

EA12-005

CHRYSLER

2/18/2013

ENCLOSURE 3

CLAIMS- LAWSUITS

1987-1992 WRANGLER (YJ)

LAWSUITS AND CLAIMS



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

FILED  
U.S. DISTRICT COURT  
DISTRICT OF COLORADO  
2001 JAN 16 PM 1:51  
JAMES R. MANSPEAKER  
CLERK

Civil Action No.

**01- -0081**

ROBERT MILLMAN, as Guardian ad Litem  
and for the benefit of Kori Lynn Miller; STEVEN EZELL,  
as Guardian ad Litem and for the benefit of Charles  
Alexander Miller; ALEX SHOMPH, as Co-Conservator  
and Co-Guardian and for the benefit of Kori Lynn Miller  
and Charles Alexander Miller; EVELYN SHOMPH,  
as Co-Conservator and Co-Guardian and for the benefit  
of Kori Lynn Miller and Charles Alexander Miller;  
KORI LYNN MILLER, by and through her Guardian  
ad Litem Robert Millman and her Co-Conservators  
and Co-Guardians Alex and Evelyn Shomph; and  
CHARLES ALEXANDER MILLER, by and through his  
Guardian ad Litem Steven Ezell and his Co-Conservators  
and Co-Guardians Alex and Evelyn Shomph,

Plaintiffs,

v.

DAIMLERCHRYSLER CORPORATION,  
a Delaware corporation; DAIMLERCHRYSLER  
CANADA INC.; a Canadian corporation;  
DAIMLERCHRYSLER AG, a German corporation.

Defendants.

***COMPLAINT FOR DAMAGES FOR  
PERSONAL INJURIES AND WRONGFUL DEATH***

Plaintiffs, through their attorneys, Gilbert, Frank, Ollanik & Komyatte, P.C.

complain against Defendants as follows:



## *GENERAL ALLEGATIONS*

1. This is an action to recover damages for personal injuries to Kori Lynn Miller and Charles Alexander Miller and for the wrongful death of Kimberley Miller arising out of an automobile accident that occurred on or about January 17, 1999 in Colorado Springs, Colorado.
2. Robert Millman is the duly appointed Guardian ad Litem of Kori Lynn Miller. Robert Millman is a United States citizen and is deemed to be a citizen of California for purposes of this action pursuant to 28 U.S.C. 1332(c)(2).
3. Steven Ezell is the duly appointed Guardian ad Litem of Charles Alexander Miller. Steven Ezell is a United States citizen and is deemed to be a citizen of California for purposes of this action pursuant to 28 U.S.C. 1332(c)(2).
4. Alex and Evelyn Shomph are the duly appointed Co-Conservators and Co-Guardians of Kori Lynn Miller and Charles Alexander Miller. Alex and Evelyn Shomph are United States citizens and are domiciled in and citizens of California.
5. Kori Lynn Miller (hereinafter "Kori Miller") is a United States citizen and is domiciled in and a citizen of California.
6. Charles Alexander Miller (hereinafter "Charles Miller") is a United States citizen and is domiciled in and a citizen of California.
7. Kori Miller and Charles Millers are the minor surviving children of Kimberley Miller, who was killed in the accident giving rise to this lawsuit.



8. Defendant DaimlerChrysler Corporation is a Delaware corporation with its principal place of business in Auburn Hills, Michigan and doing business in Colorado. DaimlerChrysler Corporation was formerly known as Chrysler Corporation but changed its name to DaimlerChrysler Corporation on or about November 17, 1998. DaimlerChrysler Corporation is controlled and operated by DaimlerChrysler AG. DaimlerChrysler's registered agent for service is Corporation Company located at 1675 Broadway, Denver, CO 80202.

9. DaimlerChrysler Canada Inc. is a Canadian corporation with its principal of business located in the Canadian province of Ontario and doing business in Colorado. DaimlerChrysler Canada Inc. was formerly known as Chrysler Canada Ltd. but changed its name to DaimlerChrysler Canada Inc. in or about 1999. DaimlerChrysler Canada Inc. is a subsidiary of DaimlerChrysler Corporation.

10. DaimlerChrysler AG is a German corporation headquartered in and with its principal place of business in Germany and doing business in Colorado. DaimlerChrysler AG is a successor corporation to Chrysler Corporation and owns 100% of the capital stock of DaimlerChrysler Corporation. DaimlerChrysler AG exercises control over and operates DaimlerChrysler Corporation as a division.

11. Plaintiffs each claim damages in excess of \$75,000 in this action, excluding costs and interest.



12. Jurisdiction and venue in this Court are proper pursuant to 28 U.S.C. § 1332(a) and 28 U.S.C. § 1391(a).

13. On January 17, 1999, Kimberley Miller was the driver, Kori Miller the right front seat passenger and Charles Miller the rear seat passenger in a Jeep Wrangler believed to be a model year 1990 and believed to bear vehicle identification number 2J4FY19E2LJ547183 ("the Wrangler"), that was traveling northbound on Nevada Avenue in Colorado Springs, Colorado.

14. At a point near the intersection of Uintah and Nevada, the Wrangler was rear ended by a Honda Accord and burst into flames. Kimberley Miller, who was seatbelted, sustained fatal injuries and died shortly after the accident. Kori Miller, who was also seatbelted, sustained serious personal injuries. Charles Miller, who was also seatbelted, sustained second and third degree burns over a large portion of his body, including his face, head, ears and hands.

15. The death of Kimberley Miller and the injuries to Kori Miller and Charles Miller were caused by defects and inadequacies in the Wrangler, as more fully set forth herein.

16. Defendants DaimlerChrysler Corporation, DaimlerChrysler Canada Inc. and DaimlerChrysler AG designed, tested, approved, manufactured, marketed, licensed, distributed, and sold the Wrangler and its components. DaimlerChrysler Corporation, DaimlerChrysler Canada Inc. and DaimlerChrysler AG will be hereinafter collectively referred to as "DaimlerChrysler."



*FIRST CLAIM FOR RELIEF*  
*(Strict Liability)*

17. Plaintiffs incorporate all allegations made elsewhere in this Complaint.

18. At all times material to this action, DaimlerChrysler was in the business of designing, testing, approving, manufacturing, marketing, distributing, licensing and selling motor vehicles, including the Wrangler, for use in Colorado and elsewhere throughout the United States.

19. At the time the Wrangler left the control of DaimlerChrysler, it was defective and unreasonably dangerous to a person who might reasonably be expected to use it. These defects include, but are not limited to, the conditions described in the following paragraphs.

20. The Wrangler lacked adequate and sufficient warnings and instructions about the risks, dangers, and harms presented by the Wrangler and reasonable means to reduce such risks, dangers and harms.

21. The Wrangler was uncrashworthy in its design and manufacture.

22. The Wrangler's occupant compartment was inadequate to reasonably protect occupants from foreseeable crash forces in rear end accidents.

23. The Wrangler's front seats, including all their components, were inadequate to reasonably restrain and protect occupants when exposed to foreseeable crash forces in rear end accidents.



24. Particularly, the front seats were likely to fail and collapse rearward during foreseeable rear end accidents. In the subject accident, the Wrangler's driver seat collapsed rearward during the accident.

25. The Wrangler's front seat occupant restraint system, consisting of and including both the seatbelt system and the seating system, were inadequate to reasonably restrain and protect occupants when exposed to foreseeable crash forces in rear end accidents.

26. The Wrangler's design failed to integrate its various components such as the front seats, restraint systems and related components, interior, and occupant compartment structure, and fuel system in such a way that would reasonably protect occupants in foreseeable rear impact accidents.

27. This was despite the fact that DaimlerChrysler was aware that these systems need to be designed to work together to protect occupants in rear impact accidents.

28. The Wrangler's design failed to incorporate other designs and technologies which could protect occupants from foreseeable crash forces in rear impact accidents. DaimlerChrysler was aware of some such designs and technologies, including superior designs and technologies used by other manufacturers and in other vehicles.

29. The Wrangler's fuel system, including the fuel tank, fuel tank sending unit, fuel pump, fuel lines and all of the fuel system's components, was inadequate



to withstand foreseeable and survivable crash forces during rear impact accidents without leaking or otherwise spilling or expelling fuel.

30. The design of the Wrangler's fuel system, including the fuel tank, fuel tank sending unit, fuel pump, fuel lines and all of the fuel system's related components, was such that it was subject to massive failure in a rear impact, making a post collision fuel fed fire likely and foreseeable to DaimlerChrysler.

31. Particularly, the sending unit on the Wrangler's fuel tank was inadequately designed to withstand foreseeable crash forces in rear end accidents. In the subject accident, the sending unit came off of the fuel tank, creating a large opening in the fuel tank, allowing fuel to be expelled and leak from the fuel tank, and causing a fuel fed fire that resulted in serious burns to Charles Miller and injuries to Kori Miller.

32. The Wrangler's fuel system, including all of its components, was inadequate to safely withstand foreseeable crash forces that were otherwise survivable by Wrangler occupants. In the subject accident, Charles Miller suffered no significant bodily injuries other than burns from the post collision fuel fed fire.

33. This was despite the fact that DaimlerChrysler knew it was important to ensure that vehicle fuel systems should be designed so that they would not expel or leak sufficient forms and amounts of fuel to cause a fuel fed fire during



collisions that were otherwise survivable without serious bodily injury by occupants.

34. The design of the Wrangler's front seat and front seat occupant restraint system, consisting of and including the seats and the seatbelt systems, failed to incorporate other designs and technologies which would provide superior protection to front seat occupants during rear impact accidents. This was despite DaimlerChrysler's knowledge that such alternative designs were technologically and economically feasible and could have been incorporated into the Wrangler at a minimal cost.

35. The Wrangler's fuel system, including all of its components, failed to incorporate other designs and technologies which would have improved the integrity of the system and minimized rupture and leakage during rear impact accidents. This was despite DaimlerChrysler's knowledge that such alternative designs were technologically and economically feasible and could have been incorporated into the Wrangler at a minimal cost.

36. The Wrangler was expected by DaimlerChrysler to reach, and did reach, the user or consumer without substantial change to the condition in which it was sold.

37. Kimberley Miller, Kori Miller and Charles Miller were persons who reasonably would be expected to use the Wrangler.



38. It was foreseeable to DaimlerChrysler that the Wrangler could and would be involved in rear impact accidents.

39. The defective and unreasonably dangerous condition of the Wrangler was a cause of the death of Kimberley Miller and the injuries and damages to the Plaintiffs.

40. DaimlerChrysler is strictly liable to the Plaintiffs for injuries and damages caused by defects and inadequacies in the design and manufacture of the Wrangler.

***SECOND CLAIM FOR RELIEF***  
***(Negligence)***

41. Plaintiffs incorporate all allegations made elsewhere in this complaint.

42. DaimlerChrysler had a duty to design the Wrangler so that it would not subject occupants to the unreasonable risk of a post collision fuel fed fire.

43. DaimlerChrysler had a duty to design the Wrangler to provide reasonable crashworthiness protections to occupants in the event of a rear end accident.

44. DaimlerChrysler negligently designed, tested, approved, manufactured, marketed, distributed, and sold the Wrangler and its components in that it failed to exercise reasonable care to prevent the Wrangler and its components from creating an unreasonable risk of harm to a person who might reasonably be expected to use it in an expected or reasonably foreseeable manner.



The factual basis for DaimlerChrysler's negligence is specified in greater detail in the first claim for relief and further specified in the following paragraphs.

45. At the time of the design and manufacture of the Wrangler, DaimlerChrysler was aware of the dangers of rear end accidents.

46. At the time of the design and manufacture of the Wrangler, DaimlerChrysler was aware of the dangers of post collision fuel fed fires, and of design characteristics necessary to prevent a vehicle from subjecting occupants to the unreasonable risk of post collision fuel fed fires.

47. At the time of the design and manufacture of the Wrangler, DaimlerChrysler was aware or should have been aware of alternative designs that were technologically and economically feasible and that would minimize the risk of post collision fuel fed fires, but DaimlerChrysler chose not to incorporate these alternative designs.

48. DaimlerChrysler was aware or should have been aware of the problem of inadequate strength and inadequate resistance to collapse in the Wrangler front seats and failed to take reasonable measures to correct this danger, despite its knowledge of measures that could be taken to make the vehicle and its front seats safer without substantial impairment to its usefulness.

49. DaimlerChrysler was aware or should have been aware that the Wrangler's fuel system was likely to fail and cause a post collision fuel fed fire during a rear impact, but DaimlerChrysler failed to take reasonable measures to



correct this danger, despite its knowledge of measures that could be taken to make the vehicle and its fuel system safer without substantial impairment to its usefulness.

50. DaimlerChrysler's knowledge as described in this Complaint is believed to be reflected in the minutes of meetings of various DaimlerChrysler committees.

51. DaimlerChrysler's knowledge as described in this Complaint is believed to be reflected in other internal DaimlerChrysler communications.

52. DaimlerChrysler's knowledge as described in this complaint is believed to be reflected in reports of other incidents involving DaimlerChrysler vehicles.

53. DaimlerChrysler's knowledge as described in this complaint is believed to be reflected in the results of tests, studies and analyses conducted by DaimlerChrysler and others, which may have included dynamic or static tests, computer simulations, and cost/benefit analyses.

54. DaimlerChrysler's knowledge as described in this complaint is believed to be reflected in the results of other tests conducted by or at the request of DaimlerChrysler or others.

55. DaimlerChrysler knowledge as described in this complaint is believed to be reflected in the results of computer simulations performed by or at the request of DaimlerChrysler, including computer simulations performed with the LS DYNA 3D



computer program. This allegation is likely to have evidentiary support after a reasonable opportunity for discovery.

56. DaimlerChrysler's testing of the Wrangler and its components -- including the front seats, front seat restraint system and the fuel system -- was inadequate.

57. DaimlerChrysler breached its duty to design and manufacture a vehicle that would not subject occupants to the unreasonable risk of injury from a post collision fuel fed fire.

58. DaimlerChrysler breached its duty to design and manufacture the Wrangler to provide reasonable protection and reasonable occupant restraint to occupants, including seat belted front seat occupants, in rear impact accidents.

59. DaimlerChrysler acted unreasonably in designing, manufacturing and marketing a vehicle that presented a substantial and unreasonable risk of injury or death to vehicle occupants, including Kimberley Miller, Kori Miller and Charles Miller.

60. DaimlerChrysler's negligence was a proximate cause of the death of Kimberley Miller and the injuries and damages to the Plaintiffs.

***THIRD CLAIM FOR RELIEF***  
***(Breach of Warranty)***

61. Plaintiffs incorporate all allegations made elsewhere in this complaint.



62. DaimlerChrysler knew or had reason to know the particular purposes for which the Wrangler and its components were required and were to be used, and that purchasers and users such as the Miller family would rely on DaimlerChrysler's skill or judgment in designing, testing, manufacturing, and furnishing goods suitable for such purposes and uses.

63. The Wrangler and its components were not fit for the particular purposes for which they were intended, and for which they were used.

64. The Wrangler did not conform to the warranties, affirmations, and representations made by DaimlerChrysler.

65. The defective condition of the Wrangler constitutes a breach by DaimlerChrysler of its express and/or implied warranties, rendering DaimlerChrysler liable for the death of Kimberley Miller and for the injuries and damages to the Plaintiffs caused by defects and inadequacies in the design and manufacture of the Wrangler.

***FOURTH CLAIM FOR RELIEF***  
***(Punitive Damages)***

66. Plaintiffs incorporate all allegations made elsewhere in this complaint.

67. At the time of the design and manufacture of the Wrangler, DaimlerChrysler was aware of the dangers of rear end accidents.

68. At the time of the design and manufacture of the Wrangler, DaimlerChrysler was aware of the dangers of post collision fuel fed fires.



69. At the time of the design and manufacture of the Wrangler, DaimlerChrysler was aware that reasonable occupant protection in rear end accidents required a front seat design that would maintain its integrity and resist collapsing rearward during foreseeable rear end accidents.

70. At the time of the design and manufacture of the Wrangler, DaimlerChrysler was aware that reasonable occupant protection in rear end accidents required an occupant restraint system design, including seats and seatbelts, in which the seatbelt system and the front seat worked in conjunction with one another to provide adequate restraint. In particular, DaimlerChrysler knew that the Wrangler's front seatbelts could not adequately protect and restrain front seat occupants when the front seat collapsed rearward during rear impacts.

71. At the time of the design and manufacture of the Wrangler, DaimlerChrysler was aware that reasonable occupant protection in rear end accidents required fuel system designs that minimized the risks of ruptures, failures and leaks during foreseeable rear impacts and thus minimized the risks of post collision fuel fed fires.

72. At the time of the design and manufacture of the Wrangler, DaimlerChrysler was aware that the Wrangler's front seat occupant restraint system, including the seatbelt system and the front seat, would not provide as much occupant protection in rear end accidents as would other designs used in other vehicles.



73. At the time of the design and manufacture of the Wrangler, DaimlerChrysler was aware that the Wrangler's fuel system, including all of its components, would not provide as much protection against post collision fuel fed fires in rear impact accidents as would other designs used in other vehicles – including other designs used by DaimlerChrysler in other Wranglers.

74. At the time of the design and manufacture of the Wrangler, DaimlerChrysler was aware that the combination of inadequate strength and collapse resistance of the front seat and/or inadequate fuel system integrity would make it likely that Wrangler occupants such as the Millers would be seriously injured or killed in rear end accidents.

75. DaimlerChrysler was aware of design changes it could make to the Wrangler and of technologies it could use in the Wrangler to provide better occupant protection in rear end accidents, but deliberately chose not to use those designs and technologies.

76. The acts and omissions of DaimlerChrysler described herein were willful, wanton, reckless, grossly negligent and were committed with conscious and utter disregard for the rights and safety of others, such as Kimberley Miller, Kori Miller and Charles Miller, thereby entitling plaintiffs to an award of punitive damages. The allegations contained in this paragraph and in the preceding seven (7) paragraphs are likely to have evidentiary support after a reasonable opportunity for further investigation and discovery.



*FIFTH CLAIM FOR RELIEF*  
*(Colorado Consumer Protection Act)*

77. Plaintiffs incorporate herein all allegations made elsewhere in this complaint.

78. In marketing the Wrangler, DaimlerChrysler failed to disclose material information concerning the Wrangler, which information was known at the time of advertisements and at the time of sale, and such failure to disclose such information was intended to induce consumers to purchase and use the Wrangler.

79. In marketing, distributing and selling the 1990 Jeep Wrangler, DaimlerChrysler, in particular, failed to disclose material information relating to the safety of the Wrangler and thereby intended to induce consumers to purchase vehicles they otherwise would not have purchased had this information been disclosed.

80. The activities described in this Count and described in this Complaint were undertaken in the course of DaimlerChrysler's business.

81. Such representations, activities and the sale of Wranglers took place in the State of Colorado, the State of California and elsewhere. The actions described in this Count constitute deceptive trade practices pursuant to Colorado Revised Statutes § 6-1-105. Pursuant to Colorado Revised Statutes § 6-1-113, Plaintiffs are entitled to treble damages, costs, and attorney fees.



***SIXTH CLAIM FOR RELIEF***  
***(Negligent Infliction of Emotional Distress)***

82. Plaintiffs incorporate all allegations made elsewhere in this complaint.

83. At the time of the accident giving rise to this complaint and at all other relevant times, Kori Miller and Charles Miller enjoyed a child/parent relationship with Kimberley Miller and a brother/sister relationship with one another.

84. As a result of the DaimlerChrysler's acts and omissions, Kori Miller and Charles Miller witnessed the rear end accident and contemporaneously observed immediate resulting harm and injuries to each other and to their mother, Kimberley Miller.

85. Kori Miller and Charles Miller suffered severe emotional shock and distress as a result of witnessing the rear end accident and contemporaneously observing the immediate serious injuries to each other and to their mother, Kimberley Miller.

86. DaimlerChrysler is liable to the Plaintiffs for the emotional shock and distress they suffered as a result of witnessing the rear end accident and observing the immediate serious injuries to each other and to their mother, Kimberley Miller.

***SEVENTH CLAIM FOR RELIEF***  
***(Loss of Consortium)***

87. Plaintiffs incorporate all allegations made elsewhere in this complaint.



88. As a result of DaimlerChrysler's acts and omissions, Kori Miller and Charles Miller have suffered a loss of consortium and the loss of love and companionship of their mother, including but not limited to the loss of the normal companionship, parental guidance, care, comfort, society, and affection of their mother Kimberley Miller.

89. Kori Miller and Charles Miller have suffered emotional distress and will continue to suffer emotional distress from the loss of the normal love, companionship, parental guidance and company of their mother Kimberley Miller due to the tortious conduct of the DaimlerChrysler.

90. DaimlerChrysler is liable to Kori Miller and Charles Miller for the loss of parental consortium they suffered as a result of DaimlerChrysler's acts and omissions.

### *CAUSATION AND DAMAGES*

91. Plaintiffs incorporate all allegations made elsewhere in this complaint.

92. As a direct and proximate result of the defective and unreasonably dangerous condition of the Wrangler and DaimlerChrysler's acts and omissions, Plaintiffs have incurred general and special damages, including but not limited to:

- a. Pain and suffering and emotional distress, past and future;
- b. Reasonable and necessary medical, hospital and rehabilitation care and services, nursing care and services, medication, therapy and other expenses, past and future;



- c. Inconvenience;
- d. Grief;
- e. Loss of enjoyment of life and impairment of the quality of life;
- f. Lost earnings and other pecuniary losses arising out of the death of Kimberley Miller;
- g. Lost household services;
- h. Funeral and burial expenses;
- i. Lost earning capacity and impairment of future earning capacity;
- j. Permanent physical impairment;
- k. Permanent disfigurement;
- l. The loss of care, comfort, guidance, love, companionship and parental consortium;
- m. Any appropriate exemplary damages; and
- n. All such other monetary relief and compensatory damages as are permissible at common law and by statute and to which Plaintiffs are entitled.

93. Because DaimlerChrysler's actions were accompanied by the willful and wanton and reckless disregard of the rights and safety of consumers such as the Millers, Plaintiffs are also seeking an award of punitive damages.

94. Pursuant to the Colorado Consumer Protection Act, Plaintiffs are entitled to three times the amount of actual damages sustained, in addition to the



costs of the action together with reasonable attorney fees as determined by the Court.

95. Plaintiffs are further seeking all costs, fees, and prejudgment and post judgment interest permitted and provided by the law.

**WHEREFORE**, Plaintiffs pray for and demand an award of damages to be fixed by the trier of fact in a reasonable amount, including punitive damages. Additionally, Plaintiffs ask for the trebling of actual damages, costs of this action, reasonable attorney fees, all pre-judgment interest and post judgment interest as provided by law; and such other relief as the Court deems appropriate.

PLAINTIFFS DEMAND A TRIAL BY JURY.

Respectfully submitted this 16<sup>th</sup> day of January, 2001.

GILBERT, FRANK, OLLANIK & KOMYATTE, P.C.  
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Carrie R. Frank, # 17807  
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Plaintiffs' Address:  
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Riverside, CA 92505  
(909) 359-5072



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EA12-005 Peer - Chrysler - 08512






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EA12-005 Peer - Chrysler - 08514





EA12-005 Peer - Chrysler - 08515

This image shows a close-up view of a vehicle's undercarriage, specifically the chassis area. A large, curved, light-colored metal component, possibly a suspension part or a large bracket, is the central focus. It has a weathered, slightly rusted appearance. The surrounding area is filled with dark, heavily rusted metal plates and structural members of the chassis. A thin, light-colored wire or cable runs diagonally across the lower-left portion of the frame. The background is out of focus, showing some greenery and a bright light source, suggesting an outdoor setting.





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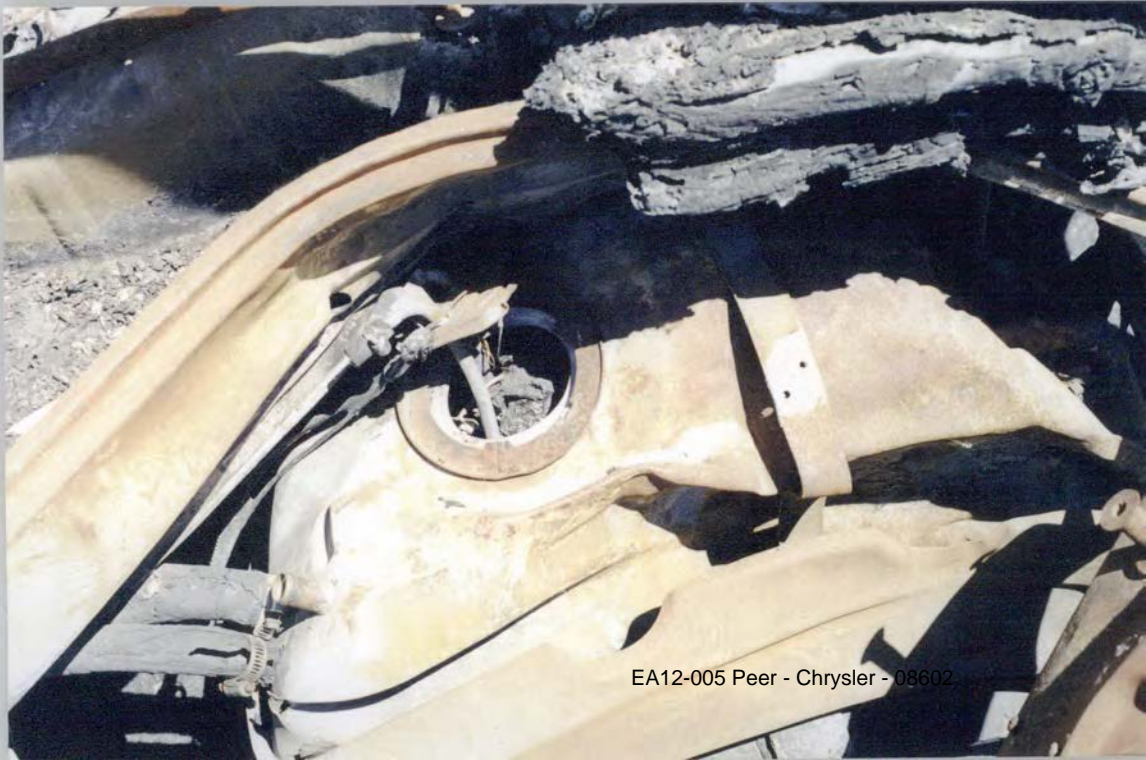
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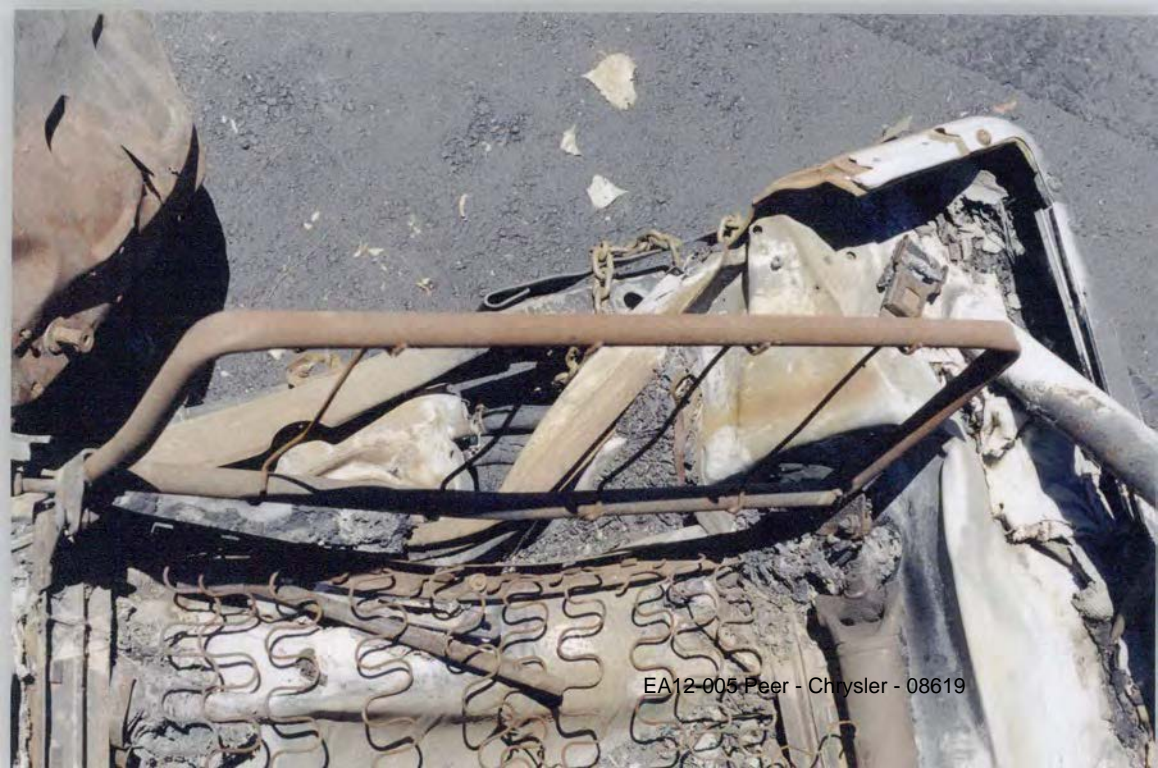
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**Jee**

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Jeep

EA12-005 Peer - Chrysler - 08623



A close-up photograph of a silver metal door hinge and latch mechanism. The hinge is located at the top of the door, and the latch is visible on the right side. The metal surface is reflective and shows some signs of wear and discoloration. A shadow of the door handle is cast onto the left side of the door.

Jeep

EA12-005 Peer - Chrysler - 08624





EA12-005 Peer - Chrysler - 08625





EA12-005 Peer - Chrysler - 08626





EA12-005 Peer - Chrysler - 08627





EA12-005 Peer - Chrysler - 08628



01-16

235





EA12-005 Peer - Chrysler - 08630





EA12-005 Peer - Chrysler - 08631





EA12-005 Peer - Chrysler - 08632





EA12-005 Peer - Chrysler - 08633





EA12-005 Peer - Chrysler - 08634






EA12-005 Peer - Chrysler - 08635





EA12-005 Peer - Chrysler - 08636





EA12-005 Peer - Chrysler - 08637





EA12-005 Peer - Chrysler - 08638





EA12-005 Peer - Chrysler - 08639





EA12-005 Peer - Chrysler - 08640





EA12-005 Peer - Chrysler - 08641





EA12-005 Peer - Chrysler - 08642





EA12-005 Peer - Chrysler - 08643





EA12-005 Peer - Chrysler - 08644





EA12-005 Peer - Chrysler - 08645





EA12-005 Peer - Chrysler - 08646





EA12-005 Peer - Chrysler - 08647





EA12-005 Peer - Chrysler - 08648





EA12-005 Peer - Chrysler - 08649





EA12-005 Peer - Chrysler - 08650





EA12-005 Peer - Chrysler - 08651





EA12-005 Peer - Chrysler - 08652





EA12-005 Peer - Chrysler - 08653





EA12-005 Peer - Chrysler - 08654





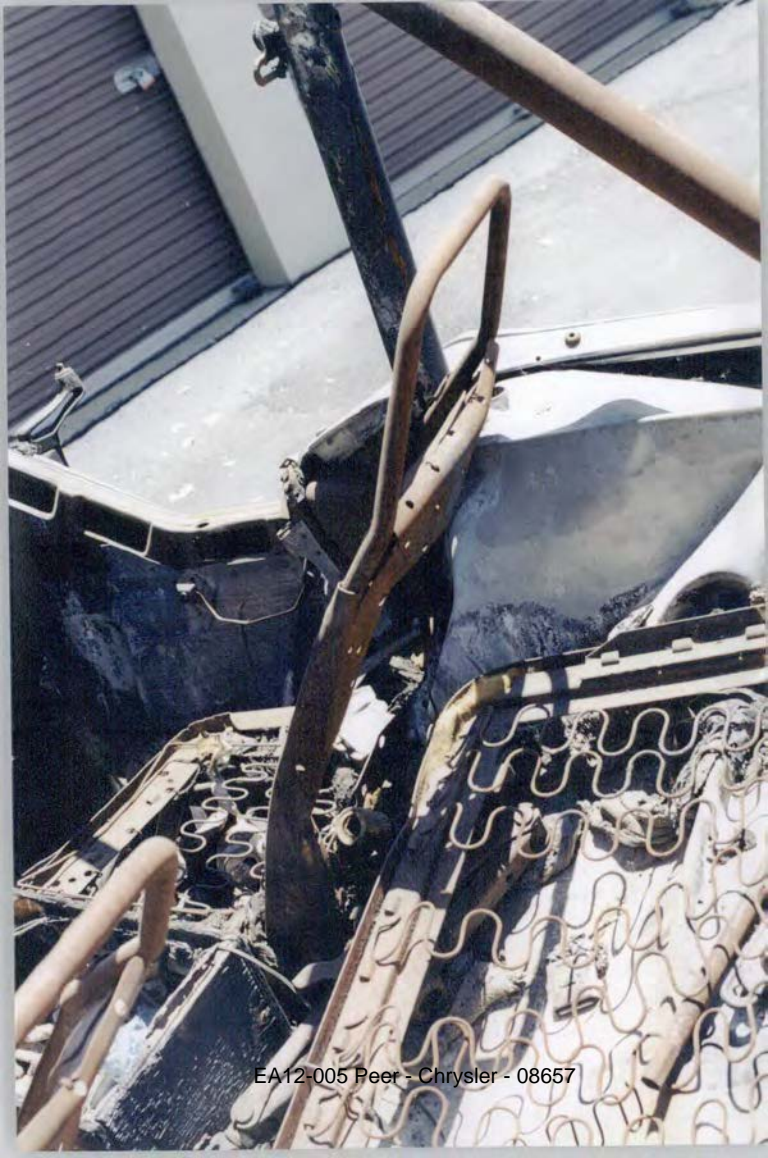
EA12-005 Peer - Chrysler - 08655





EA12-005 Peer - Chrysler - 08656





EA12-005 Peer - Chrysler - 08657





EA12-005 Peer - Chrysler - 08658





EA12-005 Peer - Chrysler - 08659





EA12-005 Peer - Chrysler - 08660





EA12-005 Peer - Chrysler - 08661





EA12-005 Peer - Chrysler - 08662





EA12-005 Peer - Chrysler - 08663





EA12-005 Peer - Chrysler - 08664





EA12-005 Peer - Chrysler - 08665



01-16

234





EA12-005 Peer - Chrysler - 08667





EA12-005 Peer - Chrysler - 08668





EA12-005 Peer - Chrysler - 08669





EA12-005 Peer - Chrysler - 08670





EA12-005 Peer - Chrysler - 08671





EA12-005 Peer - Chrysler - 08672





EA12-005 Peer - Chrysler - 08673



MANUFACTURED BY CHRYSLER CANADA LTD  
DATE 5-90

GVWR	8400 LBS								
GAWR, FRT.	2200 LBS	WITH	P285/75R 15	TIRES					
	15 X 6 0	RIMS AT	028	P.S.I. COLD					
GAWR, RR.	2500 LBS	WITH	P285/75R 15	TIRES					
	15 X 6 0	RIMS AT	032	P.S.I. COLD					

THIS VEHICLE CONFORMS TO ALL APPLICABLE FEDERAL MOTOR VEHICLE SAFETY STANDARDS IN EFFECT AT THE TIME OF MANUFACTURE. SEE OWNER'S MANUAL FOR VEHICLE IDENTIFICATION.

EA12-005 Peer - Chrysler - 08674



MANUFACTURED BY CHRYSLER CANADA LTD  
DATE 5-90

GVWR	8400 LBS				
GVWR FHT	2280 LBS	WITH	P285/75R 15		
	15 X 8.0	RIMS AT	028	TIRES	
GAWR RFL	2500 LBS	WITH	P285/75R 15	P.S.I. COLD	
	15 X 8.0	RIMS AT	032	TIRES	
				P.S.I. COLD	



THIS VEHICLE CONFORMS TO ALL APPLICABLE FEDERAL MOTOR VEHICLE  
SAFETY STANDARDS IN EFFECT ON THE DATE OF MANUFACTURE  
VEHICLE IDENTIFICATION NUMBER  
TYPE







MANUFACTURED BY CHRYSLER CANADA LTD

DATE 5-94

MODEL YEAR

WITH P205/75R 15

TIRES

WITH P205/75R 15

P.S.I. COLD

TIRES

WITH P205/75R 15

P.S.I. COLD

THIS VEHICLE CONFORMS TO ALL APPLICABLE FEDERAL MOTOR VEHICLE  
SAFETY STANDARDS IN EFFECT ON THE DATE OF MANUFACTURE SHOWN ABOVE

VEHICLE IDENTIFICATION NUMBER 2J4FY19E2L [REDACTED]

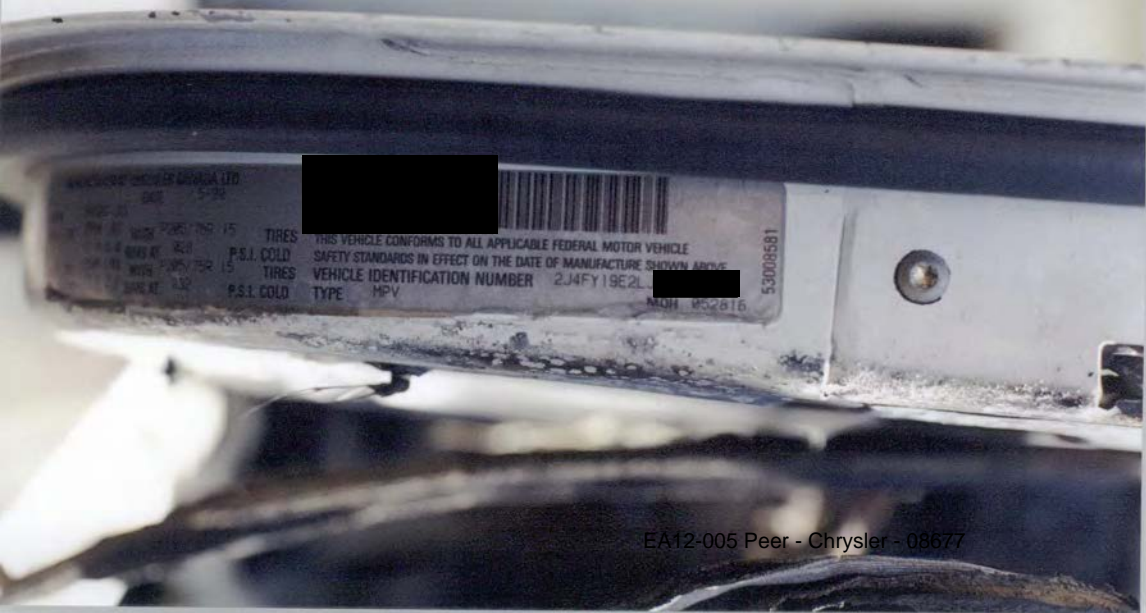
TYPE MPV

MDH 052816

53008581

EA12-005 Peer - Chrysler - 08676





CHRYSLER GROUP LLC

DATE 5-98

MODEL 300

WHEEL 15

WHEEL 15

WHEEL 15

WHEEL 15

TIRES

P.S.I. COLD

TIRES

P.S.I. COLD

THIS VEHICLE CONFORMS TO ALL APPLICABLE FEDERAL MOTOR VEHICLE  
SAFETY STANDARDS IN EFFECT ON THE DATE OF MANUFACTURE SHOWN ABOVE  
VEHICLE IDENTIFICATION NUMBER 2J4FY19E2L

TYPE MPV

MOH M52816

53008581

EA12-005 Peer - Chrysler - 08677





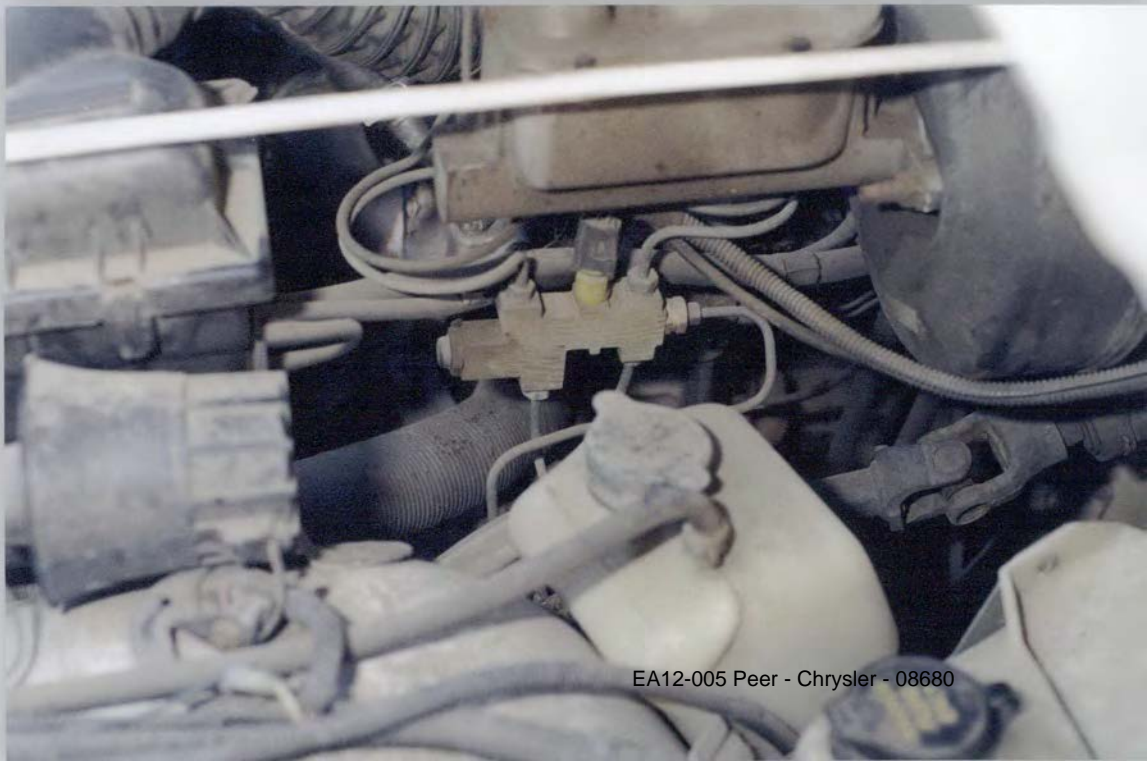
EA12-005 Peer - Chrysler - 08678





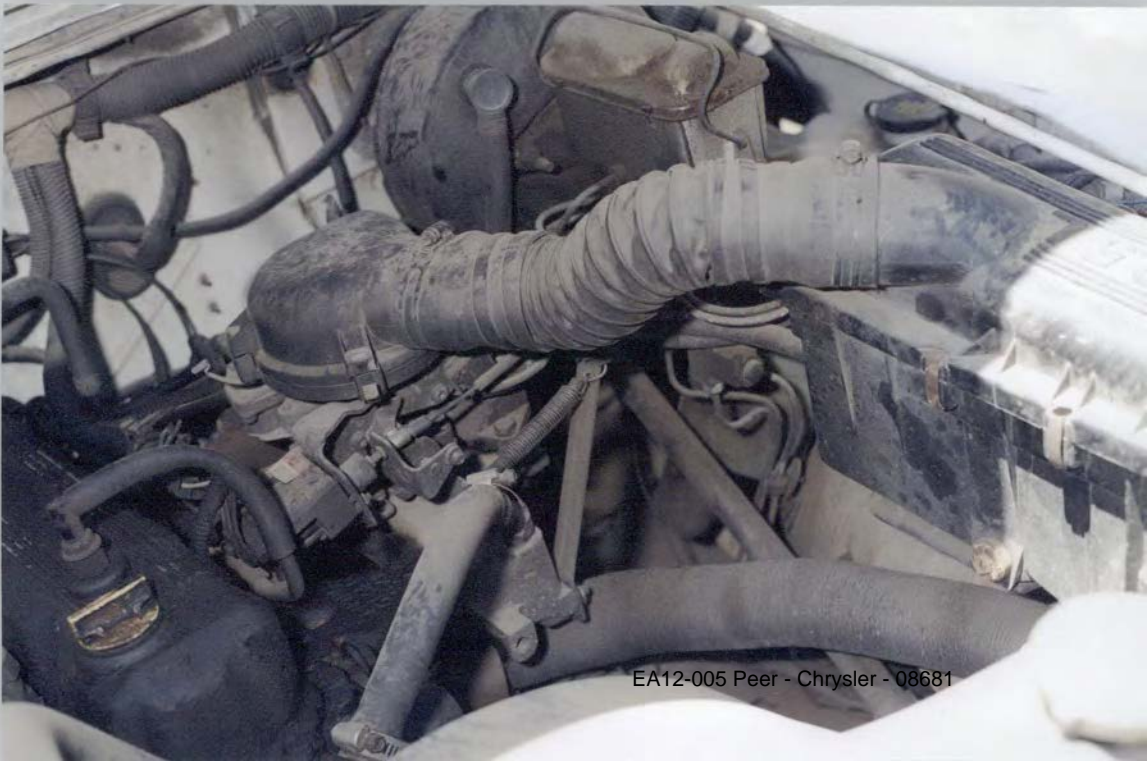
EA12-005 Peer - Chrysler - 08679





EA12-005 Peer - Chrysler - 08680





EA12-005 Peer - Chrysler - 08681





EA12-005 Peer - Chrysler - 08682





EA12-005 Peer - Chrysler - 08683





EA12-005 Peer - Chrysler - 08684





EA12-005 Peer - Chrysler - 08685





EA12-005 Peer - Chrysler - 08686





EA12-005 Peer - Chrysler - 08687





EA12-005 Peer - Chrysler - 08688





EA12-005 Peer - Chrysler - 08689





EA12-005 Peer - Chrysler - 08690





EA12-005 Peer - Chrysler - 08691





EA12-005 Peer - Chrysler - 08692





EA12-005 Peer - Chrysler - 08693





EA12-005 Peer - Chrysler - 08694





EA12-005 Peer - Chrysler - 08695





EA12-005 Peer - Chrysler - 08696





EA12-005 Peer - Chrysler - 08697









EA12-005 Peer - Chrysler - 08699





EA12-005 Peer - Chrysler - 08700





EA12-005 Peer - Chrysler - 08701





EA12-005 Peer - Chrysler - 08702



01-16

~~23~~





EA12-005 Peer - Chrysler - 08704





EA12-005 Peer - Chrysler - 08705





EA12-005 Peer - Chrysler - 08706





EA12-005 Peer - Chrysler - 08707





EA12-005 Peer - Chrysler - 08708





EA12-005 Peer - Chrysler - 08709





EA12-005 Peer - Chrysler - 08710





EA12-005 Peer - Chrysler - 08711





EA12-005 Peer - Chrysler - 08712





EA12-005 Peer - Chrysler - 08713





EA12-005 Peer - Chrysler - 08714





EA12-005 Peer - Chrysler - 08715





EA12-005 Peer - Chrysler - 08716





EA12-005 Peer - Chrysler - 08717





EA12-005 Peer - Chrysler - 08718





EA12-005 Peer - Chrysler - 08719





EA12-005 Peer - Chrysler - 08720





EA12-005 Peer - Chrysler - 08721





EA12-005 Peer - Chrysler - 08722





EA12-005 Peer - Chrysler - 08723





EA12-005 Peer - Chrysler - 08724





EA12-005 Peer - Chrysler - 08725





EA12-005 Peer - Chrysler - 08726





EA12-005 Peer - Chrysler - 08727





EA12-005 Peer - Chrysler - 08728





EA12-005 Peer - Chrysler - 08729





EA12-005 Peer - Chrysler - 08730





EA12-005 Peer - Chrysler - 08731





EA12-005 Peer - Chrysler - 08732





EA12-005 Peer - Chrysler - 08733





EA12-005 Peer - Chrysler - 08734





EA12-005 Peer - Chrysler - 08735





EA12-005 Peer - Chrysler - 08736





EA12-005 Peer - Chrysler - 08737





EA12-005 Peer - Chrysler - 08738





EA12-005 Peer - Chrysler - 08739



01-16

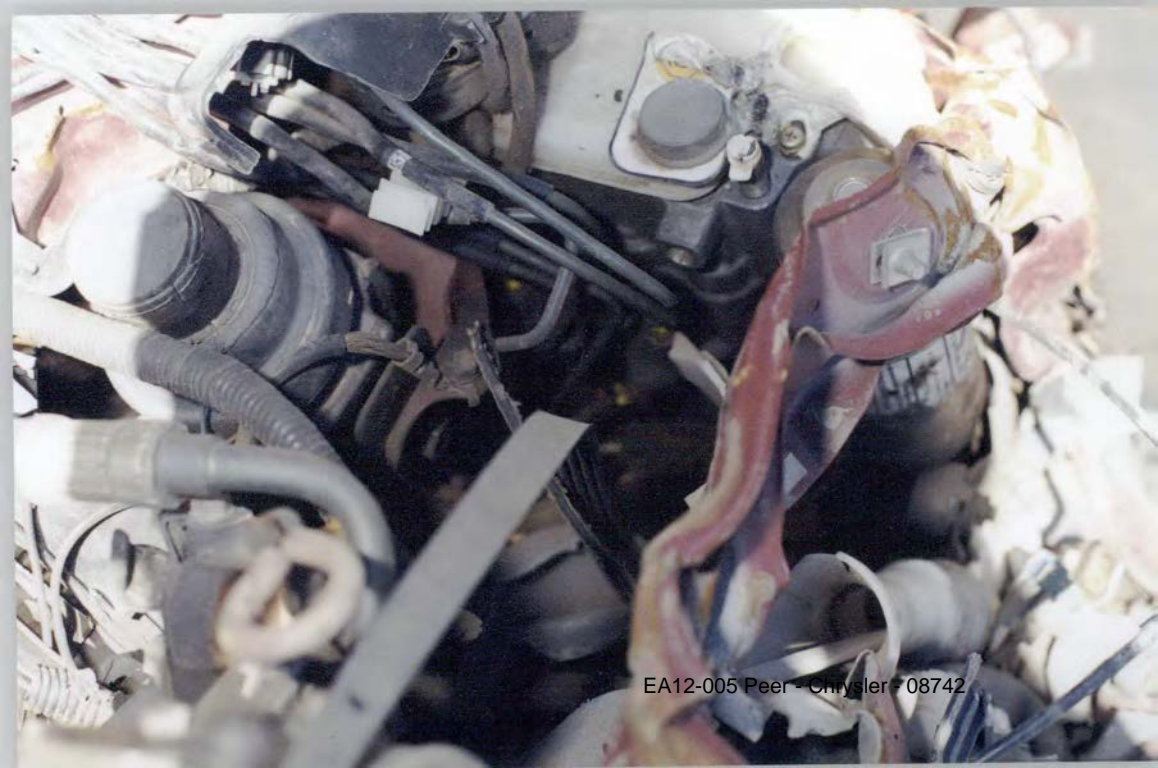
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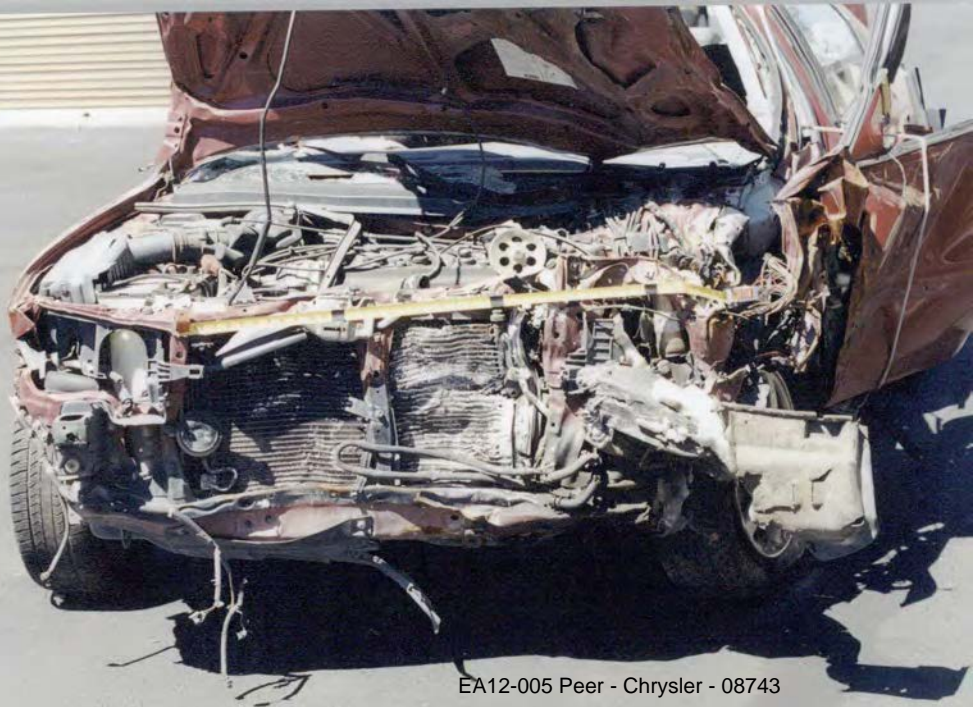
EA12-005 Peer - Chrysler - 08741





EA12-005 Peer - Chrysler - 08742





EA12-005 Peer - Chrysler - 08743





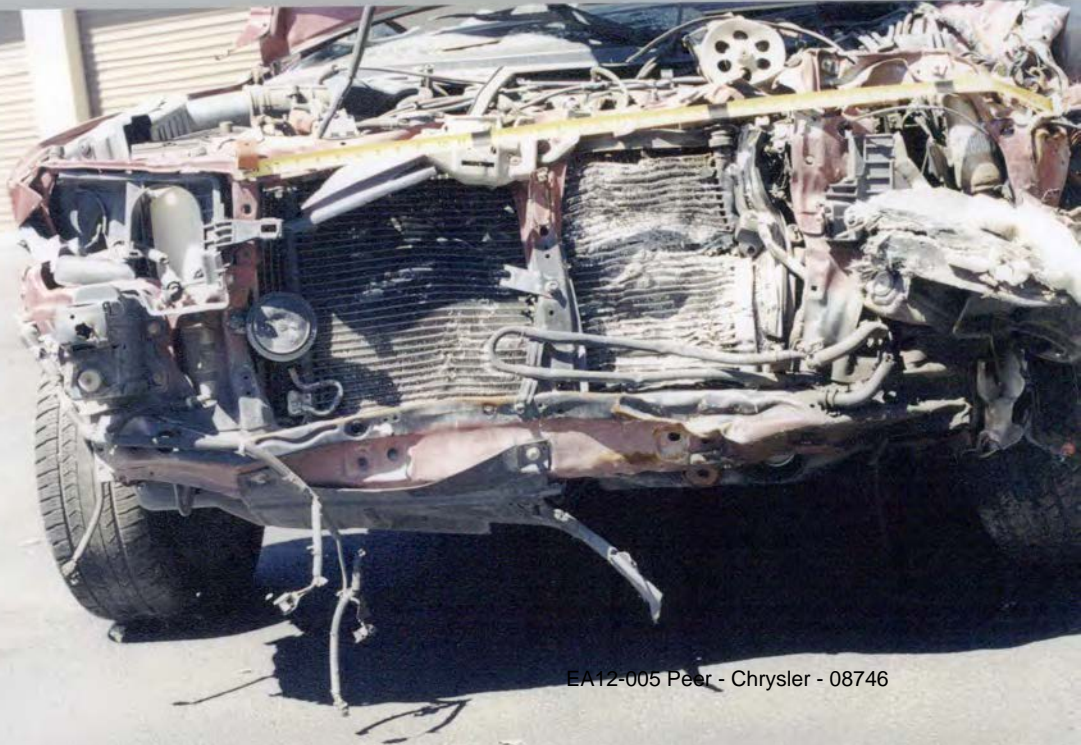
EA12-005 Peer - Chrysler - 08744





EA12-005 Peer - Chrysler - 08745





EA12-005 Peer - Chrysler - 08746





EA12-005 Peer - Chrysler - 08747





EA12-005 Peer - Chrysler - 08748





EA12-005 Peer - Chrysler - 08749





EA12-005 Peer - Chrysler - 08750





EA12-005 Peer - Chrysler - 08751









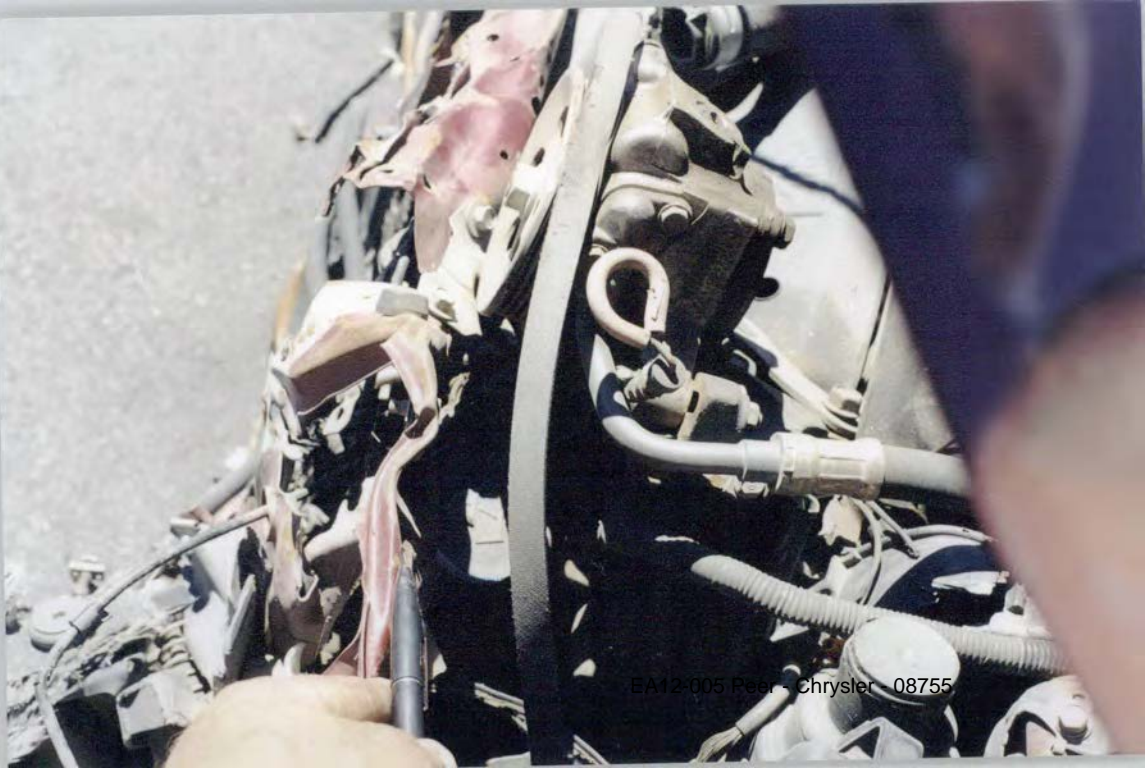
EA12-005 Peer - Chrysler - 08753





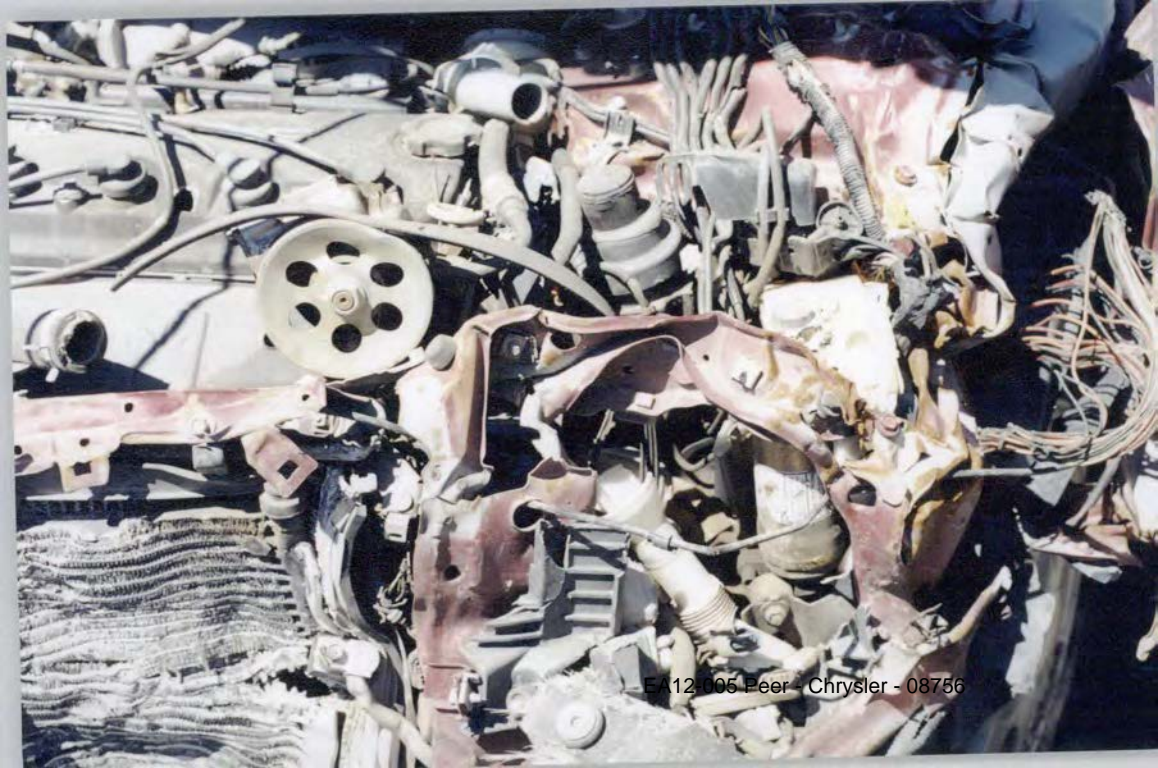
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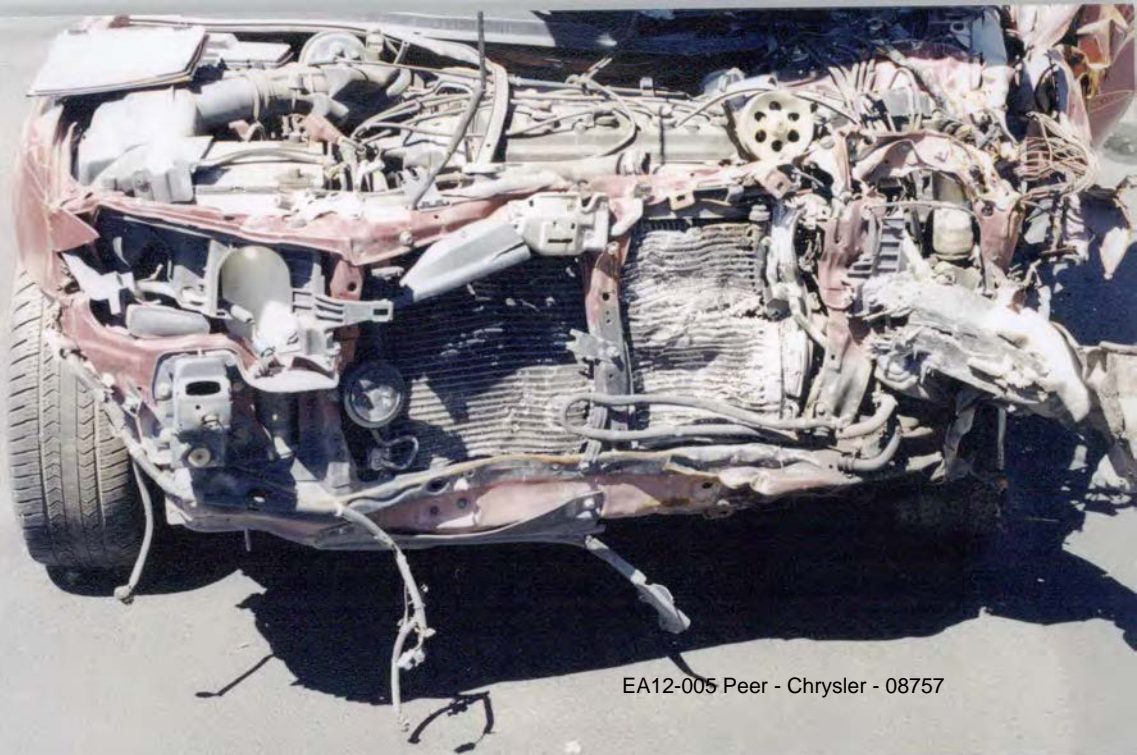
EA12-005 Peer - Chrysler 08755





EA12 005 Peer - Chrysler - 08756





EA12-005 Peer - Chrysler - 08757





EA12-005 Peer - Chrysler - 08758





EA12-005 Peer - Chrysler - 08759





EA12-005 Peer - Chrysler - 08760





EA12-005 Peer - Chrysler - 08761





EA12-005 Peer - Chrysler - 08762





EA12-005 Peer - Chrysler - 08763





EA12-005 Peer - Chrysler - 08764





EA12-005 Peer - Chrysler - 08765





EA12-005 Peer - Chrysler - 08766





EA12-005 Peer - Chrysler - 08767





EA12-005 Peer - Chrysler - 08768





EA12-005 Peer - Chrysler - 08769





EA12-005 Peer - Chrysler - 08770





EA12-005 Peer - Chrysler - 08771





EA12-005 Peer - Chrysler - 08772





EA12-005 Peer - Chrysler - 08773





EA12-005 Peer - Chrysler - 08774





EA12-005 Peer - Chrysler - 08775





EA12-005 Peer - Chrysler - 08776





EA12-005 Peer - Chrysler - 08777



01-16

1





EA12-005 Peer - Chrysler - 08779





EA12-005 Peer - Chrysler - 08780





EA12-005 Peer - Chrysler - 08781





EA12-005 Peer - Chrysler - 08782





EA12-005 Peer - Chrysler - 08783





EA12-005 Peer - Chrysler - 08784





EA12-005 Peer - Chrysler - 08785





EA12-005 Peer - Chrysler - 08786





EA12-005 Peer - Chrysler - 08787





EA12-005 Peer - Chrysler - 08788





EA12-005 Peer - Chrysler - 08789





EA12-005 Peer - Chrysler - 08790





EA12-005 Peer - Chrysler - 08791





EA12-005 Peer - Chrysler - 08792





EA12-005 Peer - Chrysler - 08793





EA12-005 Peer - Chrysler - 08794





EA12-005 Peer - Chrysler - 08795





EA12-005 Peer - Chrysler - 08796





EA12-005 Peer - Chrysler - 08797





EA12-005 Peer - Chrysler - 08798





EA12-005 Peer - Chrysler - 08799





EA12-005 Peer - Chrysler - 08800





EA12-005 Peer - Chrysler - 08801





EA12-005 Peer - Chrysler - 08802





EA12-005 Peer - Chrysler - 08803





EA12-005 Peer - Chrysler - 08804





EA12-005 Peer - Chrysler - 08805





EA12-005 Peer - Chrysler - 08806





EA12-005 Peer - Chrysler - 08807





EA12-005 Peer - Chrysler - 08808





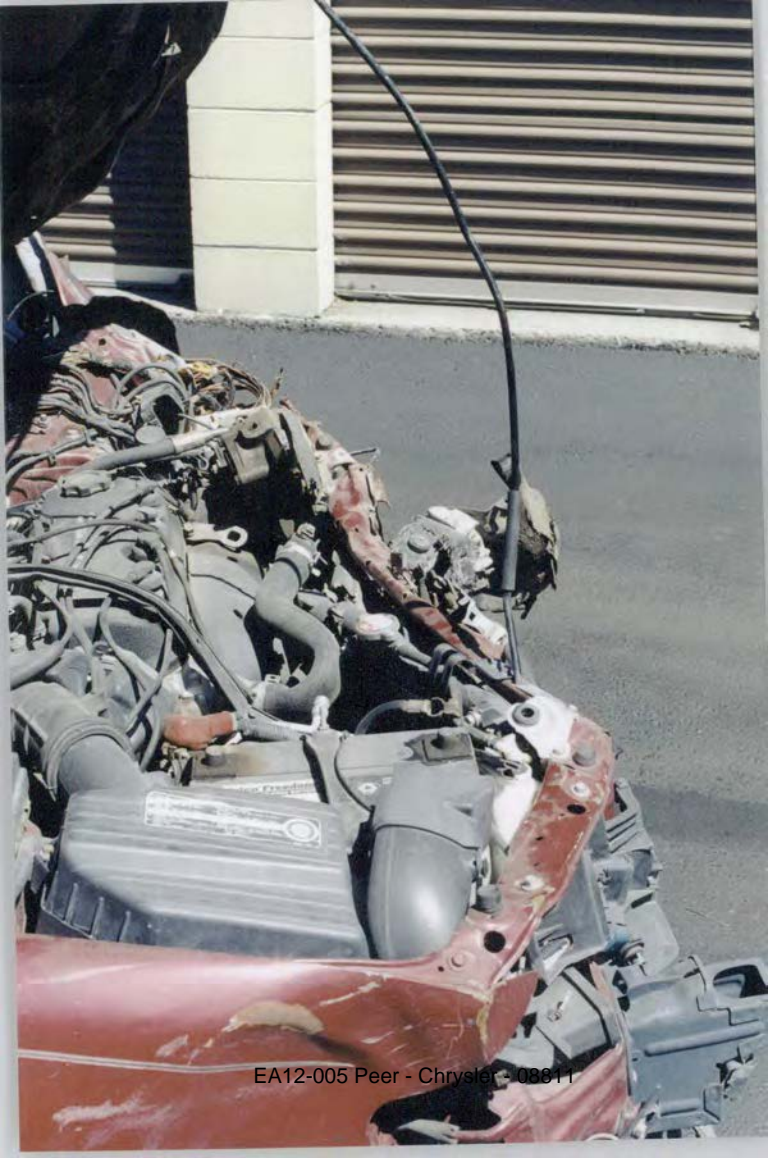
EA12-005 Peer - Chrysler - 08809





EA12-005 Peer - Chrysler - 08810





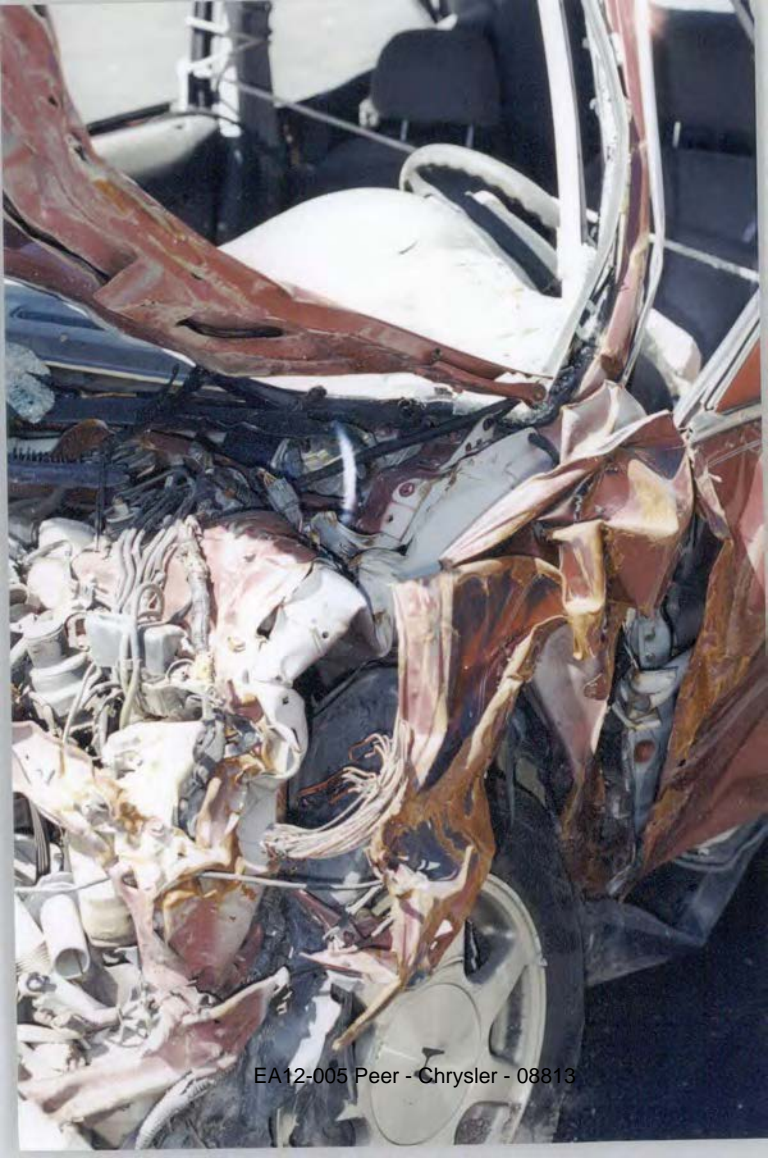
EA12-005 Peer - Chrysler - 08811





EA12-005 Peer - Chrysler - 08812





EA12-005 Peer - Chrysler - 08813





EA12-005 Peer - Chrysler - 08814



# COLORADO SPRINGS FIRE DEPARTMENT

## INCIDENT REPORT

Date : **Mar 6, 2001**

Time : **3:19:25 PM**

Incident Number: **9901364**  
Alarm Date: **Jan 17, 1999**

Page: **1**

### ===== GENERAL INFORMATION =====

<u>Incident #</u>	<u>Total exposures</u>	<u>Alarm Date</u>	<u>Duty</u>	<u># of Alarms</u>	<u>1st Arriving Company</u>
<b>9901364</b>		<b>01-17-1999</b>	<b>X98B</b>	<b>1</b>	<b>E2</b>

<u>Alarm time</u>	<u>Time Dispatched</u>	<u>Arrival Time</u>	<u>Time in Service</u>	<u>Time Under Control</u>
<b>8:37:57</b>	<b>8:53:51</b>	<b>9:01:24</b>	<b>10:36:48</b>	

Situation Found **FIRE-VEHICLE**

<u>Correct Address</u>	<b>[REDACTED]</b>	<u>Zip</u>	<u>FDZ</u>
		<b>80903</b>	<b>2335</b>

Property Use **PAVED PUBLIC STREET**

<u>Weather</u>	<b>CLEAR</b>	<u>Temperature:</u>
		<b>34</b>

Mutual Aid **NO**

<u>Fire cas</u>	<b>0</b>	<u>Civ Cas</u>	<b>0</b>
-----------------	----------	----------------	----------

<u>Person Involved</u>	<u>Address</u>	<u>Telephone</u>	<u>Responsibility</u>
<b>[REDACTED]</b>	<b>[REDACTED]</b>	<b>[REDACTED]</b>	



# COLORADO SPRINGS FIRE DEPARTMENT

## INCIDENT REPORT (PART 2)

Date **Mar 6, 2001**

Time **3:19:26 PM**

Incident Number: **9901364**    Exposure #: **0**

Alarm Date: **Jan 17, 1999**

Page: **1**

===== ALL FIRES =====

Area of Fire Origin: **FUEL TANK,FUEL LINE AREA**

Level of Fire Origin: **GRADE LEVEL TO 9 FT ABOVE GRADE**

Ignition Factor: **COLLISION, OVERTURN, KNOCKDOWN (AUTOS INCLUDED)**

Form of Heat Ignition: **SHORT CIRCUIT/ARC FROM MECHANICAL DAMAGE**

Type of Material: **GASOLINE**

Form of Material: **FUEL (INCLUDING FLAMMABLE LIQUIDS/GASES IN FINAL CONTA**

Extinguishing Method: **WATER CARRIED ON APPARATUS ASSIGNED TO INCIDENT**

Contributing Factor: **RUPTURE**

Age Group:

Estimated Loss:

Estimated Value:

### Equipment Involved

Make: **JEEP**

Model: **WRANGLER**

Year: **1990**

Ser.#/VIN:

### Mobile Property

Make: **JEEP**

Model: **WRANGLER**

Year: **1990**

State: **CO**

Lic. No :

Ser.#/VIN:

### Natural Cover Fires

Fuel Model

Acres Burned:



COLORADO SPRINGS FIRE DEPARTMENT  
CSFD UNIT RESPONSE REPORT  
(Part 1)

Date : Mar 6, 2001  
Time : 3:19:31 PM

**INCIDENT GENERAL INFORMATION**

<u>Incident No.</u>	<u>Alarm Date and Time</u>	<u>Incident Address</u>
9901364	Jan 17, 1999 8:37 AM	

Type of Situation Found      FIRE-VEHICLE

<u>CSFD Unit</u>	<u>Dispatched</u>	<u>Arrived</u>	<u>In-Service</u>
68 B	8:43 AM	8:45 AM	9:04 AM

**CSFD PERSONNEL ----- ROLE / ACTION TAKEN -----**

Action Taken :	00B64	ICS-INCIDENT PUBLIC RELATIONS-VICTIMS / BYSTANDERS
CSFD Personnel:	SHUMAKER, JOHN H.	FIREFIGHTER



COLORADO SPRINGS FIRE DEPARTMENT  
CSFD DUTY RESPONSE REPORT  
(Part 2)

Date : Mar 6, 2001

Time : 3:19:31 PM

**INCIDENT GENERAL INFORMATION**

<u>Incident No.</u>	<u>Alarm Date and Time</u>	<u>Incident Address</u>
9901364	Jan 17, 1999 8:37 A	

Type of Situation Found    **FIRE-VEHICLE**

<u>CSFD Unit</u>	<u>Dispatched</u>	<u>Arrived</u>	<u>In-Service</u>
68 B	8:43 AM	8:45 AM	9:04 AM

---

**CSFD DUTY NARRATIVE** =====

DUTY COMPANY NARRATIVE by:    FDJHS

CHAPLAIN LARRY DAY RESPONDED WHEN HE HEARD THE INCIDENT DISPATCHED AND HEARD THE NUMBER OF VICTIMS AND VEHICLES INVOLVED. CHAPLAIN DAY GAVE COMFORT TOT HE DOA'S TWO CHILDREN AND ALSO MINISTERED TO TWO CITIZENS WHO ASSISTED IN THE EXTRACATION OF THE VICTIMS PRIOR TO THE ARRIVAL OF THE FD. NO OTHER ACTION.



COLORADO SPRINGS FIRE DEPARTMENT  
CSFD UNIT RESPONSE REPORT  
(Part 1)

Date : Mar 6, 2001  
Time : 3:19:31 PM

**INCIDENT GENERAL INFORMATION**

<u>Incident No.</u>	<u>Alarm Date and Time</u>	<u>Incident Address</u>
9901364	Jan 17, 1999 8:37 AM	

Type of Situation Found      **FIRE-VEHICLE**

<u>CSFD Unit</u>	<u>Dispatched</u>	<u>Arrived</u>	<u>In-Service</u>
73 B	9:07 AM	9:13 AM	11:12 AM

**CSFD PERSONNEL ----- ROLE / ACTION TAKEN -----**

Action Taken :	00A64	ICS-PIO-PUBLIC INFORMATION OFFICER
	00B92	X-REFERRED TO CHAPLAIN
	00C64	ICS-VICTIM SERVICES-FOOD, SHELTER, ETC.
CSFD Personnel:	LUEHRING, NEIL C.	COMPANY OFFICER



COLORADO SPRINGS FIRE DEPARTMENT  
CSFD DUTY RESPONSE REPORT  
(Part 2)

Date : Mar 6, 2001  
Time : 3:19:31 PM

**INCIDENT GENERAL INFORMATION**

<u>Incident No.</u>	<u>Alarm Date and Time</u>	<u>Incident Address</u>
9901364	Jan 17, 1999 8:37 A	

Type of Situation Found    **FIRE-VEHICLE**

<u>CSFD Unit</u>	<u>Dispatched</u>	<u>Arrived</u>	<u>In-Service</u>
73 B	9:07 AM	9:13 AM	11:12 AM

---

**CSFD DUTY NARRATIVE -----**

DUTY COMPANY NARRATIVE by: FDNCL

[S] I responded to this scene at the request of the command officer to act as PIO. Command stated that this traffic accident had resulted in a fatality and two small children had been burned and injured. He also stated that bystanders had removed the two children from the burning vehicle, probably saving their lives.

[O] On arrival I observed two vehicles with extensive damage, apparently due to a very high speed impact. The victims had all been transported from the scene. Several media aencies were on the scene and were interviewing the bystanders that assisted the accident victims. The bystanders that assisted were emotionally stressed by the circumstances.

[A] Traffic accident.

[P]I gathered information to supply to the media and monitored the bystanders. We requested a chaplain to respond to help the bystanders deal with the emotional stress and assisted one of them in getting home as he did not wish to drive himself. I conducted media interviews and later returned to the scene to bring food to the crew that had been there for an extended period of time.



COLORADO SPRINGS FIRE DEPARTMENT  
CSFD UNIT RESPONSE REPORT  
(Part 1)

Date : Mar 6, 2001  
Time : 3:19:31 PM

**INCIDENT GENERAL INFORMATION**

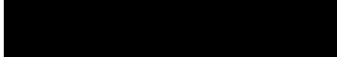
<u>Incident No.</u>	<u>Alarm Date and Time</u>	<u>Incident Address</u>
9901364	Jan 17, 1999 8:37 AM	

Type of Situation Found      FIRE-VEHICLE

<u>CSFD Unit</u>	<u>Dispatched</u>	<u>Arrived</u>	<u>In-Service</u>
D1 B	8:43 AM	8:46 AM	9:26 AM

**CSFD PERSONNEL ----- ROLE / ACTION TAKEN -----**

Action Taken :      00A99      MONITORED INCIDENT (CHIEF OFFICER ONLY)

CSFD Personnel:            DISTRICT CHIEF



COLORADO SPRINGS FIRE DEPARTMENT  
CSFD DUTY RESPONSE REPORT  
(Part 2)

Date : Mar 6, 2001  
Time : 3:19:31 PM

**INCIDENT GENERAL INFORMATION**

<u>Incident No.</u>	<u>Alarm Date and Time</u>	<u>Incident Address</u>
9901364	Jan 17, 1999 8:37 A	

Type of Situation Found    **FIRE-VEHICLE**

<u>CSFD Unit</u>	<u>Dispatched</u>	<u>Arrived</u>	<u>In-Service</u>
D1 B	8:43 AM	8:46 AM	9:26 AM

---

**CSFD DUTY NARRATIVE** -----

DUTY COMPANY NARRATIVE by: FDKZB  
d1 in with 2 to above location tawi. onw vehicle caught fire adn monitored incident.



COLORADO SPRINGS FIRE DEPARTMENT  
CSFD UNIT RESPONSE REPORT  
(Part 1)

Date : Mar 6, 2001  
Time : 3:19:31 PM

**INCIDENT GENERAL INFORMATION**

<u>Incident No.</u>	<u>Alarm Date and Time</u>	<u>Incident Address</u>
9901364	Jan 17, 1999 8:37 AM	

Type of Situation Found      FIRE-VEHICLE

<u>CSFD Unit</u>	<u>Dispatched</u>	<u>Arrived</u>	<u>In-Service</u>
E2 B	8:38 AM	8:42 AM	3:16 PM

**CSFD PERSONNEL ----- ROLE / ACTION TAKEN -----**

Action Taken :	00A15	FIRE-EXTINGUISHMENT
	00A83	MED-BLS
CSFD Personnel:	APURON, KEVIN J.	FIREFIGHTER
	INZER, LONNIE D.	COMPANY OFFICER
	STUPNIK, WALTER F.	DRIVER



COLORADO SPRINGS FIRE DEPARTMENT  
CSFD DUTY RESPONSE REPORT  
(Part 2)

Date : Mar 6, 2001  
Time : 3:19:31 PM

**INCIDENT GENERAL INFORMATION**

<u>Incident No.</u>	<u>Alarm Date and Time</u>	<u>Incident Address</u>
9901364	Jan 17, 1999 8:37 A	

Type of Situation Found    **FIRE-VEHICLE**

<u>CSFD Unit</u>	<u>Dispatched</u>	<u>Arrived</u>	<u>In-Service</u>
E2 B	8:38 AM	8:42 AM	3:16 PM

---

**CSFD DUTY NARRATIVE** -----

DUTY COMPANY NARRATIVE by: FDLDI

Dispatched to a traffic accident. Enroute dispatch updated to a TA w/fire and five vehicles. Upon arrival found one vehicle fully involved in fire and other vehicles damaged. Fire vehicle was a white Jeep. Other vehicle with one patient trapped was a red Honda sedan. E2 performed size-up. Bystanders were with all victims on ground. Man in Honda stated he was OK. I told him to stay still until we could get someone to him. He was approximately 40 feet away from the burning vehicle. E2 began treating the critical woman on scene and then extinguished fire with booster line and booster tank water. Lt. 2 set up command. (see IC report) Firefighters Stupnik and Apuron continued to treat patients. Apuron treated critical woman (pt. #1). Stupnik performed triage survey of the three other patients. T1, E1 and TS7 arrived and their manpower was used to treat patients and assist in transport. FF Stupnik biosolve all fuel and oil on ground and in Jeep gas tank to neutralize those hazards. Small fire also began under Honda. Fire was quickly extinguished with E2 booster. FF Apuron continued assisting treatment of Pt 1 with TS7 to hospital.

E2 stood by on scene for hazards throughout the PD investigation until tow trucks loaded vehicles. E2 then washed blood in median and again biosolved and agitated oil and fuel under vehicles.



COLORADO SPRINGS FIRE DEPARTMENT  
CSFD UNIT RESPONSE REPORT  
(Part 1)

Date : Mar 6, 2001  
Time : 3:19:31 PM

**INCIDENT GENERAL INFORMATION**

<u>Incident No.</u>	<u>Alarm Date and Time</u>	<u>Incident Address</u>
9901364	Jan 17, 1999 8:37 AM	

Type of Situation Found      FIRE-VEHICLE

<u>CSFD Unit</u>	<u>Dispatched</u>	<u>Arrived</u>	<u>In-Service</u>
IC B	8:45 AM	8:45 AM	9:31 AM

**CSFD PERSONNEL ----- ROLE / ACTION TAKEN -----**

Action Taken :      00A67      ICS-INCIDENT COMMANDER

CSFD Personnel:      INZER, LONNIE D.      COMPANY OFFICER



COLORADO SPRINGS FIRE DEPARTMENT  
CSFD DUTY RESPONSE REPORT  
(Part 2)

Date : Mar 6, 2001  
Time : 3:19:31 PM

**INCIDENT GENERAL INFORMATION**

<u>Incident No.</u>	<u>Alarm Date and Time</u>	<u>Incident Address</u>
9901364	Jan 17, 1999 8:37 A	

Type of Situation Found    **FIRE-VEHICLE**

<u>CSFD Unit</u>	<u>Dispatched</u>	<u>Arrived</u>	<u>In-Service</u>
IC B	8:45 AM	8:45 AM	9:31 AM

---

**CSFD DUTY NARRATIVE** -----

DUTY COMPANY NARRATIVE by:    FDLDI

Arrived on Engine two, did size-up, assigned E2 crew to patient care and extinguishment. Extinguished fire with booster, then formally took command. Assigned T1 to extrication and patient care. Assigned E1 to patient care. Assigned AMR paramedic Allen to TRIAGE. Assigned TS7 to patient #1 care and transport to Penrose Main. 73 was PIO, 98 investigated fire scene and fire casualties. E2 assigned to stand by on scene for hazards until PD investigation complete and vehicles loaded on tow trucks. Chaplain, Larry Day, assisted by talking to two bystanders who were instrumental in rescuing victims in Jeep. (See unit reports.)



**COLORADO SPRINGS FIRE DEPARTMENT  
CSFD UNIT RESPONSE REPORT  
(Part 1)**

Date : **Mar 6, 2001**  
Time : **3:19:31 PM**

**INCIDENT GENERAL INFORMATION**

<u>Incident No.</u>	<u>Alarm Date and Time</u>	<u>Incident Address</u>
<b>9901364</b>	<b>Jan 17, 1999 8:37 AM</b>	<b>[REDACTED]</b>

Type of Situation Found      **FIRE-VEHICLE**

<u>CSFD Unit</u>	<u>Dispatched</u>	<u>Arrived</u>	<u>In-Service</u>
<b>T1 B</b>	<b>8:39 AM</b>	<b>8:42 AM</b>	<b>9:18 AM</b>

**CSFD PERSONNEL ----- ROLE / ACTION TAKEN -----**

Action Taken :	<b>00A36</b>	<b>RES-EXTRICATION-REQUIRING HYDRAULIC TOOLS</b>
CSFD Personnel:	<b>BARTLETT, RODNEY L.</b>	<b>COMPANY OFFICER</b>
	<b>RAWSON JR., RICHARD E.</b>	<b>DRIVER</b>
	<b>SCHAWWE, MARK A.</b>	<b>FIREFIGHTER</b>



COLORADO SPRINGS FIRE DEPARTMENT  
CSFD DUTY RESPONSE REPORT  
(Part 2)

Date : Mar 6, 2001  
Time : 3:19:31 PM

**INCIDENT GENERAL INFORMATION**

<u>Incident No.</u>	<u>Alarm Date and Time</u>	<u>Incident Address</u>
9901364	Jan 17, 1999 8:37 A	[REDACTED]

Type of Situation Found    **FIRE-VEHICLE**

<u>CSFD Unit</u>	<u>Dispatched</u>	<u>Arrived</u>	<u>In-Service</u>
T1 B	8:39 AM	8:42 AM	9:18 AM

---

**CSFD DUTY NARRATIVE** -----

DUTY COMPANY NARRATIVE by:    FDRLB

S. DISPATCHED TO ASSIST E2 WITH TWO CAR T/A WITH FIRE AND MULTI-PATIENTS. E2 STATED BY RADIO TO REMOVE TRAPPED PATIENT FROM CAR #2 AND ASS WITH PATIENT CARE ON PATIENT #3. PATIENT STATED SHE WAS [REDACTED] AND RIDING IN THE JEEP DRIVEN BY HER MOTHER. PATIENT DID NOT REMEMBER WHAT HAD HAPPENED TO HER. NO CHIEF COMPLAINT.

O. TWO CAR AUTO/JEEP ACCIDENT HEAVY DAMAGE TO BOTH CARS JEEP NOTED TO BE ON FIRE ON FD ARRIVAL. THREE PATIENTS IN JEEP ALL OUTSIDE OF CAR ON THE GROUND. DRIVER STILL IN CAR #2 TRAPPED PATIENT MALE CONSCIOUS WITH NO MAJOR INJUIES. PATIENT #3 FEMALE [REDACTED] FOUND ON THE GROUND IN CARE OF FD FIREMAN CONSCIOUS TO NAME AND PLACE. NO TRAUMA NOTED PATIENT VERY UPSET AND NOTED BURNED HAIR NO AIRWAY PROBLEM NO SOB MOVEMENT ALL EXTRS BODY SURVEY FOUND NO INJURIES NO TENDERNESS WITH PALPATION ON C-SPINE.

A. TWO CAR T/A PATIENT #3 NOTED POSSIBLE HEAD INJURY AND BURNS  
PATIENT #4 SEE OTHER COMPANY REPORT

P..ASSIST WITH PATIENT CARE REMOVE TRAPPED PATIENT SCENE CLEAN-UP..



COLORADO SPRINGS FIRE DEPARTMENT  
CSFD UNIT RESPONSE REPORT  
(Part 1)

Date : Mar 6, 2001  
Time : 3:19:31 PM

**INCIDENT GENERAL INFORMATION**

<u>Incident No.</u>	<u>Alarm Date and Time</u>	<u>Incident Address</u>
9901364	Jan 17, 1999 8:37 AM	

Type of Situation Found      FIRE-VEHICLE

<u>CSFD Unit</u>	<u>Dispatched</u>	<u>Arrived</u>	<u>In-Service</u>
TS7 B	8:43 AM	8:46 AM	9:27 AM

**CSFD PERSONNEL ----- ROLE / ACTION TAKEN -----**

Action Taken :	00A83	MED-BLS
CSFD Personnel:	BUCKMILLER, KEITH	COMPANY OFFICER
	DUCY, KEVIN S.	PARAMEDIC TRAINEE
	LYMAN, CARL G.	PARAMEDIC



COLORADO SPRINGS FIRE DEPARTMENT  
CSFD DUTY RESPONSE REPORT  
(Part 2)

Date : Mar 6, 2001  
Time : 3:19:31 PM

**INCIDENT GENERAL INFORMATION**

<u>Incident No.</u>	<u>Alarm Date and Time</u>	<u>Incident Address</u>
9901364	Jan 17, 1999 8:37 A	[REDACTED]

Type of Situation Found    **FIRE-VEHICLE**

<u>CSFD Unit</u>	<u>Dispatched</u>	<u>Arrived</u>	<u>In-Service</u>
TS7 B	8:43 AM	8:46 AM	9:27 AM

---

**CSFD DUTY NARRATIVE** -----

DUTY COMPANY NARRATIVE by: FDKZB  
ts7 in with 2s' 1s' & 1s' to above location ta-trapped. There were two cars in the traveled portion of the road, There were cars and car parts most of the way up Nevada, so we went into the scene by travelling up against traffic to a position where we could get access to patients. The first south most one was (red)facing off to the north east in the north bound lane heavy damage to front end and air bags deployed. This vehicle was still occupied one time. Patient being tended to by T-1. The second one a (Jeep) facing almost north in north bound lane showing smoke intermittingly. Heavy damage with approx. 30 inches of intrusion to rear end gas tank exposed and ruptured. Interior compartment shows heavy signs of fire with melted dash, seats and objects on floor. Rag top on ground back toward Uintah Street. Car parts in median at approach to patient appears to be a transfer case. There are other wrecked vehicles on street but none were occupied. Battalion Chief Smith directed TS7 to Transport the woman in the median. We found woman in mediam CPR in progress already on a long back board. Engine 2 crew member tells us that bystanders told him that she was taken from the vehicle by civilian rescuers. We moved her to our pram and loaded for an emergent return to Penrose main. CPR en route and 2 minute return. Pt had cinged hair and transfered patient care to ED staff. ts7 returned to scene, no other action once there. rtq

Woman name [REDACTED]

t



COLORADO SPRINGS FIRE DEPARTMENT  
CSFD UNIT RESPONSE REPORT  
(Part 1)

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Time : 3:19:31 PM

**INCIDENT GENERAL INFORMATION**

<u>Incident No.</u>	<u>Alarm Date and Time</u>	<u>Incident Address</u>
9901364	Jan 17, 1999 8:37 AM	

Type of Situation Found      FIRE-VEHICLE

<u>CSFD Unit</u>	<u>Dispatched</u>	<u>Arrived</u>	<u>In-Service</u>
X98 B	8:53 AM	9:01 AM	10:36 AM

**CSFD PERSONNEL ----- ROLE / ACTION TAKEN -----**

Action Taken :	00A91	X-FIRE SCENE INVESTIGATION (INVESTIGATOR USE ONLY)
CSFD Personnel:	DAVIS, MICHAEL D.	INVESTIGATOR - SECONDARY
	GOSCH, NANCY L.	INVESTIGATOR - PRIMARY



COLORADO SPRINGS FIRE DEPARTMENT  
CSFD DUTY RESPONSE REPORT  
(Part 2)

Date : Mar 6, 2001  
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**INCIDENT GENERAL INFORMATION**

<u>Incident No.</u>	<u>Alarm Date and Time</u>	<u>Incident Address</u>
9901364	Jan 17, 1999 8:37 A	

Type of Situation Found    **FIRE-VEHICLE**

<u>CSFD Unit</u>	<u>Dispatched</u>	<u>Arrived</u>	<u>In-Service</u>
X98 B	8:53 AM	9:01 AM	10:36 AM

---

**CSFD DUTY NARRATIVE** -----

DUTY COMPANY NARRATIVE by: FDNLG  
X98 dispatched to above loc by IC.

LOC RESPONDED FROM: Station 7

IC: Lt. Inzer

OBSERVATIONS UPON ARRIVAL: E7, TS7, T1, PD on scene of a multi-vehicle TA. All patients and the victim had been removed from two vehicles and transported to area hospitals. Fire out. Debris covered a 1 block area from Uintah Street to San Miguel Street on northbound Nevada Avenue and in the median.

SCENE DESCRIPTION: Roadway in central Colorado Springs, two lanes northbound and two lanes southbound separated by a grass covered median. The accident occurred in the northbound lanes between Uintah Street on the South and San Miguel Street on the North. The accident involved a Honda Accord traveling northbound on Nevada Avenue at a high rate of speed, and a Jeep possibly turning northbound on Nevada Avenue from eastbound Uintah Street. Five other vehicles parked along the east curb of northbound Nevada Avenue were also damaged as a result of the accident.

Debris from the Honda, Jeep and the other vehicles was observed on the street and in the median. The Accord and the Jeep were approximately 20 feet from each other and the Jeep was burned. The Accord was facing east with the rear end against the curb. The Jeep was further north in the center of the two lanes facing northeast. Liquids from the Jeep ran onto the pavement, and a surface area approximately 6' x 4' appeared scorched. Small burned pieces of debris were also found on the pavement.

The rear portion of the Jeep and the interior were burned. Witnesses stated that an explosion was heard and a plume of smoke observed when the vehicles collided. After the vehicles came to rest, the witnesses said the



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X98 B	8:53 AM	9:01 AM	10:36 AM

underside of the Jeep was on fire and it was extending into the passenger area. Two passengers in the front seats of Jeep were extricated by bystanders, and the third, who was found standing in the back seat, was lifted out before fire completely engulfed the vehicle. The [REDACTED] boy in the back seat sustained second and third degree burns on his face, ears and hands. His burned jacket was observed in the median.

Two bystanders who extricated the front seat passengers were standing in the front yard of a house on Nevada Avenue, and other people were walking passed the scene. Several news reporters arrived and left while X98 was on scene.

INVESTIGATOR'S FINDINGS: CSPD stated patrons at a nearby restaurant reported the Honda was traveling at a high rate of speed, possibly 90 miles per hour, northbound on Nevada Avenue moments before the accident. It was also reported that the man driving the Honda had ransacked his own apartment that morning and his family was looking for him.

The Honda had front end and right side damage consistent with a collision at a high rate of speed. The rear portion of the Jeep was crushed from the impact of the Accord hitting it. The collision damaged the gas tank on the Jeep causing vapors to release and fuel to leak out. An electric arc ignited the vapors and fuel. The vapor cloud burned the [REDACTED] and singed the driver of the Accord. Burning fuel flew through the air and landed on a vehicle near the area where the Accord and the Jeep collided leaving black streaks on the side. This third vehicle was parked along the curb on Nevada Avenue facing north. As the Jeep traveled forward after impact, burning fuel landed in the median burning small patches of grass. After the Jeep stopped, witnesses reported seeing fire burning on the underside the jeep and extending into the passenger area. ER staff at Penrose Main stated the driver of the Jeep was not burned. ER staff at Memorial Hospital stated the [REDACTED] female, the front seat passenger, had singed hair and no burns.

FIRE CAUSE: The left front portion of the Accord hit the back of the Jeep



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X98 B	8:53 AM	9:01 AM	10:36 AM

and pushed the Jeep's spare tire (mounted to the back exterior) and the metal rear exterior wall of the Jeep down and inward. The Jeep's fuel tank was directly behind the metal rear exterior wall. This tank was crushed as a result of the impact. The fuel pump in the tank was forced upward through and partially out of the tank at the opening where it was attached. The electric wiring providing power to the fuel pump disconnected in the collision. A mark approximately 3/4" long on the Jeep frame next to the fuel tank appeared to be caused by an electric arc, possibly from the energized disconnected wiring from the fuel pump.

As the Jeep's fuel tank was being crushed, uncompressible fuel vapors in the tank were forced out through the opening where the pump had been attached. As the wiring touched the frame and arced, the vapors were ignited and an explosion occurred. The vapor cloud extended from the tank to the back seat of the jeep and the left driver's side of the Accord. Although the vapor cloud burned away immediately, the ignited fuel caused the [REDACTED] face, hands and jacket to burn. Thick plastic sheeting inside the driver's door on the Accord (looking from the top down into the center of the door) was melted and partially burned on the top edge. This indicates the burning vapor cloud extended to this portion of the Accord. The driver of the Accord was reported to have singed hair. No burn damage was noted inside the passenger compartment of the Accord. Plastic molding near the front left tire of this vehicle was also melted from extreme heat.

As the spare tire on the Jeep was pushed down and inward, the metal rear wall of the jeep was forced against the fuel tank. Metal from the wall of the Jeep hit the tank with such force that a small section on the tank, approximately the size of a dime, was filleted open. This caused fuel in the tank to leak out. The initial ignition and explosion caused this fuel to ignite and burn as it was leaking out. Small spot fire scars were observed in the grass covered median where the Jeep had travelled after impact. Some of this ignited fuel sprayed away from the Jeep and landed on a vehicle parked facing north on Nevada Avenue next to the location of impact.



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CSFD DUTY RESPONSE REPORT  
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X98 B	8:53 AM	9:01 AM	10:36 AM

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EVIDENCE/PHOTOS: One roll color 35mm film was used to document the scene. One roll 35mm color film was used to photograph the vehicles at the police impound lot on 01-19-99.

CSPD CASE REPORT NUMBER: 99-01495

ADDITIONAL: A bystander reportedly videotaped the scene after the collision and before CSFD arrived. The CSPD Accident Investigation Team stated they received a copy of the tape from the videographer. CSFD received a copy from CSPD on 01-19-99.



**BIOKINETIC**  
**ENGINEERING INC.**

CASE:

DATE:

9.27.01

ROLL:

1

2

3

4

5

6

7

NOTE:

EA12-005 Peer - Chrysler - 08837





EA12-005 Peer - Chrysler - 08838





EA12-005 Peer - Chrysler - 08839





EA12-005 Peer - Chrysler - 08840





EA12-005 Peer - Chrysler - 08841





EA12-005 Peer - Chrysler - 08842





EA12-005 Peer - Chrysler - 08843









EA12-005.Peer - Chrysler - 08845





EA12-005 Peer - Chrysler - 08846





EA12-005 Peer - Chrysler - 08847





EA12-005 Peer - Chrysler - 08848





EA12-005 Peer - Chrysler - 08849





EA12-005 Peer - Chrysler - 08850





EA12-005 Peer - Chrysler - 08851





EA12-005 Peer - Chrysler - 08852





EA12-005 Peer - Chrysler - 08853





EA12-005 Peer - Chrysler - 08854





EA12-005 Peer - Chrysler - 08855





EA12-005 Peer - Chrysler - 08856





EA12-005 Peer - Chrysler - 08857





EA12-005 Peer - Chrysler - 08858





EA12-005 Peer - Chrysler - 08859





EA12-005 Peer - Chrysler - 03860





EA12-005 Peer - Chrysler - 08861





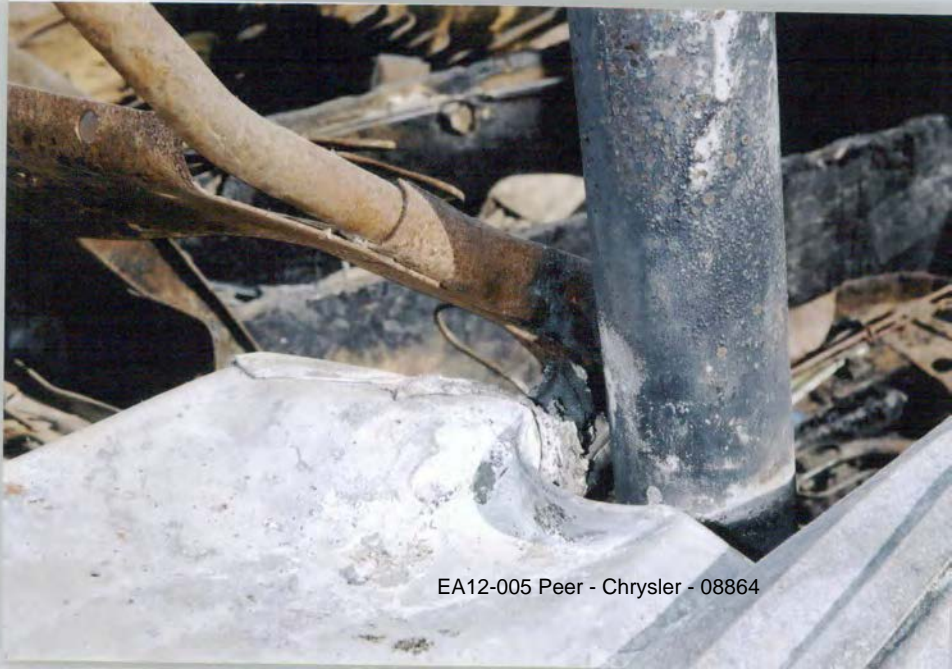
EA12-005 Peer - Chrysler - 08862





EA12-005 Peer - Chrysler - 08863





EA12-005 Peer - Chrysler - 08864









EA12-005 Peer - Chrysler - 08866



**BIOKINETIC**  
**ENGINEERING INC.**

CASE:	[REDACTED]
DATE:	9.27.01
ROLL:	<del>1</del> <del>2</del> 3 4 5 6 7
NOTE:	

EA12-005 Peer - Chrysler - 08867





EA12-005 Peer - Chrysler - 08868





EA12-005 Peer - Chrysler 08869





EA12-005 Peer - Chrysler - 08870



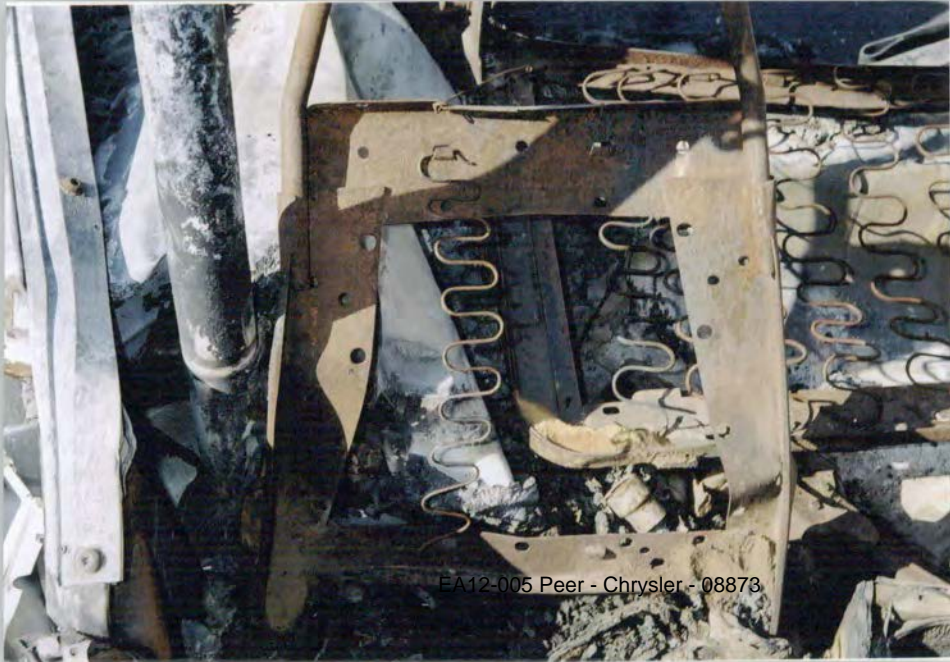


EA12-005 Peer - Chrysler - 08871













EA12-005 Peer - Chrysler - 08874





EA12-005 Peer - Chrysler - 08875





EA12-005 Peer - Chrysler - 08876









EA12-005 Peer - Chrysler - 08878





EA12-005 Peer - Chrysler - 08879





EA12-005 Peer - Chrysler - 08880





EA12-005 Peer - Chrysler - 08881





EA12-005 Peer - Chrysler - 08882





EA12-005 Peer - Chrysler - 08883





EA12-005 Peer - Chrysler - 08884





EA12-005 Peer - Chrysler - 08885





EA12-005 Peer - Chrysler - 08886





EA12-005 Peer - Chrysler - 08887





EA12-005 Peer - Chrysler - 08888






EA12-005 Peer - Chrysler - 08889





EA12-005 Peer - Chrysler - 08890





EA12-005 Peer - Chrysler - 08891





EA12-005 Peer - Chrysler - 08892









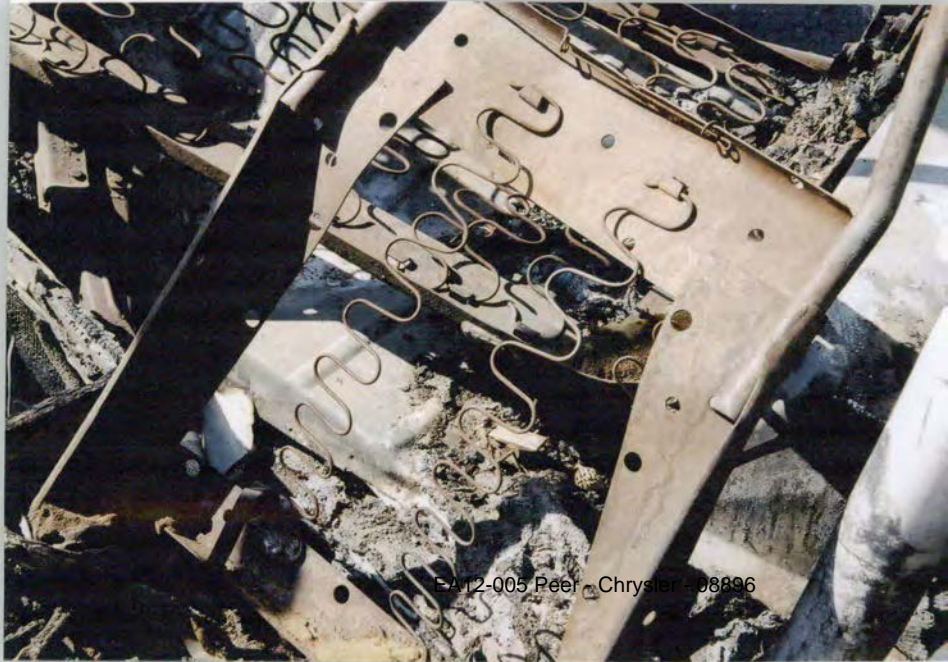
EA12005 Peer - Chrysler - 08894





EA12-005 Peer - Chrysler - 08895





EA12-005 Peer, Chrysler #08896





EA12-005 Peer - Chrysler - 08897





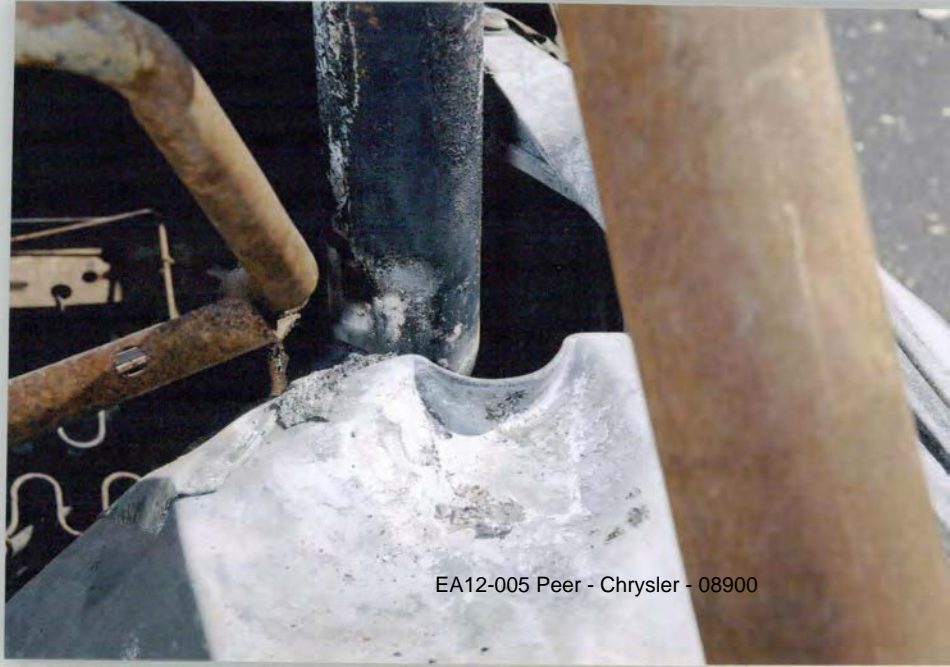
EA12-005 Peer - Chrysler - 08898





EA12-005 Peer - Chrysler - 08899





EA12-005 Peer - Chrysler - 08900



MANUFACTURED BY CHRYSLER CANADA LTD  
DATE 5-90



GVWR	24300 LBS				
CAVR FRT.	2200 LBS	WITH	P205/75R 15	TIRES	
	15 X 6 0	RIMS AT	028	P.S.I. COLD	
GVWR RR.	2500 LBS	WITH	P205/75R 15	TIRES	
	15 X 6 0	RIMS AT	032	P.S.I. COLD	

THIS VEHICLE CONFORMS TO ALL APPLICABLE FEDERAL MOTOR VEHICLE  
SAFETY STANDARDS IN EFFECT ON THE DATE OF MANUFACTURE  
VEHICLE IDENTIFICATION NUMBER 2J4FY19E2  
TYPE MPV

MDH

EA12-005 Peer - Chrysler - 08901





EA12-005 Peer - Chrysler - 09025

17 1'99





EA12-005 Peer - Chrysler - 09026





EA12-005 Peer - Chrysler - 09027





EA12-005 Peer - Chrysler - 09028





EA12-005 Peer - Chrysler - 09029

11 1'99





EA12-005 Peer - Chrysler - 09030

11 199





EA12-005 Peer - Chrysler - 09031





EA12-005 Peer - Chrysler - 09032





EA12-005 Peer - Chrysler - 09033

17 1'99





EA12-005 Peer - Chrysler - 09034

17 1'99





EA12-005 Peer - Chrysler - 09035

17 199





EA12-005 Peer - Chrysler - 09036





EA12-005 Peer - Chrysler - 09037





EA12-005 Peer - Chrysler - 09038





EA12-005 Peer - Chrysler - 09039

17 1999





EA12-005 Peer - Chrysler - 09040

11 199





EA12-005 Peer - Chrysler - 09041





1G3BP83E9M

EA12-005 Peer - Chrysler - 09042





EA12-005 Peer - Chrysler - 09043





EA12-005 Peer - Chrysler - 09044





EA12-005 Peer - Chrysler - 09045





EA12-005 Peer - Chrysler - 09046





EA12-005 Peer - Chrysler - 09047





EA12-005 Peer - Chrysler - 09048





EA12-005 Peer - Chrysler - 09049





EA12-005 Peer - Chrysler - 09050





EA12-005 Peer - Chrysler - 09051





EA12-005 Peer - Chrysler - 09052





EA12-005 Peer - Chrysler - 09053





EA12-005 Peer - Chrysler - 09054





EA12-005 Peer - Chrysler - 09055





EA12-005 Peer - Chrysler - 09056





EA12-005 Peer - Chrysler - 09057





EA12-005 Peer - Chrysler - 09058





EA12-005 Peer - Chrysler - 09059

1:30

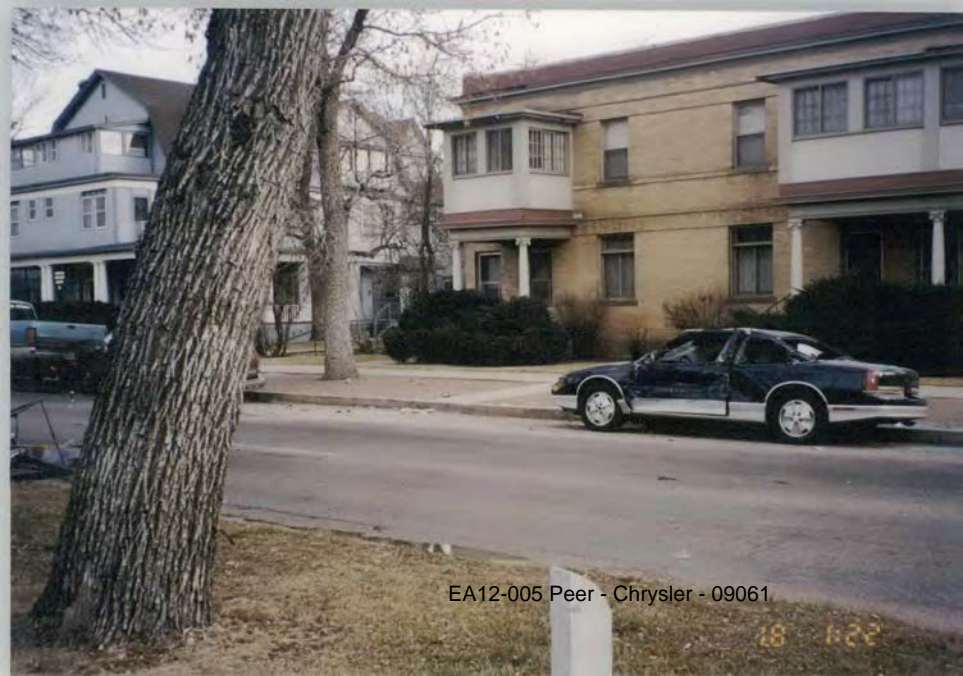




EA12-005 Peer - Chrysler - 09060

10 1:32





EA12-005 Peer - Chrysler - 09061

18 1:22





EA12-005 Peer - Chrysler - 09062

18 1:29





EA12-005 Peer - Chrysler - 09063

18 1:33





EA12-005 Peer - Chrysler - 09064

18 1:33





EA12-005 Peer - Chrysler - 09065

18 1:32





EA12-005 Peer - Chrysler - 09066

18 1:32





EA12-005 Peer - Chrysler - 09067

18 1:22





EA12-005 Peer - Chrysler - 09068

18 1-21





EA12-005 Peer - Chrysler - 09069

18 1:28





EA12-005 Peer - Chrysler - 09070






EA12-005 Peep - Chrysler - 09071

18 11





EA12-005 Peer - Chrysler - 09072

18 1:17





EA12-005 Peer - Chrysler - 09073

18 8:13





EA12-005 Peer - Chrysler - 09074





EA12-005 Peer - Chrysler - 09075

18 11 15





EA12-005 Peer - Chrysler - 09076





EA12-005 Peer - Chrysler - 09077





EA12-005 Peer - Chrysler - 09078





EA12-005 Peer - Chrysler - 09079

18 1:14





EA12-005 Peer - Chrysler - 09080

18 11 13





EA12-005 Peer - Chrysler - 09081

18 11:14





EA12-005 Peer - Chrysler - 09082

18 1:13





EA12-005 Peer - Chrysler - 09083





EA12-005 Peel - Chrysler - 09084





EA12-005 Peer - Chrysler - 09085





EA12-005 Peer - Chrysler - 09086





EA12-005 Peer - Chrysler - 09087

17 1993





EA12-005 Peer - Chrysler - 09088

17 139





EA12-005 Peer - Chrysler - 09089

11 1993





EA12-005 Peer - Chrysler - 09090

17 1'99





EA12-005 Peer - Chrysler - 09091





EA12-005 Peer - Chrysler - 09092





EA12-005 Peer - Chrysler - 09093





EA12-005 Peer - Chrysler - 09094





EA12-005 Peer - Chrysler - 09095





EA12-005 Peer - Chrysler - 09096





EA12-005 Peer - Chrysler - 09097





EA12-005 Peer - Chrysler - 09098





EA12-005 Peer - Chrysler - 09099





EA12-005 Peer - Chrysler - 09100





EA12-005 Peer - Chrysler - 09101





EA12-005 Peer - Chrysler - 09102





EA12-005 Peer - Chrysler - 09103





EA12-005 Peer - Chrysler - 09104





EA12-005 Peer - Chrysler - 09105









EA12-005 Peer - Chrysler - 09107





EA12-005 Peer - Chrysler - 09108





EA12-005 Peer - Chrysler - 09109





EA12-005 Peer - Chrysler - 09110





EA12-005 Peer - Chrysler - 09111





EA12-005 Peer - Chrysler - 09112





EA12-005 Peer - Chrysler - 09113





EA12-005 Peer - Chrysler - 09114





EA12-005 Peer - Chrysler - 09115





EA12-005 Peer - Chrysler - 09116





EA12-005 Peer - Chrysler - 09117





EA12-005 Peer - Chrysler - 09118





EA12-005 Peer - Chrysler - 09119





EA12-005 Peer - Chrysler - 09120





EA12-005 Peer - Chrysler - 09121

11 1'39





EA12-005 Peer - Chrysler - 09122





EA12-005 Peer - Chrysler - 09123

17-0995





EA12-005 Peer - Chrysler - 09124





EA12-005 Peer - Chrysler - 09125

17 1'99





EA12-005 Peer - Chrysler - 09126





EA12-005 Peer - Chrysler - 09127





EA12-005 Peer - Chrysler - 09128

1'99





EA12-005 Peer - Chrysler - 09129

17 1999





EA12-005 Peer - Chrysler - 09130

17 1'99





EA12-005 Peer - Chrysler - 09131

17 1'99





EA12-005 Peer - Chrysler - 09132

17 1999





EA12-005 Peer - Chrysler - 09133





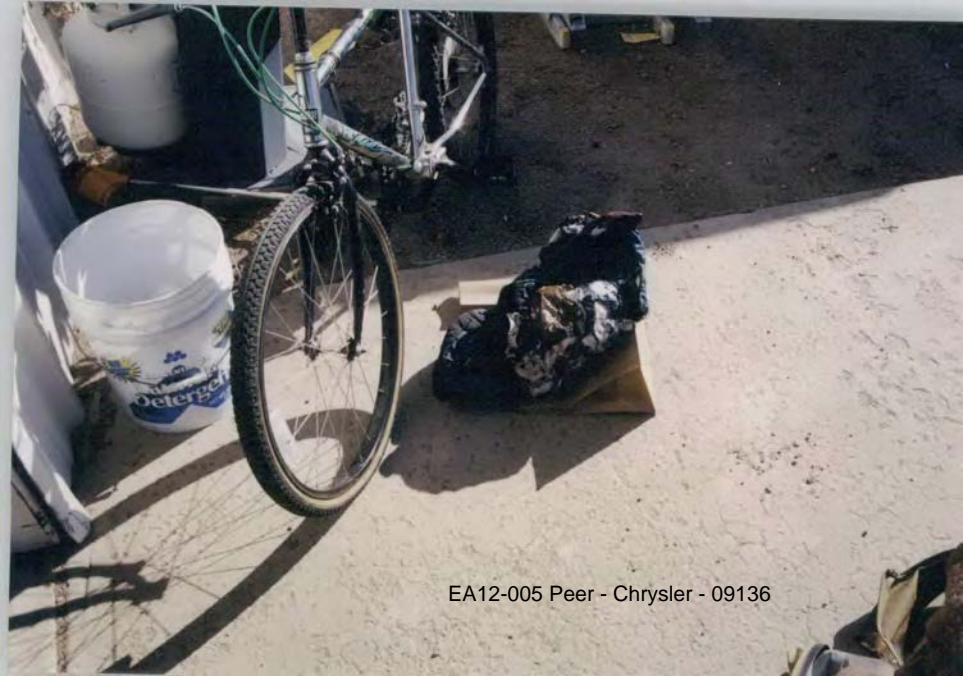
EA12-005 Peer - Chrysler - 09134





EA12-005 Peer - Chrysler - 09135





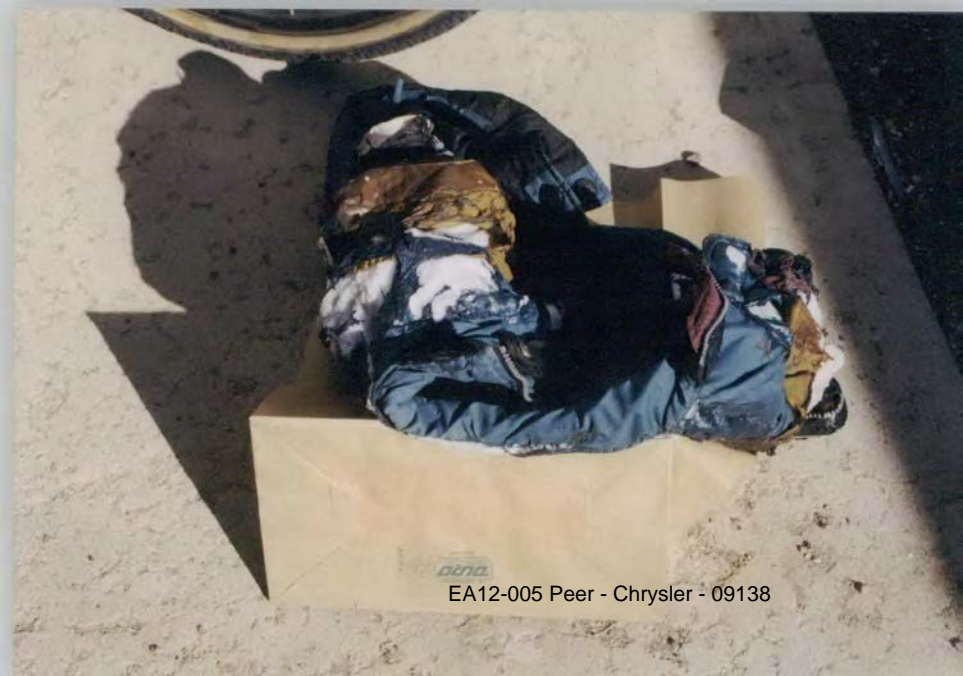
EA12-005 Peer - Chrysler - 09136





EA12-005 Peer - Chrysler - 09137





EA12-005 Peer - Chrysler - 09138





EA12-005 Peer - Chrysler - 09139





EA12-005 Peer - Chrysler - 09140






EA12-005 Peer - Chrysler - 09141





EA12-005 Peer - Chrysler - 09142



A photograph showing two jackets and a cardboard box on a sandy surface. A dark blue quilted jacket is lying flat, with its shadow cast to the left. A blue and white patterned jacket is partially visible, tucked under the blue jacket. A cardboard box is positioned behind the jackets. The scene is brightly lit, creating sharp shadows.

EA12-005 Peer - Chrysler - 09143





EA12-005 Peer - Chrysler - 09144





EA12-005 Peer - Chrysler - 09145





EA12-005 Peer - Chrysler - 09146





EA12-005 Peer - Chrysler - 09147





EA12-005 Peer - Chrysler - 09148





EA12-005 Peer - Chrysler - 09149





EA12-005 Peer - Chrysler - 09150





EA12-005 Peer - Chrysler - 09151





EA12-005 Peer - Chrysler - 09152





EA12-005 Peer - Chrysler - 09153





EA12-005 Peer - Chrysler - 09154





EA12-005 Peer - Chrysler - 09155





EA12-005 Peer - Chrysler - 09156





EA12-005 Peer - Chrysler - 09157





EA12-005 Peer - Chrysler - 09158





EA12-005 Peer - Chrysler - 09159





EA12-005 Peer - Chrysler - 09160





EA12-005 Peer - Chrysler - 09161





EA12-005 Peer - Chrysler - 09162





EA12-005 Peer - Chrysler - 09163





EA12-005 Peer - Chrysler - 09164





EA12-005 Peer - Chrysler - 09165





EA12-005 Peer - Chrysler - 09166





EA12-005 Peer - Chrysler - 09167





EA12-005 Peer - Chrysler - 09168





EA12-005 Peer - Chrysler - 09169





EA12-005 Peer - Chrysler - 09170





EA12-005 Peer - Chrysler - 09171





EA12-005 Peer - Chrysler - 09172





EA12-005 Peer - Chrysler - 09173





EA12-005 Peer - Chrysler - 09174





EA12-005 Peer - Chrysler - 09175





EA12-005 Peer - Chrysler - 09176





EA12-005 Peer - Chrysler - 09177





EA12-005 Peer - Chrysler - 09178





EA12-005 Peer - Chrysler - 09179





EA12-005 Peer - Chrysler - 09180





EA12-005 Peer - Chrysler - 09181





EA12-005 Peer - Chrysler - 09182





EA12-005 Peer - Chrysler - 09183





EA12-005 Peer - Chrysler - 09184





EA12-005 Peer - Chrysler - 09185





EA12-005 Peer - Chrysler - 09186





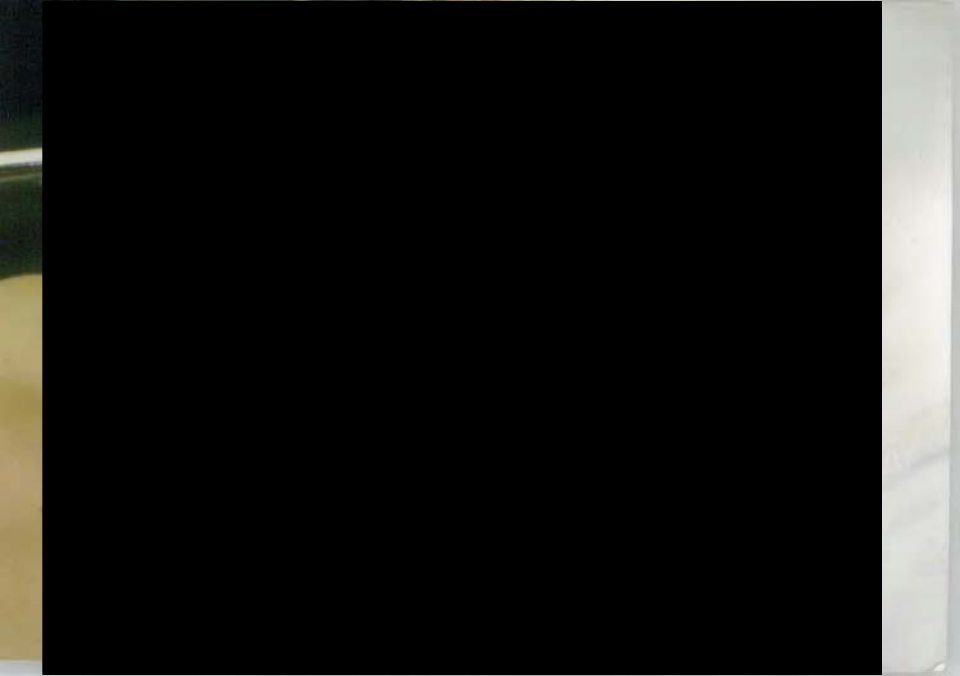
EA12-005 Peer - Chrysler - 09187





EA12-005 Peer - Chrysler - 09188









EA12-005 Peer - Chrysler - 09190

11 1'98





EA12-005 Peer - Chrysler - 09191



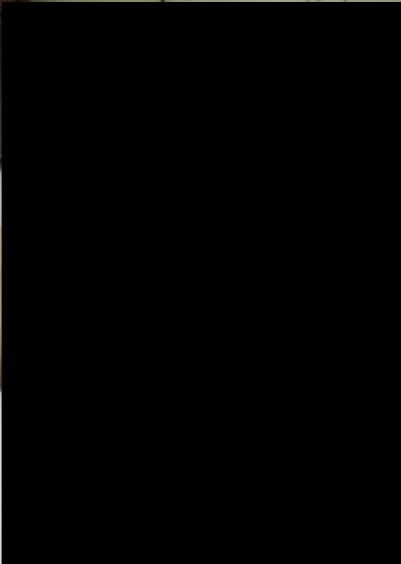


EA12-005 Peer - Chrysler - 09192









EA12-005 Peer - Chrysler - 09194





EA12-005 Peer - Chrysler - 09195

20 1-02





EA12-005 Peer - Chrysler - 09196


00 7002





EA12-005 Peer - Chrysler - 09197






EA12-005 Peer - Chrysler - 09198

20 7:02

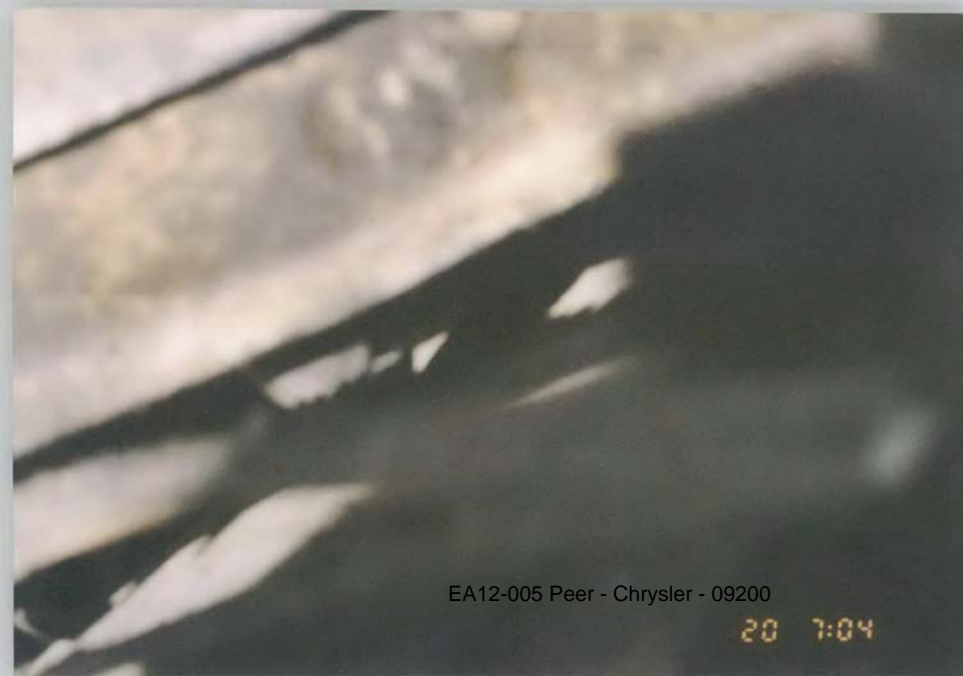




EA12-005 Peer - Chrysler - 09199

20 7:04






EA12-005 Peer - Chrysler - 09200

20 7:04





EA12-005 Peer - Chrysler - 09201

20 7:03





EA12-005 Peer - Chrysler - 09202





EA12-005.Peer - Chrysler - 09203

20 7:06





EA12-005 Peer - Chrysler - 09204

20 7:06





EA12-005 Peer - Chrysler - 09205

20 1:05





EA12-005 Peer - Chrysler - 09206

20 7:05





EA12-005 Peer - Chrysler - 09207





EA12-005 Peer - Chrysler - 09208





EA12-005 Peer - Chrysler - 09209





EA12-005 Peer - Chrysler - 09210

20 7:18





EA12-005 Peer - Chrysler - 09211

20 7:32





EA12-005 Peer - Chrysler - 09212

20 7:32






EA12-005 Peer - Chrysler - 09213

20 7:30



A close-up photograph of a damaged vehicle body panel, likely a fender or door, showing significant peeling of the red paint and underlying white primer. A frayed black cable with a yellow tip is visible on the left, and a thick, light-colored rope is draped across the right side of the panel. The background is a dark, textured surface.

EA12-005 Peer - Chrysler - 09214

20 7:30





EA12-005 Peer - Chrysler - 09215

20 7:35





EA12-005 Peer - Chrysler - 09216

20 7:50





EA12-005 Peer - Chrysler - 09217

20 7:33





EA12-005 Peer - Chrysler - 09218





EA12-005 Peer - Chrysler - 09219

20 8:00





EA12-005 Peer - Chrysler - 09220

11 199





EA12-005 Peer - Chrysler - 09221





EA12-005 Peer - Chrysler - 09222

17 1'99





EA12-005 Peer - Chrysler - 09223

17 1'99





EA12-005 Peer - Chrysler - 09224

01 199





EA12-005 Peer - Chrysler - 09225


11 1998





EA12-005 Peer - Chrysler - 09226





EA12-005 Peer - Chrysler - 09227

17 1999





EA12-005 Peer - Chrysler - 09228

17 1'99





EA12-005 Peer - Chrysler - 09229





EA12-005 Peer - Chrysler - 09230

17 1'39





EA12-005 Peer - Chrysler - 09231

17 1'99





EA12-005 Peer - Chrysler - 09232

17 1'99





EA12-005 Peer - Chrysler - 09233

11 1'99





EA12-005 Peer - Chrysler - 09234





EA12-005 Peer - Chrysler - 09235

11 7 99





EA12-005 Peer - Chrysler - 09236

10 1'89





EA12-005 Peer - Chrysler - 09237

11 1998





EA12-005 Peer - Chrysler - 09238

11 1999





EA12-005 Peer - Chrysler - 09239

17 1'99





EA12-005 Peer - Chrysler - 09240

11 199





EA12-005 Peer - Chrysler - 09241

17 1999





EA12-005 Peer - Chrysler - 09242





EA12-005 Peer - Chrysler - 09243





EA12-005 Peer - Chrysler - 09244





EA12-005 Peer - Chrysler - 09245

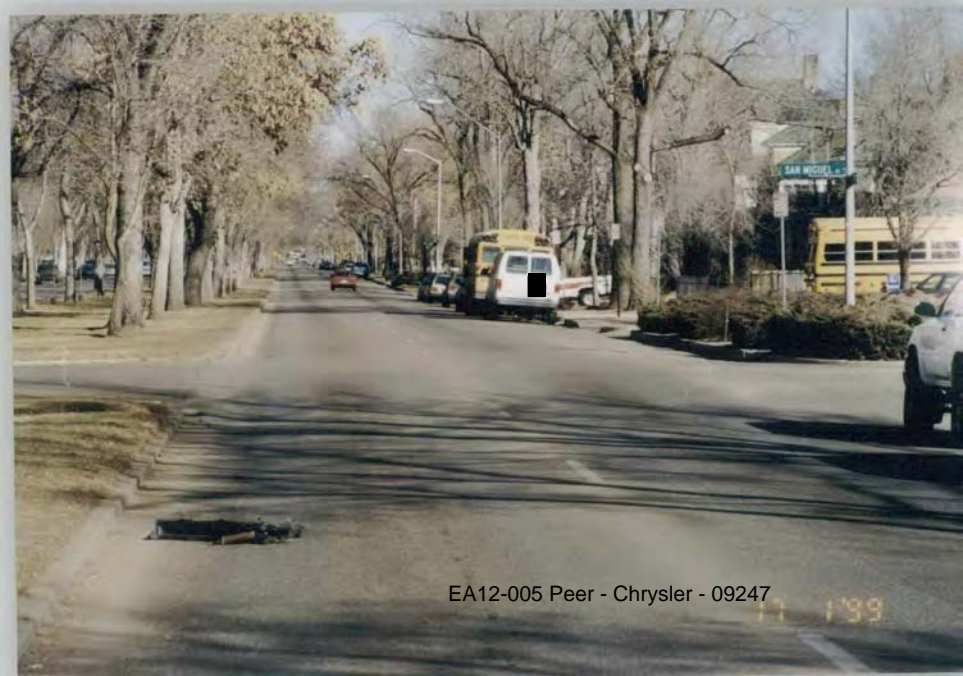




EA12-005 Peer - Chrysler - 09246

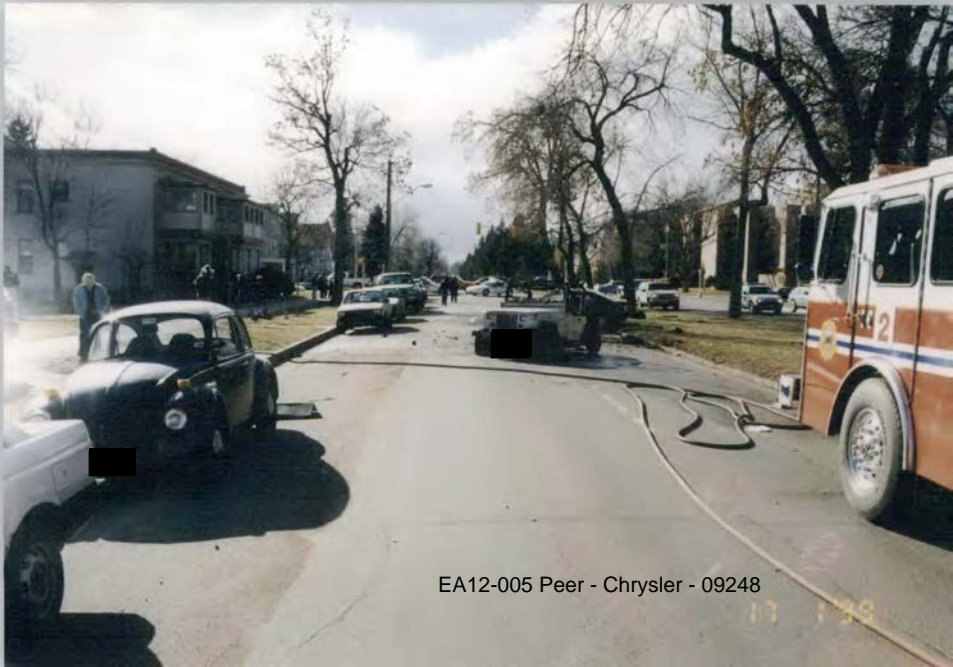
17 1'99





EA12-005 Peer - Chrysler - 09247





EA12-005 Peer - Chrysler - 09248

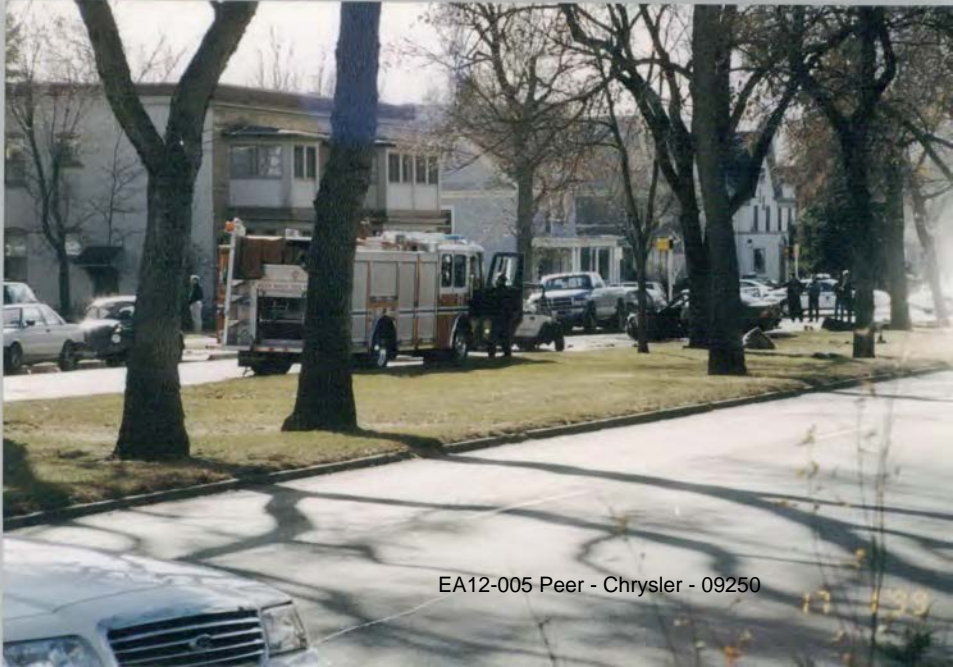




EA12-005 Peer - Chrysler - 09249

17 1'99





EA12-005 Peer - Chrysler - 09250





EA12-005 Peer - Chrysler - 09251

17 1'99





EA12-005 Peer - Chrysler - 09252

11/93





EA12-005 Peer - Chrysler - 09253

17 199





EA12-005 Peer - Chrysler - 09254

11 1'33





EA12-005 Peer - Chrysler - 09255





EA12-005 Peer - Chrysler - 09256





EA12-005 Peer - Chrysler - 09257





EA12-005 Peer - Chrysler - 09258





EA12-005 Peer - Chrysler - 09259

18 1120





EA12-005 Peer - Chrysler - 09260





EA12-005 Peer - Chrysler - 09261

18 1:15





EA12-005 Peer - Chrysler - 09262

18 1/17





EA12-005 Peer - Chrysler - 09263

18 1:20





EA12-005 Peer - Chrysler - 09264

18 0:13





EA12-005 Peer - Chrysler - 09265





EA12-005 Peer - Chrysler - 09266

18 11 18





EA12-005 Peer - Chrysler - 09267

18 421





EA12-005 Peer - Chrysler - 09268

18 1:15





EA12-005 Peer - Chrysler - 09269

18 122





EA12-005 Peer - Chrysler - 09270

18 11 13





EA12-005 Peer - Chrysler - 09271

16 1:32





EA12-005 Peer - Chrysler - 09272

18 1:32





EA12-005 Peer - Chrysler - 09273

18 1:32





EA12-005 Peer - Chrysler - 09274

18 1:22





EA12-005 Peer - Chrysler - 09275

18 1:29





EA12-005 Peer Chrysler - 09276

18 7:13





EA12-005 Peer - Chrysler - 09277

18 1:33





EA12-005 Peer - Chrysler - 09278

18 15





EA12-005 Peer - Chrysler - 09279

1:30





EA12-005 Peer - Chrysler - 09280

20 7:02





EA12-005 Peer - Chrysler - 09281


20 7:05





EA12-005 Peer - Chrysler - 09282





EA12-005 Peer - Chrysler - 09283

20 7:05





EA12-005 Peer - Chrysler - 09284

20 1:02





EA12-005 Peer - Chrysler - 00285

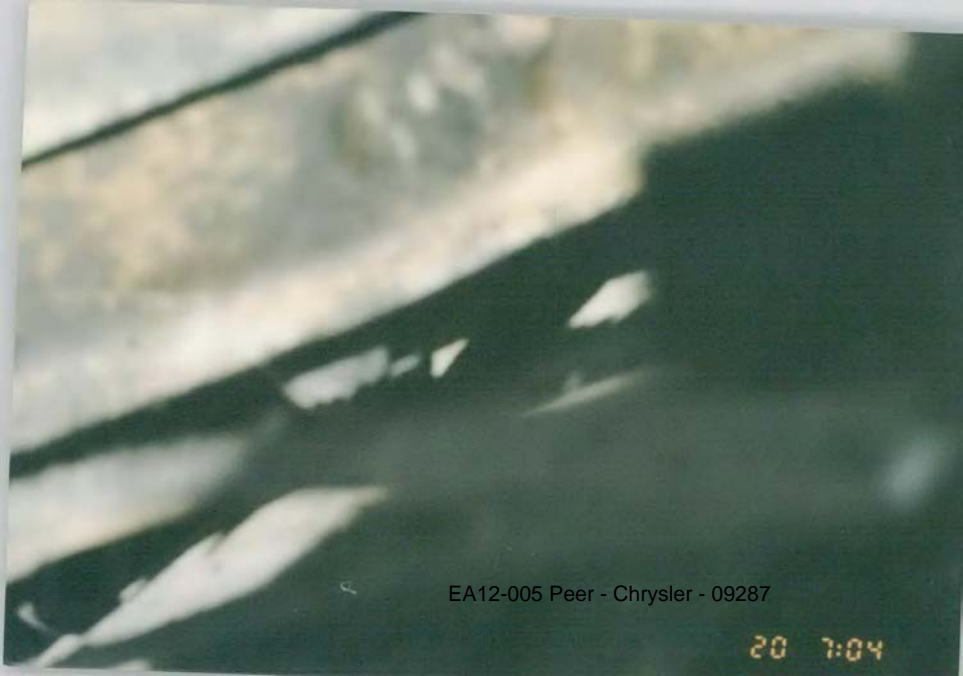




EA12-005 Peer - Chrysler - 09286

200304






EA12-005 Peer - Chrysler - 09287

20 7:04




A close-up photograph of a vehicle's undercarriage. A metal beam runs diagonally across the frame. A cylindrical component, possibly a shock absorber or a part of the suspension, is visible in the background. The image is somewhat blurry and has a dark, grainy background.

EA12-005 Peer - Chrysler - 09288

20 7:03





EA12-005 Peer - Chrysler - 09289

20 7:04





EA12-005 Peer - Chrysler - 09290

20 7:18





EA12-005 Peer - Chrysler - 09291

20 7:18






EA12-005 Peer - Chrysler - 09292

20 7:06





EA12-005 Peer - Chrysler - 09293

20 7:30





EA12-005 Peer - Chrysler - 09294

20 7:06





EA12-005 Peer - Chrysler - 09295

20 7:30





EA12-005 Peer - Chrysler - 09296

20 7:32





EA12-005 Peer - Chrysler - 09297

20 7:32





EA12-005 Peer - Chrysler - 09298

20 7:18





EA12-005 Peer - Chrysler - 09299

20 1:50





EA12-005 Peer - Chrysler - 09300





EA12-005 Peer - Chrysler - 09301

20 7:35





EA12-005 Peer - Chrysler - 09302

20 7:33





EA12-005 Peer - Chrysler - 09303

20 7:33





EA12-005 Peer - Chrysler - 09304

18 8 14





EA12-005 Peer - Chrysler - 09305

20 8:00





EA12-005 Peer - Chrysler - 09306

18 1:33





EA12-005 Peer - Chrysler - 09307

18 1:14



01-16

1

EA12-005 Peer - Chrysler - 09308





EA12-005 Peer - Chrysler - 09309





EA12-005 Peel - Chrysler - 09310





EA12-005 Peer - Chrysler - 09311





EA12-005 Peer - Chrysler - 09312





EA12-005 Peer - Chrysler - 09313





EA12-005 Peer - Chrysler - 09314





EA12-005 Peer - Chrysler - 09315





EA12-005 Peer - Chrysler - 09316





EA12-005 Peer - Chrysler - 09317





EA12-005 Peer - Chrysler - 09318





EA12-005 Peer - Chrysler - 09319





EA12-005 Peer - Chrysler - 09320





EA12-005 Peer - Chrysler - 09321





EA12-005 Peer - Chrysler - 09322





EA12-005 Peer - Chrysler - 09323





EA12-005 Peer - Chrysler - 09324









EA12-005 Peer - Chrysler - 09326





EA12-005 Peer - Chrysler - 09327





EA12-005 Peer - Chrysler - 09328





EA12-005 Peer - Chrysler - 09329





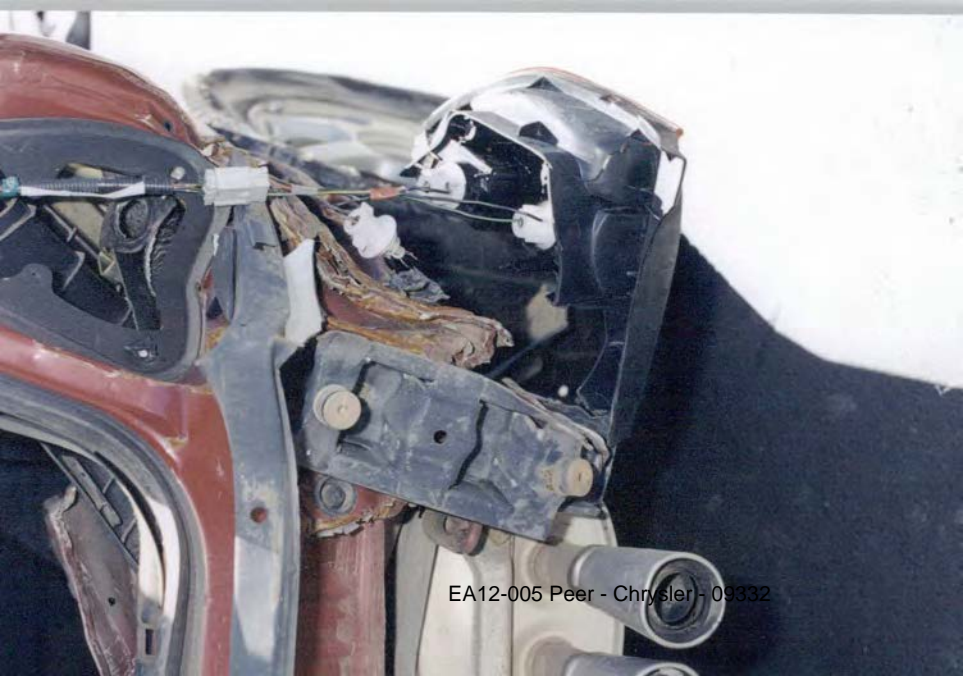
EA12-005 Peer - Chrysler - 09330





EA12-005 Peer - Chrysler - 09331





EA12-005 Peer - Chrysler - 09332





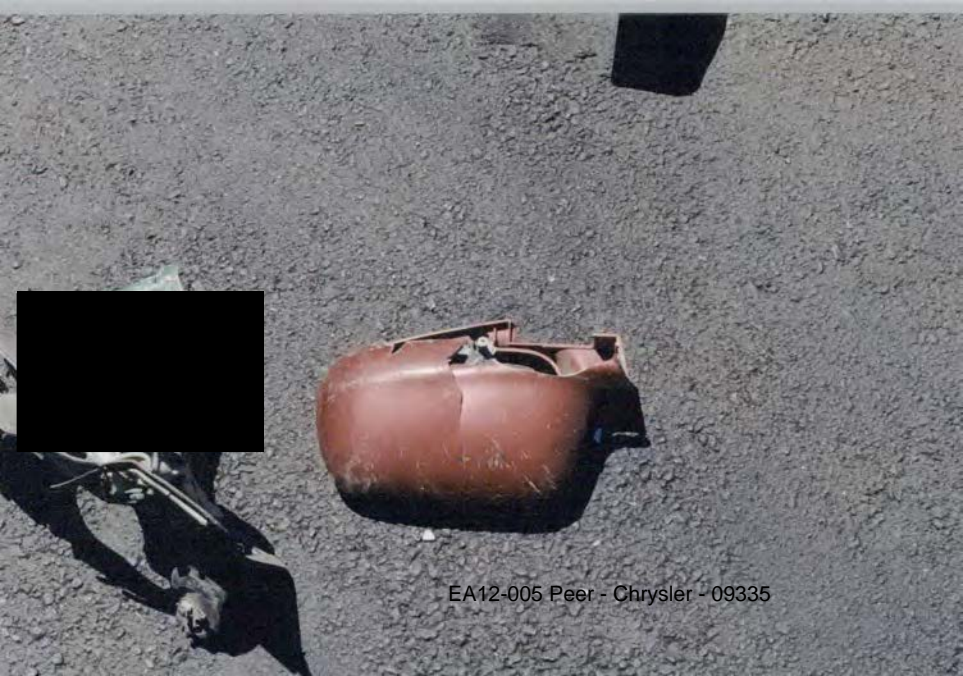
EA12-005 Peer - Chrysler - 09333





EA12-005 Peer - Chrysler - 09334





EA12-005 Peer - Chrysler - 09335





EA12-005 Peer - Chrysler - 09336





EA12-005 Peer - Chrysler - 09337





EA12-005 Peer - Chrysler - 09338





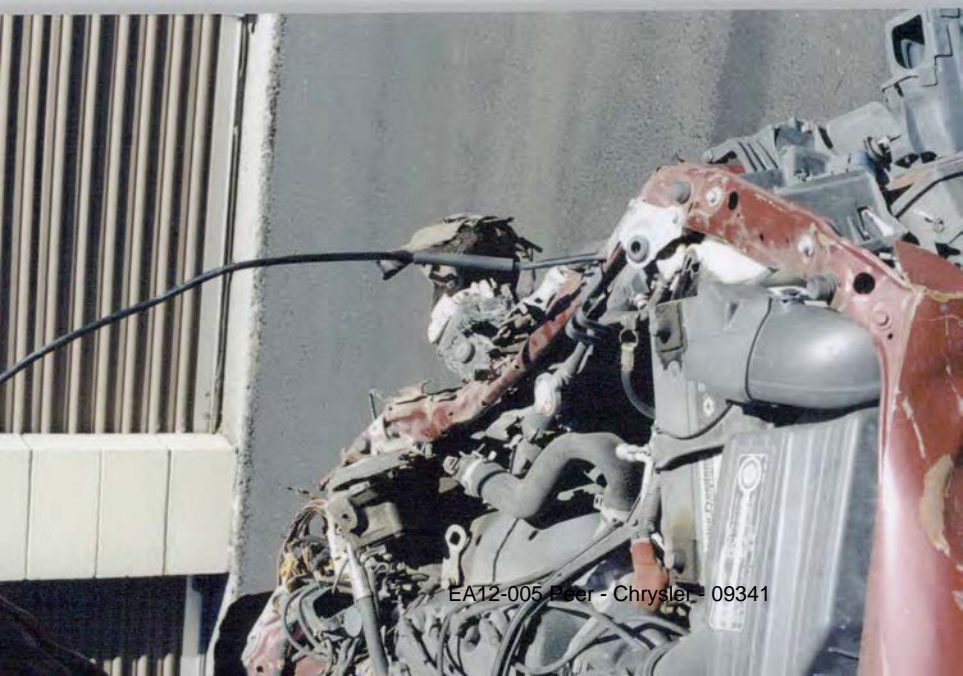
EA12-005 Peer - Chrysler - 09339





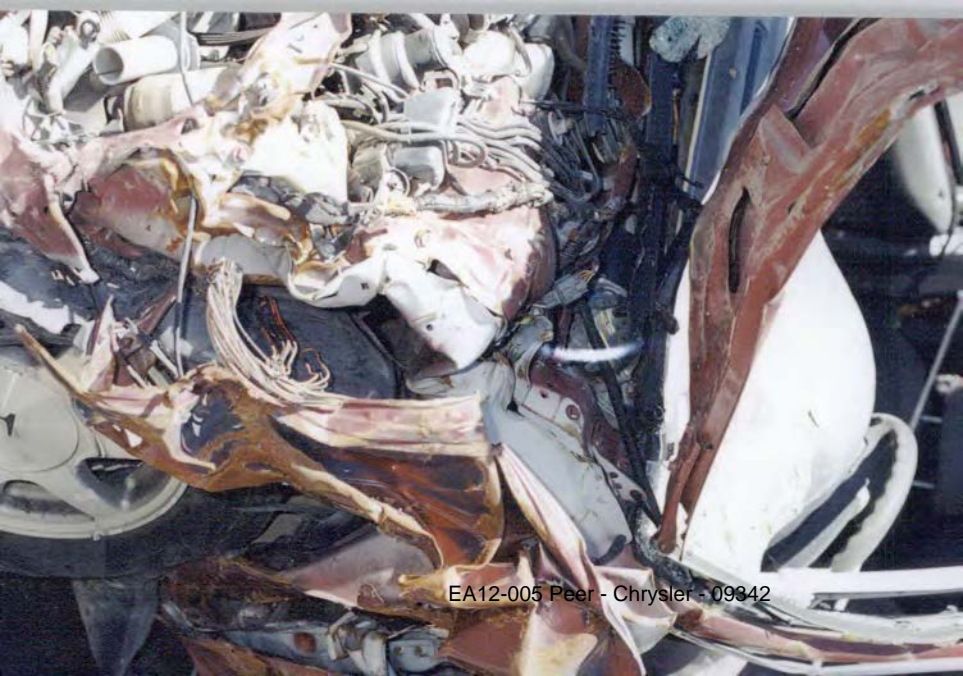
EA12-005 Peer - Chrysler - 09340





EA12-005 Peer - Chrysler - 09341





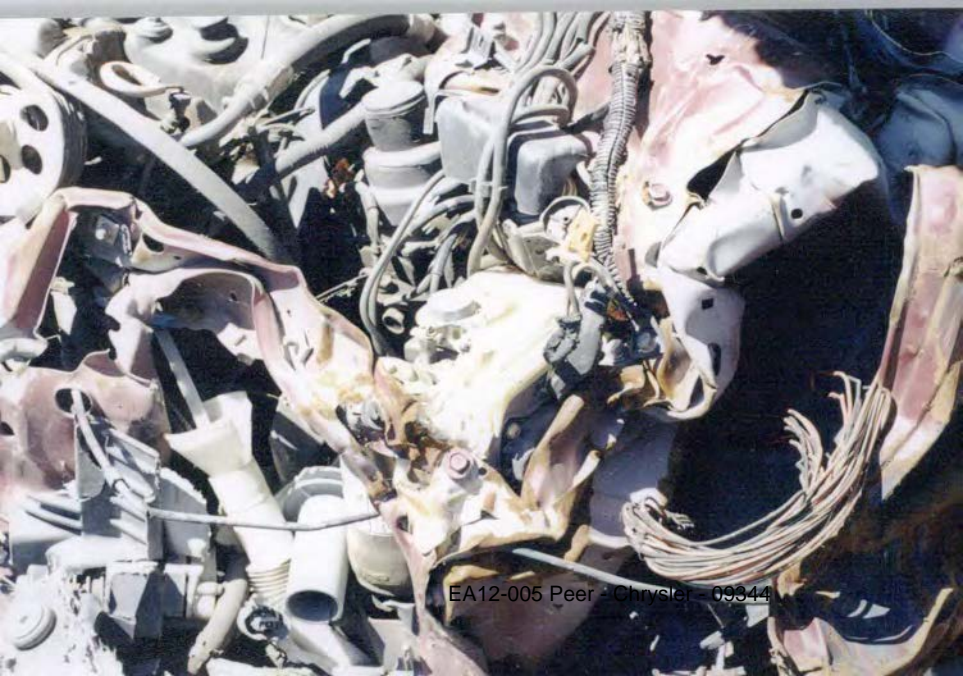
EA12-005 Peer - Chrysler - 09342





EA12-005 Peer - Chrysler - 09343





EA12-005 Peer - Chrysler - 09344





EA12-005 Peer - Chrysler - 09345



01-16

2





EA12-005 Peer - Chrysler - 09347





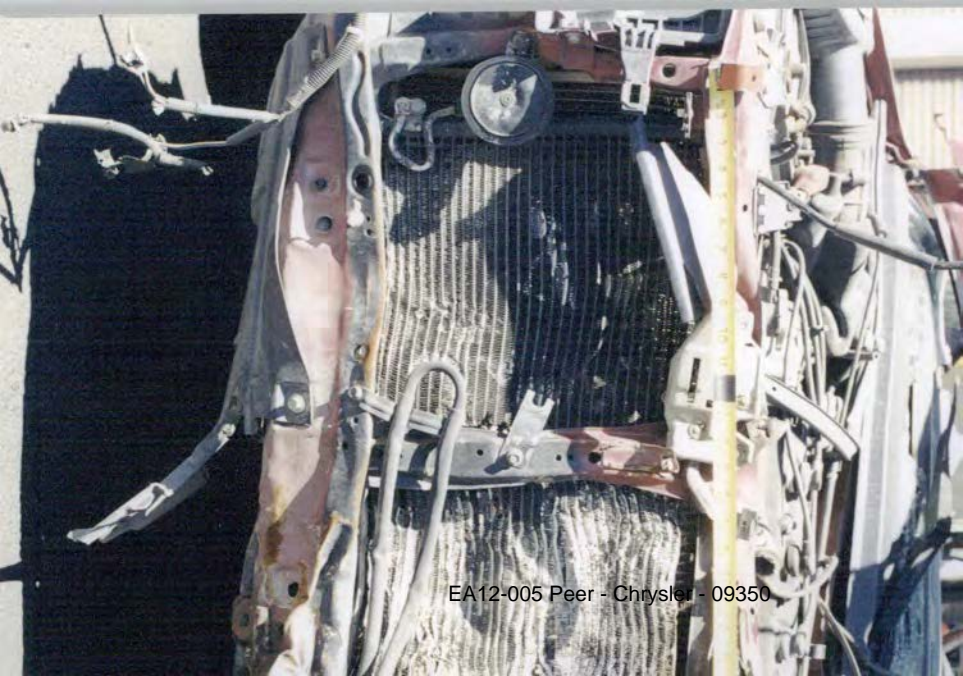
EA12-005 Peer - Chrysler - 09348





EA12-005 Peer - Chrysler - 09349





EA12-005 Peer - Chrysler - 09350





EA12-005 Peer - Chrysler - 09351





EA12-005 Peer - Chrysler - 09352





EA12-005 Peer - Chrysler - 09353





EA12-005 Peer - Chrysler - 09354





EA12-005 Peer - Chrysler - 09355





EA12-005 Peer - Chrysler - 09356





EA 12-005 Peer - Chrysler - 09357



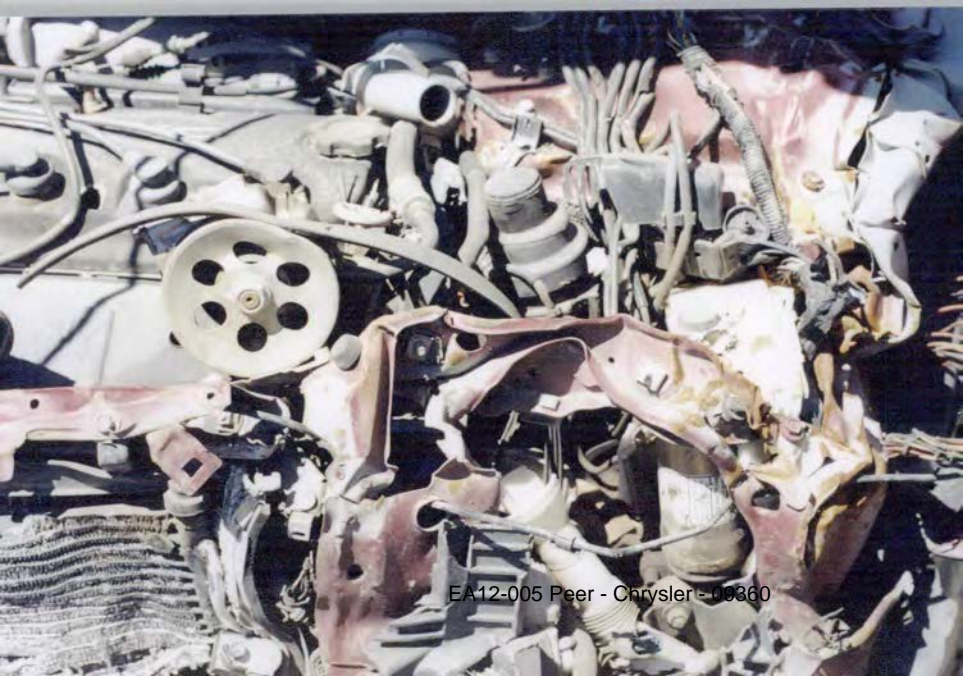






EA12-005 Peer - Chrysler - 09359





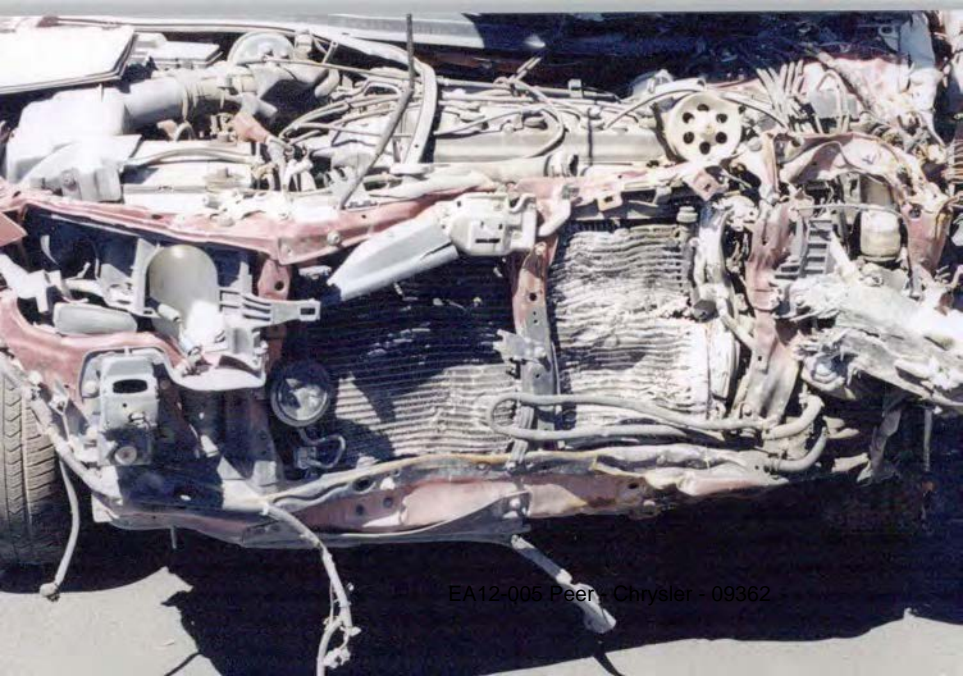
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EA12-005 Peer - Chrysler - 09361





EA12-Q05 Peer - Chrysler - 09362





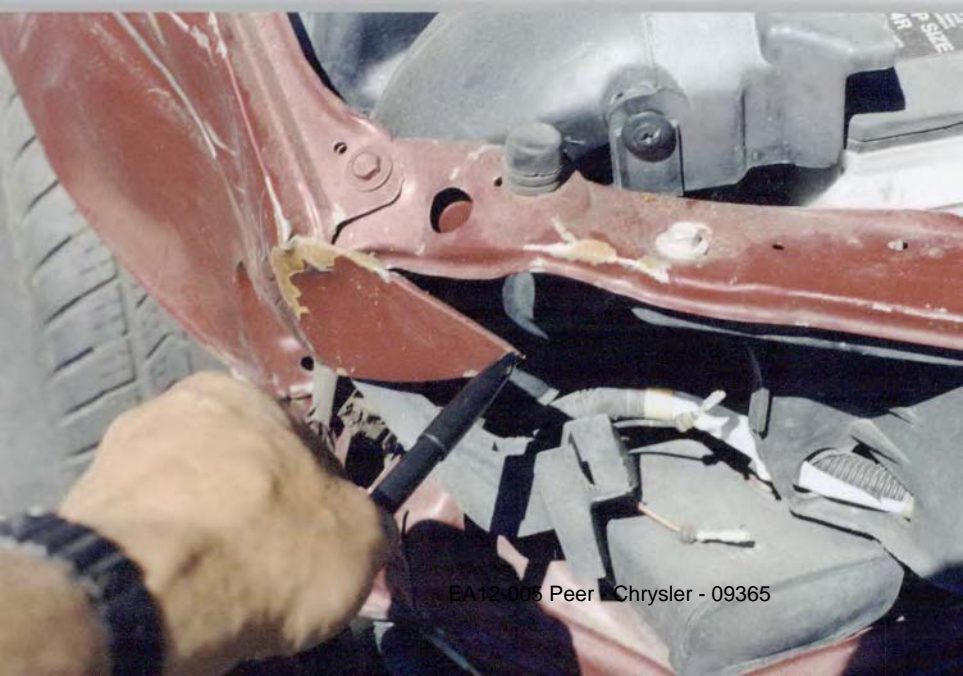
EA12-005 Peer - Chrysler - 09363





EA12-005 Peer - Chrysler - 09364





EA12-005 Peer Chrysler - 09365





EA12-005 Peer - Chrysler - 09366





EA12-005 Peer - Chrysler - 09367





EA12-005 Peer - Chrysler - 09368





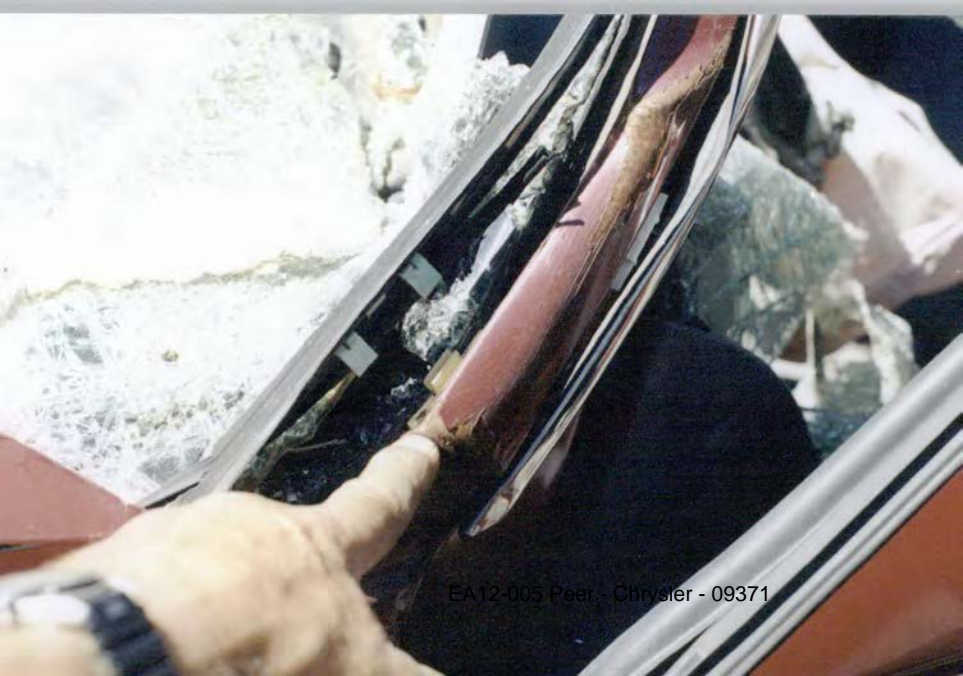
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EA12-005 Peer - Chrysler - 09370





EA12-005 Peer - Chrysler - 09371





EA12-005 Peer - Chrysler - 09372





EA12-005 Peer - Chrysler - 09373





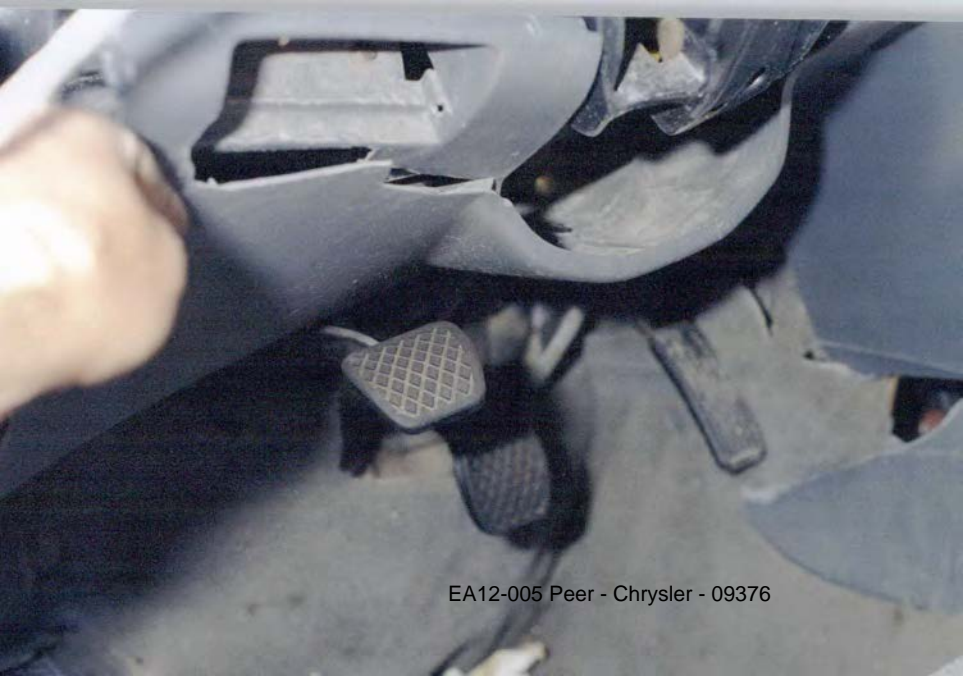
EA12-005 Peer - Chrysler - 09374





EA12-005 Peer - Chrysler - 09375





EA12-005 Peer - Chrysler - 09376





EA12-005 Peer - Chrysler - 09377





EA12-005 Peer - Chrysler - 09378





EA12-005 Peer - Chrysler - 09379





EA12-005 Peer - Chrysler - 09380





EA12-005 Peer - Chrysler - 09381





EA12-005 Peer - Chrysler - 09382



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EA12-005 Peer - Chrysler - 09383





EA12-005 Peer - Chrysler - 09384





EA12-005 Peer - Chrysler - 09385





EA12-005 Peer - Chrysler - 09386





EA12-005 Peer - Chrysler - 09387





EA12-005 Peer - Chrysler - 09388





EA12-005 Peer - Chrysler - 09389





EA12-005 Peer - Chrysler - 09390





EA12-005 Peer - Chrysler - 09391





EA12-005 Peer - Chrysler - 09392









EA12-005 Peer - Chrysler - 09394





EA12-005 Peer - Chrysler - 09395





EA12-005 Peer - Chrysler - 09396





EA12-005 Peer - Chrysler - 09397





EA12-005 Peer - Chrysler - 09398





EA12-005 Peer - Chrysler - 09399





EA12-005 Peer - Chrysler - 09400





EA12-005 Peer - Chrysler - 09401





EA12-005 Peer - Chrysler - 09402





EA12-005 Peer - Chrysler - 09403





EA12-005 Peer - Chrysler - 09404





EA12-005 Peer - Chrysler - 09405





EA12-005 Peer - Chrysler - 09406





EA12-005 Peer - Chrysler - 09407





EA12-005 Peer - Chrysler - 09408





EA12-005 Peer - Chrysler - 09409





EA12-005 Peer - Chrysler - 09410





EA12-005 Peer - Chrysler - 09411





EA12-005 Peer - Chrysler - 09412





EA12-005 Peer - Chrysler - 09413





EA12-005 Peer - Chrysler - 09414





EA12-005 Peer - Chrysler - 09415





EA12-005 Peer - Chrysler - 09416





EA12-005 Peer - Chrysler - 09417





EA12-005 Peer - Chrysler - 09418





EA12-005 Peer - Chrysler - 09419



01-16

234

EA12-005 Peer - Chrysler - 09420





EA12-005 Peer - Chrysler - 09421





EA12-005 Peer - Chrysler - 09422





EA12-005 Peer - Chrysler - 09423





EA12-005 Peer - Chrysler - 09424





EA12-005 Peer - Chrysler - 09425





EA12-005 Peer - Chrysler - 09426





EA12-005 Peer - Chrysler - 09427



MANUFACTURED BY CHRYSLER CANADA LTD  
DATE 5-98

GVWR	04300 LBS				
GAWR FRT.	2200 LBS	WITH	P205/75R 15	TIRES	
	15 X 6 0	RIMS AT	028	P.S.I. COLD	
GAWR RR	2500 LBS	WITH	P205/75R 15	TIRES	
	15 X 6 0	RIMS AT	032	P.S.I. COLD	

THIS VEHICLE COMPLIES TO ALL APPLICABLE FEDERAL SAFETY STANDARDS IN ACCORDANCE WITH THE FMVSS VEHICLE IDENTIFICATION TYPE

EA12-005 Peer - Chrysler - 09428



MANUFACTURED BY CHRYSLER CANADA LTD  
DATE 5-92

G.V.W.R.	2400 LBS				
GAWR FR.	2200 LBS	WITH	P205/75R 15	TIRES	
	15 X 6 0	RIMS AT	026	P.S.I. COLD	
GAWR RR.	2200 LBS	WITH	P205/75R 15	TIRES	
	15 X 6 0	RIMS AT	032	P.S.I. COLD	

VEHICLE IDENTIFICATION NUMBER [REDACTED]

EA12-005 Peer - Chrysler - 09429



SAFETY STANDARDS IN EFFECT ON THE DATE OF MANUFACTURE SHOWN ABOVE

SAFETY STANDARDS IN EFFECT ON THE DATE OF MANUFACTURE SHOWN ABOVE

TIRES  
P.S.I. COLD  
TIRES  
P.S.I. COLD

SAFETY STANDARDS IN EFFECT ON THE DATE OF MANUFACTURE SHOWN ABOVE  
VEHICLE IDENTIFICATION NUMBER 2J4FY19E2L

TYPE MPV

53008581

EA12-005 Peer - Chrysler - 09430



TIRES  
COLD  
TIRES  
COLD

THIS VEHICLE CONFORMS TO ALL APPLICABLE FEDERAL MOTOR VEHICLE  
SAFETY STANDARDS IN EFFECT ON THE DATE OF MANUFACTURE  
VEHICLE IDENTIFICATION NUMBER 2J4FY19E2L [REDACTED]  
TYPE MPV [REDACTED]

53008581

EA12-005 Peer - Chrysler - 09431



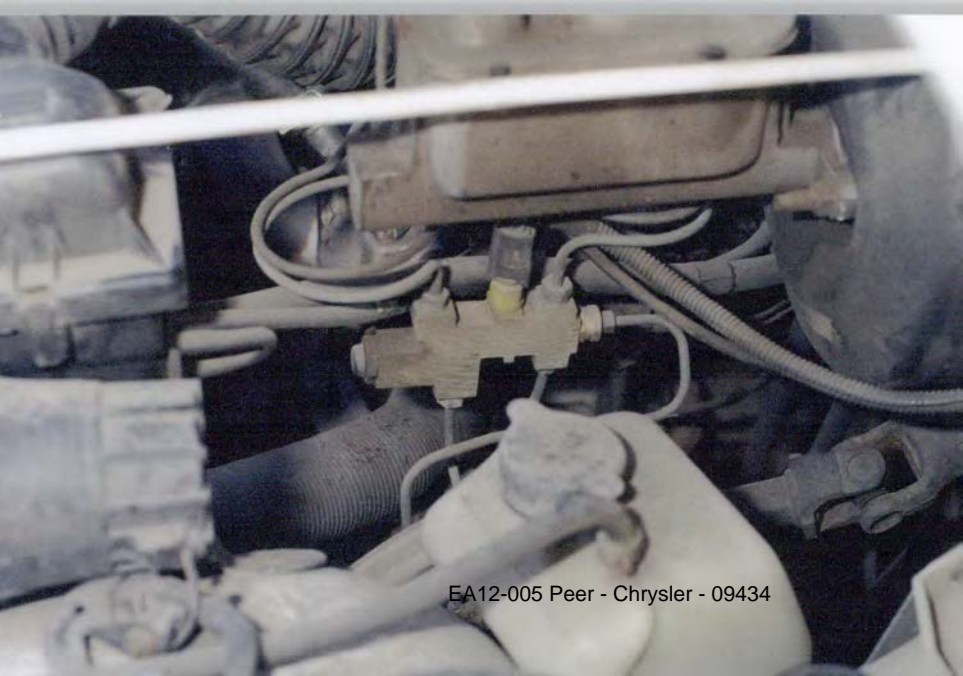






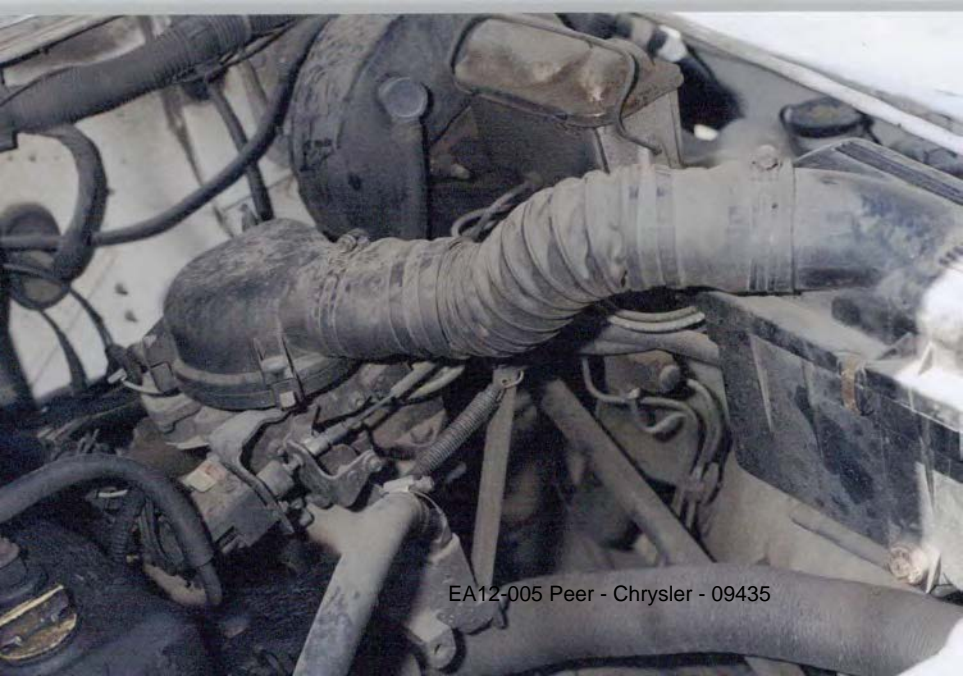
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EA12-005 Peer - Chrysler - 09434





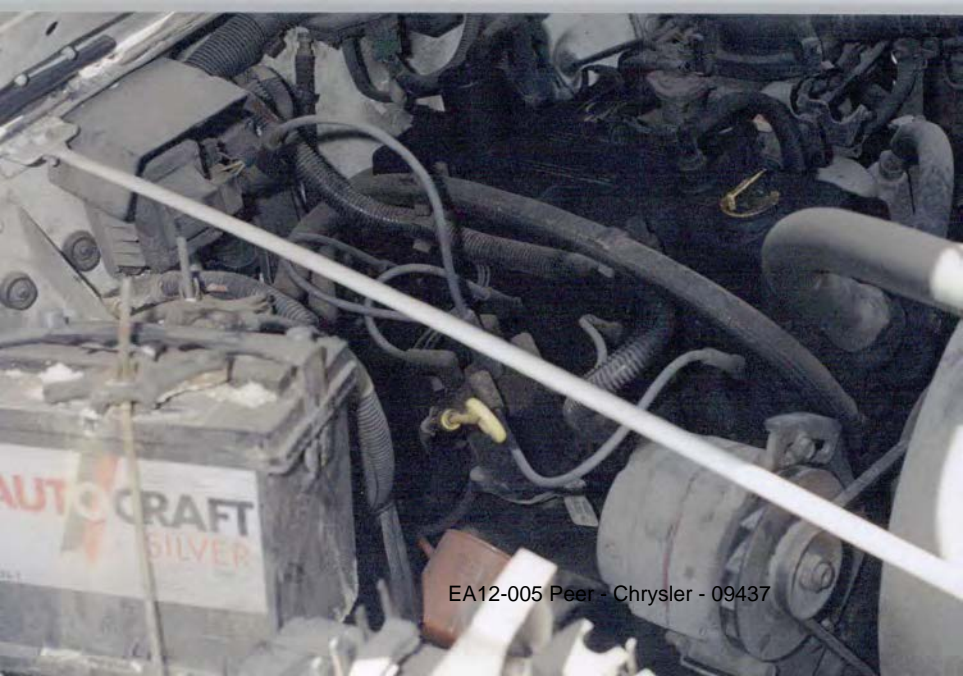
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EA12-005 Peer - Chrysler - 09436





EA12-005 Peer - Chrysler - 09437





EA12-005 Peer - Chrysler - 09438





EA12-005 Peer - Chrysler - 09439





EA12-005 Peer - Chrysler - 09440





EA12-005 Peer - Chrysler - 09441





EA12-005 Peer - Chrysler - 09442





EA12-005 Peer - Chrysler - 09443





EA12-005.Peer - Chrysler - 09444





EA12-005 Peer - Chrysler - 09445





EA12-005 Peer - Chrysler - 09446





EA12-005 Peer - Chrysler - 09447





EA12-005 Peer - Chrysler - 09448





EA12-005 Peer - Chrysler - 09449





EA12-005 Peer - Chrysler - 09450





EA12-005 Peer - Chrysler - 09451





EA12-005 Peer - Chrysler - 09452





EA12-005 Peer - Chrysler - 09453





EA12-005 Peer - Chrysler - 09454





EA12-005 Peer - Chrysler - 09455





EA12-005 Peer - Chrysler - 09456



01-16

235

EA12-005 Peer - Chrysler - 09457





EA12-005 Peer - Chrysler - 09458





EA12-005 Peer - Chrysler - 09459





EA12-005 Peer - Chrysler - 09460





EA12-005 Peer - Chrysler - 09461





EA12-005 Peer - Chrysler - 09462





EA12-005 Peer - Chrysler - 09463





EA12-005 Peer - Chrysler - 09464





EA12-005 Peer - Chrysler - 09465





EA12-005 Peer - Chrysler - 09466





EA12-005 Peer - Chrysler - 09467





EA12-005 Peer - Chrysler - 09468





EA12-005 Peer - Chrysler - 09469





EA12-005 Peer - Chrysler - 09470





EA12-005 Peer - Chrysler - 09471





EA12-005 Peer - Chrysler - 09472





EA12-005 Peer - Chrysler - 09473





EA12-005 Peer - Chrysler - 09474





EA12-005 Peer - Chrysler - 09475





EA12-005 Peer - Chrysler - 09476





EA12-005 Peer - Chrysler - 09477





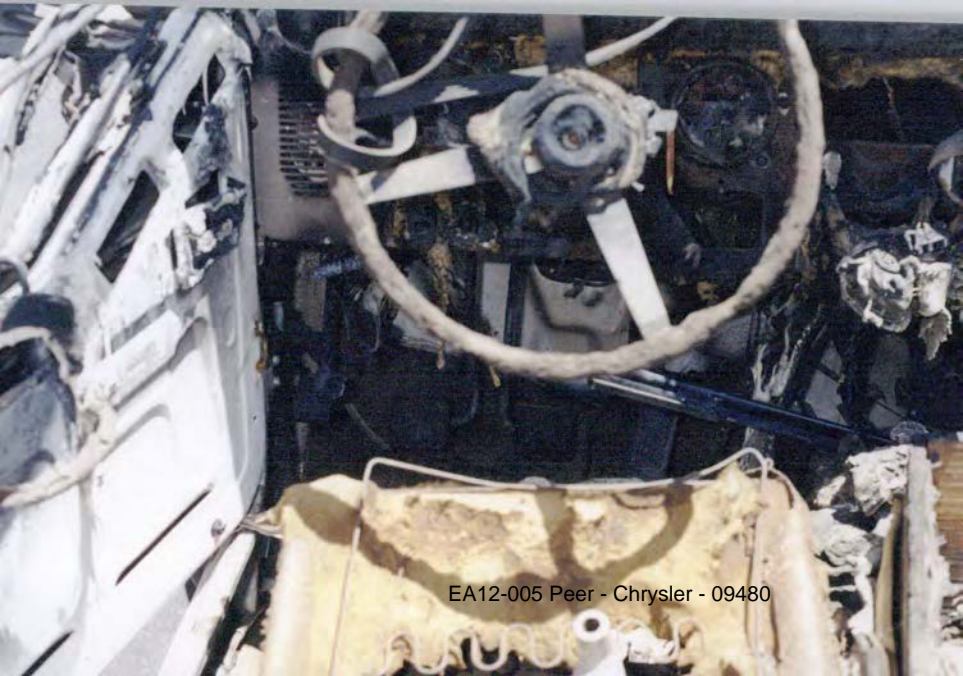
EA12-005 Peer - Chrysler - 09478





EA12-005 Peer - Chrysler - 09479





EA12-005 Peer - Chrysler - 09480





EA12-005 Peer - Chrysler - 09481





EA12-005 Peer - Chrysler - 09482





EA12-005 Peer - Chrysler - 09483





EA12-005 Peer - Chrysler - 09484





EA12-005 Peer - Chrysler - 09485





EA12-005 Peer - Chrysler - 09486





EA12-005 Peer - Chrysler - 09487





EA12-005 Peer - Chrysler - 09488





EA12-005 Peer - Chrysler - 09489





EA12-005 Peer - Chrysler - 09490





EA12-005 Peer - Chrysler - 09491





EA12-005 Peer - Chrysler - 09492





EA12-005 Peer - Chrysler - 09493



01-16

~~2356~~

EA12-005 Peer - Chrysler - 09494





EA12-005 Peer - Chrysler - 09495





EA12-005 Peer - Chrysler - 09496





EA12-005 Peer - Chrysler - 09497





EA12-005 Peer - Chrysler - 09498





EA12-005 Peer - Chrysler - 09499





EA12-005 Peer - Chrysler - 09500





EA12-005 Peer - Chrysler - 09501





EA12-005 Peer - Chrysler - 09502





EA12-005 Peer - Chrysler - 09503





EA12-005 Peer - Chrysler - 09504





EA12-005 Peer - Chrysler - 09505





EA12-005 Peer - Chrysler - 09506





EA12-005 Peer - Chrysler - 09507





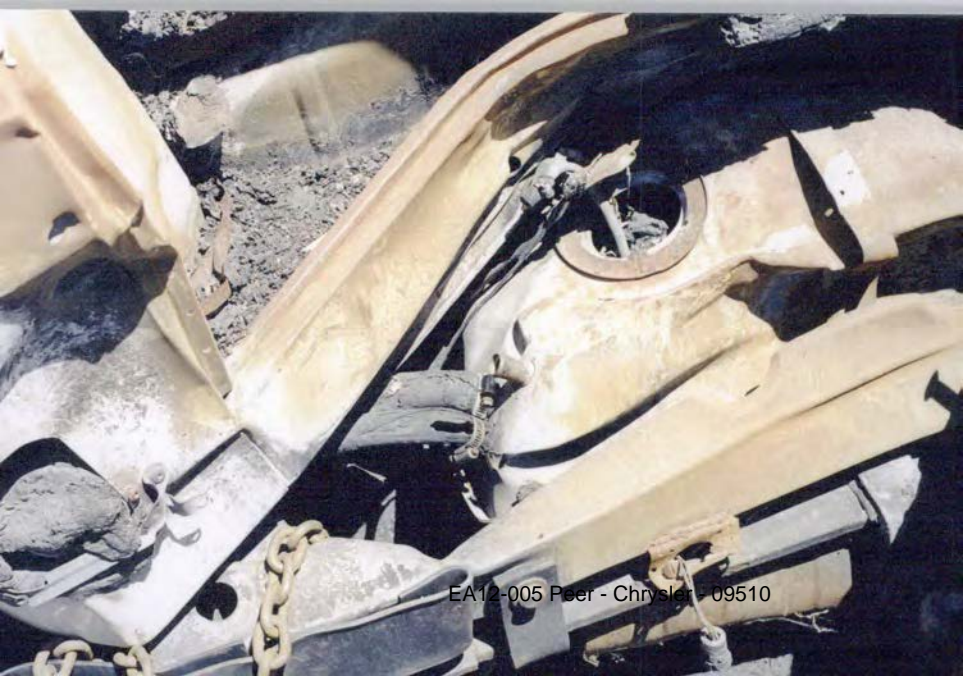
EA12-005 Peer - Chrysler - 09508





EA12-005 Peer - Chrysler - 09509





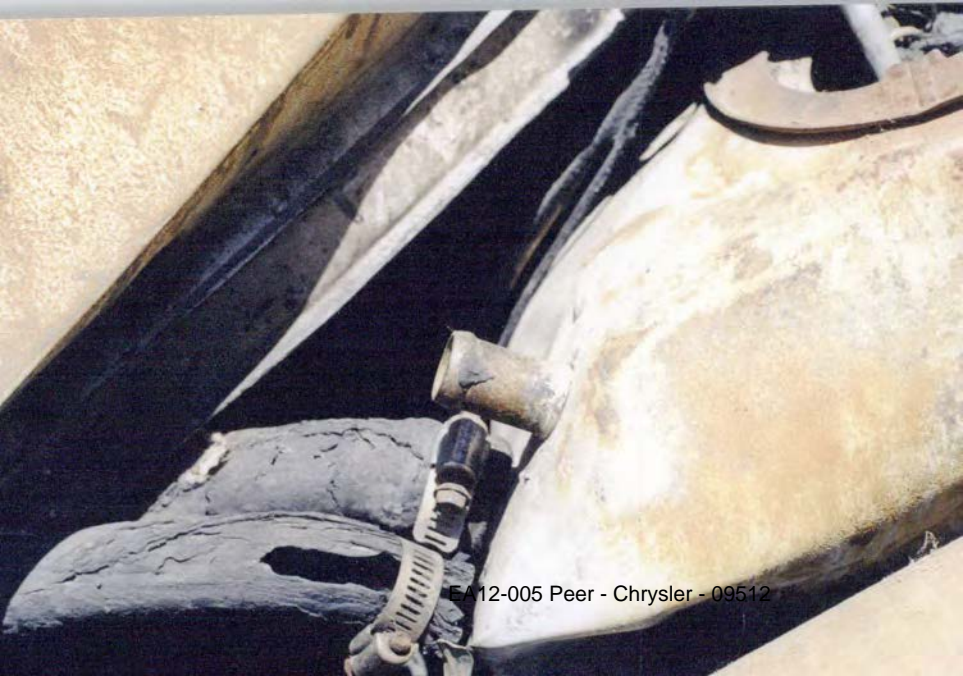
EA12-005 Peer - Chrysler - 09510





EA12-005 Peer - Chrysler - 09511





EA12-005 Peer - Chrysler - 09512





EA12-005 Peer - Chrysler - 09513





EA12-005 Peer - Chrysler - 09514





EA12-005 Peer - Chrysler - 09515





EA12-005 Peer - Chrysler - 09516





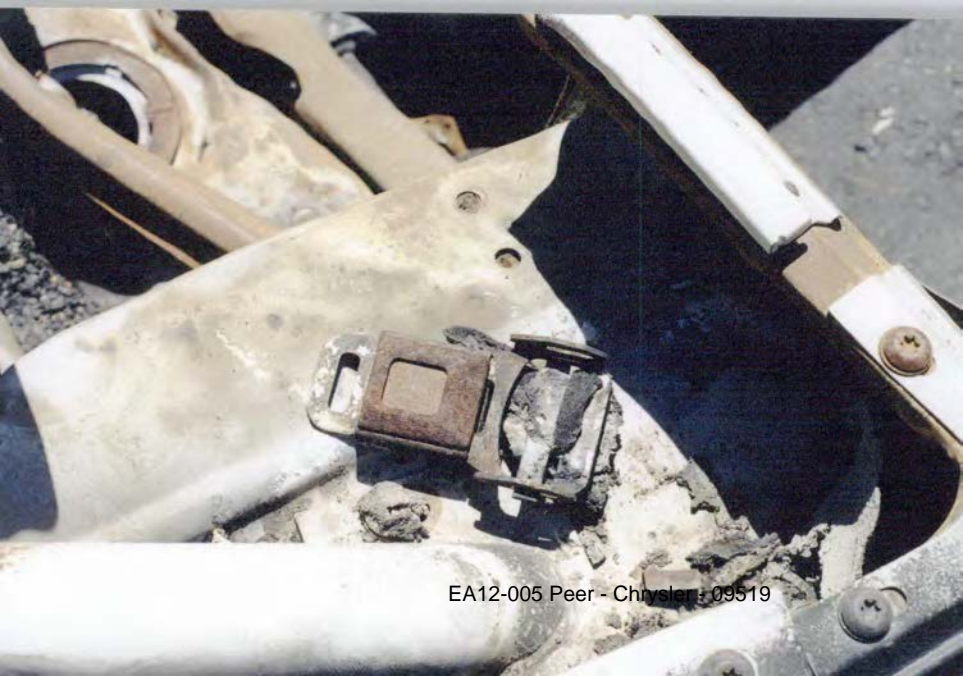
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EA12-005 Peer - Chrysler - 09518





EA12-005 Peer - Chrysler - 09519





EA12-005 Peer - Chrysler - 09520





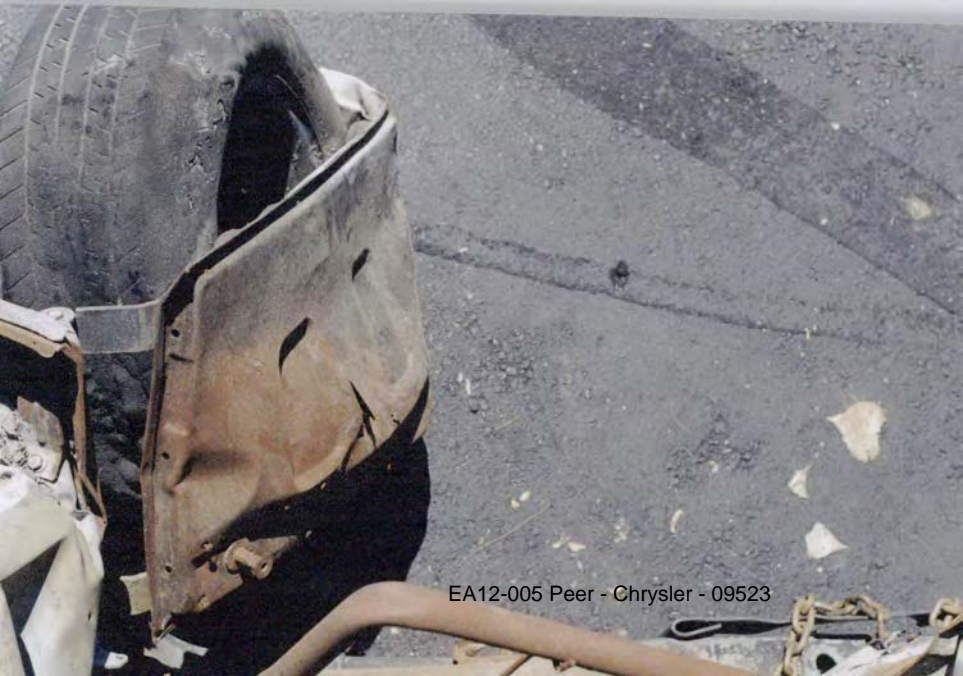
EA12-005 Peer - Chrysler - 09521





EA12-005 Peer - Chrysler - 09522





EA12-005 Peer - Chrysler - 09523



**Je**

EA12-005 Peer - Chrysler - 09524



Jee

EA12-005 Peer - Chrysler - 09525





EA12-005 Peer - Chrysler - 09526





EA12-005 Peer - Chrysler - 09527





EA12-005 Peer - Chrysler - 09528





EA12-005 Peer - Chrysler - 09529





EA12-005 Peer - Chrysler - 09530



01-16

2327

EA12-005 Peer - Chrysler - 09531





EA12-005.Peer - Chrysler - 09532





EA12-005 Peer - Chrysler - 09533





EA12-005 Peer - Chrysler - 09534





EA12-005 Peer - Chrysler - 09535





EA12-005 Peer - Chrysler - 09536





EA12-005 Peer - Chrysler - 09537





EA12-005 Peer - Chrysler - 09538





EA12-005 Peer - Chrysler - 09539





EA12-005 Peer - Chrysler - 09540





EA12-005 Peer - Chrysler - 09541





EA12-005 Peer - Chrysler - 09542





EA12-005 Peer - Chrysler - 09543





EA12-005 Peer - Chrysler - 09544





EA12-005 Peer - Chrysler - 09545





EA12-005 Peer - Chrysler - 09546





EA12-005 Peer - Chrysler - 09547





EA12-005 Peer - Chrysler - 09548





EA12-005 Peer - Chrysler - 09549





EA12-005 Peer - Chrysler - 09550





EA12-005 Peer - Chrysler - 09551





EA12-005 Peer - Chrysler - 09552





EA12-005 Peer - Chrysler - 09553





EA12-005 Peer - Chrysler - 09554





EA12-005 Peer - Chrysler - 09555





EA12-005 Peer - Chrysler - 09556





EA12-005 Peer - Chrysler - 09557





EA12-005 Peer - Chrysler - 09558





EA12-005 Peer - Chrysler - 09559





EA12-005 Peer - Chrysler - 09560





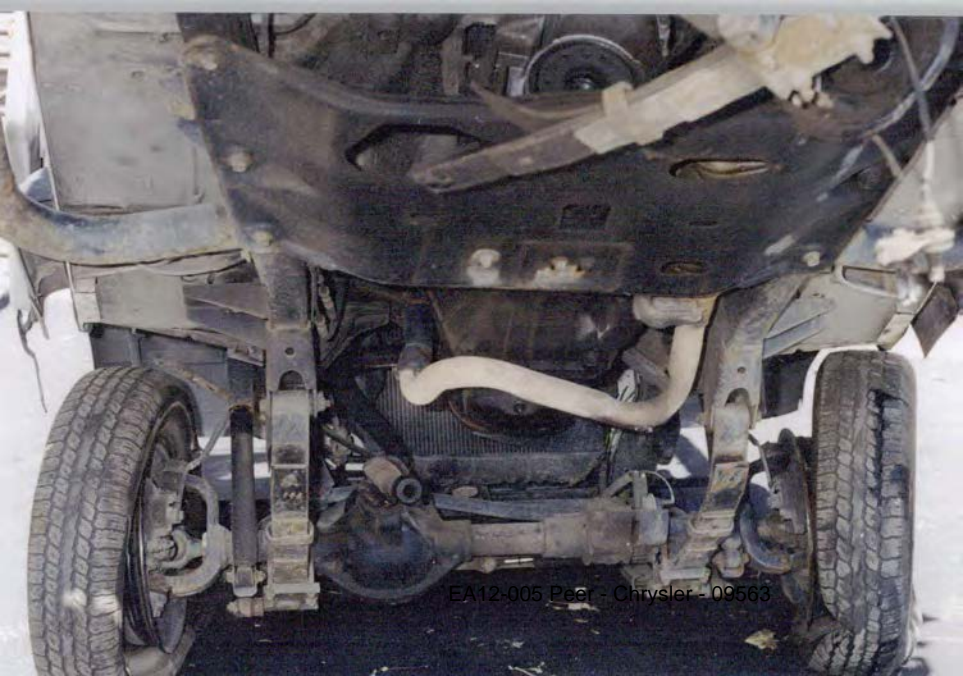
EA12-005 Peer - Chrysler - 09561





EA12-005 Peer - Chrysler - 09562





EA12-005 Peer - Chrysler - 09563





EA12-005 Peer - Chrysler - 09564





EA12-005 Peer - Chrysler - 09565





EA12-005 Peer - Chrysler - 09566





EA12-005 Peer - Chrysler - 09567



01-16

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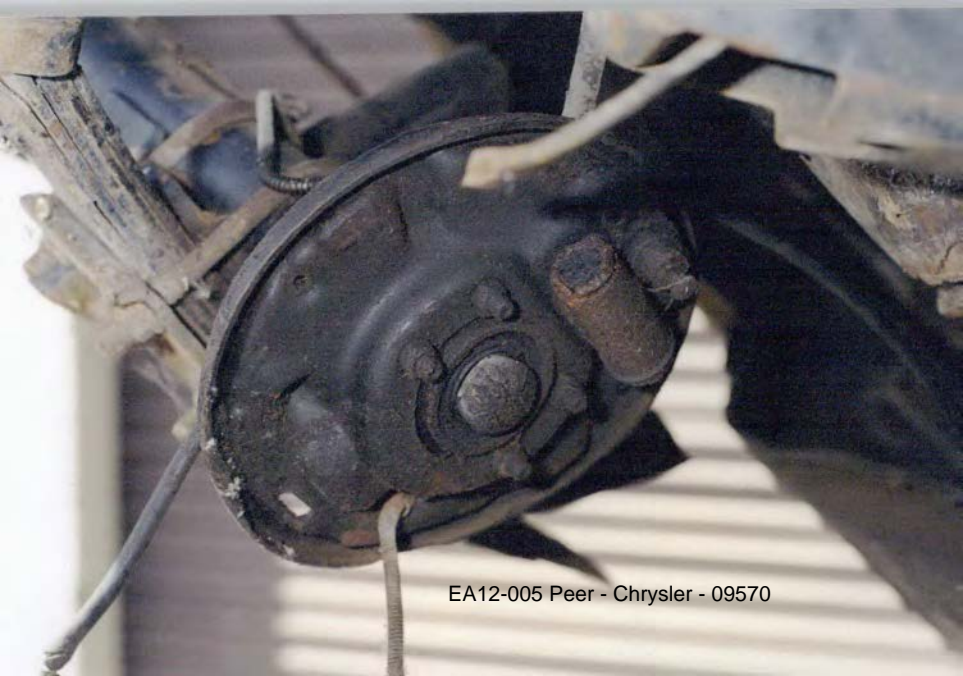
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EA12-005 Peer - Chrysler - 09570





EA12-005 Peer - Chrysler - 09571





EA12-005 Peer - Chrysler - 09572





EA12-005 Peer - Chrysler - 09573





EA12-005 Peer - Chrysler - 09574





EA12-005 Peer - Chrysler - 09575





EA12-005 Peer - Chrysler - 09576





EA12-005 Peer - Chrysler - 09577





EA12-005 Peer - Chrysler - 09578





EA12-005 Peer - Chrysler - 09579





EA12-005 Peer - Chrysler - 09580





EA12-005 Peer - Chrysler - 09581





EA12-005 Peer - Chrysler - 09582





EA12-005 Peer - Chrysler - 09583





EA12-005 Peer - Chrysler - 09584





EA12-005 Peer - Chrysler - 09585





EA12-005 Peer - Chrysler - 09586





EA12-005 Peer - Chrysler - 09587





EA12-005 Peer - Chrysler - 09588





EA12-005 Peer - Chrysler - 09589





EA12-005 Peer - Chrysler - 09590





EA12-005 Peer - Chrysler - 09591





EA12-005 Peer - Chrysler - 09592





EA12-005 Peer - Chrysler - 09593





EA12-005 Peer - Chrysler - 09594





EA12-005 Peer - Chrysler - 09595





EA12-005 Peer - Chrysler - 09596





EA12-005 Peer - Chrysler - 09597





EA12-005 Peer - Chrysler - 09598





Jeep

EA12-005 Peer - Chrysler - 09599





BA12-005 Peer - Chrysler - 09600





EA12-005 Peer - Chrysler - 09601





EA12-005 Peer - Chrysler - 09602





EA12-005 Peer - Chrysler - 09603





EA12-005 Peer - Chrysler - 09604



01-16

~~23289~~

EA12-005 Peer - Chrysler - 09605





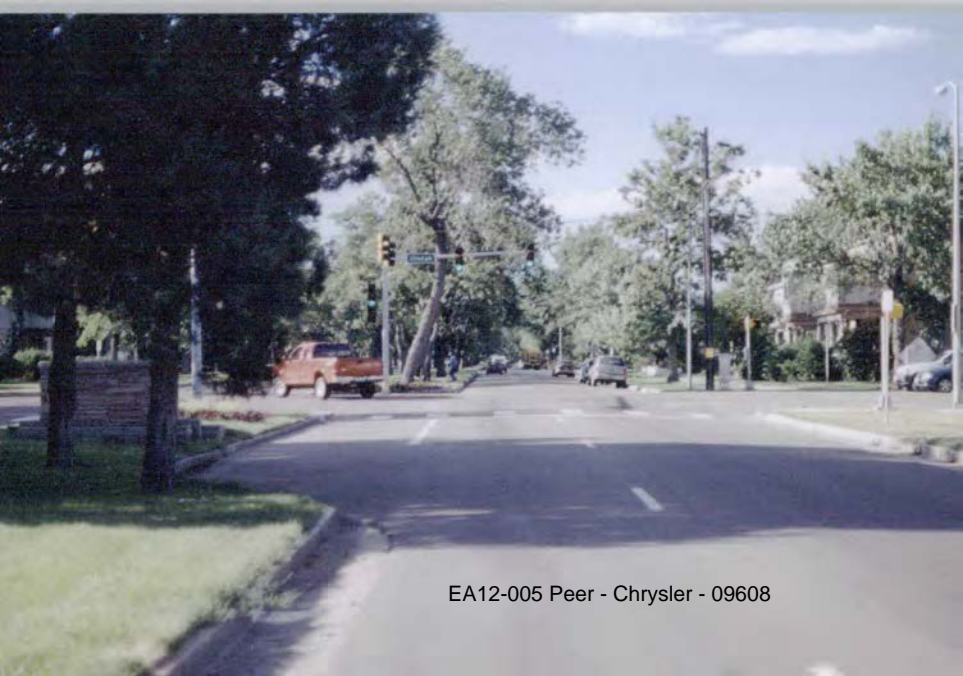
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EA12-005 Peer - Chrysler - 09607





EA12-005 Peer - Chrysler - 09608





EA12-005 Peer - Chrysler - 09609





EA12-005 Peer - Chrysler - 09610





EA12-005 Peer - Chrysler - 09611





EA12-005 Peer - Chrysler - 09612





EA12-005 Peer - Chrysler - 09613





EA12-005 Peer - Chrysler - 09614





EA12-005 Peer - Chrysler - 09615





EA12-005 Peer - Chrysler - 09616





EA12-005 Peer - Chrysler - 09617





EA12-005 Peer - Chrysler - 09618



# STATE OF COLORADO TRAFFIC ACCIDENT REPORT

☐ AMENDED/SUPPLEMENTAL REPORT ☐ UNDER \$1,000 ACCIDENT

MAIL TO State of Colorado  
Motor Vehicle Div.  
Traffic Records  
Denver, CO 80261-01  
SHEET 1 OF 3 SHEETS

DR 147 (REV 1/97)

CDOT CODE	AGENCY CODE 99-01495	DOR CODE 070	DEC-59
DATE OF ACCIDENT 01-17-99	CITY Colorado Springs	AGENCY Col. Spgs P.D.	COUNTY EL PASO-04
TIME 0837	OFFICER NUMBER 065T	OFFICER NAME C. SHIELDS	SIGNATURE <i>[Signature]</i>
NUMBER KILLED 1	NUMBER INJURED 3	LOCATION ROUTE, STREET, ROAD	DETAIL Traffic
DATE OF REPORT 01/17/99	[Redacted]		
INVESTIGATED @ SCENE <input checked="" type="checkbox"/>	TOTAL VEHICLES 6	DISTRICT NUMBER	PUBLIC PROPERTY EMPLOYEE N
PHOTOS TAKEN YES	RAILROAD CROSSING N	CONST ZONE N	ON BRIDGE N
INCOMPLETE REPORT			

VEH #1 OR 1	BICYCLE #	PEDESTRIAN #	PARKED	VEH #2 OR 2	BICYCLE #	PEDESTRIAN #	PARKED
LAST NAME [Redacted]				LAST NAME [Redacted]			
CITY Colorado Springs	STATE CO	SEX M	DRIVERS LIC. NUMBER N/A	CITY Colorado Springs	STATE CO	SEX F	DRIVERS LIC. NUMBER
PRIMARY VIOLATION See Supplement				PRIMARY VIOLATION			
VIOLATION CODE	CITATION NUMBER	COMMON CODE		VIOLATION CODE	CITATION NUMBER	COMMON CODE	
YEAR 1994	MAKE Honda	MODEL Accord	BODY TYPE 4 Door	YEAR 1990	MAKE Jeep	MODEL UT	BODY TYPE 2 Door
LIC PLATE [Redacted]	STATE CO	COLOR Maroon		LIC PLATE [Redacted]	STATE CO	COLOR White	
VEHICLE ID NO. JHMC555AR				VEHICLE ID NO. 2J4FY19E2L			
VEHICLE OWNER LAST NAME [Redacted]				VEHICLE OWNER LAST NAME [Redacted]			
ADDRESS [Redacted] C/S CO				ADDRESS [Redacted] C/S CO			
TOWED DUE TO DAMAGE BY TO: Randy's Towing/City Impound Lot				TOWED DUE TO DAMAGE BY TO: Randy's Towing/City Impound Lot			

20 UNDERCARRIAGE	20 UNDERCARRIAGE

INSURANCE CO. USAA	EXP DATE 07-19-99	INSURANCE CO. UNKNOWN	EXP DATE
POLICY NO. [Redacted]		POLICY NO.	
OWNER DAMAGED PROP LAST NAME [Redacted]	FIRST [Redacted]	OWNER DAMAGED PROP LAST NAME [Redacted]	FIRST [Redacted]
ADDRESS [Redacted]	CITY [Redacted]	ADDRESS [Redacted]	CITY [Redacted]

VEH#	POS.	RESTR.	EJECT.	MC PROT	MC SEV	AGE	SEX	NAME/ADDRESS
1	1	1	3	1	3		M	Same as Driver #1
2	1	1	2	1	3		F	Same as Driver #2
2	3	1	2	1	3		M	Same as Driver #2
2	6	1	2	1	3		F	Same as Driver #2

**FATAL**

RECEIVED  
DEPT. OF REVENUE  
MOTOR VEHICLE DIV.  
DEC 1999



☐ AMENDED/SUPPLEMENTAL REPORT      ☐ UNDER \$1,000 ACCIDENT

DA 447 (REV 1/97)

SHEET 3 OF 3 SHEETS

A  
B  
B  
B  
D  
E  
F  
G  
H  
J

	3
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	35
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# STATE OF COLORADO TRAFFIC ACCIDENT REPORT

☐ AMENDED/SUPPLEMENTAL REPORT ☐ UNDER \$1,000 ACCIDENT

MAIL TO: State of Colorado  
Motor Vehicle Division  
Traffic Records  
Denver, CO 80261-0016  
SHEET 2 OF 3 SHEETS

DR 447 (REV 1/97)

CDOT CODE		AGENCY CODE 99-01495		OCR CODE	
DATE OF ACCIDENT 01-17-99		CITY Colorado Springs		AGENCY Col. Spgs P.D.	
TIME 0837		OFFICER NUMBER 065T		OFFICER NAME C. Shields	
NUMBER KILLED 1		NUMBER INJURED 3		LOCATION ROUTE, STREET, ROAD [REDACTED]	
DATE OF REPORT 01/17/99		MILES [REDACTED]		FEET [REDACTED]	
INVESTIGATED SCENE <input checked="" type="checkbox"/>		TOTAL VEHICLES 6		DISTRICT NUMBER [REDACTED]	
PUBLIC PROPERTY EMPLOYEE <input type="checkbox"/>		PHOTOS TAKEN Yes		RAILROAD CROSSING N	
CONST. ZONE N		ON BRIDGE N		INCOMPLETE REPORT N	
VEH #1 OR 3		BICYCLE #		PEDESTRIAN #	
PARKED [REDACTED]		VEH #2 OR 4		BICYCLE #	
LAST NAME [REDACTED]		FIRST [REDACTED]		MI [REDACTED]	
STREET ADDRESS [REDACTED]		RES. PHONE [REDACTED]		CITY [REDACTED]	
STATE [REDACTED]		ZIP [REDACTED]		BUS. PHONE [REDACTED]	
DRIVERS LIC. NUMBER [REDACTED]		STATE [REDACTED]		SEX [REDACTED]	
DOB [REDACTED]		PRIMARY VIOLATION [REDACTED]		VIOLATION CODE [REDACTED]	
CITATION NUMBER [REDACTED]		COMMON CODE [REDACTED]		YEAR 1990	
MAKE Oldsmobile		MODEL Coupe		BODY TYPE 2 Door	
LIC. PLATE NO. [REDACTED]		STATE CO		COLOR Blue	
VEHICLE ID NO. 163WR14T6L		VEHICLE ID NO. 163BP83E9MW		VEHICLE ID NO. [REDACTED]	
VEHICLE [REDACTED]		VEHICLE [REDACTED]		VEHICLE [REDACTED]	
ADDRESS [REDACTED]		ADDRESS [REDACTED]		ADDRESS [REDACTED]	
CITY Colorado Spgs		STATE CO		STATE CO	
TOWED DUE TO DAMAGE BY TO: Randy's Towing/City Impound Lot		TOWED DUE TO DAMAGE BY TO: Randy's Towing/City Impound Lot		TOWED DUE TO DAMAGE BY TO: Randy's Towing/City Impound Lot	
1 - SLIGHT 2 - MODERATE 3 - EXTREME		1 - SLIGHT 2 - MODERATE 3 - EXTREME		1 - SLIGHT 2 - MODERATE 3 - EXTREME	
[Diagram of Vehicle 1: Oldsmobile Coupe, 2 Door, Blue, 1990]		[Diagram of Vehicle 2: Oldsmobile SW, 4 Door, Maroon, 1991]		[Diagram of Vehicle 3: [REDACTED]]	
20 UNDERCARRIAGE		20 UNDERCARRIAGE		20 UNDERCARRIAGE	
INSURANCE CO. NONE		EXP. DATE [REDACTED]		INSURANCE CO. West American Ins. Co.	
POLICY NO. [REDACTED]		EXP. DATE 07-31-99		POLICY NO. [REDACTED]	
OWNER DAMAGED PROP LAST NAME [REDACTED]		FIRST [REDACTED]		MI [REDACTED]	
ADDRESS [REDACTED]		CITY [REDACTED]		STATE [REDACTED]	
ZIP [REDACTED]		ADDRESS [REDACTED]		CITY [REDACTED]	
STATE [REDACTED]		STATE [REDACTED]		STATE [REDACTED]	
ZIP [REDACTED]		ZIP [REDACTED]		ZIP [REDACTED]	
VEH#		POS.		RESTR.	
EJECT		MC		PROT	
No		SEV		AGE	
SEX		NAME		ADDRESS	



DESCRIBE ACCIDENT

DRIVER #1 [REDACTED] was northbound on Nevada Avenue in the left through lane approaching the intersection at Uintah Street. DRIVER #2 [REDACTED] was eastbound on Uintah Street turning left to go north on Nevada Avenue. As Driver #2 completed the turn, Driver #1 struck Vehicle #2 from the rear. Vehicle #1 then sideswiped Vehicle #3, which was parked along the east curb facing north. Vehicle #1 rotated approximately 90 degrees counter clockwise and struck the rear of Vehicle #4, which was parked along the east curb facing north in front of Vehicle #3. The impact pushed Vehicle #4 forward into the rear of Vehicle #5, parking facing north in front of Vehicle #4. After initial impact, Vehicle #2 rotated counter clockwise into the median and continued a 360-degree rotation, coming to rest facing north in the northbound lanes. Burning debris from Vehicle #2 then went under Vehicle #6 parked along the east curb, causing smoke damage.

OFFICER STATEMENT:

The two passengers from Vehicle #2 were taken by AMR to Memorial Hospital with severe burns. Driver #1 was taken by AMR to Penrose Main Emergency Room with minor injuries. Driver #2 was taken by AMR to Penrose Main Hospital where she was pronounced dead.

Numerous witnesses at the scene provided information to OFFICERS REESE, WYATT & MEYER. (See Supplements)

Officer Stuart Meyer did also go to the Emergency Room with Driver #1 and handled that interview. (See supplement,

DETECTIVE'S TARVIN AND STEVENS responded to the scene at my request at approximately 0945 Hours. (See supplements)

Officer Meyer advised that Driver #1 was treated for a fractured wrist and ankle prior to release.

Nothing further to report.



LOCATION

COLORADO SPRINGS,  
COLORADO

DATE 01/17/99 TIME 08:37 OFFICER DETECTIVE JOHNS OFFICER NO. 424

On January 27, 1999, 10:20 hours I made contact with [REDACTED] at [REDACTED]. Pat Janssen is the manager and [REDACTED] provides apartment maintenance. [REDACTED] told me [REDACTED] had been a resident for about six months and had just requested another six-month lease. She said the office had never received any complaints about him.

She told me [REDACTED] mother had come by [REDACTED] apartment Monday, the day following the accident and picked up all of [REDACTED] belonging. I asked what was in the apartment. [REDACTED] told me the apartment was sparsely furnished. She believed there was a couch, chair, table, and a television. In the bedroom were a bed, lamp and clothes.

[REDACTED] told me she took pictures of the apartment and the damage. I told her I was aware [REDACTED] was an artist. I asked if she had seen any pictures or drawings [REDACTED] had done that would help establish his mental condition. [REDACTED] said there were several drawings in a corner of the apartment, on the floor that she photographed. [REDACTED] showed me three pictures. Two were colored drawings of faces and one was a poster of words with different colored scribbling over the words. At my request, the three photos were given to me. The three photos will be placed into evidence.

[REDACTED] told me he believed the struggle [REDACTED] had begun in the bathroom. [REDACTED] told me the shower had been left running on the morning of the disturbance. The water over flowed the tub. [REDACTED] said the shower curtain was damaged but very little else in the bathroom. [REDACTED] said the living room area of the apartment was completely torn up. He said it appeared [REDACTED] had used the fire extinguisher was a weapon. [REDACTED] said the extinguisher had dents on it that would have taken considerable impacts to cause. [REDACTED] said after reading the newspaper about the demons and seeing the destruction in the apartment, he agreed it was some kind of struggle.

[REDACTED] agreed with [REDACTED] that the apartment had little furniture. He told me there was change in a bag on the table and the apartment move in packet. [REDACTED] told me there was nothing in the refrigerator except a small styrofoam container. [REDACTED] said he had only one contact with [REDACTED] and it was a couple of months ago when [REDACTED] complained of brown water. [REDACTED] found that the brown color came from lack of use and that when the water was allowed to run, the water was clear.

I asked both if they remembered seeing any journals or writings in the personal effects of [REDACTED]. Both told me they had not.

On January 27, 1999 at 14:40 hours I made contact with [REDACTED], the Director of Membership at the [REDACTED]. Mr. [REDACTED] told me he did not know [REDACTED] but does know the family and the family does have a membership to the club. Mr. [REDACTED] told me he had seen [REDACTED] picture in the paper and did not recognize him. I had



LOCATION

COLORADO SPRINGS,  
COLORADO

DATE 01/17/99 TIME 08:37 OFFICER DETECTIVE JOHNS OFFICER NO. 424

asked Mr. [REDACTED] if [REDACTED] could have spent his days at the club, to include meals. Mr. [REDACTED] said it was possible and there are members childrer who spend a great deal of time in the club but they tend to be teenagers. Additionally, Mr. [REDACTED] told me the restaurant is located in his building and if [REDACTED] did eat there regularly, he would recognize him. I asked where [REDACTED] could have showered on Sunday mornings. Mr. [REDACTED] told me the club has three locations that men can shower, those being the [REDACTED]. Between 7:30 am and 8:30 am Mr. [REDACTED] believed the [REDACTED] was the most probable.

The management for the [REDACTED] was not available for interview. Mr. [REDACTED] told me he would check and call me on the 28<sup>th</sup>.

Mr. [REDACTED] and I spoke on January 28, 1999 and he told me the two ladies working on Sunday morning were [REDACTED]. Neither of the women knows [REDACTED] nor had [REDACTED] signed in on the log sheet. Mr. [REDACTED] said it is not mandatory to sign in. Mr. [REDACTED] said [REDACTED] has signed the log sheet for the fitness center several times. Mr. [REDACTED] told me [REDACTED] does not have an assigned locker.

No further



# Traffic Supplement

99-1495 ACCIDENT NO.

LOCATION [REDACTED] COLORADO SPRINGS, COLORADO  
DATE 01-28-99 TIME OFFICER S. MEYER OFFICER NO. 072P

I, Officer S. Meyer, 072P, was contacted by Detective Stevens with the Major Traffic Accident Investigations Unit. Detective Stevens advised that he was assisting in the investigation of the fatal accident that had occurred at the intersection of [REDACTED] on 01-17-99. Detective Stevens advised that he was requesting that I give further information regarding the demeanor and actions of the suspect upon my arrival at the accident scene and any statements that the suspects made during my contact with him.

Upon my arrival at the accident scene on 01-17-99, I contacted witnesses and obtained information that the suspect or the person who had apparently caused the accident was in a maroon vehicle. I then located the maroon vehicle and observed a white male seated in the driver's seat of that vehicle, who was later identified as [REDACTED].

While at the accident scene, I observed Medical personnel with the Colorado Springs Fire Department and American Medical Response assisting [REDACTED] as he was still trapped inside the vehicle. I noticed a firefighter attempting to place his hand on [REDACTED] neck and shoulder area, attempting to keep him stabilized while seated in the vehicle. As this occurred, I observed [REDACTED] jerk away from the firefighter, and he appeared to be very frightened by the firefighter's actions. I also noticed that [REDACTED] appeared to be having a difficult time maintaining control within the vehicle. [REDACTED] eyes were wide open, and he continued looking around in all different directions and appeared to be frightened.

After [REDACTED] was extracted from the vehicle, he was then transported to Penrose Main Hospital by American Medical Response paramedics. Upon arrival at that location, I remained with [REDACTED] for several hours. During that time, I advised him of the seriousness of the accident that he had been involved with and giving him his Miranda Warnings.

After [REDACTED] had been given his Miranda Warnings, he appeared to be disgusted and stated that now he is going to have to deal with another attorney. [REDACTED] also stated that "No one loves me and everyone hates me."



# Traffic Supplement

99-1495 ACCIDENT NO.

LOCATION [REDACTED] COLORADO SPRINGS, COLORADO

DATE 01-28-99 TIME OFFICER S. MEYER OFFICER NO. 072P

129701

After I advised [REDACTED] that the other people involved in the accident were seriously injured and one had died, he did not appear to show any remorse for the victims and was much more concerned about his injuries.

At one point during the medical treatment at Penrose Main Hospital, X-rays were being taken of [REDACTED]. The overhead machinery needed to obtain X-rays was apparently causing [REDACTED] discomfort and frightened him. After this machinery had been removed, [REDACTED] became more calm. After the X-rays had been completed, Medical personnel at Penrose Main Hospital began removing the neck brace and the back board from [REDACTED]. While doing this, [REDACTED] complained that one of the Medical personnel had pulled his hair while removing a piece of tape from the back board, stabilizing him.

These are observations that I noticed regarding the actions of [REDACTED] following the accident at Uintah Street and Nevada Avenue on 01-17-99.

No further follow-up done by this officer.



# Traffic Supplement

ACCIDENT NO. 99-1495

LOCATION [REDACTED] COLORADO SPRINGS, COLORADO  
DATE 011799 TIME 0837 OFFICER DETECTIVE K. OFFICER NO. 77T  
HOURS TARVIN 129701

On 020599, Detectives M. Johns, A. Baccarella and I met at the Colorado Springs Police impound lot to re-examine the vehicles involved in this fatal accident. Our primary concern was focused on the damage to vehicle #3 (Oldsmobile station-wagon) and vehicle #1 (Honda Accord 4-door).

We remeasured the damage to the stationwagon and found a three foot difference (in length) as compared to the Honda. This changes the initial theory that both vehicles had obtained the same velocity. I had originally used an in-line formula to determine the Honda's speed of 94 mph.

Using a momentum formula ( $W1S1 + W2S2 = W1S3 + W2S4$ ), the following was obtained.

$$W1S1 = W1S3 + W2S4 - W2S2$$

$$S1 = \frac{W1S3 + W2S4 - W2S2}{W1}$$

$$S1 = \frac{2790 (38) + 4120 (18.8) - 4120 (0)}{2790}$$

$$S1 = \frac{106020 + 77456 - 0}{2790}$$

$$S1 = \frac{183476}{2790}$$

$$S1 = 65.7 \text{ MPH.}$$

Nothing Further.



# Traffic Supplement

ACCIDENT NO. 99-1495

LOCATION [REDACTED] COLORADO SPRINGS, COLORADO  
DATE 01-17-99 TIME 0837 OFFICER DETECTIVE OFFICER NO. 77T  
HOURS K.TARVIN 129701

On 012999 at approximately 1000 Hours, a scheduled meeting was conducted at the Colorado Springs Police Department Impound Lot which included Deputy District Attorneys Lisa Kirkman and Joe Timmons, Public Defender Mike McHenry, Greg Worthen (Public Defender Investigator), and Detective Mike Johns.

During the course of this meeting, it was determined that items inside Vehicle #1 (1994 Honda Accord, maroon in color, 4-Door bearing Colorado License Plates [REDACTED] belonging to [REDACTED] were to be removed and placed into evidence.

Attached to the center console shift lever was a plastic King Sooper shopping bag. It contained a scrap piece of paper with the names of [REDACTED] phone number [REDACTED] and [REDACTED] phone number [REDACTED]; a business card for WILLIAM B. SCHOLTEN, M.D., Psychiatrist, 875 W. Marino Ave, Colorado Springs, Colorado 80905, 471-8300. On the back of it was an appointment scheduled for October the 2nd, unknown year, time 11:15 Hours which would have been a Friday. Also found in the plastic bag was a prescription label, [REDACTED] Date 8/7/98, initials [REDACTED] #126 for the prescription Clozaril- [REDACTED] Dr. Scholten (719) 572-6200, 875 W. Marino #AS0824765 Co-pay. A yellow plastic prescription bottle with a white lid, which was inverted and screwed in, [REDACTED] DW Dr. Scholten. [REDACTED] has been scratched out and replaced with 9-15). Instructions are one tablet by mouth every morning and one tablet by mouth at bedtime. [REDACTED] has been scratched out and replaced with a handwritten 50) 126/FH/ Sandoz expiring 2/99 # 14. Inside the container I observed that there were 13 1/4 half tablets of this prescribed medicine. The last item located in this bag was an Old Spice High Endurance deodorant, long lasting stick original scent, 2.25 oz (63 grams) without a top. It appears that it is new, the bottom is damaged and the top is missing.

Located on the floorboard on the passenger side was a black nylon utility bag, which contained toiletries of shampoo, soap and deodorant as well as cologne and after-shave. I noted that one of the containers is broken and leaking. The following items were also found on the floorboard: an owners manual for Quasar Combination VCR, Model #VV1308 / VV1318W / VV008 / VV2018W, an unopened U.S. West letter sent to [REDACTED] Colorado Springs, CO [REDACTED] a 5"x8" yellow note pad; green exterior cover, first page a note which read "JJ: 576-1335 389-3809 Pager". No other writings were found in the yellow pad. A white laboratory request sheet from the Pikes Peak Mental Health Center, clients name [REDACTED] Dr. Scholten, address and telephone number is blank, lab line indicates Marino, Tuesday 9am, 1/26/99 (the date had be altered to 26). Requests for 1) high level; 2) Valproic acid level (anti-epileptic drug); 3) CBC (complete blood count); 4) liver profile; 5) TSH (thyroid stimulating hormone). The signature below that is from Dr. Scholten dated 1/16/99. No other information. One sales receipt from H.R. Meininger Company at 201 S. Weber Street.



# Traffic Supplement

ACCIDENT No. 99-1495

LOCATION [REDACTED] COLORADO SPRINGS, COLORADO  
DATE 01-17-99 TIME 0837 OFFICER DETECTIVE OFFICER NO. 77T  
HOURS K.TARVIN

Colorado Springs, CO. 80903, (719) 578-8070, Fax number 719-442-6523, receipt number SFP47227, 4:37 PM on 11/23/98. Sales person initials J.M. It shows a quantity description purchase: 1 crayon set regular size price .99, total price after taxes \$1.05, and amount tendered \$1.05. A yellow prescription chit from the Pikes Peak Mental Health, 875 W. Marino Street, Colorado Springs, Colorado 80905, phone number 719-471-8300. Upper right hand corner shows a stamp from William B. Scholten, [REDACTED] It is made out to [REDACTED] on 1/16/99. The next line reads [REDACTED] (lithium carbonate used for BI-polar disorder), 300mg #120 (4 tab Hs). Refillable. The second one is for [REDACTED] (anti-convulsive) 500 mg #120, two tablets a.m. & two tablets hs. Refillable. The third line is crossed out and the signature on it is from [REDACTED] In the lower left-hand corner there is also the same hand stamp that was in the upper right hand corner.

[REDACTED] instructed me to remove Vehicle #1's right rear side marker light housing from the left rear seat of Vehicle #3 (1990 Oldsmobile Cutlass 2-Door, blue in color, bearing Colorado License plates [REDACTED] I was told to take that reflector housing and place it into evidence.

These items were turned over to **JOE THORGBIRD** of Colorado Springs Police Department Forensics Lab to be placed into evidence. He is also photographed all four vehicles as well as video taped these vehicles at the District Attorney's request.

Nothing further.



# Traffic Supplement

ACCIDENT NO. 99-1495

LOCATION [REDACTED] COLORADO SPRINGS, COLORADO  
DATE 01-17-99 TIME 0837 OFFICER MARK H. STEVENS OFFICER NO. 1256T  
HOURS [REDACTED] 129701

## SUPPLEMENTAL INFORMATION, 01-29-99:

Two dates listed in my original supplement were incorrect. In the paragraph "INITIATING INFORMATION" I stated that I attended the autopsy of Ms. [REDACTED] on 01-18-98. The correct date of the autopsy is 01-18-99. In the paragraph "DRIVER # 1 STATEMENT" I listed the date of the interview with Mr. [REDACTED] as 11-19-98 when it should have read 01-19-99. All other information in the supplement is correct.

## PERSONAL OBSERVATIONS:

While contacting Mr. [REDACTED] at Penrose Main Hospital on 01-17-99 at approx. 1600 hours, I observed him to be lying on a hospital gurney in a treatment room. He appeared to be calm and cooperative. He was not asked any direct questions other than the source of the burns to his hair. He did not make reference to any psychological disturbances to me and did not provide an explanation for his actions on the day of the accident.

When asked about how he received the singeing on his hair, [REDACTED] stated "the other car burst into flames." Mr. [REDACTED] was responsive to my requests and understood what I was asking him to do (in the course of photographing his injuries).

During the interview with Mr. [REDACTED] at the El Paso County Criminal Justice Center (CJC), Mr. [REDACTED] was again very cooperative and coherent. He did not appear to be confused about the questions presented and was aware of his surroundings.

## FOLLOW-UP INTERVIEWS:

I conducted two follow-up interviews associated with this case on 01-29-99. Both were with Ambulance Personnel from American Medical Response, 2370 N. Powers Blvd, Colorado Springs, CO., WP 597-1277

### EMT SUE AHLUWALIA, DOB [REDACTED]

Ms. Ahluwalia stated that she, along with her partner, responded to [REDACTED] on 1-17-99 and transported Mr. [REDACTED] from the accident scene to Penrose Main Hospital. She stated that she did not have any direct patient contact and only prepared the ambulance for transport, as well as driving the ambulance to the hospital.

Ms. Ahluwalia also stated that she transported Mr. [REDACTED] from Penrose Main Hospital to CJC on 1-17-99 at approximately 1630 hrs. She said that she attended to him in the rear of the ambulance for that trip. She stated that Mr. [REDACTED] acted as if he was in shock and explained that he would be aware of his surroundings at times and at times fail to remember what was happening. She said that he did not remember the date when she asked him, and when asked why he didn't remember the date he responded that he was bipolar and didn't recall some things.



# Traffic Supplement

ACCIDENT NO. 99-1495

LOCATION \_\_\_\_\_ COLORADO SPRINGS, COLORADO  
DATE 01-17-99 TIME 0837 OFFICER MARK H. STEVENS OFFICER NO. 1256T  
HOURS \_\_\_\_\_

PARAMEDIC ZACHARIUS WESTBERG, DOB \_\_\_\_\_

Mr. Westberg stated that he had responded to \_\_\_\_\_ on 01-17-99 along with Ms. Ahluwalia. He stated that he attended to Mr. \_\_\_\_\_ from the time of arrival until delivering him to Penrose Main Hospital. He said the length of contact was about 8 minutes (dispatch logs indicate arrival for Mr. Westberg's ambulance at the scene at 0851 hours and arrival at Penrose Mail Hospital at 0859 hrs.).

Mr. Westberg stated that Mr. \_\_\_\_\_ appeared confused during his contact. He said that Mr. \_\_\_\_\_ told him "Don't leave me" and "Don't leave me alone". He said Mr. \_\_\_\_\_ did not tell him why he shouldn't leave him alone. Mr. Westberg said that Mr. \_\_\_\_\_ appeared to be scared, but cooperative and responsive in the ambulance. He said that Mr. \_\_\_\_\_ did not say anything for most of the trip and just laid on the backboard.

Mr. Westberg said that he was with Ms. Ahluwalia when transporting Mr. \_\_\_\_\_ to CJC but that he did not have contact with him on that trip.

## FURTHER INFORMATION:

On 01-27-99 at 1350 hours I removed the legal blood samples taken from Mr. \_\_\_\_\_ at Penrose Main Hospital on 01-17-99 from the CSPD Evidence section. I took them to the El Paso County Coroner's Office and placed them in the custody of Mr. Joe Levisky at 1410 hours.

The purpose of providing the blood samples to the Coroner's Office was to test the blood for the presence of any legal or illegal drug or narcotics or the presence of alcohol.

NOTHING FURTHER



# Traffic Supplement

ACCIDENT NO. 99-1495

LOCATION [REDACTED] COLORADO SPRINGS, COLORADO  
DATE 01-17-99 TIME 0837 OFFICER DETECTIVE K. OFFICER NO. 77T  
HOURS TARVIN 129701

On 012799, I received an inter-office mail package. In it was a letter from the District Attorney's Office:

RE: People v. [REDACTED]  
Case # 99CR213, Division 12  
CSPD Case # n/a

The letter informed me that the Defense had made a motion for any and all handwritten notes, tapes and or preservation of physical evidence on this case made by police officers on this case.

While in the process of complying with this request, I had the communication center re-print another call for service regarding Call Screen # 029996 reference T/A # 99-01495. I also made a copy of the audio call for service tape. While I was making a copy of the videotape, I located the name of the man who video taped the accident scene.

[REDACTED]  
C/S CO. [REDACTED]  
[REDACTED]

I had written down his name at the accident scene when he gave me the videotape. I placed it in my folder and forgot to include in my original supplement.

Nothing further.



# Traffic Supplement

ACCIDENT NO. 99-1495

LOCATION

COLORADO SPRINGS,  
COLORADO

DATE 01-17-99 TIME 0837 OFFICER DETECTIVE K. OFFICER NO. 77T  
HOURS TARVIN

On 011799 @ 0845, I was contacted by the communications center of the Colorado Springs Police Department regarding a fatal six-car traffic accident at [REDACTED]

Upon my arrival, I was informed that all occupants of the vehicles involved had been transported to area hospitals. The driver of vehicle #1 had been identified as [REDACTED] (DOB: [REDACTED]) and the driver of vehicle #2 [REDACTED] (DOB: [REDACTED]) was deceased. Both had been transported to Penrose Hospital by AMR ambulance. The two children in vehicle #2 had been identified as [REDACTED] (DOB: [REDACTED]) and had been transported to Memorial Hospital by AMR Ambulance.

I observed that the [REDACTED] is a north / south divided four-lane roadway with a wide center median lined with trees. The posted speed limit is 35 mile per hour. The roadway was void of any obstructions except for the accident scene. The temperature was in the high 40's to low 50's. The roadway was blocked off by police cars at Uintah Street on the south and San Miguel Street to the north. The traffic signals at Uintah Street were working properly.

I contacted Officer C. Shields who was the accident investigator on scene. He told me that witnesses had seen vehicle #1 (Maroon Honda Accord 4-door [REDACTED]) northbound on N. Nevada Avenue at a high rate of speed prior to the accident. Officer D. Smook, told me that he had contacted two individuals, [REDACTED]. They were the ones who had pulled the people out of the burning Jeep.

I observed that this accident involved six vehicles:

Vehicle #1 1994 Maroon Honda Accord 4-door bearing Colorado license plate [REDACTED]  
Vehicle #2 1990 White Jeep Wrangler 2-door bearing Colorado license plate [REDACTED]  
Vehicle #3 1990 Blue Oldsmobile Cutlass 2-door bearing Colorado license plate [REDACTED]  
Vehicle #4 1991 Maroon Oldsmobile Custom Cruiser Station wagon bearing Kentucky license plate [REDACTED]  
Vehicle #5 Teal 1996 Dodge Ram 2500 truck bearing Colorado license plate [REDACTED]  
Vehicle #6 Brown Volkswagen 2-door bearing Colorado license plate [REDACTED]

Vehicles #3,4,5,6 were all parked along the east side of the roadway facing north in the 1200 block.

Detective M. Stevens and I proceeded to process the accident scene by photographing the vehicles, locating points of impact and position of rest of all six vehicles involved. Using the Sokkia SDR33 (Stationary Data Recorder) and SET5 (Stationary Electronic Transit) the vehicles' positions and roadway evidence were recorded so that a plot diagram could be done at a later



# Traffic Supplement

ACCIDENT NO. 99-1495

LOCATION

COLORADO SPRINGS,  
COLORADO

DATE 01-17-99

TIME

0837

OFFICER

DETECTIVE K.  
TARVIN

OFFICER NO.

77T

HOURS

129701

time. Once this was accomplished, vehicles' #1,2,3,4 were towed to the Colorado Springs Impound Lot BY Randy's towing service. Vehicle #5 and #6 were left at the scene.

Detective M. Stevens 1256T and I drove to Penrose Hospital where we contacted the driver of vehicle #1 [REDACTED] While Detective Stevens photographed Mr. [REDACTED] injuries to his right wrist and right ankle, I made arrangements for him to be transported to CJC by AMR ambulance. Once that was completed, Detective Stevens drove to the Police Operations Center where he completed the Probable Cause Affidavit and Preliminary Procedure Sheet on Mr. [REDACTED]

I contacted Penrose Hospital's security personnel and had them escort me to the hospital's morgue. There, I photographed the deceased [REDACTED] I then drove to the Police Operations Center and contacted Detective Stevens to retrieve the P.C.A and Preliminary documents and delivered them to the Criminal Justice Center.

## Witness Information:

[REDACTED]  
C/S, CO. [REDACTED]  
[REDACTED]

On 011999 @ 00730 hours, I contacted [REDACTED] in the communications center of the Colorado Springs Police Department where he is a 911 call taker. He told me that on the day of the accident, he had stopped to use the pay telephone at Hardee's on the corner of Platte Avenue and North Nevada Avenue. The telephone was on the southeast corner. While talking to communications center and looking east, he said he heard a loud motor sound to his right. When he looked to the south, he saw a burgundy colored vehicle northbound at a high rate of speed. He said that the vehicle was about 20 to 30 feet south of the intersection. He also told me that he saw another vehicle westbound on Platte Avenue and had the green light. The burgundy vehicle passed in front of the other vehicle northbound at about 85 miles per hour. [REDACTED] said that he watched the car continue northbound on Nevada Avenue and blow the red traffic signal light at Boulder Street. He said that there was another car westbound on Boulder Street just east of the intersection that had to take evasive action to avoid an accident.

During his conversation with dispatch [REDACTED] said he was told an accident had just occurred at the intersection of [REDACTED] He told me that after he had hung up the telephone, he drove to the accident scene and saw that it was the same burgundy car that had crashed.



# Traffic Supplement

ACCIDENT No. 99-1495

LOCATION [REDACTED] COLORADO SPRINGS,  
COLORADO  
DATE 01-17-99 TIME 0837 OFFICER DETECTIVE K. OFFICER NO. 77T  
HOURS TARVIN 2701

[REDACTED]  
C/S, CO. [REDACTED]  
[REDACTED]

On 011999 @ 0955 hours, I contacted Ms. [REDACTED] in the lobby of the police Operations Center. She had had a scheduled appointment with Detective A. Baccarella at 1000 hours. I asked her if I were to show her a picture of [REDACTED] would she remember her, she said she would try. When I did show her a photocopied picture, she said that was [REDACTED] Ms. [REDACTED] told me that she was working at the [REDACTED] on the morning of 011799. She said she remembers the deceased [REDACTED] coming into her store sometime around 8:30 am. The reason she knew it was [REDACTED] was because she established eye contact with her and remembers her buying two 20-ounce drinks. She said she thinks she bought candy too but was not sure. Afterward, she said [REDACTED] walked out the door. Ms. [REDACTED] said she did not see [REDACTED] get into a vehicle and drive away.

[REDACTED]  
C/S, CO. [REDACTED]  
AMR PARAMEDIC  
TRIP # 2883

On 011999 @ 1710 hours, Mr. [REDACTED] contacted me by telephone. I asked him if he could remember his contact with Mr. [REDACTED] on the day of the accident. He told me yes and said that when he arrived on scene, Mr. [REDACTED] was still in the vehicle behind the steering wheel. The firemen were in the process of extricating him from the driver's side of the vehicle. Once Mr. [REDACTED] was loaded onto the gurney and placed in to the ambulance, he was taken to Penrose hospital. During the trip, Mr. [REDACTED] told him: "I don't want to be left alone! Don't leave me alone!"

## FIRE DEPARTMENT PERSONNEL

STATION 2  
ENGINE #2 CREW:

LONNIE INZER (LT.)

TYPIST: KI

PAGE 3 OF 8



**Traffic Supplement****ACCIDENT No. 99-1495**

LOCATION

COLORADO SPRINGS,  
COLORADODATE 01-17-99 TIME 0837 OFFICER DETECTIVE K. OFFICER NO. 77T  
HOURS TARVIN 129701**WALT STUPNIK (DRIVER / FIREFIGHTER)**  
**KEVIN APURON (FIREFIGHTER)**

On 011999 @ 1720 hours, I telephoned Fire Station #2 and spoke with Lt. Lonnie Inzer. He told me that he and his crew had arrived first on scene and then Truck #1 arrived later. He and his crew attended to the occupants from the Jeep and extinguished the car fire. The crew from truck #1 extricated the driver of the maroon car. He suggested I call and talk with that crew as they were on duty.

**TRUCK #1 CREW:****[REDACTED] (DRIVER)**  
**MARK SCHAWA (FIREFIGHTER)**

On 011999 @ 1727 hours, I telephoned Station #1 and spoke with [REDACTED]. He told me that when they arrived, the other crew was tending to the people from the burning car. He said he saw the driver [REDACTED] still pinned behind the steering wheel of the red car. Rawson said he checked the driver for major medical problems and found none. He told me that his partner, Schawe had started to setup the "Jaws" in order to extricate the driver from the car. During that time, the driver yelled "Don't touch me!" He said he told the driver to calm down and that he was not going to hurt him. The driver was verbally combative and yelled "I don't want to go to the hospital...the doctors will kill me!" Rawson said again he was not going to hurt him and for him to calm down. Once the driver's door was opened and the driver removed from the vehicle, he was loaded onto the gurney. Rawson told me that before the driver was loaded into the ambulance, Officer Meyer handcuffed him to the gurney.

I then spoke with [REDACTED]. He told me that after he set up the "Jaws" and opened the driver's door, he got into the backseat behind the driver to immobilize his neck and head. Once the driver was taken out of the car and placed onto the gurney, Officer Meyer handcuffed him to the gurney. Schawe said he rode in the back of the ambulance to Penrose Hospital with the paramedic. He said the driver yelled "Don't do this...they're going to hurt me!"

**VEHICLE AUTOPSY:**

Conducted at the Colorado Springs Impound Lot on 01/21/99 at approximately 0900 Hours.

**VEHICLE #1:**



# Traffic Supplement

ACCIDENT NO. 99-1495

LOCATION

COLORADO SPRINGS,  
COLORADO

DATE 01-17-99

TIME

0837

OFFICER

DETECTIVE K.  
TARVIN

OFFICER NO.

77T

HOURS

Vehicle #1 is a 1994 Honda Accord 4-Door, maroon in color, bearing Colorado License Plates [REDACTED] VIN# JHMCD5551RC [REDACTED] Vehicle #1 sustained extensive front-end damage as a result of contacting the rear of VEHICLE #2. I observed an impression on the lower portion of the front end left by the ball hitch at the rear of Vehicle #2. It measured approximately 12 inches above the ground. There is also an impression of a tire on the left front top of the hood, which would have been the spare tire that was carried on the back of Vehicle #2. The extent of intrusion on the front end measures between fourteen and sixteen inches. Damage continues around the left front corner upward to and including the "A" pillar on the driver's side. The door on the driver's side shows signs of damage as a result of extrication made by the Fire Department using the "Jaws of Life". The top of the doorframe and roof show signs of separation. The left front tire is deflated and shows minor damage to the exterior of the aluminum rim. There is minor damage to the left rear quarter panel; however, the rear bumper assembly has been separated from the vehicle and was found in the center median at the accident scene. The right rear quarter panel has extreme damage to the lower portion behind the right rear wheel. The right rear wheel assembly is out of alignment by as much as 30 to 40 degrees. The right rear passenger doors outer skin was separated as a result of subsequent contact with VEHICLE #4. The right side of the Vehicle shows an intrusion of between seven and nine inches at the center pillar. The right front passenger door has extensive damage from top to bottom: the roof has been separated at the roof seam and the doorframe. The right front quarter panel is offset to the left as a result of impact with the rear of Vehicle #2.

Vehicle #1 is equipped with Dunlop D60A2 P195/60R115 radial tires. The right front and left rear tires are in good condition and the right rear and left front tires have been damaged and are deflated as a result of this accident. The tread on all four tires appears to be in good condition.

## INTERIOR VEHICLE ANALYSIS:

This vehicle is equipped with bucket seats, and is separated by a center console, which has a center emergency brake and a manual five-speed shifter. The air bag was deployed on both passenger side and drivers side. The lower panel beneath the steering wheel is separated from the dash. The driver's seat is in a normal upright position and both seat belts were operating properly. Upon examination of the rear taillights, there is nothing to indicate "hotshock" which would suggest the tail / brake lights were on.

## VEHICLE #2:

Vehicle #2 is a 1990 Jeep Wrangler 4x4 white in color, 2-Door. VIN#2J4FY19E2LJ [REDACTED] bearing Colorado License Plates [REDACTED] which expired on 12/98. Vehicle #2 had sustained

TYPIST: kt

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# Traffic Supplement

ACCIDENT NO. 99-1495

LOCATION

COLORADO SPRINGS,  
COLORADO

DATE 01-17-99 TIME 0837 OFFICER DETECTIVE K. OFFICER NO. 77T  
HOURS TARVIN 129701

extensive damage as a result of a fire. Impact occurred to the rear end causing the gas tank to be crushed inward and as a result, the fuel pump sparked and ignited the gasoline, setting the vehicle on fire. Intrusion from the rear of the vehicle is between 18 and 20 inches. The rear trailer hitch, which impacted with the front of Vehicle #1, is still attached as well as the rear spare tire mounted to the spare tire carrier on the tailgate. This vehicle is equipped with a roll bar, which is still intact; however, it is offset from left to right at the rear of the Vehicle. The internal compartment is completely burned, the dash was melted as well as the steering wheel and seats. The rear axle has been offset causing the right rear tire and wheel assembly to be completely separated from the axle. The left rear tire is completely outside the left rear quarter panel and is offset at a 45-degree angle. Further damage to the exterior continues to the driver and passenger door where the upper vinyl exterior had melted. The glass in the doors has been broken out as well as the front windshield, which was burned and melted. The passenger side door shows signs of induced damage to include the rocker panel within the side running board. The right front tire is deflated and the tire is separated from the rim, as was the left front tire. The right rear wheel, which was separated from the axle, is damaged and the tire is also damaged and deflated. These particular tires are B. F. Goodrich MOMENTA S/EP215/75R15 100SM+S. The tread on these tires is in good to fair condition. The rear taillights have been burned and melted to a point where I cannot make a determination whether they were on or off at the time of the accident.

## VEHICLE #3:

Vehicle #3 is a 1990 Oldsmobile Cutlass 2-Door, blue in color, bearing Colorado License Plates [REDACTED] VIN #1G3WR14T6LD [REDACTED] These license plates expire on 4/99.

This vehicle was parked along the east side of the road in the [REDACTED] [REDACTED] at the time of the accident. It was unoccupied; however, it sustained major damage to the left side, as a result of a side impact with Vehicle #1's right rear quarter panel. The glass on the driver's side door, driver's side rear compartment rear glass, passenger side rear compartment and passenger door glass have all been blown out. The front windshield has sustained induced damage where the majority of the damage is on the driver's side along the "A" pillar. Evidence impression on the leading edge of the left rear quarter panel and the trailing edge of the left driver's door indicates right rear tire contact from Vehicle #1. Damage proceeds forward to the trailing edge of the left front quarter panel. Damage is extensive to the upper portion of the driver's door, rear passenger compartment both trailing edge and leading edge. I located the right rear side marker assembly from the rear bumper of Vehicle #1 inside the left rear seat of Vehicle #3. It appears that the right rear bumper and bumper support of Vehicle #1 contacted the driver's side door pillar, continuing forward toward the leading edge of the driver's door. Analysis of the interior of Vehicle #3 indicates that it is an automatic console shift, bucket



# Traffic Supplement

ACCIDENT NO. 99-1495

LOCATION

COLORADO SPRINGS,  
COLORADO

DATE 01-17-99 TIME 0837 OFFICER DETECTIVE K. OFFICER NO. 77T  
HOURS TARVIN

seats with no airbags. This Vehicle is equipped with Grand Am Touring LSS P215/60R16 Mud & Snow radial tires. The tread on all four tires is in good condition.

## VEHICLE #4:

This vehicle is a 1991 Oldsmobile Custom Cruiser Station Wagon, maroon in color, bearing Kentucky License Plates [REDACTED] VIN#1G3BP83E9MW [REDACTED]

This vehicle sustained damage to the left rear corner and quarter panel causing induced damage to the left rear passenger door and frame assembly. The right rear passenger door of vehicle #1 had made contact with this portion of vehicle. As a result of this contact, the outer skin of Vehicle #1's right rear passenger door was separated and found on the roadway at the accident scene. Vehicle #4 was pushed forward from its original parked position along the east curb into the rear of vehicle #5. This contact caused moderate damage to the left front hood, grill, and headlight assemblies. I observed that the right side of this vehicle had old damage or what appears to be old damage to the fender skirt over the right rear wheel. The right rear and right front passenger doors are separated at the roofline as a result of induced damage from impact. This also extends up to the top edge of the passenger side door. The interior examination shows that this is an automatic column shift with driver side airbag, which was not deployed. The left front driver's door shows contact from secondary impact with vehicle #1 where the lower molding has been separated and there are obvious signs of damage to the leading edge. The tires on this vehicle are CIENTRA Steel Belted Radials P225/75R15 102S Mud & Snow. The tread is good on all tires. The right front rim is broken as a result of contact with the curb but the bead for the tire has not been compromised.

## ACCIDENT RECONSTRUCTION:

Vehicle #1 (Honda) was north bound on [REDACTED] in the left lane. Prior to the entering the intersection at [REDACTED] it changed to the right lane. Vehicle #2 (Jeep) was stopped facing eastbound on [REDACTED] prior to turning left (northbound) for northbound [REDACTED]. The impact occurred 29 feet north on the intersection in the right lane.

Vehicle #1's front end impacted with the rear end on vehicle #2 causing it to rotate counter clockwise three times before it came to rest in the middle of the roadway facing north east. The point of rest for vehicle #2 was 169 feet north of the point of impact. (An unidentified piece of vehicle #2 ended up under the rear of parked vehicle #6 (V.W.) and was on fire. Vehicle #6 was parked along the east curb facing north 25 feet north of vehicle #2 point of rest.)

After contacting vehicle #2, vehicle #1 continued north bound and struck the left side of vehicle #3 (Oldsmobile blue 4-door) which was parked along the east side of the roadway. Vehicle #2's



**Traffic Supplement****ACCIDENT NO. 99-1495**

LOCATION

COLORADO SPRINGS,  
COLORADODATE 01-17-99 TIME 0837 OFFICER DETECTIVE K. OFFICER NO. 77T  
HOURS TARVIN 129701

right rear wheel and corner section became airborne. The contact caused all the windows to explode. The front windshield remained intact but was extremely damaged from left to right. The right rear side-marker light assembly was found in the left rear seat.

Vehicle #1 then landed on the left rear corner of parked vehicle #4 (Oldsmobile Station wagon) with its right rear passenger door. The force from the impact bent vehicle #4's frame downward and pushed it forward 19 feet into the rear of parked vehicle #5 (Dodge truck). The force from contact caused vehicle #1 and #4 to attain a common velocity. Vehicle #1 rotated clockwise where secondary impact occurred. The right front corner of vehicle #1 struck the left side of vehicle #4 just behind the leading edge of the driver's door. Vehicle #1 rotated clockwise one and a half times where came to rest facing east in the left north bound lane 122 feet north of the point of impact.

**POST IMPACT SPEED OF HONDA:****POST IMPACT SPEED OF OLDS SW:**

$$S = \sqrt{(30)(D)(f)(n)}$$

$$S = \sqrt{(30)(D)(f)(n)}$$

$$S = \sqrt{(30)(36)(.80)(.70)}$$

$$S = \sqrt{(30)(19)(.80)(.40)}$$

$$S = \sqrt{1444.8}$$

$$S = \sqrt{182.4}$$

$$S = 38 \text{ MPH}$$

$$S = 13.5 + 5 \text{ MPH DAMAGE IMPACT W/ V-5}$$

$$S = 18.5 \text{ MPH}$$

**IN-LINE COLLISION FORMULA:**

$$S1 = S3 \frac{(W1 + W2)}{W1}$$

WEIGHT OF VEHICLE HONDA: 2790 LBS.

$$S1 = 38 \frac{(2790 + 4120)}{2790}$$

WEIGHT OF VEHICLE OLDS SW: 4120 LBS.

$$S1 = 38 (2.47)$$

$$S1 = 94 \text{ MPH}$$

NOTHING FURTHER.



**ACCIDENT NO. 99-1495**

LOCATION \_\_\_\_\_ COLORADO SPRINGS, COLORADO  
DATE 01-17-99 TIME 0837 OFFICER MARK H. STEVENS OFFICER NO. 12970

INITIATING INFORMATION:

On 01-17-99 at 0853 Hrs I was contacted at my residence and informed of a major accident at the intersection of [REDACTED] I responded to the scene, arriving at approximately 0930 hrs. Upon my arrival, I contacted Officer Smook and Officer Shields and was briefed on the conditions of the accident.

I observed two vehicles in the roadway of Nevada Ave north of Uintah St. I saw a maroon/red Honda Accord with extreme front end damage in the left lane adjacent to the median facing east. I also observed a white Jeep Wrangler facing northeast in the left lane and had sustained major fire damage and impact damage to the right rear of the vehicle.

I then awaited the arrival of Detective Ken Tarvin to initiate the accident investigation. During the investigation, I took five rolls of 35MM photographs with the 35MM camera assigned to the Major Accident Unit. I also assisted in taking measurements with the Sokkia Total Surveying Station.

After the investigation of the accident on-scene, I responded to Penrose Main Hospital and saw the driver of vehicle # 1. Mr. [REDACTED] in the emergency room. I observed a singeing of his hair on the right side above the right ear. Mr. [REDACTED] indicated he received the burnt hair during the course of the accident he was involved in.

I attended the autopsy of Ms. [REDACTED] on 01-18-98 with Detective Baccarella and conducted several interviews after the accident.

DRIVER # 1 STATEMENT:

I responded to the El Paso County Criminal Justice Center on 11-19-98 with Detective Baccarella and interviewed Mr. [REDACTED]. I initiated the interview at 10:11 hours and terminated the interview at 10:30 hours. Mr. [REDACTED] was in the medical ward in a single occupant cell at the time of the interview.

At the initiation of the interview, Mr. [REDACTED] was re-advised of his Miranda rights, which were:

## MIRANDA WARNING:

1. You have the right to remain silent.
2. Anything you say can and will be used against you in a court of law.
3. You have the right to talk to a lawyer and have him present with you while being questioned.
4. If you cannot afford to hire a lawyer one will be appointed to represent you before any questioning.

When asked, he said that he had not consulted with an attorney, had not hired an attorney or had one appointed for him.



**ACCIDENT NO. 99-1495**

LOCATION

COLORADO SPRINGS, COLORADO

DATE \_\_\_\_\_

01-17-99

## TIME

0837

OFFICER

**MARK H. STEVENS**

OFFICER NO.

1256T

I asked Mr. [REDACTED] to explain to me what had happened on Sunday prior to the accident. Mr. [REDACTED] stated that he was in his apartment at [REDACTED] and felt that "things were chasing him" and that there were "demons after me" and that the "demons were everywhere." He stated that he had not slept for several days ("2 or 3") and had not taken his medication (Lithium and Depakote) in the same amount of time. He said that he was upset and he was "fearful the devil was in my apartment." He said that he "trashed" his apartment, and indicated that he threw a fire extinguisher around the apartment to attempt to drive the devil out of the apartment. He said that he was "fighting for my life." Mr. [REDACTED] then stated that he went to "his club" (identified as the [REDACTED] Colorado Springs, CO) and took a shower. He said that he had calmed down while he was at the club.

Mr. [REDACTED] said that he went to his car and got "nervous and agitated." He said that he felt a "compulsion to drive fast" and was attempting to "run from the devil." He said that he did not know the direction he was travelling, what street he was on, or where he was going. He did say that he was the only occupant in his car. He said that he only knew that he felt that he had to "drive fast because the demons were following me and I couldn't let them catch me." He said that while he was driving, he heard "helicopter noises" and felt "Napalm sprayed on me." He said that he was driving "as fast as I could" with "extreme urgency." When asked how fast he thought he was going, he said that he didn't know, but thought that he was going "over 100."

I informed Mr. [REDACTED] that there were some witnesses that told us that he had run some red lights on [REDACTED] and asked if had done that. Mr. [REDACTED] stated that he didn't know, but it "could have been me" as he didn't know what he was doing or where he was going.

When asked how the accident occurred, Mr. [REDACTED] said that he didn't know, and that the Jeep "just appeared in front of me." He said that when the Jeep appeared, he was too close to it and couldn't stop. When asked which way the Jeep had been going and if it had been turning or going straight, he said that he didn't know and repeated that it just "appeared." He said that he had been in the middle of the street before impact, and had run into the back of the Jeep. He said that he could not see in the Jeep and didn't know anything about the occupants of the Jeep.

Mr. [REDACTED] stated that after the accident, several people approached his car and tried to help him. He said that some of them were "nice" and some people were yelling at him and weren't nice. He said that he shied away from the people that were yelling at him and indicated through hand signals that he placed his hands in front of his face.

Mr. [REDACTED] had nothing further to add concerning the accident, but stated that he did not intend to do these "bad things" but that "evil forces work against me" and he "had no choice." He said that in the past, the demons and the devil have told him what to do, but that was not the situation in this case. He said that he did not intend to hurt anyone, only that he "had to get away." He also stated that he did not intend to hurt himself or to commit suicide. He also stated that he wasn't thinking of the possible consequences of driving in the manner that he was, only that he was "compelled" to drive as fast as he was. When I asked him if he had considered going to the hospital at the onset of being upset, he stated that he has done so in the past but got tired of the hassle at the hospital. He also said he had not been taking any drugs or alcohol at the time of the accident.







# Traffic Supplement

ACCIDENT NO. 99-1495

LOCATION

COLORADO SPRINGS,  
COLORADO

DATE 01-17-99 TIME 0837 OFFICER MARK H. STEVENS OFFICER NO. 1256T

shirt, pulled the driver ( ) from the driver's seat of the Jeep. He said that he and the other gentleman placed Ms. ( ) on the grass in the median of ( ) and awaited the arrival of CSFD and CSPD.

Mr. ( ) stated he had not talked to the driver of the Honda but only saw the one occupant of the Honda in the driver's seat..

## WITNESS STATEMENT:

On 01-21-99 at 1450 hrs ( ) came to the Police Operations Center with ( ) and her grandparents ( ) provided a statement on her recollections about the accident to myself and Detective Tarvin, 77T.

( ) stated that she remembered getting up early in the morning on 1-17-99 and going to ( ) apartment to drop off ( ) (the boy that had spent the night at their apartment). She said that after they dropped off ( ) she fell asleep in the front seat of the Jeep. She said that she didn't know where they went from there, but knew that her mother intended to get some sodas and "get her taxes raised." ( ) stated that she didn't remember anything else until the accident and being pulled from the burning Jeep.

NOTHING FURTHER



# Traffic Supplement

ACCIDENT NO.99-1495

LOCATION

COLORADO SPRINGS,  
COLORADO

DATE 01/17/99 TIME 08:37 OFFICER DETECTIVE JOHNS OFFICER NO. 424

WITNESS

On January 20, 1999 at 14:00 hours I spoke on the phone to [REDACTED] r. [REDACTED] told me she and her 7-year-old son [REDACTED] were riding as passengers in a vehicle driven by her husband [REDACTED] last Sunday. They were westbound on Platte Ave approaching Nevada when [REDACTED] suddenly slowed and said "Jesus Christ, did you see that". Mean while [REDACTED] said a red car had just ran the red light at Nevada and was traveling northbound at an estimated 80 to 100 miles per hour. [REDACTED] said they made the right turn to northbound Nevada and the red car was continuing north running every red light. [REDACTED] said she never saw brake lights go on. [REDACTED] said she then saw the explosion. [REDACTED] and her family continued north on Nevada arriving only a couple of minutes after impact. [REDACTED] went to the scene to assist. [REDACTED] said she saw the driver of the red car still in the driver's seat and he had a "pissed off" look on his face and was pushing away firemen who were trying to help him.



# Traffic Supplement

## ACCIDENT NO.99-1495

LOCATION

COLORADO SPRINGS,  
COLORADO

DATE 01/17/99 TIME 08:37 OFFICER DETECTIVE JOHNS OFFICER NO. 424

### WITNESS

On January 20, 1999 at 08:33 I spoke to [REDACTED] by phone. [REDACTED] told me he was northbound on Nevada and was ahead of the accident. He heard the explosion, saw the accident, turned around to give assistance to the victims. He removed a blanket from his vehicle and placed it on the lady in the median.

### WITNESS

On January 20, 1999 I spoke by phone to [REDACTED] told me he had left his home at [REDACTED] about 08:35 to 08:40 on Sunday morning with his wife [REDACTED] Mr. [REDACTED] was giving his wife a ride to work at [REDACTED]. [REDACTED] said as he traveled south on Nevada, around Willamette, a red car was "hauling the mail" northbound. As the red car crossed Willamette it went 1 to 2 feet in the air. Mr. [REDACTED] thought it was going to wreck right there. After dropping his wife at work and returning home he saw the aftermath of the accident. He saw the red car and recognized it as the one he had seen speeding while taking his wife to work. He stopped and provided an Officer his name.

### WITNESS

On January 20, 1999 at 08:15 hours I spoke by phone to [REDACTED]. Mr. [REDACTED] told me he was standing on the Northeast corner of San Rafael and Nevada at around 08:30 Sunday morning. He was going to cross the street west. While standing there a red car came northbound in the left lane at 70-80 miles per hour. Mr. [REDACTED] knew the car was not going to be able to stop for any hazard nor the light at Uintah. Mr. [REDACTED] said he could not see the light at Uintah but said the passing of the car was followed by silence and a feeling of doom then the sound of the crash. Mr. [REDACTED] said he ran back to his office and called 911. He said he never even looked, he just knew it would be bad. Mr. [REDACTED] said he did go to the scene after



# Traffic Supplement

ACCIDENT No.99-1495

LOCATION

COLORADO SPRINGS,  
COLORADO

DATE

01/17/99

TIME

08:37

OFFICER

DETECTIVE JOHNS

OFFICER NO.

424

129701

calling 911 and did see the male driver still in the car and was being attended by firemen. He said the driver was wearing a seat belt and was wide eyed.

No further

PAGE 2 OF 2

TYPIST: mdj



# Traffic Supplement

## ACCIDENT No.99-1495

LOCATION

COLORADO SPRINGS,  
COLORADO

DATE

01/17/99

TIME

08:37

OFFICER

DETECTIVE JOHNS

OFFICER NO.

424

### WITNESS

On January 19, 1999 at 10:51 hours I, Detective Johns, made phone contact with [REDACTED]. She told me she was a passenger in a vehicle being driven by her husband [REDACTED] and they were stopped for a red light at the intersection of Nevada and Uintah. [REDACTED] said they were the first car in the left thru lane on Nevada and had been stopped for about 20 seconds when a red car came "flying" by them in the right lane. The car ran the red light, struck a parked car, and then hit the white Jeep.

After the impact [REDACTED] turned right and parked at the edge of Uintah. [REDACTED] said by the time she got to the Jeep, bystanders had pulled the occupants out. [REDACTED] said she went to the little girl whom was on the ground east of the road and put her jacket over the girl and talked to her trying to keep her calm until medical arrived.

[REDACTED] went to the red car that the other man was in. [REDACTED] said the driver was yelling at [REDACTED] and the other men to get him out of the car. [REDACTED] said the radio of the car was blaring and [REDACTED] turned it down or off.

I asked [REDACTED] if she knew where the Jeep came from and she believed it had made a left turn from eastbound Uintah but she had not seen the Jeep until the accident.

### WITNESS

On January 19, 1999 at 15:30 hours I spoke by phone to [REDACTED]. Mr. [REDACTED] told me he was driving northbound on Nevada and had stopped in the left thru lane for a red light at the intersection with Uintah. Mr. [REDACTED] said he had been stopped for about 2 minutes when a fast moving red car came by him on the right, running the red light and striking the parked car then rear ending the Jeep. Mr. [REDACTED] said the car was really moving and after the impact with the Jeep he remembers nothing but the fireball.

He said he parked on Uintah and went to assist. He found the people from the Jeep were already out. The woman was in the median, the boy was also in the median, and the girl was on the east side of the road. Mr. [REDACTED] said his wife went to the assistance of the girl and others were helping the mother and the boy.



**Traffic Supplement****ACCIDENT NO.99-1495**

LOCATION

COLORADO SPRINGS,  
COLORADODATE 01/17/99 TIME 08:37 OFFICER DETECTIVE JOHNS OFFICER NO. 424129761

Mr. [REDACTED] said he went to the red car where the driver and sole occupant was trapped inside. He said the radio of the car was so loud he could hardly hear the man so Mr. [REDACTED] reached inside the car and turned the radio down. He said the man wanted help and [REDACTED] told him he did not need help now and Mr. [REDACTED] returned to the injured little boy to assist there.

I asked Mr. [REDACTED] if he knew where the Jeep came from. He told me the Jeep had been eastbound on Uintah and was stopped in the middle of the intersection, preparing for a left turn to northbound Nevada. [REDACTED] said that when the eastbound traffic cleared the Jeep made the turn and was instantly struck by the car.

**CRIMINAL MISCHIEF - 99-2752**

In reviewing the report prepared by Officer Law I saw where she mentioned a suspicious person call at Nevada and Pikes Peak and the implication was this person could have been [REDACTED]. [REDACTED] Officer Reese had responded to the suspicious person call. I made contact with Officer Reese on 1/19/99 and he told me he had just checked the area for the person and Officer Steve Copp was the primary on the call for service. Officer Copp called me and said the suspect he was looking for was a bearded male and the security guard thought the man he had seen matched a poster picture of a sexual assault suspect. Officer Copp said this suspicious man was not the driver in this accident.

No further



# Traffic Supplement

ACCIDENT No.99-1495

LOCATION

COLORADO SPRINGS,  
COLORADO

DATE 1/17/99

TIME

08:37

OFFICER

DETECTIVE JOHNS

OFFICER NO.

424

129701

## WITNESS

1/18/99

11:30 hours

I, Detective Johns, made phone contact with [REDACTED] and she told me she had seen the suspect vehicle at Kiowa and Nevada. [REDACTED] was a passenger in a center lane northbound vehicle and was stopped at the red light for Kiowa. [REDACTED] said a smaller red car pasted her on the left at an estimated 70 to 75 mph. It went by her so fast she felt like she was stopped on the shoulder of an Interstate. She watched as the red car continued north on Nevada running the red traffic light at Bijou and Platte. It then continued north running the yellow traffic lights at Boulder and Cache La Poudre. She told me she then saw a fireball and although she could not see the car after it passed Cache La Poudre, she figured it had been involved in an accident.

[REDACTED] said the red car never had brake lights go on and at Kiowa and Bijou she believed the car was accelerating.

[REDACTED] did not get a look at the driver but she saw only one occupant in the car. Based on the aggressive driving she thought the driver was male.

[REDACTED] said she was in a passenger in a small white and blue truck owned and driven by [REDACTED]. [REDACTED] said [REDACTED] is a co-worker of hers at [REDACTED] and picks her up for work at [REDACTED]. They go north on Nevada to Platte where they turn right (east).

No further



# Traffic Supplement

ACCIDENT No. 99-1495

LOCATION

COLORADO SPRINGS,  
COLORADO

DATE 01-17-99

TIME

0837

OFFICER

C. SHIELDS

OFFICER NO.

065T

HOURS

129701

Supplement by Detective Alan W. Baccarella, 463T

On 01-26-99, I, Detective Alan W. Baccarella, 463T conducted an Internet search for documents detailing to recall notices and safety bulletins related to the 1990 Jeep Wrangler. I specifically searched for documents relating to any fuel tank or fuel system safety issues on this model vehicle.

I conducted the search to exclude the possibility that the fuel tank rupture and explosion that occurred in vehicle two was the result of a previously documented structural or mechanical defect.

I obtained the following document when I searched the following website address for the National Highway Traffic Safety Administration (NHTSA):

<http://www.nhtsa.dot.gov/cars/problems/recalls/mmy.cfm>

I downloaded the information and included it in this supplement as follows:

NHTSA CAMPAIGN ID Number: 94V106000

Component: FUEL:FUEL PUMP

Manufacturer: CHRYSLER CORPORATION

Potential Number of Units Affected: 230000

Year: 1990

Make: JEEP

Model: WRANGLER

Manufactured From: FEB 1986 To: AUG 1993

Year of Recall: '94

Type of Report: Vehicle

Summary:

THE FUEL TANK SENDING UNIT GASKET CAN CRACK CAUSING FUEL AND FUEL VAPOR LEAKS.

FUEL AND FUEL VAPOR LEAKED FROM THE FUEL TANK CAN RESULT IN FIRE WHEN EXPOSED TO A SOURCE OF IGNITION.

REPLACE THE FUEL TANK SENDING UNIT GASKET.

SYSTEM: FUEL; FUEL PUMP.

**COPY**



# Traffic Supplement

ACCIDENT NO. 99-1495

LOCATION

COLORADO SPRINGS,  
COLORADO

DATE 01-17-99

TIME

0837  
HOURS

OFFICER

C. SHIELDS

OFFICER NO.

065T

VEHICLE DESCRIPTION: MULTIPURPOSE PASSENGER VEHICLES EQUIPPED WITH PLASTIC FUEL TANKS.

NOTE: IF YOUR VEHICLE IS PRESENTED TO AN AUTHORIZED DEALER ON AN AGREED UPON SERVICE DATE AND THE REMEDY IS NOT PROVIDED WITHIN A REASONABLE TIME AND FREE OF CHARGE OR THE REMEDY DOES NOT CORRECT THE DEFECT OR NONCOMPLIANCE, PLEASE CONTACT CHRYSLER SERVICE CENTER AT 1-800-853-1403. ALSO, CONTACT THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION'S AUTO SAFETY HOTLINE AT 1-800-424-9393.

It appears as if the recall notice listed above does not relate to vehicle two, which is equipped with a metallic fuel tank. I did not locate any other safety bulletins or recall notices involving the fuel tank in the 1990 Jeep Wrangler.

I placed copies of the downloaded information into evidence on 01-27-99.

NO ADDITIONAL INFORMATION.



# Traffic Supplement

ACCIDENT NO. 99-1495

LOCATION

COLORADO SPRINGS,  
COLORADO

DATE 01-17-99

TIME

0837

OFFICER

C. SHIELDS

OFFICER NO.

065T

HOURS

129707

Supplement by Detective Alan W. Baccarella, 463T

## INJURY/AUTOPSY INFORMATION:

The deceased, [REDACTED] was pronounced dead at 0853 hours on 01-17-99 by DR. LARRY DILLON at the Penrose Main Hospital Emergency room.

At 0952 hours on 01-18-99, DETECTIVE M. STEVENS and I witnessed the autopsy performed on the deceased, [REDACTED] at the El Paso County Coroner's Office. The El Paso County Coroner, DR. DAVID L. BOWERMAN, performed the autopsy. Ms. [REDACTED] height and weight were recorded at 65 inches and 145.5 pounds. I took notes and photographs during the autopsy.

I noted that the coroner's office listed the deceased's next of kin as [REDACTED] who reside at [REDACTED] in Riverside, CA [REDACTED] Mr. and Mrs. [REDACTED] s telephone number was listed as [REDACTED]

I observed little trauma to Ms. [REDACTED] body, with the exception of several small abrasions to her right side above her right hip, which appeared to have been caused by the Jeep's lap and shoulder belts. I also observed a small contusion to Ms. [REDACTED] left knee, as well as a contusion to her left calf.

Dr. Bowerman noted no significant injuries to Ms. [REDACTED] during the exterior examination of the deceased's body. Dr. Bowerman noted no trauma in either Ms. [REDACTED] s abdominal cavity or chest cavity.

Dr. Bowerman showed Detective Stevens and I that Ms. [REDACTED] had sustained a hinge-type, basal skull fracture, which resulted in massive subdural hemorrhaging. Dr. Bowerman stated that the collision forces would need to be severe to result in an injury such as that.

Dr. Bowerman listed the cause of Ms. [REDACTED] death to be a massive head injury as the result of blunt force trauma.

Dr. Bowerman concluded the autopsy at 1106 hours.

## DETECTIVE STATEMENT:

At approximately 2100 hours on 01-17-99, I, Detective Alan W. Baccarella, 463T received a telephone call from DETECTIVE K. D. TARVIN, who informed me that a traffic fatality occurred at approximately 0837 in the [REDACTED] Detective Tarvin requested that I attend the autopsy of the deceased driver [REDACTED] on 01-18-99.



**Traffic Supplement****ACCIDENT NO. 99-1495**

LOCATION

COLORADO SPRINGS,  
COLORADO

DATE

01-17-99

TIME

0837

OFFICER

C. SHIELDS

OFFICER NO.

065T

HOURS

At 0952 hours on 01-18-99, Detective Stevens and I attended the autopsy performed on the deceased. I took notes and photographs. I turned the film in for processing and printing later upon my return to the Police Operations Center.

On 01-19-98, Detective Stevens and I interviewed driver one [REDACTED] at the El Paso County Criminal Justice Center. We conducted the interview with [REDACTED] after Detective Stevens read the Miranda advisement to Mr. [REDACTED] stated that he understood his rights under the law and that he chose to speak to us at that time.

Please refer to Detective Stevens' supplement for additional details and for [REDACTED] statement.

NO ADDITIONAL INFORMATION AT THIS TIME.



# Traffic Supplement

ACCIDENT NO. 99-1495

LOCATION

COLORADO SPRINGS, COLORADO

DATE 01/17/99

TIME

0837 HRS.

OFFICER

C. SHIELDS

OFFICER NO.

065T

Prepared by Officer G. Reese, 023 at 0900 Hours

## WITNESS INFORMATION:

The following people were contacted at the accident scene. They observed the accident and can attest to the suspect's vehicle speed.

1)

2)

3)

4)

5)

6)

TYPIST: mbh







**ACCIDENT NO. 99-1495**

LOCATION	[REDACTED]			COLORADO SPRINGS, COLORADO	
DATE	1-17-99	TIME	0837 HRS	OFFICER	C. SHIELDS
				OFFICER NO.	065T

SUPPLEMENT BY OFFICER DOUG SMOOK

1-17-99

At approximately 0840 hrs. I responded to a traffic accident at [REDACTED] While enroute, I heard Officer Shields request that the commander be notified as well as the Major Accident Unit Detectives.

Upon arrival I spoke with AMR employees who were loading occupants of the vehicles involved and preparing to transport them. I was told that two occupants had already been transported. The occupants from the Jeep (vehicle #2) had sustained second and third degree burns. Two of these were children. They were being transported to Memorial Hospital. The two drivers had been transported to Penrose Main Hospital.

I observed two vehicles in the middle of [REDACTED] A maroon Honda Accord and a Jeep utility vehicle that had been extensively burned. There were also two other vehicles on the west curb facing north, that had been damaged.

I began asking bystanders if they had witnessed the accident. I found the following two and had them complete witness statements.

I also spoke with the following two individuals who removed the occupants from the burning Jeep.

I obtained there information on FIR cards.

I was contacted by a CSFD employee who had located the contents of a wallet in the center median. The contents, including photographs, contained a driver's license for the driver of vehicle #2 (Jeep).

I contacted Officer S. Meyer who was at Penrose Hospital with the drivers. I gave him the information on the driver of the Jeep for notification purposes. I also instructed him how to obtain a legal tox on the driver of vehicle #1 (Honda). I asked him to talk with the driver and obtain a statement from him if possible.



**ACCIDENT NO. 99-1495**

LOCATION [REDACTED] COLORADO SPRINGS, COLORADO  
DATE 1-17-99 TIME 0837 HRS OFFICER C. SHIELDS OFFICER NO. 065T

I contacted Officer C. Harris-Sheppard who was at Memorial Hospital where the children had been transported. She informed me that the little boy was intubated and in stable condition. The little girl was currently in X-Ray and was in better condition than her brother. Both would be taken to Denver Children's Hospital shortly. Officer Sheppard would attempt to talk to the little girl and obtain information from her.

I spoke with Officer J. Law on the radio. She wanted to know if one of the vehicles involved was a maroon Honda Accord. I told her that it was and she said that it may belong to her suspect in a Criminal Mischief. She responded to the scene and identified it as so. She said that she had been dispatched to the [REDACTED] regarding a disturbance and upon her arrival, the suspect was GOA. The apartment had been damaged. She assisted in attempting to locate family of the occupants in the Jeep by responding to the north Wahsatch address on the driver's license. She was unable to contact anyone at the residence but spoke with a neighbor who said a lady and her two children lived there.

I spoke with Officer Sheppard again and was told that the little girl had given her information on their babysitter as well as their grandparents. The babysitter, [REDACTED] was contacted at [REDACTED] and was responding to the hospital.

Detective M. Stevens arrived on scene and I gave him a synopsis of the above information. Detective K. Tarvin arrived a short time later. I gave the two witness statements, FIR's and personal property belonging to the driver of the Jeep to them.

Sgt's. F. Howard and M. Martin also arrived on scene and they were briefed with the above information.

I cleared the scene with no further action.

NOTHING FURTHER



# Traffic Supplement

ACCIDENT NO 99-1495

LOCATION

COLORADO SPRINGS,  
COLORADO

DATE 01-17-99

TIME

0837

OFFICER

S. MEYER

OFFICER NO.

72P

HOURS

129701

Patrol/rc

On 01-17-99 at approximately 0837 hours, Officer Creston Shields (65T) and myself (Officer Stuart Meyer, 72P) were dispatched to a traffic accident with injuries involving approximately five vehicles at the intersection of [REDACTED]

Upon arrival I observed that Colorado Springs Fire Department personnel and AMR personnel had already arrived on scene and were treating several victims of injuries due to the accident. I also observed two vehicles blocking both of the northbound lanes of North Nevada Avenue just north of the intersection with Uintah Street. I also noticed that both of the vehicles as well as several vehicles parked along the right side of the roadway had been damaged very badly.

I was then contacted by two witnesses who advised me that the driver of what appeared to be a maroon compact type vehicle was the person at fault in the accident. Both of the witnesses advised me that the vehicle that caused the accident was seen traveling northbound on Nevada Avenue at speeds in excess of 100 mph. I then identified the witnesses as [REDACTED] Colorado Springs, CO [REDACTED] and [REDACTED] (address [REDACTED] Colorado Springs, Colorado, home phone [REDACTED]).

After I had been advised by the witnesses of the location of the suspect vehicle I responded to what appeared to be a maroon vehicle with heavy damage straddling the center lane of northbound North Nevada Avenue. I observed several medical personnel with Colorado Springs Fire Department assisting a single occupant of that vehicle who was seated in the driver's seat. I observed the driver as being a white male with blonde hair and blue eyes. I later identified that person as [REDACTED]

I remained with the suspect as Fire Department personnel used hydraulic equipment to extricate the driver. After the driver had been removed from the damaged vehicle, he was taken to an American Medical Response ambulance by AMR personnel. After the suspect had been placed in the ambulance he was then transported from the scene to Penrose Main Hospital. I followed the ambulance transporting the suspect to Penrose Main Hospital where he was later treated and released by Doctor DILLON.



# Traffic Supplement

ACCIDENT No 99-1495

LOCATION

COLORADO SPRINGS,  
COLORADO

DATE 01-17-99

TIME

0837

OFFICER

S. MEYER

OFFICER NO.

72P

HOURS

129701

Upon arrival at Penrose Main Hospital I was advised by the nursing staff at the hospital that the female victim of the traffic accident at the intersection of [REDACTED] had been pronounced dead.

I also contacted Doctor Dillon with Penrose Main Hospital who advised that he pronounced the female victim, identified as [REDACTED] dead at 0853 hours on 01-17-99 approximately three minutes after her arrival.

Doctor Dillon also advised that the suspect [REDACTED] would be treated and released for a fractured right ankle and right wrist and lacerations to his forehead and right knee.

On 01-17-99 at approximately 0925 hours, I contacted the suspect [REDACTED] and asked for his consent to draw blood that would be tested for the presence of drugs or alcohol. Consent was given to me by [REDACTED] with the specimen collector [REDACTED] present. At that time blood was drawn and placed into the evidence containers, and initialed by myself and the specimen collector [REDACTED]

This procedure was once again performed by myself and the specimen collector [REDACTED] at approximately 1025 hours on 01-17-99.

On 01-17-99 at approximately 1000 hours, I once again contacted suspect [REDACTED] and advised him of his Miranda Warning which is as follows.

## MIRANDA WARNING

1. You have the right to remain silent.
2. Anything you say can and will be used against you in a court of law.
3. You have the right to talk to a lawyer for advise before we ask you any questions.
4. If you cannot afford a lawyer, one will be appointed before any questioning.
5. If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time.



# Traffic Supplement

ACCIDENT No 99-1495

LOCATION

COLORADO SPRINGS,  
COLORADO

DATE 01-17-99

TIME

0837

OFFICER

S. MEYER

OFFICER NO.

72P

HOURS

I then asked [REDACTED] if he understood the Miranda Warning as it was explained to him and he advised yes. I then asked [REDACTED] if having these rights in mind do you wish to talk to me now without a lawyer present and he advised yes.

I then asked [REDACTED] what had occurred during the accident that he had been involved in, and he replied that he was just driving around very fast in his vehicle, well over the speed limit, and struck another vehicle. [REDACTED] was asked if he knew the direction of travel that he was traveling in or the speeds he was traveling, and he advised that he had no idea.

[REDACTED] also advised that he had not been drinking or doing drugs, but was a manic depressive bipolar personality and was under the direction to take [REDACTED]. [REDACTED] advised that he was up to date on his prescription drugs and had not fallen behind. [REDACTED] could not give any, or remember any further description of the accident that he had been involved in.

I also collected the blood specimen that had been drawn by Linda Tolan of Penrose Main Hospital and later placed those into evidence at the Police Operations Center.

On 01-17-99 at approximately 1145 hours I was contacted by the witness [REDACTED] Mr. [REDACTED] advised that he had responded to Penrose Main Hospital to give a further detailed statement to the officers as they weren't able to obtain his information at the scene.

Mr. [REDACTED] advised that on 01-17-99 he was traveling westbound at the intersection of Cache La Poudre and Nevada Avenue through the green light at that intersection. Mr. [REDACTED] advised that he hesitated for a moment as he was attempting to decide where to go for breakfast, when he observed a vehicle traveling northbound on Nevada Avenue approaching at a very high rate of speed.

Mr. [REDACTED] advised that he stopped at the green light and observed the maroon vehicle travel northbound through the intersection and the red traffic control signal at speeds in excess of 100 mph. Mr. [REDACTED] advised that he observed the vehicle become airborne as it passed through the intersection and continue to travel northbound.



**Traffic Supplement****ACCIDENT NO 99-1495**

LOCATION

COLORADO SPRINGS,  
COLORADO

DATE 01-17-99

TIME

0837

OFFICER

S. MEYER

OFFICER NO.

72P

HOURS

129701

Mr. [REDACTED] advised that he began following the vehicle northbound on Nevada Avenue and then observed it enter the intersection of [REDACTED]. As it entered the intersection Mr. [REDACTED] advised that he observed the vehicle swerve to the right, striking two parked vehicles, and the strike a white Jeep Wrangler which was traveling northbound on North Nevada Avenue.

Mr. [REDACTED] advised that after the impact he observed the white Jeep burst into flames and observed three people being ejected from that vehicle. Mr. [REDACTED] advised that he stopped to assist any victims and noticed that the maroon vehicle was also on fire. Mr. [REDACTED] advised that he did attempt to assist a white female whom he believed was probably deceased at the scene and then responded to assist the young children that had been also passengers of the white Jeep.

Mr. [REDACTED] advised that he did observe that there was a white male located in the driver's seat of the maroon vehicle and he responded to that location, and turned off the vehicle, and removed the keys, placing them on the dash.

No further follow-up done by this officer.



# COLORADO INVESTIGATOR'S FATAL TRAFFIC ACCIDENT SUPPLEMENTAL REPORT

DR 4473 (1/97)

SHEET 1 OF 1 SHEETS

ACCIDENT DATE <b>1/17/99</b>	TIME <b>0837</b>	COUNTY <b>El Paso</b>	CITY <b>Colorado Springs</b>	CORCODE
OFFICER NAME NUMBER <b>C. Shields 065T</b>			SIGNATURE <i>[Signature]</i>	
AGENCY CODE				

<b>EMERGENCY MEDICAL SERVICES</b> <small>(ALL TIMES ARE MILITARY TIME)</small> TIME NOTIFIED: <b>0838</b> TIME ARRIVED @ SCENE: <b>0845</b> TIME ARRIVED @ HOSPITAL: <b>0859</b> IF TIMES ARE UNKNOWN PROVIDE NAME OF RESPONDING SERVICES:	<b>VEHICLE #1 OR 1</b> <b>CRASH AVOIDANCE MANEUVER</b> 1 NO AVOIDANCE MANEUVER 2 BRAKING (no skid marks, driver stated) 3 BRAKING (skid marks, driver stated) 4 BRAKING (other reported evidence) 5 STEERING (evidence of skid) 6 STEERING AND BRAKING (evidence of skid) 7 OTHER AVOIDANCE MANEUVER <div style="text-align: center; border: 1px solid black; width: 40px; margin: 0 auto;">2</div> <b>VEHICLE DEFECT</b> 1 NO APPARENT CONTRIBUTING FACTORS 2 BRAKES INOPERATIVE OUT OF ADJUSTMENT 3 IMPROPER TIRES FOR CONDITIONS 4 SUDDEN TIRE FAILURE 5 WINDOWS OBSCURED 6 INOPERABLE SIGNALING DEVICES 7 DEFECTIVE HEADLIGHTS 8 DEFECTIVE BRAKE/TAIL LIGHTS 9 OTHER CONTRIBUTING FACTOR (describe in accident narrative) <div style="text-align: center; border: 1px solid black; width: 40px; margin: 0 auto;">1</div> <b>FIRE/HAZARDOUS MATERIALS INVOLVEMENT</b> 1 NO FIRE/HAZ-MAT CARGO 2 NO FIRE/HAZ-MAT CARGO NOT INVOLVED 3 NO FIRE/HAZ-MAT INCIDENT 4 VEHICLE FIRE/HAZ-MAT CARGO 5 VEHICLE FIRE/HAZ-MAT CARGO NOT INVOLVED 6 VEHICLE FIRE/HAZ-MAT INCIDENT <div style="text-align: center; border: 1px solid black; width: 40px; margin: 0 auto;">4</div> <b>DRIVER # 1</b> <b>COMPLIANCE WITH LICENSE RESTRICTIONS</b> (drivers only) 1 NOT RESTRICTED 2 RESTRICTIONS COMPLIED WITH 3 RESTRICTIONS NOT COMPLIED WITH 4 RESTRICTIONS COMPLIANCE UNKNOWN <div style="text-align: center; border: 1px solid black; width: 40px; margin: 0 auto;">1</div>	<b>VEHICLE #2 OR 2</b> <b>CRASH AVOIDANCE MANEUVER</b> 1 NO AVOIDANCE MANEUVER 2 BRAKING (no skid marks, driver stated) 3 BRAKING (skid marks, driver stated) 4 BRAKING (other reported evidence) 5 STEERING (evidence of skid) 6 STEERING AND BRAKING (evidence of skid) 7 OTHER AVOIDANCE MANEUVER <div style="text-align: center; border: 1px solid black; width: 40px; margin: 0 auto;">1</div> <b>VEHICLE DEFECT</b> 1 NO APPARENT CONTRIBUTING FACTORS 2 BRAKES INOPERATIVE OUT OF ADJUSTMENT 3 IMPROPER TIRES FOR CONDITIONS 4 SUDDEN TIRE FAILURE 5 WINDOWS OBSCURED 6 INOPERABLE SIGNALING DEVICES 7 DEFECTIVE HEADLIGHTS 8 DEFECTIVE BRAKE/TAIL LIGHTS 9 OTHER CONTRIBUTING FACTOR (describe in accident narrative) <div style="text-align: center; border: 1px solid black; width: 40px; margin: 0 auto;">1</div> <b>FIRE/HAZARDOUS MATERIALS INVOLVEMENT</b> 1 NO FIRE/HAZ-MAT CARGO 2 NO FIRE/HAZ-MAT CARGO NOT INVOLVED 3 NO FIRE/HAZ-MAT INCIDENT 4 VEHICLE FIRE/HAZ-MAT CARGO 5 VEHICLE FIRE/HAZ-MAT CARGO NOT INVOLVED 6 VEHICLE FIRE/HAZ-MAT INCIDENT <div style="text-align: center; border: 1px solid black; width: 40px; margin: 0 auto;">4</div> <b>DRIVER # 2</b> <b>COMPLIANCE WITH LICENSE RESTRICTIONS</b> (drivers only) 1 NOT RESTRICTED 2 RESTRICTIONS COMPLIED WITH 3 RESTRICTIONS NOT COMPLIED WITH 4 RESTRICTIONS COMPLIANCE UNKNOWN <div style="text-align: center; border: 1px solid black; width: 40px; margin: 0 auto;">1</div>
<b>TRAFFICWAY FLOW</b> 1 NOT DIVIDED, TWO WAY 2 DIVIDED, MEDIAN W/C BARRIER 3 DIVIDED, MEDIAN W/BARRIER 4 ONE WAY <div style="text-align: center; border: 1px solid black; width: 40px; margin: 0 auto;">2</div>		
<b>NUMBER OF TRAVEL LANES</b> <div style="text-align: center; border: 1px solid black; width: 40px; margin: 0 auto;">4</div>		
<b>TRAFFIC CONTROL DEVICE FUNCTIONING</b> 1 NO CONTROLS 2 NOT FUNCTIONING 3 FUNCTIONING IMPROPERLY 4 FUNCTIONING PROPERLY <div style="text-align: center; border: 1px solid black; width: 40px; margin: 0 auto;">4</div>		
<b>LIST TYPES OF TRAFFIC CONTROL DEVICES</b> Signal Legend		

(1) VEHICLE # list vehicle number as on DR 4473. MUST BE COMPLETED FOR ALL PERSONS INVOLVED EXCEPT UNINJURED BUS PASSENGERS

**(2) POSITION IN VEHICLE**

14		
3	6	9
2	5	8
1	4	7

- 1 Driver
- 2-9 Passengers
- 10 Other ENCLOSED passenger/cargo area
- 11 Other UNENCLOSED passenger/cargo area
- 12 Sleeper section of truck cab
- 13 Trailer
- 14 Riding/hanging to exterior
- 15 Pedestrian

**(3) RESTRAINT SYSTEM USE**

- 1 None used/not applicable
- 2 Shoulder belt
- 3 Lap and shoulder belt
- 4 Child safety seat
- 5 Bicycle helmet
- 6 Safety belt used improperly
- 7 Lap belt
- 8 Helmets used improperly
- 9 Restraint used - type unknown

**(4) AIR BAG AVAILABILITY/FUNCTION**

- 1 Non-motorist
- 2 Not equipped
- 3 Deployed air bag
- 4 Non-deployed w. bag

**(5) EJECTION PATH**

- 1 Not ejected/not applicable
- 2 Through side door opening
- 3 Through side window
- 4 Through windshield
- 5 Through back door/tail gate opening
- 6 Through roof opening (sunroof/convertible top down)
- 7 Through roof (convertible top up)
- 8 Other path (eg. back of pickup truck)
- 9 Unknown

**(6) ALCOHOL SUSPECTED**

- YES: 1 Preliminary breath test, 2 Behavioral, 3 Observed, 4 Passive alcohol sensor, 5 Other
- NO: 6 Preliminary breath test, 7 Behavioral, 8 Observed, 9 Passive alcohol sensor, 10 Other

**(7) TESTED FOR ALCOHOL**

- YES
- 2 NO

**(8) OTHER DRUG SUSPECTED (excluding aspirin, nicotine, alcohol)**

- YES: 1 Behavioral, 2 Drug Recognition Technician, 3 Other
- NO: 4 Behavioral, 5 Drug Recognition Technician, 6 Other

**(9) TESTED FOR OTHER DRUGS**

- 1 Blood
- 2 Urine
- 3 Both
- 4 Other
- 5 Not tested

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	NAME	TAKEN TO	DATE EXPIRED TIME
1	1	1-2	2	0	3	1	1	1	[REDACTED]	Penrose Main ER	
2	1	1-2	1	0	8	2	4	5	[REDACTED]	Penrose Main ER	0859 Hrs/01/17/99
2	3	1-2	1	0	8	2	4	5	[REDACTED]	Memorial ER	
2	6	1-2	1	0	8	2	4	5	[REDACTED]	Memorial ER	



**A. LOCATION**

1 On-roadway  
2 Ran off left side  
3 Ran off right side

4 Ran off "T" intersection  
5 Divided highway - on other roadway

**B. FIRST HARMFUL EVENT**

**NON-COLLISION ACCIDENT**

1 Overturning  
2 Other non-collision

**COLLISION WITH PEDESTRIAN**

3 School age to/from school  
4 All others

**COLLISION WITH OTHER VEHICLE**

12 Parked motor vehicle  
13 Railway vehicle  
14 Bicycle  
15 Motorized bicycle  
40 Road maintenance equipment

**COLLISION WITH MOTOR VEHICLE IN TRANSPORT**

5 Broadside  
6 Full impact - opposite direction (head-on)  
7 Full impact - same direction (rear end)  
8 Partial impact - same dir. (sideswipe)  
9 Partial impact - opposite dir. (sideswipe)  
10 Approach turn  
11 Overtaking turn

**COLLISION WITH ANIMAL**

16 Domestic  
17 Wild

**COLLISION WITH OTHER OBJECT**

18 Light pole/utility pole  
19 Traffic signal pole  
20 Sign  
21 Bridge rail  
22 Guard rail  
23 Median barrier  
24 Bridge abutment  
25 Column or pier  
26 Culvert or headwall  
27 Embankment  
28 Curb  
29 Delineator post  
30 Fence  
31 Tree  
32 Large boulder  
33 Rocks in roadway  
34 Barricade  
35 Wall/building  
36 Crash cushion  
37 Mailbox  
38 Other fixed object (specify in narrative)  
39 Other object (specify in narrative)

**D. ROAD DESCRIPTION**

1 At intersection  
2 At driveway access  
3 Intersection related  
4 Non-intersection URBAN

5 In alley  
6 Non-intersection RURAL  
7 Highway interchange

**E. ROAD CONTOUR**

1 Straight on-level  
2 Straight on-grade  
3 Curve on-level

4 Curve on-grade  
5 Hillcrest

**F. ROAD SURFACE**

1 Concrete  
2 Blacktop (bituminous)  
3 Brick or block  
4 Gravel, slag or stone

5 Dirt  
6 Other  
7 Unknown

**G. ROAD CONDITION**

1 Dry  
2 Wet  
3 Muddy  
4 Snowy  
5 Icy  
6 Slushy

7 Foreign material  
18 Dry w/visible icy road treatment  
28 Wet w/visible icy road treatment  
48 Snowy w/visible icy road treatment  
58 Icy w/visible icy road treatment  
68 Slushy w/visible icy road treatment

**H. LIGHTING CONDITION**

1 Daylight  
2 Dawn or dusk

3 Dark - lighted  
4 Dark - unlighted

**J. ADVERSE WEATHER CONDITION**

1 None  
2 Rain  
3 Snow/sleet/hail

4 Fog  
5 Dust  
6 Wind

**K. VEHICLE TYPE**

1 Passenger car/Passenger van  
2 Passenger car/passenger van w/trailer  
3 Pickup truck/utility van  
4 Pickup truck/utility van w/trailer  
5 Truck - self contained (gross vehicle weight 10,000 lbs or less)  
6 Trucks over 10,000 lbs & buses over 15 passengers (complete DR 447A)  
7 Motor home

8 School bus (less than 15 people)  
9 Non-school bus (less than 15 people)  
10 Motorcycle  
11 Bicycle  
12 Motorized bicycle  
13 Farm equipment  
14 Hit & run - unknown  
15 Other (describe in narrative)

**L. DIRECTION OF TRAVEL**

1 North  
2 Northeast  
3 East  
4 Southeast

5 South  
6 Southwest  
7 West  
8 Northwest

**M. VEHICLE MOVEMENT**

1 Going straight  
2 Slowing  
3 Stopped in traffic  
4 Making right turn  
5 Making left turn  
6 Making U-turn  
7 Passing  
8 Backing

9 Entering/leaving parked position  
10 Starting in traffic  
11 Parked  
12 Changing lanes  
13 Avoiding object in roadway  
14 Weaving  
15 Other (describe in narrative)

**N. N/A**

**P. N/A**

**Q. SPEED DATA**

Speed limit/estimated driving speed

**R. DRIVER - MOST APPARENT HUMAN CONTRIBUTING FACTOR (Officer opinion only)**

1 No apparent contributing factor  
2 Asleep at the wheel  
3 Illness  
4 Distracted by passenger  
5 Driver inexperience  
6 Driver fatigue

7 Driver preoccupied  
8 Driver unfamiliar with area  
9 Driver emotionally upset  
10 Evading law enforcement officer  
11 Physical disability

**S. BY PEDESTRIAN ACTION**

1 Cross against signal  
2 Cross/enter at intersection  
3 Cross/enter NOT at intersection  
4 Standing in roadway  
5 Playing in roadway  
6 Soliciting rides

7 Walking in roadway with traffic  
8 Walking in roadway against traffic  
9 Entering/exiting vehicle  
10 Pushing/working on vehicle  
11 Lying in roadway  
12 Other (describe in narrative)

**T. BY CONDITION OF DRIVER/PEDESTRIAN (Officer opinion only)**

1 No impairment suspected  
2 Alcohol involved  
3 RX drugs or medication involved

4 Illegal drugs involved  
5 Alcohol and drugs involved  
6 Driver/pedestrian not observed

Line up to VEH # "block"

**AA - Vehicle #** (as listed above)

**BB - Position in/on vehicle** See diagram

**CC - Occupant restraint use**

1 Yes 2 No 3 Child safety

**DD - Ejection**

1 Yes 2 No 3 Extricated

**EE - Cycle protection**

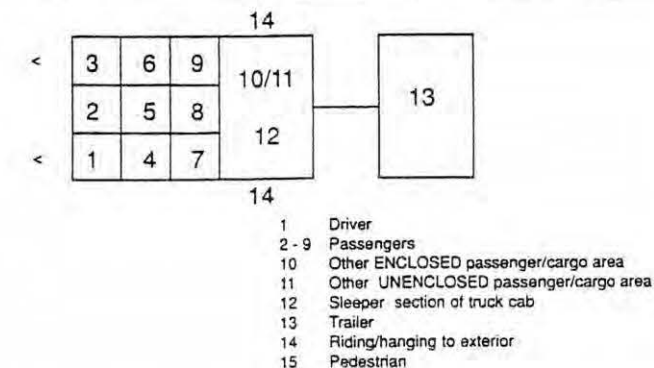
1 None 2 Helmet and eye protection  
3 Helmet only 4 Eye protection only  
5 Bicycle helmet (bicycleonly)

**FF - Injury severity**

1 No injury 2 Possible injury  
3 Evident, non-incompacitating  
4 Evident, incapacitating 5 Fatal

**GG - Age**

**HH - Sex**



EA12-005 Peer - Chrysler - 08499

II - Name/Address



**COLORADO SPRINGS POLICE DEPARTMENT  
CONTINUATION/SUPPLEMENTAL REPORT**

CASE REPORT NUMBER  
**99-01495**

OFFENSE Traffic Accident – Under Investigation		STATUTE NUMBER		UCR RECLASSIFICATION TO:		UCR CODE	
[REDACTED]		RES ADD [REDACTED]		RACE		SEX	AGE
		CITY & STATE: Colorado Springs, CO		W	M	[REDACTED]	Unk
ARRESTEE NAME (LAST, FIRST MIDDLE)		RES ADD:		RACE		SEX	AGE
		CITY & STATE:					DOB

DATE OF THIS REPORT  
**01-17-99**

**INITIATING STATEMENT:**

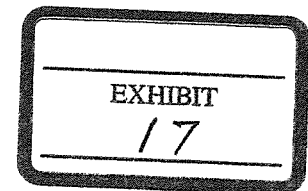
On Sunday, January 17, 1999, this Investigator, Nancy L. Gosch-Schanel, 1422W, was dispatched to the area of East Uintah Street and North Nevada Avenue for a traffic accident involving a fire. The incident occurred at approximately 8:38a.m. and this Investigator was contacted and responded at 8:50a.m. The driver of one of the vehicles involved was killed and a child received second and third degree burns to his hands and face.

**LOCATION RESPONDED FROM:**

Fire Station 7

**INCIDENT COMMANDER:**

Lt. Inzer



**INITIAL OBSERVATIONS UPON ARRIVAL:**

E7, TS7, T1, PD on scene of a multi-vehicle TA. All patients and the victim had been removed from two vehicles and transported to area hospitals. Fire out. Debris covered a 1 block area from Uintah Street to San Miguel Street on northbound Nevada Avenue and in the median.

**SCENE DESCRIPTION:**

Roadway in central Colorado Springs, two lanes northbound and two lanes southbound separated by a grass covered median. The accident occurred in the northbound lanes between [REDACTED] on the South and San Miguel Street on the North. The accident involved a Honda Accord traveling northbound on Nevada Avenue at a high rate of speed, and a Jeep possibly turning northbound on [REDACTED]. Five other vehicles parked along the east curb of northbound Nevada Avenue were also damaged as a result of the accident.

Debris from the Honda, Jeep and the other vehicles was observed on the street and in the median. The Accord and the Jeep were approximately 20 feet from each other and the Jeep was burned. The Accord was facing east with the rear end against the curb. The Jeep was further north in the center of the two lanes facing northeast. Liquids from the Jeep ran onto the pavement, and a surface area

UCR DISPOSITION Closed By Arrest	OFFICER NAME/NUMBER Nancy L. Gosch-Schanel 1422W	SUPERVISOR M. Damon Davis	DATE 25-Jan-99	PAGE 1 OF 4
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**COLORADO SPRINGS POLICE DEPARTMENT  
CONTINUATION/SUPPLEMENTAL REPORT**

CASE REPORT NUMBER <b>99-01495</b>
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OFFENSE Traffic Accident – Under Investigation	STATUTE NUMBER	UCR RECLASSIFICATION TO:	UCR CODE
[REDACTED]		DATE OF THIS REPORT 01-17-99	
[REDACTED]	RES ADDR: [REDACTED]	RACE W	SEX M
[REDACTED]	CITY & STATE: Colorado Springs, CO	[REDACTED]	DOB Unk
ARRESTEE NAME (LAST, FIRST MIDDLE)	RES ADDR:	RACE	SEX
	CITY & STATE:	AGE	DOB

approximately 6' x 4' appeared scorched. Small burned pieces of debris were also found on the pavement.

The rear portion of the Jeep and the interior were burned. Witnesses stated that an explosion was heard and a plume of smoke observed when the vehicles collided. After the vehicles came to rest, the witnesses said the underside of the Jeep was on fire and it was extending into the passenger area. Two passengers in the front seats of Jeep were extricated by bystanders, and the third, who was found standing in the back seat, was lifted out before fire completely engulfed the vehicle. The [REDACTED] boy in the back seat sustained second and third degree burns on his face, ears and hands. His burned jacket was observed in the median.

Two bystanders who extricated the front seat passengers were standing in the front yard of a house on [REDACTED] and other people were walking passed the scene. Several news reporters arrived and left while X98 was on scene.

**INVESTIGATOR'S FINDINGS:**

CSPD stated patrons at a nearby restaurant reported the Honda was traveling at a high rate of speed, possibly 90 miles per hour, northbound on Nevada Avenue moments before the accident. It was also reported that the man driving the Honda had ransacked his own apartment that morning and his family was looking for him.

The Honda had front end and right side damage consistent with a collision at a high rate of speed. The rear portion of the Jeep was crushed from the impact of the Accord hitting it. The collision damaged the gas tank on the Jeep causing vapors to release and fuel to leak out. An electric arc ignited the vapors and fuel. The vapor cloud burned the [REDACTED] and singed the driver of the Accord. Burning fuel flew through the air and landed on a vehicle near the area where the Accord and the Jeep collided leaving black streaks on the side. This third vehicle was parked along the curb on Nevada Avenue facing north. As the Jeep traveled forward after impact, burning fuel landed in the median burning small patches of grass. After the Jeep stopped, witnesses reported seeing fire burning on the underside the jeep and extending into the passenger area. ER staff at Penrose Main stated the driver

UCR DISPOSITION Closed By Arrest	OFFICER NAME/NUMBER Nancy L. Gosch-Schanel 1422W	SUPERVISOR M. Damon Davis	DATE 25-Jan-99	PAGE 2 OF 4
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**COLORADO SPRINGS POLICE DEPARTMENT  
CONTINUATION/SUPPLEMENTAL REPORT**

CASE REPORT NUMBER  
**99-01495**

OFFENSE Traffic Accident – Under Investigation		STATUTE NUMBER		UCR RECLASSIFICATION TO:		UCR CODE	
[REDACTED]		RES ADD: [REDACTED]		DATE OF THIS REPORT 01-17-99		RACE	
		CITY & STATE: Colorado Springs, CO		W		M	
ARRESTEE NAME (LAST, FIRST MIDDLE)		RES ADD:		RACE		SEX	
		CITY & STATE:				AGE	
						DOB	
						Unk	

of the Jeep was not burned. ER staff at Memorial Hospital stated the [REDACTED] the front seat passenger, had singed hair and no burns.

**FIRE CAUSE:**

The left front portion of the Accord hit the back of the Jeep and pushed the Jeep's spare tire (mounted to the back exterior) and the metal rear exterior wall of the Jeep down and inward. The Jeep's fuel tank was directly behind the metal rear exterior wall . This tank was crushed as a result of the impact. The fuel pump in the tank was forced upward through and partially out of the tank at the opening where it was attached. The electric wiring providing power to the fuel pump disconnected in the collision. A mark approximately 3/4" long on the Jeep frame next to the fuel tank appeared to be caused by an electric arc, possibly from the energized disconnected wiring from the fuel pump.

As the Jeep's fuel tank was being crushed, uncompressible fuel vapors in the tank were forced out rough the opening where the pump had been attached. As the wiring touched the frame and arced, the vapors were ignited and an explosion occurred. The vapor cloud extended from the tank to the back seat of the jeep and the left driver's side of the Accord. Although the vapor cloud burned away immediately, the ignited fuel caused the [REDACTED]'s face, hands and jacket to burn. Thick plastic sheeting inside the driver's door on the Accord (looking from the top down into the center of the door) was melted and partially burned on the top edge. This indicates the burning vapor cloud extended to this portion of the Accord. The driver of the Accord was reported to have singed hair. No burn damage was noted inside the passenger compartment of the Accord. Plastic molding near the front left tire of this vehicle was also melted from extreme heat.

As the spare tire on the Jeep was pushed down and inward, the metal rear wall of the jeep was forced against the fuel tank. Metal from the wall of the Jeep hit the tank with such force that a small section on the tank, approximately the size of a dime, was filleted open. This caused fuel in the tank to leak out. The initial ignition and explosion caused this fuel to ignite and burn as it was leaking out. Small spot fire scars were observed in the grass covered median where the Jeep had traveled after impact. Some of this ignited fuel sprayed away from the Jeep and landed on a vehicle parked facing north on [REDACTED] next to the location of impact.

UCR DISPOSITION	OFFICER NAME/NUMBER	SUPERVISOR	DATE	PAGE 3 OF 4
Closed By Arrest	Nancy L. Gosch-Schanel 1422W	M. Damon Davis	25-Jan-99	



**COLORADO SPRINGS POLICE DEPARTMENT  
CONTINUATION/SUPPLEMENTAL REPORT**

CASE REPORT NUMBER  
**99-01495**

OFFENSE Traffic Accident – Under Investigation	STATUTE NUMBER	UCR RECLASSIFICATION TO:	UCR CODE
[REDACTED]		DATE OF THIS REPORT 01-17-99	
RES ADD: [REDACTED] CITY & STATE: Colorado Springs, CO		RACE W	SEX M DOB Unk
ARRESTEE NAME (LAST, FIRST MIDDLE)	RES ADD: CITY & STATE:	RACE	SEX DOB

**EVIDENCE/PHOTOS:**

One roll color 35mm film was used to document the scene. One roll 35mm color film was used to photograph the vehicles at the police impound lot on 01-19-99.

**CSFD INCIDENT REPORT NUMBER:**

99-01364

**ADDITIONAL:**

A bystander reportedly videotaped the scene after the collision and before CSFD arrived. The CSPD Accident Investigation Team stated they received a copy of the tape from the videographer. CSFD received a copy from CSPD on 01-19-99.

UCR DISPOSITION Closed By Arrest	OFFICER NAME/NUMBER Nancy L. Gosch-Schanel 1422W	SUPERVISOR M. Damon Davis	DATE 25-Jan-99	PAGE 4 OF 4
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**MATTER #** 1063928  
**FILE TYPE** Lawsuit  
**FILE NAME** [REDACTED]  
**CAIR #**  
**DATE OF INCIDENT** 01/17/1999  
**DATE OF NOTICE** 01/16/2001  
**MODEL/MODEL YEAR** 1990 Jeep Wrangler (YJ)  
**VIN** 2J4FY19E2L [REDACTED]  
**MILEAGE**  
**OWNER** [REDACTED]  
[REDACTED]  
Colorado Springs, CO [REDACTED]  
**COURT** U.S. District Court  
Denver, CO  
**DOCKET #** 010081  
**FIRE ALLEGED** Yes  
**DESCRIPTION** On January 17, 1999, a 1990 Jeep Wrangler (YJ), operated by [REDACTED] in Colorado Springs, Colorado, had just completed a left (northbound) turn onto [REDACTED] from eastbound [REDACTED]. The posted speed limit on [REDACTED] at the site of the accident was 35 mph. According to the police accident report, a 1994 Honda Accord, operated by [REDACTED], was travelling northbound on [REDACTED] at an extremely high rate of speed and went through the intersection of [REDACTED] striking the Jeep Wrangler (YJ) in the rear. The investigating police officer determined that the minimum speed of the Honda Accord at impact was 65.7 mph and witnesses reported that the Honda Accord was travelling 70-80 when it ran the red light at [REDACTED]. Other witnesses reported that the Honda Accord was travelling 80-100 mph on [REDACTED] before the accident and running red lights at intersections. The investigating police officer noted on the police accident report that the Jeep Wrangler (YJ) was travelling 5 mph prior to the accident and an accident witness estimated the speed of the Jeep Wrangler (YJ) at 15-20 mph. The impact caused the Jeep Wrangler (YJ) to yaw in a counterclockwise direction coming to rest in the middle of [REDACTED]. The Honda Accord continued northbound after striking the Jeep Wrangler (YJ) and struck several other vehicles before coming to rest in [REDACTED]. A fire ensued in the area of the Jeep Wrangler (YJ). The police accident report reflected that the driver of the Honda Accord, who apparently was suffering from a mental disorder, told police that on the day of the accident "things were chasing him" and that he had a "compulsion to drive fast" and "run from the devil." The driver of the Honda Accord was charged with



vehicular homicide and found not guilty by reason of insanity and was confined to a mental institution.

**PROPERTY  
DAMAGE ALLEGED**

Yes (4 parked vehicles struck as a result of the collision )

**INJURIES**

3

**FATALITIES**

1

**ANALYSIS**

Based on an inspection of the 1990 Jeep Wrangler (YJ) and other available evidence, including the police accident report and supplemental report, witness statements and vehicle photographs, Chrysler Group concludes that the impact of the Honda Accord to the rear of the Jeep Wrangler (YJ) occurred at a relative velocity in excess of 55 mph. This is based on the investigating police officer's conclusions that the impact velocity of the Honda Accord was approximately 66 mph and the speed of the Jeep Wrangler (YJ) at the time of the accident was approximately 5 mph. This is confirmed by witness estimates of the speed of the Honda Accord immediately prior to the accident at approximately 70-80 mph and the Jeep Wrangler (YJ) at approximately 15-20 mph. This extremely severe, high energy impact to the right-rear of the Jeep Wrangler (YJ) resulted in the rear body and floor pan separating from the rear frame cross member exposing the fuel tank and separating the fuel sending unit from its attachment point on the tank, resulting in the fire.<sup>1</sup> The severe damage to the rear of the Jeep Wrangler (YJ) and the front of the Honda Accord is depicted in the photographs in Enclosure 3- Claims – Lawsuits/1987-1992 Wrangler (YJ), Bates Nos. EA12-005 Peer – Chrysler – 08815, 08817, 08832.

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<sup>1</sup> A vehicle inspection was conducted at the request of counsel in connection with litigation and a summary of the inspection is being withheld under a claim of attorney-client privilege.



<b>MATTER #</b>	1019631
<b>FILE TYPE</b>	Lawsuit
<b>FILE NAME</b>	[REDACTED]
<b>CAIR #</b>	3954668
<b>DATE OF INCIDENT</b>	05/01/1996
<b>DATE OF NOTICE</b>	01/06/1997
<b>MODEL/MODEL YEAR</b>	1988 Jeep Wrangler (YJ)
<b>VIN</b>	2BCCV8124JB [REDACTED]
<b>MILEAGE</b>	[REDACTED]
<b>OWNER</b>	[REDACTED] [REDACTED] Miami, FL [REDACTED]
<b>COURT</b>	6th Judicial Circuit Court Pasco, FL
<b>DOCKET #</b>	965561CAH
<b>FIRE ALLEGED</b>	Yes
<b>DESCRIPTION</b>	<p>On May 1, 1996, a 1988 Jeep Wrangler (YJ), operated by [REDACTED], was travelling southbound on U.S. 19 near the intersection of SR 54 in New Port Richey, Florida. At the site of the accident, U.S. 19 is a 6-lane roadway (3 southbound; 3 northbound) with a posted speed limit of 45 mph. According to the police accident report, the Jeep Wrangler (YJ) was stopped with its emergency flashers on after stalling in the southbound middle lane of U.S. 19 just before S.R. 54. Southbound traffic was changing lanes to get around the stalled vehicle. A Ford F-150 pickup truck, operated by [REDACTED], did not observe the disabled Jeep Wrangler (YJ) until just before impact and struck it in the rear at a high rate of speed. The investigating police officer estimated the speed of the F-150 pickup at 45-50 mph and recorded 24 feet of braking skid marks prior to impact. As a result of the impact, the Jeep Wrangler (YJ) travelled through the intersection and onto the road shoulder coming to rest 668 feet from the point of impact. The F-150 pickup truck travelled 105 feet after impact coming to rest in the intersection. A fire ensued in the Jeep Wrangler (YJ). The Florida Highway Patrol Homicide Investigation Report concluded that the driver of the F-150 pickup truck was distracted and failed to notice the stopped Jeep Wrangler (YJ) with its flashers on. In the deposition testimony of the driver of the F-150 pickup truck, he stated that he did not see the Jeep Wrangler (YJ) until immediately before striking it because he had looked at the stop light at the intersection and had just looked back at the road. The driver of the Ford F-150 pickup truck was cited for careless driving.</p>
<b>PROPERTY</b>	No



**DAMAGE ALLEGED****INJURIES** 1**FATALITIES** 1

**ANALYSIS** Based on an inspection of the 1988 Jeep Wrangler (YJ) and other available information, including the police accident report, the Florida Highway Patrol Traffic Homicide Investigation Report, witness statements and vehicle photographs, Chrysler Group concludes that the impact of the F-150 pickup truck with the rear of the Jeep Wrangler (YJ) occurred at a relative velocity of approximately 40-45 mph. This is based on the investigating police officer's determination that the F-150 pickup was travelling 45-50 mph prior to the impact, the presence of 24 feet of pre-impact braking skid marks and the testimony of the driver of the F-150 pickup that he did not see the Jeep Wrangler (YJ) until just before striking it. This is confirmed by an accident reconstruction conducted for Chrysler Corporation where it was concluded that the Ford F-150 pickup was travelling at approximately 40 mph when it struck the rear of the Jeep Wrangler (YJ). The impact forces on the rear of the Jeep Wrangler (YJ) were just left of the rear centerline of the vehicle pushing the fuel tank into the rear axle. The front bumper and frame rail of the F-150 pickup likely travelled between the rear body and frame cross member of the Jeep Wrangler (YJ) wedging the fuel tank against the rear axle and causing it to rupture.<sup>1</sup> Damage to the front end of the F-150 pickup and the rear of the Jeep Wrangler (YJ) is depicted in the photographs in Enclosure 3 – Claims – Lawsuits/1987-1992 Wrangler (YJ), Bates Nos. EA12-005 Peer – Chrysler – 09756, 09790, and 09791.

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<sup>1</sup> A vehicle inspection was conducted at the request of counsel in connection with litigation and a summary of the inspection is being withheld under a claim of attorney work-product privilege.



NOBLE ENGINEERING

1090 EUGENIA PLACE, SUITE 200

CARPINTERIA, CALIFORNIA 93013

(805) 566 - 6672

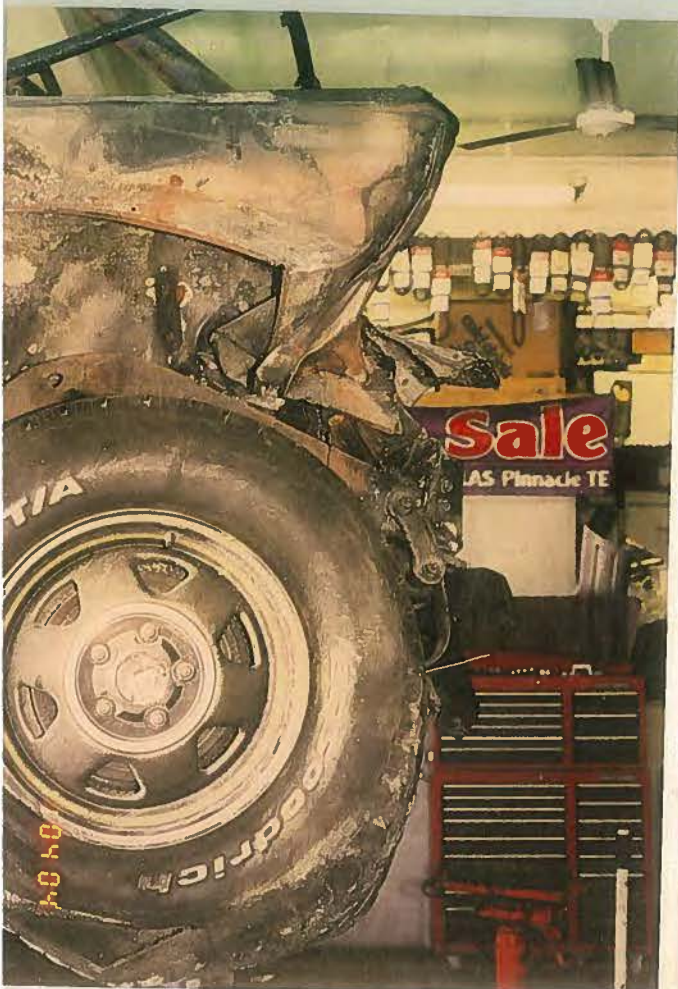
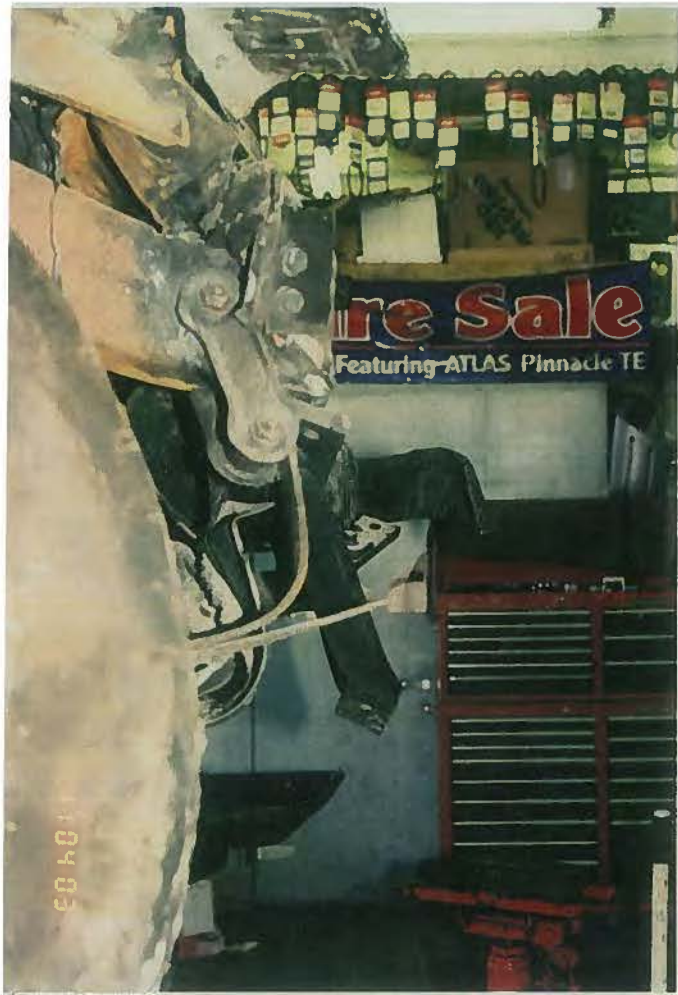
 V. CHRYSLER

VEHICLE

INSPECTION PHOTOGRAPHS

NOVEMBER 4, 1997





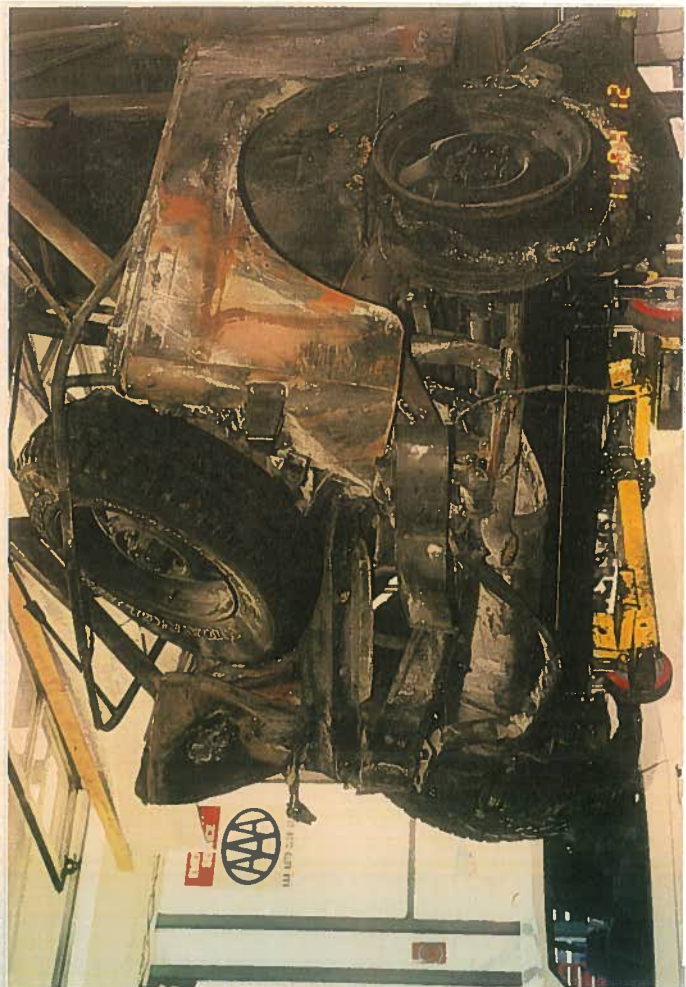
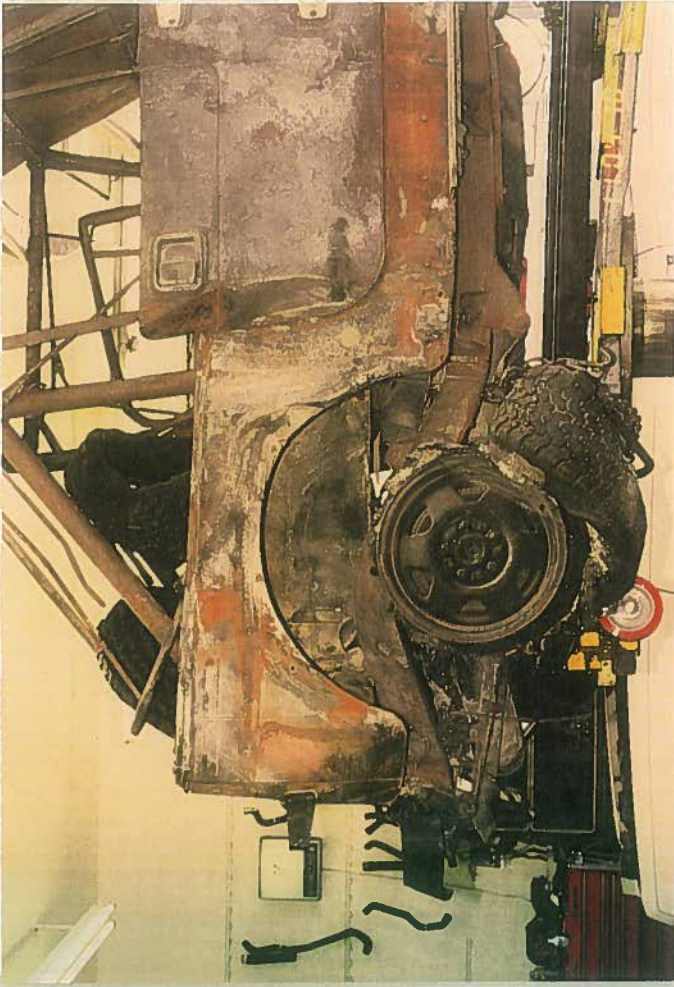




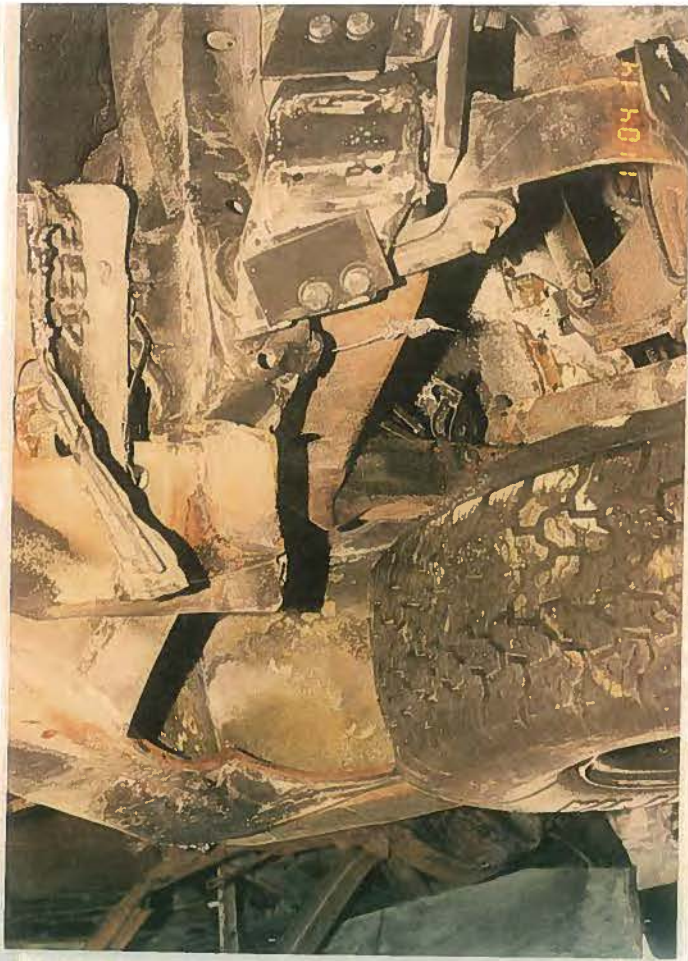
EA12-005 Peer - Chrysler - 09718



2

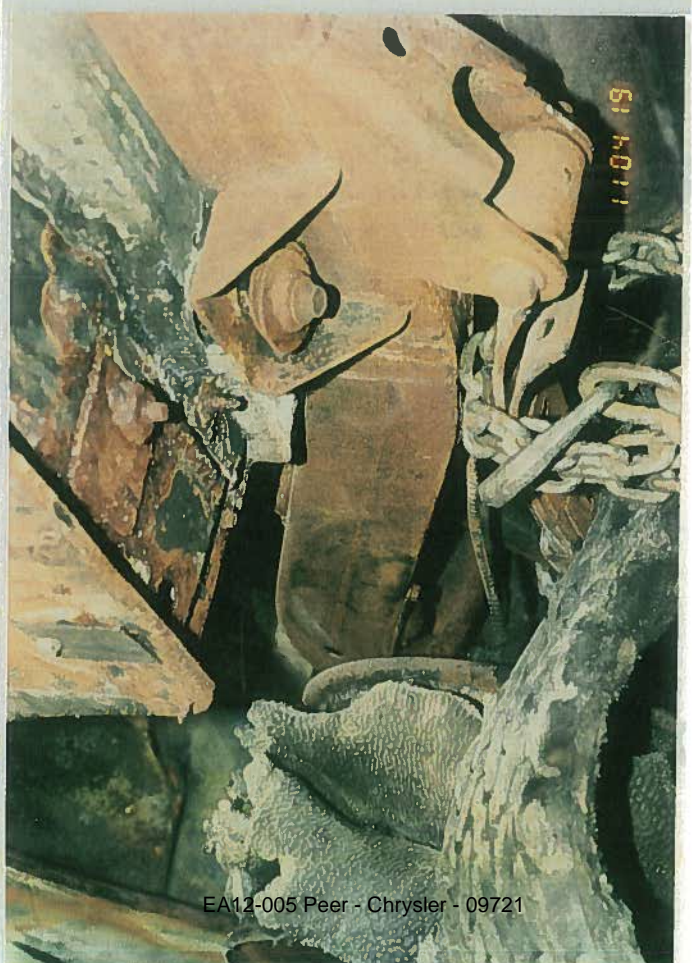
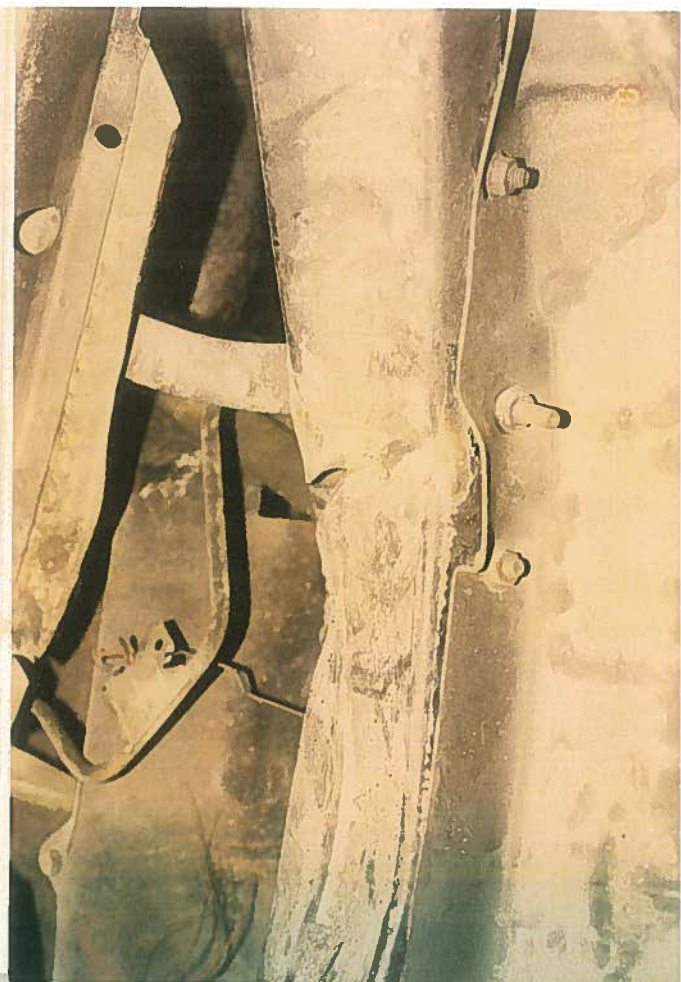
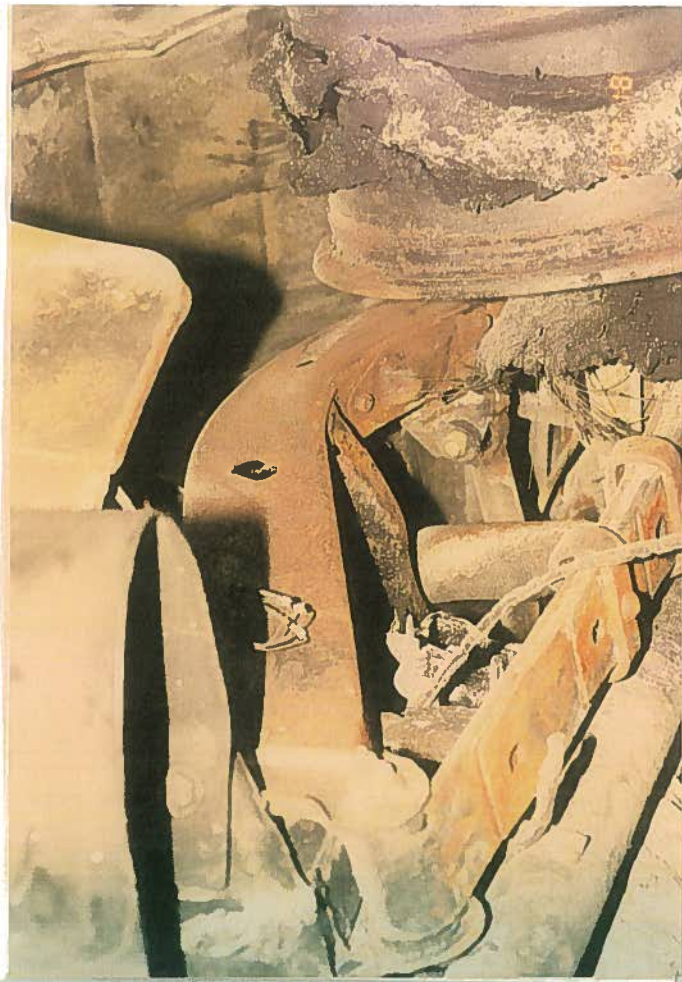




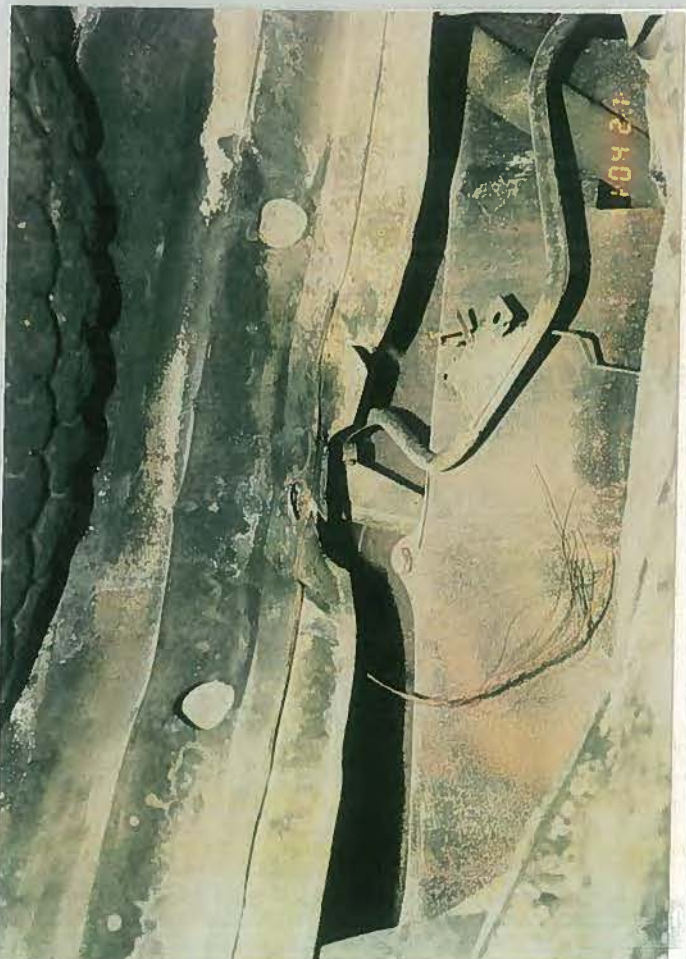




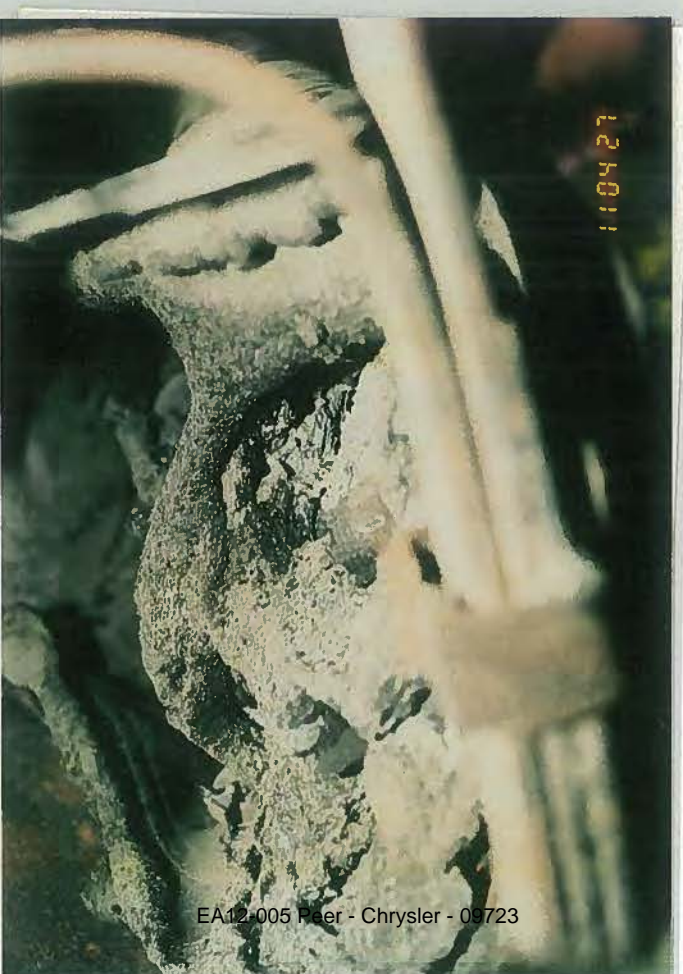
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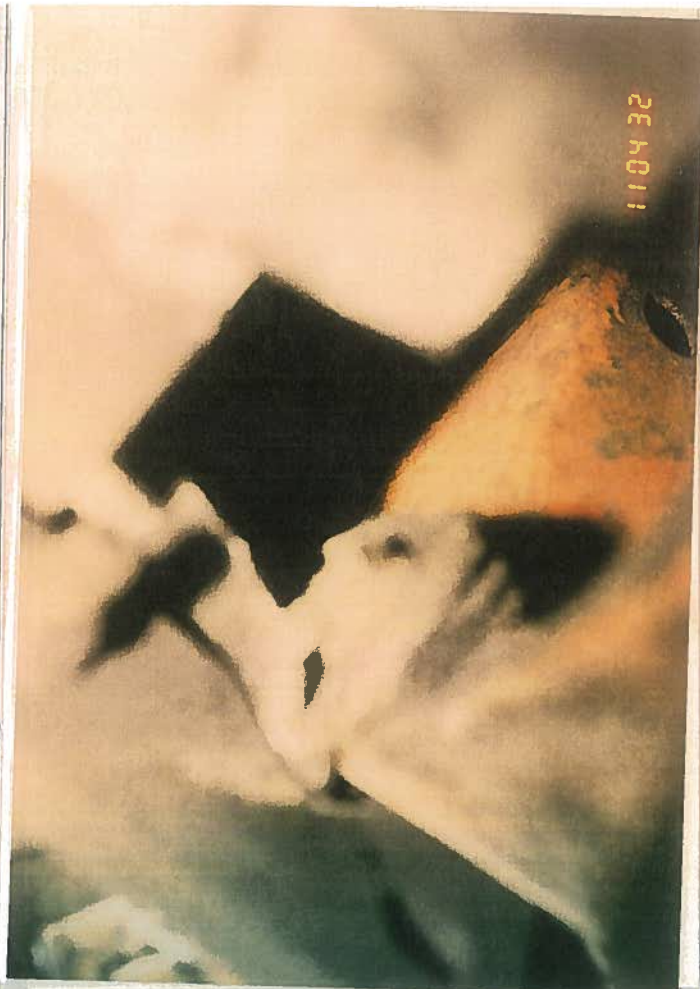




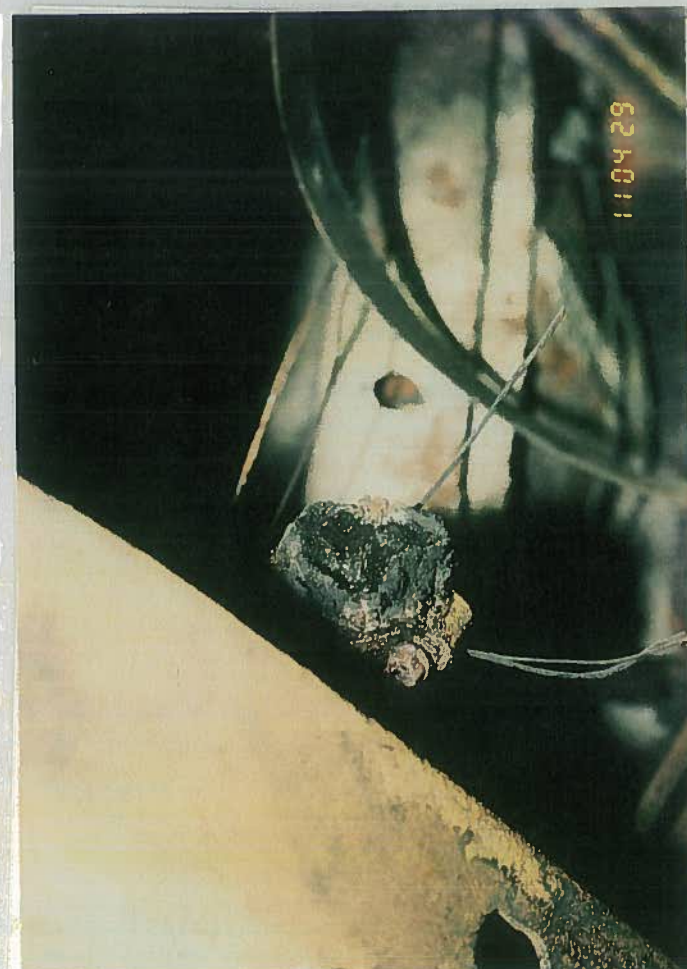




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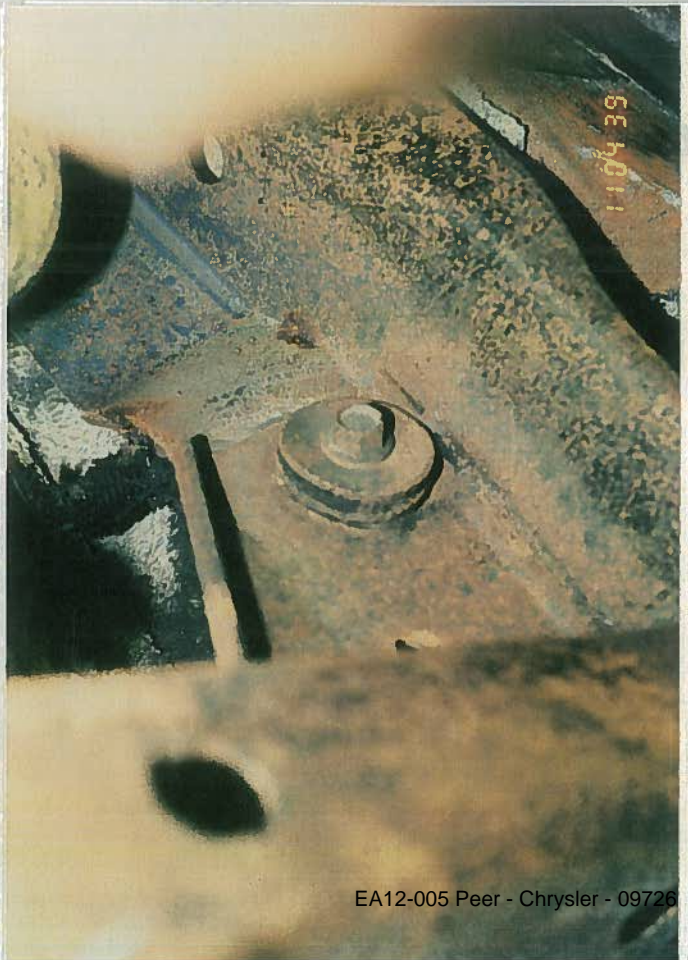
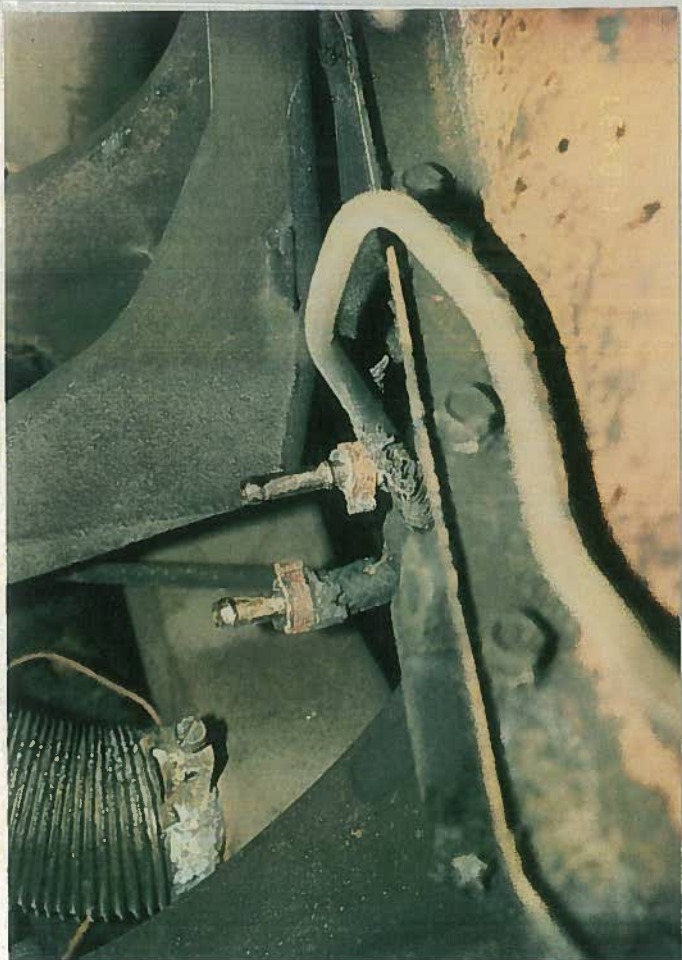


EA12-005 Peer - Chrysler - 09724

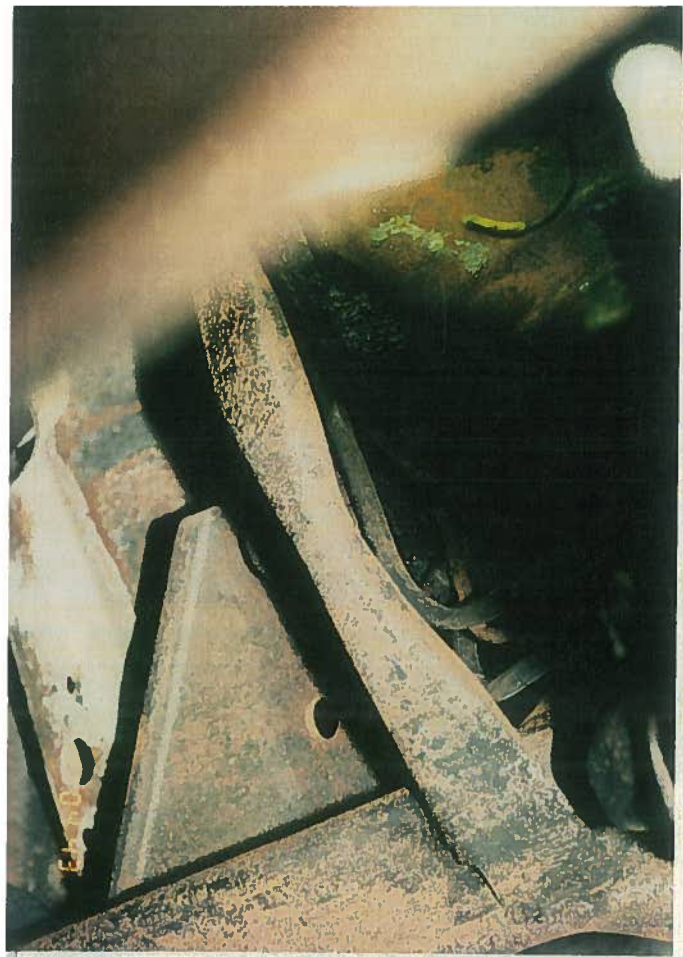




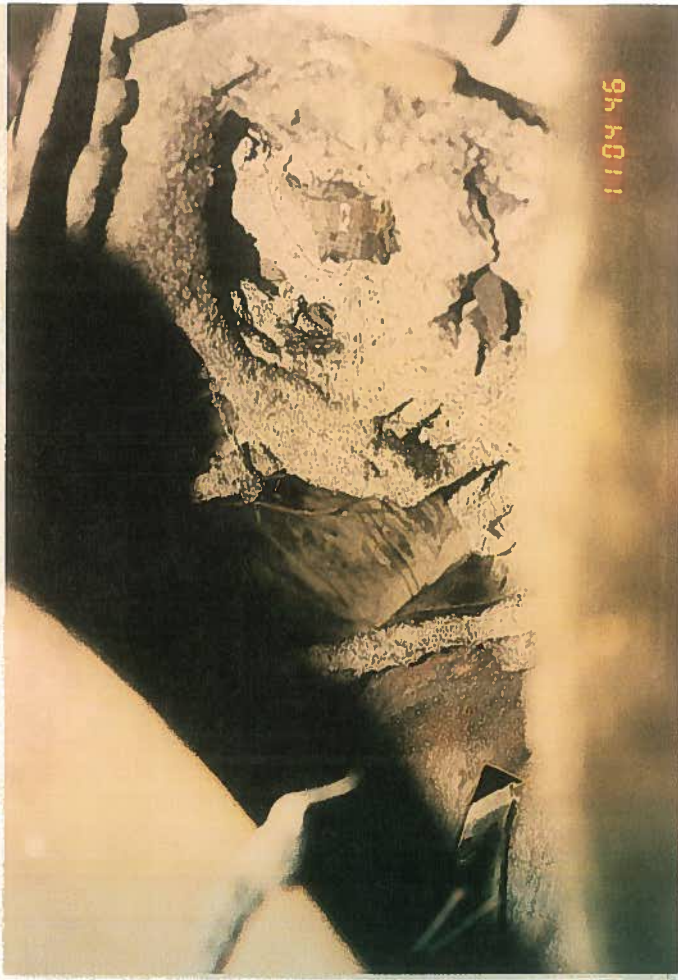










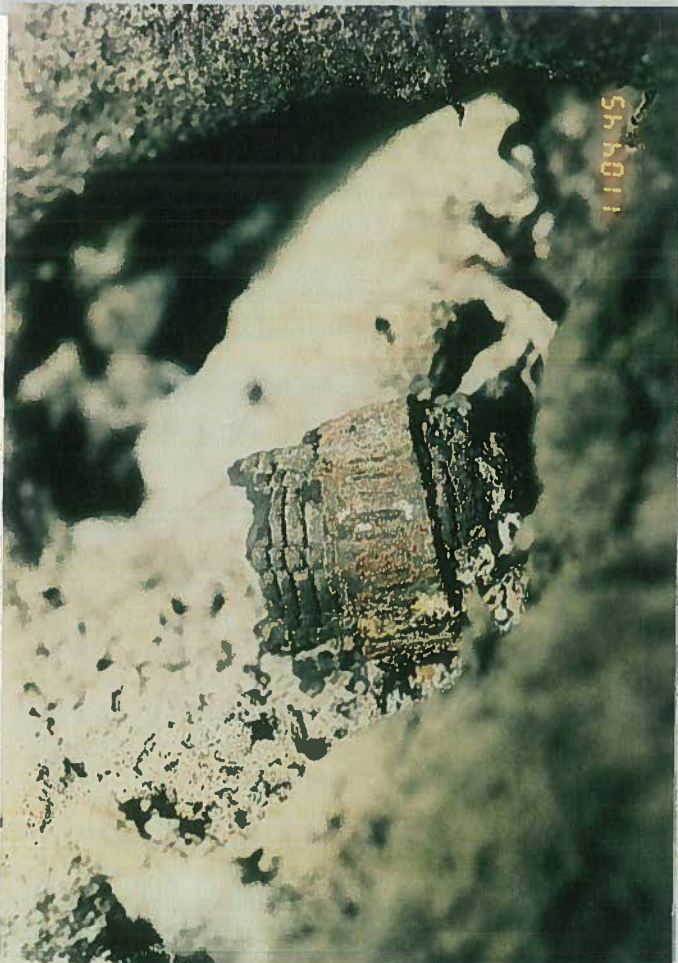


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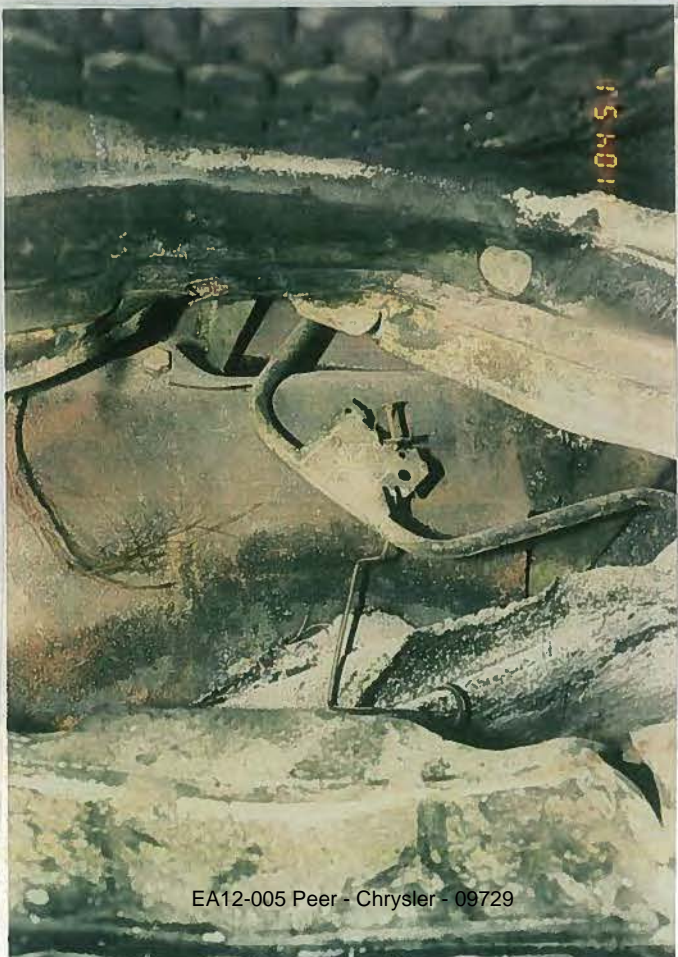
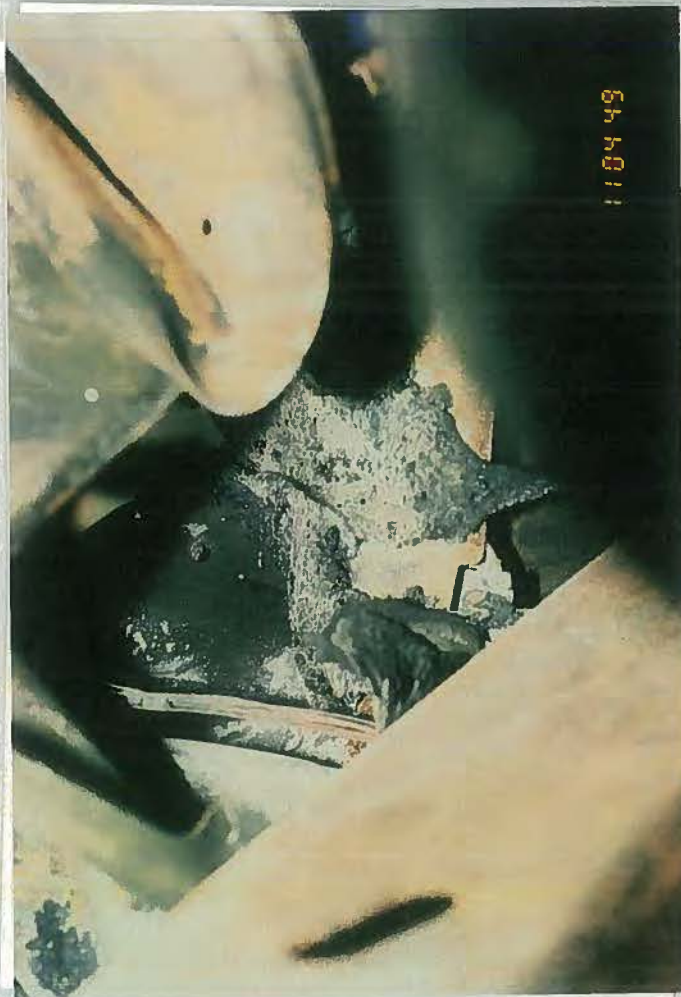


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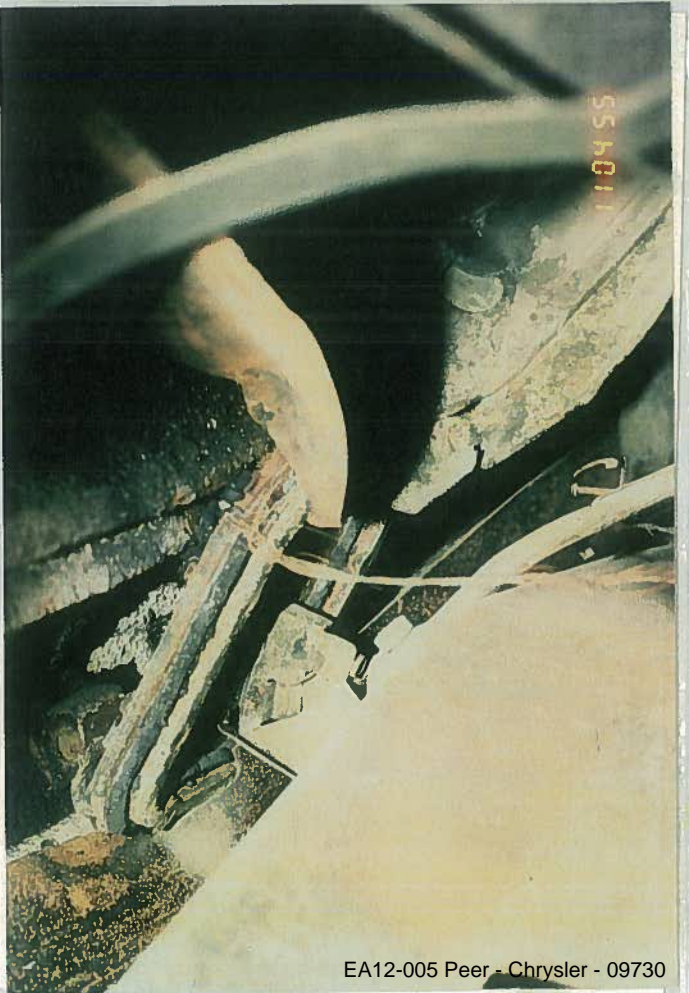
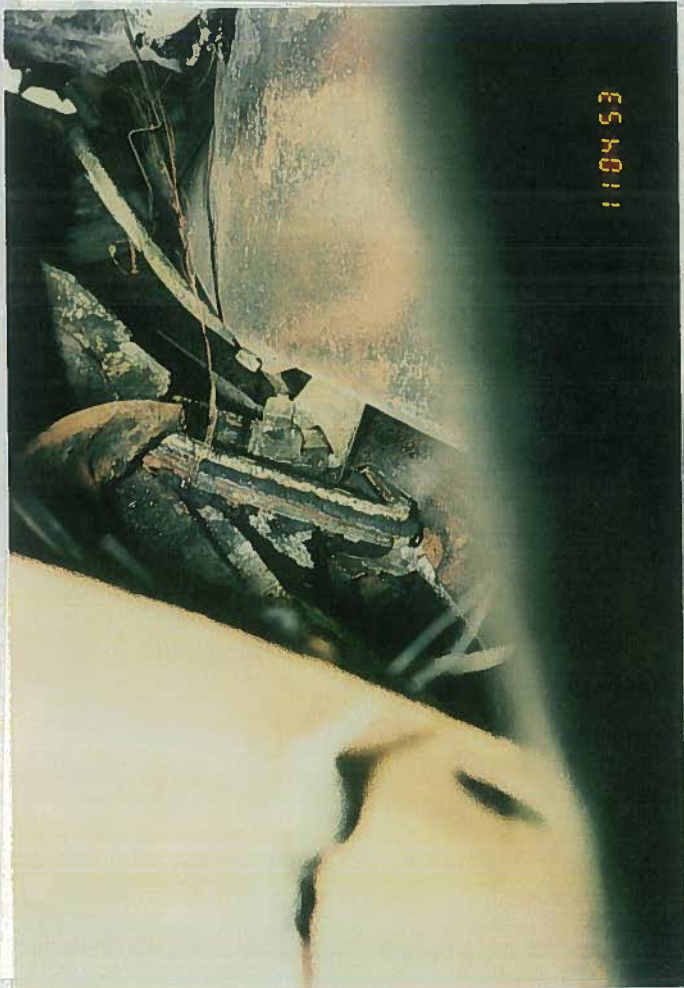
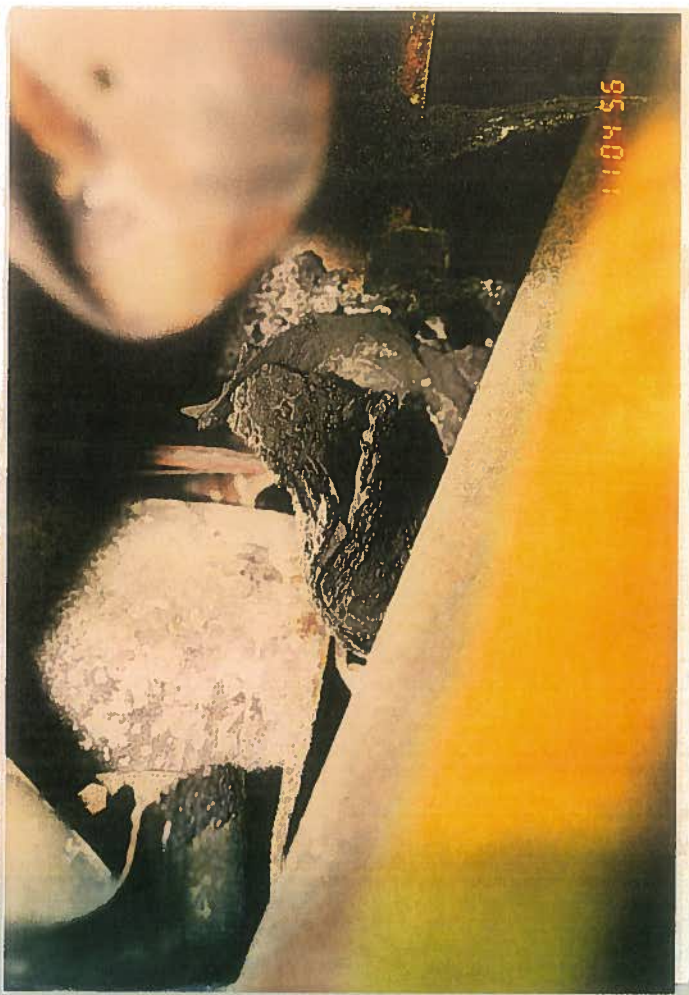


EA12-005 Peer - Chrysler - 09728

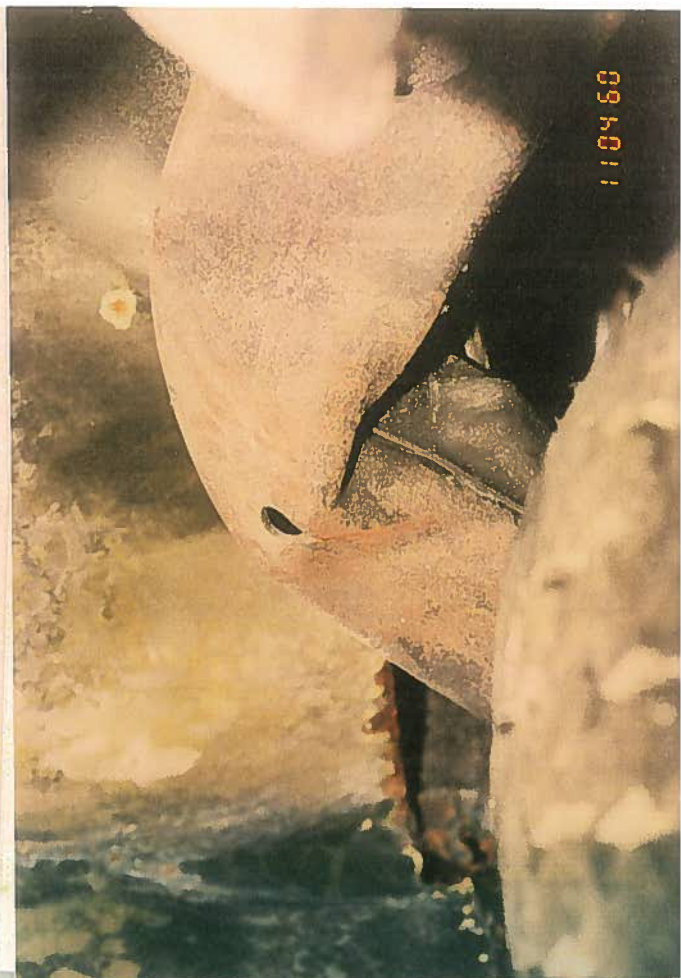




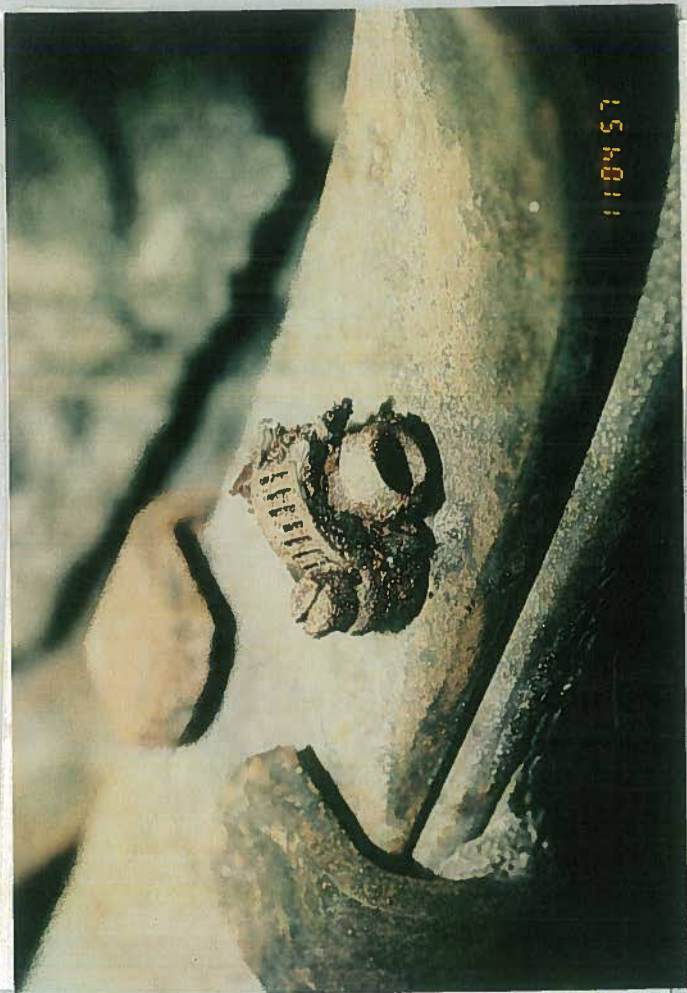








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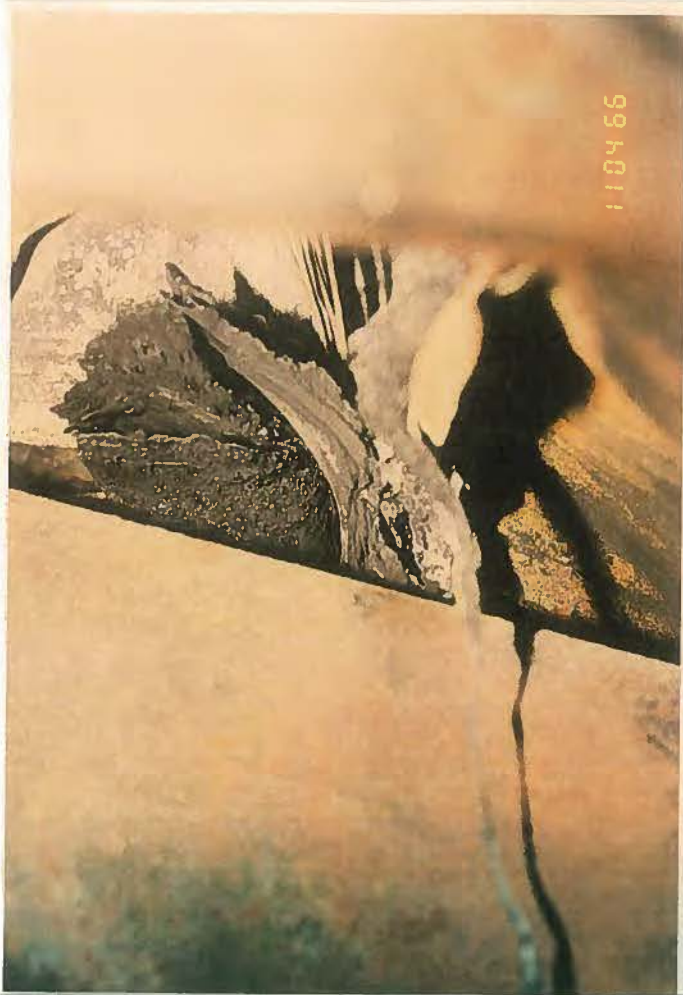


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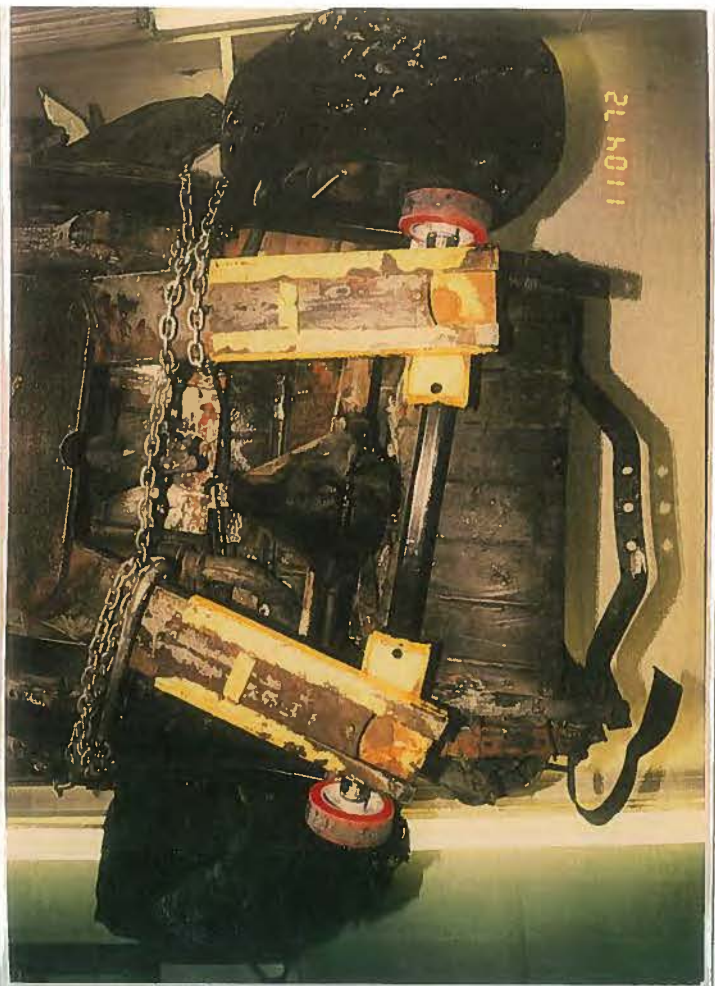
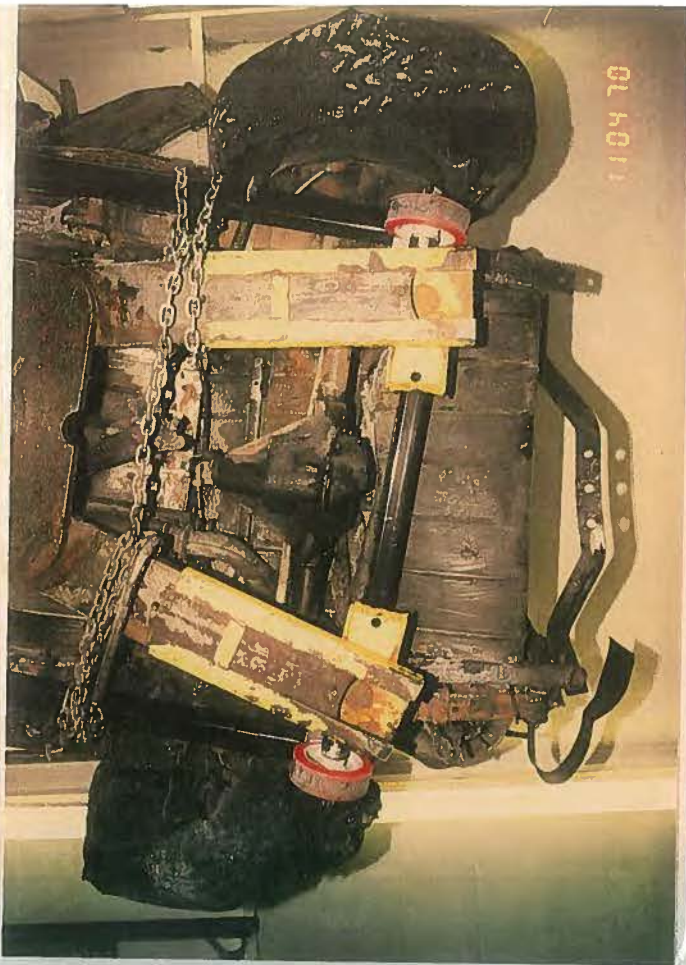




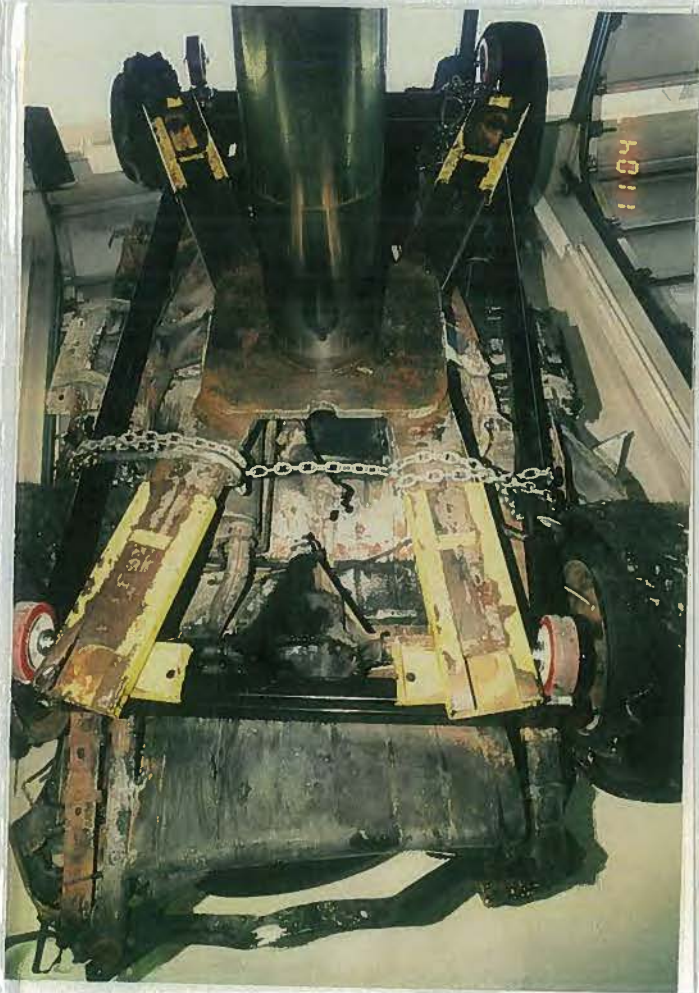
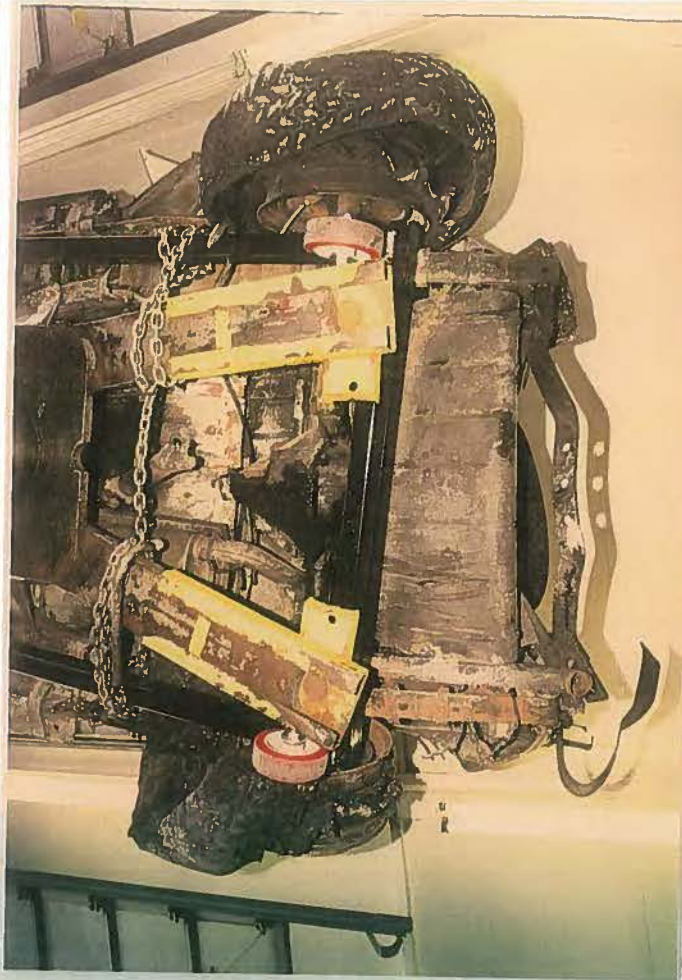






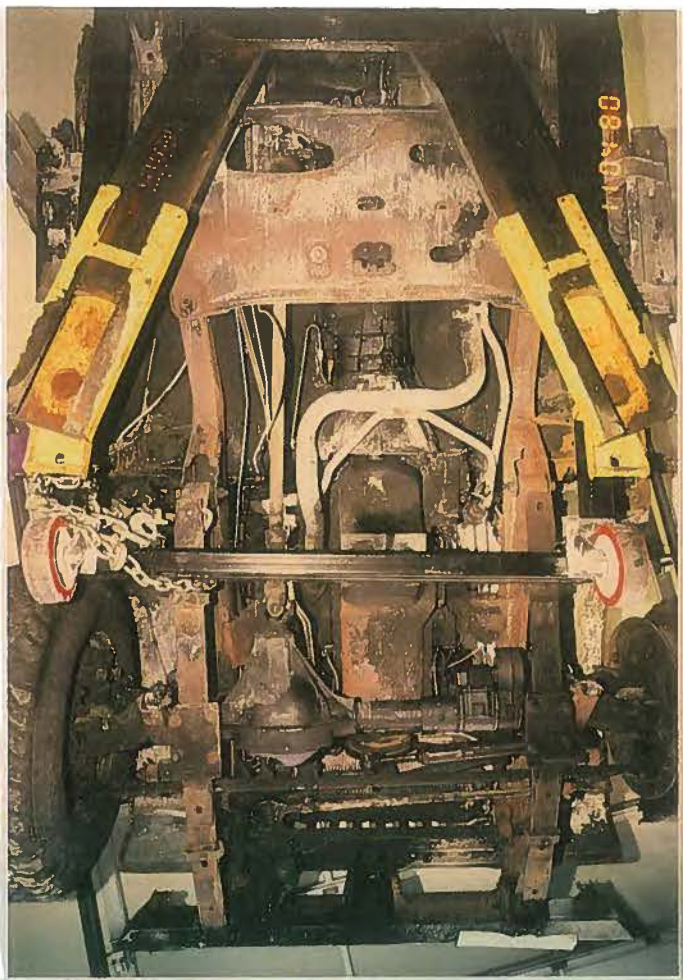
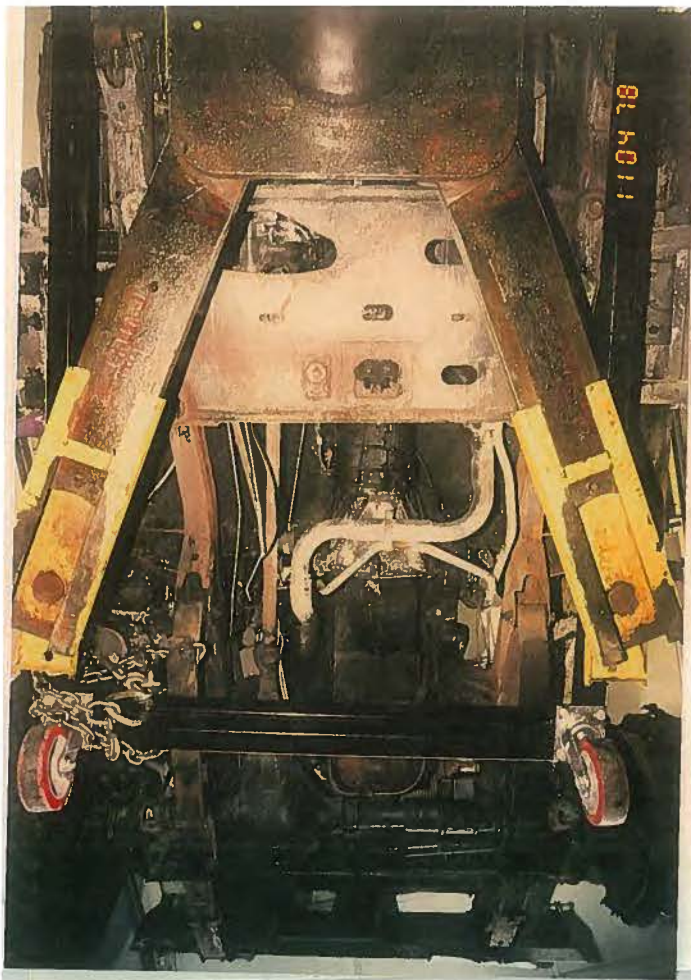




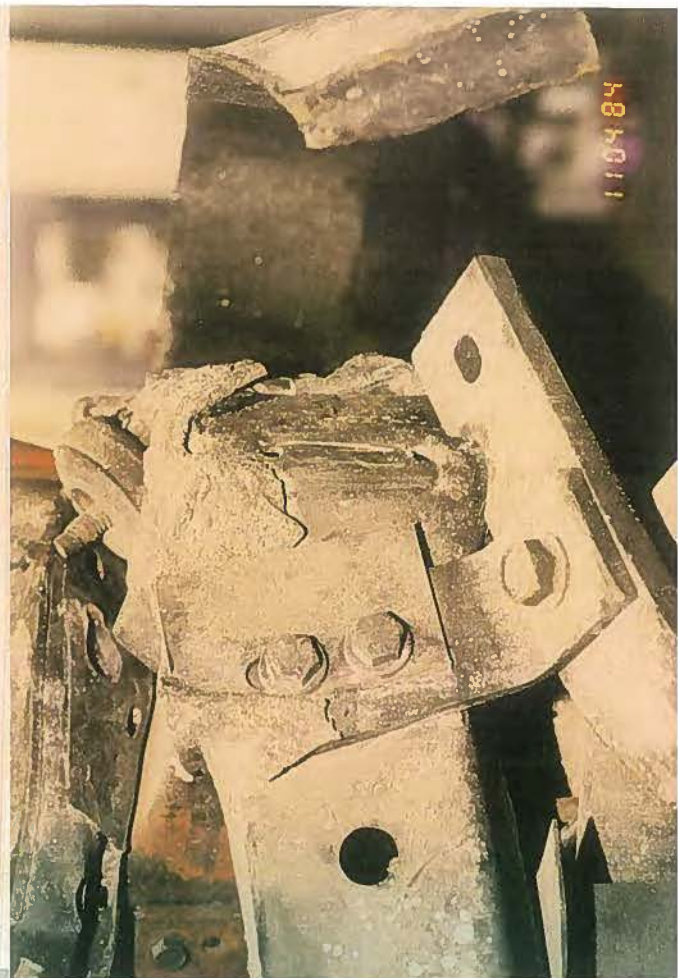
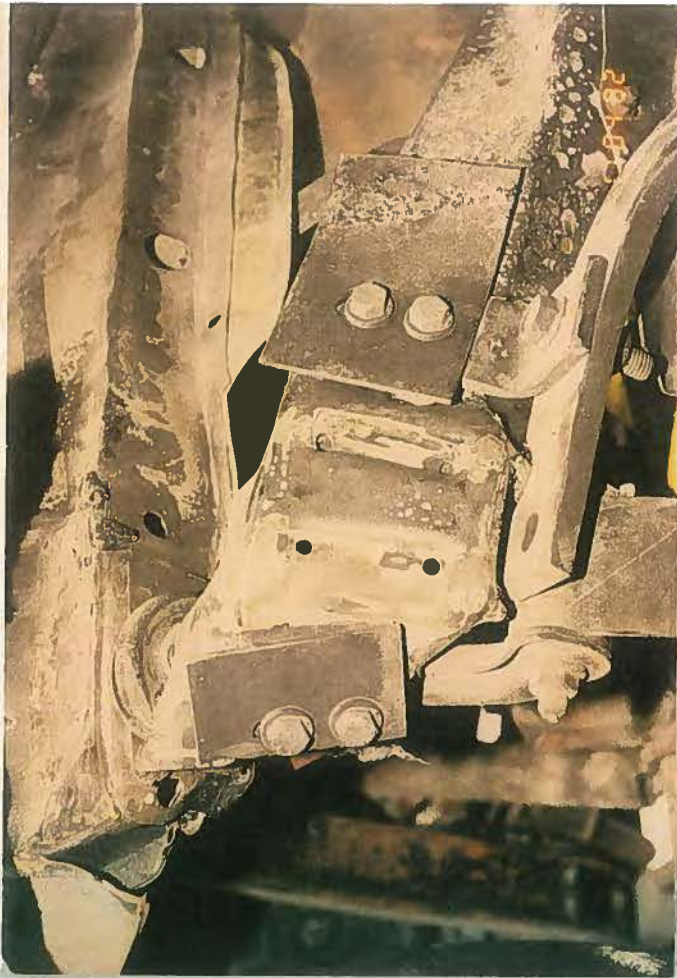


EA12-005 Peer - Chrysler - 09735

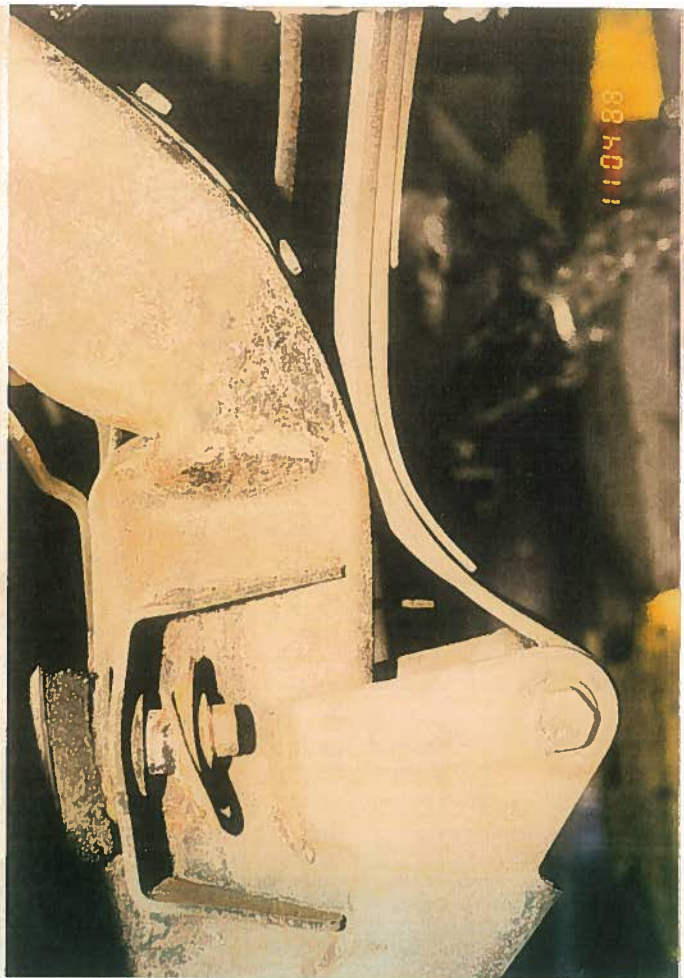










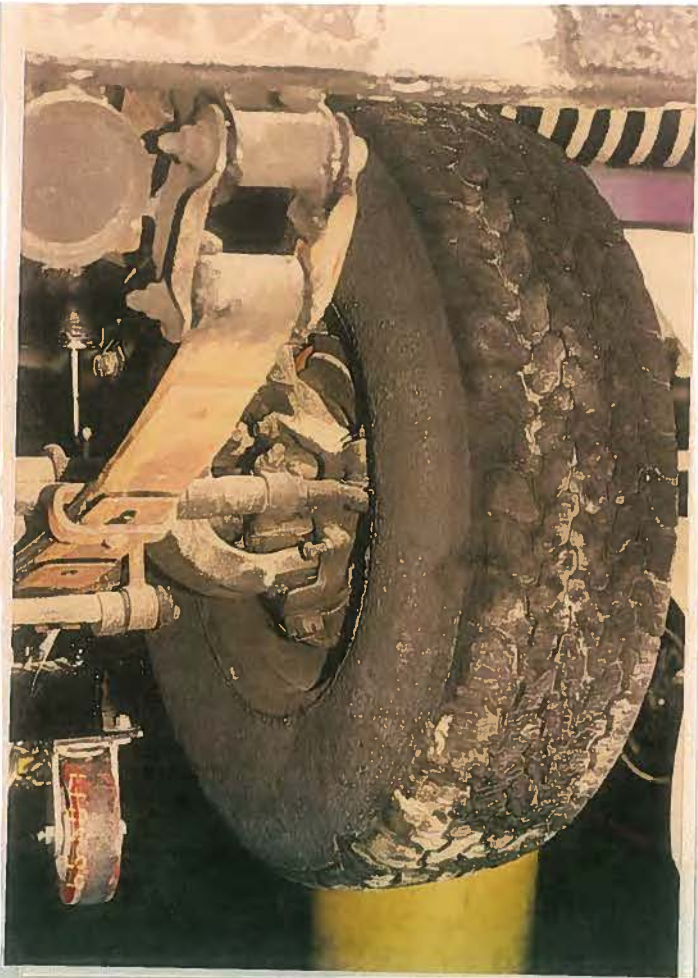




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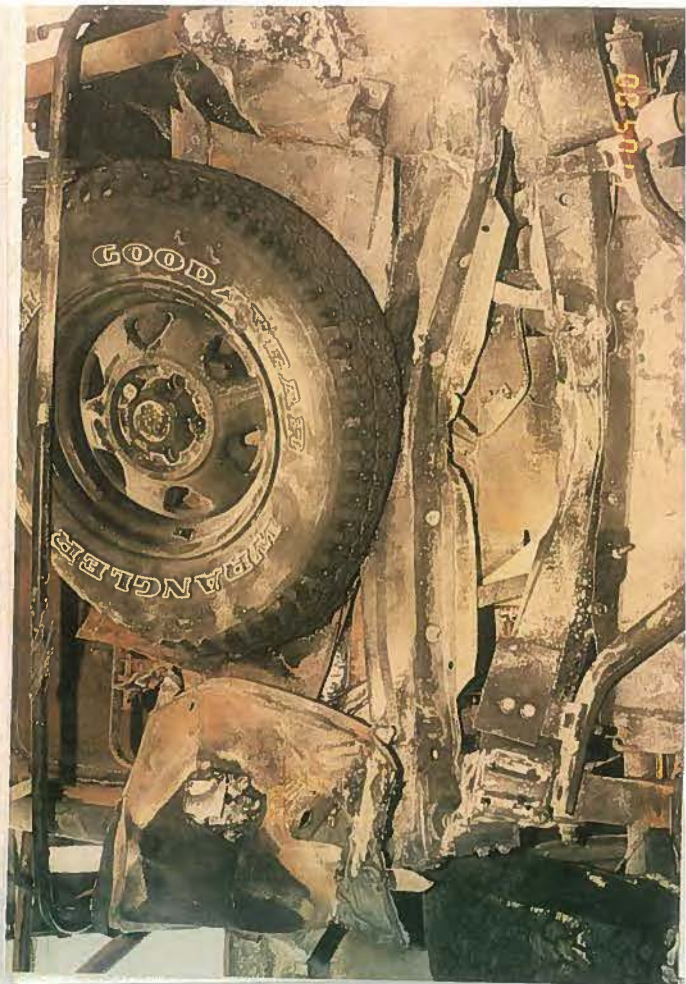




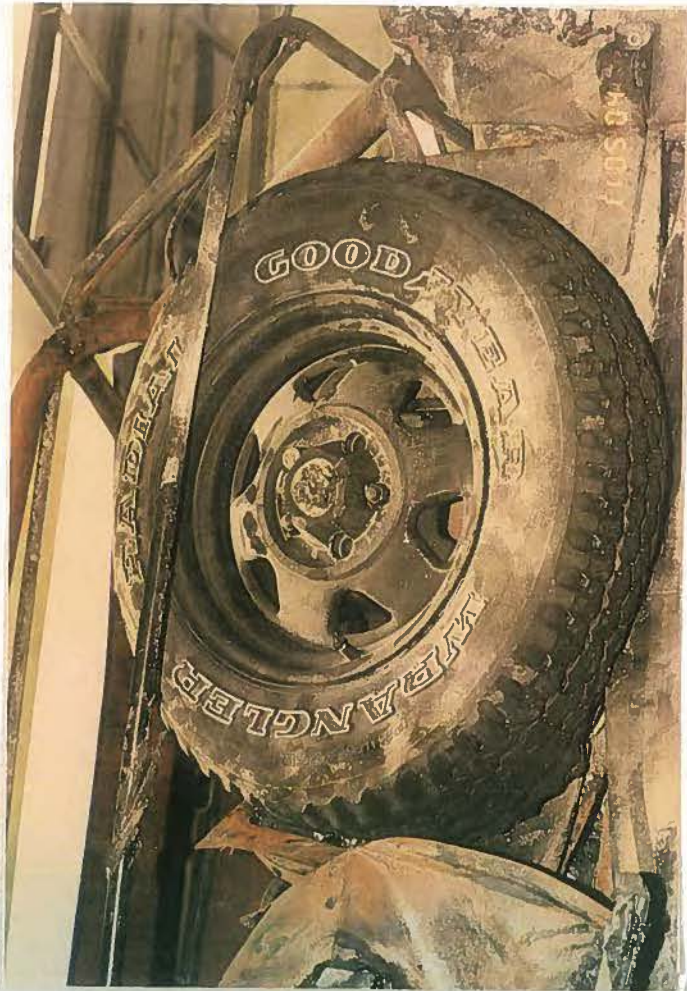


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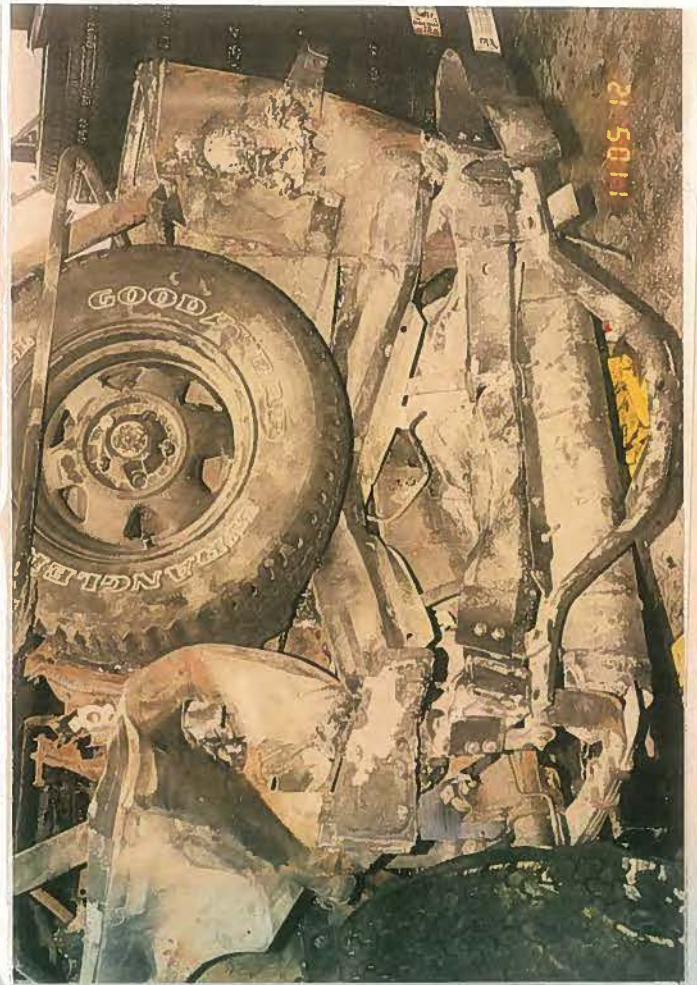


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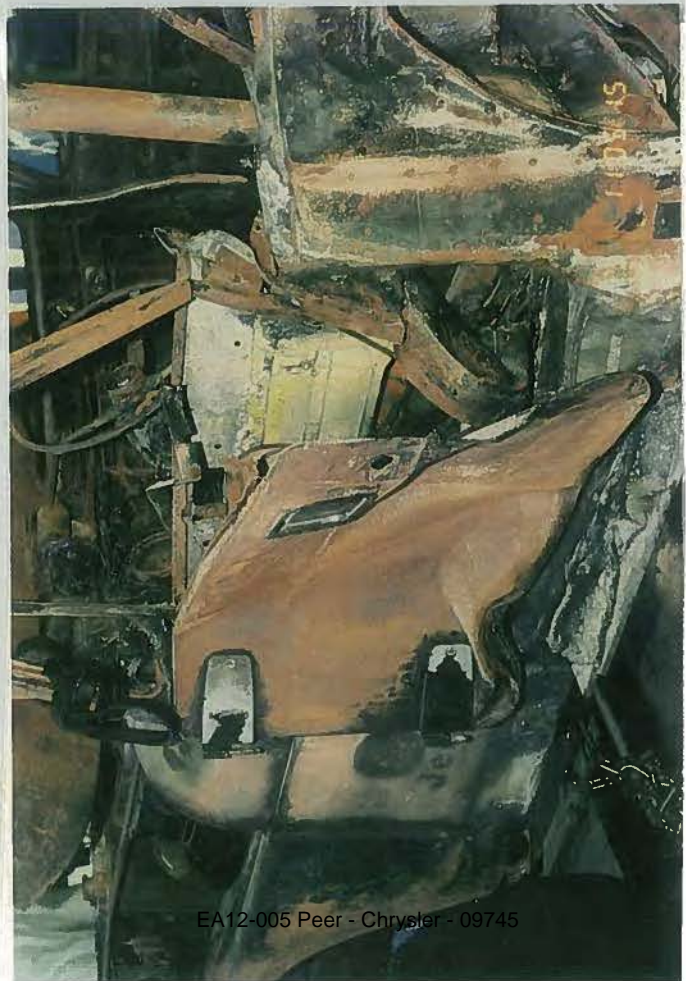
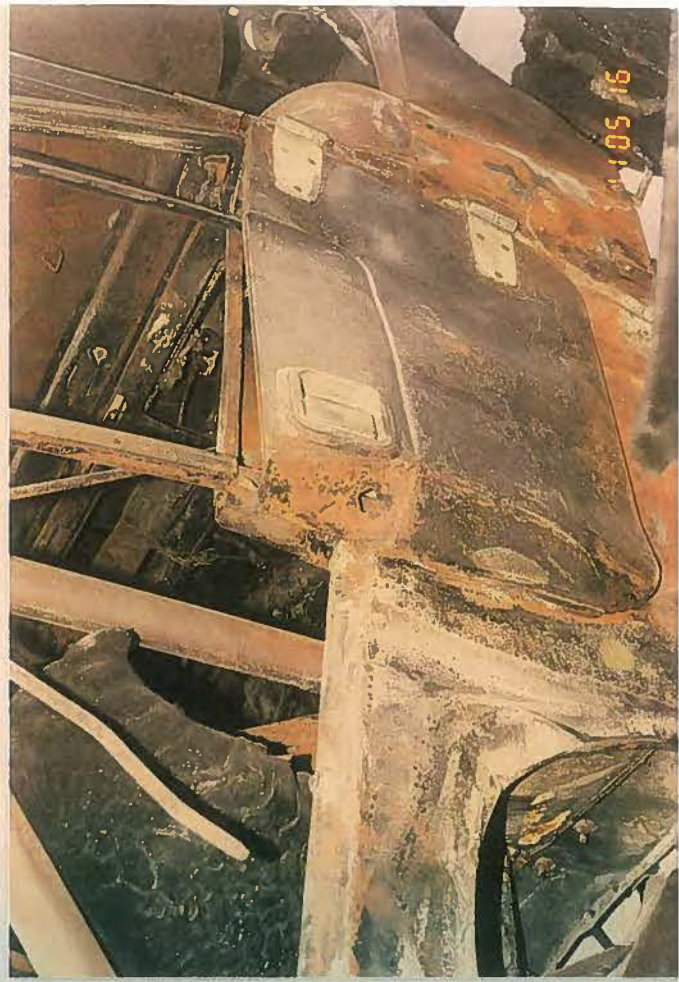


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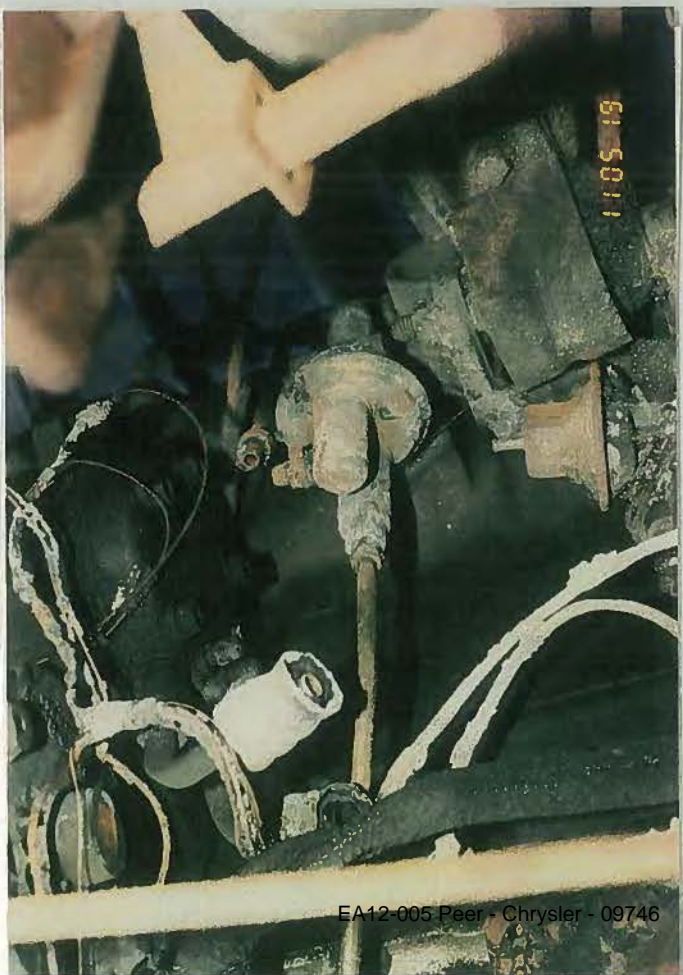
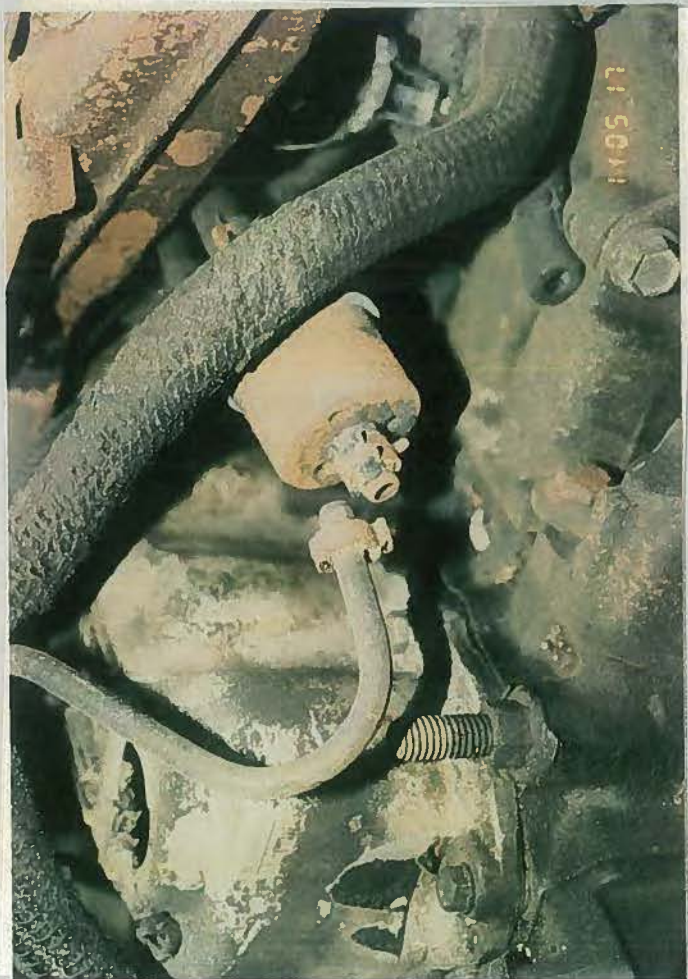




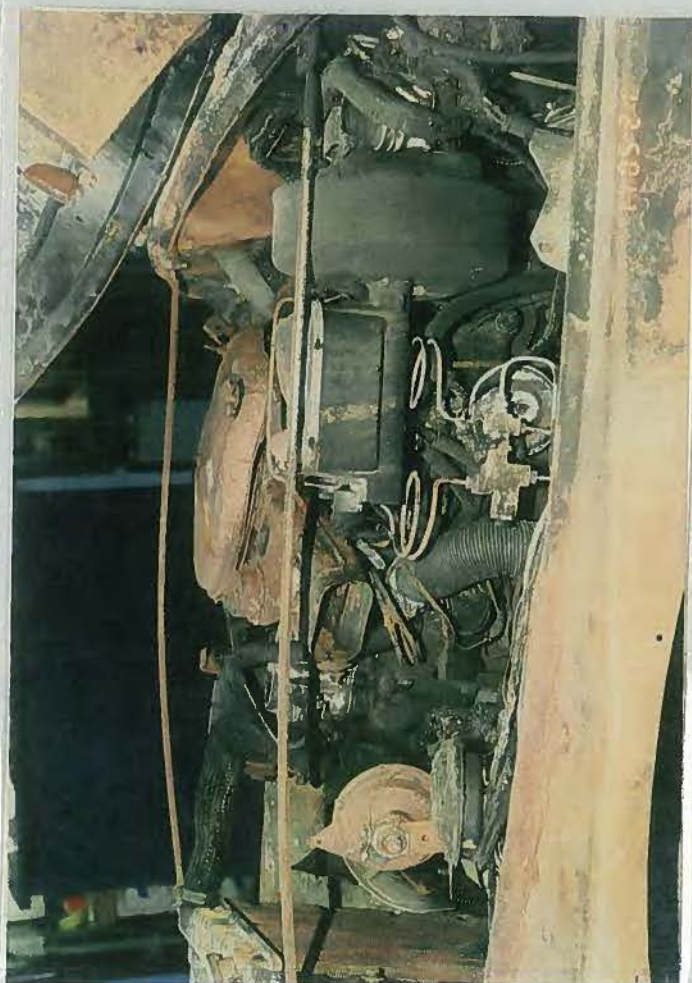




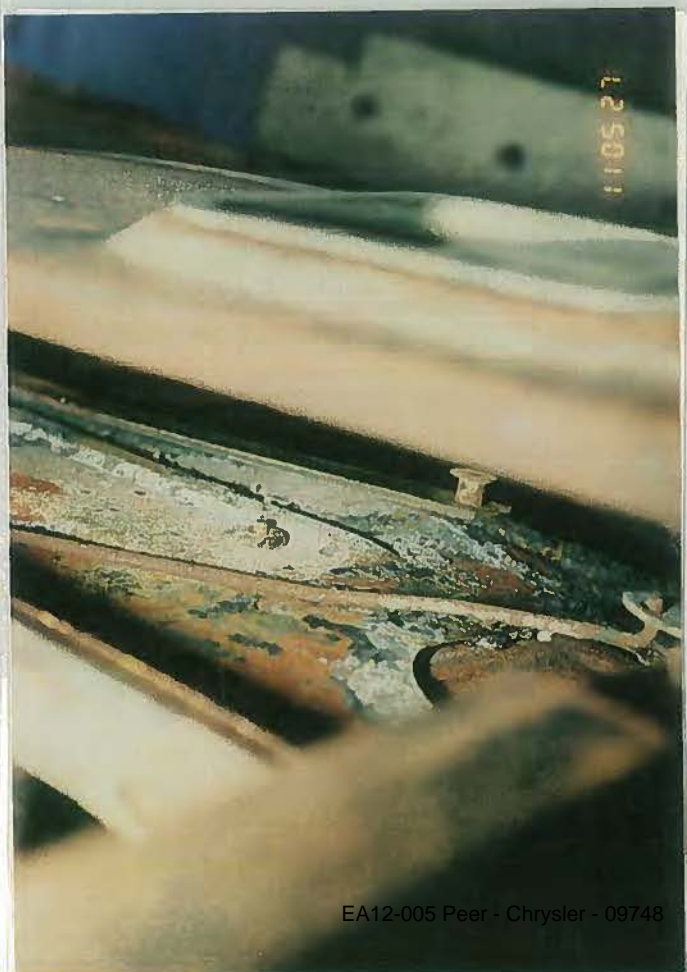
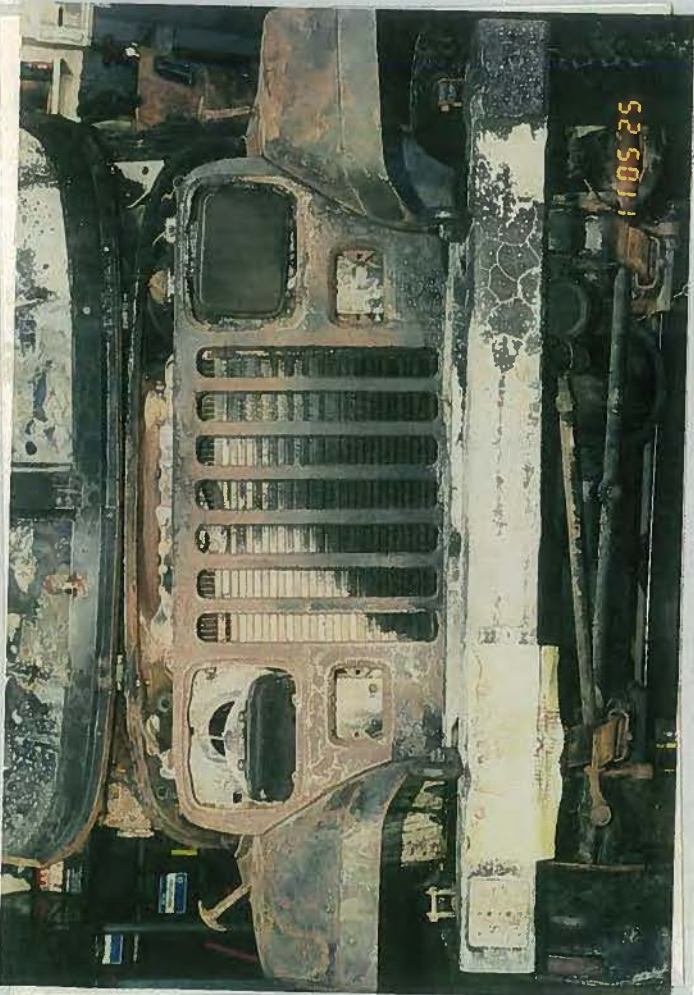
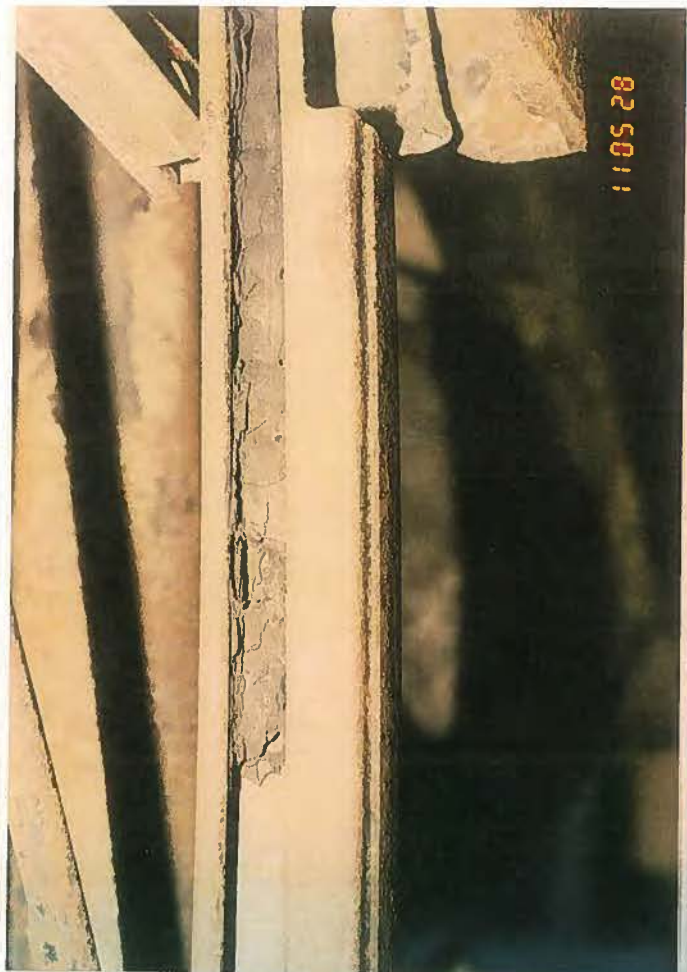




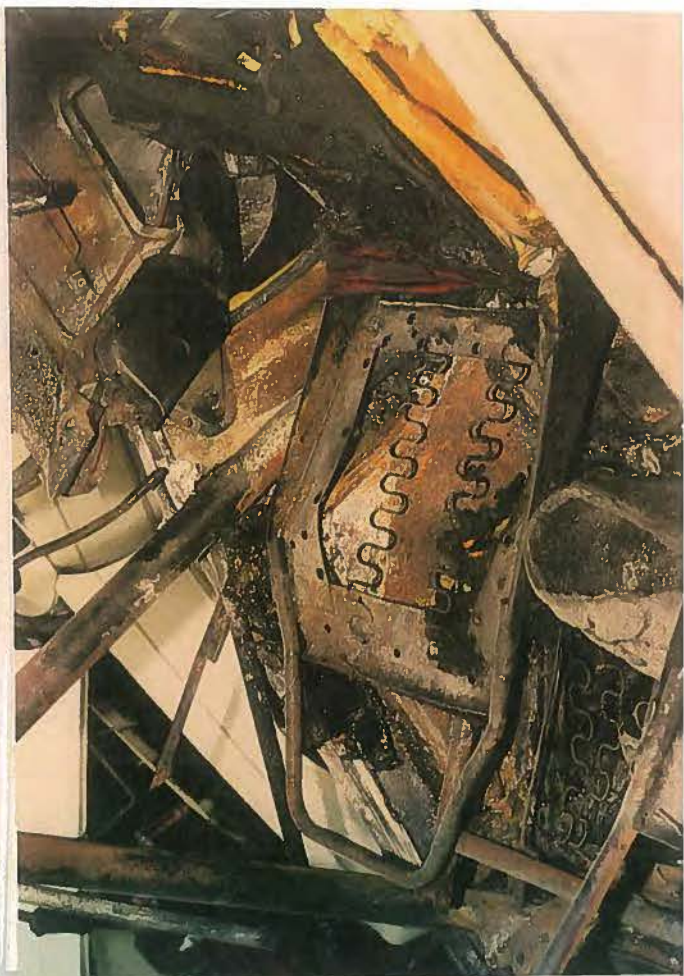




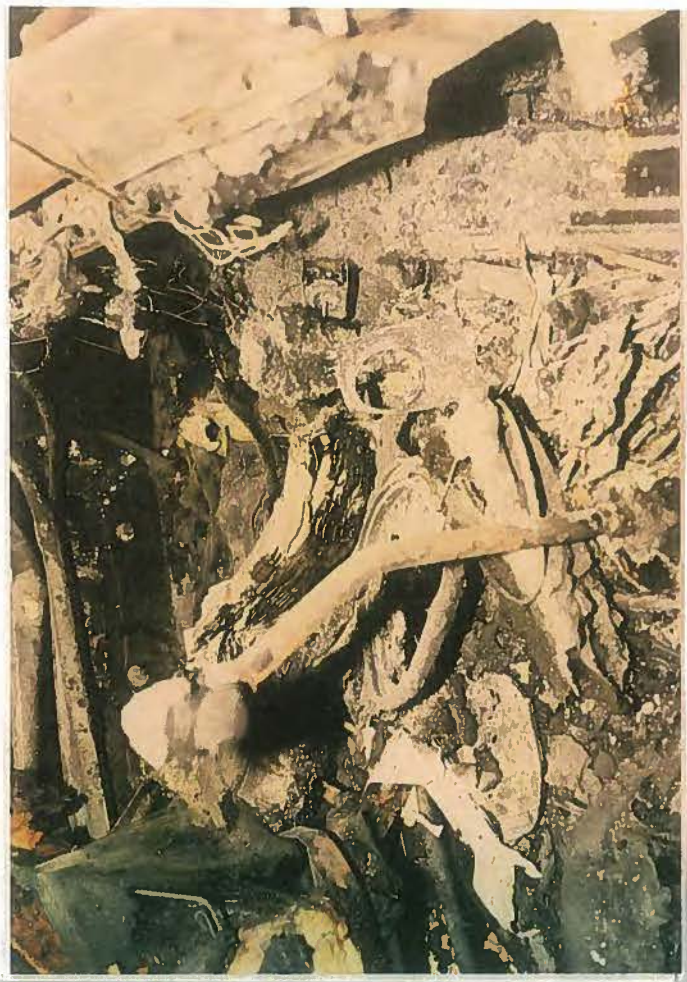




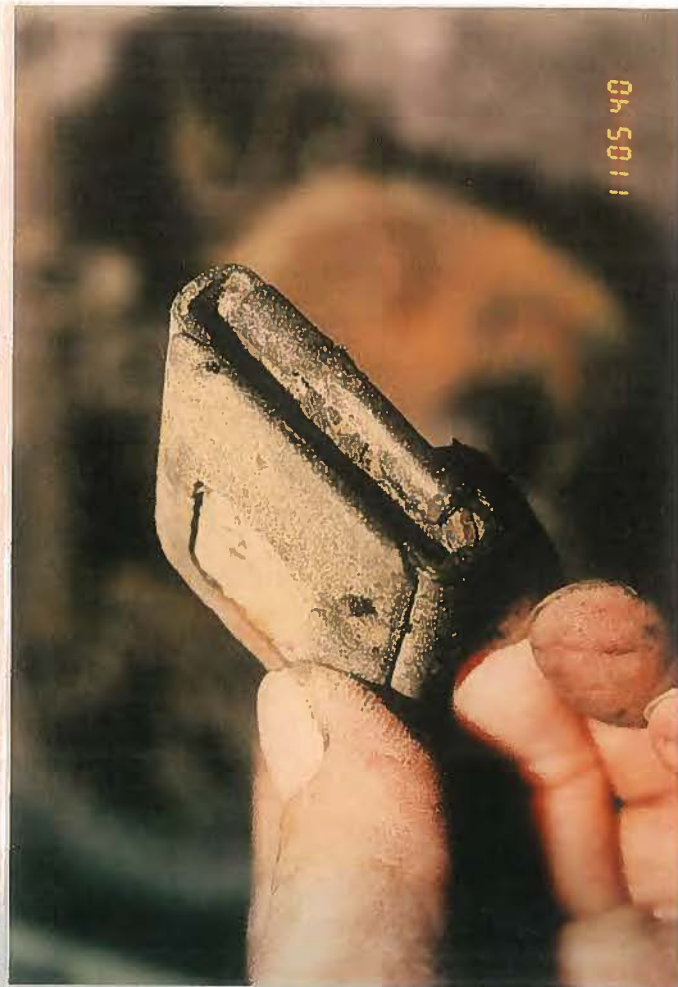














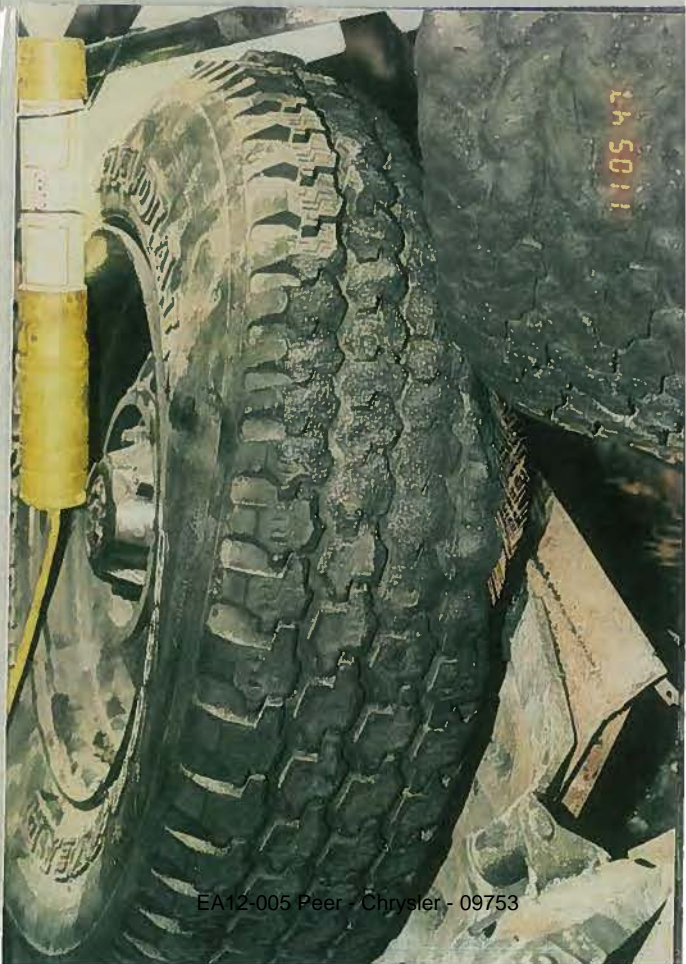




19

EA12-005 Peer - Chrysler - 09753

EA12-005 Peer - Chrysler - 09753





*NOBLE ENGINEERING*

*1090 EUGENIA PLACE, SUITE 200*

*CARPINTERIA, CALIFORNIA 93013*

*(805) 566 - 6672*

 *V. CHRYSLER*

*FORD PICKUP*

*INSPECTION PHOTOGRAPHS*

*NOVEMBER 4, 1997*





EA12-005 Peer - Chrysler - 09755



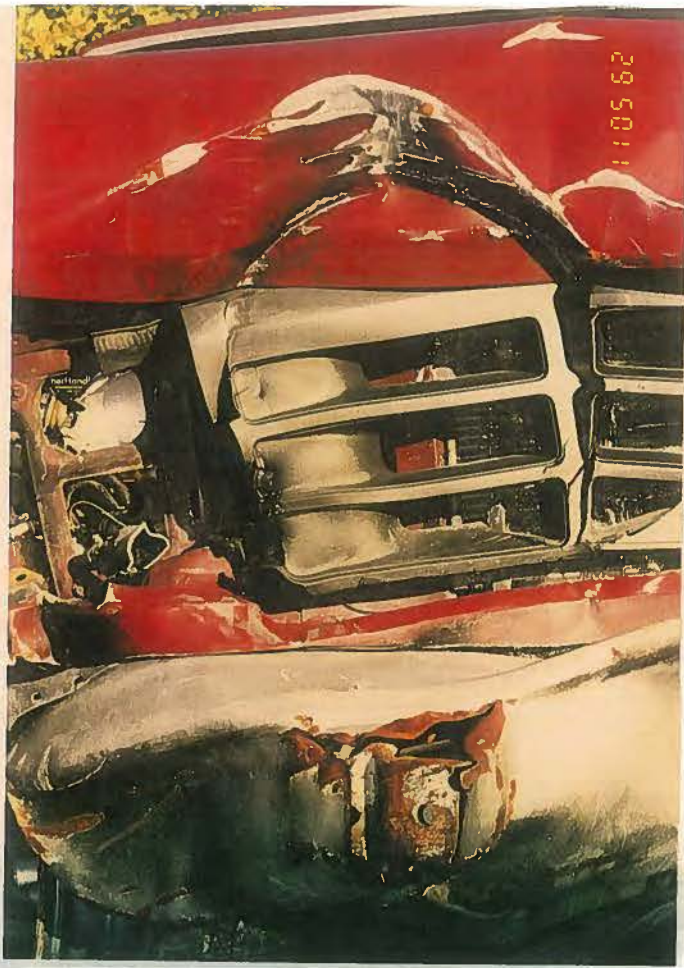






11/10/97 NISSAN CIBEX(12)

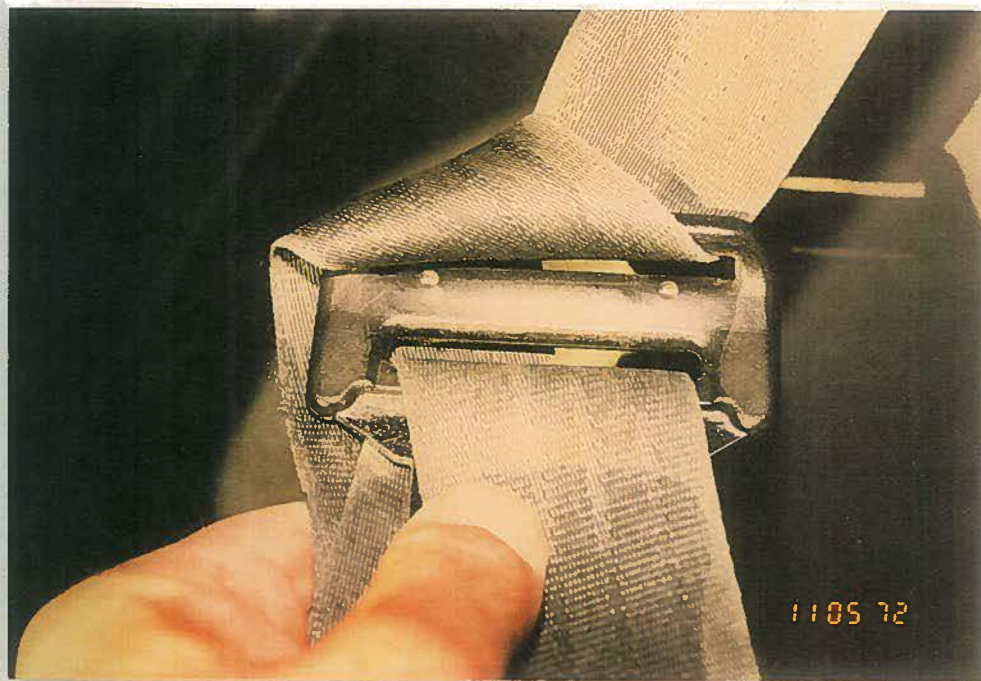










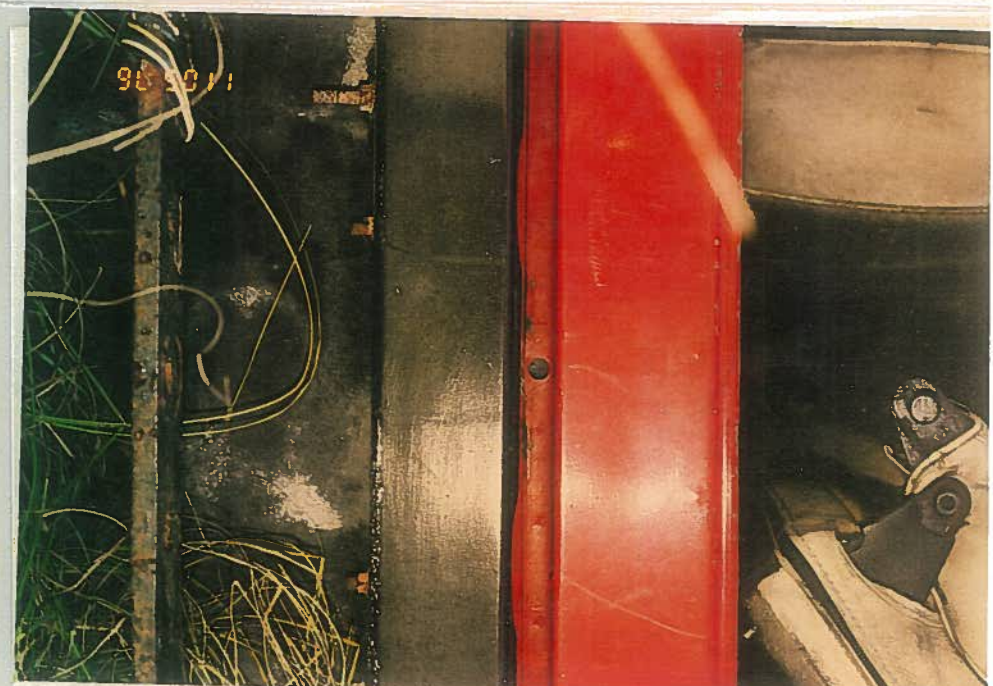
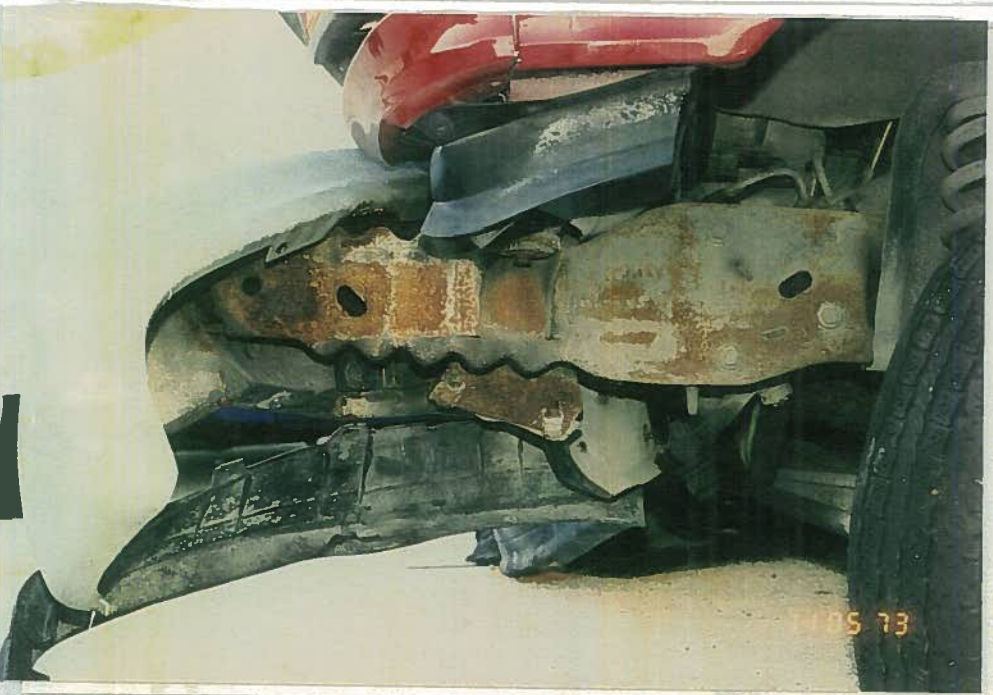




29th Street  
1850-1900

100K-V-030-030

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105 75

105 75

EA12-005 P&B Chrysler - 0976





EA12-005 Peer - Chrysler - 09762







Photos: Ford Pick-Up  
Pltf's Response to 1st RFP dated 1/24/97  
[REDACTED] CHRYSLER 17245.160















































































































Photos: Jeep

Pltf's Response to 1st RFP dated 1/24/97

v. CHRYSLER

17245.160









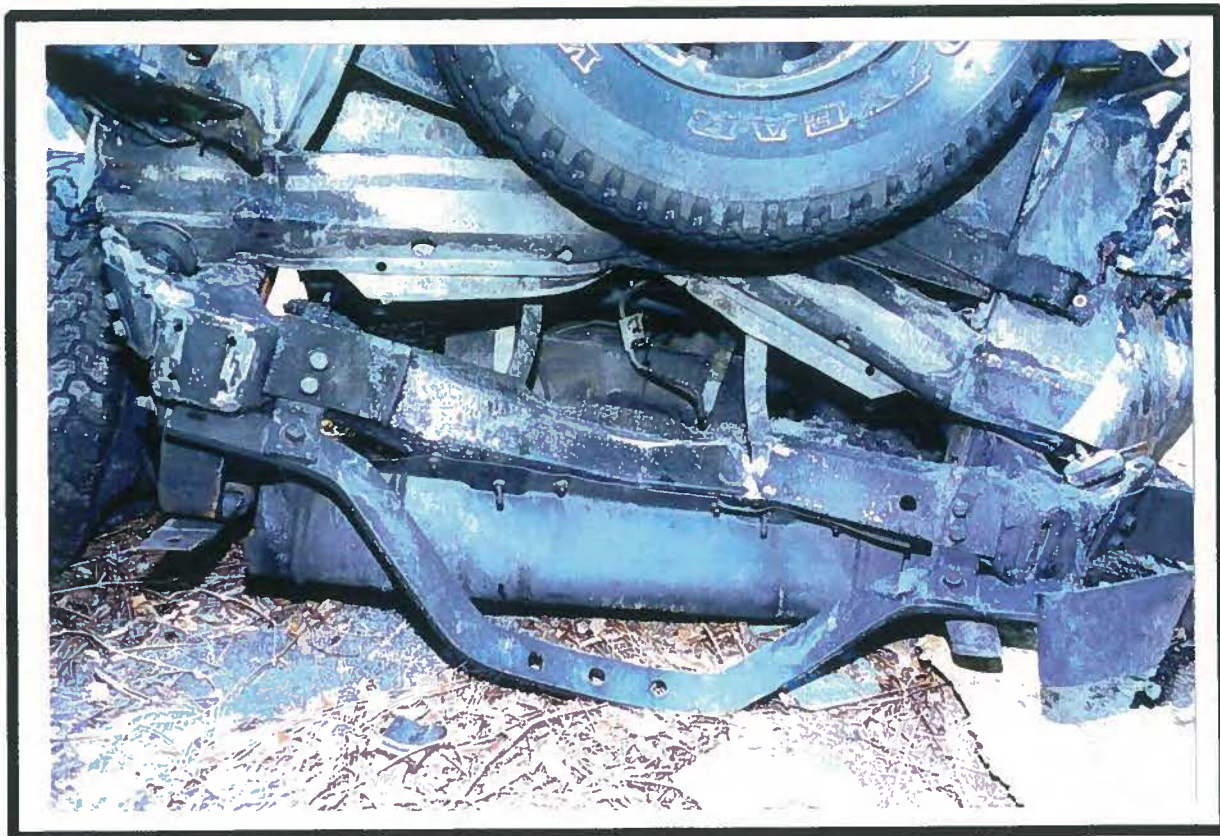




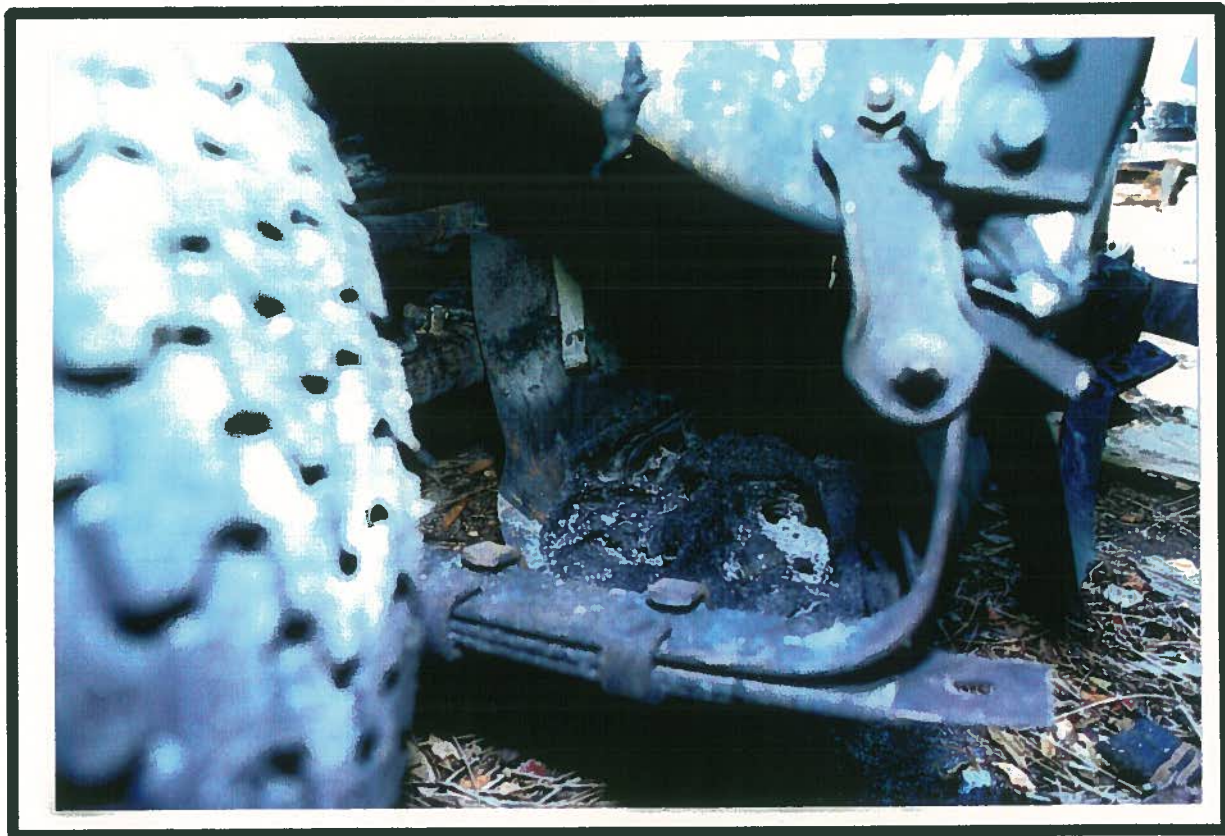








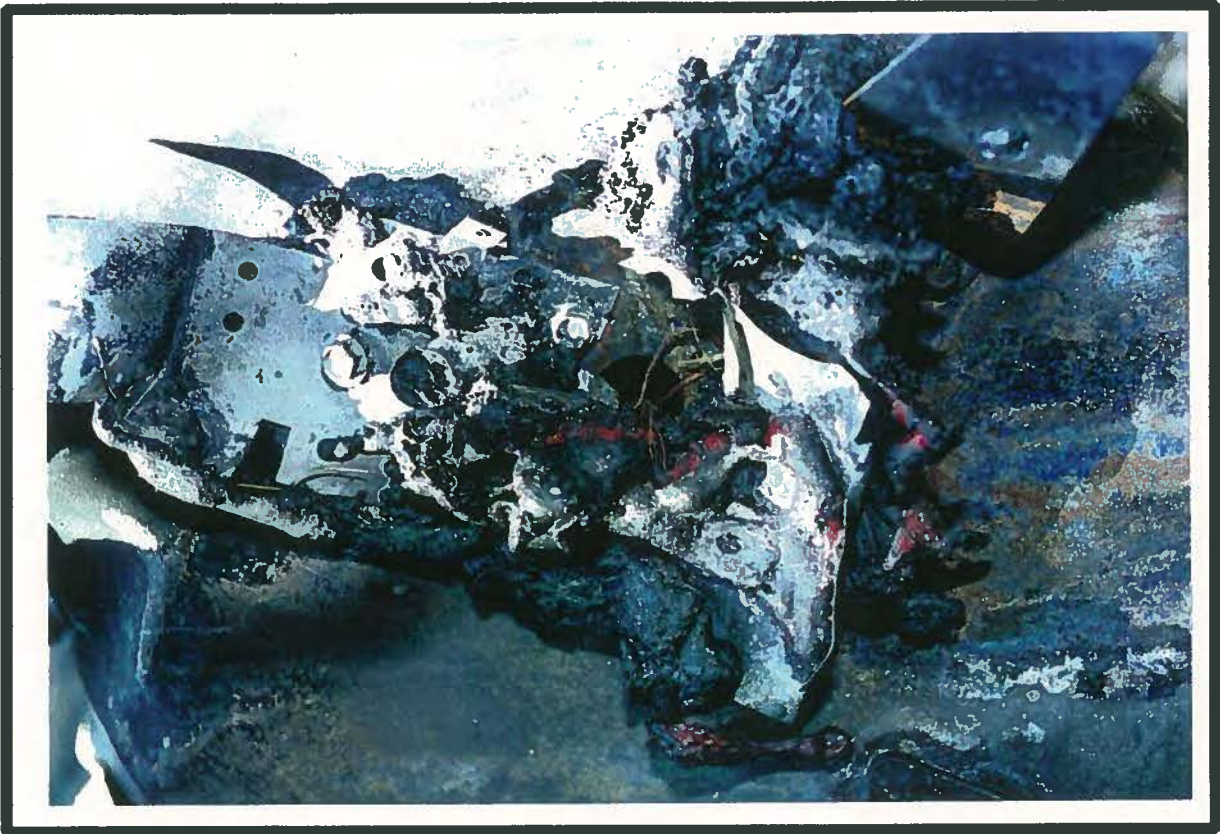




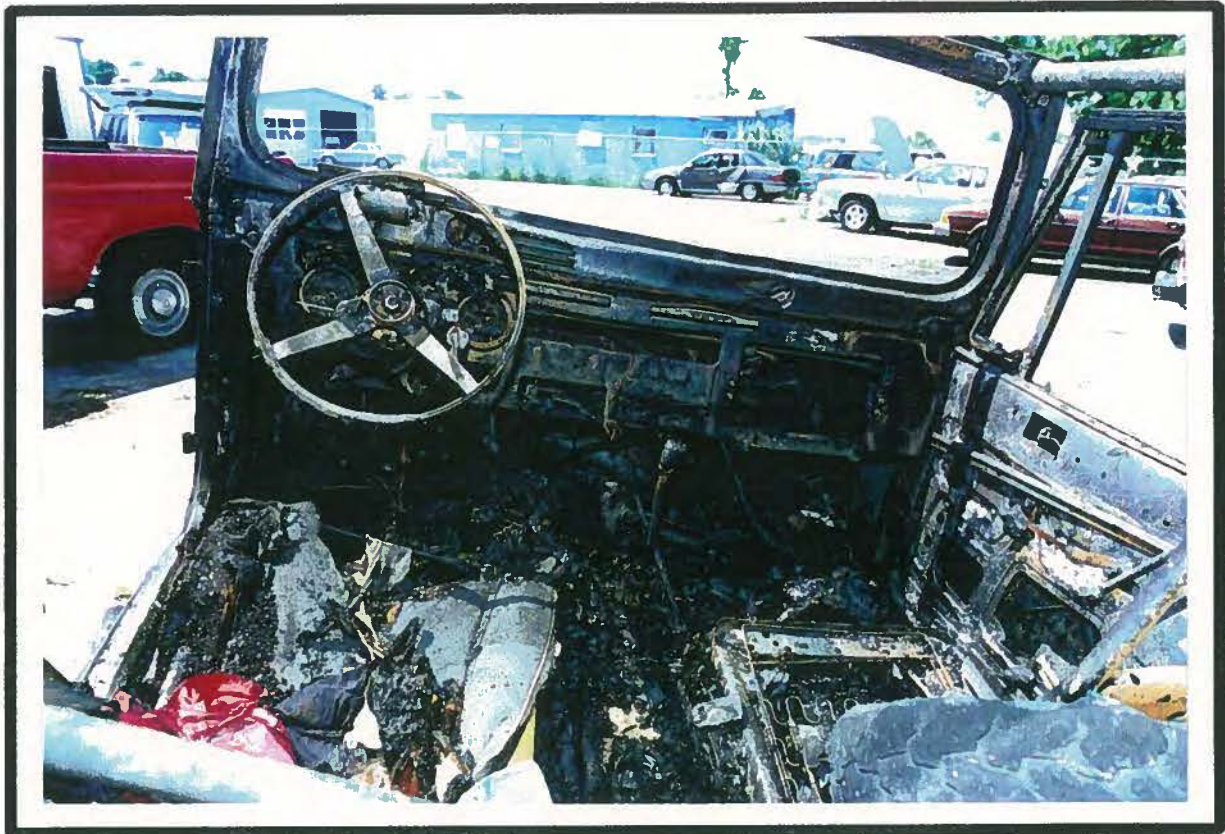
















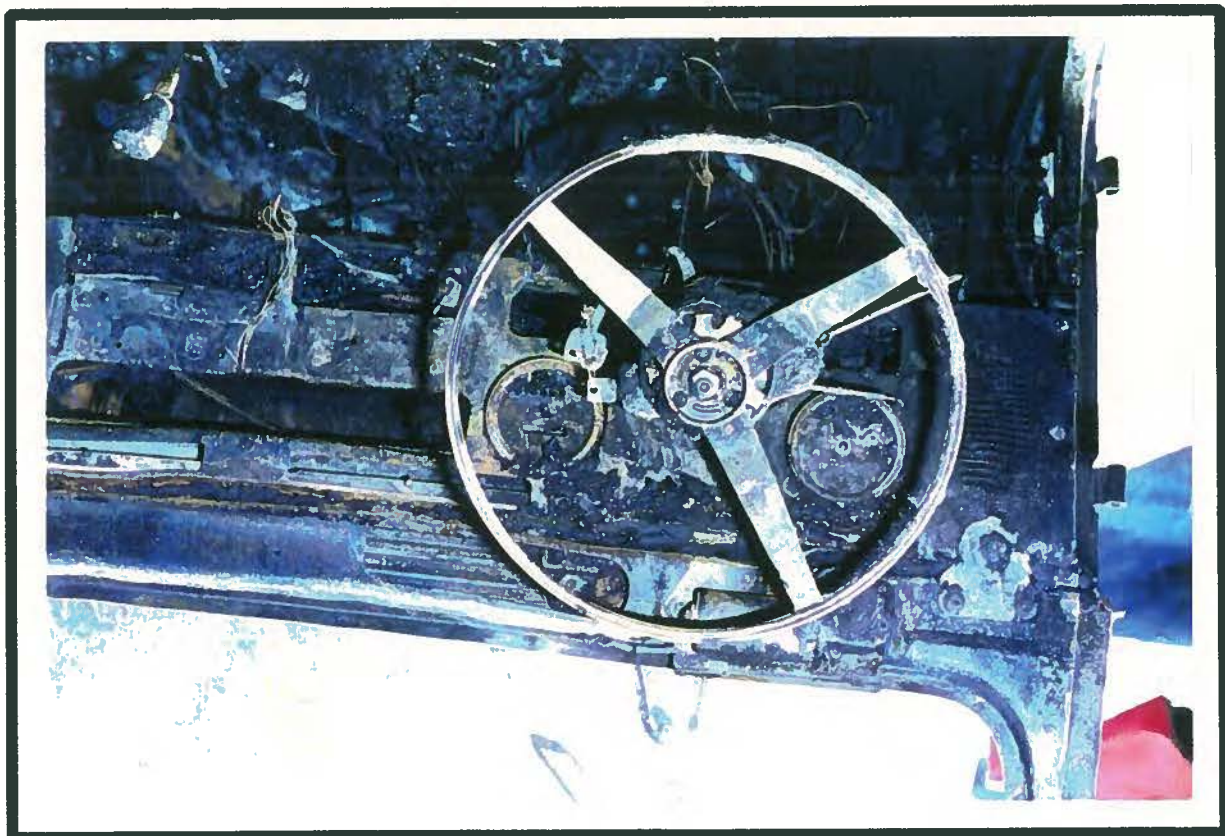
















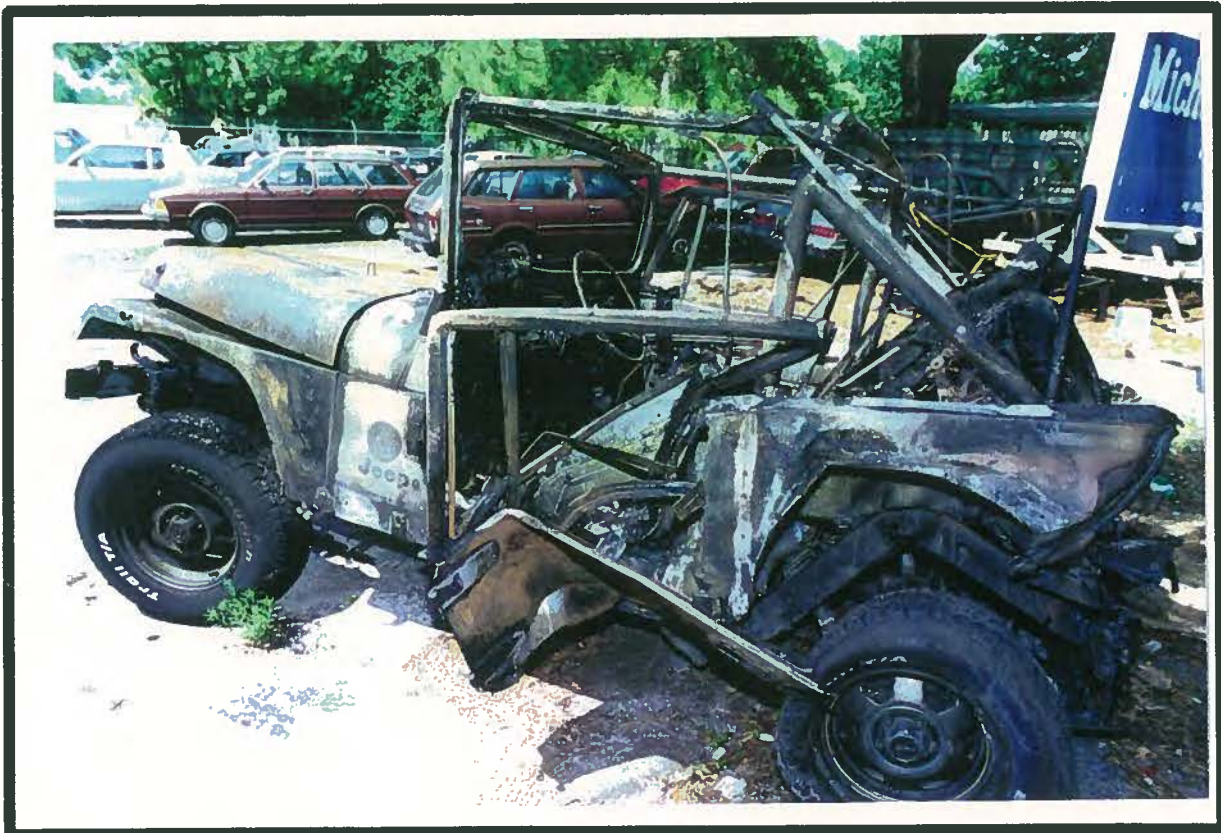




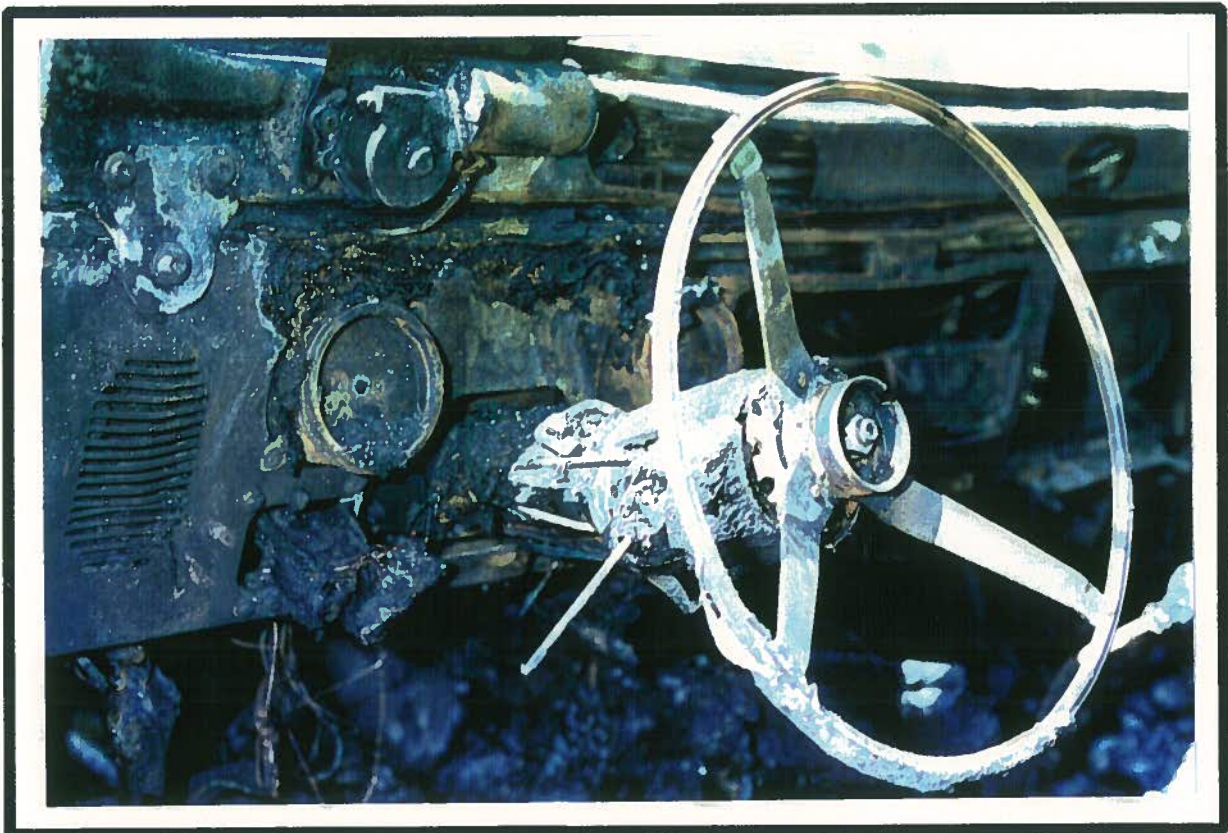




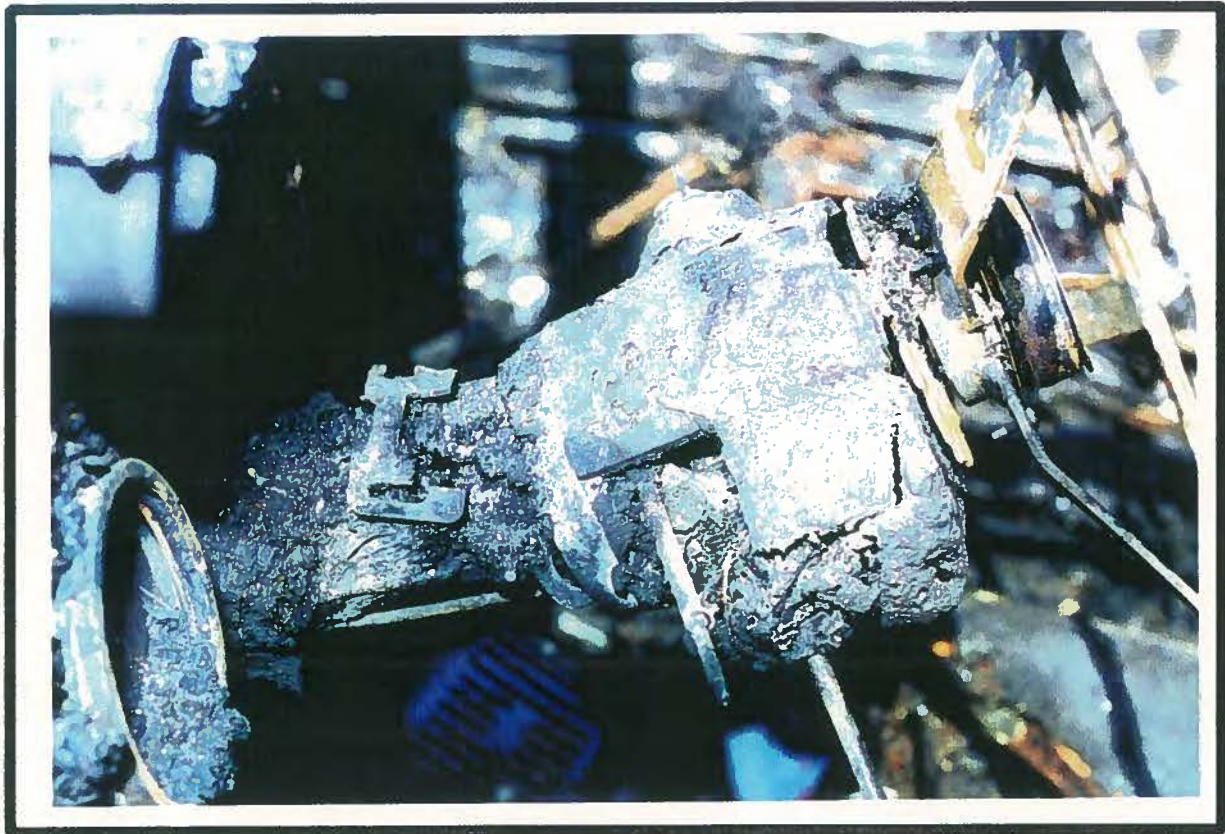




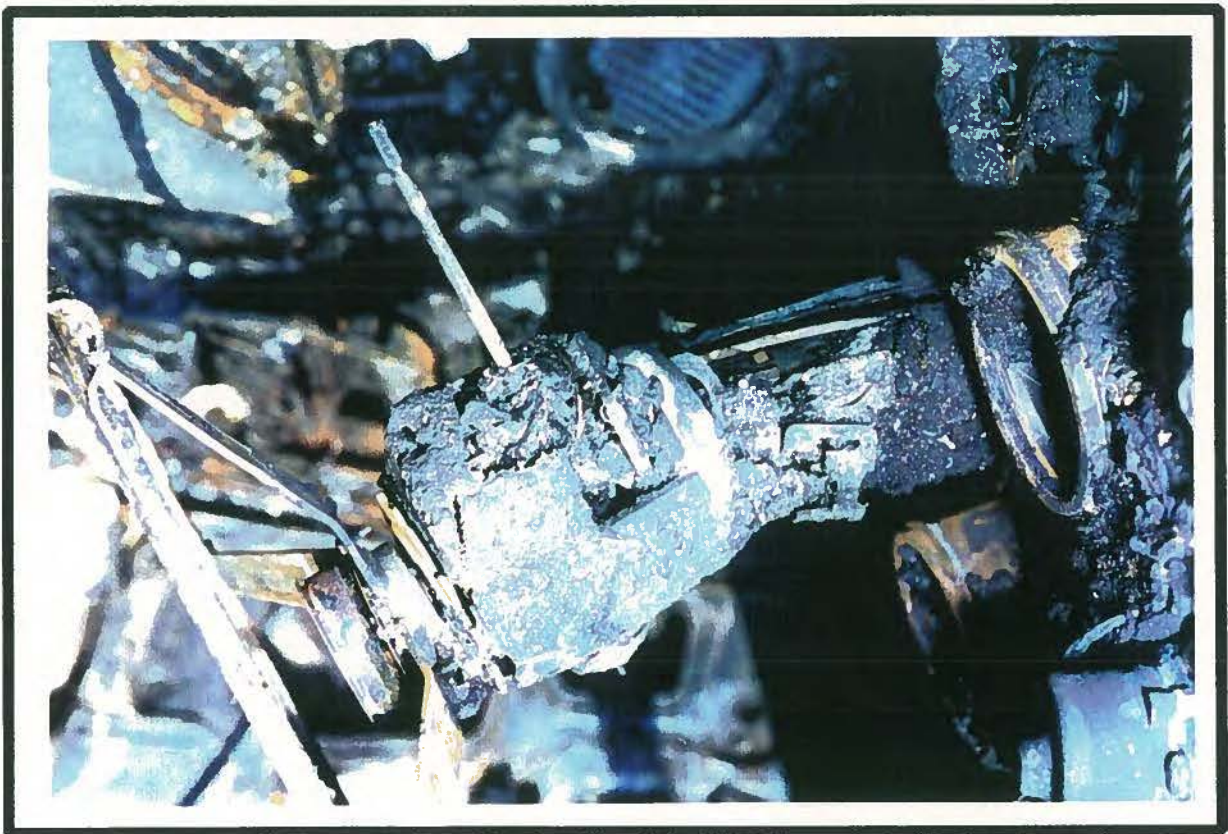
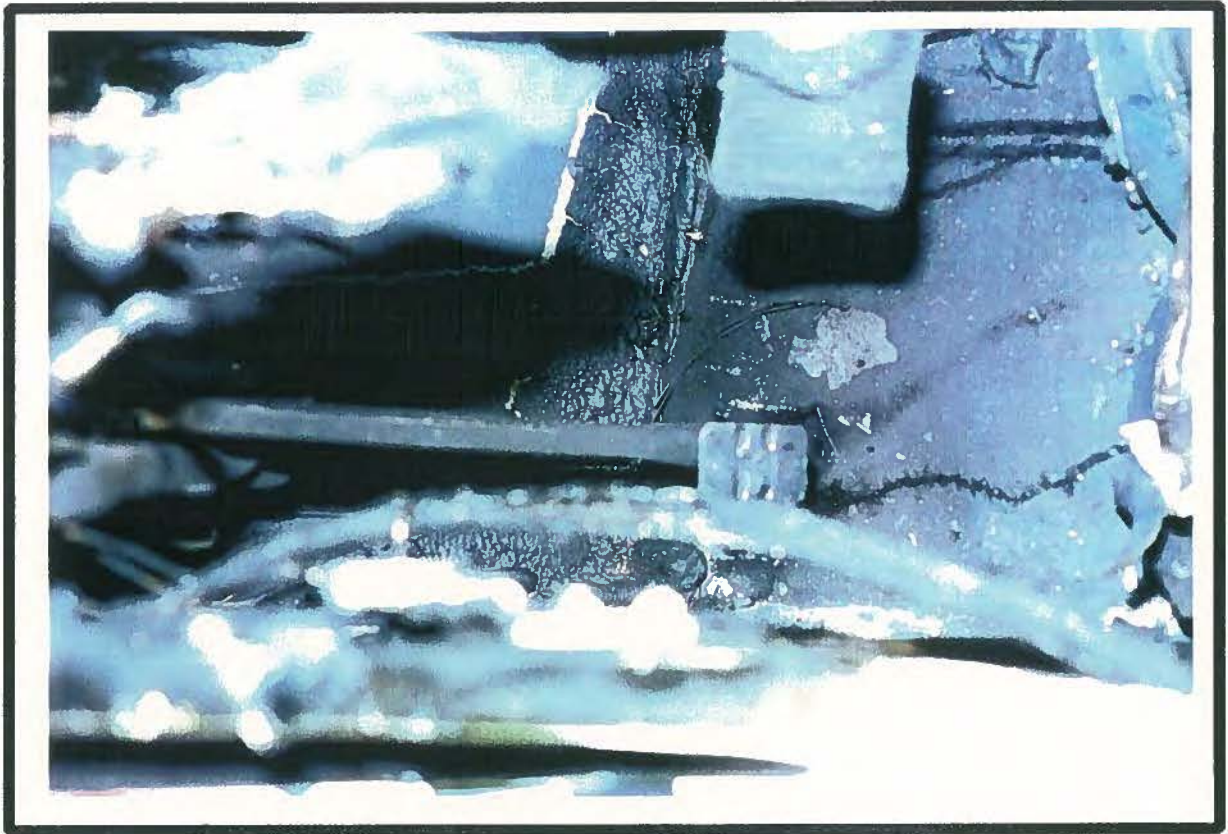








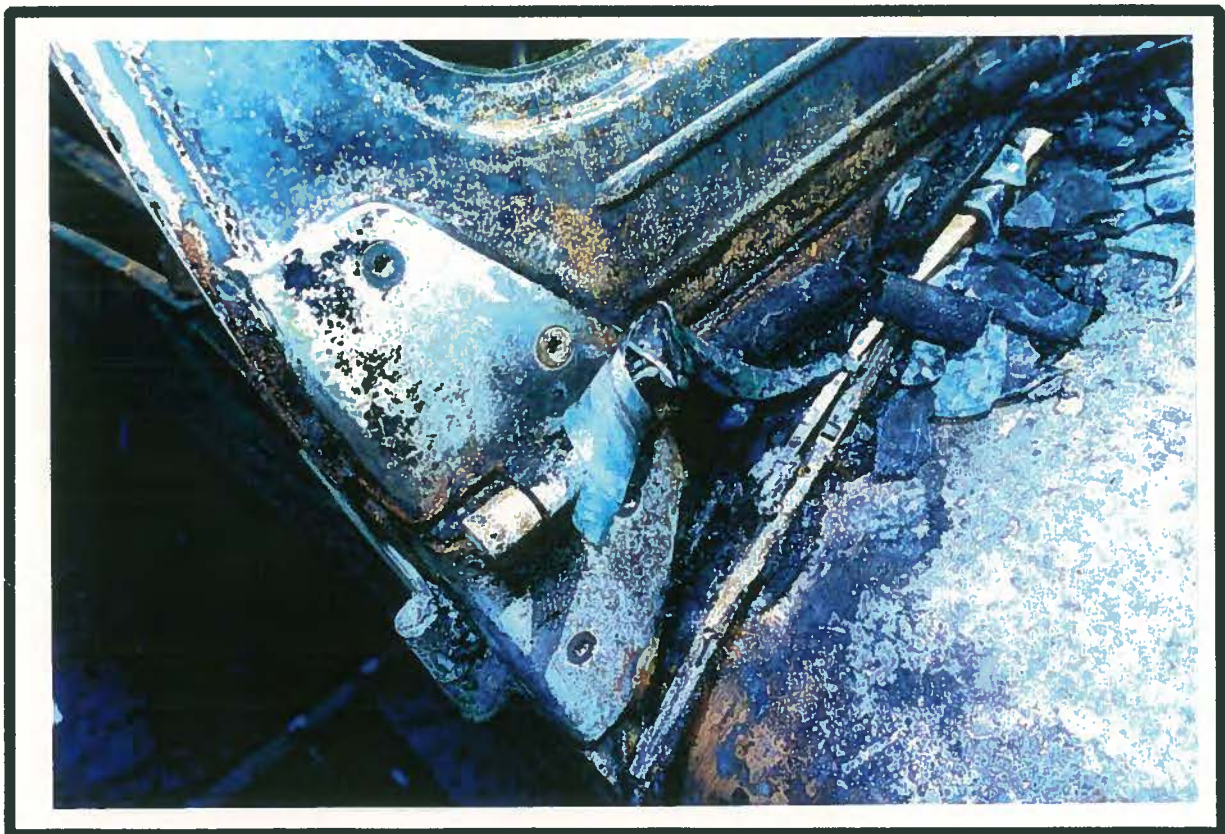








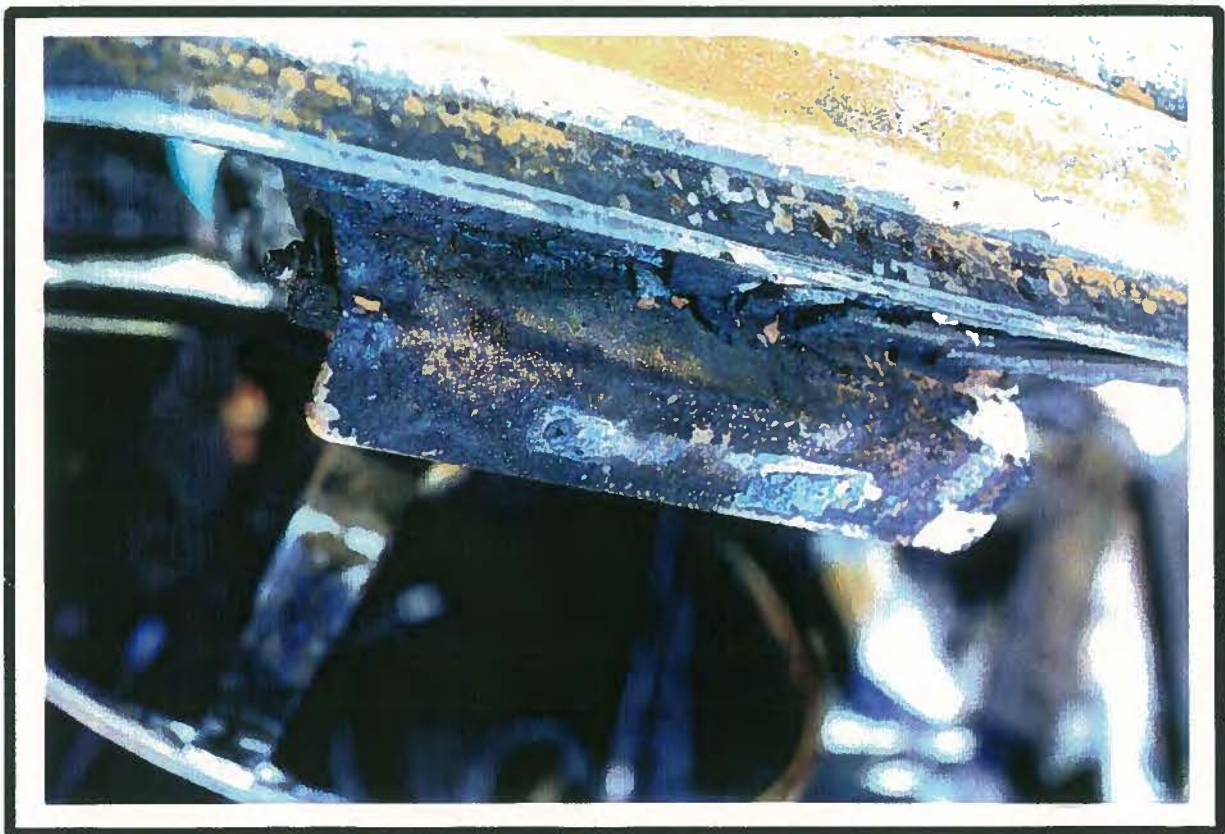
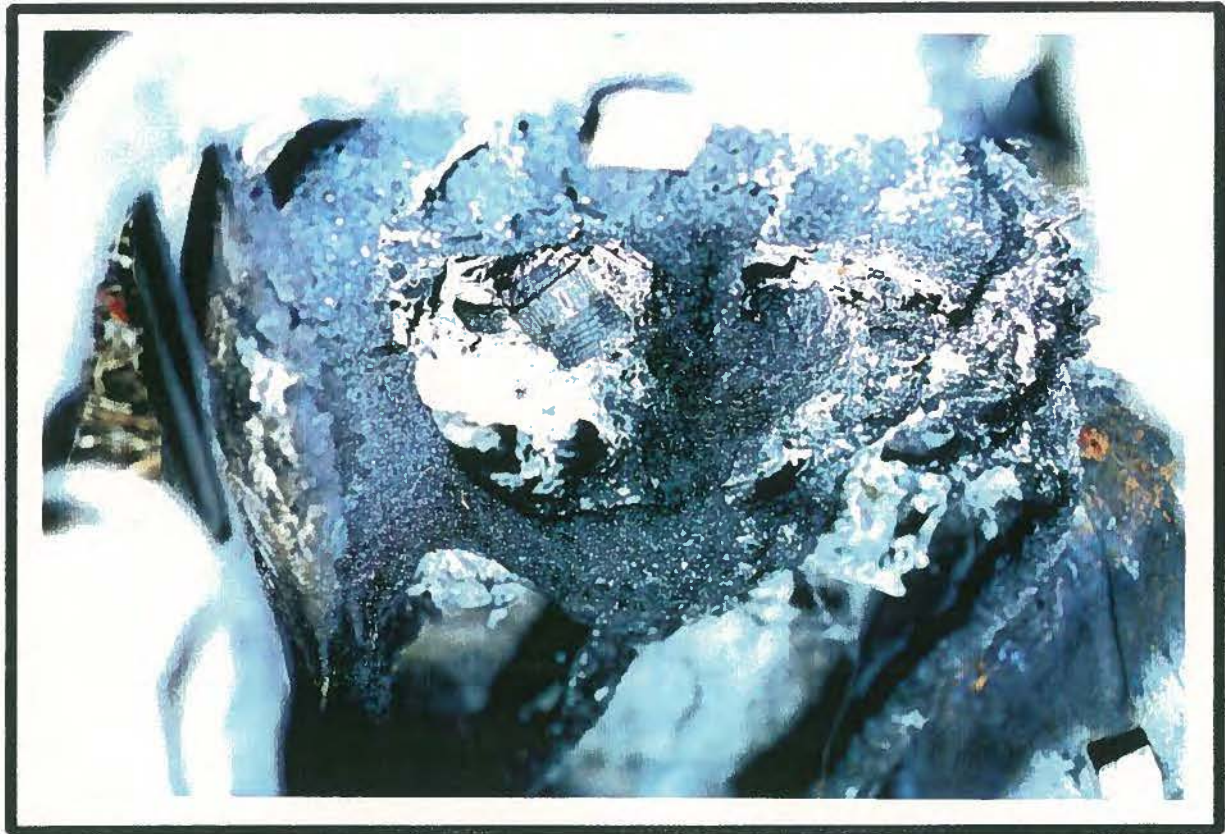




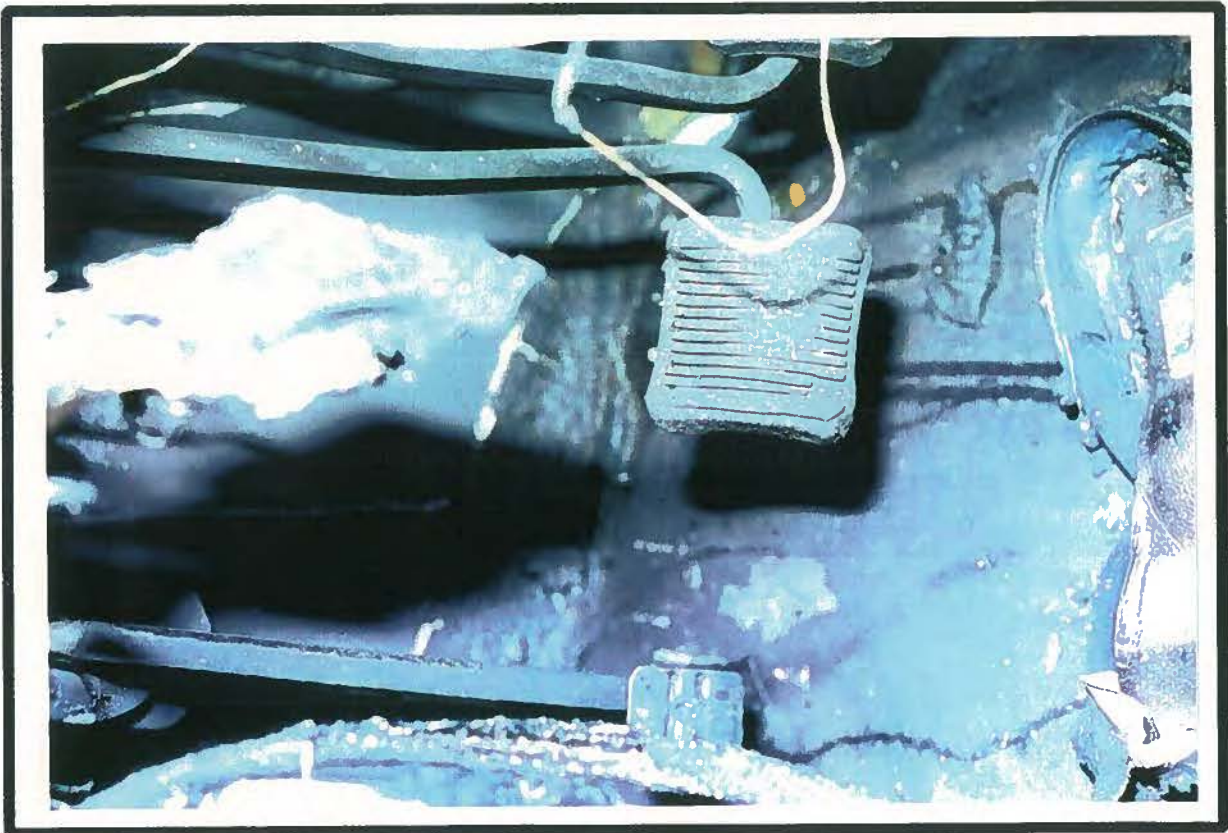
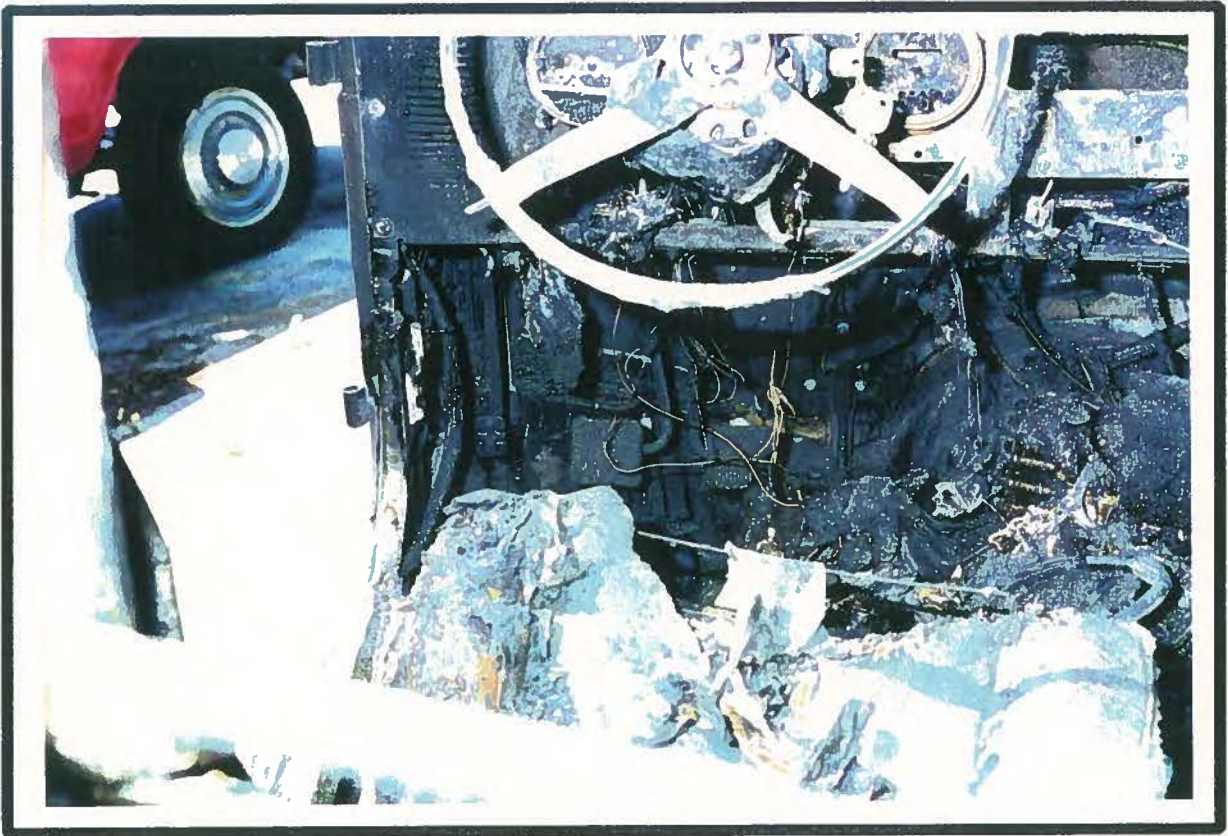




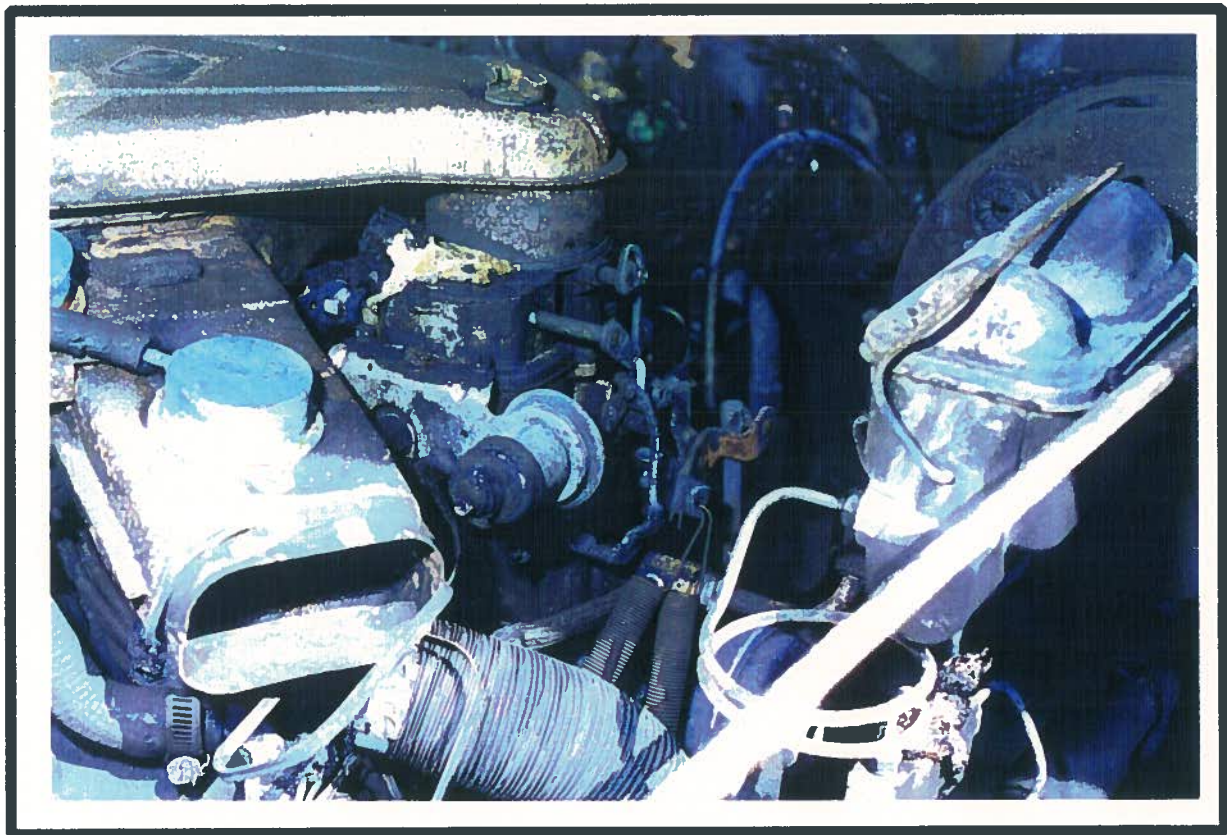




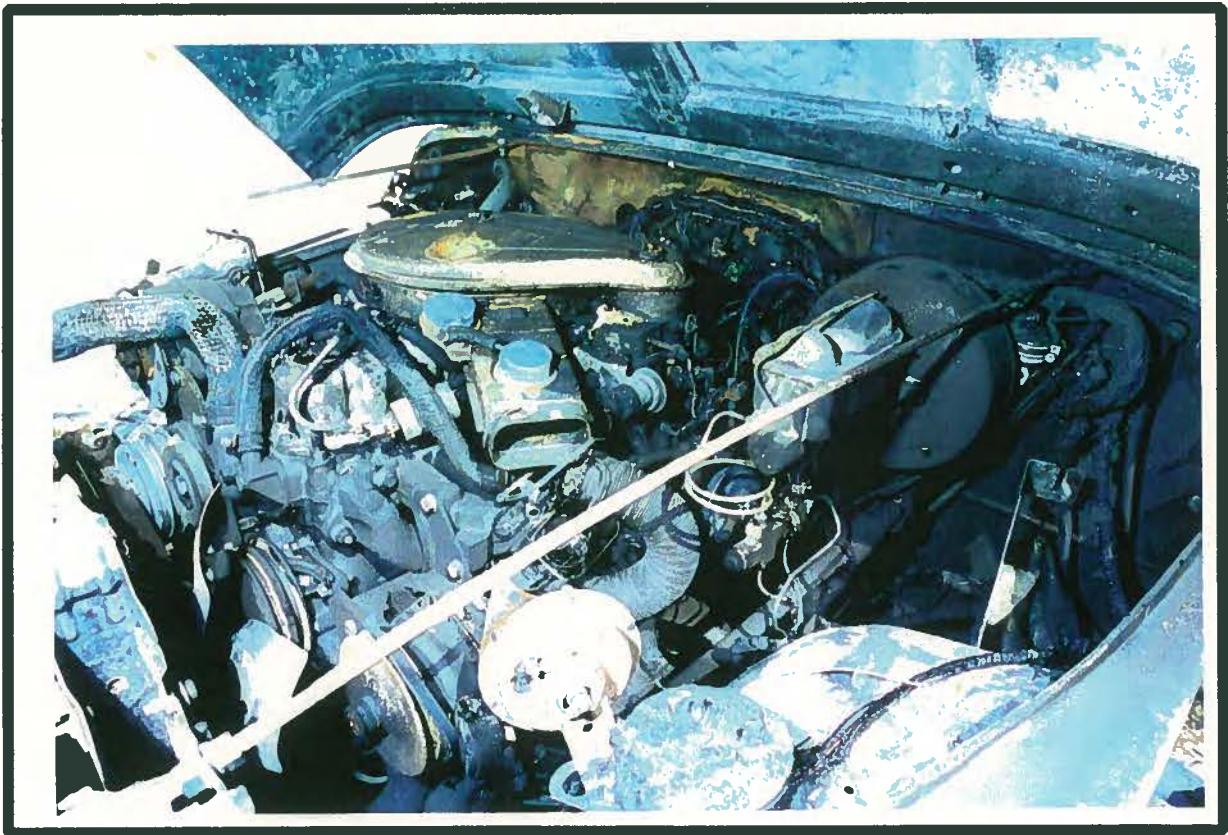
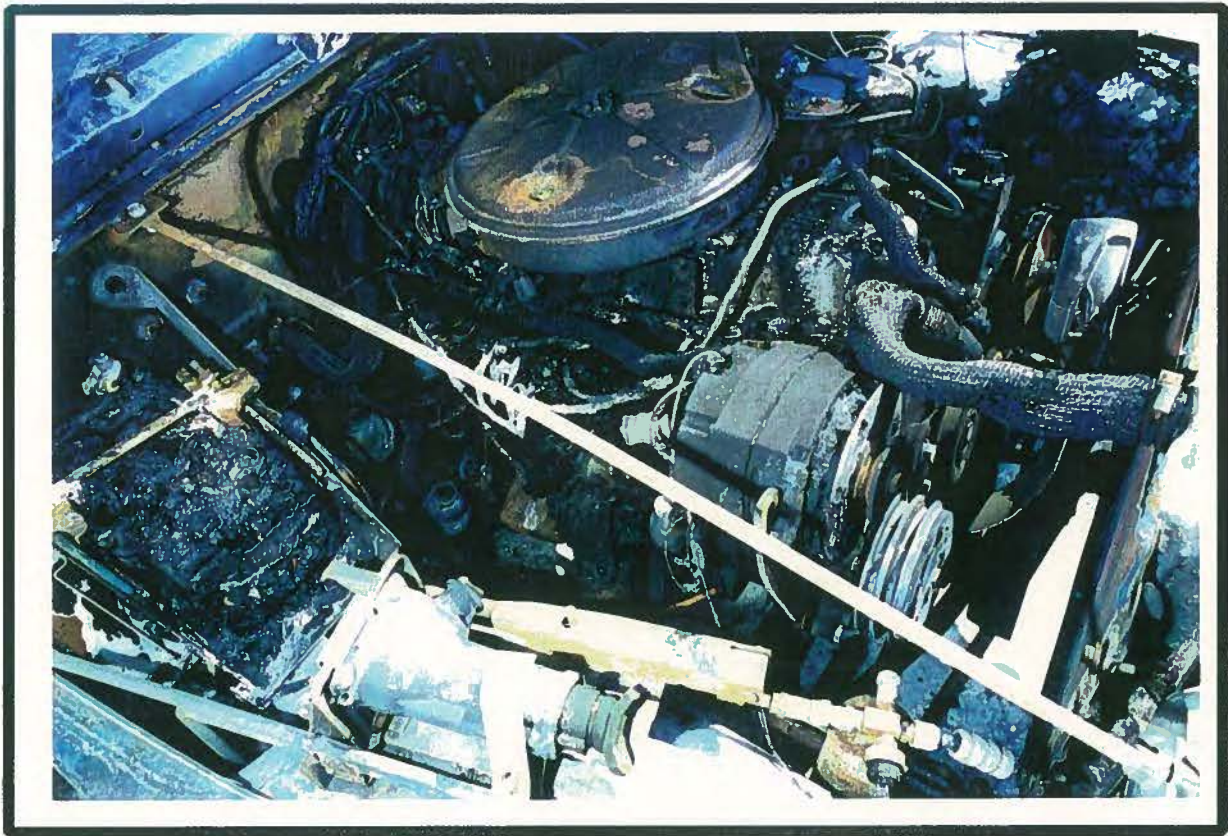






















IN THE CIRCUIT COURT IN AND FOR PASCO COUNTY, FLORIDA  
CIRCUIT CIVIL NO.: 96-5561-CA-H

DANIEL W. RICHARDS, as Personal  
Representative of the Estate  
of GAIL A. RICHARDS, deceased,

Plaintiff,

vs.

LEWIS HENDERSHOT, PETER DANIEL  
and CHRYSLER CORPORATION,

Defendants.

---

**AMENDED COMPLAINT**

Plaintiff, DANIEL W. RICHARDS, as Personal Representative of the Estate of GAIL A. RICHARDS, by and through his undersigned attorney, sues the Defendants, LEWIS HENDERSHOT, PETER DANIEL and CHRYSLER CORPORATION and complains as follows:

**GENERAL ALLEGATIONS**

1. This is an action for damages in excess of Fifteen Thousand Dollars (\$15,000.00), exclusive of costs.

2. That at all times material herein, the Plaintiff, DANIEL W. RICHARDS, has been and is the spouse and Personal Representative of the Estate of GAIL A. RICHARDS, deceased, as referenced in Exhibit "A" attached hereto.

3. That at all times material herein, the Beneficiaries of the Estate of GAIL A. RICHARDS are DANIEL W. RICHARDS and their daughter, Kelly Alexandra Richards.



4. That at all times material herein the Defendant, PETER DANIEL, owned that certain 1993 Ford Truck which was operated by Defendant, LEWIS HENDERSHOT, with the consent and/or permission of the owner, PETER DANIEL.

5. That at all times material herein the Defendant, CHRYSLER CORPORATION, is a Delaware Corporation, licensed to and doing business in the State of Florida.

6. That on or about May 1, 1996, at U.S. Highway 19 North (State Road 55) at or near intersection with State Road 54, New Port Richey, Pasco County, Florida, Defendant, LEWIS HENDERSHOT, did so negligently and carelessly operate, maintain or control that certain 1993 Ford Truck so as to cause it to collide with and into the 1988 Jeep Wrangler, operated by Plaintiff, GAIL A. RICHARDS, thereby causing Plaintiff serious and permanent injuries resulting in a fatality.

7. That as a direct and proximate result of the conduct of the Defendants, LEWIS HENDERSHOT and PETER DANIEL, as alleged, Plaintiffs have sustained the following past and future damages:

- (a) Medical and related expenses incurred during the treatment of Plaintiff, GAIL A. RICHARDS.
- (b) Loss of comfort, companionship, society and services of Plaintiff, GAIL A. RICHARDS.
- (c) Mental anguish.
- (d) Pain and suffering of spouse, DANIEL RICHARDS.



8. That as a direct and proximate result of the conduct of Defendants, LEWIS HENDERSHOT and PETER DANIEL, Kelly Alexandra, has sustained the following damages:

- (a) Loss of permanent services of her mother.
- (b) Loss of love, comfort, society and consortium of her mother.

WHEREFORE, Plaintiff, DANIEL W. RICHARDS, as Personal Representative of the Estate of GAIL A. RICHARDS, deceased, demands a trial by jury and a judgment against the Defendants, LEWIS HENDERSHOT, PETER DANIEL and CHRYSLER CORPORATION, jointly and severally, for a sum within the jurisdictional limits of this Court, to-wit: more than Fifteen Thousand Dollars (\$15,000.00), plus costs, and interest on all liquidated damages.

#### COUNT II - STRICT LIABILITY

9. Plaintiff hereby states and realleges paragraphs one through eight as if set out in full hereafter.

10. On May 1, 1996, the date of the death of the Plaintiff, GAIL RICHARDS, the subject vehicle was in a defective condition and unreasonably dangerous for the following reasons:

- a. The vehicle was not crashworthy in a moderate speed rear end impact, which caused the fuel tank to burst, resulting in the fuel fed fire that killed Gail Richards;
- b. The location of the fuel tank made is susceptible to ruptures as a result of foreseeable deformation of the rear end in a moderate rear end impact; and
- c. Other defects which will be discovered throughout the course of formal discovery.



11. That as a direct and proximate result of the conduct of the Defendant, CHRYSLER CORPORATION, as alleged, Plaintiffs have sustained the following past and future damages:

- (a) Medical and related expenses incurred during the treatment of Plaintiff, GAIL A. RICHARDS.
- (b) Loss of comfort, companionship, society and services of Plaintiff, GAIL A. RICHARDS.
- (c) Mental anguish.
- (d) Pain and suffering of spouse, DANIEL RICHARDS.

12. That as a direct and proximate result of the conduct of Defendant, CHRYSLER CORPORATION, Kelly Alexandra, has sustained the following damages:

- (a) Loss of permanent services of her mother.
- (b) Loss of love, comfort, society and consortium of her mother.

WHEREFORE, Plaintiff, DANIEL W. RICHARDS, as Personal Representative of the Estate of GAIL A. RICHARDS, deceased, demands a trial by jury and a judgment against the Defendant, CHRYSLER CORPORATION, for a sum within the jurisdictional limits of this Court, to-wit: more than Fifteen Thousand Dollars (\$15,000.00), plus costs, and interest on all liquidated damages.

**COUNT III - NEGLIGENCE**

13. Plaintiff hereby states and realleges paragraphs one through eight as if set out in full hereafter.



14. Defendant, CHRYSLER CORPORATION, was under a duty to use due care in the design, manufacture and testing of the subject vehicle so that it would withstand foreseeable rear end impacts without causing a failure of the fuel holding system, including the fuel tank and fuel filler neck.

15. Defendant, CHRYSLER CORPORATION, breached the duties stated above in at least the following particulars:

- a. Negligently and recklessly failing to locate the fuel tank in such a position that the rear end crash of the vehicle in a moderate impact rear end accident would not cause the tank to rupture, thus causing a fuel fed fire;
- b. Negligently and recklessly failing to test the subject model vehicle to determine the ability of the fuel tank to withstand crash forces in a moderate speed rear end impact;
- c. Negligently and recklessly failing to design the structure of the vehicle surrounding the fuel tank in such a manner that it would not cause unreasonable risk of intrusion by bracketry, despite decades of knowledge from engineering literature and scientific studies; and
- d. Other acts and omissions that will be determined through the course of formal discovery.

16. That as a direct and proximate result of the conduct of the Defendant, CHRYSLER CORPORATION, as alleged, Plaintiffs have sustained the following past and future damages:

- (a) Medical and related expenses incurred during the treatment of Plaintiff, GAIL A. RICHARDS.
- (b) Loss of comfort, companionship, society and services of Plaintiff, GAIL A. RICHARDS.
- (c) Mental anguish.



(d) Pain and suffering of spouse, DANIEL RICHARDS.

17. That as a direct and proximate result of the conduct of Defendant, CHRYSLER CORPORATION, Kelly Alexandra, has sustained the following damages:

(a) Loss of permanent services of her mother.

(b) Loss of love, comfort, society and consortium of her mother.

WHEREFORE, Plaintiff, DANIEL W. RICHARDS, as Personal Representative of the Estate of GAIL A. RICHARDS, deceased, demands a trial by jury and a judgment against the Defendant, CHRYSLER CORPORATION, for a sum within the jurisdictional limits of this Court, to-wit: more than Fifteen Thousand Dollars (\$15,000.00), plus costs, and interest on all liquidated damages.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to BRYAN W. REYNOLDS, ESQUIRE, 9700 9th Street North, Suite 200, St. Petersburg, Florida 33702, this 17th day of December, 1996.

CAREY & HILBERT



THOMAS W. CAREY, ESQUIRE  
JAMES R. HILBERT, JR., ESQUIRE  
622 Bypass Drive, Suite 100  
Clearwater, Florida 34624  
(813) 799-3900  
Attorneys for Plaintiff



IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA  
PROBATE DIVISION

IN RE ESTATE OF  
GAIL A RICHARDS,  
Deceased.

FILE NO: 96-3062-ES 003

**LETTERS OF ADMINISTRATION**  
**(Single Personal Representative)**

TO ALL WHOM IT MAY CONCERN

WHEREAS, GAIL A. RICHARDS, a resident of Pinellas County, Florida, died on May 1, 1996, owning assets in the State of Florida, and

WHEREAS, DANIEL W RICHARDS, has been appointed personal representative of the estate of the decedent and has performed all acts prerequisite to issuance of Letters of Administration in the estate

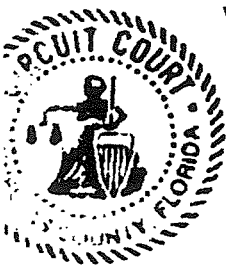
NOW, THEREFORE, I, the undersigned Circuit Judge, declare DANIEL W RICHARDS, to be duly qualified under the laws of the State of Florida to act as personal representative of the estate of GAIL A. RICHARDS, deceased, with full power to administer the estate according to law, to ask, demand, sue for, recover and receive the property of the decedent, to pay the debts of the decedent as far as the assets of the estate will permit and the law directs, and to make distribution of the estate according to law.

WITNESS my hand and the seal of this court this 6 day of June, 1996.  
I hereby certify that the foregoing is a true photostatic copy as the same appears among the files and records of this court and the same is in full force and effect.

This 6 day of June, 1996  
KARLENE De BLASER  
Clerk of Circuit Court

BY: [Signature]  
Deputy Clerk

[Signature]  
Circuit Court Judge





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**DANIEL RICHARDS v LEWIS HENDERSHOT - DEBRA DANIELS - 6/18/97**

**PAGE 1 TO PAGE 41**

**MICHAEL MUNETTA & ASSOCIATES, INC.**

**813-221-3171**

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**CONDENSED TRANSCRIPT AND CONCORDANCE  
PREPARED BY:**

*MICHAEL MUNETTA & ASSOCIATES, INC.  
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## Page 1

(1) \* IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA, IN AND FOR PASCO COUNTY

(2) -----X

(3) DANIEL W. RICHARDS, as Personal :  
Representative of the Estate of :  
(4) GAIL A. RICHARDS, deceased. :  
Plaintiff. :  
(5) : No. 96-5561-CA-H  
(6) vs. :  
(7) LEWIS HENDERSHOT, PETER DANIEL, :  
and CHRYSLER CORPORATION, :  
(8) :  
Defendants. :  
(9) -----X

(10)

(11)

(12) DEPOSITION OF: DEBRA DANIELS  
(13) DATE: June 18, 1997  
(14) TIME: 1:10 p.m. to 2:00 p.m.  
(15) PLACE: 6014 Highway U.S. 19 North  
Suite 101-3  
New Port Richey, Florida  
(16) PURSUANT TO: Notice by counsel for  
Plaintiff for purposes of  
(17) discovery, use at trial or  
(18) such other purposes as are  
(19) permitted under the Florida  
Rules of Civil Procedure  
(20) BEFORE: Susan C. Riesdorph, RPR  
(21) Notary Public, State of  
Florida at Large  
(22)  
(23)  
(24) Pages 1 - 41  
(25)

## Page 2

(1) APPEARANCES:  
(2) WOLFGANG MUELLER, ESQUIRE  
Olsmann, Ganos & Mueller, P.C.  
(3) 30300 Northwestern Highway, Suite 250  
Farmington Hills, Michigan 48334  
(4) Attorney for Plaintiff  
(5) ERIC MOORE, ESQUIRE  
Reynolds & Stowell  
(6) 9700 9th Street North, Suite 200  
St. Petersburg, Florida 33702  
(7) Attorney for Defendants Lewis Hendershot  
and Peter Daniel  
(8)  
(9) DAVID R. TYRRELL, ESQUIRE  
Hill, Ward & Henderson, P.A.  
101 East Kennedy Boulevard, Suite 3700  
(10) Tampa, Florida 33602  
Attorney for Defendant Chrysler Corporation  
(11)  
(12)

(13) I N D E X

(14) DIRECT EXAMINATION BY MR. MUELLER Page 3  
(15) CROSS-EXAMINATION BY MR. TYRRELL Page 11  
(16) CROSS-EXAMINATION BY MR. MOORE Page 31  
(17) REDIRECT EXAMINATION BY MR. MUELLER Page 33  
(18) RECROSS-EXAMINATION BY MR. TYRRELL Page 37  
(19) STIPULATION Page 39  
(20) CERTIFICATE OF OATH Page 40  
(21) REPORTER'S CERTIFICATE Page 41  
(22)

(23) E X H I B I T S

(24) Plaintiff's Description Marked  
(25) 1 Reconstruction Diagram Page 34

## Page 3

(1) DEBRA DANIELS,  
(2) the witness herein, being first duly sworn on oath, was  
(3) examined and deposed as follows:  
(4) DIRECT EXAMINATION  
(5) BY MR. MUELLER:  
(6) Q. Ms. Wagner - I'm sorry - Daniels?  
(7) A. Daniels.  
(8) Q. I'm Wolfgang Mueller. I introduced myself a  
(9) second ago. I represent the family of Gail Richards, the  
(10) woman who was killed in an automobile accident on May 1st  
(11) of last year. I'm just going to ask you a few questions  
(12) about what you remember and what you saw so we can let you  
(13) get out of here.  
(14) Can you tell us your address, please?  
(15) A. 2318 Chancery Drive.  
(16) Q. What city is that?  
(17) A. Holiday, Florida.  
(18) Q. The ZIP, please?  
(19) A. 34690.  
(20) Q. What is your home phone, ma'am?  
(21) A. 942-9101.  
(22) Q. If I can just get your Social Security number and  
(23) date of birth, please?  
(24) A. 264-47-7897, 9/30/65.  
(25) Q. Ma'am, on May 1st, it's my understanding that you

## Page 4

(1) witnessed an automobile accident that we're here to talk  
(2) about today.  
(3) Can you tell me, first of all, did you actually  
(4) see the impact?  
(5) A. As I was pulling up to the intersection is at the  
(6) second that they hit.  
(7) Q. You saw that?  
(8) A. Uh-huh. (Indicates affirmatively.)  
(9) Q. That's yes?  
(10) A. Yes.  
(11) Q. You have to say "yes" for the court reporter.  
(12) A. I'm sorry.  
(13) Q. That's all right. Where were you coming from at  
(14) the time?  
(15) A. I was coming from south on 19 to north on 19. I  
(16) was in the far left-hand lane on U.S. 19 headed towards the  
(17) intersection of 54 and 19.  
(18) Q. As you approached the intersection, what color  
(19) was the light?  
(20) A. Red.  
(21) Q. Can you kind of take us through what happened  
(22) next, what you saw?  
(23) A. There's a hill -  
(24) Q. We can stop if you need a break. Just tell us if  
(25) you need a break.



## Page 5

- (1) A. No. I would rather get it over with. There's a  
 (2) hill as you come up to the intersection. The intersection  
 (3) kind of sits down like this as you're coming over the  
 (4) hill. As I approached the intersection, I was in the far  
 (5) left-hand lane and I saw the truck hit the Jeep, and the  
 (6) Jeep exploded into flames and it started rolling across 19  
 (7) towards the auto dealership. It went down into the ditch.  
 (8) It came back up onto 19. Then it went back down into the  
 (9) second ditch, and it stopped right there. That's where it  
 (10) stopped, and it was --  
 (11) Q. It was still in flames obviously?  
 (12) A. Yeah. There was an explosion on the impact, and  
 (13) then there was another small explosion after that.  
 (14) Q. The second explosion, did that take place after  
 (15) it came to rest or while it was moving?  
 (16) A. No, as it was rolling, maybe a few seconds after  
 (17) impact. The Jeep was engulfed in flames. There was black  
 (18) smoke. I pulled my car over to the side like in the  
 (19) turning lane and got out of the car and ran across 19,  
 (20) but --  
 (21) Q. You pulled your car into what would be the left  
 (22) turn lane or turn-around lane?  
 (23) A. The left turn lane like if you were turning left  
 (24) on 54.  
 (25) Q. Did you run up to the Jeep?

## Page 6

- (1) A. Well, as close as you could get to it. You  
 (2) couldn't get within 20 or 30 feet. I was standing at the  
 (3) edge of 19, and the Jeep was down in the ditch right in  
 (4) front of the car dealership.  
 (5) Q. Was anybody there at the scene or where the Jeep  
 (6) was before you?  
 (7) A. There was 20 to 50 people that ran over there  
 (8) from the car dealership and from other cars at the  
 (9) intersection. Two gentlemen even grabbed a wood type of  
 (10) pole, some type -- it looked like a round piece of wood  
 (11) that was probably 15 to 20 feet long and tried to hit the  
 (12) door with it to knock the door open.  
 (13) Q. Could they get the door open at all?  
 (14) A. No.  
 (15) Q. Did you see the driver of the Jeep?  
 (16) A. Uh-huh. (Indicates affirmatively.)  
 (17) Q. Did she make any sounds?  
 (18) A. She was screaming, and her seat was leaned  
 (19) backwards and her arm was reaching out.  
 (20) Q. Which arm?  
 (21) A. Her left arm, and her seat was leaned like this.  
 (22) Instead of being straight up, it was leaned like this, and  
 (23) she was seat belted in.  
 (24) Q. When you say it was leaned like this, you  
 (25) indicated backward with your hand more than what you would

## Page 7

- (1) expect a person in a driving position to be?  
 (2) A. Yes. It looked like the seat, instead of being  
 (3) straight up, it had reclined almost like to a sleeping  
 (4) position or something. It wasn't just like this. It was  
 (5) like this almost to where she was --  
 (6) Q. Almost horizontal, flat?  
 (7) A. No, in between, not this way, but not this way.  
 (8) It was kind of like this.  
 (9) MR. TYRRELL: You're indicating 45 degrees  
 (10) approximately?  
 (11) THE WITNESS: Right.  
 (12) BY MR. MUELLER:  
 (13) Q. You said that she was screaming. Did you hear  
 (14) what she said or could you make out what she was saying?  
 (15) A. "Help," and people were screaming for her to get  
 (16) out and it -- I don't know. People that were on this side  
 (17) were screaming to her to get out.  
 (18) Q. On the side where you were?  
 (19) A. Right, all the people that were coming towards  
 (20) the vehicle, and she was screaming and crying and yelling  
 (21) for help and reaching out for someone.  
 (22) Q. Did you see whether she was trying to get out of  
 (23) her seat belt?  
 (24) A. I couldn't see her other arm. I could just see  
 (25) the arm that was reaching out for someone to help her.

## Page 8

- (1) Q. Did you get close enough to see what she was  
 (2) wearing?  
 (3) A. No. It happened very, very fast, first of all.  
 (4) By the time I got over to her, everything was black. On  
 (5) impact the Jeep was completely in flames. It just wasn't a  
 (6) little fire. Completely from front to back of the vehicle  
 (7) was in flames. They were probably 10 or 15 feet high. So  
 (8) all you could see was a black body. It was already burnt.  
 (9) Q. By the time you got up to it?  
 (10) A. Yeah.  
 (11) Q. Did you see the Jeep -- let me just kind of get a  
 (12) reference here. You're coming the opposite way that the  
 (13) Jeep and the truck were. Am I right?  
 (14) A. Uh-huh. (Indicates affirmatively.)  
 (15) Q. That's yes?  
 (16) A. Yes.  
 (17) Q. Okay. When you saw the impact, if you were to  
 (18) look at straight ahead being twelve o'clock, can you give  
 (19) us an idea what angle you were or what time you would call  
 (20) that?  
 (21) A. Well, it was directly in front of me when they  
 (22) hit, so it would have been at twelve o'clock. Then when  
 (23) the Jeep rolled, it would have been at like 10:00, and then  
 (24) it came back out onto 19. Then it went back in like at  
 (25) 9:00 over here. So when I stopped my car, it was here



## Page 9

- (1) directly straight across on the other side of 19, but
- (2) straight across from where her Jeep stopped.
- (3) Q. And as she was rolling down into the ditch, could
- (4) you see her moving at all?
- (5) A. Uh-huh. (Indicates affirmatively.)
- (6) Q. That's yes?
- (7) A. Yes.
- (8) Q. Can you describe for me what she was doing or
- (9) what you perceived her to be doing?
- (10) A. Just waving her arms and screaming.
- (11) Q. And you say the whole Jeep at that point was
- (12) engulfed?
- (13) A. It was engulfed, yes.
- (14) Q. Tell me how long it was you stayed on the scene.
- (15) A. Five minutes maybe. I didn't - after she
- (16) stopped moving and there was no more sound, I couldn't
- stay
- (17) there. I just - I felt like I was going to be sick or
- (18) something. I knew there was no way she could get out.
- (19) There was people that were there with water hoses, fire
- (20) extinguishers. They tried to put it out, and it just kept
- (21) burning. Nothing would put out the fire. I didn't see her
- (22) moving anymore and I didn't hear her anymore, so I knew
- (23) that she was not alive.
- (24) Q. Can you give me an idea of how long - when you
- (25) were standing at the side of the road and she was in the

## Page 10

- (1) ditch, how long did you hear her scream before she stopped?
- (2) A. Probably three to five minutes.
- (3) Q. And once she stopped, you said you felt
- (4) physically ill?
- (5) A. Yes.
- (6) Q. What did you do then?
- (7) A. I was crying. I couldn't breathe. I got back in
- (8) my car and I went over - I was on my way to a birthday
- (9) party, so I went over to my friend's house. I told her to
- (10) please come outside. I didn't want to go inside because
- (11) they were having a party. I told her what happened and
- (12) that I couldn't stay for the party. So I went back home
- (13) and talked to my husband about it for hours and hours and
- (14) hours.
- (15) Q. I take it you didn't stay long enough to wait for
- (16) the police or give a police statement?
- (17) A. No, I didn't.
- (18) Q. At the time this accident occurred, what was the
- (19) weather like?
- (20) A. It was clear outside. It wasn't too hot. I had
- (21) my window rolled down. It was sunny. It was around
- seven
- (22) o'clock.
- (23) Q. People's headlights wouldn't be on at that time?
- (24) A. No.
- (25) Q. Did you see whether or not the woman in the Jeep

## Page 11

- (1) had her flashers on?
- (2) A. No. I didn't know whether she did or not. As I
- (3) approached the intersection is when it happened right at
- (4) that second. So I didn't see anything before because
- (5) there's a hill that comes up and over. So she was probably
- (6) sitting down as I was coming up over the hill. So I didn't
- (7) see anything.
- (8) Q. The first thing you did see was right at the
- (9) impact?
- (10) A. Right.
- (11) MR. MUELLER: I don't have any more questions.
- (12) CROSS-EXAMINATION
- (13) BY MR. TYRRELL:
- (14) Q. Ma'am, you were going in which direction,
- (15) southbound or northbound?
- (16) A. Northbound on 19.
- (17) Q. Northbound on 19, and the Jeep was heading in the
- (18) opposite direction, so it was heading southbound on 19; is
- (19) that right?
- (20) A. As far as I know. When I approached the
- (21) intersection, they were right at the center of 54 and 19.
- (22) Q. They were in the oncoming lanes of traffic,
- (23) weren't they?
- (24) A. Yes.
- (25) Q. The opposite lanes of traffic?

## Page 12

- (1) A. Yes.
- (2) Q. And you say they were in the center lane of the
- (3) oncoming lanes?
- (4) A. It looked like they were in the middle of the
- (5) intersection, not on the northbound side and not on the
- (6) southbound side, right at the center like underneath the
- (7) light.
- (8) Q. And was the Jeep stopped in that position when
- (9) you first saw it?
- (10) A. I saw it as the truck hit it. I didn't see it
- (11) before then.
- (12) Q. When the truck hit the Jeep, was the Jeep stopped
- (13) or was it moving?
- (14) A. I don't - as I came over the hill, it's hard to
- (15) say whether it was stopped because - I don't know if
- (16) you've been at the intersection or not, but as you come
- (17) over the hill, then it goes down at that intersection. So
- (18) as I'm coming up to the light, it was red, and as I came
- (19) over that hill, I saw it hit and then it started rolling.
- (20) I don't know whether it was stopped or going or - I don't
- (21) know.
- (22) Q. When you say it started rolling, do you mean it
- (23) rolled over?
- (24) A. No. The Jeep rolled straight.
- (25) Q. You mean on its wheels it rolled?



Page 13

- (1) A. Uh-huh. (Indicates affirmatively.) It rolled  
 (2) straight towards the auto dealership. Then it came back  
 (3) out onto 19. Then it went back into the ditch, and that's  
 (4) where it stopped rolling, into the second ditch. There's  
 (5) like ditches in front of the dealership.  
 (6) Q. Where was the Jeep in the intersection when it  
 (7) was struck by the truck?  
 (8) A. It looked like it was right in the center.  
 (9) Q. So that would be right under the traffic lights  
 (10) you said?  
 (11) A. Uh-huh. (Indicates affirmatively.)  
 (12) Q. Yes?  
 (13) A. Yes.  
 (14) Q. Were you by yourself in your car?  
 (15) A. Yes, thank God.  
 (16) Q. Did you have a line of traffic in front of you  
 (17) between you and the stoplight?  
 (18) A. There was probably five or six vehicles stopped,  
 (19) approximately 20 cars ahead of me. There wasn't a lot of  
 (20) traffic that was at the light. It's hard to explain. The  
 (21) hill is before the intersection.  
 (22) Q. I understand. So as you came up over the hill,  
 (23) you looked ahead of you?  
 (24) A. Uh-huh. (Indicates affirmatively.)  
 (25) Q. Yes?

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- (1) A. Yes.  
 (2) Q. And you saw that the light going in your  
 (3) direction was red, correct?  
 (4) A. Yes.  
 (5) Q. And were there cars that were stopped in your  
 (6) direction of travel because of that red light?  
 (7) A. Yes.  
 (8) Q. How many cars in front of you had already stopped  
 (9) for that red light?  
 (10) A. Five or six maybe.  
 (11) Q. Between those five or six cars that had stopped  
 (12) for that red light, between those cars and your car, were  
 (13) there any other cars?  
 (14) A. No.  
 (15) Q. Did you continue on up to that group of vehicles  
 (16) that had stopped for the red light?  
 (17) A. No.  
 (18) Q. What did you do?  
 (19) A. I pulled - there's a turning lane. It's a long  
 (20) turning lane. It's to turn left to go on 54 or to turn  
 (21) around and go the other way on 19. So as I approached  
 (22) the intersection, that's approximately where I was at the  
 (23) entrance to the turning lane. So I just pulled my car  
 (24) diagonally facing where the Jeep was at, in other words,  
 (25) not this way. I faced like this way and got out and ran

Page 15

- (1) across the street.  
 (2) Q. You're indicating off to the left?  
 (3) A. Yes.  
 (4) Q. So how fast were you going when you came over the  
 (5) hill?  
 (6) A. 30 to 40 miles an hour.  
 (7) Q. Did you stop your car suddenly; that is, did you  
 (8) slam on the brakes?  
 (9) A. I didn't slam on the brakes, but I slowed down  
 (10) very quickly, yes, and put it in park and got out and ran  
 (11) across the street.  
 (12) Q. Where were you in relationship to the top of the  
 (13) hill, the crest of the hill, when you saw this impact?  
 (14) A. At the very top.  
 (15) Q. So you had just come over the hill?  
 (16) A. I just came over the hill.  
 (17) Q. What is the approximate distance from the top of  
 (18) that hill to the intersection?  
 (19) A. A block maybe.  
 (20) Q. Can you tell me in terms of feet or quarter of a  
 (21) mile, half a mile?  
 (22) MR. MUELLER: We don't want you to guess.  
 (23) THE WITNESS: I don't know. I mean 500 feet. I  
 (24) Don't know how far it is. It's about a block maybe.  
 (25) BY MR. TYRRELL:

Page 16

- (1) Q. Is that when you looked at the light and saw that  
 (2) it was red also?  
 (3) A. No. I knew it was red before that. People were  
 (4) slowing down before they got to the hill.  
 (5) Q. So you knew the light was red?  
 (6) A. You can see the light from before the hill, but  
 (7) you can't see the bottom.  
 (8) Q. So as you come up the hill on the opposite side  
 (9) from the intersection, you can see the light?  
 (10) A. You can see the light up here, but you can't see  
 (11) below the light. The hill is up here and the light is up  
 (12) here. So you can see the light before you get to the hill.  
 (13) Q. You then reached the top of the hill and you saw  
 (14) this collision between the two vehicles, correct?  
 (15) A. Yes.  
 (16) Q. Was the light still red at that time?  
 (17) A. Yes.  
 (18) Q. Those cars were still stopped in your lane of  
 (19) traffic?  
 (20) A. Yes.  
 (21) Q. To your knowledge, were there any cars in the  
 (22) oncoming lanes that were also stopped for a red light?  
 (23) That would be the same direction.  
 (24) A. Heading southbound?  
 (25) Q. Yes, the same direction that you said the Jeep



## Page 17

- (1) was in.
- (2) A. Yes.
- (3) Q. They were also stopped?
- (4) A. Yes.
- (5) Q. How many cars were stopped over on that side?
- (6) A. Oh, God, five to ten in each lane. I don't know.
- (7) Q. Was the Jeep stopped at the stop line for the
- (8) traffic light or had it already gone into the intersection?
- (9) A. I don't know. It looked like it was right in the
- (10) center of the intersection. It wasn't in these lanes. It
- (11) wasn't in these lanes. It looked like it was in the center
- (12) of U.S. 19 and 54. If you drew a - it looked like it was
- (13) right in the center.
- (14) Q. If you drew an X in that intersection -
- (15) A. It was right in the center.
- (16) Q. - with the middle or the point where the two
- (17) lines cross in that X right in the middle of that
- (18) intersection where 54 crosses 19, is that where you think
- (19) the Jeep was when you first saw it?
- (20) A. That's where it looked like it was.
- (21) Q. In the oncoming lanes there were five or six cars
- (22) stopped for the red light?
- (23) A. Yes.
- (24) Q. In each of the lanes; is that right?
- (25) A. Yes.

## Page 18

- (1) Q. And, similarly, there were five or six cars
- (2) stopped for the red light in the lanes in which you were
- (3) traveling?
- (4) A. Correct.
- (5) Q. Now, are you able to estimate for us the speed of
- (6) the truck when it hit the Jeep?
- (7) A. No. I didn't see anything prior to impact.
- (8) Q. Did you talk to the driver of the truck at any
- (9) time while you were there at the scene?
- (10) A. No. I didn't talk to anyone.
- (11) Q. Did you hear any tires squealing before the
- (12) impact?
- (13) A. No.
- (14) Q. So you are about, by your own estimate, 500 feet
- (15) away. You see this impact, but you don't know whether the
- (16) Jeep is stopped or not, is that right, at impact?
- (17) A. No, I didn't know.
- (18) Q. And then the Jeep moves forward?
- (19) A. Yes.
- (20) Q. And you said from your vantage point it was on
- (21) fire when it moved forward?
- (22) A. Yes.
- (23) Q. Now, you pulled your car over to the median on
- (24) the left?
- (25) A. Right, the turning lane.

## Page 19

- (1) Q. You got out of your car?
- (2) A. Uh-huh. (Indicates affirmatively.)
- (3) Q. Yes?
- (4) A. Yes.
- (5) Q. And what did you do then?
- (6) A. Ran across the street to the edge of 19 as close
- (7) as I could get to the Jeep.
- (8) Q. Were there other people who had come out of the
- (9) area of the car dealership and surrounding buildings?
- (10) A. Yes.
- (11) Q. And were they there when you arrived at the Jeep?
- (12) A. Everybody was running at the same time.
- (13) Q. Were there some people who were there before you
- (14) were there?
- (15) A. Yes. There could have been. I didn't - I saw a
- (16) bunch of people running towards it. I wasn't actually
- (17) paying attention to exactly what they were doing. I was in
- (18) shock, and I wanted to help her get out.
- (19) Q. Were there a lot of people yelling and screaming
- (20) there at the scene?
- (21) A. Yes.
- (22) Q. So you ran across the other lanes of oncoming
- (23) Highway 19; is that right?
- (24) A. Yes.
- (25) Q. Did you have to wait for any cars -

## Page 20

- (1) A. No.
- (2) Q. - before you could run across?
- (3) A. No.
- (4) Q. Were they still stopped for that same red light
- (5) as far as you know?
- (6) A. Yes.
- (7) Q. How close did you get to the Jeep where it ended
- (8) up at its point of rest?
- (9) A. 15 to 20 feet.
- (10) Q. Were there people between you and the Jeep who
- (11) had come out of the dealership?
- (12) A. No. They were all within probably 20 feet, but
- (13) no one could get any closer. It was still in flames.
- (14) Q. Did anybody try to open the door of the Jeep?
- (15) A. With the wood pole that they - they ran
- (16) somewhere and got it off of a truck or something. I don't
- (17) know, but two guys came up with a wooden pole and tried
- (18) to
- (19) hit the door or the doorknob to get it open.
- (20) Q. So they got closer than you, didn't they?
- (21) A. I wouldn't say that they were closer because the
- (22) telephone - it looked like a telephone pole. It was
- (23) probably as long as this room, but they were at the other
- (24) end of it. The flames were 10 to 15 feet high. It was too
- (25) hot to get any closer to it.
- (26) Q. When did you first see this movement that you've



## Page 21

- (1) described by the driver's left arm?
- (2) **A. She was constantly moving until I left the site.**
- (3) Q. I'm talking about when did you first see that
- (4) movement? Was it once you got over to the scene where the
- (5) Jeep was resting at its final point of rest?
- (6) **A. No. She was moving and screaming the whole time**
- (7) **the Jeep was rolling.**
- (8) Q. You were able to hear that?
- (9) **A. Yes.**
- (10) Q. From the time it first got hit until it came to
- (11) its point of rest?
- (12) **A. Yes.**
- (13) Q. Why did you not stay and give your name to the
- (14) Highway Patrol troopers?
- (15) **A. I couldn't. I was in shock. I couldn't believe**
- (16) **that that happened. I couldn't do any more. I couldn't**
- (17) **get her out. I didn't know what to do.**
- (18) Q. Was this –
- (19) **A. I felt sick, and I ran back over to my car. I**
- (20) **sat there for a few minutes because I knew I had to drive,**
- (21) **and then I went on to my friend's house. I wanted to talk**
- (22) **to someone about it. I didn't know what else there was I**
- (23) **could do about it.**
- (24) Q. This was a very emotional experience for you?
- (25) **A. Yes.**

## Page 22

- (1) Q. Who was your friend that you went and talked to?
- (2) **A. Trish.**
- (3) Q. Trish who?
- (4) **A. Gilliam.**
- (5) Q. Is that the lady who is sitting out here?
- (6) **A. No. There was no one with me.**
- (7) Q. You pointed to –
- (8) **A. No. She lives on Main Street.**
- (9) Q. What's her address?
- (10) **A. Main Street. I don't know the number. It's at**
- (11) **the corner of Main Street and Madison.**
- (12) Q. What's her telephone number?
- (13) **A. 847-3799.**
- (14) Q. Did you go immediately from the accident scene to
- (15) Ms. Gilliam's home?
- (16) **A. Yes.**
- (17) Q. Who was the next person that you told about this,
- (18) your husband?
- (19) **A. My husband.**
- (20) Q. What's your husband's name?
- (21) **A. Jonathan.**
- (22) Q. And you told him about this shortly afterwards?
- (23) **A. Yes.**
- (24) Q. Who was the next person that you told?
- (25) **A. My boss.**

## Page 23

- (1) Q. Who is that?
- (2) **A. Joy Hanson.**
- (3) Q. Where do you work or where did you work?
- (4) **A. I worked at Innisbrook Condominium Association.**
- (5) Q. Does she still work there?
- (6) **A. She still does as far as I know. I don't.**
- (7) Q. How did the plaintiff's lawyers get your name?
- (8) **A. My boss' daughter-in-law works for the lawyer's**
- (9) **firm that was handling the case.**
- (10) Q. Is that Mr. Carey's firm?
- (11) **A. Yes.**
- (12) Q. Who is it?
- (13) **A. My boss' daughter-in-law – Joy Hanson, her**
- (14) **daughter-in-law works there, and the day after the accident**
- (15) **when I went to work I told her what happened. I told her**
- (16) **if I'm not – if I don't act like I'm here today, that's**
- (17) **why. I was up all night.**
- (18) **A few days later she came into work and she said,**
- (19) **"You're not going to believe this." I said, "What?"**
- (20) **She said, "My daughter-in-law works for the firm**
- (21) **that's handling that." And I told her that if there was**
- (22) **anything that I could do to help, you know, that I would.**
- (23) **So I called and spoke to her about going down to give a**
- (24) **deposition or whatever, tell them what I might know or to**
- (25) **help with.**

## Page 24

- (1) Q. How many days after the accident was it that you
- (2) first learned that Mr. Carey's firm was involved?
- (3) **A. I didn't know what firm it was.**
- (4) Q. When did you learn that a law firm was involved?
- (5) **A. Three to five days. I don't remember exactly. I**
- (6) **think it was the beginning of the following week.**
- (7) Q. Was there a top on the Jeep or was it open?
- (8) **A. I don't know that. On impact when it exploded**
- (9) **and when it burst into flames, if there was a top, it was**
- (10) **burnt off instantly. When it was in flames, the whole**
- (11) **thing was in flames. I couldn't even tell you what color**
- (12) **the Jeep was before it was hit. All I can tell you is the**
- (13) **whole thing was black and you could see the roll bars, but**
- (14) **I can't – I don't know whether there was a top or not. I**
- (15) **mean if there was, it was canvas because it wasn't there as**
- (16) **it was rolling.**
- (17) Q. When were you first able to see the roll bar?
- (18) **A. You could see it on impact, the bars.**
- (19) Q. You could actually see the bars for the roll bar?
- (20) **A. Yes.**
- (21) Q. Could you see the driver of the Jeep at the time
- (22) of the impact?
- (23) **A. Yes.**
- (24) Q. How many people were in the Jeep?
- (25) **A. Just one.**



## Page 25

- (1) Q. Were you able to see whether or not it was a man
- (2) or woman?
- (3) **A. No, I couldn't tell. I thought it was a man to**
- (4) **begin with.**
- (5) Q. When you were able to see the driver at the
- (6) impact, what was your vantage point; that is, what part of
- (7) the Jeep were you looking at?
- (8) **A. The driver's side.**
- (9) Q. Was there a door on the driver's side of the
- (10) Jeep?
- (11) **A. Yes.**
- (12) Q. How were you able to see the driver?
- (13) **A. You could see from the door up. There was a head**
- (14) **and arms.**
- (15) Q. Was there a window in the door?
- (16) **A. Not that I know of.**
- (17) Q. When did you first see the seat back at that
- (18) 45-degree angle that you've described?
- (19) **A. As the Jeep was rolling.**
- (20) Q. And where did the Jeep roll to in relationship to
- (21) where you were?
- (22) **A. It rolled down into the first ditch right next to**
- (23) **the intersection. Then it came back out onto 19 into like**
- (24) **the first lane, and then it rolled back into the second**
- (25) **ditch, and that's where it stopped.**

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- (1) Q. Did it appear to be out of control?
- (2) **A. No. It looked like it was just rolling on its**
- (3) **own from the impact.**
- (4) Q. Were you ever able to see any of the taillights
- (5) of the Jeep?
- (6) **A. No.**
- (7) Q. You said you saw a seat belt?
- (8) **A. Yes. Her seat belt was still on.**
- (9) Q. Where did you see the seat belt on her?
- (10) **A. When she started rolling.**
- (11) Q. So right after impact you could see the seat
- (12) belt?
- (13) **A. Yes.**
- (14) Q. From 500 feet away?
- (15) **A. Yes. It might not have been 500 feet. I**
- (16) **don't -**
- (17) Q. Wherever the top of the hill is?
- (18) **A. Right. I don't know. I mean there's a Cox**
- (19) **Lumber on this corner, and there's a car dealership on this**
- (20) **corner. Right at the corner of both of them is where the**
- (21) **hill comes up. You would have to go to the intersection**
- (22) **and look at it.**
- (23) Q. We can go measure it, but we would measure from
- (24) the top of that hill to the center of the intersection,
- (25) approximately?

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- (1) **A. Right.**
- (2) Q. Was the driver of the Jeep screaming continuously
- (3) from - strike that.
- (4) When did you first hear her scream? Did you say
- (5) at impact?
- (6) **A. Yes.**
- (7) Q. Was she screaming continuously for the next three
- (8) to five minutes as you described it?
- (9) **A. Yes.**
- (10) Q. And what portions of her body did you see moving?
- (11) **A. The top of her body was moving as the Jeep was**
- (12) **rolling. As she came to a stop, her arm was reached out**
- (13) **and she was yelling for help.**
- (14) Q. That was at her point of rest?
- (15) **A. Yes.**
- (16) Q. When the Jeep stopped?
- (17) **A. Yes.**
- (18) Q. And you didn't have any difficulty hearing her at
- (19) all from the time of impact until this three to five
- (20) minutes later?
- (21) **A. No.**
- (22) Q. Before today you said you gave a video of some
- (23) kind?
- (24) **A. Yes. I gave a video deposition.**
- (25) Q. Who was present when you gave that video

## Page 28

- (1) deposition?
- (2) **A. The person who was taking the video, a**
- (3) **gentleman. I don't know what his name was, and then the**
- (4) **woman that I talked to down at the lawyer's office was**
- (5) **asking me the questions. Then there was a gentleman that**
- (6) **was taping it.**
- (7) Q. So there were two people there?
- (8) **A. Yes.**
- (9) Q. Two people and you?
- (10) **A. Uh-huh. (Indicates affirmatively.)**
- (11) Q. Yes?
- (12) **A. Yes.**
- (13) Q. Do you have a copy of that?
- (14) **A. No.**
- (15) Q. Have you asked for a copy of it?
- (16) **A. No.**
- (17) Q. Do you want a copy of it?
- (18) **A. I don't know.**
- (19) Q. Did they give you a copy of the statement itself?
- (20) **A. No.**
- (21) Q. How long after the accident was it that you went
- (22) and gave that statement?
- (23) **A. A couple weeks.**
- (24) Q. Approximately how fast was the Jeep moving
- (25) forward as you've described it right after the impact by



## Page 29

- (1) the truck?
- (2) **A. Five to 15 miles an hour maybe.**
- (3) Q. Did it just continue on?
- (4) **A. It just rolled in and out, and then it stopped.**
- (5) Q. Did it slow down or speed up from the time of the
- (6) impact?
- (7) **A. No.**
- (8) Q. It just seemed to go the same speed until it
- (9) stopped?
- (10) **A. Yes.**
- (11) Q. You don't have any information from any source as
- (12) to whether or not the driver of the Jeep was applying the
- (13) brakes in the Jeep, do you?
- (14) **A. No.**
- (15) Q. Were you able to see whether or not the driver of
- (16) the Jeep was trying to shift the Jeep?
- (17) **A. No.**
- (18) Q. Were you able to see whether or not the driver of
- (19) the Jeep was trying to steer the Jeep?
- (20) **A. No.**
- (21) Q. What did the engine of the Jeep sound like as it
- (22) was rolling by you?
- (23) **A. I didn't hear it running.**
- (24) Q. Do you know whether it was running?
- (25) **A. I don't know, but I didn't hear it.**

## Page 30

- (1) Q. What did the fire sound like?
- (2) **A. It was an explosion, a roaring ball of fire.**
- (3) **It's hard to describe as far as sound goes.**
- (4) Q. Was it loud?
- (5) **A. No, not really. It just -- it smelt of rubber.**
- (6) **There wasn't really -- after the explosions there wasn't**
- (7) **really a lot of sound except for screaming.**
- (8) Q. How many people came upon the scene at the same
- (9) time that you did?
- (10) **A. 20, 30. I don't know. I didn't look around at**
- (11) **the people. I saw them coming. As I was running across**
- (12) **the street, people were coming from the car dealership and**
- (13) **from other vehicles at the intersection.**
- (14) Q. Did the screaming continue until you left?
- (15) **A. Even probably after I left when I was sitting in**
- (16) **my car.**
- (17) Q. So, then, the screaming would have gone on during
- (18) the time that the people were trying to open the door with
- (19) the pole?
- (20) **A. Yes.**
- (21) Q. Other than that one statement that you gave that
- (22) you've told us about, have you given any other statements?
- (23) **A. No.**
- (24) Q. Were you able to see whether or not the driver of
- (25) the Jeep hit anything with any part of her body?

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- (1) **A. Not that I know of, no.**
- (2) Q. Can you estimate how far the Jeep traveled from
- (3) the point where it got struck by the truck until its final
- (4) rest position?
- (5) **A. Half of a block maybe.**
- (6) Q. 250 feet if we use that same length that you used
- (7) before of one block being approximately 500 feet?
- (8) **A. Yes.**
- (9) Q. Did you go back to the area where the impact
- (10) occurred to see whether there were any tire marks or
- (11) anything like that, any skid marks?
- (12) **A. No. I didn't even go that way home.**
- (13) Q. Do you know the names of any people who saw this
- (14) accident?
- (15) **A. No.**
- (16) MR. TYRRELL: That's all I have. Thank you.
- (17) CROSS-EXAMINATION
- (18) BY MR. MOORE:
- (19) Q. Other than speaking with your friend and your
- (20) husband and your boss, did you have any sort of counseling
- (21) or any other treatment as a result of what you viewed that
- (22) day?
- (23) **A. No. I can't afford that.**
- (24) Q. Did you ever call the police and tell them that
- (25) you were a witness to this accident?

## Page 32

- (1) **A. No.**
- (2) Q. Why didn't you do that?
- (3) **A. I didn't know I was supposed to. I didn't --**
- (4) Q. Did you become aware that they were investigating
- (5) the accident at some point?
- (6) **A. No.**
- (7) Q. Did anybody at Mr. Carey's office tell you that
- (8) you should report what you saw to the police?
- (9) **A. No.**
- (10) Q. Other than what you told the people at
- (11) Mr. Carey's office, did they convey any information to
- (12) you about how this accident occurred or any details of
- (13) the accident?
- (14) **A. No.**
- (15) Q. How are you currently employed?
- (16) **A. I'm unemployed right now.**
- (17) Q. How long have you been unemployed?
- (18) **A. Two months.**
- (19) Q. While you were at the accident scene, did you
- (20) ever speak with the driver of the truck?
- (21) **A. No.**
- (22) Q. What was the closest you got to the driver of the
- (23) truck?
- (24) **A. I don't even know who the driver of the truck**
- (25) **was.**



## Page 33

- (1) Q. Do you know what he looks like?
- (2) A. No.
- (3) Q. Were you able to tell anything about the movement
- (4) of the person inside the Jeep other than they had stuck
- (5) their left arm out at some point in time?
- (6) A. No.
- (7) Q. Have you ever been convicted of a crime?
- (8) A. No.
- (9) MR. MUELLER: Objection, form. Go ahead.
- (10) THE WITNESS: No.
- (11) BY MR. MOORE:
- (12) Q. Were you paid in any way for the statement that
- (13) you gave?
- (14) A. No.
- (15) MR. MOORE: I don't have any other questions.
- (16) Thank you.
- (17) REDIRECT EXAMINATION
- (18) BY MR. MUELLER:
- (19) Q. First of all, would you say that you're a very
- (20) good estimator of distances?
- (21) A. No. I don't know.
- (22) Q. What I want to do is just kind of make sure that
- (23) we can pinpoint where you were at the various times when
- (24) you saw the impact, where you were when the car came to
- (25) rest. I'm going to show you what we'll mark as Exhibit 1.

## Page 34

- (1) This is a police diagram drawn by the police officers who
- (2) investigated this accident. I've colored it in to kind of
- (3) make it easier to read.
- (4) No. 2 in green is the Jeep. I'm going to
- (5) represent to you that the police officers measured where
- (6) the Jeep came to rest and whatnot. What I would like you
- (7) to do is, first of all, tell me as you look at this diagram
- (8) where you were in relation to the Jeep.
- (9) A. This is backwards.
- (10) Q. If you were coming this way - I just flipped it
- (11) over. You were heading north?
- (12) A. Right here.
- (13) Q. What I want to know is where you were when the
- (14) Jeep came to rest.
- (15) A. Right here.
- (16) MR. TYRRELL: Let me just put an objection on the
- (17) record to the use of the accident diagram. It's not
- (18) consistent with her recollection of the accident, and also
- (19) it's privileged.
- (20) (Plaintiff's Exhibit No. 1 marked for
- (21) identification.)
- (22) BY MR. MUELLER:
- (23) Q. I would like you to put where you stopped your
- (24) car in relationship to where the Jeep was.
- (25) A. Right here.

## Page 35

- (1) Q. And where were you - I'm going to put at rest.
- (2) Where were you when you first saw the vehicle, when you saw
- (3) the impact?
- (4) A. On the hill.
- (5) Q. If you can, kind of pinpoint it there.
- (6) A. I was coming over the hill.
- (7) Q. Did you have to go very far to where you stopped?
- (8) A. No.
- (9) Q. Were you slowing down at that point?
- (10) A. Yes.
- (11) Q. At the point that you saw the impact?
- (12) A. Yes.
- (13) Q. Because there was a red light?
- (14) A. Yes.
- (15) Q. If you have an idea from this diagram, where were
- (16) you when you first saw the impact?
- (17) A. (Witness indicating.)
- (18) Q. Just so we're clear, I'll put an "I" for where
- (19) you were when you saw the impact, and you've just drawn for
- (20) us where you parked the car at rest. Okay?
- (21) A. Yes.
- (22) Q. If you would do me a favor, if you can just kind
- (23) of put your initials below the cars at each of them.
- (24) A. (Witness complying.)
- (25) Q. From the point you were at rest, then you ran

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- (1) across the lanes of southbound 19?
- (2) A. Right, and I was standing right there.
- (3) Q. If you would do me a favor, just put an "X" with
- (4) a circle around it as to where you were.
- (5) A. (Witness complying.)
- (6) Q. And you say that was about 15 feet or so?
- (7) A. Yes.
- (8) Q. I just want to clarify something. You were
- (9) standing at the side of the road and she was in the Jeep?
- (10) A. Yes.
- (11) Q. And you heard her screaming?
- (12) A. Yes.
- (13) Q. Then you saw her stick her arm out?
- (14) A. Her arm was already out.
- (15) MR. TYRRELL: Objection, form.
- (16) BY MR. MUELLER:
- (17) Q. Was it already out when you got to the scene or
- (18) got to the side of the road?
- (19) A. Yes.
- (20) Q. Did I hear you correctly that she stopped
- (21) screaming and then you went back to your car?
- (22) A. Yes.
- (23) Q. Mr. Tyrrell was asking you some questions and I
- (24) thought I heard you say you could hear screaming even when
- (25) you went back to sit in the car. That wasn't her



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- (1) screaming?
- (2) **A. No. It was everyone else that was screaming.**
- (3) Q. Did you hear her say anything else besides "Help
- (4) me"?
- (5) **A. No.**
- (6) MR. MUELLER: I don't have any more questions.
- (7) Thank you.
- (8) RECROSS-EXAMINATION
- (9) BY MR. TYRRELL:
- (10) Q. Ma'am, this accident happened on May 1, 1996,
- (11) correct?
- (12) **A. Yes.**
- (13) Q. You had certainly given your statement to the
- (14) plaintiffs by March 10th of 1997, hadn't you?
- (15) **A. Yes.**
- (16) Q. You never been known as Dennis Fahey, F-a-h-e-y,
- (17) have you?
- (18) **A. No.**
- (19) Q. You've never been known as Kirk Pontlitz,
- (20) P-o-n-t-l-i-t-z, have you?
- (21) **A. No.**
- (22) Q. You've never been known as Jack Guarino,
- (23) G-u-a-r-i-n-o, have you?
- (24) **A. No.**
- (25) Q. You've never been known as Neil Fatkin,

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- (1) F-a-t-k-i-n, have you?
- (2) **A. No.**
- (3) Q. You've never been known as Carol Johnson?
- (4) **A. No.**
- (5) Q. And you've never been known as Raymond McGee?
- (6) **A. No.**
- (7) MR. TYRRELL: All right, ma'am. That's all I
- (8) have. Thanks.
- (9) MR. MOORE: No further questions.
- (10) MR. MUELLER: Let me just say something for the
- (11) record. You indicated before the deposition that, one,
- (12) you're unemployed, and, two, you had to pay \$47 for child
- (13) care today. I told you - first of all, you've never met
- (14) me before, but I told you that my law office would
- (15) reimburse you, and I just wanted to get that for the record
- (16) that everybody acknowledges that.
- (17) MR. TYRRELL: I have no objection to you doing
- (18) that.
- (19) MR. MOORE: None at all.
- (20) MR. MUELLER: Thank you.
- (21) (Deposition concluded at 2:00 p.m.)
- (22)
- (23)
- (24)
- (25)

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- (1)
- (2)
- (3)
- (4)
- (5) **STIPULATION**
- (6)
- (7) It is hereby stipulated and agreed by and among
- (8) the attorneys present and the witness that reading and
- (9) signing of the deposition by the witness is waived.
- (10)
- (11)
- (12)
- (13)
- (14)
- (15)
- (16)
- (17)
- (18)
- (19)
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- (22)
- (23)
- (24)
- (25)

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- (1) **CERTIFICATE OF OATH**
- (2)
- (3) **STATE OF FLORIDA**
- (4) **COUNTY OF HILLSBOROUGH**
- (5)
- (6) I, the undersigned authority, certify that DEBRA
- (7) DANIELS personally appeared before me and was duly sworn.
- (8)
- (9) **WITNESS** my hand and official seal this 11th day of
- (10) July, 1997.
- (11)
- (12)
- (13)
- (14)
- (15) Susan C. Riesdorph, RPR
- (16) Notary Public - State of Florida
- (17) My Commission Expires: 6/10/01
- (18) Commission No.: CC 644472
- (19)
- (20)
- (21)
- (22)
- (23)
- (24)
- (25)



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(1) REPORTER'S CERTIFICATE

(2)

(3) STATE OF FLORIDA :

(4) COUNTY OF HILLSBOROUGH :

(5)

(6)

I, Susan C. Riesdorph, RPR, certify

(7) that I was authorized to and did stenographically  
report the deposition of DEBRA DANIELS; that a review(8) of the transcript was not requested and that the  
transcript is a true and complete record of my

(9) stenographic notes.

(10) I further certify that I am not a relative,

employee, attorney, or counsel of any of the parties,

(11) nor am I a relative or employee of any of the parties'

attorney or counsel connected with the action, nor am I

(12) financially interested in the outcome of the foregoing  
action.

(13)

Dated this day of ,

(14) 1997, IN THE CITY OF TAMPA, COUNTY OF HILLSBOROUGH,  
STATE OF FLORIDA.

(15)

(16)

(17)

(18) Susan C. Riesdorph, RPR

(19)

(20)

(21)

(22)

(23)

(24)

(25)



**Look-See Concordance Report**

---  
 UNIQUE WORDS: 615  
 TOTAL OCCURRENCES: 1,721  
 NOISE WORDS: 385  
 TOTAL WORDS IN FILE: 7,012  
 ---

SINGLE FILE CONCORDANCE  
 ---

CASE SENSITIVE  
 ---

NOISE WORD LIST(S):  
 NOISE.NOI  
 ---

COVER PAGES = 2  
 ---

INCLUDES ALL TEXT  
 OCCURRENCES  
 ---

DATES OFF  
 ---

IGNORES PURE NUMBERS  
 ---

POSSESSIVE FORMS OFF  
 ---

MAXIMUM TRACKED  
 OCCURRENCE THRESHOLD:  
 50  
 ---

NUMBER OF WORDS  
 SURPASSING OCCURRENCE  
 THRESHOLD: 1  
 ---

LIST OF THRESHOLD WORDS:  
 ---

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IN THE CIRCUIT COURT IN AND FOR PASCO COUNTY, FLORIDA  
CIRCUIT CIVIL NO.: 96-5561-CA-H

DANIEL W. RICHARDS, as Personal  
Representative of the Estate  
of GAIL A. RICHARDS, deceased,

Plaintiff,

vs.

LEWIS HENDERSHOT, PETER DANIEL  
and CHRYSLER CORPORATION,

Defendants.

---

DEPOSITION OF: LEWIS HENDERSHOT

TAKEN: Pursuant to Notice by  
Counsel for Plaintiff

PLACE: The Reporters Group, Inc.  
Raymond James Tower  
2739 U.S. Highway 19 North  
Suite 232  
Holiday, Florida

DATE: April 11, 1997

TIME: Began: 12:20 p.m.  
Ended: 1:18 p.m.

REPORTED BY: ANN S. BEILSTEIN, RPR  
Registered Professional Reporter  
Notary Public - State of Florida  
at Large

The Reporters Group, Inc.  
501 East Kennedy Boulevard, Suite 711  
Tampa, Florida 33602  
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## Also Present:

Peter Daniel

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(Original exhibits have been retained  
by Counsel for Plaintiff, and copies of same  
have been attached to the deposition.)

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The Deponent herein,

LEWIS HENDERSHOT,

being first duly sworn to tell the truth, the  
whole truth, and nothing but the truth, was  
examined and testified as follows:

MR. MUELLER: This is the deposition of  
Mr. Lewis Hendershot, taken pursuant to  
notice for all uses allowed under the  
Florida Court rules.

## EXAMINATION

BY MR. MUELLER:

Q Mr. Hendershot, my name is  
Wolfgang Mueller. I represent the family of  
Gail Richards, a woman who was killed in an  
automobile accident on May 1st of 1996.

I'm going to ask you several questions  
today regarding your involvement in the accident.  
I am not trying to trick you. If I ask you a  
question and you don't understand it, stop me and  
I'll try to rephrase it so you do understand it.  
If you give me an answer, I will assume that you  
understood the question as I phrased it. Is that  
fair?

A Yes.

Q Okay. You have a court reporter

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sitting to your right taking down all of your  
words, so if you can make sure that your  
responses are verbal instead of head shakes, that  
sort of thing --

A Okay.

Q -- and loud enough so that she can get  
those down.

We'll take this a little bit out of  
order. I was just handed from your attorney  
Defendant Lewis Hendershot's Answers to  
Plaintiff's First Set of Interrogatories. Did  
you review those before your deposition today?

A Yes, I did, briefly.

Q Were all the answers true?

A Yes.

Q Okay. Do you currently reside at 5942  
Louisiana in New Port Richey?

A Yes.

Q And that's 34655?

A Right, 34653.

Q What is your home phone number, sir?

A I don't have a home phone.

Q Do you have a cellular phone you carry?

A I have a business phone.

Q What's your business phone?

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1 A 856-2137.  
 2 Q Is that 813?  
 3 A Yes.  
 4 Q How long have you lived at that  
 5 Louisiana address?  
 6 A I just bought it within the last year.  
 7 Q Any particular reason why you don't  
 8 have a home telephone?  
 9 A No, because I'm just in the middle of,  
 10 kind of, moving.  
 11 Q Do you own the home by yourself?  
 12 A Yes, I do.  
 13 Q Who do you live with there?  
 14 A By myself.  
 15 Q You were born on August 26th, 1950?  
 16 A Correct.  
 17 Q And your Social Security number is  
 18 262-90-4813?  
 19 A Correct.  
 20 Q Is your driver's license correct, that  
 21 it is H5365273060?  
 22 A Yes.  
 23 Q Can you tell me a little bit about your  
 24 education, sir?  
 25 A High school.

1 A Yes, it is.  
 2 Q And is it incorporated in the state of  
 3 Florida?  
 4 A Yes.  
 5 Q I take it Daniel is Peter Daniel?  
 6 A Yes.  
 7 Q How long have you been in business with  
 8 Mr. Daniel?  
 9 A About 14 years.  
 10 Q Has it always been under the name of  
 11 Daniel and Hendershot Builders?  
 12 A Yes.  
 13 Q What do you do there?  
 14 A Build buildings.  
 15 Q Commercial or residential?  
 16 A Both.  
 17 Q About what percentage is split between  
 18 each?  
 19 A Fifty/fifty.  
 20 Q How many employees do you have with the  
 21 corporation?  
 22 A Right now, one.  
 23 Q And who is he or she?  
 24 A Perry LaSantee.  
 25 Q Would it be fair to say that if you

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Page 9

1 Q Graduate?  
 2 A Yes.  
 3 Q Where at?  
 4 A St. Petersburg.  
 5 Q What year?  
 6 A 1968.  
 7 Q Any college?  
 8 A No, no college. Vocational school.  
 9 Q Where at?  
 10 A St. Petersburg.  
 11 Q And what did you learn there?  
 12 A The building trades.  
 13 Q Is it fair to say you've been in the  
 14 building trades in construction your whole adult  
 15 life?  
 16 A Yes.  
 17 Q What is it you specialize in?  
 18 A I'm a building contractor.  
 19 Q A general contractor?  
 20 A Yes.  
 21 Q By whom are you employed?  
 22 A Self-employed.  
 23 Q Do you have a d/b/a or anything?  
 24 A Yeah, Daniel and Hendershot Builders.  
 25 Q Is that a formal corporation?

1 were building a house, that you basically just  
 2 sub out all the work to other companies?  
 3 A The majority of it, yes.  
 4 Q Has your corporation filed tax returns  
 5 every year?  
 6 A Yes.  
 7 Q Do you have a corporate tax lawyer or  
 8 an accountant?  
 9 A Yes.  
 10 Q Who is he?  
 11 A Pete does all the administrative --  
 12 Pete, he does all the administration. I don't  
 13 know his name.  
 14 Q What is your role with the company?  
 15 A I run the outside work.  
 16 Q I guess just in general terms?  
 17 A Job supervision.  
 18 Q Okay. You're the day-to-day, hands-on  
 19 guy?  
 20 A Right.  
 21 Q And Mr. Daniel is the in-office guy?  
 22 A Right.  
 23 Q Do you actually get in there and do  
 24 work?  
 25 A Yes, I do.



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1 (Plaintiff's Exhibits 1, 2 and 3 were  
2 marked, respectively, for identification and  
3 copies of same attached to the transcript.)  
4 Q I'm going to show you photographs we've  
5 marked as Exhibits 1, 2 and 3. They show a red  
6 Ford F-10 pickup truck, and ask if you can  
7 identify those, if that is the truck that you  
8 were driving on the day of this accident?  
9 A Yes, it is.  
10 MR. MOORE: You need to look at all  
11 three pictures.  
12 THE WITNESS: Yes, it is.  
13 BY MR. MUELLER:  
14 Q Okay. That truck, as I understand it  
15 from your Answers to Interrogatories, is titled  
16 in Mr. Daniel's name, but it is owned by Daniel  
17 and Hendershot Builders?  
18 A Yes.  
19 Q How long had you had that truck at this  
20 time?  
21 A A year and a half, approximately.  
22 Q Do you know where it was purchased  
23 from?  
24 A A Ford dealer on State Road 52.  
25 Q In what city?

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1 A New Port Richey.  
2 Q Does your company have any other trucks  
3 or vehicles?  
4 A We have a car that Pete drives.  
5 Q Is that owned by the company as well?  
6 A Yes.  
7 Q Do you have any idea who your corporate  
8 insurance company is?  
9 A At the time, it was Bankers.  
10 Q Would it be fair to say that as between  
11 you and Mr. Daniel, he would have more knowledge  
12 about that, the insurance and that sort of thing?  
13 A Yes, he has more knowledge of the  
14 insurance end.  
15 Q As I understand it from the police  
16 report, this accident took place approximately  
17 7:22 p.m. Is that your understanding?  
18 A Yes.  
19 Q Why don't we talk about May 1 of 1996.  
20 Had you done any job that day?  
21 A Yes.  
22 Q Where were you working?  
23 A Hernando Beach.  
24 Q Where is that with respect to New Port  
25 Richey?

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1 A That's a little bit north of New Port  
2 Richey.  
3 Q Where is your company located?  
4 A Um, I'm trying to remember the address.  
5 It's in Hudson at my partner's house.  
6 Q Is it operated out of Mr. Daniel's  
7 house?  
8 A Yes, it is.  
9 Q Okay. And his house is in what city?  
10 A Hudson, 11023 Hook Lane.  
11 Q What were you working on in Hernando  
12 Beach?  
13 A We were working -- doing some work on a  
14 boat in a marina up there.  
15 Q What kind of work would a construction  
16 company be doing?  
17 A Woodwork. I'm a woods workman. That's  
18 my real trade. I mean, that's what I enjoy  
19 doing, and I was just working on a boat up there.  
20 Q Was this a personal thing or was this  
21 actually being paid through the company?  
22 A It was a personal thing.  
23 Q Was this for a friend?  
24 A Yes.  
25 Q Who was the friend?

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1 A I don't know his last name. Terry -- I  
2 don't remember his last name.  
3 Q How long have you known this gentleman?  
4 A A year, maybe.  
5 Q Where was the --  
6 A He worked for me at one time.  
7 Q Where was the boat located?  
8 A Hernando Beach Marina.  
9 Q When did you get started working on the  
10 boat?  
11 A A couple of days before that.  
12 Q I mean, that morning.  
13 A Oh, that morning?  
14 Q Right.  
15 A Probably nine o'clock in the morning.  
16 Q Were you the only person working on the  
17 boat?  
18 A Pete was working on it with me.  
19 Q Was Terry there?  
20 A Yes.  
21 Q May 1 of 1996, what day was that?  
22 A I don't recall. A weekday.  
23 Q How long did you spend working on the  
24 boat?  
25 A All day.



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1 Q What kind of stuff was involved?  
 2 A Woodwork, replacing some planks on the  
 3 bottom of the boat.  
 4 Q Was it a wood boat?  
 5 A Yeah.  
 6 Q Is Mr. Daniel's specialty woodworking  
 7 as well?  
 8 A Yes, I'd say so.  
 9 Q How long have you known Mr. Daniels?  
 10 A Fifteen years.  
 11 Q Or is it Daniel?  
 12 A Daniel.  
 13 Q I'm sorry. During the course of this  
 14 day, did you have anything to drink, any beer or  
 15 anything?  
 16 A No.  
 17 Q No alcohol of any nature?  
 18 A None.  
 19 Q What time did you knock off working on  
 20 the boat?  
 21 A About six o'clock.  
 22 Q What did you do then?  
 23 A I went towards home, made a phone call.  
 24 Q Who did you call?  
 25 A A guy that owed me some money, and I

1 trunk box in the back. What was in there?  
 2 A Tools.  
 3 Q What kind of tools?  
 4 A Saws, hammers.  
 5 Q Do you have any idea how much that box  
 6 weighed, if you can give us --  
 7 A The box, 50 pounds; with tools, 150.  
 8 Q Had the tires been replaced yet?  
 9 A Yes.  
 10 Q Who took care of that?  
 11 A A tire dealership on U.S. 19. I can't  
 12 remember the name of the dealership. I'll think  
 13 of it in a minute.  
 14 Q If you do, just if it comes in your  
 15 head, just jump in and let us know.  
 16 Had the brakes been worked on yet?  
 17 A No.  
 18 Q Do you have a general idea of how many  
 19 miles it had on it?  
 20 A About 70,000. When we purchased the  
 21 truck, they had checked the brakes out and did a  
 22 repair on the brakes.  
 23 Q The car was bought used, or the truck?  
 24 A Yes.  
 25 Q Do you recall how many miles it had on

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1 went to -- I was on my way to see him and to run  
 2 a few errands, do some grocery shopping.  
 3 Q Who was the gentleman you called?  
 4 A He owns a Florida rod shop on U.S. 19  
 5 right south of there. I don't recall his name.  
 6 I sold him a motor.  
 7 Q The pickup truck that the company  
 8 owned, who did maintenance on that?  
 9 A We hadn't had any maintenance done at  
 10 that point. The Ford dealer did a little  
 11 maintenance on it, but for the most part, it  
 12 didn't require any maintenance on it.  
 13 Q You owned it for a year and a half, so  
 14 I take it you took it for oil changes?  
 15 A The place on 19, some quickie lube  
 16 place. I don't remember the name of it.  
 17 Q As between you and Mr. Daniel, who was  
 18 responsible for taking care of the truck?  
 19 A We both were.  
 20 Q Who drove it primarily?  
 21 A Me.  
 22 Q Was it essentially your full-time  
 23 truck?  
 24 A Yeah.  
 25 Q We can see in Exhibits 1 and 2 a silver

1 it when you purchased it?  
 2 A Fifty-five, about.  
 3 Q Were the brakes in good working order  
 4 that day?  
 5 A Yes, they were.  
 6 Q Did the tires have tread on them?  
 7 A Yes. The tires were brand new.  
 8 Q How was the steering?  
 9 A Fine.  
 10 Q Engine was fine?  
 11 A Yes.  
 12 Q Transmission was fine?  
 13 A Yeah, everything was perfect on the  
 14 truck.  
 15 Q So you were heading over to this  
 16 gentleman's business, I take it, who owns a  
 17 Florida rod shop --  
 18 A Yes.  
 19 Q -- to pick up some money?  
 20 A Yes.  
 21 Q Tell us what happened as you got toward  
 22 the intersection where the accident happened.  
 23 And I understand that's State Road 54?  
 24 A Yes, 54. I was approaching 54 and  
 25 there was --



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1 Q How was traffic?  
 2 A It was moderate.  
 3 Q Would you consider it still rush hour  
 4 during the week?  
 5 A No, but U.S. 19 is always rush hour  
 6 here.  
 7 Q Pretty crowded?  
 8 A Yeah, it's always pretty crowded.  
 9 Q As you approached the intersection,  
 10 were there cars on each side of you?  
 11 A Yes.  
 12 Q Can you tell us what kind of vehicle  
 13 was in front of you?  
 14 A A van or utility vehicle of some type.  
 15 Q Did you notice anything unusual as far  
 16 as the way cars were moving up ahead of you,  
 17 veering off to the left, veering off to the  
 18 right?  
 19 A No, I didn't, not until immediately  
 20 before I struck the jeep.  
 21 Q As you were coming up on the  
 22 intersection, was the light green?  
 23 A Yes, it was.  
 24 Q Traffic was moving?  
 25 A Yes.

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1 Q Then what happened next?  
 2 A I looked up at the light and looked  
 3 back down in front of me and just to catch the  
 4 vehicle in front of me swerve to the left.  
 5 Q About how fast were you going at this  
 6 point when you -- when the vehicle in front of  
 7 you first swerved to the left?  
 8 A About 45.  
 9 Q Do you know what color the vehicle was  
 10 in front of you?  
 11 A Orange or green. I was -- for some  
 12 reason I'm --  
 13 MR. MOORE: Are you talking about the  
 14 vehicle that swerved or the --  
 15 MR. MUELLER: Yes, the vehicle that  
 16 swerved.  
 17 THE WITNESS: Oh, the vehicle that  
 18 swerved?  
 19 BY MR. MUELLER:  
 20 Q Right.  
 21 A It was white or a light color.  
 22 Q So it swerved left and at that point  
 23 were you looking ahead?  
 24 A Yes, I was looking ahead.  
 25 Q How close behind the van were you -- or

1 strike that. How close behind that light-colored  
 2 vehicle were you?  
 3 A Probably about four or five car  
 4 lengths.  
 5 Q Did it -- and I'm talking about the  
 6 light-colored vehicle. Did it do a quick jerk --  
 7 A Yes.  
 8 Q -- to the left?  
 9 A Well, I saw the very rear of the car  
 10 jerk over, just missed the jeep.  
 11 Q Do you know how many cars were ahead of  
 12 the light-colored vehicle --  
 13 A No, I don't.  
 14 Q -- as you were approaching the  
 15 intersection?  
 16 A No, I don't.  
 17 Q And you didn't notice any cars up ahead  
 18 that would have been in your lane? Were you  
 19 traveling in the center lane?  
 20 A Yes, I was.  
 21 Q Okay. That would have been in your  
 22 lane veering left and veering right?  
 23 A No, I didn't.  
 24 Q Did you have the radio on?  
 25 A I don't remember.

Page 21

1 Q Do you typically drive with the radio  
 2 on?  
 3 A Sometimes I do, sometimes I don't.  
 4 Q When you do, what kind of music do you  
 5 listen to, if at all?  
 6 A Easy listening.  
 7 Q So the vehicle in front of you veers to  
 8 the left?  
 9 A Right.  
 10 Q That's correct?  
 11 A Yes, it is.  
 12 Q Okay. And then what happened?  
 13 A And I noticed there was a jeep there.  
 14 I noticed it didn't have any flashers on or brake  
 15 lights.  
 16 Q You have a distinct recollection that  
 17 it did not have any flashers or brake lights?  
 18 A Yes, I do.  
 19 Q Did you notice anyone in the jeep?  
 20 A Nope. I mean, I didn't look to see if  
 21 there was anybody in the jeep.  
 22 Q What happened when you first saw the  
 23 jeep?  
 24 A I determined that it -- well, I didn't  
 25 know whether it was moving or not, and then when



Page 22

1 I determined that it wasn't moving or else it was  
 2 moving very slowly, then I hit my brakes and  
 3 swerved to the left.  
 4 Q Did you jam on your brakes? Did you  
 5 skid?  
 6 A Yes, yes, I did.  
 7 Q Did you start screeching? Did the  
 8 brakes screech or the tires?  
 9 A Yes, they did.  
 10 Q And you skidded and steered to the left  
 11 at the same time?  
 12 A Right.  
 13 Q Did your brakes -- or did your steering  
 14 basically lock up --  
 15 A Yes.  
 16 Q -- as you jammed on the brakes?  
 17 A Yes.  
 18 Q So you weren't able to go to the left,  
 19 were you?  
 20 A No, I wasn't. There wasn't enough time  
 21 with or without brakes.  
 22 Q Tell me what happened next.  
 23 A I struck the rear of the jeep.  
 24 Q Were you wearing your seat belt?  
 25 A No, I wasn't.

Page 23

1 Q You struck the rear of the jeep. Then  
 2 what?  
 3 A The jeep in front of my truck caught on  
 4 fire immediately.  
 5 Q What happened next?  
 6 A I started to black out and then I  
 7 realized that my truck is on fire, I have to get  
 8 out of here.  
 9 Q You thought your truck was on fire?  
 10 A My truck was on fire.  
 11 Q What did you hit inside the car or the  
 12 truck?  
 13 A I hit the windshield, the steering  
 14 wheel, and the windshield post and the dash, my  
 15 leg.  
 16 Q Did you get cut from the windshield at  
 17 all?  
 18 A No, I didn't. Bruises, bloody nose.  
 19 Q Did you bruise your knee?  
 20 A Yes, I did, right knee.  
 21 Q Any cuts or bruises to your arms?  
 22 A My left shoulder was bruised.  
 23 Q Do you know what your left shoulder  
 24 hit?  
 25 A The windshield post.

Page 24

1 Q That would be the post between the  
 2 windshield and the side window?  
 3 A Right.  
 4 Q Any other injuries you suffered?  
 5 A My throat hit the steering wheel, but I  
 6 never received any treatment for my neck. My  
 7 face was all bruised up. I fractured my right  
 8 femur, hurt my back and my neck.  
 9 Q When you say you hurt your back, what  
 10 kind of injuries did you have to your back?  
 11 A Herniated disk and a bulging disk.  
 12 Q Did you seek any type of  
 13 hospitalization that night?  
 14 A Yes, I did. I went to the emergency  
 15 room.  
 16 Q At what hospital?  
 17 A North Bay.  
 18 Q Did they give you a cast for your  
 19 broken leg?  
 20 A No, they didn't; crutches.  
 21 Q What did they do for your disks?  
 22 A Nothing; gave me a pain pill.  
 23 Q Have you had any other treatment for  
 24 your disks?  
 25 A Yes, chiropractic.

Page 25

1 Q How often do you see a chiropractor?  
 2 A Once a week.  
 3 Q Had you ever seen a chiropractor before  
 4 this accident?  
 5 A Yeah. Never for my back.  
 6 Q For what?  
 7 A Slight neck problems.  
 8 Q What chiropractor did you see it for?  
 9 A Connie McKeehan.  
 10 Q Is that the same one that you see now?  
 11 A No.  
 12 Q Who do you see now?  
 13 A Kathleen Anderson.  
 14 Q Where is she located?  
 15 A Ridge Row, New Port Richey.  
 16 Q And who was the first person?  
 17 A Excuse me?  
 18 Q Who was the first chiropractor?  
 19 A Connie McKeehan.  
 20 Q How do you spell McKeehan?  
 21 A McKeehan, M-c-K-e-e-h-a-n, I believe.  
 22 Q Where is she located?  
 23 A He.  
 24 Q He.  
 25 A U.S. 19, Holiday



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1 Q How often were you seeing  
 2 Connie McKeehan?  
 3 A I saw him probably a couple of dozen --  
 4 maybe 15, 20 times back 10 years ago.  
 5 Q You hadn't seen him in 10 years before  
 6 this accident?  
 7 A No.  
 8 Q Did they say which disk was herniated?  
 9 A L4 and L5, I believe.  
 10 Q Who told you that?  
 11 A I had an MRI done.  
 12 Q By whom?  
 13 A Tarpon Springs MRI.  
 14 Q Do you work full days now?  
 15 A Yes.  
 16 Q You're still doing the same stuff that  
 17 you did before this accident?  
 18 A No.  
 19 Q How are your days different?  
 20 A I can't do any heavy lifting anymore.  
 21 I can't do a lot of bending.  
 22 Q After this accident, you said you  
 23 almost blacked out and you realized that your  
 24 car -- your truck was on fire?  
 25 A Right.

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1 Q What did you do then?  
 2 A I got out of the truck. I fell down  
 3 when I got out from my leg, and I drug myself off  
 4 the side of the road and laid down on the side of  
 5 the road.  
 6 Q Which side?  
 7 A The right side.  
 8 Q Where the car dealers were?  
 9 A Yes.  
 10 Q Did you ever go over to the jeep?  
 11 A No.  
 12 (Plaintiff's Exhibits 4 and 5 were  
 13 marked, respectively, for identification and  
 14 copies of same attached to the transcript.)  
 15 Q I'm going to show you what we've marked  
 16 as Exhibit Number 4. It's a police photograph.  
 17 It shows U.S. 19 at the intersection.  
 18 Do you recall where you impacted the  
 19 jeep with respect to the intersection?  
 20 A Yes, right here in the center in the  
 21 photograph (indicating).  
 22 Q Which would be what they call a stop  
 23 bar?  
 24 A Yes.  
 25 Q You can see the horizontal line?

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1 A (Nods head affirmatively.)  
 2 Q So the jeep was located right there?  
 3 A Yes.  
 4 Q Okay. Did anybody help you out of your  
 5 truck?  
 6 A No.  
 7 Q You said you laid down at the side of  
 8 the road?  
 9 A Yes.  
 10 Q In front of the Chrysler dealer?  
 11 A Toyota dealer, Sun Toyota.  
 12 Q If we're looking at Exhibit Number 4,  
 13 where would Sun Toyota be located?  
 14 A Over here.  
 15 Q Just short of the intersection?  
 16 A Well, right at the intersection, yeah,  
 17 but on this side.  
 18 Q Okay. On the opposite side of 54 from  
 19 the Chrysler Plymouth dealer, we see --  
 20 A Right.  
 21 Q Okay. How long did you lay there at  
 22 the side of the road?  
 23 A Just a few minutes before the ambulance  
 24 came.  
 25 Q Did you speak to anybody? Any

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1 eyewitnesses or anybody come over to see how you  
 2 were?  
 3 A Just the paramedics. I don't recall at  
 4 this point whether there was anybody else.  
 5 Somebody put my -- the fire out on my truck with  
 6 a fire extinguisher.  
 7 Q You could see that?  
 8 A No. I was laying down. I didn't  
 9 really see that, but I know there was somebody  
 10 there with a fire extinguisher to put the fire  
 11 out.  
 12 Q Did the ambulance personnel ask you  
 13 what happened?  
 14 A No.  
 15 Q Did they talk to you at all?  
 16 A Just briefly.  
 17 Q What did they say to you?  
 18 A Just, I guess, they checked my vitals  
 19 and that was about it. I asked them about the  
 20 people in the other vehicle and they said they  
 21 didn't know anything about the other vehicle.  
 22 There were other paramedics attending to them.  
 23 Q Did they load you into the ambulance?  
 24 A Yes, they did. Yeah, they put me on a  
 25 stretcher.



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1 Q And they took you away?  
 2 A Yes.  
 3 Q How long were you in the hospital?  
 4 A Oh, maybe three or four hours.  
 5 Q When you were released, how did you get  
 6 around or get home?  
 7 A My partner Pete picked me up.  
 8 Q How did he know you were in the  
 9 hospital?  
 10 A I called him.  
 11 Q From the hospital?  
 12 A Yes.  
 13 Q Did you ever have occasion to speak to  
 14 any people who said they were witnesses to the  
 15 accident?  
 16 A No.  
 17 Q To this day, you have never spoken to  
 18 anyone who said, "I saw what happened"?  
 19 A No.  
 20 Q Now, you gave a statement to a police  
 21 officer on May 14. Do you recall that?  
 22 A Yes, I do.  
 23 Q That would be Trooper Radcliff?  
 24 A Correct.  
 25 Q Do you recall what color the jeep was?

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1 A I'm confused at this point. I thought  
 2 it was orange or green. I don't know why I'm  
 3 confused but --  
 4 Q And you say when you came up on the  
 5 jeep after the light-colored vehicle pulled to  
 6 the left, you don't recall how many occupants --  
 7 or who was in there?  
 8 A No. They're kind of hard to see with  
 9 those plastic windows, see through them.  
 10 Q What kind of weather was it that day?  
 11 A It was a nice day.  
 12 Q It was dry?  
 13 A Yes.  
 14 Q Nothing was obstructing your vision  
 15 from a debris standpoint or anything else?  
 16 A No.  
 17 Q You were in this Ford 150 pickup truck.  
 18 That sits up pretty high, doesn't it?  
 19 A No, they don't sit up real high, not  
 20 like a four-wheel drive.  
 21 Q Okay. This was not a four-wheel drive?  
 22 A No.  
 23 Q Were you able to see in front of the  
 24 light-colored vehicle?  
 25 A No.

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1 Q How long had you been following that  
 2 light-colored vehicle?  
 3 A Don't remember.  
 4 Q From the time that you were following  
 5 the light-colored vehicle, were you ever able to  
 6 see in front of it?  
 7 A No, not any great distance anyway.  
 8 Q Now, you were given a traffic citation  
 9 for this?  
 10 A Yes, I was.  
 11 Q What were you cited for?  
 12 A Careless driving.  
 13 Q And I understand in late January there  
 14 was either a plea or a sentencing?  
 15 A Yes.  
 16 Q Is that right?  
 17 A I went to court for it.  
 18 Q And what happened in court?  
 19 A I pleaded no contest.  
 20 Q Were you given any kind of a sentence,  
 21 fine or something?  
 22 A No, no.  
 23 Q No fine at all?  
 24 A No fine at all.  
 25 Q Did anyone else speak at that hearing?

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1 A My attorneys.  
 2 Q I mean, other than that, anybody had to  
 3 give a statement, witnesses, that sort of thing?  
 4 A No.  
 5 Q On May 1, 1996, what kind of driving  
 6 record did you have?  
 7 A I had a DUI.  
 8 Q When was that?  
 9 A About five years prior to that or maybe  
 10 four years. I'm not sure.  
 11 Q Any other traffic tickets?  
 12 A Yeah, I had a reckless driving which  
 13 was -- well --  
 14 Q When was that?  
 15 A About -- one was about three years ago,  
 16 and the other four years ago, and the other was  
 17 about five or six years ago.  
 18 Q The reckless driving tickets, did they  
 19 result in accidents?  
 20 A No.  
 21 Q Was it -- Go ahead.  
 22 A It was a DUI reduced to reckless  
 23 because of a low blow less than the legal limit.  
 24 Q Okay. Which of the two reckless was a  
 25 DUI reduced?

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1 A The first one was.  
 2 Q That's the one that happened --  
 3 A Five or six years ago.  
 4 Q In what county or where?  
 5 A Pasco County.  
 6 Q And the reckless driving that occurred  
 7 four years ago, where was that?  
 8 A That was a DUI and a reckless, I think,  
 9 all total.  
 10 Q Okay. Let me get this straight --  
 11 A Okay.  
 12 Q -- just so I'm clear when I leave here  
 13 today.  
 14 A About --  
 15 Q We have a reckless driving five or six  
 16 years ago that actually was a DUI --  
 17 A Reduced.  
 18 Q -- in which you pled --  
 19 A Right.  
 20 Q -- to the reckless and that was in  
 21 Pasco County?  
 22 A Yes.  
 23 Q Then four years ago, you had another  
 24 DUI that was pled down to a reckless?  
 25 A No. I had another DUI that wasn't pled

1 vehicle that belonged to my girlfriend. I didn't  
 2 know it was expired.  
 3 Q Any moving violations?  
 4 A No.  
 5 Q These DUI's you had and the reckless --  
 6 or strike that. The DUI that you had four years  
 7 ago in New Port Richey, were you coming back from  
 8 work or when did that happen?  
 9 A I was coming from a bar.  
 10 Q After work?  
 11 A No.  
 12 Q During working hours?  
 13 A Two o'clock in the morning.  
 14 Q How about the one in Pasco County where  
 15 you pled to a reckless?  
 16 A I was coming from a bar in Pinellas  
 17 County going to another bar in New Port Richey.  
 18 It was about 12 o'clock at night.  
 19 Q Were you with Mr. Daniel on either of  
 20 those occasions?  
 21 A No, I wasn't.  
 22 Q Was he ever aware that you've been  
 23 cited twice for DUI?  
 24 A Yes.  
 25 Q Have you ever had your license

Page 35

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1 down.  
 2 Q Okay. That's the DUI you told me  
 3 about?  
 4 A Right.  
 5 Q And where was that?  
 6 A Pasco County.  
 7 Q What city would that have been in?  
 8 A New Port Richey.  
 9 Q And was the first one from Pasco  
 10 County, New Port Richey as well?  
 11 A Yes.  
 12 Q And then you had a reckless driving by  
 13 itself?  
 14 A No. Two tickets all total.  
 15 Q Okay. So you have one reckless driving  
 16 which was pled from a DUI?  
 17 A Right.  
 18 Q And you have one DUI on the nose?  
 19 A Yes.  
 20 Q Okay. Any other tickets that you've  
 21 had?  
 22 A No.  
 23 Q Have you had any tickets since then,  
 24 since this accident?  
 25 A I've had a license plate violation, a

1 suspended?  
 2 A Yes.  
 3 Q When was your license suspended?  
 4 A For a DUI, suspended for six months.  
 5 Q When was that?  
 6 A That was about four years ago.  
 7 Q Was that with respect to the second?  
 8 A Yes.  
 9 Q The one you told me about --  
 10 A Yes.  
 11 Q -- that you pled to DUI on the nose?  
 12 A Yes.  
 13 Q Any other suspensions you've had?  
 14 A No.  
 15 Q How was your eyesight back in May of  
 16 '96?  
 17 A Fine.  
 18 Q What kind of vision do you have?  
 19 A I guess 20/20. I haven't had it  
 20 checked in a long time. I need these to read  
 21 fine print. And I can read this, but I can read  
 22 it easy with these magnifiers.  
 23 Q Those are just reading glasses you have  
 24 with you?  
 25 A Yes.



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1 Q You don't need any type of glasses or  
2 anything for driving?

3 A No, I don't.

4 Q Let me just go back to something. You  
5 said you looked at the light, saw it was green?

6 A Yes.

7 Q And then did you look away all of a  
8 sudden?

9 A I looked back down and saw the vehicle  
10 in front of me swerve. I was watching the light  
11 as I was approaching the intersection like  
12 everybody does.

13 Q And then the van or the vehicle in  
14 front of you swerved?

15 A Yes.

16 Q About how much time did you have from  
17 the time that you saw the vehicle swerve and  
18 first saw the jeep until the time you struck it?

19 A I believe -- How much time?

20 Q Yes.

21 A It seemed like it was a second, two  
22 seconds maybe.

23 Q There was no way you could avoid it?

24 A Absolutely not.

25 Q What court were you in where you

1 A Yes, sir.

2 Q Do you -- I think you also testified  
3 that you applied your brakes before you struck  
4 the jeep that was in the center lane of U.S. 19.

5 Do you know the approximate speed you  
6 were traveling when you struck the rear end of  
7 the jeep?

8 A No, I don't.

9 Q Do you know how many seconds or  
10 portions of a second it was before you applied  
11 the brake and you actually struck the rear end of  
12 the jeep?

13 A Maybe a second or two.

14 Q Do you think you had gotten down to --  
15 strike that. You don't know how fast you were  
16 going, though, when you hit the jeep?

17 A No, I don't.

18 Q Do you know what portion of your truck  
19 hit the jeep, whether -- you know, could you tell  
20 that the right corner of your truck hit the left  
21 corner, or explain to me every detail you can  
22 about what part of your truck hit the jeep?

23 A The front -- the right front -- the  
24 front and the right front of my truck struck the  
25 jeep.

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1 pleaded no contest?

2 A Pasco County.

3 Q Would that be circuit court, if you  
4 know?

5 A I don't know.

6 MR. MUELLER: Just off the record.  
7 (Discussion off the record.)

8 BY MR. MUELLER:

9 Q In what city was this Pasco County  
10 traffic court that you pleaded no contest?

11 A New Port Richey.

12 MR. GOUGH: It would be in a county  
13 court, Pasco County, Florida.

14 MR. MUELLER: That's what it's called?

15 MR. GOUGH: (Nods head affirmatively.)

16 MR. MUELLER: I don't think I have any  
17 other questions.

18 EXAMINATION

19 BY MR. GOUGH:

20 Q Mr. Hendershot, my name is  
21 Robert Gough. I represent Chrysler Corporation.  
22 I have a few questions for you.

23 Sir, you indicated that you believed  
24 you were traveling approximately 45 miles per  
25 hour just prior to the accident; is that correct?

1 Q Okay. Let me stop you. The right  
2 front and front of your jeep, is what you said,  
3 of your car or truck --

4 A Right.

5 Q -- struck the jeep?

6 A Yeah.

7 Q How high on your truck? Was it the  
8 right front bumper? Did you hit it with the  
9 quarter panel?

10 A The bumper. The bumper, the hood and  
11 the quarter panel, the fender I should say.

12 Q Okay. So the right front bumper of the  
13 truck hit the rear of the jeep?

14 A (Nods head affirmatively.)

15 Q Where on the jeep did you strike?

16 A In the center.

17 Q The jeep is sitting still, you swerve  
18 to the right and you kind of -- you hit the jeep  
19 right in the center --

20 A Yeah.

21 Q -- with your right side?

22 A Right.

23 Q Or the right front bumper. Do you know  
24 if you hit the jeep's bumper, or where on the  
25 jeep did your vehicle make contact, if you know?



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1 A Just the center of the jeep. Jeeps  
 2 don't have a bumper, do they?  
 3 Q Well, I think it does, but --  
 4 A Well --  
 5 Q Do you know where on --  
 6 A Just about the center of the vehicle.  
 7 Q Were you hauling anything in your truck  
 8 that day?  
 9 A No, I wasn't.  
 10 Q You had the tool box on the back and it  
 11 was filled with --  
 12 A (Nods head affirmatively.)  
 13 Q -- you said tools. Did you have power  
 14 tools in it?  
 15 A Yeah, a few power tools.  
 16 Q What type?  
 17 A Drill, saw, hammer.  
 18 Q Were you carrying any flammable liquids  
 19 of any type in your vehicle?  
 20 A No.  
 21 Q Could you tell whether or not the jeep  
 22 was -- the engine of the jeep was running or --  
 23 A (Shakes head negatively.)  
 24 Q -- would you know that?  
 25 A No, I wouldn't know that.

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1 Q Do you know if -- strike that. Do you  
 2 know if the vehicle, jeep that you struck had the  
 3 brakes applied when you hit it?  
 4 A There were no brake lights when I hit  
 5 it.  
 6 Q Okay. You may not have known at the  
 7 time. Have you heard anybody say that the jeep  
 8 started up or the engine was running at any point  
 9 after you hit it?  
 10 A No, I don't know.  
 11 Q Do you know or have you heard anybody  
 12 say whether the jeep was in gear or in a gear of  
 13 any type or in neutral?  
 14 A No idea.  
 15 Q Have you ever heard anybody tell you  
 16 whether or not the jeep's emergency brake was on  
 17 or off?  
 18 A No, I haven't heard anything about it.  
 19 Q Aside from the screeching tires which  
 20 you described earlier, did you hear any other  
 21 unusual noises, whether it be -- any noises at  
 22 all at the accident scene that came from the  
 23 jeep?  
 24 A Just the crash and an explosion.  
 25 Q Your car or vehicle was on fire at some

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1 point?  
 2 A Yes.  
 3 Q And you didn't see that fire put out?  
 4 A I saw people moving with a fire  
 5 extinguisher toward my truck and -- but it wasn't  
 6 much of a fire on my truck.  
 7 Q When did the fire start?  
 8 A Immediately. I remember seeing the two  
 9 vehicles in contact with the fire between us.  
 10 Q Do you know if the fire started on your  
 11 vehicle and spread to the jeep or vice versa?  
 12 A The jeep spread it to me.  
 13 Q The fire started on the jeep? How do  
 14 you know that?  
 15 A Just by looking at my truck afterwards,  
 16 you know. My truck wasn't burned. It was -- you  
 17 know, my guess is it was fuel that was burning on  
 18 my truck and -- but my truck wasn't on fire.  
 19 Q Okay. Let me ask you, though, you said  
 20 when you struck the jeep you saw fire  
 21 immediately?  
 22 A Immediately.  
 23 Q Could you tell at the time where the  
 24 vehicle fire started?  
 25 A No.

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1 Q It looked like your truck was on fire  
 2 and the jeep was on fire?  
 3 A Well, I wasn't sure my truck was on  
 4 fire until after it happened.  
 5 Q Okay. What else do you recall about  
 6 the fire, anything at all?  
 7 A No, I don't because I laid down and the  
 8 jeep went off down the road.  
 9 Q Did you watch the jeep as it went off  
 10 down the road?  
 11 A No, I couldn't see it.  
 12 Q Do you know how fast the jeep may have  
 13 been going? You say it went off down the road.  
 14 How do you know that?  
 15 A Because I saw it leaving but not for  
 16 very far because I was really dazed, and then  
 17 I -- my concern was getting out of my truck and  
 18 getting off -- you know, getting away from it,  
 19 getting off 19.  
 20 Q You talked about an explosion. Tell me  
 21 about when, in the sequence of events, you heard  
 22 the explosion?  
 23 A I heard an explosion when I was laying  
 24 on the side of the road.  
 25 Q How many seconds or minutes after the



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1 initial impact?  
 2 A I don't know.  
 3 Q You may have answered this. I think  
 4 you were asked do you know how many occupants  
 5 there were in the jeep. Do you know where anyone  
 6 in the jeep was seated?  
 7 A No, I don't.  
 8 Q The jeep had a soft top on it?  
 9 A Yes.  
 10 Q You talked about the rear windshield of  
 11 that being difficult to see through?  
 12 A Well, I know they are. A very good  
 13 friend of mine has a jeep, so I'm real familiar  
 14 with them.  
 15 Q The top was up at the time of the  
 16 accident?  
 17 A Yeah.  
 18 Q Have you ever been arrested?  
 19 A DUI.  
 20 Q Aside from the DUI's that we talked  
 21 about?  
 22 A Yeah, domestic with a girlfriend.  
 23 Q What year was that?  
 24 A Oh, gee, it was about four years ago.  
 25 Q Was that in Pasco County?

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1 A Yes, New Port Richey, Pasco County.  
 2 Q Did you own any other vehicles or own  
 3 any vehicles at the time of this accident?  
 4 A No, I didn't, just the truck.  
 5 Q Were you subjected to a blood alcohol  
 6 test after this incident?  
 7 A No.  
 8 Q Do you know if your blood or urine was  
 9 tested for any drugs?  
 10 A No. I don't think they even took my  
 11 blood. I'm not sure if they took a urine or not.  
 12 Q Had you used any drugs on the day of  
 13 the accident?  
 14 A No. I don't use drugs, never.  
 15 Q Do you know about how many feet you  
 16 were in back of the jeep when you applied your  
 17 brake?  
 18 A Oh, maybe three car lengths or  
 19 something like that, somewhere thereabouts.  
 20 Q Do you remember anything else of  
 21 consequence or anything at all that you think may  
 22 be important about this accident that you can  
 23 tell us?  
 24 A No.  
 25 MR. GOUGH: Okay. Thank you.

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1 EXAMINATION  
 2 BY MR. MUELLER:  
 3 Q I just have a couple more questions.  
 4 This pickup truck didn't have antilock brakes on  
 5 it, did it?  
 6 A Yes, it did, I believe.  
 7 Q If you're just guessing, just tell us.  
 8 A Yeah, I'm guessing.  
 9 Q Okay. You don't really know one way or  
 10 the other?  
 11 A No, I don't.  
 12 Q As you were following this -- or coming  
 13 up on this intersection, how long had the light  
 14 been green before the light-colored vehicle  
 15 swerved to the left?  
 16 A Don't remember.  
 17 Q Did it appear to you that the traffic  
 18 was just starting to pull away from the  
 19 intersection?  
 20 A I don't know. I didn't -- don't know.  
 21 The traffic was moving freely.  
 22 Q Pretty constant --  
 23 A Yeah.  
 24 Q -- coming up to the intersection?  
 25 A Uh-huh (affirmative).

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1 Q That's yes?  
 2 A Yes.  
 3 Q So you estimate you were traveling 45  
 4 for at least some period of time?  
 5 A Yes.  
 6 MR. MUELLER: I don't have any other  
 7 questions.  
 8 EXAMINATION  
 9 BY MR. GOUGH:  
 10 Q I have one more or a couple about the  
 11 truck itself. Do you know where the truck is  
 12 today or who owns it?  
 13 A No, I don't.  
 14 Q Was it totaled as a result of the  
 15 accident?  
 16 A Yes, it was.  
 17 Q The insurance company took it from you  
 18 and gave you a check for it?  
 19 A Yes.  
 20 MR. GOUGH: Do you know where it is?  
 21 Do you have it?  
 22 MR. MUELLER: (Nods head  
 23 affirmatively.)  
 24 MR. GOUGH: Never mind. Thanks.  
 25 MR. MUELLER: That's all. Thank you.



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Page 52

1 sir. Appreciate it.  
2 MR. MOORE: We'll read if it's  
3 transcribed.  
4 \* \* \* \* \*  
5 THEREUPON, THE DEPOSITION WAS CONCLUDED  
6 AT 1:18 P.M.  
7 \* \* \* \* \*  
8 STIPULATION  
9 It was thereupon stipulated and agreed by  
10 and between counsel present for the respective  
11 parties and the deponent that the reading and signing  
12 of this deposition by the deponent is not waived.  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1 CERTIFICATE OF OATH  
2  
3 STATE OF FLORIDA  
4 COUNTY OF PASCO  
5  
6  
7 I, the undersigned authority, certify  
8 that LEWIS HENDERSHOT, personally appeared before  
9 me and was duly sworn by me.  
10  
11 WITNESS my hand and official seal, this  
12 18th day of April, 1997.  
13  
14  
15 ANN S. BEILSTEIN, RPR  
16 Notary Public, State of Florida  
17  
18  
19  
20  
21  
22  
23  
24  
25

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Page 53

1 SIGNATURE PAGE FOR DEPONENT  
2 IN THE CIRCUIT COURT IN AND FOR PASCO COUNTY, FLORIDA  
3 CIRCUIT CIVIL NO.: 96-5561-CA-H  
4 DANIEL W. RICHARDS, as Personal  
5 Representative of the Estate  
6 of GAIL A. RICHARDS, deceased,  
7 Plaintiff,  
8 vs.  
9 LEWIS HENDERSHOT, PETER DANIEL  
10 and CHRYSLER CORPORATION,  
11 Defendants.  
12 I have read the foregoing transcription  
13 of my deposition pages 3 through 50, and hereby  
14 subscribe to the foregoing deposition, said  
15 subscription to include any corrections and/or  
16 amendments hereto.  
17  
18 LEWIS HENDERSHOT  
19  
20 WITNESS my hand and official seal, this  
21 day of , 1997.  
22  
23 Notary Public  
24 State of Florida at Large  
25 My Commission Expires:  
Personally Known  
Produced Identification  
Type:

1 CERTIFICATE OF REPORTER  
2  
3 STATE OF FLORIDA  
4 STATE OF PASCO  
5  
6 I, ANN S. BEILSTEIN, Registered  
7 Professional Reporter, certify that I was  
8 authorized to and did stenographically report the  
9 foregoing deposition; and that the transcript is  
10 a true record of the testimony given by the witness.  
11 I further certify that I am not a,  
12 relative, employee, attorney, or counsel of the  
13 parties, nor am I a relative or employee or any of  
14 the parties' attorney or counsel connected with the  
15 action, nor am I financially interested in the  
16 action.  
17 DATED this 18th day of April, 1997.  
18  
19 ANN S. BEILSTEIN, RPR  
20  
21  
22  
23  
24  
25 EA12-005 Peer - Chrysler - 09659



LAW OFFICES OF  
HILL, WARD & HENDERSON

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CONNOLLY CLARK BEAUGEZ  
THOMAS W. BLACK  
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JEANNE TRUDEAU TATE  
DAVID R. TYRRELL  
DENNIS P. WAGGONER  
DAVID E. WARD, JR.  
D. KEITH WICKENDEN

May 16, 1997

Richard Naj, Esquire  
Chrysler Corporation  
CIMS: 485-13-62  
1000 Chrysler Drive  
Auburn Hills, MI 48326-2766

RE: [REDACTED] vs.  
Chrysler Corporation, et al.  
Firm ID: FL54  
Case ID: 1019631  
D/A: 05/10/96  
Vehicle: 1988 Jeep Wrangler

Dear Dick:

As you know, this Jeep Wrangler fire case occurred in front of several automobile dealerships, including a Chrysler/Dodge dealership and a Nissan dealership. Several salesmen witnessed part of the accident. Plaintiffs recently deposed two of these witnesses, including [REDACTED] who worked for the Chrysler dealership directly adjacent to the area where the accident occurred and where the Jeep came to rest, and [REDACTED] a Nissan salesman at the dealership next to the Chrysler dealer.

[REDACTED]  
[REDACTED] is a middle-aged, white male with grayish/silver hair. He appeared for his deposition nicely dressed, wearing a dress shirt and tie. This [REDACTED] man will make an average to



Richard Naj, Esq.  
May 16, 1997  
Page 2

above-average appearance as a witness.

██████████ testified that he was standing by the front door of the Chrysler dealership with several other dealership employees, including ██████████ (sic). The group was standing just outside the front doors of the dealership when ██████████ heard a "loud bang." He testified that he did not see the Ford pickup truck impact the rear of the Jeep Wrangler, heard no tires screeching nor any other noise which he could attribute to braking. Upon hearing the noise he looked up and saw the Jeep moving south on U.S. 19 with flames shooting from the rear of the vehicle. The Jeep was still on the road when he first saw it and traveling from 20 to 25 miles per hour. It looked to him as if the Jeep was being driven away from the point of impact, although he could not tell if the engine was running.

██████████ ran out to the area on the west side of the road in the grass shoulder where the Jeep came to rest, but stated there was nothing they could do for the driver. He described a Nissan employee who tried to get close to the Jeep to assist the driver but explained that the flames were too high and the Nissan employee could not extract the driver.

██████████ explained that by the time the Jeep reached its point of rest, several hundred feet from where it was impacted, it was engulfed in flames which had climbed to a steady blaze five to six feet above the roof of the vehicle. ██████████ never heard any explosion nor did he hear any screaming or outcries from the Jeep. He testified that the flames were severe enough that he could not determine if anyone was actually in the Jeep. He never talked to anyone at the scene and explained that the flames were too hot for any of his co-workers to try a rescue attempt.

Concerning the origin of the flames, ██████████ testified that when he first noticed the Jeep, the flames were at the center and rear of the vehicle. As the vehicle traveled the tires caught fire and the inside of the vehicle became ablaze.

██████████  
██████████ is a ██████████ white male. He is a retired New York City policeman who attempted to pull Ms. ██████████ from the burning Jeep on the day of the accident. ██████████ is a Nissan salesman and was working at the dealership on the day of the accident. ██████████ will make an average to above-average witness.



Like [REDACTED] did not see the actual impact of the Ford truck to the rear of the Jeep. He testified that he was working inside the dealership in an office which faced out toward U.S. 19 and was approximately 1,000 yards from the intersection where the Jeep was stalled. The first thing that [REDACTED] recalled was seeing flames shooting up from the Jeep while it was in the ditch in front of the Chrysler and Nissan dealerships. He testified that smoke and flames had engulfed the vehicle and that the flames were 8 or 9 feet high. He further testified however that at some point the flames could have shot as high as 40 feet into the air. He described the fire as a "bellowing" blaze.

[REDACTED] testified that upon seeing the flames he ran out of the dealership and into the ditch where the vehicle had come to rest. He believes that he got to the scene in approximately 30 seconds. [REDACTED] recalls picking up a board and trying to use it to pry the door of the vehicle open and while doing so burning his arms. He was not successful in prying the door free and eventually had to move away from the fire. Unlike other witnesses we have talked to, [REDACTED] recalled seeing [REDACTED] in the vehicle. When he first saw her she was so badly burned that he could not determine whether she was a man or woman and in fact believed that she was a rather large male. He recalled that as he neared the vehicle from the driver's side, both of Ms. [REDACTED] hands were raised above her head directly in front of her, as if signaling a touchdown. He did not see any movement, and did not hear any sounds other than the sounds of the blaze coming from within the vehicle.

[REDACTED] testified that when he approached the vehicle he believed that the gas tank had already exploded because the entire Jeep was engulfed in flames including the passenger compartment. He recalls seeing flames shooting out of the dashboard and that the tires of the Jeep were beginning to blow out because of the heat. [REDACTED] testified that no other individual tried to approach the vehicle and that he got closer to it than anyone. When he first saw the vehicle it was traveling approximately 25 miles per hour with a "small fire" emanating from the rear of the Jeep. He then testified that an explosion occurred which propelled the Jeep forward at a faster rate "like a rocket." He recalled very little smoke once the vehicle came to rest, but a great deal of smoke when he first saw it. He recalled that the smoke was light in color.



Richard Naj, Esq.  
May 16, 1997  
Page 4

These are the highlights of the recent eyewitness depositions.  
We will continue to keep you advised.

Sincerely,

HILL, WARD & HENDERSON, P. A.

/s/ Robert B. Gough, III

Robert B. Gough, III

RBG:lc  
cc: David R. Tyrrell, Esq.  
[Sent via e-mail on 5-16-97]/jl





Occupation: Building contractor

Statement taken on 5/14/96:

Was travelling south on US 19 on way home from work; driving in normal amount of traffic; traffic beside him at different points of time; just prior to accident was following a van or all-purpose vehicle; vehicles around him but traffic was too heavy; approaching SR 54 and looking at green light; looked back down from light and vehicle in front of him had disappeared; happened within a second; believes an orange Jeep w/rag top was in front of him; thinks he was 30-40 feet from Jeep; wasn't sure if it was moving or not because there were no flashers or brake lights on; at that point knew he was going to hit Jeep so slammed on brakes and swerved to left; wasn't able to stop; hit windshield, throat hit top of steering wheel; leg had gotten under dash; started to black out but saw flames; fire was immediately upon impact which brought him to his senses; he got out of truck and almost fell down because leg was hurt; limped off road and laid down on side of road; saw Jeep leave but didn't know if it was travelling under its own power or whether it was coasting; thought it was driving away and wondered why it was leaving; fire in Jeep wasn't too bad at that point; his truck was on fire but someone put out with fire extinguisher almost immediately; that's all he remembers; prior to crash was travelling 45 mph





Occupation: Building contractor

Statement taken on 5/14/96:

Was travelling south on US 19 on way home from work; driving in normal amount of traffic; traffic beside him at different points of time; just prior to accident was following a van or all-purpose vehicle; vehicles around him but traffic was too heavy; approaching SR 54 and looking at green light; looked back down from light and vehicle in front of him had disappeared; happened within a second; believes an orange Jeep w/rag top was in front of him; thinks he was 30-40 feet from Jeep; wasn't sure if it was moving or not because there were no flashers or brake lights on; at that point knew he was going to hit Jeep so slammed on brakes and swerved to left; wasn't able to stop; hit windshield, throat hit top of steering wheel; leg had gotten under dash; started to black out but saw flames; fire was immediately upon impact which brought him to his senses; he got out of truck and almost fell down because leg was hurt; limped off road and laid down on side of road; saw Jeep leave but didn't know if it was travelling under its own power or whether it was coasting; thought it was driving away and wondered why it was leaving; fire in Jeep wasn't too bad at that point; his truck was on fire but someone put out with fire extinguisher almost immediately; that's all he remembers; prior to crash was travelling 45 mph



# FATALITY FLORIDA TRAFFIC CRASH REPORT

☒ LONG FORM

☐ SHORT FORM

MAIL TO: DEPT. OF HIGHWAY SAFETY & MOTOR VEHICLES  
TRAFFIC CRASH RECORDS  
TALLAHASSEE, FLORIDA 32339-0500

DO NOT WRITE IN THIS SPACE

Time & Location	DATE OF CRASH	TIME OF CRASH	TIME OFFICER NOTIFIED	TIME OFFICER ARRIVED	INVEST. AGENCY REPORT NUMBER	HSMV CRASH REPORT NUMBER
	05   01   96	7:22 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	7:24 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	7:30 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	96-04-07809-28	50045326
	COUNTY / CITY CODE	Feet or Miles	N S E W	CITY OR TOWN	(Check if in City or Town)	COUNTY
Section 1 Vehicle	AT NODE NO. or	FEET / MILES	FROM NODE NO.	NEXT NODE NO.	NO. OF LANES	ON STREET, ROAD OR HIGHWAY
	00051	1 <input type="checkbox"/> 2 <input type="checkbox"/>	01539	6	1 <input type="checkbox"/> 2 UNDIVIDED	US 19 (SR55)
	AT INTERSECTION OF	or	FEET / MILES	N S E W	OF INTERSECTION OF	
Section 2 Vehicle	DRIVER ACTION	YEAR	MAKE	TYPE	USE	VEH. LICENSE NUMBER
	1 Phantom 2 Hit & Run 3 N/A	93	FORD	04	01	FL
	TRAILER OR TOWED VEHICLE INFORMATION			TRAILER TYPE		VEHICLE IDENTIFICATION NUMBER
Section 3 Pedestrian	VEHICLE TRAVELING	ON	At	Est. MPH	Posted Speed	EST. VEHICLE DAMAGE
	1 N <input checked="" type="checkbox"/> 2 S <input type="checkbox"/> 3 E <input type="checkbox"/> 4 W <input type="checkbox"/>	US 19 (SR55)		45-50	45	\$ 4500
	INSURANCE COMPANY (LIABILITY OR PIP)	POLICY NUMBER	VEHICLE REMOVED BY:	1 Disabling 2 Functional 3 No Damage	EST. TRAILER DAMAGE	
Section 4 Vehicle	BANKERS					
	OWNER'S FULL NAME (Check if Driver)					
	OWNER'S FULL NAME (Trailer or Towed Vehicle)					
Section 5 Pedestrian	DRIVER (Exactly as on Driver License) / Pedestrian	CURRENT ADDRESS (Number and Street)	CITY & STATE / ZIP CODE	DATE OF BIRTH		
			NEW PT RICHEY FL			
	HAZARDOUS MATERIALS BEING TRANSPORTED	PLACARDED	1 Yes 2 No	RECOMMEND RE-EXAM	1 Yes 2 No	IF YES, Explain in Narrative
Section 6 Vehicle	DRIVER ACTION	YEAR	MAKE	TYPE	USE	VEH. LICENSE NUMBER
	1 Phantom 2 Hit & Run 3 N/A	88	AMER	01	01	FL
	TRAILER OR TOWED VEHICLE INFORMATION			TRAILER TYPE		VEHICLE IDENTIFICATION NUMBER
Section 7 Vehicle	VEHICLE TRAVELING	ON	At	Est. MPH	Posted Speed	EST. VEHICLE DAMAGE
	1 N <input checked="" type="checkbox"/> 2 S <input type="checkbox"/> 3 E <input type="checkbox"/> 4 W <input type="checkbox"/>	US 19 (SR55)		0	45	\$ 6000
	INSURANCE COMPANY (LIABILITY OR PIP)	POLICY NUMBER	VEHICLE REMOVED BY:	1 Disabling 2 Functional 3 No Damage	EST. TRAILER DAMAGE	
Section 8 Vehicle	ALLSTATE					
	OWNER'S FULL NAME (Check if Driver)					
	OWNER'S FULL NAME (Trailer or Towed Vehicle)					
Section 9 Pedestrian	DRIVER (Exactly as on Driver License) / Pedestrian	CURRENT ADDRESS (Number and Street)	CITY & STATE / ZIP CODE	DATE OF BIRTH		
			PINELLAS PARK FL			
	HAZARDOUS MATERIALS BEING TRANSPORTED	PLACARDED	1 Yes 2 No	RECOMMEND RE-EXAM	1 Yes 2 No	IF YES, Explain in Narrative
Section 10 Code Information	VEHICLE TYPE	VEHICLE USE	TRAILER TYPE	RESIDENCE (Driver Only)	PHYSICAL DEFECTS	ALCOHOL / DRUG USE
	01 Automobile 02 Passenger Van 03 Pickup/Light Truck (2 rear tires) 04 Medium Truck (4 rear tires) 05 Heavy Truck (2 or more rear axles) 06 Truck Tractor (Cab) 07 Motor Home (RV) 08 Bus 09 Bicycle 10 Motorcycle 11 Moped 12 All Terrain Vehicle 13 Train 77 Other	01 Private Transportation 02 Commercial Passengers 03 Commercial Cargo 04 Public Transportation 05 Public School Bus 06 Private School Bus 07 Ambulance 08 Law Enforcement 09 Fire/Rescue 10 Military 11 Other Government 77 Other	01 Single Semi Trailer 02 Tandem Semi Trailer(s) 03 Tank Trailer 04 Saddle Mount / Flatbed 05 Boat Trailer 06 Utility Trailer 07 House Trailer 08 Pole Trailer 09 Towed Vehicle 77 Other	1 County of Crash 2 Elsewhere in State 3 Non-Resident of State 4 Foreign 5 Unknown DL TYPE 1 A 2 B 3 C 4 D / Chauffeur 5 E / Operator 6 E / Oper-Rest 7 None RACE 1 White 2 Black 3 Hispanic 4 Other REQUIRED ENDORSEMENTS 1 Yes 2 No 3 NR	1 No Defects Known 2 Eyesight Defect 3 Fatigue / Asleep 4 Hearing Defect 5 Illness 6 Seizure, Epilepsy, Blackout 7 Other Physical Defect INJURY SEVERITY 1 None 2 Possible 3 Non-Incapacitating 4 Incapacitating 5 Fatal (Within 90 Days) 6 Non-Traffic Fatality	1 Not Drinking or Using Drugs 2 Alcohol - Under Influence 3 Drugs - Under Influence 4 Alcohol & Drugs - Under Influence 5 Had Been Drinking 6 Pending BAC Test Result SAFETY EQUIPMENT IN USE 1 Not In Use 2 Seat Belt / Shoulder Harness 3 Child Restraint 4 Air Bag 5 Safety Helmet 6 Eye Protection
	LOCATION (In Vehicle) 1 Front Left 2 Front Center 3 Front Right 4 Rear Left 5 Rear Center 6 Rear Right 7 In Body of Truck 8 Bus Passenger 9 Other EJECTED 1 No 2 Yes 3 Partial					







# 1	PROPERTY DAMAGED - OTHER THAN VEHICLES	EST. AMOUNT	OWNER'S NAME	ADDRESS	CITY	STATE	ZIP
# 2	PROPERTY DAMAGED - OTHER THAN VEHICLES	EST. AMOUNT	OWNER'S NAME	ADDRESS	CITY	STATE	ZIP
# 3	PROPERTY DAMAGED - OTHER THAN VEHICLES	EST. AMOUNT	OWNER'S NAME	ADDRESS	CITY	STATE	ZIP
# 4	PROPERTY DAMAGED - OTHER THAN VEHICLES	EST. AMOUNT	OWNER'S NAME	ADDRESS	CITY	STATE	ZIP

CONTRIBUTING CAUSES - DRIVER/PED.						VEHICLE DEFECT								VEHICLE MOVEMENT									VEHICLE SPECIAL FUNCTIONS						
01 No Improper Driving / Action 02 Careless Driving 03 Failed to Yield Right-of-Way 04 Improper Backing 05 Improper Lane Change 06 Improper Turn 07 Alcohol-Under Influence 08 Drugs-Under Influence 09 Alcohol & Drugs-Under Influence 10 Followed Too Closely 11 Disregarded Traffic Signal 12 Exceeded Safe Speed Limit 13 Disregarded Stop Sign 14 Failed to Maintain Equip./Vehicle 15 Improper Passing 16 Drove Left of Center 17 Exceeded Stated-Speed Limit 18 Obstructing Traffic						01 No Defects 02 Def. Brakes 03 Worn / Smooth Tires 04 Defective / Improper Lights 05 Puncture / Blowout 06 Steering Mech. 07 Windshield Wipers 08 Equipment / Vehicle Defect  LOCATION ON ROADWAY 1 On Road 2 Not On Road 3 Shoulder 4 Median 5 Turn Lane / Safety Zone								01 Straight Ahead 02 Slowing / Stopped / Stalled 03 Making Left Turn 04 Backing 05 Making Right Turn 06 Changing Lanes 07 Entering/Leaving Parking Space 08 Property Parked 09 Improperly Parked 10 Making U-Turn  PEDESTRIAN ACTION 01 Crossing Not at Intersection 02 Crossing at Mid-block Crosswalk 03 Crossing at Intersection 04 Walking Along Road With Traffic 05 Walking Along Road Against Traffic 06 Working on Vehicle in Road									1 None 2 Farm 3 Police Pursuit 4 Recreational 5 Emergency Operation 6 Construction / Maintenance  77 All Other (Explain in Narrative)  07 Other Working in Road 08 Standing/Playing in Road 09 Standing in Pedestrian Island 77 All Other (Explain) 88 Unknown						

[illegible]

WITNESS - NAME		ADDRESS		CITY & STATE		ZIP	
				SPRING HILL FL			
				SPRING HILL FL			
WAS INVESTIGATION MADE AT SCENE?		1 Yes <input checked="" type="checkbox"/> 2 No - Where? <input type="checkbox"/>		IS INVESTIGATION COMPLETE?		1 Yes <input checked="" type="checkbox"/> 2 No - Why? <input type="checkbox"/>	
				DATE OF REPORT 05-01-96		PHOTOS TAKEN?	
				1 - Yes <input checked="" type="checkbox"/> 2 - No <input type="checkbox"/>		3 - Investigating Agency <input checked="" type="checkbox"/> 4 Other <input checked="" type="checkbox"/>	
COLATOR	FL STATUTE NUMBER	NAME		CHARGE		CITATION #	



# FLORIDA TRAFFIC CRASH REPORT

☐ UPDATE ☒ CONTINUATION  
 MAIL TO: DEPT. OF HIGHWAY SAFETY & MOTOR VEHICLES  
 TRAFFIC CRASH RECORDS  
 TALLAHASSEE, FLORIDA 32399-0500

DO NOT WRITE IN THIS SPACE

		COUNTY/CITY CODE <b>28-00</b>		DATE OF CRASH <b>05-01-96</b>		INVEST. AGENCY REPORT NUMBER <b>96-04-07809-28</b>		HSMV CRASH REPORT NUMBER <b>50045326</b>	
Section	DRIVER ACTION 1 Phantom <input type="checkbox"/> 2 Hit & Run <input type="checkbox"/> 3 N/A <input type="checkbox"/>		YEAR	MAKE	TYPE	USE	VEH. LICENSE NUMBER	STATE	VEHICLE IDENTIFICATION NUMBER
	TRAILER OR TOWED VEHICLE INFORMATION				TRAILER TYPE				
	VEHICLE TRAVELING N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W <input type="checkbox"/>		ON	AI	Est. MPH	Posted Speed	EST. VEHICLE DAMAGE 1 Disabling 2 Functional 3 No Damage		EST. TRAILER DAMAGE \$
	INSURANCE COMPANY (LIABILITY OR PIP)					POLICY NUMBER		VEHICLE REMOVED BY: 1 Tow Rotation List 2 Tow Owner's Request 3 Driver 4 Other <input type="checkbox"/>	
	OWNER'S FULL NAME (Check if Driver)					CURRENT ADDRESS (Number and Street)		CITY AND STATE ZIP CODE	
	OWNER'S FULL NAME (Trailer or Towed Vehicle)					CURRENT ADDRESS (Number and Street)		CITY AND STATE ZIP CODE	
	DRIVER (Exactly as on Driver License) / Pedestrian					CURRENT ADDRESS (Number and Street)		CITY & STATE / ZIP CODE DATE OF BIRTH	
	DRIVER LICENSE NUMBER		STATE	DL TYPE	REQ. END.	BAC TEST 3 Urine 1 Blood 4 Refused 2 Breath 5 None	RESULTS	AL/DRUG	PHYS. DEF. RES RACE SEX INJ. S. EQUIP. EJECT.
	HAZARDOUS MATERIALS BEING TRANSPORTED 1 Yes 2 No		PLACARDED	1 Yes 2 No	RECOMMEND RE-EXAM	1 Yes 2 No	If YES, Explain in Narrative		DRIVER'S PHONE NO.
	PASSENGER'S NAME (Additional on Continuation Page)					CURRENT ADDRESS		CITY & STATE / ZIP AGE LOC. INJ. S. EQUIP. EJECT.	

		COUNTY/CITY CODE		DATE OF CRASH		INVEST. AGENCY REPORT NUMBER		HSMV CRASH REPORT NUMBER	
DRIVER ACTION 1 Phantom <input type="checkbox"/> 2 Hit & Run <input type="checkbox"/> 3 N/A <input type="checkbox"/>		YEAR	MAKE	TYPE	USE	VEH. LICENSE NUMBER	STATE	VEHICLE IDENTIFICATION NUMBER	
TRAILER OR TOWED VEHICLE INFORMATION				TRAILER TYPE					
VEHICLE TRAVELING N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W <input type="checkbox"/>		ON	AI	Est. MPH	Posted Speed	EST. VEHICLE DAMAGE 1 Disabling 2 Functional 3 No Damage		EST. TRAILER DAMAGE \$	
INSURANCE COMPANY (LIABILITY OR PIP)					POLICY NUMBER		VEHICLE REMOVED BY: 1 Tow Rotation List 2 Tow Owner's Request 3 Driver 4 Other <input type="checkbox"/>		
OWNER'S FULL NAME (Check if Driver)					CURRENT ADDRESS (Number and Street)		CITY AND STATE ZIP CODE		
OWNER'S FULL NAME (Trailer or Towed Vehicle)					CURRENT ADDRESS (Number and Street)		CITY AND STATE ZIP CODE		
DRIVER (Exactly as on Driver License) / Pedestrian					CURRENT ADDRESS (Number and Street)		CITY & STATE / ZIP CODE DATE OF BIRTH		
DRIVER LICENSE NUMBER		STATE	DL TYPE	REQ. END.	BAC TEST 3 Urine 1 Blood 4 Refused 2 Breath 5 None	RESULTS	AL/DRUG	PHYS. DEF. RES RACE SEX INJ. S. EQUIP. EJECT.	
HAZARDOUS MATERIALS BEING TRANSPORTED 1 Yes 2 No		PLACARDED	1 Yes 2 No	RECOMMEND RE-EXAM	1 Yes 2 No	If YES, Explain in Narrative		DRIVER'S PHONE NO.	
PASSENGER'S NAME (Additional on Continuation Page)					CURRENT ADDRESS		CITY & STATE / ZIP AGE LOC. INJ. S. EQUIP. EJECT.		

INVESTIGATOR - RANK AND SIGNATURE <b>TPR.1 K.D.OVERCASH</b>		ID/BADGE NUMBER <b>1031/1902</b>	DEPARTMENT <b>FLORIDA HIGHWAY PATROL</b>	FHP <input checked="" type="checkbox"/>	SO <input type="checkbox"/>	CPD <input type="checkbox"/>	OTHER <input type="checkbox"/>
--	--	-------------------------------------	---	---	-----------------------------	------------------------------	--------------------------------



#1	PROPERTY DAMAGED - OTHER THAN VEHICLES	EST. AMOUNT	OWNER'S NAME	ADDRESS	CITY	STATE	ZIP
#2	PROPERTY DAMAGED - OTHER THAN VEHICLES	EST. AMOUNT	OWNER'S NAME	ADDRESS	CITY	STATE	ZIP
#3	PROPERTY DAMAGED - OTHER THAN VEHICLES	EST. AMOUNT	OWNER'S NAME	ADDRESS	CITY	STATE	ZIP
#4	PROPERTY DAMAGED - OTHER THAN VEHICLES	EST. AMOUNT	OWNER'S NAME	ADDRESS	CITY	STATE	ZIP

CONTRIBUTING CAUSES - DRIVER/PED.		VEHICLE DEFECT	VEHICLE MOVEMENT	VEHICLE SPECIAL FUNCTIONS
01 No Improper Driving / Action 02 Careless Driving 03 Failed to Yield Right-of-Way 04 Improper Backing 05 Improper Lane Change 06 Improper Turn 07 Alcohol-Under Influence 08 Drugs-Under Influence 09 Alcohol & Drugs-Under Influence 10 Followed Too Closely 11 Disregarded Traffic Signal 12 Exceeded Safe Speed Limit 13 Disregarded Stop Sign 14 Failed to Maintain Equip./Vehicle 15 Improper Passing 16 Drove Left of Center 17 Exceeded Stated Speed Limit 18 Obstructing Traffic	<input type="checkbox"/> <input type="checkbox"/>	01 No Defects 02 Def. Brakes 03 Worn/Smooth Tires 04 Defective/Improper Lights 05 Puncture/Blowout 06 Steering Mech. 07 Windshield Wipers 08 Equipment/Vehicle Defect  77 All Other (Explain in Narrative)	<input type="checkbox"/> <input type="checkbox"/> <div style="position: absolute; top: 10px; right: 10px;">           11 Passing 12 Driverless or Runaway Veh. 77 All Other (Explain in Narrative)         </div>	1 None 2 Farm 3 Police Pursuit 4 Recreational 5 Emergency Operation 6 Construction/Maintenance
19 Improper Load 20 Disregarded Other Traffic Control 21 Driving Wrong Side/Way 22 Fleeing Police 23 Vehicle Modified 77 All Other (Explain)	<input type="checkbox"/> <input type="checkbox"/>	LOCATION ON ROADWAY 1 On Road 2 Not On Road 3 Shoulder 4 Median 5 Turn Lane/ Safety Zone	PEDESTRIAN ACTION 01 Crossing Not at Intersection 02 Crossing at Mid-block Crosswalk 03 Crossing at Intersection 04 Walking Along Road With Traffic 05 Walking Along Road Against Traffic 06 Working on Vehicle in Road 07 Other Working in Road 08 Standing/Playing in Road 09 Standing in Pedestrian Island  77 All Other (Explain) 88 Unknown	<input type="checkbox"/> <input type="checkbox"/>

[illegible]

WITNESS - NAME	ADDRESS	CITY & STATE	ZIP
		PALM HARBOR FL	
		NEW PORT RICHEY FL	

1- Yes <input checked="" type="checkbox"/> 2- No - Why? <input type="checkbox"/>		IS INVESTIGATION COMPLETE? 1- Yes <input checked="" type="checkbox"/> 2- No - Why? <input type="checkbox"/>		DATE OF REPORT 05-01-96		PHOTOS TAKEN? 1- Yes <input checked="" type="checkbox"/> 2- No <input type="checkbox"/>		3- Investigating Agency <input checked="" type="checkbox"/> 4- Other <input checked="" type="checkbox"/>	
LATOR	FL STATUTE NUMBER	NAME	CHARGE		CITATION #				

EA12-005 Peer - Chrysler - 09670



# FLORIDA TRAFFIC CRASH REPORT

☐ UPDATE ☒ CONTINUATION

MAIL TO: DEPT. OF HIGHWAY SAFETY & MOTOR VEHICLES  
TRAFFIC CRASH RECORDS  
TALLAHASSEE, FLORIDA 32399-0500

DO NOT WRITE IN THIS SPACE

		COUNTY/CITY CODE <b>28-00</b>		DATE OF CRASH <b>05-01-96</b>		INVEST. AGENCY REPORT NUMBER <b>96-04-07809-28</b>		HSMV CRASH REPORT NUMBER <b>50045326</b>							
Section	DRIVER ACTION 1 Phantom <input type="checkbox"/> 2 Hit & Run <input type="checkbox"/> 3 N/A <input type="checkbox"/>		YEAR	MAKE	TYPE	USE	VEH. LICENSE NUMBER	STATE	VEHICLE IDENTIFICATION NUMBER						
	TRAILER OR TOWED VEHICLE INFORMATION				TRAILER TYPE										
	VEHICLE TRAVELING N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W <input type="checkbox"/>		ON	At	Est. MPH	Posted Speed	EST. VEHICLE DAMAGE 1 Disabling 2 Functional 3 No Damage		EST. TRAILER DAMAGE						
	INSURANCE COMPANY (LIABILITY OR PIP)		POLICY NUMBER		VEHICLE REMOVED BY:		1 Tow Rotation List 2 Tow Owner's Request 3 Driver 4 Other								
	OWNER'S FULL NAME (Check if Driver)		CURRENT ADDRESS (Number and Street)		CITY AND STATE		ZIP CODE								
	OWNER'S FULL NAME (Trailer or Towed Vehicle)		CURRENT ADDRESS (Number and Street)		CITY AND STATE		ZIP CODE								
	DRIVER (Exactly as on Driver License) / Pedestrian		CURRENT ADDRESS (Number and Street)		CITY & STATE / ZIP CODE		DATE OF BIRTH								
	DRIVER LICENSE NUMBER		STATE	DL TYPE	REQ. END.	BAC TEST 3 Urine 1 Blood 4 Refused 2 Breath 5 None	RESULTS	AL/DRUG	PHYS. DEF.	RES	RACE	SEX	INJ.	S. EQUIP.	EJECT.
	HAZARDOUS MATERIALS BEING TRANSPORTED 1 Yes 2 No		PLACARDED	1 Yes 2 No	RECOMMEND RE-EXAM	1 Yes 2 No	If YES, Explain in Narrative		DRIVER'S PHONE NO.						
	PASSENGER'S NAME (Additional on Continuation Page)		CURRENT ADDRESS		CITY & STATE / ZIP		AGE		LOC.	INJ.	S. EQUIP.	EJECT.			

		COUNTY/CITY CODE <b>28-00</b>		DATE OF CRASH <b>05-01-96</b>		INVEST. AGENCY REPORT NUMBER <b>96-04-07809-28</b>		HSMV CRASH REPORT NUMBER <b>50045326</b>							
Section	DRIVER ACTION 1 Phantom <input type="checkbox"/> 2 Hit & Run <input type="checkbox"/> 3 N/A <input type="checkbox"/>		YEAR	MAKE	TYPE	USE	VEH. LICENSE NUMBER	STATE	VEHICLE IDENTIFICATION NUMBER						
	TRAILER OR TOWED VEHICLE INFORMATION				TRAILER TYPE										
	VEHICLE TRAVELING N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W <input type="checkbox"/>		ON	At	Est. MPH	Posted Speed	EST. VEHICLE DAMAGE 1 Disabling 2 Functional 3 No Damage		EST. TRAILER DAMAGE						
	INSURANCE COMPANY (LIABILITY OR PIP)		POLICY NUMBER		VEHICLE REMOVED BY:		1 Tow Rotation List 2 Tow Owner's Request 3 Driver 4 Other								
	OWNER'S FULL NAME (Check if Driver)		CURRENT ADDRESS (Number and Street)		CITY AND STATE		ZIP CODE								
	OWNER'S FULL NAME (Trailer or Towed Vehicle)		CURRENT ADDRESS (Number and Street)		CITY AND STATE		ZIP CODE								
	DRIVER (Exactly as on Driver License) / Pedestrian		CURRENT ADDRESS (Number and Street)		CITY & STATE / ZIP CODE		DATE OF BIRTH								
	DRIVER LICENSE NUMBER		STATE	DL TYPE	REQ. END.	BAC TEST 3 Urine 1 Blood 4 Refused 2 Breath 5 None	RESULTS	AL/DRUG	PHYS. DEF.	RES	RACE	SEX	INJ.	S. EQUIP.	EJECT.
	HAZARDOUS MATERIALS BEING TRANSPORTED 1 Yes 2 No		PLACARDED	1 Yes 2 No	RECOMMEND RE-EXAM	1 Yes 2 No	If YES, Explain in Narrative		DRIVER'S PHONE NO.						
	PASSENGER'S NAME (Additional on Continuation Page)		CURRENT ADDRESS		CITY & STATE / ZIP		AGE		LOC.	INJ.	S. EQUIP.	EJECT.			

INVESTIGATOR - RANK AND SIGNATURE <b>K.D. Overcash</b>		ID/BADGE NUMBER <b>1031/1902</b>	DEPARTMENT <b>FLORIDA HIGHWAY PATROL</b>	FHP <input checked="" type="checkbox"/>	SO <input type="checkbox"/>	CPD <input type="checkbox"/>	OTHER <input type="checkbox"/>
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#	PROPERTY DAMAGED - OTHER THAN VEHICLES	EST. AMOUNT	OWNER'S NAME	ADDRESS	CITY	STATE	ZIP
1	PROPERTY DAMAGED - OTHER THAN VEHICLES	\$	OWNER'S NAME	ADDRESS	CITY	STATE	ZIP
2	PROPERTY DAMAGED - OTHER THAN VEHICLES	\$	OWNER'S NAME	ADDRESS	CITY	STATE	ZIP
3	PROPERTY DAMAGED - OTHER THAN VEHICLES	\$	OWNER'S NAME	ADDRESS	CITY	STATE	ZIP
4	PROPERTY DAMAGED - OTHER THAN VEHICLES	\$	OWNER'S NAME	ADDRESS	CITY	STATE	ZIP

[illegible][illegible]

WITNESS - NAME		ADDRESS		CITY & STATE		ZIP	
				SPRING HILL FL			
				NEW PORT RICHEY FL			
WAS INVESTIGATION MADE AT SCENE? 1 - Yes <input checked="" type="checkbox"/> 2 - No - Where? <input type="checkbox"/>		IS INVESTIGATION COMPLETE? 1 - Yes <input checked="" type="checkbox"/> 2 - No - Why? <input type="checkbox"/>		DATE OF REPORT 05-01-96		PHOTOS TAKEN? 1 - Yes <input checked="" type="checkbox"/> 2 - No <input type="checkbox"/>	
3 - Investigating Agency <input checked="" type="checkbox"/> 4 - Other <input checked="" type="checkbox"/>							
VIOLATOR	FL STATUTE NUMBER	NAME	CHARGE	CITATION #			

RECEIVED  
MAY 21 1996  
EA12-005 Peer - Chrysler - 09672



# FLORIDA TRAFFIC CRASH REPORT

☐ UPDATE ☒ CONTINUATION  
MAIL TO: DEPT. OF HIGHWAY SAFETY & MOTOR VEHICLES  
TRAFFIC CRASH RECORDS  
TALLAHASSEE, FLORIDA 32399-0500

DO NOT WRITE IN THIS SPACE

		COUNTY/CITY CODE <b>28-00</b>		DATE OF CRASH <b>05-01-96</b>		INVEST. AGENCY REPORT NUMBER <b>96-04-07809-28</b>		HSMV CRASH REPORT NUMBER <b>50045326</b>							
Section 1	DRIVER ACTION 1 Phantom <input type="checkbox"/> 2 Hit & Run <input type="checkbox"/> 3 N/A <input type="checkbox"/>		YEAR	MAKE	TYPE	USE	VEH. LICENSE NUMBER	STATE	VEHICLE IDENTIFICATION NUMBER						
	TRAILER OR TOWED VEHICLE INFORMATION				TRAILER TYPE										
	VEHICLE TRAVELING N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W <input type="checkbox"/>		ON	At	Est. MPH	Posted Speed	EST. VEHICLE DAMAGE 1 Disabling 2 Functional 3 No Damage	EST. TRAILER DAMAGE	POINT OF IMPACT CIRCLE AREA OF DAMAGE 18 Undercarriage 19 Overturn 20 Windshield 21 Fire 22 Trailer						
	INSURANCE COMPANY (LIABILITY OR PIP)				POLICY NUMBER		VEHICLE REMOVED BY: 1 Tow Rotation List 2 Tow Owner's Request 3 Driver 4 Other								
	OWNER'S FULL NAME (Check if Driver)				CURRENT ADDRESS (Number and Street)			CITY AND STATE ZIP CODE							
	OWNER'S FULL NAME (Trailer or Towed Vehicle)				CURRENT ADDRESS (Number and Street)			CITY AND STATE ZIP CODE							
	DRIVER (Exactly as on Driver License) / Pedestrian				CURRENT ADDRESS (Number and Street)			CITY & STATE / ZIP CODE DATE OF BIRTH							
	DRIVER LICENSE NUMBER		STATE	DL TYPE	REQ. END.	BAC TEST 1 Blood 2 Breath 3 Urine 4 Refused 5 None	RESULTS	AL/DRUG	PHYS. DEF.	RES	RACE	SEX	INJ.	S. EQUIP.	EJECT.
	HAZARDOUS MATERIALS BEING TRANSPORTED 1 Yes <input type="checkbox"/> 2 No <input type="checkbox"/>		PLACARDED	1 Yes <input type="checkbox"/> 2 No <input type="checkbox"/>	RECOMMEND RE-EXAM	1 Yes <input type="checkbox"/> 2 No <input type="checkbox"/>	If YES, Explain in Narrative		DRIVER'S PHONE NO.						
	PASSENGER'S NAME (Additional on Continuation Page)				CURRENT ADDRESS			CITY & STATE / ZIP		AGE	LOC.	INJ.	S. EQUIP.	EJECT.	

Section 2	DRIVER ACTION 1 Phantom <input type="checkbox"/> 2 Hit & Run <input type="checkbox"/> 3 N/A <input type="checkbox"/>		YEAR	MAKE	TYPE	USE	VEH. LICENSE NUMBER	STATE	VEHICLE IDENTIFICATION NUMBER						
	TRAILER OR TOWED VEHICLE INFORMATION				TRAILER TYPE										
	VEHICLE TRAVELING N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W <input type="checkbox"/>		ON	At	Est. MPH	Posted Speed	EST. VEHICLE DAMAGE 1 Disabling 2 Functional 3 No Damage	EST. TRAILER DAMAGE	POINT OF IMPACT CIRCLE AREA OF DAMAGE 18 Undercarriage 19 Overturn 20 Windshield 21 Fire 22 Trailer						
	INSURANCE COMPANY (LIABILITY OR PIP)				POLICY NUMBER		VEHICLE REMOVED BY: 1 Tow Rotation List 2 Tow Owner's Request 3 Driver 4 Other								
	OWNER'S FULL NAME (Check if Driver)				CURRENT ADDRESS (Number and Street)			CITY AND STATE ZIP CODE							
	OWNER'S FULL NAME (Trailer or Towed Vehicle)				CURRENT ADDRESS (Number and Street)			CITY AND STATE ZIP CODE							
	DRIVER (Exactly as on Driver License) / Pedestrian				CURRENT ADDRESS (Number and Street)			CITY & STATE / ZIP CODE DATE OF BIRTH							
	DRIVER LICENSE NUMBER		STATE	DL TYPE	REQ. END.	BAC TEST 1 Blood 2 Breath 3 Urine 4 Refused 5 None	RESULTS	AL/DRUG	PHYS. DEF.	RES	RACE	SEX	INJ.	S. EQUIP.	EJECT.
	HAZARDOUS MATERIALS BEING TRANSPORTED 1 Yes <input type="checkbox"/> 2 No <input type="checkbox"/>		PLACARDED	1 Yes <input type="checkbox"/> 2 No <input type="checkbox"/>	RECOMMEND RE-EXAM	1 Yes <input type="checkbox"/> 2 No <input type="checkbox"/>	If YES, Explain in Narrative		DRIVER'S PHONE NO.						
	PASSENGER'S NAME (Additional on Continuation Page)				CURRENT ADDRESS			CITY & STATE / ZIP		AGE	LOC.	INJ.	S. EQUIP.	EJECT.	

INVESTIGATOR - RANK AND SIGNATURE <b>K.D. Overcash</b>		ID/BADGE NUMBER <b>1031/1902</b>	DEPARTMENT <b>FLORIDA HIGHWAY PATROL</b>	FHP <input checked="" type="checkbox"/>	SO <input type="checkbox"/>	CPD <input type="checkbox"/>	OTHER <input type="checkbox"/>
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# FLORIDA TRAFFIC CRASH REPORT

NARRATIVE / DIAGRAM  
MAIL TO: DEPT. OF HIGHWAY SAFETY & MOTOR VEHICLES  
TRAFFIC CRASH RECORDS  
TALLAHASSEE, FLORIDA 32399-0500

DO NOT WRITE IN THIS SPACE

EMS INFO FATALS ONLY	TIME EMS NOTIFIED 7:24	AM <input type="checkbox"/> PM <input checked="" type="checkbox"/>	TIME EMS ARRIVED 7:28	AM <input type="checkbox"/> PM <input checked="" type="checkbox"/>	COUNTY / CITY CODE 28-00	DATE OF CRASH 05-01-96	INVEST. AGENCY REPORT NUMBER 96-04-07809-28	HSMV CRASH REPORT NUMBER 50045326
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NARRATIVE / ADDITIONAL PASSENGERS

VEHICLE 2 (V2) WAS TRAVELING SOUTH ON US 19 (SR55) STOPPED IN MIDDLE THROUGH LANE. V2 WAS DISABLED AND FOUR WAY FLASHERS ON. VEHICLE 1 (V1) WAS TRAVELING SOUTH IN MIDDLE THROUGH LANE OF US 19 (SR55). TRAFFIC SIGNAL WAS GREEN FOR TRAFFIC SOUTH BOUND ON US 19 (SR55). V1 BRAKED, SKIDDING 24FT. STRIKING V2 IN REAR WITH FRONT. V1 CAME TO FINAL REST IN INTERSECTION 105 FT. SOUTH OF IMPACT. V2 TRAVELED SOUTH IN MIDDLE LANE, THEN TO WEST SHOULDER ACROSS DRIVEWAY STRIKING WOOD POST WITH FRONT AND COMING TO FINAL REST 668FT. SOUTH OF INITIAL IMPACT. V2 WAS DESTROYED BY FIRE.(77) V2 VEHICLE DEFECT MECHANICAL FAILURE. V2 DRIVER PRONOUNCED EXPIRED AT SCENE BY PARAMEDIC ANDY FOSSA AT 7:35 PM. HOMICIDE CASE: FHP-796-28-18 HOMICIDE INVESTIGATOR CPL K.W.RATCLIFF I.D.#690. NEXT OF KIN NOTIFIED BY TPR.R.EDWARDS I.D.#1105, 1:30 AM (05-02-96) PHOTOGRAPHS TAKEN BY CPL.K.W.RATCLIFF, CHANNEL 28 NEWS, AND CHARLES WIRSHELS (ST.PETE TIMES). ROADWAY GRADE -.03%

SEC. #	PASS. #	PASSENGER NAME	ADDRESS	CITY & STATE	ZIP	Age	Loc.	Inj.	Safety Equip.	Eject

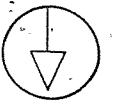
VIOLATOR	FL STATUTE NUMBER	NAME	CHARGE	CITATION #

WIT	CITY & STATE	ZIP
1		
2	NEW PORT RICHEY FL	

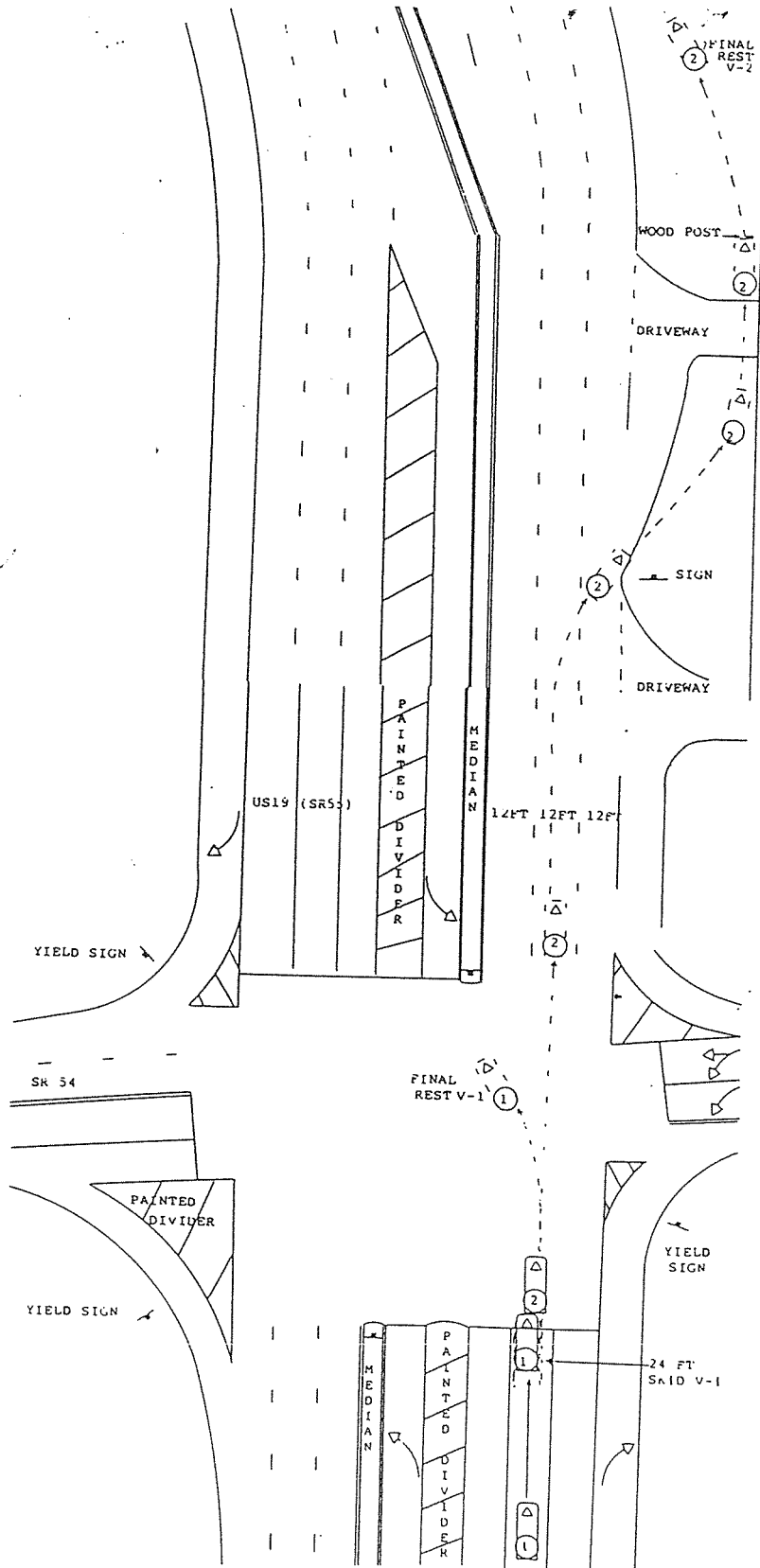
FIRST AID GIVEN BY - NAME: PASCO COUNTY	1 Physician or Nurse 2 Paramedic or EMT 3 Police Officer	4 Certified 1st Aider 5 Other	INJURED TAKEN TO: M.E. OFFICE H.C.A. COMM. HOSPITAL	BY - NAME: M.E. TRANSPORT PASCO COUNTY
WAS INVESTIGATION MADE AT SCENE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	WHERE?	IS INVESTIGATION COMPLETE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	DATE OF REPORT 05/01/96	PHOTOS TAKEN? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
INVESTIGATOR - RANK & SIGNATURE TPR.1 K.D. OVERCASH	ID / BADGE NUMBER 1031/1902	DEPARTMENT FLORIDA HIGHWAY PATROL	3 INVEST. AGENCY <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	4 OTHER <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO



DIAGRAM



INDICATE NORTH  
WITH ARROW





FPR-18-1996 13:21 FROM HF-C

LOL

TU

86636763

P. 83

GID/INVESTIGATIONS

Fax: 904-487-0667

133 7-8-96 3 924 2 P. 03/04

## TRAFFIC FATAL - R

FLORIDA HIGHWAY PATROL  
TRAFFIC FATALITY REPORT5-1-96  
Pasco RuralINVESTIGATING AGENCY FHP BROOKSVILLEDATE OF CRASH 05-01-96 TIME OF CRASH 7:22 PMCLASS OF INVESTIGATION 2 (THE CLASSIFICATION 1, 2, OR 3)WEATHER CLEAR + DRYCOUNTY PASCO CRASH SITE, RURAL OR URBAN: RURALCLASSIFICATION OF CRASH, TRAFFIC OR NON-TRAFFIC: TRAFFIC

NAME OF FATALITY

RACE W SEX F DATE OF BIRTHNEXT OF KIN NOTIFIED: YES ☒ NO ☐ IF YES - TIME NOTIFIED: 1:30 AMIDENTIFY FATALITY AS A DRIVER, PASSENGER, PEDESTRIAN, PEDALCYCLIST, OR  
MOTORCYCLIST: DRIVERLOCATION OF CRASH SR 55 + SR 54CRASH INVESTIGATOR OVERCASH K.D. "1031"  
(LAST NAME, INITIALS, ID NUMBER)HOMICIDE INVESTIGATOR BUTLIF K.W. "690"  
(LAST NAME, INITIALS, ID NUMBER)BRIEF DESCRIPTION (EVENTS INVOLVING CRASH OR SPECIAL CIRCUMSTANCES  
INVOLVED) VICTIMS VEH WAS DISABLED IN MIDDLE S/R  
THROUGH LANE OF SR 55. VICTIMS VEH WAS REAPPEARED  
BY ANOTHER S/R VEH. VICTIMS VEH TRAVELED TO WEST  
SHOULDER OF ROAD AND BURNT AFTER IMPACTSAFETY EQUIPMENT IN USE BY VICTIM: SEAT BELT ☒ CHILD RESTRAINT ☐  
MOTORCYCLE HELMET ☐ AIR BAG DEPLOYED ☐ NONE UTILIZED ☐ALCOHOL RELATED: YES ☐ NO ☐ UNKNOWN ☒MULTIPLE FATALITY: YES ☐ NO ☒ IF YES, ATTACH ADDITIONAL INFORMATIONDELAYED FATALITY: YES ☐ NO ☒  
IF YES - DATE AND TIME OF DEATHFHP TRAFFIC CRASH CASE NUMBER 96-04-07809-28FHP TRAFFIC HOMICIDE CASE NUMBER 796-28-18PAGE 1 OF 1

Revised 4/93



## ACCIDENT RECONSTRUCTION

### I. Vehicle specifications

	<u>1993 Ford F-150</u> (Vehicle 1)	<u>1988 Jeep Wrangler</u> (Vehicle 2)
curb weight <sup>†</sup>	4000 lb	3000 lb
passenger weight* <sup>‡</sup>	170 lb	140 lb
miscellaneous	150 lb <sup>‡</sup>	
total weight	4320 lb	3140 lb
stiffness category	8	7
ABG values	front	rear
A (lb/in)	480	300**
B (lb/in <sup>2</sup> )	50	55**
G (lb)	2315	818**

<sup>†</sup> Approximately. From NADA Official Used Car Guide

<sup>‡</sup> Tool box and tools. (page 16 of Hendershot's deposition)

<b>* <u>Occupants</u></b>	<b><u>Approximate weight</u></b>
	170 pounds (assume 50th percentile)
	140 pounds (assume 50th percentile)

\*\* Use stiffness category 7. Actual stiffness values can be adjusted from Chrysler crash tests, if there is any.



## Nomenclature

$M_1$	Total weight of the Ford F-150
$M_2$	Total weight of the Jeep Wrangler
$E_{A1}$	Crush energy of the Ford F-150
$E_{A2}$	Crush energy of the Jeep Wrangler
$E_A$	Total crush energy, $E_{A1} + E_{A2}$
$V_1'$	Pre-impact speed of the Ford F-150
$V_2'$	Pre-impact speed of the Jeep Wrangler, 0 mph (stopped)
$V_1''$	Post-impact speed of the Ford F-150
$V_2''$	Post-impact speed of the Jeep Wrangler
$\Delta V_1$	Delta-V of the Ford F-150
$\Delta V_2$	Delta-V of the Jeep Wrangler
$\mu_1''$	Effective coefficient of friction for the post-impact travel of the Ford F-150
$\mu_1'$	Effective coefficient of friction for the pre-impact travel of the Ford F-150
$S_1''$	Post-impact travel distance of the Ford F-150
$S_1'$	Pre-impact travel distance of the Ford F-150
$a_{ave}$	Average acceleration experienced by the Jeep Wrangler
$a_{max}$	Maximum acceleration experienced by the Jeep Wrangler
$\Delta T$	Duration of collision, normally 0.1 second



## II. Crush profile and crush energy of the Ford F-150 pickup

The crush profile of the Ford F-150 pickup is obtained from the measurements in the vehicle inspection. The C values, the crush depths of the front bumper, and the x values, the corresponding positions from right (passenger side) to left, are shown below.

	Crush depths $C_1 \cdots C_4$ (inch)		Along crush line $X_1 \cdots X_4$ (inch)
C1=	14.00	X1=	0.00
C2=	10.00	X2=	16.00
C3=	14.00	X3=	47.00
C4=	0.00	X4=	64.00

There are 4 points and 3 sections for the crush profile of the Ford F-150. The crush energy can then be calculated from each of the 3 sections.

$$\begin{aligned}
 E_{A1} &= n_1 \int_0^L \left( AC + \frac{1}{2} BC^2 + G \right) \Big|_{\substack{A=480 \\ B=50 \\ G=2315}} dx \\
 &= \sum_{i=1}^3 n_1 (x_{i+1} - x_i) \left[ \frac{A}{2} (C_i + C_{i+1}) + \frac{B}{6} (C_i^2 + C_i C_{i+1} + C_{i+1}^2) + G \right] \Big|_{\substack{A=480 \\ B=50 \\ G=2315}} \\
 &= \sum_{i=1}^3 1.29 (x_{i+1} - x_i) \left[ \frac{A}{2} (C_i + C_{i+1}) + \frac{B}{6} (C_i^2 + C_i C_{i+1} + C_{i+1}^2) + G \right] \Big|_{\substack{A=480 \\ B=50 \\ G=2315}} \\
 &= \sum_{i=1}^3 \text{Term } i \\
 &\rightarrow \text{Term } i = 1.13 (x_{i+1} - x_i) \left[ \frac{A}{2} (C_i + C_{i+1}) + \frac{B}{6} (C_i^2 + C_i C_{i+1} + C_{i+1}^2) + G \right] \Big|_{\substack{A=480 \\ B=50 \\ G=2315}}
 \end{aligned}$$

Term 1= 211,686.67 lb-in

Term 2= 410,142.92 lb-in

Term 3= 140,393.08 lb-in

EA1:

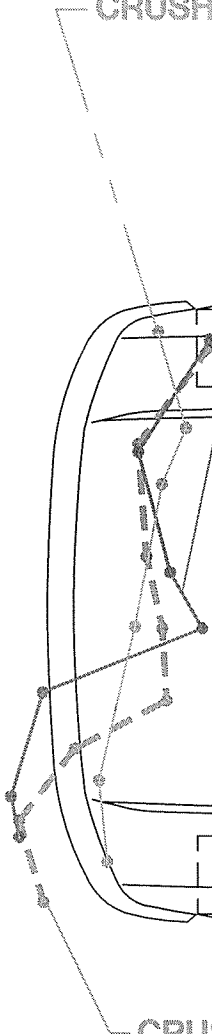
Sum 1 = 762,222.67 lb-in

Sum 2 = 63,518.56 lb-ft

Sum 3 = 2,045,297.49 lbm (ft/sec)<sup>2</sup>



Journal Pre-proof



## CRUSH PROFILE OF THE 1993 FORD F150 PICKUP

0 12 24 36



In the above,

$$\text{Sum 1} = \text{Term 1} + \text{Term 2} + \text{Term 3}$$

$$\text{Sum 2} = \frac{\text{Sum 1}}{12}$$

$$\text{Sum 3} = \text{Sum 2} \times g = \text{Sum 2} \times 32.2$$

$n_1$  is the crush energy adjustment ratio obtained from an NCAP crash test of a 1992 Ford F-150. This crash test will yield actual values for the stiffness characteristics of a 1993 Ford F-150.  $n_1$  is derived as follows.

The crush profile in this crash test:

	Crush depths $C_1 \cdots C_3$ (inch)		Along crush line $X_1 \cdots X_3$ (inch)
C1=	19.30	X1=	0.00
C2=	26.00	X2=	36.50
C3=	22.00	X3=	73.00

$$\begin{aligned}
 n_1 &= \frac{E_{\text{kinetic energy loss}}}{E_{\text{calculated crush energy}}} \\
 &\equiv \frac{\frac{1}{2} M_{\text{test}} V_{\text{test}}^2}{\int_0^L (AC + \frac{1}{2} BC^2 + G) dx \Big|_{\substack{A=480 \\ B=50 \\ G=2315}}} \\
 &= \frac{\frac{1}{2} M_{\text{test}} V_{\text{test}}^2}{\sum_{i=1}^2 (X_{i+1} - X_i) \left[ \frac{A}{2} (C_i + C_{i+1}) + \frac{B}{6} (C_i^2 + C_i C_{i+1} + C_{i+1}^2) + G \right] \Big|_{\substack{A=480 \\ B=50 \\ G=2315}}} \\
 &= \frac{KE \text{ loss}}{CE_1 + CE_2}
 \end{aligned}$$



$$KE\ loss = \frac{1}{2} M_{test} V_{test}^2 \quad \text{in } lbm(ft/sec)^2 \quad \begin{cases} M_{test} : \text{test vehicle weight,} \\ V_{test} : \text{impact speed in ft/sec} \end{cases}$$

$$CE\ 1 = (X_2 - X_1) \left[ \frac{A}{2} (C_1 + C_2) + \frac{B}{6} (C_1^2 + C_1 C_2 + C_2^2) + G \right]_{\substack{A=480 \\ B=50 \\ G=2315}} \times \frac{12}{32.2} \quad \text{in } lbm(ft/sec)^2$$

$$CE\ 2 = (X_3 - X_2) \left[ \frac{A}{2} (C_2 + C_3) + \frac{B}{6} (C_2^2 + C_2 C_3 + C_3^2) + G \right]_{\substack{A=480 \\ B=50 \\ G=2315}} \times \frac{12}{32.2} \quad \text{in } lbm(ft/sec)^2$$

Kinetic energy loss

Vehicle weight	4,610.00	pounds
Impact speed	34.80	mph
	51.05	ft/sec
<b>KE loss</b>	<b>6,007,493.86</b>	<b>lbm(ft/sec)^2</b>

Crush energy loss

CE 1	2,556,873.31	lbm(ft/sec)^2
CE 2	2,768,647.68	lbm(ft/sec)^2
<b>CE 1 + CE 2</b>	<b>5,325,520.99</b>	<b>lbm(ft/sec)^2</b>

Adjustment ratio

<b>n1</b>	<b>1.13</b>
-----------	-------------

Barrier equivalent velocity (BEV) is calculated in the following.

$$\begin{aligned} V_{1-BEV} &= \sqrt{\frac{2E_{A1}}{M_1}} \\ &= \sqrt{\frac{2 \times 2,045,297}{4320}} \\ &= 30.77 \quad ft/sec \\ &= 20.98 \quad mph \end{aligned}$$

**Conclusion:** The BEV of the Ford F-150 is approximately 21 mph.



### III. Crush profile and crush energy of the Jeep Wrangler

The crush profile of the Jeep Wrangler is obtained from the measurements in the vehicle inspection. The C values, the crush depths along the rear trim line above the license plate, and the x values, the corresponding positions from right (passenger side) to left, are shown below.

	Crush depths $C_1 \cdots C_4$ (inch)		Along crush line $X_1 \cdots X_4$ (inch)
C1=	8.00	X1=	0.00
C2=	11.00	X2=	4.00
C3=	9.00	X3=	20.00
C4=	12.00	X4=	60.00

There are 4 points and 3 sections for the crush profile of the Jeep Wrangler. The crush energy can then be calculated from each of the 3 sections.

$$\begin{aligned}
 E_{A2} &= \int_0^L \left( AC + \frac{1}{2} BC^2 + G \right) \Big|_{\substack{A=300 \\ B=55 \\ G=818}} dx \\
 &= \sum_{i=1}^3 (x_{i+1} - x_i) \left[ \frac{A}{2} (C_i + C_{i+1}) + \frac{B}{6} (C_i^2 + C_i C_{i+1} + C_{i+1}^2) + G \right] \Big|_{\substack{A=300 \\ B=55 \\ G=818}} \\
 &= \sum_{i=1}^3 (x_{i+1} - x_i) \left[ \frac{A}{2} (C_i + C_{i+1}) + \frac{B}{6} (C_i^2 + C_i C_{i+1} + C_{i+1}^2) + G \right] \Big|_{\substack{A=300 \\ B=55 \\ G=818}} \\
 &= \sum_{i=1}^3 \text{Term } i \\
 &\rightarrow \text{Term } i = (x_{i+1} - x_i) \left[ \frac{A}{2} (C_i + C_{i+1}) + \frac{B}{6} (C_i^2 + C_i C_{i+1} + C_{i+1}^2) + G \right] \Big|_{\substack{A=300 \\ B=55 \\ G=818}}
 \end{aligned}$$

Term 1=	24,682.00	lb-in
Term 2=	105,234.67	lb-in
Term 3=	280,820.00	lb-in
EA2:		
Sum 1 =	410,736.67	lb-in
Sum 2 =	34,228.06	lb-ft
Sum 3 =	1,102,143.39	lbm (ft/sec)^2



In the above,

$$\text{Sum 1} = \text{Term 1} + \text{Term 2} + \text{Term 3}$$

$$\text{Sum 2} = \frac{\text{Sum 1}}{12}$$

$$\text{Sum 3} = \text{Sum 2} \times g = \text{Sum 2} \times 32.2$$

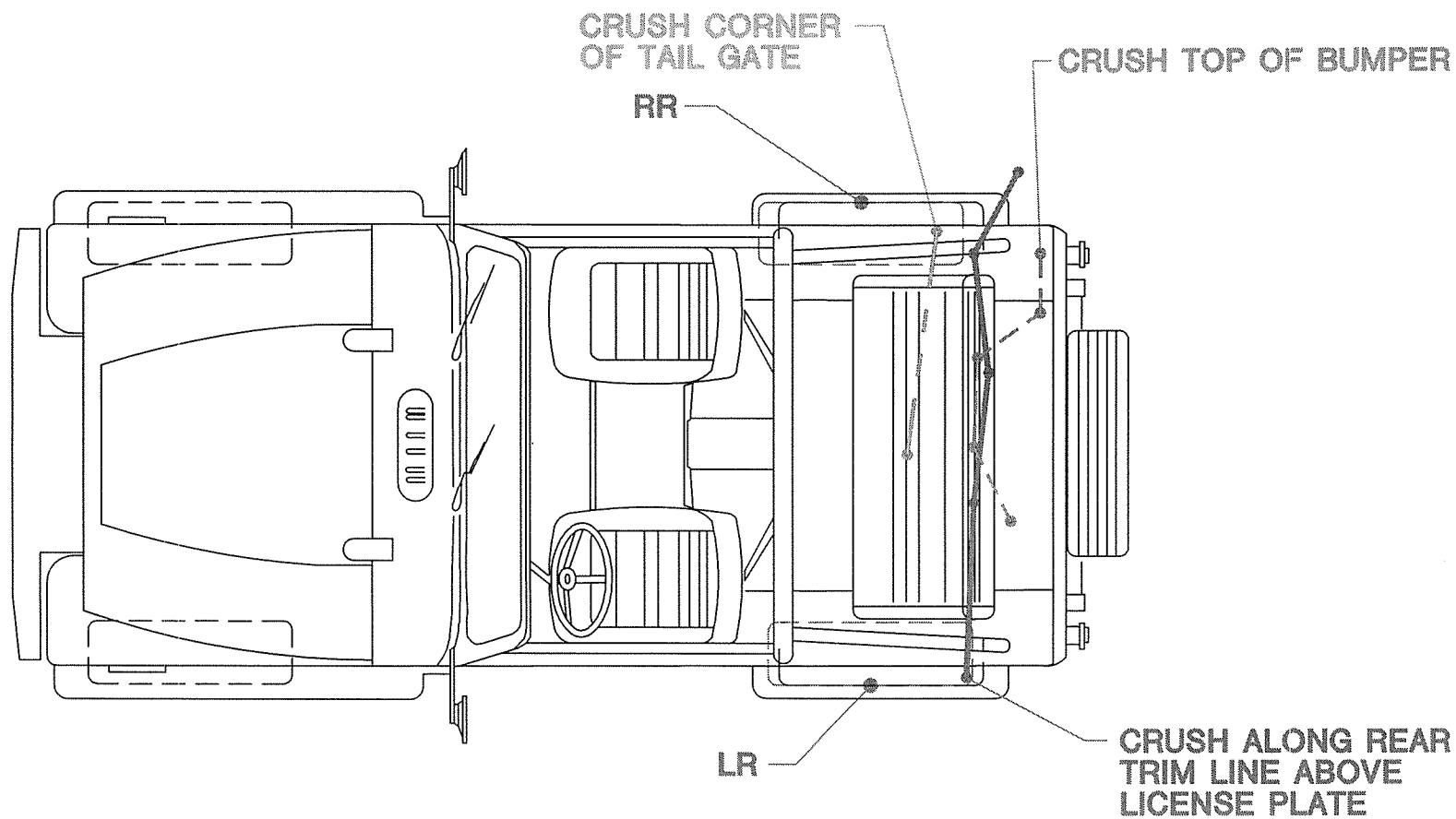
Barrier equivalent velocity (BEV) is calculated in the following.

$$\begin{aligned} V_{2-BEV} &= \sqrt{\frac{2E_{A2}}{M_2}} \\ &= \sqrt{\frac{2 \times 1,102,143}{3140}} \\ &= 26.50 \text{ ft/sec} \\ &= 18.06 \text{ mph} \end{aligned}$$

**Conclusion:** The BEV of the Jeep Wrangler is approximately 18 mph. Since there is no crash test available at this moment, the stiffness values of the Jeep Wrangler are selected from a suitable category and a Chrysler crash test, if there is any, can be used to produce a better estimate of the BEV.



**██████████ vs. CHRYSLER**  
**S.E.A. MATTER NO. 123456**



**CRUSH PROFILE OF THE 1988 JEEP WRANGLER**

0 12 24 36



#### IV. Total crush energy

The total crush energy is

$$\begin{aligned} E_A &= E_{A1} + E_{A2} \\ &= 97,746 \text{ } lb - ft \\ &= 3,147,440 \text{ } lbm \cdot ft^2 / sec^2 \end{aligned}$$



## V. Speed analysis

$M_1$	Total weight of the Ford F-150
$M_2$	Total weight of the Jeep Wrangler
$E_{A1}$	Crush energy of the Ford F-150
$E_{A2}$	Crush energy of the Jeep Wrangler
$E_A$	Total crush energy, $E_{A1} + E_{A2}$
$V_1'$	Pre-impact speed of the Ford F-150
$V_2'$	Pre-impact speed of the Jeep Wrangler, 0 mph (stopped)
$V_1''$	Post-impact speed of the Ford F-150
$V_2''$	Post-impact speed of the Jeep Wrangler
$\Delta V_1$	Delta-V of the Ford F-150
$\Delta V_2$	Delta-V of the Jeep Wrangler
$\mu_1''$	Effective coefficient of friction for the post-impact travel of the Ford F-150, 0.15-0.2
$\mu_1'$	Effective coefficient of friction for the pre-impact travel of the Ford F-150, 0.5-0.7
$S_1''$	Post-impact travel distance of the Ford F-150, ~102 feet
$S_1'$	Pre-impact travel distance of the Ford F-150, ~24 feet

The pre-impact speed of the F-150 and the post-impact speeds can be calculated by using the following equations.

$$\frac{1}{2} M_1 V_1'^2 = \frac{1}{2} M_1 V_1''^2 + \frac{1}{2} M_2 V_2''^2 + E_A$$
$$M_1 V_1' = M_1 V_1'' + M_2 V_2''$$

Since  $V_2'' \equiv V_1''$ , the above equations become:

$$\frac{1}{2} M_1 V_1'^2 = \frac{1}{2} (M_1 + M_2) V_1''^2 + E_A$$
$$M_1 V_1' = (M_1 + M_2) V_1''$$



This tire mark is not  
on the on-scene photos,  
beyond POI.



Thus, we have

$$\begin{aligned}V_1'' &= 23 \text{ mph} \\V_2'' &= 23 \text{ mph} \\V_1' &= 40 \text{ mph} \\\Delta V_1 &= 17 \text{ mph} \\\Delta V_2 &= 23 \text{ mph}\end{aligned}$$

The PDOF is approximately 12 o'clock to the F-150 and 6 o'clock to the Wrangler.

The initial speed of the F-150 is calculated in the following.

$$\begin{aligned}V_1 &= \sqrt{V_1''^2 + 30\mu_1'S_1'} \\&= \sqrt{40.1^2 + 30 \times (0.5 - 0.7) \times 24} \\&= 44.4 \text{ mph} \text{ when } \mu_1' = 0.5 \\&= 45.2 \text{ mph} \text{ when } \mu_1' = 0.6 \\&= 46.0 \text{ mph} \text{ when } \mu_1' = 0.7\end{aligned}$$

There are tire marks from the front tires of the F-150 prior to striking the Wrangler. That's why 0.5-0.7 was selected for the coefficient of friction of the F-150's pre-impact travel.

From the on-scene photos and police measurements, the F-150 traveled approximately 102 feet from the POI to the POR. With a tire mark (see on-scene photos) left by the jammed (see vehicle photos) right front tire of the F-150, the post-impact coefficient of friction for the F-150 is approximately 0.15 to 0.2. Then, the post-impact speeds of both vehicles would be:

$$\begin{aligned}V_1'' &= \sqrt{30\mu_1''S_1''} \\&= \sqrt{30 \times (0.15 - 0.2) \times 102} \\&= 21 \text{ mph} \text{ when } \mu_1'' = 0.15 \\&= 25 \text{ mph} \text{ when } \mu_1'' = 0.20\end{aligned}$$



$$\begin{aligned}
 V_2'' &\cong V_1'' \\
 &= 21 \text{ mph} \quad \text{when } \mu_1'' = 0.15 \\
 &= 25 \text{ mph} \quad \text{when } \mu_1'' = 0.20
 \end{aligned}$$

This is consistent with the results derived previously.

The speed changes appear to be reasonable for the damage to the windshield and steering wheel of the F-150 and the minor injuries sustained by the F-150 pickup driver.

#### Conclusion:

	Initial	Pre-impact	Post-impact	Delta-V
Ford F-150	44-46 mph	40 mph	23 mph	17 mph
Wrangler	0 mph	0 mph	23 mph	23 mph

#### Approximately:

	Initial	Pre-impact	Post-impact	Delta-V
Ford F-150	~45 mph	~40 mph	20-25 mph	15-20 mph
Wrangler	0 mph	0 mph	20-25 mph	20-25 mph



## VI. Accelerations experienced by the Jeep Wrangler

$\Delta V_1$  Delta-V of the Jeep Wrangler

$a_{ave}$  Average acceleration experienced by the Jeep Wrangler

$a_{max}$  Maximum acceleration experienced by the Jeep Wrangler

$\Delta T$  Duration of collision, normally 0.1 second

Based on NHTSA vehicle crash testing data, it is concluded that the effective impact period,  $\Delta T$ , is about 0.1 second. Therefore, the average acceleration will be

$$\begin{aligned}a_{ave} &= \frac{\Delta V_2}{\Delta T} \\&= \frac{23 \times 1.467}{0.1} \\&= 340 \text{ ft/sec}^2 \\&= 11 \text{ g}\end{aligned}$$

Also, the maximum acceleration would be about 2-3 times of the average value.

Thus,

$$\begin{aligned}a_{max} &= (2 - 3) \times a_{ave} \\&= 680 - 1020 \text{ ft/sec}^2 \\&= 21 - 32 \text{ g}\end{aligned}$$

### Conclusion:

	Average acceleration, G	Maximum acceleration, G
Wrangler	11	21-32





7349 Worthington-Galena Rd.  
Columbus, Ohio 43085  
614 888-4160

Fax 614 885-8014

45

### FAX TRANSMITTAL SHEET

TO: Sharon Kalway

FROM: \_\_\_\_\_

S.E.A. Contract No: 123456

Number of Documents: \_\_\_\_\_

Number of Pages: 3  
(including this page)

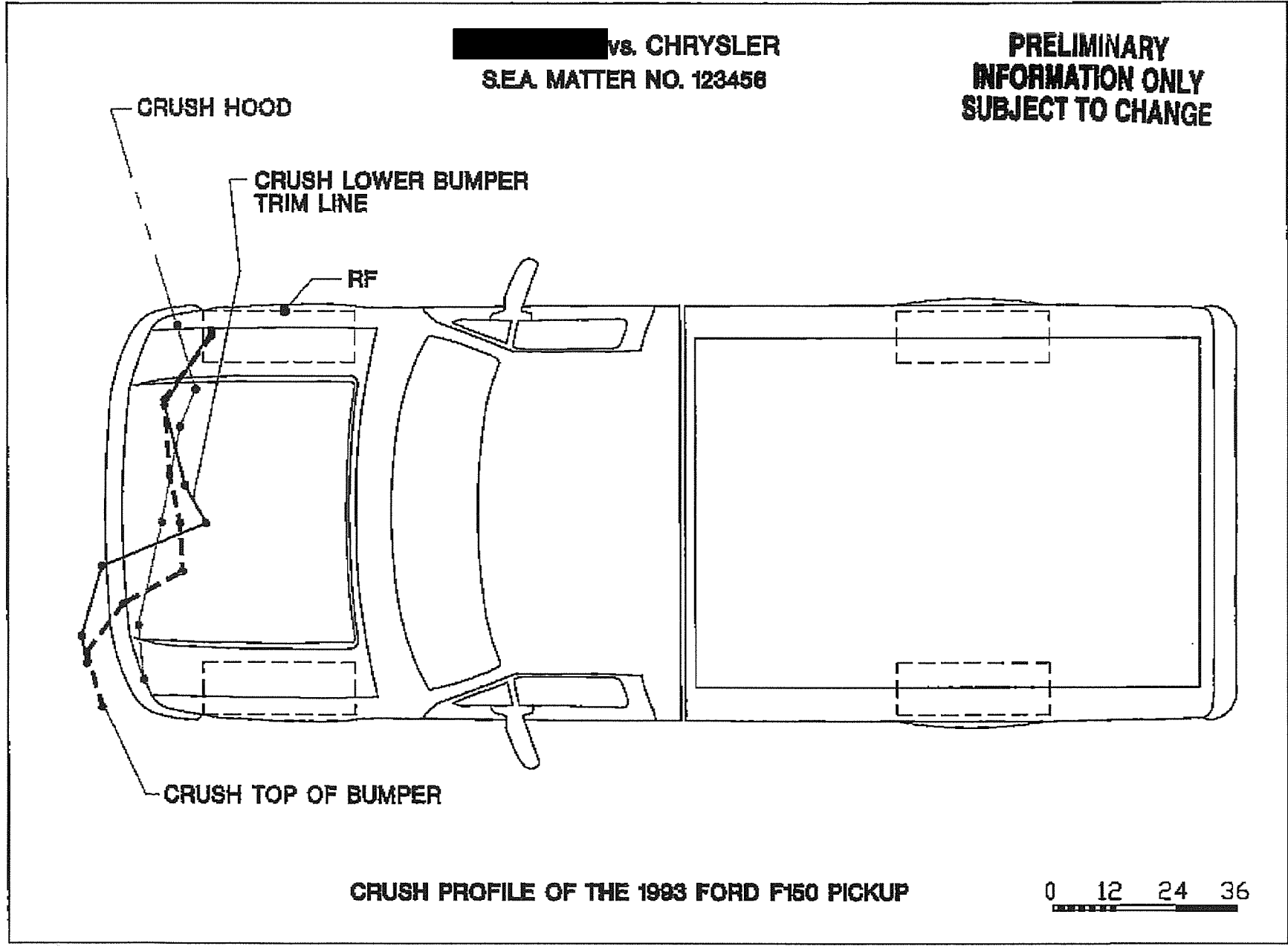
Sender's Name: Kay

Date Sent: 10 / 30 / 1997

Comments/Special Instructions: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

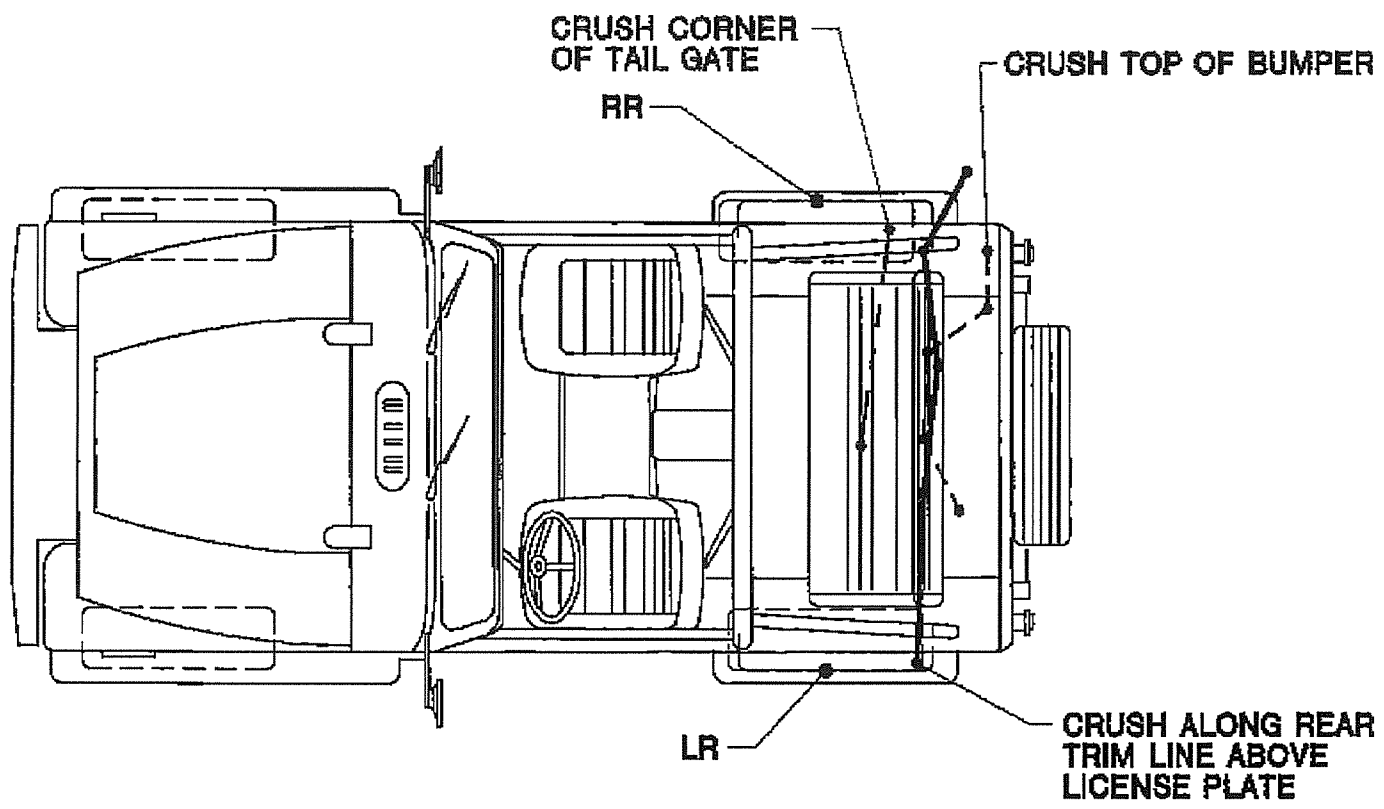






**██████████ vs. CHRYSLER**  
**S.E.A. MATTER NO. 123456**

**PRELIMINARY  
INFORMATION ONLY  
SUBJECT TO CHANGE**



**CRUSH PROFILE OF THE 1988 JEEP WRANGLER**

0 12 24 36  
INCHES



# FLORIDA HIGHWAY PATROL

SUBJECT:

**TRAFFIC HOMICIDE INVESTIGATOR RELEASE**

CASE NO.:

FHP796-28-18

TO:

**LAW ENFORCEMENT INVESTIGATOR I**  
Florida Highway Patrol

16026 State Road 52

Land O' Lakes, Fl. 34639

This is to certify that the above captioned case was referred to this office and:

- ☐ It is our legal opinion that no criminal prosecution is warranted.
- ☐ All prosecution and appeals are completed and you are hereby permitted to release any evidence related to this cause.

You are therefore permitted to release the contents of this report as a matter of public record.

\_\_\_\_\_  
(Signature of Prosecutor)

\_\_\_\_\_  
(Prosecutor's Name - Typed/Printed)

\_\_\_\_\_  
(Name of Prosecutor's Office)

\_\_\_\_\_  
(Date)

Case Number FHP796-28-18



# FLORIDA HIGHWAY PATROL



## TRAFFIC HOMICIDE INVESTIGATION

PREPARED BY: Corporal Kenneth W. Ratcliff  
Law Enforcement Investigator I

CASE NO. FHP796-28-18



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2	Cover Sheet (HSMV 62699) or (HSMV 62700)
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9-11	Reconstruction Diagram (HSMV 62703)
	Diagram (HSMV 62725)
12-16	Witness List (HSMV 62704)
	Statements and/or Written Interviews (If applicable) (HSMV 62705) (HSMV 62751) (HSMV 62752)
17	Chemical Test Information (HSMV 62706)
18	Property Taken Into Custody (Personal) (HSMV 62707)
19-20	Property Taken Into Custody (Vehicle) (HSMV 62708)
	Driver License Record
	Arrest Information (HSMV 62709)
	Other *
	*
	*
	*

Classification 2

Investigation Reviewed by: Sgt. D. L. Young 07-25-96  
Supervisor *[Signature]* Date

Case Number FHP796-28-18

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# INVESTIGATIVE REPORT

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## IDENTIFICATION

Wednesday, 05-01-96 at 7:22 PM, two (2) motor vehicles in transport were involved in a rear-end collision on U.S.19 (State Road 55), 70 feet north of State Road 54. One (1) vehicle subsequently became engulfed in fire. The crash occurred .5 mile south of New Port Richey, Pasco County, Florida. The crash resulted in one (1) injury and one (1) fatality.

### VEHICLE: V-1

V-1 is a 1993 Ford "F150" pick-up truck, maroon in color, owned by [REDACTED] New Port Richey, Florida [REDACTED] V-1 has a Florida tag [REDACTED] and the vehicle identification number is 1FTEF15Y1PN [REDACTED]

### Occupant: V-1: Driver:

[REDACTED], New Port Richey, Florida [REDACTED] is a [REDACTED] male. He was not utilizing the occupant restraint provided in V-1. He had a valid Florida Class E license with no restrictions or endorsements.

Injury: Minor, transported to HCA Columbia Hospital in New Port Richey, Fl. by Pasco Emergency Services.

### VEHICLE: V-2

V-2 is a 1988 American Motors "CJ-7" jeep, green in color, owned by [REDACTED] Pinellas Park, Florida [REDACTED] V-2 has a Florida tag "[REDACTED]" and the vehicle identification number is 2BCCU8124JE [REDACTED]

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## INVESTIGATIVE REPORT

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Occupant: V-2: Driver: [REDACTED],  
Pinellas Park, Florida [REDACTED] was a [REDACTED] female. She was  
utilizing the occupant restraint provided in V-2. She had a  
valid Florida Class E License with no restrictions or  
endorsements. Injury: Fatal, transported to the Medical  
Examiners Office in Largo, Florida by Semples Professional  
Removal Service.

### NARRATIVE

U.S.19 (State Road 55) is a six-lane, asphalt surfaced highway,  
three (3) lanes northbound and three (3) lanes southbound which  
are divided by a 4' wide concrete median. In addition, there are  
north and southbound left and right turn lanes with painted turn  
arrows servicing State Road 54. There is a 12' wide white  
painted divider separating the left turn lanes from the through  
lanes. The driving lanes are 12' wide with a 4' wide asphalt  
shoulder bordering the east and west edge of the road. The  
roadway edgelines and the individual lane dividers are solid  
white lines. At the area of the crash, the roadway is straight  
with a -.01% grade to the south. There is a white painted stop  
bar on the roadway surface of the southbound lanes 78' north of  
the intersection. Ten (10) vertical traffic control signals are  
suspended above the intersection to regulate the flow of  
traffic. A 45 speed limit sign for southbound traffic is posted  
.9 mile north of the crash scene.

Case Number FHP796-28-18

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## INVESTIGATIVE REPORT

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On May 1, 1996 at approximately 7:22 PM it was daylight, official sunset time was 8:04 PM. A hillcrest located approximately 612' north of the intersection creates a visual obstruction of the first one or two cars stopped at the southbound stop bar.

V-1 was southbound on U.S.19 in the center lane of travel enroute to the Holiday area. Meanwhile, V-2 was southbound on U.S.19 in the center lane of travel enroute to Pinellas Park. As V-2 approached the State Road 54 intersection, the traffic signal turned red and V-2 stopped 8' south of the stop bar. While stopped, V-2's engine quit for an unknown reason and V-2 became disabled. [REDACTED] activated V-2's emergency flashers and remained within the vehicle as she utilized her cellular phone to summon help. Several cycles of the traffic signals were completed and southbound traffic continued to stop and go around her disabled vehicle. As the southbound V-1 approached the State Road 54 intersection, the traffic signal displayed a steady green light and V-1 continued toward the intersection. [REDACTED]

[REDACTED] was distracted and failed to notice the stopped V-2 with its emergency flashers activated. Upon looking forward again, he noticed the stopped V-2 and applied V-1's brakes forcefully skidding 24' on the roadway surface. The front of V-1 struck the rear of V-2 resulting in severe damage to both vehicles. V-1's damage at impact included the front bumper, grille, right

Case Number FHP796-28-18

Page 6



## INVESTIGATIVE REPORT

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headlight assembly, hood, right fender, and misc. engine components with induced buckling damage to the passenger door. V-2's damage at impact included the rear bumper, left quarter panel, gas tank, undercarriage frame with a detached drive shaft. Spilled gas from V-2's damaged gas tank then spread onto the front hood of V-1 and rear of V-2 and ignited. At impact, the unrestrained [REDACTED] went forward striking the steering wheel, windshield, and dashboard resulting in contusions to his throat, face, nose, left shoulder and both knees. After the initial impact, V-1's forward momentum continued as V-1 pushed V-2 forward into the intersection. In the intersection, the two vehicles separated with V-1 coming to rest 105' south of the area of collision. Meanwhile, V-2 became engulfed in fire and continued to roll in a southwest direction toward the west shoulder. V-2 entered the shoulder and traveled down and then up the slopes of the shoulder, across the paved driveway of the Pasco Chrysler Plymouth dealership before coming to rest facing south on the west shoulder approximately 668' north of the area of collision. As V-2 rolled, [REDACTED] frantically tried to exit the vehicle, the fire intensified resulting in her death. At the time of the crash, the weather was clear and dry, there were no adverse environmental factors that contributed to this crash.



## INVESTIGATIVE REPORT

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On May 1, 1996 at 7:31 PM, I was notified by the Brooksville FHP dispatcher of the crash and subsequent fatality. I arrived at the crash scene at 8:04 PM and proceeded to photograph, measure, and record all available evidence. I observed V-1's pre-crash skidmarks, (right side skidmark, 19' and left side skidmark, 24') in the southbound centerlane and the area of collision marked by an offset in the skidmarks 8' south of the painted stop bar. I observed V-1 and V-2 at their final rest locations, V-1 within the intersection and V-2 on the west shoulder approximately 668' south of the collision area. V-1 had extensive frontal damage and minor fire damage across the front of the vehicle. V-2 with the deceased [REDACTED] within it, sustained extensive rear impact damage and total fire damage. Several crash witnesses were interviewed and their statements coincided with the physical evidence found at the crash scene. Based on the physical evidence and witness statements, it was determined that V-1 driven by [REDACTED] was southbound on State Road 55 in the center lane approaching the disabled V-2 occupied by [REDACTED]. V-1 failed to slow in time and rear-ended V-2 which was a violation of Florida Statute 316.1925. The crash resulted in the death of [REDACTED].

07-19-96

Case Number FHP796-28-18

Corporal

*[Signature]*

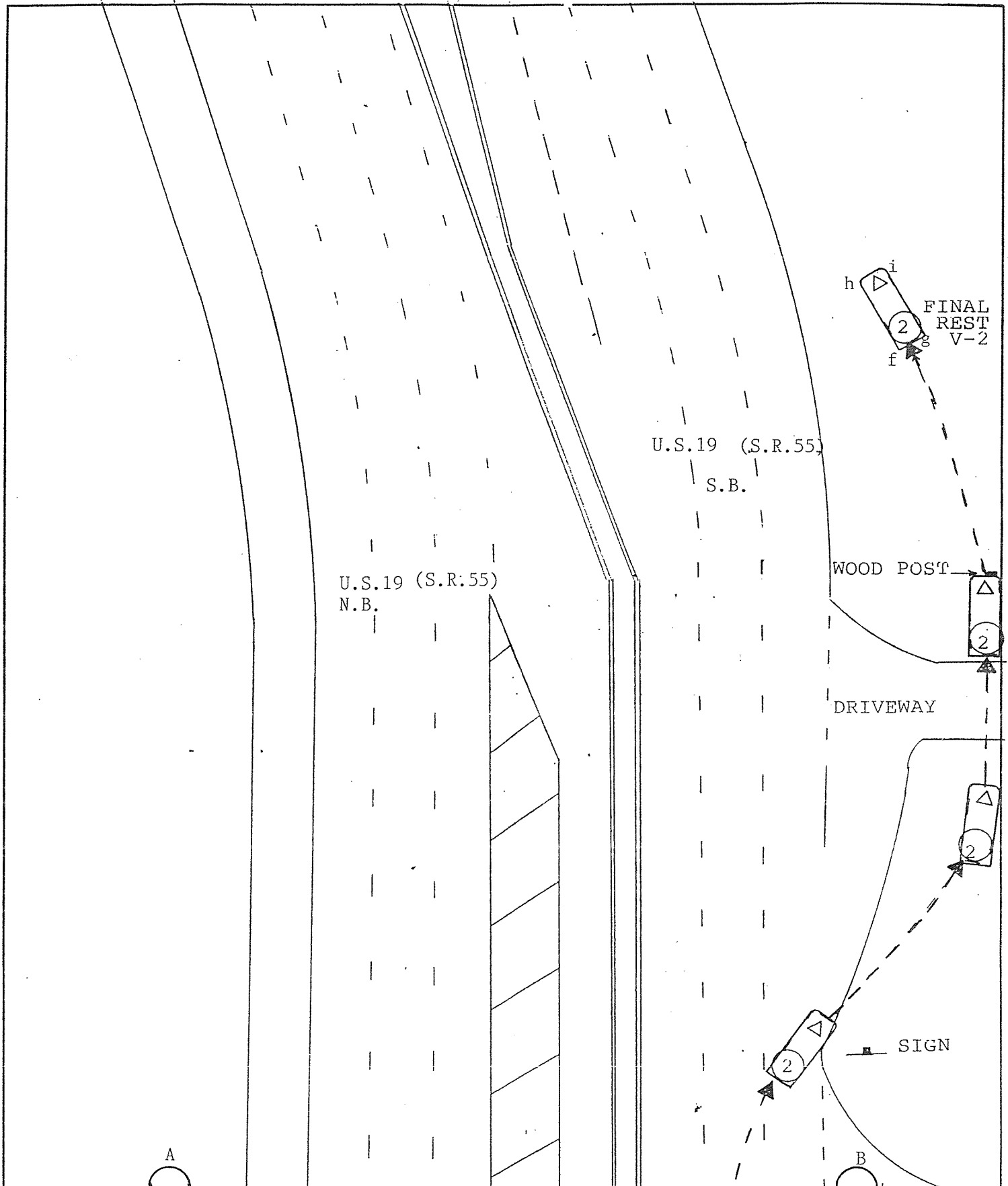
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# RECONSTRUCTION DIAGRAM



Case Number FHP796-28-18  
HSMV 62703 (Rev. 1/89)

DRIVEWAY  
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## LEGEND SHEET

Zero-pointA: The northeast intersection of the elongated lateral roadway edges of Baillies Bluff Rd. and the U.S.19 southbound inside lane.

Zero-point B: The southwest intersection of the elongated lateral roadway edges of U.S.19 and the south paved entrance to Pasco Chrysler, Plymouth Inc.

Reference Line: The west edge of U.S.19.

- a: Beginning of V-1's left front tire skidmark. 94' north of zero-point
- b: Beginning of V-1's right front tire skidmark. 89' north of zero-point
- c: Area of collision. 70' north of zero-point
- d: Left rear of V-1 at final rest. 15' south of zero-point
- e: Left front of V-1 at final rest. 32' south of zero-point
- f: Left rear of V-2 at final rest. 88'6" south of zero-point B, 28'8" west of the reference line.
- g: Right rear of V-2 at final rest. 90'4" south of zero-point B, 33' west of the reference line.
- h: Left front of V-2 at final rest. 98'4" south of zero-point B, 23'8" west of the reference line.
- i: Right front of V-2 at final rest. 100' south of zero-point B, 27'8" west of the reference line.



## WITNESS LIST

Name [REDACTED] Statement ☒ Yes ☐ No  
Address [REDACTED] New Port Richey, Fl. [REDACTED]  
Place of Employment [REDACTED] Hudson, Fl  
Phone Numbers: Home ([REDACTED])  
Can Testify To: Driver of V-1.

"Taped Statement on File at the Land O' Lakes FHP station"

Name [REDACTED] Statement ☒ Yes ☐ No  
Address [REDACTED] Spring Hill, Fl. [REDACTED]  
Place of Employment [REDACTED] 3939 U.S.19 New Port Richey, Fl  
Phone Numbers: Home ([REDACTED])  
Can Testify To: Heard crash and witnessed jeep burst into flames.

"Taped Statement on File at the Land O' Lakes FHP station"

Name [REDACTED] Statement ☒ Yes ☐ No  
Address [REDACTED] Spring Hill, Fl. [REDACTED]  
Place of Employment [REDACTED] New Port Richey, Fl. [REDACTED]  
Phone Numbers: Home ([REDACTED])  
Can Testify To: Heard Impact and witnessed jeep and truck in flames. Saw jeep go into ditch and become totally engulfed in flames.

"Taped Statement on File at the Land O' Lakes FHP station"

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## WITNESS LIST

Name [REDACTED] Statement ☒ Yes ☐ No

Address [REDACTED] Palm Harbor, Fl. [REDACTED]

Place of Employment [REDACTED] New Port Richey,

Phone Numbers: Home ([REDACTED]) Work ([REDACTED]) Fl. [REDACTED]

Can Testify To: Heard collision and observed jeep going southbound in flames and fire  
on front of truck.

"Taped Statement on File at the Land O' Lakes FHP station"

Name [REDACTED] Statement ☒ Yes ☐ No

Address [REDACTED] New Port Richey, Fl. [REDACTED]

Place of Employment [REDACTED] Lutz, Fl. [REDACTED]

Phone Numbers: Home [REDACTED]

Can Testify To: Northbound on U.S.19, heard screech and witnessed truck rear-end jeep and  
both vehicles engulfed in flames.

"Taped Statement on File at the Land O' Lakes FHP station"

Name [REDACTED] Statement ☒ Yes ☐ No

Address [REDACTED] New Port Richey, Fl. [REDACTED]

Place of Employment [REDACTED] New Port Richey, Fl.

Phone Numbers: Home ([REDACTED]) Work ([REDACTED])

Can Testify To: Heard boom and observed jeep going south on U.S.19 inflames and then observed  
truck on fire.

"Taped Statement on File at the Land O' Lakes FHP station"



## WITNESS LIST

Name [REDACTED] Statement ☒ Yes ☐ No  
Address [REDACTED] Tarpon Springs, Fl. [REDACTED]  
Place of Employment [REDACTED] New Port Richey, Fl. [REDACTED]  
Phone Numbers: Home ([REDACTED]) Work ([REDACTED])  
Can Testify To: Heard crash and witnessed jeep and truck in flames.

"Taped Statement on File at the Land O' Lakes FHP station"

Name [REDACTED] Statement ☒ Yes ☐ No  
Address [REDACTED] Holiday, Fl. [REDACTED]  
Place of Employment Retired  
Phone Numbers: Home ([REDACTED]) Work ([REDACTED]) N/A  
Can Testify To: Southbound on U.S.19 minutes before crash, observed disabled jeep with four way flashers on in center lane.

"Taped Statement on File at the Land O' Lakes FHP station"

Name [REDACTED] Statement ☐ Yes ☒ No  
Address [REDACTED] Spring Hill, Fl. [REDACTED]  
Place of Employment Unknown  
Phone Numbers: Home ([REDACTED]) None Work ([REDACTED]) Uk.  
Can Testify To: Crash Witness (Unable to locate Mr. [REDACTED] no longer employed by [REDACTED] and home phone disconnected.)



## WITNESS LIST

Name [REDACTED] Statement ☐ Yes ☐ No

Address [REDACTED] New Port Richey, Fl. [REDACTED]

Place of Employment Self-Employed window installer [REDACTED] New Port Richey, Fl.

Phone Numbers: Home ( [REDACTED] ) Work [REDACTED]

Can Testify To: Southbound on U.S.19. Observed V-2 disabled in center lane with four-way flashers on.

"Taped Statement on File at the Land O' Lakes FHP station"

Name Kirby D. Overcash (State Trooper) Statement ☐ Yes ☒ No

Address Florida Highway Patrol-16026 S.R.52 Land O' Lakes, Fl. 34639

Place of Employment State Trooper-Florida Highway Patrol, 16026 S.R.52 Land O' Lakes, Fl. 34639

Phone Numbers: Home (        ) Confidential Work ( 813 ) 996-7582

Can Testify To: Physical evidence observed at crash scene.

Name Dr. Marie Hansen (Medical Examiner) Statement ☐ Yes ☒ No

Address Medical Examiners Office-260 Ulmerton Rd. Largo, Fl. 34648

Place of Employment Medical Examiner-Medical Examiners Office, 260 Ulmerton Rd. Largo, Fl. 34648

Phone Numbers: Home (        ) N/A Work ( 813 ) 585-5671 582-6211

Can Testify To: Performed autopsy on deceased [REDACTED]



## WITNESS LIST

Name Ronald Bell (Toxicologist) Statement ☐ Yes ☒ No  
Address Medical Examiners Office-260 Ulmerton Rd. Largo, Fl. 34648  
Place of Employment Toxicologist-Medical Examiners Office, 260 Ulmerton Rd. Largo, Fl. 34648  
Phone Numbers: Home ( ) N/A Work (813 ) 585-5671  
Can Testify To: Blood Alcohol level of [REDACTED]

Name \_\_\_\_\_ Statement ☐ Yes ☐ No  
Address \_\_\_\_\_  
Place of Employment \_\_\_\_\_  
Phone Numbers: Home ( ) \_\_\_\_\_ Work ( ) \_\_\_\_\_  
Can Testify To: \_\_\_\_\_

Name \_\_\_\_\_ Statement ☐ Yes ☐ No  
Address \_\_\_\_\_  
Place of Employment \_\_\_\_\_  
Phone Numbers: Home ( ) \_\_\_\_\_ Work ( ) \_\_\_\_\_  
Can Testify To: \_\_\_\_\_



## CHEMICAL TEST INFORMATION

Name \_\_\_\_\_ ☐ Alive ☒ Deceased

Test Offered: ☐ Breath ☒ Blood ☐ Urine ☐ Other N/A

Was Test Refused: ☐ Yes ☒ No

### BREATH TEST INFORMATION

Test Requested By \_\_\_\_\_

Test Given By \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ ☐ a.m. ☐ p.m.

Location\_\_\_\_\_

Instrument \_\_\_\_\_

Results of Test\_\_\_\_\_

## BLOOD TEST INFORMATION

Test Requested By Cpl K.W. Ratcliff

Blood Drawn By Dr. Marie Hansen Title Medical Examiner

Date 05-02-96 Time 10:40 ☒ a.m. ☐ p.m. Location M.E. Office, Largo, Fl.

Analyzed By Ronald Bell

Results of Test .0%

## CHAIN OF POSSESSION

Received From Chain of custody maintained by Medical Examiners Office.

By \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ ☐ a.m. ☐ p.m.

Received From \_\_\_\_\_

By: \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ ☐ a.m. ☐ p.m.

Received From \_\_\_\_\_

By \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ ☐ a.m. ☐ p.m.

Received From \_\_\_\_\_

By \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ ☐ a.m. ☐ p.m.

Received From \_\_\_\_\_

By \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ ☐ a.m. ☐ p.m.

### ADDITIONAL COMMENTS

None.

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## PROPERTY TAKEN INTO CUSTODY (Personal)

Name [REDACTED]

Date and Time Removed N/A ☐ a.m. ☐ p.m. Where N/A

Removed By N/A

Total Amount of Money N/A

Jewelry (Describe) N/A

Purse (Describe) N/A

Wallet (Describe) N/A

Other Valuables (Describe) \_\_\_\_\_

"No personal property Was Removed by FHF Personnel"

Custody By N/A (Signature) Witnessed Inventory N/A (Signature)

Property Released To N/A (Signature) Telephone No. N/A

Address N/A

Date Released N/A Time N/A ☐ a.m. ☐ p.m.

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**PROPERTY TAKEN INTO CUSTODY  
(VEHICLE)**

Vehicle No. 1

Year and Make 1993 Ford Model F150 Type Pick Up truck

Color(s) Maroon Tag No. [REDACTED] State Florida

Accessories:	<u>5</u>	No. of Tires	<u>X</u>	Seat Belts
	<u>0</u>	No. of Hubcaps	<u>    </u>	Tools
	<u>X</u>	Radio	<u>    </u>	Clock
	<u>X</u>	Rearview Mirror	<u>X</u>	Trailer Hitch
	<u>X</u>	Side View Mirror	<u>X</u>	Heater
	<u>X</u>	Horn(s)	<u>X</u>	Air Conditioner
	<u>    </u>	Spotlight	<u>    </u>	Fog Lights
	<u>    </u>	CB Radio	<u>    </u>	Other Lights
	<u>    </u>	Tape Player	<u>    </u>	Tools (jack, etc.)

Other Property (Describe) 1 6' step ladder

1 hand truck

2 electrical extension cords

1 piece of rope

1 drywall screw gun

1 tool box containing misc. tools

1 brief case

1 garage door opener

1 umbrella

1 checkbook containing checks #384-#400

5 bank deposit slips

1 T-shirt

We certify that the above vehicle/property inventory is correct to the best of our knowledge.

Trooper /s/ K.W. Ratcliff Wrecker Driver /s/ Kevin Greene

Date/Time Inventoried 05-03-96 4:12 PM Location Potters Towing, 5522 S.R. 54 New Port Richey, Fl. 34654

Vehicle Towed To Potters Towing, 5522 S.R. 54 New Port Richey, Fl. 34654  
(Name) (Address)

Hold On Vehicle: ☒ Yes ☐ No If yes, why? Process and inventory for homicide investigation

Released By Cpl. K.W. Ratcliff Date/Time 05-03-96 4:20 PM

Released To Kevin Greene Date/Time 05-03-96 4:20 PM

Case Number FHP796-28-18



PROPERTY TAKEN INTO CUSTODY  
(VEHICLE)

Vehicle No. 2

Year and Make 1988 AMC Model CJ-7 Type Jeep

Color(s) Green Tag No. [REDACTED] State Florida

Accessories:

1 No. of Tires  
\_\_\_\_ No. of Hubcaps  
\_\_\_\_ Radio  
\_\_\_\_ Rearview Mirror  
\_\_\_\_ Side View Mirror  
\_\_\_\_ Horn(s)  
\_\_\_\_ Spotlight  
\_\_\_\_ CB Radio  
\_\_\_\_ Tape Player

\_\_\_\_ Seat Belts  
\_\_\_\_ Tools  
\_\_\_\_ Clock  
\_\_\_\_ Trailer Hitch  
\_\_\_\_ Heater  
\_\_\_\_ Air Conditioner  
\_\_\_\_ Fog Lights  
\_\_\_\_ Other Lights  
\_\_\_\_ Tools (jack, etc.)

Other Property (Describe) None

(Vehicle burnt extensively)

We certify that the above vehicle/property inventory is correct to the best of our knowledge.

Trooper /s/ K.W. Ratcliff Wrecker Driver /s/ Chris Sequiera

Date/Time Inventoried 05-03-96 5:00 PM Location Cox Car Care Center, 7018 U.S.19 New Port Richey, FL. 34652

Vehicle Towed To Cox Car Care Center, 7018 U.S.19 New Port Richey, FL. 34652  
(Name) (Address)

Hold On Vehicle: ☒ Yes ☐ No If yes, why? Process and inventory for homicide investigation.

Released By Cpl. K.W. Ratcliff Date/Time 05-03-96 5:05 PM

Released To Chris Sequiera Date/Time 05-03-96 5:05 PM

Case Number FHP796-28-18



# FLORIDA HIGHWAY PATROL

SUBJECT: **TRAFFIC HOMICIDE INVESTIGATOR RELEASE**

CASE NO.: FHP796-28-18

TO: **LAW ENFORCEMENT INVESTIGATOR I**  
**Florida Highway Patrol**

16026 State Road 52

Land O' Lakes, Fl. 34639

This is to certify that the above captioned case was referred to this office and:

- ☐ It is our legal opinion that no criminal prosecution is warranted.
- ☐ All prosecution and appeals are completed and you are hereby permitted to release any evidence related to this cause.

You are therefore permitted to release the contents of this report as a matter of public record.

\_\_\_\_\_  
(Signature of Prosecutor)

\_\_\_\_\_  
(Prosecutor's Name - Typed/Printed)

\_\_\_\_\_  
(Name of Prosecutor's Office)

\_\_\_\_\_  
(Date)

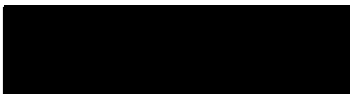
Case Number FHP796-28-18



**VEHICLE PHOTOS**

**TAKEN ON 5/01/96**

**BY CHARLES WIRSHELS**  
**(ST. PETERSBURG TIMES PHOTOGRAPHER)**

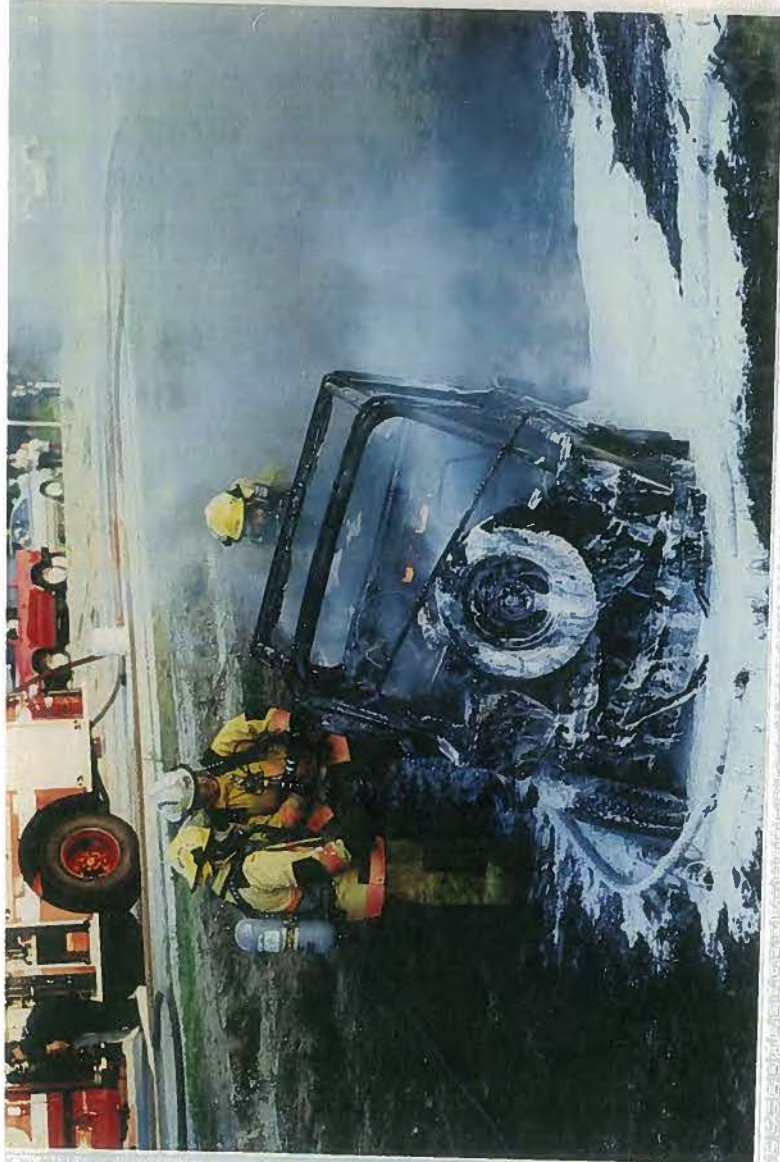
 **v. CHRYSLER**  
**17245.160**





EA12-005 Peer - Chrysler - 09908



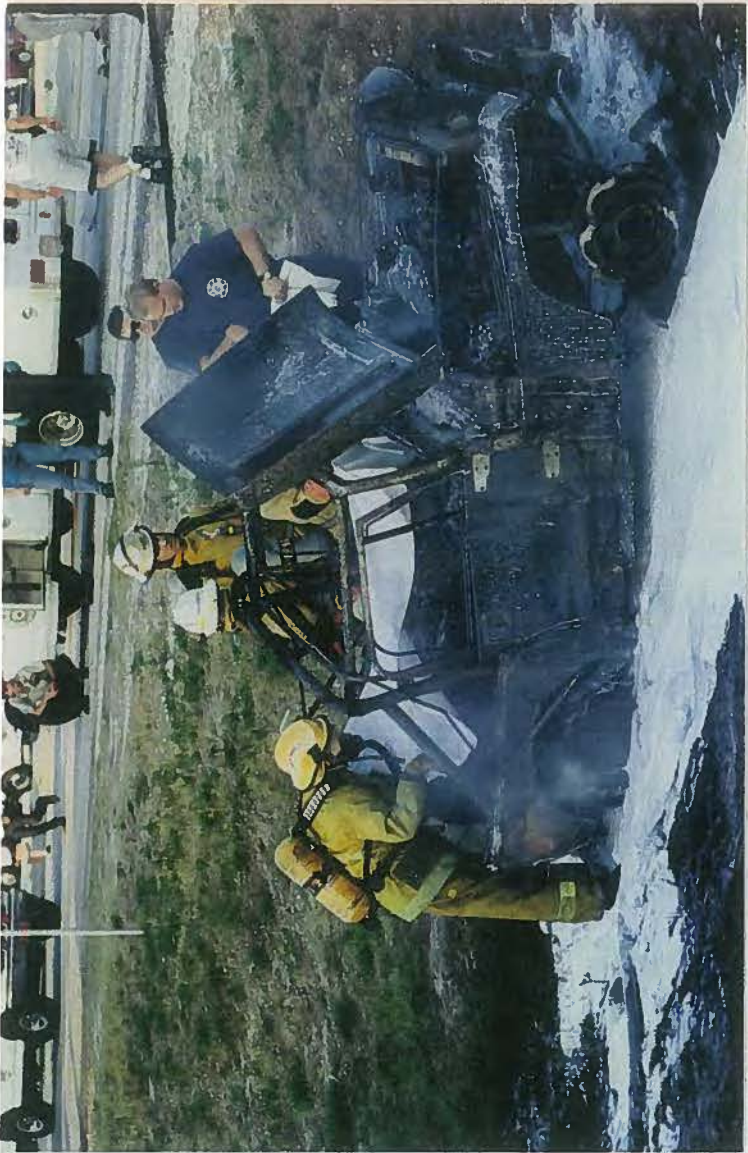


EA12-005 Peer - Chrysler - 09909





EAT 2-005 Peer - Chrysler - 09910







EA12-005 Peer - Chrysler - 09911









EA12-005 Peer - Chrysler - 09913