

EA12-005

CHRYSLER

2/18/2013

ENCLOSURE 3

CLAIMS- LAWSUITS

PEER VEHICLES – 1997 –

2006 WRANGLER (TJ)

CONSUMER COMPLAINTS

Customer Assistance Inquiry Record (CAIR)#

6571572

VIN	1J4FY49SX	XP [REDACTED]	Open Date	12/15/1999	Built Date	06/02/1999
Model Year	1999	Body	TJL77	JEEP WRANGLER 4X4 SPORT UTILITY 2-DR		
In Service Dt	07/03/1999	Mileage	4,291	Dealer Zone		
Plant	P	TOLEDO ASSEMBLY PLANT II (STICKNEY)	Market	U	US	
Color	PX8	BLACK CLEAR COAT				
Engine	ERH	4.0L I6 POWER TECH ENGINE				
Transmission	DGG	3-SPD. AUTOMATIC 32RH TRANSMISSION				

Owner	[REDACTED]	Contact Type	TELEPHONE
Address	[REDACTED]	Home Phone	[REDACTED]
	BLUE JAY CA [REDACTED]	Country	UNITED STATES

Product - Unknown - Unknown - Accident - Default | Gas tank leaked, caused vehicle to slide.

**** Begin of Str Nar: SI POLICY FIRE OR ACCIDENT ****

Owner Alleges:
Gas tanked leaked in driveway, gas got on tires caused vehicle to slide down steep driveway.

Description of the incident (what, when, where, injuries, etc)
Vehicle slid and hit steps by driveway. 12-14-99. At customer's residence [REDACTED]. No injuries.

Has the owners insurance company been contacted?
Yes.

If yes provide name/policy number and phone number
Ron Young insurance [REDACTED] (818)840-0246.

Where is the vehicle currently located (provide name/address/phone #)
Viking Motors in Rim Forest, CA.

Is there property damage or other vehicles involved in the accident?
Property damage to owners yard.

Has a Police or Fire report been filed (what municipality & report #)
Fire department did go to scene. No other info.

**** End of Str Nar: SI POLICY FIRE OR ACCIDENT ****

Original owner seeking assistance with repairs from accident. Customer states that gas leaked from tank all over driveway and tires. Customer states his wife lost control of vehicle while backing out of steep driveway. Writer advised customer that file would be forwarded to special investigations for further review.

FILE RETURNED BY S/I. WE ARE UNABLE TO SCHEDULE INSPECTION WITHOUT COMPLETE ADDRESS (STREET & #, CITY, STATE, ZIP, PHONE) FOR PHYSICAL LOCATION OF VEHICLE. PLEASE OBTAIN THIS INFO AND RETURN FILE TO S/I. THANKS. JSS15/DRM8.

Viking Auto
26343 Apache Trail
Rim Forest CA 92378
(909)337-8534

PLEASE CONTACT AND ARRANGE INSPECTION TO DETERMINE CAUSE OF LOSS. PLEASE PROVIDE FULL PVIR REPORT, PHOTOS, POLICE DEPT REPORT (if available), AND ANY OTHER PERTINENT INFORMATION. THANKS. JSS15/DRM8.

CAIR NUMBER 06571572 REQUEST EAA INSPECTION 12-15-1999 14:56

CAIR NUMBER 06571572 FAX SENT TO EAA 12-15-1999 15:00

12/15/99 owner inquires if husband has provided current vehicle location. Verified above address with owner.

12/21/99-Received imaged report...non manufacturing responsibility...

Will refer owner to ins co....fuel leak at tank was only at puncture area, damaged and impacted area.....

no other leak detected, no sign of dampness areas....unable to pressurize

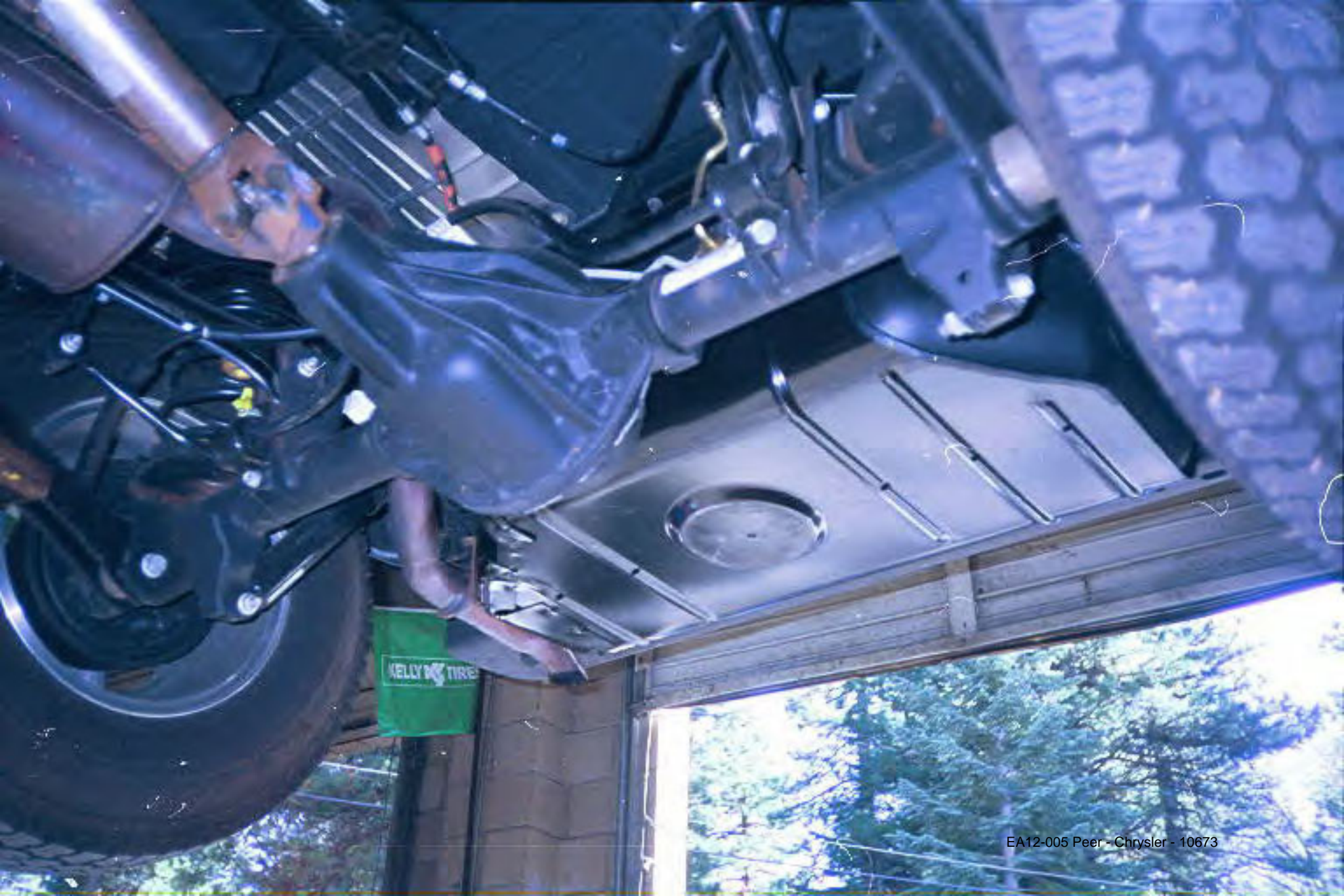
tank....drm
12/21/99-Letter sent...drm
PHOTOGRAPHIC IMAGES POSTED TO THIS CAIR ON 12/24/99 AT 00:00 06571572
PHOTOGRAPHIC IMAGES POSTED TO THIS CAIR ON 12/24/99 AT 00:00 06571572













CAUTION
Do not touch
this part
with bare hands























12-16-99 FAX 248-542-4554

EA ASSOCIATES

0101



ENGINEERING ANALYSIS ASSOCIATES, INC.

1307 Old Orchard Road, Suite 4366
Bingham Farms, Michigan 48025-4320
Phone: 248-542-3232
Fax: 248-542-4558



During the period from 11/1/98-12/17/98 you may receive an increase in vehicle inspection volume and further distances due to certain EA's working a heavier schedule on your service tool inventory. If this becomes a problem for you, please let us know.

Facsimile Cover Sheet
DaimlerChrysler Vehicle Investigation Report (VIR)

Owner:	[REDACTED]
EAA No:	2537
CAIR No:	1590

Transmitting	2	pages.
If transmission not complete, please call the above phone number.		

To:	[REDACTED]
Phone No:	[REDACTED]
Fax No:	6234

From:	Tim Martin
Date Faxed:	12/16
Dur Date:	12/20

Please acknowledge promptly by FAX or phone.

Receipt of VIR and Accepting case for investigation YES NO DATE 12/16/99

Fax Cover Sheet for DaimlerChrysler (Service Associate Use Only)
(also fax to EAA for closure)

Date: 12/16/99 Fax Number: 248-542-8748

Number of pages (incl. Cover): 11

TO:

- Berlin (248) 944-7038
- Martell (248) 944-7038
- Bate (248) 944-7038
- Mucci (248) 944-7039
- Gilbert (248) 944-7037
- Porterfield (248) 944-7134

Comments: NOTE: 8 ROLLS OF FILM WERE USED

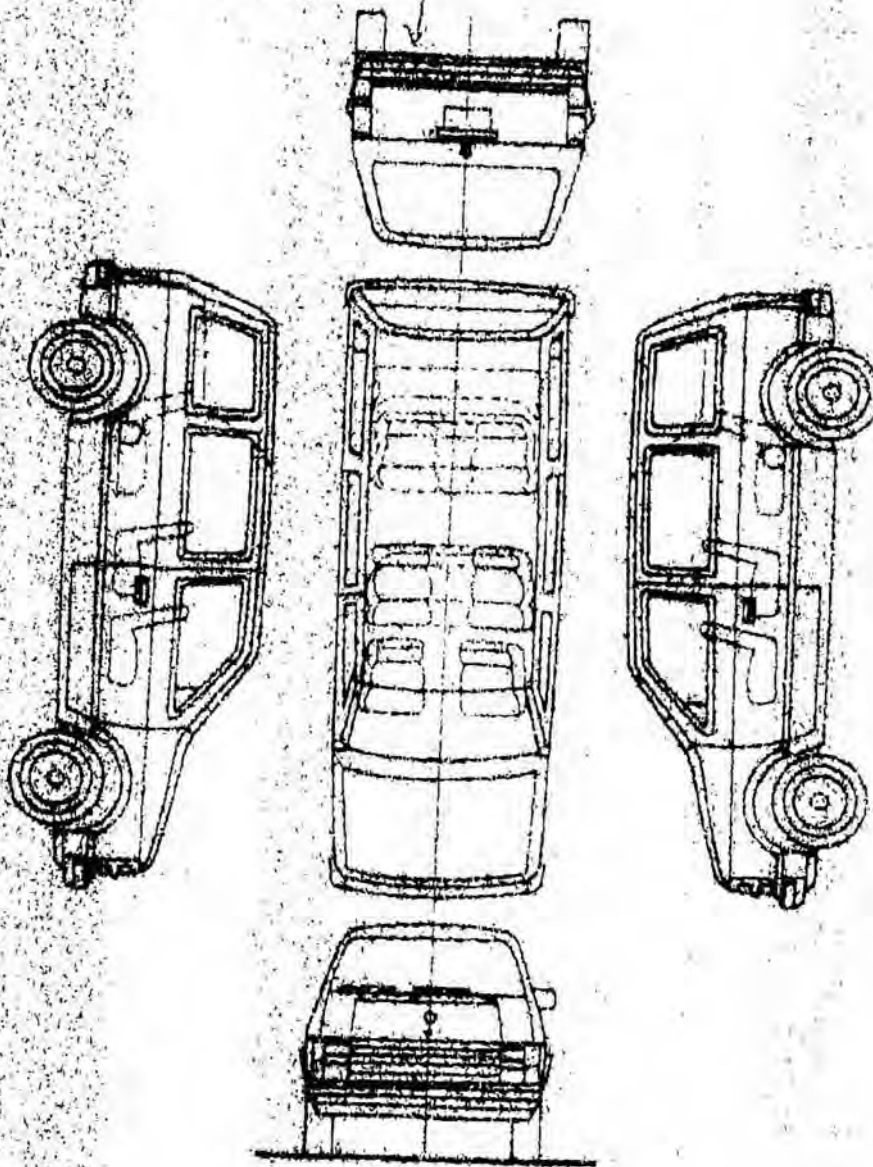
ORDER AT END OF REPORT

Confidential

REF # 6571572

Exterior Damage Diagram and Measurements

IMPACT DAMAGE TO RIGHT LOWER FLOOR COINCIDENT OF FUEL TANK



NO EXTERIOR DAMAGE TO VEHICLE

Sketch damage on all views. Include dimensions to describe and locate each damaged area and maximum depth of penetration for each impact. Annotate observations which might be useful in reconstructing the accident (e.g., direction of scrapes, markings on tires and wheels, etc.). Take photographs.

PRELIMINARY PAR INSPECTION
FIELD PHOTOGRAPHIC NOTES

(page 01)

Division: [REDACTED]	Claimant: [REDACTED]	Case # 4571572	VIN 1J4FY195X28 [REDACTED]
Inspected By: [REDACTED]	Organization: E.A.A.	Phone: [REDACTED]	Inspection Date: 12/16/99
Mileage at Inspection: 004291			

Roll Number

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also EXTENSIVE
DAMAGE TO
BODY

PAINT IS SCRATCHED
OFF

FROM FRONT
LEAVE

PRELIMINARY PAR INSPECTION
FIELD PHOTOGRAPHIC NOTES

Page 1 of 1

Division: [REDACTED]	Case #	VIN
Commander's [REDACTED]	CAIR 654157	1J4HEX495XX [REDACTED]
Inspector: EARL LIND	[REDACTED]	[REDACTED]
Phone: (708) 393-2855	Organization:	
	Inspection Date: 12/16/99	Message of Inspector: 004291

Roll Number: [REDACTED]

Seq# Description

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IN STREET AND AT END OF DRIVEWAY
 (LOOKING UP DRIVEWAY)
 AT BOTTOM OF DRIVEWAY
 IN MIDDLE OF DRIVEWAY (ADJACENT TO IMPACT POINT AT LEFT)
 IN DRIVEWAY PRIOR TO IMPACT POINT
 AT TOP OF DRIVEWAY ADJACENT TO DRIVEWAY
 IN YARD TO RIGHT SIDE OF DRIVEWAY
 AT TOP OF DRIVEWAY
 SHOWING TYPE OF SPRINKLERS
 SHOWING STRONG MARK AND "DARK SPOT" BETWEEN TRACKS
 OF DRIVEWAY (IMPACT POINT, OTHER SIDE, CORNER OF STEPS AT BENCH)
 OF DRIVEWAY ON RIGHT SIDE OF DRIVEWAY
 OF DRIVEWAY HEAD
 AREA AT BOTTOM OF DRIVEWAY AND SHOWS STRIPES OF DIRT
 OF IMPACT POINT

PHOTO.DOC

CAUSE # 1996

DATE WRITTEN

REPORT SUMMARY

The vehicle was inspected at David's Viking Auto, 26343 Apache Trail, Reno, NV, prior to... An interview with David Nelson, owner of the shop, revealed the... The gas tank was... The gas tank... pipe shield was bent back and under the... shield and it was torn loose from the main shield

The vehicle had already been repaired prior to my inspection. The original gas tank had been... Upon inspection, it was... The lower right-hand corner was scraped and... The metal shield on the right side of the tank was... bent. (See photos # 13 & 14). There was a reddish colored... mark on the... side of the vehicle. (See photo number 7) The... was inspected for any more evidence of impact - a... with paint... directly in line with the scrape mark on the... (See photo # 10). No other damage was found on the vehicle. The gas tank was... When the inspection was... a short phone interview was conducted with the driver, ... of the place of... which is the scene of the incident. However, she was not able to be present at the scene, therefore I inspected the incident scene without the benefit of her... (See description of incident scene)

After inspecting the gas tank, I had a pre-conceived idea of what I would see at the scene. I expected to see evidence of gasoline spillage only at the point of impact where the hole was torn in the gas tank. Instead, the following is what I observed: Black tire marks showing a sliding pattern at the top of the steep driveway and continue all the way down to the bottom of the driveway. The skid marks turn to the left and go off the edge of the driveway at the... of the driveway. Impact marks were observed on the... and the... of the brick steps had chips and scrapes and black marks the same color as the... There was also a tire mark on top of the steps at this point. The skid marks on the... direction and pattern at this point, showing a pattern consistent with wheels... the vehicle tried to pull away from the impact area. Then the marks continued down to the bottom of the driveway again, in a sliding pattern.

There was a large stain in the middle of the driveway starting at the top and continuing all the way down to the bottom and out into the street. It was NOT predominant at the point of impact at the... the stain became larger and more evident of a fluid spill in the middle of the driveway and it continued down to the bottom. The stain goes out into the street, they... on the right-hand side of the street and continues in a dragging pattern down to the street.

The skid marks at the top of the driveway, in the leveled-off parking area, begin 77 inches from a black line in the right tire mark and 120 inches from the wall on the left tire mark. The wall is 120 inches from the front of the vehicle. This indicates that the tire marks are from the front area of the vehicle is more than 77 inches long and the rear tire mark is not as close to the wall. The vehicle track width from right to left tires was measured at 68 inches at the outside edges of the tire marks. These marks also indicate that the vehicle started to slide down the driveway right from the usual parking spot. In view of all the evidence at the

Since I had many more questions to ask the claimant I also decided to go back to the auto shop, near the gas tank to see if I had missed anything on my first inspection.

When I got back to the auto shop I re-inspected the gas tank thoroughly over a very large area of the surface to determine if I had missed seeing a defect in the seam or around the base of the gas tank or anywhere else on the surface for cracks or pin holes or anything. No other defects could be found. Only the impact damage was there. I could not determine what caused the dent in the claimant's driveway starting above the impact point, nor why the vehicle started to slide down the driveway all the way from its parking location at the very top.

DESCRIPTION OF SCENE

The residence is situated on top of a hill with an asphalt driveway going from a level parking area at the top of the driveway, down a very steep grade to the street. There is another level parking area at the driveway at street level. On the left side of the driveway, looking up from the street, is a brick stairway consisting of 23 steps with each step having a rise of seven and one-half inches. The right side is dirt with some foliage, but no grass. The dirt was dry and the foliage is sparse. The driveway is 11 feet wide and approximately 29 feet long from the crest where it levels off at the top, to the border of the brick steps. The "dip" in the driveway at that distance is approximately 2 1/2 feet as measured by the rise of the steps. It is approximately another 20 feet to the edge of the street. The surface of the asphalt is very smooth due to a slurry coat which has been applied over the asphalt. It does not have the porous surface normally seen on asphalt. There is a concrete diameter water drainage pipe at the top of the driveway on the left side, next to the stairway, with a shallow gutter running down along the side of the driveway next to the stairway. On the right of the driveway, in the dirt area, are "mini-sprayer" sprinklers starting at the top of the hill and spaced several feet apart along the hill going towards the street.

CONTINUATION OF INTERVIEW WITH CLAIMANT

Because of the findings at the incident scene compared to the findings at the vehicle inspection, some questions arose to my mind. I re-asked the claimant, Mrs. [redacted] again. The following are the questions and answer session:

Q: "When did you first notice problems at the driveway?"

A: "I didn't see anything in the driveway before I started the Jeep."

Q: "Did you notice anything - like a gasoline smell?"

A: "No, I didn't smell anything."

Q: "When was the gas in the gas tank?"

A: "I had just filled it up a day or so ago. I would say it was about half full or a little more."

Q: "Have you ever had problems getting up or down the driveway before?"

A: "No."

Q: "Did you need to use the 4-wheel drive to get up the driveway?"

A: "Yes, I always use 4-wheel drive but my husband can drive his Bronco up in 2-wheel drive."

Q "Where was the slurry put on the driveway? Was it applied over rough asphalt?"
 A "It was already there when we purchased the house 4 or 5 months ago."

Q "How did this incident begin to happen?"
 A "When I started to back up, the Jeep began to slide. I pressed on the brakes as hard as I could, but it just kept on going down the driveway."

Q "How was the weather like?"
 A "It was cold - about 40 degrees, but it wasn't damp."

Q "There was a lot of tire marks in a strange pattern. How did that happen?"
 A "I backed down, then hit the steps. I tried to get off the steps, but then the Jeep went forward. I thought I was going to tip over. It slid sideways all the way down to the bottom."

Q "How did you get the Jeep out of the driveway?"
 A "When I got to the bottom and didn't tip over, I regained my composure. Then I just drove away down the street. I didn't know I was leaking gas at that time. I got about 2 inches away and the car died. It was out of gas. Then I saw the trail of gas I left in the street."

Q "There are a lot of black stains in the middle of the driveway. Were they there before the incident?"
 A "No, they weren't there. The stains are from the gas spilling on the driveway."


Q "Did you notice any gas leakage at any other time before the incident?"
 A "No, never."

Q "You have sprinklers along the driveway. Are they on timers?"
 A "Yes, they are manual. We haven't used them in three months."

Q "When they do come on, does the water spray on the driveway?"
 A "No."

Q "Could there have been any dirt on your driveway that day?"
 A "No. I always check the weather the night before. If it is going to be below freezing during the night, I park at the bottom of the driveway instead of the top. It wasn't that cold."

Q "Are there any other reasons that your Jeep could have slid down the hill?"
 A "The mechanic thinks the gas leaked on the tires and made the driveway slippery, so I don't know for sure. He gave a witness tape of the driveway on the night of the accident."

END OF INTERVIEW
 Earl Lind, PAA


Dave's Viking Auto
 28343 Apache Trail
 Rim Forest, CA 92376-0000
 (909) 537-8624
 EPA CAR # 19940000000000000000
 BAR # 10000000000000000000

NAME: [REDACTED]
 [REDACTED]
 [REDACTED]

YEAR/MAKE: [REDACTED]
 MILEAGE: [REDACTED]
 MOTOR SIZE: 4.0L
 BLACK WRANGLER
 LIGHTS ON/OFF/LOCK

OR FUEL LEAK, FUEL TANK WOULD BE DAMAGED

TEST FUEL SYSTEM; FUEL TANK
 PRICE: \$224.00

ESTIMATE OF REPAIRS... TOTAL LABOR: \$224.00

QTY	PART NUMBER	PART DESCRIPTION	AMOUNT	QTY	PART NUMBER	PART DESCRIPTION	AMOUNT
1	3827100219	FUEL TANK	\$133.00				
1	842018700-45	FUEL TANK	\$295.00				

PH [REDACTED]

DATE: 12/14/95
 TIME: 1:51 PM
 DONE [] SAVE YES []
 DATE: 12/14/95
 TIME: 7:00 PM
 PRICE: \$224.00
 PRICE: \$458.00
 PRICE: \$35.87
 PRICE: \$718.87

DAIMLERCHRYSLER

DaimlerChrysler
Motors Corporation

December 22, 1999

[REDACTED]
Blue Jay, CA [REDACTED]

Reference No.: 6571572

V.I.N.: 1J4FY49SXXP [REDACTED]

Dear Mr. [REDACTED]

This will further acknowledge contact to DaimlerChrysler Motors Corporation, regarding your 1999 Jeep Wrangler.

[REDACTED] naturally, we were sorry to learn of the incident described to us during the initial contact. However, we have had the opportunity to review the inspection report and must inform you that we are not led to believe that the incident was due to a manufacturing responsibility. Therefore, we must respectfully decline any assistance associated with this incident.

Based on this information, we can only suggest that you refer this matter to your insurance carrier. Should they feel a manufacturing responsibility exists, they have full subrogation rights under the terms of your policy.

Thank you for allowing us the opportunity in reviewing this matter with you.

Sincerely,

D. R. Mucci
Special Investigations
(248) 944-7039

DRM/lg

**THERE IS ONLY
ONE PAGE
TO THIS
ATTACHMENT**

FAX TRANSMITTAL

6571572

FROM: EARL LIND , E.A.A

TO: DENNIS MUCCI

MESSAGE: RE: CAIR 6571572

THE FOLLOWING 5 PAGES, ARE THE ONES YOU COULDN'T READ. PLEASE LET ME KNOW IF THESE ARE BETTER.

Thanks,

Skip Lev's

P.S -
Re-sending it again
From a different fax machine



TOTAL PAGES, INCLUDING THIS COVER PAGE 6

CAIR 6571572

REPORT SUMMARY

The vehicle was inspected at Dave's Viking Auto, 26343 Apache Trail, Rim Forest, CA, prior to visiting the incident scene. An interview with David Nelson, owner of the shop, revealed the following: The Jeep Wrangler was brought into the shop on a flat-bed truck. The gas tank was completely empty. The gas tank/exhaust pipe shield was bent back and under the gas tank. Welds were broken from this shield and it was torn loose from the main shield.

The vehicle had already been repaired prior to my inspection. The original gas tank had been removed from the vehicle and saved for my inspection. Upon inspection, it was immediately obvious that there was impact damage to the tank. The lower right-hand corner was scraped and a hole was torn in the plastic tank. The metal shield on the right side of the tank was broken loose from the main shield and bent (see photos # 13 & 14). There was a reddish colored scrape mark on the exhaust pipe next to the shield on the right side of the vehicle. (See photo number 7). The underbody of the Jeep was inspected for any more evidence of impact - a scrape mark with paint removed was noted on the right side of the rear axle directly in line with the scrape mark on the exhaust pipe. (see photo # 10). No other damage was found on the vehicle. The gas tank was photographed on top and bottom. (See photos # 11, 12, 15, 16, & 17). When the inspection was completed, a short phone interview was conducted with the driver, [REDACTED], at her place of business. She gave me directions to her home, which is the scene of the incident. However, she was not able to be present at the scene, therefore I inspected the incident scene without the benefit of her presence to ask questions as I proceeded. (See description of incident scene).

After inspecting the gas tank, I had a pre-conceived idea of what I would see at the scene. I expected to see evidence of gasoline spillage only at the point of impact where the hole was torn in the gas tank. Instead, the following is what I observed: Black tire marks showing a skidding pattern start at the top of the steep driveway and continue all the way down to the bottom of the driveway. The skid marks turn to the left and go off the edge of the driveway at the stairway at approximately the mid-point of the driveway. Impact marks were observed on the brick stairway and the corner of one of the brick steps had chips and scrapes and black marks the same color as the gas tank. There was also a tire mark on top of the steps at this point. The skid marks on the asphalt then change direction and pattern at this point, showing a pattern consistent with wheels spinning as though the vehicle tried to pull away from the impact area. Then the marks continue down to the bottom of the driveway, again, in a sliding pattern.

There was a dark stain in the middle of the driveway starting at the top and continuing all the way down to the bottom and out into the street. It was NOT predominate at the point of impact at the stairway, however the stain became larger and more evident of a fluid spill in the middle of the driveway and as it continued down to the bottom. The stain goes out into the street, then branches off down the right-hand side of the street and continues in a dripping pattern (heavy drip) down the street.

The tire marks at the top of the driveway, in the leveled-off parking area, begin 77 inches from a block wall on the right tire mark and 120 inches from the wall on the left tire mark. The wall is at an angle from the front of the vehicle. This indicates that the tire marks are from the front tires at this point because the vehicle is much longer than 77 inches long and the rear tires could not have been that close to the wall. The vehicle tread width from right to left tires was measured at 65 inches at the outside edges of the tire marks. These marks also indicate that the vehicle started to slide down the driveway right from the initial parking spot. In view of all the evidence at the

scene, I had many more questions to ask the claimant. I also decided to go back to the auto shop, to re-examine the gas tank to see if I had missed anything on my first inspection.

When I got back to the auto shop I re-inspected the gas tank thoroughly over every square inch of the surface to determine if I had missed seeing a defect in the seam or around the hose connections or anywhere else on the surface for cracks or pin holes or anything. No other defects could be found. Only the impact damage was there. I could not determine what caused the dark stains in the claimant's driveway starting above the impact point, nor why the vehicle started to slide down the driveway all the way from its parking location at the very top.

DESCRIPTION OF SCENE

The residence is situated on top of a hill with an asphalt driveway going from a level parking area at the top of the driveway, down a very steep grade to the street. There is another level parking area adjacent to the driveway at street level. On the left side of the driveway, looking up from the street, is a brick stairway consisting of 33 steps with each step having a rise of seven and one-half inches. The right side is dirt with some foliage, but no grass. The dirt was dry and the foliage is sparse. The driveway is 13 feet wide and approximately 59 feet long from the crest where it levels off at the top, to the bottom of the brick steps. The "drop" in the driveway in that distance is approximately 21 feet as measured by the rise of the steps. It is approximately another 30 more feet to the edge of the street. The surface of the asphalt is very smooth due to a slurry coat which has been applied over the asphalt. It does not have the porous surface normally seen on asphalt. There is a 2-inch diameter water drainage pipe at the top of the driveway on the left side, next to the stairway, with a shallow gutter running down along the side of the driveway next to the stairway. Off to the right of the driveway, in the dirt area, are "mini-sprayer" sprinklers, starting at the top of the hill and spaced several feet apart along the hill going towards the street.

CONTINUATION OF INTERVIEW WITH CLAIMANT

Because of the findings at the incident scene compared to the findings at the vehicle inspection, many questions arose in my mind. I telephoned the claimant, Mrs. [REDACTED] again. The following is the question and answer session:

- Q. "When did you first notice gasoline in the driveway?"
- A. "I didn't see anything in the driveway before I started the Jeep."
- Q. "Did you smell anything - like a gasoline smell?"
- A. "No, I didn't smell anything."
- Q. "How much gas was in the gas tank?"
- A. "I had just filled it up a day or so ago. I would say it was about half full or a little more."
- Q. "Have you ever had problems getting up or down the driveway before?"
- A. "No."
- Q. "Do you need to use the 4-wheel drive to get up the driveway?"
- A. "Yes, I always use 4-wheel drive, but my husband can drive his Bronco up on 2-wheel drive."

- Q. "When was the slurry put on the driveway? Was it applied over rough asphalt?"
R. "It was already there when we purchased the house 4 or 5 months ago."
- Q. "How did this incident begin to happen?"
A. "As soon as I started to back up, the Jeep began to slide. I pressed on the brakes as hard as I could, but it just kept on going down the driveway."
- Q. "What was the weather like?"
A. "It was cold - about 40 degrees, but it wasn't damp."
- Q. "There were a lot of tire marks, in a strange pattern. How did that happen?"
A. "I just slid down, then hit the steps. I tried to get off the steps, but then the Jeep went sideways. I thought I was going to tip over. It slid sideways all the way down to the bottom."
- Q. "How did you get the Jeep out of the driveway?"
A. "When I got to the bottom and didn't tip over, I regained my composure. Then I just drove away down the street. I didn't know I was leaking gas at that time. I got about 2 blocks away and the car died. It was out of gas. Then I saw the trail of gas I left in the street."
- Q. "I saw a lot of black stains in the middle of the driveway. Were they there before the incident?"
A. "No, they weren't there. The stains are from the gas spilling on the driveway."
- Q. "Did you notice any gas leakage at any other time before the incident?"
A. "No, never."
- Q. "I noticed sprinklers alongside the driveway. Are they on timers?"
A. "No. They are manual. We haven't used them in three months."
- Q. "When they do come on, does the water spray on the driveway?"
A. "No."
- Q. "Could there have been any frost on your driveway that day?"
A. "No. I always check the weather the night before. If it is going to be below freezing during the night, I park at the bottom of the driveway instead of the top. It wasn't that cold."
- Q. "Can you think of any other reason that your Jeep could have slid down the hill?"
A. "No. My husband thinks the gas leaked on the tires and made the driveway slippery, so I didn't have any traction. He made a video tape of the driveway on the night of the accident."

END OF INTERVIEW

Earl Lind, EAA



PRELIMINARY PAR INSPECTION
FIELD PHOTOGRAPHIC NOTES

Division: DAIMLER-CHRYSLER Ref# CAIR 6571572 VIN 1J4FY495XXP
 Claimant's Name (LAST, First) [REDACTED] IDH 060220
 Inspected By: EARL LIND Organization: E.A.A
 Phone: (760) 947-7805x Inspection Date 12.16.99 Mileage at Inspection: 004291

Roll Number 1

Neg.# Description

- 0
- 1. LEFT FRONT 3/4 VIEW (SHOWING CAIR #)
- 2. RIGHT FRONT 3/4 VIEW (" ")
- 3. RIGHT REAR 3/4 VIEW
- 4. LEFT REAR 3/4 VIEW
- 5. VIN PLATE
- 6. VIEW OF NEW GAS TANK + SHIELD INSTALLED
- 7. SCRAPE MARK ON EXHAUST PIPE
- 8. CLOSE UP OF SCRAPE MARK ON EXHAUST PIPE
- 9. VIEW OF NEW GAS TANK + SHIELD
- 10. MARK ON RT REAR AXLE NEXT TO SHOCK ABSORBER (PAINT IS SCRATCHED OFF)
- 11. TOP VIEW OF REMOVED GAS TANK FRONT SIDE
- 12. TOP VIEW OF REMOVED GAS TANK REAR SIDE
- 13. DISTORTED EXHAUST PIPE SHIELD
- 14. DISTORTED EXHAUST PIPE SHIELD SHOWING IMPACT DAMAGE
- 15. BOTTOM OF REMOVED GAS TANK
- 16. CORNER OF GAS TANK SHOWING IMPACT DAMAGE
- 17. CLOSE UP OF IMPACT DAMAGE
- 18. OVERALL VIEW OF INCIDENT SCENE
- 19. VIEW OF STEEP DRIVEWAY + RESIDENCE ADDRESS ON TREE
- 20. TIRE MARKS STARTING AT TOP OF DRIVEWAY
- 21. VIEW LOOKING DOWN DRIVEWAY
- 22. VIEW WHERE VEHICLE BACKED INTO & IMPACTED STAIR
- 23. CLOSEUP OF IMPACT POINT ON BRICK STEPS
- 24. VIEW FROM MIDDLE OF DRIVEWAY (SHOWING DARK STAIN FROM FLUID LEAK)
- 25.
- 26.
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NO EXTERIOR
DAMAGE TO
BODY

PH010.DOC

PRELIMINARY PAR INSPECTION
FIELD PHOTOGRAPHIC NOTES

Dec . 22 1999 01:09PM P6

(page 1 of 1)

Division: <u>DAIMLER-CHRYSLER</u>	Ref# <u>CAIR 6571577</u>	VIN: <u>1J4FY49EXXP</u>
Claimant's Name (LAST, First) <u>[REDACTED]</u>		

Inspected By: EARL LIND

Phone: (760) 947-7805x

Organization: _____

Inspection Date 12 16 99

Mile. ge at Inspection: 004291

Roll Number 2

Neg.# Description

- 0
1. GAS STAIN IN STREET AND AT END OF DRIVEWAY
2. GAS STAIN (LOOKING UP DRIVEWAY)
3. TIRE MARKS AT BOTTOM OF DRIVEWAY
4. TIRE MARKS IN MIDDLE OF DRIVEWAY (ADJACENT TO IMPACT POINT AT LEFT)
5. GAS STAINS(?) IN DRIVEWAY PRIOR TO IMPACT POINT
6. DRAINAGE PIPE AT TOP OF DRIVEWAY NEXT TO STAIRWAY
7. SPRINKLERS IN YARD TO RIGHT SIDE OF DRIVEWAY
8. SPRINKLERS AT TOP OF DRIVEWAY
9. CLOSE-UP SHOWING TYPE OF SPRINKLERS
10. TOP OF DRIVEWAY SHOWING TIRE MARKS AND "DARK SPOT" BETWEEN TRACKS
11. MIDDLE OF DRIVEWAY (IMPACT POINT, OTHER SIDE, CORNER OF STEPS AT BENCH)
12. ANOTHER VIEW OF ABOVE PHOTO FROM FURTHER DOWN DRIVEWAY
13. PROXIMITY OF SPRINKLERS ON RIGHT SIDE OF DRIVEWAY
14. CLOSE-UP OF SPRINKLER HEAD
15. PARKING AREA AT BOTTOM OF DRIVEWAY AND SHOWS STEEPNESS OF DRIVE
16. ANOTHER VIEW OF IMPACT POINT
17. _____
18. _____
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37. _____

PHOTO DOC



Confidential
Preliminary Vehicle Investigation Report CAIR REF. #6571572

YEAR 99	MODEL JEEP WRANGLER	VEHICLE IDENTIFICATION NUMBER RECEIVED 915X1XP	ODOMETER 20,429.1	M.D.H. 06/02/20	DELIVERY DATE 7/3/99
NAME OF OWNER [REDACTED]		ADDRESS [REDACTED]		CITY [REDACTED]	
CITY BLUE JAY		STATE CA	ZIP 91999		
SELLING DEALER NAME DON-A-VEE CHRYSLER-JEEP		ZONE 71	DLR CODE 26,587	CITY BELLFLOWER	STATE CA
CHRYSLER REPRESENTATIVE - PRINT EARL LIND		ZONE E.A.A.	PHONE 760 947-7805	REPAIR ESTIMATE \$ 718.57	

INTERVIEW

INTERVIEW BY <input checked="" type="checkbox"/> DRIVER <input type="checkbox"/> OWNER <input type="checkbox"/> OTHER	INTERVIEW DATE 12/16/99	DATE OF INCIDENT 12/14/99	TIME OF INCIDENT 9:20 AM	INSPECTION DATE 12/16/99
DESCRIPTION OF EVENT: (INCLUDING WEATHER CONDITIONS AND ROAD SURFACE) COLD - NO MOISTURE, ASPHALT DRIVEWAY VERY STEEP				
<input checked="" type="checkbox"/> Driver's and/or occupant's description of incident <input checked="" type="checkbox"/> What? When? Where? How? <input checked="" type="checkbox"/> Exact order of events <input checked="" type="checkbox"/> Did this happen before?	I GOT INTO CAR, PUMPED BRAKES, LOOKED BACK AND STARTED TO SLOWLY BACK UP. I WENT ABOUT 2 FEET - VEHICLE STARTED TO SLIDE. I PRESSED BRAKES AS HARD AS I COULD, KEPT SLIDING, HIT STEPS ON SIDE OF DRIVEWAY. I TRIED TO PULL FORWARD, OFF STEPS BUT JEEP SLID SIDEWAYS ALL THE WAY DOWN.			
NO	Personal Injury: Were there Personal Injuries? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, complete section "L."			

IMPORTANT: SHOW TO NO ONE & DRAW NO CONCLUSIONS

- DIRECTIONS:**
- FILL OUT UPPER PART OF FORM.
 - FOR "FIRE" USE FORM 84-130-6950.
 - FOLLOW INSTRUCTIONS FOR SECTION "A" ON ALL VEHICLES.
 - FOLLOW INSTRUCTIONS FOR SPECIFIC ALLEGATIONS FOR THIS VEHICLE.
 - ATTACH ANY ADDENDUMS TO REPORT AND STATE SECTION IT PERTAINS TO.

- COMMENTS:**
- NOTE ANY MISSING COMPONENTS AND WHO REMOVED THEM.
 - NOTE ANY AFTERMARKET EQUIPMENT INSTALLED AND BY WHOM.

ALLEG.	PHOTOGRAPH REQUIRED	INFORMATION	EVALUATION	
A	<input type="checkbox"/> From center of vehicle front every 45 degrees (8 total) <input type="checkbox"/> If crash damaged - perspective from every corner of vehicle down both original lateral sight lines. (8 total)	<input type="checkbox"/> Police report NONE <input checked="" type="checkbox"/> Vehicle service file <input checked="" type="checkbox"/> Any reports/photos by others * <input checked="" type="checkbox"/> Location of inspection DAVE'S VIKING AUTO 26343 APACHE TRAIL RIM FOREST, CA 92378	<input checked="" type="checkbox"/> Driver's and/or occupant's description of incident <input checked="" type="checkbox"/> What? When? Where? How? <input checked="" type="checkbox"/> Exact order of events <input checked="" type="checkbox"/> Did this happen before? NO * CLAIMANT HAS VIDED OF SCENE, SAME DAY AS INCIDENT	
	<input type="checkbox"/> Send neg. & 2 sets of prints			
B	<input type="checkbox"/> Steering Wheel <input type="checkbox"/> Airbag(s) <input type="checkbox"/> Knee Blockers <input type="checkbox"/> All possible body contact areas <input type="checkbox"/> All code readings using DRB II	<input type="checkbox"/> Record: <input type="checkbox"/> Was Airbag deployed? Driver <input type="checkbox"/> Yes <input type="checkbox"/> No Passenger <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Type of Steering Wheel <input type="checkbox"/> Tilt <input type="checkbox"/> Std. <input type="checkbox"/> Condition of Steering Wheel <input type="checkbox"/> Condition of Steering Wheel Mounting (measure column collapse)	<input type="checkbox"/> Use DRB II <input type="checkbox"/> Record Existing Readings 1. _____ 2. _____ <input type="checkbox"/> Record Stored Readings 1. _____ 2. _____ 3. _____ <input type="checkbox"/> Important: DO NOT ERASE DRB II READINGS.	<input type="checkbox"/> Evidence of tampering or disassembly? <input type="checkbox"/> Yes <input type="checkbox"/> No

ALLEG. PHOTOGRAPH REQUIRED

INFORMATION

EVALUATION

Sudden Acceleration or Throttle Hold

- Accelerator Pedal
- Throttle Cable
- Return Springs
- Floor Mats

C

Describe any Accelerator Pedal Interference with Carpet/Mat

- DRB II Tests
- Disconnect Cable at Throttle Body/Carburetor lever; operate:
 - Lever Cable
- Any restricted motion?
 - Yes No
- If safe and permitted to drive - attempt to duplicate and check Service Brakes at reported speed.

Brakes

Items in Information Block.

D

- Check and record Brake Fluid Level.
- Check and record if Vacuum Hose is connected. Yes No
- Check and record for Brake Line Leaks. Yes No
- Pull Wheels, check Linings and record condition.
- Check Brake Pedal, does it set firm? Yes No
- Check operation of Parking Brakes.
- Check operation of ABS System.

- With Engine off:
 - Apply Brake fully 3 or 4 times.
 - With light force held to Pedal, start the Engine.
 - Note reaction of Pedal and record: _____
- ABS System DRB II test readouts _____

Steering

- Complete Steering System including as required:
 - Rack & Pinion
 - Linkage
 - C/V & Universal Joints
 - Column
 - Belts & Pulleys

E

- Record if:
 - Manual Steering Power Steering
- Check Fluid Level _____
- Record if Drive Belt is tight Yes No
- Check for Hoses/System leaks Yes No Leaks
- Check condition of Steering Linkage from Wheels to Steering Column, record deformation or loose connections.

- Unlock key and turn Wheels fully right and left.
- If safe, start Engine and turn Wheels fully right and left.
- Record Steering function.

Transmission

Entire Transmission with pictures and closeup of leaks, if any.

F

- Record:
 - Type of Transmission?
 - Auto Std.
 - How many Speeds?
 - 3 4 5
- Record Gear Shift location at time of inspection _____
- Run Shift Lever thru all shift positions and record "Feel of Gating" _____
- Is Shift Indicator properly aligned?
 - Yes No

- If safe and permitted to drive vehicle:
 - Drive Vehicle and record feel of Gear during each Gear Shift _____
- Does Parking Pawl engage?
 - Yes No
- If lockup is alleged - check rotation of Transmission in all Gears.
- Check starting ability in park and neutral. Check to see that start does not occur in other selector positions.

Engine Stall/ Drivability

- Complete Engine Compartment including as required:
 - Underhood/Emissions Label
 - Engine Wiring/Connections
 - Vacuum Hoses
 - Fuel Lines
 - Exhaust System
 - Spark Plugs
 - Connections

G

Record type of Spark Plugs (location of unique plugs).

- If safe and permitted to:
 - Try to duplicate Allegation Off Hiway
 - DRB II or I/P Fault Code Test _____

ALLEG. PHOTOGRAPH REQUIRED

INFORMATION

EVALUATION

Seat/
Shoulder
Belts

H

- Overall of seat belts I/B and O/B.
- Close ups of any irregularities on belts.
- Shoulder Belt Pendulum
- Latchplate wear
- Close up of D-ring to show belt loading.

Locate seat belt labels and record ALL information (Some labels are sewn to webbing, other labels are on retractor frame, inboard seat belt labels are near floor.)

Record ALL information stamped on latchplate.

If allowed, function belts to insure they FUNCTION PROPERLY, note results:

- Do they latch? Yes No
- Do they release? Yes No
- Do they retract? Yes No
- Does Inertia Pendulum System run freely? Yes No

Seat

I

- Overall of seat
- Close ups of damage

Existing location of recliner - number of teeth from rear of sector gear to rear edge of Pawl (crayon mark location).

Existing location of seat adjuster (window or tooth location from rear of adjuster).

Existing location of head restraint (measure gap under head restraint).

If allowed, adjust all functions of seat and return to original location

Describe functions

Note any irregular orientations

Tire

J

- Each Tire with visible location label, insuring all Tire identification and Tread wear is documented.
- All damaged Wheel and Rim area including impacted foreign material.

Record:

- Tire Size
- Brand
- Ratings
- DOT No. (I/B Size)
- Rim Size
- Tread Depth

Front Left

Front Right

Rear Left

Rear Right

Axle
Lockup

K

- Entire Axle and close up of Leaks

While on hoist:

Rear Wheel Drive
Record amount of Lateral Axle Movement on each side and will Wheels turn

- Trans. Axle - rotate Wheels
- Note function

Occupant
Contact

L

- Windshield
- All areas of occupant contact on interior and exterior.
- Close ups of stains, skin, hair, cloth
- Exterior and interior damage

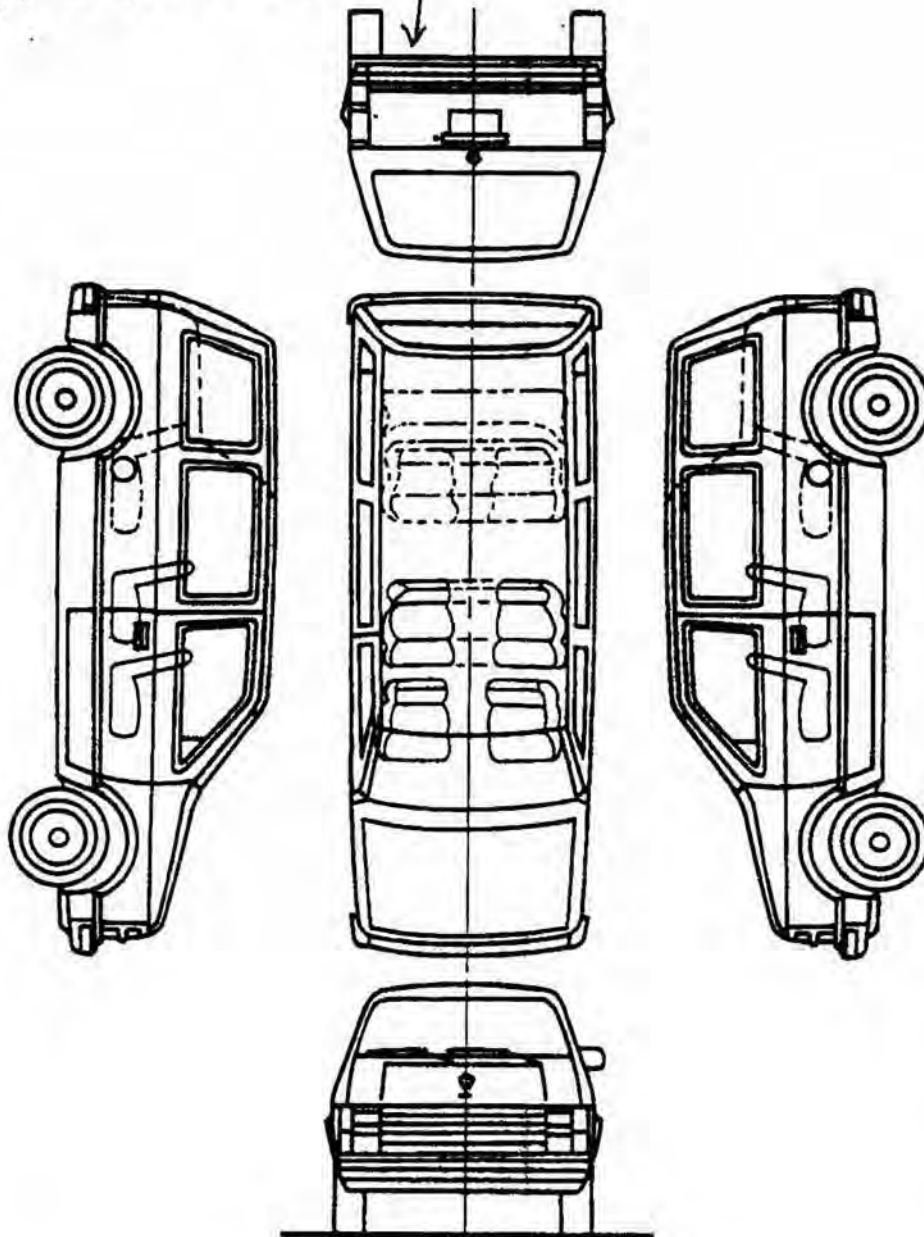
- See Seat Belt/Seats if applicable
- Occupant contact description

ADDITIONAL COMMENTS

VEHICLE HAD ALREADY BEEN REPAIRED ON DAY OF INSPECTION, SO THE GAS TANK HAD ALREADY BEEN REMOVED. THE TANK WAS THOROUGHLY EXAMINED OVER EVERY SQUARE INCH OF SURFACE. THE BOTTOM RIGHT REAR CORNER WAS PUNCTURED FROM IMPACT DAMAGE. NO OTHER DAMAGE WAS SEEN. ALL SEAMS, HOSE CONNECTIONS/FITTINGS AND SURFACES HAD NO VISIBLE DEFECTS NOTED. THE METAL SHIELD ENCASING THE GAS TANK WAS DAMAGED, ESPECIALLY THE SIDE SHIELD AT RIGHT SIDE OF TANK AT EXHAUST PIPE. IT WAS TORN LOOSE AND BENT. SEE PHOTOS # 13 AND 14. (SEE REPORT SUMMARY)

Exterior Damage Diagram and Measurements

IMPACT DAMAGE TO RIGHT
LOWER REAR CORNER OF
GAS TANK





NO EXTERIOR DAMAGE TO VEHICLE


Sketch damage on all views. Include dimensions to describe and locate each damaged area and maximum depth of penetration for each impact. Annotate observations which might be useful in reconstructing the accident (e.g., direction of scrapes, markings on tires and wheels, etc.). Take photographs.

I hereby authorize the repair work listed hereon, including subject work to be done along with necessary materials. You and your employees may operate the described vehicle for purposes of testing, inspection or delivery at my risk. An express lien is acknowledged on said vehicle to secure the amount of repairs thereto. You will not be held responsible for loss or damage to vehicle or articles left in vehicle in case of fire, theft, accident or any other cause beyond your control. Customer agrees to pay all collection costs and/or attorney's fees in the event default is made in any payment due to you.

Dave's Viking Auto
 28343 Apache Trail
 Rim Forest, CA 92378-0008
 (909) 337-8534
 EPA CAL 98888419
 BAR # AB158826

X 
 CUSTOMER SIGNATURE

NAME ADDRESS CITY STATE ZIP CODE

 LAKE ARROWHEAD, CA
 HOME PHONE 

YEAR/MAKE MILEAGE PURCHASE ORDER
 88 JEEP 4291
 LICENSE NUMBER MOTOR SIZE
 4.0L
 BLACK WRANGLER

AD CODE WRIF
 WRITTEN BY

VEHICLE PROBLEM STATEMENT
 OR FUEL LEAK; FUEL TANK & SHIELD FOUND DAMAGED

PLAT RATE	MECH. NO.	LABOR OPERATIONS	DAMD PRICE
4	AA	TEST FUEL SYSTEM; R&R TANK	\$224.00

RECOMMENDED SERVICE

ESTIMATE OF REPAIRS: Includes all parts, labor, handling and diagnosis. If on closer analysis it is found that additional repairs are necessary, you will be contacted for authorization.

TOTAL LABOR \$224.00
 Parts excluded are not warranted beyond that given by respective manufacturers. No other warranties are made except as listed on this invoice.

\$750.00

C	QTY.	PART NUMBER	PART DESCRIPTION	AMOUNT	C	QTY.	PART NUMBER	PART DESCRIPTION	AMOUNT
N	1	S52100219	PLATE, SKID, FUEL TANK	\$133.00					
N	1	S52018766-AD	TANK, FUEL	\$326.00					

PH 

E = CODE N = NEW R = RESULT U = USED C = REFUNDABLE CORE DEPOSIT

I acknowledge notice and consent of transfer of the original estimated price for quoted parts and/or labor.

PHONE AUTHORIZATION DATE EMPLOYEE NO.
 SIGNATURE OR INITIALS
 TIME 1:51 PM AMOUNT OF NEW ESTIMATE

LABOR \$224.00
 EA12-005 Parts Chrysler - 10709 \$459.00
 DATE TOTAL TAX

REPORT SUMMARY

The vehicle was inspected at Dave's Viking Auto, 26343 Apache Trail, Rim Forest, CA., prior to visiting the incident scene. An interview with David Nelson, owner of the shop, revealed the following: The Jeep Wrangler was brought into the shop on a flat-bed truck. The gas tank was completely empty. The gas tank/exhaust pipe shield was bent back and under the gas tank. Welds were broken from this shield and it was torn loose from the main shield.

The vehicle had already been repaired prior to my inspection. The original gas tank had been removed from the vehicle and saved for my inspection. Upon inspection, it was immediately obvious that there was impact damage to the tank. The lower right-hand corner was scraped and a hole was torn in the plastic tank. The metal shield on the right side of the tank was broken loose from the main shield and bent. (see photos # 13 & 14). There was a reddish colored scrape mark on the exhaust pipe next to the shield on the right side of the vehicle. (See photo number 7). The underbody of the Jeep was inspected for any more evidence of impact - a scrape mark with paint removed was noted on the right side of the rear axle directly in line with the scrape mark on the exhaust pipe. (see photo # 10). No other damage was found on the vehicle. The gas tank was photographed on top and bottom. (See photos # 11, 12, 15, 16, & 17). When the inspection was completed, a short phone interview was conducted with the driver, [REDACTED] at her place of business. She gave me directions to her home, which is the scene of the incident. However, she was not able to be present at the scene, therefore I inspected the incident scene without the benefit of her presence to ask questions as I proceeded. (See description of incident scene).

After inspecting the gas tank, I had a pre-conceived idea of what I would see at the scene. I expected to see evidence of gasoline spillage only at the point of impact where the hole was torn in the gas tank. Instead, the following is what I observed: Black tire marks showing a skidding pattern start at the top of the steep driveway and continue all the way down to the bottom of the driveway. The skid marks turn to the left and go off the edge of the driveway at the stairway at approximately the mid-point of the driveway. Impact marks were observed on the brick stairway and the corner of one of the brick steps had chips and scrapes and black marks the same color as the gas tank. There was also a tire mark on top of the steps at this point. The skid marks on the asphalt then change direction and pattern at this point, showing a pattern consistent with wheels spinning as though the vehicle tried to pull away from the impact area. Then the marks continue down to the bottom of the driveway, again, in a sliding pattern.

There was a dark stain in the middle of the driveway starting at the top and continuing all the way down to the bottom and out into the street. It was NOT predominate at the point of impact at the stairway, however the stain became larger and more evident of a fluid spill in the middle of the driveway and as it continued down to the bottom. The stain goes out into the street, then branches off down the right-hand side of the street and continues in a dripping pattern (heavy drip) down the street.

The tire marks at the top of the driveway, in the leveled-off parking area, begin 77 inches from a block wall on the right tire mark and 120 inches from the wall on the left tire mark. The wall is at an angle from the front of the vehicle. This indicates that the tire marks are from the front tires at this point because the vehicle is much longer than 77 inches long and the rear tires could not have been that close to the wall. The vehicle tread width from right to left tires was measured at 65 inches at the outside edges of the tire marks. These marks also indicate that the vehicle started to slide down the driveway right from the initial parking spot. In view of all the evidence at the

scene, I had many more questions to ask the claimant. I also decided to go back to the auto shop, to re-examine the gas tank to see if I had missed anything on my first inspection

When I got back to the auto shop I re-inspected the gas tank thoroughly over every square inch of the surface to determine if I had missed seeing a defect in the seam or around the hose connections or anywhere else on the surface for cracks or pin holes or anything. No other defects could be found. Only the impact damage was there. I could not determine what caused the dark stains in the claimant's driveway starting above the impact point, nor why the vehicle started to slide down the driveway all the way from it's parking location at the very top.

DESCRIPTION OF SCENE

The residence is situated on top of a hill with an asphalt driveway going from a level parking area at the top of the driveway, down a very steep grade to the street. There is another level parking area adjacent to the driveway at street level. On the left side of the driveway, looking up from the street, is a brick stairway consisting of 33 steps with each step having a rise of seven and one-half inches. The right side is dirt with some foliage, but no grass. The dirt was dry and the foliage is sparse. The driveway is 13 feet wide and approximately 59 feet long from the crest where it levels off at the top, to the bottom of the brick steps. The "drop" in the driveway in that distance is approximately 21 feet as measured by the rise of the steps. It is approximately another 30 more feet to the edge of the street. The surface of the asphalt is very smooth due to a slurry coat which has been applied over the asphalt. It does not have the porous surface normally seen on asphalt. There is a 2-inch diameter water drainage pipe at the top of the driveway on the left side, next to the stairway, with a shallow gutter running down along the side of the driveway next to the stairway. Off to the right of the driveway, in the dirt area, are "mini-sprayer" sprinklers, starting at the top of the hill and spaced several feet apart along the hill going towards the street.

CONTINUATION OF INTERVIEW WITH CLAIMANT

Because of the findings at the incident scene compared to the findings at the vehicle inspection, many questions arose in my mind. I telephoned the claimant, Mrs. [REDACTED] again. The following is the question and answer session:

Q. "When did you first notice gasoline in the driveway?"

A. "I didn't see anything in the driveway before I started the Jeep."

Q. "Did you smell anything - like a gasoline smell?"

A. "No, I didn't smell anything."

Q. "How much gas was in the gas tank?"

A. "I had just filled it up a day or so ago. I would say it was about half full or a little more."

Q. "Have you ever had problems getting up or down the driveway before?"

A. "No."

Q. "Do you need to use the 4-wheel drive to get up the driveway?"

A. "Yes, I always use 4-wheel drive, but my husband can drive his Bronco up in 2-wheel drive."

- Q. "When was the slurry put on the driveway? Was it applied over rough asphalt?"
R. "It was already there when we purchased the house 4 or 5 months ago."
- Q. "How did this incident begin to happen?"
A. "As soon as I started to back up, the Jeep began to slide. I pressed on the brakes as hard as I could, but it just kept on going down the driveway."
- Q. "What was the weather like?"
A. "It was cold - about 40 degrees, but it wasn't damp."
- Q. "There were a lot of tire marks, in a strange pattern. How did that happen?"
A. "I just slid down, then hit the steps. I tried to get off the steps, but then the Jeep went sideways. I thought I was going to tip over. It slid sideways all the way down to the bottom."
- Q. "How did you get the Jeep out of the driveway?"
A. "When I got to the bottom and didn't tip over, I regained my composure. Then I just drove away down the street. I didn't know I was leaking gas at that time. I got about 2 blocks away and the car died. It was out of gas. Then I saw the trail of gas I left in the street."
- Q. "I saw a lot of black stains in the middle of the driveway. Were they there before the incident?"
A. "No, they weren't there. The stains are from the gas spilling on the driveway."
- Q. "Did you notice any gas leakage at any other time before the incident?"
A. "No, never."
- Q. "I noticed sprinklers alongside the driveway. Are they on timers?"
A. "No. They are manual. We haven't used them in three months."
- Q. "When they do come on, does the water spray on the driveway?"
A. "No."
- Q. "Could there have been any frost on your driveway that day?"
A. "No. I always check the weather the night before. If it is going to be below freezing during the night, I park at the bottom of the driveway instead of the top. It wasn't that cold."
- Q. "Can you think of any other reason that your Jeep could have slid down the hill?"
A. "No. My husband thinks the gas leaked on the tires and made the driveway slippery, so I didn't have any traction. He made a video tape of the driveway on the night of the accident."

END OF INTERVIEW

Earl Lind, EAA



PRELIMINARY PAR INSPECTION
FIELD PHOTOGRAPHIC NOTES

Division: DAIMLER-CHRYSLER Ref# CAIR 6571572 VIN: 1J4FY49SXXP MDH 060220

Claimant's Name (LAST, First) [REDACTED]

Inspected By: EARL LIND Organization: E.A.A.
Phone: (760) 947-7805x Inspection Date: 12/16/99 Mileage at Inspection: 004291

Roll Number 1

Neg.# Description

- 0
1. LEFT FRONT 3/4 VIEW (SHOWING CAIR #)
2. RIGHT FRONT 3/4 VIEW (" ")
3. RIGHT REAR 3/4 VIEW
4. LEFT REAR 3/4 VIEW
5. VIN PLATE
6. VIEW OF NEW GAS TANK + SHIELD INSTALLED
7. SCRAPE MARK ON EXHAUST PIPE
8. CLOSE UP OF SCRAPE MARK ON EXHAUST PIPE
9. VIEW OF NEW GAS TANK + SHIELD
10. MARK ON RT REAR AXLE NEXT TO SHOCK ABSORBER (PAINT IS SCRATCHED OFF)
11. TOP VIEW OF REMOVED GAS TANK FRONT SIDE
12. TOP VIEW OF REMOVED GAS TANK REAR SIDE
13. DISTORTED EXHAUST PIPE SHIELD
14. DISTORTED EXHAUST PIPE SHIELD SHOWING IMPACT DAMAGE
15. BOTTOM OF REMOVED GAS TANK
16. CORNER OF GAS TANK SHOWING IMPACT DAMAGE
17. CLOSE UP OF IMPACT DAMAGE
18. OVERALL VIEW OF INCIDENT SCENE
19. VIEW OF STEEP DRIVEWAY + RESIDENCE ADDRESS ON TREE
20. TIRE MARKS STARTING AT TOP OF DRIVEWAY
21. VIEW LOOKING DOWN DRIVEWAY
22. VIEW WHERE VEHICLE BACKED INTO + IMPACTED STAIRS
23. CLOSEUP OF IMPACT POINT ON BRICK STEPS
24. VIEW FROM MIDDLE OF DRIVEWAY (SHOWING DARK STAIN FROM FLUID LEAK)
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NO EXTERIOR
DAMAGE TO
BODY

PRELIMINARY PAR INSPECTION
FIELD PHOTOGRAPHIC NOTES

Division: DAIMLER-CHRYSLER Ref# CAIR 6571572 VIN: 1J4FY495XXF
Claimant's Name (LAST, First) [REDACTED]

Inspected By: EARL LIND Organization: _____
Phone: (760) 947-7805x Inspection Date: 12/16/99 Mileage at Inspection: 004291

Roll Number 2

Neg.#	Description
0	
1.	<u>GAS STAIN IN STREET AND AT END OF DRIVEWAY</u>
2.	<u>GAS STAIN (LOOKING UP DRIVEWAY)</u>
3.	<u>TIRE MARKS AT BOTTOM OF STAIRWAY</u>
4.	<u>TIRE MARKS IN MIDDLE OF DRIVEWAY (ADJACENT TO IMPACT POINT AT LEFT)</u>
5.	<u>GAS STAINS(?) IN DRIVEWAY PRIOR TO IMPACT POINT</u>
6.	<u>DRAINAGE PIPE AT TOP OF DRIVEWAY NEXT TO STAIRWAY</u>
7.	<u>SPRINKLERS IN YARD TO RIGHT SIDE OF DRIVEWAY</u>
8.	<u>SPRINKLERS AT TOP OF DRIVEWAY</u>
9.	<u>CLOSE-UP SHOWING TYPE OF SPRINKLERS</u>
10.	<u>TOP OF DRIVEWAY SHOWING TIRE MARKS AND "DARK SPOT" BETWEEN TRACKS</u>
11.	<u>MIDDLE OF DRIVEWAY (IMPACT POINT, OTHER SIDE, CORNER OF STEPS AT BENCH)</u>
12.	<u>ANOTHER VIEW OF ABOVE PHOTO FROM FURTHER DOWN DRIVEWAY</u>
13.	<u>PROXIMITY OF SPRINKLERS ON RIGHT SIDE OF DRIVEWAY</u>
14.	<u>CLOSE-UP OF SPRINKLER HEAD</u>
15.	<u>PARKING AREA AT BOTTOM OF DRIVEWAY AND SHOWS STEEPNESS OF DRIVE</u>
16.	<u>ANOTHER VIEW OF IMPACT POINT</u>
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VELOPE

22-1811



0000

48321

U.S. POSTAGE
PAID
VICTORVILLE, CA
92382
DEC 23, 99
PMOUNT

\$3.20

00051712-08



**PRIORITY
MAIL**

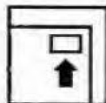
UNITED STATES POSTAL SERVICE

HOW TO USE:



1. COMPLETE ADDRESS LABEL AREA

Type or print required return address and addressee information in customer block (white area) or on label (if provided).



2. PAYMENT METHOD

Affix postage or meter strip to area indicated in upper right hand corner.



3. ATTACH LABEL (if provided)

Remove label backing and adhere over customer address block area (white area).

DAIMLER-CHRYSLER MOTORS
 ATTN: DENNIS MUCCI
 P.O. BOX 21-8004
 AUBURN HILLS, MI 48321

The efficient FLAT RATE ENVELOPE.

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EA12-005 Peer - Chrysler - 10715

MATTER # 6571572
FILE TYPE Customer Complaint
FILE NAME [REDACTED]
CAIR # 6571572
DATE OF INCIDENT 12/14/1999
DATE OF NOTICE 12/15/1999
MODEL/MODEL YEAR 1999 Jeep Wrangler (TJ)
VIN 1J4FY49SXX[REDACTED]
MILEAGE 4,291
OWNER [REDACTED]
Blue Jay, CA [REDACTED]

COURT

DOCKET #

FIRE ALLEGED Leak Only, No Fire

DESCRIPTION On December 14, 1999, a 1999 Jeep Wrangler (TJ), operated by [REDACTED] was involved in a single-vehicle accident in the owner's driveway at [REDACTED] Blue Jay, California. Investigation conducted by DaimlerChrysler Corporation revealed that the driveway was very steep asphalt with a 21-foot elevation drop over a 59-foot distance. The asphalt was very smooth with a "slurry" or sealant coat on the asphalt. At the time of the accident, the temperature was about 40 degrees. The driver of the Jeep Wrangler (TJ) stated that as she began to back down the driveway she felt the vehicle start to slide and that she braked but the vehicle moved sideways and the rear of the vehicle contacted and travelled over brick steps adjacent to the driveway. She stated that as she tried to get off of the steps, the vehicle slid down the driveway coming to a stop at the bottom. Fuel leakage from the fuel tank occurred. The driver stated that she did not see or smell evidence of leaking gasoline before starting the vehicle and only become aware that the fuel tank was leaking when she ran out of gas after driving for about two blocks.

PROPERTY DAMAGE ALLEGED No

INJURIES 0

FATALITIES 0

ANALYSIS Based on an inspection of the 1999 Jeep Wrangler (TJ) and other available evidence, including an investigation report and photographs prepared at the request of DaimlerChrysler Corporation, Chrysler Group concludes that this was essentially a single-vehicle parking lot accident where the Jeep Wrangler (TJ) backed over brick steps at a low speed, probably in the range of 5-10 mph, resulting in contact of

the steps with the rear undercarriage of the vehicle. Inspection of the vehicle by DaimlerChrysler Corporation revealed that the bottom right-rear corner of the fuel tank was punctured and the right side of the fuel tank skid plate was loose and bent. There were reddish colored scrape marks on the exhaust pipe adjacent to the right side of the skid plate, likely from contact with the brick steps. One of the bricks had chips and scrapes on it and black marks were present consistent with the color of the fuel tank. The fuel tank was likely punctured and the skid plate damaged as the rear undercarriage of the vehicle interacted with the brick steps as the Jeep Wrangler (TJ) slid over the steps or as the driver was attempting to move the vehicle off the steps. The damage to the fuel tank of the Jeep Wrangler (TJ) and the scrape marks on the brick steps are depicted in the photographs in Enclosure 3 – Claims – Lawsuits/Peer Vehicles 1997-2006 Wrangler (TJ)/Consumer Complaints, Bates Nos. EA12-005 Peer – Chrysler – 10677 and 10681.

EA12-005

CHRYSLER

2/18/2013

ENCLOSURE 3

CLAIMS- LAWSUITS

PEER VEHICLES – 1997 –
2006 WRANGLER (TJ)

LAWSUITS AND CLAIMS

PLD-P1-001
FOR COURT USE ONLY

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, S. number, and address):
Jonathan Gary Netzer, CSB# 157481
SRAWL & NETZER
 2150 Tulare Street
 Fresno, California 93721
 Fresno, California 93721
 TELEPHONE NO: (559) 266-9800 FAX NO. (OPTIONAL): (559) 266-9806

ATTORNEY FOR (Name): **Plaintiffs**

SUPERIOR COURT OF CALIFORNIA, COUNTY OF **Fresno**
 STREET ADDRESS: 2317 Tuolumne Street
 MAILING ADDRESS:
 CITY AND ZIP CODE: **Fresno, California 93721**
 BRANCH NAME: **Central Division**

PLAINTIFF [REDACTED]

DEFENDANT: CHRYSLER, LLC; AIRTEX PRODUCTS, LP; [REDACTED]
 AND DOES 1 TO 50

DOES 1 TO

COMPLAINT—Personal Injury, Property Damage, Wrongful Death
 AMENDED (Number):
 Type (check all that apply):
 MOTOR VEHICLE OTHER (specify):
 Property Damage Wrongful Death
 Personal Injury Other Damages (specify):

Jurisdiction (check all that apply):
 ACTION IS A LIMITED CIVIL CASE
 Amount demanded does not exceed \$10,000
 exceeds \$10,000, but does not exceed \$25,000
 ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000)
 ACTION IS RECLASSIFIED by this amended complaint
 from limited to unlimited
 from unlimited to limited

CASE NUMBER: **09 CE CG 00362**

FILED
 FEB - 4 2009
 FRESNO COUNTY SUPERIOR COURT
 By **LE - DEPUTY**

1. Plaintiff (name or names): [REDACTED]
 alleges causes of action against defendant (name or names): **CHRYSLER, LLC; AIRTEX PRODUCTS, LP; [REDACTED]**

2. The pleading, including attachments and exhibits, consists of the following number of pages: _____
3. Each plaintiff named above is a competent adult
- a. except plaintiff (name):
- (1) a corporation qualified to do business in California
 - (2) an unincorporated entity (describe):
 - (3) a public entity (describe):
 - (4) a minor an adult
 - (a) for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - (b) other (specify):
 - (5) other (specify):
- b. except plaintiff (name):
- (1) a corporation qualified to do business in California
 - (2) an unincorporated entity (describe):
 - (3) a public entity (describe):
 - (4) a minor an adult
 - (a) for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - (b) other (specify):
 - (5) other (specify):

Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

SHORT TITLE: [REDACTED] F. CHRYSLER	CASE NUMBER:
-------------------------------------	--------------

4. Plaintiff (name):
 is doing business under the fictitious name (specify):
 and has complied with the fictitious business name laws.

6. Each defendant named above is a natural person
 a. except defendant (name): CHRYSLER, LLC c. except defendant (name):

- | | |
|--|--|
| (1) <input type="checkbox"/> a business organization, form unknown | (1) <input type="checkbox"/> a business organization, form unknown |
| (2) <input checked="" type="checkbox"/> a corporation | (2) <input type="checkbox"/> a corporation |
| (3) <input type="checkbox"/> an unincorporated entity (describe): | (3) <input type="checkbox"/> an unincorporated entity (describe): |
| (4) <input type="checkbox"/> a public entity (describe): | (4) <input type="checkbox"/> a public entity (describe): |
| (5) <input type="checkbox"/> other (specify): | (5) <input type="checkbox"/> other (specify): |

b. except defendant (name): AIRTEX PRODUCTS, LP d. except defendant (name):

- | | |
|---|--|
| (1) <input checked="" type="checkbox"/> a business organization, form unknown | (1) <input type="checkbox"/> a business organization, form unknown |
| (2) <input type="checkbox"/> a corporation | (2) <input type="checkbox"/> a corporation |
| (3) <input type="checkbox"/> an unincorporated entity (describe): | (3) <input type="checkbox"/> an unincorporated entity (describe): |
| (4) <input type="checkbox"/> a public entity (describe): | (4) <input type="checkbox"/> a public entity (describe): |
| (5) <input type="checkbox"/> other (specify): | (5) <input type="checkbox"/> other (specify): |

Information about additional defendants who are not natural persons is contained in Attachment 5.

6. The true names of defendants sued as Does are unknown to plaintiff.

- a. Doe defendants (specify Doe numbers): _____ were the agents or employees of other named defendants and acted within the scope of that agency or employment.
- b. Doe defendants (specify Doe numbers): _____ are persons whose capacities are unknown to plaintiff.

7. Defendants who are joined under Code of Civil Procedure section 382 are (names):

8. This court is the proper court because

- a. at least one defendant now resides in its jurisdictional area.
 b. the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.
 c. injury to person or damage to personal property occurred in its jurisdictional area.
 d. other (specify):

9. Plaintiff is required to comply with a claims statute, and

- a. has complied with applicable claims statutes, or
 b. is excused from complying because (specify):

SHORT TITLE [REDACTED] v. CHRYSLER	CASE NUMBER:
--	--------------

10. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):

- a. Motor Vehicle
- b. General Negligence
- c. Intentional Tort
- d. Products Liability
- e. Premises Liability
- f. Other (specify): Exemplary

11. Plaintiff has suffered

- a. wage loss
- b. loss of use of property
- c. hospital and medical expenses
- d. general damage
- e. property damage
- f. loss of earning capacity
- g. other damage (specify):

12. The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. listed in Attachment 12.
- b. as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) compensatory damages
 - (2) punitive damages
- The amount of damages in (in cases for personal injury or wrongful death, you must check (1)):
- (1) according to proof
 - (2) in the amount of \$ 0.00

15. The paragraphs of this complaint alleged on information and belief are as follows (specify paragraph numbers):
ALL.

Date: 27 JAN 08

JONATHAN GARY NETZER
(TYPE OR PRINT NAME)



(SIGNATURE OF PLAINTIFF OR ATTORNEY)

SHORT TITLE: [REDACTED] v. CHRYSLER	PLD-PL001(1)
	CASE NUMBER:

FIRST _____ CAUSE OF ACTION—Motor Vehicle
(number)

ATTACHMENT TO Complaint Cross - Complaint
(Use a separate cause of action form for each cause of action.)

Plaintiff (name): [REDACTED]

MV-1. Plaintiff alleges the acts of defendants were negligent; the acts were the legal (proximate) cause of injuries and damages to plaintiff; the acts occurred on (date): 9/15/08 at (place): SR 41 N/B, Fresno County, California

MV-2. DEFENDANTS

a. The defendants who operated a motor vehicle are (names): CARRIE ANN STROUD

Does 1 _____ to 50 _____

b. The defendants who employed the persons who operated a motor vehicle in the course of their employment are (names): [REDACTED]

Does 1 _____ to 50 _____

c. The defendants who owned the motor vehicle which was operated with their permission are (names): [REDACTED]

Does 1 _____ to 50 _____

d. The defendants who entrusted the motor vehicle are (names): [REDACTED]

Does 1 _____ to 50 _____

e. The defendants who were the agents and employees of the other defendants and acted within the scope of the agency are (names): CHRYSLER, LLC; AIRTEX PRODUCTS, LP AND [REDACTED]

Does 1 _____ to 50 _____

f. The defendants who are liable to plaintiffs for other reasons and the reasons for the liability are listed in Attachment MV-2f as follows: CHRYSLER, LLC; AIRTEX PRODUCTS, LP and Does 1 to 50, who negligently and/or wrongfully managed, manufactured, sold and/or maintained a motor vehicle.

Does 1 _____ to 50 _____

SHORT TITLE: [REDACTED] v. CHRYSLER	CASE NUMBER
-------------------------------------	-------------

Exemplary Damages Attachment

ATTACHMENT TO Complaint Cross-Complaint

EX-1. As additional damages against defendant (name): [REDACTED]

Plaintiff alleges defendant was guilty of

- malice
- fraud
- oppression

as defined in Civil Code section 3284, and plaintiff should recover, in addition to actual damages, damages to make an example of and to punish defendant.

EX-2. The facts supporting plaintiff's claim are as follows:

On 9/15/08, Defendant, [REDACTED] willfully and deliberately became intoxicated; Defendant knew that when she became intoxicated that she was going to be required to drive a car after she was intoxicated. Defendant was aware of the probable consequences; and Defendant willfully and deliberately failed to avoid these consequences and acted with conscious disregard for the safety or rights of others, specifically Plaintiffs, [REDACTED]. Defendant, while intoxicated, operated a motor vehicle on a public roadway at the time of the motor vehicle accident, which is the subject of this action.

EX-3. The amount of exemplary damages sought is

- a. not shown, pursuant to Code of Civil Procedure section 425.10.
- b. \$

SHORT TITLE: [REDACTED] v. CHRYSLER

CASE NUMBER:

THIRD CAUSE OF ACTION—Products Liability
(number)

Page 5

ATTACHMENT TO Complaint Cross-Complaint
(Use a separate cause of action form for each cause of action.)

Plaintiff (name): [REDACTED]

Prod. L-1. On or about (date): 9/15/08 plaintiff was injured by the following product:
2004 Jeep Wrangler and Airtex Electric Fuel Pump

Prod. L-2. Each of the defendants knew the product would be purchased and used without inspection for defects. The product was defective when it left the control of each defendant. The product at the time of injury was being
 used in the manner intended by the defendants.
 used in a manner that was reasonably foreseeable by defendants as involving a substantial danger not readily apparent. Adequate warnings of the danger were not given.

Prod. L-3. Plaintiff was a
 purchaser of the product. user of the product.
 bystander to the use of the product. other (specify):

PLAINTIFF'S INJURY WAS THE LEGAL (PROXIMATE) RESULT OF THE FOLLOWING:

Prod. L-4. Count One—Strict liability of the following defendants who
a. manufactured or assembled the product (names): CHRYSLER, LLC, AIRTEX PRODUCTS, LP

Does 1 to 50
b. designed and manufactured component parts supplied to the manufacturer (names):
CHRYSLER, LLC, AIRTEX PRODUCTS, LP

Does 1 to 50
c. sold the product to the public (names): CHRYSLER, LLC, AIRTEX PRODUCTS, LP

Does 1 to 50
Prod. L-5. Count Two—Negligence of the following defendants who owed a duty to plaintiff (names):
CHRYSLER, LLC, AIRTEX PRODUCTS, LP

Does 1 to 50
Prod. L-6. Count Three—Breach of warranty by the following defendants (names): CHRYSLER, LLC, AIRTEX PRODUCTS, LP

Does 1 to 50
a. who breached an implied warranty
b. who breached an express warranty which was
 written oral

Prod. L-7. The defendants who are liable to plaintiffs for other reasons and the reasons for the liability are
 listed in Attachment-Prod. L-7 as follows:

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, Bar number, and address): Jonathan Gary Netzer, Csb# 157481 SARL & NETZER 2150 Tulare Street Fresno, California 93721 Fresno, California 93721 TELEPHONE NO: (559) 266-9800 FAX NO: (559) 266-9806		FOR COURT USE ONLY <h1>FILED</h1> FEB - 4 2009 FRESNO COUNTY SUPERIOR COURT LE-DEPUTY
ATTORNEY FOR Plaintiff SUPERIOR COURT OF CALIFORNIA, COUNTY OF Fresno STREET ADDRESS 2317 Tuolumne Street MAILING ADDRESS 627 West 21st Street CITY AND ZIP CODE Fresno, California 93721 BRANCH NAME Central Division		
CASE NAME: [REDACTED] v. CHRYSLER		CASE NUMBER: 09CECG00362 JUDGE: DEPT:
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000)	<input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)	Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort <input checked="" type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (48) Other PIP/D/W/D (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input checked="" type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PIP/D/W/D (23) Non-PIP/D/W/D (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PIP/D/W/D tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (00) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (30) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Will of mandate (02) <input type="checkbox"/> Other judicial review (30)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxics tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)
		Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Paction <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other paction (not specified above) (43)

2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. Large number of separately represented parties d. Large number of witnesses

b. Extensive motion practice relating difficult or novel issues that will be time-consuming to resolve e. Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court

c. Substantial amount of documentary evidence f. Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive

4. Number of causes of action (specify): Three

5. This case is is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: 2/3/09

Jonathan Gary Netzer, Csb# 157481 (TYPE OR PRINT NAME) [Signature] (SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

<p align="center">SUPERIOR COURT OF CALIFORNIA • COUNTY OF FRESNO CIVIL DEPARTMENT, CENTRAL DIVISION 2317 Tuolumne Street Fresno, California 93721 (559) 497-4100</p>	<p align="center"><i>FOR COURT USE ONLY</i></p> <p>Filed Fresno County</p>
<p>TITLE OF CASE: [REDACTED] vs Chrysler, LLC</p>	<p>FEBRUARY 04, 2009 By System</p>
<p align="center">NOTICE OF CASE MANAGEMENT CONFERENCE AND ASSIGNMENT OF JUDGE FOR ALL PURPOSES</p>	<p>CASE NUMBER: 09CECG00362AMS</p>

To All Parties and their Attorneys of Record:

This case has been assigned to Judge Alan Simpson for all purposes.
 All future hearings will be scheduled before this assigned Judge.

You are required to appear at a Case Management Conference on JUNE 08, 2009 at 01:30 PM in Dept 97E, 2317 Tuolumne located at, Fresno, California.

You must comply with the requirements set forth in Fresno Superior Court Local Rule 2.1.

Failure to appear at the conference may result in imposition of sanctions, waiver of jury trial, or other adverse consequences.

Defendants: Appearance at the Case Management Conference does not excuse you from having to file your response in proper legal form within 30 days after the Summons is served on you. You could lose the case if you do not file your response on time. If you do not know an attorney, and do not have one, you may call an attorney referral service or a legal aide office (listed in the phone book).

IMPORTANT: This hearing is not a trial. It is for the court to inquire as to the status of the case and to determine what future hearings, including a trial date, need to be set.

DECLARATION

I declare under penalty of perjury under the laws of the State of California that I gave a copy of the Notice of Case Management Conference and Assignment of Judge for All Purposes to the person who presented this case for filing.

Date: February 4, 2009

Clark, by _____, Deputy
 L. Esparza

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): Jonathan Gary Netzer, CSB# 157481 SAWL & NETZER 2150 Tulare Street Fresno, California 93721 Fresno, California 93721 ATTORNEY FOR (Name): Plaintiffs	TELEPHONE NO.: (559) 266-9800	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Fresno STREET ADDRESS: 2317 Tuolumne Street MAILING ADDRESS: CITY AND ZIP CODE: Fresno, California 93721 BRANCH NAME: Central Division		
PLAINTIFF: [REDACTED] DEFENDANT: CHRYSLER, LLC, AIRTEX PRODUCTS, LP, CA		
STATEMENT OF DAMAGES (Personal Injury or Wrongful Death)		CASE NUMBER:

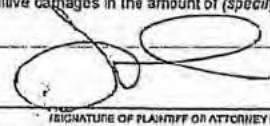
To (name of one defendant only): AIRTEX PRODUCTS, LP

Plaintiff (name of one plaintiff only): [REDACTED]
 seeks damages in the above-entitled action, as follows:

	AMOUNT
1. General damages	
a. <input checked="" type="checkbox"/> Pain, suffering, and inconvenience	\$ 10,000,000
b. <input type="checkbox"/> Emotional distress	\$ _____
c. <input type="checkbox"/> Loss of consortium	\$ _____
d. <input type="checkbox"/> Loss of society and companionship (wrongful death actions only)	\$ _____
e. <input type="checkbox"/> Other (specify)	\$ _____
f. <input type="checkbox"/> Other (specify)	\$ _____
g. <input type="checkbox"/> Continued on Attachment 1.g.	
2. Special damages	
a. <input checked="" type="checkbox"/> Medical expenses (to date)	\$ 50,000
b. <input checked="" type="checkbox"/> Future medical expenses (present value)	\$ 1,000,000
c. <input checked="" type="checkbox"/> Loss of earnings (to date)	\$ 100,000
d. <input checked="" type="checkbox"/> Loss of future earning capacity (present value)	\$ 5,000,000
e. <input type="checkbox"/> Property damage	\$ _____
f. <input type="checkbox"/> Funeral expenses (wrongful death actions only)	\$ _____
g. <input type="checkbox"/> Future contributions (present value) (wrongful death actions only)	\$ _____
h. <input type="checkbox"/> Value of personal service, advice, or training (wrongful death actions only)	\$ _____
i. <input type="checkbox"/> Other (specify)	\$ _____
j. <input type="checkbox"/> Other (specify)	\$ _____
k. <input type="checkbox"/> Continued on Attachment 2.k.	
3. <input type="checkbox"/> Punitive damages: Plaintiff reserves the right to seek punitive damages in the amount of (specify). \$ _____ when pursuing a judgment in the suit filed against you.	

Date: 2/5/09

Jonathan Gary Netzer, CSB# 157481
 (TYPE OR PRINT NAME)



(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(Proof of service on reverse)

Page 1 of 2

- DO NOT FILE WITH THE COURT -
- UNLESS YOU ARE APPLYING FOR A DEFAULT JUDGMENT UNDER CODE OF CIVIL PROCEDURE § 585 -

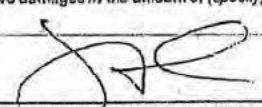
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): Jonathan Gary Netzer, CSB# 157481 SAWL & NETZER 2150 Tulare Street Fresno, California 93721 Fresno, California 93721 ATTORNEY FOR (name): <u>Plaintiffs</u>	TELEPHONE NO: (559) 266-9800	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF <u>Fresno</u> STREET ADDRESS: <u>2317 Tuolumne Street</u> MAILING ADDRESS: CITY AND ZIP CODE: <u>Fresno, California 93721</u> BRANCH NAME: <u>Central Division</u>		
PLAINTIFF: [REDACTED] DEFENDANT: <u>CHRYSLER, LLC, AIRTEX PRODUCTS, LP, CA</u>		
STATEMENT OF DAMAGES (Personal Injury or Wrongful Death)		CASE NUMBER:

To (name of one defendant only): AIRTEX PRODUCTS, LP
 Plaintiff (name of one plaintiff only): SHERI CABALLERO
 seeks damages in the above-entitled action, as follows:

	AMOUNT
1. General damages	
a. <input checked="" type="checkbox"/> Pain, suffering, and inconvenience	\$ 10,000,000
b. <input type="checkbox"/> Emotional distress	\$
c. <input type="checkbox"/> Loss of consortium	\$
d. <input type="checkbox"/> Loss of society and companionship (wrongful death actions only)	\$
e. <input type="checkbox"/> Other (specify)	\$
f. <input type="checkbox"/> Other (specify)	\$
g. <input type="checkbox"/> Continued on Attachment 1.g.	
2. Special damages	
a. <input checked="" type="checkbox"/> Medical expenses (to date)	\$ 50,000
b. <input checked="" type="checkbox"/> Future medical expenses (present value)	\$ 1,000,000
c. <input checked="" type="checkbox"/> Loss of earnings (to date)	\$ 100,000
d. <input checked="" type="checkbox"/> Loss of future earning capacity (present value)	\$ 5,000,000
e. <input type="checkbox"/> Property damage	\$
f. <input type="checkbox"/> Funeral expenses (wrongful death actions only)	\$
g. <input type="checkbox"/> Future contributions (present value) (wrongful death actions only)	\$
h. <input type="checkbox"/> Value of personal service, advice, or training (wrongful death actions only)	\$
i. <input type="checkbox"/> Other (specify)	\$
j. <input type="checkbox"/> Other (specify)	\$
k. <input type="checkbox"/> Continued on Attachment 2.k.	
3. <input type="checkbox"/> Punitive damages: Plaintiff reserves the right to seek punitive damages in the amount of (specify), \$ _____ when purporting a judgment in the suit filed against you.	

Date: 2/5/09

Jonathan Gary Netzer, CSB# 157481
 (TYPE OR PRINT NAME)


 (SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State, Number, and address)
JOHNATHAN NETZER
SAWL & NETZER
2150 TULARE STREET FRESNO, CA 93721

TELEPHONE NO.: **(559) 266-9800** FAX NO. (Optional): **(559) 266-3421**

E-MAIL ADDRESS (Optional):
 ATTORNEY FOR (Name): **Plaintiff**

FOR COURT USE ONLY

FILED

MAR - 5 2009

SACRAMENTO COUNTY SUPERIOR COURT

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO

STREET ADDRESS: **2317 TUOLUMNE STREET**

MAILING ADDRESS:

CITY AND ZIP CODE: **FRESNO, CA 93721**

BRANCH NAME: **UNLIMITED**

PLAINTIFF/PETITIONER: **[REDACTED] ET AL**

DEFENDANT/RESPONDENT: **CHRYSLER, LLC, ET AL**

CASE NUMBER:
09CECG00362

PROOF OF SERVICE OF SUMMONS

Ref. No. or File No.: **[REDACTED]**

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
 - a. summons
 - b. complaint
 - c. Alternative Dispute Resolution (ADR) package
 - d. Civil Case Cover Sheet (served in complex cases only)
 - e. cross-complaint
 - f. other (specify documents): **Notice of Case Management Conference and assignment of Judge for all purposes; Statement of Damages**
3. a. Party served (specify name of party as shown on documents served):
CHRYSLER, LLC
 - b. Person served: party in item 3a other (specify name and relationship to the party named in item 3a):
BECKY DEGEORGE/CSC LAWYERS, INC., AGENT FOR SERVICE OF PROCESS
4. Address where the party was served: **2730 GATEWAY OAKS DRIVE
 SACRAMENTO, CA**
5. I served the party (check proper box)
 - a. **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **02/11/2009** (2) at (time): **11:30 am**
 - b. **by substituted service.** On (date): at (time): I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3b):
 - (1) **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) **(physical address unknown)** a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., §415.20). I mailed the documents on (date): from (city): or a declaration of mailing is attached.
 - (5) I attach a **declaration of diligence** stating actions taken first to attempt personal service.

PLAINTIFF/PETITIONER: [REDACTED] AL	CASE NUMBER: <p style="text-align: center;">09CECG00362</p>
DEFENDANT/RESPONDENT: CHRYSLER, LLC, ET AL	

- c. **by mail and acknowledgment of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on (date): _____ (2) from (city): _____
- (3) with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me (*Attach completed Notice and Acknowledgment of Receipt.*) (Code Civ. Proc., § 415.30.)
- (4) to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d. **by other means** (*specify means of service and authorizing code section*):

Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. as an individual defendant.
- b. as the person sued under the fictitious name of (*specify*):
- c. as occupant.
- d. On behalf of (*specify*): **CHRYSLER, LLC**
 under the following Code of Civil Procedure section:
- | | |
|---|---|
| <input type="checkbox"/> 416.10 (corporation) | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input type="checkbox"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <input type="checkbox"/> other: LLC |

7. **Person who served papers**

- a. Name: **TERRY ROOT**
- b. Address: **1099 East Champlain Ave., Suite A-102 Fresno, CA 93720**
- c. Telephone number: **(559) 222-2274**
- d. The fee for service was: **\$ 77.50**
- e. I am:
- (1) not a registered California process server.
- (2) exempt from registration under Business and Professions Code section 22350(b).
- (3) registered California process server:
- (i) owner employee independent contractor.
- (ii) Registration No.: **2006-72**
- (iii) County: **SACRAMENTO**

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- or
9. I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: **02/12/2009**



Eddings Attorney Support Services, Inc.
 1099 East Champlain Ave., Suite A-102
 Fresno, CA 93720
 (559) 222-2274

TERRY ROOT

 (NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

Terry Root

 (SIGNATURE)

MATTER # 1203422
FILE TYPE Legal Claim
FILE NAME [REDACTED]
CAIR #
DATE OF INCIDENT 09/15/2008
DATE OF NOTICE 07/06/2009
MODEL/MODEL YEAR 2004 Jeep Wrangler (TJ)
VIN 1J4FA29154# [REDACTED]
MILEAGE
OWNER [REDACTED]
Fairfield, CA [REDACTED]
COURT
DOCKET #
FIRE ALLEGED Yes
DESCRIPTION On September 15, 2008, a 2004 Jeep Wrangler (TJ), operated by [REDACTED] was travelling on Interstate 41 in Fresno County, California. Based on the Complaint and discovery motions filed in subsequent litigation related to the accident, a 2007 Audi 4, operated by [REDACTED] struck the left-rear of the Jeep Wrangler (TJ). A fire ensued in the area of both vehicles. It was alleged in the litigation that the driver of the Audi 4 was intoxicated at the time of the accident.
PROPERTY DAMAGE ALLEGED No
INJURIES 2
FATALITIES 0
ANALYSIS The 2004 Jeep Wrangler (TJ) was not inspected. Chrysler Group has also been unable to obtain a police accident report. Because Chrysler Group has limited information regarding the accident, it is unable to determine a likely relative impact velocity of the Audi 4 that struck the rear of the Jeep Wrangler (TJ), but notes that the accident occurred on an interstate highway with a high speed limit. Because it has not inspected the Jeep Wrangler (TJ), Chrysler Group is unable to confirm that, as a result of the impact, the fuel tank ruptured or that the origin of the fire was at the fuel tank.

EA12-005

CHRYSLER

2/18/2013

ENCLOSURE 3

CLAIMS- LAWSUITS

PEER VEHICLES – 1997 –

2006 WRANGLER (TJ)

LAWSUITS AND CLAIMS

Customer Assistance Inquiry Record (CAIR)#

20372373

VIN	1J4FA49S9	Y	Open Date	01/31/2011	Built Date	05/24/2000
Model Year	2000	Body	TJH77	JEEP WRANGLER SPORT 4X4 SPORT UTILITY 2-DR		
In Service Dt	12/29/2000	Mileage	138,000	Dealer Zone	63	DALLAS
Plant	P	TOLEDO ASSEMBLY PLANT II (STICKNEY)		Market	U	US
Color	PBT	PATRIOT BLUE PEARL COAT				
Engine	ERH	4.0L I6 POWER TECH ENGINE				
Transmission	DDD	5-SPEED HD MANUAL TRANSMISSION				

Dealer	26057	DENNIS EAKIN CHRYSLER JEEP				
Dealer Address	4301 STAN SCHLUETER LOOP					
Dealer City	KILLEEN	Dealer State	TX	Dealer Zip	76543	

Owner		Contact Type	TELEPHONE			
Address		Home Phone				
	FORT HOOD TX	Country	UNITED STATES			

Product - Unknown - Unknown - Accident - Default	rear ended, caught fire.
Corporate - Property Damage - Default - Default - Default	
Dealer - By-Pass - Default - Default - Default	
Product - Fuel System - Fuel Tank - Leaks - Default	
Product - Unknown - Unknown - Fire - Unknown	

1. Who is calling and what is their contact information? [REDACTED]

2. What happened? Sitting at a stop light. Vehicles rear ended and pushed into the intersection. Rear of the jeep and front of the other vehicle were on fire. Customer states from what he saw it looked like the vehicle got under the jeep and the fuel tank was sheared open, providing fuel for the fire. All the doors were stuck locked and customer could not get them to unlock or open. Customer was trapped in the vehicle until someone came and removed the passenger side window and let him out.

3. What is the current location of the vehicle? Goody towing and recovery, 5209 South Fort Hood Road, Killeen, TX, 76542. Contact Number: 800-654-2419/254-526-2774
Reassigned to 88S

02.01.11

>> case is being forwarded to Chrysler Legal (CCRG) (2-5 days contact)

VEHICLE LOCATED AT:

Goode Towing & Recovery
5209 South Fort Hood Street
Killeen, TX 76542-4810
(254) 526-2774

Per OGC Matrix, reassigned to 82T. MG17

2.1.11 One Open Recall:

_B06 INTAKE MANIFOLD DEBRIS SHIELD SAFETY 05/09/2002 INCOMPLETE

2.1.11 Assigned to RLG92. MJK

CAIR NUMBER 20372373 REQUEST EAA INSPECTION 02-01-2011 12:20

CAIR NUMBER 20372373 E-MAIL SENT TO EAA 02-01-2011 12:20

CCRG Open Date: 02/01/2011 10:05:28

Letter Sent: Acknowledgement 02/02/2011 14:07:27

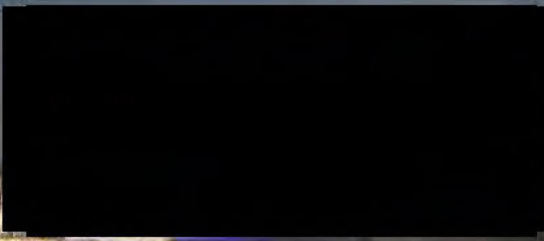
PHOTOGRAPHIC IMAGES POSTED TO THIS CAIR ON 02/07/11 AT 19:45:56 20372373

Letter Sent: Denial 02/11/2011



24

Jeep





20

Jeep













































CAR 20312373 All-147 10/3
DACE

KILLEEN POLICE DEPARTMENT
OBSERVERS STATEMENT REGARDING TRAFFIC ACCIDENT

DATE 07 JAN 2011

NAME

[Redacted Name]

ADDRESS

[Redacted Street Address]

Killeen
City

Texas
State

My location when accident happened was Stopped first car at light traveling N bound on clear creek & Elm road. Direct view of both CPT Pass (Vehicle #1) Mrs. Suter (Vehicle #2).

(Please tell in your own words just what you saw) Page 1 of

While stopped at the light I appear to be facing [Redacted] and I witnessed
(Jeep with [Redacted])
Vehicle #1 Driven by [Redacted] being rear ended

(4 door sedan)
Vehicle #2 driven by Mr

[Redacted] The vehicles were going S. When the [Redacted] ran into the back
of the [Redacted] (Vehicle #1) the sedan's front left tire

the back lifted off

was on fire. The [Redacted] burst into flames
and the sedan continued down the road hitting [Redacted] and losing control into the right

side approximately 100ft

5 of the intersection. After witnessing the
accident I immediately

ran to Vehicle #1 and tore off the right
passenger side plastic window

and pulled [Redacted] from the burning vehicle. I removed his assault
pack and consolidated [Redacted] and his gear at [Redacted]

removed his assault
pack and consolidated [Redacted] and his gear at [Redacted]

[Redacted] I saw a nearby onlooker
yelled to call 911.

yelled to call 911.

I then ran to the second vehicle and
opened the door to the

opened the door to the

Sedan. [Continued on next page]

KILLEEN POLICE DEPARTMENT

Information Copy Only
value of property or damage not verified

SIGNATURE

FOR OFFICE USE ONLY

[Redacted Signature]

County Bell

Highway & Location Clear Creek @ Elm

Date of Accident 1/7/11
K.P.D.-148-91

20 Day of Week MS

Hour 6:15 PM

VAIR 2037237 ce

EA12-005 Peer and 1000" Van ONLY
Form C-9 1/1/2010

Case ID A11-000147

TALKY Case ID

Page 2 of 2

DISPOSITION OF INJURED/DECEASED	Unit Num	Unit Num	Taken To	Taken By	Date of Death (MM/DD/YYYY)	Time of Death (24HRMM)
		1	1	DARNELL ARMY HOSPITAL	KILLEEN EMS 6	
	2	1	DARNELL ARMY HOSPITAL	KILLEEN EMS 6		

Unit Num	Unit Num	Charge	Claim Reference Num
2	1	FAIL TO CONTROL SPEED	433884

Damaged Property Other than Vehicle	Owner's Name	Owner's Address

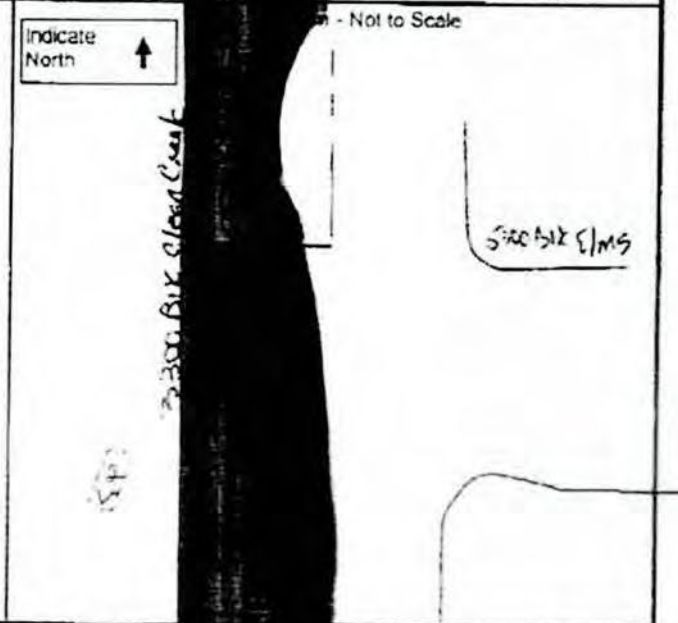
Unit Num	Weight (LBS)	TRANSPORTING HAZARDOUS MATERIAL	Pl Capacity	25 Van Oper	26 Com ID Type
1	10,000				

36 Contributing Factors (Investigator's Opinion)	37 Vehicle Defects (Investigator's Opinion)									
<table border="1"> <thead> <tr> <th>Unit Num</th> <th>Contributing</th> <th>May Have Control</th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> <td></td> </tr> <tr> <td>2</td> <td>22</td> <td></td> </tr> </tbody> </table>	Unit Num	Contributing	May Have Control	1			2	22		
Unit Num	Contributing	May Have Control								
1										
2	22									

38 Roadway and Roadway Conditions			
39	40	41	42
1	1	2	5

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

UNIT 1 WAS STOPPED FACING SOUTH BOUND AT THE RED LIGHT IN THE 3300 BLOCK OF CLEAR CREEK RD. UNIT 2 WAS COMING UP BEHIND UNIT 1. UNIT 2 FAILED TO CONTROL HIS SPEED AND STRUCK UNIT 1. DUE TO UNIT 2 STRIKING THE GAS TANK ON UNIT 1, BOTH UNITS WERE ENGLUFED IN FLAMES. BOTH DRIVERS WERE TRANSPORTED TO DARNELL ARMY HOSPITAL WITH UNKNOWN INJURIES. UNIT 1 RECEIVED VB 1 DAMAGE. UNIT 2 RECEIVED BY-7 AND LF-3 DAMAGE.



Dispatched	Time Arrived (24HRMM)	Unit Num	Detail Area
0 6 1 8	0 6	0 2 / 0 3	2 0 1 1
Investigator Name: MICHAEL A. WATTS		Unit Num: 79	Detail Area:

CAR. 20372373
Peer

11-141 3 of 3

KILLEEN POLICE DEPARTMENT
OBSERVERS STATEMENT REGARDING TRAFFIC ACCIDENT

DATE 27 Jan 2011
Approx 0615

NAME _____
First Middle Last

ADDRESS _____
Street Address City State

My location when accident happened was _____

(Please tell in your own words just what you saw) Page 3 of 5

Until I arrived at the scene I did not see any vehicles involved. I identified the man, [redacted] was trapped in his vehicle, but appeared uninjured he walked and found no other complaints of significant pain to his right wrist area. The event from accident to conclusion at the police took approximately 10 mins.

OPT Dennis Edwards
HHC 2-2 AMN Reg
225-52 4480
254-25 0748

KILLEEN POLICE DEPARTMENT
Information Copy Only
value of property damage not verified

Page 3 of 3 SIGNATURE [Signature]
FOR OFFICE USE ONLY 27 Jan 2011

County _____ Highway & Location _____

Date of accident _____ 20 _____ Day of Week _____ Hour _____ AM/PM

K.P.D.-148

PAIR: 20372373
Peer

11-147 2 of 3

KILLEEN POLICE DEPARTMENT
OBSERVERS STATEMENT REGARDING TRAFFIC ACCIDENT

NAME [REDACTED] 27 Jan 2011
Approx 0915

ADDRESS [REDACTED] City: Killeen State: Texas

My location when accident happened was See page 1 of

(Please state in your own words just what you saw) Page 2 of

I [REDACTED] vehicle ^{to} dazed waking in pain. The
air [REDACTED] as depleted and his seatbelt was on. With the help
of [REDACTED] and [REDACTED] (3 McDonald's workers
we [REDACTED] Mr. [REDACTED] from the burning vehicle and moved him
to McDonald's parking area. As we moved Mr. [REDACTED]
the [REDACTED] police officer I arrived and stopped traffic
he [REDACTED] from the south. I stopped [REDACTED] with him and informed
him [REDACTED] the status of the two injured personnel and informed him
that [REDACTED] would transport the two at the McDonald's were
the [REDACTED] (female) worker and I had was tending to Mr. [REDACTED] I ran
over [REDACTED] to the [REDACTED] and
we [REDACTED] providing the information to the police, fire, EMS
per [REDACTED] Mean while we provided a poncho from my vehicle
and [REDACTED] I from [REDACTED] to keep [REDACTED] warm and
bal [REDACTED] till he was picked up by the [REDACTED]

SIGNATURE [REDACTED]
FOR OFFICE USE ONLY

County Highway & Location
Date of Incident 20 Day of Week Hour AM/PM

MATTER # 1219129
FILE TYPE Legal Claim
FILE NAME [REDACTED]
CAIR # 20372373
DATE OF INCIDENT 01/27/2011
DATE OF NOTICE 01/31/2011
MODEL/MODEL YEAR 2000 Jeep Wrangler (TJ)
VIN 1J4FA49S9Y [REDACTED]
MILEAGE 138,000
OWNER [REDACTED]

Fort Hood, TX [REDACTED]

COURT

DOCKET #

FIRE ALLEGED

Yes

DESCRIPTION

On January 27, 2011, a 2000 Jeep Wrangler (TJ) was being operated by [REDACTED] southbound on Clear Creek Road near the intersection of Elms Rd. in Killeen, Texas. The posted speed limit at the site of the accident was 55 mph. According to the police accident report, the Jeep Wrangler (TJ) was stopped for a red light at the intersection with Elms Rd. when a 2002 Buick LeSabre, operated by [REDACTED] was also southbound on Clear Creek Road approaching the Elms Rd. intersection and failed to control its speed causing the left-front of the Buick to strike the right-rear of the Jeep Wrangler (TJ). The impact caused the Jeep Wrangler (TJ) to move approximately 5-10 feet into the intersection and the Buick travelled through the intersection and off the road onto the right shoulder where it struck a mail box. A fire ensued in the area of the Jeep Wrangler (TJ).

PROPERTY DAMAGE ALLEGED

No

INJURIES

2

FATALITIES

0

ANALYSIS

Chrysler Group does not have sufficient information about the accident to determine a likely relative impact velocity between the Jeep Wrangler (TJ) and the Buick LeSabre, but notes that the speed limit at the site of the accident was 55 mph and the Jeep Wrangler (TJ) was stopped at the time of the accident. Based on an inspection of the 2000 Jeep Wrangler (TJ) and other available information, including the police accident report, Chrysler Group concludes that during the impact, the front end of the Buick travelled under the right-rear bumper of the Jeep Wrangler (TJ) contacting the right side of the skid plate resulting in an approximate 8-inch fold in the skid plate and the

subsequent fire.¹ The impact also resulted in damage to the rear of the Jeep Wrangler (TJ) including deformation of the spare tire carrier. The damage to the rear of the Jeep Wrangler (TJ), including abrasion damage on the fuel tank skid plate, is depicted in the photographs in Enclosure 3 – Claims – Lawsuits/Peer Vehicles – 1997-2006 Wrangler (TJ)/Lawsuits and Claims, Bates Nos. EA12-005 Peer – Chrysler – 10765-10766. Chrysler Group notes that, according to records from the CarFax vehicle database, the Jeep Wrangler (TJ) had been involved in a severe accident two years earlier resulting in the vehicle being sold for salvage and rebuilt.

¹ 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

2/18/2013

ENCLOSURE 3

CLAIMS- LAWSUITS

PEER VEHICLES – 1997 –

2006 WRANGLER (TJ)

Reports of Accidents

Law Enforcement and TxDOT Use Only

FATAL CMV SCHOOL BUS RAILROAD MAB SUPPLEMENT ACTIVE SCHOOL ZONE

Total Num. Units 3 Total Num. Prns. 4 TxDOT Crash ID

IDENTIFICATION AND LOCATION	* Crash Date (MM/DD/YYYY) <u>05/13/2010</u>		* Crash Time (24HRMM) <u>1717</u>		Case ID	Local Use	
	* County Name <u>Bastrop</u>				* City Name		<input checked="" type="checkbox"/> Outside City Limit
	In your opinion, did this crash result in at least \$1,000 damage to any one person's property?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Latitude (decimal degrees) <u>30.16963</u>	Longitude (decimal degrees) <u>-097.19524</u>	
	ROAD ON WHICH CRASH OCCURRED						
	* 1 Rdwy. Sys. <u>SH</u>	* Hwy. Num. <u>21</u>	2 Rdwy. Part. <u>1</u>	Block Num.	3 Street Prefix	* Street Name	
	<input type="checkbox"/> Crash Occurred on a Private Drive or Road/Private Property/Parking Lot		<input type="checkbox"/> Toll Road/Toll Lane	Speed Limit <u>70</u>	Const. Zone <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Workers Present <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Street Desc.
	INTERSECTING ROAD, OR IF CRASH NOT AT INTERSECTION, NEAREST ROAD OR REFERENCE MARKER						
	At Int. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	1 Rdwy. Sys. <u>CR</u>	Hwy. Num. <u>139</u>	2 Rdwy. Part. <u>1</u>	Block Num.	3 Street Prefix	Street Name <u>TRAVIS</u>
	Distance from Int. or Ref. Marker		<input type="checkbox"/> FT <input type="checkbox"/> MI	3 Dir. From Int. or Ref. Marker	Reference Marker	Street Desc.	RRX Num.
							<u>RD</u>

TEXAS HIGHWAY PATROL DIVISION



MAJOR CRASH INVESTIGATION

Investigated by: R. Bradshaw #12059 *RB*

Approved by: *77.2* Date: 09-20-10

TONY D. THOMPSON, SGT-HP

VEHICLE INSPECTION REPORT FOR MAJOR CRASH

Vehicle # 1 Page 1 of 6
INTERIOR

LICENSE PLATE OR VEHICLE DESCRIPTION: 2002 Silver, Chevrolet Prizm 4DR, TX LF [REDACTED]

SPEEDOMETER LOCKED ON SPEED: YES NO SPEED _____

HEADLAMP SWITCH: ON OFF OPERATIVE: YES NO

TURN INDICATOR: UP DOWN OFF

HORN: OPERABLE NOT NO POWER

HIGH BEAM INDICATOR LIGHT: HIGH BEAM LOW BEAM NO POWER

HIGH BEAM SELECTOR SWITCH: OPERABLE NOT NO POWER

MILEAGE: _____ UNK. - _____ NO POWER (DIGITAL)

POSITION OF GEAR SHIFT: _____ DRIVE _____

WINDSHIELD WIPER: ON OFF OPERATIVE: YES NO

RADIO OR STEREO SYSTEM: ON OFF VOLUME: _____

C.B. RADIO: N/A ON OFF VOLUME: _____

REAR VIEW MIRROR: INTACT GONE: OTHER: _____

POSITION OF TEMPERATURE CONTROL: OFF HEAT A/C VENT DEFROST NORMAL MAX OTHER

ASH TRAY: FULL EMPTY LOCATION/CONTENTS _____

RADAR DETECTOR: YES NO

SEAT BELTS: (DRIVER) OPERABLE: YES NO
 FRONT SEAT MIDDLE: OPERABLE: YES NO
 SEAT BELT ANCHORS BROKEN: YES NO
 PASSENGER: OPERABLE: YES NO
 SEAT BELT ANCHORS BROKEN: YES NO
 BELTS CUT, BROKEN, OR OTHER: YES NO NO FRONT/MIDDLE S/B

CONDITION OF BRAKE AND GAS PEDALS: _____ OPERABLE _____
 NOTE ANY PROBLEMS WITH REAR SEAT BELTS: _____ NONE _____
 LOCATION OF TINTED GLASS: _____ NONE _____
 LOCATION OF BLOOD: _____ NONE _____
 LOCATION OF BODY TISSUE: _____ NONE _____
 LOCATION OF HAIR: _____ NONE _____
 LOCATION OF OTHER: _____ NONE _____
 NOTE AND DESCRIBE ANY ODORS: _____ NONE _____

VEHICLE INSPECTION REPORT FOR MAJOR CRASH

Vehicle # 1 Page 2 of 6
TIRES

FRONT LEFT

SIZE: 185/65R14 WEAR PATTERN: EVEN TREAD DEPTH: 6/32 LUGS: 4
MANUFACTURER: TRAZANO TREAD CONDITION: GOOD WORN
AIR PRESSURE: 28PSI DAMAGE TO TIRE OR WHEEL: NONE
BLOW OUT: LOST AIR: OTHER: _____
D.O.T. SERIAL NUMBER: _____ UNK.

FRONT RIGHT

SIZE: 185/65R14 WEAR PATTERN: EVEN TREAD DEPTH: 5/32 LUGS: 4
MANUFACTURER: TRAZANO TREAD CONDITION: GOOD WORN
AIR PRESSURE: 28PSI DAMAGE TO TIRE OR WHEEL: NONE
BLOW OUT: LOST AIR: OTHER: _____
D.O.T. SERIAL NUMBER: _____ UNK.

BACK LEFT

SIZE: 185/65R14 WEAR PATTERN: EVEN TREAD DEPTH: 7/32 LUGS: 4
MANUFACTURER: STARFIRE TREAD CONDITION: GOOD WORN
AIR PRESSURE: 0 PSI DAMAGE TO TIRE OR WHEEL: WHEEL RIM BENT
BLOW OUT: LOST AIR: OTHER: _____
D.O.T. SERIAL NUMBER: _____ UNK.

BACK RIGHT

SIZE: 185/65R14 WEAR PATTERN: EVEN TREAD DEPTH: 7/32 LUGS: 4
MANUFACTURER: STARFIRE TREAD CONDITION: GOOD WORN
AIR PRESSURE: 26PSI DAMAGE TO TIRE OR WHEEL: NONE
BLOW OUT: LOST AIR: OTHER: _____
D.O.T. SERIAL NUMBER: _____ UNK.

VEHICLE INSPECTION REPORT FOR MAJOR CRASH

Vehicle # 1 Page 3 of 6
LEFT SIDE

FRONT

DOOR:

FORCED OPEN BY COLLISION: YES NO

LOCKED INSIDE: YES NO

JAMMED SHUT: YES NO

OPERATE NORMALLY: YES NO

WAS THE WINDOW UP ? YES NO

WINDOW BROKEN: YES NO

BROKEN GLASS: INSIDE OUTSIDE

OUTSIDE MIRROR CONDITION:

BROKEN BEFORE ACCIDENT: YES NO

BROKEN DURING ACCIDENT: YES NO

REAR

IS THERE A REAR DOOR ? YES NO

FORCED OPEN BY COLLISION: YES NO

LOCKED INSIDE: YES NO

JAMMED SHUT: YES NO

OPERATE NORMALLY: YES NO

IS THERE A REAR WINDOW ? YES NO

WAS THE WINDOW UP ? YES NO

WINDOW BROKEN: YES NO

BROKEN GLASS: INSIDE OUTSIDE

REAR WINDSHIELD

DAMAGED INTACT OBSTRUCTED/FOGGED

NOTE ANY OTHER CONDITIONS OF THE LEFT SIDE OF THE VEHICLE

DRIVER SIDE REAR QUARTER PANEL, REAR DOOR, TIRE, WHEEL, DAMAGED IN COLLISION.

FRONT OF VEHICLE

LEFT HEADLAMP BROKEN: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	RIGHT HEADLAMP BROKEN: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
AMOUNT OF DIRT ON HEADLAMP: <u>NONE</u>	AMOUNT OF DIRT ON HEADLAMP: <u>NONE</u>
DESCRIBE FILAMENT: <u>INTACT</u>	DESCRIBE FILAMENT: <u>INTACT</u>
LEFT TURN INDICATOR BROKEN: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	RIGHT TURN INDICATOR BROKEN: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
DESCRIBE FILAMENT: <u>INTACT</u>	DESCRIBE FILAMENT: <u>INTACT</u>

NOTE ANY AUXILIARY LIGHTING, TYPE, CONDITION, AND IF IN USE: NONE

NOTE LOCATION OF ANY PHYSICAL EVIDENCE: NONE

NOTE WEATHER CONDITION: CLEAR / HOT / HUMID

NOTE ROAD CONDITION: MODERATE TRAFFIC / DRY / LEVEL

COMMENTS: _____

VEHICLE INSPECTION REPORT FOR MAJOR CRASH

Vehicle # 1 Page 4 of 6
RIGHT SIDE

FRONT

DOOR:

FORCED OPEN BY COLLISION: YES NO

LOCKED INSIDE: YES NO

JAMMED SHUT: YES NO

OPERATE NORMALLY: YES NO

WAS WINDOW UP?: YES NO

WINDOW BROKEN: YES NO

BROKEN GLASS: INSIDE OUTSIDE

OUTSIDE MIRROR CONDITION:

BROKEN BEFORE ACCIDENT: YES NO

BROKEN AFTER ACCIDENT: YES NO

REAR

IS THERE A REAR DOOR? YES NO

FORCED OPEN BY COLLISION: YES NO

LOCKED INSIDE: YES NO

JAMMED SHUT: YES NO

OPERATE NORMALLY: YES NO

IS THERE A REAR WINDOW? YES NO

WAS THE WINDOW UP? YES NO

WINDOW BROKEN: YES NO

BROKEN GLASS: INSIDE OUTSIDE

NOTE ANY OTHER CONDITIONS OF THE RIGHT SIDE OF THE VEHICLE

REAR OF VEHICLE

LEFT TAIL LAMP BROKEN: YES NO

AMOUNT OF DIRT ON LENS: NONE

DESCRIBE FILAMENT: INTACT

LEFT TURN INDICATOR BROKEN: YES NO

DESCRIBE FILAMENT: INTACT

BACK UP LIGHTS CONDITION: BROKEN

REAR EXHAUST CONDITION: GOOD

RIGHT TAIL LAMP BROKEN: YES NO

AMOUNT OF DIRT ON LENS: NONE

DESCRIBE FILAMENT: INTACT

RIGHT TURN INDICATOR BROKEN: YES NO

DESCRIBE FILAMENT: INTACT

REAR LENSES REFLECTIVE: YES NO

OTHER: L/R TAIL, BRAKE, TURN SIGNAL-OPERATIVE

VEHICLE INSPECTION REPORT FOR MAJOR CRASH

Vehicle # 1 Page 5 of 6

TOWING AND UNDERCARRIAGE

TOWING ? YES NO WHAT ? _____

HITCH TYPE: NONE

HITCH BROKEN ? YES NO WHERE ? _____

TYPE OF LIGHTING ON TRAILER:

BRAKES OF TRAILER: YES NO TYPE ? _____

BREAK AWAY DEVICE: YES NO TYPE ? _____

NOTE ANY OTHER CONDITIONS

UNDERCARRIAGE

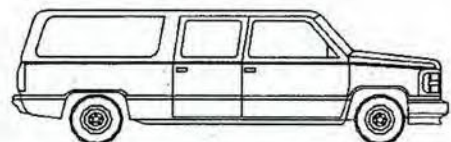
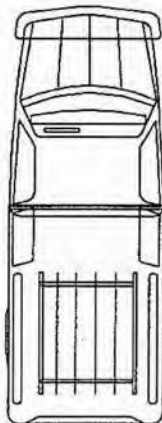
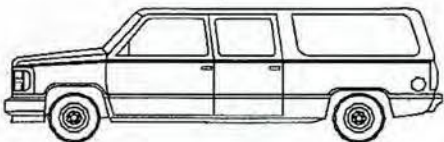
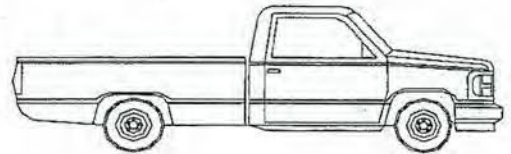
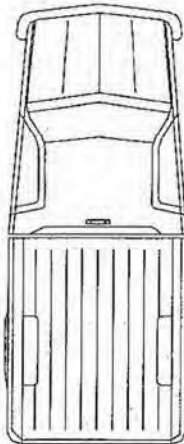
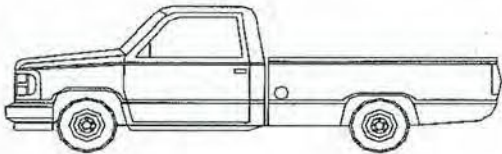
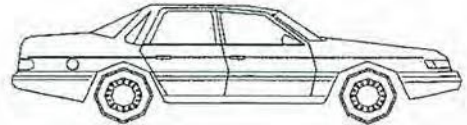
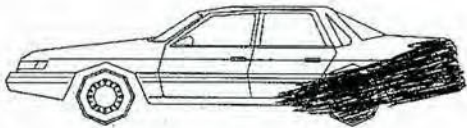
CONDITION OF DRIVE SHAFT: GOOD OTHER: FRONT WHEEL DRIVE

CONDITION OF SHOCKS: GOOD OTHER: _____

CONDITION OF EXHAUST: GOOD OTHER: _____

VEHICLE INSPECTION REPORT FOR MAJOR CRASH

Vehicle # 1 Page 6 of 6
SKETCH DAMAGE PROFILES



VEHICLE INSPECTION REPORT FOR MAJOR CRASH

Vehicle # 2 Page 1 of 6
INTERIOR

LICENSE PLATE OR VEHICLE DESCRIPTION: 2003 Jeep Wrangler TX [REDACTED] (Burned-No other info. avail.)

SPEEDOMETER LOCKED ON SPEED: YES NO SPEED _____

HEADLAMP SWITCH: NOT PRESENT ON OFF OPERATIVE: YES NO

TURN INDICATOR: NOT PRESENT UP DOWN OFF

HORN: OPERABLE NOT NO POWER

HIGH BEAM INDICATOR LIGHT: HIGH BEAM LOW BEAM NO POWER

HIGH BEAM SELECTOR SWITCH: OPERABLE NOT NO POWER

MILEAGE: _____ NO POWER (DIGITAL)

POSITION OF GEAR SHIFT: UNKNOWN

WINDSHIELD WIPER: UNKNOWN ON OFF OPERATIVE: YES NO

RADIO OR STEREO SYSTEM: UNKNOWN ON OFF VOLUME: _____

C.B. RADIO: UNKNOWN N/A ON OFF VOLUME: _____

REAR VIEW MIRROR: INTACT GONE: OTHER: _____

POSITION OF TEMPERATURE CONTROL: UNKNOWN

OFF HEAT AC VENT DEFROST NORMAL MAX OTHER

ASH TRAY: NOT PRESENT FULL EMPTY LOCATION/CONTENTS _____

RADAR DETECTOR: UNKNOWN YES NO

SEAT BELTS: (DRIVER) OPERABLE: YES NO
 FRONT SEAT MIDDLE: OPERABLE: YES NO NONE
 SEAT BELT ANCHORS BROKEN: YES NO
 PASSENGER: OPERABLE: YES NO
 SEAT BELT ANCHORS BROKEN: YES NO
 BELTS CUT, BROKEN, OR OTHER: YES NO BURNED

CONDITION OF BRAKE AND GAS PEDALS: _____ Unk.
 NOTE ANY PROBLEMS WITH REAR SEAT BELTS: _____ Unk.
 LOCATION OF TINTED GLASS: _____ Unk.
 LOCATION OF BLOOD: _____ None
 LOCATION OF BODY TISSUE: _____ None
 LOCATION OF HAIR: _____ None
 LOCATION OF OTHER: _____ None
 NOTE AND DESCRIBE ANY ODORS: _____ Veh / Occ Burned

VEHICLE INSPECTION REPORT FOR MAJOR CRASH

Vehicle # 2 Page 2 of 6
TIRES

FRONT LEFT

SIZE: Unknown WEAR PATTERN: Unk TREAD DEPTH: Unk LUGS: 5
MANUFACTURER: Unk TREAD CONDITION: GOOD WORN
AIR PRESSURE: 0 DAMAGE TO TIRE OR WHEEL: Vehicle burned, no tires present
BLOW OUT: LOST AIR: OTHER: _____
D.O.T. SERIAL NUMBER: _____

FRONT RIGHT

SIZE: Unknown WEAR PATTERN: Unk TREAD DEPTH: Unk LUGS: 5
MANUFACTURER: Unk TREAD CONDITION: GOOD WORN
AIR PRESSURE: 0 DAMAGE TO TIRE OR WHEEL: Vehicle burned, no tires present
BLOW OUT: LOST AIR: OTHER: _____
D.O.T. SERIAL NUMBER: _____

BACK LEFT

SIZE: Unknown WEAR PATTERN: Unk TREAD DEPTH: Unk LUGS: 5
MANUFACTURER: _____ TREAD CONDITION: GOOD WORN
AIR PRESSURE: _____ DAMAGE TO TIRE OR WHEEL: _____
BLOW OUT: LOST AIR: OTHER: Vehicle burned, no tires present
D.O.T. SERIAL NUMBER: _____

BACK RIGHT

SIZE: Unknown WEAR PATTERN: Unk TREAD DEPTH: Unk LUGS: 5
MANUFACTURER: _____ TREAD CONDITION: GOOD WORN
AIR PRESSURE: _____ DAMAGE TO TIRE OR WHEEL: _____
BLOW OUT: LOST AIR: OTHER: Vehicle burned, no tires present
D.O.T. SERIAL NUMBER: _____

VEHICLE INSPECTION REPORT FOR MAJOR CRASH

Vehicle # 2 Page 3 of 6
LEFT SIDE

FRONT

DOOR:

FORCED OPEN BY COLLISION: YES NO

LOCKED INSIDE: YES NO

JAMMED SHUT: YES NO

OPERATE NORMALLY: YES NO

WAS THE WINDOW UP ? YES NO

WINDOW BROKEN: YES NO

BROKEN GLASS: INSIDE OUTSIDE

OUTSIDE MIRROR CONDITION:

BROKEN BEFORE ACCIDENT: YES NO

BROKEN DURING ACCIDENT: YES NO

REAR

IS THERE A REAR DOOR ? YES NO

FORCED OPEN BY COLLISION: YES NO

LOCKED INSIDE: YES NO

JAMMED SHUT: YES NO

OPERATE NORMALLY: YES NO

IS THERE A REAR WINDOW ? YES NO

WAS THE WINDOW UP ? YES NO

WINDOW BROKEN: YES NO

BROKEN GLASS: INSIDE OUTSIDE

REAR WINDSHIELD

DAMAGED INTACT OBSTRUCTED/FOGGED

NOTE ANY OTHER CONDITIONS OF THE LEFT SIDE OF THE VEHICLE

Vehicle was struck from the rear, rolled over, and caught fire. The vehicle burned completely and no other information could gathered for the vehicle examination.

FRONT OF VEHICLE

LEFT HEADLAMP BROKEN: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	RIGHT HEADLAMP BROKEN: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
AMOUNT OF DIRT ON HEADLAMP: <u>NONE</u>	AMOUNT OF DIRT ON HEADLAMP: <u>NONE</u>
DESCRIBE FILAMENT: <u>BURNT</u>	DESCRIBE FILAMENT: <u>BURNT</u>
LEFT TURN INDICATOR BROKEN: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	RIGHT TURN INDICATOR BROKEN: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
DESCRIBE FILAMENT: <u>BURNT</u>	DESCRIBE FILAMENT: <u>BURNT</u>

NOTE ANY AUXILIARY LIGHTING, TYPE, CONDITION, AND IF IN USE: _____

NOTE LOCATION OF ANY PHYSICAL EVIDENCE: _____

NOTE WEATHER CONDITION: Clear / Hot / Humid

NOTE ROAD CONDITION: Moderate traffic / dry / level

COMMENTS: _____

VEHICLE INSPECTION REPORT FOR MAJOR CRASH

Vehicle # 2 Page 4 of 6
RIGHT SIDE

FRONT

DOOR:

FORCED OPEN BY COLLISION: YES NO

LOCKED INSIDE: YES NO

JAMMED SHUT: YES NO

OPERATE NORMALLY: YES NO

WAS WINDOW UP?: YES NO

WINDOW BROKEN: YES NO

BROKEN GLASS: INSIDE OUTSIDE

OUTSIDE MIRROR CONDITION:

BROKEN BEFORE ACCIDENT: YES NO

BROKEN AFTER ACCIDENT: YES NO

REAR

IS THERE A REAR DOOR? YES NO

FORCED OPEN BY COLLISION: YES NO

LOCKED INSIDE: YES NO

JAMMED SHUT: YES NO

OPERATE NORMALLY: YES NO

IS THERE A REAR WINDOW? YES NO

WAS THE WINDOW UP? YES NO

WINDOW BROKEN: YES NO

BROKEN GLASS: INSIDE OUTSIDE

NOTE ANY OTHER CONDITIONS OF THE RIGHT SIDE OF THE VEHICLE

Vehicle was struck from the rear, rolled over, and caught fire. The vehicle burned completely.

REAR OF VEHICLE

LEFT TAIL LAMP BROKEN: YES NO

AMOUNT OF DIRT ON LENS: NONE

DESCRIBE FILAMENT: BURNT

LEFT TURN INDICATOR BROKEN: YES NO

DESCRIBE FILAMENT: BURNT

BACK UP LIGHTS CONDITION: BURNT

REAR EXHAUST CONDITION: GOOD

RIGHT TAIL LAMP BROKEN: YES NO

AMOUNT OF DIRT ON LENS: NONE

DESCRIBE FILAMENT: BURNT

RIGHT TURN INDICATOR BROKEN: YES NO

DESCRIBE FILAMENT: BURNT

REAR LENSES REFLECTIVE: YES NO

OTHER: _____

VEHICLE INSPECTION REPORT FOR MAJOR CRASH

Vehicle # 2 Page 5 of 6

TOWING AND UNDERCARRIAGE

TOWING ? YES NO WHAT ? _____

HITCH TYPE: _____

HITCH BROKEN ? YES NO WHERE ? _____

TYPE OF LIGHTING ON TRAILER: _____

BRAKES OF TRAILER: YES NO TYPE ? _____

BREAK AWAY DEVICE: YES NO TYPE ? _____

NOTE ANY OTHER CONDITIONS

UNDERCARRIAGE

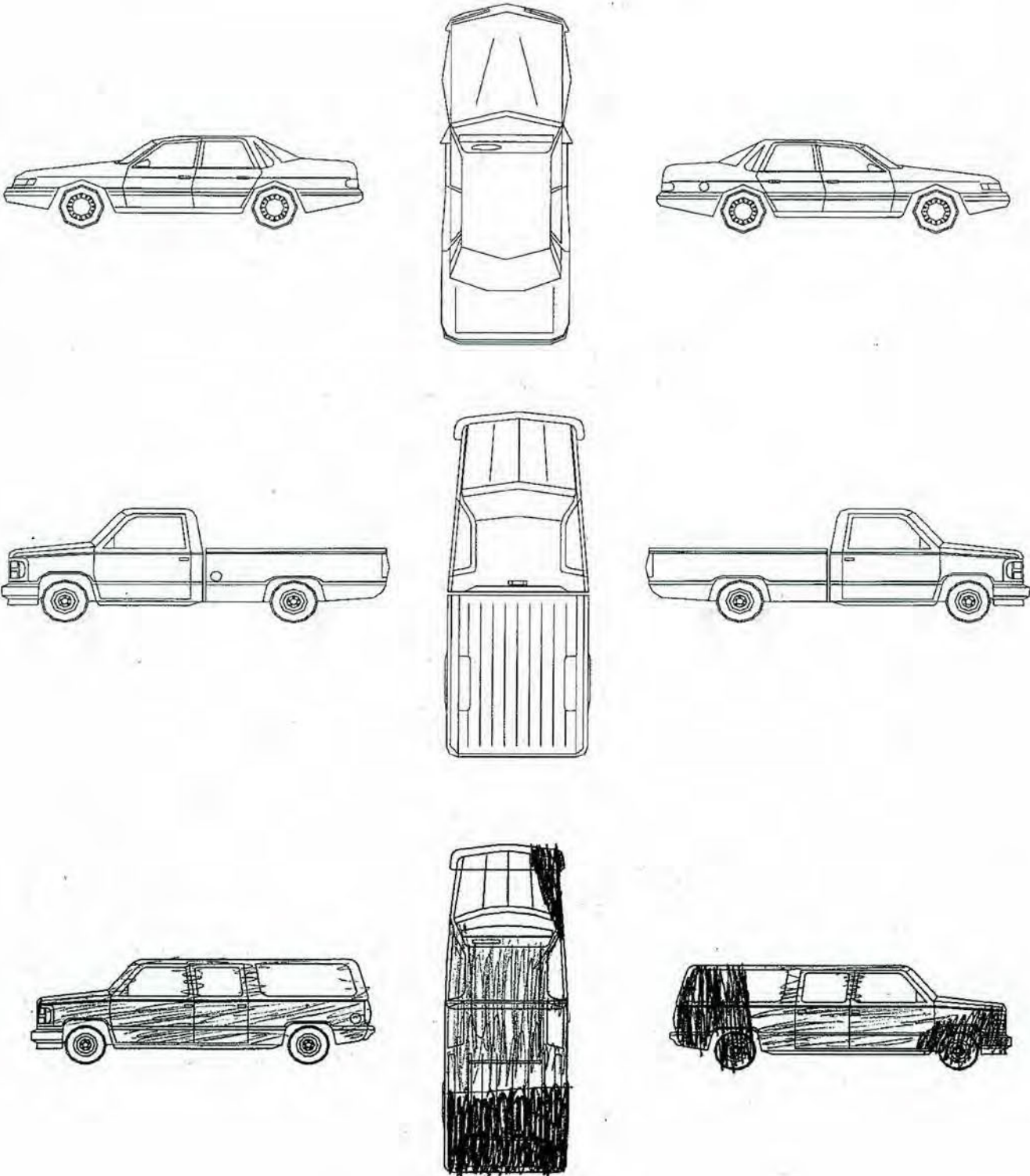
CONDITION OF DRIVE SHAFT: GOOD OTHER: Vehicle frame was buckled along with the drive shaft.

CONDITION OF SHOCKS: GOOD OTHER: Burned, broken

CONDITION OF EXHAUST: GOOD OTHER: Bent and torn from the vehicle.

VEHICLE INSPECTION REPORT FOR MAJOR CRASH

Vehicle # 2 Page 6 of 6
SKETCH DAMAGE PROFILES



VEHICLE INSPECTION REPORT FOR MAJOR CRASH

Vehicle # 3 Page 1 of 6
INTERIOR

LICENSE PLATE OR VEHICLE DESCRIPTION: 1999 Gold, Nissan Pathfinder, TX [REDACTED]

SPEEDOMETER LOCKED ON SPEED: YES NO SPEED _____

HEADLAMP SWITCH: ON OFF OPERATIVE: YES NO

TURN INDICATOR: UP DOWN OFF

HORN: OPERABLE NOT NO POWER

HIGH BEAM INDICATOR LIGHT: HIGH BEAM LOW BEAM NO POWER

HIGH BEAM SELECTOR SWITCH: OPERABLE NOT NO POWER

MILEAGE: _____ UNK. _____ NO POWER (DIGITAL)

POSITION OF GEAR SHIFT: _____ NEUTRAL _____

WINDSHIELD WIPER: ON OFF OPERATIVE: YES NO

RADIO OR STEREO SYSTEM: ON OFF VOLUME: _____

C.B. RADIO: N/A ON OFF VOLUME: _____

REAR VIEW MIRROR: INTACT GONE: OTHER: ON DASH

POSITION OF TEMPERATURE CONTROL:

OFF HEAT	<input type="checkbox"/>	A/C VENT	<input checked="" type="checkbox"/>	DEFROST NORMAL	<input checked="" type="checkbox"/>	MAX OTHER	<input type="checkbox"/>
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ASH TRAY: FULL EMPTY LOCATION/CONTENTS _____

RADAR DETECTOR: YES NO

SEAT BELTS: (DRIVER) OPERABLE: YES NO

FRONT SEAT MIDDLE: OPERABLE: YES NO

SEAT BELT ANCHORS BROKEN: YES NO

PASSENGER: OPERABLE: YES NO

SEAT BELT ANCHORS BROKEN: YES NO

BELTS CUT, BROKEN, OR OTHER: YES NO NO FRONT/MIDDLE S/B

CONDITION OF BRAKE AND GAS PEDALS: _____ OPERABLE _____

NOTE ANY PROBLEMS WITH REAR SEAT BELTS: _____ NONE _____

LOCATION OF TINTED GLASS: _____ SIDE & REAR WINDOWS _____

LOCATION OF BLOOD: _____ DRIVER AIR BAG _____

LOCATION OF BODY TISSUE: _____ NONE _____

LOCATION OF HAIR: _____ NONE _____

LOCATION OF OTHER: _____ NONE _____

NOTE AND DESCRIBE ANY ODORS: _____ NONE _____

VEHICLE INSPECTION REPORT FOR MAJOR CRASH

Vehicle # 3 Page 2 of 6
TIRES

FRONT LEFT

SIZE: P235/75R15 WEAR PATTERN: EVEN TREAD DEPTH: 9/32 LUGS: 6
MANUFACTURER: ARIZONIAN TREAD CONDITION: GOOD WORN
AIR PRESSURE: 56 DAMAGE TO TIRE OR WHEEL: NONE
BLOW OUT: LOST AIR: OTHER: _____
D.O.T. SERIAL NUMBER: _____ UNK.

FRONT RIGHT

SIZE: P235/75R15 WEAR PATTERN: EVEN TREAD DEPTH: 7/32 LUGS: 6
MANUFACTURER: ARIZONIAN TREAD CONDITION: GOOD WORN
AIR PRESSURE: 0 DAMAGE TO TIRE OR WHEEL: BROKE SEAL
BLOW OUT: LOST AIR: OTHER: _____
D.O.T. SERIAL NUMBER: _____ UNK.

BACK LEFT

SIZE: P235/75R15 WEAR PATTERN: EVEN TREAD DEPTH: 8/32 LUGS: 6
MANUFACTURER: ARIZONIAN TREAD CONDITION: GOOD WORN
AIR PRESSURE: 0 PSI DAMAGE TO TIRE OR WHEEL: TIRE OFF RIM
BLOW OUT: LOST AIR: OTHER: _____
D.O.T. SERIAL NUMBER: _____ UNK.

BACK RIGHT

SIZE: P235/75R15 WEAR PATTERN: EVEN TREAD DEPTH: 8/32 LUGS: 6
MANUFACTURER: ARIZONIAN TREAD CONDITION: GOOD WORN
AIR PRESSURE: 38 DAMAGE TO TIRE OR WHEEL: NONE
BLOW OUT: LOST AIR: OTHER: _____
D.O.T. SERIAL NUMBER: _____ UNK.

VEHICLE INSPECTION REPORT FOR MAJOR CRASH

Vehicle # 3 Page 3 of 6
LEFT SIDE

FRONT

DOOR:

FORCED OPEN BY COLLISION: YES NO

LOCKED INSIDE: YES NO

JAMMED SHUT: YES NO

OPERATE NORMALLY: YES NO

WAS THE WINDOW UP ? YES NO

WINDOW BROKEN: YES NO

BROKEN GLASS: INSIDE OUTSIDE

OUTSIDE MIRROR CONDITION:

BROKEN BEFORE ACCIDENT: YES NO

BROKEN DURING ACCIDENT: YES NO

REAR

IS THERE A REAR DOOR ? YES NO

FORCED OPEN BY COLLISION: YES NO

LOCKED INSIDE: YES NO

JAMMED SHUT: YES NO

OPERATE NORMALLY: YES NO

IS THERE A REAR WINDOW ? YES NO

WAS THE WINDOW UP ? YES NO

WINDOW BROKEN: YES NO

BROKEN GLASS: INSIDE OUTSIDE

REAR WINDSHIELD

DAMAGED INTACT OBSTRUCTED/FOGGED

NOTE ANY OTHER CONDITIONS OF THE LEFT SIDE OF THE VEHICLE

FRONT OF VEHICLE

LEFT HEADLAMP BROKEN: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	RIGHT HEADLAMP BROKEN: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
AMOUNT OF DIRT ON HEADLAMP: <u>NONE</u>	AMOUNT OF DIRT ON HEADLAMP: <u>NONE</u>
DESCRIBE FILAMENT: <u>BROKEN</u>	DESCRIBE FILAMENT: <u>BROKEN</u>
LEFT TURN INDICATOR BROKEN: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	RIGHT TURN INDICATOR BROKEN: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
DESCRIBE FILAMENT: <u>BROKEN</u>	DESCRIBE FILAMENT: <u>BROKEN</u>

NOTE ANY AUXILIARY LIGHTING, TYPE, CONDITION, AND IF IN USE: PARKING LIGHTS WERE ON, BULBS BROKEN

NOTE LOCATION OF ANY PHYSICAL EVIDENCE: BLOOD ON DRIVER AIR BAG

NOTE WEATHER CONDITION: CLEAR / HOT / HUMID

NOTE ROAD CONDITION: MODERATE TRAFFIC / DRY / LEVEL

COMMENTS: _____

VEHICLE INSPECTION REPORT FOR MAJOR CRASH

Vehicle # 3 Page 4 of 6

RIGHT SIDE

FRONT

DOOR: _____

FORCED OPEN BY COLLISION: YES NO

LOCKED INSIDE: YES NO

JAMMED SHUT: YES NO

OPERATE NORMALLY: YES NO

WAS WINDOW UP?: YES NO

WINDOW BROKEN: YES NO

BROKEN GLASS: INSIDE OUTSIDE

OUTSIDE MIRROR CONDITION:

BROKEN BEFORE ACCIDENT: YES NO

BROKEN AFTER ACCIDENT: YES NO

REAR

IS THERE A REAR DOOR? YES NO

FORCED OPEN BY COLLISION: YES NO

LOCKED INSIDE: YES NO

JAMMED SHUT: YES NO

OPERATE NORMALLY: YES NO

IS THERE A REAR WINDOW? YES NO

WAS THE WINDOW UP? YES NO

WINDOW BROKEN: YES NO

BROKEN GLASS: INSIDE OUTSIDE

NOTE ANY OTHER CONDITIONS OF THE RIGHT SIDE OF THE VEHICLE

REAR OF VEHICLE

LEFT TAIL LAMP BROKEN: YES NO

AMOUNT OF DIRT ON LENS: NONE

DESCRIBE FILAMENT: INTACT

LEFT TURN INDICATOR BROKEN: YES NO

DESCRIBE FILAMENT: INTACT

BACK UP LIGHTS CONDITION: INTACT

REAR EXHAUST CONDITION: GOOD

RIGHT TAIL LAMP BROKEN: YES NO

AMOUNT OF DIRT ON LENS: NONE

DESCRIBE FILAMENT: INTACT

RIGHT TURN INDICATOR BROKEN: YES NO

DESCRIBE FILAMENT: INTACT

REAR LENSES REFLECTIVE: YES NO

OTHER: _____

VEHICLE INSPECTION REPORT FOR MAJOR CRASH

Vehicle # 3 Page 5 of 6

TOWING AND UNDERCARRIAGE

TOWING ? YES NO WHAT ? _____

HITCH TYPE: NONE

HITCH BROKEN ? YES NO WHERE ? _____

TYPE OF LIGHTING ON TRAILER:

BRAKES OF TRAILER: YES NO TYPE ? _____

BREAK AWAY DEVICE: YES NO TYPE ? _____

NOTE ANY OTHER CONDITIONS

UNDERCARRIAGE

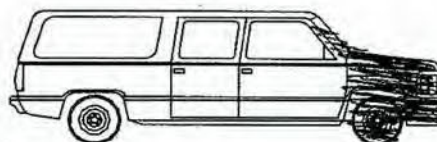
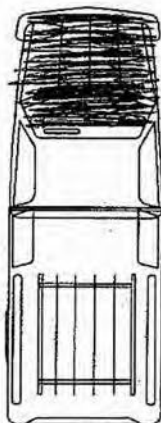
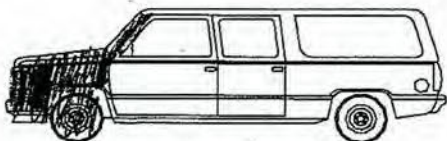
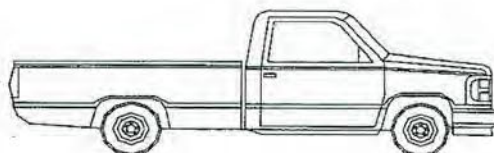
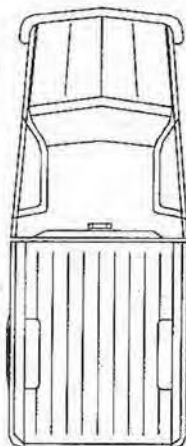
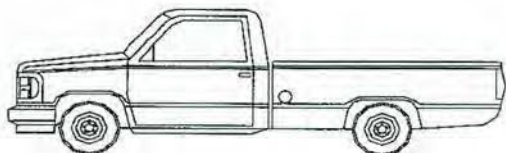
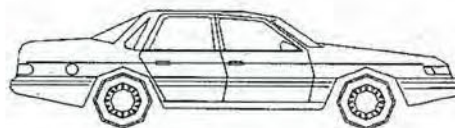
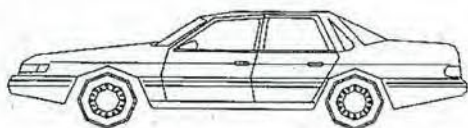
CONDITION OF DRIVE SHAFT: GOOD OTHER: _____

CONDITION OF SHOCKS: GOOD OTHER: _____

CONDITION OF EXHAUST: GOOD OTHER: _____

VEHICLE INSPECTION REPORT FOR MAJOR CRASH

Vehicle # 3 Page 6 of 6
SKETCH DAMAGE PROFILES



DRIVER EXAMINATION REPORT

Page 1 of 3

DRIVER UNIT # 1

DRIVER UNIT # 2

PHYSICAL CONDITION

MISSING LIMBS - VISION PROBLEM - HEART CONDITION
- FAINTING SPELLS, DIABETES, DEAF, ETC.

MISSING LIMBS - VISION PROBLEM - HEART CONDITION
- FAINTING SPELLS, DIABETES, DEAF, ETC.

No medical issues.

No medical issues.

MENTAL CONDITION

ANGRY, FAMILY FIGHT-GRIEF-HURT FEELINGS-
ELATION-ANTICIPATION-FEAR, ETC.

ANGRY, FAMILY FIGHT-GRIEF-HURT FEELINGS-
ELATION-ANTICIPATION-FEAR, ETC.

None.

None. Driver and passenger had just come from an
outing at a river, somewhere near San Marcos, TX.

TRIP INFORMATION

LEFT FROM, TIME, DESTINATION, ELAPSED TIME,
TRIP DISTANCE, IS THIS MOST DIRECT ROUTE

LEFT FROM, TIME, DESTINATION, ELAPSED TIME,
TRIP DISTANCE, IS THIS MOST DIRECT ROUTE

Left from work traveling home. Driver had been on the
road for approximately 45 minutes. This is the most
direct route to the driver's residence on Travis Road.

Left from area of San Marcos, TX and was traveling to
College Station, TX.

ANY OTHER CONCERNING THE DRIVER

LAST SLEPT, TYPE OF JOB, LAST WORKED, LAST
STOPPED (THIS TRIP).

LAST SLEPT, TYPE OF JOB, LAST WORKED, LAST
STOPPED (THIS TRIP).

Last slept a full night the night prior. Driver is a laborer
and was enroute home from working that day.

Unknown amount of sleep. Driver was a college student
at Texas A & M University.

DRIVER EXAMINATION REPORT

Page 2 of 3

DRIVER UNIT# 3

DRIVER UNIT# _____

PHYSICAL CONDITION

MISSING LIMBS - VISION PROBLEM - HEART CONDITION
- FAINTING SPELLS, DIABETES, DEAF, ETC.

MISSING LIMBS - VISION PROBLEM - HEART CONDITION
- FAINTING SPELLS, DIABETES, DEAF, ETC.

Mr. Hawkins had no pre-existing medical conditions and was in excellent health prior to the crash.

MENTAL CONDITION

ANGRY, FAMILY FIGHT - GRIEF - HURT FEELINGS -
ELATION - ANTICIPATION - FEAR, ETC.

ANGRY, FAMILY FIGHT - GRIEF - HURT FEELINGS -
ELATION - ANTICIPATION - FEAR, ETC.

██████████ was excited that his daughter, ██████████
was coming home from college for the summer.

TRIP INFORMATION

LEFT FROM, TIME, DESTINATION, ELAPSED TIME,
TRIP DISTANCE, IS THIS MOST DIRECT ROUTE

LEFT FROM, TIME, DESTINATION, ELAPSED TIME,
TRIP DISTANCE, IS THIS MOST DIRECT ROUTE

Left from Texas A & M University, College Station, Tx
at approximately 4PM ██████████ was enroute to his
home in San Antonio, Tx. The crash occurred at 5:17
PM. The one way trip distance is approximately 150
miles but, ██████████ had only traveled approximately
70 miles when the crash occurred. This is the most
direct route.

ANY OTHER CONCERNING THE DRIVER

LAST SLEPT, TYPE OF JOB, LAST WORKED, LAST
STOPPED (THIS TRIP).

LAST SLEPT, TYPE OF JOB, LAST WORKED, LAST
STOPPED (THIS TRIP).

██████████ had slept the night prior for 8-9 hours. Mr.
██████████ works for Johnson Brothers Bakery as a
Bakery Distributor. The job is mainly clerical in nature.
██████████ had worked a full day on Wednesday, the
day prior to the crash, and had left work at around 5PM.
██████████ made no stops prior to the crash.

NOTIFICATION OF NEXT OF KIN

Page 3 of 3

NAME OF PERSON NOTIFIED: [REDACTED]
ADDRESS: [REDACTED]
CITY, STATE & ZIP: Vidor, TX [REDACTED]
TELEPHONE NUMBER: [REDACTED]
RELATIONSHIP TO DECEASED: Father
TIME NOTIFIED: 7:50 PM
HOW NOTIFIED: via Telephone
NAME OF DECEASED: [REDACTED]
ADDRESS: [REDACTED]
CITY, STATE & ZIP: Vidor, TX [REDACTED]
NAME OF PERSON THAT MADE NOTIFICATION: Trp. Keith Montgomery, #12608, THP-Bastrop

LOCATION OF DECEASED: Travis County Medical Examiner
DECEASED PERSONAL EFFECTS LOCATION: with body

NAME OF PERSON NOTIFIED: [REDACTED]
ADDRESS: [REDACTED]
CITY, STATE & ZIP: San Antonio, TX [REDACTED]
TELEPHONE NUMBER: [REDACTED]
RELATIONSHIP TO DECEASED: Mother
TIME NOTIFIED: 10:42 PM
HOW NOTIFIED: In Person
NAME OF DECEASED: [REDACTED]
ADDRESS: [REDACTED]
CITY, STATE & ZIP: San Antonio, TX [REDACTED]
NAME OF PERSON THAT MADE NOTIFICATION: Trp. Larry Wilson, #10241, THP

LOCATION OF DECEASED: Travis County Medical Examiner
DECEASED PERSONAL EFFECTS LOCATION: with body

TEXAS DEPARTMENT OF PUBLIC SAFETY

WITNESS CONTACT LOG

#	NAME	ADDRESS	TELEPHONE
1		1 [REDACTED] Tennessee Colony, TX [REDACTED]	HOME: _____ BUS.: _____ CELL: _____
2		[REDACTED] TX [REDACTED]	HOME: _____ BUS.: _____ CELL: _____
3		[REDACTED] Kyle, TX [REDACTED]	HOME: _____ BUS.: _____ CELL: _____
4			HOME: _____ BUS.: _____ CELL: _____
5	* = No statement taken.		HOME: _____ BUS.: _____ CELL: _____
6			HOME: _____ BUS.: _____ CELL: _____
7			HOME: _____ BUS.: _____ CELL: _____
8			HOME: _____ BUS.: _____ CELL: _____
9			HOME: _____ BUS.: _____ CELL: _____
10			HOME: _____ BUS.: _____ CELL: _____
11			HOME: _____ BUS.: _____ CELL: _____
12			HOME: _____ BUS.: _____ CELL: _____
13			HOME: _____ BUS.: _____ CELL: _____
14			HOME: _____ BUS.: _____ CELL: _____
15			HOME: _____ BUS.: _____ CELL: _____
16			HOME: _____ BUS.: _____ CELL: _____
17			HOME: _____ BUS.: _____ CELL: _____
18			HOME: _____ BUS.: _____ CELL: _____

Bastrop County Sheriff's Office
AFFIDAVIT OF FACT
CASE NUMBER: _____

Before me, the undersigned authority, personally appeared _____
On _____ and after being duly sworn did depose and say:

I am giving this statement to Deputy _____, who has identified his/her self as a
Deputy Sheriff (Peace Officer) with the Bastrop County Sheriff's Office.

X My name is _____ My date of birth is _____
My residence is located at _____ KYLE TX _____
My social security number is _____ my driver's license number is _____
My Home/Cell telephone number is _____
My work telephone number is _____

X - TRAVELING SB ON 21 HWY APPROXIMATELY 2 CAR
LENGTHS AWAY SAW JEEP HEADING NB ON 21
TRY AND PASS GEO PRIZM AHEAD OF HIM AND DID
MAKE IT CLIPPED RIGHT REAR OF VEHICLE WHICH
PUT THE JEEP SPINNING OUT OF CONTROL AND INTO
THE FRONT OF THE TRUNNER WHICH IN TURN
MADE THE JEEP FLIP SEVERAL TIMES AND LAND ON
WEST OF 21 HWY. JEEP CAUGHT FIRE TWO PEOPLE
INSIDE COULD NOT BE RESCUED AT THE TIME OF
THE ACCIDENT EXPLOSION BY PEOPLE ASSISTING AND TRYING
TO HELP THE VICTIMS IN THE BURNING JEEP.

5-13-2010

DATE

SIGNATURE OF DEPOSEE

Sworn to and subscribed before me the undersigned this the _____ day of _____
200 .A.D.

PEACE OFFICER, COUNTY OF BASTROP, STATE OF TEXAS

PHOTOGRAPH LOG

NAME OF PHOTOGRAPHER:

Photo #	Description of Photograph
1	SH 21 facing west
2	SH 21 facing east
3	SH 21 facing NE, view of crash scene
4	Closer view of crash scene, skids, debris, etc.
5	Travis Rd. facing south, looking towards SH 21
6	View of crash scene facing SW
7	Front view of Unit 3
8	Close up, front view of Unit 3
9	Unit 3, front and right side
10	Close up, Unit 3 front and right side
11	Unit 3 rear view
12	Unit 3 left side
13	Unit 3 interior
14	Unit 3 dash / speedometer
15	Unit 3 driver seat & safety belt
16	Unit 1 rear and left side, depicting area of contact
17	Unit 1 rear view
18	TX L [REDACTED] license plate from Unit 2
19	Unit 2 front view
20	Unit 2 undercarriage
21	Unit 2 rear & undercarriage
22	Unit 2 rear axle, fuel tank, suspension, etc.
23	Unit 2 showing final resting position of occupants
24	Body of [REDACTED] (foreground) and [REDACTED] background)
25	Unit 2 safety belt buckle still engaged
26	Close up [REDACTED]
27	Unit 2 from different angle, body of [REDACTED] lying on top of [REDACTED]
28	Arm of [REDACTED]



1. SH 21 facing west



2. SH 21 facing east



3. SH 21 facing NE, view of crash scene



4. Closer view of crash scene, skids, debris, etc.



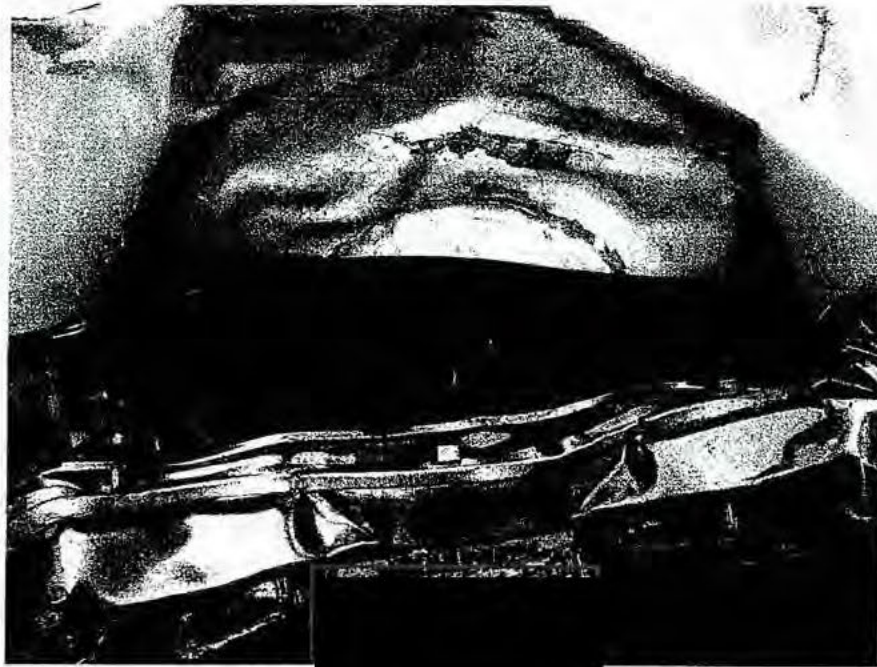
5. Travis Road facing south, looking towards SH 21



6. View of crash scene facing SW.



7. Front view of Unit 3



8. Close up, front view of Unit 3



9. Unit 3, front and right side



10. Close up, Unit 3 front and right side



11. Unit 3 rear view



12. Unit 3 left side



13. Unit 3 interior



14. Unit 3 dash / speedometer



15. Unit 3 driver seat & safety belt



16. Unit 1 rear and left side, depicting area of contact.



17. Unit 1 rear view



18. TX [redacted] license plate from Unit 2



19. Unit 2 front view



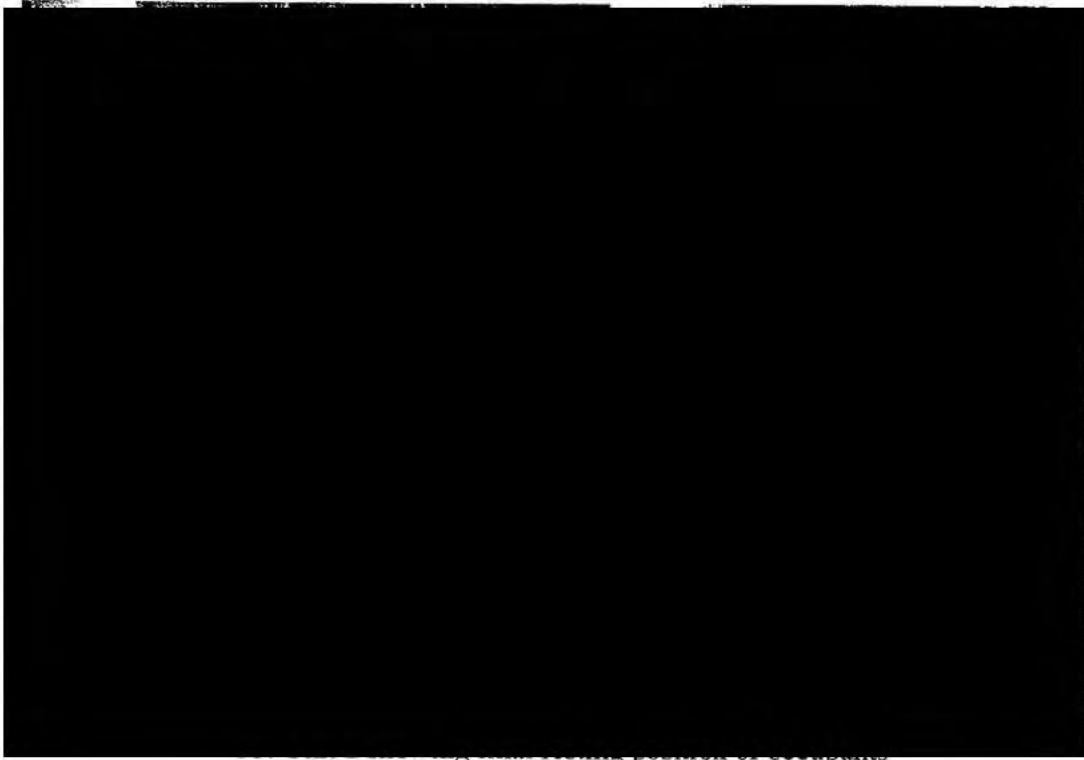
20. Unit 2 undercarriage



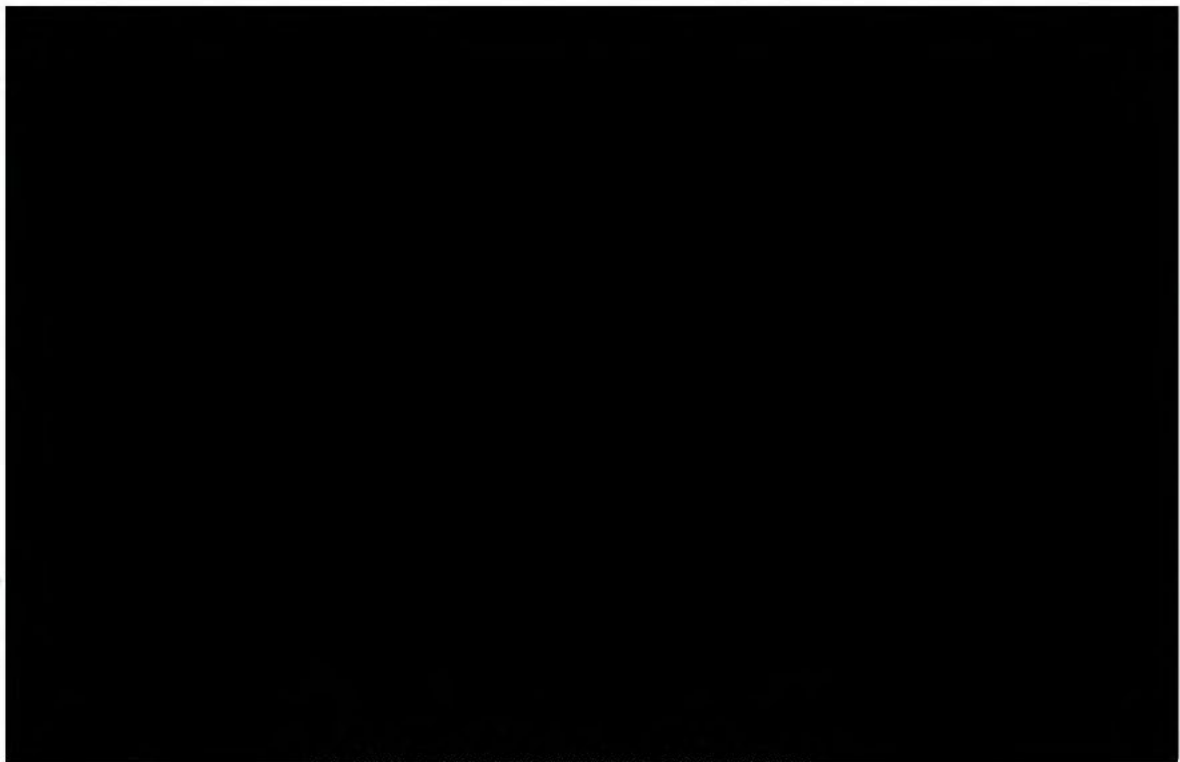
21. Unit 2 rear & undercarriage



22. Unit 2 rear axle, fuel tank, suspension, etc.



24. Body of [redacted] (foreground) and [redacted] (background)



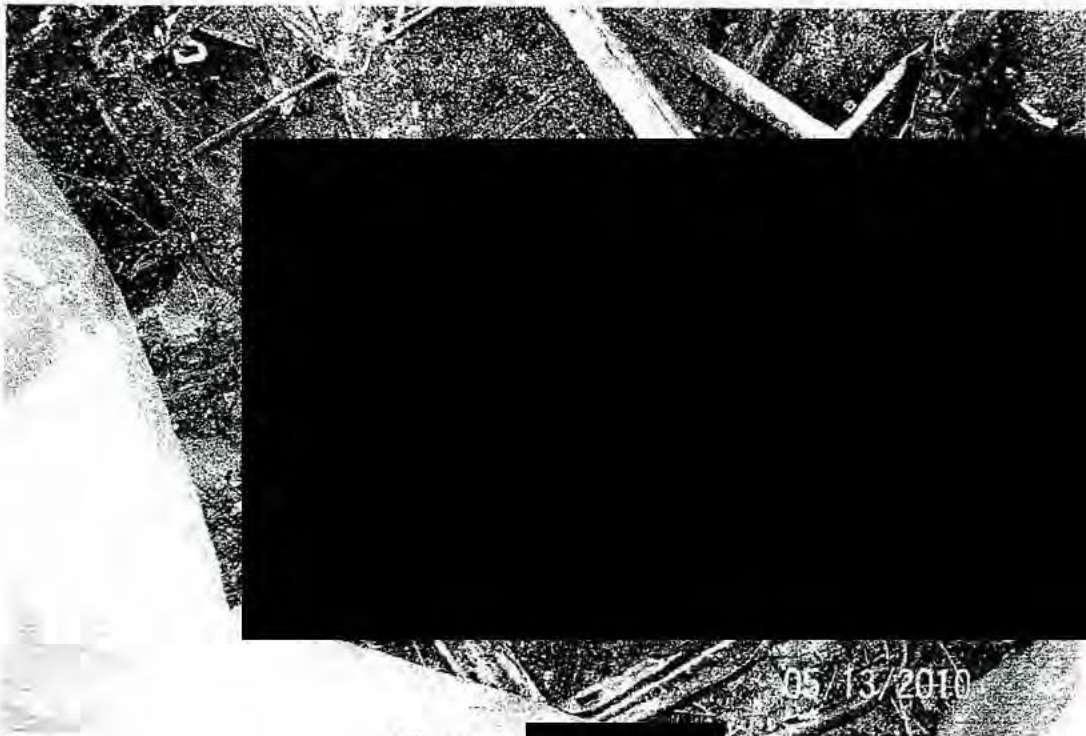
25. Onit 2 safety belt buckle still engaged



26. Close up



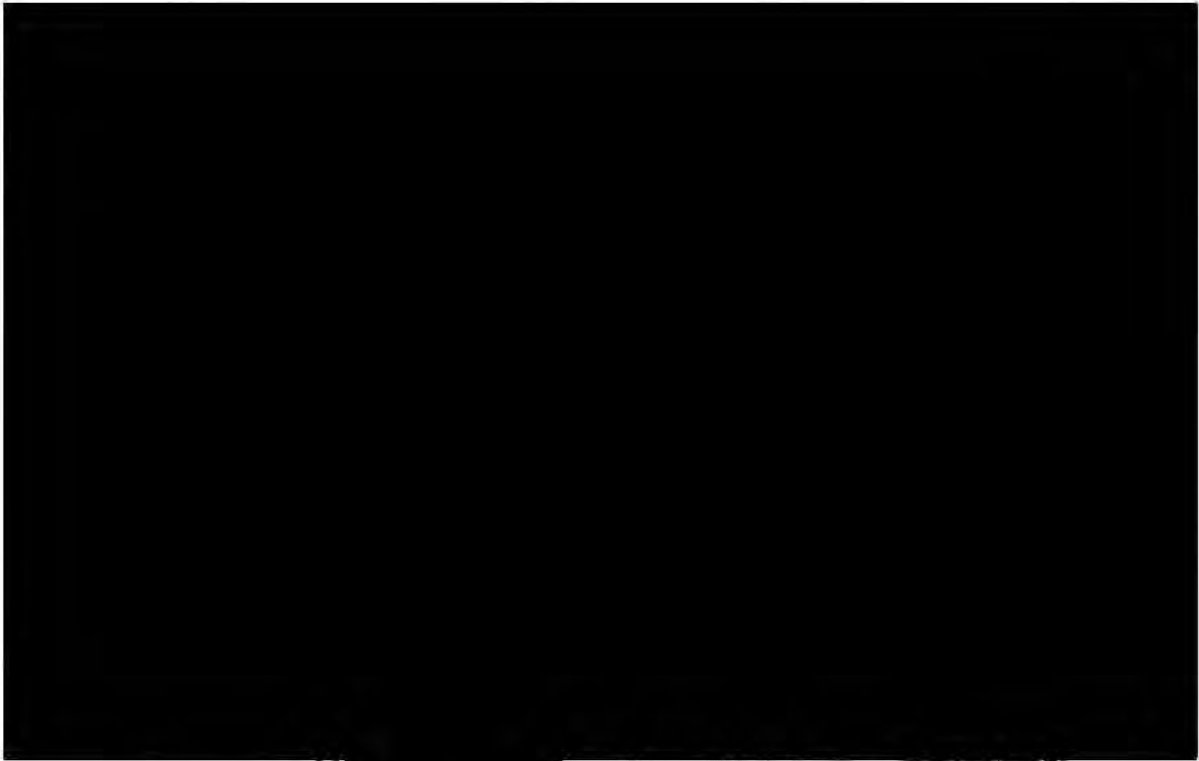
27. Unit 2 from different angle, body of



28. Arm of

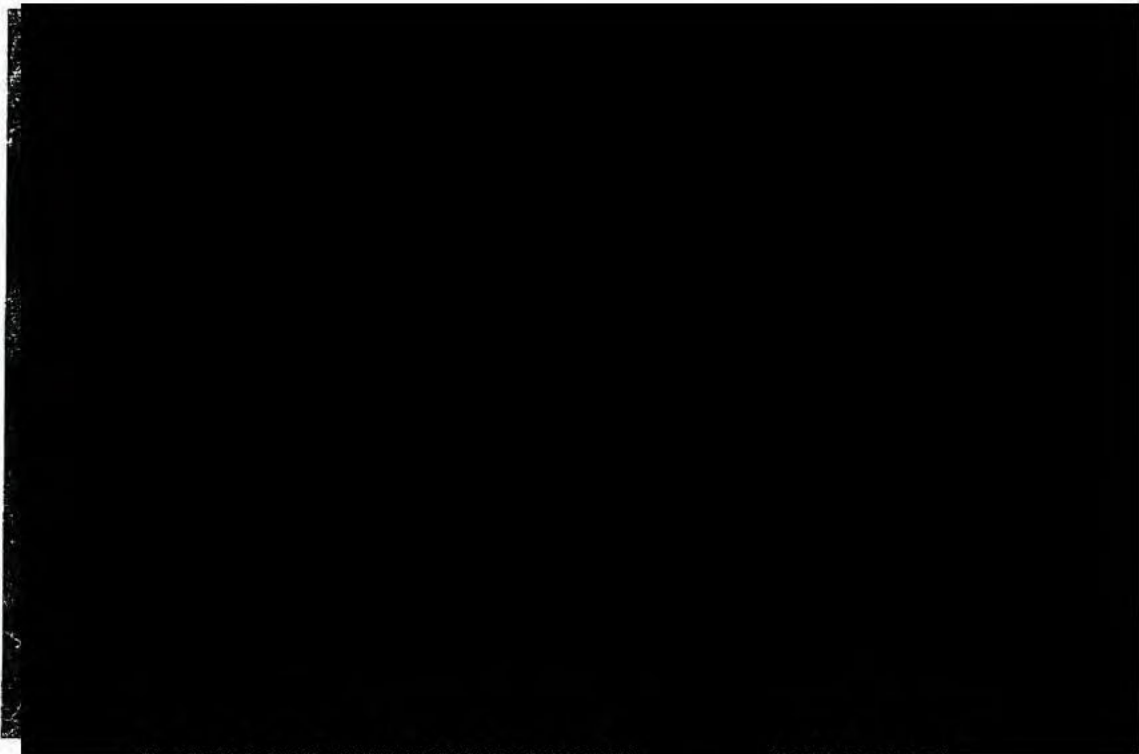


29. Unit 2 from rear



30

from front of Unit 2



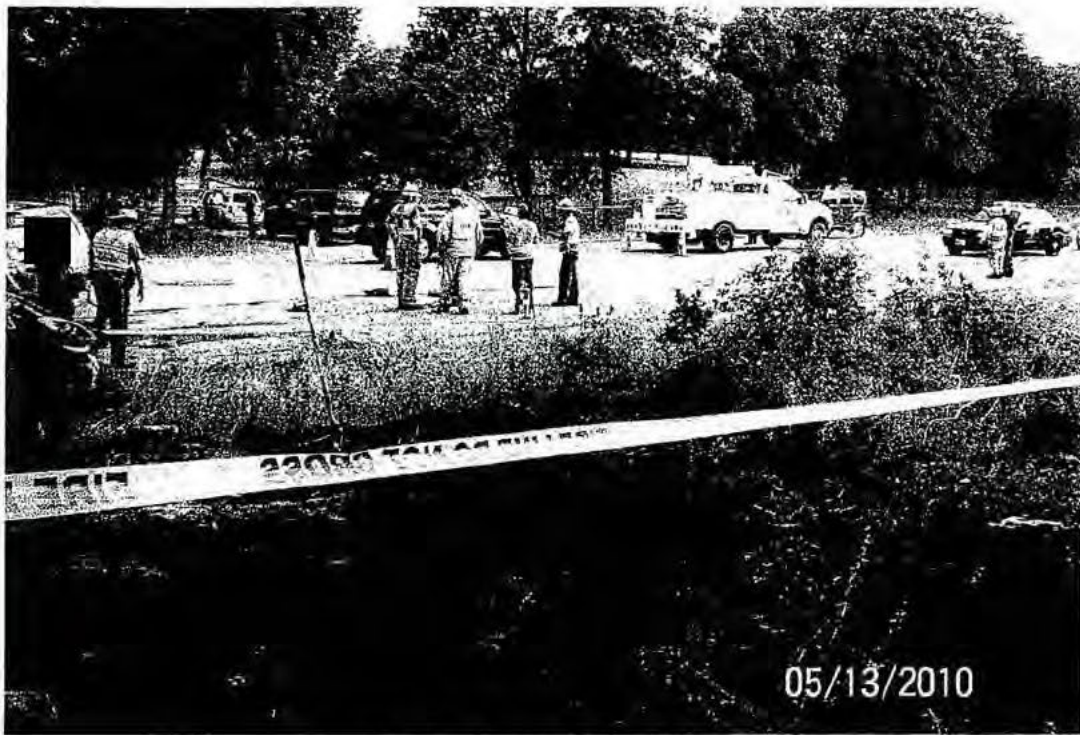
31. Unit 2 right side windshield showing [redacted] left foot pinned.



32. Close up of above (#31)



33. Crash scene facing SW



34. Crash scene facing S-SW



35. Crash scene facing N-NE

Point	X	Y	Elevation	Description	Audio	History
1	0.000	0.000	0.000	EP1		
2	140.000	0.000	0.000	EP1		
3	0.000	2.300	0.000	FL1		
4	140.000	2.300	0.000	FL1		
5	0.000	26.900	0.000	DY1		
6	91.000	26.900	0.000	DY1		
7	121.000	26.900	0.000	DY2		
8	140.000	26.900	0.000	DY2		
9	0.000	27.300	0.000	DY3		
10	91.000	27.300	0.000	DY3		
11	121.000	27.300	0.000	DY4		
12	140.000	27.300	0.000	DY4		
13	0.000	50.700	0.000	FL2		
14	140.000	50.700	0.000	FL2		
15	0.000	53.800	0.000	EP2		
16	140.000	53.800	0.000	EP2		
17	34.000	15.000	0.000	CS1		
18	44.000	15.000	0.000	CS1		
19	74.000	15.000	0.000	CS2		
20	84.000	15.000	0.000	CS2		
21	114.000	15.000	0.000	CS3		
22	124.000	15.000	0.000	CS3		
23	30.600	39.000	0.000	CS4		
24	40.600	39.000	0.000	CS4		
25	70.600	39.000	0.000	CS5		
26	80.600	39.000	0.000	CS5		
27	110.600	39.000	0.000	CS6		
28	120.600	39.000	0.000	CS6		
29	126.600	29.800	0.000	AOI		
30	121.200	26.900	0.000	GOUGE1		
31	117.700	25.700	0.000	GOUGE1		
32	88.600	18.900	0.000	SKID		
33	78.700	18.500	0.000	SKID		
34	63.700	17.500	0.000	SKID		
35	48.800	14.800	0.000	SKID		
36	24.400	19.300	0.000	V3 R/R		
37	28.300	14.800	0.000	V3 L/R		
38	18.700	14.500	0.000	V3 R/F		
39	54.400	9.600	0.000	GOUGE2		
40	69.100	10.700	0.000	GOUGE2		
41	63.800	8.300	0.000	GOUGE3		
42	57.000	7.800	0.000	GOUGE3		
43	20.000	-22.500	0.000	V2 REAR		
44	10.700	-21.600	0.000	V2 FRONT		
45	76.500	-2.200	0.000	TRAVIS		
46	85.600	-8.300	0.000	TRAVIS		
47	90.900	-14.400	0.000	TRAVIS		
48	120.300	-31.200	0.000	TRAVIS		
49	125.200	-14.800	0.000	TRAVIS		
50	140.000	0.000	0.000	TRAVIS		
51	128.600	-30.900	0.000	STOP SIGN		

5/14/2010 11:46 AM >>>

Fire fatalities of two 18-year olds in a 2003 Jeep Wrangler, from The Austin American Statesman web site.

Home > The Blotter > Archives > 2010 > May > 13 > Entry

Two Texas A&M students killed in Texas 21 crash

By Claudia Grisales | Thursday, May 13, 2010, 08:31 PM

A three-vehicle accident late Thursday left two Texas A&M University freshman students dead and another man injured, police officials and friends of the students said today.

██████████ and ██████████ both died when their 2003 Jeep Wrangler struck another vehicle stopped on Texas 21, a Texas Department of Public Safety dispatcher said.

The wreck happened at at 5:19 p.m., said ██████████ a DPS communications operator ██████████ who was driving, was going east when his Jeep struck a 2002 Chevrolet four-door vehicle that had stopped to turn onto Travis Road, about seven miles east of ██████████ said.

The Jeep then swerved across the traffic lanes and was struck from behind by a third vehicle, a 1999 Nissan Pathfinder, which was going west on Texas 21, Letscher said.

The Jeep then caught on fire, he said.

The driver of the Nissan Pathfinder, ██████████ suffered facial lacerations and a broken leg ██████████ said. ██████████ was taken to University Medical Center Brackenridge in Austin, ██████████ said.

Friends of ██████████ posted messages on Facebook today, describing the two as members of the Aggie Corps of Cadets and band.

"They were both some of my closest friends. We all played in the same section," said Texas A&M freshman ██████████ "I could not believe what happened, and I wish with all my heart it didn't."

The two were headed back from a yearly river trip following the end of exams, ██████████ said.

██████████ profile showed he graduated high school in San Antonio and was a member of the A&M Corps of Cadets. His profile said he was pursuing an engineering degree.

"He was a thoughtful loving guy who would do anything to make you feel better," ██████████ added. "When I was with ██████████ we would always be smiling."

██████████ last public post on Facebook was Wednesday. It said he was "done with exams." ██████████ and I sat next to each other in our first psychology class and he helped me pass it," ██████████ added.

Law Enforcement and TxDOT Use Only

FATAL CMV SCHOOL BUS RAILROAD MAB SUPPLEMENT ACTIVE SCHOOL ZONE

Total Num. Units 3 Total Num. Pwrs. 4 TxDOT Crash ID



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

Mail to: Texas Department of Transportation, Crash Records, P.O. Box 149349, Austin, TX 78714 Questions? Call (512)465-5780 Refer to Attached Code Sheet for Numbered Fields

Page 1 of 4

* Those fields are required on all additional sheets submitted for this crash (i.e., additional vehicles, occupants, injured, etc.).

* Crash Date (MM/DD/YYYY) 05/13/2010 * Crash Time (24HRMM) 17:17 Case ID Local Use

* County Name Bastrop * City Name [redacted] Outside City Limit

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

Latitude (decimal degrees) Longitude (decimal degrees)

ROAD ON WHICH CRASH OCCURRED

* 1 Rdwy. Svc. SH * Hwy. Num. 21 2 Rdwy. Part 1 Block Num. 3 Street Prefix * Street Name 4 Street Suffix

Crash Occurred on a Private Drive or Road/Private Property/Parking Lot Toll Road/Toll Lane Speed Limit 70 Const. Zone No Workers Present Yes Street Desc.

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

At Int. Yes No 1 Rdwy. Svc. CR Hwy. Num. 2 Rdwy. Part 1 Block Num. 3 Street Prefix Street Name Travis 4 Street Suffix RD

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

Unit Num. 1 5 Unit Desc. 1 Parked Vehicle Hit and Run LP State TX LP Num. VIN 1Y1SK52822Z

Veh. Year 2002 6 Veh. Color SIL Veh. Make Chevrolet Veh. Model 4D 7 Body Style P4 Pol. Fire, EMS on Emergency (Explain in Narrative if checked)

8 DL/D Type 5 9 DL Class 5 10 CDL End. 11 DL Rest 5 DOB (MM/DD/YYYY)

Address (Street, City, State, ZIP) Paige, TX

PERSONNEL INFORMATION

Name: Last, First, Middle Enter Driver or Primary Person for this Unit on first line

Person Num.	12 Plat. Type	13 Seat Position	14 Injury Severity	15 Age	16 Ethnicity	16 Sex	17 Eject.	18 Restr.	19 Alttag	20 Helmet	21 Sol.	22 Acc. Spec.	Acc. Result	23 Drug Spec.	24 Drug Result	25 Drug Result	26 Drug Category
1	1	1	N	H	1	1	1	1	1	97	N	96		96	97	97	

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

Owner Lessee Owner/Lessee Name & Address Paige, TX

Proof of Fin. Resp. Yes No Expired Exempt 26 Fin. Resp. Type 2 Fin. Resp. Name Farmers TX Co. Mutual Fin. Resp. Num.

Fin. Resp. Phone Num. 1-800-225-0011 27 Vehicle Damage Rating 1 27 Vehicle Damage Rating 2 Vehicle Inventoried Yes No

Towed by Superior Towing Towed To 869 SH 71 West Bastrop, TX. 78602

Unit Num. 2 5 Unit Desc. 1 Parked Vehicle Hit and Run LP State TX LP Num. VIN 1J4FA39S53P

Veh. Year 2003 6 Veh. Color 99 Veh. Make Jeep Veh. Model Wrangler 7 Body Style P2 Pol. Fire, EMS on Emergency (Explain in Narrative if checked)

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

Address (Street, City, State, ZIP) Vidor, TX

PERSONNEL INFORMATION

Name: Last, First, Middle Enter Driver or Primary Person for this Unit on first line

Person Num.	12 Plat. Type	13 Seat Position	14 Injury Severity	15 Age	16 Ethnicity	16 Sex	17 Eject.	18 Restr.	19 Alttag	20 Helmet	21 Sol.	22 Acc. Spec.	Acc. Result	23 Drug Spec.	24 Drug Result	25 Drug Result	26 Drug Category
1	1	1	K	W	1	1	1	1	1	97	N	96		96	97	97	
2	2	3	K	B	1	1	1	1	1	97	N						

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

Owner Lessee Owner/Lessee Name & Address Vidor, TX

Proof of Fin. Resp. Yes No Expired Exempt 26 Fin. Resp. Type 2 Fin. Resp. Name GEICO Fin. Resp. Num.

Fin. Resp. Phone Num. 1-800-861-8360 27 Vehicle Damage Rating 1 1 F R 3 27 Vehicle Damage Rating 2 6 B D 5 Vehicle Inventoried Yes No

Towed by Elgin Wrecker Towed To 252 US 290 Elgin, TX. 78621

5-11

Law Enforcement and TxDOT Use ONLY, Form CR-3 1/1/2010

Case ID TxDOT Crash ID

Page 2 of 4

DISPOSITION OF INJURED/KILLED	Unit Num.	Prn. Num.	Taken To	Taken By	Date of Death (MM/DD/YYYY)	Time of Death (24HRMM)
		2	1	Travis Co. Medical Examiner	Marrs, Jones, Newby	05/13/2010
	2	2	Travis Co. Medical Examiner	Marrs, Jones, Newby	05/13/2010	1945

Field Copy - Not From Custodial Files

Unit Num.	Prn. Num.	Charge	Citation/Reference Num.

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

Unit Num. 10,001+ LBS. TRANSPORTING HAZARDOUS MATERIAL 9+ Capacity 28 Veh. Oper. 29 Carrier ID Type Carrier ID Num.

Carrier's Corp. Name _____ Carrier's Primary Addr. _____

30 Rdwy. Access Veh. Type RGWV GWRV HazMat Released Yes No 32 HazMat Class Num. HazMat ID Num. 32 HazMat Class HazMat ID Num.

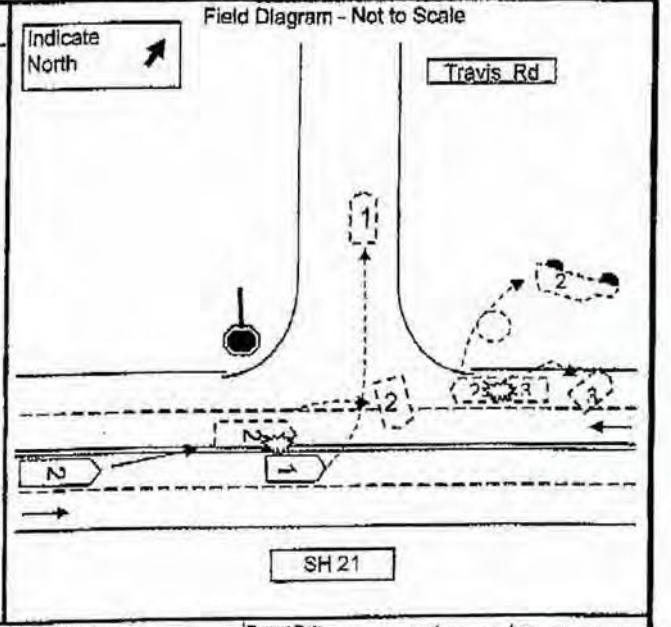
33 Cargo Body Style Trailer 1 Unit Num. RGWV GWRV 34 Trlr. Type Trailer 2 Unit Num. RGWV GWRV 34 Trlr. Type

Sequence of Events 35 Seq. 1 35 Seq. 2 35 Seq. 3 35 Seq. 4 Total Num. Axles Total Num. Tires

FACTORS & CONDITIONS	38 Contributing Factors (Investigator's Opinion)				37 Vehicle Defects (Investigator's Opinion)				Environmental and Roadway Conditions						
	Unit Num.	Contributing	May Have Contrib.		Contributing	May Have Contrib.			38 Weather cond.	39 Light Cond.	40 Entering Roads	41 Roadway Type	42 Roadway Alignment	43 Surface Condition	44 Traffic Control
1	41	98	20						1	1	2	1	1	1	11
2															

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

Unit 1 was EB on SH 21 and had stopped in the left lane to turn left onto Travis Road. Unit 2 was EB on SH 21 in the left lane. Driver of Unit 2 used faulty evasive action and drove on the wrong side in a no passing zone. Unit 2 with its front right struck Unit 1 in its left rear. Unit 2 rotated clockwise and skidded into the opposite lanes. Unit 3 was WB on SH 21 in the right lane. Unit 2 skidded into the path of Unit 3 and was struck from behind. Unit 2 continued off the roadway, overturned, and caught fire. Driver of Unit 2 and the passenger were pinned in the vehicle and were unable to be extricated before the vehicle was consumed by fire. Units 1 and 3 came to rest upright on the roadway.



Time Notified (24HRMM) 1,7,2,1 How Notified BCSO Dispatch Time Arrived (24HRMM) 1,7,2,9 Report Date (MM/DD/YYYY) 05/14/2010

Invest. Yes No Investigator Name (Printed) Raymond Bradshaw ID Num. 12059

ORI _____ *Agency TX. DPS/HP District/Arb. H, P, E, B, O, Z

Law Enforcement and TxDOT Use Only

FATAL CMV SCHOOL BUS RAILROAD MAB SUPPLEMENT ACTIVE SCHOOL ZONE

Total Num. Units: 3 Total Num. Crashes: 4 TxDOT Crash ID

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

Mail to: Texas Department of Transportation, Crash Records, P.O. Box 149349, Austin, TX 78714 Questions? Call (512)468-6760 Refer to Attached Crash Sheet for Numbered Fields

Page 3 of 4

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

IDENTIFICATION AND LOCATION

VEHICLE, DRIVER, & PERSONS

VEHICLE, DRIVER, & PERSONS

* Crash Date (MM/DD/YYYY) 05/13/2010 * Crash Time (24HRMM) 1717 Case ID [redacted] Local Use [redacted]
* County Name Bastrop * City Name [redacted] Outside City Limit

In your opinion, did this crash result in at least \$1,000 damage to any one person's property? Yes No
Latitude (decimal degrees) [redacted] Longitude (decimal degrees) [redacted]

ROAD ON WHICH CRASH OCCURRED
* 1 Rdwy. Sys. SH * Hwy. Num. 21 2 Rdwy. Part 1 Block Num. [redacted] 3 Street Prefix [redacted] 4 Street Suffix [redacted]

Crash Occurred on a Private Drive or Road/Private Property/Parking Lot Toll Road/Toll Lane Speed Limit 70 Const. Zone No Workers Present No Street Desc. [redacted]

INTERSECTING ROAD, OR IF CRASH NOT AT INTERSECTION, NEAREST ROAD OR REFERENCE MARKER
At Int. Yes No 1 Rdwy. Sys. CR Hwy. Num. [redacted] 2 Rdwy. Part 1 Block Num. [redacted] 3 Street Prefix [redacted] Street Name Travis 4 Street Suffix RD

Distance from Int. or Ref. Marker [redacted] 3 Dir. From Int. or Ref. Marker [redacted] Reference Marker [redacted] Street Desc. [redacted] RRX Num. [redacted]

Unit Num. 3 5 Unit Desc. 1 Parked Vehicle Hit and Run LP State TX LP Num. [redacted] VIN J, N, 8, A, R, O, 5, S, 1, X, W, [redacted]

Veh. Year 1999 Color GLD Veh. Make NISSAN Veh. Model PATHFINDER 7 Body Style SV P.S.I., Fire, EMS on Emergency (Explain in Narrative if checked)

8 DL/D Type [redacted] 9 DL Class [redacted] 10 CDL End. [redacted] 11 DL Rest. [redacted] DOB (MM/DD/YYYY) [redacted]

Name: Last, First, Middle [redacted] Enter Driver or Primary Person for this Unit on first line

Table with 25 columns: Person Num., 12 Plan. Type, 13 Seat Position, 14 Injury Severity, 15 Age, 16 Sex, 17 Eject., 18 Rear., 19 Airbag, 20 Helmet, 21 Seat, 22 Alc. Spec., 23 Drug Spec., 24 Drug Result, 25 Drug Category. Row 1: 1, 1, 1, A, [redacted], W, 1, 1, 1, 1, 97, N, 96, [redacted], 96, 97, 97

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

Owner Lessee Owner/Lessee Name & Address [redacted] San Antonio, TX [redacted]

Proof of Fin. Resp. Yes No Expired Exempt 26 Fin. Resp. Type 2 Fin. Resp. Name Colonial Co. Mutual Fin. Resp. Num. [redacted]

27 Vehicle Damage Rating 1 1, 2, F, D, 5 27 Vehicle Damage Rating 2 [redacted] Vehicle Invented Yes No

Towed by U. S. Auto Towed To 742B SH 95 Bastrop, TX 76602

Unit Num. [redacted] 5 Unit Desc. [redacted] Parked Vehicle Hit and Run LP State [redacted] LP Num. [redacted] VIN [redacted]

Veh. Year [redacted] 6 Veh. Color [redacted] Veh. Make [redacted] Veh. Model [redacted] 7 Body Style [redacted] P.S.I., Fire, EMS on Emergency (Explain in Narrative if checked)

8 DL/D Type [redacted] 9 DL Class [redacted] 10 CDL End. [redacted] 11 DL Rest. [redacted] DOB (MM/DD/YYYY) [redacted]

Name: Last, First, Middle [redacted] Enter Driver or Primary Person for this Unit on first line

Table with 25 columns: Person Num., 12 Plan. Type, 13 Seat Position, 14 Injury Severity, 15 Age, 16 Sex, 17 Eject., 18 Rear., 19 Airbag, 20 Helmet, 21 Seat, 22 Alc. Spec., 23 Drug Spec., 24 Drug Result, 25 Drug Category. Row 1: [redacted]

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

Owner Lessee Owner/Lessee Name & Address [redacted]

Proof of Fin. Resp. Yes No Expired Exempt 26 Fin. Resp. Type [redacted] Fin. Resp. Name [redacted] Fin. Resp. Num. [redacted]

27 Vehicle Damage Rating 1 [redacted] 27 Vehicle Damage Rating 2 [redacted] Vehicle Invented Yes No

Law Enforcement and TxDOT Use ONLY.

Form CR-3 1/1/2010

Case ID

TxDOT Case ID

Page 4 of 4

DISPOSITION OF INJURED/KILLED	Unit Num.	Prim. Num.	Taken To	Taken By	Date of Death (MM/DD/YYYY)	Time of Death (24HRMM)
		3	1	Brackenridge Hospital	Guardian EMS	

Field Copy - Not From Custodial Files

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

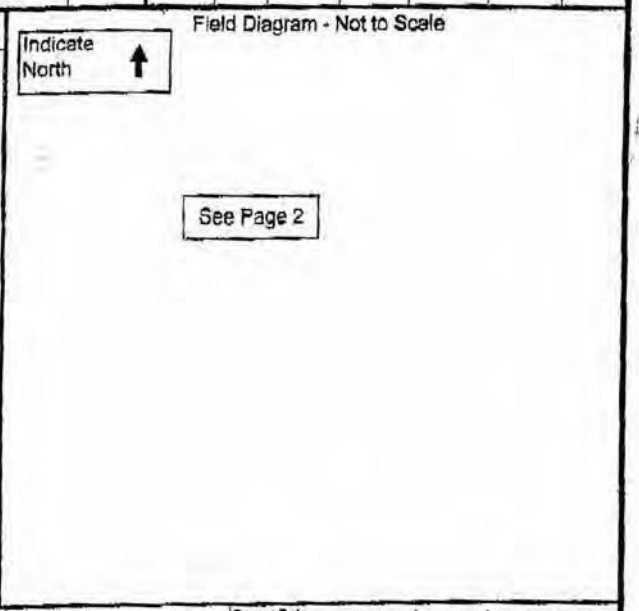
DAMAGE	Damaged Property Other Than Vehicle		Owner's Name	Owner's Address

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

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

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

See page 2.



Time Notified (24HRMM)	1, 7, 2, 1	How Notified	BCSO Dispatch	Time Arrived (24HRMM)	1, 7, 2, 9	Report Date (MM/DD/YYYY)	0, 5, 1, 4, 2, 0, 1, 0
Invest. Comp.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Investigator Name (Printed)	Raymond Bradshaw	ID Num.	12059	District Area	H.P. 6.B. 0.7
ORI Num.		*Agency	TX DPS/HP				

MATTER # 1213402
FILE TYPE Notice
FILE NAME [REDACTED]
CAIR #
DATE OF INCIDENT 05/13/2010
DATE OF NOTICE 05/14/2010
MODEL/MODEL YEAR 2003 Jeep Wrangler (TJ)
VIN 1J4FA39S53 [REDACTED]
MILEAGE
OWNER [REDACTED]
Vidor, T [REDACTED]

COURT
DOCKET #
FIRE ALLEGED Yes
DESCRIPTION Chrysler Group learned from a media report that on May 13, 2010, a 2003 Jeep Wrangler (TJ), operated by [REDACTED] was travelling eastbound on Texas S.H. 21 near the intersection with Travis Road in Bastrop County, Texas. The posted speed limit at the site of the accident is 70 mph. According to the police accident report, a 2002 Chevrolet passenger car had stopped on S.H. 21 at the intersection with Travis Road waiting to make a left turn when the Jeep Wrangler (TJ) attempted to avoid the Chevrolet by passing it on the left side in the oncoming lane of travel. The right-front of the Jeep Wrangler (TJ) struck the left-rear of the Chevrolet, causing the Jeep Wrangler (TJ) to yaw in a clockwise direction in the oncoming lane of travel. After rotating 180 degrees in the oncoming lane, the Jeep Wrangler (TJ) was struck in the rear by a 1999 Nissan Pathfinder that was travelling westbound on S.H. 21 at an unknown rate of speed. As a result of the impact with the Pathfinder, the Jeep Wrangler (TJ) travelled off the north side of S.H. 21 and overturned. A fire ensued at some point after the impact with the Nissan Pathfinder.

PROPERTY DAMAGE ALLEGED No
INJURIES 1
FATALITIES 2
ANALYSIS The 2003 Jeep Wrangler (TJ) has not been inspected. Chrysler Group does not have sufficient information about the accident to determine a likely relative impact velocity between the Jeep Wrangler (TJ) and the Nissan Pathfinder but notes that the speed limit at the site of the accident was 70 mph and the Nissan Pathfinder was moving in the opposite direction as the Jeep Wrangler (TJ) at impact. Based on this,

Chrysler Group concludes that this was likely an extremely high energy impact at a high closing speed that was made more severe by the vehicles moving in opposite directions at impact. This is consistent with severe damage to the front end of the Nissan Pathfinder and the rear end of the Jeep Wrangler (TJ), including a deformed frame rail and significant undercarriage damage, depicted in the police accident scene photographs. Because it has not inspected the Jeep Wrangler (TJ), Chrysler Group is unable to confirm that, as a result of the impact, the fuel tank ruptured or that the origin of the fire was at the fuel tank. The damage to the vehicles is depicted in the photographs in Enclosure 3 – Claims –Lawsuits/Peer Vehicles – 1997-2006 Wrangler (TJ)/Reports of Accident, Bates Nos. EA12-005 Peer – Chrysler – 10824, 10850, and 10854.