- AA
- AB
- AC

Veh. Abs
LF RF RR RR



5-4-4



Op # 010260314

Victim: [REDACTED]

MEASUREMENTS

ITEM	DESCRIPTION OF ITEM	MEAS. FROM ZERO	MEAS. FROM BASELINE	MISC. INFO.
	Debris Field Prior to Accident	Zero starts at 283'5" (Adj. to Pole # BE12)	Laser utilized to shoot distance to item.	Triangulate from "Zero (283' 5")" to item, and then to baseline.
A	Grease Cap from Ford Van's Rt. Front Wheel Hub	563' 10" N	3' 5" E	
B	Gouge Marks	498' 9" N	25' 4" W	Rim Gouge from vans wheel
C	Wheel Bearing	465' 11" N	35' W	Wheel bearing from Rt. Front wheel of van
D	Fender Part of Saturn	396' 6" N	9' 0" W	Fender Part of Saturn's left front fender.
E	"	371' 11" N	9' 0" E	"
F	"	365' 3" N	6" E	"
G	"	364' 2" N	3' 2" W	"
H	"	365' 8" N	10' 6" W	"
I	"	315' 6" N	6' 8" E	"
J	"	274' 5" N	8' 2" E	"
K	Gouge Mark From Wheel	183' 3" N	29' 10" W	Gouge Mark From Wheel
L	Brake Line	173' 8" N	22' 10" W	Brake line from Van wheel assembly
M1	Start of Gouge/ Drag Marks	132' 3" N	27' 3" W	gouge mark is 10' long
M2	End of Gouge/ Drag mark	122' 11" N	26' 9" W	
N	Scrape mark	77' 9" N	26' 1" W	Scrape is 2' 3" long

6-1-3

[REDACTED] 0103
EA12-005- Chrysler -008476

Case #. 010260314

Victim: [REDACTED]

MEASUREMENTS

ITEM	DESCRIPTION OF ITEM	MEAS. FROM ZERO	MEAS. FROM BASELINE	MISC. INFO.
	Accident Scene			0 to 283' 5" then refer to Debris Field Measurements
O1	Start of Left Pre impact skid mark	222' 6" N	3' 3" W	
O2	Center of Left Pre impact skid mark	190' 0" N	3' 4" W	
O3	End of Left Pre impact skid mark	155' 6" N	3' 6" W	
P1	Start of Right Pre impact skid mark	220' 0"	8' 1" W	
P2	Center of Right Pre impact skid mark	190' 0" N	8' 3" W	
P3	End of Right Pre impact skid mark	155' 6" N	8' 5" W	
Q	Area Of Impact (A.I.O.)	159' 9" N	5' 10" W	
R	Semi circular gouge mark	153' 2" N	7' 0" W	
S	Gasket From rear window of Jeep	101' 6" N	4' 0" W	
	Final Rest of Vehicles			
T	Thunderbird LR Tire	73' 2" N	6" E	
	LF Tire	69" 0" N	7' 11" E	
	RR Tire	68' 5" N	3' 3" W	
	RF Tire	63' 7" N	3' 4" E	

6-2-3

[REDACTED] 2016 Chrysler -008477

Camp # 010260314

Victim: [REDACTED]

MEASUREMENTS

ITEM	DESCRIPTION OF ITEM	MEAS. FROM ZERO	MEAS. FROM BASELINE	MISC. INFO.
U	Camry LR Tire	63' 6" N	6' 2" W	
	LF Tire	60' 0" N	2' 0" E	
	RR Tire	57' 10" N	8' 4" W	
	RF Tire	54' 4" N	1' 1" W	
V	Jeep RF Tire	46' 10" N	17' 0" W	
	LF Tire	50' 0" N	22' 9" W	
	RR Tire	40' 7" N	19' 10" W	
	LR Tire	42' 8" N	26' 10" W	
	South of Zero Pole #BE14			
AA	Tail light unit	15' 0" SW	15' 2" W	Used Laser to range from "0" to target column # 1
AB	Under body part of vehicle	66' 3" SW	8" W	
AC	Tire off of Van	105' 5" S	9' 0" E	

[REDACTED] 105

EA12-005- Chrysler -008478

6-3-3

T.D

INCIDENT REPORT

ATLANTA POLICE DEPARTMENT

INCIDENT DATA

1. Incident / CICA No. 0:10:2:60:3:1:4
 2. Date of Report Mo. Day Year Time 01 | 26 | 01 | 0558
 3. Ga. Code(s) 0999
 4. Status
 5. Vic. #
 6. UCR Class
 7. Reserved

8. Beat 210
 9. Location of Incident: (Street #, street name, Apt. #) I-85 Southbound at Piedmont Rd.
 NW NE Fulton Dekalb Airport
 SW SE
 10. Location Type: Hwy

11. Date/Time Incident Mo. Day Year Time 01 | 26 | 01 | 0558
 12. Reporting Officer (L/F/M, Suffix) Hensal, J.L.
 13. Sex M
 14. APD ID No 2301
 15. Assignment 2724

16. Court Code, Reported Case Witnessed Case
 Off Days: S M T W T F S Regular Court Time: 0900

VICTIM I WITNESS DATA

17. Describe how crime was committed / how incident occurred: Automobile accident with fatalities / injuries
 18. Attempt Only? Yes No
 19. Weapon or Tool?

20. Temperature / Weather 1 Clear 4 Snow 2 Cloudy 5 Sleet 3 Rain 6 Fog
 Hot Cold Warm Cool
 21. Forced Entry? Yes No
 22. Alcohol Related? Yes No
 23. Bias Incident? Yes No
 24. Gang Related? Yes No
 25. Family Violence? Yes No
 26. Security Devices? Yes No
 27. Special Event? Yes No (List)

28. Incident appear drug related? Yes No
 29. If Yes, indicate type of drug(s):
 01 Amphetamine 02 Barbiturate 03 Cocaine 04 Hallucinogen 05 Heroin
 06 Marijuana 07 Methamphetamine 08 Opium 09 Synthetic Narcotic U Unknown

1 Code * VI
 2 Name: (L/F/M, Suffix) [Redacted]
 ADLT JUV BUS GOV POL
 3 Race: W
 4. Sex F
 5. Date of Birth: [Redacted]
 6. Ga. Code(s)
 7. UCR Class

8 Address: (Street #, street name, Apt. #, City, St., Zip) [Redacted] Lawrenceville, GA [Redacted]
 9. Work Phone
 10. Sobriety 1 Sober 4 UI / Alcohol 5 UI / Both 2 Unk 3 UI / Drugs Alcohol/Drugs
 11. Temporary Address Until:
 12. Home Phone
 13. Prosecute/Testify: Yes No
 14. Victim Notified of Rights: Yes No

15. Relation to Offender: N/A
 16. Med. Treat - Hospital / Treat. Center Yes No
 17. Extent of Injury None Minor Serious Fatal
 18. Location of Injury to body: Entire Body
 19. Type of Injury: Burned

20. If no injury, describe threat / act:
 21. Victim's School (Name, Address)

REPORTING PERSON

1 Code * V2
 2 Name: (L/F/M, Suffix) [Redacted]
 ADLT JUV BUS GOV POL
 3 Race: W
 4. Sex F
 5. Date of Birth: [Redacted]
 6. Ga. Code(s)
 7. UCR Class

8 Address: (Street #, street name, Apt. #, City, St., Zip) [Redacted] Lawrenceville, GA [Redacted]
 9. Work Phone
 10. Sobriety 1 Sober 4 UI / Alcohol 5 UI / Both 2 Unk 3 UI / Drugs Alcohol/Drugs
 11. Temporary Address Until:
 12. Home Phone
 13. Prosecute/Testify: Yes No
 14. Victim Notified of Rights: Yes No

15. Relation to Offender
 16. Med. Treat. - Hospital/ Treat. Center Yes No
 17. Extent of Injury None Minor Serious Fatal
 18. Location of Injury on body: Entire Body
 19. Type of Injury: Burned

20. If no injury, describe threat / act:
 21. Victim's School (Name, Address)

VEHICLE DATA

2 Reporting Person's Name: (L/F/M, Suffix) Officer Gilden, J.M.
 3. Race: W
 4. Sex M
 5. Date of Birth: [Redacted]
 6. Testify: Yes No
 7. Relation to Victim / Offender: None

8. Sobriety: 1 Sober 2 Unknown 4 UI/Alcohol 5 UI/Drugs 6 UI/Combination of Alcohol / Drugs
 9. Address: (Street #, street name, Apt. #, City, St., Zip) Atlanta Police Zone 2 Precinct
 10. Work Phone
 11. Home Phone

1 Also see # Impound Report(s) - 3
 2 Owner's Name: (L/F/M, Suffix) Address: (Street, street name, Apt. #, City, St., Zip)
 3. Work Phone

4. Driver Name (L/F/M, Suffix)
 5. Is Driver Owner? Yes No
 6. Record Type S Stolen Other T Theft from Vehicle R Recovered V Suspect Vehicle D Damaged
 7. Home Phone

8. Vehicle Type *
 9. Year
 10. Make
 11. Model
 12. VIN

13. Vehicle Style -
 14. Color
 15. Tag Number
 16. State
 17. Year
 18. Tag Type
 19. Doors Locked? Yes No
 Ignition Locked? Yes No
 Keys in Ignition? Yes No

20. Date Lost/ Stolen
 21. Stolen Veh. Value \$
 22. Recovered Veh. Value \$
 23. Vehicle Reported Stolen In Atlanta Outside If out, jurisdiction:

PROPERTY DATA

1 Also see # Prop / Evidence Inventory(s)
 2 Conf on back of suppl. narr. Yes No
 RECORD TYPE: D - Damaged L - Lost R - Recovered S - Stolen
 PROPERTY TYPE: B - Currency C - Jewelry E - Clothing F - Office Equipment G - Electronics H - Household Goods I - Firearms J - Consumables L - Other
 PROPERTY STATUS: F - Found R - Returned N/A - Not in Possession of APD

3. Record Type	4. # QUANTITY / DESCRIPTION Make - Model - Identifying Feature	5. Property Type	6. Serial No. or Identifying No.	7. Estimated Value - \$ Amount	8. Property Status
#					
#					
#					
#					

7-1-6 T.D



Incident / CICA No.
0:10:2:60:3:1:4

ATLANTA POLICE DEPARTMENT

INCIDENT REPORT (back)

ARRESTED PERSON / SUSPECT / MISSING PERSON DATA

<input type="checkbox"/> ARR <input type="checkbox"/> Copy <input type="checkbox"/> SUS <input type="checkbox"/> MIS <input type="checkbox"/> AGG.				2. UCR Code				<input type="checkbox"/> ARR <input type="checkbox"/> Copy <input type="checkbox"/> SUS <input type="checkbox"/> MIS <input type="checkbox"/> PRI. AGG				2. UCR Code																											
3 Name (L/F/M, Suffix)								4. GCIC / Status								3 Name (L/F/M, Suffix)								4. GCIC Status															
6. D.O.B.				6. Sex		7. Race*		8. <input type="checkbox"/> Alias <input type="checkbox"/> Assoc.		9. D.O.B.				6. Sex		7. Race*		8. <input type="checkbox"/> Alias <input type="checkbox"/> Assoc.																					
9. Age To				10. Height To				11. Weight To				12. Build*				9. Age To				10. Height To				11. Weight To				12. Build*											
13 Residence																Telephone																							
14 Who ID'd this person?																15 Occupation / Gang																							
16. <input type="checkbox"/> DL <input type="checkbox"/> SSH				State				17 School				16. <input type="checkbox"/> DL <input type="checkbox"/> SSH				State				17 School																			
15 Hat				19 Shirt				20. <input type="checkbox"/> Pants <input type="checkbox"/> Shorts <input type="checkbox"/> Dress <input type="checkbox"/> Skirt				15 Hat				19 Shirt				20. <input type="checkbox"/> Pants <input type="checkbox"/> Shorts <input type="checkbox"/> Dress <input type="checkbox"/> Skirt																			
21 Coat				22 Shoes				23 Clothing Type*				21 Coat				22 Shoes				23 Clothing Type*																			
24 Hair Color*				25 Style*				26 Eye Color*				27 Eye Defect*				24 Hair Color*				25 Style*				26 Eye Color*				27 Eye Defect*											
28 Facial Hair*				29 Teeth*				30 Skin Tone*				31 Complexion*				28 Facial Hair*				29 Teeth*				30 Skin Tone*				31 Complexion*											
32 Hand Use*				33 Jewelry*				34 Oddly*				35 Speech*				32 Hand Use*				33 Jewelry*				34 Oddly*				35 Speech*											
36 Impersonate*				37 Amp/Deform*				38. <input type="checkbox"/> Scar <input type="checkbox"/> Mark <input type="checkbox"/> Tattoo (location / description)*				36 Impersonate*				37 Amp/Deform*				38. <input type="checkbox"/> Scar <input type="checkbox"/> Mark <input type="checkbox"/> Tattoo (location / description)*																			
39 Med Treat Rec'd - Hospital / Treatment Center <input type="checkbox"/> Yes <input type="checkbox"/> No																39 Med Treat Rec'd - Hospital / Treatment Center <input type="checkbox"/> Yes <input type="checkbox"/> No																							
40 Injury Extent*				41 Injury Location (body)				42 Injury Type*				40 Injury Extent*				41 Injury Location (body)				42 Injury Type*																			
42 Arrest Date				Time				44 Arrest Location (Street, street name, Apt #)				<input type="checkbox"/> NW <input type="checkbox"/> NE <input type="checkbox"/> SW <input type="checkbox"/> SE				43 Arrest Date				Time				44 Arrest Location (Street # street name, Apt #)				<input type="checkbox"/> NW <input type="checkbox"/> NE <input type="checkbox"/> SW <input type="checkbox"/> SE											
45 Weapon				<input type="checkbox"/> Auto				46 Weapon				<input type="checkbox"/> Auto				45 Weapon				<input type="checkbox"/> Auto				46 Weapon				<input type="checkbox"/> Auto											
47 # Chgs				48 Court Date				Time				49 Sobriety <input type="checkbox"/> 1 Sober <input type="checkbox"/> 4 UI / Alcohol <input type="checkbox"/> 6 UI / Both <input type="checkbox"/> 2 Unk <input type="checkbox"/> 5 UI / Drugs Alcohol / Drugs				47 # Chgs				48 Court Date				Time				49 Sobriety <input type="checkbox"/> 1 Sober <input type="checkbox"/> 4 UI / Alcohol <input type="checkbox"/> 5 UI / Both <input type="checkbox"/> 2 Unk <input type="checkbox"/> 5 UI / Drugs Alcohol / Drugs											
50 Charges (Code #1 Title)																50 Charges (Code #1 Title)																							
51 M P Type*				52 M P Status*				53 Foul Play? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unk				54 Prev. Missing? <input type="checkbox"/> Yes <input type="checkbox"/> No				55 Rec. Code*				51 M P Type*				52 M P Status*				53 Foul Play? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unk				54 Prev. Missing? <input type="checkbox"/> Yes <input type="checkbox"/> No				55 Rec. Code*			
56 Drug Activity <input type="checkbox"/> None <input type="checkbox"/> Buy <input type="checkbox"/> Sell <input type="checkbox"/> Possess <input type="checkbox"/> History of Use				57 Drug Type*				58 Qty. Drug*				56 Drug Activity <input type="checkbox"/> None <input type="checkbox"/> Buy <input type="checkbox"/> Sell <input type="checkbox"/> Possess <input type="checkbox"/> History of Use				57 Drug Type*				58 Qty. Drug*																			
59- Was ID work requested or completed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No																60 Performed By: Rogers #7347				61. Point of Entry*				62. Method of Entry*				63. Security Measures*											
64 Perpetrator Actions toward Victim: (Code Series A-J)																65 Perpetrator Behavior / Actions. (Code Series K-S)																							

M.O. I DRUGS

NARRATIVE

66 On this date at approximately 05:50 hrs the victims were riding in a Jeep Cherokee southbound on Interstate 85 near the Piedmont Road overpass. The vehicle was being operated by [redacted] husband and father to the two victim who were located in the rear seat. The vehicle was traveling in the HOV Lane. The Jeep slowed to keep from striking the Toyota Camry which had stopped in the roadway in front of them. At that time, the Jeep was struck in the rear by a Ford Thunderbird also southbound in the HOV Lane. The force of the impact caused the Thunderbird to submarine under the rear of the Jeep where it then caused the fuel tank to rupture. Once the fuel tank ruptured the fuel ignited and caused an explosion. The resulting fire engulfed the Jeep and subsequently spread to the other two vehicles. [redacted] was able to get out of the vehicle but the two victims were trapped inside. The two victims were pronounced dead at 06:35 by [redacted] Haultple of the Fulton County Medical Examiners Officer. [redacted] was transported to Grady Hospital with extensive burns on 75% of his body. The driver of vehicle #1 (Camry) was injured and transported to Grady Hospital with non-life threatening injuries. The driver and passenger of the Thunderbird, were also injured in the accident and transported to Grady with non-life threatening injuries.

***** Investigation Continues*****

THE UNDERSIGNED, BEING DULY SWORN, UPON HIS OR HER OATH, DEPOSES AND STATES THAT THE FOREGOING IS TRUE, CORRECT, COMPLETE AND LEGIBLE TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF.

AFFIDAVIT

67. Referred to: <input type="checkbox"/> RD <input type="checkbox"/> HR <input type="checkbox"/> Vice <input type="checkbox"/> Hom <input type="checkbox"/> Burg <input type="checkbox"/> Youth <input type="checkbox"/> Zone <input type="checkbox"/> F.V. <input type="checkbox"/> Fug <input type="checkbox"/> S.D. <input type="checkbox"/> Sex <input type="checkbox"/> Larc <input type="checkbox"/> P.S. <input type="checkbox"/> AHA <input type="checkbox"/> C.P. <input type="checkbox"/> Narc <input type="checkbox"/> SIS <input type="checkbox"/> Rob <input type="checkbox"/> A.T.				68. Reporting Officer's Signature Hensal, J.L. <i>[Signature]</i>				89 APD ID No. 2301							
70. SWORN TO AND SUBSCRIBED BEFORE ME THIS 26th DAY OF Jan. 20 01															
71. Reviewer's Signature <i>WKW</i>				72. APD ID No. 0770				73. Supervisor's Signature <i>[Signature]</i>				74. APD ID No. 1455			

7-2-6

0107

INCIDENT REPORT

ATLANTA POLICE DEPARTMENT

INCIDENT DATA

1. Incident / CICA No. 010260314	2. Date of Report 01/26/01 0558	3. Ga. Code(s)	4. Status	5. Vic. #	6. UCR	7. Reserved							
8. Beat 210	9. Location of Incident (Street #, street name, Apt #) I-85 Southbound at Piedmont Rd.					<input type="checkbox"/> NW <input checked="" type="checkbox"/> NE <input type="checkbox"/> Fulton <input type="checkbox"/> SW <input checked="" type="checkbox"/> SE <input type="checkbox"/> Dekalb <input type="checkbox"/> Airport	10. Location Type: Hwy						
11. Date/Time Incident 01/26/01 0558		12. Reporting Officer (L/F/M, Suffix) Hensal, J.L.		13. Sex M	14. APD ID No. 2301	15. Assignment 2724							
16. Court Code, <input type="checkbox"/> Reported Case <input checked="" type="checkbox"/> Witnessed Case			O/H Days: S M T W T F S		Regular Court Time: 0900								
17. Describe how crime was committed / how incident occurred: Automobile accident with fatalities / injuries						18. Attempt Only? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	19. Weapon or Tool *						
20. Temperature / Weather <input type="checkbox"/> Hot <input checked="" type="checkbox"/> Cold <input type="checkbox"/> Warm <input type="checkbox"/> Cool		<input checked="" type="checkbox"/> 1 Clear <input type="checkbox"/> 4 Snow <input type="checkbox"/> 2 Cloudy <input type="checkbox"/> 5 Sleet <input type="checkbox"/> 3 Rain <input type="checkbox"/> 6 Fog		21. Forced Entry? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	22. Alcohol Related? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	23. Bias Incident? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	24. Gang Related? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	25. Family Violence? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	26. Security Devices? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	27. Special Event? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (List)			
28. Incident appear drug related? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		29. If Yes, Indicate type of drug(s)		<input type="checkbox"/> 01 Amphetamine	<input type="checkbox"/> 02 Barbiturate	<input type="checkbox"/> 03 Cocaine	<input type="checkbox"/> 04 Hallucinogen	<input type="checkbox"/> 05 Heroin	<input type="checkbox"/> 06 Marijuana	<input type="checkbox"/> 07 Methamphetamine	<input type="checkbox"/> 08 Opium	<input type="checkbox"/> 09 Synthetic Narcotic	<input type="checkbox"/> 10 Unknown

VICTIM / WITNESS DATA

1. Code: V3	2. Name (L/F/M, Suffix)	<input checked="" type="checkbox"/> ADLT <input type="checkbox"/> JUV <input type="checkbox"/> BUS <input type="checkbox"/> GOV <input type="checkbox"/> POL	3. Race: W	4. Sex: M	5. Date of Birth	6. Ga. Code(s)	7. UCR Class		
8. Address (Street #, street name, Apt #, City, St., Zip) Lawrenceville, GA				9. Work Phone		10. Sobriety <input checked="" type="checkbox"/> 1 Sober <input type="checkbox"/> 4 UI / Alcohol <input type="checkbox"/> 6 UI / Both <input type="checkbox"/> 2 Unk <input type="checkbox"/> 5 UI/Drugs Alcohol/Drugs			
11. Temporary Address				12. Home Phone		13. Prosecute/Testify: <input type="checkbox"/> Yes <input type="checkbox"/> No		14. Victim Notified of Rights: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
15. Relation to Offender: N/A		16. Med. Treat. - Hospital / Treat. Center <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Grady Memorial		17. Extent of Injury <input type="checkbox"/> None <input type="checkbox"/> Minor <input checked="" type="checkbox"/> Serious <input type="checkbox"/> Fatal		18. Location of injury to body Entire Body		19. Type of Injury: Burned	
20. If no injury, describe threat / act:				21. Victim's School: (Name, Address)					

REPORTING PERSON

1. Code: V4	2. Name (L/F/M, Suffix)	<input checked="" type="checkbox"/> ADLT <input type="checkbox"/> JUV <input type="checkbox"/> BUS <input type="checkbox"/> GOV <input type="checkbox"/> POL	3. Race: H	4. Sex: M	5. Date of Birth	6. Ga. Code(s)	7. UCR Class		
8. Address (Street #, street name, Apt #, City, St., Zip) Gainesville, GA				9. Work Phone		10. Sobriety <input checked="" type="checkbox"/> 1 Sober <input type="checkbox"/> 4 UI / Alcohol <input type="checkbox"/> 6 UI / Both <input type="checkbox"/> 2 Unk <input type="checkbox"/> 5 UI/Drugs Alcohol/Drugs			
11. Temporary Address				12. Home Phone		13. Prosecute/Testify: <input type="checkbox"/> Yes <input type="checkbox"/> No		14. Victim Notified of Rights: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
15. Relation to Offender: N/A		16. Med. Treat. - Hospital / Treat. Center <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Grady Memorial		17. Extent of Injury <input type="checkbox"/> None <input type="checkbox"/> Minor <input checked="" type="checkbox"/> Serious <input type="checkbox"/> Fatal		18. Location of injury on body Head		19. Type of Injury: Trauma	
20. If no injury, describe threat / act:				21. Victim's School: (Name, Address)					

VEHICLE DATA

2. Reporting Person's Name: (L/F/M, Suffix) Officer Gilden, J.M.			3. Race: W	4. Sex: M	5. Date of Birth	6. Testify: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	7. Relation to Victim / Offender	
8. Sobriety: <input type="checkbox"/> 1 Sober <input type="checkbox"/> 2 Unknown <input type="checkbox"/> 4 UI/Alcohol <input type="checkbox"/> 5 UI/Drugs <input type="checkbox"/> 6 UI/Combination of Alcohol / Drugs								
9. Address: (Street #, street name, Apt #, City, St., Zip) Atlanta Police Zone 2 Precinct				10. Work Phone		11. Home Phone		
1. Also see # impound Report(s) -		2. Owner's Name: (L/F/M, Suffix)			Address: (Street, street name, Apt #, City, St., Zip)			3. Work Phone
4. Driver Name (L/F/M, Suffix)		5. Is Driver Owner? <input type="checkbox"/> Yes <input type="checkbox"/> No		6. Record Type: <input type="checkbox"/> T Theft from Vehicle <input type="checkbox"/> R Recovered <input type="checkbox"/> V Suspect Vehicle <input type="checkbox"/> D Damaged		7. Home Phone		
8. Vehicle Type *		9. Year	10. Make	11. Model		12. VIN		
13. Vehicle Style -		14. Color	15. Tag Number		16. State	17. Year	18. Tag Type *	19. Doors Locked? <input type="checkbox"/> Yes <input type="checkbox"/> No Ignition Locked? <input type="checkbox"/> Yes <input type="checkbox"/> No Keys in Ignition? <input type="checkbox"/> Yes <input type="checkbox"/> No
20. Date Lost/ Stolen		21. Stolen Veh. Value \$		22. Recovered Veh. Value \$		23. Vehicle Reported Stolen <input type="checkbox"/> In Atlanta <input type="checkbox"/> Outside		If out. jurisdiction:

PROPERTY DATA

1. Also see # Prop./Evidence Inventory(s)		2. Cont' on back of suppl. narr <input type="checkbox"/> Yes <input type="checkbox"/> No		RECORD TYPE D - Damaged L - Lost R - Recovered S - Stolen		PROPERTY TYPE B - Currency C - Jewelry E - Clothing F - Office Equipment G - Electronics H - Household Goods I - Firearms J - Consumables L - Other		PROPERTY STATUS: F - Found R - Returned N/A - Not in Possession of APD	
3. Record Type	4. # QUANTITY / DESCRIPTION Make - Model - Identifying Feature	5. Property Type *	6. Serial No. or Identifying No.	7. Estimated Value - \$ Amount	8. Property Status				
#									
#									
#									
#									

7-3-6

Incident / CICA No.
0:10:2:60:3:1:4

ATLANTA POLICE DEPARTMENT

INCIDENT REPORT (back)

ARRESTED PERSON / SUSPECT / MISSING PERSON DATA

1. <input type="checkbox"/> ARR <input type="checkbox"/> Copy <input type="checkbox"/> SUS <input type="checkbox"/> MIS <input type="checkbox"/> I. AGG.				2. UCR Code				1. <input type="checkbox"/> ARR <input type="checkbox"/> Copy <input type="checkbox"/> SUS <input type="checkbox"/> MIS <input type="checkbox"/> PRI. AGG.				2. UCR Code																																			
3. Name (L/F/M, Suffix)								4. GCIC / Status								3. Name (L/F/M, Suffix)								4. GCIC Status																							
6. D.O.B.				6. Sex				7. Race*				8. <input type="checkbox"/> Alias <input type="checkbox"/> Assoc.				6. D.O.B.				6. Sex				7. Race*				8. <input type="checkbox"/> Alias <input type="checkbox"/> Assoc.																			
9. Age To				10. Height To				11. Weight To				12. Build*				9. Age To				10. Height To				11. Weight To				12. Build*																			
13. Residence												Telephone												13. Residence												Telephone											
14. Who ID'd this person?												18. Occupation / Gang												14. Who ID'd this person?												15. Occupation / Gang											
16. <input type="checkbox"/> DL <input type="checkbox"/> SSN				State				17. School				16. <input type="checkbox"/> DL <input type="checkbox"/> SSN				State				17. School																											
15. Hat				19. Shirt				20. <input type="checkbox"/> Pants <input type="checkbox"/> Shorts <input type="checkbox"/> Dress <input type="checkbox"/> Skirt				15. Hat				19. Shirt				20. <input type="checkbox"/> Pants <input type="checkbox"/> Shorts <input type="checkbox"/> Dress <input type="checkbox"/> Skirt																											
21. Coat				22. Shoes				23. Clothing Type*				21. Coat				22. Shoes				23. Clothing Type*																											
24. Hair Color*				25. Style*				26. Eye Color*				27. Eye Defect*				24. Hair Color*				25. Style*				26. Eye Color*				27. Eye Defect*																			
28. Facial Hair*				29. Teeth*				30. Skin Tone*				31. Complexion*				28. Facial Hair*				29. Teeth*				30. Skin Tone*				31. Complexion*																			
32. Hand Use*				33. Jewelry*				34. Oddity*				35. Speech*				32. Hand Use*				33. Jewelry*				34. Oddity*				35. Speech*																			
36. Impersonate*				37. Amp/Deform*				38. <input type="checkbox"/> Scar <input type="checkbox"/> Mark <input type="checkbox"/> Tattoo (location / description)*				36. Impersonate*				37. Amp/Deform*				38. <input type="checkbox"/> Scar <input type="checkbox"/> Mark <input type="checkbox"/> Tattoo (location / description)*																											
39. Mod. Treat. Rec'd - Hospital / Treatment Center												<input type="checkbox"/> Yes <input type="checkbox"/> No												39. Mod. Treat. Rec'd - Hospital / Treatment Center												<input type="checkbox"/> Yes <input type="checkbox"/> No											
40. Injury Extent*				41. Injury Location (body)				42. Injury Type*				40. Injury Extent*				41. Injury Location (body)				42. Injury Type*																											
43. Arrest Date				Time				44. Arrest Location (Street, street name, Apt #)				<input type="checkbox"/> NW <input type="checkbox"/> NE <input type="checkbox"/> SW <input type="checkbox"/> SE				43. Arrest Date				Time				44. Arrest Location (Street # street name, Apt #)				<input type="checkbox"/> NW <input type="checkbox"/> NE <input type="checkbox"/> SW <input type="checkbox"/> SE																			
45. Weapon				<input type="checkbox"/> Auto				46. Weapon				<input type="checkbox"/> Auto				45. Weapon				<input type="checkbox"/> Auto				46. Weapon				<input type="checkbox"/> Auto																			
47. # Chgs				48. Court Date				Time				49. Sobriety				47. # Chgs				48. Court Date				Time				49. Sobriety																			
<input type="checkbox"/> 1 Sober				<input type="checkbox"/> 4 UI / Alcohol				<input type="checkbox"/> 6 UI / Both				<input type="checkbox"/> 2 Unk				<input type="checkbox"/> 5 UI / Drugs				<input type="checkbox"/> Alcohol / Drugs				<input type="checkbox"/> 1 Sober				<input type="checkbox"/> 4 UI / Alcohol				<input type="checkbox"/> 6 UI / Both				<input type="checkbox"/> 2 Unk				<input type="checkbox"/> 5 UI / Drugs				<input type="checkbox"/> Alcohol / Drugs			
50. Charges (Code #1 Title)												50. Charges (Code #1 Title)																																			

M.O.I. DRUGS

51. M.P. Type*				52. M.P. Status*				53. Foul Play?				54. Prev. Missing?				55. Rec. Code*				51. M.P. Type*				52. M.P. Status*				53. Foul Play?				54. Prev. Missing?				55. Rec. Code*			
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unk				<input type="checkbox"/> Yes <input type="checkbox"/> No				<input type="checkbox"/> Yes <input type="checkbox"/> No				<input type="checkbox"/> Yes <input type="checkbox"/> No				<input type="checkbox"/> Yes <input type="checkbox"/> No				<input type="checkbox"/> Yes <input type="checkbox"/> No				<input type="checkbox"/> Yes <input type="checkbox"/> No				<input type="checkbox"/> Yes <input type="checkbox"/> No				<input type="checkbox"/> Yes <input type="checkbox"/> No				<input type="checkbox"/> Yes <input type="checkbox"/> No			
56. Drug Activity				57. Drug Type*				58. Qty. Drug:				56. Drug Activity				57. Drug Type*				58. Qty. Drug:																			
<input type="checkbox"/> None <input type="checkbox"/> Buy <input type="checkbox"/> Sell				<input type="checkbox"/> Possess <input type="checkbox"/> History of Use				<input type="checkbox"/> None <input type="checkbox"/> Buy <input type="checkbox"/> Sell				<input type="checkbox"/> Possess <input type="checkbox"/> History of Use				<input type="checkbox"/> None <input type="checkbox"/> Buy <input type="checkbox"/> Sell				<input type="checkbox"/> Possess <input type="checkbox"/> History of Use																			
59. Was ID work requested or completed? <input type="checkbox"/> Yes <input type="checkbox"/> No												60. Performed By:												61. Point of Entry*				62. Method of Entry*				63. Security Measures*							
Work Performed <input type="checkbox"/> Photo <input type="checkbox"/> Fingerprint <input type="checkbox"/> Composite <input type="checkbox"/> Other																																							
64. Perpetrator Actions toward Victim: (Code Series A-J)												65. Perpetrator Behavior / Actions: (Code Series K-S)																											

NARRATIVE

66. See Page #1 for Narrative

67. THE UNDERSIGNED, BEING DULY SWORN, UPON HIS OR HER OATH, DEPOSES AND STATES THAT THE FOREGOING IS TRUE, CORRECT, COMPLETE AND LEGIBLE TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF.

AFFIDAVIT

87. Referred to: <input type="checkbox"/> R.D. <input type="checkbox"/> HR <input type="checkbox"/> Vice <input type="checkbox"/> Hom <input type="checkbox"/> Burg <input type="checkbox"/> Youth <input type="checkbox"/> Zone <input type="checkbox"/> F.V. <input type="checkbox"/> FUG <input type="checkbox"/> SD <input type="checkbox"/> Sex <input type="checkbox"/> Larc <input type="checkbox"/> PS <input type="checkbox"/> AHA <input type="checkbox"/> CP <input type="checkbox"/> Narc <input type="checkbox"/> SIS <input type="checkbox"/> Rob <input type="checkbox"/> A.T.				88. Reporting Officer's Signature Hensal, J.L. <i>J. Hensal</i>				89. APD ID No. 2301							
70. SWORN TO AND SUBSCRIBED BEFORE ME THIS 26th DAY OF Jan. 20 01															
71. Reviewer's Signature <i>WKW</i>				72. APD ID No. 0770				73. Supervisor's Signature <i>W. J. ...</i>				74. APD ID No. 1455			

INCIDENT REPORT ATLANTA POLICE DEPARTMENT

INCIDENT DATA

1. Incident / CICA No. 0:10:2:00:3:1:4
 2. Date of Rep. Mo. Day Year Time 01 | 26 | 01 | 0558
 3. Ct. Code(s) 4. Status 5. Vic. # & U
 6. Beat 210
 9. Location of Incident: (Street #, street name, Apt. #) I-85 Southbound at Piedmont Rd.
 NW NE Fullen
 SW SE Dekalb Airport
 10. Location Type: Hwy
 11. Date/Time Incident Mo. Day Year Time 01 | 26 | 01 | 0558
 12. Reporting Officer (L/F/M, Suffix) Hensal, J.L.
 13. Sex M
 14. APD ID No. 2301
 15. Assignment 2724
 16. Court Code, Reported Case Witnessed Case
 Off Days: S M T W T F S Regular Court Time
 17. Describe how crime was committed / how incident occurred: Automobile accident with fatalities / injuries
 Yes No
 18. Attempt Only? Yes No
 19. Weapon or Tool?
 Yes No
 20. Temperature / Weather 1 Clear 4 Snow
 Hot Cold 2 Cloudy 5 Sleet
 Warm Cool 3 Rain 6 Fog
 21. Forced Entry? Yes No
 22. Alcohol Related? Yes No
 23. Bias Incident? Yes No
 24. Gang Related? Yes No
 25. Family Violence? Yes No
 26. Security Devices? Yes No
 28. Incident appear Yes No
 29. If Yes, indicate type of drug(s):
 01 Amphetamine 02 Barbiturate 03 Cocaine 04 Hallucinogen 05 Heroin
 06 Marijuana 07 Methamphetamine 08 Opium 09 Synthetic Narcotic U Unknowns
 1 Code * V5
 2 Name (L/F/M, Suffix) [Redacted]
 ADLT JUV BUS GOV POL
 3 Race: H
 4 Sex M
 5. Date of Birth [Redacted]
 6. Ga. Code(s)
 7. UCR Class
 8 Address (Street #, street name, Apt. #, City, St., Zip) [Redacted] Atlanta, Ga.
 9. Work Phone
 10. Sobriety 1 Sober 4 UI / Alcohol 6 UI / Both
 2 Unk 5 UI / Drugs Alcohol / Drugs
 11 Temporary Address
 12. Home Phone
 13. Prosecutor / Testify Yes No
 14. Victim Notified of Rights: Yes No

VICTIM I WITNESS DATA

15. Relation to Offender* None
 16. Med. Treat - Hospital / Treat. Center Yes No Grady Memorial
 17. Extent of Injury None Minor Serious Fatal
 18. Location of Injury to body Arm & Body
 19. Type of Injury* Trauma
 20. If no injury, describe threat / act:
 21. Victim's School: (Name, Address)
 1 Code * V6
 2 Name (L/F/M, Suffix) [Redacted]
 ADLT JUV BUS GOV POL
 3 Race: B
 4 Sex M
 5. Date of Birth [Redacted]
 6. Ga. Code(s)
 7. UCR Class
 8 Address (Street #, street name, Apt. #, City, St., Zip) [Redacted] Atlanta, Ga.
 9. Work Phone
 10. Sobriety 1 Sober 4 UI / Alcohol 6 UI Both
 2 Unk 5 UI / Drugs Alcohol / Drugs
 11 Temporary Address
 12. Home Phone
 13. Prosecutor / Testify Yes No
 14. Victim Notified of Rights: Yes No
 15. Relation to Offender* None
 16. Med. Treat - Hospital / Treat. Center Yes No Grady Memorial
 17. Extent of Injury None Minor Serious Fatal
 18. Location of Injury to body. Head and Back
 19. Type of Injury*
 20. If no injury, describe threat / act:
 21. Victim's School: (Name, Address)

REPORTING PERSON

7. Reporting Person's Name: (L/F/M, Suffix) Officer Gilden, J.M.
 3. Race: W
 4. Sex M
 5. Date of Birth [Redacted]
 6. Testify Yes No
 7. Relation to Victim / Offender
 8. Sobriety 1 Sober 2 Unknown 4 UI / Alcohol 5 UI / Drugs 6 UI / Combination of Alcohol / Drugs
 9. Address: (Street #, street name, Apt. #, City, St., Zip) Atlanta Police Zone 2 Precinct
 10. Work Phone
 11. Home Phone

VEHICLE DATA

1. Also see # impound Report(s) -
 2. Owner's Name: (L/F/M, Suffix) Address: (Street, street name, Apt. #, City, St., Zip)
 3. Work Phone
 4. Driver Name (L/F/M, Suffix)
 5. Is Driver Owner? Yes No
 Driver Arrested? Yes No
 6. Record Type: S Stolen Other
 T Theft from Vehicle R Recovered
 V Suspect Vehicle D Damaged
 7. Home Phone
 8. Vehicle Type*
 9. Year
 10. Make:
 11. Model
 12. VIN
 13. Vehicle Style-
 14. Color
 15. Tag Number
 16. State
 17. Year
 18. Tag Type*
 19. Doors Locked? Yes No
 Ignition Locked? Yes No
 Keys in Ignition? Yes No
 20. Date Lost / Stolen
 21. Stolen Veh. Value \$
 22. Recovered Veh. Value \$
 23. Vehicle Reported Stolen In Atlanta Outside
 If out, jurisdiction:

PROPERTY DATA

1. Also see # Prop / Evidence Inventory(s)
 2. Cont' on back of suppl. narr. Yes No
 RECORD TYPE: D - Damaged L - Lost R - Recovered S - Stolen
 PROPERTY TYPE: B - Currency C - Jewelry E - Clothing F - Office Equipment G - Electronics H - Household Goods I - Firearms J - Consumables L - Other
 PROPERTY STATUS: F - Found R - Returned N/A - Not in Possession of APD
 3. Record Type
 4. # QUANTITY / DESCRIPTION Make - Model - Identifying Feature
 5. Property Type*
 6. Serial No. or Identifying No.
 7. Estimated Value - \$ Amount
 8. Property Status

7-5-6

0110

SUPPLEMENTARY OFFENSE REPORT

COMPLAINT NO. 010260314

UCR CRIME NUMBER

COMPLAINANT ADDRESS

[Redacted]

Lawrenceville, GA. [Redacted]

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.

On 26 January, 2001 I received a call from Dispatcher Sanders at 06:04 AM. She informed me that Hit & Run was being requested at the scene of a 41/4/48 with fire and entrapments. The location was given as I-85 Southbound at the GA. 400 Split. When asked for an F.T.A. I informed her that it would within 30 Minutes.

I arrived on the scene at 06:27 hrs., the weather was clear and cold. I noticed the entire southbound side of I-85 had been shut down. I saw three vehicles sitting in the HOV and Fast travel Lanes. These vehicles had burned and were still being attended to by the Atlanta Fire Department. There were numerous people around the accident scene and I immediately came into contact with the on scene supervisor, Sgt. Payne, of Zone Two. She informed me that they had two victims that were deceased, an adult female and an infant girl. She also stated that four other victims had been transported to Grady for treatment. One of those victims, an adult male had been severely burned on a major portion of his body. Also contact at the scene was Officer Gilden, Unit # 1210. Officer Gilden was busy collecting information and identification on the numerous witnesses at the scene. He also had information concerning the occupants and operators of the vehicles involved in the accident.

Upon examination of the scene I saw the three vehicles mentioned above. The first vehicle examined was a Jeep Cherokee which had been fully engulfed by the fire at the time of impact. Inside of this vehicle were located the two deceased victims. The adult female was located in a sitting position in the back seat, directly behind the drivers seat. The second victim was an infant female, located on the transmission hump face down between the drivers and passengers seat. Because the interior of the vehicle had been so badly burned it was difficult to determine if the victims had originally been restrained by safety devices. The examination of the exterior of this vehicle showed heavy damage to the rear. This was damage that resulted in the initial impact with the Thunderbird. There was a major intrusion into the rear compartment of the Jeep. The damage was very low to the rear of the Jeep and had also crushed the gasoline tank under the Jeep. Secondary damage was found on the drivers side door. This damage was the apparent result of impact with the right rear corner of the Camry. The Jeep was also where the adult male burn victim had come from. He was the driver and Husband/Father of the two deceased victims.

The second vehicle examined was the Toyota Camry. This vehicle had also been burned but had not burned until after the driver had gotten out. The vehicle showed that it had been struck in the right rear and spun counter clockwise toward the concrete center divider. There was no other apparent damage to this vehicle that could be detected at this time.

The last vehicle to be examined was the Ford Thunderbird. This vehicle showed heavy damage to the front end. The vehicle had been burned as a result of residual gasoline spilling from the ruptured gasoline tank of the Jeep. The damage indicated that a frontal impact had occurred and that it was slightly off set to the right side. *****Investigation Continues*****

THE UNDERSIGNED BEING DULY SWORN, UPON HIS/HER OATH, DISPOSES AND STATES THAT THE FOREGOING IS TRUE, CORRECT, COMPLETE, AND LEGIBLE TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF-

J.L. Hensal

2301

SIGNATURE OF OFFICER

SOCIAL SECURITY NO

SWORN TO AND SUBSCRIBED BEFORE ME THIS 8th

DAY OF Feb, 2001

SIGNED

[Signature]

1471

SIGNED

DATE

8-1-4

5- Chrysler -008485 0112

AFFIDAVIT

SUPPLEMENTARY OFFENSE REPORT

COMPLAINT NO. 010260314

UCR CRIME NUMBER

COMPLAINANT

ADDRESS

Lawrenceville, GA.

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.

This damage was consistent with the damaged done to the rear of the Jeep. I then examined the roadway for evidence to the sequence of events, and causes of the accident. Looking north in the H.O.V. Lane, I saw a rectangular gasket which had come from the rear window of the Jeep. Continuing on I found what appeared to be the Area of Impact (A.O.I.). This was significant in that there was a large gouge mark which apparently was caused by the cross member of the Thunderbird when it struck the rear of the Jeep. Fragmented glass from the windows of vehicles was dispersed out in a star burst pattern with the center of origin coming from the A.O.I. Also noted, were two skid marks originating from the north and terminating at this point. These were determined to be pre impact skid marks left by the Thunderbird prior to striking the Jeep.

Next to the A.O.I. was a White Subaru sitting in the inside Emergency Lane. This vehicle as well as a Maroon Saturn which was located in the right Emergency Lane, had struck a wheel in the roadway and were in the process of changing their tires when the accident occurred. The Subaru was so close to the vehicles at the time of impact, that the front hood was covered with fragments of glass from the windows of the accident vehicles.

Continuing north I located numerous pieces of fender debris apparently left from the Saturn when it struck the tire. In the center lane were found numerous gouges in the pavement. These were apparently caused by the wheel as it was run over by the vehicles after it came to rest in the road. It was determined that the wheel had come from a White Ford Van which after losing the entire wheel assembly was able to get off of the roadway onto the right Emergency Lane. Continuing further North I located a wheel bearing which had come from the wheel assembly, located a little further North I located a grease cap which also had come from the wheel assembly. At this time I was unable to locate the wheel itself, the tire from the wheel had come off of the wheel as a result of being run over and came to rest just south of the accident scene. It stopped rolling and leaned up against the center concrete wall, in an upright position.

Technician T. Rogers # 7347 arrived on the scene shortly after I did and started photographing the accident scene.

Also contacted at the scene was Mary Beth Hauptle of the Fulton County Medical Examiners Office. It was determined that the Jeep would be moved to the Medical Examiners Office where the deceased victims would be extricated. After I marked the points of evidence and the locations of the vehicles, Futo's Wrecker Service was permitted to remove the Thunderbird and Camry to their lot. The Jeep was removed from the scene and accompanied by the Medical Examiners Investigator to their office.

*****Investigation Continues*****

THE UNDERSIGNED, BEING DULY SWORN, UPON HIS/HER OATH, DISPOSES AND STATES THAT THE FOREGOING IS TRUE, CORRECT, COMPLETE, AND LEGIBLE TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF-

J.L. Hensal

2301

SIGNATURE OF OFFICER

SOCIAL SECURITY NO

SWORN TO AND SUBSCRIBED BEFORE ME THIS 8th

DAY OF Feb. 2001

SIGNED

[Handwritten signature]

SIGNED

DATE

P-2-4

Chrysler-008486

0113

AFFIDAVIT

SUPPLEMENTARY OFFENSE REPORT

COMPLAINT NO. 010260314

UCR CRIME NUMBER

COMPLAINANT ADDRESS

[Redacted]

Lawrenceville, GA [Redacted]

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.

Officer Kelley arrived at the scene to assist with the measurements and recording of the scene. Because no units were able to get free from the accident scene, Zone Five was requested to send an officer to the hospital to check on the drivers conditions and to obtain blood samples from them if possible. Officer T. Rogers of Zone Five was detailed to complete this task. I also requested that Officer Kelley ask Officer Boyd from Hit & Run to also respond to the hospital to check on the victims.

The measurements was obtained and a rough sketch was completed of the scene, and the vehicles were removed. Hand written statements were obtained from all witnesses. These statements were collected by Officer Gilden who then turned them over to me. I spoke with each of the witnesses briefly to see if there were any additional details that they may have omitted, and also to verify their contact numbers. Each witness was at this time released from scene. I was informed by Sgt. Cooper of Zone Two that a witness had called in and informed the officer that he witnessed the accident and left his call back information.

At approximately 09:30 hrs. the disabled vehicles in the right emergency lane were removed and the two right lanes of traffic were permitted to open up for travel.

The fire department was cleared to wash down the area after the vehicles and evidence were evaluated and removed. I instructed Officer Gilden to go to the Hit and Run Office to begin making out a statement and to bring all the paperwork that he had maintained at the scene.

At approximately 10:30 hrs. I cleared the scene with only the fire department finishing up the wash down and the D.O.T. and Motors Unit managing traffic control. The highway was completely cleared and opened up for travel by 11:00 hrs.

At 10:45 hrs. I arrived at Grady Hospital to check with Officer Boyd and on the condition of the victims. Prior to speaking with Officer Boyd, I went to the E.M.S. Office to obtain a copy of the Run/Call Sheet. Once in the office I spoke with E.M.T. Blalock, who was on the initial crew to respond to the scene. He informed me that as they approached the scene, down the right emergency lane, he saw a metal object in the emergency lane. He felt that the object was a hazard to other responding emergency units so he threw it over the concrete wall into the grass area near the Marta Rail Lines. He told me about where the object would be located and when I asked if it might be a wheel assembly, he stated that he believed it might have been. I told him that I would go out and retrieve the item later on, and would contact him later if I could not locate it.

I then proceeded to Grady and spoke with Officer Boyd. She informed me that the drivers had submitted to the taking of blood under "Implied Consent". She gave me the copies of the blood test paperwork, and stated that the tests were administered by Officer T. Rogers of Zone Five. A statement from Officer Rogers was also handed over to me. I went into Grady and located the victims and briefly spoke with each one.

*****Investigation Continues*****

Page # 3

THE UNDERSIGNED, BEING DULY SWORN, UPON HIS/HER OATH, DISPOSES AND STATES THAT THE FOREGOING IS TRUE, CORRECT, COMPLETE, AND LEGIBLE TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF-

J.L. Hensal 2301

SIGNATURE OF OFFICER SOCIAL SECURITY NO

SWORN TO AND SUBSCRIBED BEFORE ME THIS 8th DAY OF Feb. 2001 SIGNED [Signature] 1971

SIGNFD DATE

8-3-4

0114

ALF.DAVIT

SUPPLEMENTARY OFFENSE
REPORT

COMPLAINT NO. 010260314

UCR CRIME
NUMBER

COMPLAINANT
ADDRESS

[REDACTED]
Lawrenceville, GA. [REDACTED]

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.

I located [REDACTED] in the X-Ray room waiting for his X-Ray's to be read. I asked who he was and what vehicle he was in at the time of the accident. He stated in broken English that he was [REDACTED] he was [REDACTED], and that he was the driver of the Thunderbird. I was unable to carry on any further interviewing without the help of an interpreter. Since no one was available to speak Spanish, I discontinued any further questioning. I also contacted [REDACTED] in the radiology department. He stated that his name was [REDACTED] he was [REDACTED], and he was sitting in the passenger side of the Thunderbird. It appeared as though [REDACTED] had a broken left arm. He also did not speak very good English and would require an interpreter to carry on a more in depth interview. [REDACTED] was located in the waiting area for the Radiology Department. He stated that he was [REDACTED], he is [REDACTED], and he was the driver of the Camry. [REDACTED] was very groggy and only stated that he had stopped in the road because "he saw a tire on the floor". He also had a strong foreign accent and was hard to understand, so the interview was postponed until he was feeling better and more alert. At this time I went to the Burn Unit to check on the driver of the Jeep. I spoke with the nursing staff who informed me that they had obtained a name for the patient. He was identified as [REDACTED] a white male. They stated that he had severe burns over 70% of his body, and that he was stabilized at this time. I left Grady at approximately 11:30 hrs., and headed back to the Hit and Run Office to complete reports. I received a telephone call from the Medical Examiners Office, Investigator Mary Beth Hauptle, informing me that the two victims in the Jeep had been identified and that the Next of Kin had been notified. A FAX was received identifying the victims as:

[REDACTED] Lawrenceville, GA. [REDACTED]
[REDACTED] (Daughter of above)

Victims were pronounced dead at 06:35 hrs on this date.

The notification was made to victims Father/Grandfather [REDACTED], of Mary Esther, FL.. I contacted the Public Information Officer J. Quigley. I informed him of the accident and the information that we had up to this point in the investigation. I contacted the witness who had telephoned the Zone Two Precinct, [REDACTED] asked him what he had seen to which he replied that he was there when the accident started. He was attempting to get the Camry driver to remove his vehicle from the H.O.V. Lane when the Jeep was struck behind him. He assisted the Camry driver out of the vehicle after it was struck by the Jeep. I asked him why he left the scene, and he stated that an officer instructed him to clear the scene. He stated that he left and after calling his wife, he called Zone Two to pass on the information. I requested that he come into the Hit and Run Office to make a statement. He stated that he would come in on Monday to make the statement.

*****Investigation Continues***** Page # 4

THE UNDERSIGNED, BEING DULY SWORN, UPON HIS/HER OATH, DISPOSES AND STATES THAT THE FOREGOING IS TRUE, CORRECT, COMPLETE, AND LEGIBLE TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF.

AFFIDAVIT

J.L. Hensal [Signature] 2301
SIGNATURE OF OFFICER SOCIAL SECURITY NO

SWORN TO AND SUBSCRIBED BEFORE ME THIS 8th DAY OF Feb. 1901 SIGNED [Signature] 1971

SIGNED _____ DATE _____

8-4-4

EA12-005- Chrysler -008488
[REDACTED] 0115

SUPPLEMENTARY OFFENSE REPORT

UCR CRIME NUMBER

COMPLAINANT NO. 010260314

COMPLAINANT

ADDRESS

185 S/B @ Piedmont Road Overpass

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.

Friday January 26, 2001

At approximately 0630 hours, I received a telephone call from Supervisor Sanders in Communications advising me that there was a automobile accident with at least two fatalities. Supervisor Sanders told me that Officer Hensal and Sgt. Davidson both had been notified. Supervisor Sanders told me that he had been instructed by Sgt. Davidson to contact S.P.O. Baugh or me to go assist Officer Hensal in working the accident. I advised Supervisor Sanders that S.P.O. Baugh had taken the day off and that I was en route to assist Officer Hensal. I left my residence around 0730 hours en route to the accident scene which was 185 S/B @ Brookwood.

While en route to the scene I contacted the Fulton County Medical Examiner's Office and spoke to Investigator Al Boudy. I checked with to make Investigator Boudy to make sure that Fulton County Medical Examiner's Office was familiar with accident. Investigator Boudy told me that Investigator Mary Beth Hauptle was en route to the accident scene and may in fact be there.

Due to the heavy rush hour traffic, I arrived on the scene around 0800 hours. The vehicle's were removed from the scene when I arrived. There was evidence of a fire in the High Occupancy Vehicle Lane. Officer Hensal was on the scene working the accident. At Officer's Hensal's request, I contacted Officer Boyd and requested that she go to Grady Hospital and make sure that the Zone 5 unit had completed everything that we needed for the investigation. Officer Boyd told me that she would do this. S.P.O. Cooper, of the Motor Cycle Squad and I assisted Officer Hensal in measuring the evidence on the scene. Officer Hensal and I cleared the scene around 1030 hours.

... Investigation continues ...

THE UNDERSIGNED, BEING DULY SWORN, UPON HIS/HER OATH, DISPOSES AND STATES THAT THE FOREGOING IS TRUE, CORRECT, COMPLETE, AND LEGIBLE TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF.

ATTEST

SIGNATURE OF OFFICER

SOCIAL SECURITY NO.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 26 DAY OF JAN 2001 SIGNED

1971

SIGNED

DATE

9-1-1

SUPPLEMENTARY OFFENSE REPORT

COMPLAINT NO. 010260314

UCR CRIME NUMBER

COMPLAINANT

ADDRESS

Lawrenceville, GA.

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.

29 January, 2001

At 09:15 hrs. I received a telephone call from [redacted] who is the brother of the burn victim in Grady Hospital, [redacted]. He informed me that his brother was having a skin graft done today, but was still in critical condition and unconscious. He stated that he and his sister were staying at John's house, and would be in town for the rest of the week. They could be reached at the house or at the hospital.

At 09:30 hrs. I received a telephone call from [redacted] who is [redacted] Father. He stated that he was in town today to make arrangements for his daughter and granddaughters funerals. He had to return to Florida for a couple of days to see his new grandchild who was born prematurely yesterday. He left with me contact numbers where he could be reached.

At 12:30 hrs. [redacted] came into the Hit and Run Office to complete a statement regarding the accident. He stated that he was there prior to the accident and saw the incident as it occurred.

*****Investigation Continues*****

THE UNDERSIGNED, BEING DULY SWORN, UPON HIS/HER OATH, DISPOSES AND STATES THAT THE FOREGOING IS TRUE, CORRECT, COMPLETE, AND LEGIBLE TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF.

J.L. Hensal

2301

SIGNATURE OF OFFICER

SOCIAL SECURITY NO

AFFIDAVIT

SWORN TO AND SUBSCRIBED BEFORE ME THIS 8th DAY OF Feb. 2001

SIGNED

SIGNED

DATE

10-1-1

SUPPLEMENTARY OFFENSE
REPORT

COMPLAINT NO. 010260314

UCR CRIME
NUMBER

COMPLAINANT

ADDRESS

Lawrenceville, GA

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.

30 January, 2001

At approximately 10:30 hrs I contacted Omni Insurance Company which was the listed company when the Ford Thunderbird was registered. They checked the policy and informed me that the policy was canceled on 01/23/01 at 12:01 AM.

At approximately 11:00 hrs. I contacted Alfa General Insurance Company. They were unable to locate anything on the policy regarding the Camry

At 13:30 hrs. I went to Futo's Wrecker Service to examine the vehicles. I examined the under carriage of the Toyota Camry and found that it had most likely struck the wheel on the right side. The vehicle had under carriage damage that started under the right front and continued back coming out the side before the rear tire. The right side C.V. Axle had been broken at the universal joint. The interior although burned was inspected. It was noted that the hand brake was still in the set or "ON" position. The damage to the right rear of the vehicle was consistent with the damage to the drivers door of the Jeep.

The Ford Thunderbird was examined and the front end damage was consistent to the damage on the rear of the Jeep. Also examined was the front Cross Member. Particles of pavement and scratches would be consistent to the marks and gouges found at the Area of Impact at the accident scene.

The Jeep Cherokee was examined and heavy damage was apparent to the rear of the vehicle. The intrusion/crush was all the way to the rear axle. The gasoline tank was crush and one of the strap hangers was hanging loose. The direction of force was low in the rear, and slightly to the left side of the Jeep. This damage would be consistent to the damage on the Thunderbird. Also noted was the damage to the left front (drivers) door. This damage was the apparent secondary impact between the Jeep and the Camry as the Jeep started to rotate clockwise while being pushed from behind by the Thunderbird. The Jeep struck the rear of the Camry and started a counter-clockwise rotation to its place of final rest.

At 15:30 hrs. I went to the area of the accident scene and located the wheel. It was found where the E.M.T. stated it would be. I recovered the wheel in the grass directly adjacent to pole # [redacted] It was recovered and retained for inspection.

*****Investigation Continues*****

Page # 1

THE UNDERSIGNED, BEING DULY SWORN, UPON HIS/HER OATH, DISPOSES AND STATES THAT THE FOREGOING IS TRUE, CORRECT, COMPLETE, AND LEGIBLE TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF-

J.L. Hensal 2301

SIGNATURE OF OFFICER (SEE) SECURITY NO

AFFIDAVIT

SWORN TO AND SUBSCRIBED BEFORE ME THIS 8th DAY OF Feb. 2001 SIGNED: [Signature] 1971

SIGNED _____ DATE _____

11-1-1

SUPPLEMENTARY OFFENSE REPORT

COMPLAINT NO. 010260314

UCR CRIME NUMBER

COMPLAINANT

ADDRESS

Lawrenceville, GA.

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.

31 January, 2001

At 07:30 hrs. I prepared the Arrest Warrant against [redacted] He was charged with the following Motor Vehicle Violations:

- 40-6-393a Homicide by Vehicles (2 Counts)
- 40-6-394 Serious Injury by Vehicle
- 40-6-390a Reckless Driving
- 40-6-49 Following Too Closely
- 40-6-10 No Insurance

The Motor Vehicle Citations were also prepared for [redacted] at this time.

At 10:45 hrs. I brought the case for review to the Solicitor's Office. I met with Assistant Solicitor Marco Burgar who reviewed the material and charges. He felt that everything was in order and that the case was prepared to move ahead.

At 11:00 hrs. I brought the Warrant to Judge Calvin Graves in the Traffic Court. He reviewed the warrant and approved it with his signature. The Warrant was assigned Number 45242 by the Traffic Court Division.

At 13:40 hrs. myself and Officer Baugh went to Gainesville, GA. Police Department. We contacted Sgt. Carol Martin who assigned Officers Mehan and Hemphil to assist us in the service of the arrest warrant. We went to the suspects residence and we were informed by the occupant that he was at work doing construction somewhere. She stated that she did not know where but that he would be home at 18:00 hrs.. We left a copy of the warrant with Gainesville P.D. and I asked them if they could return this evening to try to serve it. They stated that they would and also stated that they would notify me if they were successful. We departed Gainesville and returned to Atlanta.

*****Investigation Continues*****

THE UNDERSIGNED BEING DULY SWORN, UPON HIS/HER OATH, DISPOSES AND STATES THAT THE FOREGOING IS TRUE, CORRECT, COMPLETE, AND DECIBLE TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF-

AFFIDAVIT

J.L. Hensal

2301

SIGNATURE OF OFFICER

SOCIAL SECURITY NO

SWORN TO AND SUBSCRIBED BEFORE ME THIS 8th

DAY OF Feb. 2001

SIGNED

[Signature] 1971

SIGNED

DATE

12-1-a

SUPPLEMENTARY OFFENSE REPORT

COMPLAINT NO 010260314 UCR CRIME NUMBER
COMPLAINANT
ADDRESS Lawrenceville, GA

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.

31 January, 2001 Continued

At 15:00 hrs on the way back from Gainesville, we stopped at the residence of [redacted] He was at home still recuperating from the accident. He was better able tell what happened at the accident scene. He was able to write out a statement and indicated that he had struck the tire in the Fast Lane and the right side of his car went down. He was issued a citation at this time for Violation of Motor Vehicle Code 40-6-275c Duty to Remove Vehicle from Highway. He was advised to call the Hit and Run Office prior to the court date.

At 20:41 hrs. I received a call from Gainesville Police, Officer Huckabee. He stated that [redacted] had been arrested on the warrant and was currently in the Hall County Jail. He requested that I call the Booking Office at Hall County Sheriffs Office to informed them when I would pick up the suspect. I immediately called Hall County S.O. and informed them that I would be up to retrieve the suspect at about 10:00 hrs. tomorrow. They stated that the suspect would be held until we arrived tomorrow. I then notified Sgt. Davidson, Officer Baugh, and Officer Quigley were informed of the arrest.

*****Investigation Continues*****

THE UNDERSIGNED BEING DULY SWORN, UPON HIS/HER OATH, DISPOSES AND STATES THAT THE FOREGOING IS TRUE, CORRECT, COMPLETE, AND LEGIBLE TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF-

AFFIDAVIT

J.L. Mensal 2301 SIGNATURE OF OFFICER SOCIAL SECURITY NO

SWORN TO AND SUBSCRIBED BEFORE ME THIS 8th DAY OF Feb. 2001 SIGNED: [Signature]

SIGNED DATE

12-2-2

SUPPLEMENTARY OFFENSE
REPORT

COMPLAINT NO. 010260314

UCR CRIME
NUMBER

COMPLAINANT

ADDRESS

Lawrenceville, GA.

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.

01 February, 2001

At 10:45 hrs myself along with Officer Bangh arrived at the Hall County Detention Center in Gainesville. The warrant was presented and [redacted] was turned over to our custody. [redacted] spoke very little English, so he was advised and signed a Miranda Rights Form which advised of the Miranda Warnings in Spanish. This form was also read to him in Spanish by Sheriffs Officer Gonzales, to which [redacted] stated that he understood.

At 11:25 hrs we started on our return trip to Atlanta.

At 12:30 hrs we delivered [redacted] to the Atlanta Pretrial Detention Center.

At 14:00 hrs I notified the victims families of [redacted] incarceration.

*****Investigation Continues*****

THE UNDERSIGNED, BEING DULY SWORN, UPON HIS/HER OATH, DISPOSES AND STATES THAT THE FOREGOING IS TRUE, CORRECT, COMPLETE, AND LEGIBLE TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF.

J.L. Hensal

2301

SIGNATURE OF OFFICER

SOCIAL SECURITY NO

ATTEST:

SWORN TO AND SUBSCRIBED BEFORE ME THIS 12th

DAY OF Feb. 2001

SIGNED

SIGNED

DATE

13-1-1

E [redacted] Chrysler -008495
0121

SUPPLEMENTARY OFFENSE
REPORT

COMPLAINT NO 010260314

UCR CRIME
NUMBERCOMPLAINANT
ADDRESS

Lawrenceville, GA

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.

02 February, 2001

At 10:00 hrs I spoke with Asst. Solicitor M. Lascala of the City Traffic Court. He informed me that I should hold onto the Citations and Warrant until the Preliminary Hearing scheduled for 13:30 hrs on Thursday 2/8/2001. Mr. Lascala also informed me that [REDACTED] bond had been set at \$10,000.

At 14:00 hrs I went back out to the sight of the crash on I-85 South. My goal at this time was to obtain Line of Sight to Distance of First Perception Measurements. To accomplish this in an effective safe manner I requested and received assistance from the Ga. D.O.T. Hero Units. I spoke with [REDACTED] and [REDACTED] who helped coordinate this task. Officer Baugh assisted me in obtaining the measurements. Officer Stewart Unit #1037 of the Motors Unit, utilized his Laser to detect the distances recorded. Distances were recorded from the HOV Lane in which the vehicles were traveling prior to impact. Two measurements were obtained:

Sight distance in the curve 818 feet

Sight distance in the curve to the A.O.I. 905 feet

At 16:00 hrs I met with the family members of the victims in the Hit and Run Office. They were informed as to the status of the case and what to expect in the future. They stated that they would be leaving town and would return as needed due to court or any condition change in [REDACTED]. They stated that he was to remain in a drug induced coma for about four weeks. During this time the doctors would continue to do skin grafts. They were given copies of the GA. State Accident Report and the accident was explained to them as indicated in the report. I also spoke briefly with their attorney Steven A. Pickens, who expressed an interest in obtaining information concerning witnesses and the vehicles. I instructed him to set up an appointment and we would provide what information that was permissible at this stage of the investigation.

*****Investigation Continues*****

Page #1 of 1

THE UNDERSIGNED, BEING DULY SWORN, UPON HIS/HER OATH, DISPOSES AND STATES THAT THE FOREGOING IS TRUE, CORRECT, COMPLETE, AND LEGIBLE, TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF.

J.L. Heisal

2301

SIGNATURE OF OFFICER

SOCIAL SECURITY NO

AFFIDAVIT

SWORN TO AND SUBSCRIBED BEFORE ME THIS 12th DAY OF Feb. 2001 SIGNED H.W. [REDACTED]

SIGNED

DATE

14-1-1

EA12-005- Chrysler -008496

[REDACTED] 0122

SUPPLEMENTARY OFFENSE
REPORT

COMPLAINT NO. 01 026 0314
COMPLAINANT
ADDRESS

UCR CRIME
NUMBER

LAWRENCEVILLE

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.

ON MONDAY, FEBRUARY 5, 2001 AT 1730 HOURS, [REDACTED] SISTER OF [REDACTED] CALLED THE HIT & RUN OFFICE AND ADVISED THAT HER BROTHER HAD DIED TODAY'S DATE.

[REDACTED] THEN CONTACTED THE FULTON COUNTY MEDICAL EXAMINER'S OFFICE AND TALKED TO INVESTIGATOR MARK RUFFIN WHO CONFIRMED THE DEATH OF [REDACTED] HE DIED AT 1355 HRS THIS DATE AT GRADY HOSPITAL FROM BURNS AND INJURIES RECEIVED IN THE ACCIDENT. DR. WALTER INGRAM PRONOUNCED HIM.

THE AUTOPSY REPORT WAS ORDERED THIS DATE FOR ALL THREE DECEASED VICTIMS.
INVESTIGATION CONTINUES:

THE UNDERSIGNED, BEING DULY SWORN, UPON HIS/HER OATH, DISPOSES AND STATES THAT THE FOREGOING IS TRUE, CORRECT, COMPLETE, AND LEGIBLE TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF.

R.T. Baugh 1862
SIGNATURE OF OFFICER SOCIAL SECURITY NO

SWORN TO AND SUBSCRIBED BEFORE ME THIS 05 DAY OF FEB. 12001 SIGNED *[Signature]* 1971

SIGNED _____ DATE _____

15-1-1

EA [REDACTED] hysler-008497
125

AFFIDAVIT

SUPPLEMENTARY OFFENSE
REPORT

COMPLAINT NO. 010260314
COMPLAINANT
ADDRESS

UCR CRIME
NUMBER

Lawrenceville, GA

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.

06 February, 2001

At 11:00 hrs I met with Solicitor Joseph Drolet, and Asst. Solicitor Michael Lascala in the Solicitor General's Office. We reviewed the case and the charges against [redacted] and [redacted]. They felt that the case was progressing in an orderly fashion and would be sent to the District Attorney's Office when [redacted] post's bond.

At 15:30 hrs I met with [redacted] and took an additional statement from him at his work in Douglasville. He was a witness to the accident just prior to the impact and assisted in the removal of John Belli from the burning vehicle. Of particular importance is that [redacted] witnessed the Thunderbird speed by him at a high rate of speed just prior to the fiery impact. This interview lasted approximately one hour.

*****Investigation Continues*****

Page #1 of 1

THE UNDERSIGNED BEING DULY SWORN, UPON HIS/HER OATH, DISPOSES AND STATES THAT THE FOREGOING IS TRUE, CORRECT, COMPLETE, AND LEGIBLE TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF.

J.L. Hensal

2301

SIGNATURE OF OFFICER

SOCIAL SECURITY NO

AFFIDAVIT

SWORN TO AND SUBSCRIBED BEFORE ME THIS 12th

DAY OF Feb. 2001

SIGNED

SIGNED

DATE

16-1-1

E [redacted] Chrysler-008498

SUPPLEMENTARY OFFENSE
REPORT

COMPLAINT NO. 010260314

UCR CRIME
NUMBER

COMPLAINANT
ADDRESS

[REDACTED]

Lawrenceville, GA [REDACTED]

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.

08 February, 2001

At 13:00 hrs I met with Asst. Solicitor Lascala and Atlanta Traffic Court Clerk Darryl Lockhart in the clerks office. At this time I completed the Arrest Warrant Return of Service, and turned in the original copies of the Traffic Citations issued in this case. I was informed by [REDACTED] that [REDACTED] had posted bond early yesterday, and because of that he would probably not be in court this afternoon. I was informed that I did not have to remain in court, and that the paperwork and charges would be submitted.

It should be noted that any information concerning Arrest Warrant # 45242 please refer to copy of the warrant attached.

*****Investigation Continues*****

Page #1 of 1

THE UNDERSIGNED, BEING DULY SWORN, UPON HIS/HER OATH, DISPOSES AND STATES THAT THE FOREGOING IS TRUE, CORRECT, COMPLETE, AND LEGIBLE TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF.

J.L. Hensal

J.L. Hensal

2301

SIGNATURE OF OFFICER

SOCIAL SECURITY NO

AFFIDAVIT

SWORN TO AND SUBSCRIBED BEFORE ME THIS 12th

DAY OF Feb. 2001

SIGNED

J.L. Hensal

SIGNED

DATE

17-1-1

Chrysler -008499
0125

ATLANTA POLICE DEPARTMENT

DATE: 26/2001 TIME: 1200

STATEMENT OF: [REDACTED] DATE: W SEX: M DOB: 12/06/1974

HOME ADDRESS: CITY/STATE:

REPORTER NAME/ADDRESS: ATLANTA GA

HOME: [REDACTED] [REDACTED] [REDACTED] [REDACTED]
BUS: 404 848 7231

DETAILS:

ON THE ABOVE DATE AND TIME I RESPONDED TO AN AUTO ACCIDENT WITH UNIT 1220 OFFICER J. BOMMELJE AT I 85 SOUTHBOUND AT PIEDMONT ROAD. UNIT 1227 OFFICER STEWART AND UNIT 1203 OFFICER SCHABIS ARRIVED SHORTLY BEFORE I DID. WHEN ON LOCATION I OBSERVED THREE VEHICLES FULLY IN GULFED IN FLAMES. THE DRIVER OF THE JEEP A MR. [REDACTED] WAS LAYING ON THE GROUND WITH SEVERAL PEOPLE ATTENDING TO HIM. AS I APPROACHED [REDACTED] A [REDACTED] A WITNESS TO THE ACCIDENT STATED THAT A [REDACTED] WIFE AND CHILD WAS STILL IN THE VEHICLE. [REDACTED] DID NOT HAVE ANY CLOTHES ON. ONE OF THE CARETAKERS A [REDACTED] STATED THAT SHE HAD CUT WHAT LITTLE CLOTHES HE HAD OFF BECAUSE THEY WERE STILL SMOLDERING. [REDACTED] AT THAT POINT STATED HE WAS HOT AND ASKED IF HIS WIFE AND CHILD WERE OK. AFTER CHECKING ON [REDACTED] I TALKED TO A [REDACTED] STATED THAT A WHITE VAN HAD LOST HIS TIRE, WHICH HIT HIS DRIVER SIDE FENDER CAUSING DAMAGE TO HIS FENDER AND HIS TIRE TO BLOW OUT. [REDACTED] THEN PULLED OVER TO CHANGE HIS TIRE (ON THE RIGHT SIDE OF I 85 SOUTHBOUND). [REDACTED] STATED THAT WHILE CHANGING HIS TIRE HE NOTICED ANOTHER VEHICLE GET A FLAT. THAT VEHICLE WAS IN THE HOV LANE. AT THAT POINT A JEEP HAD APPROACHED AND ATTEMPTED TO PASS THE VEHICLE WITH THE FLAT TIRE. WHEN A FORD THUNDERBIRD HAD COME BEHIND THE VEHICLE AND REAR ENDED IT. [REDACTED] STATED AT THAT POINT THE JEEP AND THE CAR WITH A FLAT TIRE (TOYOTA CAMRY) HAD BURST INTO FLAMES. FIRE AND EMS HAD ARRIVED SHORTLY THERE AFTER. [REDACTED] POINTED TO THE DRIVER OF THE THIRD VEHICLE WHICH STRUCK THE JEEP. THE DRIVER OF THE FORD THUNDERBIRD WAS A [REDACTED] STATED HIS NAME AND GAVE ME HIS DRIVER LICENSE. HE ALSO STATED THAT HE WAS DRIVING IN THE HOV LANE WHEN HE STRUCK THE JEEP. AFTER COLLECTING THE DRIVER LICENSE FORM [REDACTED] I BEGAN COLLECTING DRIVER LICENSES FROM ALL THE PARTIES INVOLVED. A [REDACTED] APPROACHED AND STATED THAT HE HAD SLOWED DUE TO THE VEHICLE GETTING A FLAT WHEN HE WAS STRUCK FORM THE REAR. HIS VEHICLE SUFFERED MINOR DAMAGES TO THE

I HAVE READ/HAVE HAD READ TO ME/THE ABOVE STATEMENT AND IT IS TRUE TO THE BEST OF MY BELIEF AND KNOWLEDGE AND HAS BEEN GIVEN FREELY AND VOLUNTARILY BY ME.

WITNESS:
WITNESS:
WITNESS:
TYPIST:

SIGNATURE: [Handwritten Signature]
DATE: 01/26/01 TIME: 1430
VICTIM:
COMPLAINT #:
CRIME #: EA12-005-Chrysler-008500

18-1-2

[REDACTED] 0126

CONTINUED STATEMENT OF _____ RACE W SEX M DOB _____

PAGE # 2 DATE 01/26/2001 TIME 1200

DETAILS: TO THE REAR BUMPER AND TRAILER. HE ALSO STATED THAT HE OBSERVED THE THIRD VEHICLE (FORD THUNDERBIRD) STRIKE THE JEEP.

UNIT 1204 OFFICER HAROLD ARRIVED AND WROTE DOWN THE INFORMATION OF THE DRIVER OF THE FIRST VEHICLE A _____ UNIT 1205 OFFICER WALTERS COLLECTED THE INFORMATION OF THE WHITE VAN DRIVER. HIS NAME WAS _____ LOST HIS TIRE WHILE DRIVING.

INVESTIGATOR HENSAL ARRIVED AND STATED I SHOULD COLLECT STATEMENTS FROM THE WITNESSES. AT THAT POINT A HANDED AND COLLECTED ALL OF THE STATEMENTS FOR INVESTIGATOR HENSAL.

SEVERAL OBJECTS WERE PICKED UP FORM THE SCENE. A VIDEO CAMERA WITH BAG WAS PICKED UP FROM THE SCENE. SEVERAL HUNDRED YARDS SOUTH FROM THE SCENE I FOUND WHAT LOOKED LIKE A PLAYPEN AND A BLACK LEATHER JACKET. THE PLAYPEN WAS BADLY DAMAGED AND WAS DISFIGURED. THE LEATHER JACKET AND CAMERA WITH BAG WAS TAKEN DOWN TO PROPERTY.

END OF STATEMENT.

I HAVE READ/HAVE HAD READ TO ME/THE ABOVE STATEMENT AND IT IS TRUE TO THE BEST OF MY BELIEF AND KNOWLEDGE AND HAS BEEN GIVEN FREELY AND VOLUNTARILY BY ME.

WITNESS _____
WITNESS _____
WITNESS _____
TYPIST _____

[Signature]
SIGNATURE _____
DATE 01/26/01 TIME 1430
VICTIM _____
COMPLAINT # _____
CRIME # _____

18-2-2

ATLANTA POLICE DEPARTMENT

DATE: 01-26-01 TIME: _____

OFFICER OF: OFFICER T.R. ROGERS RACE: B SEX: F DOB: _____

HOME ADDRESS: _____ CITY/STATE: _____

REPORTER NAME/ADDRESS: ATLANTA POLICE: ZONE 2

IRME:

ISS:

DETAILS:

ON 1-26-01, I OFFICER T.R. ROGERS WAS GIVEN A CALL AT GRADY MEMORIAL HOSPITAL. DISPATCH STATED THAT I WOULD NEED TO GO TO THE EMERGENCY ROOM AND HAVE BLOOD DRAWN ON (2) INDIVIDUALS INVOLVED IN A FATALITY ACCIDENT ON THE EXPRESSWAY. ONCE ARRIVING AT GRADY I SPOKE WITH [REDACTED] WHO I READ THE IMPLIED CONSENT AND HE STATED THAT HE UNDERSTOOD AND DIDN'T HAVE TO WORRY ABOUT DRUGS AND ALCOHOL BECAUSE HE HADN'T DID ANY. [REDACTED] STATED HE WAS A PASSENGER AND WOULD GIVE BLOOD. STAFF NURSE THARP TOOK HIS BLOOD AND HE STATED THAT HE WOULD TELL [REDACTED] BUT [REDACTED] WAS EITHER UNCONSCIOUS OR ASLEEP AT THE TIME. STAFF NURSE THARP TOOK BLOOD FROM [REDACTED] ALSO.

ANOTHER MEMBER OF THE PHYSICIANS TEAM ADVISED ME THAT ANOTHER SUBJECT INVOLVED IN THE ACCIDENT HAD CAME IN. I RETRIEVED ANOTHER KIT (BLOOD) FROM CORRECTIONS, ADVISED [REDACTED] OF THE IMPLIED CONSENT AND HE AGREED TO HAVE HIS BLOOD DRAWN.

ALL KITS (BLOOD) WAS RETURNED TO CORRECTIONS. END OF STATEMENT.

I HAVE READ/HAVE HAD READ TO ME/THE ABOVE STATEMENT AND IT IS TRUE TO THE BEST OF MY BELIEF AND KNOWLEDGE AND HAS BEEN GIVEN FREELY AND VOLUNTARILY BY ME.

WITNESS _____

WITNESS _____

WITNESS _____

TYPIST: R.T. BAUGH

SIGNATURE _____

DATE: 01-26-01 TIME: 9:50 AM

VICTIM: [REDACTED]

COMPLAINT #: 01 026 0314

CRIME #: EA12-005 Chrysler 008502

19-1-2

[REDACTED]

CONTINUED STATEMENT OF ROGERS, T.R. RACE B SEX F DOB _____

PAGE # 1

DATE _____ TIME _____

DETAILS:

On 1-26-01, I officer T.R. Rogers was given a call at Grady Memorial Hospital Dispatch stated that I would need to go to the Emergency room and have blood drawn on (2) individuals involved in a fatality accident on the Xpressway. Once arriving at Grady I spoke with [redacted] who I read the implied consent and he stated that he understood and didn't have to work about drugs and alcohol because he hadn't did any. [redacted] stated he was a passenger and would give blood. Staff Nurse Tharp took his blood and he stated that he would

I HAVE READ/GAVE HAD READ TO ME/THE ABOVE STATEMENT AND IT IS TRUE TO THE BEST OF MY BELIEF AND KNOWLEDGE AND HAS BEEN GIVEN FREELY AND VOLUNTARILY BY ME.

WITNESS _____
WITNESS _____
WITNESS _____
TYPIST _____

T. Rogers
SIGNATURE
DATE 1-26-01 TIME 9:50 AM
VICTI [redacted]
COMPLAINT # 01 026 5314
CRIME # _____

19-2-2

[redacted] 129 Chrysler -008503

ATLANTA POLICE DEPARTMENT

DATE: 01/29/01 TIME: 1235

DEPARTMENT OF: [REDACTED] RACE: C SEX: M DOB: 12/14/51

CLERK ADDRESS: 6027 Bateau Drive CITY/STATE: Flowery Branch, GA 30542

OFFICER NAME AND ID: Georgia Tech, 208 O'Keefe Building, Atlanta, GA 30332

HOME: [REDACTED] BUS: [REDACTED]

DETAILS:

At 0555 last Friday, 26 Jan 01, I was traveling south on I-85 enroute to my office at Georgia Tech. I was traveling at about 70 MPH in lane #3 (HOV being #1) when I saw a fire in lane #4. As I passed the fire, I heard a loud noise to my right and saw a dark colored sports car right next to my truck. I slowed and moved to the left break-down lane next to the retaining wall, stopped my truck, put it in park, and put my flashers on. I left my truck running. I was about 300 feet in front of the dark sports car which was stopped in the HOV lane. As I stopped, a rimless tire rolling along the wall came to a stop about 5 feet in front of my truck. I got out expecting to find the right side of my truck severely damaged and was amazed to find nothing. I looked back up the interstate and approached the car in the HOV lane. The driver of that car, a young black man about 25 years old, asked me "Did you see that tire". I said "yes" and told him "you need to move your car out of the HOV lane right away". He was pre-occupied with damage to his car. He asked if I had a cell phone. I said yes and went back to my truck and got it. I approached the dark sports car again, still in the HOV lane, and again told him we had to move his car from the HOV lane. We both tried to push on the back of his car, and it would not move. The dark sports car was not running, there was damage to the front end, the air bag had deployed and I noticed his parking brake was on and the shifter was in park. I was standing about 3 feet from this car between it and the retaining wall. The driver of this car then got into his car and was attempting to put it in neutral and take the brake off. I was facing north looking towards the traffic coming our way and noticed another vehicle maybe 100 feet of me also next to the retaining wall with someone changing a tire, and a second car on the other side of the freeway in the breakdown lane. As I continued looking north, I saw and heard a collision and saw a fireball heading directly towards me. I grabbed the retaining wall and pulled myself up. The fireball (a jeep Cherokee) impacted the rear of the dark sports car, about 10 feet from where I was standing. As I turned, I saw burning fuel all over the interstate, the Jeep totally engulfed in flames, and the dark sports car about 50-100 feet further down the interstate. I ran to the dark sports car, got in on the passenger side, and saw pieces of flaming wreckage laying on the back of the driver. His feet were near the pedals and his head was in the passenger side foot well. His torso was draped over the center console. I threw the burning pieces out of the car and dragged the driver out the passenger side. He was not conscious. I wanted to get him away from the fire as soon as possible. The Jeep was about 30-40 feet west of the dark sports car and was totally engulfed. While dragging the driver south away from the fire, I saw the driver of the Jeep outside his vehicle standing and pleading for help. He was totally covered in flames. I never heard any other sounds from the Jeep.

I HAVE READ/HAVE HAD READ TO ME/THE ABOVE STATEMENT AND IT IS TRUE TO THE BEST OF MY BELIEF AND KNOWLEDGE AND HAS BEEN GIVEN FREELY AND VOLUNTARILY BY ME.

WITNESS: [REDACTED]
WITNESS:
WITNESS:
TYPIST:

SIGNATURE
DATE: 01/29/2001 TIME: 13:31 hrs
VICTIM: [REDACTED]
COMPLAINT #: 010260314
CRIME #: Fatality Accident
Chrysler-008504
0130

do-1-2

CONTINUED STATEMENT OF _____ RACE C SEX M DOB _____

PAGE # 2 DATE 01/29/01 TIME 1301

DETAILS: While dragging the driver of the dark sports car, I also saw and heard small secondary explosions coming from the Jeep. After dragging the driver about 100 feet, I sat him down leaning against the retaining wall. He was starting to come around at that time. I told him to stay there. I believe I went back to the Jeep and attempted to open the passenger side doors, but they were locked. The inside of the Jeep was totally orange in flames. I never saw or heard any screams or cries for help from the Jeep. I went back to the driver of the dark sports car and was with him when flashing lights and emergency vehicles began arriving. It was like a war zone. Someone approached us and directed me to leave the scene. I ID'ed the young black man as the driver of the sports car. As I looked back, the sports car was not in flames, but I have since learned that it was also destroyed by the fire. I believe the driver of the dark sports car was not thinking about moving his car out of the HOV lane, was pre-occupied with the damage to his car, and that's where it was when it was struck in the rear by the Jeep. I do not know if the sports car was drivable, but I attempted to push it out of the HOV lane. I arrived at my office on the campus at Georgia Tech about 0620. I called my wife and then I called the Police. They connected my with the Hit & Run - Fatality section. *****END OF STATEMENT*****

I HAVE READ/HAVE HAD READ TO ME/THE ABOVE STATEMENT AND IT IS TRUE TO THE BEST OF MY BELIEF AND KNOWLEDGE AND HAS BEEN GIVEN FREELY AND VOLUNTARILY BY ME.

WITNESS _____
WITNESS _____
WITNESS _____
TYPIST _____

SIGNATURE _____
DATE 01/29/01 TIME 13:31 hrs
VICTIM _____
COMPLAINT # 010260314
CRIME # Fatality Accident

20-2-2

_____08505

ATLANTA POLICE DEPARTMENT

DATE: 01-26-01 TIME: _____

REGISTRATION NO: [REDACTED] RACE: W SEX: M DOB: [REDACTED]

HOME ADDRESS: [REDACTED] CITY/STATE: DULUTH, GA., [REDACTED]

VEHICLE MAKE/MODEL/ADDRESS: _____

TIME: [REDACTED]
BUS: [REDACTED]

DETAILS:

CAR 1 WAS CHANGING A FLAX TIRE ON THE LEFT SIDE. CAR 4 PASS ME AT HIGH RATE OF SPEED. THEN THE NEXT THING I SAW WAS FIRE. HELP PULL PERSON OUT AND PUT FIRE OUT ON PERSON.

I HAVE READ/HAVE HAD READ TO ME/THE ABOVE STATEMENT AND IT IS TRUE TO THE BEST OF MY BELIEF AND KNOWLEDGE AND HAS BEEN GIVEN FREELY AND VOLUNTARILY BY ME.

WITNESS: _____

WITNESS: _____

WITNESS: _____

TYPIST: R.T. BAUGH

SIGNATURE _____

DATE: 01-26-01 TIME: _____

VICTIM: [REDACTED]

COMPLAINT #: 01 026 0314

CRIME #: _____ EA12-005-Chrysler-008507

21-1-2

ATLANTA POLICE DEPARTMENT

DATE: 1-26-01 TIME:

STATEMENT OF:

RACE: W SEX: M DOB:

HOME ADDRESS:

CITY/STATE: Duluth GA

REPORTER'S NAME/ADDRESS:

Home work
Lis # → 0699 36344

HOME: [][]-[][]-[][][][]
BUS: [][]-[][]-[][][][]

DETAILS:



CAR 1 WAS CHANGING A
FLAX TIRE ON THE LEFT
SIDE.
CAR 4 PASS ME AT
HIGH RATE OF SPEED.
THEN THE NEXT THING
I SAW WAS FIRE.
HELP. PULL PERSON OUT
AND PUT ^{FIRE} OUT ON PERSON

I HAVE READ/HAVE HAD READ TO ME/THE ABOVE STATEMENT AND IT IS TRUE TO THE BEST OF MY BELIEF AND KNOWLEDGE AND HAS BEEN GIVEN FREELY AND VOLUNTARILY BY ME.

WITNESS: _____
WITNESS: _____
WITNESS: _____
TYPIST: _____

SIGNATURE _____
DATE: 1-26-01 TIME: _____
VICTIM: _____
COMPLAINT #: 010260314
CRIME #: _____

21-2-2

EA12-005-Chrysler-008508
[REDACTED] 0134

ATLANTA POLICE DEPARTMENT

DATE: 12/06/2001 TIME: 15:45

STATEMENT OF: [REDACTED] RACE: W SEX: M DOB: [REDACTED]

HOME ADDRESS: [REDACTED] CITY/STATE: Duluth, Ga. [REDACTED]

OFFICE NAME/ADDRESS: _____

HOME: [REDACTED]
BUS: [REDACTED]

REPORT

On 26 January, 2001, at approximately 05:58 AM I was Southbound on I-85. I was traveling in the lane next to the HOV Lane. I had just past the GA. 400 on ramp to I-85 about one mile back. The traffic was traveling at approximately 75 MPH and the conditions were medium. As I was heading South I noticed a Ford Thunderbird go by me in the HOV Lane also heading South. I took notice of the Thunderbird because it passed me at a high rate of speed. Moments later I saw the brake lights of the Thunderbird come on and immediately after that I saw a fireball shoot up in the sky. I saw the Jeep on fire spin around and come to rest facing in the opposite direction. I saw the Thunderbird come to rest facing the concrete center divider wall. I was approximately 100 to 140 feet behind the Thunderbird when it struck the Jeep.

There were no vehicles between me and the impact area. I immediately stopped my vehicle and called 911 on my cell phone. I went to get the driver out of the passenger side of the Jeep. The driver got out of the drivers side and was on fire. I attempted to put the flames out on his upper torso while I dragged him away from the burning vehicle. The heat from the vehicle was too intense to be around it. Other people assisted in putting the fire out on the driver.

At this time the 911 dispatcher called back on my cell phone asking for further information about the accident and its location. Because of the emotional state I was in, I was unable to give a good location where we were located. It was also about this time that I noticed the occupants of the Thunderbird had gotten out of their vehicle. An emergency worker on the scene was at that time was trying to get vehicles near the fire out of the area to prevent its spread. End of Statement

Get Signed

I HAVE READ/HAVE HAD READ TO ME/ MY BELIEF AND KNOWLEDGE AND HAS

TO THE BEST OF BY ME.

WITNES [REDACTED]

WITNESS: _____

WITNESS: _____

TYPIST J.L. Hensal

DATE: 02/06/2001 TIME: 16:25

VICTIM: [REDACTED]

COMPLAINT #: 0102603144

CRIME #: Fatal Accident Investigation
EA12-005 Chrysler-000509

02-1-1

[REDACTED] 0135

ATLANTA POLICE DEPARTMENT

DATE: 01-31-01 TIME: 3:00 PM

STATEMENT OF: [REDACTED] RACE: B SEX: M DOB: [REDACTED]

HOME ADDRESS: [REDACTED] CITY/STATE: ATLANTA, GA.

NO. OF WORK ADDRESS: _____

HOME: [REDACTED]
BUS:

--	--	--	--	--	--	--	--	--	--

DETAILS:

I WERE TRAVELING JUST BESIDE TO THE HOV LANE AND I SAW A TIRE IN A DISTANCE OF APPROXIMATELY 6 METERS. I REMEMBERED THAT ON MY RIGHT SIDE THERE WERE A TRUCK. AFTER I SAW THE TIRE I DIDN'T HAVE ANY CHOICE TO CHANGE THE LANE AND I DROVE ON THE TIRE AND I REMEMBERED WHEN THE CAR GOING DOWN ON MY SIDE THEN I DIDN'T REMEMBER ANYTHING.

I HAVE READ/HAVE HAD READ TO ME/THE ABOVE STATEMENT AND IT IS TRUE TO THE BEST OF MY BELIEF AND KNOWLEDGE AND HAS BEEN GIVEN FREELY AND VOLUNTARILY BY ME.

WITNESS: _____

WITNESS: _____

WITNESS: _____

TYPIST: R. T. BAUGH

SIGNATURE _____

DATE: 01-31-01 TIME: 1500

VICTIM: [REDACTED]

COMPLAINT #: 01 026 0314

CRIME # EA12-005 Chrysler 008510

23-1-2

[REDACTED] 0136

ATLANTA POLICE DEPARTMENT

DATE: 01/31/01 TIME: 3:00 PM

STATEMENT OF: [REDACTED] RACE: B SEX: M DOB: Sept 16, 1976

HOME ADDRESS: [REDACTED] CITY/STATE: ATLANTA GA

VICTIM'S NAME/ADDRESS: _____

HEMM: [REDACTED]
POIS: [REDACTED]

DETAILS:
I was travelling just beside to the Hwy
road and I saw a tyre in a distance of
approximately 6 metres. I remember that on my right
side there were a truck and a car.
After I saw the tyre I didn't have any
choice to ~~switch~~ change the lane. And
I drove on the tyre and I remember
when the car came down on my side
then I didn't remember any thing.

I HAVE READ/HAVE HAD READ TO ME/THE ABOVE STATEMENT AND IT IS TRUE TO THE BEST OF MY BELIEF AND KNOWLEDGE AND HAS BEEN GIVEN FREELY AND VOLUNTARILY BY ME.

WITNESS: _____

WITNESS: _____

WITNESS: _____

TYPIST: _____

SIGNATURE: [REDACTED]

DATE: 01/31/01 TIME: 3:00

VICTIM: [REDACTED]

COMPLAINT #: 010260314

CRIME #: EA12-005-Chrysler-008511

23-2-2

ATLANTA POLICE DEPARTMENT

DATE: 01-26-01 TIME: 0605

STATEMENT OF: [REDACTED] RACE: B SEX: M DOB: [REDACTED]

HOME ADDRESS: [REDACTED] CITY/STATE: DECATUR, GA. [REDACTED]

BUSINESS NAME/ADDRESS: [REDACTED] ATLANTA, GA., [REDACTED]

HOME: [REDACTED]

Bus: [REDACTED]

DETAILS:

I WAS TRAVELING SO. BOUND ON 85 JUST PASS P'TREE ST. EXIT WHEN I SAW A VEHICLE STOPPED IN THE SEVERE LANE LEFT OR THE HOV. LANE. I WAS FOLLOWING THE SUV VEHICLE THAT STARTED TO CHANGE LANES TO MISS THE STOPPED VEHICLE AS IT SLOWED DOWN THE THIRD VEHICLE STRUCK THE S.U.V. IN THE REAR CAUSING THE (SUV) JEEP TO CATCH FIRE. MYSELF & SEVERAL VEHICLES DID ALL WE COULD TO MISS THE THREE VEHICLES. THERE WERE TWO VEHICLES ON THE RT. SIDE WITH TIRE PROBLEMS CAUSING THE VERY DIFFICULT, WE THEN ATTEMPTED TO RESCUE THE PEOPLE FROM THE BURNING VEHICLE ONLY ABLE TO SAVE THE DRIVER. THERE WAS NO DAMAGE TO THE VEHICLE I WAS DRIVING.

I HAVE READ/HAVE HAD READ TO ME/THE ABOVE STATEMENT AND IT IS TRUE TO THE BEST OF MY BELIEF AND KNOWLEDGE AND HAS BEEN GIVEN FREELY AND VOLUNTARILY BY ME.

WITNESS: _____

WITNESS: _____

WITNESS: _____

TYPIST: R.T. BAUGH

SIGNATURE _____

DATE: 01-26-01 TIME: 0620

VICTIM: [REDACTED]

COMPLAINT #: 01 026 0314

CRIME #: EA12-005- Chrysler -008512

24-1-2

[REDACTED] 0138

ATLANTA POLICE DEPARTMENT

DATE: 1/26 TIME: 0605

TREATMENT OF: [REDACTED]

RACE: B SEX: M DOB: 1-9-47

HOME ADDRESS: [REDACTED]

CITY/STATE: Dec GA [REDACTED]

BUSINESS NAME/ADDRESS: Fed Ex 3600 Inman Loop NE ATL 30354

HOME: [REDACTED] BUS: [REDACTED]

DETAILS: I was traveling so bound on 85 just pass pike at Exit when I saw a vehicle stopped in the service lane left on the HOV ^{Lane} ~~lane~~, I was following the SUV vehicle that started to change lanes to miss the stopped vehicle as it slowed down the front vehicle struck the SUV in the rear causing the (SUV) to slip to either side myself & several vehicles did all we could to miss the other vehicles, there were two vehicles on the Rt. side with true problems causing the movements very difficult, we then attempted to remove the people from the burning vehicle only able to save the driver there was no damage to the vehicle I was driving

I HAVE READ/HAVE HAD READ TO ME/THE ABOVE STATEMENT AND IT IS TRUE TO THE BEST OF MY BELIEF AND KNOWLEDGE AND HAS BEEN GIVEN FREELY AND VOLUNTARILY BY ME.

WITNESS: _____

WITNESS: _____

WITNESS: _____

TYPIST: RT Brandy

SIGNATURE _____

DATE: 1-26-01 TIME: 0620

VICTIM: [REDACTED]

COMPLAINT #: 010260314

CRIME # EA12-005-Chrysler-008513

24-2-2

[REDACTED] 0139

ATLANTA POLICE DEPARTMENT

DATE: 01-26-01 TIME: 0653

STATEMENT OF: [REDACTED] RACE: [REDACTED] SEX: M

HOME ADDRESS: [REDACTED] CITY/STATE: ATLANTA, GA. [REDACTED]

OFFICER NAME/ADDRESS: _____

HOME: [REDACTED]
BUS: [REDACTED]

STATEMENT

DEBRIS LAFT IN ROAD FROM ACCIDENT INVOLVING SATURN & UNKNOWN VEHICLE FLATTENED MY TIRE. I PULLED OVER TO THE LEFT MEDIUM TO CHANGE THE TIRE. WHILE IN THE PROCESS OF CHANGING THE TIRE I NOTICED ANOTHER VEHICLE STOPPED IN THE HOV LANE APPROXIMATELY 50 FEET IN FRONT OF ME. I ASSUMED THIS VEHICLE HAD STOPPED B/C OF SIMILAR DEBRIS DAMAGE BUT THAT'S ONLY SPECULATION. APPROXIMATELY 45-50 SECONDS LATER A JEEP 4WD CAME DOWN THE HOV LANE AND RAN INTO THE STOPPED VEHICLE.

I HAVE READ/HAVE HAD READ TO ME/THE ABOVE STATEMENT AND IT IS TRUE TO THE BEST OF MY BELIEF AND KNOWLEDGE AND HAS BEEN GIVEN FREELY AND VOLUNTARILY BY ME.

WITNESS _____
WITNESS _____
WITNESS _____
TYPIST R.T. BAUGH

SIGNATURE: _____
DATE: 01-26-01 TIME: _____
VICTIM: [REDACTED]
COMPLAINT #: 01 026 0314
CRIME #: _____ EA12-005-Chrysler-008514

05-1-2

[REDACTED] 0140

SUPPLEMENTARY
INCIDENT REPORT

ATLANTA POLICE DEPARTMENT

Page ___ of ___

1. Incident / CICA No.	2. Complainant Name. (L.F.M, Suffix / Business)	3. Date of Report: <u>1/26/01</u>	4. Reserved:
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[Redacted]

Atlanta, GA [Redacted]

[Redacted] (id)
[Redacted] (w)

GA DL# [Redacted]

Debris left in road from merchant involving Saturn + unknown vehicle flattened my tire. I pulled over to the left median to change the tire. While in the process of changing the tire I noticed another vehicle stopped in the HOV lane approximately 50 feet in front of me. I assumed this vehicle had stopped b/c of similar debris damage but that's only speculation. Approximately 45-50 seconds later a Jeep AWD came down the HOV lane and ran into the stopped vehicle.

[Redacted]

1/26/01
6:53 am

THE UNDERSIGNED, BEING DULY SWORN, UPON HIS OR HER OATH, DEPOSES AND STATES THAT THE FOREGOING IS TRUE, CORRECT, COMPLETE AND FIDELITY TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF.

9. Referred to: <input type="checkbox"/> Zone <input type="checkbox"/> FV <input type="checkbox"/> AHA <input type="checkbox"/> CP <input type="checkbox"/> RD <input type="checkbox"/> FFR <input type="checkbox"/> Fug <input type="checkbox"/> Nurc <input type="checkbox"/> Vice <input type="checkbox"/> SD <input type="checkbox"/> SIS <input type="checkbox"/> Fleas <input type="checkbox"/> Sex <input type="checkbox"/> Rob <input type="checkbox"/> Burg <input type="checkbox"/> Larc <input type="checkbox"/> AT <input type="checkbox"/> Youth <input type="checkbox"/> PS2	7. Reporting Officer's Signature	8. APD ID No.
	9. SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 19____	
10. Reviewer's Signature	11. APD ID No.	12. Supervisor's Signature
		13. APD ID No.

25-2-2



0141

NARRATIVE

AFFIDAVIT

ATLANTA POLICE DEPARTMENT

DATE: 01-26-01 TIME: 0605

STATEMENT # [REDACTED] NAME: W SEX: M DOB: [REDACTED]

HOME ADDRESS: [REDACTED] CITY/STATE: HOMER, GA., [REDACTED]

EMPLOYEE NAME/TITLE: DIVERSIFIED INSTALLATION & DESIGN " " "

HOME: [REDACTED]
JOB: [REDACTED]

STATE:

I WAS TRAVELING SOUTH ON I-85, WHEN I SAW THE ONE CAR SITTING "STOPPED IN MIDDLE NEXT TO THE WALL, AND A WHITE VAN PARKED ON THE SIDE BY OUTSIDE WALL IN EMERGENCY LANE. THE JEEP WAS EITHER STOPPED OR ALMOST STOPPED TRYING TO GET AROUND, AND THE THIRD CAR HIT THE JEEP FROM BEHIND, AT WHAT APPEARED TO BE AT THE SPEED LIMIT RATE OF SPEED. THE JEEP IMMEDIATELY EXPLODED. I SWERVED BEFORE THE WRECK TO MISS THE CARS, SOMEONE HIT ME JUST AS THE JEEP EXPLODED, AND I PULLED OVER DIRECTLY BEHIND THE VAN, & THE TRUCK BEHIND ME WENT AROUND ME, AND STOPPED IN FRONT OF THE VAN.

I HAVE READ/HAVE HAD READ TO ME/THE ABOVE STATEMENT AND IT IS TRUE TO THE BEST OF MY BELIEF AND KNOWLEDGE AND HAS BEEN GIVEN FREELY AND VOLUNTARILY BY ME.

WITNESS: _____

WITNESS: _____

WITNESS: _____

TYPIST: R.T. BAUGH

SIGNATURE _____

DATE: 01-26-01 TIME: 0655

VICTIM: [REDACTED]

COMPLAINT #: 01 026 0314

CRIME #: EA12-005-Chrysler-008510

[REDACTED] 0142

26-1-2

ATLANTA POLICE DEPARTMENT

DATE: 1-26-01 TIME: Approx 6:05

STATEMENT OF: [REDACTED]

RACE: CAUC SEX: M. DOB: [REDACTED]

HOME ADDRESS: [REDACTED]

CITY/STATE: Homer, GA - [REDACTED]

EMPLOYER NAME/TITLE: Diversified Installation + Design " " "

HOME: [REDACTED]

BUS: [REDACTED]

STATEMENT: I was traveling south on I-85, when I saw the one car sitting "stopped in middle next to the wall, and a white van parked on the side by outside wall in emergency lane. The jeep was either stopped or almost stopped trying to get around, and the third car hit the jeep from behind, at what appeared to be at the speed limit rate of speed. The jeep immediately exploded. I swerved before the wreck to miss the car's, someone hit me just as the jeep exploded, and I pulled over directly behind the van, + the truck behind me went around me, and stopped in front of the van.

I HAVE READ/HAVE HAD READ TO ME/THE ABOVE STATEMENT AND IT IS TRUE TO THE BEST OF MY BELIEF AND KNOWLEDGE AND HAS BEEN GIVEN FREELY AND VOLUNTARILY BY ME.

WITNESS: _____

SIGNATURE: [REDACTED]

WITNESS: _____

DATE: 1-26-01 TIME: 6:55 A.M.

WITNESS: Ri Bough

VICTIM: [REDACTED]

TYPIST: _____

COMPLAINT #: 01 020 0314

CRIME #: _____

EA12-005- Chrysler -008517

06-2-2

[REDACTED] 0143

ATLANTA POLICE DEPARTMENT

DATE: 01-26-01 TIME: _____

STATEMENT OF: _____ RACE: _____ SEX: F DOB: _____

HOME ADDRESS: _____ CITY/STATE: LAWRENCEVILLE, GA,

WHERE PURCHASED: BEST BUY

ISSUE: _____
EYES: _____

DETAILS:

I PULLED UP FROM THE FAR LEFT LANE NEXT TO THE HOV LANE. AS I PULLED OVER I WITNESSED THE TWO CARS TO THE LEFT IN THE ACCIDENT AND A THIRD CAR WHAT LOOKED TO BE AN OLDER MODEL JEEP CHEROKEE (WHITE) ON FIRE FACING THE CENTER WALL. AS I RAN UP TO THE VEHICLES I SAW A MAN JUMP OUT OF THE DRIVER SIDE OF THE WHITE JEEP CHEROKEE WHILE IT WAS ON FIRE. I PROCEEDED TO USE MY JACKET TO PUT HIM OUT. HE WAS COVERED IN FLAMES OVER 70% OF HIS BODY. OTHER WITNESSES AND I INSTRUCTED HIM TO ROLL TO THE OTHER SIDE OF THE HIGHWAY WHERE WE PUT HIM OUT. THE JEEP BY THEN WAS FULLY ENGULFED IN FLAMES AND THE OTHER TWO VEHICLES STARTED TO CATCH ON FIRE NEAR THE ENGINE. I SAW TO A BLACK GENTLEMAN AND HE WAS DISORIENTED BUT STABLE AND I WENT BACK TO THE OTHER VICTIM WHO WAS ON FIRE. STAYING WITH HIM I ASKED HIM INFORMATION: NAME _____ DR _____ (IM UNSURE ON HOW TO SPELL HIS LAST NAME). HE'S ABOUT 36 AND HE WAS THE FATHER AND HUSBAND TO HIS WIFE AND DAUGHTER WHO DIED IN THE JEEP. THE JEEP WAS FULLY ENGULFED IN FLAMES THERE WAS NOTHING ANYONE COULD DO TO SAVE THEM.

I HAVE READ/HAVE HAD READ TO ME/THE ABOVE STATEMENT AND IT IS TRUE TO THE BEST OF MY BELIEF AND KNOWLEDGE AND HAS BEEN GIVEN FREELY AND VOLUNTARILY BY ME.

WITNESS: _____
WITNESS: _____
WITNESS: _____
TYPIST: R.T. BAUGH

SIGNATURE _____
DATE: 01-26-01 TIME: _____
VICTIM: _____
COMPLAINT #: 01 026 0314
CRIME # _____ EA12-005-Chrysler-008518

27-1-2

0144

ATLANTA POLICE DEPARTMENT

DATE: 1-26-01 TIME: _____

STATEMENT OF: _____ RACE: _____ SEX: 1 DOB: _____

HOME ADDRESS: _____ CITY/STATE: LAWRENCE, GA

BUSINESS NAME/ADDRESS: BUS BUY

PHONE: _____
BUS: _____

DETAILS:

I started up on the I-75 toll road near the New Line. As I pulled over I witnessed the two cars in the left of the accident and a third car which looked to be an older model Jeep Cherokee (white) on fire facing the other way. As I ~~was~~ drove up to the vehicles I saw a man jump out of the driver side of the white Jeep Cherokee while it was on fire. I proceeded to see my jacket in position over. He was covered in flames over most of his body. Other witnesses and I instructed him to get to the other side of the highway where we put him over the jeep by then was fully engulfed in flames and the other more vehicles started to catch on fire near the engine. I saw a black gentleman who he was disoriented but stable and I went back to the other victim who was on fire, staying with them until they were taken. I asked him information: Name _____ or _____ (I'm unsure on how to spell his last name) He's about 36 and he was the father and husband of his wife and daughter who died in the jeep. The jeep was fully engulfed in flames there was nothing anyone could do to save them.

I HAVE READ/HAVE HAD READ TO ME/THE ABOVE STATEMENT AND IT IS TRUE TO THE BEST OF MY BELIEF AND KNOWLEDGE AND HAS BEEN GIVEN FREELY AND VOLUNTARILY BY ME.

WITNESS: _____
WITNESS: _____
WITNESS: _____
TYPIST: _____

SIGNATURE _____
DATE: 1-26-01 TIME: _____
VICTIM: _____
COMPLAINT #: 01026 0314
CRIME #: _____

27-2-2

EA12-005-Chrysler-008519
0145

ATLANTA POLICE DEPARTMENT

DATE: 01-26-01 TIME: 0638

STATEMENT OF: [REDACTED] RACE: W SEX: M DOB: [REDACTED]

HOME ADDRESS: [REDACTED] CITY/STATE: LAWRENCEVILLE, GA.

BUSINESS ADDRESS: DIGICON CORP., BLDG. 206 FT. McPHERSON, GA.

PHONE: [REDACTED]
BUS: [REDACTED]

DETAILS:

A VAN LOST ITS TIRE WHICH HIT MY LEFT FRONT AND BLEW MY TIRE. I PULLED OFF THE ROAD TO PUT ON THE SPARE. A JEEP MAY HAVE HIT DEBRIS ON THE ROAD, IT HIT A CAR ON THE OTHER SIDE OF THE HIGHWAY AND BURST INTO FLAMES. A MAN GOT OUT OF THE CAR, HIS CLOTHES ON FIRE. END OF STATEMENT.

I HAVE READ/HAVE HAD READ TO ME/THE ABOVE STATEMENT AND IT IS TRUE TO THE BEST OF MY BELIEF AND KNOWLEDGE AND HAS BEEN GIVEN FREELY AND VOLUNTARILY BY ME.

WITNESS _____

WITNESS: _____

WITNESS: _____

TYPIST: R.T. BAUGH

SIGNATURE _____

DATE: 01-26-01 TIME: 0645

VICTIM: [REDACTED]

COMPLAINT #: 01 026 0314

CRIME #: EA12-005 Chrysler 008520

28-1-2

[REDACTED] 0146

ATLANTA POLICE DEPARTMENT

DATE: 1/26/01 TIME: 6:58

STATEMENT OF: [REDACTED] RACE: W SEX: M DOB: [REDACTED]

HOME ADDRESS: [REDACTED] CITY/STATE: LAWRENCEVILLE, GA

BUSINESS NAME/ADDRESS: Jigica Corp, Bldg 2000 Ft. McPherson, GA

HOME: [REDACTED] BUS: [REDACTED]

INITIALS: NVAM lost its tire which hit my front fender and blew my tire. I rolled off the road and out on the grass. a jeep may have hit debris on the road, it hit a car on the other side of the highway and burst into flames. A man got out of the car his clothes on fire. End of Statement

I HAVE READ/HAVE HAD READ TO ME/THE ABOVE STATEMENT AND IT IS TRUE TO THE BEST OF MY BELIEF AND KNOWLEDGE AND HAS BEEN GIVEN FREELY AND VOLUNTARILY BY ME.

WITNESS: [REDACTED]
WITNESS: _____
WITNESS: _____
TYPIST: _____

SIGNATURE: [REDACTED]
DATE: 1/26/01 TIME: 6:45
VICTIM: [REDACTED]
COMPLAINT #: 010200314
CRIME # _____

EA12-005-Christler-008521

28-2-2

[REDACTED] 0147

ATLANTA POLICE DEPARTMENT

DATE: 01-26-01 TIME: _____

STATEMENT OF: _____ BASE: _____ SEX: **F** JOB: _____

HOME ADDRESS: _____ CITY/STATE: **DULUTH, GA.** _____

REPORT NAME/ADDRESS: **ONE CNN CENTER**

HOME: _____

PHONE: _____

DETAILS:

GOING TO WORK CNN; CARS ARE STOPPING. I SAW A CAR ON FIRE, THEN A MAN ON THE FLOOR BURNING... SOME PEOPLE TRYING TO PUT THE FLAMES AWAY. HE WAS TO CLOSE THE CAR ON FIRE. I RAN TO HIM TAKE MAKE JACKET OFF AND TRY TO STOP THE FIRE ON HIS LEGS. HE ROLLS OVER AND HELP. HE IS AWARE OR CONSCIOUS. HE ASKED FOR WIFE AND BABY. THE CAR WAS COMPLETELY ON FIRE. I START TAKING HIS CLOTHES OFF... STAY WITH HIM. HIS NAME IS _____

I HAVE READ/HAVE HAD READ TO ME/THE ABOVE STATEMENT AND IT IS TRUE TO THE BEST OF MY BELIEF AND KNOWLEDGE AND HAS BEEN GIVEN FREELY AND VOLUNTARILY BY ME.

WITNESS: _____

WITNESS: _____

WITNESS: _____

TYPIST: **R.T. BAUGH**

SIGNATURE _____

DATE: **01-26-01** TIME: _____

VICTIM: _____

COMPLAINT #: **01 026 0314**

CRIME #: _____

EA12-005-Chrysler-008522

29-1-2

ATLANTA POLICE DEPARTMENT

DATE: 01/26 TIME: _____

OFFICER: _____ NAME: _____ SEX: F DOB: _____

HOME ADDRESS: _____ CITY/STATE: Atlanta GA _____

WITNESS NAME/ADDRESS: ONE car center _____

COMP: _____
HIS: _____

DETAILS:

going to work and cars are stopping.
I saw a car on fire, then a man on
the floor burning... some people trying
to get the flames away. He was to
close the car on fire. I ran to him
take make jacket off and start try to
stop the fire on his legs. He looks are
and help. He is aware or conscious. He
asked for wife and baby... The car was
completely on fire. I stand taking his cloth
off... stay with him. His name is _____

I HAVE READ/HAVE HAD READ TO ME/THE ABOVE STATEMENT AND IT IS TRUE TO THE BEST OF MY BELIEF AND KNOWLEDGE AND HAS BEEN GIVEN FREELY AND VOLUNTARILY BY ME

WITNESS: _____

WITNESS: _____

WITNESS: _____

TYPIST: _____

SIGNATURE

DATE: 1-26-01 TIME: _____

VICTIM: _____

COMPLAINT #: 0102601314

CRIME #: _____ EAT2-005-Chrysler-008523

29-2-2

0149

ATLANTA POLICE DEPARTMENT

DATE: 01-26-01 TIME: 0742

STATEMENT OF: [REDACTED] RACE: S SEX: M DOB: [REDACTED]

OFFICE ADDRESS: [REDACTED] CITY/STATE: HAGERSTOWN, MD. [REDACTED]

DUTY TITLE: SAFETY DIRECTOR

HOME: [REDACTED]
BUS: [REDACTED]

DETAILS:

AT 05:43 WHILE ENROUTE TO HARTSFIELD TO PICK UP FAMILY MEMBERS TO ATTEND MY MOTHER'S FUNERAL. I SAW A LARGE FIREBALL ABOUT 10 TO 15 VEHICLES IN FRONT OF ME. AS I PULLED UP TO THE SCENE ONE VEHICLE WAS FULLY INVOLVED AND TWO DRIVERS WERE REMOVING A VICTIM FROM THE BURNING AUTO. I THEN SET UP A PERIMETER AWAY FROM THE BURNING CARS. I USED MY CELL PHONE TO REQUEST ASSISTANCE FROM ATLANTA P.D. & E.M.S. I WORKED THE SCENE FOR 12-16 MINS. BEFORE UNITS ARRIVED. OTHER DRIVERS ASSISTED ME IN ATTENDING TO THE BURN VICTIM.

I HAVE READ/HAVE HAD READ TO ME/THE ABOVE STATEMENT AND IT IS TRUE TO THE BEST OF MY BELIEF AND KNOWLEDGE AND HAS BEEN GIVEN FREELY AND VOLUNTARILY BY ME.

WITNESS: _____

WITNESS: _____

WITNESS: _____

TYPIST: R.T. BAUGH

SIGNATURE: _____

DATE: 01-26-01 TIME: 0800

VICTIM: [REDACTED]

COMPLAINT #: 01 026 0314

CRIME #: EA12-005 Chrysler 008524

30-1-2

[REDACTED] 0150

ATLANTA POLICE DEPARTMENT

DATE: 11-26-57 TIME: 07:42

STATEMENT OF: [REDACTED] RACE: S SEX: M DOB: [REDACTED]

HOME ADDRESS: [REDACTED] HAGERSTOWN CITY/STATE: MD [REDACTED]

DATE OF BIRTH: [REDACTED] SAFETY PINNACON

HOME: [REDACTED] BUS: [REDACTED]

REPORT:

AT 08:43 WHILE ENROUTE TO HARTSFIELD TO PICK UP FAMILY MEMBERS TO ATTEND MY MOTHERS FUNERAL. I SAW A LARGE FIREBALL ABOUT 10 TO 15 VEHICLES IN FRONT OF ME. AS I PULLED UP TO THE SCENE ONE VEHICLE WAS FULLY INVOLVED AND TWO DRIVERS WERE REMOVING A VICTIM FROM THE BURNING AUTO I THEN SET UP A PERIMETER AWAY FROM THE BURNING CARS. I USED MY CELL PHONE TO REQUEST ASSISTANCE FROM ATLANTA P.D. & E.M.S. I WORKED THE SCENE FOR 12-16 MINS. BEFORE UNITS ARRIVED. OTHER DRIVERS ASSISTED ME IN ATTEMPTING TO TIE BURN VICTIM.

I HAVE READ/HAVE HAD READ TO ME/THE ABOVE STATEMENT AND IT IS TRUE TO THE BEST OF MY BELIEF AND KNOWLEDGE AND HAS BEEN GIVEN FREELY AND VOLUNTARILY BY ME.

WITNESS: _____

WITNESS: _____

WITNESS: _____

TYPIST: _____

SIGNATURE: [REDACTED]

DATE: 11-26-57 TIME: 08:00

VICTIM: [REDACTED]

COMPLAINT #: 01076 0314

CRIME #: EA12-005-Chrysler-008525

30-2-2

[REDACTED] 0151

Fatality/Serious Injury Checklist Hit & Run Unit

Investigating Officer's Name J.L. HENSAL Rank OFFICER

Officer's ID# 2103 Complaint # 00 026 0314 Reporting Area 204

Location of Accident I-85 S/B 1/4 MILE NORTH OF BUFORD HWY. Number of vehicles involved: 3

Pedestrians Fatalities: _____

Number of Fatalities: Vehicle #1 _____ Vehicle #2 _____ Vehicle #3 _____ Vehicle #4 _____

Number of Serious Injuries: Vehicle #1 _____ Vehicle #2 _____ Vehicle #3 _____ Vehicle #4 _____

Pedestrians

Name #1: _____ R/S: _____ DOB: _____ Age: _____

Name #2: _____ R/S: _____ DOB: _____ Age: _____

Name #3: _____ R/S: _____ DOB: _____ Age: _____

Vehicle #1

Driver: _____ R/S: H/M DOB: _____ Age: _____

Right Front Passenger: _____ R/S: H/M DOB: _____ Age: _____

Left Rear Passenger: _____ R/S: _____ DOB: _____ Age: _____

Middle Rear Passenger: _____ R/S: _____ DOB: _____ Age: _____

Right Rear Passenger: _____ R/S: _____ DOB: _____ Age: _____

Vehicle #2

Driver: _____ R/S: _____ DOB: _____ Age: _____

Right Front Passenger: _____ R/S: _____ DOB: _____ Age: _____

Left Rear Passenger: _____ R/S: _____ DOB: _____ Age: _____

Middle Rear Passenger: _____ R/S: _____ DOB: _____ Age: _____

Right Rear Passenger: _____ R/S: _____ DOB: _____ Age: _____

31-2-2

Ford Chrysler-008527

FATALITY REPORT WORKSHEET

NOTE: Next of kin has to be notified before fatality report can be sent to Georgia State Patrol Headquarters. Notified: YES Initials: AKH
(yes)

NAME: [REDACTED]

ADDRESS: [REDACTED] LAWRENCEVILLE, GEORGIA [REDACTED]

RACE: WHITE SEX: FEMALE AGE: [REDACTED] DOB: [REDACTED]

DRIVER: PASSENGER: XXX PEDESTRIAN: OTHER:

NUMBER OF OTHERS KILLED: 1 NUMBER OF OTHERS INJURED: 4

DESCRIBE BRIEFLY HOW FATALITY OCCURRED: Vehicle in which victim was riding was struck from the rear and the impact ruptured the gas tank. Subsequently the ruptured gasoline tank exploded and caused a fire that engulfed the vehicle. Victim was trapped inside of the vehicle.

SEAT BELTS IN CAR: YES IN USE: YES

DATE OF ACCIDENT: 01/26/01 TIME: 0600

DATE DIED IF NOT SAME AS DATE OF ACCIDENT:

INVESTIGATING OFFICERS: OFFICER J.L. HENSAL & S.P.O. D.P. KELLEY

PATROL POST: CITY OF ATLANTA

LOCATION OF ACCIDENT: I85 S/B @ PIEDMONT OVERPASS S/B

MILES: OF:
(N-S-E-W)

ON: I-85 Southbound COUNTY: FULTON
(Highway# or Road Name)

RURAL OR URBAN: Urban OTHER REMARKS:

[REDACTED] 0154

32-1-2

FATALITY REPORT WORKSHEET

NOTE: Next of kin has to be notified before fatality report can be sent to Georgia State Patrol Headquarters. Notified: YES Initials: AKT
(yes)

NAME: [REDACTED]

ADDRESS: [REDACTED] LAWRENCEVILLE, GEORGIA [REDACTED]

RACE: WHITE SEX: FEMALE AGE: [REDACTED] DOB: [REDACTED]

DRIVER: _____ PASSENGER: XXXX PEDESTRIAN: _____ OTHER: _____

NUMBER OF OTHERS KILLED: 1 NUMBER OF OTHERS INJURED: 4

DESCRIBE BRIEFLY HOW FATALITY OCCURRED: Vehicle in which victim was riding was struck from the rear and the impact ruptured the gas tank. Subsequently the ruptured gasoline tank exploded and caused a fire that engulfed the vehicle. Victim was trapped inside of the vehicle.

SEAT BELTS IN CAR: YES IN USE: YES

DATE OF ACCIDENT: 01/26/2001 TIME: 0600

DATE DIED IF NOT SAME AS DATE OF ACCIDENT: _____

INVESTIGATING OFFICERS: OFFICER J.L. HENSAL & S.P.O. D.P. KELLEY

PATROL POST: CITY OF ATLANTA

LOCATION OF ACCIDENT: I 85 S/B @ PIEDMONT ROAD OVERPASS

MILES: _____ OF: _____
(N-S-E-W)

ON: I-85 Southbound COUNTY: FULTON
(Highway# or Road Name)

RURAL OR URBAN: Urban OTHER REMARKS: _____

[REDACTED] 0155

32-d-d

FATALITY REPORT WORKSHEET

NOTE: Next of kin has to be notified before fatality report can be sent to Georgia State Patrol Headquarters. Notified: YES Initials: JLH
(yes)

NAME: [REDACTED]

ADDRESS: [REDACTED] LAWRENCEVILLE, GA., [REDACTED]

RACE: WHITE SEX: MALE AGE: [REDACTED] DOB: [REDACTED]

DRIVER: XXX PASSENGER: PEDESTRIAN: OTHER:

NUMBER OF OTHERS KILLED: 2 NUMBER OF OTHERS INJURED: 3

DESCRIBE BRIEFLY HOW FATALITY OCCURRED: Vehicle in which victim was driving was struck from the rear and the impact ruptured the gas tank. Subsequently the ruptured gasoline tank exploded and caused a fire that engulfed the vehicle. victim and 2 passengers were trapped inside of the vehicle.

SEAT BELTS IN CAR: YES IN USE: YES

DATE OF ACCIDENT: 01-26-01 TIME: 0600

DATE DIED IF NOT SAME AS DATE OF ACCIDENT: 02-05-01 @ 1355.

INVESTIGATING OFFICERS: OFFICER J.L. HENSAI.

PATROL POST: CITY OF ATLANTA

LOCATION OF ACCIDENT: I-85 S/B @ PIEDMONT OVERPASS S/B.

MILES: OF:
(N-S-E-W)

CR: I-85 S/B COUNTY: FULTON
(Highway# or Road Name)

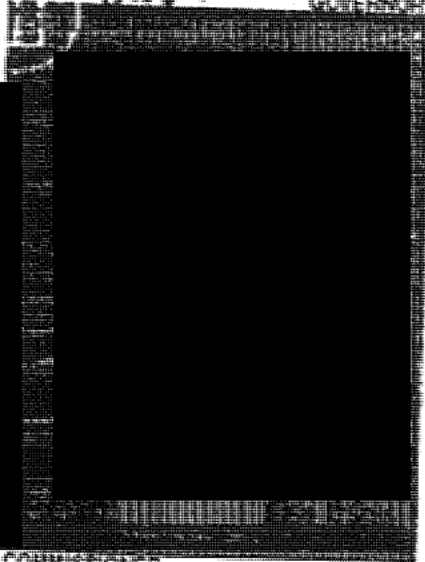
RURAL OR URBAN: URBAN OTHER REMARKS:

[REDACTED] 0156

33-1-1

 **Georgia**
DRIVER'S LICENSE

Pat Paine COMMISSIONER



COMMISSIONER

34-1-4

 0157

EA12-005- Chrysler -008531

10. GAAPD0000. GA. TXT
PUR/C. ATN/OFF J HENSAL
X/M. RAC/W

PJ. ARN/010260314. NAM/ [REDACTED]

DOB/ [REDACTED] SE

APDX-01085 Mon Jan 29, 2001 11:05:30 [BQSA59N39HPN] ACK

APDX-7589 GACCH 01/29/01 11:05:42 - 01/29/01 11:05:40 BQSA59N39HPN
TR. GASJRO000. GAAPD0000.
TXT

ATN/OFF J HENSAL PJ ARN/010260314

THE FOLLOWING RECORD PERTAINS TO NAM [REDACTED]
DOB/ [REDACTED] SEX/M RAC/W

NO RECORD ON FILE

APDX-7590 GACCH 01/29/01 11:05:43 - 01/29/01 11:05:40 BQSA59N39HPN

RE: NAM [REDACTED] SEX/M RAC/W DOB/ [REDACTED]
NO WANT ON THE GCIC FILE

APDX-7591 - NCCH 01/29/01 11:05:46 - 01/29/01 11:05:45 BQSA59N39HPN
NL01BQSA59N39 [REDACTED]
GAAPD0000

NO IDENTIFIABLE RECORD IN THE NCIC INTERSTATE IDENTIFICATION INDEX
(I1) FOR NAM/ [REDACTED] SEX/M. RAC/W. DOB/ [REDACTED] PUR/C.
END

APDX-7592 - NCHT 01/29/01 11:05:50 - 01/29/01 11:05:50 BQSA59N39HPN
1L01BQSA59N39 [REDACTED]
GAAPD0000

NO NCIC WANT NAM [REDACTED] DOB/ [REDACTED] RAC/W SEX/M

10. GAAPD0000. GA. TXT
NAM [REDACTED] DOB/ [REDACTED] SEX/M. PUR/C. ATN/OFF J HENSAL PJ

31-2-4

APDX-01086 Mon Jan 29, 2001 11:06:24 [BQSA59N39J1F] ACK

APDX-7593 PERSONS 01/29/01 11:06:27 - 01/29/01 11:06:24 BQSA59N39J1F

NAME [REDACTED] SEX/M DOB [REDACTED]
NO WANT ON THE GCIC FILE

PDX-7594 - NCIC 01/29/01 11:06:28 - 01/29/01 11:06:27 BFSA59N39J1F
LQ12FSA59N39J1F31D
0APD0000

O NCIC WANT NAME [REDACTED] DOB [REDACTED] SEX/M

PDX-7595 - ADLI 01/29/01 11:06:33 - 01/29/01 11:06:32 BFSA59N39J1F
R. 00810051 00APD0000.TXT
AM [REDACTED] DOB [REDACTED] SEX/M. PUR/C. ATN/OFF J HENSAL PJ

GAINESVILLE GA [REDACTED]

EX/M. DOB [REDACTED] 1-24. HGT/505. WGT/180. EYE/BRN.
LN [REDACTED] EXP/2004-11-24. ISSUE/2001-01-19
CLASS/C. TYPE/REGULAR. JTYP/REGULAR. ADAP/N
STR/NO RESTRICT.
COMMERCIAL STATUS/UNLICENSED.
NON-COMMERCIAL STATUS/VALID.

NO HISTORY ON DRIVER

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END OF NAME/DOB/SEX INQUIRY

PDX-7596 DOC [REDACTED] 11:06:33 - 01/29/01 11:06:33 BFSA59N39J1F

*** NO CURRENT PROBATION OR PAROLE INFORMATION FOR:

RE: NAME [REDACTED] SEX/M RACE/ DOB [REDACTED] SSN/

[REDACTED] 0159

34-3-4

1/29/01 13:06 DPAJ 0000 RVRF 0000

PAJ-2098 - RVRF 01/29/01 13:06:35 - 01/29/01 13:06:35 8CK2Q9N3B81G

R.GAGRI0051.GAAPD0037.*D000000*.TXT

GEORGIA REGISTRATION AND TITLE INFORMATION SYSTEM

RESPONSE BASED UPON:

PLATE NO: [REDACTED] PLATE CAT:AA YEAR: LIENS:

ATTENTION:

VEHICLE DETAIL RESPONSE

VIN: 1FABP62FXJH [REDACTED] 1988 FORD THUNDERBIRD LX 2S BLU

TITLE NO: [REDACTED] PURCHASE DT: 20000228

CUSTOMER ID: [REDACTED] DOB: 19701125

TAX COUNTY: HALL

AINESVILLE

GA [REDACTED]

CURRENT PLATE NO: [REDACTED] CAT: AA ISSUE DT: 20001127 VALID DT: 20011125

DECAL NO: 02867788 INS CO: OMNI INSURANCE CO POLICY: [REDACTED]

PRIOR PLATE NO: [REDACTED] CAT: AA ISSUE DT: 20000228 VALID DT: 20001125

DECAL NO: 01282236 INS CO: CHICAGO INSURANCE POLICY: [REDACTED]

END OF MESSAGE*

1/23/01 12:03 AM

[REDACTED] 0160

34-4-4

IQ. GAAPD0000. GA. TXT
PUR/C. ATN/OFF J HENSAL PJ. ARN/010260314. NAM/MULETA, NEBIYU. DOB/ [REDACTED] SEX/M
. RAC/B

APDX-01875 Mon Jan 29, 2001 11:02:36 [BQSA59N396A5] ACK

APDX-7550 GACCH 01/29/01 11:02:37 - 01/29/01 11:02:37 BQSA59N396A5
IR. GASIR0000. GAAPD0000.
TXT
ATN/OFF J HENSAL PJ ARN/010260314
THE FOLLOWING RECORD PERTAINS TO NAM/ [REDACTED]
DOB/ [REDACTED] SEX/M RAC/B

NO RECORD ON FILE

APDX-7550 GACCH 01/29/01 11:02:37 - 01/29/01 11:02:37 BQSA59N396A5
IR. GASIR0000. GAAPD0000.
TXT
ATN/OFF J HENSAL PJ ARN/010260314
THE FOLLOWING R

APDX-7552 - NCCH 01/29/01 11:02:39 - 01/29/01 11:02:39 BQSA59N396A5
1L01BQSA59N396A52EF
GAAPD0000

NO NCIC WANT NAM/ [REDACTED] DOB/ [REDACTED] RAC/B SEX/M

A
APDX-7553 - NCCH 01/29/01 11:02:40 - 01/29/01 11:02:40 BQSA59N396A5
ML01BQSA59N396A52EF
GAAPD0000
NO IDENTIFIABLE RECORD IN THE NCIC INTERSTATE IDENTIFICATION INDEX
(III) FOR NAM/ [REDACTED] SEX/M. RAC/B. DOB/ [REDACTED] PUR/C.
END

[REDACTED] 0161

35-1-3
IQ. GAAPD0000. GA. TXT
NAM/ [REDACTED] DOB/ [REDACTED] SEX/M. PUR/C. ATN/OFF J HENSAL
EA12-005-Chrysler-008535
PJ

APDX-01877 Mon Jan 29, 2001 11:03:14 [8FSA59N396LB] ACK

APDX-7558 PERSONS 01/29/01 11:03:14 - 01/29/01 11:03:14 8FSA59N396LB

RE: NAM. [REDACTED] SEX/M DOB/ [REDACTED]
NO WANT ON THE GCIC FILE

APDX-7559 - RDLI 01/29/01 11:03:15 - 01/29/01 11:03:15 8FSA59N396LB

KR. GABBI0051. GAAPD0000. TXT

NAM. [REDACTED] DOB/ [REDACTED] SEX/M PUR/C. ATN/OFF J HENSAL PJ

[REDACTED] DEMISSE
[REDACTED]

ATLANTA GA [REDACTED]
SEX/ [REDACTED] DOB/ [REDACTED] RGT/ [REDACTED] WGT. [REDACTED] EYE/BRN.

OLN/ [REDACTED] EXP/2004-09-16. ISSUE/2000-11-15

CLASS/C. TYPE/REGULAR. ITYP/REGULAR. ADAP/N

RSTR/NO RESTRICT.

COMMERCIAL STATUS/UNLICENSED.

NON-COMMERCIAL STATUS/VALID.

NO HISTORY ON DRIVER

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END OF NAM/DOB/SEX INQUIRY

APDX-7560 - NCIC 01/29/01 11:03:16 - 01/29/01 11:03:16 8FSA59N396LB

1L018FSA59N396LB21D

GAAPD0000

NO NCIC WANT NAM [REDACTED] DOB/ [REDACTED] SEX/ [REDACTED]

APDX-7561 DOC 01/29/01 11:03:21 - 01/29/01 11:03:21 8FSA59N396LB

*** NO CURRENT PROBATION OR PAROLE INFORMATION FOR:

RE: NAME [REDACTED] SEX/M RACE/ DOB/ [REDACTED] SSN/ [REDACTED]

[REDACTED] 0162

35-2-3

1/29/01 13:05 DPAJ 0000 RVRF 0000

PAJ-2094 - RVRF

01/29/01 13:05:24 - 01/29/01 13:05:24 8CK2Q9N3B7H3

R.GAGRI0051.GAAPD0037.*D 0000**.TXT

GEORGIA REGISTRATION AND TITLE INFORMATION SYSTEM

RESPONSE BASED UPON:

PLATE NO: [REDACTED] PLATE CAT: AA YEAR: LIENS:
ATTENTION:

VEHICLE DETAIL RESPONSE

VIN: 4T1BG12K0TU [REDACTED] 1996 TOYOTA CAMRY U.S. DX/ 4S BLK
TITLE NO: [REDACTED] PURCHASE DT: 20001219

CUSTOMER ID: 58305689 DOB: [REDACTED]

[REDACTED]
ATLANTA GA [REDACTED]

TAX COUNTY: DEKALB

CURRENT PLATE NO: [REDACTED] CAT: AA ISSUE DT: 20010116 VALID DT: 20010916
DECAL NO: 04133512 INS CO: ALFA GENERAL INSURAN POLICY: [REDACTED]

LIEN INFORMATION:

TITLE NO: [REDACTED] TRANSFER DT: 20001219 OWNERS: 01 LIENS: 01

GA TELCO CREDIT UNION

LIEN HOLDER: [REDACTED]
LIEN ACCOUNT:

35-3-3

IO. GAAPD0000. GA. TXT
UR/C. ATN/OFF J HENSAL PJ. ARN/010260314. NAM [REDACTED] DOB [REDACTED] SEX/M. RA
C/W

APDX-01080 Mon Jan 29, 2001 11:03:56 [BQSAS9N39GXG] ACK

APDX-7569 GACCH 01/29/01 11:04:10 - 01/29/01 11:04:02 BQSAS9N39GXG
IR. GASIR0000. GAAPD0000.

TXT
ATN/OFF J HENSAL PJ ARN/010260314
PAGE 1

THE FOLLOWING RECORD PERTAINS TO NAME [REDACTED]
DOB [REDACTED] SEX/M RAC/W

NAME [REDACTED] STATE IDENT NBR GA008575 FBI IDENT NBR 023995AAG REPORT DATE 2001/01/29

SEX RACE BIRTH DATE HEIGHT WEIGHT EYES HAIR SKIN BIRTHPLACE
M W [REDACTED] 6-00 240 BLU BRO MED [REDACTED]

SOC SECURITY [REDACTED] FINGERPRINT CLASS [REDACTED] HENRY SCAR-MARK-TATTOO MISCELLANEOUS NBR
DA-GCIC1550999P

MISC COMMENTS-TATTOO

ADDITIONAL IDENTIFIERS:
ALIAS NAMES----- [REDACTED] 164

MISC NUMBERS BIRTHDATES SOCIAL SECURITY SCAR-MARKS-TATTOOS

** INTERSTATE IDENTIFICATION INDEX - SINGLE-STATE OFFENDER **

NAME [REDACTED] STATE IDENT NBR [REDACTED] FBI IDENT NBR [REDACTED] REPORT DATE 2001/01/29

SEX RACE BIRTH DATE HEIGHT WEIGHT EYES HAIR SKIN BIRTHPLACE
M W [REDACTED] 6-02 155 BRO BRO [REDACTED]

SOC SECURITY [REDACTED] FINGERPRINT CLASS [REDACTED] HENRY SCAR-MARK-TATTOO MISCELLANEOUS NBR
DA-C2S053666

** INTERSTATE IDENTIFICATION INDEX - SINGLE-STATE OFFENDER **

36-1-4

NAME [REDACTED] STATE IDENT NBR [REDACTED] FBI IDENT NBR 059457XAT REPORT DATE 2001/01/29

***** THIS RECORD MAY ONLY BE USED BY CRIMINAL JUSTICE AGENCIES FOR
CRIMINAL JUSTICE PURPOSES.
***** END OF DEPORTED FE [REDACTED] FILE RESPONSE. *****

VU

APDX-7583 - RDLI 01/29/01 11:05:05 - 01/29/01 11:05:04 BFGAS9N39H3T
K.R.GAGB10051.GAAPD0000.TXT
NAM/[REDACTED] DOB/[REDACTED] SEX/M. PUR/C. ATN/OFF J HENSAL PJ

LAWRENCEVILLE GA
SEX/M. DOB/[REDACTED] HGT/510. WGT/155. EYE/BRN.
OLN/053626614. EXP/[REDACTED] ISSUE/1998-07-10
CLASS/C. TYPE/REGULAR. ITYP/REGULAR. ADAP/N
RSTR/CORR LENSES.
COMMERCIAL STATUS/UNLICENSED.
NON-COMMERCIAL STATUS/VALID.

NO HISTORY ON DRIVER

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FILES AND IS TO BE USED FOR OFFICIAL COURT OR LAW ENFORCEMENT USE ONLY.
GA. LAW 24-3-17 AND 40-5-2 AS AMENDED, PROVIDES FOR ANY COURT OR CLERK
OF COURT ELECTRONICALLY CONNECTED BY A TERMINAL DEVICE TO THE DEPARTMENT
OF PUBLIC SAFETY COMPUTER CENTER TO RECEIVE AND USE INFORMATION OBTAINED
BY THE TERMINAL WITHOUT THE NEED FOR ADDITIONAL CERTIFICATION.

TO BE CONTINUED *

APDX-7584 - RDLI 01/29/01 11:05:05 - 01/29/01 11:05:04 BFGAS9N39H3T
K.R.GAGB10051.GAAPD0000.TXT
NAM/[REDACTED] DOB/[REDACTED] SEX/M. PUR/C. ATN/OFF J HENSAL PJ
***** MULTIPLE RESPONSE *****

[REDACTED]
RIVERDALE GA
SEX/M. DOB/[REDACTED] HGT/511. WGT/169. EYE/BRN.
OLN/[REDACTED] EXP/1993-07-27. ISSUE/1989-05-25
CLASS/I. TYPE/REGULAR. ITYP/REGULAR. ADAP/N
COMMERCIAL STATUS/UNLICENSED.
NON-COMMERCIAL STATUS/EXPIRED.

DRIVER LICENSE HISTORY REPORT

CITATION	VIOL: SPEEDING 071/95	VIOL DATE: 1991-09-12
	OUT OF STATE COURTS	DISP DATE: 1991-09-24
	POINTS: 02 ACC-INVOLVED: NO	DISP: CONV
	ST JURIS: GA	COMMERCIAL OFFENSE: UNK
	HAZ OFF: UNK	CONVICTION OFFENSE REFERENCE: 406101
CITATION	VIOL: SPEEDING 063/45	VIOL DATE: 1990-07-19
	RECORDERS COURT - MARIETTA	DISP DATE: 1990-09-13
	POINTS: 02 ACC-INVOLVED: NO	DISP: BOND
	ST JURIS: GA	COMMERCIAL OFFENSE: UNK

36-2-4

E [REDACTED] 0165
Chrysler-008539

1/29/01 13:06 DPAJ 0000 RVRP 0000
PAJ-2096 - RVRP 01/29/01 13:06:03 - 01/29/01 13:06:03 8CK2Q9N3B7S9
R.GAGBI0051.GAAPD0037.*D0000***.TXT

GEORGIA REGISTRATION AND TITLE INFORMATION SYSTEM

RESPONSE BASED UPON:

PLATE NO: [REDACTED] PLATE CAT:WL YEAR: LIENS:
ATTENTION:

VEHICLE DETAIL RESPONSE

IN: 1J4EJ58SOML [REDACTED] 1991 JEEP MP
TITLE NO: [REDACTED] PURCHASE DT: 19910731

CUSTOMER ID: [REDACTED] DOB: [REDACTED]

JOHN N BELLI
CUSTOMER ID: [REDACTED] DOB: [REDACTED]

LYNNE C [REDACTED]

TAX COUNTY: GWINNETT

LAWRENCEVILLE GA [REDACTED]

CURRENT PLATE NO: [REDACTED] CAT: WL ISSUE DT: 20000710 VALID DT: 20010727
DECAL NO: [REDACTED] INS CO: UNITED SERVICES AUTO POLICY: [REDACTED]
PRIOR PLATE NO: [REDACTED] CAT: WL ISSUE DT: 19990714 VALID DT: 20000727
DECAL NO: [REDACTED] INS CO: POLICY:

ADDITIONAL INFORMATION:

[REDACTED] 0166

EA12-005- Chrysler -008540

36-3-4

1/29/01 13:06 DPAJ 0000 RVRF 0000

[REDACTED] - RVRF 01/29/01 13:06:06 - 01/29/01 13:06:03 8CK2Q9N3B7S9

WALTON FEDERAL CREDIT UNION

LIEN HOLDER: [REDACTED]

LIEN ACCOUNT: [REDACTED]

138 WALTON PKWY NE

WALTON BCH

FL 32547-3935

END OF MESSAGE*

[REDACTED] 0167

36-44

EA12-005- Chrysler -008541

BELLI 0168

TRAFFIC HO

I-85 wreck makes con

Investigators, firefighters divert drivers

By Joey Ledford
traffic@ajc.com

Even before his helicopter got over the scene on southbound I-85 near Cheshire Bridge Road mere minutes after the crash early Friday, traffic reporter Jason Durden knew the aftermath would be horrific.

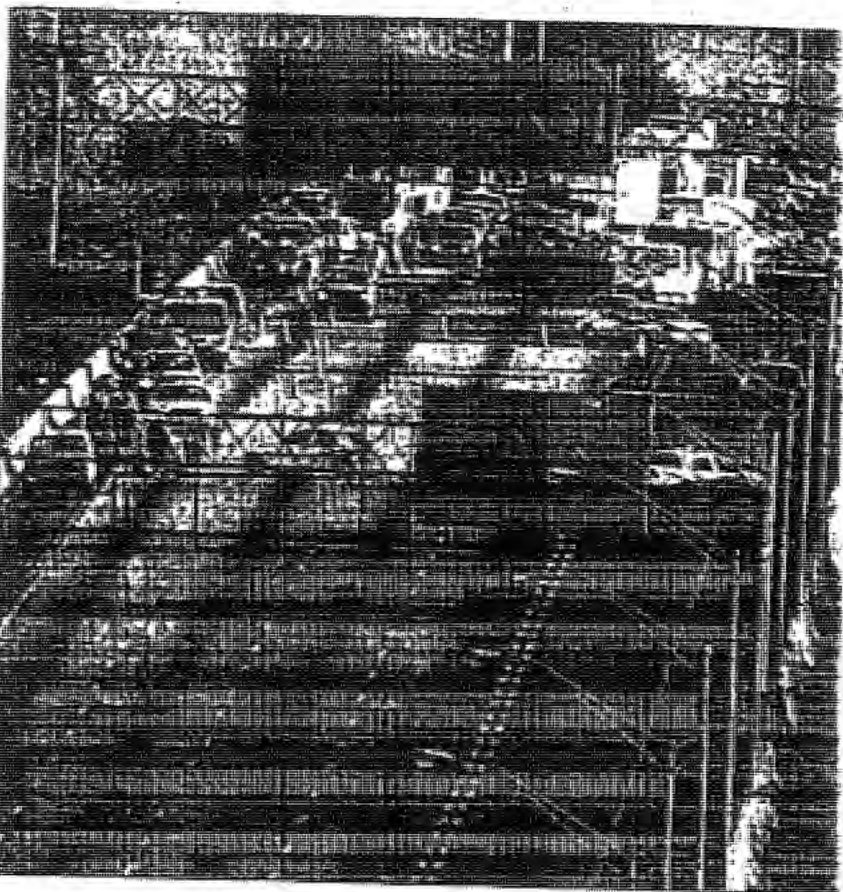
"We got to the Buckhead MARTA station and we could see the fireball from there," said the WSB radio reporter. "I knew it was going to be awful." The accident happened before dawn, when unsuspecting motorists think metro Atlanta's light, high-speed traffic makes commuting easier.

A wheel flew off a Ford Econo-van, forcing it to limp to the left-side emergency lane. A Saturn then hit the wheel, throwing it into the HOV lane and causing enough damage to send the Saturn over to the side of the expressway as well.

A Toyota Camry came to a halt rather than hit the wheel, but a Jeep Cherokee behind it slowed down, "apparently trying to get into the next lane and go around the Camry," said Jeff Hensal, an Atlanta Police Department traffic fatality investigator. An old-model Ford Thunderbird, running "at least the speed limit" of 55 mph, slammed into the back of the Cherokee. "The T-bird submarined under the Jeep, exploded the gas tank and driving it forward into the Camry," Hensal said. All three cars burned.

Two dead, four hurt

Killed were [REDACTED]



Southbound traffic on I-85 just south of the intersection with Ga. 400 came to a sta

motorists scrambled to find any way around the disaster.

"It was messed up on Ponce, Peachtree, Piedmont, North Druid Hills and Clairmont," said Marion Waters, state traffic operations engineer for the Department of Transportation. "Everything was bogged down on the Northside today. It was a great demonstration of how dependent Atlanta is on its freeways."

It was the latest test for DOT's high-tech Navigator transportation management system, designed to identify bottlenecks, clear them and keep traffic moving on Atlanta's overburdened freeways. Within minutes of the

scene and that took a while."

Usually when non-fatal crashes occur, the goal is to get traffic moving as quickly as possible, DOT officials say. But fatal crashes require a level of investigation that's close to that of a murder, according to Atlanta Maj. Pete Andresen. "It comes down to preserving the evidence," he said.

Traffic investigator Hensal, who was at the scene of Friday's crash, said his job involves analyzing the many different types of skid marks and identifying the exact position of every piece of debris, a time-consuming job.

REACT
How th
I-85 Fri



37-1-7

were in the Cherokee. Four other people were injured and taken to Grady Memorial Hospital, including [redacted] husband, [redacted] who was badly burned.

The accident set into motion a chain of events that eventually affected hundreds of thousands of rush-hour commuters, pitting the needs of crash investigators looking for clues against the goals of transportation officials hoping to move traffic.

Within minutes of the crash, all southbound lanes of I-85 were closed. With traffic already backed up on I-85 south, the first Atlanta Fire Department unit to reach the crash scene arrived on the northbound side, and firefighters scrambled over the median wall to extinguish the burning vehicles.

The firetruck, plus rubbernecking, quickly gridlocked the northbound side. Moving with dispatch, the infection spread to surrounding surface streets, the Downtown Connector, Ga. 400, and then to the Perimeter. Before it was over, even I-20, far to the south, was a creepfest as

changeable message signs along I-85, advising motorists to find alternates.

[redacted] blocked 400 and put them off onto Sidney Marcus (Boulevard), said Waters. "We blocked 85 and took them off onto Buford Highway."

With all of that traffic spilling onto the surface streets, Atlanta traffic officials quickly retimed all the traffic lights down Piedmont, expediting the way for much of the traffic that found that alternate.

But once those steps were taken, the balancing act between the needs of police and the DOT began.

At the crash scene, DOT officials were frustrated that they weren't able to get traffic moving sooner. "We should have had that right shoulder open real soon after the fire was out," said Ronnie McNorton, shift supervisor for the DOT's HERO unit, which rescues stalled motorists and clears crashes. "But it didn't happen that way. [Atlanta police] wanted to keep everything closed until all their investigators got on the

there. If we take a little more time, we can usually avoid having to go back later and close down the expressway again." Even with all that, [redacted] said it would be "a considerable time" before any decision is made on whether to file charges in the case.

Delay was necessary

Andresen said he regretted that so many people were delayed, but said it was necessary. "I know we inconvenienced a lot of people, but I think if it were one of their loved ones, they'd understand," he said.

DOT officials praised the city's two traffic reporting services for getting the word to motorists that alternates such as they are — were their best chance of getting to work. "I'd have to say we probably mentioned a half-dozen ways to get around it, and reported on the conditions on the ways around it," said Herb Emory of WSB.

"The first hour you can get people around it," added Keith Kalland of WGST and Fox 5. "By 7:30, it got less and less viable. By 8 o'clock, everything was

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they
resp
Depa
McN
scen
W

When in a jam, try not to get

By Craig Schneider
cschneider@ajc.com

[redacted] slammed on the brakes and everything in his plumbing truck went flying.

Then came a verbal expletive familiar to those trapped in traffic, a short, punchy phrase often used when stepping into something unpleasant.

After that, the Jonesboro plumber stuck on I-85 blamed himself, thinking he should have hopped onto I-285.

Textbook case, according to Pamela Eilender, an Atlanta clinical psychologist who sees many comparisons between people's behavior in a traffic jam and their issues with anger management.

"People blame themselves. They ruminate, working themselves into a state," she said, stressing that frustration can spark aggressive, spontaneous behavior, even road rage.

Metro Atlanta knows traffic. Nearly everyone has felt that constricting feeling in their necks when the flow of traffic slows as

TELL US ABOUT YOUR COMMUTE

What's your commute like?

Got special strategies or experiences you'd like to share? Contact us if you'd like to submit your account or keep a log of your daily trip for a column that will appear in Horizon. E-mail us at horizon@ajc.com or write to Commuter Diary, c/o Stell Simonton, 6th Floor News, The Atlanta Journal-Constitution, P.O. Box 4689, Atlanta, GA 30302

their blood pressure rises.

Atlantans have built a culture around their traffic. For many, it's their first concern in the morning. They set their clock radio to news-traffic stations. They watch TV reports over morning coffee. Bosses have come to accept that employees

will sometimes be late because of traffic. But for all the preparation, there are times when there's no escape.

This week, Atlanta's traffic cup runneth over, the first problem occurring Thursday on I-285 when a 18-inch piece of roadway fell into the river and choked the evening commute. And then came Friday morning, when a fatal accident on I-85 clogged not only that roadway but side roads and other major thoroughfares.

As a plumber, [redacted] knows clogs. Sometimes there's no avoiding them. So he quickly settled down and spent the next three hours cleaning up his van, calling people on his cell phone, and tying up some business.

"It's like second nature. I try not to get mad," he said.

Other drivers, though, handled the situation with less aplomb. Some tried to escape by traveling along the shoulder lanes. They blocked firetrucks struggling to reach the flaming, fatal accident. Others backed into each other in fender benders.

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37-2-7

RORS

mute a nightmare



...all about 6 a.m. Friday, when a Lawrenceville mother and baby were killed in an accident.

TO CRASHES

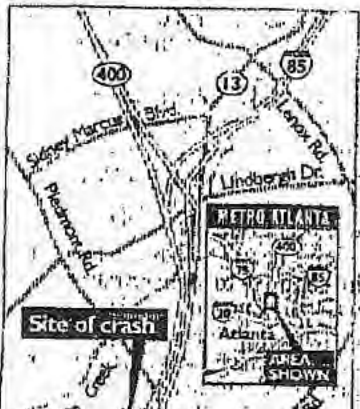
Georgia DOT coped with a severe multi-vehicle crash on I-85 that killed a woman and her baby.

Time: Crash reported to police at 1:11 p.m.

Location: Crash reported to police on I-85 near Lindbergh Dr. Police in scene.

Impact: All I-85 southbound lanes are closed. HOV lane is blocked by a firetruck.

Consequences: All southbound lanes at I-85 are blocked to traffic flow to the crash. Traffic continues into the crash area instead. Traffic from the northbound lanes is rerouted to Druid Hills when the Clairmont



Problems won't be solved soon

By Kelly Simmons
ksimmons@ajc.com

Metro Atlanta's \$36 billion transportation plan promises grand improvements for regional commuters — but it did nothing for the thousands of drivers stuck in traffic for four hours on I-85 Friday morning. And it could be years before morning and evening commutes are anything less than a nightmare.

Wheel

The firetruck, p... necking, quickly gr... northbound side. I... dispatch, the interci... surrounding surface... Downtown Connect... and then to the Per... it was over, even I... south, was a c

burning vehicles. median wall to ex... firefighters scramble... the northbound sid... reach the crash scen... Atlanta Fire Depart... backed up on I-85 so... closed. With traff... southbound lanes o... Within minutes of t... move traffic. transportation official... ing for clues against... needs of crash invest... rush-hour commuters... affected hundreds of t... chain of events that... The accident set in... was badly burned... ing, Bell's husband... Grady Memorial Hosp... people were injured a... EA12-095-Chrysler-408544

By Craig Schmidt
cschmidt@ajc.com
T... site... brakes and ever... punting truck we... Then came a v... familiar to those f... used when sleepi... thing unpleasant... After that, a... plumber stuck o... himself, thinking... hopped onto I-285... Textbook case... Pamela Klander, a... comparisons be... behavior in a traf... issues with anger... "People plan... They ruminate... selves into a s... stressing that... spark aggressi... behavior, even r... Metro Atlant... Nearly everyone... sitting feeling... when the flow o

57-3-7

7 a.m.: Wreckers arrive scene to remove wrecked car. Northbound I-85 HOV lanes reopen.

7:20 a.m.: I-85 right shoulder closed to allow traffic to pass scene. Atlanta

Transportation Control Center begins timing Piedmont Road's stoplights as many commuters are using it as an alternate route.

7:30 a.m.: Far right 85 southbound lane opens.

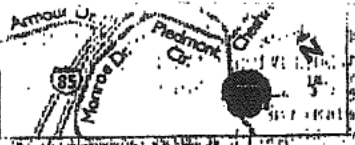
10: Ga. 400 southbound at I-85 interchange is reopened.

10:36 a.m.: All I-85 southbound lanes are opened after removal of debris.

11 a.m.: Normal traffic control resumes.

Law, GA DOT Traffic Management Center; research by HERVEY PEAN / Staff

DALE E. DODSON and CHUCK BLEVINS / Staff



tives [to the automobile]," said Chick Krattler, executive director of the Atlanta Regional Commission, which developed the year transportation plan. "You can't build roads or open new [transit] stations overnight."

The Friday morning wreck on I-85 southbound at Cheshire Bridge Road left thousands — five lanes wide and miles deep — sitting in their cars on I-85 and Ga. 400.

Just a day before, thousands of commuters were stranded on I-285 westbound near Riverside Drive when transportation officials shut down the westbound lanes to repair an 18-inch hole in a bridge.

"This is a byproduct of the fact that our planning up to now has not included congestion and mobility as a prime objective," said Sam Williams, president of the Metro Atlanta Chamber of Commerce.

Williams said he's encouraged that the ARC and the Georgia Regional Transportation Authority are beginning to monitor land use and traffic patterns. "It's going to take awhile to turn this battleship around," Williams said.

Among the plans regional transportation officials have for improving traffic congestion: Expanding MARTA west and north; running commuter trains between Atlanta and Athens and Macon; and operating express buses to outlying counties.

It will be years before the region feels the benefit of these measures, however. Commuter rail routes won't be in service before 2005 and MARTA's westward expansion is not expected before 2010.

In his budget recommendation for next year, Gov. Roy Barnes has proposed accelerating HOV lane construction. But that won't solve the kind of problem that strangled commuters Friday morning, rail proponents argue, when all lanes were closed.

"You're not going to have too many people who will get on a bus that is going to be sitting in traffic," said [redacted], a member of the Georgia Rail Passenger Authority. "I would hope this would open the eyes of some people who have become very close-minded about rail."

botched."

In the case in a major freeway incident, some hampered the emergency effort by illegally using the emergency lanes to pass stalled traffic.

"Don't realize that when that, it's delaying from us, the Fire and the EMTs," said the first HERO on the

also not understood,

said Waters, is how dangerous pre-dawn driving can be.

"Officers often say the most dangerous time to drive is in those early morning hours when it is still dark and traffic is flowing at a high rate of speed," he said. "It isn't a good time to be putting on your makeup, drinking a cup of coffee or doing anything other than driving."

Staff writer Jack Warner contributed to this article.

Mad, expert says

of Park Boulevard, those people who can't to he has devised a law-strategy. When stuck in a ad, he keeps just enough between himself and the out so he never quite has moving. Years back, he work himself into a frenzy n and out of lanes. Then ed his car. Now he has an cell phone that tracks Web pages and carries a ard to get through the oll booth.

Tobi North gets stuck in she turns into a quick-mouse in a maze. "I hit de road I can," said the old Kennesaw woman.

on I-285 for 90 minutes y [redacted] lost osure after she was led near the Roswell Road ne Cartersville woman er husband on her cell nd used colorful language ibe her predicament. Not ay, [redacted] of passed time by calmly a drama book, as her

9-year-old daughter amused herself with a stuffed animal.

By the time [redacted] hit I-85 Friday, the traffic disaster was right in his face.

His solution: a traffic mantra.

"I am not going to get angry. I am not going to get angry," he repeated to himself, and slowly he went into that zone where many people go during traffic jams — a mental state where they both watch the road attentively and drift into thoughts about home, work and weekend plans.

In dealing with the stress, Eilender recommends that if you see yourself flying off the handle, think about the potential consequences before trying something rash.

Perhaps the best solution, though, might be to put the whole situation in perspective.

[redacted], reflecting on the I-85 wreck, which took the life of a mother and daughter, said "There but for the grace of God go I. I lost 70 minutes of my day. That family was destroyed. Who had the tough day?"

37-4-7

11 (P)

12 (P)

13 (P)

14 (P)

15 (P)

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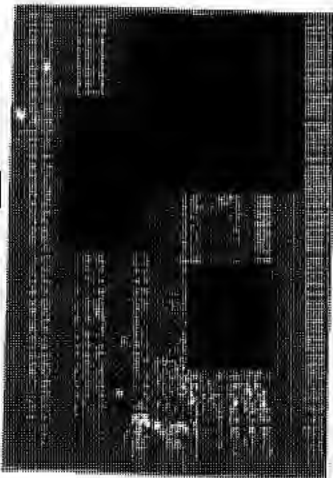
56 (P)

57 (P)

58 (P)

37-5-7

In this family photo are [redacted] and 15-month-old [redacted] of Lawrenceville. [redacted] and [redacted] died in Friday's wreck on I-85.



1-27-01
Neighbors mourn mom,

By Larry Hartstein
lhartstein@ajc.com

[redacted] and their only child, 15-month-old [redacted] were up early Friday, eager to get through town and onto a plane that would take them to see family.

The Lawrenceville family was taking baby gifts to [redacted] brother and expectant sister-in-law and were planning to spend time with [redacted] father in Fort Walton Beach, Fla.

"They were supposed to leave at 7, but apparently they left early to beat traffic," said [redacted] who saw [redacted] on Thursday night at a neighborhood Bunko game. [redacted] and [redacted] were killed, and [redacted] was severely burned just before 6 a.m. in a fiery crash on I-85.

That wreck, which paralyzed traffic on three major highways, left residents in the Charter Club on the River subdivision, "torn to pieces" and asking "Why?" [redacted] said.

37-6-7

... baby killed in wreck

Friends said [redacted] works in the computer industry, [redacted] was a stay-at-home mom and [redacted] was their life. "That little one was everything," said [redacted], who lives next door to the [redacted]s' two-story brick home. "She had a mommy's reddish hair, but, otherwise, she was the spitting image of her daddy. I can't imagine him coming home to an empty house," [redacted] added. Neighbors, who described the couple as fun-loving and giving, spent Friday

afternoon hugging, crying and trying to console one another. [redacted] mother died of cancer shortly before [redacted] was born, Brannen said. She was excited because her father was going to see his granddaughter, [redacted] said. "She was talking about it and saying that [redacted] was her [grandfather's] guardian angel," [redacted] said.

> ALSO INSIDE: Friday's accident set into motion a chain of events that affected hundreds of thousands of commuters. Complete coverage. H5

[redacted] a new 27, of was set said he ith the [redacted] County in set. ecision. ... left amp c. in aide is deci rial i. irnal identif

1-27-01

No quick fixes for traffic nightmare

Fiery crash stalls thousands of morning commuters.

By Craig Schneider
cschneider@ajc.com

Once again Atlanta has become a story of traffic and death, followed by more traffic.

Two nerve-racking days of commuter gridlock sent a powerful reminder that a single car crash can paralyze Atlantans' travel plans for hours. And transportation experts agree it could be years before Atlanta's morning and evening commutes are anything less than a nightmare.

"Nobody's going to have a magic wand to make traffic better any time soon," said Sam Williams, president of the Metro Atlanta Chamber of Commerce.

Despite the grand schemes in metro Atlanta's \$36 billion transportation plan, it will take years before people feel the benefits of expanding MARTA west from Cobb County and north to Alpharetta. And years later before Atlanta express buses run to the outlying counties.



JOHN GERTMAN/Staff

So people bear it, and suffer.

Tragedy accompanied Friday's traffic bust. In the pre-dawn hours when motorists can sometimes actually beat the traffic, members of a Lawrenceville family died in a bizarre accident that began with a tire flying off an auto and ended with a Jeep exploding into flames. A father, badly burned, lost his wife and only child on I-85 near Cheshire Bridge Road. The 15-month-old girl, Nicole Belli, was said to be the spitting image of her dad, save for having her mother's red hair.

By 8 a.m., the troubles on the southbound route closed by the horrendous wreck

spilled all the way to I-75. Emergency vehicles, plus rubbernecking, created gridlock on the northbound side of I-85, and zigzagging drivers trying to escape the crush drove a spike into traffic on Ponce de Leon Avenue, Clairmont Road and surrounding streets.

"Everybody was cruising; it was early in the morning. Then it was a very quick stop. Everything in my truck went flying," said Terry Gross, 26, a plumber traveling just behind the cars in the 6 a.m. crash.

It was the second blow in a one-two traffic punch. On Thursday, westbound traffic on I-285 near Riverside Drive was hobbled for hours

While stuck in traffic for three hours Friday morning, [redacted] filled out about 20 invoices, talked on the phone and cleaned the cab of the company van. [redacted] was traveling south on I-85 to the Jonesboro Guaranteed Plumbing and Service Inc. office when a fatal car wreck brought traffic to a halt.

during the evening rush after a small piece of roadway fell into the river.

Some metro Atlanta commuters took the traffic blows on the chin and remained calm. Putting things in perspective helped.

"The accident this morning made my commute a little longer," said [redacted] of Atlanta. "I didn't think that was so bad considering a mother and her infant died in the crash."

> ALSO INSIDE: Family was headed to Florida. H1

Coping with being stuck in traffic. H5

Transportation plan's remedies are a long way off. H5

Accident set into motion a chain of events. H5

38-1-1

Two charged²⁻²²⁻⁰¹ in fatal, gridlocking I-85 crash

By Jack Warner
jwarner@ajc.com

Atlanta police have filed charges against the drivers of two cars involved in the multi-vehicle crash a week ago that killed two members of a Lawrenceville family, critically injured a third and created one of the worst traffic jams the city has ever seen.

The wreck, according to police, occurred about 6 a.m. Friday on southbound I-85 just north of the connection with Ga. 400. It began when a van threw a wheel, which came to rest next to the HOV lane. Another car hit the

wheel, knocking it into the HOV lane.

Next, a Toyota Camry driven by Nebiyu Muleta, 25, came to a complete stop in the HOV lane to avoid hitting the wheel.

A Jeep Cherokee driven by John Belli slowed sharply to avoid striking the Camry and was trying to swing into the next lane when a Ford Thunderbird driven by Adrian Camarillo, 21, slammed at full speed into the back of the Cherokee.

The impact ruptured the Jeep's fuel tank and it burst into flames. All three cars burned.

Atlanta police spokesman John Quigley

said Friday that [redacted] was arrested Thursday night in Gainesville on a warrant from Atlanta police charging two counts of first-degree vehicular homicide, serious injury by vehicle, reckless driving, following too closely and no proof of insurance.

[redacted] was charged with failure to remove his vehicle from the expressway.

[redacted] wife [redacted] and their daughter, [redacted], were killed in the wreck.

[redacted] was pulled from the flames after suffering burns over 75 percent of his body. He remains in critical condition at Grady Memorial Hospital.

39-1-1

#312


BUREAU OF CORRECTIONAL SERVICES
GRADY DETENTION SECTION
BLOOD CONSENT

1-26-01
DATE


8:00 A.M. P.M.
TIME DRAWN

NAME: 

ADDRESS: 

Smiths Nacogdoches Ga. 
CITY COUNTY STATE ZIP

I hereby request a sobriety test:

X 

SIGNATURE OF SUBJECT

W 24/80
Driver 1 dies

POLICE OFFICER: A. R. ROGERS #2504
WITNESS

BLOOD DRAWN BY: H. D. TIGG R.N.
W. Tharp

40-1-1

#310

BUREAU OF CORRECTIONAL SERVICES
GRADY DETENTION SECTION

BLOOD CONSENT

JUN 26, 2001
DATE

8:50
TIME DRAWN A.M. P.M.

NAME: [REDACTED]
ADDRESS: [REDACTED]

Hickman T. Hill [REDACTED]
CITY COUNTY STATE ZIP

I hereby request a sobriety test:

9/16/76
Comp. Devel

X [REDACTED]
SIGNATURE OF SUBJECT

POLICE OFFICER: J. R. Rogers
WITNESS

BLOOD DRAWN BY: [REDACTED]

EA
[REDACTED]
7
97-008551

311

BUREAU OF CORRECTIONAL SERVICES
GRADY DETENTION SECTION

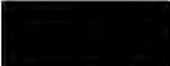
BLOOD CONSENT

1-26-01
DATE

8:00 P.M.
TIME DRAWN

NAME: 

ADDRESS: 

WHEELING WEST VA. 
CITY COUNTY STATE ZIP

I hereby request a sobriety test:

8/8/73
Roberson 1 Bied

NOT NUCLEAR
SIGNATURE OF SUBJECT

POLICE OFFICER: A. R. HOLLAND
WITNESS

BLOOD DRAWN BY: K. D. GALE
W. Thayer

41-1-1

EA12-005

178
8552

FRI, JAN 26, 2001, 1:27 PM

DISPLAY CALL

Call Type 414 D H P T O
AUTO ACCIDENT/AMB.

Incident No 010260314

Loc I-85 SB EXPY NE / LENOX RD NE
/ 2500

APT City ATL

Name

Contact?

Add

Phone#

Area Code

Rmks JUST PASS LENOX//BEFORE SPLIT//4 CARS INVOLVED// CLLR ADVS 1 CAR JUST
EXPLODED/// ON RIGHT SIDE OF EXWAY FIRE ENRT TS 0600 //VEHICLE FULLY +17

Pty 2 Lev Src P Rd 204 Beat 204 Takers-Id 3117 Disp-Id 3137 Cmand 02

Date 012601 911 Rec 053829 Dis 060019 Arr 060606 Trn Bkg

Amb Tow 073042 Clr Dc 17 Report N Act Type

Units 7325 1220 9299 1203 1204 1201 1227 1210 2744 2724

7347 2225 2203 2210 2208 2296 2207 2205

Dispo Remarks

Related Police#

Fire#

Ems#

Sheriff#

ENGULFED

3137 01/26/01 06:05

///UNIT ADV 2 IN VEHICLE//HIT AND RUN NOTIFIED 0607HRS

3137 01/26/01 06:09

///UNIT ADV 2 PEOPLE SIB

3137 01/26/01 06:10

UNIT ADV S41 IS JUST BY 100/85 SPLIT//EXPRESSWAY COMPLETELY SHUT DOWN

3137 01/26/01 0

///UNIT ADV ONE VICTIM IS LOW WITH 85% 3RD DEGREE BURNS ON BODY//BARELY

3137 01/26/0

CONSCIOUS//

3137 01/26/01 06:12

///HERO UNIT C26ED AT 0612HRS

3137 01/26/01 06:12

///UNIT 1201 ADV ATL FIRE C26ED ON NB SIDE 0612HRS

3137 01/26/01 06:13

///I.D NOTIFIED 0613HRS

3137 01/26/01 06:15

///ETA FOR HIT-N-RUN 15 MINS//UNIT ADV HAVE ALL EMERGENCY UNITS COME NB

3137 01/26/0

ON 85 SB LANES

3137 01/26/01 06:18

///HIT-N-RUN UNIT 2744 ENROUTE

3137 01/26/01 06:24

///UNIT ADV 3 VEHICLES INVOLVED//HIT-N-RUN UNIT C26ED AT 0628HRS

3137 01/26/01 06:27

///CORRECTION HIT-N-RUN UNIT 2724 RESPONDED TO CALL//

3137 01/26/01 06:35

///I.D. UNIT 7347 C26ED 0640HRS

3137 01/26/01 06:40

///VEHICLES TRAVELING WRONG WAY ON GA400 @SIDNEY MARCUS//DOT WORKING S84

3137 01/2

///I-85 SB IS COMPLETELY SHUT DOWN//

3137 01/26/01 06:57



43-1-1

Randy L. Hanzlick, M.D.
Chief Medical Examiner

Eric L. Kiesel, M.D., Ph.D.
Deputy Chief
Medical Examiner

Michael M. Heninger, M.D.
Carol A. Terry, M.D.
Associate
Medical Examiners



FULTON COUNTY

Office of the Medical Examiner
430 Pryor Street, SW
Atlanta, Georgia 30312
(404) 730-4400 / (404) 730-4405 (fax)

James A. Walker, Jr.
Deputy Director

Dennis E. McGowan
Chief Investigator

Susie M. Reaves
Administrative Coordinator

REQUEST FOR AUTOPSY REPORT

Decedent:

M.E. Case Number: _____

01-26-01
Date of Death: _____

I/we request a certified copy of the autopsy report on above decedent.

I/we understand that the regular charge of \$27.50 is waived.

J. L. HENSAL 02-05-01
Investigating Officer Date

ATLANTA POLICE: TRAFFIC FATALITY UNIT
Agency

675 PONCE DE LEON AVE., N.E.
Address

ATLANTA; GA., 30308
City, State, Zip

404 765-2808
Telephone

Witnessed

02-05-01
Date

80

44-1-3

Randy L. Hanzlick, M.D.
Chief Medical Examiner

Eric L. Kiesel, M.D., Ph.D.
Deputy Chief
Medical Examiner

Michael M. Heninger, M.D.
Carol A. Terry, M.D.
Associate
Medical Examiners



FULTON COUNTY

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Decedent

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J. HENSAL 02-05-01
Investigating Officer Date

ATLANTA POLICE: TRAFFIC FATALITY UNIT
Agency

675 PONCE DE LEON AVE., N.E.
Address

ATLANTA; GA., 30308
City, State, Zip

404 765-2808
Telephone



Witnessed

02-05-01
Date

44-2-3

 31
81er -008555



Atlanta Police Department
Public Affairs Unit
City Hall East - 9th Floor
675 Ponce de Leon Avenue N.E.
Atlanta, Georgia 30308

**NEWS
RELEASE**

MEDIA ADVISORY

FOR IMMEDIATE RELEASE
February 1, 2001

Contact: Atlanta Police Public Affairs
(404) 817-6873

[Handwritten signatures and initials: "D", "P", "PS", "ADVISE"]

DRIVERS CHARGED IN FATAL TRAFFIC ACCIDENT

On January 31, 2001 at approximately 8:00 PM, Gainesville Police arrested [REDACTED] DOB [REDACTED] on an arrest warrant issued in Atlanta, in connection with the traffic accident that resulted in two fatalities on Interstate 85 on Friday, January 26, 2001. [REDACTED] was charged with two counts of Vehicular Homicide in the 1st Degree, Serious Injury by Vehicle, Reckless Driving, and No Proof of Insurance.

Investigation revealed that [REDACTED] was operating a Ford Thunderbird traveling in the HOV lane which struck the Jeep Cherokee flush in the rear. The impact caused the gas tank to rupture which ignited the fuel, engulfing the Jeep Cherokee in flames. The driver of the Cherokee had slowed to avoid striking a Toyota Camry that had stopped in front of them.

The driver of a Toyota Camry was also charged in the accident. [REDACTED] was charged with Failure to Remove Vehicle from the Expressway.

[REDACTED] and her infant daughter [REDACTED] died at the scene. [REDACTED] received serious burns over most of his body before those who were rendering aid could extract him from the vehicle.

###

45-1-1

Antes de contestar alguna pregunta ni hacer alguna declaración, usted tiene que comprender sus derechos:


1. Usted tiene derecho a quedarse en silencio. Ese es decir que usted tiene derecho a no decir nada.
2. Cualquier cosa que usted diga puede ser y será usada en contra suya en el tribunal de Justicia.
3. Usted tiene derecho a hablar con un abogado y a tenerlo presente mientras usted esta siendo interrogado.
4. Si usted no tiene dinero para pagar a un abogado, la corte nombrara a uno para que lo represente, gratis, si usted quiere.
5. Usted puede decidir en cualquier momento ejercitar estos derechos, y no contestar cualquier pregunta, ni hacer cualquier declaración.

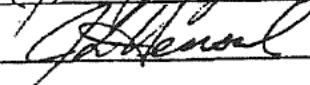
RECONOCIMIENTO Y RENUNCIA DE DERECHOS

1. Entiende usted cada uno de estos derechos que yo le he explicado a usted?
2. Conciente de estos derechos, quiere usted hablar con nos ahora?

Firma X 

Fecha de hoy 2/1/2001


Testigo:  # 536 Hall County S.O.

Testigo:  # 2724 All. Police

GPD 08/23/91

CID 050

46-1-1

EA12-00 



IN
Time _____

OUT
Time _____



HALL COUNTY DETENTION CENTER TRANSFER OF CUSTODY RECEIPT FOR INMATE

INMATE NAME: [REDACTED] D.O.B. [REDACTED]

RACE: W SEX: M HEIGHT: 5-5 WEIGHT: 160 HAIR: BK EYES: BR

INMATE STATUS: () LOW RISK HIGH RISK () ESCAPE () VIOLENT

() LOANED TO: _____ WITH THE PROFOUND UNDERSTANDING THAT THIS INMATE IS TO BE RETURNED AT THE REQUEST OF THE HALL COUNTY DETENTION CENTER AND SHOULD NOT BE RELEASED WITHOUT APPROVAL.

RELEASED TO: Dickinson PD WITH THE UNDERSTANDING THAT THIS INMATE IS NOT TO BE RETURNED FOR THE FOLLOWING REASON:

- () HAS BEEN SENTENCED IN HALL COUNTY AND RECEIVED A SENTENCE OF _____ FOR WHICH HE/SHE IS TO BE TURNED OVER TO THE STATE BOARD OF CORRECTIONS UPON COMPLETION OF ANY COURT CASE(S) IN YOUR JURISDICTION.
- () RECEIVED A PROBATED SENTENCE IN HALL COUNTY AND IS NOW UNDER SUPERVISION OF THE PROBATION DEPARTMENT.
- () IS RELEASED ON BOND PENDING APPEARANCE IN:
() MAG. COURT () STATE COURT () SUPERIOR COURT ON _____
- TIME SERVED IN HALL COUNTY HAS BEEN COMPLETED.
- () INMATE WAS ARRESTED FOR YOUR DEPARTMENT ON YOUR CHARGES AND HAS NO PENDING CHARGES IN HALL COUNTY.

ADDITIONAL INFORMATION

(HOLDS FOR OTHER AGENCIES, MEDICAL OR SECURITY PROBLEMS)

SPECIAL NOTE: IF YOU ARE BOARDING THE ABOVE INMATE FOR HALL COUNTY, GA. IN ACCEPTING THIS INMATE FOR BOARDING; THE HOLDING FACILITY WILL PROVIDE ANY AND ALL NECESSARY MEDICAL ATTENTION THAT IS REQUIRED AND WILL BILL THE HALL COUNTY DETENTION CENTER FOR THOSE SERVICES. IT IS FURTHER REQUIRED THAT YOU CONTACT THE SUPERVISOR IN CHARGE AT THE HALL COUNTY DETENTION CENTER EITHER BEFORE OR AS SOON AS POSSIBLE AFTER INMATE RECEIVES MEDICAL ATTENTION AND ADVISE INMATE'S CONDITION AT (770) 531-6904.

ACKNOWLEDGEMENT OF TRANSFER

AS THE RECEIVING AND/OR TRANSPORTING OFFICER I ACKNOWLEDGE RECEIPT OF BOTH THE INMATE AND A COPY OF THIS FORM INDICATING TRANSFER OF CUSTODY.

[Signature]
RECEIVING OFFICER'S SIGNATURE
[Signature]
RELEASING OFFICER HALL COUNTY

Atlanta Police Dept.
NAME OF DEPARTMENT
06010 110
TIME/DATE OF RELEASE

HALL COUNTY DETENTION CENTER • 622 SOUTH MAIN STREET • GAINESVILLE, GEORGIA 30501
(770) 531-6904 • FAX (770) 531-3933

ORIGINAL HALL COUNTY DETENTION CENTER COPY YELLOW - OTHER DEPARTMENT 2005 - Chrysler -008559

47-1-1

Driver's License No. [REDACTED]

Make of Car 1988 Ford Thunderbird

License Tag R40 TEA (GA)

Set Case Thursday 09:00

Registered owner of Auto.

[REDACTED]
Gainesville, GA.
[REDACTED]

48-1-1

Report of Investigation by officers:

On the 26th of Jan. at approximately 06:00, [REDACTED] was operating the above listed vehicle Southbound on I-85. His operation of this vehicle was in excess of the posted speed limit and was so operated in a Reckless manner. This manner of operation was the primary factor which lead to the resulting accident on that roadway moments later. This accident caused the death of two occupants of the vehicle struck struck by [REDACTED]'s vehicle. This also caused Serious Bodily Injury to the driver of the vehicle he struck.

EA12-005-Chrysler-008560

186

15242
No. _____

City Court of Atlanta

WARRANT

THE CITY OF ATLANTA

Versus

Address: [REDACTED]
[REDACTED] Gainesville, GA [REDACTED]

Res: _____

Bus: _____

Bond \$ _____

Charge:

Homocide by Vehicle (40-6-393a) 2 Counts
Serious Injury by Vehicle (40-6-394)
Reckless Driving (40-6-390a) No Insurance (40-6-10)
Prosecutor: Following Too Closely (40-6-49)
Officer J.L. Hensal #2724
Address: Atlanta Police Dept.
675 Ponce DeLeon Ave, Atl, GA. 30308

DISPOSITION

Date: _____

Fine: \$ _____ and / or _____ days

Other: _____

JUDGE: _____

ATLANTA, GEORGIA, Fulton County

Executed the within warrant by arresting the defendant, this
Prosecutor notified to appear _____, 19 _____

Police officer, City of Atlanta

, 19 _____

WARRANT

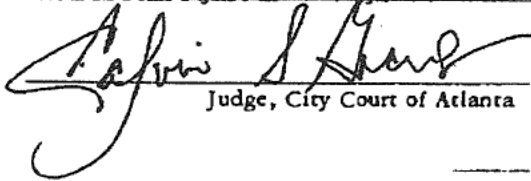
CITY COURT OF ATLANTA: -

ATLANTA, Fulton County, Georgia:

Personally appeared the undersigned prosecutor Officer J.L. Hensal #2724 who on oath says that, to the best of his ~~his~~ ^{own} knowledge and belief _____ did, on the 26th day of January in the year 2001, in the city and county aforesaid, commit the offense of Homocide by Vehicle(40-6-393a) on _____ Homocide by Vehicle(40-6-393g) on _____ Reckless Driving(40-6-390a), Serious Injury by Vehicle(40-6-3940 on _____ Following Too Closely(40-6-49), No Insurance (40-6-10) and this deponent makes this affidavit that a warrant may issue for his/her arrest.

Sworn to and subscribed before me:

this 31st Day of January, 19 2001


Judge, City Court of Atlanta



ATLANTA, GEORGIA, Fulton County

To the Chief of Police of Atlanta, or any duly authorized officer of the City of Atlanta, or his deputy, and to any Sheriff or his deputy, Coroner, Constable, or Marshall of said State, GREETING:

Officer J.L. Hensal #2724

makes oath before me that

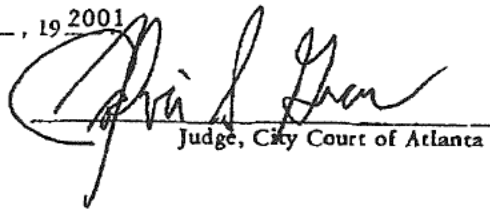
on the 31st day of January in the year 192001 in the City and County aforesaid,

_____ did commit the offense of Homocide By Vehicle(40-6-393a
on _____ and on _____ Serius Injury by Vehicle(40-6-394), Reckless Driving(40-6-39
Following Too Closely (40-6-49), No Insurance (40-6-10)

. You are therefore hereby
commanded to arrest the body of said _____

and bring him before me or some other Judicial officer of this State to be dealt with as the law directs.

Herein fail not. This 31st of January, 19 2001


Judge, City Court of Atlanta

WARRANT

CITY COURT OF ATLANTA: -

ATLANTA, Fulton County, Georgia:

Personally appeared the undersigned prosecutor Officer J.L. Hensal #2724 who on oath says that, to the best of his ~~own~~ knowledge and belief [redacted] did, on the 26th day of January in the year 2001, in the city and county aforesaid, commit the offense of Homocide by Vehicle (40-6-393a) Homocide by Vehicle (40-6-393a) on [redacted] reckless Driving (40-6-390a), Serious Injury by Vehicle (40-6-394) on [redacted] Following Too Closely (40-6-49), No Insurance (40-6-10) and this deponent makes this affidavit that a warrant may issue for his/her arrest.

Sworn to and subscribed before me:

this 31st Day of January, 19 2001

[Signature]
Judge, City Court of Atlanta

[Signature]

ATLANTA, GEORGIA, Fulton County

To the Chief of Police of Atlanta, or any duly authorized officer of the City of Atlanta, or his deputy, and to any Sheriff or his deputy, Coroner, Constable, or Marshall of said State, GREETING:

Officer J.L. Hensal #2724

_____ makes oath before me that on the 31st day of January in the year 192001 in the City and County aforesaid, _____

_____ did commit the offense of Homocide By Vehicle (40-6-393) on _____ and on _____ Serious Injury by Vehicle (40-6-394), Rockless Driving (40-6-3) Following Too Closely (40-6-49), No Insurance (40-6-10)

_____ You are therefore hereby commanded to arrest the body of said _____

and bring him before me or some other Judicial officer of this State to be dealt with as the law directs.

Herein fail not. This 31st of January, 19 2001

[Signature]
Judge, City Court of Atlanta



49-2-2

GEORGIA
UNIFORM TRAFFIC CITATION, SUMMONS, ACCUSATION

010260314

GAAPD0000

CICA Number CITY OF ATLANTA - DEPARTMENT OF POLICE Citation Number
Month January (Day) 26 (Yr) 2001 at 05:58 AM P.M.
License Class or Type C State GA Endorsements Expires 11/24/2004
License Number
Name
Current Address Apt. Race / Sex H/M
City Gainesville State GA Zip Code
DOB Hair BLK Height 5' 5" Weight 180 Eyes Brn.
Veh. Yr 1988 Make Ford Style Thunderbird Color Blue
Registration No. Yr. 2001 State GA
COMMERCIAL DRIVER LICENSE Yes No COMMERCIAL VEHICLE Yes No ACCIDENT Yes No

(ONE VIOLATION PER CITATION)

Within the State of Georgia, did commit the following offense: SPEEDING - Clocked by PATROL VEHICLE RADAR
 LASER (Serial # Calibration / Check) at MPH in zone
 DUI (Test Administered BLOOD BREATH URINE OTHER) DUI Test Results
TEST ADMINISTERED BY (if Applicable):

OFFENSE (Other than above) Code Section State law Local Ordinance
Homocide by vehicle 40-6-393a

COMPANION CASE Yes No CITATION No / NAME:

REMARKS / VICTIM NAME

WEATHER	(A) ROAD (B)	TRAFFIC	LIGHTING	COMMERCIAL VEHICLE INFORMATION
<input type="checkbox"/> Clear <input type="checkbox"/> Cloudy <input type="checkbox"/> Raining <input type="checkbox"/> Other	<input type="checkbox"/> Dry <input type="checkbox"/> Wet <input type="checkbox"/> Ice <input type="checkbox"/> Other	<input type="checkbox"/> Concrete <input type="checkbox"/> Asphalt <input type="checkbox"/> Gravel <input type="checkbox"/> Other	<input type="checkbox"/> Light <input type="checkbox"/> Medium <input type="checkbox"/> Heavy <input type="checkbox"/> Other	<input type="checkbox"/> Commercial Vehicle Violation <input type="checkbox"/> Hazardous Material Violation (PLACARD)

In the City of Atlanta, County of Fulton, De-Ann Clayton

I- 85 South @ Piedmont Road N.E.

Street, Highway, Road, Street, Intersection or Private Property

Officer Name (Print) Hensal, J.L.

APP ID No. 2301 Assignment 2724 Court Code Off days S/S Time 09:00

Officer Name (Print) Hensal, J.L.

APP ID No. Assignment Court Code Off days Time

You are hereby ordered to appear in court to answer this charge on day

of Yr. at AM PM in the CITY COURT OF ATLANTA

AT 104 TRINITY AVENUE S.W., ATLANTA, Georgia, 30335 Copy Jail

Notice: (1) Georgia Code 17-6-11 a drivers license may be displayed to the officer in lieu of bail. SERVICE: This notice shall constitute official service to you that failure to dispose of this citation as outlined above shall be deemed a violation of the public safety and your drivers license shall be placed in suspension. The suspension shall remain in effect until such time as the designated court, in this matter, prescribes. Notice the Department of Public Safety of a satisfactory disposition in this matter. (NOTE: If drivers license is not displayed in lieu of bail, Georgia Code 40-6-56 provides for the suspension of the drivers license of a person who fails to respond to a citation to appear before a designated court.)

LICENSE DISPLAYED IN LIEU OF BAIL Yes No RELEASED TO

SIGNATURE ACKNOWLEDGMENT OF SUMMONS AND RECEIPT OF COPY OF SAME.

SIGNATURE

ARRESTING OFFICER'S CERTIFICATION

The undersigned, being duly sworn, depose and state that he has just and reasonable grounds to believe and does believe that the above named person has committed the offense herein set forth, contrary to law.

SIGNATURE

Sworn to and subscribed before me this 1 day of FEB 01

SIGNATURE AND TITLE

NOTARIZED AND APPROVED BY: CODE 30-11-205, 206, 207, 210

GEORGIA
UNIFORM TRAFFIC CITATION, SUMMONS, ACCUSATION

010260314

GAAPD0000

CICA Number CITY OF ATLANTA - DEPARTMENT OF POLICE Citation Number
Month January (Day) 26 (Yr) 2001 at 05:58 AM P.M.
License Class or Type C State GA Endorsements Expires 11/24/04
License Number
Name
Current Address Apt. Race / Sex H/M
City Gainesville State GA Zip Code
DOB Hair Blk Height 5' 5" Weight 180 Eyes Brn
Veh. Yr 1988 Make Ford Style Thunderbird Color Blue
Registration No. Yr. 2001 State GA
COMMERCIAL DRIVER LICENSE Yes No COMMERCIAL VEHICLE Yes No ACCIDENT Yes No

(ONE VIOLATION PER CITATION)

Within the State of Georgia, did commit the following offense: SPEEDING - Clocked by PATROL VEHICLE RADAR
 LASER (Serial # Calibration / Check) at MPH in zone
 DUI (Test Administered BLOOD BREATH URINE OTHER) DUI Test Results
TEST ADMINISTERED BY (if Applicable):

OFFENSE (Other than above) Code Section State law Local Ordinance
Homocide by vehicle 40-6-393a

COMPANION CASE Yes No CITATION No / NAME:

REMARKS / VICTIM NAME

WEATHER	(A) ROAD (B)	TRAFFIC	LIGHTING	COMMERCIAL VEHICLE INFORMATION
<input type="checkbox"/> Clear <input type="checkbox"/> Cloudy <input type="checkbox"/> Raining <input type="checkbox"/> Other	<input type="checkbox"/> Dry <input type="checkbox"/> Wet <input type="checkbox"/> Ice <input type="checkbox"/> Other	<input type="checkbox"/> Concrete <input checked="" type="checkbox"/> Asphalt <input type="checkbox"/> Gravel <input type="checkbox"/> Other	<input type="checkbox"/> Light <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Heavy <input type="checkbox"/> Other	<input type="checkbox"/> Commercial Vehicle Violation <input type="checkbox"/> Hazardous Material Violation (PLACARD)

In the City of Atlanta, County of Fulton, De-Ann Clayton

I- 85 South @ Piedmont Rd. N.E.

Street, Highway, Road, Street, Intersection or Private Property

Officer Name (Print) Hensal, J.L.

APP ID No. 2301 Assignment 2724 Court Code Off days S/S Time 09:00

Officer Name (Print) Hensal, J.L.

APP ID No. Assignment Court Code Off days Time

You are hereby ordered to appear in court to answer this charge on day

of Yr. at AM PM in the CITY COURT OF ATLANTA

AT 104 TRINITY AVENUE S.W., ATLANTA, Georgia, 30335 Copy Jail

Notice: (1) Georgia Code 17-6-11 a drivers license may be displayed to the officer in lieu of bail. SERVICE: This notice shall constitute official service to you that failure to dispose of this citation as outlined above shall be deemed a violation of the public safety and your drivers license shall be placed in suspension. The suspension shall remain in effect until such time as the designated court, in this matter, prescribes. Notice the Department of Public Safety of a satisfactory disposition in this matter. (NOTE: If drivers license is not displayed in lieu of bail, Georgia Code 40-6-56 provides for the suspension of the drivers license of a person who fails to respond to a citation to appear before a designated court.)

LICENSE DISPLAYED IN LIEU OF BAIL Yes No RELEASED TO

SIGNATURE ACKNOWLEDGMENT OF SUMMONS AND RECEIPT OF COPY OF SAME.

SIGNATURE

ARRESTING OFFICER'S CERTIFICATION

The undersigned, being duly sworn, depose and state that he has just and reasonable grounds to believe and does believe that the above named person has committed the offense herein set forth, contrary to law.

SIGNATURE

Sworn to and subscribed before me this 1 day of FEB 01

SIGNATURE AND TITLE

189

50-1-4

COURT COPY

TICKET No.

1501435

GEORGIA
UNIFORM TRAFFIC CITATION, SUMMONS, ACCUSATION

010260314

GAAPD0000

CICA Number

CITY OF ATLANTA - DEPARTMENT OF POLICE

Citation Number

Upon Month January (Day) 26 (Yr.) 2001 at 05:58 AM PM

License Class or Type C State GA Endorsements _____ Expires 11/24/2004

License Number _____

Name _____ (Males) (Race - Sex) H/M

Current Address _____ Apt. _____

City Gainesville State GA Zip Code _____

DOB _____ Hair Blk Height 5' 5" Weight 180 Eyes Brn

Veh Yr 1988 Make Ford Style Thunderbird Color Blue

Registration No. _____ Yr 2001 State GA

COMMERCIAL DRIVER LICENSE Yes No COMMERCIAL VEHICLE Yes No ACCIDENT Yes No

(ONE VIOLATION PER CITATION)

the State of Georgia, did commit the following offense: SPEEDING - Clocked by PATROL VEHICLE RADAR

LASER (Serial # _____ Calibration / Check _____) at _____ MPH in a _____ zone

DUI (Test Administered) BLOOD BREATH URINE OTHER: _____ DUI Test Results _____

TEST ADMINISTERED BY (If Applicable): _____

OFFENSE (Other than above): _____ Code Section _____ State law Local Ordinance

RECKLESS DRIVING 40-6-390a

COMPANION CASE Yes No CITATION No. / NAME _____

REMARKS / VICTIM NAME _____

WEATHER (A) ROAD (B) TRAFFIC LIGHTING COMMERCIAL VEHICLE INFORMATION

Clear Cloudy Raining Other Dry Wet Ice Other Concrete Blacktop Dirt Other Light Medium Heavy Daylight Darkness Other Commercial Vehicle Violation Hazardous Material Violation (PLACARD)

In the City of Atlanta County of Fulton District _____ Clayton

I- 85 South @ Piedmont Road N.E.

Street No., Highway, Road, Street, Intersection or Private Property

Officer Name (Print) Hensal, J.L.

APD ID No. 2301 Assignment 2724 Court Code S/S Off days S/S Time 09:00

Officer Name (Print) _____

APD ID No. _____ Assignment _____ Court Code _____ Off days _____ Time _____

You are hereby ordered to appear in court to answer this charge on _____ day

of _____, Yr. _____ at _____, AM PM in the CITY COURT OF ATLANTA

AT 104 TRINITY AVENUE S.W., ATLANTA, Georgia, 30335 Copy Jail

Pursuant to Georgia Code 40-6-11, a drivers license may be displayed to the officer in lieu of bail. SERVICE: This notice shall constitute official service to you and failure to dispose of this citation as outlined above shall be deemed a violation of the law and you shall be liable for the suspension of this matter to forward your drivers license number to the Department of Public Safety, and your driver's license shall be placed in suspension. The suspension shall remain in effect until such time as the designated court, in the manner prescribed, notifies the Department of Public Safety of a satisfactory disposition in this matter. NOTE: If a driver's license is not displayed in lieu of bail, Georgia Code 40-6-56 provides for the suspension of the driver's license of a person in a motor vehicle until the person appears before a designated court.)

LICENSE DISPLAYED Yes No RELEASED TO _____

SIGNATURE ACKNOWLEDGE THIS SUMMONS AND RECEIPT OF COPY OF SAME.

SIGNATURE _____

ARRESTING OFFICER'S CERTIFICATION

The undersigned being duly sworn, deposes and states that he has just and reasonably grounds to believe and does believe that the person named herein has committed the offense herein set forth, to-wit: to law

SIGNATURE _____

Sworn to and subscribed before me this 1 day of FEB 2001

SIGNATURE AND TITLE _____

AUTHORIZED AND APPROVED PURSUANT TO: CODE 40-14-104 § 40-14-104

GEORGIA
UNIFORM TRAFFIC CITATION, SUMMONS, ACCUSATION

010260314

GAAPD0000

CICA Number

CITY OF ATLANTA - DEPARTMENT OF POLICE

Citation Number

Upon Month January (Day) 26 (Yr.) 2001 at 05:58 AM PM

License Class or Type C State GA Endorsements _____ Expires 11/24/2004

License Number _____

Name _____ (Males) (Race - Sex) H/M

Current Address _____ Apt. _____

City Gainesville State GA Zip Code _____

DOB _____ Hair Blk Height 5' 5" Weight 180 Eyes Brn

Veh Yr 1988 Make Ford Style Thunderbird Color Blue

Registration No. 840 TFA Yr 2001 State GA

COMMERCIAL DRIVER LICENSE Yes No COMMERCIAL VEHICLE Yes No ACCIDENT Yes No

(ONE VIOLATION PER CITATION)

When the State of Georgia, did commit the following offense: SPEEDING - Clocked by PATROL VEHICLE RADAR

LASER (Serial # _____ Calibration / Check _____) at _____ MPH in a _____ zone

DUI (Test Administered) BLOOD BREATH URINE OTHER: _____ DUI Test Results _____

TEST ADMINISTERED BY (If Applicable): _____

OFFENSE (Other than above): _____ Code Section _____ State law Local Ordinance

SERIOUS INJURY BY VEHICLE 40-6-394

COMPANION CASE Yes No CITATION No. / NAME _____

REMARKS / VICTIM NAME _____

WEATHER (A) ROAD (B) TRAFFIC LIGHTING COMMERCIAL VEHICLE INFORMATION

Clear Cloudy Raining Other Dry Wet Ice Other Concrete Blacktop Dirt Other Light Medium Heavy Daylight Darkness Other Commercial Vehicle Violation Hazardous Material Violation (PLACARD)

In the City of Atlanta County of Fulton District _____ Clayton

I- 85 South @ Piedmont Road N.E.

Street No., Highway, Road, Street, Intersection or Private Property

Officer Name (Print) Hensal, J.L.

APD ID No. 2301 Assignment 2724 Court Code S/S Off days S/S Time 09:00

Officer Name (Print) _____

APD ID No. _____ Assignment _____ Court Code _____ Off days _____ Time _____

You are hereby ordered to appear in court to answer this charge on _____ day

of _____, Yr. _____ at _____, AM PM in the CITY COURT OF ATLANTA

AT 104 TRINITY AVENUE S.W., ATLANTA, Georgia, 30335 Copy Jail

Pursuant to Georgia Code 40-6-11, a drivers license may be displayed to the officer in lieu of Bail. SERVICE: This notice shall constitute official service to you and failure to dispose of this citation as outlined above shall be deemed a violation of the law and you shall be liable for the suspension of this matter to forward your drivers license number to the Department of Public Safety, and your driver's license shall be placed in suspension. The suspension shall remain in effect until such time as the designated court, in the manner prescribed, notifies the Department of Public Safety of a satisfactory disposition in this matter. NOTE: If a driver's license is not displayed in lieu of bail, Georgia Code 40-6-56 provides for the suspension of the driver's license of a person in a motor vehicle until the person appears before a designated court.)

LICENSE DISPLAYED Yes No RELEASED TO _____

SIGNATURE ACKNOWLEDGE THIS SUMMONS AND RECEIPT OF COPY OF SAME.

SIGNATURE _____

ARRESTING OFFICER'S CERTIFICATION

The undersigned being duly sworn, deposes and states that he has just and reasonably grounds to believe and does believe that the person named herein has committed the offense herein set forth, to-wit: to law

SIGNATURE _____

Sworn to and subscribed before me this 1 day of FEB 2001

SIGNATURE AND TITLE _____

AUTHORIZED AND APPROVED PURSUANT TO: CODE 40-14-104 § 40-14-104

0190

4-2-01
55-2-4

TICKET No. _____

GEORGIA
UNIFORM TRAFFIC CITATION, SUMMONS, ACCUSATION

010260314

GAAPD0000

CITY OF ATLANTA - DEPARTMENT OF POLICE
Upon Month: January (Day) 26 (Yr) 2001 at 05:58 A.M. P.M.

License Class or Type C State GA Endorsements _____ Expires 11/24/2004

License Number _____ Name _____ H7M

Current Address _____ Apt. _____

City Gainesville State GA Zip Code _____

DOB _____ Hair Blk Height 5' 5" Weight 180 Eyes Brn

Veh. Yr. 1988 Make Ford Style Thunderbird Color Blue

Registration No. _____ Yr. 2001 State GA

COMMERCIAL DRIVER LICENSE Yes No COMMERCIAL VEHICLE Yes No ACCIDENT Yes No

(ONE VIOLATION PER CITATION)
Within the State of Georgia, did commit the following offense: SPEEDING - Clocked by PATROL VEHICLE RADAR LASER (Serial # _____ Calibration / Check _____) at _____ MPH in a _____ zone

DUI (Test Administered) BLOOD BREATH URINE OTHER: DUI Test Results _____

TEST ADMINISTERED BY (If Applicable) _____

OFFENSE (Other than above): Following too Closely Code Section 40-6-49 State law Local Ordinance

COMPANION CASE Yes No CITATION No. / NAME _____

REMARKS / VICTIM NAME _____

WEATHER	(A) ROAD (B)	TRAFFIC	LIGHTING	COMMERCIAL VEHICLE INFORMATION
<input type="checkbox"/> Clear <input type="checkbox"/> Cloudy <input type="checkbox"/> Rainy <input type="checkbox"/> Other	<input type="checkbox"/> Dry <input type="checkbox"/> Wet <input type="checkbox"/> Ice <input type="checkbox"/> Other	<input type="checkbox"/> Concrete <input type="checkbox"/> Asphalt <input type="checkbox"/> Dirt <input type="checkbox"/> Other	<input type="checkbox"/> Light <input type="checkbox"/> Dimmed <input type="checkbox"/> Heavy <input type="checkbox"/> Other	<input type="checkbox"/> Commercial Vehicle Violation <input type="checkbox"/> Hazardous Material Violation (PLACARD)

In the City of Atlanta, County of Fulton, (District) Clayton

I- 85 South @ Piedmont Road N.E.

Street No. Highway Road Street Intersection or Private Property

Officer Name (Print) Hensal, J.L.

Officer No. 2301 Assignment 2724 Court Code S/S Time 09:00

Officer Name (Print) _____

Officer No. _____ Assignment _____ Court Code _____ Time _____

You are hereby ordered to appear in court to answer this charge on _____ day

of _____ Yr. at _____ AM PM in the CITY COURT OF ATLANTA

AT 104 TRINITY AVENUE S.W., ATLANTA, Georgia, 30335 Copy Jail

Pursuant to Georgia Code 17-6-11, a certified copy of this citation as outlined above shall be deemed a violation of this code section and shall cause the designated court in this matter to forward your driver's license number to the Department of Public Safety and your driver's license shall be placed in suspension. This suspension shall remain in effect until such time as the designated court in this matter prescribes. The Department of Public Safety of a satisfactory report on the matter. (NOTE: Payment of a fine in lieu of bail, Georgia Code 40-6-56 provides for the suspension of the driver's license via mail to the driver in response to a citation to appear before a designated court.)

LICENSE DISPLAYED IN LIEU OF BAIL Yes No RELEASED TO _____

SIGNATURE ACKNOWLEDGED SERVICE OF THIS SUMMONS AND RECEIPT OF COPY OF SAME.

SIGNATURE _____

ARRESTING OFFICER'S CERTIFICATION

The undersigned being duly sworn, says that he has read and reasonable grounds to believe and does believe that the person named herein has committed the offense herein set forth, contrary to law.

SIGNATURE _____

Sworn to and subscribed before me this 1 day of FEB. Yr. 01

SIGNATURE AGENT _____

NOTARIZED AND APPROVED PURSUANT TO _____

GEORGIA
UNIFORM TRAFFIC CITATION, SUMMONS, ACCUSATION

010260314

GAAPD0000

CITY OF ATLANTA - DEPARTMENT OF POLICE
Upon Month: January (Day) 26 (Yr) 2001 at 05:58 A.M. P.M.

License Class or Type C State GA Endorsements _____ Expires 11/24/2004

License Number _____ Name _____ H/M

Current Address _____ Apt. _____

City Gainesville State GA Zip Code _____

DOB _____ Hair Blk Height 5' 5" Weight 180 Eyes Brn

Veh. Yr. 1988 Make Ford Style Thunderbird Color Blue

Registration No. _____ Yr. 2001 State GA

COMMERCIAL DRIVER LICENSE Yes No COMMERCIAL VEHICLE Yes No ACCIDENT Yes No

(ONE VIOLATION PER CITATION)
Within the State of Georgia, did commit the following offense: SPEEDING - Clocked by PATROL VEHICLE RADAR LASER (Serial # _____ Calibration / Check _____) at _____ MPH in a _____ zone

DUI (Test Administered) BLOOD BREATH URINE OTHER: DUI Test Results _____

TEST ADMINISTERED BY (If Applicable) _____

OFFENSE (Other than above): No Insurance Code Section 40-6-10 State law Local Ordinance

COMPANION CASE Yes No CITATION No. / NAME _____

REMARKS / VICTIM NAME _____

WEATHER	(A) ROAD (B)	TRAFFIC	LIGHTING	COMMERCIAL VEHICLE INFORMATION
<input type="checkbox"/> Clear <input type="checkbox"/> Cloudy <input type="checkbox"/> Rainy <input type="checkbox"/> Other	<input type="checkbox"/> Dry <input type="checkbox"/> Wet <input type="checkbox"/> Ice <input type="checkbox"/> Other	<input type="checkbox"/> Concrete <input type="checkbox"/> Asphalt <input type="checkbox"/> Dirt <input type="checkbox"/> Other	<input type="checkbox"/> Light <input type="checkbox"/> Dimmed <input type="checkbox"/> Heavy <input type="checkbox"/> Other	<input type="checkbox"/> Commercial Vehicle Violation <input type="checkbox"/> Hazardous Material Violation (PLACARD)

In the City of Atlanta, County of Fulton, (District) Clayton

I- 85 South @ Piedmont Road N.E.

Street No. Highway Road Street Intersection or Private Property

Officer Name (Print) Hensal, J.L.

Officer No. 2301 Assignment 2724 Court Code S/S Time 09:00

Officer Name (Print) _____

Officer No. _____ Assignment _____ Court Code _____ Time _____

You are hereby ordered to appear in court to answer this charge on _____ day

of _____ Yr. at _____ AM PM in the CITY COURT OF ATLANTA

AT 104 TRINITY AVENUE S.W., ATLANTA, Georgia, 30335 Copy Jail

Pursuant to Georgia Code 17-6-11, a certified copy of this citation as outlined above shall be deemed a violation of this code section and shall cause the designated court in this matter to forward your driver's license number to the Department of Public Safety and your driver's license shall be placed in suspension. This suspension shall remain in effect until such time as the designated court in this matter prescribes. The Department of Public Safety of a satisfactory report on the matter. (NOTE: Payment of a fine in lieu of bail, Georgia Code 40-6-56 provides for the suspension of the driver's license via mail to the driver in response to a citation to appear before a designated court.)

LICENSE DISPLAYED IN LIEU OF BAIL Yes No RELEASED TO _____

SIGNATURE ACKNOWLEDGED SERVICE OF THIS SUMMONS AND RECEIPT OF COPY OF SAME.

SIGNATURE _____

ARRESTING OFFICER'S CERTIFICATION

The undersigned being duly sworn, says that he has read and reasonable grounds to believe and does believe that the person named herein has committed the offense herein set forth, contrary to law.

SIGNATURE _____

Sworn to and subscribed before me this 1 day of FEB. Yr. 01

SIGNATURE AGENT _____

NOTARIZED AND APPROVED PURSUANT TO _____

SECTION 1 - VIOLATOR

SECTION 2 - VIOLATION

SECTION 3 - LOCATION

SECTION 4 - SIGNATURE

SECTION 5 - OFFICER CERTIFICATION

NCIC No. GAAPD0000

1031428

TICKET No.

SECTION 1 - VIOLATOR

SECTION 2 - VIOLATION

SECTION 3 - LOCATION

SECTION 4 - SIGNATURE

SECTION 5 - OFFICER CERTIFICATION

EA12-005-Chrysler

NCIC No. GAAPD0000

1031428

TICKET No.

191

60-3-4

GEORGIA
UNIFORM TRAFFIC CITATION, SUMMONS, ACCIDENT REPORT

010260314 GAAPD0000

CICA Number CITY OF ATLANTA - DEPARTMENT OF POLICE Citation Number
 Upon Month January (Day) 26 (Yr.) 2001 at 05:58
 License Class or Type C State GA Endorsements _____ Expires 11/24/2004
 License Number _____
 Name _____ H/M
 Current Address _____
 City Gainesville State GA Zip Code _____
 DOB _____ Hair Blk Height 5' 5" Weight 180 Eyes Brn
 Veh. Yr. 1988 Make Ford Style Thunderbird Color Blue
 Registration No. _____ Yr. 2001 State GA
 COMMERCIAL DRIVER LICENSE Yes No COMMERCIAL VEHICLE Yes No ACCIDENT Yes No

(ONE VIOLATION PER CITATION)
 Within the State of Georgia, the driver commit the following offense: SPEEDING - Clocks by PATROL VEHICLE RADAR
 LASER (Serial # _____ Calibration / Check _____) at _____ MPH in a _____ zone
 DUI (Test Administered BLOOD BREATH URINE OTHER) DUI Test Results _____
 TEST ADMINISTERED BY (If Applicable) _____

OFFENSE (Other than above) _____ Code Section _____
Homicide by Vehicle 40-6-393a State law Local Ordinance

COMPANION CASE Yes No CITATION No / NAME _____
 REMARKS - VICTIM NAME _____

WEATHER	(A) ROAD	(B)	TRAFFIC	LIGHTING	COMMERCIAL VEHICLE INFORMATION
<input checked="" type="checkbox"/> Clear	<input checked="" type="checkbox"/> Dry	<input type="checkbox"/> Curves	<input type="checkbox"/> Light	<input type="checkbox"/> Daylight	<input type="checkbox"/> Commercial Vehicle Violation
<input type="checkbox"/> Cloudy	<input type="checkbox"/> Wet	<input type="checkbox"/> Obsolete	<input type="checkbox"/> Medium	<input type="checkbox"/> Darkness	<input type="checkbox"/> Hazardous Material Violation (PLACARD)
<input type="checkbox"/> Rainy	<input type="checkbox"/> Ice	<input type="checkbox"/> U-T	<input type="checkbox"/> Heavy	<input type="checkbox"/> Other	
<input type="checkbox"/> Other	<input type="checkbox"/> Other	<input type="checkbox"/> Other			

SECTION III LOCATION
 In the City of Atlanta, County of DeKalb, Clayton
I-85 South @ Piedmont Road N.E.
 Street No. / Highway / Exit / Signal Intersection or Private Property _____
 Operator's Name Hensal, J.L.

SECTION IV SUMMONS
 C.D. No. 2301 Assignment 2724 Court Code / Offense S/S Time 09:00
 You are hereby ordered to appear in court to answer this charge on 8 day
 of FEB, 2001 at 1:30 P.M. in the CITY COURT OF ATLANTA
 AT 104 TRINITY AVENUE S.W., ATLANTA, Georgia, 30335 Copy A Jail

Majority to Georgia Code 17-6-11, a driver's license may be displayed in lieu of bail. SERVICE This notice shall constitute official service to you that failure to appear in court to answer this charge shall be deemed a violation of the state traffic laws and shall cause the designated court in this matter to forward your driver's license number to the Department of Transportation and your driver's license shall be placed in suspension. The suspension shall remain in effect until such time as the designated court in the manner prescribed notifies the Department of Public Safety of a satisfactory disposition of the matter. NOTE: If driver's license is not displayed in lieu of bail, Georgia Code 17-6-55 provides for the suspension of the driver's license of a person who fails to respond to a citation to appear before a designated court.
 LICENSE DISPLAYED IN LIEU OF BAIL Yes No RELEASED TO _____
 SIGNATURE ACKNOWLEDGES SERVICE OF THIS SUMMONS AND RECEIPT OF COPY OF SAME.

SIGNATURE Jail
 ARRESTING OFFICER'S CERTIFICATION
 I, the undersigned, being duly sworn, depose and state that the facts as just and reasonable grounds for the stop and does hereby certify that the driver named herein has committed the offense herein set forth herein.
 Signature [Signature]
 Sworn to and subscribed before me on 6 day of FEB, 2001
 Signature and Title [Signature]
 Notarized and approved pursuant to Code of Georgia Annotated § 17-6-55

COURT COPY
 SECTION V
 JUDGE CLERK'S ROOM

NCIC No. GAAPD0000
 50-4-4

TICKET NO. 180428



City Of Atlanta
Atlanta Police Department
Hit & Run / Fatality Unit

Victim: [REDACTED]

Complaint # 01 026 0314

Photograph Log

1	Looking South on I-85 in HOV Lane shows Area of Impact (AOI) V2 & V3
2	Same as #1 above from further away
3	Final resting place of tire from Ford Van (without rim)
4	Ford Van from which right front tire fell off (frontal view)
5	Ford Van above (rear view)
6	Final rest position of vehicles (burn marks) facing southeast
7	Looking South on I-85 toward AOI
8	Looking South on I-85 from edge of HOV Lane, skid marks in foreground
9	Looking South shows V3 & V1 at final rest positions
10	Shows Grease Cap from hub of Ford Van (Photo's #4&5) in left Emergency Lane
11	Shows Wheel Bearing from Ford Van in middle of roadway North of AOI
12	Part of Fender from Maroon Saturn, part in left Emergency Lane
13	Brake Line from Ford Vans right front wheel, located in roadway
14	Gouge mark in roadway from tire/wheel being run over
15	Gouge mark from wheel being struck in roadway
16	Shows front of Maroon Saturn sitting in Emergency Lane, looking North up I-85
17	Shows rear of Saturn facing southwest
18	Shows Left front of Saturn, damage from striking Tire/Wheel in roadway
19	Rear of V3 (840 TFA)&V1 at Final Rest looking Southeast
20	Front view of V1 (on left) & V3 at final rest looking North
21	Rear view of V1 (329 YQU) at final rest looking southeast
22	Side view of V3 looking South
23	Interior of V3 Thunderbird
24	Final Rest position of V3 (left), V1 (center), and V2 (right)
25	Rear view of V2 (Jeep) at final rest
26	Rear view of V2 with V1 and V3 in background
27	Final rest of vehicles facing Northeast
28	Final rest of V2 (left) and V1 (right)
29	Final rest of vehicles at scene, facing North
30	Looking South toward scene from left emergency lane
31	Looking South toward scene shows pre impact skids

51-1-2

[REDACTED] er-008567

IN THE STATE COURT OF FULTON COUNTY
STATE OF GEORGIA

ROY LOUIS BELLI, Individually)
and as Administrator of the)
Estate of JOHN NICOLAS BELLI;)
SARA C. BELLI;)
HENRY THEODORE URQUHART, JR.,)
Individually and as Administrator)
of the Estate of LYNNE URQUHART)
BELLI; and HENRY THEODORE)
URQUHART, JR., and ROY LOUIS)
BELLI, as Co-Administrators of)
the Estate of NICOLE LAINE)
BELLI,)

Plaintiffs,)

v.)

DAIMLERCHRYSLER CORPORATION, a)
Delaware Corporation;)
ADRIAN CAMARILLO;)
NEBIYU DEMISSIE MULETA; and)
JOSEPH BRENNAN,)
Defendants.)

CIVIL ACTION
NO: 01 VS 018431G

**COMPLAINT FOR PERSONAL INJURY AND WRONGFUL DEATH
AND DEMAND FOR JURY TRIAL**

COME NOW Plaintiffs Roy Louis Belli, individually and as Administrator of the Estate of John Nicolas Belli; Sara C. Belli; Henry Theodore Urquhart, Jr., individually and as Administrator of the Estate of Lynne Urquhart Belli; and Henry Theodore Urquhart, Jr., and Roy Louis Belli, as Co-Administrators of the Estate of Nicole Laine Belli (collectively "plaintiffs") and file

this Complaint for Personal Injury and Wrongful Death and Demand for Jury Trial against Defendants DaimlerChrysler Corporation, a Delaware Corporation; Adrian Camarillo; Nebiyu Demissie Muleta; and Joseph Brennan (collectively "defendants"), showing this Court the following:

I. PARTIES, JURISDICTION, VENUE & SERVICE OF PROCESS

1.

Plaintiffs Roy Louis Belli ("Roy Belli") and Sara C. Belli ("Sara Belli") are the sole surviving parents of John Nicolas Belli, Deceased ("John Belli"), and Roy Belli is the duly appointed Administrator of the Estate of John Belli. Plaintiffs Roy and Sara Belli bring this action for wrongful death as the surviving parents of John Belli, who left no child or spouse surviving him, pursuant to O.C.G.A. § 51-4-4 and § 19-7-1 and other applicable law. Plaintiff Roy Belli brings this action for personal injury as the Administrator of the Estate of John Belli pursuant to O.C.G.A. §§ 9-2-40 and 9-2-41 and other applicable law. Plaintiffs Roy and Sara Belli live in the State of Pennsylvania, at 400 Willow Valley Square, Lancaster, Pennsylvania 17602, and are subject to the jurisdiction of this Court. Because John Belli was a resident of the State of Georgia residing at 1030 Charter Club Dr., Lawrenceville, Gwinnett Co., Georgia 30043, at the time of his death on February 5, 2001,

plaintiff Roy Belli, as Administrator of John Belli's Estate, is deemed to be a resident of the State of Georgia for purposes of venue and jurisdiction pursuant to 28 U.S.C. § 1332(c)(2).

2.

Plaintiff Henry Theodore Urquhart, Jr. ("Ted Urquhart") is the sole surviving parent of Lynne Urquhart Belli, Deceased ("Lynne Belli"), and Ted Urquhart is also the duly appointed Administrator of the Estate of Lynne Belli. Plaintiff Ted Urquhart, individually, brings this action for wrongful death as the sole surviving parent of Lynne Belli pursuant to O.C.G.A. § 51-4-4, § 9-2-41, and § 19-7-1 and other applicable law. Plaintiff Ted Urquhart brings this action for personal injury as the Administrator of the Estate of Lynne Belli pursuant to O.C.G.A. §§ 9-2-40 and 9-2-41 and other applicable law. Plaintiff Ted Urquhart lives in the State of Florida, at 31 Ridgelake Drive, Mary Esther, Florida 32569, and is subject to the jurisdiction of this Court. Because Lynne Belli was a resident of the State of Georgia residing at 1030 Charter Club Drive, Lawrenceville, Gwinnett County, Georgia 30043, at the time of her death on January 26, 2001, plaintiff Ted Urquhart, as Administrator of Lynne Belli's Estate, is deemed to be a resident of the State of Georgia for purposes of venue and jurisdiction under 28 U.S.C. § 1332(c)(2).

3.

Plaintiffs Ted Urquhart and Roy Belli are also the duly appointed Co-Administrators of the Estate of Nicole Laine Belli ("Nicole Belli"), Deceased. Plaintiffs Ted Urquhart and Roy Belli bring this action for personal injury as the Co-Administrators of the Estate of Nicole Belli pursuant to O.C.G.A. §§ 9-2-40 and 9-2-41 and other applicable law and for the wrongful death of Nicole Belli pursuant to O.C.G.A. §§ 19-7-1, 9-2-41, 51-4-4, and 51-4-5 and other applicable law. Plaintiffs Ted Urquhart and Roy Belli are subject to the jurisdiction of this Court. Because Nicole Belli was a resident of the State of Georgia residing at 1030 Charter Club Drive, Lawrenceville, Gwinnett County, Georgia 30043, at the time of her death on January 26, 2001, plaintiffs Ted Urquhart and Roy Belli, as Co-Administrators of Nicole Belli's Estate, are deemed to be residents of the State of Georgia for purposes of venue and jurisdiction under 28 U.S.C. § 1332(c)(2).

4.

Defendant DaimlerChrysler Corp. (hereinafter "DC") is a corporation organized and existing under the laws of the State of Delaware with its principal place of business in Auburn Hills, Michigan. DC is engaged in the business of designing, manufacturing, marketing, promoting, advertising, and selling

automobiles, trucks, and other types of vehicles in the State of Georgia and throughout the United States and elsewhere. DC transacts business in the State of Georgia and is a resident of Georgia for purposes of personal jurisdiction because it transacts business in this state and because it maintains a registered agent in Georgia. DC may be served with process by this Court's issuing a second original of the summons and Complaint, forwarding the same to the Sheriff of Cobb County, and the Cobb Sheriff's delivery of summons and a copy of this Complaint to DC's registered agent for service of process, Corporation Process Co., 180 Cherokee Street, NE, Marietta, Georgia 30060.

5.

Defendant Adrian Camarillo ("Camarillo") is a resident of Hall County, Georgia, and is subject to the personal jurisdiction and venue of this Court. Camarillo may be served with process by this Court's issuing a second original of process and summons, delivering such second original of process and summons and a copy of this complaint to the Sheriff of Hall County for service upon Camarillo at his residence at 896 Rainey Street, Gainesville, Hall County, Georgia 30501.

6.

Defendant Nebiyu Demissie Muleta ("Muleta") is a resident of DeKalb County, Georgia, and is subject to the personal jurisdiction and venue of this Court. Muleta may be served with process by this Court's issuing a second original of process and summons, delivering such second original of process and summons and a copy of this complaint to the Sheriff of DeKalb County for service upon Muleta at his residence at 3506 Buford Highway, NE, Plaza E-1, Atlanta, DeKalb County, Georgia 30324.

7.

Defendant Joseph Brennan ("Brennan") is a resident of Delaware County, Pennsylvania, and is subject to the personal jurisdiction and venue of this Court under Georgia's Nonresident Motorist Statute and Long Arm Statute. Brennan may be served with process by this court's issuing a second original of process and summons and delivering such second original and a copy of this complaint to the Sheriff of Delaware County, Pennsylvania, for service upon Brennan at his residence at 1339 Morton Avenue, Folsom, Delaware County, Pennsylvania 19033.

8.

Venue is proper in this Court and county as to all Defendants pursuant to O.C.G.A. § 14-2-510, § 40-12-3, § 9-10-93 as this is the county where the cause of action arose and thus

where defendant DaimlerChrysler is deemed to reside under § 14-2-510 and defendant Brennan is deemed to reside under §§ 9-10-93 and 40-12-3. Venue is also proper as to all defendants in this Court and county because this is an action against joint tortfeasors and may be brought against all defendants in the county where any one of such defendants is deemed to reside.

9.

Jurisdiction and venue is not proper, originally or by removal, in the U.S. District Court because complete diversity is lacking and because one or more of the defendants are residents of Georgia.

II. OPERATIVE FACTS

10.

Shortly before 6:00 a.m. on January 26, 2001, John Belli was the operator and Lynne Belli and Nicole Belli were the occupants of a 1991 Jeep Cherokee ("the subject jeep") owned by John Belli heading southbound on I-85 in Atlanta, Fulton County, Georgia. Lynne was the wife and Nicole was the infant daughter of John Belli.

11.

Defendant DC designed, manufactured, distributed, marketed and sold the subject jeep, including the fuel tank, the fuel tank assembly, and the seat system.

12.

Defendant DC designed the subject jeep so that its fuel tank was located aft of the rear axle adjacent to and hanging down below the rear bumper. As such, DC knowingly designed the fuel tank to be located within the known crush zone in foreseeable rear impact collisions.

13.

At that time and place, the subject jeep being operated by John Belli was heading southbound on I-85 in the inside or HOV southbound lane of I-85, near the intersection with the Buford Highway on-ramp. The Belli family was on their way to Fort Walton Beach, Florida to visit family.

14.

Prior to the arrival of the Belli family at the scene of the incident, and unbeknownst to them, the following had also occurred:

15.

Defendant Brennan had been operating his 1989 Ford van traveling southbound on I-85.

16.

As Brennan was traveling southbound the right front tire came off of Brennan's van. The failure to keep his vehicle under repair was negligent. Brennan then brought his van to rest in the right emergency lane, but negligently left the tire in the travel lane of I-85.

17.

Defendant Muleta had also been traveling southbound on I-85 in his 1996 Toyota Camry. Muleta negligently failed to keep a proper lookout ahead and to keep his vehicle from striking the tire. As a result, Muleta struck the tire abandoned by Brennan.

18.

After striking Brennan's tire, Muleta negligently parked his vehicle not in the emergency lane but in the inside or HOV lane of I-85 in which the Belli family was traveling in the subject jeep.

19.

The foregoing having occurred, the Belli family then approached the scene of the incident in the subject jeep.

20.

Confronted with the Muleta vehicle parked in the HOV lane in which the Belli family was traveling, John Belli slowed down to keep from colliding with Muleta's parked vehicle.

21.

At that time and place, traveling behind John Belli was defendant Adrian Camarillo in his Ford Thunderbird.

22.

In operating his vehicle, Camarillo negligently failed to keep a proper lookout ahead, was following too closely, and failed to keep his vehicle under control so as to prevent it from striking the rear of the subject jeep.

23.

As a result, Camarillo impacted the rear of the subject jeep when the Jeep slowed to avoid the parked Muleta vehicle.

24.

As a result of that foreseeable rear impact, the vulnerable, rear mounted fuel tank on the subject jeep was impacted by the Camarillo Thunderbird, the fuel tank ruptured and failed allowing the release of liquid and vapor gasoline, and liquid and vapor gasoline ignited, the tank and contents exploded, and the subject jeep and the Belli family were engulfed in flames.

25.

At the time of rear impact and explosion, John Belli was properly seated and seat belted in the driver's seat, Lynne Belli was properly seated and seat belted in the driver's side back

seat, and Nicole Belli was properly restrained in her car seat in the back seat.

26.

Also after the Camarillo Thunderbird struck the rear of the subject jeep, the driver's side front seat of the jeep failed and the seat back collapsed rearward on Lynne Belli and Nicole Belli. In addition, the doors of the Jeep were jammed shut. The failure of the seat and door systems hampered John Belli's, Nicole Belli's and Lynne Belli's egress from the vehicle and flames and also caused injuries to John Belli, Lynne Belli, and Nicole Belli.

27.

Consumed by the fire and smoke engulfing the Jeep and their escape made more difficult, John Belli, Lynne Belli and Nicole Belli suffered extreme and conscious shock, terror, fright, physical and mental pain, suffering and injuries up until the time of their deaths. The estates of John Belli, Lynne Belli, and Nicole Belli also incurred property damages from the incineration of their clothing and personal effects and from the total destruction of their subject jeep by fire.

28.

Lynne Belli and Nicole Belli ultimately died at the scene. John Belli ultimately died on February 5, 2001 after being

hospitalized for 11 days at Grady Memorial Hospital in its burn unit.

29.

The pain, suffering, injuries and death suffered by John Belli, Lynne Belli, and Nicole Belli on January 26, 2001, and thereafter, as described above, were proximately caused by the tortious acts and omissions of defendants, jointly and severally. The tortious acts and omissions of each defendant, which in concert caused the personal injuries to, and wrongful deaths of, the Belli family, are described more fully and specifically in the paragraphs below.

30.

Since at least the 1960s and 1970s and its experience with fires in vehicles with rear mounted tanks, and certainly at the time of the design and manufacture of the subject jeep, DC has had actual knowledge that placing a fuel tank in the vehicle's crush zone between the rear bumper and the rear axle renders the fuel tank highly vulnerable to failure, loss of fuel, and resulting post-collision fuel-fed fire in the event of a foreseeable rear-end collision from another vehicle.

31.

DC has actual knowledge--based upon, among other things, its notice of other incidents involving its vehicles in the real

world--that rear-end collisions in fact occur and that people are burned, maimed, and seriously injured when fuel tanks explode after being punctured and crushed between the rear bumper and the rear axle in rear-end collisions.

32.

Despite knowing that the design and placement of a fuel tank in the crush zone between the rear axle and the rear bumper greatly increases the risk of the post-collision fuel-fed fires and that such a design without doubt causes horrific fires, injuries and deaths, DC consciously designed the fuel tank of the subject jeep to be located in the crush zone between the rear bumper and the rear axle.

33.

Because DC knowingly placed the fuel tank in a known, vulnerable location that made it prone to being punctured, DC also knew that the fuel tank as designed, placed and affixed would require substantial, additional, and effective protection to avoid failure in a rear-end collision.

34.

DC knew or should have known that, having chosen a defective design in terms of placement and assembly of its fuel tank, it was required to take other design steps to guard against the dangers of that defective design.

35.

Despite knowledge of the need to guard and protect the dangerously placed and designed fuel tank from being ruptured in a rear-end collision, Defendant DC knowingly designed the fuel tank and fuel tank assembly in the subject jeep with no effective guard, shield, fuel cell, bladder, or other effective, protective device between the rear bumper and the fuel tank to protect or shield the fuel tank from failure in the event of a rear-end collision.

36.

Despite knowledge of the need to guard and protect the dangerously placed and designed fuel tank from failure in a rear-end collision that would cause and feed a post-collision fire, defendant DC knowingly designed the fuel tank and fuel tank assembly in the subject jeep with no inertial switch or other protective device of any kind which would shut off the fuel pump and halt the flow of fuel in the event of a breach of the fuel tank.

37.

Thus, after knowingly selecting a defective and dangerous location for the fuel tank, DC compounded its design error by failing to guard against the known consequences of that design.

38.

At the time of the manufacture of the subject jeep, DC knew that its decision not to utilize effective, external protective features to guard against failures of the fuel tank, or install devices to halt the ongoing flow of fuel in the event the fuel tank was breached, would increase the number and severity of post-collision fuel-fed fires in rear-end collisions. DC also knew that deaths and injuries by fire would result from that decision.

39.

DC knew from the results of its own rear barrier tests that it conducted before the date of manufacture of the subject jeep, and has further learned from rear barrier crash tests conducted since that date of manufacture, that DC vehicles with fuel tanks located in the crush zone between the rear bumper and the rear axle will fail, leak fuel, and cause post-collision fuel fed fires in a rear-end collision at reasonably foreseeable speeds.

40.

DC's own documents going back to the 1960s and 1970s reflect DC was aware of the need to redesign its vehicles to move the gas tank on DC vehicles ahead of the rear axle and inside the frame rails to a "midships" location so as to "protect" the gas tank in a crash.

41.

DC's own documents also reflect DC's knowledge that "due care" required a midships tank location.

42.

Further, before the date of this accident, all of the passenger vehicles designed by the Chrysler Truck group had had the design location of their gas tanks set at a midships location for the protection and safety of occupants.

43.

Also, DaimlerChrysler's Mercedes-Benz affiliate boasted of the design location of the fuel tank on the Mercedes-Benz M class SUV ahead of the rear axle and inside the frame rails as a "secure location" and where it is "least vulnerable."

44.

DaimlerChrysler's Jeep division stood alone among DC departments in continuing to place fuel tanks in an unsafe location behind the rear axle and adjacent to, and hanging down below, the bumper.

45.

After having knowingly designed and placed the fuel tank assembly of the jeep in an unreasonably dangerous location on the vehicle, DC knew or should have known that it needed to

adequately warn consumers of the danger of a catastrophic fire in the event of a rear-end collision.

46.

After having chosen not to include effective external protective devices to guard against the dangerous consequences of its fuel tank design, DC knew or should have known that it was required to adequately warn consumers of the absence of such effective guards and the resulting danger of a catastrophic fire in the event of a rear-end collision.

47.

Despite the knowledge set forth in the paragraphs above, DC willfully, wantonly and recklessly chose not to provide any adequate warnings to the consuming public in general, or the Belli family in particular, at any time since the manufacture of the subject Jeep, of the danger of a catastrophic fire in the event a rear-end collision befell the Jeep.

48.

At the time of manufacture of the subject Jeep, DC knew or should have known of other technologically feasible, economically practicable, and fundamentally safer alternative designs for the fuel tank and fuel tank assembly of the jeep.

49.

At the time of manufacture of the subject Jeep, DC knew it was technologically feasible, economically practicable, and fundamentally safer to redesign the Jeep to place the fuel tank in the "midships" of the vehicle, meaning that the fuel tank would be located inside the frame rails and ahead of the rear axle and away from immediate crush zones.

50.

At the time of manufacture of the subject Jeep, DC knew it was technologically feasible, economically practicable, and fundamentally safer to design the fuel tank assembly with an effective guard or other effective protective device that would reduce the likelihood of the fuel tank being punctured or crushed in the foreseeable event of a rear-end collision.

51.

Despite knowing that all of the safer alternative designs described in the paragraphs above were technologically feasible, economically practicable, and fundamentally safer at the time of manufacture of the subject Jeep, DC willfully, wantonly and recklessly chose not to implement any of those alternative designs in the subject Jeep and instead chose a fuel tank location and fuel tank assembly design it knew would result in fires, injuries, and deaths in rear-end collisions.

52.

Despite the knowledge set forth in the paragraphs above, DC willfully, wantonly and recklessly continued to sell the vehicle as designed to the consuming public and maintained it in the stream of commerce without a recall or a remedy of the defects.

53.

At the time of manufacture of the subject Jeep and at all times since then, DC has known that its vehicles will be involved in rear-end collisions at foreseeable highway speeds.

54.

At the time of manufacture of the subject Jeep and at all times since then, DC has had actual knowledge--from, among other things, its notice of real world incidents involving its vehicles, its own testing, and the laws of physics--that occupants of DC vehicles involved in rear-end collisions will be subject to physical forces that cause them to move rearward and into the seat backs of the seats in which they are sitting.

55.

At the time of manufacture of the subject Jeep and at all times since then, DC has had actual knowledge--from, among other things, its notice of real world incidents involving its vehicles, its own testing, and the laws of physics--that if a seat or seat back fails and the seat back collapses rearward in a

rear-end collision, the occupant sitting in that seat will also move in a rearward direction.

56.

At the time of manufacture of the subject Jeep and at all times since then, DC has had actual knowledge--from, among other things, its notice of real world incidents involving its vehicles, its own testing, and the laws of physics--that when a seat or seat back fails and the seat back collapses rearward, the lap belt and shoulder harness provided in the vehicle and located in front of the occupant will not prevent an occupant from moving rearward.

57.

At the time of manufacture of the subject Jeep and at all times since then, DC has had actual knowledge--from, among other things, its notice of real world incidents involving its vehicles, its own testing, and the laws of physics--that when a seat or seat back fails rearward in a rear-end collision and an occupant moves into the rear of the vehicle, such occupants can and will be involved in second impacts with other persons or objects within the vehicle, which objects include any smoke or fire that is in the rear of the vehicle, and that such seat failures may impede escape.

58.

At the time of manufacture of the subject Jeep and at all times since then, DC has had actual knowledge--from, among other things, its notice of real world incidents involving its vehicles, its own testing, and the laws of physics--that when a seat or seat back fails rearward in a rear-end collision and an occupant moves into the rear of the vehicle, such occupants have an increased susceptibility to having their escape impeded and to being burned or injured in the event of a fire in the rear portion of the vehicle than if they remained in an upright position in the front of the vehicle.

59.

At the time of manufacture of the subject Jeep and at all times since then, DC has had actual knowledge--from, among other things, its notice of real world incidents involving its vehicles, its own testing, and the laws of physics--that when a seat or seat back fails rearward in a rear-end collision and an occupant has a second impact with another person or object or objects within the vehicle, that occupant and the other person that occupant impacts are highly vulnerable to being stunned, injured, paralyzed or killed by the second impact within the vehicle.

60.

At the time of manufacture of the subject Jeep and at all times since then, DC has had actual knowledge--from, among other things, its notice of real world incidents involving its vehicles, its own testing, and the laws of physics--that an occupant who is stunned, injured, or paralyzed by a second impact within the vehicle after a rear-end collision will be delayed or prevented from removing themselves quickly and voluntarily from such a vehicle.

61.

At the time of manufacture of the subject Jeep and at all times since then, DC has had actual knowledge--from, among other things, its notice of real world incidents involving its vehicles, its own testing, and the laws of physics--that an occupant who is delayed or prevented from removing herself quickly and voluntarily from a vehicle involved in a rear-end collision has an increased vulnerability to a fire in the vehicle and is more likely to be burned, injured or killed than a person who is able to quickly and voluntarily exit a burning vehicle.

62.

At the time of manufacture of the subject Jeep and at all times since then, DC has had actual knowledge--from, among other things, its notice of real world incidents involving its

vehicles, its own testing, and the laws of physics--that its doors were jamming shut in rear impacts.

63.

At the time of manufacture of the subject Jeep and at all times since then, DC has had actual knowledge--from, among other things, its notice of real world incidents involving its vehicles, its own testing, and the laws of physics--that a door jamming shut in a rear impact collision will hinder or impede the egress of occupants to escape the very post-collision fuel fed fires that result from such foreseeable rear impacts.

64.

Despite the knowledge set forth in the paragraphs above, DC consciously designed the driver's side seat and seat backs in the Jeep, so that the seat and seat back lacked the strength and structural integrity to hold passengers in an upright and stable position during foreseeable rear-end collisions.

65.

Despite the knowledge set forth in the paragraphs above, DC consciously designed its door systems in a way that allowed them to jam in rear impacts.

66.

At the time of manufacture of the subject Jeep and at all times since then, DC has had actual knowledge--from, among other

things, its notice of real world incidents involving its vehicles and its own internal rear barrier testing--that the seat and/or seat back that DC designed for the Jeep will in fact fail and fall rearward in foreseeable rear-end collisions, throwing occupants into the rear of the vehicle and into contact with other occupants, and that its doors were jamming in rear impacts.

67.

Knowing from its own testing (and the real world performance of its vehicles) that it had consciously designed a seat and seat back that lacked the strength and structural integrity to hold passengers in an upright and stable position during a rear-end collision, and designed a door that jammed in rear impacts, DC also knew that passengers could and would be injured and killed because a) failure of the seat system would cause occupants to be stunned, injured or paralyzed so that they were hindered or prevented from escaping a vehicle in the event of a fire, or b) the failure of the seat system would cause occupants to have an injurious second impact with other persons or objects within the vehicle (including, among other things, fire and smoke within the vehicle), or c) the failure of the door system would allow occupants to be trapped inside the vehicle in post-collision fuel-fed fires.

68.

Based on the knowledge set forth in the paragraphs above, DC knew and has known that the seat system and door system of the subject Jeep is and was defective and created an unreasonable risk of injury and/or death in a rear end collision.

69.

Despite the knowledge set forth in the paragraphs above, DC willfully, wantonly and recklessly continued to sell the vehicle to the consuming public and maintained it in the stream of commerce without a recall or a remedy of the defects.

70.

Despite the knowledge set forth in the paragraphs above, DC willfully, wantonly and recklessly chose not to provide any adequate warnings to the consuming public in general, or the Belli family in particular, at any time since the manufacture of the subject Jeep, of the likelihood of a seat system or door system failure in the event of a rear-end collision.

71.

Despite the knowledge set forth in the paragraphs above, DC willfully, wantonly and recklessly chose not to provide any adequate warnings to the consuming public in general, or the Belli family in particular, at any time since the manufacture of

the subject Jeep, of the dangers which could result from a seat system or door system failure.

72.

At the time of manufacture of the subject Jeep, DC knew or should have known of other technologically feasible, economically practicable, and fundamentally safer alternative designs for the seat and seat back and door systems of the Jeep.

73.

At the time of manufacture of the subject Jeep, DC knew and has known it was technologically feasible, economically practicable, and fundamentally safer to redesign the seating system of the Jeep to provide greater strength and structural integrity so that it would not fail and fall rearward in foreseeable rear-end collisions and to redesign the door system so it would not jam in rear impacts.

74.

Despite knowing that safer alternative designs were technologically feasible, economically practicable, and fundamentally safer at the time of manufacture of the subject Jeep, DC willfully, wantonly and recklessly chose not to implement any of those alternative designs in the subject Jeep and instead chose a seat system design and door system that it

knew would result in injuries and deaths in foreseeable rear-end collisions.

III. LIABILITY OF DEFENDANTS

COUNT ONE

(Willful, Wanton and Reckless Conduct of Defendant DC)

75.

Plaintiffs incorporate by reference the allegations contained in Paragraphs 1-74 above as if set forth fully herein verbatim.

76.

As set forth more fully in the facts above, Defendant DC acted willfully, wantonly and recklessly in its design of the subject Jeep.

77.

Defendant DC's willful, wanton, and reckless conduct proximately caused the injuries to, and death of, John Belli, Lynne Belli, and Nicole Belli.

78.

Defendant DC's willful, reckless, and wanton conduct constituted disregard for the life and safety of the Belli family, and the lives and safety of the motoring public generally, and DC is therefore liable to Plaintiffs.

79.

Plaintiffs are entitled to recover damages from DC pursuant to O.C.G.A. §§ 51-4-4, 51-4-5, 9-2-40, 9-2-41, and other applicable law.

80.

DC's willful, reckless and wanton conduct also manifests a conscious indifference to the foreseeable consequences of that conduct to motorists like the Belli family. DC is thus also liable to Plaintiffs, as administrators of the Estates of John, Lynne, and Nicole Belli, for punitive damages pursuant to O.C.G.A. § 51-12-5.1 and other applicable law.

81.

Defendant DC is jointly and severally liable, along with the other defendants, for John, Lynne and Nicole Belli's injuries and death.

COUNT TWO

(Defendant DC's Failure to Warn)

82.

Plaintiffs incorporate by reference the allegations contained in Paragraphs 1 through 81 as if set forth fully herein verbatim.

83.

As a manufacturer of vehicles distributed and sold to the public, Defendant DC has a duty to warn the public adequately of, and remedy defective and unreasonably dangerous conditions in, its vehicles.

84.

DC's decision not to convey an adequate warning to consumers of the defective conditions in the subject Jeep, or remedy those conditions, rendered the Jeep defective and unreasonably dangerous to consumers.

85.

DC failed to warn the public adequately of, and failed to remedy, the known defective and unreasonably dangerous conditions in the subject Jeep, and thereby breached its duty and obligation to the consuming public generally, including the Belli family.

86.

DC's failure to warn the public adequately of the known defective and unreasonably dangerous conditions in the subject Jeep, and failure to remedy those conditions, proximately caused the injuries to, and death of, John, Lynne and Nicole Belli.

87.

Plaintiffs are entitled to recover damages from DC pursuant to O.C.G.A. §§ 51-4-4, 51-4-5, 9-2-41, 9-2-42 and other applicable law.

88.

DC's willful, reckless and wanton conduct also manifests a conscious indifference to the foreseeable consequences of that conduct to motorists like the Belli family. DC is thus also liable to Plaintiffs, as Administrators of the estates of John, Lynne, and Nicole Belli, for punitive damages pursuant to O.C.G.A. § 51-12-5.1 and other applicable law.

89.

Defendant DC is jointly and severally liable, along with the other defendants, for John, Lynne, and Nicole Belli's injuries and death.

COUNT THREE

(Strict Liability of DC)

90.

Plaintiffs incorporate by reference the allegations of Paragraphs 1-89 above as if set forth verbatim.

91.

Defendant DC is strictly liable to plaintiffs under O.C.G.A. § 51-1-11 for the injuries, losses, and damages because the risks

inherent in the design of the Jeep outweighed any utility of the chosen design, thereby rendering the vehicle unmerchantable, not reasonably suited to the use for which it was intended, and defective.

92.

Defendant DC acted willfully and wantonly and with conscious indifference to consequences in designing, testing, manufacturing, inspecting, marketing, distributing and selling (and failing to warn of the dangers of) the Jeep because it had actual knowledge of the risks to life and limb described above. Such conduct warrants the imposition of punitive damages against DC.

93.

At the time Defendant DC manufactured, marketed, distributed and sold the Jeep, DC could reasonably have foreseen and did, in fact, foresee the occurrence of rear end collisions such as that described in this complaint.

94.

In conjunction with the negligence of the other defendants, the design defects in the Jeep proximately caused the injuries and deaths described herein.

95.

Defendant DC and the other defendants are jointly and severally liable for the plaintiffs' injuries and damages.

COUNT FOUR

**(Fraudulent Concealment Of Defect And Wrongful
Refusal To Recall By Defendant DC)**

96.

Plaintiffs incorporate by reference the allegations contained in Paragraphs 1-95 above as if set forth verbatim.

97.

Prior to the incident, Defendant DC had knowledge of the negligent and defective design of the Jeep (and similarly designed predecessor models) and further had knowledge that these design deficiencies made the Jeep (and similarly designed predecessor models) defective and unreasonably dangerous in rear end collisions.

98.

Notwithstanding knowledge of the foregoing design defects, Defendant DC wrongfully failed to recall the Jeep (and similarly designed predecessor models) and wrongfully breached its continuing duty to warn prospective owners, users and occupants

about the risk of physical injury and death associated with operation of the Jeep.

99.

By reason of its failure to recall the Jeep (and similarly designed predecessor models) and its further failure to adequately warn prospective owners, users and occupants about the risk of physical injury and death associated with the Jeep's operation, Defendant DC wrongfully exposed the Belli family and others similarly situated to the unreasonable risk of physical injury and death in rear end collisions.

100.

In conjunction with the negligence of the other defendants, Defendant DC's wrongful failure to recall and its wrongful failure to warn proximately caused the injuries and damages discussed herein.

101.

DC and the other defendants are jointly and severally liable for the injuries and deaths.

COUNT FIVE

(Negligence of Defendant Brennan)

102.

Plaintiffs incorporate by reference the allegations of Paragraphs 1- 101 as if set forth fully herein verbatim.

103.

Defendant Brennan had a duty to keep his vehicle under repair and to exercise reasonable care in the operation of his vehicle in a manner so as to not cause harm or injury to other drivers on public roadways.

104.

Defendant Brennan breached his duty by failing to operate his vehicle in a safe and prudent manner, by failing to keep his vehicle under repair (which allowed its tire to fall off), and by abandoning that tire, once it fell off, in the travel lanes of I-85, thereby creating an obstacle for other motorists.

105.

Defendant Brennan's failure to exercise reasonable care contributed to the rear-end collision into the Jeep that the Belli family was operating and, together with DC's acts and omissions and the acts of other defendants, proximately caused injuries to, and the death of, John, Lynne and Nicole Belli.

106.

Plaintiffs are entitled to recover damages from Defendant Brennan pursuant to O.C.G.A. §§ 51-4-4, 51-4-5, 9-2-41, 9-2-42 and other applicable law.

107.

Defendant Brennan is jointly and severally liable, along with the other defendants, for the injuries to and death of John Belli, Lynne Belli, and Nicole Belli.

COUNT SIX

(Negligence of Defendant Muleta)

108.

Plaintiffs incorporate by reference the allegations of Paragraphs 1-107 as if set forth fully herein verbatim.

109.

Defendant Muleta had a duty to exercise reasonable care in the operation of his vehicle in a manner so as to not cause harm or injury to other drivers on public roadways.

110.

Defendant Muleta breached his duty by failing to operate his vehicle in a safe and prudent manner by parking his Toyota Camry in the HOV lane of I-85 southbound after hitting the tire, thereby creating an obstacle for other motorists.

111.

Defendant Muleta's failure to exercise reasonable care contributed to the rear-end collision into the Jeep that the Belli family was operating and, together with DC's acts and omissions and the acts of other defendants, proximately caused the injuries to, and the death of, John, Lynne and Nicole Belli.

112.

Plaintiffs are entitled to recover damages from Defendant Muleta pursuant to O.C.G.A. §§ 51-4-4, 51-4-5, 9-2-41, 9-2-42, and other applicable law.

113.

Defendant Muleta is jointly and severally liable, along with the other defendants, for the injuries to, and death of, John Belli, Lynne Belli, and Nicole Belli.

COUNT SEVEN

(Negligence of Defendant Camarillo)

114.

Plaintiffs incorporate by reference the allegations of Paragraphs 1-113 as if set forth fully herein verbatim.

115.

Defendant Camarillo had a duty to exercise reasonable care in the operation of his vehicle in a manner so as to not cause harm or injury to other drivers on public roadways.

116.

Defendant Camarillo breached his duty by failing to operate his vehicle in a safe and prudent manner by failing to keep a proper lookout ahead, by following too closely, and by failing to keep his vehicle under control so as to avoid colliding with the rear of the Belli Jeep.

117.

Defendant Camarillo's failure to exercise reasonable care caused the rear end collision to the Jeep that the Belli family was operating and, together with DC's acts and omissions and the acts of the other defendants, proximately caused the injuries to, and the death of, John, Lynne, and Nicole Belli.

118.

Plaintiffs are entitled to recover damages from Defendant Camarillo pursuant to O.C.G.A. §§ 51-4-4, 51-4-5, 9-2-41, 9-2-42, and other applicable law.

119.

Defendant Camarillo is jointly and severally liable, along with the other defendants, for the injuries to, and death of, John, Lynne, and Nicole Belli.

IV. SPECIFIC DAMAGES CLAIMED

120.

Plaintiffs Roy and Sara Belli, individually as the surviving parents of John Belli, claim general damages against all defendants, jointly and severally, for the full value of the life of John Belli, both economic and intangible, pursuant to O.C.G.A. §§ 51-4-4 and 19-7-1.

121.

Plaintiff Ted Urquhart, as the sole surviving parent of Lynne Belli, claims general damages against all defendants, jointly and severally, for the full value of the life of Lynne Belli, both economic and intangible, pursuant to O.C.G.A. §§ 51-4-4 and 19-7-1.

122.

Plaintiffs Ted Urquhart and Roy Belli, as Co-Administrators of the Estate of Nicole Belli, claim general damages against all defendants, jointly and severally, for the

full value of the life of Nicole Belli, both economic and intangible, pursuant to O.C.G.A. §§ 51-4-4, 51-4-5, and 19-7-1.

123.

Plaintiffs, as Administrators of the Estates of John, Lynne, and Nicole Belli, claim general damages against all defendants, jointly and severally, for all elements of the pain and suffering, physical and mental, including shock, fright and terror, endured by John, Lynne and Nicole Belli from the time of the incident up until the time of their deaths, in an amount determined by the enlightened conscience of the jury after hearing the evidence at trial.

124.

Plaintiffs, as administrators of those estates, also claim special damages for all medical expenses, funeral expenses, and property damage incurred on behalf of the estates in an amount which reflects the reasonable value of those services and property as established by the evidence at trial.

125.

Plaintiffs, as administrators of those estates, also claim punitive damages against DC in an amount determined by the enlightened conscience of the jury to be sufficient to punish, penalize, and deter DC in light of the aggravated nature of its conduct and in light of its financial circumstances.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for the following relief:

1) That summons and process issue requiring these defendants to be served and appear as provided by law to answer the allegations of this Complaint;

2) that plaintiffs have a trial by jury of all issues so triable;

3) that plaintiffs have and recover all damages to which they are entitled under Georgia law, including but not limited to:

- a) general damages for the full values of the lives of John, Lynne and Nicole Belli, both economic and intangible;
- b) general damages for all elements of the pain and suffering, physical and mental, including shock, fright and terror, endured by John, Lynne and Nicole Belli from the time of the incident up until the time of their deaths;
- c) special damages for all medical expenses, funeral expenses, and property damage incurred on behalf of their estates;
- d) and punitive damages sufficient to punish, penalize, and deter DC; and

4) For such other and further relief as this Court deems just and appropriate.

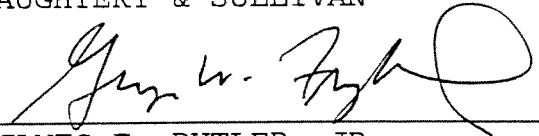
PLAINTIFFS DEMAND A TRIAL BY JURY.

This 29 day of May, 2001.

Respectfully submitted,

BUTLER, WOOTEN, OVERBY, FRYHOFER
DAUGHTERY & SULLIVAN

BY:



JAMES E. BUTLER, JR.

Georgia Bar No. 099625

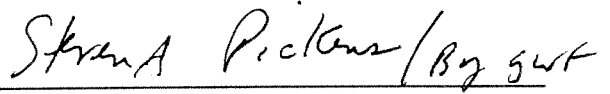
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ATTORNEYS FOR PLAINTIFFS

MATTER # 1065268
FILE TYPE Lawsuit
FILE NAME ██████████)
CAIR #
DATE OF INCIDENT 01/26/2001
DATE OF NOTICE 02/07/2001
MODEL/MODEL YEAR 1991 Jeep Cherokee (XJ)
VIN 1J4FJ58S0ML ██████████
MILEAGE
OWNER ██████████
██████████
Lawrenceville, GA ██████████
COURT State Court, Fulton, GA
DOCKET # 01VS018431G
FIRE ALLEGED Yes
DESCRIPTION On January 26, 2001, a 1991 Jeep Cherokee (XJ), operated by J ██████████
██████████ was travelling southbound on I-85 in Atlanta, Georgia. The posted speed limit at the site of the accident was 55 mph. According to the police accident report, the Jeep Cherokee (XJ) was forced to slow down when it came upon a Toyota Camry stopped in the HOV lane because of debris in the road. As the Jeep Cherokee (XJ) was either stopped or almost stopped going around the Toyota Camry, it was struck in the rear by a Ford Thunderbird (unidentified model year) being operated by Adrian Camarillo in the HOV lane at a high rate of speed. According to a statement given to police by an accident witness, traffic on I-85 was travelling at approximately 75 mph and the Ford Thunderbird passed him at a high rate of speed. The impact caused the left side of the Jeep Cherokee (XJ) to strike the right-rear of the Toyota Camry. A fire ensued in the Jeep Cherokee (XJ).

PROPERTY DAMAGE ALLEGED No
INJURIES 3
FATALITIES 3
ANALYSIS Based on an inspection of the 1991 Jeep Cherokee (XJ) and other available information, including the police accident report, witness statements and vehicle photographs, Chrysler Group concludes that the impact of the Ford Thunderbird to the rear of the Jeep Cherokee (XJ) occurred at a relative velocity in excess of 65 mph. This is based on the witness statements in the police accident report that the Jeep Cherokee (XJ) was stopped or almost stopped at the time of the

impact and that the Ford Thunderbird was travelling faster than 75 mph. It is confirmed by an accident reconstruction conducted for DaimlerChrysler Corporation, that the relative impact velocity between the Ford Thunderbird and the Jeep Cherokee (XJ) was 65-70 mph. This extremely severe, high-energy impact to the rear of the Jeep Cherokee (XJ) resulted in major intrusion into the rear compartment of the vehicle, extending to the rear axle. The impact crushed and ruptured the fuel tank, resulting in the fire. The damage to the rear of the Jeep Cherokee (XJ) is depicted in the photographs in Enclosure 3 Public, Bates page numbers EA12-005 – Chrysler – 010265, 011089, and 011096.