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

EA12-005
CHRYSLER
12-13-2012
Enclosure 3 – Public
Subject Vehicles

Lawsuits and Claims
Jeep Liberty (KJ)

Customer Assistance Inquiry Record (CAIR)#

13827658

VIN	1J4GL38K6	3W	Open Date	07/22/2005	Built Date	05/05/2003	
Model Year	2003	Body	KJJM74	JEEP LIBERT	TY RENEGA	DE 4X4 SPORT UTILITY 4-DR	
In Service Dt	09/27/2003	Mileage	16,000	Dealer Zone	35	WASHINGTON	
Plant	W	TOLEDO NORTH ASSEMBLY PLANT		Market	U	US	
Color	PX8	BLACK CLEAR COAT					
Engine	EKG	ENGINE - 3.7L POWER TECH V6					
Transmission	DG6	TRANSMISSION-4-SPD. AUTOMATIC, 42RLE					

Owner		Contact Type	TELEPHONE
Address		Home Phone	
	BALTIMORE MD	Country	UNITED STATES

Referral - Tier Three - Default - Default - Default	Referred customer to special investigation for further research.		
Corporate - Property Damage - Default - Default - Default			
Product - Unknown - Accident - Default			
Product - Unknown - Unknown - Fire - Unknown			

Customer states that she had an accident and that her vehicle exploded.

Customer would like to know what she should do.

Consulted with ACM37. **Approved referring customer to DCCAC for

discussion of Special Investigations issue.**

Referred customer to DCCAC for discussion of Special Investigations

Owner calls and states on July 11, 2005 she was driving in Orlando FL on

Interstate 4 when she was struck from behind.

States the vehicle caught on fire and blew up.

States she had total of 4 people in her vehicle. States one passenger

burned had her hand burned.

States no other injuries.

States total of two vehicles were involved.

States a State Trooper was there and she will call writer back with case number.

States her insurance company is

Allstate and will call writer back.

States she will also call writer back with location of vehicle.

Customer calling about above issue. Customer seeking updated information.

Agent transferred customer to Special Investigations for further

assistance.

Allstate Insurance Claim # Agent-Lori Allen 1-888-819-7905 ext 8254

Location of vehicle: Boltons

1110 Sixth St SW

Winterhaven, FI

1-863-299-9966

Florida State Trooper: Polk County

Incident # FHPC050FF073857

Trooper- H.RIvera 07.23.2005

Forwarded to 82t mrp

7/22/05 assigned to rah21/jlg.

CAIR NUMBER 13827658 REQUEST EAA INSPECTION 07-22-2005 14:53

CAIR NUMBER 13827658 E-MAIL SENT TO EAA 07-22-2005 14:54

07/25/2005: Sent Acknowledgement Letter (MW)

PHOTOGRAPHIC IMAGES POSTED TO THIS CAIR ON 07/29/05 AT 06:00 13827658

Denial Letter Sent: 7/29/2005 (MAnne)

3/24/08 VCW2 updated cair image from pending to X.

Image may not be available due to technical issue.











































































Suggest Concurred to Some Meaning to Stone William Transportation Pickup Notice ** REPRINT ** Ongrant Departsh Date 7/14/2/05

Consigner Information

AND PROPERTY.

Lieude Number 4065100 ALLSTATE INSURANCE

-tibbess 740 CARILLON PKWY

ST PETERSBURG, FT

Contact Phone Number ... (813) 760 2602

Auction Information

Assetion Name GREATER AND BAKALIO III Address 401 8.50791 \$ Bop1 FAMPA, FIL Moly Contact KIMBEREY MACTITEM

Phone Number

Fax Number (813) 247-1714

Transportation Agency

Number .: - White

Tentrer ..

Vehicle Information

Vist 2003

Make (HEP

Model LIBLRTY 4X4 Color

Acci Number

Lessee TUREK DOL 781

kup Location

LIONS TOWARD SERVICE V HWY 27 W 4 CTFY FI 33844

Delivery Location

Location Name. GREATER TAMPA BAY AUTO AL Address 401 S SOTH STREET

7 AMPA, FL 33619

Contact KIMBERLY MA EA/12-005- Chrysler -00630 Phone Number

Notes to Transporter

WWW.clinobout

Office DEPOT

1-888-GO-DEPO

CAIR 13827658







































FLORIDA TRAFFIC CRASH REPORT LONG FORM MAIL TO: DEPT OF HIGHWAY SAFETY & MOTOR VEHICLES, TRAFFIC CRASH RECORDS, NEIL KIRKMAN BUILDING, TALL AHASSEE, FL 32398-0537

DO NOT	WRITE	IN THIS	SPACE	

ç		7/11/2005	5			TIME OFFICE 2:52	TIME OFFICER ARRIVED INVEST, AGENCY REPOR								SMV GRASH REPORT NUMBER 73791976						
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FLORIDA TRAFFIC CRASH REPORT

NARRATIVE / DIAGRAM

MAIL TO: DEPT. OF HIGHWAY SAFETY & MOTOR VEHICLES TRAFFIC CRASH RECORDS SECTION, NEIL KIRKMAN BUILDING, TALLAHASSEE, FL 32399-0500 DO NOT WRITE IN THIS SPACE

TIME EN	AS NOTIFIE	D (FATALITIES ONLY) TIME EMS ARR	AM PM 7/1	1/2005	COUNTY/CITY CODE 05/00	INVEST, AGENCY REPORT FHPC05OFF07	NUMBER H				TNUMBER	
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FIRST PO	LK CO	IF NO, THEN WHERE?	IS INVESTIGATION	IF NO, THEN WHY?	105.34	TE OF REPORT PHOTOS	YES 2	nu-l-	1.11	S, BY W	AGENCY	
PO WAS INVEST MADE A	LK CO	IF NO, THEN WHERE? 1 YES 1 RANK & SIGNATURE	1 YES 2 NO		7/1 DEPARTMENT	TAKEN?	M2-005- Ch	rysler	-000	6324	AGENCY	0 071

DIAGRAM INDICATE NORTH WITH ARROW SR 400 12'LANE 0%GRADE EA12-005- Chrysler -006325 Pages

MATTER # 1158445

FILE TYPE Customer Assistance Inquiry Report and Legal Claim

FILE NAME

CAIR # 13827658 **DATE OF** 07/11/2005

INCIDENT

DATE OF NOTICE 07/22/2005

MODEL/MODEL

YEAR

2003 Jeep Liberty (KJ)

VIN 1J4GL38K63W

MILEAGE 16,000

OWNER

Baltimore, MD

COURT

DOCKET #

FIRE ALLEGED Yes

DESCRIPTION

On July 11, 2005, a 2003 Jeep Liberty (KJ) operated by was westbound on I-4 in Haines City, Florida. The posted speed limit at the site of the accident was 65 mph. According to an interview of the Jeep Liberty (KJ) driver, traffic was being funneled down from three lanes to one. stated she was travelling at approximately 50 mph when a Nissan passenger car (unknown model and model year) struck the rear of the Jeep Liberty (KJ) at a high rate of speed, causing the Jeep Liberty (KJ) to travel onto the north shoulder of I-4 where it came to rest. A fire in the Jeep Liberty (KJ) ensued. The police accident report estimated the travel speed of the Nissan passenger car at impact at 65 mph. The driver of the Nissan was cited for careless driving and failure to maintain control of the vehicle.

PROPERTY No

DAMAGE ALLEGED

INJURIES 1

FATALITIES 0

ANALYSIS Based on an inspection of the 2003 Jeep Liberty (KJ) and other

available evidence, including the police accident report, driver $% \left(1\right) =\left(1\right) \left(1\right) \left($

interview and vehicle photographs, Chrysler Group estimates that the

¹ An interview was conducted at the request of counsel in anticipation of litigation and the report is being withheld under a claim of attorney work-product privilege.

impact of the Nissan passenger car with the rear of the Jeep Liberty (KJ) occurred at a relative velocity of 15 mph or greater. The inspection of the Jeep Liberty (KJ) revealed that the fuel tank straps of the Jeep Liberty (KJ) tore loose at both rear mounting points. Chrysler Group concludes that the fire began in the rear of the Jeep Liberty (KJ) but cannot identify the cause of the fire because the fuel tank was completely destroyed.² The damage to the rear of the Jeep Liberty (KJ) is depicted in the photographs in Enclosure 3 Public, Bates page numbers EA12-005 – Chrysler – 006275, 6277 and 6280.

² An inspection was conducted at the request of counsel in anticipation of litigation and the report is being withheld under a claim of attorney work-product privilege.

EA12-005
CHRYSLER
12-13-2012

Enclosure 3 – Public Subject Vehicles
Lawsuits and Claims
Jeep Liberty (KJ)

Customer A	ssistance	Inquiry Re	cord (CAIR)#					1415583				
VIN	1J4GL48K5	4W	Open Date	10/13/2005	Built Date	07/29/2003						
Model Year	2004	Body	KJJH74	JEEP LIBERT	Y SPORT 4	X4 SPORT UTIL	ITY 4-DR					
In Service Dt	11/18/2003	Mileage	30,000	Dealer Zone	32	NEW YORK						
Plant	W	TOLEDO NOR	TH ASSEMBLY PLANT	Market	U	us						
Color	PJC	LIGHT KHAKI METALLIC CLEAR COAT										
Engine	EKG	ENGINE - 3.7L POWER TECH V6										
Transmission	DG6	TRANSMISSION-4-SPD. AUTOMATIC, 42RLE										
Dealer	68269	FX CAPRARA	JEEP									
Dealer Address	18476 US R	OUTE 11										
Dealer City	WATERTON	VN		Dealer State	NY	Dealer Zip	13601					
Owner						Contact Type	E-MAIL					
Address						Home Phone						
	MOIRA NY					Country	UNITED STATES					

Corporate - Other - Default - Default - Default	Customer states that his jeep exploded upon 40 mph rear impact.
Referral - Tier Three - Default - Default - Default	Referred customer to Tier Three for further assistance.
Corporate - Property Damage - Default - Default - Default	
Product - Unknown - Unknown - Accident - Default	
Product - Unknown - Unknown - Fire - Unknown	

***** EMAIL BRIEF DESCRIPTION CONTENT *****

my jeep exploded upon rear impact

***** END EMAIL BRIEF DESCRIPTION CONTENT *****

i need some satifaction from chrysler on why my 2004 I berty exploded on 40mph rear impact thank god my wife and 2 kids got out before they burnt to death this is not something that has happened since the ford pinto problem this problem needs to be addressed before someone gets killed. this liberty burnt from bumper to bumper there is literly nothing left to this liberty we need somthing done about this problem when i bought this jeep for my wife i thought i was putting her into a safe ride but we found out differently someone please responed to this letter

Transferred customer to Tier Three for further research. (left message for owner at 1:50pm requesting return call so writer can obtain information pertaining to the event for legal review....ltm left another message for owner at 11:45 am asking for return call....ltm Spoke to owner and will need to obtain further info as vehicle has been totalled and taken by insurance company..will obtain info tomorrow...ltm **** Begin structured narrative SI POLICY FIRE OR ACCIDENT **** Owner Alleges:

Vehicle exploded into flames after rear end impact
Description of the incident (what, when, where, injuries, etc)
Incident occurred on 9/30 while wife and kids were in vehicle...Jeep was at a stop when it was rear ended at about 40 mph...the gas tank caught fire but wife and kids got out before rest of vehicle was in flames...no injuries other than bruises...only the two vehicles were involved.

Has the owners insurance company been contacted? YES

If yes provide name/policy number and phone number

Insured with New York Central Mutual...Claim#

Contact agent is Crystal Ingle at 518 843-8176
Where is the vehicle exactly located (provide name/address/phone #)
Vehicle is at Salvage Management located at 8459 Brewerton Road in
Cicero, NY in LOT B38 Ph# 315 699-2622

Is there property damage or other vehicles involved in the accident? Yes, Jeep was declared a total loss...condition of other vehicle unknown Has a Police or Fire report been filed (what municipality & report #) Bombay New York Fire Department was involved in putting out the fire

Malone New York Police Department, Troop B (Ph# 518 483-5000) the report number has not yet been obtained **** End structured narrative SI POLICY FIRE OR ACCIDENT **** Owner alleges vehicle exploded into flames after rear end collision..... referring to Special Investigations for further handling.....ltm 10/19/05....FIRE/EXPLOSION FORWARDED TO 82T.

10/20/05 vehicle location zip code 13039 jlg.

_10/20/05 assigned to kwk3/jlg.

CAIR NUMBER 14155831 REQUEST EAA INSPECTION 10-20-2005 11:02

CAIR NUMBER 14155831 E-MAIL SENT TO EAA 10-20-2005 11:03

10/21/2005: Sent acknowledgement letter. (JM) Inspection Requested: 10/20/2005 (JMedina) Denial Letter Sent: 11/1/2005 (JMedina)

3/28/08 VCW2 updated cair image from pending to X. Image may not be available due to technical issue.

From:

To: customerassist@daimlerchrysler.com Date: Wed Oct 12 21:15:12 EDT 2005

Subject: DaimlerChrysler Customer Assistance

Form Selected:

Category: US Customer Service

Brief Description:

my jeep exploded upon rear impact

Comments:

i need some satifaction from chrysler on why my 2004 liberty exploded on 40mph rear impact thank god my wife and 2 kids got out before they burnt to death this is not something that has happened since the ford pinto problem this problem needs to be addressed before someone gets killed. this liberty burnt from bumper to bumper there is literly nothing left to this liberty we need somthing done about this problem when i bought this jeep for my wife i thought i was putting her into a safe ride but we found out differently someone please responed to this letter

Sender Information:

Title:

First Name: Middle Initial: Last Name:















































































































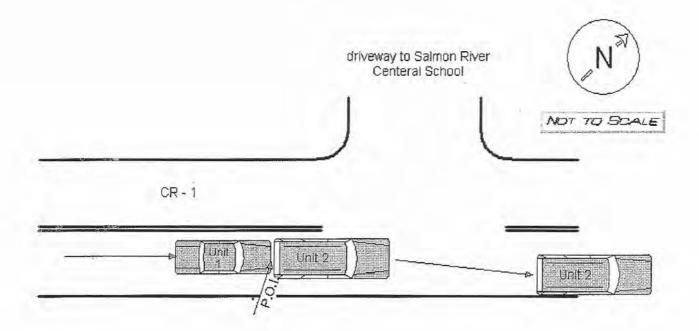






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MATTER # 1161999

FILE TYPE Customer Assistant Inquiry Report, Legal Claim, and VOQ 10138726

FILE NAME

CAIR # 14155831 **DATE OF** 09/30/2005

INCIDENT

10/13/2005

DATE OF NOTICE MODEL/MODEL

YEAR

2004 Jeep Liberty (KJ)

VIN 1J4GL48K54W

MILEAGE 30,000

OWNER

Moira, NY

COURT

DOCKET #

FIRE ALLEGED Yes

DESCRIPTION

On September 30, 2005, a 2004 Jeep Liberty (KJ), operated by was travelling northeast on C.R. 1 in Fort Covington, New York near the intersection with Foster Road. The Jeep Liberty (KJ) was stopped preparing to turn left into a school when a 1997 Plymouth Neon, operated by failed to observe the Jeep Liberty (KJ) and struck it in the rear. Based on an interview by DaimlerChrysler Corporation with the owner of the Jeep Liberty (KJ), the Plymouth Neon was travelling at approximately 35-40 mph at the time of the collision. A fire ensued in the rear of the Jeep Liberty (KJ).

PROPERTY No

DAMAGE ALLEGED

INJURIES 0

FATALITIES 0

ANALYSIS Based on an inspection of the 2004 Jeep Liberty (KJ) and other

available information, including the police accident report and an interview of the owner of the Jeep Liberty (KJ), the relative velocity of

the Plymouth Neon at impact with the Jeep Liberty (KJ) was approximately 35-40 mph. This is based on the Jeep Liberty (KJ) owner's statement to an investigator from DaimlerChrysler Corporation. ¹ Based on the inspection of the Jeep Liberty (KJ),

¹ An interview of the vehicle owner was conducted at the request of counsel in anticipation of litigation and the report is being withheld under a claim of attorney work-product privilege.

EA12-005- Chrysler -005968

Chrysler Group has concluded that a fire occurred in the vehicle but cannot determine whether the fuel tank was ruptured or that the origin of the fire was at the fuel tank because the fuel tank was no longer available. The inspection revealed that the right corner of the bumper was pushed inward 1-2 inches and the right fuel tank stop was detached at the forward end.² The damage to the rear of the Jeep Liberty (KJ) is depicted in the photographs in Enclosure 3 Public, Bates page numbers EA12-005 – Chrysler – 005918 and 005921.

² A vehicle inspection was conducted at the request of counsel in anticipation of litigation and the report is being withheld under a claim of attorney work-product privilege.

EA12-005
CHRYSLER
12-13-2012

Enclosure 3 – Public Subject Vehicles
Lawsuits and Claims
Jeep Liberty (KJ)

Customer Assistance Inquiry Record (CAIR)# 11981869 1J4GK48KX 4W VIN Built Date 08/25/2003 Open Date 01/16/2004 Model Year 2004 Body KJTH74 JEEP LIBERTY SPORT 4X2 SPORT UTILITY 4-DR In Service Dt 10/20/2003 Mileage 3,000 Dealer Zone Plant W TOLEDO NORTH ASSEMBLY PLANT | Market U US PJC Color LIGHT KHAKI METALLIC CLEAR COAT **EKG ENGINE - 3.7L POWER TECH V6** Engine Transmission DGB Owner Contact Type **TELEPHONE** Address **Home Phone** PHOENIX AZ Country UNITED STATES Product - Unknown - Fire - Underbody Fire fire from accident Product - Unknown - Unknown - Accident - Default Product - Unknown - Unknown - Fire - Unknown **** Begin structured narrative SI POLICY FIRE OR ACCIDENT **** Owner Alleges: NO ANSWER PROVIDED BY AGENT Description of the incident (what, when, where, injuries, etc) NO ANSWER PROVIDED BY AGENT Has the owners insurance company been contacted? NO ANSWER PROVIDED BY AGENT If yes provide name/policy number and phone number NO ANSWER PROVIDED BY AGENT Where is the vehicle exactly located (provide name/address/phone #) NO ANSWER PROVIDED BY AGENT Is there property damage or other vehicles involved in the accident? NO ANSWER PROVIDED BY AGENT Has a Police or Fire report been filed (what municipality & report #) NO ANSWER PROVIDED BY AGENT **** End structured narrative SI POLICY FIRE OR ACCIDENT **** Original owner seeks to inform DaimlerChrysler that he was in an accident and the vehicle caught fire. Caller states that accident occurred on HWY 101 south. States that he was traveling 60MPH and so was the vehicle that caused the accident when they hit head on. Caller states that the vehicle was leaking gasoline and then caught fire on the rear of the vehicle near the filler neck side. Caller states that he suffered some bruising from the crash, but the driver of the other vehicle died at the scene. States that he has contacted the insurance company Nation Wide. Agents . Phone 480-922-5006. name Naomi Lomei policy # Caller states that vehicle has been towed to Cactus Towing 261 East 10th drive Mesa Arizona Phone 480-833-7278, Police report has been filed. No report number at this time. PER OGC MATRIX, FORWARDED TO 82T. JSS15. assigned to rap99 acknowledgement letter sent.

Inspection Requested: 1/21/04 Inspection Conducted: 1/26/04 Inspection Report Received: 1/27/04

Photos provided by OGC manually loaded on 03/26/04

Denial Letter Sent: 3/11/04

































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Electronic Form (Version 2.0 Dated: 3/15/2001)

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16 - LIGHT CONDITION CHECK ONLY ONE (1) 1	CHECK ONLY ONE (1) 1 SCHOOL CROSSING 2 PEDESTRIAN CROSSWALK (STRIPPED) 3 PEDESTRIAN CROSSWALK (NO STRIPPING) 4 BRIDGE 5 TUNNEL 6 R CROSSING 7 GORE AREA 8 BRICK PAIL 9 2 2 WAY LEFT TURN LANE 22 - UNUSUAL ROAD CONDITION CHECK ONLY ONE (1)	GHARACTER CHICK ONLY ONE (1) 1 2-WAY, STRIPED CENTERLINE 2 2-WAY, NO STRIPE 3 2-WAY, PAINIED MEDIAN 5 2-WAY, PAINIED MEDIAN 5 2-WAY, CONCRETE BARRIER 6 2 2-WAY, CABLE BARRIER 7 2-WAY, CABLE BARRIER 8 2-WAY, EXTENDIED MEDIAN 8 2-WAY, EXTENDIED MEDIAN 9 1-WAY STREET 25 - ROAD GRADE CHECK ONLY ONE (1) 1 1-EVEL 2 1 DOWNGRADE 3 1 UFGRADE 4 HILLCREST	TWO (1) CHOICES PER PERSON MAT 1 2 3 1 0 7 20 NO IMPROPER ACTION 2 0 0 SPEED TOO FAST FOR CO 3 0 0 EXCEEDED LAWFUL SPEED 4 0 0 FALLED TO YIELD RIGHT-O 5 0 0 0 SPEED SIGN 7 0 0 DISREGARDED TRAFFIC SI 6 0 0 MADE IMPROPER TURN 9 0 0 0 DROVE IN OPPOSING THAT 10 0 0 ROUNDSTY OPERATED W. MISSING EQUIPMENT 11 0 0 REQUIRED MOTORCYCLE NOT USED 12 0 0 PASSED IN NO PASSING 20 13 0 0 UNSAFE LANE CHANGE	NIDITIONS D F.WAY GNAL FICHANE ITH FAULTY OR SAFETY EQUIPMENT	10 CHANGING LANES 11 BACKING 12 AVOIDING VEHICLE, OBJECT, PEDESTRIAN 13 PEDESTRIAN 13 PENTERPIG PARKING POSITION 14 DEAVING PARKING POSITION 15 PROPERLY PARKED 17 IMPROPERLY PARKED 17 CHONCRUSS MOVING VEHICLE 18 CROSSING ROAD 19 WALKING WITH TRAFFIC 20 WALKING ACAINST TRAFFIC 21 DETTING ON OR OFF VEHICLE 22 DETTING ON OR OFF VEHICLE 23 WORKING ON OR OFF VEHICLE 25 WORKING ON ROAD 26 OTHER 27 UNISION DESCUREMENT CHECK ONE IN PER UNIT
16 - LIGHT CONDITION CHECK ONLY ONE (1) 1 DAYLIGHT 2 DAWN OR OUSK 3 DARKNESS YES NO 1 STREET LIGHT FUNCTIONING 17 - WEATHER CONDITIONS CHECK ONLY ONE (1) 1 CLEAR 2 CLOUDY 3 SLEET / HAIL 4 RAIN 5 SHOW	CHECK ONLY ONE (1) 1 SCHOOL CROSSING 2 PEDESTRIAN CROSSWALK (STRIPPED) 3 PEDESTRIAN CROSSWALK (NO STRIPPING) 4 BRIDGE 5 TUNNEL 6 R CROSSING 7 GORE AREA 8 GIRK PAIL 9 22MAY LEFT TURN LANE 22 - LINUSUAL ROAD CONDITION CHECK ONLY ONE (1) 1 UNDER CONSTRUCTION, TRAFFIC ALLOWED 2 UNIVER CONSTRUCTION, NO TRAFFIC ALLOWED	GHARACTER CHICK ONLY ONE (1) 1 2-WAY, STRIPED CENTERLINE 2 2-WAY, NO STRIPE 3 2-WAY, PAINIED MEDIAN 5 2-WAY, PAINIED MEDIAN 5 2-WAY, CONCRETE BARRIER 6 2 2-WAY, CONCRETE BARRIER 7 2-WAY, CEPRESSED MEDIAN 8 2-WAY, CABLE BARRIER 7 2-WAY, CEPRESSED MEDIAN 9 1-WAY STREET 25-ROAD GRADE CHECK ONLY ONE (1) 1 1-EVEIL 2 1 DOWNGRADE 3 1 UFGRADE 4 HILLCREST 5 DIP	TWO (3) CHOICES PER PERSON MAT 1 2 3 1 0 0 1 10 NO IMPROPER ACTION 2 0 0 SPEED TOO FAST FOR CO 3 0 0 EXCEEDED LAWFUL SPEEL 4 0 0 FALED TO YIELD RIGHT-O 5 0 0 FOLLOWED TOO CLOSELY 6 0 0 RAN STOP SIGN 7 0 0 DISREGARDED TRAFFIC SI 8 0 0 MADE IMPROPER TURN 9 0 0 DROVE IN OPPOSING THAF 10 0 0 KNOWINGLY OPERATEO W MISSING EQUIPMENT 11 0 0 REQUIRED MOTORCYCLE NOT USED 12 0 0 PASSED IN NO PASSING ZO 13 0 0 UNISAFE LANE CHANGE 14 0 0 0 ITER UNISAFE PASSING 14	NIDITIONS D F.WAY GNAL FICHANE ITH FAULTY OR SAFETY EQUIPMENT	10 CHANGING LANES 11 BACKING 12 AVOIDING VEHICLE, OBJECT, PEDESTRIAN 13 PEDESTRIAN 13 PENTERPIG PARKING POSITION 14 DEAVING PARKING POSITION 15 PROPERLY PARKED 17 IMPROPERLY PARKED 17 CHONCRUSS MOVING VEHICLE 18 CROSSING ROAD 19 WALKING WITH TRAFFIC 20 WALKING ACAINST TRAFFIC 21 DETTING ON OR OFF VEHICLE 22 DETTING ON OR OFF VEHICLE 23 WORKING ON OR OFF VEHICLE 25 WORKING ON ROAD 26 OTHER 27 UNISION DESCUREMENT CHECK ONE (I) PER UNIT
16 - LIGHT CONDITION CHECK ONLY ONE (1) 1	CHECK ONLY ONE (1) 1 SCHOOL CROSSING 2 PEDESTRIAN CROSSWALK (STRIPPD) 3 PEDESTRIAN CROSSWALK (NO STRIPPING) 4 BRIGGE 5 TUNNEL 6 R CROSSING 7 GORB AREA 8 BIRK MAIL 9 2 MAY LEFT TURN LANE 22 - UNUSUAL ROAD CONDITION CHECK ONLY ONE (1) 1 UNDER CONSTRUCTION, TRAFFIC ALLOWED 3 UNDER REPAIRS	GHARACTER CHICK ONLY ONE (1) 1 2-WAY, STRIPED CENTERLINE 2 2-WAY, NO STRIPE 3 2-WAY, PAINIED MEDIAN 5 2-WAY, RAISED MEDIAN 5 2-WAY, CONCRETE BARRIER 6 2-WAY, CABLE BARRIER 7 2-WAY, CABLE BARRIER 8 2-WAY, EXTENDIED MEDIAN 8 2-WAY, EXTENDIED MEDIAN 9 1-WAY STREET 25 - ROAD GRADE CHECK ONLY ONE (1) 1 1 IEVEL 2 DOWNGRADE 3 1 UPGRADE 4 1 HILLCREST 5 DIP 10 - ROAD SURFACE CONDITION	1	NIDITIONS D F.WAY GNAL FICHANE ITH FAULTY OR SAFETY EQUIPMENT	10 CHANGING LANES 11 OBACKING 12 AVOIDING VEHICLE, OBJECT, PEDESTRIAN 13 OBACKING POSITION 14 OBACKING PARKING POSITION 15 OPROPERLY PARKED 17 OBACKING POSITION 15 OROSSING ROAD 19 OWALKING WITH TRAFFIC 20 OWALKING WITH TRAFFIC 21 OWALKING ACAINST TRAFFIC 22 OWALKING ON OR OFF VEHICLE 23 OWALKING ON OR OFF VEHICLE 24 OWALKING ON OR OFF VEHICLE 25 OWALKING ON OR OFF VEHICLE 26 OWALKING ON OR OFF VEHICLE 27 OWALKING ON OR OFF VEHICLE 27 OWALKING ON OR OFF VEHICLE 28 OWALKING ON OR OFF VEHICLE 29 OWALKING ON OR OFF VEHICLE 29 OWALKING ON OR OFF VEHICLE 20 OWALKING ON OR OFF VEHICLE 21 OWALKING ON OR OFF VEHICLE 22 OWALKING ON OR OFF VEHICLE 25 OWALKING ON OR OFF VEHICLE 26 OWALKING ON OR OFF VEHICLE 27 OWALKING ON OR OFF VEHICLE 28 OWALKING ON OR OFF VEHICLE 29 OWALKING ON OR OFF VEHICLE 29 OWALKING ON OR OFF VEHICLE 20 OWALKING ON OR OFF VEHICLE 21 OWALKING ON OR OFF VEHICLE 25 OWALKING ON OR OFF VEHICLE 26 OWALKING ON OR OFF VEHICLE 27 OWALKING ON OR OFF VEHICLE 28 OWALKING ON OR OFF VEHICLE 29 OWALKING ON OR OFF VEHICLE 29 OWALKING ON OR OFF VEHICLE 20 OWALKING ON OR OFF VEHICLE 20 OWALKING ON OR OFF VEHICLE 21 OWALKING ON OR OFF VEHICLE 25 OWALKING ON OR OFF VEHICLE 26 OWALKING ON OR OFF VEHICLE 27 OWALKING ON OR OFF VEHICLE 29 OWALKING ON OR OFF VEHICLE 29 OWALKING ON OR OFF VEHICLE 29 OWALKING ON OR OFF VEHICLE 20 OWALKING ON OR OFF VEHICLE 21 OWALKING ON OR OFF VEHICLE 25 OWALKING ON OR OFF VEHICLE 25 OWALKING ON OR OFF VEHICLE 26 OWALKING ON OR OFF VEHICLE 27 OWALKING ON OR OFF VEHICLE 29 OWALKING ON OR OFF VEHICLE 20 OWALKING ON OR OFF VEHICLE 20 OWALKING ON OR OR OFF VEHICLE 21 OWALKING ON OR OR OFF VEHICLE 25 OWALKING ON OR
16 - LIGHT CONDITION CHECK ONLY ONE (1) 1	CHECK ONLY ONE (1) 1 SCHOOL CROSSING 2 PEDESTRIAN CROSSWALK (STRIPPED) 3 PEDESTRIAN CROSSWALK (NO STRIPPING) 4 BRIGGE 5 TUNNEL 6 R CROSSING 7 GORE AREA 8 HIKE MAIL 9 2-WAY LEFT TURN LANE 22 - (INUSUAL ROAD CONDITION CHECK ONLY ONE (1) 1 OWNER CONSTRUCTION, NO TRAFFIC ALLOWED 3 UNDER CENSIRUE 4 HOLES, RUTS, BUMPS	GHARACTER CHICK ONLY ONE (1) 1 2-WAY, STRIPED CENTERLINE 2 2-WAY, NO STRIPE 3 2-WAY, PAINTED MEDIAN 4 2-WAY, PAINTED MEDIAN 5 2-WAY, CONCRETE BARRIER 6 2-WAY, CABLE BARRIER 7 2-WAY, CABLE BARRIER 8 2-WAY, EXTENDED MEDIAN 8 2-WAY, EXTENDED MEDIAN 9 1-WAY STREET 23 BOAD GRADE CHECK ONLY ONE (1) 1 1 EVEL 2 1 DOWNGRADE 3 1 UPGRADE 4 1 HILLCREST 5 DIP 18 ROAD SURFACE CONDITION CHECK ONLY ONE (1)	TWO (1) CHOICES PER PERSON MAT 1 2 3 1 0 7 2 NO IMPROPER ACTION 2 0 0 SPEED TOO FAST FOR CO 3 0 0 EXCEEDED LAWFUL SPEED 4 0 0 FALLED TO YIELD RIGHT-O 5 0 0 0 SPEED TOO CLOSELY 6 0 0 RAN STOP SIGN 7 0 0 DISREGARDED TRAFFIC SI 6 0 0 MADE IMPROPER TURN 9 0 0 0 DROVE IN OPPOSING THAT 10 0 0 ROUNDLY OPERATED WASHING FOR COURTED MOTORCYCLE NOT USED 12 0 0 PASSED IN NO PASSING 20 13 0 0 UNSAFE LANE CHANGE 14 0 0 OTHER UNSAFE PASSING 15 0 0 DIO NOT USE CROSSWALK 17 0 0 0 WALKED ON WRONG SIDE 17 0 0 WALKED ON WRONG SIDE	NIDITIONS D F.WAY GNAL FIC LANE ITH FAULTY OR SAFETY EQUIPMENT	10 CHANGING LANES 11 BACKING 12 AVOIDING VEHICLE, OBJECT, PEDESTRIAN 13 PEDESTRIAN 13 PEDESTRIAN 14 PEDESTRIAN 15 PROPERLY PARKING POSITION 15 PROPERLY PARKED 17 IMPROPERLY PARKED 17 CHANGING VEHICLE 18 CROSSING ROAD 19 WALKING WITH TRAFFIC 20 WALKING WITH TRAFFIC 21 WALKING WITH TRAFFIC 22 PARKED 23 WALKING ACAINST TRAFFIG 24 WORKING ON OR OFF VEHICLE 25 WORKING ON OR OFF VEHICLE 25 WORKING ON OR OFF VEHICLE 26 OHER 27 OHNONOWN 31 * VISION DESCUREMENT CRECK ONE (1) PER UNIT 1
16 - LIGHT CONDITION CHECK ONLY ONE (1) 1	CHECK ONLY ONE (1) 1 SCHOOL CROSSING 2 PEDESTRIAN CROSSWALK (STRIPPED) 3 PEDESTRIAN CROSSWALK (NO STRIPPING) 4 BRIDGE 5 TUNNEL 6 RR CROSSING 7 GORE AREA 8 UIKE WAITI 9 2 YMNY LEFT TURN LANE 22 - UNUSUAL ROAD CONDITION CHECK ONLY ONE (1) 1 UNDER CONSTRUCTION, TRAFFIC ALLOWED 2 UNDER CONSTRUCTION, NO TRAFFIC ALLOWED 3 UNDER REPAIRS 4 GOES, RUTS, BUMPS 5 GOSSTRUCTION -	GHARACTER CHICK ONLY ONE (1) 1 2-WAY, STRIPED CENTERLINE 2 2-WAY, NO STRIPE 3 2-WAY, PAINIED MEDIAN 5 2-WAY, RAISED MEDIAN 5 2-WAY, CONCRETE BARRIER 6 2-WAY, CABLE BARRIER 7 2-WAY, CABLE BARRIER 8 2-WAY, EXTENDIED MEDIAN 8 2-WAY, EXTENDIED MEDIAN 9 1-WAY STREET 25 - ROAD GRADE CHECK ONLY ONE (1) 1 1 IEVEL 2 DOWNGRADE 3 1 UPGRADE 4 1 HILLCREST 5 DIP 10 - ROAD SURFACE CONDITION	TWO (2) CHOICES PER PERSON MAT 1 2 3 1 0 7 20 NO IMPROPER ACTION 2 0 0 SPEED TOO FAST FOR CO 3 0 0 EXCEEDED LAWFUL SPEED 4 0 0 FALLED TO YIELD RIGHT-OF 5 0 0 FOLLOWED TOO CLOSELY 6 0 0 RAN STOP SIGN 7 0 0 DISREGARDED TRAFFIC SI 8 0 0 MADE IMPROPER TURN MISSING EQUIPMENT 11 0 0 REQUIRED MOTORCYCLE NOT USED 12 0 0 PASSED IN NO PASSING 20 13 0 0 UNSAFE LANE CHANGE 14 0 0 OTHER UNSAFE PASSING 15 70 0 INATENTION 16 0 0 DID NOT USE CROSSWALK 17 0 0 WALKED ON WRONG SIDE 18 0 0 OTHER	NIDITIONS D F.WAY GNAL FIC LANE ITH FAULTY OR SAFETY EQUIPMENT	10 CHANGING LANES 11 SAKING 12 AVOIDING VEHICLE, OBJECT, PEDESTRIAN 13 RETERNIG PARKING POSITION 14 CHANGING PARKING POSITION 15 PROPERLY PARKED 16 MAPROPERLY PARKED 17 CHANGING VEHICLE 18 CROSSING ROAD 19 WALKING WITH TRAFFIC 20 WALKING WITH TRAFFIC 21 CHANGING ON OR OFF VEHICLE 22 CHANGING ON OR OFF VEHICLE 24 CHANGING ON OR PUSHING VEHICLE 25 WORKING ON OR PUSHING VEHICLE 26 WORKING ON OR PUSHING VEHICLE 27 WORKING ON OR PUSHING VEHICLE 28 WORKING ON OR PUSHING VEHICLE 29 WORKING ON OR PUSHING VEHICLE 20 WORKING ON OR PUSHING VEHICLE 21 WORKING ON OR PUSHING VEHICLE 22 WORKING ON OR PUSHING VEHICLE 23 WORKING ON OR PUSHING VEHICLE 24 SAME OF OBSCURED 26 WALKING WITH SAME OF OBSCURED 27 SAME OF OBSCURED 28 SAME OF OBSCURED 29 SAME OF OBSCURED 20 SP PARKED / STOPPED VEHICLE 30 SP MOUING VEHICLE 4 SAME OF OBSCURED 4 SP SOUING VEHICLE
16 - LIGHT CONDITION CHECK ONLY ONE (1) 1	CHECK ONLY ONE (1) 1 SCHOOL CROSSING 2 PEDESTRIAN CROSSWALK (STRIPPED) 3 PEDESTRIAN CROSSWALK (NO STRIPPING) 4 BRIGGE 5 TUNNEL 6 R CROSSING 7 GORE AREA 8 HIKE MAIL 9 2-WAY LEFT TURN LANE 22 - (INUSUAL ROAD CONDITION CHECK ONLY ONE (1) 1 OWNER CONSTRUCTION, NO TRAFFIC ALLOWED 3 UNDER CENSIRUE 4 HOLES, RUTS, BUMPS	CHARACTER CPICK ONLY ONE (1) 1 2-WAY, STRIPED CENTERLINE 2 2-WAY, MO STRIPE 3 2-WAY, PAINTED MEDIAN 4 2-WAY, PAINTED MEDIAN 5 2-WAY, CONCRETE BARRIER 6 W 2-WAY, CABLE BARRIER 7 2-WAY, CENTERLIED MEDIAN 8 2-WAY, EXTENSED MEDIAN 9 1-WAY STREET 25 - ROAD GRADE CHECK ONLY ONE (1) 1 1 EVEL 2 D DOWNGRADE 3 UPGRADE 4 HILLCREST 5 DIP 28 - ROAD SURFACE CONDITION CHECK ONLY ONE (1) 1 1 CONTROL ONE (1) 1 1 ROAD SURFACE CONDITION CHECK ONLY ONE (1) 1 1 ONY	TWO (1) CHOICES PER PERSON MAT 1 2 3 1 0 7 2 NO IMPROPER ACTION 2 0 0 SPEED TOO FAST FOR CO 3 0 0 EXCEEDED LAWFUL SPEED 4 0 0 FALLED TO YIELD RIGHT-O 5 0 0 0 SPEED TOO CLOSELY 6 0 0 RAN STOP SIGN 7 0 0 DISREGARDED TRAFFIC SI 6 0 0 MADE IMPROPER TURN 9 0 0 0 DROVE IN OPPOSING THAT 10 0 0 ROUNDLY OPERATED WASHING FOR COURTED MOTORCYCLE NOT USED 12 0 0 PASSED IN NO PASSING 20 13 0 0 UNSAFE LANE CHANGE 14 0 0 OTHER UNSAFE PASSING 15 0 0 DIO NOT USE CROSSWALK 17 0 0 0 WALKED ON WRONG SIDE 17 0 0 WALKED ON WRONG SIDE	NIDITIONS D F.WAY GNAL FIC LANE ITH FAULTY OR SAFETY EQUIPMENT	10 CHANGING LANES 11 CHANGING VEHICLE, OBJECT, PEDESTRIAN 13 CHANGING VEHICLE, OBJECT, PEDESTRIAN 13 CHANGING POSITION 14 CHANGING PARKING POSITION 15 CHANGING PARKING POSITION 15 CHANGING PARKING POSITION 15 CHANGING PARKING POSITION 16 CHANGING PARKING POSITION 17 CHANGING PARKING 18 CHANGING PARKING 19 CHANGING WITH TRAFFIC 20 CHANGING WITH TRAFFIC 21 CHANGING AGAINST TRAFFIC 22 CHANGING ON OR OFF VEHICLE 24 CHANGING ON OR PUSHING VEHICLE 25 CHANGING ON ROAD 26 CHANGING ON ROAD 27 CHANGING ON BOOK PUSHING VEHICLE 27 CHANGING ON BOOK PUSHING VEHICLE 28 CHANGING ON BOOK PUSHING VEHICLE 29 CHANGING ON BOOK PUSHING VEHICLE 29 CHANGING ON BOOK PUSHING VEHICLE 21 CHANGING PARKING POSITION PROVENICLE 21 CHANGING PARKING VEHICLE 22 CHANGING PARKING VEHICLE 23 CHANGING POSITION PROVENICLE 24 CHANGING PARKING POSITION PROVENICLE 26 CHANGING PARKING POSITION PROVENICLE 27 CHANGING PARKING POSITION PROVENICLE 29 CHANGING PARKING POSITION PROVENICLE 20 CHANGING PARKING POSITION PROVENICLE 21 CHANGING PARKING POSITION PROVENICLE 21 CHANGING PARKING POSITION PROVENICLE 22 CHANGING PARKING POSITION PROVENICLE 24 CHANGING PARKING POSITION PROVENICATION PROVE
16 - LIGHT CONDITION CHECK ONLY ONE (1) 1 1	CHECK ONLY ONE (1) SCHOOL CROSSING PEDESTRIAN CROSSWALK (STRIPPD) PEDESTRIAN CROSSWALK (NO STRIPPING) BRIGGE TUNNEL RIGGE TUNNEL RIGGE RIGGE RIGGE WIKE PAIL WILE PAIL WILE PAIL UNDER CONSTRUCTION, TRAFFIC ALLOWED UNDER CONSTRUCTION, NO TRAFFIC ALLOWED UNDER CONSTRUCTION, NO TRAFFIC ALLOWED UNDER CONSTRUCTION, NO TRAFFIC ALLOWED UNDER CEPTICS UNDER CEPTICS OBSTRUCTION - RIGGEOTED OBSTRUCTION - UNPROTECTED	GHARACTER CHICK ONLY ONE (1) 1 2-WAY, STRIPED CENTERLINE 2 2-WAY, NO STRIPE 3 2-WAY, PAINIED MEDIAN 5 2-WAY, PAINIED MEDIAN 5 2-WAY, CONCRETE BARRIER 6 2-WAY, CABLE BARRIER 7 2-WAY, CABLE BARRIER 8 2-WAY, EXTENDIED MEDIAN 8 2-WAY, EXTENDIED MEDIAN 9 1-WAY STREET 25 - ROAD GRADE CHECK ONLY ONE (1) 1 1 EVEL 2 DOWNGRADE 3 1 UPGRADE 4 1 HILLCREST 5 DIP 26 - ROAD SURFACE CONDITION CHECK ONLY ONE (1) 1 DY DRY 2 WET 3 AND, MUD, DIRT, OIL, GRAVEL 4 SNOW	1	NOTIONS F.WAY GNAL FIC LANE ITH FAULTY OR SAFETY EQUIPMENT ONE	10 CHANGING LANES 11 SAKING 12 AVOIDING VEHICLE, OBJECT, PEDESTRIAN 13 RETERNIG PARKING POSITION 14 CHANGING PARKING POSITION 15 PROPERLY PARKED 16 MAPROPERLY PARKED 17 CHANGING VEHICLE 18 CROSSING ROAD 19 WALKING WITH TRAFFIC 20 WALKING WITH TRAFFIC 21 CHANGING ON OR OFF VEHICLE 22 CHANGING ON OR OFF VEHICLE 24 CHANGING ON OR PUSHING VEHICLE 25 WORKING ON OR PUSHING VEHICLE 26 WORKING ON OR PUSHING VEHICLE 27 WORKING ON OR PUSHING VEHICLE 28 WORKING ON OR PUSHING VEHICLE 29 WORKING ON OR PUSHING VEHICLE 20 WORKING ON OR PUSHING VEHICLE 21 WORKING ON OR PUSHING VEHICLE 22 WORKING ON OR PUSHING VEHICLE 23 WORKING ON OR PUSHING VEHICLE 24 SAME OF OBSCURED 26 WALKING WITH SAME OF OBSCURED 27 SAME OF OBSCURED 28 SAME OF OBSCURED 29 SAME OF OBSCURED 20 SP PARKED / STOPPED VEHICLE 30 SP MOUING VEHICLE 4 SAME OF OBSCURED 4 SP SOUING VEHICLE
16 - LIGHT CONDITION CHECK ONLY ONE (1) 1	CHECK ONLY ONE (1) 1 SCHOOL CROSSING 2 PEDESTRIAN CROSSWALK (STRIPPED) 3 PEDESTRIAN CROSSWALK (NO STRIPPING) 4 BRIDGE 5 TUNNEL 6 RR CROSSING 7 GORE AREA 8 UIKE WAITI 22 - UNUSUAL ROAD CONDITION CHECK ONLY ONE (1) 1 UNDER CONSTRUCTION, TRAFFIC ALLOWED 2 UNDER CONSTRUCTION, ONLY ONE (1) 1 UNDER CONSTRUCTION, ONLY ONE (1) 2 UNDER CENSTRUCTION, ONLY ONE (1) 5 UNDER REPAIRS 5 OBSTRUCTION - 6 PROTECTED OBSTRUCTION - 7 UNPERCIECTED OBSTRUCTION - 17 UNPERCIECTED OBSTRUCTION - UNLIGHTED	CHARACTER CPICK ONLY ONE (1) 1 2-WAY, STRIPED CENTERLINE 2 2-WAY, MO STRIPE 3 2-WAY, PAINTED MEDIAN 5 2-WAY, PAINTED MEDIAN 5 2-WAY, CONCRETE BARRIER 6 W 2-WAY, CABLE BARRIER 7 2-WAY, CONCRETE BARRIER 8 2-WAY, CABLE BARRIER 9 1-WAY STREET 25 - ROAD GRADE CHECK ONLY ONE (1) 1 1 EVEL 2 DOWNGRADE 3 UPGRADE 4 HILLCREST 5 DIP 20 ROAD SURFACE CONDITION CHECK ONLY ONE (1) 1 A DRY 2 WET 3 SAND, MUD, DIRT, OIL, GRAVEL 4 SNOW 5 SLUSH	TWO (2) CHOICES PER PERSON MAT 1 2 3 1 0 7 10 NO IMPROPER ACTION 2 0 0 SPEED TOO FAST FOR CO 3 0 0 EXCEEDED LAWFUL SPEEL 4 0 FALLED TO YIELD RIGHT-10 6 0 FAN STOP SIGN 7 0 0 DISREGARDED TRAFFIC SI 6 0 0 MADE IMPROPER TURN 9 0 12 0 PROVE IN OPPOSING TRAFIC 10 0 NOWINGLY OPERATED WINSHING THAI 11 0 0 REQUIRED MOTORCYCLE NOT USED 12 0 PASSED IN NO PASSING 21 13 0 0 UNSAFE LANE CHANGE 14 0 0 FIGH RUMSHE PASSING 15 7 0 1 INATTENTION 16 0 0 DIO NOT USE CROSSWALK 17 0 0 WALKED ON WRONG SIDE 18 0 0 OTHER 19 10 UNKNOWN 19 - VEHICLE CONDITION TWO (2) CHOICES PER PERSON MAN TO THE TOTAL THE TOTA	NOTIONS F.WAY GNAL FIC LANE ITH FAULTY OR SAFETY EQUIPMENT ONE	10 CHANGING LANES 11 SAKING 12 AVOIDING VEHICLE, OBJECT, PREDESTRIAN 13 RESTRICTION 14 CHANGE PARKING POSITION 15 PROPERLY PARKING POSITION 15 PROPERLY PARKED 17 CHANGE MOVING VEHICLE 18 CROSSING ROAD 19 WALKING WITH TRAFFIC 20 WALKING WITH TRAFFIC 21 CHANGE WALKING ACAINST TRAFFIC 22 CHANGE ON OR OFF VEHICLE 23 WORKING ON OR OFF VEHICLE 24 WORKING ON OR OFF VEHICLE 25 WORKING ON OR OFF VEHICLE 27 WORKING ON OR OFF VEHICLE 28 WORKING ON OR OFF VEHICLE 29 WORKING ON OR OFF VEHICLE 21 WORKING ON OR OFF VEHICLE 22 WORKING ON OR OFF VEHICLE 23 WORKING ON OR OFF VEHICLE 24 WORKING ON OR OFF VEHICLE 25 WORKING ON OR OFF VEHICLE 26 WORKING ON OR OFF VEHICLE 27 WORKING ON OR OFF VEHICLE 28 WORKING ON OR OFF VEHICLE 29 WORKING ON OR OFF VEHICLE 21 WORKING ON OR OFF VEHICLE 21 WORKING ON OR OFF VEHICLE 22 WORKING ON OR OFF VEHICLE 24 WORKING ON OR OFF VEHICLE 26 WORKING ON OR OFF VEHICLE 27 WORKING ON OR OFF VEHICLE 28 WORKING ON OR OFF VEHICLE 29 WORKING ON OR OFF VEHICLE 20 WORKING ON OR OFF VEHICLE 21 WORKING ON OR OFF VEHICLE 21 WORKING ON OR OFF VEHICLE 22 WORKING ON OR OFF VEHICLE 24 WORKING ON OR OFF VEHICLE 26 WORKING ON OR OFF VEHICLE 27 WORKING ON OR OFF VEHICLE 28 WORKING ON OR OFF VEHICLE 31 WORKING ON OR OFF VEHICLE 31 WORKING ON OR OFF VEHICLE 32 WORKING ON OR OFF VEHICLE 33 WORKING ON OR OFF VEHICLE 34 WORKING ON OR OFF VEHICLE 35 WORKING ON OR OFF VEHICLE 36 WORKING ON OR OFF VEHICLE 37 WORKING ON OR OFF VEHICLE 38 WORKING ON OR OFF VEHICLE 39 WORKING ON OR OFF VEHICLE 30 WORKING ON OR OFF VEHICLE 31 WORKING ON OR OFF VEHICLE 32 WORKING ON OR OFF VEHICLE 32 WORKING ON OR OFF VEHICLE 33 WORKING ON OR OFF VEHICLE 34 WORKING ON OR OFF VEHICLE 35
16 - LIGHT CONDITION CHECK ONLY ONE (1) 1	CHECK ONLY ONE (1) 1 SCHOOL CROSSING 2 PEDESTRIAN CROSSWALK (STRIPPED) 3 PEDESTRIAN CROSSWALK (NO STRIPPING) 4 BRIDGE 5 TUNNEL 6 R CROSSING 7 GORE AREA 8 GIRLE MAIII 9 2 2 MAY LEFT TURN LANE 22 - LINUSUAL ROAD CONDITION CHECK ONLY ONE (1) 1 UNDER CONSTRUCTION, NO TRAFFIC ALLOWED 3 UNDER REPAIRS 4 HOLES, RUTS, BUMPS 5 GOSTRUCTION - 6 PROTECTED OBSTRUCTION - 7 UNRPROTECTED OBSTRUCTION - UNLIGHTED 8 A NIGHT	GHARACTER CHICK ONLY ONE (1) 1 2-WAY, STRIPED CENTERLINE 2 2-WAY, NO STRIPE 3 2-WAY, PAINIED MEDIAN 5 2-WAY, PAINIED MEDIAN 5 2-WAY, CONCRETE BARRIER 6 2-WAY, CABLE BARRIER 7 2-WAY, CABLE BARRIER 8 2-WAY, EXTENDIED MEDIAN 8 2-WAY, EXTENDIED MEDIAN 9 1-WAY STREET 25 - ROAD GRADE CHECK ONLY ONE (1) 1 1 EVEL 2 DOWNGRADE 3 1 UPGRADE 4 1 HILLCREST 5 DIP 26 - ROAD SURFACE CONDITION CHECK ONLY ONE (1) 1 DY DRY 2 WET 3 AND, MUD, DIRT, OIL, GRAVEL 4 SNOW	1	NOTIONS F.WAY GNAL FIC LANE ITH FAULTY OR SAFETY EQUIPMENT ONE	10 CHANGING LANES 11 CHANGING VEHICLE, OBJECT, PEDESTRIAN 13 CHANGING VEHICLE, OBJECT, PEDESTRIAN 13 CHANGING POSITION 14 CHANGING PARKING POSITION 15 CHANGING PARKING POSITION 15 CHANGING PARKING POSITION 15 CHANGING PARKING POSITION 16 CHANGING PARKING POSITION 17 CHANGING PARKING POSITION 18 CHANGING PARKING POSITION 19 CHANGING WITH TRAFFIC 20 CHANGING WITH TRAFFIC 21 CHANGING WITH TRAFFIC 22 CHANGING ON OR OFF VEHICLE 23 CHANGING ON OR PUSHING VEHICLE 24 CHANGING ON OR PUSHING VEHICLE 25 CHANGING ON OR PUSHING VEHICLE 26 CHANGING ON OR PUSHING VEHICLE 27 CHANGING ON OR PUSHING VEHICLE 28 CHANGING ON OR PUSHICLE 29 CHANGING VEHICLE 30 CHANGING VEHICLE 31 CHANGING VEHICLE 32 CHANGING VEHICLE 33 CHANGING VEHICLE 34 CHANGING VEHICLE 35 CHANGING VEHICLE 36 CHANGING VEHICLE 37 CHANGING VEHICLE 38 CHANGING VEHICLE 39 CHANGING ON VEHICLE 30 CHANGING ON VEHICLE 31 CHANGING ON VEHICLE 32 CHANGING ON VEHICLE 31 CHANGING ON VEHICLE 32 CHANGING ON VEHICLE 33 CHANGING ON VEHICLE 34 CHANGING ON VEHICLE 35 CHANGING ON VEHICLE 35 CHANGING ON VEHICLE 36 CHANGING ON VEHICLE 37 CHANGING ON VEHICLE 38 CHANGING ON VEHICLE 31 CHANGING ON VEHICLE
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16 - LIGHT CONDITION CHECK ONLY ONE (1) 1	CHECK ONLY ONE (1) 1 SCHOOL CROSSING 2 PEDESTRIAN CROSSWALK (STRIPPED) 3 PEDESTRIAN CROSSWALK (NO STRIPPING) 4 BRIDGE 5 TUNNEL 6 RR CROSSING 7 GORE AREA 8 UIKE WAITI 9 2 YMNY LEFT TURN LANE 22 - UNUSUAL ROAD CONDITION CHECK ONLY ONE (1) 1 UNDER CONSTRUCTION, NO TRAFFIC ALLOWED 2 UNDER CENSI RUCTION, NO TRAFFIC ALLOWED 3 UNDER REPAIRS 4 GOSTRUCTION - 6 PROTECTED OBSTRUCTION - 7 URPROTECTED OBSTRUCTION - 7 UNPROTECTED OBSTRUCTION - 9 DEFECTIVE SHOULDERS 10 CHANGING ROAD WIDTH WATER (STANDING OR	CHARACTER CHICK ONLY ONE (1) 1 2-WAY, STRIPED CENTERLINE 2 2-WAY, MO STRIPE 3 2-WAY, PAINTED MEDIAN 5 2-WAY, PAINTED MEDIAN 5 2-WAY, CONCRETE BARRIER 6 W 2-WAY, CABLE BARRIER 7 2-WAY, CONCRETE BARRIER 8 2-WAY, CABLE BARRIER 9 1-WAY STREET 25 - ROAD GRADE CHECK ONLY ONE (1) 1 1 EVEL 2 DOWNGRADE 3 1 UPGRADE 4 HILLCREST 5 DIP 26 - ROAD SURFACE CONDITION CHECK ONLY ONE (1) 1 A DRY 2 WET 3 SAND, MUD, DIRT, OIL, GRAVEL 4 SNOW 5 SLUSH 6 ICE 7 0 OTHER 8 UNIKNOWN	1	NOTIONS F.WAY GNAL FIC LANE ITH FAULTY OR SAFETY EQUIPMENT ONE	10 CHANGING LANES 11 CHANGING VEHICLE, OBJECT, PEDESTRIAN 13 CHANGING VEHICLE, OBJECT, PEDESTRIAN 13 CHANGING POSITION 14 CHANGING PARKING POSITION 15 CHANGING PARKING POSITION 15 CHANGING PARKING POSITION 15 CHANGING PARKING POSITION 16 CHANGING PARKING POSITION 17 CHANGING PARKING POSITION 18 CHANGING PARKING POSITION 19 CHANGING WITH TRAFFIC 20 CHANGING WITH TRAFFIC 21 CHANGING WITH TRAFFIC 22 CHANGING ON OR OFF VEHICLE 23 CHANGING ON OR PUSHING VEHICLE 24 CHANGING ON OR PUSHING VEHICLE 25 CHANGING ON OR PUSHING VEHICLE 26 CHANGING ON OR PUSHING VEHICLE 27 CHANGING ON OR PUSHING VEHICLE 28 CHANGING ON OR PUSHICLE 29 CHANGING VEHICLE 30 CHANGING VEHICLE 31 CHANGING VEHICLE 32 CHANGING VEHICLE 33 CHANGING VEHICLE 34 CHANGING VEHICLE 35 CHANGING VEHICLE 36 CHANGING VEHICLE 37 CHANGING VEHICLE 38 CHANGING VEHICLE 39 CHANGING ON VEHICLE 30 CHANGING ON VEHICLE 31 CHANGING ON VEHICLE 32 CHANGING ON VEHICLE 31 CHANGING ON VEHICLE 32 CHANGING ON VEHICLE 33 CHANGING ON VEHICLE 34 CHANGING ON VEHICLE 35 CHANGING ON VEHICLE 35 CHANGING ON VEHICLE 36 CHANGING ON VEHICLE 37 CHANGING ON VEHICLE 38 CHANGING ON VEHICLE 31 CHANGING ON VEHICLE
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206.5 15TH AVE. FIR IERUX, ARIZUNA \$5007-0233 MONTH DAY HOUR SCIC OFFICER'S ID.NO. AGENCY REPORT NUMBER 0 4 0 5 3 2 9 7 9 7 2004-003998 4 2 2 ACCIDENT DESCRIPTION (NARRATIVE)

SYNOPSIS: This is a 5-vehicle collision with one fatal injury, which occurred on January 15th, 2004, at approximately 1329 hours on State Route 101 at milepost 154.8.

NARRATIVE: On January 15th, 2004 at approximately 1400 hours I was advised of a 5-vehicle collision with one fatality in the area of S.R. 101 in the area of Southern Avc. I immediately responded from the Arizona Department of Public Safety Vehicle Crimes Office.

Upon arrival I noted that the southbound lanes of S.R. 101 were closed. Southbound traffic was being diverted off the freeway at Southern, by Arizona Department of Transportation personnel. I observed numerous emergency vehicles parked in the median and in the south bound lanes. I noted in the left #1 lane was a gold Honda with the left side tom away pointing to the northwest. I also observed a Jeep Liberty parked in the #3 lane that was completely burned. It was parked pointing to the east. There was a black Mustang parked on the right dirt shoulder this had front end damage pointing to the south. There was a white Toyota pointing to the west with front and rear end damage. This vehicle had also been burned. There was also a Plymouth van parked in the number 3 lane with front-end damage. There were skid marks that began on the right shoulder of the north bound lanes of S.R. 101, the marks proceed across all 3 northbound lanes into the dirt median through the cable barrier and into the southbound right lane. At this point there were numerous scrapes and the skid marks that are redirected which indicates the area of impact.

I met with Arizona Department of Public Safety Sergeant D. Coleman #4582. Sergeant Coleman advised me that I would take disposition of the investigation. Sergeant Coleman advised me that Arizona Department of Public Safety Officer R. Weeks #4955 would map out the evidence points in the scene utilizing the Global Positioning System. The Sergeant told me that he would get Sergeant R. Black to make next of kin notification for me.

LOCATION: At the location of the collision, State route 101 is a north south roadway with 3 north bound lanes and 3 south bound lanes divided by a depressed dirt median with a protective cable barrier in the middle of the median. The roadway is made of concrete and was in good repair with no visible defects. The posted speed limit at this location is 55 M.P.H. The weather was clear and partly cloudy.

VEHICLE IN	FORMATION: Vehicle #1 was a 2	2000 Honda 4-door.	It has an Arizona registration plate
of P.	The Vehicle Identification Number	r is JHMCG5653YC	The registered owner was
the driver	of Chandler, V	ehicle #1 sustained	lotal damage from impact with
vehicle #2 and	going through the cable barrier. I	It was towed and stor	ed by Cactus Towing.

Vehicle #2 was a 2004 Jeep Liberty. It had an Arizona Registration plate of C. The Vehicle Identification Number is 1J4GK48KX4W It is registered to the driver of Phoenix. Vehicle #2 sustained total fire damage. It was towed and stored by Cactus Towing.

Officer Name	11) No.	Supervisor Name	Date
F. Mueller	4722	Sgt. D. Coleman #458212-005-	Chryslet)-bc/2866)4

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	ACCIDENT DESCRIPTION (NARRATIVE)	
identification Number is Vehicle #3 sustained dam	2 Toyota 2-door. It has an Arizona registration plate IT2MA67L6C00 It has an Arizona registration plate large to both the front end and back end as well as fired stored by Cactus Towing.	of Tempe
Vehicle #4 is silver 1993 identification number is 2 towed and stored by Cact	P4GH2535PR	The vehicle to the front end. It was
identification number is 1	6 Ford Mustang. It has a California registration plate FALP4048TF . It is registered to contact the contact of the contact that the contact is a second contact to the contact that the contact is a second contact that the contact that t	of Burbank, Ca.
as she was pronounced dead by Maricopa Medical Cer Scrgeant R. Black #4670	N: The driver of vehicle #1 was identified by a valid of Chandler was transported to Mari by Dr. Goodman at 1351 hours. The next of kin was transported to Mari by Dr. Goodman at 1351 hours. The next of kin was not physician Dr. Allgaier at 1745 hours. Arizona Deconducted follow-up with the family at M.M.C. For a refer to his supplement included in this document.	icopa Medical Center were is made to family members repartment of Public Safety
Phoenix. s was released for burns to his hadvised me that he was so so fast that he could not take was also struck from b	outh bound when he saw the vehicle fly over the mediake any evasive action was concerned a	he phone
injured and refused medic Department of public Safe		empe. swas not statement to Arizona statement refer to
Mesa. was tra her neck and back. Arizo	vas identified by a valid Arizona registration as ansported to Desert Samaritan where she was treated and Department of public Safety Officer D. Hannigan ation refer to his supplement included in this document.	interviewed her at the
The driver of vehicle #5 w	vas identified at the scene by a valid California driver	

Officer Name	10 No.	Supervisor Name	Paic
F. Mueller	4722	Sgt. D. Coleman #45802-00	

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					AC.	CI	DE		DI			PT	101	١					

saw the car (vehicle #1) cross the median and strike the Jeep. For more on statement refer to Officer Allen's supplemental report. PASSENGER INFORMATION: There were no passengers in vehicle's #1 or #2. The passenger in vehicle #3 was identified as gave a written and verbal statement to Officer Allen. Refer to Officer Allen's supplement for statement. The passengers in vehicle #4 were identified as was transported to Desert Samaritan were she was observed for complications with her pregnancy. Officer Hannigan was unable to obtain a statement from her is years old so Officer Hannigan did not get a statement from her. She was uninjured in the collision. The passenger in vehicle #5 was identified as She was uninjured and refused medical treatment at the scene. She gave a written and verbal interview to Officer Allen who supplemented this document. WITNESS INFORMATION: There were numerous witnesses that were traveling South bound. They all indicated that they saw vehicle #1 sliding through the cable barrier and strike vehicle #2. Officer Allen interviewed these witnesses. For more information on their statements refer to Officer Allens supplement included in this document. The only person that was traveling northbound that stopped was on February 4th, 2004 at 1600 hours. . I spoke with I stated that he was traveling north in the far left lane (#1). He said he had to brake hard to avoid hitting the vehicle in front of him. He said the gold car (vehicle #1) just went flying across all three north bound lanes. I asked him if he saw the vehicle before this action he said no. I asked how fast he was going. He said he was going with the flow of traffic, which was moving a little faster than the speed limit. I asked him if there were any obstructions such as a dog or broken down vehicle in the right lanes or on the shoulder. He said no, that he did not see any reason for the vehicle to take any type of evasive action. He said it did not come from behind him the action started in front of him. I asked him he thought that the vehicle could have been bumped by another vehicle. He said that he did not think so. He did not see any thing that would make him think the driver of the vehicle was running from anything.

EVIDENCE AND INVESTIGATION: Evidence at the scene indicated that vehicle #1 was north bound when for an unknown reason it started leaving tire marks in the right emergency parking shoulder. The vehicle left marks going across all 3 northbound lanes of traffic; it was rotating in a counter clockwise manner when it went into the dirt median, which divides the north and southbound lanes. Vehicle one was sliding in a northwesterly direction this is apparent by the direction of the skid marks into the median. When vehicle one hit the cable barrier posts, it pushed them to the northwest. This broke-the D-bolts securing the cable to the posts. Vehicle number one was able to go under the cable barrier then. This was apparent from the marks on the roof of vehicle #1. After going through the median, vehicle #1 came on to the southbound #1 lane where it was struck on the drivers side by vehicle #2. Vehicle #1

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F. Mueller	4722	Sgt. D. Coleman #45832-00	5_ ChryslerOdne 8904

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was redirected to its final resting place in the #1 lane.

After impact with vehicle #1, vehicle #2 was struck in the back by vehicle #3. When this happened vehicle #2 caught fire as did vehicle #3. Vehicle's 2 and 3 continued southbound before separating after impact from vehicle #4. Vehicle #2 came to rest pointing to the northeast in the #4 lane. Vehicle #3 came to rest on the emergency shoulder pointing to the west. Vehicle #4 came to rest in the #3 lane pointing to the south. Vehicle #5 struck vehicle #4 in the back then went off the west side of the south bound lanes onto the dirt shoulder.

On Tuesday January 20th, 2004, I went Cactus Towing's holding lot to inspect vehicle #1. I was escorted to the vehicle by a Cactus employee. I took the air pressure in the tires, on the left side. The pressure was 21 pounds in each tire. The right side tires were flat from siding sideways. I was unable to determine if there was any tire failure. The tires were a matched set of Michelins. The size was 195/65R15. I spoke with the victim's son the left side in the record of the side was 195/65R15. I spoke with the victim's son the left side. The lines were a matched set of Michelins. The size was 195/65R15. I spoke with the victim's son the left side in the left side. The pressure was 195/65R15. I spoke with the victim's son the left side was unable to determine if there was any tire failure. The tires were a matched set of Michelins. The size was 195/65R15. I spoke with the victim's son the left side was unable to determine if there was any tire failure. The tires were a matched set of Michelins. The size was 195/65R15. I spoke with the victim's son the left side was unable to determine if there was any tire failure. The tires were a matched set of Michelins. The size was 195/65R15. I spoke with the victim's son the left side was unable to determine if there was any tire failure. The tires were a matched set of Michelins. The size was 195/65R15. I spoke with the victim's son the left side was unable to determine if there was any tire failure.

OPINION: It is my opinion that the driver of vehicle #1 had a momentary lapse of attention. This would explain why vehicle #1 started leaving marks on the shoulder. She drifted on to the shoulder and then over corrected to the left, this caused her to loss control and begin to slide sideways.

Toxicological exam was made by the Medical Examiners Office. When I get these results I will supplement this document. Speed analysis was not done it did not appear that speed was a factor in this collision.

Officer Name	ID No.	Supervisor Name	Date
F. Mueller	4722	Sgt. D. Coleman #45802-00	05- Chrysler()002(63(14

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6	7 RESTRAINT FAILUR	3 20 RE/IMPROPER	8 SUPPLEMENT. ACCIDENT F PERSONS IN PASSING MC POLICE RESIDENT B	AL DATA IRST REPORT BY NOLVED DTORIST	AMBULANCE 13 30 CHECK ONE IN EACH DRIVEN FAMILIA YES NO UNKNOWN ROAD ALIG	DEPARTED HIGA LEGIORY ARIWITH LOGALE
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6	7 RESTRAINT FAILUR RESTRAINT ENTER SEAT POSITION NONE FAILED LAP FAILED	3 20 RE/IMPROPER	8 SUPPLEMENT. ACCIDENT E PERSONS IN PASSING MC POLICE RESIDENT B OTHER NOT EJECTE COMPLETE	AL DATA IRST REPORT BY VOLVED DYORIST YS LANDER EJECTED	AMBULANCE 13 30 CHECK ONE IN EACH DRIVEN FAMILIA YES NO UNKNOWN ROAD ALIG SIRAIGHT KOA CURVED UNKNOWN VEHICLE TE	DEPARTED: H GA LEGORY AR WITH LOCALS
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MARK DAMAGED AREA(S) OF VICTIM'S VEHICLE LUP LUP LUNDERCARRIAGE NUNE	RESTRAINT FAILUR RESTRAINT ENTER SEAT POSITION NONE FAILED LAP FAILED SHOULDER FAILED BOTH FAILED CHILD RESTRAINT AIR BAG NOT DEPLOYED PASSIVE SYSTEM UNKNOWN RESTRAINT PROPERLY USED CHILD RESTRAINT	3 20 RE/IMPROPER	B SUPPLEMENT. ACCIDENT F PERSONS IN PASSING MC POLICE RESIDENT B OTHER NOT CJECTE COMPLETE PARTIAL UNKNOWN STERMAN BY PASSERE OTHER ACCIDENT BY PASSERE OTHER ACCIDENT UNKNOWN TERRAM RURAL UNKNOWN TERRAM PURAL UNKNOWN TERRAM VETIME PASSERE OTHER ACCIDENT VETIME NOUNTAINO PRUG SI YES YES TYPE PENDIN	AL DATA IRST REPORT BY VOLVED DYCKIST YS I ANDER EDECTED EXTRICATION RED NCE ATTENDANT PARTMENT RY NT LOCALE N TYPE OUS CREEN TAKEN	AMBULANCE 13 30 CHECK ONE IN EACH DRIVEN FAMILY YES NO UNKNOWN ROAD ALIG STRAIGHT FOA CURVE UNKNOWN VEHICLE TH AUTOMATIC MANUAL UNKNOWN LICENSE RI YES NO UNKNOWN BLOOD ALG YES TYPE Pendiny RESULT NO	DEPARTED HIGH LEGORY AR WITH LOCALE NAMENT D RANSMISSION CE WITH DRIVER STRICTIONS

ARIZONA TRAFFIC ACCIDENT REPORT SUPPLEMENT

FORWARD COPY TO: ACCIDENT ANALYSIS UNIT 064R ARIZONA DEPARTMENT OF TRANSPORTATION 206 S. 17TH. AVE., PHOENIX, AZ 85007-3233

Agency Report Number: 2004-003998

YEAR/MO/DAY	HOUR	NCIC NO.	OFFICER'S ID NO
2004/01/15	1320	0799	4722

On January 15, 2004 at 1520 hours, I responded to a multiple vehicle collision on State Route 101 southbound south of Southern. It was also reported that four of the vehicles were on fire. Larrived on scene at approximately 1327 hours and observed the southbound lanes to be completely blocked by vehicles and debris.

Fire was in the process of extinguishing the vehicles that were on fire. I contacted Sergeant, P. Drake #9829; Sgt. Drake asked me to assist with witness statements. Sgt. R. Black #4670 arrived on scene at approximately 1330 hours. Sgt. Black assigned me to do followup at Maricopa Medical Center (MMC) for the critically injured driver,

While in route to MMC₂I received a MDT message from Opcomm indicating the driver had expired at the hospital. I contacted social worker, Mindy Bruce, and assisted her with attempting to locate next of kin. While I was at MMC₂ we were unsuccessful in locating any next of kin.

I then left the hospital and met Sgt. Black to try to locate any family members. Myself and Sgt. Black went to the home of the locate was no answer. We then spoke to a next door neighbor; she indicated that sister is a teacher at Eric Elementary School. At the school, we contacted a counselor who provided us with an address and phone number of the sister.

After the two different attempts to contact the sister at her residence were unsuccessful, we went to the place of employment for the state of state of the Mile at the Target at Chandler Fashion Mall, we contacted the onduty manager. He informed us that the was not scheduled today. Co-workers at Target indicated that worked at a Bead Shop inside the mall.

We contacted the information desk inside the mall; they is directed the location of store that might work at. We contacted a co-worker at the bead store; she indicated that had been at work but left work to go to the hospital to see her mother. I then contacted the social worker Ms. Bruce by phone; she stated that most of the family was at the hospital. Ms. Bruce also asked us to come to the hospital to speak with the family.

Sgt. Black explained the collision to the family by what he had observed at the scene. I obtained information from the hospital to fill out a yellow tag.

was pronounced deceased by Dr. Goodman at MMC at 1351 hours. The next of kin notification was made to the family by Dr. Allgaier at MMC at 1745 hours.

I then sent an MDT message to Opcomm with the re-log information. This ended my participation in this case.

OFFICER J. BROOKS #5691

802-01036 New 01/97 EA12-005- Chrysler -006165 SUPPLEMENT
FORWARD COPY TO
ACCIDENT RECORDS ANALYSIS UNIT GAIR
ARIZONA DEPARTMENT OF TRANSPORTATION
206 S 17th AVE., PHOENIX, ARIZONA 6500/3233

2004-003998

Agency Report Number

ACCIDENT DESCRIPTION

(NARRATIVE)

NARRATIVE:

On 1/15/2004 at approximately 1330 hours, I responded to a report of a collision on SR-101 at Southern Ave. The initial reports were that the collision was a serious injury accident, and that there were vehicles burning. When I arrived on scene, there was a temporary closure of all three lanes of southbound SR-101 and traffic was being diverted to US-60. I assisted with establishing the closure, staffing of the closure and directing traffic. I interacted with two parents of some youngsters that were involved. I was approximately 700 feet from the actual collision scene. When ADOT took over the closure and I went to the scene to assist.

At the scene, I completed the vehicle inventories for a Black Ford Mustang and a white Toyota Supra.

D. C. D'Oyen #4864

AZ-DPS

ARIZONA TRAFFIC ACCIDENT REPORT SUPPLEMENT

FORWARD COPY TO
ACCIDENT RECORDS ANALYSIS LINIT 064R
ARIZONA DEPARTMENT OF TRANSPORTATION
206 S. 17th AVE., PHOENIX, ARIZONA 85007-3233

	REPORT ID Agency Report Number
YEAR MONTH DAY	HOUR NCIC NO. OFFICERS ID NO.
740115	13200799047222004-003998

ACCIDENT DESCRIPTION (Narrative)

On 1-15-04 at approximately 1320 hours, I responded to serious injury accident on Loop 101 near the Southern Avenue overpass. When I arrived (at 1333 hours), ICS had already been established by Sergeant Drake. I assisted Sergeant Drake with running command. At the request of our PIO, I briefed the media on the preliminary observations of how the collision occurred. At approximately 1536 hours, I left the scene and teamed up with Officer J. Brooks for NOK notification. There was no one home at the deceased's residence. Through one of her neighbors, we located a place of business of the deceased's sister. From there, we located the sister's residence; however, she was not at home. We then checked for the deceased's daughter where she works after school. Her boss directed us to a second place the daughter works. Once we arrived there, we were informed by one of her co-workers that she (the daughter) had been notified that her mother had been in an accident and therefore was en route to the hospital. Radio Dispatch then notified us that NOK had been accomplished at the hospital, but that the family still wished to speak to us. I and Officer Brooks proceeded to MCC and met with the deceased's family. That concludes my involvement in this case.

R. L. Black, Sergeant #4670 E-Metro Squad 4 Supervisor

EA12-005- Chrysler -006167

ARIZONA DEPARTMENT OF PUBLIC SAFETY **CONTINUATION / SUPPLEMENTAL REPORT**

DR NUMBER (Required Field)

2004-003998

responded f established asked to rel	rom Center a closure ar ieve Officer	pproximately 1320 hours. Opcome Drive on S.R. 202. I arrived and vad was replaced by two additional to Ketron 4253, who was maintainin was terminated.	vas r <mark>eq</mark> ueste inits. Tarriv	d to divert all sout ed on scene at app	thbound S.R. 101 traffic to the U. Sproximately 1328 hours. At 1422 I	5. 60. T nours, I was
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PENDING		OFFICER NAME	BADGE NO.	LOCATION CODE	SUPERVISOR NAME	DATE
CLOSED BY:	OTHER	C. MARTIN	5676	22300400	R. BLACK 4670	168 01/2 <u>2/2</u> 004

COPIES TO: DEPT. RECORDS; PROSECUTOR; WORKING COPY

DPS 802-04087 Rev. 4/2000

SUPPLEMENT FORWARD COPY TO	YE	YEAR MONTH DAY			HOUR		SCIC		OFFICER'S ID.NO.		`[AGENCY REPORT NUMBER										
CONWARDA OPTION ACCIDENT RECORDS ANALOSIS UNIT 6449 ARIZONA DEPARTMENT OF TRANSPORTATION JIGS 17 TH AVE. PEDENCE ARIZONA \$7007-3233	0	4	0	ı	l	5]	2	3	0	0	7	9	9	0	4	7	2 2		200	4-00399	8
ACCIDENT DESCRIPTION (NARRATIVE)																						

This is a supplemental report to DR#2004-003998 involving a five vehicle collision which resulted in one fatality that occurred on January 15, 2004 at approximately 1230 hours on SR-101 at milepost 54.8.

On January 15, 2004 at 1330 hours, Arizona Department of Public Safety (DPS) Vehicular Crimes Unit (VCU) Officer R.T. Stephenson #3681 received a phone call from the DPS Duty office and was requested to respond to SR-101 southbound at milepost 54.8.

Officer Stephenson responded to the scene on SR-101 southbound at milepost 54.8. Upon Officer Stephenson's arrival he observed that Arizona Department of Transportation (ADOT) had closed southbound 101 and had traffic exiting off at Southern. South of the road closer Officer Stephenson observed five damaged vehicles blocking the southbound 101 in which three of the vehicles had caught on fire. There were numerous DPS vehicles and several Tempe Fire Department fire trucks parked at the scene.

DPS Sgt. Coleman #4582 assigned Officer Stephenson with marking the visible skid and scuff marks with colored cones from the vehicles involved and fill out DPS Vehicle Removal sheets for the tow trucks. Officer Stephenson placed one color of cone for each vehicle that left a mark on the roadway so that it could be photographed and measured. Officer Stephenson filled out DPS Vehicle Removal forms on traffic unit one the gold colored Honda and a blue Plymouth Voyager.

This concludes Officer Stephenson's involvement with this case

Officer Name	ID No.	Supervisor Name	Date
R.T. Stephenson	3681	D. Coleman EA12-005- C	hrysler-996169

SUPPLEATENT PARKED COPTO ACCIDENT ECONDS ANALYSIS UNIT 064R ARIZONA DEPARTMENT OF TRANSPORTATION 2005 17" AVE. PIOLINIX. ARIZONA COMID-1215

ACCIDENT DESCRIPTION (NARRATIVE)

NARRATIVE:

On January 15, 2004 at approximately 1400 hours, I responded to a five vehicle fatal collision southbound on State Route 101 at approximately milepost 54, near the Southern Av. overpass.

I arrived on the scene, the southbound lanes of State Route 101 were closed and traffic was being detoured off onto United States Route 60 by the Arizona Department of Transportation.

I was assigned to measure the scene using a Trimble Global Positioning System (GPS). I later downloaded the measurements from the data collector and prepared a scale diagram. (See attached)

No Further Involvement.

Officer Name	1D No.	Supervisor Name	Date
R.A.Weeks	4955	Sergeam J. King, #3778	02/10/2004 Chrysler-006170

Page 1 of 1

SUPPLEMENT

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ACCRIENT RECORDS ANALYSIS UNIT OGIR

ARIZUNA DEPARACENT OF TRANSPORTATION

206. S. 17th AVE., PROENIX, ARIZONA ASSID 3223

YEAR MONTH DAY	HOUR	NCIC	OFFICER'S	AGENCY REPORT NUMBER
2004/01/15	1320	0799	04722	2004-003998

ACCIDENT DESCRIPTION (NARRATIVE)

Name	Northing	Easting	Elevation	Feature Code
1	0.000	0.000	999.998	DPS Base
2	0.000	0.000	999,998	DPS Base
3	-436.333	130.167	1011.177	Tire Friction Markl
1	-436.300	130.189	1011.179	Tire Friction Mark2
5	-417.987	132.046	1010.706	Tire Friction Mark1
6	-417.536	130.969	1010.689	Tire Friction Mark2
T	-398.550	131.370	1010.276	Tire Friction Mark2
8	-399.448	133.503	1010.221	Tire Friction Mark
9	-378.154	133.639	1009.744	Tire Friction Mark1
3 ()	-378.010	130.935	1009.793	Tire Friction Mark2
11	-358.471	129.405	1009.373	Tire Friction Mark2
12	-357.194	133.028	1009.264	Tire Friction Marki
1.3	-337.390	131.727	1008.846	Tire Friction Markl
14	-337.540	126.978	1008.928	Tire Friction Mark2
15	-319.713	129.568	1003.444	Tire Friction Markl
16	-304.342	126.850	1003.130	Tire Friction Markl
17	-283.894	122.219	1007.741	Tire Friction Mark1
13	-260.056	115.162	1007.329	Tire Friction Markl
19	-241.757	108.652	1007-034	Tire Friction Marki
20	-228.644	103.233	1006.823	Tire Friction Mark1
21	-213.538	96.302	1006.576	Tire Friction Marki
22	-200.830	90.044	1006.412	Tire Friction Marki
2.3	-185.861	82.303	1005.353	Tire Friction Mark1
24	-175.792	76.654	1004.810	Tire Friction Markl
25	-162.213	68.215	1004.307	Tire Priction Mark
26	-158.070	65.396	1004.830	Tire Friction Mark1
27	-511.300	146.502	1012.790	Light Pole # 8709B
28	-514.709	137.158	1013.167	Edge of Pavementl
29	-515.622	126.286	1013.126	Lane Line Solid2
30	-385.202	129.075	1009.999	Tire Friction Mark3
31	-368.899	129.150	1009.596	Tire Friction Mark3
32	-348.200	128.535	1009.162	Tire Friction Mark3
33	-327.182	126.830	1008.665	Tire Friction Mark3
34	-316.012	122.886	1008.463	Tire Friction Mark2
35	-291.582	117.078	1008.018	Tire Friction Mark2
36	-267.393	109.551	1007.602	Tire Friction Mark2
37	-248.888	102.460	1007.307	Tire Friction Mark2
38	-231.234	94.868	1007.029	Tire Friction Mark2
39	-214.520	86.919	1006.638	Tire Friction Mark2
40	-200.429	30.261	1005.772	Tire Friction Mark2
4 1	-185.407	72.366	1004.697	Tire Friction Mark2
12	-175.343	66.337	1004.199	Tire Friction Mark2
43	-163.154	58.155	1004.784	Tire Friction Mark2
44	-155.205	54.197	1005.020	Tire Friction Mark2
4.5	-294.094	121.582	1008.046	Tire Friction Mark3
46	-270.474	116.119	1007.624	Tire Priction Mark3
47	-246.674	108.783	1007.201	Tire Friction MarkB
48	-229.981	102.410	1006.928	Tire Friction Mark3
4 9	-211.270	94.296	1006.651	Tire Friction Mark3
50	-187.026	81.836	1005.759	Tire Friction Mark3
51	-177.024	75.726	1004.811	Tire Friction Mark3
52	-303.225	116.529	1008.335	Tire Friction Mark4

Officer Name	ID No.	Supervisor Name	Date
R.A.Weeks	4955	Sergeant J. King, #3778	02/10/2004 Chrysler-006171

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SUPPLEMENT
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ANIZUNA DEPARTMENT OF TRANSPORTATION
206 S. 17²⁰ AVE., PIOENIX, ARIZONA 85007-3215

YEAR MONTH DAY	HOUR	NCIC	OFFICER'S	AGENCY REPORT NUMBER
2004/01/15	1320	0799	04722	2004-003998

ACCIDENT DESCRIPTION (NARRATIVE)

53					
55	53	-278.350	109.895	1007.895	Tire Friction Manks
56	54				
Section					Tire Friction Mark4
Time					Tire Friction Mark4
Time Friction Marks					Tire Friction Mark4
Time					Tire Friction Mark4
169			67.959	1004.317	Tire Priction Mark4
60 -157, 460 52.258 1005.196 Tire Friction Mark4 61 -147.370 45.149 1005.132 Tire Friction Mark4 62 -510.678 81.350 1013.430 Edge of Favement6 63 -511.368 89.233 1013.774 Lane Line Solid5 64 -511.69c 102.059 1013.495 Lane Line Dashed4 65 -512.165 114.085 1013.248 Lane Line Dashed4 66 -506.026 66.941 1011.704 Median Cable Barrier7 67 -169.565 68.007 1004.312 Grate 68 -166.150 67.945 1004.307 Grate 69 -166.224 65.758 1004.273 Grate 70 -169.386 65.922 1004.237 Grate 71 -61.100 68.188 998.723 Median Cable Barrier7 72 -96.878 82.381 1003.614 Edge of Favement6 73 -96.628 90.296 1003.976 Lane Line Solid5 74 -233.993 52.776 1006.941 Edge of Pavement8 75 -234.754 44.590 1007.213 Lane Line Solid9 76 -235.717 32.025 1006.974 Lane Line Solid9 77 -237.808 8.992 1006.600 Lane Line Solid9 78 -238.370 -2.303 1006.699 Edge of Pavement12 80 -195.992 -22.567 1007.210 Traffic Control Box 81 -196.143 -17.896 1007.171 Traffic Control Box 82 -187.096 -17.520 1007.271 Traffic Control Box 83 -186.929 -22.261 1007.171 Traffic Control Box 84 -60.696 -29.343 1004.944 Barrier Wall 85 -62.953 -13.253 1002.234 Line Line Solid9 88 51.048 32.609 1000.259 Barrier Wall 89 47.096 3.413 999.877 Lane Line Dashed10 89 47.096 3.413 999.877 Lane Line Solid9 89 47.096 3.413 999.877 Lane Line Dashed10 90 47.633 -2.663 999.932 Edge of Pavement12 91 -5.443 24.466 1001.223 Tire Friction Mark5 95 -114.027 17.654 1003.847 Tire Friction Mark5 96 -147.555 15.442 1004.576 Tire Friction Mark5 97 -146.982 10.334 1004.944 Tire Friction Mark5 97 -146.982 10.334 1004.944 Tire Friction Mark5 98 -116.788 12.389 1000.298 Tire Friction Mark5 99 -79.481 15.143 1002.981 Tire Friction Mark5 90 -79.481 15.143 1002.981 Tire Friction Mark5 90 -79.481 15.143 1002.981 Tire Friction Mark6 90 -79.481 15.143 1002.981 Tire Friction Mark6 90 -79.481 15.143 1002.981 Tire Friction Mark6 101 -16.090 18.781 1001.998 Tire Friction Mark7 103 -112.566 13.990 1003	59	-168.817	60.320	1004.733	
61 -147,370	60	-157.460	52,258		Tire Friation Mark4
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Add					Edge of Favement6
65 -512.165					
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67 -506.026 66.941 1011.704 Median Cable Barrier? 68 -166.150 67.945 1004.307 Grate 69 -166.224 65.758 1004.273 Grate 70 -169.386 65.922 1004.237 Grate 71 61.100 68.188 998.723 Median Cable Barrier? 72 -96.87H 82.381 1003.614 Edge of Pavement6 73 -96.628 90.296 1003.976 Lane Line Solid5 74 -233.993 52.776 1006.941 Edge of Pavement8 75 -234.754 44.590 1007.213 Lane Line Solid5 76 -235.737 32.025 1006.974 Lane Line Dashed10 77 -237.808 8.982 1006.600 Lane Line Solid11 78 -238.370 -2.303 1006.659 Edge of Pavement12 80 -195.992 -22.567 1007.210 Traffic Control Box 81 -196.143 -17.896 1007.191 Traffic Control Box 82 -186.929 -22.251 1007.247 Traffic Control Box 83 -186.929 -22.251 1007.171 Traffic Control Box 84 -80.696 -29.343 1004.944 Barrier Wall 85 -62.953 -13.258 1002.234 Light Pole #8713B 86 52.129 53.409 1000.166 Edge of Pavement8 87 51.391 45.381 1000.494 Lane Line Solid11 88 51.048 32.609 1000.270 Lane Line Solid13 90 47.633 -2.663 99.932 Edge of Pavement8 94 47.096 3.413 999.877 Lane Line Solid13 95 -3443 24.426 1001.423 Tire Friction Mark5 96 -147.555 15.442 1003.252 Tire Friction Mark5 97 -146.962 10.334 1004.444 Tire Friction Mark5 97 -146.962 10.334 1004.444 Tire Friction Mark6 98 -116.788 12.349 1003.378 Tire Friction Mark6 99 -79.481 15.143 1002.399 Tire Friction Mark6 100 -51.195 17.199 1002.329 Tire Friction Mark6 100 -51.256 13.990 1003.713 Tire Friction Mark6 101 -16.090 18.781 1001.598 Tire Friction Mark6 102 -87.221 15.177 1003.148 Tire Friction Mark7 103 -112.566 13.990 1003.713 Tire Friction Mark7 105 -145.036 11.814 1004.441 Tire Friction Mark7				1013.248	Lane Line Dashed3
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91					
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92				1001.423	
93	92	-35.020	23.148	1002.093	Tire Friction Mark5
94	93	-64.188	21.468		Tire Friction Marks
95 -114.027 17.654 1003.847 Tire Friction Mark5 96 -147.555 15.442 1004.576 Tire Friction Mark5 97 -146.962 10.334 1004.444 Tire Friction Mark6 98 -116.788 12.389 1003.784 Tire Friction Mark6 99 -79.481 15.143 1002.981 Tire Friction Mark6 100 -51.195 17.139 1002.329 Tire Friction Mark6 101 -16.090 18.781 1001.598 Tire Friction Mark6 102 -87.221 15.177 1003.148 Tire Friction Mark7 103 -112.566 13.990 1003.713 Tire Friction Mark7 104 -142.695 12.535 1004.363 Tire Friction Mark7 105 -145.036 11.814 1004.441 Tire Friction Mark7	94				Time Friction Marks
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		112.403	7.700	1004.307	Tire uriction Mark7

Officer Name	ID No.	Supervisor Name	Date
R.A.Weeks	4955	Scrgeant J. King, #3778	02/10/2004 Chrysler -006172

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SUPPLEMENT
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AUGUEN PRECORDS ANALYSIS UNIT OF R
ARIZONA DEPARMIENT OF TRANSPORTATION
206 S. 17th Ave., PHORNIX, ARIZONA \$5007-3213

YEAR MONTH DAY	πο υ κ	NCIC	OFFICER'S	AGENCY REPORT NUMBER
2004/01/15	1320	0799	04722	2004-003998

ACCIDENT DESCRIPTION (NARRATIVE)

107 108 109 110 111 112 113 118 119 120 121 122 123 124	-146.668 -142.947 -139.744 -119.450 -98.437 -89.629 -109.371 -127.095 -134.725 -142.985 -132.285 -122.502 -115.598 -121.468 -123.526	5.717 7.055 7.852 8.606 9.571 24.988 23.895 19.274 16.479 12.700 18.416 23.720 26.850 25.288	1004.333 1004.289 1004.216 1003.771 1003.305 1003.423 1003.872 1004.217 1004.301 1004.431 1004.290 1004.180 1004.086	Tire Friction Mark8 Tire Friction Mark9 Tire Friction Mark10 Tire Friction Mark10 Tire Friction Mark10 Gouge Mark Gouge Mark
126	-135.933	26.094 20.902	1004.238 1004.416	Gouge Markl Gouge Markl
127	-118.880	27.696	1004.194	Tire Friction Mark11
128	-104.500	30.751	1003.907	Tire Friction Mark11
129	-89.079	33.181	1003.615	Tire Friction Mark11
130	-75.751	34.583	1003.313	Tire Friction Markll
131	-39.232	36.681	1002.481	Time Friction Mark12
132	-59.947	35.695	1002.946	Tire Friction Mark12
133	-77.257	34.237	1003.327	Tire Friction Mark12
134 135	-89.705 - 99.770	32.711	1003.594	Tire Friction Mark12
136	-111.139	31.119 28.994	1003.797 1004.042	Tire Friction Mark12
137	-73.357	39.477	1003.317	Tire Friction Mark12 Tire Friction Mark13
138	-82.579	38.555	1003.531	Tire Friction Mark13
139	-92.452	37.403	1003.736	Tire Friction Mark13
140	-106.206	35.069	1003.981	Tire Friction Mark13
141	-118.164	32.652	1004.234	Tire Friction Mark13
142	-115.821	34.054	1004.189	Tire Friction Mark1
1.43	-119.911	31.225	1004.251	Tire Priction Markl
144	-126.884	27.628	1004.356	Tire Friction Mark1
145	-133.652	27.013	1004.488	Tire Friction Markl
146	-139.483	27.869	1004.641	Tire Friction Markl
147	-146.230 -116.288	31.539	1004.869	Tire Friction Markl
148 149	-120.624	33.804 34.068	1004.214	Tire Friction Mark2
150	-128.563	35.670	1004.364 1004.580	Tire Friction Mark2
151	-138.095	39.111	1004.380	Tire Friction Mark2 Tire Friction Mark2
152	-144.466	46.335	1005.025	Tire Friction Mark2
153	-143.985	38.817	1004.953	Right Front Vehicle1
154	-156.714	45.539	1005.322	Right Rear Vehicle1
155	-159.920	41.363	1005.375	Left Rear Vehicle!
156	-146.292	34.180	1004.917	Lett Front Vehiclel
157	-161.335	13.651	1004.866	Left Front Vehicle4
158	-147.757	15.665	1004.550	Left Rear Vehicle4
159	-147.042	9.929	1004.448	Right Rear Vehicle4
160 161	-160.834 -158.179	8.722	1004.750	Right Front Vehicle4
162	-162.923	+3.133 -4.407	1004.624 1004.785	Right Front Vehicle3
163	-166.969	9.403	1004.763	Left Front Vehicle3 Left Rear Vehiclc3
164	-162.270	10.779	1004.817	Right Rear Vehicle3

Officer Name	ID No.	Supervisor Name	Date
R.A.Weeks	4955	Sergeant J. King, #3778	02/10/2004 Chrysler -006173

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SUPPLEME	NT YE	AR MONTE	LDAY	HOUR
FORWARD COPY ACCIDINT RECORDS ANALY ACCIDIN DEPARMENT OFTRA JIKOS 17 T AVE , PROGNIN, ARIZ	SIS UNIT 6/4R ANSPORTATION	2004/0	1/15	1320

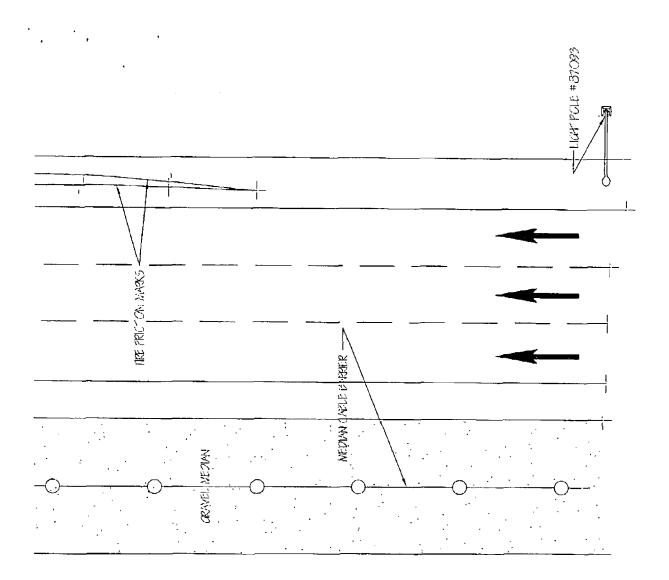
0 NGIG OFFICER'S 10,801 0 0799 04722

AGENCY REPORT NUMBER 2004-003998

ACCIDENT DESCRIPTION (NARRATIVE)

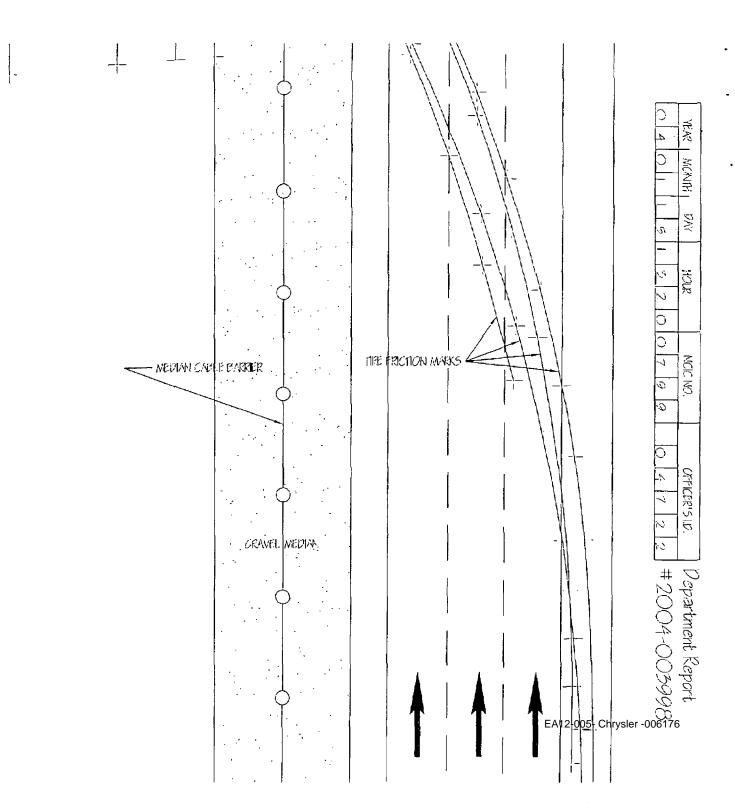
165	-200.358	7.681	1005.682	Right Rear Vehicle2
166	-191.513	16.443	1005.632	Right Front Vehicle2
1.67	-187.709	13.439	1005.507	Left Front Vehicle2
168	-196.758	3.818	1005.541	Left Rear Vehicle2
169	-180.377	-4.310	1005.268	Loft Rear Vehicle5
1.70	-179.620	-9.201	1005.153	Right Rear Vehicle5
171	-193.799	-11.174	1005.972	Right Front Vehicle5
172	-194.597	-6.166	1005.813	Left Front Vehicle5
173	-205.453	-10.187	1005.962	Man Hole
174	-191.491	16.452	1005.669	Tire Friction Mark6
175	-184.345	18.801	1005.541	Tire Friction Mark6
176	-175.690	20.135	1005.398	Tire Friction Marks
177	-187.848	10.343	1005.461	Tire Friction Mark7
178	-179.512	11,258	1005.286	Tire Friction Mark7
179	-170.669	12.401	1.005 . 1 1. 6	Tire Friction Mark?
180	-162.599	22.954	1005.119	Tire Friction Mark6

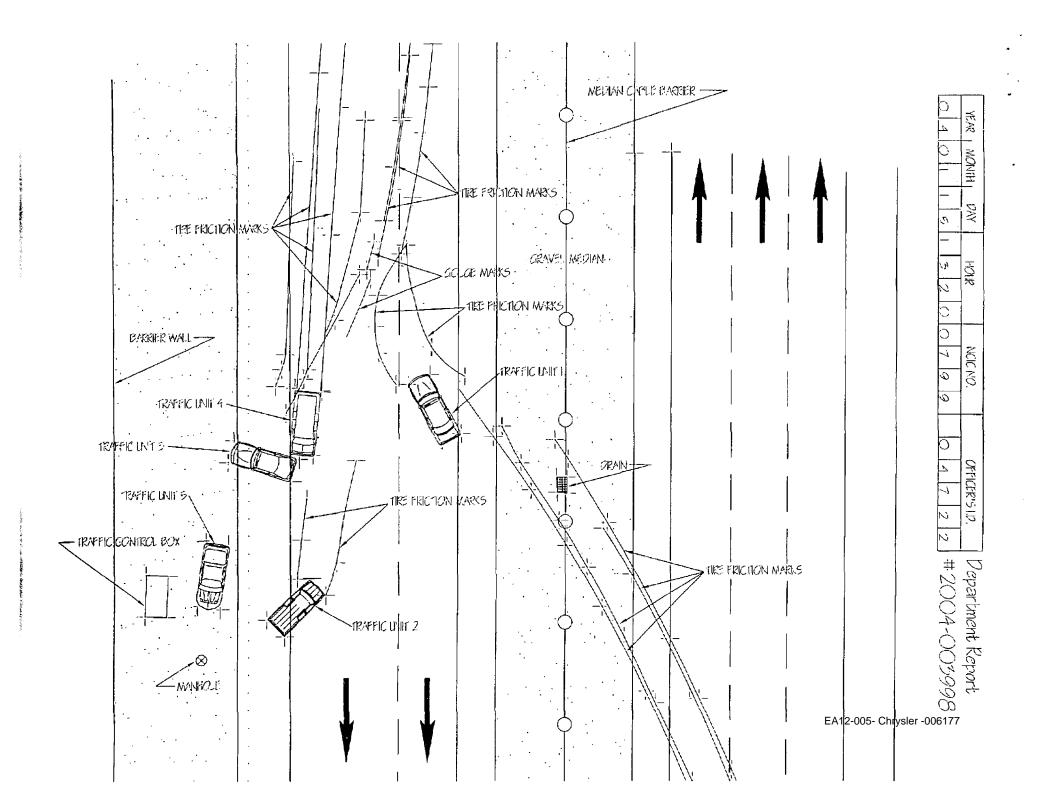
Officer Name	ID No.	Supervisor Name	Date
R.A.Weeks	4955	Sergeant J. King, #3778	02/10/2004



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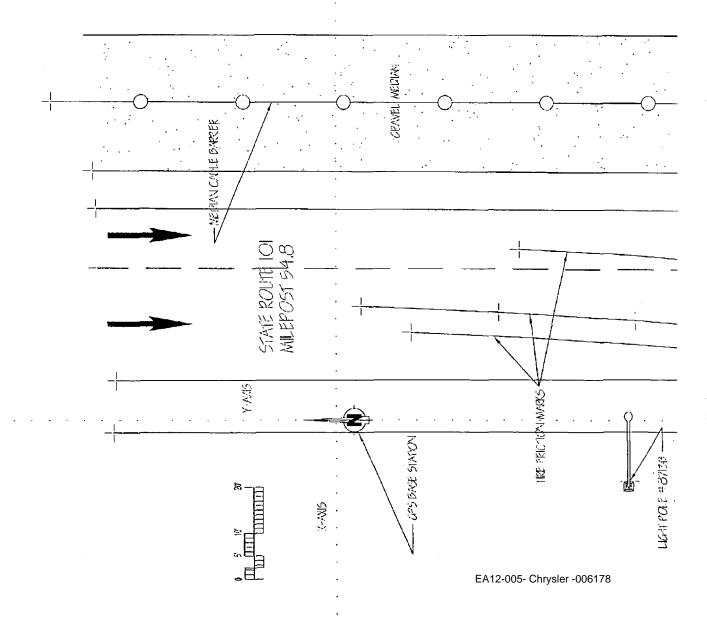


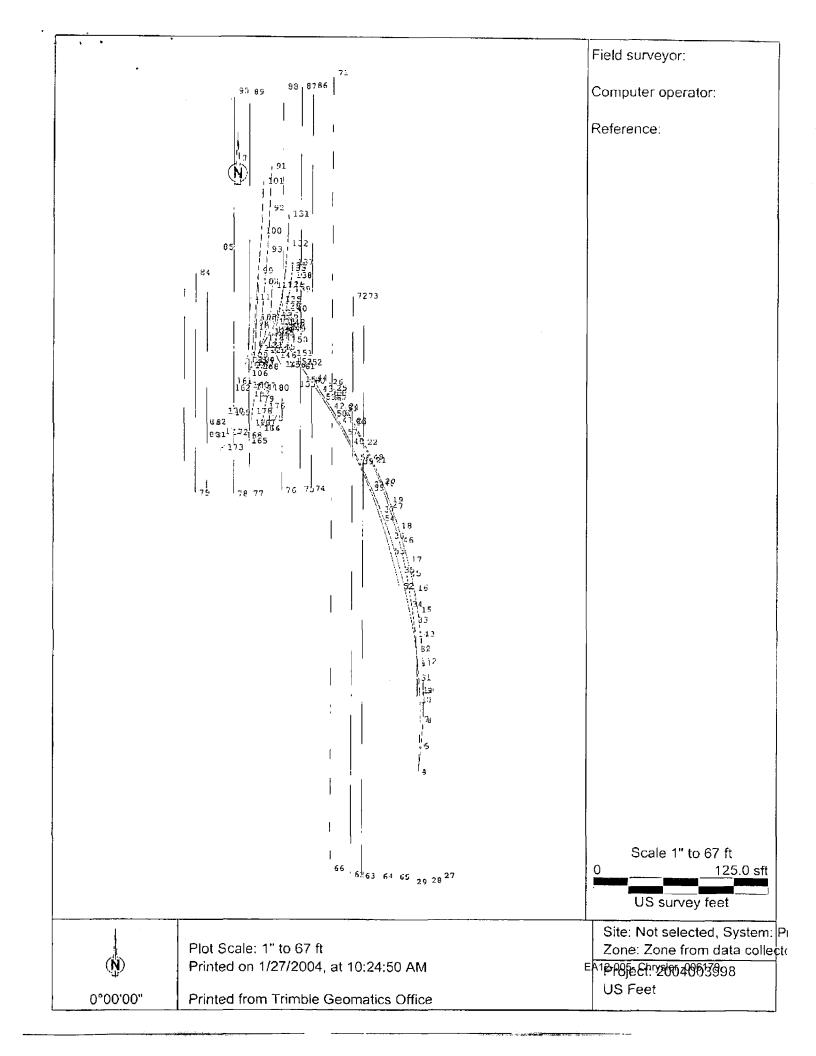


ARIZONA DEPARTMENT OF PUBLIC SAFETY VEHICULAR CRIMES AND COLLISION ANALYSIS UNIT

ΥE	AR	LMC	MiH	t	2VA	НОІ	iR		1	KIC	NO.			OFF	CER'S	51.0.		Department Report
	4				5	3	2	0	0	7_	9	9	\circ	4	7	2	2	#2004-003998

Olagram completed by: R. A. Weeks 7 4955





Points

Project name

2004003998

Coordinate Units

US survey feet

Distance Units

US survey feet

Height Units

US survey feet

Date printed

1/27/2004 9:57:39 AM

Coordinate System Projection from data collector

Datum

(WGS 84)

Zone

Zone from data collector

Geoid model GEOID99 (Conus)

Coordinate units: US survey feet Elevation units: US survey feet

Point listing

19				
Name	Northing	Easting	Ellevation	Feature Code
1	0.000	0.000	999.998	DPS BASE
2	0.000	0.000	999.998	DPS BASE
3	-436.333	130.187	1011.177	BSMK1 NEWCV
4	-436.300	130.189	1011.179	BSMK2 NEWCV
5	-417.987	132.046	1010.706	BSMKl
6	-417.536	130.969	1010.689	BSMK2
7	-398.550	131.370	1010.276	BSMK2
8	-399.448	1.33.503	1010.221	BSMK1
9	-378.154	133.639	1009.744	BSMK1
10	-378.010	130.935	1009.793	BSMK2
11	-358.471	129.405	1009.373	BSMK2
1.2	-357.194	133.028	1009.264	BSMK1
1.3	-337.390	131.727	1008.846	BSMK1
14	-337.540	126.978	1008.928	BSMR2
15	-319.713	129.568	1008.444	BSMK1
16	-304.342	126.850	1008.130	BSMK1
17	-283.894	122.219	1007.741	BSMKI.
18	-260.056	115.162	1007.329	BSMK1
19	-241.757	108.652	1007.034	BSMK1
20	-228.644	103.233	1006.823	BSMK1
21	-21.3.538	96.302	1006.576	BSMK1
22	-200.830	90.044	1006.412	BSMK1
23	-185.861	82.303	1005.853	BSMKJ.
24	-175.792	76.654	1004.810	BSMK1
25	-162.213	68.215	1004.307	BSMK1
26	-158.070	65.396	1004.839	BSMK1
27	-51.1.300	146.502	1012.790	87 09 B
28	-514.709	137.158	1013.167	EP1
29	-515.622	126.286	1013.126	LLS2
30	-385.202	129.075	1009.999	BSMK3 NEWCV
31	-368.899	129.150	1009.596	BSMK3
32	-348.200	128.535	1009.162	BSMK3
33	-327.182	1,26.830	1008.665	BSMK3
34	-316.012	122.886	1008.463	BSMK2
35	-291.582	117.078	1008.018	BSMK2
36	-267.393	109.551	1007.602	BSMK2
37	-248.888	102.460	1007.307	BSMK2
38	-231.234	94.868	1007.029	BSMK2
39	-214.520	86.919	1006.638	BSMK2
40	-200.429	80.261	1005.772	EA12- 9 6946Arysler -006180

The second secon

41	-185.407	72.366	1004.697	BSMK2
42	-175.343	66.337	1004.199	BSMK2
43	-163.154	58.155	1.004.784	BSMK2
44	-155.205	54.197	1005.020	BSMK2
45	-294.094	121.582	1008.046	BSMK3
46	-270.474	116.119	1007.624	BSMK3
47	-246.674	108.783	1007.201	BSMK3
48	-229.981	102.410	1006,928	BSMK3
49	-211.270	94.296	1006.651	BSMK3
50	-187.026	81.836	1005.759	BSMK3
51	-177.024	75.726	1004.811	вемкз
52	-303.225	116.529	1008.335	BSMK4 NEWCV
53	-278.350	109.895	1007.895	BSMK4
54	-255.209	102.738	1007.511	BSMK4
55	-233.617	94.537	1007.156	BSMK4
56	-212.018	84.890	1006.568	BSMK4
57	-193.905	75.549	1005.140	BSMK4
58	-180.730	67.959	1004.317	BSMK4
59	-168.817	60.320	1004.733	BSMK4
60	-157.460	52.258	1005.196	BSMK4
61	-147.370	45.149	1005.132	BSMK4
62	-510.678	81.350	1013.430	EP6
63	-511.368	89.238	1013.774	LIJS5
64	-511.698	102.059	1013.495	LLD4
65	-512.165	114.085	1013.248	LLD3
66	-506.026	66.941	1011.704	FCE7
67 68	-169.565 -166.150	68.007	1004.312	GRATE
69	-166.150 -166.224	67.945	1.004 . 307	GRATE
70	-169.386	65.758	1004.273	GRATE
71	61.100	65.922 68.188	1004.237	GRATE
72	-96.878	82.381	998.723	FCE7
73	-96.628	90.296	1003.614 1003.976	EPG
74	-233.993	52.776	1003,976	LLS5
75	-234.754	44.590	1007.213	EP8 LLS9
76	-235.737	32.025	1006.974	LLÐ10
77	-237.808	8.982	1006.600	LLS11
78	-238.370	-2.303	1006.659	EP1.2
79	-237.641	-29.304	1000.059	WALL
80	-195.992	-22.567	1007.210	BOX
8.1.	-196.143	-17.896	1007.193	BOX
82	-187.096	-1.7.520	1007.247	BOX
83	-186.929	-22.261	1007.171	вох
84	-80.696	-29.343	1004.944	WALL
85	-62.953	-13.258	1002.234	9713B
86	52.129	53.409	1000.166	EP8
37	51.391	45.381	1000.494	LLS9
88	51.048	32.609	1000.270	LLD10
89	47.096	8.413	999.877	LLS11
90	47.633	-2.663	999.932	EP12
91	-5.443	24.426	1001.423	BSMK5 NEWCV
92	-35.020	23.148	1002.093	BSMK5
93	-64.188	21.468	1002.768	BSMK5
94	-86.968	19.642	1003.252	BSMK5
95	-114.027	17.654	1003.847	BSMK5
96	-147.555	15.442	1004.576	BSMK5
97	-146.962	10.334	1.004.444	ESMK6 NEWCV
98	-116.788	12.389	1003.784	BSMK6
99	-79.481	15.143	1002.981	BSMK6
1.00	-51.195	17.139	1.002.329	EA12 ^R 699 ^K 6hrysler -006181

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101	-16.090	18.781	1001.598	ВЅМКЄ
102	-87.221	15.177	1.003.148	BSMK7
1.03	-112.566	13.990	1003.713	BSMK7
104	-142.695	12.535	1.004.363	BSMK7 NEWCV
105	-145.036	11.814	1004.441	BSMK7
106	-152.403	7.980	1004.507	BSMK7
107	-146.668	5.717	1004.333	BSMK8 NEWCV
108	-142.947	7.055	1004.289	
109	-139.744	7.852	1004.216	BSMK8
110	-119.450	8.606	1004.210	BSMK8
111	-98.437	9.571	1003.771	BSMK8
112	-89.629	24.988	1003.303	BSMK8
1.1.3	-109.371	23.895	1.003.423	BSMK9
1,1.8	-127.095	19.274	1004.217	BSMK9 NEWCV
119	-134.725	16.479		BSMK9
120	-342.985		1004.301	BSMK9
121	-132.285	12.700	1004.431	BSMKIO
122	-122.502	18.416 23.720	1004.290	BSMK10
123	-115.598		1004.180	BSMK10
124	-121.468	26.850	1004.086	GMK
125	-121.468	25.288	1004.134	GMK
		26.094	1.004.238	GMK1
1.26 127	-135.933 -118.880	20.902	1.004 . 41.6	GMK1
128		27.696	1004.194	BSMK11 NEWCV
	-104.500	30.751	1003.907	BSMK11
129	-89.079	33.181	1003.615	BSMK1.1
130	-75.751	34.583	1003.313	BSMK11
131	-39.232	36.681	1002.481	BSMK12 NEWCV
132	-59.947	35.695	1002.946	BSMK12
133	- 77.257	34.237	1003.327	BSMK12
1.34	-89.705	32.711	1003.594	BSMK12
1.35	-99.770	31.119	1003.797	BSMK12
136	-111.1.139	28.994	1.004.042	BSMK12
137	-73.357	39.477	1003.317	BSMK13 NEWCV
138	-82.579	38.555	1003.531	DSMK1.3
139	-92.452	37.403	1003.736	BSMK13
140	-106.206	35.069	1003.981	BSMK13
141	-118.164	32.652	1004.234	BSMK13
1.4.2	-115.821	34.054	1004.189	ASMK1 NEWCV
143	-1.19.911	31.225	1004.251	ASMKI
144	-126.884	27.628	1004.356	ASMK1.
145	-133.652	27.013	1004.488	ASMK1
146	-139.483	27.869	1004.641	ASMKl
147	-146.230	31.539	1004.869	ASMK1
148	-116.288	33.804	1004.214	ASMK2 NEWCV
149	-1.20 - 624	34.068	1004.364	ASMK2
150	-128.563	35.670	1004.580	ASMK2
151	-138.095	39.111	1004.829	ASMK2
152	-144.466	46.335	1005.025	ASMK2
153	-143.985	38.817	1004.953	RFV1
154	-156.714	45.539	1005.322	RRV1
155	-159.920	41.383	1005.375	I.RVI.
156	-146.292	34.180	1004.917	LFVl
157	-161.335	13.651	1.004 - 866	LFV2
158	-147.757	1 5 .665	1004.550	L.RV2
159	-147.042	9.929	1004.448	RRV2
160	-160.834	8.722	1004.750	RFV2
161	-158.179	-3.133	1004.624	RFV3
1.62	-162.923	-4.407	1004.785	LFV3
163	-166.969	9.403	1004.933	LRV3
164	-162.270	10.779	1004.817	EA12-005V Chrysler -006182

165	-200.358	7.681	1005.682	RRV4
166	-191.513	16.443	1005.632	RFV4
167	-187.709	1.3.439	1005.507	LFV4
1,68	-196.758	3.818	1005.541	LRV4
169	-180.377	-4.310	1005.268	LRV5
170	-179.620	-9.201	1005.153	RRV5
171	-193.799	-11.174	1005.972	RFV5
172	-194.597	-6.166	1005.813	LFV5
173	-205.458	-10.187	1005.962	MANHOLE
174	-191.491	16.452	1005.669	ASMK6 NEWCV
175	-184.345	18.801	1005.541	ASMK6
176	-175.690	20.135	1005.398	ASMK6
177	-187.848	10.343	1005.461	ASMK7 NEWCV
1.78	-179.512	11.258	1.005.286	ASMK7
1.79	- 170.669	12,401	1.005.116	ASMK7
1.80	-162.599	22.954	1005.119	ASMK6

Back to top

ARIZONA DEPARTMENT OF PUBLIC SAFETY

DR NUMBER

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DATE	TIME		DUATION					<u> </u>	0
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INCIDENT	SUT P. DR	AKE	"	AME			NAME		
COMMANDER	1320	<:1	T	IME			TIME		
TYPE OF INCIDENT					COM	AAND POST LOCATION	<u> </u>		
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L 273						RE DEPT	TEMPE	1327	
E 271						RE DEPT	TEMPE	1327	
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L. KETRON		4253	1	1		5 LOG	DPS		1425
R. REAVES		ı	3E22	i	_13_4	2.600	DPS	1322	1422
T. OLSZAK		5625					OPS	1323	1421
M. BONLIN		_	354	<u>م</u>	-,		DPS	1323	1421
P. MUDD		3239	1					1324	1349
J. BROOKS	<u> </u>	5691	1	10				1330	1345
SGT. R. BLA		4670	1 - '	1					· · · · · · · · · · · · · · · · · · ·
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ow Truck (ACHTIC	47.#	一本記事	FTI #11				-		

ARIZONA DEPARTMENT OF PUBLIC SAFETY

INCIDENT COMMAND SYSTEM LOG	
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DR NUMBER

1-15-04	13.30	LOCATION S.R. IDI	19004-00399	<u> </u>
INCIDENT	NAME	NAME	NAME	
COMMANDER	TIME	TIME	TIME	
TYPE OF INCIDENT		COMMAND POS	LOCATION	

NAME	BADGE	CALL SIGN	ASSIGNMENT	AGENCY	TIME	TIME
D. HANNIGAN	4677		vcu		1400	1442
J. ALLEN	4511		vcu .		•	1613
R. STEPHENSON	3681		vcu			_1613
S VOLDEN	2795		PIO PIO		1413	1515
R WEEKS	4455		VCU		1415	1622
F MUFILER	4723		VCU		1415	
D. COLEMAN SIT	4588		VCUST		1435	11030
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TYPE OF	SECOND TEC	HNICAL ASSISTANCE	经营业工作	ADI	DITIONAL ASSISTANCE NAME	4
ASSISTANCE	AGENCY	NAME	UNIT NO.	AGENCY	NAME	UNIT NO.
Fire						}
Police						
Sheriff						
Ambulance						
Helicopter						
ADOT						
Tow Truck				·	EA12-005- Chrysler -006185	



ARIZONA DEPARTMENT OF PUBLIC SAFETY

TRAFFIC ACCIDENT WITNESS STATEMENT

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20					
CURRENT MAILING ADDRESS (street, street number, apt., PO B	ox, etc() CI	TY		P CODE
			BHY	AZ	
BUSINESS NAME/ADDRESS		CI	TY	STATE	P CODE
	Discusses of tonic	PIDTU DATI	(MO/DAY/YR) DRIV	VER'S LICENSE NUMBER	STATE
HOME PHONE	BUSINESS PHONE	BIRTH DATE	(MO/DAT/TR)	VER S LICENSE NUMBER	AZ
T WHEN THE PARTY OF THE TOP	HOR TO THE ACCIDENTA				70
WHAT WERE YOU DOING JUST PR				~ ±1.	
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3					
WHAT CALLED YOUR ATTENTION	N TO THE ACCIDENT? (breaking glass	, etc.)			
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O NO					
HOW FAR AWAY FROM THE ACCI	MENT WERE YOU WHEN IT OCCUR	RED?			
HOW MANY VEHICLES WERE INV	OLVED IN THE ACCIDENT?				
1	PLEASE DESCRIBE THE	VEHICLES INVOLVED	IN THE ACCIDENT	1	The form
VEHICLE COLOR	MAKE (Ford; Chevy, etc.)			BODY STYLE (Station	n Wagon, etc.)
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WHAT WAS YOUR SPEED?

M.P.H

DIRECTION OF TRAVEL?

□NORTH □SOUTH □EAST □WEST

ARIZONA DEPARTMENT OF PUBLIC SAFETY

TRAFFIC ACCIDENT WITNESS STATEMENT

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WITNESS IS DRIVER PASSENGER LOCATION ISTREET, HIGHWAY, MILEPOST, INTERSECTION FTC. START HERE Please print all information NAME, LAST MIDDLE CURRENT MAILING ADDRESS (street, street number, apt., PO Box, etc.) Chandler ZIP CODE BUSINESS NAME/ADDRESS ZIP CODE HOME PHONE **BUSINESS PHONE** BIRTH DATE (MO/DAY/YR) DRIVER'S LICENSE NUMBER STATE WHAT WERE YOU DOING JUST PRIOR TO THE ACCIDENT? Pringle's car WHAT CALLED YOUR ATTENTION TO THE ACCIDENT? (breaking glass, etc.) Median the cars HOW FAR AWAY FROM THE ACCIDENT WERE YOU WHEN IT OCCURRED? 14 mile on HOW MANY VEHICLES WERE INVOLVED IN THE ACCIDENT? PLEASE DESCRIBE THE VEHICLES INVOLVED IN THE ACCIDENT MAKE, (Ford, Chevy, etc.) MODEL (Mustang: Camaro, etc.), VEHICLE COLOR BODY STYLE (Station Wagon, etc.) asmobile or nuck 3 4 WEATHER CONDITIONS DOUST □ FOG '以 CLEAR I SNOW ☐ STRONG WINDS CLOUDY ☐ OTHER: THIS SECTION TO BE COMPLETED ONLY BY DRIVERS OF VEHICLES INVOLVED IN THE ACCIDENT INSURANCE COMPANY NAME POLICY NUMBER EFFECTIVE FROM/TO DATES PLEASE LIST ALL PASSENGERS IN YOUR VEHICLE (EXCLUDING YOURSELF) NAME ADDRESS AND ACTIVESTATE ZIP CODE AND PHONE NUMBER - LAGE SEX

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(2) Using the grid area below, draw a diagram which	shows the location of the vehicles at the time the accident occurred
(3) = Use a solid line to show the path of the vehicles: (4) Number each vehicle according to the numbers y	ou used on the other side of this form-
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YOUR SIGNATURE	WITNESSED BY (OFFICER) EA12-005- Chrysler Courses
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WHAT WAS YOUR SPEED?

M.P.H

65

DIRECTION OF TRAVEL?

□NORTH SOUTH □EAST □WEST

ARIZONA DEPARTMENT OF PUBLIC SAFETY

TRAFFIC ACCIDENT WITNESS STATEMENT

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WITNESS IS OF DRIVER PASSENGER LOCATION ISTREET, HIGHWAY, MILEPOST, INTERSECTION, ETC. 1985 START HERE I Please print all information FIRST NAME, LAST MIDDLE CHRRENT MAILING ADDRESS Istreet CITY ZIP CODE STATE Tempe AZ. **BUSINESS NAME/ADDRESS** STATE ZIP CODE HOME PHONE BUSINESS PHONE BIRTH DATE (MO/DAY/YR) DRIVER'S LICENSE NUMBER STATE AZ WHAT WERE YOU DOING JUST PRIOR TO THE ACCIDENT! driving to Chandier Mail WHAT CALLED YOUR ATTENTION TO THE ACCIDENT? (breaking glass, etc.) car going over the median - instant fire HOW FAR AWAY FROM THE ACCIDENT WERE YOU WHEN IT OCCURRED: quarter of a mile - 100 feet HOW MANY VEHICLES WERE INVOLVED IN THE ACCIDENT? PLEASE DESCRIBE THE VEHICLES INVOLVED IN THE ACCIDENT VEHICLE COLORE COLOR STYLE (Station Wagon; etc.) MODEL (Mustang Camero; etc.) BODY, STYLE (Station Wagon; etc.) 90 ld eep Ford 2 black Olds/Buick 3 white Chevu 4 White van WEATHER CONDITIONS CLEAR SNOW DUST □ FOG STRONG WINDS ☐ CLOUDY OTHER: THIS SECTION TO BE COMPLETED ONLY BY DRIVERS OF VEHICLES INVOLVED IN THE ACCIDENT INSURANCE COMPANY NAME POLICY NUMBER EFFECTIVE FROM/TO DATES PLEASE LIST ALL PASSENGERS IN YOUR VEHICLE (EXCLUDING YOURSELF) NAME TO ADDRESS ADDRESS AND ACTIVE STATE ZIP CODE PHONE NUMBER TO AGE SEX M [EA12-005- Chrysler -006190

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TRAFFIC ACCIDENT WITNESS STATEMENT

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WITNESS IS TO DRIVER PASSENGER LOCATION ISTREET, HIGHWAY MILEPOST, INTERSECTION, ETC. 1924 START HERE | Please print all information FIRST MIDDLE NAME, LAS CURRENT MAILING ADDRESS (street, street number, apt., PO Box, etc.) CITY STATE ZIP CODE NX ハマ BUSINESS NAME/ADDRESS ZIP CODE BUSINESS PHONE (C) HOME PHONE BIRTH DATE (MO/DAY/YR) DRIVER'S LICENSE NUMBER STATE WHAT WERE YOU DOING JUST PRIOR TO THE ACCIDENT? WHAT CALLED YOUR ATTENTION TO THE ACCIDENT? (breaking glass, etc.) HOW FAR AWAY FROM THE ACCIDENT WERE YOU WHEN IT OCCURRED? HOW MANY VEHICLES WERE INVOLVED IN THE ACCIDENT? PLEASE DESCRIBE THE VEHICLES INVOLVED IN THE ACCIDENT MAKE (Ford, Chevy, etc.) VEHICLE COLOR MODEL (Mustang, Camaro, etc.) BODY STYLE (Station Wagon, etc.) eR 1 2 3 4 WEATHER CONDITIONS Z CLEAR □ snow DUST □ FOG ☐ STRONG WINDS CLOUDY OTHER: RAIN THIS SECTION TO BE COMPLETED ONLY BY DRIVERS OF VEHICLES INVOLVED IN THE ACCIDENT INSURANCE COMPANY NAME POLICY NUMBER EFFECTIVE FROM/TO DATES PLEASE LIST ALL PASSENGERS IN YOUR VEHICLE (EXCLUDING YOURSELF) NAME - THE ADDRESS ADDRESS AND A STATE CITY STATESZIP CODE ₹SEX 7 EA12-005- Chrysler -006 192 WHAT WAS YOUR SPEED? DIRECTION OF TRAVEL?

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TRAFFIC ACCIDENT WITNESS STATEMENT

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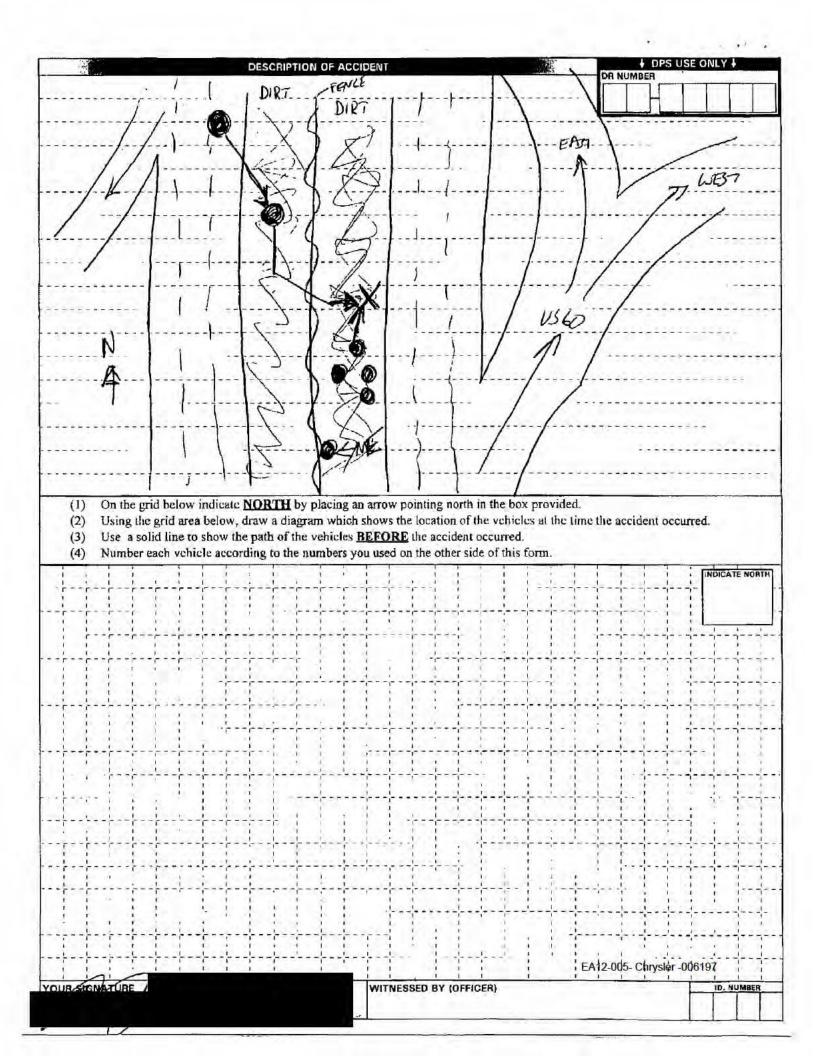
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ARIZONA DEPARTMENT OF PUBLIC SAFETY

TRAFFIC ACCIDENT WITNESS STATEMENT

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1-15-04 PASSENGER LOCATION (STREET, HIGHWAY, MILEPOST, INTERSECTION, ETC.) SE 101 MP SY WITNESS IS: TOTHER WITNESS 5. BOUND -PRIOR TO GO EXIT SIGN START HERE I Please print all information NAME, LAST MIDDLE CURRENT MAILING ADDRESS (street, street number, apt., PO Box, etc.) ZIP CODE BUSINESS NAME/ADDRESS ZIP CODE NETWORK APPLIANCE CA HOME PHONE BUSINESS PHONE BIRTH DATE (MO/DAY/YR) DRIVER'S LICENSE NUMBER STATE WHAT WERE YOU DOING JUST PRIOR TO THE ACCIDENT? DRIVING IN FAR LEFT LANE AMONGST LIGHT GROUNG OF TRAFFIC WHAT CALLED YOUR ATTENTION TO THE ACCIDENT? (breaking glass, etc.) OPPOSING CAR HEADING NORTH BOWN BEGAN RUNNING PARALLEL WITH MEDIAN IN DIRT SHOULDER WITHIN SEZONOS, OPPOSING CAR MADE SHARP 90" TURN INTO ON COMIM TRAFFIC. THENE IMMET FIRST HOW FAR AWAY FROM THE ACCIDENT WERE YOU WHEN IT OCCURRED! HOW MANY VEHICLES WERE INVOLVED IN THE ACCIDENT? PLEASE DESCRIBE THE VEHICLES INVOLVED IN THE ACCIDENT . 50 VEHICLE COLOR MAKE (Ford, Chevy, etc.) MODEL (Mustang, Camaro, etc.) BODY STYLE (Station Wagon, etc.) 1 GOLD 2 JEEP TEEP 3 4 MUSTANG WEATHER CONDITIONS DE CLEAR RAIN ☐ SNOW DOUST FOG STRONG WINDS CLOUDY DOTHER THIS SECTION TO BE COMPLETED ONLY BY DRIVERS OF VEHICLES INVOLVED IN THE ACCIDENT INSURANCE COMPANY NAME POLICY NUMBER EFFECTIVE FROM/TO DATES PLEASE LIST ALL PASSENGERS IN YOUR VEHICLE (EXCLUDING YOURSELF) NAME ADDRESS CITY, STATE, ZIP CODE PHONE NUMBER SEX M F пп EA12-005- Chrysler -006196





TRAFFIC ACCIDENT WITNESS STATEMENT

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TRAFFIC ACCIDENT WITNESS STATEMENT

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TRAFFIC ACCIDENT WITNESS STATEMENT WITNESS IS: O DRIVER O PASSENGER LOCATION (STREET, HIGHWAY MILEPOST, INTERSECTION, ETC.)

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ARIZONA DEPARTMENT OF PUBLIC SAFETY TRAFFIC ACCIDENT

TRAFFIC ACCIDENT WITNESS STATEMENT

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MATTER # 1138696

FILE TYPE Customer Assistance Inquiry Report and Legal Claim

FILE NAME

CAIR # 11981869 DATE OF 01/15/2004

INCIDENT

DATE OF NOTICE 01/16/2004

MODEL/MODEL

YEAR

2004 Jeep Liberty (KJ)

VIN

1J4GK48KX4W

MILEAGE 3,000

OWNER

Phoenix, AZ

COURT

DOCKET #

FIRE ALLEGED

Yes

No

DESCRIPTION

On January 15, 2004, a 2004 Jeep Liberty (KJ) was travelling southbound on S.R. 101, a limited access divided highway, in Tempe, Arizona. The posted speed limit at the site of the accident was either 55 or 65 mph (the police accident reports both). According to the police accident report, a 2000 Honda passenger car, operated by

northbound on S.R. 101, lost control for an unknown reason and travelled off the roadway to the left, crossing the median dividing the north and southbound lanes of travel. The Honda travelled under a median cable barrier into the southbound lanes of travel where the driver's side of the Honda struck the left-front corner of the Jeep Liberty (KJ). The Jeep Liberty (KJ) was then struck in the rear by a 1982 Toyota Supra. While the Jeep Liberty (KJ) and Toyota Supra were in contact with each other, they were struck by a Plymouth Voyager minivan. The Plymouth Voyager was subsequently struck in the rear by a Ford Mustang. The investigating police officer reported that all of the involved vehicles were travelling at speeds between 55-65 mph at the time of the accident. All of the vehicles came to rest in the southbound lanes of travel or on the road shoulder. The police accident report and witness statements reflect that a fire occurred in the area of the Jeep Liberty (KJ).

PROPERTY DAMAGE ALLEGED

INJURIES 2

FATALITIES 1

ANALYSIS

The 2004 Jeep Liberty (KJ) was inspected and a copy of the police accident report and related police investigation was obtained. Based on the available information, Chrysler Group does not have enough information to determine likely relative impact velocities between the Honda passenger car and the Jeep Liberty (KJ) or the Jeep Liberty (KJ) and the Toyota Supra. Chrysler Group notes that the investigating police officer reported that all of the vehicles were travelling 55-65 mph at the time of the accident and recorded approximately 100 feet of tire marks in the southbound lanes of travel leading up to the impact point between the Honda passenger car and the Jeep Liberty (KJ). Chrysler Group also does not have enough information to determine when in the accident sequence the Jeep Liberty (KJ) fuel tank ruptured, if at all, or whether the origin of the fire was at the fuel tank because the fuel tank and fuel filler tube were missing from the vehicle when it was inspected.¹ Because of the multiple collisions to the Jeep Liberty (KJ) occurring within an extremely short time of each other and the lack of damage to the rear end of the Jeep Liberty (KJ), Chrysler Group is also unable to determine whether the Jeep Liberty (KJ) was oriented on all four wheels at the time of the subsequent collisions with the Toyota Supra and Plymouth Voyager. The damaged condition of the Jeep Liberty (KJ) is depicted in the photographs in Enclosure 3 Public, Bates page numbers EA12-005 - Chrysler - 006147 and 6154.

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¹ An inspection was conducted at the request of counsel in anticipation of litigation and the report is being withheld under a claim of attorney work-product privilege.

EA12-005
CHRYSLER
12-13-2012

Enclosure 3 – Public Subject Vehicles
Lawsuits and Claims
Jeep Liberty (KJ)





IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT E. DAVIS, individually and as Administrator of the Estate of CHRISTINE A. ZADJELOVICE, deceased, and on behalf of all beneficiaries and heirs of CHRISTINE A. ZADJELOVICE, deceased;

Plaintiff.

Case No. 07 -0767

COMPLAINT FOR WRONGFUL DEATH AND SURVIVAL DAMAGES

DEMAND FOR JURY TRIAL.

VS.

DNH ENTERPRISES; BUILDER SERVICES GROUP, INC., a corporation; MASCO CONTRACTOR SERVICES, INC., a corporation; MASCO CORPORATION, a corporation; RYDER TRUCK RENTAL, INC., a corporation; LAWRENCE E. BANKS, an individual; FREIGHTLINER, LLC, a limited liability company; DAIMLERCHRYSLER CORPORATION, a corporation; DAIMLERCHRYSLER NORTH AMERICAN HOLDING CORP., a corporation; and DOES 1 - 60, INCLUSIVE,

FILE: FIB 26 Will.

Defendants.

PlaintiffRobert A. Davis, individually and as the duly appointed Administrator of the Estate of Christine A. Zadjelovich, deceased, and on behalf of all beneficiaries and heirs of Christine A. Zadjelovich, deceased, alleges as follows:

JURISDICTION AND VENUE

This Court has subject matter jurisdiction of this matter pursuant to 28 U.S.C. §1332(a) in that there is complete diversity of citizenship between Plaintiff and Defendants and the amount in controversy exceeds \$75,000, exclusive of interest and costs.

- 2. This Court has personal jurisdiction over each of these Defendants in that they caused tortious injury to persons within the State of Permsylvania in Berks County, within this Court's jurisdiction.
- 3. This Court has supplemental jurisdiction over any and all claims arising from the same occurrence and/or set of operative facts giving rise to this action that are so related to its original jurisdiction, in that such claims form part of the same case or controversy under Article III of the United States Constitution, pursuant to 28 U.S.C. §1367.
- 4. Venue is properly laid in this Court pursuant to 28 U.S.C. §1391 (a)(2) and (c) because a substantial part of the events giving rise to this action occurred in this judicial district and each Defendant is subject to personal jurisdiction in this Court.

<u>PARTIES</u>

Plaintiff, Robert E. Davis is the father of Christine A. Zadjelovich, deceased. Plaintiff Robert A. Davis is a citizen of the State of New Jersey, with his residence at 704 B Village Drive South, North Brunswick, New Jersey 08902. Plaintiff was duly appointed as Administrator Ad Prosequendum and as General Administrator (hereinafter "Administrator") of the Estate on November 15, 2006, and on February 7, 2007 respectively, in Middlesex County, New Jersey, Docket #215201. Plaintiff brings this lawsuit pursuant to 42 Pa. C.S.A. §§8301 and 8302, 20 Pa. C.S.A. §§3371 and 3373, and Pa. R.C.P. 2202(a) as the Administrator of the Estate of the decedent, Christine A. Zadjelovich, individually, on his own behalf, and on behalf of the following individuals, comprising those with claims or potential claims as beneficiaries, survivors, and heirs of the decedent:

Name Relationship to Deceased

Robert E. Davis Pather

Anna Davis Mother

All other beneficiaries, survivors, and heirs under applicable law.

6. On information and belief, Defendant DNH Enterprises (hereinafter "DNH") is a business entity, form unknown, with its principal place of business at 150 Fulling Mil; Road, Middletown, Pennsylvania 17057. Defendant DNH is a general freight motor carrier for hire operating in interstate commerce under U.S. DOT #612843 and MC/MX #294298, and at all relevant times, was the operator of the 18-wheel truck involved herein. DNH is a subsidiary of, or otherwise affiliated with, Defendants Builder Services Group, Inc. and/or Masco Contractor Services.

- 7. On information and belief, at all relevant times, Defendant DNH was the employer and/or principal of Defendant truck driver Lawrence E. Banks.
- 8. On information and belief, Defendant, Builder Services Group, Inc. (hereinafter "Builder") is a corporation organized and existing under the laws of the State of Florida, with its principal places of business at 2339 Beville Road, Daytona Beach, Florida 32119, and 21001 Van Born Road, Taylor, Michigan 48180. Defendant Builder is a motor carrier operating in interstate commerce under U.S. DOT #572263, and is in the business of transporting building materials. Defendant Builder is a subsidiary of, or otherwise affiliated with, Defendants Masco Contractor Services and/or Masco Corporation.
- 9. On information and belief, Defendant Masco Contractor Services, Inc. ("MCS") is a corporation organized and existing under the laws of the State of Delaware with its principal places

of business at 2339 Bevitle Road, Daytona Beach, Florida 32119, and 21001 Van Born Road, Taylor, Michigan 48180. Defendant MCS is the parent corporation of, or otherwise affiliated with, Defendants DNII and/or Builder. Defendant MCS is engaged in the business of providing building products, materials, and building services, including installation services, and operates and provides goods and services through numerous subsidiaries and installation locations and offices throughout the United States, including Defendants DNH's and/or Builder's office located at 150 Fulling Mill Road, Middletown, Pennsylvania 17057. Defendant MCS is a wholly owned subsidiary of Defendant Masco Corporation.

- On information and belief, Defendant Masco Corporation (hereinafter "Masco") is a corporation organized and existing under the laws of the State of New Mexico, with its principal place of business located at 21001 Van Born Road, Taylor, Michigan 48180. Masco is a Fortune 500 company that manufactures consumer products for home improvement and construction, provides builder services, including the sale and installation of insulation products. Defendant Masco operates its business through subsidiaries, affiliates, installation locations, and branch offices nationally and internationally, including Defendant DNH's and/or Builder's location at 150 Fulling Mill Road, Middletown, Pennsylvania.
- On information and bellef, Lawrence E. Banks (hereinafter "Banks") is an adult who resides at 3405 Ridgeway Road, Harrisburg, Pennsylvania 17044, in Dauphin County, Pennsylvania.

 Defendant Banks was an employee and/or agent of Defendant DNH on November 3, 2006.
- 12. On information and belief, Defendant Ryder Truck Rental, Inc. (hereinafter "Ryder") is a corporation organized and existing under the laws of the State of Florida with its principal place of business at 11690 NW 105" Street, 1E, Miami, Florida 33178, and is qualified to do, and is doing

business in the State of Pennsylvania. Defendant Ryder is engaged in the business of renting and leasing trucks and is the registered owner of the 2006 Freightliner truck tractor (VIN:1FUJBBCK86LX01554), and 1998 Utility Dry Van trailer involved in the incident herein. The truck tractor and trailer are hereinafter referred to as "the truck".

- On information and belief, Defendant DaimlerChrysler Corporation (hereinafter "DaimlerChrysler") is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business at 1000 Chrysler Drive, Auburn Hills, Michigan 48326, and is qualified to do business, and is doing business in the State of Pennsylvania. It is a subsidiary of Defendant DaimlerChrysler North American Holding Corp of Auburn Hills, Michigan. It is in the business of designing, manufacturing, assembling and marketing cars, trucks, and automotive parts and accessories for sale to the public. Defendant Daimler Chrysler is the manufacturer of the 2006 Jeep Liberty vehicle involved in the incident herein.
- On information and belief, Defendant DaimlerChrysler North American Holding Corp. (hereinafter "DCNALIC") is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business at 1000 Chrysler Drive, Auburn Hills, Michigan 48326, and is qualified to do business, and is doing business in the State of Permsylvania. It is the parent corporation of Defendants Freightliner, LLC and DaimlerChrysler Corporation.
- 15. On information and belief, Defendant Freightliner, LLC (hereinafter "Freightliner") is, and at all times mentioned herein was, a limited liability company organized and existing under the laws of the State of Delaware, with its principal place of business at 4747 N. Channel Avenue, Portland, Oregon 97217, and is qualified to do, and is doing business in the State of Pennsylvania. It is a subsidiary of Defendant DCNAHC. Defendant Freightliner is engaged in the business of

designing, manufacturing, marketing, and the sale and servicing of trucks and truck parts. It manufactured the 2006 Freightliner truck tractor (hereinafter "the truck tractor") involved in the incident herein.

Defendants sued herein as Docs 1-60 are designated as such because Plaintiff is presently unaware of the identity and capacity of such defendants, or their specific connection with the events and circumstances alleged herein. Plaintiff will seek to amend this Complaint to provide such specifics when same are finally determined. Said fictitiously named defendants, and each of them, were in some form or manner in breach of duty or otherwise legally responsible for the damages to Plaintiff's decedent's heirs and Estate, and legally caused said damages and contributed thereto.

GENERAL ALLEGATIONS

Plaintiff is informed and believes and thereon alleges:

- 17. Defendant Freightliner manufactured the subject truck tractor, and leased or sold it to Defendant Ryder.
- 18. Defendants DNH, Builder, MCS and/or Masco leased the truck from Defendant Ryder.
- 19. At the time of the events described herein, Defendant DNH was engaged in a business which was being advanced and furthered through the acts of its driver, Defendant Banks, an employee or agent of Defendant DNH.
- 20. At all relevant times herein, Defendants DNH, Banks, Builder, MCS, Masco and Does 1-10 were each the agent and employee of the other and were acting within the course and scope, and in furtherance of, said agency and employment, or other capacity, so as to give rise to

vicarious liability, each liable for the acts and omissions of the other, and each authorized, ratified, and adopted the acts of the other.

- 21. At all relevant times herein, the employees and agents of Defendants Ryder, Freightliner, DaimlerChrysler, DCNAHC and Does 11-60 were acting within the course and scope, and in furtherance of, said employment and agency, or other capacity, so as to give rise to vicarious liability. Defendants Ryder, Freightliner, DaimlerChrysler, DCNAHC and Does 11-60 authorized, ratified and adopted the acts and/or emissions of their employees and agents, as stated herein.
- Zadjelovich, was a right front seat passenger in a 2006 Chrysler Jeep Liberty SUV, VIN: 1J4GL48K16W120926, bearing license VCM72D (hereinafter "Zadjelovich vehicle" or "Jeep Liberty"), operated by her husband, Steven Zadjelovich with their 4 year old daughter Nikki as a passenger. The Zadjelovich family was traveling westbound on Interstate I-78 (hereinafter "I-78") in the left lane at or near mile marker 35.2 near the Lebhartsvile exit in Greenwich Township, Berks County, Pennsylvania.
- 23. At that time and place, the Zadjelovich vehicle was stopped, or nearly stopped in the left lane of I-78, behind a long traffic backup where traffic ahead was restricted to one lane in each direction due to roadway construction.
- 24. At that time and place, various construction work zone warning signs were posted along westbound 1-78 for approximately five miles leading up to the crash location, including a flashing biliboard warning "4 MILES AHEAD TRAPFIC STOPPED".
- 25. At that time and place, Defendant Banks was driving the truck on westbound I-78 in the left lane, in excess of the posted speed limit.

- 26. On November 3, 2006, the posted speed limit on westbound I-78 in the vicinity of the events described herein was 50 miles per bour due to it being a construction zone.
- 27. At that time and place, Defendant Banks operated the truck in such a manner that he crashed the truck at high speed into the rear of the Zadjelovich vehicle that was lawfully stopped, or nearly stopped, in traffic.
- 28. The force of the crash pushed the Zadjelovich vehicle into the rear of the vehicle directly in front of it, another tractor-trailer. The truck driven by Defendant Banks and the Zadjelovich vehicle burst into flames and burned, all of which caused serious bodily injuries and severe burns to the occupants of the Zadjelovich vehicle, including Plaintiff's decedent, Christine A. Zadjelovich, from which injuries and burns she ultimately died.

FIRST CAUSE OF ACTION AGAINST DEFENDANTS BANKS, DNH, BUILDER, MCS, MASCO AND DOES 1-10 FOR NEGLIGENCE

- 29. Plaintiff incorporates by reference all previous paragraphs as if fully restated.
- 30. Derendants Banks, DNH, Builder, MCS, Masco and Does 1-10 owed a duty of due care to others on public roadways, and Plaintiff's deceders in particular, to obey state and federal regulations with regard to the safe, prudent and lawful operation of a commercial motor vehicle on public highways.
- 31. Defendant Banks, while in the course and scope of his employment with Defendant DNII, breached these, and other duties of due care, in that his conduct was negligent, unlawful and reckless in that amongst other things, Defendant Banks:
 - failed to keep a proper lookout while operating the truck;

- b) followed too closely and "ailed to maintain a safe distance between his truck and the vehicle directly in front of his truck;
- o) operated the truck at a speed greater than was legal, reasonable and proper under the circumstances;
- d) operated the truck at a speed greater than would permit stopping within an assured distance ahead;
- e) failed to apply his brakes in sufficient time to avoid striking the Zadjelovich vehicle which was in the same lane of the roadway ahead of him;
- failed to take evasive action sufficient to avoid striking the Zadjelovich vehicle which was abead of him;
- g) failed to obey numerous construction zone and other warnings and signage in the area;
- h) failed to obey state vehicle codes and federal statutes and regulations, including 75 Pa. C.S.A. §3361 (driving vehicle at a safe speed), and 75 Pa. C.S.A. §3714 (careless driving);
- operated the truck when he was not medically, mentally and physically capable of doing so in a safe and legal manner;
- j) operated the truck in the manner described herein when Defendant Banks knew, or had reason to knew, of the high risk of danger to other motorists traveling in the westbound lanes of the roadway by such operation of the heavy truck; and

- k) collided at high speed with the rear of the vehicle occupied by Christine A.

 Zadjelov.ch.
- 32. Defendants DNH, Builder, MCS, Masco and Does 1-10 breached these, and other, duties of due care in that they negligently, unlawfully and recklessly:
 - a) failed to use reasonable care in the hiring, retention, supervision, management and control of their employee and/or agen! Defendant Banks;
 - failed to properly and adequately train and instruct their employee and/or agent Dofendant Banks in the proper methods and procedures of safely operating a tractor-trailer combination, so as to avoid placing other motorists in hamp's way, including, but not limited to, (1) failing to adequately instruct and train Defendant Banks to obey the state and federal codes and regulations relating to safe driving, and failing to enforce compliance therewith; and (2) failing to adequately teach and enforce the use of evasive techniques to prevent collisions such as the one described herein;
 - entrusted the truck to its employee and/or agent Defendant Banks;
 - d) failed to retrain, monitor, correct, discipline, and/or reprimand Defendant

 Banks; and
 - c) failed to maintain, inspect and maintain the truck.
- 33. As a direct and proximate result of the negligence and other conduct of these defendants, Plaintiff's decedent was severely injured and ultimately died.
- 34. As a further direct and proximate result of the conduct of Defendants, Plaintiff's decedent's beneficiaries, survivors, and heirs have incurred funeral, burish and related expenses, and

have suffered, and continue to suffer pecuniary losses, including the loss of decedent's earnings, carring capacity, services, financial support, guidance, care, advice, counsel and companionship, all in excess of the jurisdictional minimum of this Court, according to proof.

SECOND CAUSE OF ACTION AGAINST DEFENDANTS RYDER AND DOES 11-20 FOR NEGLIGENCE

- 35. Plaintiff incorporates by reference all previous paragraphs as if fully restated.
- 36. On information and belief, Defendant Ryder leased the truck to Defendants DNH, Builder, MCS and/or Masco.
- 37. Defendants Ryder and Does 11-20 owed a duty of due care to motorists, and Plaintiff's decedent in particular, with regard to the safe and proper operation of the truck on interstate highways in compliance with state and federal regulations.
- 38. Defendants Ryder and Does 11-20 breached these diffies in that their conduct was negligent, unlawful and reckless in that these defendants, in the manner stated herein:
 - a) leased and entrusted the truck to Defendants DN11, Banks, Builder, MCS and/or Masco when Defendants Ryder and Does 11-20 knew, or in the exercise of reasonable care should have known, that Defendant Banks was an incompetent and reckless driver;
 - b) leased and entrusted the truck to Defendants DNH, Banks, Builder, MCS and/or Masco when Defendants Ryder and Does 11-20 knew, or in the exercise of reasonable care should have known, that Defendants DNH, Builder, MCS and/or Masco negligently hired, trained, managed, controlled and supervised Defendant Banks; and

- c) failed to properly inspect, repair and maintain the truck.
- 39. As a direct and proximate result of the negligence and other conduct of Defendants Ryder and Does 11-20, Plaintiff's decedent was severely injured and ultimately died.
- 40. As a further direct and proximate result of the conduct of Defendants, Plaintiff's decedent's beneficiaries, survivors, and heirs have incurred finneral, burial and related expenses, and have suffered, and continue to suffer pecuniary losses, including the loss of decedent's earnings, caming capacity, services, financial support, guidance, care, advice, counsel and companionship, all in excess of the jurisdictional minimum of this Court, according to proof.

THIRD CAUSE OF ACTION AGAINST DEFENDANTS FREIGHTLINER, DCNAHC AND DOES 21-30 FOR NEGLIGENCE

- 41. Plaintiff incorporates by reference all previous paragraphs as if fully restated.
- Defendants Freightliner, DCNALIC and Does 21-30 are, and at all times herein mentioned were, engaged in the business of designing, manufacturing, assembling, testing, certifying and marketing truck tractors (hereinafter "trucks") for sale to, and use by, members of the general public. As part of their business, through their employees and agents, defendants were responsible for the design, manufacture, assembly, testing, certification, marketing and sale of trucks, including the subject truck tractor, that were required to be safe for operation on public highways.
- 43. Defendants Freightliner, DCNAHC and Does 21-30 were negligent in carrying out these responsibilities in the following respects, amongst others:
 - failed to properly design, manufacture, assemble, test, inspect and certify their trucks, and their components and systems, so as to prevent the trucks

- from bursting into flames and burning during front-end impacts and collisions;
- b) failed to properly warn the purchasers and users of their trucks, and the general public, of their design, manufacture, and/or assembly defects, including, but not limited to, the susceptibility of its trucks to burst into flames and burn during front-end impacts and collisions; and
- c) negligently marketed the subject trucks when they knew, or should have known, of the design, manufacture, assembly and operational defects in their trucks.
- 44. As a direct and proximate result of the negligenee of these defendants, when the truck collided with the rear of the Jeep Liberty, the truck tractor burst into flames and burned, further igniting and burning the Jeep Liberty in which Plaintiff's decedent was a passenger.
- 45. As a direct and proximate result of the negligence and other conduct of these defendants, Plaintiff's decedent was severely injured and ultimately died.
- As a further direct and proximate result of the conduct of Defendants, Plaintiff's decedent's beneficiaries, survivors, and heirs have incurred funeral, burial and related expenses, and have suffered, and continue to suffer pecuniary losses, including the loss of decedent's earnings, earning capacity, services, financial support, guidance, care, advice, counsel and companionship, all in excess of the jurisdictional minimum of this Court, according to proof.

FOURTH CAUSE OF ACTION AGAINST DEFENDANTS FREIGHTLINER, DONANG AND DOES 21-30 FOR STRICT LIABILITY

47. Plaintiff incorporates by reference all previous paragraphs as if fully restated.

- 48. Defendants Freightliner, DCNAHC and Does 21-30 are strictly liable in tort as contemplated by the Restatement Second, Torts: Product Liability in that the truck tractor was unsafe for its intended use by reason of defects in its design, assembly and manufacture.
- 49. Defendants Freightliner, DCNAHC and Does 21-30 are, and at all times herein mentioned were, engaged in the business of designing, manufacturing, assembling, testing, certifying and marketing truck tractors (hereinafter "trucks") for sale to, and for use by, members of the general public. As part of their business, through their employees and agents, defendants were responsible for the design, manufacture, assembly, testing, certification, marketing and sale of trucks, including the truck tractor.
- 50. Defendants Freightliner, DCNAHC and Does 21-30 intended and knew that its trucks would be purchased by members of the public and used by the purchasers, and others, to haul goods and materials on public highways, without inspection for defects.
- 51. Defendants Freightliner, DCNAHC and Does 21-30 knew that their trucks were required to comply with certain state and federal safety standards and regulations.
- 52. Defendants Freightliner, DCNAHC and Does 21-30 were negligent in their responsibilities and duties in that, amongst other things, the truck tractor was at the time it was released into the stream of commerce, defective and unsafe for its intended purpose as herein alteged.
- 53. Defendants Freightliner, DCNAHC and Does 21-30 failed to provide proper and adequate warnings relative to defects in the design, assembly and manufacture of their trucks and the truck tractor.

As a direct and proximate result of the defective condition of the truck tractor, the failure to warn, and the collision described herein, Plaintiff's decedent sustained fatal injuries and Plaintiff's decedent's heirs suffered the losses and damages herein alleged.

FIFTH CAUSE OF ACTION AGAINST DEFENDANTS FREIGHTLINER, DCNAHC AND DOES 21-30 FOR BREACH OF IMPLIED WARRANTY

- 55. Plaintiff incorporates by reference all previous paragraphs as if fully restated.
- Defendants Freightliner, DCNAHC and Does 21-30, by and through the manufacture, marketing and sale of the truck tractor, impliedly warranted that the truck tractor, and its component parts and systems, were fit for the purpose for which they were intended, that the truck tractor was safe for operation on public highways, and released it into the stream of commerce.
- 57. The truck tractor was not fit for its intended and foreseeable purpose and use, thereby rendering it unreasonably dangerous.
- 58. Defendants Freightliner, DCNAHC and Does 21-30 breached these warranties in that the truck tractor, and its component parts and systems, did not reasonably conform to the warranted quality, characteristics, safety and performance.
- 59. By virtue of the conduct of defendants as described herein, and the defendants' negligence in designing, manufacturing, assembling, certifying, marketing and selling the track tractor, defendants breached their warranty of fitness for its intended use proximately causing plaintiff's decedent to suffer fatal injuries and the losses and damages of Plaintiff's decedent's heirs as described herein.

SIXTH CAUSE OF ACTION AGAINST DEFENDANTS DAIMLERCHRYSLER, DCNAHC AND DOES 31-40 FOR NEGLIGENCE

- 60. Plaintiff incorporates by reference all previous paragraphs as if fully restated.
- Defendants DaimlerChrysler, DCNAHC and Does 31-40 are, and at all times herein mentioned were, engaged in the business of designing, manufacturing, assembling, testing, certifying and marketing passenger vehicles and sport utility vehicles, including the model known as the Jeep Liberty, for sale to, and use by, members of the general public. As part of their business, through their employees and agents, defendants were responsible for the design, manufacture, assembly, testing, certification, marketing and sale of passenger vehicles, including the subject 2006 Jeep Liberty referred to herein as the Zadjelovich vehicle, that were required to be safe for use on public highways.
- 62. Defendants DaimlerChrysler, DCNAHC and Does 31-40 were negligent in carrying out these responsibilities in the following respects, amongst others:
 - a) failed to properly design, manufacture, assemble, test, inspect and certify their Jeep Liberty vehicles, and their components and systems, so as to prevent the vehicles from bursting into flames and burning during rear-end impacts and collisions;
 - b) failed to properly warn the purchasers and users of their Jeep Liberty vehicles, and the general public, of their design, manufacture, and/or assembly defects, including, but not limited to, the susceptibility of its Jeep Liberty vehicles to burst into flames and burn during rear-end impacts and collisions; and

- negligently marketed the Jeep Liberty vehicles when they knew, or should have known, of the design, manufacture, assembly and operational defects in their vehicles.
- 63. As a direct and proximate result of the negligence of these defendants, when the track collided with the rear of the Jeep Liberty in which Plaintiff's decedent was a passenger, it burst into flames and burned.
- 64. As a direct and proximate result of the negligence and other conduct of these defendants, Plaintiff's decedent was severely injured and ultimately died.
- 65. As a further direct and proximate result of the conduct of Defendants, Plaintiff's decedent's beneficiaries, survivors, and heirs have incurred funeral, burial and related expenses, and have suffered, and continue to suffer pecuniary losses, including the loss of decedent's earnings, carning capacity, services, financial support, guidance, care, advice, counsel and companionship, all in excess of the jurisdictional minimum of this Court, according to proof.

SEVENTH CAUSE OF ACTION AGAINST DEFENDANTS DAIMLERCHRYSLER, DCNAHC AND DOES 31-40 FOR STRICT LIABILITY

- 56. Plaintiff incorporates by reference all previous paragraphs as if fully restated.
- 57 Defendants DaimlerChrysler, DCNAHC and Does 31-40 are strictly liable in tort as contemplated by the Restatement Second, Torts: Product Liability in that the Jeep Liberty was made for its intended use by reason of defects in its design, assembly and manufacture.
- 68. Defendants DaintlerChrysler, DCNAHC and Does 31-40 are, and at all times herein mentioned were, engaged in the business of designing, manufacturing, assembling, testing, certifying and marketing passenger vehicles and sport utility vehicles, including the model known as the Jeep

Liberty, for sale to, and use by, members of the general public. As part of their business, through their employees and agents, defendants were responsible for the design, manufacture, assembly, testing, certification, marketing and sale of passenger vehicles, including the subject 2006 Jeep Liberty referred to herein as the Zadjelovich vehicle, that were required to be safe for use on public highways.

- 69. Defendants Daimler Chrysler, DCNAHC and Does 31-40 intended and knew that their vehicles would be purchased by members of the public and used by the purchasers, and others on public highways, without inspection for defects.
- 70. Defendants DaimlerChrysler, DCNAHC and Does 31-40 knew that their vehicles were required to comply with certain state and federal safety standards and regulations.
- Defendants DaimlerChrysler, DCNAHC and Does 31-40 were negligent in their responsibilities and duties in that, amongst other things, the subject Jeep Liberty was at the time it was released into the stream of commerce and purchased or leased by Stephen Zadjelovich and Christine Zadjelovich, defective and unsafe for its intended purpose as herein alleged.
- 72. Defendants Daimler Chrysler, DCNAHC and Does 31-40 failed to provide proper and adequate warnings relative to defects in the design, assembly and manufacture of their vehicles, and the subject Jeep Liberty.
- 73. As a direct and proximate result of the defective condition of the Jeep Liberty, the faithure to warn, and the collision described herein, Plaintiff's decedent sustained fatal injuries and Plaintiff's decedent's heirs suffered the losses and damages herein alleged.

EIGHTH CAUSE OF ACTION AGAINST DEFENDANTS DAIMLERCHRYSLER, DCNAHC AND DOES 31-40 FOR BREACH OF EXPRESS WARRANTY

- 74. Plaintiff incorporates by reference all previous paragraphs as if fully restated.
- 75. Defendants DaimlerChrysler, DCNAHC and Does 31-40, by and through the manufacture, marketing, and sale or lease of the Jeep Liberty to Plaintiff's decedent Christine A. Zadjelovich and her spouse, Stephen Zadjelovich, expressly warranted that the Jeep Liberty, and its component parts and systems, were fit for the purpose for which they were intended.
- 76. The Jeep Liberty was not fit for its intended and foresceable purpose and use, thereby rendering it unreasonably dangerous.
- 77. Defendants DaimlerChrysler, DCNAHC and Does 31-40 breached their express warranty in that the Jeep Liberty, and its component parts and systems, did not reasonably conform to the warranted quality, safety, characteristics and performance.
- 78. By virtue of the conduct of defendants as described herein, and the defendants' negligence in designing, manufacturing, assembling, certifying, marketing and selling the Jeep Liberty to Plaintiff's decedent and her spouse, defendants breached their express warranty of fitness for its intended use proximately causing plaintiff's decedent to sustain fatal injuries and plaintiff's decedent's heirs to suffer the losses and damages as described herein.

NINTH CAUSE OF ACTION AGAINST DEFENDANTS DAIMLERCHRYSLER, DCNAHC AND DOES 31-40 FOR BREACH OF IMPLIED WARRANTY

79. Plaintiff incorporates by reference all previous paragraphs as if fully restated.

- 20. Defendants DaimlerChrysler, DCNAHC and Does 31-40, by and through the manufacture and sale of the Jeep Liberty, impliedly warranted that the vehicle, and its component parts and systems, were fit for the purpose for which they were intended.
- 81. The Jeep Liberty was not fit for its intended and foreseeable purpose and use, thereby rendering it unreasonably dangerous.
- 82. Defendants DaimlerChrysler, DCNAHC and Does 31-40 breached their warranty in that the Jeep Liberty, and its component parts and systems, did not reasonably conform to the warranted quality, safety, characteristics and performance.
- By virtue of the conduct of defendants as described herein, and the defendants' negligence in designing, manufacturing, assembling, certifying, marketing and selling the Jeep Liberty, defendants breached their warranty of fitness for its intended use proximately causing plaintiff's decedent to sustain fatal injuries and plaintiff's decedent's heirs to suffer the losses and damages as described herein.

TENTH CAUSE OF ACTION AGAINST DOE DEFENDANTS 41-50 (MANUFACTURERS OF DEFECTIVE COMPONENT PARTS AND SYSTEMS ON THE FREIGHTLINER TRUCK) FOR NEGLIGENCE

- 84. Plaintiff incorporates by reference all previous paragraphs as if fully restated.
- 85. Doe Defendants 41-50, at all times herein, were engaged in the basiness of designing, manufacturing, assembling, testing, certifying, marketing and selling component parts and systems which were used in the manufacture of the truck tractor. As part of their business, through their employees and agents, defendants had a duty to design, manufacture, assemble, test and certify component parts and systems which were used in the manufacture of Freightliner tracks, and the

truck tractor, in a manner that was proper, safe and in compliance with state and federal standards and regulations, such that the trucks were safe for operation on public highways.

- 36. Doe Defendants 41-50 breached these duties in that component parts and systems used in the manufacture of the truck tractor were defectively designed, manufactured and assembled, and were upsafe, such that when the truck collided with the rear of the Jeep Liberty, the truck tractor burst into flames and burned, further igniting and burning the Jeep Liberty in which Plaintiff's decedent was a passenger.
- 87. As a direct and proximate result of the negligence and other conduct of these Defendants, Plaintiff's decedent was severely injured and ultimately died.
- As a further direct and preximate result of the conduct of Defendants, Plairaiff's decedent's beneficiaries, survivors, and heirs have incurred funeral, burial and related expenses, and have suffered, and continue to suffer pecuniary losses, including the loss of decedent's earnings, earning capacity, services, financial support, guidance, care, advice, counsel and companionship, all in excess of the jurisdictional minimum of this Court, according to proof.

ELEVENTH CAUSE OF ACTION AGAINST DOE DEFENDANTS 41-50 (MANUFACTURERS OF DEFECTIVE COMPONENT PARTS AND SYSTEMS ON THE FREIGHTLINER TRUCK) FOR STRICT LIABILITY

- 89. Plaintiff incorporates by reference all previous paragraphs as if fully restated.
- 90. Doe Defendants 41-50, at all times herein, were engaged in the business of designing, manufacturing, assembling, testing, certifying, marketing and selling component parts and systems which were used in the manufacture of the truck tractor. As part of their business, through their employees and agents, defendants had a duty to design, manufacture, assemble, test and certify

component parts and systems which were used in the manufacture of Freightliner trucks, and the subject truck tractor, in a manner that was proper, safe and in compliance with state and federal standards and regulations, such that the trucks were safe for operation on public highways.

- Doe Defendants 41-50 intended and knew that its trucks containing their component parts and systems would be purchased by members of the public and used by the purchasers, and others, to had goods and materials on public highways, without inspection for defects.
- 92. Doe Defendants 41-50 knew that their component parts and systems, and the trucks in which they were installed, were required to comply with certain state and federal safety standards and regulations.
- 93. Due Defendants 41-50 were negligent in their responsibilities and duties in that, amongst other things, component parts and systems on the truck tractor were at the time they were released into the stream of commerce, defective and unsafe for their intended purpose as herein alleged.
- 94. Doe Defendants 41-50 failed to provide proper and adequate warrings relative to defects in the design, assembly and manufacture of their trucks and the subject truck tractor.
- 95. As a direct and proximate result of the defective condition of component parts and systems on the truck, and the collision described herein, Plaintiff's decedent sustained fatal injuries and Plaintiff's decedent's heirs suffered the losses and damages herein alleged.

TWELFTH CAUSE OF ACTION AGAINST DOE DEFENDANTS 41-50 (MANUFACTURERS OF DEFECTIVE COMPONENT PARTS AND SYSTEMS ON THE FREIGHTLINER TRUCK) FOR BREACH OF IMPLIED WARRANTY

96. Plaintiff incorporates by reference all provious paragraphs as if fully restated.

- 97. Doe Defendants 41-50, by and through the manufacture, marketing and sale of component parts and systems on the truck tractor, impliedly warranted that the component parts and systems were fit for the purpose for which they were intended, and released them into the stream of componene.
- 98. The component parts and systems, and consequently the truck tractor, were not fit for their intended and foreseeable purpose and use, thereby rendering them and the truck unreasonably dangerous.
- 99. Doe Defendants 41-50 breached their warranty in that its component parts and systems did not reasonably conform to the warranted quality, characteristics, safety and performance.
- 100. By virtue of the conduct of defendants as described herein, and the defendants' negligence in designing, manufacturing, assembling, certifying, marketing and selling the component parts and systems used in the manufacture of the truck tractor, defendants breached their warranty of filmess for their intended use, proximately causing plaintiff's decedent to suffer fatal injuries and the losses and damages of Plaintiff's decedent's being as described herein.

THIRTEENTH CAUSE OF ACTION AGAINST DOE DEFENDANTS 51-60 (MANUFACTURERS OF DEFECTIVE COMPONENT PARTS AND SYSTEMS ON THE JEEP LIBERTY) FOR NEGLIGENCE

- 101. Plaintiff incorporates by reference all previous paragraphs as if fully restated.
- 102. Doe Defendants 51-60 are, and at all times herein mentioned were, engaged in the business of designing, manufacturing, assembling, testing, certifying, marketing and sale of component parts and systems for use in the manufacture of passenger vehicles and sport utility vehicles, including the model known as the Jeep Liberty, for sale to, and use by, members of the

general public. As part of their business, through their employees and agents, defendants were responsible for the design, manufacture, assembly, testing and certification of component parts and systems for use in the manufacture of passenger vehicles, including the subject 2006 Jeep Liberty referred to herein as the Zadjelovich vehicle, that were required to be safe for use on public highways.

- 103. As a direct and proximate result of the negligence of these defendants, when the track collided with the rear of the Jeep Liberty, on which Doc Defendants' 51-60 component parts and systems were installed, and in which Plaintiff's decedent was a passenger, the Jeep Liberty burst into flames and burned.
- 104. As a direct and proximate result of the negligence and other conduct of these defendants, Plaintiff's decedent was severely injured and ultimately died.
- As a further direct and proximate result of the conduct of Defendants, Plaintiff's decedent's beneficiaries, survivors, and heirs have incurred funeral, burial, and related expenses, and have suffered, and commune to suffer pecuniary losses, including the loss of decedent's earnings, earning capacity, services, financial support, guidance, care, advice, counsel and companionship, all in excess of the jurisdictional minimum of this Court, according to proof.

FOURTEENTH CAUSE OF ACTION AGAINST DOE DEFENDANTS 51-60 (MANUFACTURERS OF DEFECTIVE COMPONENT PARTS AND SYSTEMS ON THE JEEP LIBERTY) FOR STRICT LIABILITY

- 106. Plaintiff incorporates by reference all previous paragraphs as if fully restated.
- 107. Doe Defendants 51-60 are, and at all times herein mentioned were, engaged in the business of designing, manufacturing, assembling, testing, certifying and marketing component parts

and systems for use in the manufacture of passenger vehicles and sport utility vehicles, including the model known as the Jeep Liberty, for sale to, and use by, members of the general public. As part of their business, through their employees and agents, defendants were responsible for the design, manufacture, assembly, testing and certification of component parts and systems for use in the manufacture of passenger vehicles, including the subject 2006 Jeep Liberty referred to herein as the Zadiciovich vehicle, that were required to be safe for use on public highways.

- 108. Doe Defendants 51-60 intended and knew that the vehicles in which their component parts and systems were installed would be purchased by members of the public and used by the purchasers, and others, to travel on public highways, without inspection for defects.
- 109. Doe Defendants 51-60 knew that their component parts and systems were required to comply with certain state and federal safety standards and regulations.
- 110. Doe Defendants 51-60 were negligent in their responsibilities and duties in that, amongst other things, the component parts and systems were defective and unsafe for their intended purpose at the time they were released into the stream of commerce.
- 111. Doe Defendants 51-60 failed to provide proper and adequate warnings relative to defects in the design, assembly and manufacture of their vehicles, including the subject Jeep Liberty.
- 112. As a direct and proximate result of the defective condition of Defendants' component parts and systems, and consequently the defective condition of the truck, and the collision described herein, Plaintiff's decedent sustained fatal injuries and Plaintiff's decedent's heirs suffered the losses and damages herein alleged.

FIFTEENTH CAUSE OF ACTION AGAINST DOE DEFENDANTS 51-60 (MANUFACTURERS OF DEFECTIVE COMPONENT PARTS AND SYSTEMS ON THE JEEP LIBERTY) FOR BREACH OF IMPLIED WARRANTY

- 113. Plaimiff incorporates by reference all previous paragraphs as if fully restated.
- 114. Doe Defendants 51-60, by and through the manufacture and sale of component parts and systems used in the manufacture of the Jeep Liberty, impliedly warranted that its component parts and systems were fit for the purpose for which they were intended.
- The component parts and systems used in the manufacture of the Jeep Liberty were not fit for their intended and foreseeable purpose and use, thereby rendering them, and the Jeep Liberty, unreasonably dangerous.
- 116. Doe Defendants 51-60 breached their warranty in that their component parts and systems did not reasonably conform to the warranted quality, safety, characteristics and performance.
- 117. By virtue of the conduct of defendants as described herein, and the defendants' negligence in designing, manufacturing, assembling, certifying, marketing and selling the component parts and systems used in the manufacture of the Jeep Liberty, defendants breached their warranty of filness for their intended use, proximately causing plaintiff's decedent to sustain fatal injuries and plaintiff's decedent's heirs to suffer the losses and damages as described herein.

SIXTEENTH CAUSE OF ACTION AGAINST ALL DEFENDANTS (SURVIVAL ACTION)

118. Plaintiff incorporates by reference all previous paragraphs as if fully restated.

- 119. On or about November 3, 2006, after causes of action arose in her favor, Plaintiff's decedent, who would have been the plaintiff in this action had she lived, died of the injuries she suffered as a result of the motor vehicle collision and ensuing five.
- 120. At the time and place alleged herein, the Freightliner truck approached, and struck from behind at high speed, Plaintiff's decedent's stopped, or nearly stopped, Jeep Liberty, pushing it into another truck. The Freightliner truck and Jeep Liberty burst into flames and burned.
- 121. For a measurable period of time before Plaintiff's decedent's death, Plaintiff's decedent suffered physical and emotional injuries in the form of pre-impact and post-impact fright, terror, pain and suffering, and severe are otional distress, as well as life-threatening physical injuries and burns, and the personal property of Plaintiff's decedent was destroyed. Plaintiff's decedent was aware of the happening of the crash, was aware of her certain and imminent death, and was alive for a measurable period of time during the incident, and thereafter subsequently died of her injuries.
- 122. At the time and place alleged herein, for a measurable period of time, Plaintiff's decedent suffered severe emotional distress associated with being involved in this crash with her husband Steven and daughter Nikki, and fearing for their lives. Plaintiff's decedent was aware of the certain and imminent injury and death of her husband and young daughter prior to Plaintiff's decedent's death.
- 123. Defendants engaged in conduct that was outrageous, reckless, willful, wanton, indifferent to, and in conscious disregard for, the safety of other motorists, and in particular the safety of Plaintiff's decedent, her husband and daughter, which conduct was the direct and preximate cause of Plaintiff's decedent's injuries and the damages alleged herein.

124. Plaintiff therefore seeks recovery from Defendants for Christine A. Zadjelovich's injuries and damages as stated herein, as well as the less of accumulations to decedent's Estate, hedonic damages, and all other related expenses, damages and losses, together with appropriate punitive and exemplary damages, according to proof at trial.

WHEREFORE, Plaintiff prays judgment against al! Defendants for the following damages, all in excess of the jurisdictional minimum of this Court:

- 1. Pre-impact and post-impact fright, terror and severe emotional distress of the decedent;
 - Pain and suffering of the decedent;
 - Pecuniary losses suffered by reason of death;
 - 4. Loss of decedent's services;
 - Loss of decedent's support;
 - Net loss of inheritance/accumulations to decedent's Estate;
 - Loss of retirement and social security income;
 - Loss of care, advice, guidance, counsel and companionship of the decedent;
 - Funeral, burial and other expenses;
 - Hedonic damages;
 - 11. Decedent's property damage;
 - 11. Exemplary, enhanced and punitive damages;
 - 12. Costs of administration of decedent's Estate;
 - Pre-judgment interest as allowed by applicable law;
 - Other general damages as allowed by applicable law;

- 15. Closts of suit; and
- For such other and further relief as 's just and proper.

Date: February 23, 2007

Respectfully submitted,

Balm, Hedland, Aristei, Goldman & Menzies

Cara J. Luther, Esquire

Pa. I.D. No. 52545

1250 24th Street, N.W., Suite 300

Washington, D.C. 20037 Telephone: (202) 466-0513 Facsimile: (202) 466-0527

Counsel for Plaintiff

JURY DEMAND

Plaintiff hereby demands a trial by jury on all fact issues and counts in this case.

Date: February 23, 2007

Respectfully submitted,

BAUM, HEDLUND, ARISTEI, GOLDMAN & MENZIES

Cara J. Luther, Esquire Pa. L.D. No. 52545

1250 24th Street, N.W., Suite 300

Washington, D.C. 20037 Telephone: (202) 466-0513 Facsimile: (202) 456-0527

Counsel for Plaintiff

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT E. DAVIS, as Administrator of the Estate, and as Administrator Ad Prosequendum of CHRISTINE A. ZADJELOVICH, deceased, on behalf of all beneficiaries and heirs of CIRISTINE A. ZADJELOVICH, deceased,

Case No. 07-0767

FIRST AMENDED COMPLAINT FOR WRONGFUL DEATH AND SURVIVAL DAMAGES

DEMAND FOR JURY TRIAL

Plaintiffs.

VS.

DNH ENTERPRISES; BUILDER SERVICES GROUP, INC., a corporation; MASCO CONTRACTOR SERVICES, INC., a corporation; MASCO CORPORATION, a corporation; RYDER TRUCK RENTAL, INC., a corporation; LAWRENCE E. BANKS, an individual;

Plaintiff Robert B. Davis, as the duly appointed Administrator of the Estate and Administrator Ad Prosequendum of Christine A. Zadjelovich, deceased, on behalf of all beneficiaries and heirs of Christine A. Zadjelovich, deceased, alleges as follows:

JURISDICTION AND VENUE

- 1. This Court has subject matter jurisdiction of this matter pursuant to 28 U.S.C. §1332(a) in that there is complete diversity of citizenship between Plaintiff and Defendants and the amount in controversy exceeds \$75,000, exclusive of interest and costs.
- 2. This Court has personal jurisdiction over each of these Defendants in that they caused tortious injury to persons within the State of Pennsylvania in Berks County, within this Court's jurisdiction.

This Court has supplemental jurisdiction over any and all claims arising from the same occurrence and/or set of operative facts giving rise to this action that are so related to its original jurisdiction, in that such claims form part of the same case or controversy under Article III of the United States Constitution, pursuant to 28 U.S.C. §1367.

4. Venue is properly laid in this Court pursuant to 28 U.S.C. §1391 (a)(2) and (c) because a substantial part of the events giving rise to this action occurred in this judicial district and each Defendant is subject to personal jurisdiction in this Court.

PARTIES

5. Plaintiff, Robert E. Davis is the father of Christine A. Zadjelovich, deceased. Robert A. Davis is a citizen of the State of New Jersey, with his residence at 704 B Village Drive South, North Brunswick, New Jersey 08902. Plaintiff Robert E. Davis was duly appointed as Administrator Ad Prosequendum on November 15, 2006, and as Administrator of the Estate on February 7, 2007 in Middlesex County, New Jersey, Docket #215201 Plaintiff Robert E. Davis brings this lawsuit pursuant to 42 Pa. C.S.A. §§8301 and 8302, 20 Pa. C.S.A. §§3371 and 3373, and Pa. R.C.P. 2202(a) as the Administrator of the Estate and as Administrator Ad Prosequendum (hereinafter "Administrator") of the decedent, Christine A. Zadjelovich, on behalf of the following individuals, comprising those with claims or potential claims as beneficiaries, survivors, and heirs of the decedent:

Name Relationship to Deceased

Robert E. Davis Father

Anna Davis Mother

All other beneficiaries, survivors, and heirs under applicable law. Anna Davis, the mother of Christine A. Zadjelovich, deceased, resides at 704 B Village Drive South, North Brunswick, New Jersey 08902.

- 6. On information and belief, Defendant DNH Enterprises (hereinafter "DNH") is a business entity, form unknown, with its principal place of business at 150 Fulling Mill Road, Middletown, Pennsylvania 17057 Defendant DNH is a general freight motor carrier for hire operating in interstate commerce under U.S. DOT #612843 and MC/MX #294298, and at all relevant times was the operator of the 18-wheel truck involved herein. DNH is a subsidiary of, or otherwise affiliated with, Defendants Builder Services Group, Inc., Masco Contractor Services, and/or Masco Corporation.
- 7. On information and belief, at all relevant times, Defendant DNH was the employer and/or principal of Defendant truck driver Lawrence E. Banks.
- 8. On information and belief, Defendant Builder Services Group, Inc. (hereinafter "Builder") is a corporation organized and existing under the laws of the State of Florida, with its principal places of business at 2339 Beville Road, Daytona Beach, Florida 32119, and 21001 Van Born Road, Taylor, Michigan 48180. Defendant Builder is a motor carrier operating in interstate commerce under U.S. DOT #572263, and is in the business of transporting building materials. Defendant Builder is a subsidiary of, or otherwise affiliated with, Defendants Masco Contractor Services and/or Masco Corporation.
- 9. On information and belief, Defendant Masco Contractor Services, Inc. ("MCS") is a corporation organized and existing under the laws of the State of Delaware with its principal places of business at 2339 Beville Road, Daytona Beach, Florida 32119, and 21001 Van Born Road, Taylor,

Michigan 48180. Defendant MCS is the parent corporation of, or otherwise affiliated with, Defendants DNH and/or Builder. Defendant MCS is engaged in the business of providing building products, materials, and building services, including installation services, and operates and provides goods and services through numerous subsidiaries and installation locations and offices throughout the United States, including Defendants DNH's and/or Builder's office located at 150 Fulling Mill Road, Middletown, Pennsylvania 17057. Defendant MCS is a wholly owned subsidiary of Defendant Masco Corporation.

- 10. On information and belief, Defendant Masco Corporation (hereinafter "Masco") is a corporation organized and existing under the laws of the State of New Mexico, with its principal place of business located at 21001 Van Born Road, Taylor, Michigan 48180. Masco is a Fortune 500 company that manufactures consumer products for home improvement and construction, provides builder services, including the sale and installation of insulation products. Defendant Masco operates its business through subsidiaries, affiliates, installation locations, and branch offices nationally and internationally, including Defendant DNH's and/or Builder's location at 150 Fulling Mill Road, Middletown, Pennsylvania 17057.
- 1. On information and belief, Lawrence E. Banks (hereinafter "Banks") is an adult who resides at 3405 Ridgeway Road, Harrisburg, Pennsylvania 17044, in Dauphin County, Pennsylvania. Defendant Banks was an employee and/or agent of Defendant DNH on November 3, 2006,
- 12. On information and belief, Defendant Ryder Truck Rental, Inc. (hereinafter "Ryder") is a corporation organized and existing under the laws of the State of Florida with its principal place of business at 11690 NW 105th Street, 1E, Miami, Florida 33178, and is qualified to do, and is doing business in the State of Pennsylvania. Defendant Ryder is engaged in the

business of renting and leasing trucks and is the registered owner of the 2006 Freightliner truck tractor (VIN:1FUJBBCK86LX01554), and 1998 Utility Dry Van semitrailer involved in the incident herein. The truck tractor and semitrailer are hereinafter referred to as the "truck."

GENERAL ALLEGATIONS

Plaintiff is informed and believes and thereon alleges:

- 13. Defendants DNH, Builder, MCS and/or Masco leased the truck from Defendant Ryder.
- 14. At the time of the events described herein, Defendant DNH was engaged in a business which was being advanced and furthered through the acts of its driver, Defendant Banks, an employee or agent of Defendant DNH.
- 15. At all relevant times herein, Defendants DNH, Banks, Builder, MCS, and Masco were each the agent and/or employee of the other and were acting within the course and scope, and in furtherance of, said agency and/or employment, or other capacity, so as to give rise to vicarious liability, each liable for the acts and omissions of the other, and each authorized, ratified, and adopted the acts of the other.
- I6. On or about November 3, 2006, at approximately 11:59 a.m., Christine A. Zadjelovich was a right front seat passenger in a 2006 Chrysler Jeep Liberty SUV, VIN: 1J4GL48K16W120926, bearing license VCM72D- NJ (hereinafter "Zadjelovich vehicle" or "Jeep Liberty"), operated by her husband, Steven Zadjelovich with their 4-year old daughter, Nikki as a passenger. The Zadjelovich family was traveling westbound on Interstate I-78 (hereinafter "I-78") in the left lane at or near mile marker 35.2 near the Lehhartsvile exit in Greenwich Township, Berks County, Pennsylvania.

- At that time and place, the Zadjelovich vehicle was stopped, or nearly stopped in the left lane of I-78, behind a long traffic backup where traffic ahead was restricted to one lane in each direction due to roadway construction.
- 18. At that time and place, various construction work zone warning signs were posted along westbound I-78 for approximately five miles leading up to the crash location, including a flashing billboard warning "4 MILES AHEAD TRAFFIC STOPPED".
- 19. At that time and place, Defendant Banks was driving the truck on westbound I-78 in the left lane, in excess of the posted speed limit, which at the time was 50 miles per hour due to it being a construction zone.
- 20. At that time and place, Defendant Banks operated the truck in such a manner that he crashed the truck at high speed into the rear of the Zadjelovich vehicle that was lawfully stopped, or nearly stopped, in traffic.
- The force of the crash pushed the Zadjelovich vehicle into the rear of the vehicle directly in front of it, another tractor-trailer. The truck driven by Defendant Banks and the Zadjelovich vehicle burst into flames and burned. The impact caused serious bodily injuries to the occupants of the Zadjelovich vehicle, including Plaintiff's decedent, Christine A. Zadjelovich, from which injuries she ultimately died.

FIRST CAUSE OF ACTION AGAINST DEFENDANTS BANKS, DNH, BUILDER, MCS, AND MASCO FOR NEGLIGENCE

22. Plaintiff incorporates by reference all previous paragraphs as if fully restated.

- 23. Defendants Banks, DNH, Builder, MCS, and Masco owed a duty of due care to others on public roadways, and Plaintiff's decedent in particular, to obey state and federal regulations with regard to the safe, prudent and lawful operation of a commercial motor vehicle on public highways.
- 24. Defendant Banks, while in the course and scope of his employment with Defendant DNH, breached these, and other duties of due care, in that his conduct was negligent, unlawful and reckless in that amongst other things, Defendant Banks:
 - failed to keep a proper lookout while operating the truck;
 - b) followed too closely and failed to maintain a safe distance between his truck and the vehicle directly in front of his truck;
 - operated the truck at a speed greater than was legal, reasonable and proper under the circumstances;
 - d) operated the truck at a speed greater than would permit stopping within an assured distance ahead;
 - e) failed to apply his brakes in sufficient time to avoid striking the Zadjelovich vehicle which was in the same lane of the roadway ahead of him;
 - f) failed to take evasive action sufficient to avoid striking the Zadjelovich vehicle which was ahead of him;
 - g) failed to obey numerous construction zone and other warnings and signage in the area;
 - failed to obey state vehicle codes and federal statutes and regulations,
 including 75 Pa. C.S.A. §3361 (driving vehicle at a safe speed), and 75 Pa.
 C.S.A. §3714 (careless driving);

- operated the truck when he was not medically, mentally and physically capable of doing so in a safe and legal manner;
- j) operated the truck in the manner described herein when Defendant Banks knew, or had reason to knew, of the high risk of danger to other motorists traveling in the westbound lanes of the roadway by such operation of the heavy truck; and
- collided at high speed with the rear of the vehicle occupied by Christine A.
 Zadjelovich, her husband Steven Zadjelovich, and their daughter Nikki
 Zadjelovich.
- 25. Defendants DNH, Builder, MCS, Masco breached these, and other, duties of due care in that they negligently, unlawfully and recklessly:
 - a) violated state and federal statutes regulating motor carrier operations;
 - b) failed to use reasonable care in the hiring, retention, supervision, management and control of their employee and/or agent Defendant Banks;
 - failed to properly and adequately train and instruct their employee and/or agent Defendant Banks in the proper methods and procedures of safely operating a tractor-trailer combination, so as to avoid placing other motorists in harm's way, including, but not limited to, (1) failing to adequately instruct and train Defendant Banks to obey the state and federal codes and regulations relating to safe driving, and failing to enforce compliance therewith; and (2) failing to adequately teach and enforce the use of evasive techniques to prevent collisions such as the one described herein;

- d) entrusted the truck to its employee and/or agent Defendant Banks;
- e) failed to retrain, monitor, correct, discipline, and/or reprimand Defendant

 Banks; and
- f) failed to properly inspect, repair and maintain the truck.
- 26. As a direct and proximate result of the negligence and other conduct of these defendants, Plaintiff's decedent was severely injured and ultimately died.
- As a further direct and proximate result of the conduct of Defendants, Plaintiff's decedent's beneficiaries, survivors, and heirs have incurred funeral, burial and related expenses, and have suffered, and continue to suffer, pecuniary losses, including the loss of decedent's earnings, earning capacity, services, financial support, guidance, care, advice, counsel and companionship, all in excess of the jurisdictional minimum of this Court, according to proof.

SECOND CAUSE OF ACTION AGAINST DEFENDANT RYDER FOR NEGLIGENCE

- 28. Plaintiff incorporates by reference all previous paragraphs as if fully restated.
- 29. On information and belief, Defendant Ryder leased the truck to Defendants DNH, Builder, MCS and/or Masco.
- 30. Defendant Ryder owed a duty of due care to motorists, and Plaintiff's decedent in particular, with regard to the safe and proper operation of the truck on interstate highways in compliance with state and federal regulations.
- 31. Defendant Ryder breached these duties in that their conduct was negligent, unlawful and reckless in that this defendant, in the manner stated herein:

- a) leased and entrusted the truck to Defendants DNH, Builder, MCS and/or Masco when Defendant Ryder knew, or in the exercise of reasonable care should have known, that Defendants DNH, Builder, MCS and/or Masco negligently hired, trained, managed, controlled, supervised, and retained truck drivers, including Defendant Banks, and entrusted the truck to him;
- b) failed to properly inspect, repair and maintain the truck,
- 32. As a direct and proximate result of the negligence and other conduct of Defendant Ryder, Plaintiff's decedent was severely injured and ultimately died.
- As a further direct and proximate result of the conduct of Defendant, Plaintiff's decedent's beneficiaries, survivors, and heirs have incurred funeral, burial and related expenses, and have suffered, and continue to suffer pecuniary losses, including the loss of decedent's earnings, earning capacity, services, financial support, guidance, care, advice, counsel and companionship, all in excess of the jurisdictional minimum of this Court, according to proof.

THIRD CAUSE OF ACTION AGAINST ALL DEFENDANTS (SURVIVAL ACTION)

- 34. Plaintiff incorporates by reference all previous paragraphs as if fully restated.
- 35. On or about November 3, 2006, after causes of action arose in her favor, Plaintiff's decedent, who would have been the plaintiff in this action had she lived, died of the injuries she suffered as a result of the motor vehicle collision.
- 36. At the time and place alleged herein, the truck approached and struck from behind at high speed, Plaintiff's decedent's stopped, or nearly stopped, Jeep Liberty, pushing it into another truck. The truck and Jeep Liberty burst into flames and burned.

- 37. For a measurable period of time before Plaintiff's decedent's death, Plaintiff's decedent suffered physical and emotional injuries in the form of pre-impact and post-impact fright, terror, pain and suffering, and severe emotional distress, as well as life-threatening physical injuries, and the personal property of Plaintiff's decedent was destroyed. Plaintiff's decedent was aware of the happening of the crash, was aware of her certain and imminent death, and was alive for a measurable period of time during the incident, and thereafter subsequently died of her injuries.
- 38. At the time and place alleged herein, for a measurable period of time, Plaintiff's decedent suffered severe emotional distress associated with being involved in this crash with her husband Steven and daughter Nikki, and with fearing for their lives. Plaintiff's decedent was aware of the certain and imminent injury and death of her husband and young daughter prior to Plaintiff's decedent's death.
- 39. Defendants engaged in conduct that was outrageous, reckless, willful, wanton, indifferent to, and in conscious disregard for, the safety of other motorists, and in particular the safety of Plaintiff's decedent, her husband and daughter, which conduct was the direct and proximate cause of Plaintiff's decedent's injuries and the damages alleged herein.
- 40. Plaintiff therefore seeks recovery from all Defendants for Christine A. Zadjelovich's injuries and damages as stated herein, as well as the loss of accumulations to decedent's Estate, hedonic damages, and all other related expenses, damages and losses, together with appropriate punitive and exemplary damages, according to proof at trial.

WHEREPORE, Plaintiff prays judgment against all Defendants for the following damages, all in excess of the jurisdictional minimum of this Court:

Pre-impact and post-impact fright, terror and severe emotional distress of the decedent;

- 2. Pain and suffering of the decedent;
- Pecuniary losses suffered by reason of death;
- 4. Loss of decedent's services:
- 5. Loss of decedent's support;
- 6. Net loss of inheritance/accumulations to decedent's Estate;
- Loss of care, advice, guidance, counsel and companionship of the decedent;
- 8. Funeral, burial and other related expenses;
- Hedonic damages;
- Decedent's property damage;
- Exemplary, enhanced and punitive damages;
- 12. Costs of administration of decedent's Estate;
- 13. Pre-judgment interest as allowed by applicable law;
- 14. Other general damages as allowed by applicable law;
- 15. Costs of suit; and
- 16. For such other and further relief as is just and proper.

Date: April 20, 2007

Respectfully submitted,

BAUM: HECLUND, ARISTEL GOLDMAN & MENZIES, P.C.

Cara J. Luther, Esquire Pa. I.D. No. 52545

1250 24th Street, N.W., Suite 300

Washington, D.C. 20037 Telephone: (202) 466-0513

Facsimile: (202) 466-0527

Counsel for Plaintiff

JURY DEMAND

Plaintiff hereby demands a trial by jury on all fact issues and counts in this case.

Date: April 20, 2007

Respectfully submitted,

BAUM, HEDLUND, ARISTEI, GOLDMAN & MENZIES.

P.C

Cará J. Luther, Esquire

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Washington, D.C. 20037 Telephone: (202) 466-0513 Facsimile: (202) 466-0527

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I certify that on April 20, 2007, a true and correct copy of the foregoing First Amended Complaint for Wrongful Death and Survival Damages was served via facsimile and First Class U.S. Mail on the following individuals:

Gregory J. Samurovich, Esq. Robert A. Assuncao, Esq. DLA Piper, L.L.P. One Liberty Place 1650 Market Street, Suite 4900 Philadelphia, Pennsylvania 19103 Telephone: 215,656,3300

Telephone: 215.656.3300 Facsimile: 215.606.3394

Attorneys for Defendants DNH Enterprises, Masco Corporation, Masco Contractor Services, Inc., and Lawrence E. Banks Fred Greenberg, Esq. Pred Greenberg, P.C.

111 Forrest Avenue, 2nd Floor

P.O. Box 629

Narberth, Pennsylvania 19072 Telephone: 610.667.8300, ext. 15

Facsimile: 610.667.3535

Attorneys for Defendant Ryder Truck Rental,

Inc.

Cara J. Luther, Esq.





























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		Owner/Driver 00=Not Applicable 02=Private Vehicle Nowned/Leased I 02=Private Vehicle Owned/Leased I 03=Rented Vehicle Same as Owner First Name Ov	by Driver 05=PENND 06=Other	OT Vehicle 08=Ot State Gov Veh Go	lva providiral 98=1	Other Unknown
		Driver Carry State Zip VIPI 1 X K W D B 9 X 2 5 J License Flate Insurance Company	eg. State Est. Speed	Model Year 2 0 0 5 Vehicle Tower Policy No	KENWORTH Valida World W900L Travel do KRAMER'S	*Make Curle 8 5 (see overlay)
	12	Trailing Unit No. of Trailing Unit S. Direction of Travel Vehicle Color Vehicle Color 1 2 07=Silver 03=Blue 09=Brown 02=Red 10=Orange 03=White 11=Purple 04=Green 12=Other 05=Black 99=Unknown 05=Black 99=Unknown 05=Non-Collision 14=Undercarriage 12=Other 11=Other 05=Black 05=Non-Collision 14=Undercarriage 12=Other 12=Other 14=Undercarriage 12=Other 14=Other 14=O	Movement 0 2 5=Large Truck 6=SUV 7=Van 0=Snowmobile 1=Farm Equip 2=Construction Equip 3=ATV 8=Other Type Spec Veh 9=Unk. Type Spec Veh aue Indicator 1=Minor 3=Disabling	8=Other 9=Unknown *5ee Overlay 20=Unicycle, Bicycle, Tricycle 21=Other Pedalcycle 22=Horse & Bugyy 23=Horse & Rider 24=Train 25=Trolley 98=Other 99=Unknown Gradient 2 1=Level	2 1 Operated Marcol 2 1 Operated significable Operated in with Operated in the Marcol Operated Marcol Operat	Year Tag 5t Oll ME I2=Commercial Passenger Carrier I3=Tasi 21=Tractor Trailer 23=Triple Trailer 23=Triple Trailer 31=Modified Veh cg=Unknown I=Straight 2=Curved 9=Unknown
	ļ	1 Initial impact Form	0=None 2=Functions 1=Minor 3=Disabling 9=Unknown	2 1=Level 2=Uphill		2

Name / Address / Phone

☐ Same as Operator

P 1277344

Page 0 5 AA 500 3 T64-0947391 G 0-Hat Applicable Safety Faulpment One: 00=None Used / Not Applicable 01=Shoulder Belt Used Seat Position:
00=Not A Passenger/Occupant
01=Driver - All Vehicles
02=Front Seat Middle Position Person Type: 1=Driver 1=Not Ejected 2=Totally Lipcied 3=Partially Lipcied 02=Lap Belt Used 2=Passenger 02=Lap Belt Used
03=Lap And Shoulder Belt Used
04=Child Safety Seat Used
05=Motorcycle Helmet Used
06=Bicycle Helmet Used
10=Safety Belt Used Improperly
11=Child Safety Seat Used Improperly
12=Helmet Used Improperly 7=Pedestrian 03=Front Seat Right Side 04=Second Row - Left Side Or 9=1 Inknown 8=Other 9=Unknown Motorcycle Passenger

D5=Second Row - Middle Position

06=Second Row - Right Side

07=Third Row Or Greater -H Dischor Path: U-blot Dischol / Not Applicable 1-through Side Door Opening 2-through Side Window <u>Sex:</u> F =Female 12=Helmet Used Improperly 90=Restraint Used, Type Unknown В Left Side 3≔Through Windshield □≡inough windshied
4=Through Back Door
5=Through Back Door Tailgate Opening
6=Through Roof Opening (Sunroof/
Convertible Top Down)
7=ffrough Roof Opening (Convertible
Tail 16) People Information M≃Male 08=Third Row Or Greater -99=Unknown U ≃Unknown Middle Position 09=Third Row Or Greater -Safety Equipment Two:

O0=None Used / Not Applicable
O1=Front Air Bag Deployed (For This Seat)
O2=Side Air Bag Deployed (For This Seat)
O3=Other Type Air Bag Deployed
O4=Multiple Air Bags Deployed
O5=Motorcyde Eye Protection
O6=Bicyclist Wearing Elbow/Knee/Pads
10=Air Bag Not Deployed, Switch On
11=Air Bag Not Deployed, Switch Off
12=Air Bag Not Deployed, Right Side 10=Sleeper Section of Truckcab 11=in Other Enclosed Injury Severity: 0=Not Injured Top Up) 9=Unknown Passenger Or Cargo Area 1=Killed 12∞in Open Area (Back Of Pickup, Etc.) 2≕Major Injury 3=Moderale 13=Trailing Unit 14=Riding On Vehicle Exterior 15=Bus Passenger Extrication: 0=Hot Applicable 1=Hot Extricated Injury 4≕Minor Injury 8=Injury, Unk 2=Extricated By Mechanical Means 98=Other Severity 12=Air Bag Not Deployed, Unk Switch Setting 13=Air Bag Removed (Prior To Crash) 3=linged By Non - Mechanical Means 99=Unknown 9=Unknown if 3=Other Injury 19=Unknown If Air Bag Deployed u-Haknown 99=Unknown Medical Facility: LEHIGH VALLEY HOSPITAL EMS Agency: HAMBURG G Date of Birth (MM-DD-YYYY) Α 0 1 Unit No Person No 0 1 0 Delete? 3 2 0 0 ı M 0 0 1 \bigcirc **EMS Transport** Name / Address / Phone Yes 🗀 No Some as Operator Н G В Α Date of Birth (MM-DD-YYYY) Unit No Person No 2 0 Delete? 9 1 0 1 2 0 1 EMS Transport Name / Address / Phone Yes 🗀 No Same as Operator H G Date of Birth (MM-DD-YYYY) Person No Unit No Delete? \circ **EMS Transport** ol Name / Address / Phone 🗰 Yes 🔘 No Same as Operator Ğ A В Date of Birth (MM-DD-YYYY) Person No 0 Unit No 9 Delete? 9 9 2 3 0 2 0 EMS Transport Name / Address / Phone Yes. 🗀 No Same as Operator Н Ĝ Ð Date of Birth (MM-DD-YYYY) Unit No Person No οll Delete? 3 || 0 01 3 0 EMS Transport Name / Address / Phone Yes Same as Operator H Ď В Date of Birth (MM-DD-YYYY) Person No Unit No Delete?

EMS Transport

☐ Yes ☐ No

Crash Number

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	Crash Description	0=Non-Collisio 1=Rear End	on 2=Head On 3=Rear to Rear (Backing)	4=Angle 5=Sideswipe (Same Direction)	G=Sideswipe (Oppusite Direction) 7=Hit Fixed Object	8=Hit Pedestrian 8=Other/Unknown	
complete once	Relation to Roadway	1=On Travel L 2=Shoulder		5=Outside Trafficway 6=In Parking Lane	7=Gord (Bamp Intersect 9=Unknown	ion)	
General Crash Information	Mumination	1=Daylight 1 2=Dark - No Street Ligh	3=Dark - Street Lights ts 4=Dusk	5≕Dawn 6≕Dark - Unknown Roadway Ughting	G≓ Mira		
neral Cr separat	Weather Conditions	1=No Adverse Conditions 2=Rain	Clost (Hoil)	5=Fog 6=Rain & Fog	7=Sleet & Fog 8=Other	9=Unknown	
ج ک	Road Surface Conditions	0=Dry 0 1=Wet	2=Sand, Mud, Dir Oil 3=Snow Covered	. 4=Slush 5=lce	6=lce Palches 7=Water - Standing or Moving	8=Other	
	Harm Event L/R	Most? Utility Pole	Number	Harmful Events (Harm Ever	ot) 30=Hit Fence Or	Wall	
	Unit No 1 0 2			01=Hit Unit 1 02=Hit Unit 2 03=Hit Unit 3 04=Hit Unit 4 05=Hit Unit 5 06=Hit Other Traffic Unit	it = Hit Buikling 32=Hit Culvert 33=Hit Bridge Pic 24=Hit Bridge Ri 35=Hit Bridge Ri 35=Hit Builder C On Roadway	er Or Abutment ind iil Or Obstacle	
tion	Please Put 3 Events in Sequential Order 4			07=Hit Deer 08=Hit Other Animal 09=Collision With Other Non Fixed Object 11=Struck By Unit 1 12=Struck By Unit 2 13=Struck By Unit 3	37±Hit Impact A US=Hit Fire Hydr US=Hit Roadway Ho—Hit Hoall Box H=Hit Traffic Ba H2=Hit Tarow Ba	ttenuator ant Equipment and nk	
nformat	Harm Event L/R	Most? Utility Pole	Number	14=Struck By Unit 4 15=Struck By Unit 5 16=Struck By Other Traffic U	43=Hir Tempora Benfer Ioit 48≘Hir Other Fix	ry Construction and Object	
Unit(s) Event Information	Unit No 1 1 1 1			21=Hit Tree Or Shrubbery 22=Hit Embankment 23=Hit Utility Pole 24=Hit Traflic Sign	. (9±1it Unknow 5()=(Nector/Rol 51±Stock By Th Object 52=Fot Holes O	l Over Irown Or Falling	
Confe	Please Put 3 Events in 3			25=Hit Guard Rail 26=Hit Guard Rail End 27=Hit Curb 28=Hit Concrete Or	Pavement In Steplacknife SteFire In Vehic	regularities de	
	Sequential Order 4			Longitudinal Barrier 29=Hit Ditch	53-Other Non-Control March H	armful Event	
	Harmfui Event in 0 1 0	Event Most Harmful Event in the Crash	Unit No Harm Event O 1 0 2	Driver Action (D) 00=No Contributing Action 01=Driver Was Distracted 02=Driving Using Hand Hele 03=Driving Using Hands Fre 04=Making Illegal U-Turn	d Phone Side Of Roa e Phone 19=Making Imp Lutrance To	Roadway The Wrong Id Irroper I Highway	
	Environmental / Roadway Potential Factors (E/R) O0⇒None O1⇒Windy Conditions O2=Sudden Weather Conditions O3=Other Weather Conditions O4=Deer In Roadway O5=Obstacle On Roadway O5=Obstacle On Roadway O7=Glare O8=Work Zone Related Possible Vehicle Failures O1=Tires O2=Brake System O4=Suspension O5=Power Train Unit O 1 1 1 1 0 0 2 T1=Slippery Road Conditions (ke/S) 12=Substance On Roadway 15=TCD Obstructed 16=Soft Shoulder Or Shoulder Dro 28=Other Roadway Factor 29=Other Roadway Factor 29=Other Environmental Factor 99=Unknown 12=Wipers 13=Driver Seating 14=Body, Doors, 15=Trailer Hitch 16=Wheels 17=Airbags 18=Trailer Overlo 19=Unsecure/Shil Trailer Load 11=Trailer Overlo 19=Unsecure/Shil Trailer Load 11=Trailer Overlo 19=Unsecure/Shil Trailer Load 100 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0		Conditions (ke/Snow) Roadway cked Pavement ed Or Shoulder Drop Off ny Factor	05=Improper/Careless Turni 06=Turning From Wrong La 07=Proceeding W/O Clearance After Stop 08=Running Stop Sign 09=Running Red Light 10=Failure To Respond To Other Traffic Control Dr 11=Tailgating 12=Sudden Slowing/Stoppi 13⇒Illegally Stopped On Ro 14=Careless Passing Or Lan Change	O5=Improper/Careless Turning O6=Turning From Wrong Lane O7=Proceeding W/O Clearance After Stop O8=Running Red Light O9=Running Red Light O1=Failure To Respond To Other Traffic Control Device 11=Tailgating 12=Sudden Slowing/Stopping 13=Illegally Stopped On Road 14=Careless Passing Or Lane 20=Mafking Improper E From Highway 21=Careless Parking/Ur 22=Over/Under 22=Over/Under 22=Over/Under 23=Spending 24=Zining To Maintain 25=Failure To Maintain 26=Zining To Fast Fo 25=Failure To Maintain 26=Zining To Fast Fo 27=Zining To Fast Fo 28=Zining To Fast Fo 29=Zining To 29=Zining To 20=Mafking Improper E 29=Zining To 20=Mafking Improper E 29=Zining To 20=Zining To 20=Zining To 20=Zining To 20=Zining To 21=Zining To 21=Zini		
Contributing Information			3=Driver Seating/Control 4=Body, Doors, Hood, Etc 5=Trailer Hitch 6=Wheels 7=Airbags 8=Trailer Overloaded 9=Unsecure/Shifted Trailer Load 00=Improper Towing 1=Obstructed Windshield	15=Passing In No Passing Z 16=Driving The Wrong Wa 1-Way Street Unit 0 1 1 2 Unit 0 2 1 0 Pedestrian Action (P) 00=None 01=Entering Or Crossing A Specified Location	0 2 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3	9 8 4	
,	Indicated Prime Factor Do not repeat this information on multiple pages. E/R V D P	Unit No O I If EIR is the Pri Type, leave Un	actor Code 2 4 me Factor it No blank	02=Walking, Running, log Or Playing Unit No 0 1	glisy, ogt=Other 99=Unknosyn	0 2 0 0	

!	1	COMMONWEAL	rh of	PENNSYLVANI	A	New .		Cresh Mumber
	Ι	POLICE CRASH R		TING FORM	Page 0 7	Change/ Continuation	P 1 2 7	7 3 4 4
	~	500 4 L04-094	7391			4=Angle	GoGleb waiper	0=Hit Pedesinan
		Crash Description		()=:Non-Collision 1=Rear End	2=Head On 3≕Rear to Rear (Backing)	5=Sideswipe (Same Direction)	(Opposite Literal 7-111 Fixed Object	9=Ulher/Unknown
Cresh Information	2 Units only complete once)	Relation to Roadway		1=On Travel Lanes 2=Shoulder	3=Median 4=Roadside	5=Outside Trafficwa 6=In Parking Lane	g-Untriewn	REGION
sh Info	nits anity CO	<u>lliumination</u>		1=Daylight 2=Dark - No Street Lights	3=Dark - Street Lights 4=Dusk	5=Dawn 6=Dark - Unknown Roadway Lighting		
General Cr	e then 2 U	Weather Conditions		1=No Adverse Conditions 2=Rain	3=Sleet (Hail) 4=Snow	5≔Fog 6≔Ræin&Fog	7=Sleet 5 Fog 8=Offer	9=Unknown
5	(If more	Road Surface Conditions		0=Dry 1=Wet	2=Sand, Mud, Dirt, Oil 3=Snow Covered	4=Slush 5=lce	6=ice t'atches 7=Waier - Standin or Moving	g=Other y
_		Harm Event L/R	Most?	Utility Pole Numbe		Harmful Events (Harm	Event) 30=1 lit Fen	ge Or Wall
		Unit No				01=Hit Unit 1 02=Hit Unit 2 03=Hit Unit 3 04=Hit Unit 4	77-16: 110	vert Ige Pier Or Abutment apet End
		0 3 2				05=Hit Unit 5 06=Hit Other Traffic Uni 07=Hit Deer	t 36=Hit Ber	ilder Or Obstacle
	١	Please Put 3 Events in Sequential				08=Hit Other Animal 09=Collision With Other Fixed Object	r Non 30=Hit Gro 39=Hit Re 20=Hit Ma	e Hydrant adway Equipment ail Box
	5	Örder 4] 0			11=Struck By Unit 1 12=Struck By Unit 2 13=Struck By Unit 3 14=Struck By Unit 4	41≓lit Tr: 42≓lil Sn 43≓lit Te	iffic Island ow Bank inporary Construction
	Ē	Harm Event <i>L/I</i>	R Most	? Utility Pole Number	er	15=Struck By Unit 5 16=Struck By Other Tra	Banie: Bicthii 49≠HitOt	har Fired Object
	Event Impimation	1] 0	·		21=Hit Tree Or Shrubbe 22=Hit Embankment	ery 50-Overto	iknown Fixed Object
	S) EV	Unit No	70			23=Hit Utility Pole 24=Hit Traffic Sign 25=Hit Guard Rail	objec •:-Pot H	By Thrown Or Falling the Sor Other tent Irregularities
	Unit(s)	Please Put 3 Events in	_ 			26=Hit Guard Rail End 27=Hit Curb 28=Hit Concrete Or	50-Jacku Sdefina k 20.5 Men	ilo
		Sequential Order	_ 			Longitudinal Barrier 29=Hit Ditch Driver Action (D)	99:-Uplan 17:-Card	955 Or Illegal
١		L. L. Han Mari	n Event	Most Unit N	o Harm Event	00-No Contributing A	ction Back	ng On Roadway ng On The Wrong
17		Harmful Event in		Harmful Event in the Crash		01=Driver Was Distract 02=Driving Using Hand 03=Driving Using Hand	d Held Phone Syle ds Free Phone 19-5-18-18	() i Road ng Improper ng To Highway
			eat this info	emation on multiple pages		04=Making Megal U-Ti 05=Improper/Careless 06=Turning From Wro	Turning 70=Maki	ne improper Exit
	Ī	Environmental / Roadway Potential Factors (E/R)	1	2] 3	07=Proceeding W/O Clearance After St	op /2=0vg	Highway Ins Parking/Unparking Minder Pensation At Curve
		00=None	17	1=Slippery Road Condit 2=Substance On Roadw	ions (ice/snow) vay	08=Running Stop Sign 09=Running Red Light 10=Failure To Respon	d-To 24≂Divi	ding ng Too Fast
		02=Sudden Weather Condition 03=Other Weather Conditions	1.	3=Potholes 4=Broken Or Cracked P 5=TCD Obstructed		Other Traffic Cont	25=Faile	Conditions re: To Maintain Proper Speed er Fleeing Police (Pol Chase)
		04=Deer in Roadway 05=Obstacle On Roadway 06=Other Animal On Roadway	. 1	6=Soft Shoulder Ot Sho 8=Other Roadway Facto	Of '	12=Sudden Slowing/S	On Road 27=Driv	er Inexperienceu
18		07=Glare 08=Work Zone Related	2	9=Other Environmental 9=Unknown	Factor	14=Careless Passing Change	92=Affe	cited By Physical Condition or Improper Driving Actions
	ន្ទ	Possible Vehicle Fallures (V)	12=Wip	er Seating/Control	15=Passing In No Pass 16=Driving The Wron	ig Way On 19=13nk	nervo
	Information	00=None 06 01=Tires 07	j≕Exhaus 7≠Headli	ohts 14=Boo	ly, Doors, Hood, Etc. Her Hitch	1-Way Street		3 4
		02=Brake System 06 03=Steering System 05	3=Signal 3=Other 0=Horn	ughts 16=Wh Lights 17=Airl	eels bags	Unit O 3 1	002	
	Contributing	04=Suspension 10 05=Power Train 10	J≘nom 1≕Mirron	s 19=Un:	iler Overloaded secure/Shifted iler Load	Unit 1	2	3 4
	18	Unit No 0 3 1 0	0 2	20=lmr 21=Ob	proper Towing structed Windshield	Pedestrian Action (P) 03=\(\frac{1}{2}\)	Line Nation
		Unit	2		known	00=None 01=Entering Or Cros	D5=AD1	one) vehicle acaching Or Leaving Vehicle aking On Vehicle
		No		Unit No Factor	Code	Specified Location 02=Walking, Runnin	n	r,lick)
	*	Indicated Prime Factor						

Crash Number

P 1277344

0 8 Police Use Only AA 500 5 L04-0947391 LENHARTSVILLE BORD NOT DRAWN TO SCALE .5 MILE APPROX . Diagram 4 3 INTERSTATE 0078 (WESTBOUND) Phone Address Witness Name READING, PA. QUAKAKE, PA. 2 Narrative and additional witnesses: UNIT#1: CELL PHONE PRESENT-NOT IN USE UNIT#2: CELL PHONE PRESENCE-UNKNOWN UNIT#3: CELL PHONE PRESENT-NOT IN USE PRIOR TO THE COLLISION UNIT#3 WAS STOPPING/SLOWING IN THE LEFT LANE ON INTERSTATE 0078 WESTBOUND. UNIT#2 WAS ALSO STOPPING/SLOWING BEHIND UNIT#3. UNIT#1 WAS TRAVELING BEHIND UNIT#2. A CONSTRUCTION ZONE WAS IN EXISTENCE. THIS COLLISION OCCURRED AS UNIT#1 FRONT TRAVELED INTO THE REAR OF UNIT#2, BOTH UNITS BURSTING INTO FLAMES UPON IMPACT. UNIT#2 FRONT TRAVELED INTO THE REAR OF UNIT#3. IMPACTS OCCURRED APPROX. ONE MILE EAST OF THE TRANSITION AREA. FOLLOWING IMPACT, OPERATOR#3 REMOVED UNIT#3 FROM IT'S FINAL RESTING POSITION. UNIT#1 CAME TO A FINAL REST AGAINST UNIT#2. THE ENGINE/RADIATOR OF UNIT#1 WAS RESTING AGAINST THE FRONT SEAT/DASH AREA OF UNIT#2. UPON THIS OFFICER'S ARRIVAL, BOTH UNITS 1 & 2 WERE IN THEIR FINAL RESTING POSITION. UNIT#3 WAS LOCATED APPROXIMATELY 200 FEET WEST OF UNIT#2. PHYSICAL EVIDENCE AT SCENE CONSISTED OF SKID MARKS LEFT FROM UNIT#1. DIESEL FUEL WAS EVIDENT IN THE LEFT LANE AND ON THE CENTER MEDIAN. SILVER PAINT CHIPS WERE EVIDENT ON UNIT#3 BUMPER. ALL THREE OCCUPANTS WERE WITHIN UNIT#2 AND WERE SUBSEQUENTLY REMOVED BY MECHANICAL MEANS BY THE FIRE DEPART-MENTS ON SCENE. REFER TO CPL. HERB'S SUPPLEMENTAL FOR ADDITIONAL EVIDENCE.

Page

AA 500 N 264-8947391

O 9 Change/ P 1 2 7 7 3 4 4

Narrative and additional witnesses:

INTERSTATE 0078 WAS UNDER CONSTRUCTION FROM THE AREA BETWEEN MILE MARKER 34 TO MILE MARKER 28.5 WESTBOUND. TRAFFIC WAS LIMITED TO ONE LANE BOTH EAST AND WESTBOUND LANES, NUMEROUS SIGNS WERE ERECTED WARNING MOTORISTS OF THE EXISTING CONSTRUCTION ZONE PROJECT. A ONE MILE BACKLOG HAD FORMED DUE TO THE HEAVY FLOW OF TRAFFIC AND THE RESTRICTED ONE LANE OF TRAVEL. TRAFFIC SIGNS ARE LISTED LATER IN THIS REPORT.

OPERATOR \$1 WAS TRANSPORTED TO LEHIGH VALLEY HOSPITAL VIA HAMBURG EMERGENCY MEDICAL SERVICES FOR TREATMENT OF HIS INJURIES. HE WAS SUBSEQUENT-LY INTERVIEWED BY TROOPER KEVIN HOLLAND-PSP HAMBURG. NO SIGNS OF AN ALCOHOLIC BEVERAGE OR A CONTROLLED SUBSTANCE WERE APPARENT DURING THE INTERVIEW AS

STATED BY TRP. HOLLAND. SCENE WAS SECURED BY TROOPERS DEREK BECK AND MICHAEL KOSLOSKY. BERKS COUNTY CORONER'S OFFICE AND CARS UNIT-TROOP L(CPL. ROBERT HERB AND TPR. JOHN

MINALDA), WERE SUMMONED TO THE SCENE.

, RIGHT FRONT PASSENGER, WAS PRONOUNCED DEAD AT

SCENE AT 1310 HOURS.

REAR PASSENGER, WAS PRONOUNCED

DEAD AT SCENE 1455 HOURS. OPERATOR \$2 WAS PRONOUNCED DEAD AT 1640 HOURS. ALL

THREE OCCUPANTS IN UNIT#2 WERE PRONOUNCED BY THE BERKS COUNTY CORONER'S,

FRANK J. PILAT(FIRST DEPUTY CORONER) AND ELLIS J. EDMONDS(INVESTIGATOR), 610-

478-3280, FAX#610-478-3289.

RECORDS AND IDENTIFICATION UNIT-PSP READING, TPR. RUDY SCHONING PHOTO-

GRAPHED THE SCENE WHICH INCLUDED AERIAL PHOTOS.

NUMEROUS WITNESSES WERE ON SCENE. THIS OFFICER INTERVIEWED TWO WITNESS-

ES ON SCENE. REFER TO ATTACHED VICTIM/WITNESS STATEMENT FORMS, SP7-0054.

REFER TO TPR. KOSLOSKY'S SUPPLEMENTAL FOR ADDITIONAL INTERVIEWS CONDUCTED AT

TPR. DEREK BECK INTERVIEWED OPERATOR#3 AT SCENE AT APPROX. 1257 HOURS. SCENE. HE INDICATED HE WAS TRAVELING APPROX. 3-5 MILES PER HOUR BECAUSE OF SLOWED TRAFFIC IN THE LEFT LANE. HE HEARD AN AIRHORN, THEN LOOKED IN HIS SIDE MIRROR, AND GOT STRUCK. FOLLOWING THE IMPACT WITH UNIT#3/UNIT#2 HE GOT LAUNCHED FORWARD APPROX. 100 FEET. HE REMOVED UNIT#3 FROM IT'S FINAL RESTING

POSITION DUE THE FIRE. NEW JERSEY REGISTRATION PLATE: WAS RECOVERED AT SCENE, PENNDOT LISTED OPERATOR \$2 AS A LESSEE. REFER TO CPL. RICHARD MORGAN'S SUPPLEMENTAL FOR NEXT OF KIN NOTIFICATION FOR THE OCCUPANTS IN UNIT#2.

BERKS COUNTY EMERGENCY MANAGEMENT, DEPUTY COORDINATOR OF OPERATIONS

MORE

AA 500 N

204-0947391

10

Change/ P 1 2 7 7 3 4 4

Narrative and additional witnesses: AND TRAINING, BRIAN A. GOTTSCHALL WAS ON SCENE. APPROX. 50-100 GALLONS OF DIESEL FUEL WERE SPILLED ONTO THE CENTER MEDIAN AND IN THE LEFT LANE, 610-378-5521. DEPARTMENT OF ENVIRONMENTAL PROTECTION WAS NOTIFIED OF THE CRASH, HOWEVER DID NOT RESPOND TO THE SCENE. TPR. JOSEPH DELASH-PSP HAMBURG, DOT UNIT, INSPECTED BOTH UNITS 1 & 3 AT SCENE. REFER TO ATTACHED DRIVER/VEHICLE EXAMINATION REPORTS. INSPECTION RE-SULTED IN NO MECHANICAL FAILURE WHICH WOULD HAVE CONTRIBUTED TO THE CRASH. NOTE: BOTH LANES WESTBOUND WERE CLOSED FOR APPROX. 8 1/2 HOURS. THE LEFT LANE EASTBOUND ON INTERSTATE 0078 WAS CLOSED FOR APPROX. THREE HOURS DUE TO A BURNT TIRE LYING ON THE ROADWAY. THE POSTED SPEED LIMIT WHERE THE CRASH OCCURRED WAS 55 MILES PER HOUR. THE POSTED SPEED LIMIT WITHIN THE WORK NOTE: REFER TO PAGE#1 OF THIS REPORT, BLOCK#6. MILE MARKER 0035/ SEG-ZONE AREA IS 50 MILES PER HOUR. MENT MARKER 0345, ARE LOCATED APPROXIMATELY 2/10 MILE WEST OF THE CRASH SCENE. SEGMENT MARKER 0351 IS LOCATED APPROXIMATELY 3/10 MILE EAST OF THE CRASH SITE. BASED ON SAME, THE CRASH SCENE'S LOCATION IS LISTED AS MILE NOTE: REFER TO PAGE#2 OF THIS REPORT, BLOCK#11, "PRIMARY VEHICLE CODE MARKER 35.2. VIOLATION". CHARGES ON OPERATOR 1 ARE PENDING RESULTS OF THE RECONSTRUCTION DONE AT SCENE AND CONSULTATION WITH THE DISTRICT ATTORNEY'S OFFICE, BERKS NOTE: REFER TO PAGE#2 AND PAGE#3 OF THIS REPORT, BLOCK#12, "ESTIMATED COUNTY. SPEED". ESTIMATED SPEEDS WERE NOT ENTERED DUE TO THE PENDING RECONSTRUCTION OF THE CRASH SCENE. OPERATOR \$3 DID INDICATE HIS ESTIMATED SPEED PRIOR TO THE COLLISION WAS 3 TO 5 MILES PER HOUR, THEREFORE 5 MILES PER HOUR EISTEDU. SERGEANT EDWARD HOKE-PSP HAMBURG STATION COMMANDER ASSISTED AT SCENE. PIECES OF THE CEMENT HIGHWAY WERE UPLIFTED WITHIN THE LEFT LANE ON INTERSTATE 0078, THEREFORE A SP7-0015 FORM WAS FORWARDED TO PENNDOT DISTRICT 5-1, PO BOX 129, TEMPLE, PA. 19560. SAID FORM WAS ISSUED TO OPER#3 AT SCENE, FATHER OF OPERATOR \$2, MAILED TO OPERATOR \$ / OWNE FAXED TO FATHER OF THIS OFFICER DID ARRIVE ON SCENE AT APPROXIMATELY 1214 HOURS, HOWEVER OF UNIT#1 AND TO WAS ORIGINALLY ASSIGNED TO MONITOR THE BACKLOG OF TRAFFIC THAT HAD FORMED EAST OF THE CRASH, WHICH WAS AT MILE MARKER 38 UPON MY ARRIVAL. I WAS LATER REASSIGNED BY SGT. HOKE AS THE PRIMARY INVESTIGATOR. I SUBSEQUENTLY ARRIV-ED BACK TO THE SCENE AT APPROX. 1300 HOURS. ON 11/03/06 AT APPROX. 2045 HOURS THIS OFFICER SPOKE WITH

AA 500 N

L04-0947391

Change/ P 1 2 7 7 3 4 4

_		IS THE FATHER TO
	Nar	rrative and additional witnesses:
-	TH	E RIGHT FRONT PASSENGER. HE SUBSEQUENTLY FURNISHED THE NAMES AND DATE OF
1	вІ	RTHS OF HIS DAUGHTER AND GRANDDAUGHTER. WAS ADVISED TO CONTACT THE
1	BE	ERKS COUNTY CORONER'S OFFICE AS SOON AS POSSIBLE.
١		
	11	REPORTING OFFICER CONTACTED THE BERKS COUNTY DISTRICT ATTORNEY'S OFFICE
١	<u> </u>	REPORTING OFFICER CONTACTED THE BERRS COUNTY DESCRIPTION OF SUB"
	Al	REPORTING OFFICER CONTACTED 120 ND SPOKE WITH ADRIAN SCHUKA, 610-478-6000. LEHIGH VALLEY HOSPITAL, RN"SUE" AS CONTACTED, 610-402-8000. OPERATOR 1 WAS STILL LISTED IN CRITICAL CONDI-
	W	AS CONTACTED, 610-402-8000. OPERATOR I WAS DITED SEED
	T	ION. T SPOKE WITH FRANK PILAT-
	L	BERKS COUNTY CORONER'S OFFICE WAS CONTACED. I SPOKE WITH FRANK PILAT-
	F	IRST DEPUTY CORONER. HE ADVISED THE CAUSE OF DEATH WAS BLUNT FORCE TRAUMA, ND THE MANNER OF DEATH WAS VEHICULAR HOMICIDE. HE RELATED THE CERTIFICATES
	A	ND THE MANNER OF DEATH WAS VEHICUBAR BOLLEGE
	-	F DEATH WOULD BE FORWARDED IN THE FUTURE. COLONIA, NEW JERSEY
Narrative	-	PATHER OF OPERATOR 2, WAS CONTACTED AND AD-
Fee		
pue	Y	ISED OF THE CRASH.
:	╟	REFER TO PAGE#4, BLOCK#12-"VEHICLE TOWED". UNIT#3 TRAILER WAS TOWED
ş	1	
1		MOM SCENE, NOT THE TRUCK TRACTOR.
13	AUXIII	REFER TO ATTACHMENTS, SUCH AS, REPORT OF DISPATCH TIMES RECEIVED FROM
١	1	COLUMN COC DELVER'S LICENSE & REGISTRATION INFORMATION/PENNDOT SCOTE
١	Г	TOP ALL THORE UNITS OPERATORS INVOLVED, UNITED INSURANCE TRESMITTED
١		THE THE PROPERTY OF THE PROPERTY OF UNITED VIA FAX, TROOP & LAMB
١		CORY OF PEROPE SUBMITTED TO THE PSP INSTITUTED
١		THE PARTY CALL NEWS RELEASE, CERTIFIED
١		
١	t	REQUEST SUMBITTED TO PENNOOT FOR OPERALY CRITICALED IN THE SUPPLEMENTAL FIL AND OTHER ATTACHMENTS. ALL ATTACHMENTS WILL BE FILED IN THE SUPPLEMENTAL FIL
	T	
١		ON 11/08/06 BILL SULLENS, DNH ENTERPRISES, CARRIER FOR UNIT#1, WAS
١		AN 212 A19-2284 HE FURNISHED UNIT#1 MODEL AS DELAS
		AND INDICATED UNITED TRUCK TRACTOR HAD A SUBSECTION OF THE PROCESS
		ON 11/09/06 OPER#1 ATTORNEY, STANLEY MITCHELL, 717-943-3289, WAS CON-
		AND ADVICED HE WOULD BE REPRESENTING OF BRAICKIE
		NOTE: DIAGRAM ON PAGE#8 OF THIS REPORT ONLY INDICATES LOCATION OF
		THE CRASH. TROOP L CARS UNIT WILL SUBMIT AND ACCORATE DIAGRAM
		IN THE FUTURE. REPORT WILL REMAIN OPEN.
	1	Mary Transport

_	POLICE CR	VEALTH OF PENNS ASH REPORTING FO	YLVANIA DRM Page	New Change/ Continuation	P 1 2 7 7	Crash Number
	104-	0947391 — Brick or Block		Special Jurisdiction (Other Federal Sites
(Concrete Blacktop	Slag, Gravel or Stone	Other Unknown	No Special Jurisdiction National Park	College/University Campus	⊃ Unknown
Plea	se complete Unit Informa	ition for each unit involve	ed in a fatal crash. Do no	repeat the information in	the fields above on fillion	pre page
	Unit No O 1			Principle Impact Point Non-Collision	011 12 01 02	o .
	Driver Restrictions	Restrictions Complied With	Not a Pennsylvania Driver	Тор	090	3 🔾
	Compliance No Restrictions/ Not Applicable	Restrictions Not Complied With Compliance	Unknown Compliance	Undercarriage Towed Unit	08 07 06 05	0
Ę		Unknown Required -	Not a Pennsylvania	Unknown		
Unit Information	Compliance None Required	Complied With Required - Non Compliance Required - Compliance Unknow	Driver Unknown Compliance	Avoidance Maneuver No Avoidance Maneuver	Braking - Other Evidence	Other Avoidance Maneuver
Unit	Driver License Compliance	Not Required for Vehicle Class No Valid License	Unk if CDL or CDL Required Not a Pennsylvania	Braking - Skid Marks Evident Braking - No Skid Marks, Driver	Steering - Evidence or Driver Stated Steering and Braking Evidence or Stated	☐ Inconclusive
	○ Not Licensed	for Class Valid License for Class	Oriver Ounknown	Stated Under Ride Indicator	Underride, No	Override, Other
	Drug Test Type None	☐ Blood ☐ Urine	Other Unknown if Test Given	No Underride or Override Underride,	Compartment Intrusion	Vehicle Unknown if
	Drug Test Results - (Up			Compartment Intrusion	Compartment Intrusion Unknown	Underride or Override
	0 = No Test Given 1 ≈ No Drug Repor 2 ≈ Marijuana 3 ≈ Cocaine 4 = Opiates	5 = Amphetamines rted 6 = PCP 8 = Other 9 = Unknown Test Results		Emergency Use Not in Emergency Use	Lights Flashing Siren Sounding	Both Lights and Siren Unknown
	Unit No			Principle Impact Point Non-Collision		
1	Driver Restrictions Compliance	Restrictions Complied With	Not a Pennsylvania Driver	Тор	09	03 🗀
1	No Restrictions	· •	Unknown Compliance	Undercarriage	08	40
۱.	Not Applicable	Unknown	N.A	Towed Unit	07 66 05)
Unit Information	Driver Endorsement Compliance	Required - Complied With Required - Non Compliance	Not a Pennsylvania Driver Unknown Compliance	O Unknown Avoidance Maneuver No Avoidance		Other Avoidance
E	None Required	Required - Compliance Unknow	wn	Maneuver Braking - Skid	Braking - Other Evidence Steering - Evidence Or Driver Stated	Maneuver
	Driver License Compliance	Not Required for Vehicle Class No Valid License for Class	Unk if CDL or CDL Required Not a Pennsylvania Driver	Braking - No Skid Marks, Driver		ng Unknown
	Not Licensed	Valid License for Class	Unknown	Stated Under Ride Indicator	Underride, No	Outside Other
	Drug Test Type None	◯ Blood ◯ Urine	Other Unknown if Test	No Underride or Override	Compartment Intrusion	Override, Other Vehicle Unknown if
	Drug Test Results - (U	o to Four Results)	Given	Underride, Compartment Intrusion	Underride, Compartment Intrusion Unknown	Underride or
	0 = No Test Giver 1 = No Drug Repo 2 = Marijuana	n 5 = Amphetamines orted 6 = PCP 8 = Other 9 = Unknown Test		Emergency Use Not in Emergency	C Lights Flashing	Both Lights and Siren Unknown
	3 = Cocaine 4 = Opiates	9 = Unknown Test Results		Use	Men sounding	- Chrysler -006735

	COMMONI POLICE CR	NEALTH OF PENNS ASH REPORTING F	ORM	P	age	Hew New	[
A	Police Use			Ĺ	 -	3 Change/ Continuatio	P 1 2 7 7 3 4 4
(Concrete Blacktop	Slag, Gravel or Stone	◯ Dirt ◯ Other ◯ Unknown			pecial Jurisdiction No Special Jurisdiction National Park	Military Other Federal Sites Indian Reservation Other College/University Unknown Campus
Plea	se complete Unit Inform	ation for each unit involve	ed in a fatal cra	sh. Do	not i	repeat the information	in the fields above on multiple pages.
	Unit No O 3 Driver Restrictions Compliance No Restrictions/ Not Applicable	Restrictions Complied With Restrictions Not Complied With Compliance Unknown	Not a Penn Driver Unknown Compliance	sylvai	nia	Principle Impect Point Non-Collision Top Undercarriage Towed Unit	01 01 01 01 02 03 03 04 04
Unit Information	Driver Endorsement Compliance None Required	Required : Complied With Required - Non Compliance Required - Compliance Unknow		8	nia	☐ Unknown Avoidance Maneuver No Avoidance Maneuver Braking - Skid	Braking - Other Other Avoidance Maneuver Steering - Evidence Inconclusive
	Driver License Compliance Not Licensed	Not Required for Vehicle Class No Valid License for Class Valid License for	Onk if ODL ODL Requir Not a Penr Driver Unknown	red		Marks Evident Braking - No Skid Marks, Driver Stated Under Ride Indicator	Evidence or Stated
	Drug Test Type None None Drug Test Results - (Up a No Test Given b No Drug Repor a No Drug Repor a Harijuana cocaine a Cocaine a Opiates	5 = Amphetamines	Other Unknown Given	if Tes	t	No Underride or Override Underride, Compartment Intrusion Emergency Use Not in Emergency Use Use	Underride, No Compartment Intrusion Underride, Compartment Compartment Intrusion Unknown if Underride or Override Unknown Unknown Siren Unknown Unknown Unknown Unknown Unknown
- Si	Unit No Driver Restrictions Compliance No Restrictions Not Applicable Driver Endorsement	Compliance Unknown	Not a Peni Driver Unknown Complianc	e 	nia	Principle Impact Point Non-Collision Top Undercarriage Towed Unit Unknown	011 12 01 02 0 09 03 0 008 05 04 0
Unit information		Compliance Unknow	Unknown Complianc	:e		Avoidance Maneuver No Avoidance Maneuver Braking - Skid Marks Evident	Braking - Other Other Avoidance Evidence Maneuwer Steering - Evidence or Driver Stated
	Driver License Compliance Not Licensed	Vehicle Class No Valid License for Class Valid License for Class	CDi. Requi	ired nsylva	enia	Braking - No Skid Marks, Driver Stated Under Ride Indicator	Evidence or Stated
	Drug Test Type None Drug Test Results - (Up		Other Unknown Given	If Te	st	No Underride or Override Underride, Compartment Intrusion	Underride, No Compartment Intrusion Underride, Compartment Intrusion Unknown Underride or Override Override Override
	0 = No Test Given 1 = No Drug Repo 2 = Marijuana 3 = Cocaine 4 = Opiates	5 = Amphetamines orted 6 = PCP 8 = Other 9 = Unknown Test Results				Emergency Use Not in Emergency Use	☐ Lights Flashing ☐ Both Lights and Siren y ☐ Siren Sounding ☐ Unknown

COMEMONWEALTH OF PENNSYLVANIA Mew POLICE CRASH REPORTING FORM Page Change/ 3 **AA 500 M** Continuation L04-0947391 For Answers to the below (except for Engine Size and Helmet Type) use the following codes: Y = Yes N = No U = Unknown Unit No Helmet Type Passenger Protection 1 **Helmet Type Driver Protection?** 0 = No Helmet Engine Size: α 0 = No Helmet 1 = Full Helmet Eye Protection 1 = Full Helmet Eye Protection Motorcycle Has? The Driver Has? 2 == 3/4 Style 2 = 3/4 Style 3 = Half Heimet 3 = Half Helmet MC Education Passenger Style Long Sleaves Style Long Sleeves 9 = Unknown 9 = Unknown Saddle Helmet Stay On? Bag and/ or Trunk **Long Pants** Helmet Stay On? Long Pants Helmet has Helmet has Trailer DOT or Snell Over Ankle Boots DOT or Snell Over Ankle Boots Designation Designation Helmet? Unit No <u>Use Codes</u> Passenger? Unit No Use Codes Helmet? Passenger? Y = Yes Pedalcycles Y - Yes N = No N = NoHead U = Unknown Rear Reflectors? U = Unknown tights? Reflectors? Lights? Pedestrian Location Unit No Pedestrian Location Unit No 01 = Marked Crosswalks at Intersection 01 = Marked Crosswalks at Intersection 02 = At Intersection - No Crosswalks 02 = At Intersection - No Crosswalks 03 = Non-Intersection Crosswalks Pedestrian Signals Q3 = Non-Intersection Crosswalks 04 7 Driveway Access Pedestrian Signals 04 = Driveway Access Yes 05 = In Roadway ☐ Yes 05 = In Roadway no a Not in Readway C) No 06 = Not in Roadway ○ No 07 : Median O Not at Intersection 07 = Median 08 = Island Not at Intersection 08 = Island09 - Shoulder Pedestrian Clothing Pedestrian Clothing 09 = Shoulder 10 = Sidewalk 10 = Sidewalk C Light 11 🖂 🦸 10 Feet Off Road C) Light 11 = < 10 Feet Off Road 12 = > 10 Feet Off Road C Dark □ Dark 12 = > 10 Feet Off Road 13 = Outlide Trafficway □ Reflective 13 = Outside Trafficway 14 -- Shared Paths/Trails Reflective 14 = Shared Paths/Trails Unknown 99 - Unknown Unknown 99 = Unknown Lane Closure? Work Zone Speed or Advisory Limit Where in Work Zone ? Special Work Zone Characteristics Work Zone Type Road Closed with Detour? Before 1st Work Zone Law Enforcement Officer Present Construction Warning Sign Work on Shoulder (Long Term) (Mark all that or Median? Advance Warning Area Maintenance apply, if not Yes (Short Term) Intermittent or involved or Moving Work? Transition Area Workers Present unknow, leave No. ¥or¥ blank) C Yes Utility Company Hagger Control? Activity Area Unknown No Termination Area Other Other Unknown Other List all Warning Signs in Narrative WORK ZONE SIGNS POSTED FROM EXIT 40 (KUTZTOWN EXIT) TO THE Additional M-Page Information CRASH SCENE ON INTERSTATE 0078 WESTBOUND. 1. MILE MARKER 39.5-BILLBOARD(FLASHING) - "4 MILES AHEAD-TRAFFIC STOPPED". 2. MILE MARKER 37.0 "WORK ZONE-STATE LAW-TURN ON HEADLIGHTS". 3. MILE MARKER 37.0-"ROAD WORK-3 MILES". 4. MILE MARKER 36.0-"ROAD WORK-2 MILES". 5. MILE MARKER 36.0-"WORK ZONE PROHIBITED 102" TWIN TRAILERS OVER 28 1/2 FEET ON OLD ROUTE 22". 6. MILE MARKER 36.0-"VEHICLES OVER 10' WIDE PROHIBITED BEYOND NEXT EXIT" 7. EXIT 35(LENHARTSVILLE EXIT)-"BILLBOARD(FLASHING)-"CAUTION SLOW TRAFFI

COMMONWEALTH OF PENNSYLVANIA New POLICE CRASH REPORTING FORM Page: P 1 2 7 7 3 Change/ AA 500 C L04-0947391 Continuation Carrier Phone Number of Axles Unit No ther of Axles 0 5 1 0 Carrier Name T Е N NH D **SVWR** Address 0 8 0 0 Oversize Load Yes Unknown Information State City M PUC # ICC # USDOT# Vehicle 2 9 6 (**) Truck Tractor (Bobtail) Vehide Configuration Commercial Auto Transport Cargo Body Type Not Applicable Flat Bed () Tractor/Semi-Trailer(s) Not Applicable Garbage/Refuse Passenger Car - Only Record if HazMat Placard Displayed Madium/Heavy Truck - Cannot Cossify O Dumo ■ Van/Enclosed Box O Bus Light Truck (Van, Mini-Van, Panel, Pickup or SUV with HazMat Placeses Concrete Mixer Cargo Tank Other/Unknown Small Bus (Seats 9-15 People, herlading Driver) Hazardous Material Single Unit Truck (2 Axles, 6 Tires) (lins (Seats More Than 15 Propie, including the Driver) Enter 1-digit hazardous material class \bigcirc Yes 🗰 No Single Unit Truck (3 or More Artes) Single Unit Truck (Unknown Number of Axles) (ii) Other (_): traknown Truck/Trailer(s) 2 = Release Occurred 9 = Unknown Release Indicator 1 = No Release Carrier Phone Number of Axles Unit No (Code Number of Axies or '99' for unknown) 5 0 3 Carrier Nam E т Address 0 0 0 0 0 8 Oversize Load Yes (Unknown Н Information State City D ĸ E PUC# ICC # USDOT# 2 5 6 4 9 0 Vehicle Configuration (I) Truck Tractor (Bobtail) Auto Transport Cargo Body Type Not Applicable (**) Tractor/Semi-Trailer(s) Garbage/Refuse Not Applicable Flat Bed Passenger Car - Only Record if HazMat Placard Displayed Madium/Henry Truck - Cannot Dump Van/Enclosed Box Bus (Inssify Light Truck (Van. Mini-Van. Paris), Pickup or SUV with HazMat (Tarasa) (aupil Rus (Seats 9-15 People, Concrete Mixer Other/Unknown Cargo Tank aduding Priver) Single Unit Truck (2 Axles, G Tires) (Seats More Than 15 People, including the Priver) Hazardous Material Enter 1-digit hazardous material class C Yes Mo Single Unit Truck (3 or More Asian () Other Single Unit Truck (Unknown () Indoown Number of Axles) Truck/Trailer(s) 2 = Release Occurred 9 = Unknown Release Indicator 1 = No Release

	ļ	Crash Number Page
	- ДД	Case Closed Reportable Crash Solution Service Change Change Continuation P 2 7 7 3 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9
2 Darks		Acident Number G8L04 G9L04 Investigation Date (MM-DD-YYYY) GN STATE ONLICE HAMBURG III-G3-2006
Solice America		Dispatch Time (mil) Arrival Time (mil) Investigator TR. MICHAEL J. KOSLOSKY #6626 Badge Number Badge Number ROL KENNETH WWTER G 9 1 9 111-14-2006
		County County Name Municipality Municipality Name Sun Thu Mon fri Mon fri Sat Sa
,	Loc Type	Intersection Type 4 Way Intersection "Y" Intersection Multi-Leg Off Ramp Railroad Crossing Intersection Multi-Leg Off Ramp Railroad Crossing Intersection Traffic Circle/ On Ramp Crossover Other * See Overlay
	Principal Road	Route Number Segment (Optional) Travel Lanes Speed Limit Street Ending Street Ending West Unknown Divide Number (If applicable) For Mid-block crashes only. Use postal House Number and make sure Principal Roadway Street Name is filled in if using this option
	Intersecting Road P	Route Signing Interstate (Not Tumpike) Tumpike State Highway Road County Road County County Road County C
6	Distance From Landmark	Please Enter Information for BOTH Landmarks if Using This Option This Option This Option Intersecting Rt Num Or Mile Post Or Segment Marker St Ending Post Or Segment Marker Or Miles Intersecting Rt Num Or Mile Post Or Miles Or Miles Intersecting Rt Num Or Mile Post Or Miles Or Intersecting Rt Num Or Mile Post Or Intersecting Rt
7	GPS	Degrees Minutes Seconds Latitude: Degrees Minutes Seconds Longitude: Degrees Minutes Seconds
	Ð	Traffic Control Device
	Closure	Lane Closed (If "Not Applicable", skip rest of the Lane Closure section) Not Applicable Partially Fully Unknown South South West East and West (N,S,E,W)
9	ane C	Traffic Yes No Seti. Time < 30 Min. 30-60 Min. 1-3 hrs 3-6 hrs 6-9 hrs > 9 hours Unknown

EA12-005- Chrysler -006739

] 💃	OLICE CRASH REPORTING FORM Page New New New New New New New New New Ne
ļ	VA 500 N	Notice the Only LO4-0947391 17 → Change P 2773 H H
Γ	Narrative	and additional witnesses:
22		
1	02	11/03/06 I ASSISTED TRR. BRIAN MILLER BY CONDUCTULE
	SFAF	RAL INTERVIEWS WITH WITHESSES.
	0-1	THIS DATE AT 1245 HOURS I INTERVIEWED
١	0,0	
١	419	SHE STATED, "I WAS BEILIND THE TRUCK
-	ANO	I SAW TRAFFIC WAS SLOWING BUT THE TRUCK NEVER WED. I SAW IT START TO SKID AT THE LAST MINUTE
١	200	O THEN I SAW IT CATCH FIRE."
	T	INTERVIEWED AT THE
١	Sacion	C LUISTON AT 1315 WAS COMING
		(-) THE BUILDING HAVE THE
١	TRUC	CK LOCK UP THE BRAKES AND THEN BURST INTO
	FLA	MES."
	110	TERVIEWED
	Dia C	CCCTT NO PILE SCENE
- 1	051	1/03/06 AT 1318 HRS HE STATED, "I WAS IN THE
	510	WONDER BUT THE TRUCK NEVER STOPPED AND I DID
	704	SEE THE BRAKE LIGHTS COME ON."
	-	I THEN WENT TO THE INTERSECTION OF OLD ROUTE 32
	222	SR 143 FOR TRAFFIC CONTROL.
		EA12-005- Chrysler -006740

COMMONWEALTH OF PENNSYLVANIA O New POLICE CRASH REPORTING FORM Page Reportable Crash Case Closed Change/ 4 ኝ 4 Continuation AA 500 1 YES O No Yes No Patrol Zone Police Agency Incident Number 0 L 0 8 0 9 9 0 2 investigation Date (MM-DD-YYYY) Precinct Agency Name 2 0 3 0 HAMBUR6 ₽A. POLICE STATE Badge Number Arrival Time (mil) investigator Dispatch Time (mil) C O 6046 2 TPA KEVIN L. HOLLMO 2 Approval Date (MM-DD-YYYY) Reviewer 6 6 KENNE Day of Week **Municipality Nam** Municipality County Name County Sun O Thu Killed* No of Units *(If > 00, People Injured Crash Date (MM-DD-YYYY) Crash Time (mil) Tue Sat Cash ○ Wed ○ Unk Notify PENNDOT Yes No School Zone Yes No School Bus Yes No Related Multi-Leg intersection Special Off Ramp Railroad Crossing Intersection Type 4 Way Intersection 7" Intersection Location C Traffic Circle/ Round About Other Crossover On Ramp T' Intersection See Overlay House Number (if applicable) Travel Lanes Speed Limit **Route Number** Segment (Optional) North entation South ☐ East For Mid-block crashes only. Use Street Ending postal House Number and make sure Principal Roadway Street Name is Street Name ○ West Principal 티 Unknown filled in if using this option Private Road Local Road Other/ Unknown State Highway Route Signing County Road Turnpike Tumpike Interstate 0 \circ or Street (Not Tumpike) (East/West) Spur Speed Limit Segment (Optional) Travel Lanes **Route Number** O North Rold O South □ East Street Ending Street Name Intersecting ○ West ठी Unknown Other/ Unknown Local Road or Street Private Route Signing (County Road ጅ Tumpike (East/West) C Turnpike Spur State Highway Interstate (Not Tumpike) 0 \circ Road Or Segment Marker Intersecting Rt Num Or Mile Post Feet O North South St Ending C East Or Intersecting Street Nam Or Miles Please West Enter Information For Mid - Block for **BOTH** Intersecting Rt Num Or Mile Post Or Segment Market Landmarks if Using Distance From Crash North Scene to Landmark 1 Distance This Option C South (For Crash between St Ending Or Intersecting Street Name C East 3 Landmark 1 and West Landmark 2) Degrees Minutes Seconds Minutes Seconds Degrees 5 Latitude: Longitude: --TCD Functioning Police Officer or Flagman Traffic Control Device Emergency Preemptive Signal ☐ Yield Sign Device Functioning Improperly ○ No Controls ○ Controls Active RR Crossing ○ Not Applicable ○ Traffic Signal 8 Other Type TCD Device Functioning Unknown Flashing Traffic Stop Sign Device Not Functioning Passive RR Crossing Controls ○ Unknown Properly North and South All ○ North Lane Closed (If "Not Applicable", skip rest of the Lane Closure section) Lane Closure (N,S,E,W) Direction ○ West East and West ○ Not Applicable ○ Partially C South O fully Unknown ប **Traffic** Lane Yes ○ No ○ <u>Detoured</u> Unknown 🔘

Crash Number

AA 500 N

Police Use Only 204-0947391

1 9

Change/ Continuation P1277341

		Nerrative and additional witnesses:
22		ON 11/03/06 AT APPROX 1415 HAS, THIS OFFICER MALINED AT
		THE LEHIGH VALLEY HOSPITAL EMERGENCY ROOM IN AN ATTEMPT TO
I		INTERVIEW DEAL . UPON LOCATING OPER ! THIS OFFICER INFORMED
1		HTM (OPER 1) THAT AN INTERVIEW WAS BEING REQUESTED RELATIVE
1		THE CLASH. OPER I ACKNOWLEDGED AND RELATED THAT HE WOULD GTOE
١		DETHILS RELATING TO THE CRASH, AFTER DEER I ALKNOWLEDGED THAT
١		HE WOULD GRANT AN INTERVIEW, THIS OFFICER INFORMED UPER
		OF HIS MIRANDA RIGHTS AT APPROX 1424 HAS ON 11/03/06, 70
ı		WHICH HE ACKNOWLEDGED.
ı		DPER I RELATED THAT HE WAS TRAVELLING WESTBOUND ON SKOOTS
١		IN THE LEFT LANE, WHEN ALL OF A SUDDEN HE (OPER 1) HEARD A LOUP
١		BANG (NOTSE). OPER I BELIEVES THAT IT (BANG/MOTSE) WAS HIS ORTUE TIRE.
	\$	BELLIUSE HE COULDN'T CONTROL (HOLD) THE STEERING WHEEL. PPER I TRIED STOPPING
	Nametr	HIS VEHICLE BUT WAS UNABLE TO DO SO . YOU KNOW THAT YOU JUST CAN'T STOP THESE
	Pue	TAKION TRAILERS ON A GIME). AFTER OPEN I'S UNSUCCESSFUL ATTEMP AT STOPPING, HE
		HIT THE CAR IN FAONT OF HIM, AFTER IMMET, UNIT I OR THE CARLWITZ)
1	5	CAUGHT FIRE, AFTER NOTICENC FIRE, OPER I WAS ABLE TO EXIT THROUGH THE
ł	Ž	ORIVER'S STOE DOOR. AFTER EXITTING UNIT), DIEN I DOES NOT RECALL ANYTHING
ı		ELSE THAT OCCURRED SHE ONLY LEMEMBERS THE PARAMEDICS ATTENDING TO HIM
1	•	WHILE HE WAS LAYING IN THE GRASS). OPEN I RELATED THAT EVERYTHING
		JUST HAPPENED SO FAST.
-		
	1	- DPER I RELATED THAT HE WAS TRAVELLENC TO THE REAL OF UNIT 2
ı		AT APPROX. 30 FT. (1-1/2 CAR LENGTHS)
		25 21/27/2/
ı		- OPER 1 RELATED THAT HE MARTUED IN DELMAR, NY ON 11/02/06
		AT APPASK 2230 HAS AND DEPARTED ON 11/03/06 AT 0700 HAS. DEER I ARRIVED
		IN NAZARETH, PA ON 11/03/06 AT 1030 HAS AND OFPARTED ON 11/03/06
		AT 1100 HAS OPER I WAS HEADED TO HARATSBURG, PA.
١	į	
-		
	1	
1		

		COMMONWEALTH OF PENNSYLVANIA POLICE CRASH REPORTING FORM Page New Crash Number
		Core Closed Reportable Crash [Change/
Α	À	500 1 Yes No Yes No 2 0 Continuation P 1 2 7 17 3 4 4
	İn	cident Number
	Γ	L 0 4 - 0 9 4 7 3 9 1 6 8 L 0 4 0 1 0
Data	1_	gency Name Precinct Investigation Pale (MM-DU-YYYY)
	_	DENNICY VANTA STATE POLICE HAMBURG
Agency	_	spetch Time (mil) Arrival Time (mil) Investigator
3		1 2 0 4 1 2 1 4 TROOPER BRIAN J. MILLER O 6 3 6 4
Police	Re	Badge Number Approval trais (MM-DD-YYYY)
	-	ounty County Name Municipality Municipality Name Day of Week
5	١٢	O Mon O Fri
Data	L	Tresh Date (MM-DD-YYYY) Crash Time (mil) No of Units People Injured (illed* 185 00, Omplete Tue Sat
Cash	١٢	Wed Unk
Ü	۲,	Norkzone form M, Section 29) Yes No Related Yes No Related Yes No Related Yes No Related Yes No Related Yes No Related No Related Yes No Related No Related Yes No Related No Re
	27,12	Form M, section (2)
Ž		Additional Consequence Consequ
Loc Ty	Ľ	Round About Off Manie State Office State Off
		Route Number Segment (Optional) Travel Lanes Speed Limit (1901)
3cad		G Fast For Mid-block crashes only. Use
-		Frincipal Roadway Sireet Name to a
Principal		Of Otherward filled in it using this option
E		Route Interstate Tumpike Tumpike State County Local Food Private Other/ Signing (Not Tumpike) (East/West) Spur Highway Road Other/ Road Private Other/ Road Unknown
-		(NOT lumpke) (Edsywesty John
179		Toute wants
		Street Ending Street County
ŀ		O () this is not
areaction Road		Boute Interstate Turnpike State County Investigated Private Other/
1		Route Number Segment (Optional) Travel Lanes Speed Little Street Name Street Ending Street En
-	1	Intersecting Rt Num Or Mile Post Or Segment Marker
1		
		Please te Enter
and the second		Enter Information for ROTH
		Dietago From Crash
		Si if Using M Scene to Landmark 1
	Maranca	St Envires Street Name St Envires Street Name Landmark 1 and
į	5	5) S C West Landmark 2)
1	ļ	Degrees Minutes Seconds Degrees Minutes Seconds
7	ç	Latitude: Longitude: —
		Traffic Control Device Yield Sign Flagman
	3	Not applicable Trained Signal Controls Control Contro
		Signal Crossing Controls Officioning Policidoring Controls
	e l	Lane Closed (if "Not Applicable", skip rest of the Lane Closure section) Lane Closed (if "Not Applicable", skip rest of the Lane Closure section) One closed (if "Not Applicable", skip rest of the Lane Closure section)
1	Closura	Not Applicable Partially Fully Unknown Direction South C Most C Fast and West
	rie C	Traffic Yes No Sections No Sec
1	al	EA12-005- Chrysler -006743

je 🗘 New



rash Mumber

AA 500 N

22

104-0947391

2 1

Change/ Continuation P 1 2 7 7 3 4 4

Narrative and additional witnesses: 11/10/06 UNIT#2 NEW JERSEY REGISTRATION PLATE: WAS RECOVERED AT SCENE BY THIS OFFICER. ON 11/08/06 NEW JERSEY STATE POLICE WAS CONTACTED AT 609-882-2000. SGT. FURNISHED THIS OFFICER WITH AN ADDRESS FOR N.J. DMV, WHERE THE PLATE WAS EVENTUALLY MAILED TO: NEW JERSEY MOTOR VEHICLE COMMISSION, PO BOX 403, TRENTON, NEW JERSEY, 08666, ATTN: CUSTOMER ADVOCACY, 609-292-6500. NOTE: ON 11/03/06, TPR. DEREK BECK AFOREMENTIONED IN THIS REPORT, WAS ASSIGNED TO A ROVING DETAIL WITHIN THE CONSTRUCTION ZONE. HIS SHIFT WAS 0700 1200 HOURS. HIS ASSIGNMENT WAS TO MONITOR TRAFFIC WITHIN THE CONSTRUCTION ZONE BOTH EAST AND WESTBOUND LANES. THIS OFFICER WAS ALSO ASSIGNED TO WORK WITHIN THE CONSTRUCTION ZONE WORKING A 1200-2000 SHIFT AND WAS ASSIGNED TO MONITOR THE WESTBOUND LANES OF TRAFFIC. TPR. KEVIN HOLLAND WAS WORKING 1200-2000 WITHIN SAID ZONE MONITORING THE EASTBOUND LANES OF TRAVEL. ONE OF THE PRIMARY ASSIGNENTS WHEN WORKING IN THE ZONE IS TO REMAIN AT THE QUEUE. REPORT WILL REMAIN OPEN. Pue Witness

3P 7-4664 (10-90)
PENNSYLVANIA STATE POLICE VICTIM/WITNESS STATEMENT FORM
1. VICIOSIT NO.: LOY - 094 7391
24
& DATEDIAY / C R TIME:
7. OFFICERTS MAN MATURE AGGE NO: 12.'COLPAN
Mr Brant. orcum 18 Smith 16364 01/2
(was whe right proc. netractor
TEATER TO AS AT DEAD STOP AND CAP IN DACK
of me and the other
I was in the right lave The trafficio
the left lave was at a deadston The
tractor thaller west by me like I was
Standing Still. The traffer trailer hit
the carand push the car into the other
The the
the lad band in the
Side of the
Out Townshoot, I he guy said get her
JAMES OF TON 17451
TILL KID
The way do y our the wills pour
QUESTION. WHAT GUY SAKO GIT HAR OUT? A. The Buy
that was driving the tractor trailer that
CAREC The Accider.
Under Section 4004 of the Property of the Control o
"NOTICE" written takes statement which he does not before to be to

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	and There	Right Lai	STOPPED My TRuck In
	he Impack	next To	was a Truck in Front of
"NOTICE"			NOTE:
false statement which he does not believe to be true.	third degree if he makes a	commits a misdemeanor (ider Section 4904 of the Ps. Crimes Code, Unsworn Falelfication to Authorities, then false statement which he does not believe to be true.

	j	COMMONWEALTH OF PENNSYLVANIA FAT
	_	Case Closed Reportable Crash Change/
	A.	Yes No Yes No
	Date	L O 4 - O 9 4 7 3 9 1 Frecinct Profiles / Q 3 3 7 Part 2018
		PENNSYLVANIA STATE POLICE HAMBURG 1 1 1 - 0 3 - 2 0 0 6
	ST ST	Dispatch Time (mil) Arrival Time (mil) Investigator Garge Number
	3	1 2 0 4 1 2 1 4 TROOPER BRIAN J. MILLER 0 6 3 6 4
ľ	2	Reviewer Badge Number Approved Data (MM-DD-YYYY) COL KENNETH WINTER 6919 11-22-2006
F	+	COC. TENNETT WINTER DE LA COMPANIE D
	5	Sun O Thu
		Crash Date (MM-DD-YYYY) Crash Time (mil) No of Units People Injured Silization of Connected Tue Sat
	٦	Workzone (If Yes, Complete Yes No Related Yes No Related Yes No Related No Re
ľ	ě	Intersection Type 4 Way Intersection 'Y' Intersection Multi-Leg Off Ramp Railroad Cossing Special Location
3	Loc Type	Midblock Traffic Circle/ On Ramp Crossover Cotton *See Overlay
ľ		Route Number Segment (Optional) Travel Lanes Speed Limit House Number (if applicable)
ľ	Road	Street Finding F C East Py Mid-block crashes only. Use
4	ă	Street Cruing E postal House Number and make sure
I	Principal	allied in it using this opposit
	_	Signing (Not Turnpike) (EastWest) Spur Highway Road or Sheet Road Unknown
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6		Enter Information of
1	From	Landmarks Intersecting Rt Num Or Mile Post Or Segment Marker Distance From Crash
	Distance	ins Option For Crash between
	S	Or Intersecting Street Name St. 996899 (C.3 East Landmark 1 and Landmark 2)
		Degrees Minutes Seconds Degrees Minutes Seconds
7	5	Latitude: Longitude: —
		Traffic Control Device
,	ទ	Not Applicable Original Octobrols Other Type TCD Other Type TCD Signal
		Flashing Traffic Stop Sign Passive RR Device Not Functioning Unknown Signal October Processing Controls Output Processing Control Output Processi
	ure	Lane Closed (If "Not Applicable", skip rest of the Lane Closure section) Lane Closure North (1) [3:4] Horth and South (N,S,E,W)
9	Closure	Not Applicable Partially Fully Unknown Direction South West Asst and West
	ane	Traffic Yes No Esti. Time Cosed < 30 Min. 30-60 Min. 1-3 hrs 3-6 hrs Coded to 3>9 hours (3) Unknown

EA12-005- Chrysler -006747

AA 500 N

22

Police Use Only LO4-0947391

C) New

Change/ Continuation P 1 2 7 7 3 4 4

	Narrative and additional witnesses: 11/20/06
	NOTE: PAGES 2,3, AND 4, BLOCK#12, MOVEMENT CODE SHOULD READ #17 NOT 01. UNITS WERE
	ACTUALLY TRAVELING INTO A SLIGHT LEFT CURVE IN THE ROADWAY.
	SAMUEL D. HODGE JR., ATTORNEY WITH HUNTINGTON & FRANKLIN, P.CPHILADELPHIA, 215-523-
	7910, REPRESENTING OWNER OF UNIT#1- RYDER TRUCKING, WAS CONTACTED ON 11/14/06. HE WAS AD-
	VISED OF THE STATUS OF THIS CRASH. REFER TO ATTACHED LETTER.
	REFER TO ATTACHED COPIES OF THE BERKS COUNTY CORONER'S REPORTS. A COPY OF A DISC WITH
	PHOTOS FROM THE CRASH SCENE WERE ALSO FURNISHED TO THIS OFFICER.
	REFER TO ATTACHED LIST OF ALL THE SIGNS THAT ARE POSTED THROUGHOUT THE ENTIRE
	CONSTRUCTION ZONE ON INTERSTATE 0078 FROM MILE MARKER 37.1 to MILE MARKER 30.2, WEST-
	BOUND.
Narrative	ON 11/14/06 I CONTACTED OPERATOR#3 WHICH INDICATED UPON IMPACT, HIS KNEES WERE KNOCKED
Na	INTO HIS CHEST FOR APPROX. ONE SECOND. FOLLOWING SAME, HE IMMEDIATELY SLAMMED ON HIS
and	BRAKES. THIS INFORMATION WAS REQUESTED BY CPL. HERB.
Witness	ON 11/14/0C A DUTCH VALLEY HOODING AND CONTROLOGIC DUTCH ADVICED CONTROLATIONAL MAC DE
×	ON 11/14/06 LEHIGH VALLEY HOSPITAL WAS CONTACTED WHICH ADVISED OPERATOR#1 WAS RE-
llary	LEASED FROM THE HOSPITAL ON 11/12/06.
Auxillary	
	ON 11/14/06 DJS ASSOCIATES, LAW FIRM REPRESENTING THE CONSTRUCTION ZONE COMPANY WAS
	CONTACTED, 215-659-2010. SAID COMPANY INQUIRED ABOUT THE SIGNS AND THE WORKING RELATION-
	SHIP WITH JOHN "K".
	ON 11/20/06 BAUM HEDLUND PC, LAW FIRM REPRESENTING THE PARENTS OF THE OCCUPANTS IN
	UNIT#2 WAS CONTACTED AT 202-466-0513. THEY INQUIRED ABOUT POSSIBLE CHARGES.
	REFER TO ATTACHED SUPPLEMENTAL'S COMPLETED BY TPR. NICHOLAS SCIANNA-PSP READING
	RECORDS AND IDENTIFICATION UNIT AND TPR. JOSEPH DELASH-COMMERCIAL VEHICLE ENFORCEMENT-
	TROOP L HAMBURG. REFER TO OPERATOR#1 DRIVER'S HISTORY VIA JNET.
	REPORT WILL REMAIN OPEN.
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_		COMMONWEALTH OF PENNSYLVANIA POLICE CRASH REPORTING FORM PAGE 1 New Crash Number
	A	A 500 1
,	Agency Data	Incident Number
	P0 8	
-	4	County County Name Municipality Municipality Name Day of Week
2	Crash Data	0 6 Berks County 2 1 5 Greenwich Township Sun
ļ		Workzone (If Yes, Complete Form M, Section 29) Yes No Related Yes No Related Yes No Related No Rela
3	Loc Type	Intersection Type 4 Way Intersection 'Y' Intersection Multi-Leg Intersection Off Ramp Railroad Crossing Intersection Intersection On Ramp Off Ramp
	Principal Road	Route Number Segment (Optional) Travel Lanes Speed Limit North South South Street Ending East West Unknown Street Ending Other/ Signing Interstate (Route Signing North Street Ending Street Ending East Other/ North South So
5	Intersecting Koad	Route Number Segment (Optional) Travel Lanes Speed Limit
Distance Events and and	Creative From Langings	Please Enter Information for BOTH Landmarks if Using This Option Intersecting Rt Num Or Mile Post Or Segment Marker St Ending South South South South St Ending Or Miles St Ending Or Miles St Ending Steet Name St Ending Or Miles South Scene to Landmark 1 (For Crash between Landmark 1 and Landmark 2)
ğ	;	Degrees Minutes Seconds Latitude: Longitude:
TCD		Traffic Control Device
Closure		Lane Gosed (If "Not Applicable", skip rest of the Lane Gosure section) Not Applicable Partially Fully Unknown Not Applicable Partially Unknown Not Applicable South West East and West North South West East and West
2		Traffic Yes No Set No Set Time 30-60 Min. 30-60 Min. 1-3 hrs 3-6 hrs 6-9 hrs > 9 hours Unknown

COMMONNIEALTH OF PENNSYLVANIA POLICE CRASH REPORTING FORM

FAT 🗷





Crash Number

AA 500 N

04-0947391

2 5 Change/

p 1 2 7 7 3 4 4

Г	L04-0947391
	Narrative and additional witnesses:
	D. LOW LEDG CD
ļ	This supplemental crash report is in continuation with Trooper Brian MILLERS, SP
	HAMBURG crash investigation.
	1. DATE/TIME REQUESTED: 11/06/2006- Monday: 0900 hours
	1. DATE/TIME REQUESTED. 11/00/2000- Winday. 0700 hours
	2. INVESTIGATING OFFICER: Trooper Brian MILLER//Trooper Nicholas L. SCIANNA FSU
	3 LOCATION: Interstate I 78 WEST- Mile Marker 35, Greenwich Township, Berks County, PA
	1220 have
	4. DATE/TIME ARRIVED: 11/06/2006- Monday: 1330 hours
	ACTION TAKEN: Corporal Kenneth WINTER requested that a member of the Pennsylvania State
	Police-Troop I READING Forensic Services Unit photograph the roadway and physical evidence at the
	crash scene. I arrived at the above location to photograph the scene. The overall scene/roadway and
	physical evidence on the roadway such as gouges, scrapes and skid marks were photographed using (2)
_	11 04 II. 1-1-400 aread salar film and a 25mm Nilkon NUL comerc administration
	Speedlight. The outfit was programmed for automatic operation.
ì	Photographs will be forwarded to the Investigator, when received and exposed negatives will be
	retained on file at the Pennsylvania State Police- Troop L READING Forensic Services Unit.
į	Speedlight. The outfit was programmed for automatic operation. Photographs will be forwarded to the Investigator, when received and exposed negatives will be retained on file at the Pennsylvania State Police- Troop L READING Forensic Services Unit.
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	Trooper Nicholas L. SCIANNA #8121
	SP READING FSU
-	EA12-005- Chrysler -006750

_		COMMONWEALTH OF PENI POLICE CRASH REPORTING	FORM P	£AT ○) New		Crash Number
	A	4 500 4	ortable Crash) Yes (No	2 6 🔾	Change/ Continuation	P 127	1 3 4 4
American Date	100 CAR	Number		net MARORG /		6 8 £ U 4 Investigation Date (W	2006
Parlies An		Dispatch Time (mil) Arrival Time (mil) Arrival Time (mil) 1 4 5 0 Reviewer CPL KENNETH	Tor. Joseph	J. DefiAS Badge Nu		<u></u>	- 2 0 0 E
200		Crash Date (MM-DD-YYYY)			ople Injured	Comp Form	F) Wed Unk
	Toc IADe	Workzone (of Yes, Complete Form M, Section 29) Yes Intersection Type 4 Way Intersection Midblock Tr Intersection	'Y' Intersection C Traffic Circle/ Round About	Multi-Leg Intersection C	Crossover	Railroad Crossing Other	
	Principal Koad	Street Name Route Continue C	Travel Lanes Speed Li]	reet Ending	O North O South D East D West D Unknown Filled in	d-block crashes only. Use House Number and make sure al Roadway Street Name is a if using this option Private Other/
The second second second	Ignirecting Road	Route Number Segment (Option Street Name Interstate Turn	/est) Spur Spar Spar Spar Spar Spar Spar Spar Spa	Highway	Road		Private Other/Unknown
	Distance From Langmerk	Please Enter Information for BOTH Landmarks if Using This Option	lame	Segment Marke	S1	North Ending Ending Lending Or Miles Distance From Crash Scene to Landmark 1	
L		This Option Head of the control of	Longitud	Degree:		Ending East West Seconds	(For Crash between Landmark 1 and Landmark 2)
L	2	Not Applicable Traffic Signal Signal Signal Signal	Passivo DD	Police Officer or Flagman Other Type TCD Unknown	Device No Function	trols Device Func Improperly Not Device Func ing Properly	Signal Unknown
		Lane Closed (If "Not Applicable", skip rest of Not Applicable Partially Traffic Yes No Sti. Tim	ully O Unknown	Lane Closure Direction	O South	○ West ○ East a	
Ŀ	E S	Detoured Unknown O Closes		+60 Min. 1-	-3 hrs 3-6 hr	s	> 9 hours Unknown

COMMONWEALTH OF PENNSYLVANIA POLICE CRASH REPORTING FORM

Crash Mamber

AA 500 N

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104-0947391

2 7 Change/

P 1 2 7 7 3 4 4

Narrative and additional witnesses: On 11/03/06 I was contacted by Sgt. Edward C. HOKE in reference to a 3 venicle crash involving 2 Commercial Venicles and multiple fatalities. He requested that I respond to scene, along with MCEO RICHTER, to conduct MCSAP Inspections of the Commercial Vehicles. Shortly after my arrival at the scene I conducted a Level 1 MCSAP Inspection of Unit # 3, which was identified as a 2005 Kenworth Truck Tractor, Silver in color, and a 2005 East Dump Trailer, Aluminum in color. For details refer to complance report # PASU72001455. Upon completion of the inspection the CARS Unit, Upl. Robert HERB and Tpr. John MINALDA requested a weight of the Unit as well. I assisted MCEO RICHTER in weighing of the vehicle with the portable scales. I then began to conduct a Level 1 MCSAP Inspection of Unit #1, which was identified as a 2006 Freightliner Truck Narrative Tractor and a 1998 Utility - Dry Van Trailer. Due to the extent of demage, after examining the vehicle, I contacted Sill SULLERS of DNH Enterprises by telephone on 11/06/06.((717) 418-2284). I requested copies of the vehicle documents to include The Registration Card(s), Insurance Card, 3 IFTA License and Periodic Inspections. He related that he would fax them to me as soon as he was able to get them, adding that he would have to contact RYDER for some of the forms. He also advised upon questioning, that it was under a long term lease from RYDER and that it was a Conventional Type Truck Tractor with a sleeper. Although I received the fax on 11/07/06, it did not include the requeted Inspection forms. It did however, include some type of record that a Stae Inspection and a Federal Inspection was conducted on 10/18/06 (refer to copies of attched fascimiles). For details refer to Compliance Report # PAS072001468. Tpr. Joseph J. DeLASH 6773 CVET L-1, Troop L, Hamburg

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100	11/3/2006 Miller, Brian		06-02164
	12:17 PM PSP-Hamburg	7117-97	152012
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	Married		
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	Blunt Force Trauma To The Head, Neck & Body		
	Vehicle Accident		
100	115° 1496	T. C.	1
			11/03/2006
	Homicide		Pm: 1:10 PM
- 2			11/3/2006
CA .			1:10 PM
- The Charles			
	State of the state	PARTITION OF THE	11/3/2006
1, 5	Yes Yes		12:02 PM
1	No No	1 T. H. W.	
11	Berks Greenwich Township		
14.	Roadway A Strate Co. 143) @ moder 3	5.2	
	Interstate Route I-78 , 1/4 west of Exit 35 (Rt. 143) @ marker 3	3.2	11/5/2006
	Yes Birdiem, Richard MD	The second secon	
	Blunt Force Trauma To Head, Neck, And Chest		
	Roadway	The state of the state of	
10.7	i-78 On Roadway @ Marker 35.2		
5.50	Greenwich Township		Not Tested
	Seated	Para tella tello profit	Not Tested
	Severely Burned		
Company of the second	None		M. M.
	Start Annual Control of the Control	2 4 2 2 2 M	10
	None		94
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	Near intersection of Rt. 143 a			
	Friday - 11/03/06 - 12:02 F	'M	Divided Hi	ghway - Concrete - Dry
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	Failed to Negotiate Curve	Crossed Center Line	Overturned	Traversed Shoulder
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	☐ Struck Other Object	☐ Violated Traffic Control		
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	Selover Funeral Home			11/5/2006 @ 8:00:00 PM
	555 Georges Rd.			Cremation
	North Brunswick, NJ 089	02	5	Edmonds, Ellis J. #912
de siren	Tim Wynkoop		,**-	Ellis Edmonds, Deputy Investigator
	(732) 828-2500			11/5/2006
	age	Carteret, I	VJ died on I	Friday November 3, 2006 at 1:10 PM
2006 Jeep Lit death at 12:1 Reading Hosp Trauma to the North Brunsw Police/Hambu	perty 1/4 miles west of of PM by Miller, Brian of Foital Lab. Pathologist Binder head neck and chest rick, N.J. 08902. (Phone in this accident was	on Route I-78 in Gree PSP-Hamburg An audie, Richard MD dete The body was release 732-828-2500) . The e, Virginville Fire Co.,	nwich Township. To stopsy was held on rmined that the dece ed to the Selover Factoriner's office was Salvation Army- Legenter - husband of	vas the right front-seat passenger in a he coroner's office was notified of the Sunday, November 05, 2006 at cedent experienced Blunt Force funeral Home at 555 Georges Rd., is assisted by PA. State ebanon. the decedent and their year old 55 for additional details.
tractor trailer t Operators Lice	dob that ran into the rear of the ense.	of ne decedents vehicle.	Harri His operators nun	sburg, Pa. was the operator of on his Penna.
11/05/2006 The followi		topsy started at 1200 chard Bindie urski, DMD	Noon.	

Donna Schmehl, Lab assistant Tpr. David Beohm, PSP -Reading Dep. Coroner Ellis J. Edmonds

The red security tag # was removed from the gray body bag and the bag was opened to start the autopsy. Body measured 70" and was estimated to weigh about 260 lbs. Autopsy and x-Rays showed numerous signs of blunt force trauma to head, neck & chest areas. Examination was unable to confirm a pregnancy at this time. Further blood testing would have to be done to confirm this. (Received information that she may have been pregnant by about three to four weeks. Decedent had been taking fertility pills and had missed her last period.

A wedding band was removed from the decedent and placed in possession of the Berks Co. Coroner Office to be returned to the next of kin at a later date. (See Personal effects report).

Autopsy ended at about 3:45 PM. Official results will be forthcoming.

Monday - 11/06/2006 -9:00 PM -Tim Wynkoop arrived to represent the Selover Funeral Home. All personal effects were turned over to him to return to the next of kin of the decedent. (see signed receipt) Mr. Wynkoop then signed for the death certificates. Mr. Wynkoop then was escorted to the Reading Hospital and Medical Center where the decedents body was removed from the lab and returned to the State of New Jersey for cremation. Cremation certificate issued to the Selover Funeral Home.

Tim Wynkoop

Agent for: Selover Funeral Home Phone (908)454-4553 289 S. Main St., Phillipsburg, N. J. 08865 Fax 908-454-4444

Selover Funeral Home 555 Georges Road North Brunswick, N.J. 08902 Phone (732) 828-2500

Ettis Edmont 912 11/8/06
Ettis Edmont 912 Date

Office of the Coroner Berks County, Pennsylvania DENNIS J. HESS, CORONER

633 Court Street 15th Floor Reading, PA 19601 OFFICE:

(610) 478-3280

FAX:

(610) 478-3289

Case No:

06-02164

	DISPOSIT	ON	IAI	UTHORIZAT	rion		
By law, authorization by	y the Coroner is required wo otherwise disposed of s	vhen the	ne bodic be the	es of deceased persons a preafter unavailable for ex	are to be cremated, burie camination.	d at	sea or
NAME OF DECEASED					DATE & TIME AUTHOR		
				<u> </u>	11/05/2006@	8:0	0 PM
DATE OF DEATH	TIME OF DEATH	SEX		RACE	DATE OF BIRTH	AC	GE
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CAUSE OF DEATH Blunt Force Tra	auma To The Head, No	eck		OTHER CONDITIONS			
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CERTIFIER				PERMISSION TO	CPEMATE		YES
Edmonds, Ellis J. #91	.2				G CERTIFICATE?		NO
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Ellis Edmonds, Depu	ty Investigator, //	1/5/0	٥6	Reading, PA	A 19601		

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MATTER # 1178462

FILE TYPE Lawsuit

FILE NAME

CAIR #

DATE OF

11/03/2006

INCIDENT

DATE OF NOTICE 03/13/2007

MODEL/MODEL

YEAR

2006 Jeep Liberty (KJ)

VIN 1J4GL48K16W

MILEAGE

OWNER

Bayville, NJ

COURT U.S. District Court, Eastern District of Pennsylvania

DOCKET # 07-0767

FIRE ALLEGED Yes

DESCRIPTION

On November 3, 2006, a 2006 Jeep Liberty (KJ), operated by was travelling westbound on I-78 in Berks County, Pennsylvania. The posted speed limit at the site of the accident was 55 mph; however, a construction zone was in existence with a temporary speed limit of 50 mph. According to the police accident report, the Jeep Liberty (KJ) was in the left lane of I-78, along with other traffic, and had stopped or was moving very slowly due to construction lane closures ahead of it. A 2006 Freightliner

tractor/trailer failed to observe the traffic stopped or slowing ahead of it and struck the rear of the Jeep Liberty (KJ) at a high rate of speed. Witnesses estimated the speed of the Freightliner tractor/trailer at 65-75 mph just prior to the collision and reported that it failed to brake or braked just before the collision. The impact pushed the front end of the Jeep Liberty (KJ) into the rear of a 2005 Kenworth tractor/trailer. According to the police accident report and statements given to the police, a fire at the rear of the Jeep Liberty (KJ) and the front of the Freightliner tractor/trailer began after the impact.

PROPERTY

DAMAGE ALLEGED

No

INJURIES 1

FATALITIES

ANALYSIS The 2006 Jeep Liberty (KJ) has not been inspected. Based on the available information, including the police accident report and witness

statements, Chrysler Group concludes that the impact of the Freightliner tractor/trailer with the rear of the Jeep Liberty (KJ) occurred at a relative velocity in excess of 55 mph. This is based on witness statements that the Freightliner tractor/trailer was travelling 65-75 mph immediately prior to the accident and there was little or no evidence of braking prior to impact and that the Jeep Liberty (KJ) was either stopped or moving very slowly with other traffic. The driver of the Kenworth tractor/trailer reported that he was travelling 3-5 mph at the time of the impact. According to the police accident report, this extremely severe, high-energy impact caused extreme damage to the rear end of the Jeep Liberty (KJ) with the engine and radiator of the Freightliner tractor/trailer resting against the front seat and dash area of the Jeep Liberty (KJ). The interposition of the Jeep Liberty (KJ) between the Freightliner tractor/trailer and the Kenworth tractor/trailer during the impact and the extremely high mass of the Freightliner tractor/trailer likely increased the crash forces acting on the rear of the Jeep Liberty (KJ). Because Chrysler Group has not inspected the Jeep Liberty (KJ), it is unable to confirm that the fuel tank was ruptured in the accident or that the origin of the fire was at the fuel tank. (Enclosure 3, Bates page numbers 006711-6712).