

DP14-001

GM

10/3/2014

ATTACHMENT 1

Q 03

725903

**Service of Process
Transmittal**

03/21/2011

CT Log Number [REDACTED]

TO: Rosemarie Williams
General Motors Legal Staff
400 Renaissance Center, Mail Code 482-038-210
Detroit, MI 48265-4000

RE: Process Served in Delaware

FOR: General Motors Company (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: [REDACTED], an incapacitated person, by and through her Estate, Administered by her Guardian, Rhonda Bunch, Pltf. vs. General Motors Company, et al., Dfts.

DOCUMENT(S) SERVED: Summons, Proof of Service Form, Notice(s), Complaint, First Amended Complaint, Entry(s), Certificate(s) of Service

COURT/AGENCY: United States District Court - Western District, OK
Case # 511cv00203

NATURE OF ACTION: Product Liability Litigation - Manufacturing Defect - Personal Injury - On December 20, 2010, on State Highway 7, in Stephens County, OK, Sarah Ann Miller was a seat belted front passenger in a 2007 Chevrolet Colbalt (VIN 1G1AK55F577[REDACTED]), when the driver attempted to pass another vehicle they collided nearly head on causing personal injuries to plaintiff due to defects of air bags not deploying, seat belts were defective because they unlatched during the collision and inadequate distances of the occupant to the interior surface

ON WHOM PROCESS WAS SERVED: The Corporation Trust Company, Wilmington, DE

DATE AND HOUR OF SERVICE: By Certified Mail on 03/21/2011 postmarked on 03/15/2011

JURISDICTION SERVED : Delaware

APPEARANCE OR ANSWER DUE: Within 21 days after service, not counting the day of receipt

ATTORNEY(S) / SENDER(S): John M. Merritt
Merritt & Associates, P.C.
917 N. Robinson
Oklahoma City, OK 73102
405-236-2222

ACTION ITEMS: CT has retained the current log, Retain Date: 03/21/2011, Expected Purge Date: 03/26/2011
Image SOP
SOP Papers with Transmittal, via Fax, Rosemarie Williams 313-665-7572
Email Notification, GM Verification GMVerification@wolterskluwer.com

SIGNED: The Corporation Trust Company
PER: Scott LaScala
ADDRESS: 1209 Orange Street
Wilmington, DE 19801
TELEPHONE: 302-658-7581

AO440(Rcv.12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the
Western District of Oklahoma

[REDACTED], an incapacitated person, by and)
through her Estate, Administrated by her Guardian,)
[REDACTED],)

Plaintiff(s),)

v.)

General Motors Company, et al.,)

Defendant(s).)

Case No. [REDACTED]

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

General Motors Company

by serving: The Corporation Trust Company

Corporation Trust Center, 12009 Orange St.

Wilmington, DE 90000010

OR ANY ADDRESS WHERE THEY MAY BE FOUND

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) - or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12(a)(2) or (3) - you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

John M. Merritt, #6146

Merritt & Associates, P.C.

917 N. Robinson

Oklahoma City, OK 73102 (405) 236-2222 (405) 232-8630

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.



SUMMONS ISSUED:

9:55 am, Feb 28, 2011

ROBERT D. DENNIS, Clerk

By: 
Deputy Clerk

Signed and sealed by the Clerk of the Court or Deputy Clerk.

AO 440 (Rev. 02/09) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4(l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____

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

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

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Docket Clerk

From: okwd_ecf_notice@okwd.uscourts.gov

Sent: Monday, February 28, 2011 10:58 AM

To: okwdecf@okwd.uscourts.gov

Subject: Activity in Case [REDACTED] v. General Motors Company et al Summons Issued

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

Western District of Oklahoma[LIVE]

Notice of Electronic Filing

The following transaction was entered on 2/28/2011 at 10:58 AM CST and filed on 2/28/2011

Case Name: [REDACTED] v. General Motors Company et al

Case Number: [REDACTED]

Filer:

Document Number: 3

Docket Text:

Summons Issued Electronically as to General Motors Company. (brs)

5:11-cv-00203-W Notice has been electronically mailed to:

[REDACTED]

[REDACTED] Notice has been delivered by other means to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1041971380 [Date=2/28/2011] [FileNumber=1930545-0]
] [33fe9b843ff24295eca6c0af321b1b9ef97d0c428bc8383af303f3a5454a2d04865
d7be2314096d5617d9bb82bd5f4cb38e8b2808b162ce07bbb44ee1597e1b4]]

3/2/2011

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

[REDACTED], an incapacitated)
person, by and through her Estate,)
Administered by her Guardian, [REDACTED])

PLAINTIFF,)

V.)

Case No.:

1) GENERAL MOTORS COMPANY;)

2) T. K. HOLDINGS, INC.;)

3) [REDACTED]; and)

4) TRW VEHICLE SAFETY SYSTEMS,)
INC.,)

DEFENDANTS.)

COMPLAINT

PLAINTIFF STATES:

1. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1332, as the Plaintiff and all Defendants are citizens of different states and the matter in controversy exceeds the sum or value of \$75,000.00 exclusive of interest and costs.

2. Plaintiff [REDACTED], are citizens of the State of Mississippi and Defendant, [REDACTED], is a citizen of the State of Texas, at the time of the filing of this action.

3. Defendants, General Motors Company and T. K. Holdings, Inc., are corporations

organized and existing under the laws of the State of Delaware and Delaware, with their principal places of business in the State of Michigan and Michigan, at the time of the filing of this action. TRW Vehicle Safety Systems, Inc., is a corporation existing under the laws of a state other than Mississippi and/or Texas with its principal place of business in a state other than Mississippi or Texas.

4. Defendants may be served with summons in this Federal District as follows:

General Motors Company by serving its registered agent, The Corporation Trust Company, Corporation Trust Center, 12009 Orange St., Wilmington, DE 90000010;

T. K. Holdings, Inc., by serving its registered agent, The Corporation Trust Company, Corporation Trust Center, 12009 Orange St., Wilmington, DE 90000010.

5. Defendant, [REDACTED], may be served as follows: By serving such Defendant at [REDACTED], Longview, Texas [REDACTED].

6. Defendant, TRW Vehicle Safety Systems, Inc., may be served as follows: By serving CSC-Lawyers Incorporating Service Company, 601 Abbott Road, East Lansing, MI 48823.

7. Defendants, General Motors Corporation, TRW Vehicle Safety Systems, Inc., and T. K. Holdings, Inc. were, at all times complained of herein, doing acts of business within this State or territory and such acts constituted the nexus of the damages complained of herein, and General Motors Company at the time of the filing of this suit is doing business in the State of Oklahoma.

8. Defendants, General Motors Corporation, TRW Vehicle Safety Systems, Inc., and T. K. Holdings, Inc., committed acts of negligence outside this State or territory resulting in the incident and damages complained of herein occurring within this State.

9. Defendants, General Motors Corporation, TRW Vehicle Safety Systems, Inc., and T. K. Holdings, Inc., manufactured, designed, distributed, furnished, leased and/or sold in a national marketing scheme a defective product which foreseeably found its way into this State resulting in the incident and damages complained of herein occurring within this State.

10. General Motors Company has assumed liability for all injuries complained of herein which were caused by the acts and/or omission of General Motors Corporation complained of herein.

11. The incident complained of occurred within this Federal District.

12. The incident complained of occurred on or about December 20, 2010.

13. The incident complained of herein occurred in the following manner: [REDACTED] [REDACTED] was a properly seat belted right front passenger in a 2007 Chevrolet Cobalt driven by [REDACTED] traveling eastbound on State Highway 7. [REDACTED] was driving a 2006 Hyundai Sonata westbound on State Highway 7, attempting to pass another vehicle when he collided nearly head on with the [REDACTED] vehicle.

14. The incident complained of herein occurred at or near the following location: On [REDACTED], 40 miles west of the city of Velma, in Stephens County, Oklahoma.

15. Plaintiff, [REDACTED], is the Guardian of the estate of such Plaintiff's [REDACTED] named

above.

16. The individual who received personal injuries as a result of the acts complained of herein is [REDACTED]

17. The physical injuries of [REDACTED] consist of the following: the muscles, tendons, ligaments, bony structures, nerve centers, blood vessels and soft tissues of such person(s) body were pulled, torn, strained, traumatized, and their functions permanently impaired.

Additional injuries are as follows: Traumatic brain injury, broken jaw and severe leg injuries.

These injuries are permanent, consciously painful, progressive and disfiguring, and Plaintiff has been damaged in an amount in excess of SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00) for such injuries, for past and future medical bills, past and future physical and mental pain and suffering, past and future disability and disfigurement, past and future loss of enjoyment of life, and past and future loss of earnings.

18. The acts of General Motors Corporation and the acts of the other Defendants herein proximately caused and contributed to the injuries and damages complained of herein.

19. The acts of General Motors Corporation and the acts of the other Defendants herein combined and commingled to produce the injuries and damages complained of herein.

20. The injuries and damages complained of herein were a result of the acts of Defendant, General Motors Corporation, as follows:

A. General Motors Corporation breached the following duties under manufacturers' products liability, and committed the following acts of negligence which violated the customary and usual procedures generally recognized and accepted in Defendants' industry and which violated industry standards.

B. General Motors Corporation breached its implied warranty of fitness and its implied warranty of merchantability.

C. The product referred to below was defective in its condition, design, and/or manufacture when it was placed in the normal channels of commerce as follows:

(1) Plaintiff(s) contend(s) that the vehicle was defective because its air bags did not deploy during such crash when the crash forces were such that the air bags should have deployed.

(2) Plaintiff(s) contend(s) the seat belts of such vehicle were defective because they either inertially unlatched or inadvertently unlatched during the collision and/or did not adequately restrain [REDACTED] all in violation of FMVSS 208 and 209.

(3) Plaintiff(s) contend(s) the interior compartment was designed with inadequate distances from the position of the occupant to the interior surfaces of the occupant compartment.

(4) Plaintiff(s) contend(s) that the vehicle was not designed and manufactured in such a manner so to prevent a belted occupant from receiving serious disabling injuries during foreseeable crash forces.

- D. The product was negligently designed as stated above.
- E. There was inadequate testing and inspection of the product prior to its release.
- F. There were no adequate warnings or instructions placed on the product or that accompanied the product, which were communicated to the user as to the proper manner of use of such product or dangers associated with the use of such product.
- G. General Motors Corporation failed to exercise its post-sale duty to warn of such dangers or to modify their product to eliminate such hazards.
- H. General Motors Corporation violated generally recognized and accepted industry standards in the design and/or manufacture of the product.
- I. General Motors Corporation violated governmental standards and/or regulations in the manufacture, design and/or marketing of its product.
- J. General Motors Corporation breached its express warranties in that such product was reported in advertising, literature, and manuals as being safe when it was not.
- K. The description of the product is as follows:

2007 Chevrolet Cobalt, VIN #1G1AK55F577 [REDACTED].

For the above reasons, said product was unreasonably dangerous beyond the contemplation of the average user.

- L. General Motors Corporation failed to exercise its duty under Section 577.7 of the Federal Motor Vehicle Safety Standards, which requires a manufacturer of motor vehicles or replacement equipment to notify the owner of such equipment of such defects, hazards and

danger and/or recall such equipment.

21. The injuries and damages complained of herein were a result of the acts of Defendant, T. K. Holdings, Inc., as follows:

A. T. K. Holdings, Inc. breached the following duties under manufacturers' products liability, and committed the following acts of negligence which violated the customary and usual procedures generally recognized and accepted in Defendant's industry and which violated industry standards.

B. T. K. Holdings, Inc. breached its implied warranty of fitness and its implied warranty of merchantability.

C. The product referred to below was defective in its condition, design, and/or manufacture when it was placed in the normal channels of commerce as follows:

(1) Plaintiff(s) contend the seat belts of the above described vehicle were defective because such seat belts inertially unlatched or inadvertently unlatched and/or inadequately restrained [REDACTED] all in violation of FMVSS 208 and 209

D. The product was negligently designed as stated above.

E. There was inadequate testing and inspection of the product prior to its release.

F. There were no adequate warnings or instructions placed on the product or that accompanied the product, which were communicated to the user as to the proper manner of use of such product or dangers associated with the use of such product.

G. T.K. Holdings, Inc. failed to exercise its post-sale duty to warn of such dangers or to

modify their product to eliminate such hazards.

H. T.K. Holdings, Inc. violated generally recognized and accepted industry standards in the design and/or manufacture of the product.

I. The description of the product is as follows:

The right front passenger seat belt of the above described 2007 Chevrolet Cobalt vehicle.

For the above reasons, said product was unreasonably dangerous beyond the contemplation of the average user.

J. T.K. Holdings, Inc. failed to exercise its duty under Section 577.7 of the Federal Motor Vehicle Safety Standards, which requires a manufacturer of motor vehicles or replacement equipment to notify the owner of such equipment of such defects, hazards and danger and/or recall such equipment.

22. The injuries and damages complained of herein were a result of the acts of Defendant, [REDACTED] as follows:

- A. Such Defendant operated his vehicle in a negligent and reckless manner.
- B. Such Defendant operated his vehicle to the left of the center of the roadway.
- C. Such Defendant attempted to pass another vehicle when it was not safe to do so.
- D. Such Defendant operated his vehicle at an unsafe speed.

23. The injuries and damages complained of herein were a result of the acts of Defendant, TRW Vehicle Safety Systems Inc., as follows:

A. TRW Vehicle Safety Systems, Inc. breached the following duties under manufacturers' products liability, and committed the following acts of negligence which violated the customary and usual procedures generally recognized and accepted in Defendant's industry and which violated industry standards.

B. TRW Vehicle Safety Systems, Inc. breached its implied warranty of fitness and its implied warranty of merchantability.

C. The product referred to below was defective in its condition, design, and/or manufacture when it was placed in the normal channels of commerce as follows:

(1) The passenger air bag system was defectively manufactured and designed so that it would not deploy in a front accident which would occur at a Delta V and direction of force which should deploy such air bag system.

D. The product was negligently designed as stated above.

E. There was inadequate testing and inspection of the product prior to its release.

F. There were no adequate warnings or instructions placed on the product or that accompanied the product, which were communicated to the user as to the proper manner of use of such product or dangers associated with the use of such product.

G. Defendant failed to exercise its post-sale duty to warn of such dangers or to modify their product to eliminate such hazards.

H. Defendant violated generally recognized and accepted industry standards in the design and/or manufacture of the product.

I. Defendant violated the following governmental standards and/or regulations in the manufacture, design and/or marketing of its product: FMVSS 208.

J. The description of the product is as follows:

The passenger air bag system in the above described 2007 Chevrolet Cobalt vehicle. For the above reasons, said product was unreasonably dangerous beyond the contemplation of the average user.

24. All of the acts committed by General Motors Corporation, TRW Vehicle Safety Systems, Inc., T.K. Holdings, Inc., and [REDACTED], amounted to a reckless disregard for the rights of others and were committed intentionally and with malice toward others with evidence of a conscious indifference for the life and safety of [REDACTED] and therefore the Plaintiff has been damaged in an amount in excess of the amount required for diversity jurisdiction pursuant to 28 U.S.C. Sec. 1332 for punitive or exemplary damages.

WHEREFORE, Plaintiff prays judgment in the amounts recited above, plus costs, interest, attorney's fees, and such other relief as the Court may deem proper.

ATTORNEYS' LIEN CLAIMED

JURY TRIAL DEMANDED



JOHN M. MERRITT - OBA #6146
MERRITT & ASSOCIATES, P.C.
P. O. BOX 1377
OKLAHOMA CITY, OKLAHOMA 73101
(405) 236-2222 FAX (405) 232-8630
Docket.clerk@merrittfirm.com
ATTORNEY FOR PLAINTIFF

Docket Clerk

From: okwd_ecf_notice@okwd.uscourts.gov

Sent: Monday, February 28, 2011 10:57 AM

To: okwdecf@okwd.uscourts.gov

Subject: Activity in Case [REDACTED] v. General Motors Company et al Complaint

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

Western District of Oklahoma[LIVE]

Notice of Electronic Filing

The following transaction was entered on 2/28/2011 at 10:56 AM CST and filed on 2/25/2011

Case Name: [REDACTED] v. General Motors Company et al

Case Number: [REDACTED]

Filer: [REDACTED]

Document Number: 1

Docket Text:

COMPLAINT against General Motors Company, [REDACTED], TK Holdings Inc, TRW Vehicle Safety Systems Inc filed by Sarah Ann Miller. (Attachments: # (1) Civil Cover Sheet)(brs)

5:11-cv-00203-W Notice has been electronically mailed to:

[REDACTED]

[REDACTED] Notice has been delivered by other means to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1041971380 [Date=2/28/2011] [FileNumber=1930537-0] [64a18a802d70b147363b271e01d807b07f9f57021416e14cd3f2bd609318b2d8b0abf3ad50f73a0c0902888ed5e11972755acadaf4c4a9c8cd572bd0a0bcac84]]

Document description:Civil Cover Sheet

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1041971380 [Date=2/28/2011] [FileNumber=1930537-1] [7da29829804884c10a0bc248d1ef5f2898933a23c50d673d5d63b14fc51fa846d25ce70f31854486ef8c41cec70de5a702c2d2193efe2aef840fb8edacbf0005]]

3/2/2011

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

[REDACTED], an incapacitated)
person, by and through her Estate,)
Administered by her Guardian, [REDACTED])

PLAINTIFF,)

V.)

Case No.: [REDACTED]

1) GENERAL MOTORS COMPANY;)
2) T. K. HOLDINGS, INC.;)
3) [REDACTED];)
4) TRW VEHICLE SAFETY SYSTEMS,)
INC.; and 5) GENERAL MOTORS, L.L.C.,)
DEFENDANTS.)

FIRST AMENDED COMPLAINT

PLAINTIFF STATES:

1. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1332, as the Plaintiff and all Defendants are citizens of different states and the matter in controversy exceeds the sum or value of \$75,000.00 exclusive of interest and costs.

2. Plaintiff, [REDACTED], are citizens of the State of Mississippi and Defendant, [REDACTED], is a citizen of the State of Texas, at the time of the filing of this action.

3. Defendants, General Motors Company and T. K. Holdings, Inc., are corporations

organized and existing under the laws of the State of Delaware and Delaware, with their principal places of business in the State of Michigan and Michigan, at the time of the filing of this action. TRW Vehicle Safety Systems, Inc., is a corporation existing under the laws of a state other than Mississippi and/or Texas with its principal place of business in a state other than Mississippi or Texas. General Motors, L.L.C., is a corporation organized under the laws of Delaware with its principal place of business in Michigan.

4. Defendants may be served with summons in this Federal District as follows:

General Motors Company by serving its registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801;

T. K. Holdings, Inc., by serving its registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801;

General Motors, L.L.C., by serving its registered service agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801.

5. Defendant, [REDACTED], may be served as follows: By serving such Defendant at [REDACTED], Longview, Texas [REDACTED].

6. Defendant, TRW Vehicle Safety Systems, Inc., may be served as follows: By serving CSC-Lawyers Incorporating Service Company, 601 Abbott Road, East Lansing, MI 48823.

7. Defendants, General Motors Corporation, TRW Vehicle Safety Systems, Inc., and T. K. Holdings, Inc. were, at all times complained of herein, doing acts of business within this

State or territory and such acts constituted the nexus of the damages complained of herein, and General Motors Company and General Motors, L.L.C., at the time of the filing of this suit were doing business in the State of Oklahoma.

8. Defendants, General Motors Corporation, TRW Vehicle Safety Systems, Inc., and T. K. Holdings, Inc., committed acts of negligence outside this State or territory resulting in the incident and damages complained of herein occurring within this State.

9. Defendants, General Motors Corporation, TRW Vehicle Safety Systems, Inc., and T. K. Holdings, Inc., manufactured, designed, distributed, furnished, leased and/or sold in a national marketing scheme a defective product which foreseeably found its way into this State resulting in the incident and damages complained of herein occurring within this State.

10. General Motors Company and General Motors, L.L.C., have assumed liability for all injuries complained of herein which were caused by the acts and/or omission of General Motors Corporation complained of herein.

11. The incident complained of occurred within this Federal District.

12. The incident complained of occurred on or about December 20, 2010.

13. The incident complained of herein occurred in the following manner: [REDACTED] [REDACTED] was a properly seat belted right front passenger in a 2007 Chevrolet Cobalt driven by Trevor Fitch traveling eastbound on [REDACTED] [REDACTED] was driving a 2006 Hyundai Sonata westbound on [REDACTED], attempting to pass another vehicle when he collided nearly head on with the Fitch vehicle.

14. The incident complained of herein occurred at or near the following location: On [REDACTED], 40 miles west of the city of Velma, in Stephens County, Oklahoma.

15. Plaintiff, [REDACTED], is the Guardian of the estate of such Plaintiff's [REDACTED] named above.

16. The individual who received personal injuries as a result of the acts complained of herein is [REDACTED].

17. The physical injuries of [REDACTED] consist of the following: the muscles, tendons, ligaments, bony structures, nerve centers, blood vessels and soft tissues of such person(s) body were pulled, torn, strained, traumatized, and their functions permanently impaired.

Additional injuries are as follows: Traumatic brain injury, broken jaw and severe leg injuries.

These injuries are permanent, consciously painful, progressive and disfiguring, and Plaintiff has been damaged in an amount in excess of SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00) for such injuries, for past and future medical bills, past and future physical and mental pain and suffering, past and future disability and disfigurement, past and future loss of enjoyment of life, and past and future loss of earnings.

18. The acts of General Motors Corporation and the acts of the other Defendants herein proximately caused and contributed to the injuries and damages complained of herein.

19. The acts of General Motors Corporation and the acts of the other Defendants herein

combined and commingled to produce the injuries and damages complained of herein.

20. The injuries and damages complained of herein were a result of the acts of Defendant, General Motors Corporation, as follows:

A. General Motors Corporation breached the following duties under manufacturers' products liability, and committed the following acts of negligence which violated the customary and usual procedures generally recognized and accepted in Defendants' industry and which violated industry standards.

B. General Motors Corporation breached its implied warranty of fitness and its implied warranty of merchantability.

C. The product referred to below was defective in its condition, design, and/or manufacture when it was placed in the normal channels of commerce as follows:

(1) Plaintiff(s) contend(s) that the vehicle was defective because its air bags did not deploy during such crash when the crash forces were such that the air bags should have deployed.

(2) Plaintiff(s) contend(s) the seat belts of such vehicle were defective because they either inertially unlatched or inadvertently unlatched during the collision and/or did not adequately restrain Sarah Miller all in violation of FMVSS 208 and 209.

(3) Plaintiff(s) contend(s) the interior compartment was designed with inadequate distances from the position of the occupant to the interior surfaces of the occupant compartment.

(4) Plaintiff(s) contend(s) that the vehicle was not designed and manufactured in such a manner so to prevent a belted occupant from receiving serious disabling injuries during foreseeable crash forces.

- D. The product was negligently designed as stated above.
- E. There was inadequate testing and inspection of the product prior to its release.
- F. There were no adequate warnings or instructions placed on the product or that accompanied the product, which were communicated to the user as to the proper manner of use of such product or dangers associated with the use of such product.
- G. General Motors Corporation failed to exercise its post-sale duty to warn of such dangers or to modify their product to eliminate such hazards.
- H. General Motors Corporation violated generally recognized and accepted industry standards in the design and/or manufacture of the product.
- I. General Motors Corporation violated governmental standards and/or regulations in the manufacture, design and/or marketing of its product.
- J. General Motors Corporation breached its express warranties in that such product was reported in advertising, literature, and manuals as being safe when it was not.
- K. The description of the product is as follows:

2007 Chevrolet Cobalt, VIN #1G1AK55F57[REDACTED].

For the above reasons, said product was unreasonably dangerous beyond the contemplation of the average user.

L. General Motors Corporation failed to exercise its duty under Section 577.7 of the Federal Motor Vehicle Safety Standards, which requires a manufacturer of motor vehicles or replacement equipment to notify the owner of such equipment of such defects, hazards and danger and/or recall such equipment.

21. The injuries and damages complained of herein were a result of the acts of Defendant, T. K. Holdings, Inc., as follows:

A. T. K. Holdings, Inc. breached the following duties under manufacturers' products liability, and committed the following acts of negligence which violated the customary and usual procedures generally recognized and accepted in Defendant's industry and which violated industry standards.

B. T. K. Holdings, Inc. breached its implied warranty of fitness and its implied warranty of merchantability.

C. The product referred to below was defective in its condition, design, and/or manufacture when it was placed in the normal channels of commerce as follows:

(1) Plaintiff(s) contend the seat belts of the above described vehicle were defective because such seat belts inertially unlatched or inadvertently unlatched and/or inadequately restrained Sarah Miller all in violation of FMVSS 208 and 209

D. The product was negligently designed as stated above.

E. There was inadequate testing and inspection of the product prior to its release.

F. There were no adequate warnings or instructions placed on the product or that

accompanied the product, which were communicated to the user as to the proper manner of use of such product or dangers associated with the use of such product.

G. T.K. Holdings, Inc. failed to exercise its post-sale duty to warn of such dangers or to modify their product to eliminate such hazards.

H. T.K. Holdings, Inc. violated generally recognized and accepted industry standards in the design and/or manufacture of the product.

I. The description of the product is as follows:

The right front passenger seat belt of the above described 2007 Chevrolet Cobalt vehicle.

For the above reasons, said product was unreasonably dangerous beyond the contemplation of the average user.

J. T.K. Holdings, Inc. failed to exercise its duty under Section 577.7 of the Federal Motor Vehicle Safety Standards, which requires a manufacturer of motor vehicles or replacement equipment to notify the owner of such equipment of such defects, hazards and danger and/or recall such equipment.

22. The injuries and damages complained of herein were a result of the acts of Defendant, Bruce Mayfield, as follows:

A. Such Defendant operated his vehicle in a negligent and reckless manner.

B. Such Defendant operated his vehicle to the left of the center of the roadway.

C. Such Defendant attempted to pass another vehicle when it was not safe to do so.

D. Such Defendant operated his vehicle at an unsafe speed.

23. The injuries and damages complained of herein were a result of the acts of Defendant, TRW Vehicle Safety Systems Inc., as follows:

A. TRW Vehicle Safety Systems, Inc. breached the following duties under manufacturers' products liability, and committed the following acts of negligence which violated the customary and usual procedures generally recognized and accepted in Defendant's industry and which violated industry standards.

B. TRW Vehicle Safety Systems, Inc. breached its implied warranty of fitness and its implied warranty of merchantability.

C. The product referred to below was defective in its condition, design, and/or manufacture when it was placed in the normal channels of commerce as follows:

(1) The passenger air bag system was defectively manufactured and designed so that it would not deploy in a front accident which would occur at a Delta V and direction of force which should deploy such air bag system.

D. The product was negligently designed as stated above.

E. There was inadequate testing and inspection of the product prior to its release.

F. There were no adequate warnings or instructions placed on the product or that accompanied the product, which were communicated to the user as to the proper manner of use of such product or dangers associated with the use of such product.

G. Defendant failed to exercise its post-sale duty to warn of such dangers or to modify

their product to eliminate such hazards.

H. Defendant violated generally recognized and accepted industry standards in the design and/or manufacture of the product.

I. Defendant violated the following governmental standards and/or regulations in the manufacture, design and/or marketing of its product: FMVSS 208.

J. The description of the product is as follows:

The passenger air bag system in the above described 2007 Chevrolet Cobalt vehicle. For the above reasons, said product was unreasonably dangerous beyond the contemplation of the average user.

24. All of the acts committed by General Motors Corporation, TRW Vehicle Safety Systems, Inc., T.K. Holdings, Inc., and Bruce Mayfield, amounted to a reckless disregard for the rights of others and were committed intentionally and with malice toward others with evidence of a conscious indifference for the life and safety of Sarah Ann Miller and therefore the Plaintiff has been damaged in an amount in excess of the amount required for diversity jurisdiction pursuant to 28 U.S.C. Sec. 1332 for punitive or exemplary damages.

WHEREFORE, Plaintiff prays judgment in the amounts recited above, plus costs, interest, attorney's fees, and such other relief as the Court may deem proper.

ATTORNEYS' LIEN CLAIMED

JURY TRIAL DEMANDED

/s/ John M. Merritt
JOHN M. MERRITT - OBA #6146
MERRITT & ASSOCIATES, P.C.
P. O. BOX 1377
OKLAHOMA CITY, OKLAHOMA 73101
(405) 236-2222 FAX (405) 232-8630
Docket.clerk@merrittfirm.com
ATTORNEY FOR PLAINTIFF

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

[REDACTED] an incapacitated
person, by and through her Estate,
Administered by her Guardian, [REDACTED]

Plaintiff(s),

v.

Case No. [REDACTED]

1) General Motors Company, et al.

Defendant(s)

ENTRY OF APPEARANCE

To the Clerk of this court and all parties of record:

Enter my appearance as counsel in this case for:

Plaintiff [REDACTED]
(Plaintiff/Defendant) (Name of Party)

I certify that I am admitted to practice in this court and am registered to file documents electronically with this court.

s/ John M. Merritt March 8, 2011
Signature Date
John M. Merritt
Print Name
Merritt & Associates, P.C.
Firm
P. O. Box 1377
Address
Oklahoma City OK 73101
City State Zip Code
(405) 236-2222 (405) 232-8630
Telephone Fax Number
docket.clerk@merrittfirm.com
Internet E-mail Address

Certificate of Service

☐ I hereby certify that on (date) _____, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants: (insert names)

☒ I hereby certify that on (date) March 8, 2011, I served the attached document by (service method) U.S. Mail on the following, who are not registered participants of the ECF System: (insert names and addresses)

1. General Motors Company, by serving: The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801;
2. T.K. Holdings, Inc., by serving: The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801;
3. General Motors, L.L.C., by serving: The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801;
4. [REDACTED], by serving him at [REDACTED] Longview, TX [REDACTED];
5. TRW Vehicle Safety Systems, Inc., by serving: CSC-Lawyers Incorporating Service Company, 601 Abbott Road, East Lansing, MI 48823.

/s/ John M. Merritt

s/ Attorney Name

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

[REDACTED], an incapacitated
person, by and through her Estate,
Administered by her [REDACTED]

Plaintiff(s),

v.

Case No. [REDACTED]

1) General Motors Company, et al.

Defendant(s)

ENTRY OF APPEARANCE

To the Clerk of this court and all parties of record:

Enter my appearance as counsel in this case for:

Plaintiff [REDACTED]
(Plaintiff/Defendant) (Name of Party)

I certify that I am admitted to practice in this court and am registered to file documents electronically with this court.

s/ Barbara A. Merritt March 8, 2011
Signature Date
Barbara A. Merritt
Print Name
Merritt & Associates, P.C.
Firm
P. O. Box 1377
Address
Oklahoma City OK 73101
City State Zip Code
(405) 236-2222 (405) 232-8630
Telephone Fax Number
docket.clerk@merrittfirm.com
Internet E-mail Address

Certificate of Service

☐ I hereby certify that on (date) _____, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants: (insert names)

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2. T.K. Holdings, Inc., by serving: The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801;
3. General Motors, L.L.C., by serving: The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801;
4. [REDACTED], by serving him at [REDACTED], Longview, TX [REDACTED];
5. TRW Vehicle Safety Systems, Inc., by serving: CSC-Lawyers Incorporating Service Company, 601 Abbott Road, East Lansing, MI 48823.

/s/ Barbara A. Merritt

s/ Attorney Name

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

[REDACTED] an incapacitated
person, by and through her Estate,
Administered by her Guardian, [REDACTED]

Plaintiff(s),

v.

1) General Motors Company, et al.

Defendant(s)

Case No. [REDACTED]

ENTRY OF APPEARANCE

To the Clerk of this court and all parties of record:

Enter my appearance as counsel in this case for:

Plaintiff [REDACTED]
(Plaintiff/Defendant) (Name of Party)

I certify that I am admitted to practice in this court and am registered to file documents electronically with this court.

s/ Mark A. Cox March 8, 2011
Signature Date
Mark A. Cox
Print Name
Merritt & Associates, P.C.
Firm
P. O. Box 1377
Address
Oklahoma City OK 73101
City State Zip Code
(405) 236-2222 (405) 232-8630
Telephone Fax Number
doctet.clerk@merrittfirm.com
Internet E-mail Address

Certificate of Service

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☒ I hereby certify that on (date) March 8, 2011, I served the attached document by (service method) U.S. Mail on the following, who are not registered participants of the ECF System: (insert names and addresses)

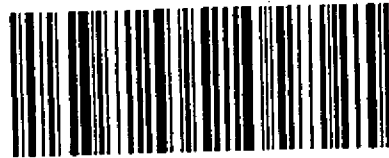
1. General Motors Company, by serving: The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801;
2. T.K. Holdings, Inc., by serving: The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801;
3. General Motors, L.L.C., by serving: The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801;
4. [REDACTED], Longview, TX [REDACTED];
5. TRW Vehicle Safety Systems, Inc., by serving: CSC-Lawyers Incorporating Service Company, 601 Abbott Road, East Lansing, MI 48823.

/s/ Mark A. Cox

s/ Attorney Name

MERRITT & ASSOCIATES, P.C.
917 N. ROBINSON
OKLAHOMA CITY, OK 73102

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General Motors Company
By serving: The Corporation Trust Company
Corporation Trust Center
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Wilmington, DE 19801

Thank you for using Return Receipt Service

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USPS MAIL CARRIER
DETACH ALONG PERFORATION



Thank you for using Return Receipt Service

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RETURN RECEIPT REQUESTED

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

[REDACTED], an incapacitated)
person, by and through her Estate,)
Administered by her Guardian, [REDACTED])

PLAINTIFF,)

V.)

Case No.:

1) GENERAL MOTORS COMPANY;)

2) T. K. HOLDINGS, INC.;)

3) [REDACTED]; and)

4) TRW VEHICLE SAFETY SYSTEMS,)
INC.,)

DEFENDANTS.)

COMPLAINT

PLAINTIFF STATES:

1. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1332, as the Plaintiff and all Defendants are citizens of different states and the matter in controversy exceeds the sum or value of \$75,000.00 exclusive of interest and costs.

2. Plaintiff, [REDACTED], are citizens of the State of Mississippi and Defendant, [REDACTED], is a citizen of the State of Texas, at the time of the filing of this action.

3. Defendants, General Motors Company and T. K. Holdings, Inc., are corporations

organized and existing under the laws of the State of Delaware and Delaware, with their principal places of business in the State of Michigan and Michigan, at the time of the filing of this action. TRW Vehicle Safety Systems, Inc., is a corporation existing under the laws of a state other than Mississippi and/or Texas with its principal place of business in a state other than Mississippi or Texas.

4. Defendants may be served with summons in this Federal District as follows:

General Motors Company by serving its registered agent, The Corporation Trust Company, Corporation Trust Center, 12009 Orange St., Wilmington, DE 90000010;

T. K. Holdings, Inc., by serving its registered agent, The Corporation Trust Company, Corporation Trust Center, 12009 Orange St., Wilmington, DE 90000010.

5. Defendant, [REDACTED], may be served as follows: By serving such Defendant at [REDACTED], Longview, Texas [REDACTED].

6. Defendant, TRW Vehicle Safety Systems, Inc., may be served as follows: By serving CSC-Lawyers Incorporating Service Company, 601 Abbott Road, East Lansing, MI 48823.

7. Defendants, General Motors Corporation, TRW Vehicle Safety Systems, Inc., and T. K. Holdings, Inc. were, at all times complained of herein, doing acts of business within this State or territory and such acts constituted the nexus of the damages complained of herein, and General Motors Company at the time of the filing of this suit is doing business in the State of Oklahoma.

8. Defendants, General Motors Corporation, TRW Vehicle Safety Systems, Inc., and T. K. Holdings, Inc., committed acts of negligence outside this State or territory resulting in the incident and damages complained of herein occurring within this State.

9. Defendants, General Motors Corporation, TRW Vehicle Safety Systems, Inc., and T. K. Holdings, Inc., manufactured, designed, distributed, furnished, leased and/or sold in a national marketing scheme a defective product which foreseeably found its way into this State resulting in the incident and damages complained of herein occurring within this State.

10. General Motors Company has assumed liability for all injuries complained of herein which were caused by the acts and/or omission of General Motors Corporation complained of herein.

11. The incident complained of occurred within this Federal District.

12. The incident complained of occurred on or about December 20, 2010.

13. The incident complained of herein occurred in the following manner: [REDACTED] [REDACTED] was a properly seat belted right front passenger in a 2007 Chevrolet Cobalt driven by [REDACTED] traveling eastbound on State Highway 7. [REDACTED] was driving a 2006 Hyundai Sonata westbound on State Highway 7, attempting to pass another vehicle when he collided nearly head on with the [REDACTED] vehicle.

14. The incident complained of herein occurred at or near the following location: On [REDACTED], 40 miles west of the city of Velma, in Stephens County, Oklahoma.

15. Plaintiff, [REDACTED], is the Guardian of the estate of such Plaintiff's [REDACTED] named

above.

16. The individual who received personal injuries as a result of the acts complained of herein is [REDACTED]

17. The physical injuries of [REDACTED] consist of the following: the muscles, tendons, ligaments, bony structures, nerve centers, blood vessels and soft tissues of such person(s) body were pulled, torn, strained, traumatized, and their functions permanently impaired.

Additional injuries are as follows: Traumatic brain injury, broken jaw and severe leg injuries.

These injuries are permanent, consciously painful, progressive and disfiguring, and Plaintiff has been damaged in an amount in excess of SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00) for such injuries, for past and future medical bills, past and future physical and mental pain and suffering, past and future disability and disfigurement, past and future loss of enjoyment of life, and past and future loss of earnings.

18. The acts of General Motors Corporation and the acts of the other Defendants herein proximately caused and contributed to the injuries and damages complained of herein.

19. The acts of General Motors Corporation and the acts of the other Defendants herein combined and commingled to produce the injuries and damages complained of herein.

20. The injuries and damages complained of herein were a result of the acts of Defendant, General Motors Corporation, as follows:

A. General Motors Corporation breached the following duties under manufacturers' products liability, and committed the following acts of negligence which violated the customary and usual procedures generally recognized and accepted in Defendants' industry and which violated industry standards.

B. General Motors Corporation breached its implied warranty of fitness and its implied warranty of merchantability.

C. The product referred to below was defective in its condition, design, and/or manufacture when it was placed in the normal channels of commerce as follows:

(1) Plaintiff(s) contend(s) that the vehicle was defective because its air bags did not deploy during such crash when the crash forces were such that the air bags should have deployed.

(2) Plaintiff(s) contend(s) the seat belts of such vehicle were defective because they either inertially unlatched or inadvertently unlatched during the collision and/or did not adequately restrain [REDACTED] all in violation of FMVSS 208 and 209.

(3) Plaintiff(s) contend(s) the interior compartment was designed with inadequate distances from the position of the occupant to the interior surfaces of the occupant compartment.

(4) Plaintiff(s) contend(s) that the vehicle was not designed and manufactured in such a manner so to prevent a belted occupant from receiving serious disabling injuries during foreseeable crash forces.

- D. The product was negligently designed as stated above.
- E. There was inadequate testing and inspection of the product prior to its release.
- F. There were no adequate warnings or instructions placed on the product or that accompanied the product, which were communicated to the user as to the proper manner of use of such product or dangers associated with the use of such product.
- G. General Motors Corporation failed to exercise its post-sale duty to warn of such dangers or to modify their product to eliminate such hazards.
- H. General Motors Corporation violated generally recognized and accepted industry standards in the design and/or manufacture of the product.
- I. General Motors Corporation violated governmental standards and/or regulations in the manufacture, design and/or marketing of its product.
- J. General Motors Corporation breached its express warranties in that such product was reported in advertising, literature, and manuals as being safe when it was not.
- K. The description of the product is as follows:

2007 Chevrolet Cobalt, VIN #1G1AK55F577 [REDACTED].

For the above reasons, said product was unreasonably dangerous beyond the contemplation of the average user.

- L. General Motors Corporation failed to exercise its duty under Section 577.7 of the Federal Motor Vehicle Safety Standards, which requires a manufacturer of motor vehicles or replacement equipment to notify the owner of such equipment of such defects, hazards and

danger and/or recall such equipment.

21. The injuries and damages complained of herein were a result of the acts of Defendant, T. K. Holdings, Inc., as follows:

A. T. K. Holdings, Inc. breached the following duties under manufacturers' products liability, and committed the following acts of negligence which violated the customary and usual procedures generally recognized and accepted in Defendant's industry and which violated industry standards.

B. T. K. Holdings, Inc. breached its implied warranty of fitness and its implied warranty of merchantability.

C. The product referred to below was defective in its condition, design, and/or manufacture when it was placed in the normal channels of commerce as follows:

(1) Plaintiff(s) contend the seat belts of the above described vehicle were defective because such seat belts inertially unlatched or inadvertently unlatched and/or inadequately restrained [REDACTED] all in violation of FMVSS 208 and 209

D. The product was negligently designed as stated above.

E. There was inadequate testing and inspection of the product prior to its release.

F. There were no adequate warnings or instructions placed on the product or that accompanied the product, which were communicated to the user as to the proper manner of use of such product or dangers associated with the use of such product.

G. T.K. Holdings, Inc. failed to exercise its post-sale duty to warn of such dangers or to

modify their product to eliminate such hazards.

H. T.K. Holdings, Inc. violated generally recognized and accepted industry standards in the design and/or manufacture of the product.

I. The description of the product is as follows:

The right front passenger seat belt of the above described 2007 Chevrolet Cobalt vehicle.

For the above reasons, said product was unreasonably dangerous beyond the contemplation of the average user.

J. T.K. Holdings, Inc. failed to exercise its duty under Section 577.7 of the Federal Motor Vehicle Safety Standards, which requires a manufacturer of motor vehicles or replacement equipment to notify the owner of such equipment of such defects, hazards and danger and/or recall such equipment.

22. The injuries and damages complained of herein were a result of the acts of Defendant, [REDACTED] as follows:

- A. Such Defendant operated his vehicle in a negligent and reckless manner.
- B. Such Defendant operated his vehicle to the left of the center of the roadway.
- C. Such Defendant attempted to pass another vehicle when it was not safe to do so.
- D. Such Defendant operated his vehicle at an unsafe speed.

23. The injuries and damages complained of herein were a result of the acts of Defendant, TRW Vehicle Safety Systems Inc., as follows:

A. TRW Vehicle Safety Systems, Inc. breached the following duties under manufacturers' products liability, and committed the following acts of negligence which violated the customary and usual procedures generally recognized and accepted in Defendant's industry and which violated industry standards.

B. TRW Vehicle Safety Systems, Inc. breached its implied warranty of fitness and its implied warranty of merchantability.

C. The product referred to below was defective in its condition, design, and/or manufacture when it was placed in the normal channels of commerce as follows:

(1) The passenger air bag system was defectively manufactured and designed so that it would not deploy in a front accident which would occur at a Delta V and direction of force which should deploy such air bag system.

D. The product was negligently designed as stated above.

E. There was inadequate testing and inspection of the product prior to its release.

F. There were no adequate warnings or instructions placed on the product or that accompanied the product, which were communicated to the user as to the proper manner of use of such product or dangers associated with the use of such product.

G. Defendant failed to exercise its post-sale duty to warn of such dangers or to modify their product to eliminate such hazards.

H. Defendant violated generally recognized and accepted industry standards in the design and/or manufacture of the product.

I. Defendant violated the following governmental standards and/or regulations in the manufacture, design and/or marketing of its product: FMVSS 208.

J. The description of the product is as follows:

The passenger air bag system in the above described 2007 Chevrolet Cobalt vehicle. For the above reasons, said product was unreasonably dangerous beyond the contemplation of the average user.

24. All of the acts committed by General Motors Corporation, TRW Vehicle Safety Systems, Inc., T.K. Holdings, Inc., and [REDACTED], amounted to a reckless disregard for the rights of others and were committed intentionally and with malice toward others with evidence of a conscious indifference for the life and safety of [REDACTED] and therefore the Plaintiff has been damaged in an amount in excess of the amount required for diversity jurisdiction pursuant to 28 U.S.C. Sec. 1332 for punitive or exemplary damages.

WHEREFORE, Plaintiff prays judgment in the amounts recited above, plus costs, interest, attorney's fees, and such other relief as the Court may deem proper.

ATTORNEYS' LIEN CLAIMED

JURY TRIAL DEMANDED



JOHN M. MERRITT - OBA #6146
MERRITT & ASSOCIATES, P.C.
P. O. BOX 1377
OKLAHOMA CITY, OKLAHOMA 73101
(405) 236-2222 FAX (405) 232-8630
Docket.clerk@merrittfirm.com
ATTORNEY FOR PLAINTIFF



Related Photos

- Oklahoma Highway Patrol Troopers Mark Smith, left, and Kevin Crawford, discuss the two-car collision that took place at noon Wednesday at Nalley Road and State Highway 7, as one of the injured individuals is air-lifted for medical attention. Toni Hopper



December 21, 2010

Accident injures three

Toni Hopper The Duncan Banner

DUNCAN — Country music blared from the wrecked blue Hyundai and the moans of a female in distress from a Velma EMS ambulance only feet away from the wrecked car filled the air at Nalley Road and Oklahoma State Highway 7 Wednesday following a head-on collision at noon.

Air-evacuation support arrived to transport one of the individuals from the two car collision to O.U. Medical Center, where she was listed in critical condition, according to the accident report filed by Oklahoma Highway Patrol Trooper Mark Smith, who was conducting the investigation and filed the report.

██████████ 27 years old and driver ██████████ 19 years old, were in the red Cobalt, bearing Mississippi license plates, heading east. The driver of the Hyundai was ██████████ 54 years olds, of Lone Grove, but with Duncan connections. Mayfield was traveling west towards Duncan.

Smith said at the scene that witnesses claimed that the driver of the Hyundai had been traveling at high rates of speed, passing semi's and other vehicles and was left of center. The collision caused both vehicles to spin out of control and pieces of the red car were embedded in the front of the



Related Photos

- Oklahoma Highway Patrol Troopers Mark Smith, left, and Kevin Crawford, discuss the two-car collision that took place at noon Wednesday at [REDACTED], as one of the injured individuals is air-lifted for medical attention. Toni Hopper



December 21, 2010

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[REDACTED] years old and driver [REDACTED] years old, were in the red Cobalt, bearing Mississippi license plates, heading east. The driver of the Hyundai was [REDACTED] years olds, of [REDACTED], but with Duncan connections. Mayfield was traveling west towards Duncan.

Smith said at the scene that witnesses claimed that the driver of the Hyundai had been traveling at high rates of speed, passing semi's and other vehicles and was left of center. The collision caused both vehicles to spin out of control and pieces of the red car were embedded in the front of the

Hyundai. Smith said that the driver (██████████) didn't appear to have life-threatening injuries. At the scene, Smith did not disclose identities of the three individuals.

██████████ were transported by ambulance to Duncan Regional Hospital, were ██████████ was admitted in good condition and Fitch in fair condition.

Assisting ██████████ in the investigation were OHP Trooper Kevin Crawford, Stephens County Sheriff Deputy Matthew Peck, Velma Police Chief Randy Whipple and other law enforcement agencies.

This is the beginning of the week for Christmas holiday traffic.

— Toni Hopper is a reporter for The Duncan Banner. She can be reached at 580-255-5354, Ext. 132 or by e-mail at: toni.hopper@duncanbanner.com.

     [Text Only](#)

Local News

- Comanche City Council receives single bid for E911

A single bid of more than \$100,000 was opened by the Comanche City Council to install phase one Enhanced 911 dispatch services in the City of Comanche.

April 13, 2011

- Crime on the rise as weather improves

Flowers are not the only things in bloom this spring, Duncan Police Department Sgt. Donny Foraker said — crime is also in bloom.

April 13, 2011

- School board to discuss gym HVAC project, retiring teachers

During tonight's Duncan Board of Education meeting, board members will discuss employing PBK Architect for the heating, ventilating and air conditioning (HVAC) project at the Duncan High School gymnasium.

April 12, 2011



- Lt. Gov. Turkey Hunt set for Thursday

Early Thursday morning, hunters and business owners from all over the country will converge on Oklahoma to take part in the 25th annual Lt. Governor's Turkey Hunt.

April 12, 2011 1 Photo

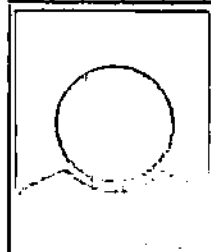
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Local resident in serious condition

Published 12:00am Wednesday, January 5, 2011

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Be the first of your friends to like this.

On Dec. 20, Natchez resident [REDACTED] the daughter of [REDACTED] and the late [REDACTED] was in an automobile accident in Oklahoma.

She was airlifted to Oklahoma City Trauma Center, where she is listed in critical condition.

She has already had numerous surgeries. The doctors took her back to surgery last week, and she developed respiratory problems. Doctors had to stop the surgery.

She has been on a ventilator since then and is now septic. She has developed a blood clot in one of her lungs and a possible liver abscess.

Sarah has a very long and hard road ahead of her.

A [REDACTED] fund has been set up at all of the Concordia Bank locations.

Go by and tell one of the tellers that you want to make a donation to the [REDACTED] fund.

For more information you can contact Melody Harveston at 601-597-0191 or me at 601-660-1882.

Any donation will be greatly appreciated.

Evelyn Whatley

Natchez resident

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CARFAX® Vehicle History Report™
An independent company established in 1986

Vehicle Information:
2007 CHEVROLET COBALT LS
 VIN: 1G1AK55F577
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 2.2L I4 MPI DOHC
 FRONT WHEEL DRIVE
 Standard Equipment | Safety Options

CARFAX Report Provided By:
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 MC 482 C19 861
 Detroit, MI 48265
 585-212-2141

Airbag deployed

Accident / Damage reported

2 Previous owners

4 Service records available

43,324 Last reported odometer reading

\$470 Below retail book value

This CARFAX Vehicle History Report is based only on information supplied to CARFAX and available as of 4/13/11 at 12:11:27 PM (EDT). Other information about this vehicle, including problems, may not have been reported to CARFAX. Use this report as one important tool, along with a vehicle inspection and test drive, to make a better decision about your next used car.

CARFAX

Price Calculator™

Adjust the value of this 2007 Chevrolet Cobalt LS based on the information available in this report

1) Retail Book Value

\$ 0

+

- \$470

=

Enter retail book value here Below retail book value

2) CARFAX History Impact™

3) Adjusted Retail Value

Begin by entering the retail book value

Tip
Get retail book value from a pricing guide website. Don't use seller's asking price.

This vehicle is worth less than average, based on information in this report.

Compare adjusted retail value to seller's asking price when making your decision.

<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="border: 1px solid black; padding: 2px;"> CARFAX </div> Ownership History </div>		
The number of owners is estimated		
Year purchased	2006	2008
Type of owner	Rental	Personal
Estimated length of ownership	1 yr. 9 mo.	2 yrs. 9 mo.
Owned in the following states/provinces	Mississippi	Mississippi
Estimated miles driven per year	29,083/yr	—
Last reported odometer reading	36,573	43,324



CARFAX® Vehicle History Report™

An independent company established in 1986

Vehicle Information:

2007 CHEVROLET COBALT LS

VIN: 1G1AK55F577136546

SEDAN 4 DR

2.2L L4 MPI DOHC

FRONT WHEEL DRIVE

Standard Equipment | Safety Options

CARFAX Report Provided By:

ESIS GM

300 Renaissance Center

MC 482 C19 B61

Detroit, MI 48265

586-212-2141



Airbag deployed



Accident / Damage reported



2 Previous owners



4 Service records available



43,324 Last reported odometer reading



\$470 Below retail book value



This CARFAX Vehicle History Report is based only on information supplied to CARFAX and available as of 4/13/11 at 12:11:27 PM (EDT). Other information about this vehicle, including problems, may not have been reported to CARFAX. Use this report as one important tool, along with a vehicle inspection and test drive, to make a better decision about your next used car.



Price Calculator™

Adjust the value of this 2007 Chevrolet Cobalt LS based on the information available in this report

1) Retail Book Value

\$ 0

Enter retail book value here

2) CARFAX History Impact™

- \$470

Below retail book value

3) Adjusted Retail Value

Begin by entering the retail book value



Tip

Get retail book value from a pricing guide website. Don't use seller's asking price.



This vehicle is worth less than average, based on information in this report.



Compare adjusted retail value to seller's asking price when making your decision.



Ownership History

The number of owners is estimated

Year purchased

Type of owner

Estimated length of ownership

Owned in the following states/provinces

Estimated miles driven per year

Last reported odometer reading

Owner 1

Owner 2

2006

2008

Rental

Personal

1 yr. 9 mo.

2 yrs. 9 mo.

Mississippi

Mississippi

29,083/yr

—

36,573

43,324

**Title History**

CARFAX guarantees the information in this section

Salvage | Junk | Rebuilt | Fire | Flood | Hail | Lemon

Not Actual Mileage | Exceeds Mechanical Limits

Owner 1

Owner 2

Guaranteed
No ProblemGuaranteed
No ProblemGuaranteed
No ProblemGuaranteed
No Problem

GUARANTEED - None of these major title problems were reported by a state Department of Motor Vehicles (DMV). If you find that any of these title problems were reported by a DMV and not included in this report, CARFAX will buy this vehicle back. Register | View Terms

**Additional History**

Not all accidents / issues are reported to CARFAX.

Total Loss

No total loss reported to CARFAX.

Structural / Frame Damage

No structural / frame damage reported to CARFAX.

Airbag Deployment

Airbag deployment reported on 12/20/2010.

Odometer Rollback

No indication of an odometer rollback.

Accident / Damage

Accidents reported on: 11/11/2008 and 12/20/2010.

Manufacturer RecallCheck with an authorized General Motors dealer for any open recalls.

Owner 1

Owner 2

☒ No Issues
Reported☒ No Issues
Reported☒ No Issues
Reported☒ No Issues
Reported☒ No Issues
Reported Airbag
Deployment☒ No Issues
Indicated☒ No Issues
Indicated☒ No Issues
Reported Accident
Reported☒ No Recalls
Reported☒ No Recalls
Reported**Detailed History**

Glossary

Owner 1		Date:	Mileage:	Source:	Comments:
Purchased:	2006	08/23/2006		Herrin-Gear Chevrolet	Vehicle serviced
Type:	Rental			Infiniti Lexus	
Where:	Mississippi			Jackson, MS	
Est. miles/year:	29,083/yr			601-354-3882	
Est. length	9/7/06 -			www.herrin-gear.com	
owned:	6/24/08	09/07/2006	15	Mississippi	Title issued or updated
(1 yr. 9 mo.)				Motor Vehicle Dept.	First owner reported
				Jackson, MS	Loan or lien reported
				Title #E23619601	Registered as rental
					vehicle
		10/23/2007	35,724	Gray-Daniels	Vehicle serviced
				Chevrolet	
				Jackson, MS	
				601-899-6060	
				www.graydanielschevy	
				.com	
		11/01/2007	35,767	Rogers Dabbs	Vehicle serviced
				Chevrolet Hummer	
				Brandon, MS	
				601-825-2277	
				www.rogersdabbs.com	

11/26/2007	36,573	All Star Chevrolet, GMC, Pontiac, Buick Greenville, MS 662-335-2886 www.allstarautogroup.com	Drivability/performance checked Shift lever replaced
------------	--------	--	---

Owner 2

Purchased: 2008
Type: Personal
Where: Mississippi
Est. length owned: 6/24/08 - present
(2 yrs. 9 mo.)

Date:	Mileage:	Source:	Comments:
06/24/2008	43,324	Mississippi Motor Vehicle Dept. Natchez, MS	Vehicle purchase reported
07/31/2008		Mississippi Motor Vehicle Dept. Natchez, MS Title # [REDACTED]	Title issued or updated New owner reported Loan or lien reported
11/11/2008		Mississippi Damage Report	Accident reported Involving right front impact It hit a motor vehicle Estimated damage less than \$500
07/03/2009		Mississippi Motor Vehicle Dept. Natchez, MS Title [REDACTED]	Registration issued or renewed
06/30/2010		Mississippi Motor Vehicle Dept. Natchez, MS Title # [REDACTED]	Registration issued or renewed
12/20/2010		Oklahoma Damage Report	Accident reported Involving front impact It hit a motor vehicle Vehicle disabled Front airbag deployed CARFAX Airbag Tips



I'm here to help! Print and bring my SmartBuyer Checklist when you go to test drive this 2007 Chevrolet Cobalt LS.

Have Questions? Consumers, please visit our Help Center at www.carfax.com. Dealers or Subscribers, please visit our Help Center at www.carfaxonline.com.

**Glossary**
[View Full Glossary](#)
Accident / Damage Indicator

CARFAX receives information about accidents in all 50 states, the District of Columbia and Canada. Different information in a vehicle's history can indicate an accident or damage, such as: salvage auction, fire damage, police-reported accident, crash test vehicle, damage disclosure, collision repair facility and automotive recycler records. Not every accident or damage event is reported and not all reported are provided to CARFAX. Details about the accident or damage event when reported to CARFAX (e.g. severity, impact location, airbag deployment) are included on the Vehicle History Report. CARFAX recommends you obtain a vehicle inspection from your dealer or an independent mechanic.

- According to the National Safety Council, Injury Facts, 2007 edition, 7% of the 245 million registered vehicles in the U.S. were involved in an accident in 2005. Over 75% of these were considered minor or moderate.

- CARFAX depends on many sources for its accident / damage data. CARFAX can only report what is in our database on 4/13/11 at 12:11:27 PM (EDT). New data will result in a change to this report.

Mississippi Police Reports:

- Provides an estimate of the extent of damage in its accident reports. There are two levels of damage - light (estimated damage less than \$500) and heavy (estimated damage exceeds \$500)
- Are processed only if the estimated damage exceeds \$250

Oklahoma Police Reports:

- Provide an estimate of the extent of damage in its accident reports for the following:
 - **DISABLED:** The vehicle had to be towed or hauled away from the accident location.
 - **FUNCTIONAL:** The vehicle could be driven from the accident location.
 - **MINOR:** The accident damage does not affect the operation of the vehicle. Examples include dented bumpers, fenders, grills and body panels. This level of accident should not compromise vehicle safety.
 - **FIRE:** The accident damage to the vehicle resulted in a fire.
- Are required if the estimated damage exceeds \$500

Airbag Deployment

Occurs when the driver, passenger or side airbag has been used or deployed during a crash or other incident. If an airbag has been deployed, it must be replaced by a qualified technician. Have this car inspected by a mechanic prior to purchase. Use CARFAX Airbag Tips to make sure this vehicle's airbag system is functional.

First Owner

When the first owner(s) obtains a title from a Department of Motor Vehicles as proof of ownership.

Ownership History

CARFAX defines an owner as an individual or business that possesses and uses a vehicle. Not all title transactions represent changes in ownership. To provide estimated number of owners, CARFAX proprietary technology analyzes all the events in a vehicle history. Estimated ownership is available for vehicles manufactured after 1994 and titled solely in the US including Puerto Rico. Dealers sometimes opt to take ownership of a vehicle and are required to in the following states: Maine, Massachusetts, New Jersey, Ohio, Oklahoma, Pennsylvania and South Dakota. Please consider this as you review a vehicle's estimated ownership history.

New Owner Reported

When a vehicle is sold to a new owner, the Title must be transferred to the new owner(s) at a Department of Motor Vehicles.

Rental

Vehicle was registered by a rental agency.

Title Issued

A state issues a title to provide a vehicle owner with proof of ownership. Each title has a unique number. Each title or registration record on a CARFAX report does not necessarily indicate a change in ownership. In Canada, a registration and bill of sale are used as proof of ownership.

CARFAX History Impact™

Accidents, service records, number of owners and many other history factors can affect a vehicle's value. The CARFAX History Impact is a tool that analyzes millions of used car transactions to measure how the combination of all the information reported to CARFAX affects the value of a particular vehicle. The vehicle's retail book value plus the CARFAX History Impact will give you a more accurate measure of the vehicle's value. Use this tool, along with a vehicle inspection and test drive, to make a better decision about your next used car.

CARFAX DEPENDS ON ITS SOURCES FOR THE ACCURACY AND RELIABILITY OF ITS INFORMATION. THEREFORE, NO RESPONSIBILITY IS ASSUMED BY CARFAX OR ITS AGENTS FOR ERRORS OR OMISSIONS IN THIS REPORT. CARFAX FURTHER EXPRESSLY DISCLAIMS ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. CARFAX®

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Covered by United States Patents Nos. 7,113,853; 7,505,838 and 7,596,512.
4/13/11 12:11:27 PM (EDT)

OWNERSHIP HISTORY:



VEHICLE HIGHLIGHTS

2007 CHEVROLET COBALT LS

VIN: 1G1AK55F577

Body Style: SEDAN 4 DR

Engine Size: 2.2L L4 MPI DOHC

Drivetrain: FRONT WHEEL DRIVE

Original Manufacturer's Warranty:

Basic Warranty Expired

Please confirm remaining factory warranty and extended warranty options with your dealer!

The original manufacturer's warranty includes:
36 months or 36,000 miles

Courtesy of

ESIS GM

300 Renaissance Center

MC 482 C19 B61

Detroit, MI 48265

586-212-2141

Information excerpted from the CARFAX Vehicle History Report and/or Safety & Reliability Ratings; see full reports for additional information, glossary of terms, source attributions, disclaimers & limitations. Go to carfax.com for complete Buyback Guarantee terms and conditions.

Number of Owners:

2

Last owned in the following state/province:

Mississippi

STATE DMV-REPORTED TITLE PROBLEMS:

None of these major title problems were reported by a state Department of Motor Vehicles:



Salvage, Junk, Rebuilt, Fire, Flood, Hail, Lemon

Guaranteed
No Problem

Not Actual Mileage, Exceeds Mechanical Limits

Guaranteed
No Problem

ACCIDENTS AND OTHER ISSUES:

No issues reported to CARFAX on the following:

Total Loss

☒ No Issues
Reported

Structural / Frame Damage

☒ No Issues
Reported

Odometer Rollback

☒ No Issues
Reported

Accident and airbag deployment reported on this vehicle. Please see the full CARFAX Vehicle History Report for more details.

**Ask your dealer
for the full CARFAX[®]
Vehicle History Report[™]**

SHOW ME THE CARFAX



Legal Staff

Date: April 14, 2011

To: Jaclyn Palmer

From: Marita Stokfisz

Subject: [REDACTED] / GM File # 725903
Vehicle: 2007 Chevrolet Cobalt LS Sedan
VIN: 1G1AK55F577 [REDACTED]

You will find the following vehicle information attached:

Invoice Information: ☒ new vehicle invoice ☒ vehicle delivery/incentive history
☒ vehicle event history ☐ vehicle invoice is not available

☐ CARS material – VIN only

☒ CARS material – VIN only - NONE

☐ GMVIS2 information is not available due to age of vehicle

☒ GMVIS2 (Global Warranty Management) information:

☒ vehicle summary

☒ vehicle component

☒ vehicle delivery

☒ vehicle build

☒ transaction history
detail

☐ transaction history is not
available

Required Field Actions:

☐ There are no field actions currently affecting this vehicle.

☐ This information is not readily available

☒ The subject vehicle is affected by the following field action(s):

10023 - Safety Recall: Loss of Power Steering Assist -- Replace Electric Power Steering Motor;
09275 - Special Coverage Adjustment: Fuel Odor or Spotting on Ground -- Replace Fuel Pump
Module

☒ Initial owner notification information (name, address and date)
for these field action(s) 10023. Follow up owner notification information is available upon
request.

☐ Vehicle Profile Information System (VPIS) report

☒ Vehicle Profile Information System (VPIS) report is no longer available

☐ Other:

cc: Mary Quinn-Cooper, Esq.
Angela Wallace

2007 COBALT 4-DOOR LS SEDAN
74U VICTORY RED
14B GRAY
ORDER NO. KDBTTH/FDR
VIN 1G1 AK55 F5 77

/L4G
STOCK NO.

GENERAL MOTORS CORPORATION
& SUBSIDIARIES
RENAISSANCE CENTER
DETROIT MI 48243-1114
VEHICLE INVOICE 1AD92439941
*****13*24248S

MODEL & FACTORY OPTIONS	MSRP	INV AMT	FLEET
1AK69 COBALT 4-DOOR LS SEDAN	12975.00	11872.13	INVOICE 08/11/06
C1U ENTERPRISE RENT A CAR	0.00	0.00	SHIPPED 08/11/06
FE9 FEDERAL EMISSIONS	N/C	N/C	EXP I/T 08/24/06
L61 2.2L DOHC 4 CYL ENGINE	N/C	N/C	INT COM 08/24/06
MX0 TRANSMISSION, 4 SPD AUTOMATIC	850.00	722.50	PRC EFF 01/01/06
VQ2 FLEET ORDERING AND ASSISTANCE	0.00	0.00	KEYS G0294 G0294
VX7 LONG TERM DAILY RENTAL PROGRAM	0.00	0.00	WFP-S QTR OPT-1
V2G FULL FUEL FILL CREDIT	0.00	20.94-	FAN: 000805331
			BANK: GMAC - 008
			CHG-TO 24-248
			SHIP WT: 2760
			HP: 18.4
			MRM: 14440.00
			CUST PO NUMBER:
			55072892
			DAN: 00011
			MEMO 691.25

TOTAL MODEL & OPTIONS	13825.00	12573.69	ACT 231	13188.69
DESTINATION CHARGE	615.00	615.00		

TOTAL14440.0013188.69PAY 31013188.69

INVOICE DOES NOT REFLECT DEALER'S ULTIMATE COST BECAUSE OF MANUFACTURER
REBATES, ALLOWANCES, INCENTIVES, HOLDBACK, FINANCE CREDIT AND RETURN TO
DEALER OF ADVERTISING MONIES, ALL OF WHICH MAY APPLY TO VEHICLE.

THIS MOTOR VEHICLE IS SUBJECT TO A SECURITY INTEREST HELD BY GMAC.

HERRIN-GEAR CHEVROLET CO., INC.

REMIT TO GMAC NO. 008
VIN 1G1AK55F577
\$ 13188.69 INV 1AD92439941
DUE 08/24/06 DEALER 24-248

VIN: 1G1AK55F5 77

SELLG SCE: 13

MDL YR: 07

ORD NO: KDBTTH

ODATE: 05/05/06

ORDER FAN: 000805331

OTYPE: 050

DLVY SS/SITE CD: 13 24248

DDATE: 08/12/06

DLVY FAN: 000805331

DTYPE: 020

SRVC TYPE: MILEAGE:

DLVY DOE: 08/12/06

ORDER BY: ENTERPRISE RENT-A-CAR

CANC:

CANC DOE:

TRADE:

DLVY TO: ENTERPRISE RENT-A-CAR

TRD DOE: 600 CORPORATE PARK DR

SRVC IN: CLAYTON

MO 63105

SRVC OUT: CANC SRVC IN:

BFSO ORD DT: BFSO CUST:

PRICE ASSUR DT: PRICE ASSUR RT:

--INCENTIVES--

CODE	PAY	SS/SITE	INV/INC NO	DATE	AMOUNT	MTHD	DLR	SHR	STAT
MXB	01	13 49998	00030898054	09/02/06	0.00	OA		0.00	9

PROCESS TYPE: 001

CHECK NO:

SSN:

DATA SCE: FLT

INC MEMO NO: 00030898054

AUTH PUR CD:

MISC DATE:

MISC: 00700

POLICY PYMT CMNT:

ACTV TYPE: 6

CODE	PAY	SS/SITE	INV/INC NO	DATE	AMOUNT	MTHD	DLR	SHR	STAT
VX7	01	13 24248	1AD92439941	08/15/06	0.00	IC		0.00	9

PROCESS TYPE: 014

CHECK NO:

SSN:

DATA SCE: HOU

INC MEMO NO: 1AD92439941

AUTH PUR CD:

MISC DATE:

MISC: VX7

POLICY PYMT CMNT:

ACTV TYPE: 6

VIN: 1G1AK55F5 77 [REDACTED] SELLG SCE: 13 MDL YR: 07 ORD NO: KDBTTH
VIN TYPE: N

EVENT DESC	SS/ SITE CD	DOCUMENT NUMBER	I S	EVENT DT	INC CD	AMOUNT
INCENTIVE MEMO	13 49998	00030898054		09/02/06	MXB	0.00
INCTV PAYMENT	13 49998	00030898054		09/02/06	MXB	0.00
INCTV APPLICATN	13 49998	00030898054		09/02/06	MXB	0.00
EXPIRATION TRAN	13 24248	1AD92439941		08/24/06		0.00
SETTLEMENT DATE	13 24248	1AD92439941		08/19/06		13,188.69 CR
INCENTIVE MEMO	13 24248	1AD92439941		08/15/06	VX7	0.00
INCTV PAYMENT	13 24248	1AD92439941		08/15/06	VX7	0.00
INCTV APPLICATN	13 24248	1AD92439941		08/15/06	VX7	0.00
DELIVERY D.O.E.	13 24248			08/12/06		0.00
DELIVERY TO CUS	13 24248			08/12/06		0.00
ORIGINAL INVOIC	13 24248	1AD92439941		08/11/06		13,188.69
COV/NVIS DATE	13 24248	1AD92439941		08/11/06		0.00
SHIPMENT DATE	13 24248			08/11/06		0.00
PRODUCTION (BUI	13 24248			08/11/06		0.00
PREFERENCE TO P	13 24248			06/13/06		0.00
GM ORDER ACCEPT	13 24248			05/05/06		0.00
GM ORDER ACCEPT				05/05/06		0.00

INTERFACE WITH
CUSTOMER

View Vehicle Summary

This screen allows GMVIS users to view the Summary of Vehicle Information, Field Actions, Service Information, Applicable Warranties, Transaction History, Service Contract(s) if applicable, Warranty Block, Branded Title information and OnStar and XM Radio information (if applicable).

Vehicle Information

VIN: 1G1AK55F577 Model: 1AK69-2007 COBALT 4-DOOR LS SEDAN
Service Contract: No Branded Title: No Warranty Block: No PDI Status: No
Order Type: 50 - FLEET
Field Actions: [0 Open](#)

REQUEST ANOTHER VIN

For this vehicle:

- [View Vehicle Summary](#)
 - Service Contract
 - Branded Title
 - Warranty Block
- [View Vehicle Build](#)
- [View Vehicle](#)
- [Component Summary](#)
- [View Vehicle](#)
- [Transaction History](#)
- [Detail](#)
- [View Vehicle Delivery](#)
- [Information](#)

Required Field Actions

Open field actions are
highlighted

Type	Number	Original Nbr	Description	Release Date	Status
Product Safety Recall	N100023	10023	LOSS OF POWER STEERING ASSIST - REPLACE ELECTRIC POWER STEERING MOTOR	03/18/2010	Closed

Branded Title

*The VIN information contained herein and information derived therefrom is the proprietary property of The Polk Company and is to be used only for the purpose of warranty verification and shall not be used for any other purpose whatsoever.

Vehicle has no current record of branded titles.

Warranty Block

Vehicle has no current record of warranty block.

Service Information

Vehicle has no current record of outstanding service information.

OnStar and XM Satellite Radio Information

Vehicle has no current record of OnStar / XM Radio information.

Applicable Warranties

Valid warranties are highlighted

Valid	Description	Warranty Add Date	Start Date	Effective Odometer	End Date	End Odometer
	Bumper to Bumper Limited Warranty	03/14/2010	08/12/2006	10 MI	08/12/2009	36,010 MI
	Corrosion Limited Warranty	03/14/2010	08/12/2006	10 MI	08/12/2012	100,010 MI
	Emission Select Component Ltd Wty	03/14/2010	08/12/2006	10 MI	08/12/2014	80,010 MI
	Powertrain Limited Warranty	03/14/2010	08/12/2006	10 MI	08/12/2011	100,010 MI

Service Contract

Vehicle has no current record of service contracts.

Transaction History

[View Details](#)

Job Card Date	Job Card Number	Transaction Type	Transaction Adjustment	Labour Operation	Odometer Reading
10/08/2010	139499	ZFAT----Field Action Recall		V2220 - 10023 - Replace Power Steering Assist Motor (including Test Drive)	85,689 MI
11/26/2007	158215	ZREG----Regular Vehicle Transaction		K5225 - Control Assembly, Floor Shift - Replace	36,573 MI
08/11/2006	A36546	ZPDI----Pre-Delivery Inspection		Z7000 - Pre-Delivery Inspection - Base Time	0 MI



April 14, 2011

Global Warranty Management: Main > Interface With Customer > View Vehicle Build

INTERFACE WITH
CUSTOMER

View Vehicle Build

This screen allows GMVIS users to view the initial build information on the selected VIN including option codes with descriptions (where available).

Vehicle Information

VIN: 1G1AK55F577

Model: 1AK69-2007 COBALT 4-DOOR LS SEDAN

Service Contract: No

Branded Title: No

Warranty Block: No

PDI Status: No

Order Type: 50 - FLEET

Field Actions: [0 Open](#)

[REQUEST ANOTHER VIN](#)

Vehicle Build

Model: 1AK69-2007 COBALT 4-DOOR LS SEDAN

Gross Vehicle Weight: 1,701

Order Number: KDBTTH

Build Date: 08/11/2006

Build Plant: 7-

Option Codes

*IVH is not the definitive source of GM Vehicle RPO information and is intended for service reference only. Should there be any questions about the vehicle's original build or RPO information please refer to the original vehicle invoice or window sticker.

14B - GRAY

1LS - 1LS BASE PACKAGE

6AR - FRONT SPRING

7AR - FRONT SPRING

9AA - REAR SPRING

AL0 - SENSOR INDICATOR INFLATABLE RESTRAINT, FRT
PASS/CHILD PRESENCE DETECTOR

B0Q - GM PRODUCTION WEEK #33

C67 - ELECT. FRONT AIR CONDITIONER

DC8 - MIRROR, O/S MANUAL FLDG, BLK

FE9 - FEDERAL EMISSIONS

FY1 - TRANS/AXLE 3.63 RATIO

J41 - BRAKE, FRONT DISC/REAR DRUM

L61 - ENGINE, 2.2L DOHC 4V ECOTEC

MN5 - 4 SPEED AUTO TRANSMISSION

N45 - 3 SPOKE STEERING WHEEL

PG1 - 15" STEEL WHEEL

R6F - IDENTIFY B-CODE USERS

R6P - PREMIUM PAINT

U1C - AM/FM STEREO, CD PLAYER

V2G - FULL FUEL FILL CREDIT

VQ2 - FLEET ORDERING AND ASSISTANCE

VX7 - LONG TERM DAILY RENTAL PROGRAM

14I - GRAY

1SZ - OPTION PACKAGE DISCOUNT

74U - VICTORY RED

8AA - REAR SPRING

AK5 - DRIVER & RIGHT FRONT PASSENGER
AIR BAGS

AR9 - DELUXE FRONT BUCKET SEAT

C1U - ENTERPRISE RENT A CAR

D36 - MIRROR I/S R/V TILT

FE1 - SUSPENSION SYSTEM-SOFT RIDE

FLT - FLEET PROCESSING OPTION

IPB - INTERIOR TRIM DESIGN

K64 - 115 AMP GENERATOR

LOD - ASSEMBLY PLANT -
LORDSTOWN, OHIO

MX0 - TRANSMISSION, 4 SPD AUTOMATIC

NT7 - FEDERAL EMISSION TIER 2

QTU - P195/60R15 TOURING BW TIRES

R6K - ONSTAR

R9N - HEATED LEATHER APPOINTED
FRONT BUCKET SEATS

UQ4 - BASE SPEAKER SYSTEM

V73 - STATEMENT OF VEHICLE CERT.-
U.S. /CANADA

VT7 - OWNERS MANUAL ENGLISH

For this vehicle:

→ [View Vehicle Summary](#)

→ [Service Contract](#)

→ [Branded Title](#)

→ [Warranty Block](#)

→ [View Vehicle Build](#)

→ [View Vehicle](#)

→ [Component Summary](#)

→ [View Vehicle](#)

→ [Transaction History](#)

→ [Detail](#)

→ [View Vehicle Delivery
Information](#)

Added Option Codes

~AS - SPECIAL COVERAGE APPLIED

Global Warranty Management: Site Map

[Privacy Policy](#) | [Terms of Use](#)

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April 14, 2011

Global Warranty Management: Main > Interface With Customer > View Vehicle Component Summary

INTERFACE WITH
CUSTOMER

View Vehicle Component Summary



This screen allows GMVIS users to view the information on various major components added to the VIN selected during vehicle build.

Vehicle Information

VIN: 1G1AK55F577
Service Contract: No Branded Title: No Warranty Block: No PDI Status: No
Order Type: 50 - FLEET
Field Actions: [0 Open](#)

REQUEST ANOTHER VIN

For this vehicle:

- [View Vehicle Summary](#)
 - Service Contract
 - Branded Title
 - Warranty Block
- [View Vehicle Build](#)
- [View Vehicle Component Summary](#)
- [View Vehicle Transaction History Detail](#)
- [View Vehicle Delivery Information](#)

Vehicle Component

Component Code: 10-ENGINE ASSEMBLY	Traceability: 608081638
Source Plant: T-CPC TONAWANDA, NEW YORK	Part / Number Broadcast: AWD
Date Scanned: 08/11/2006	Time Scanned: 07:19:00 Scan Station: 04
Component Code: 61-TRANSMISSION	Traceability: 25R9
Source Plant: J-HYDRAMATIC WINDSOR, ONTARIO	Part / Number Broadcast: 7EHJ
Date Scanned: 08/11/2006	Time Scanned: 07:19:00 Scan Station: 04
Component Code: 86-ELECTRONIC CONTROL MODULE (ECM)	Traceability: 16157004X
Source Plant: 2-	Part / Number Broadcast: YPCX
Date Scanned: 08/11/2006	Time Scanned: 13:10:00 Scan Station: 06
Component Code: 87-BODY CONTROL MODULE	Traceability: A62010281
Source Plant: R-	Part / Number Broadcast: 6912
Date Scanned: 08/11/2006	Time Scanned: 13:10:00 Scan Station: 04
Component Code: AB-IR-MODULE ASM-INFLATOR	Traceability: 2A2090642
Source Plant: M-MORTON-THIOLKOL	Part / Number Broadcast: 6195
Date Scanned: 08/11/2006	Time Scanned: 08:01:00 Scan Station: 04
Component Code: AL-IR-MODULE ASM-I/P	Traceability: G213D1158
Source Plant: I-INLAND	Part / Number Broadcast: 5893
Date Scanned: 08/10/2006	Time Scanned: 23:02:00 Scan Station: 04
Component Code: BK-INTERNATIONAL TRANS. CONTROL MODULE	Traceability: 062165171
Source Plant: K-	Part / Number Broadcast: YHRL
Date Scanned: 08/11/2006	Time Scanned: 13:10:00 Scan Station: 04
Component Code: CB-SEQ NUM (FLEX) BODY ASM	Traceability: 0380180
Source Plant: -	Part / Number Broadcast: 1ZZ
Date Scanned: 08/09/2006	Time Scanned: 05:29:00 Scan Station:

Service Agent Installed Component

Vehicle has no current record of vehicle component.

Global Warranty Management: Site Map

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April 14, 2011

Global Warranty Management: Main > Interface With Customer > View Vehicle Transaction History Detail

INTERFACE WITH
CUSTOMER

View Vehicle Transaction History Detail



This screen allows GMVIS users to view the available information on individual transaction for the VIN selected.

Vehicle Information

VIN: 1G1AK55F577
Service Contract: No Branded Title: No Warranty Block: No PDI Status: No
Order Type: 50 - FLEET
Field Actions: [0 Open](#)

[REQUEST ANOTHER VIN](#)

For this vehicle:

- [View Vehicle Summary](#)
 - Service Contract
 - Branded Title
 - Warranty Block
- [View Vehicle Build](#)
- [View Vehicle Component Summary](#)
- [View Vehicle Transaction History Detail](#)
- [View Vehicle Delivery Information](#)

Job Card Date: 10/08/2010

Job Card Number: 139499

Repair Service Agent: 117629

Odometer Reading: 85,689 MI

GREAT RIVER CHEVROLET-CADILLAC-GMC
264 DEVEREAUX DR
NATCHEZ MS 39120-3752
6014424301

Authorization Code:

Process Date:
10/11/2010

Transaction Type:
ZFAT---Field Action Recall

Transaction Expense Category:
Field Action Recall

Customer Complaint Code:

Job Card Line #: 1

Transaction Adjustment:

Cause Code: -

Labour Op V2220-10023 - Replace Power Steering Assist Motor (including Test Drive)

Causal Part Number

[See other Parts and/or Net Items](#)

Line Total: USD 121.94

Qty	Part Number	Description	Major Assembly	Traceability
1	000000000019257875	MOTORKIT,P/SASST	No	
Net Item Code		Description		

Job Card Date: 11/26/2007

Job Card Number: 158215

Repair Service Agent: 133062

Odometer Reading: 36,573 MI

ALL STAR MOTORS COMPANY OF GREENVIL
1009 HWY 82 E
GREENVILLE MS 38701-5415
6623352886

Authorization Code: A

Process Date:
11/30/2007

Transaction Type:
ZREG---Regular Vehicle Transaction

Transaction Expense Category:

Customer Complaint Code:

0000-Converted Claim

Job Card Line #: 1

Transaction Adjustment:

Cause Code: 0000-Converted Claims

Labour Op K5225-Control Assembly, Floor Shift - Replace

Causal Part Number

[See other Parts and/or Net Items](#)

Line Total: USD 151.25

Qty	Part Number	Description	Major Assembly	Traceability
Net Item Code		Description		

Job Card Date: 08/11/2006

Job Card Number: A36546

Repair Service Agent: 114350
HERRIN-GEAR CHEVROLET CO., INC.
1685 HIGH ST
JACKSON MS 39202-3522
6013543882

Odometer Reading: 0 MI
Authorization Code:

Process Date:
08/15/2006
Transaction Type:
ZPDI---Pre-Delivery Inspection
Transaction Expense Category:
Customer Complaint Code:
0000-Converted Claim

Job Card Line #: 1 Transaction Adjustment: Cause Code: 0000-Converted Claims
Labour Op Z7000-Pre-Delivery Inspection - Base Time
Causal Part Number

Line Total: USD 88.73



April 14, 2011

Global Warranty Management: Main > Interface With Customer > View Vehicle Delivery Information

INTERFACE WITH
CUSTOMER

View Vehicle Delivery Information



This screen allows GMVIS users to view the available information for the selected VIN delivered to the Service Agent and the ultimate customer. Not all sections will be populated for all VINs

Vehicle Information

VIN: 1G1AK55F577 [REDACTED] Model: 1AK69-2007 COBALT 4-DOOR LS SEDAN
Service Contract: No Branded Title: No Warranty Block: No PDI Status: No
Order Type: 50 - FLEET
Field Actions: [0 Open](#)

[REQUEST ANOTHER VIN](#)

Invoice Information

Invoicing Service Agent: 114350
HERRIN-GEAR CHEVROLET CO., INC.
1685 HIGH ST
JACKSON MS 39202-3522 6013543882

Invoice Date: 08/11/2006

Ship to Information

Invoicing Service Agent: 114350
HERRIN-GEAR CHEVROLET CO., INC.
1685 HIGH ST
JACKSON MS 39202-3522 6013543882

Ship to Date: N/A

Delivery Information

Delivery Service Agent: 114350
HERRIN-GEAR CHEVROLET CO., INC.
1685 HIGH ST
JACKSON MS 39202-3522 6013543882

Delivery Date: 08/12/2006
Delivery Type: 020--DAILYRENTAL
Delivery Odometer: 10

In Service Information

Invoicing Service Agent:

In Service Date: N/A
In Service Type: 0000
In Service Odometer: 0

For this vehicle:

→ [View Vehicle Summary](#)

- [Service Contract](#)
- [Branded Title](#)
- [Warranty Block](#)

→ [View Vehicle Build](#)

→ [View Vehicle](#)

→ [Component Summary](#)

→ [View Vehicle](#)

→ [Transaction History](#)

[Detail](#)

→ [View Vehicle Delivery Information](#)

VINCAMPI

DISPLAY VIN\RELATED CAMPAIGNS

KIPSA06I

04/14/2011 16:27

VIN: 1G1AK55F577

OPEN\CLOSED STATUS:

SEL	CAMPAIGN	STATUS	REPAIR	REPAIR	PREV.	CAMPAIGN
COD	NUMBER		DATE	BAC	NUMBER	TYPE
	10023	DEALER REPAIRED	2010/10/08	117629		SAFETY
LOSS OF POWER STEERING ASSIST - REPLACE ELECTRIC POWER STEERING MOTOR						

INQUIRY COMPLETE

PW:

PF 10 MANT 11 VHCP 12 DLRA 13 AUDT 14 XREF 15 DESC 16 ADST 17 NADR 18 DELT

19 PERF 20 21 22 23 24 PF SELECT: GOTO:

<input type="button" value="Print"/>	<input type="button" value="Close"/>	VIN HISTORY		DatePrinted: 4/14/2011
VIN # 1G1AK55F577		Recall# 10023		
RECALL EVENTS				
EVENT (ORIGINAL)		RELEASE DATE: 4/5/2010	MAIL DATE: 04/05/2010	
Recall Suffix:		Letter Link: <input type="button" value="10023P.C01"/>	Last Update:	
Name:				
Address:				
Address 2:				
Address 3:				
City: NATCHEZ		State:MS	Postal Code:	Country:US
Phone:		Language: ENG		
GMBAC: 00000117629		Dealer Code: 24296	Division Code: 13	
Fleet Code:		Fleet Account:		
Possessor Name:				
Certificate:		<input type="button" value="View Certificate"/>		
EVENT (ORIGINAL)		RELEASE DATE: 8/9/2010	MAIL DATE: 08/16/2010	
Recall Suffix: 4		Letter Link: <input type="button" value="10023.C01"/>	Last Update:	
Name:				
Address:				
Address 2:				
Address 3:				
City: NATCHEZ		State:MS	Postal Code:	Country:US
Phone:		Language: ENG		
GMBAC: 00000117629		Dealer Code: 24296	Division Code: 13	
Fleet Code:		Fleet Account:		
Possessor Name:				
Certificate:		<input type="button" value="View Certificate"/>		
CUSTOMER REPLY FORM DATA : No reply form data found				
CAM-01 DATA : No CAM-01 data found				



File In Section: Product Recalls
Bulletin No.: 10023D
Date: September 2010

Recall Bulletin



PRODUCT SAFETY RECALL

SUBJECT: Loss of Power Steering Assist – Replace Electric Power Steering Motor

MODELS: 2005-2010 Chevrolet Cobalt
2005 Pontiac Pursuit
2005-2006 Pontiac G4
2006 Pontiac G5 Pursuit
2007-2010 Pontiac G5
Equipped with Electric Power Steering

The Parts Information, Service Procedure, and Claim Information sections in this bulletin have been revised. Dealers are to no longer use Loctite. All reference to the use of Loctite has been removed. Additional motor kit part numbers have also been added to the Parts Information table.

Please discard all copies of bulletin 10023C, issued June 2010.

The vehicles involved in this safety recall were placed on Stop Delivery on March 2, 2010. Performing the service procedure contained in this bulletin will release the vehicle from Stop Delivery and allow you to sell and deliver the vehicle to a customer.

CONDITION

General Motors has decided that a defect, which relates to motor vehicle safety, exists in certain 2005-2010 model year Chevrolet Cobalt vehicles; 2005 model year Pontiac Pursuit; 2005-2006 model year Pontiac G4; 2006 model year Pontiac G5 Pursuit; and 2007-2010 model year Pontiac G5 vehicles equipped with electric power steering. Some of these vehicles have a condition in which a sudden loss of power steering assist could occur at any time while driving the vehicle. If the power steering assist is lost, a chime will sound and a "Power Steering" message will be displayed in the Driver Information Center to inform the driver of the condition. Steering control will be maintained, as the vehicle defaults to a manual steering mode. If power steering assist is lost, it may require greater driver effort at low vehicle speeds, for example, below 15 mph (25 km/h). Unless a driver compensates for this additional effort, it may increase the risk of a crash.

Typically, the next time the vehicle is started, the power steering assist will return and the "Power Steering" message will no longer be displayed.

CORRECTION

Dealers are to replace the electric power steering motor.

VEHICLES INVOLVED

Involved are **certain** 2005-2010 model year Chevrolet Cobalt vehicles; 2005 model year Pontiac Pursuit; 2005-2006 model year Pontiac G4; 2006 model year Pontiac G5 Pursuit; and 2007-2010 model year Pontiac G5 vehicles equipped with electric power steering, and built within these VIN breakpoints:

Year	Division	Model	From	Through
2005	Chevrolet	Cobalt	57156809	57673463
2006	Chevrolet	Cobalt	67600001	67887446
2007	Chevrolet	Cobalt	77100001	77417714
2008	Chevrolet	Cobalt	87100001	87351547
2009	Chevrolet	Cobalt	97100001	97299845
2010	Chevrolet	Cobalt	A7100003	A7187115
2005	Pontiac	G4	57500017	57672197
2006	Pontiac	G4	67600107	67886423
2007	Pontiac	G5	77100002	77417707
2008	Pontiac	G5	87100006	87351546
2009	Pontiac	G5	97100018	97299842
2010	Pontiac	G5	A7100001	A7116703
2006	Pontiac	G5 Pursuit	67600030	67887269
2005	Pontiac	Pursuit	57157648	57673461

Important: Dealers are to confirm vehicle eligibility prior to beginning repairs by using the Investigate Vehicle History link. Not all vehicles within the above breakpoints may be involved.

For dealers with involved vehicles, a listing with involved vehicles containing the complete vehicle identification number, customer name, and address information has been prepared and will be provided to US and Canadian dealers through the GM GlobalConnect Recall Reports. Dealers will not have a report available if they have no involved vehicles currently assigned.

The listing may contain customer names and addresses obtained from Motor Vehicle Registration Records. The use of such motor vehicle registration data for any purpose other than follow-up necessary to complete this recall is a violation of law in several states/provinces/countries. Accordingly, you are urged to limit the use of this report to the follow-up necessary to complete this recall.

PARTS INFORMATION

Important: An initial supply of motor kits required to complete this recall were pre-shipped to involved dealers of record. This pre-shipment took place the week of **March 15, 2010**. Parts required for this recall have been excluded from RIM. Additional dealer inventory should be obtained from General Motors Customer Care and Aftersales. Normal orders should be placed on a DRO = Daily Replenishment Order. In an emergency situation, parts should be ordered on a CSO = Customer Special Order.

Part Number	Description	Quantity/ Vehicle
20995579*, 19257875, 19257136*, or 19257876	Motor Kit, P/S Asst (contains motors assembly, grease packet, tie strap (clip), seal (o-ring)) Note: P/N 20995579, (pink paint dot) or 19257136 (green paint dot), received an oil slinger (cone-shaped item on shaft). Do NOT remove or damage the oil slinger during installation.	1

* A \$40 core charge has been added to this part.

SERVICE PROCEDURE

Note: For customers applying for reimbursement, check GWM to determine if the new power steering motor was installed.

- If the new motor was installed, no further action is required. Proceed to the Claim Information section.
- If the new motor was NOT installed, the vehicle requires motor replacement. Proceed to the repair instructions below.

EPS Motor Replacement Procedure

Note: The use of Loctite is no longer required. Loctite should not be used for any further applications.

1. Connect the Tech 2® to the vehicle and check for diagnostic trouble codes (DTCs).
2. Record any present DTCs on the repair order and during claim submission.
3. Clear any DTCs that are present.
4. Remove the power steering assist motor. Refer to *Power Steering Assist Motor Replacement* in SI.

Caution: Use caution when installing the new motor assembly to prevent damage to the components on the front of the motor assembly. When installing the new motor assembly, hold the motor assembly in vehicle position and finger-start and tighten the two bolts. Technicians must tighten the two power steering motor bolts evenly, alternating between the two bolts until proper torque is obtained. If the motor is not held in vehicle position and bolts are not finger-started and tightened properly, a noise or vibration may be induced into the steering column.

Note: For 2005 model year vehicles only: Do NOT install the o-ring between the motor assembly and the steering column assembly. The new service motor kit will include an o-ring, but **DO NOT** install the o-ring for 2005 model year vehicles only.

5. Install the new power steering assist motor. Refer to *Power Steering Assist Motor Replacement* in SI.
6. Perform Test Drive.

CUSTOMER REIMBURSEMENT – For GM US

All customer requests for reimbursement of previously paid repairs for the recall condition will be handled by the Customer Assistance Center, not by dealers.

A General Motors Customer Reimbursement Procedure and Claim Form is included with the customer letter.

IMPORTANT: (For GM US Only) Refer to the GM Service Policies and Procedures Manual, section 6.1.12, for specific procedures regarding customer reimbursement and the form.

CUSTOMER REIMBURSEMENT – For Canada

Customer requests for reimbursement of previously paid repairs for the recall condition are to be submitted to the dealer by October 31, 2011.

All reasonable customer paid receipts should be considered for reimbursement. The amount to be reimbursed will be limited to the amount the repair would have cost if completed by an authorized General Motors dealer.

When a customer requests reimbursement, they must provide the following:

- Proof of ownership at time of repair.
- Original paid receipt confirming the amount of repair expense(s) that were not reimbursed, a description of the repair, and the person or entity performing the repair.

Claims for customer reimbursement on previously paid repairs are to be submitted as required by GWM.

IMPORTANT: Refer to the GM Service Policies and Procedures Manual, section 6.1.12, for specific procedures regarding customer reimbursement verification.

FLOOR PLAN REIMBURSEMENT

Dealers in possession of vehicles included in the Stop Delivery are eligible for reimbursement of floor plan expense upon completion of this recall. This reimbursement is limited to the number of days from the Stop Delivery message to receipt of the recall parts and/or repair procedures. Floor plan reimbursement beyond these dates is not allowed. The amount of reimbursement should be charged as a net amount expense using the recall labor operation provided.

COURTESY TRANSPORTATION

The General Motors Courtesy Transportation program is intended to minimize customer inconvenience when a vehicle requires a repair. The availability of courtesy transportation to customers whose vehicles are within the warranty coverage period and involved in a product program is very important in maintaining customer satisfaction. Dealers are to ensure that these customers understand that shuttle service or some other form of courtesy transportation is available and will be provided at no charge. Dealers should refer to the General Motors Service Policies and Procedures Manual for Courtesy Transportation guidelines.

CLAIM INFORMATION

1. Submit a claim using the table below.
2. Courtesy Transportation (not for Export use) - Submit as Net Item under the repair labor code.

Labor Code	Description	Labor Time	Net Item
V2220	Replace Power Steering Assist Motor (inc. inspection & Test Drive)	0.6	N/A
V2221	Customer Reimbursement – Vehicle Repaired WITH New Motor (PN 20930092), No Further Repairs Required (not for use by US GM dealers)	0.2	*
V2222	Customer Reimbursement – Vehicle NOT Repaired With New Motor (PN 20930092) – Recall Needs to be Performed (not for use by US GM dealers)	0.2	*
V2223	Floor Plan Reimbursement	N/A	**

* The amount identified in "Net Item" should represent the dollar amount reimbursed to the customer.

** The amount identified in "Net Item" should represent the product of the vehicle's average daily interest rate (see table below) multiplied by the actual number of days the vehicle was in dealer inventory and not available for sale. This reimbursement is limited to the number of days from the date of the stop delivery message (March 2, 2010) to the date the repair is completed and the vehicle is ready for sale (not to exceed 35 days):

Vehicle	US Reimbursement Amount	Canadian Reimbursement Amount
Chevrolet Cobalt	\$2.08	\$ 2.94
Pontiac G5, G5 Pursuit, Pursuit	\$2.14	\$2.96

CUSTOMER NOTIFICATION – For US and Canada

General Motors will notify customers of this recall on their vehicle (see copy of customer letter included with this bulletin).

CUSTOMER NOTIFICATION – For Export

Letters will be sent to known owners of record located within areas covered by the US National Traffic and Motor Vehicle Safety Act. For owners outside these areas, dealers should notify customers using the attached sample letter.

DEALER RECALL RESPONSIBILITY – For US and Export (US States, Territories, and Possessions)

The US National Traffic and Motor Vehicle Safety Act provides that each vehicle that is subject to a recall of this type must be adequately repaired within a reasonable time after the customer has tendered it for repair. A failure to repair within sixty days after tender of a vehicle is prima facie evidence of failure to repair within a reasonable time. If the condition is not adequately repaired within a reasonable time, the customer may be entitled to an identical or reasonably equivalent vehicle at no charge or to a refund of the purchase price less a reasonable allowance for depreciation. To avoid having to provide these burdensome remedies, every effort must be made to promptly schedule an appointment with each customer and to repair their vehicle as soon as possible. In the recall notification letters, customers are told how to contact the US National Highway Traffic Safety Administration if the recall is not completed within a reasonable time.

DEALER RECALL RESPONSIBILITY – All

All unsold new vehicles in dealers' possession and subject to this recall must be held and inspected/repaired per the service procedure of this recall bulletin before customers take possession of these vehicles.

Dealers are to service all vehicles subject to this recall at no charge to customers, regardless of mileage, age of vehicle, or ownership, from this time forward.

Customers who have recently purchased vehicles sold from your vehicle inventory, and for which there is no customer information indicated on the dealer listing, are to be contacted by the dealer. Arrangements are to be made to make the required correction according to the instructions contained in this bulletin. A copy of the customer letter is provided in this bulletin for your use in contacting customers. Recall follow-up cards should not be used for this purpose, since the customer may not as yet have received the notification letter.

In summary, whenever a vehicle subject to this recall enters your vehicle inventory, or is in your dealership for service in the future, you must take the steps necessary to be sure the recall correction has been made before selling or releasing the vehicle.

GM bulletins are intended for use by professional technicians, NOT a "do-it-yourselfer". They are written to inform these technicians of conditions that may occur on some vehicles, or to provide information that could assist in the proper service of a vehicle. Properly trained technicians have the tools, equipment, safety instructions, and know-how to do a job properly and safely. If a condition is described, **DO NOT** assume that the bulletin applies to your vehicle, or that your vehicle will have that condition. See your dealer/retailer for information on whether your vehicle may benefit from the information.



We Support
Voluntary
Technician
Certification

Dear General Motors Customer:

This notice is sent to you in accordance with the requirements of the National Traffic and Motor Vehicle Safety Act.

General Motors has decided that a defect that relates to motor vehicle safety exists in certain 2005-2010 model year Chevrolet Cobalt vehicles; 2005 model year Pontiac Pursuit; 2005-2006 model year Pontiac G4; 2006 model year Pontiac G5 Pursuit; and 2007-2010 model year Pontiac G5 vehicles equipped with electric power steering. As a result, GM is conducting a safety recall. We apologize for this inconvenience. However, we are concerned about your safety and continued satisfaction with our products.

IMPORTANT

- Your vehicle is involved in safety recall 10023.
- Schedule an appointment with your GM dealer.
- This service will be performed for you at **no charge**.

Why is your vehicle being recalled?

Your vehicle may have a condition in which a sudden loss of power steering assist could occur at any time while driving the vehicle. If the power steering assist is lost, a chime will sound and a "Power Steering" message will be displayed in the Driver Information Center to inform you of the condition. Steering control will be maintained, as the vehicle defaults to a manual steering mode. If power steering assist is lost, it may require greater driver effort at low vehicle speeds, for example, below 15 mph (25 km/h). Unless the driver compensates for this additional effort, it may increase the risk of a crash.

Typically, the next time the vehicle is started, the power steering assist will return and the "Power Steering" message will no longer be displayed.

What will we do?

Your GM dealer will replace the electric power steering motor. This service will be performed for you at **no charge**. Because of service scheduling requirements, it is likely that your dealer will need your vehicle longer than the actual service correction time of approximately 40 minutes.

If your vehicle is within the New Vehicle Limited Warranty, your dealer may provide you with shuttle service or some other form of courtesy transportation while your vehicle is at the dealership for this repair. Please refer to your Owner Manual and your dealer for details on courtesy transportation.

What should you do?

You should contact your GM dealer to arrange a service appointment as soon as possible.

Did you already pay for this repair? The enclosed form explains what reimbursement is available and how to request reimbursement if you have paid for repairs for the recall condition. If you had this condition corrected, you may have received the new motor. Please contact your dealer to determine if the motor in your vehicle requires replacement.

Do you have questions? If you have questions or concerns that your dealer is unable to resolve, please contact the appropriate Customer Assistance Center at the number listed below.

Division	Number	Text Telephones (TTY)
Chevrolet	1-800-630-2438	1-800-833-2438
Pontiac	1-800-620-7668	1-800-833-7668
Guam	1-671-648-8450	
Puerto Rico – English	1-800-496-9992	
Puerto Rico – Español	1-800-496-9993	
Virgin Islands	1-800-496-9994	

If after contacting your dealer and the Customer Assistance Center, you are still not satisfied we have done our best to remedy this condition without charge and within a reasonable time, you may wish to write the Administrator, National Highway Traffic Safety Administration, 1200 New Jersey Avenue, SE, Washington DC 20590, or call the toll-free Vehicle Safety Hotline at 1.888.327.4236 (TTY 1.800.424.9153), or go to <http://www.safercar.gov>.

Federal regulation requires that any vehicle lessor receiving this recall notice must forward a copy of this notice to the lessee within ten days.

Scott Lawson
Director,
Customer and Relationship Services

Enclosure
10023



Bulletin No.: 09275A
Date: March 2010

Service Bulletin



SPECIAL COVERAGE

SUBJECT: Special Coverage Adjustment – Fuel Odor or Spotting on Ground – Replace Fuel Pump Module

MODELS: 2006 Chevrolet Cobalt
2006 Pontiac G4
2006 Saturn ION
Originally Sold or Currently Registered In Alabama, Arkansas, California, Florida, Georgia, Hawaii, Louisiana, Mississippi, North Carolina, New Mexico, Oklahoma, South Carolina, Tennessee, Texas

2007 Chevrolet Cobalt
2007 Pontiac G5
2007 Saturn ION
Originally Sold or Currently Registered In Alabama, Arkansas, Georgia, Hawaii, Louisiana, Mississippi, North Carolina, New Mexico, Oklahoma, South Carolina, Tennessee

This bulletin is being revised to include additional population. Please discard all copies of bulletin 09275, issued January 2010.

CONDITION

Some 2006 model year Chevrolet Cobalt, Pontiac G4, and Saturn ION vehicles originally sold or currently registered in Alabama, Arkansas, California, Florida, Georgia, Hawaii, Louisiana, Mississippi, North Carolina, New Mexico, Oklahoma, South Carolina, Tennessee, and Texas; and some 2007 model year Chevrolet Cobalt, Pontiac G5, and Saturn ION vehicles originally sold or currently registered in Alabama, Arkansas, Georgia, Hawaii, Louisiana, Mississippi, North Carolina, New Mexico, Oklahoma, South Carolina, and Tennessee may have a condition in which the plastic supply or return port on the modular reservoir assembly (MRA) may crack. If either of these ports develop a crack, fuel will leak from the area. The customer may notice a fuel odor while the vehicle is being driven or after it is parked. If the crack becomes large enough, fuel may be observed dripping onto the ground and vehicle performance may be affected.

SPECIAL COVERAGE ADJUSTMENT

This special coverage covers the condition described above for a period of 10 years or 120,000 miles (193,000 km), whichever occurs first, from the date the vehicle was originally placed in service, regardless of ownership.

Dealers are to replace the fuel pump module. The repairs will be made at no charge to the customer.

For vehicles covered by Vehicle Service Contracts, all eligible claims with repair orders on or after January 28, 2010, are covered by this special coverage and must be submitted using the labor operation codes provided with this bulletin. Claims with repair orders prior to January 28, 2010, must be submitted to the Service Contract provider.

VEHICLES INVOLVED

Involved are **certain** 2006 model year Chevrolet Cobalt, Pontiac G4, and Saturn ION vehicles originally sold or currently registered in Alabama, Arkansas, California, Florida, Georgia, Hawaii, Louisiana, Mississippi, North Carolina, New Mexico, Oklahoma, South Carolina, Tennessee, and Texas; and **certain** 2007 model year Chevrolet Cobalt, Pontiac G5, and Saturn ION vehicles originally sold or currently registered in Alabama, Arkansas, Georgia, Hawaii, Louisiana, Mississippi, North Carolina, New Mexico, Oklahoma, South Carolina, and Tennessee and built within the following VIN breakpoints:

Year	Division	Model	From	Through
2006	Chevrolet	Cobalt	67600002	67887446
2007	Chevrolet	Cobalt	77100006	77317713
2006	Pontiac	G4	67600107	67886423
2007	Pontiac	G5	77100025	77317645
2006	Saturn	ION	6Z100002	6Z211250
2007	Saturn	ION	7Z100009	7Z210508

Important: Dealers/retailers using the Global Warranty Management (GWM) system are to confirm vehicle eligibility prior to beginning repairs by using the 'Investigate Vehicle History' link on the Global Warranty Management application within GlobalConnect. Special Coverages are displayed in the Applicable Warranties section.

PARTS INFORMATION –

GM Only: Parts required to complete this special coverage are to be obtained from General Motors Service and Parts Operations (GMSPO).

Saturn Only: Saturn will not be doing a pre-shipment of parts for this special coverage. Please place orders for the required parts as necessary.

Part Number	Description	Quantity/Vehicle
19168894	Module Kit, F/Tnk F/Pmp (w/o Fuel Lvl Sen) (LE5/L61)	1
19177326	Module Kit, F/Tnk F/Pmp (w/o Fuel Lvl Sen) (LSJ)	1

CUSTOMER NOTIFICATION

General Motors will notify customers of this special coverage on their vehicles (see copy of typical customer letter included with this bulletin - actual divisional letter may vary slightly).

SERVICE PROCEDURE

1. Remove the fuel pump module. Refer to *Fuel Pump Module Replacement* in SI.
2. Install a new fuel pump module. Refer to *Fuel Pump Module Replacement* in SI.

CLAIM INFORMATION

1. Submit a claim using the table below.
2. Courtesy Transportation - For dealers/retailers using WINS, submit using normal labor code; for dealers/retailers using GWM – submit as Net Item under the repair labor code.

Labor Code	Description	Labor Time	Net Item
T5734	Install New Fuel Pump Module		N/A
	• Cobalt, G5, Pursuit	1.5	
	• ION	1.2	
T5735	Customer Reimbursement (not for use by US GM dealers)	0.2	*

* The amount identified in "Net Item" should represent the dollar amount reimbursed to the customer.

CUSTOMER REIMBURSEMENT - For GM

All customer requests for reimbursement for previous repairs for the special coverage condition will be handled by the Customer Assistance Center, not by dealers.

A General Motors Customer Reimbursement Procedure and Claim Form is included with the customer letter.

IMPORTANT: Refer to the GM Service Policies and Procedures Manual, section 6.1.12, for specific procedures regarding customer reimbursement and the form.

CUSTOMER REIMBURSEMENT – For Saturn Only

All customer requests for reimbursement for previous repairs for this condition are handled by submitting a reimbursement claim form directly to Saturn retailers for processing; however, if customers choose, they may file a claim through the Saturn Customer Assistance Center.

A Saturn Customer Reimbursement Procedure and Claim Form is included with the customer letter.

COURTESY TRANSPORTATION

The General Motors Courtesy Transportation program is intended to minimize customer inconvenience when a vehicle requires a repair that is covered by the New Vehicle Limited Warranties. The availability of courtesy transportation to customers whose vehicles are within the warranty coverage period and involved in a product program is very important in maintaining customer satisfaction. Dealers are to ensure that these customers understand that shuttle

service or some other form of courtesy transportation is available and will be provided at no charge. Dealers should refer to the General Motors Service Policies and Procedures Manual for Courtesy Transportation guidelines.

GM bulletins are intended for use by professional technicians, NOT a "do-it-yourselfer". They are written to inform these technicians of conditions that may occur on some vehicles, or to provide information that could assist in the proper service of a vehicle. Properly trained technicians have the tools, equipment, safety instructions, and know-how to do a job properly and safely. If a condition is described, DO NOT assume that the bulletin applies to your vehicle, or that your vehicle will have that condition. See your dealer/retailer for information on whether your vehicle may benefit from the information.



**We Support
Voluntary Technician
Certification**

Dear General Motors Customer:

As the owner of a 2006 model year Chevrolet Cobalt, Pontiac G4, or Saturn ION vehicle or 2007 model year Chevrolet Cobalt, Pontiac G5, or Saturn ION vehicle, your satisfaction with our product is very important to us.

This letter is intended to make you aware that some 2006 model year Chevrolet Cobalt, Pontiac G4, and Saturn ION vehicles, and some 2007 model year Chevrolet Cobalt, Pontiac G5, and Saturn ION vehicles, sold or operated in areas with warm weather, may have a condition in which the plastic supply or return port on the modular reservoir assembly (MRA) may crack. If either of these ports develop a crack, fuel will leak from the area. You may notice a fuel odor while the vehicle is being driven or after it is parked. If the crack becomes large enough, fuel may be observed dripping onto the ground and vehicle performance may be affected.

Do not take your vehicle to your GM dealer/retailer as a result of this letter unless you believe that your vehicle has the condition as described above.

What We Have Done: General Motors is providing owners with additional protection for the fuel pump module. If this condition occurs on your 2006 model year Chevrolet Cobalt, Pontiac G4, or Saturn ION vehicle or 2007 model year Chevrolet Cobalt, Pontiac G5, or Saturn ION vehicle within 10 years of the date your vehicle was originally placed in service or 120,000 miles (193,000 km), whichever occurs first, the condition will be repaired for you at **no charge**. Diagnosis or repair for conditions other than the condition described above is not covered under this special coverage program.

What You Should Do: Repairs and adjustments qualifying under this special coverage must be performed by a General Motors dealer or Saturn retailer. You may want to contact your dealer or retailer to find out how long they will need to have your vehicle so that you may schedule the appointment at a time that is convenient for you. This will also allow your dealer or retailer to order parts if they are not already in stock. Keep this letter with your other important glove box literature for future reference.

Reimbursement: The enclosed form explains what reimbursement is available and how to request reimbursement if you have paid for repairs for the special coverage condition. Your request for reimbursement, including the information and documents mentioned on the enclosed form, must be received by GM by February 28, 2011.

If you have any questions or need any assistance to better understand related repairs, please contact your dealer/retailer. If you have questions related to a potential reimbursement, please contact the appropriate Customer Assistance Center at the number listed below.

Division	Number	Text Telephones (TTY)
Chevrolet	1-800-630-2438	1-800-833-2438
Pontiac	1-800-620-7668	1-800-833-7668
Saturn	1-800-972-8876	1-800-833-6000

We are sorry for any inconvenience you may experience; however we have taken this action in the interest of your continued satisfaction with our products.

Scott Lawson
Director,
Customer and Relationship Services

Enclosure
09275

**Service of Process
Transmittal**

04/18/2011

CT Log Number [REDACTED]

TO: Rosemarie Williams
General Motors Legal Staff
400 Renaissance Center, Mail Code 482-038-210
Detroit, MI 48265-4000

RE: Process Served in Delaware

FOR: General Motors LLC (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: [REDACTED] etc., by and through her Estate, Administered by her Guardian, Rhonda Bunch, Ptf. vs. General Motors Company, et al. including General Motors, L.L.C., Dfts.
Name discrepancy noted.

DOCUMENT(S) SERVED: Summons, Proof of Service Form, Notice(s), First Amended Complaint

COURT/AGENCY: United States District Court, Western District, OK
Case # [REDACTED]

NATURE OF ACTION: Product Liability Litigation - Manufacturing Defect - Personal Injury - Vehicle Collision - On or about December 10, 2010 plaintiff was a passenger in a 2007 Chevrolet Cobalt, VIN # 1G1AK55F57 [REDACTED] in which the air bags did not deploy when sustaining a head on collision, the seat belts unlatched during the collision, among other design flaws that did not prevent disabling injuries - Seeking damages plus costs, interest and fees

ON WHOM PROCESS WAS SERVED: The Corporation Trust Company, Wilmington, DE

DATE AND HOUR OF SERVICE: By Certified Mail on 04/18/2011 postmarked on 04/13/2011

JURISDICTION SERVED : Delaware

APPEARANCE OR ANSWER DUE: Within 21 days after service, not counting the day received

ATTORNEY(S) / SENDER(S): John M. Merritt
Merritt & Associates, P.C.
917 N. Robinson
Oklahoma City, OK 73102
405-236-2222

ACTION ITEMS: CT has retained the current log, Retain Date: 04/18/2011, Expected Purge Date: 04/23/2011
Image SOP
SOP Papers with Transmittal, via Fax, Rosemarie Williams 313-665-7572
Email Notification, GM Verification GMVerification@wolterskluwer.com

SIGNED: The Corporation Trust Company
PER: Scott LaScala
ADDRESS: 1209 Orange Street
Wilmington, DE 19801
TELEPHONE: 302-658-7581

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the
Western District of Oklahoma

[REDACTED] an incapacitated person, by and)
through her Estate, Administrated by her Guardian,)

Plaintiff(s),)

v.)

General Motors Company, et al.,)

Defendant(s).)

Case No. [REDACTED]

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

General Motors, LLC

by serving: The Corporation Trust Company

Corporation Trust Center, 1209 Orange Street

Wilmington, DE 19801

OR ANY ADDRESS WHERE THEY MAY BE FOUND

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) - or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12(a)(2) or (3) - you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

John M. Merritt, #6146

Merritt & Associates, P.C.

917 N. Robinson

Oklahoma City, OK 73102 (405) 236-2222 (405) 232-8630

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.



SUMMONS ISSUED:

9:02 am, Apr 12, 2011

ROBERT D. DENNIS, Clerk

By:

[Signature]
Deputy Clerk

Signed and sealed by the Clerk of the Court or Deputy Clerk.

AO 440 (Rev. 02/09) Summons in a Civil Action (Page 2)

Civil Action No. [REDACTED]

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4(l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

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

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

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Docket Clerk

From: okwd_ecf_notice@okwd.uscourts.gov
Sent: Tuesday, April 12, 2011 9:03 AM
To: okwdecf@okwd.uscourts.gov
Subject: Activity in Case [REDACTED] v. General Motors Company et al Summons Issued

This is an automatic e-mail message generated by the CM/ECF system. Please **DO NOT RESPOND** to this e-mail because the mail box is **unattended**.

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U.S. District Court

Western District of Oklahoma[LIVE]

Notice of Electronic Filing

The following transaction was entered on 4/12/2011 at 9:03 AM CDT and filed on 4/12/2011

Case Name: [REDACTED] v. General Motors Company et al

Case Number: [REDACTED]

Filer:

Document Number: 21

Docket Text:

Summons Issued Electronically as to General Motors LLC. (brs)

[REDACTED] Notice has been electronically mailed to:

John J Griffin, Jr griffinj@crowedunlevy.com, ECF@crowedunlevy.com, kelley.williams@crowedunlevy.com

Mark A Cox docket.clerk@merrittfirm.com, jill.blue@merrittfirm.com

Barbara A Merritt docket.clerk@merrittfirm.com

John M Merritt docket.clerk@merrittfirm.com, JILL.BLUE@MERRITTFIRM.COM,
MICHAEL.BLUE@MERRITTFIRM.COM

Mary Quinn-Cooper general_delivery@ecsllok.com, mcooper@ecsllok.com

James A Jennings, III JAJ@jctokc.com, amp@jctokc.com, vlp@jctokc.com

Andrew L Richardson general_delivery@ecsllok.com, arichardson@ecsllok.com

[REDACTED] Notice has been delivered by other means to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1041971380 [Date=4/12/2011] [FileNumber=1962571-0
] [3b86af5aeb1d29a819bd1c8c2d33961b9ee24cf1d39f5a91ae39b79560ecde7f081
a977c3a5da0356c1ddcbca47061b6f524c155313961ff0ac8ec1dfcb9ef8e]]

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

[REDACTED], an incapacitated)
person, by and through her Estate,)
Administered by her Guardian, [REDACTED],)

PLAINTIFF,)

V.)

Case No.: [REDACTED]

1) GENERAL MOTORS COMPANY;)
2) T. K. HOLDINGS, INC.;)
3) [REDACTED];)
4) TRW VEHICLE SAFETY SYSTEMS,)
INC.; and 5) GENERAL MOTORS, L.L.C.,)

DEFENDANTS.)

FIRST AMENDED COMPLAINT

PLAINTIFF STATES:

1. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1332, as the Plaintiff and all Defendants are citizens of different states and the matter in controversy exceeds the sum or value of \$75,000.00 exclusive of interest and costs.

2. Plaintiff, [REDACTED], are citizens of the State of Mississippi and Defendant [REDACTED], is a citizen of the State of Texas, at the time of the filing of this action.

3. Defendants, General Motors Company and T. K. Holdings, Inc., are corporations

organized and existing under the laws of the State of Delaware and Delaware, with their principal places of business in the State of Michigan and Michigan, at the time of the filing of this action. TRW Vehicle Safety Systems, Inc., is a corporation existing under the laws of a state other than Mississippi and/or Texas with its principal place of business in a state other than Mississippi or Texas. General Motors, L.L.C., is a corporation organized under the laws of Delaware with its principal place of business in Michigan.

4. Defendants may be served with summons in this Federal District as follows:

General Motors Company by serving its registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801;

T. K. Holdings, Inc., by serving its registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801;

General Motors, L.L.C., by serving its registered service agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801.

5. Defendant, [REDACTED], may be served as follows: By serving such Defendant [REDACTED], Longview, Texas [REDACTED].

6. Defendant, TRW Vehicle Safety Systems, Inc., may be served as follows: By serving CSC-Lawyers Incorporating Service Company, 601 Abbott Road, East Lansing, MI 48823.

7. Defendants, General Motors Corporation, TRW Vehicle Safety Systems, Inc., and T. K. Holdings, Inc. were, at all times complained of herein, doing acts of business within this

State or territory and such acts constituted the nexus of the damages complained of herein, and General Motors Company and General Motors, L.L.C., at the time of the filing of this suit were doing business in the State of Oklahoma.

8. Defendants, General Motors Corporation, TRW Vehicle Safety Systems, Inc., and T. K. Holdings, Inc., committed acts of negligence outside this State or territory resulting in the incident and damages complained of herein occurring within this State.

9. Defendants, General Motors Corporation, TRW Vehicle Safety Systems, Inc., and T. K. Holdings, Inc., manufactured, designed, distributed, furnished, leased and/or sold in a national marketing scheme a defective product which foreseeably found its way into this State resulting in the incident and damages complained of herein occurring within this State.

10. General Motors Company and General Motors, L.L.C., have assumed liability for all injuries complained of herein which were caused by the acts and/or omission of General Motors Corporation complained of herein.

11. The incident complained of occurred within this Federal District.

12. The incident complained of occurred on or about December 20, 2010.

13. The incident complained of herein occurred in the following manner: Sarah Ann Miller was a properly seat belted right front passenger in a 2007 Chevrolet Cobalt driven by [REDACTED] traveling eastbound on State Highway 7. [REDACTED] was driving a 2006 Hyundai Sonata westbound on [REDACTED], attempting to pass another vehicle when he collided nearly head on with the Fitch vehicle.

14. The incident complained of herein occurred at or near the following location: On State [REDACTED], 40 miles west of the city of Velma, in Stephens County, Oklahoma.

15. Plaintiff [REDACTED], is the Guardian of the estate of such Plaintiff's Ward named above.

16. The individual who received personal injuries as a result of the acts complained of herein is [REDACTED].

17. The physical injuries of [REDACTED] consist of the following: the muscles, tendons, ligaments, bony structures, nerve centers, blood vessels and soft tissues of such person(s) body were pulled, torn, strained, traumatized, and their functions permanently impaired.

Additional injuries are as follows: Traumatic brain injury, broken jaw and severe leg injuries.

These injuries are permanent, consciously painful, progressive and disfiguring, and Plaintiff has been damaged in an amount in excess of SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00) for such injuries, for past and future medical bills, past and future physical and mental pain and suffering, past and future disability and disfigurement, past and future loss of enjoyment of life, and past and future loss of earnings.

18. The acts of General Motors Corporation and the acts of the other Defendants herein proximately caused and contributed to the injuries and damages complained of herein.

19. The acts of General Motors Corporation and the acts of the other Defendants herein

combined and commingled to produce the injuries and damages complained of herein.

20. The injuries and damages complained of herein were a result of the acts of Defendant, General Motors Corporation, as follows:

A. General Motors Corporation breached the following duties under manufacturers' products liability, and committed the following acts of negligence which violated the customary and usual procedures generally recognized and accepted in Defendants' industry and which violated industry standards.

B. General Motors Corporation breached its implied warranty of fitness and its implied warranty of merchantability.

C. The product referred to below was defective in its condition, design, and/or manufacture when it was placed in the normal channels of commerce as follows:

(1) Plaintiff(s) contend(s) that the vehicle was defective because its air bags did not deploy during such crash when the crash forces were such that the air bags should have deployed.

(2) Plaintiff(s) contend(s) the seat belts of such vehicle were defective because they either inertially unlatched or inadvertently unlatched during the collision and/or did not adequately restrain [REDACTED] all in violation of FMVSS 208 and 209.

(3) Plaintiff(s) contend(s) the interior compartment was designed with inadequate distances from the position of the occupant to the interior surfaces of the occupant compartment.

(4) Plaintiff(s) contend(s) that the vehicle was not designed and manufactured in such a manner so to prevent a belted occupant from receiving serious disabling injuries during foreseeable crash forces.

- D. The product was negligently designed as stated above.
- E. There was inadequate testing and inspection of the product prior to its release.
- F. There were no adequate warnings or instructions placed on the product or that accompanied the product, which were communicated to the user as to the proper manner of use of such product or dangers associated with the use of such product.
- G. General Motors Corporation failed to exercise its post-sale duty to warn of such dangers or to modify their product to eliminate such hazards.
- H. General Motors Corporation violated generally recognized and accepted industry standards in the design and/or manufacture of the product.
- I. General Motors Corporation violated governmental standards and/or regulations in the manufacture, design and/or marketing of its product.
- J. General Motors Corporation breached its express warranties in that such product was reported in advertising, literature, and manuals as being safe when it was not.
- K. The description of the product is as follows:

2007 Chevrolet Cobalt, VIN #1G1AK55F577 [REDACTED]

For the above reasons, said product was unreasonably dangerous beyond the contemplation of the average user.

L. General Motors Corporation failed to exercise its duty under Section 577.7 of the Federal Motor Vehicle Safety Standards, which requires a manufacturer of motor vehicles or replacement equipment to notify the owner of such equipment of such defects, hazards and danger and/or recall such equipment.

21. The injuries and damages complained of herein were a result of the acts of Defendant, T. K. Holdings, Inc., as follows:

A. T. K. Holdings, Inc. breached the following duties under manufacturers' products liability, and committed the following acts of negligence which violated the customary and usual procedures generally recognized and accepted in Defendant's industry and which violated industry standards.

B. T. K. Holdings, Inc. breached its implied warranty of fitness and its implied warranty of merchantability.

C. The product referred to below was defective in its condition, design, and/or manufacture when it was placed in the normal channels of commerce as follows:

(1) Plaintiff(s) contend the seat belts of the above described vehicle were defective because such seat belts inertially unlatched or inadvertently unlatched and/or inadequately restrained Sarah Miller all in violation of FMVSS 208 and 209

D. The product was negligently designed as stated above.

E. There was inadequate testing and inspection of the product prior to its release.

F. There were no adequate warnings or instructions placed on the product or that

accompanied the product, which were communicated to the user as to the proper manner of use of such product or dangers associated with the use of such product.

G. T.K. Holdings, Inc. failed to exercise its post-sale duty to warn of such dangers or to modify their product to eliminate such hazards.

H. T.K. Holdings, Inc. violated generally recognized and accepted industry standards in the design and/or manufacture of the product.

I. The description of the product is as follows:

The right front passenger seat belt of the above described 2007 Chevrolet Cobalt vehicle.

For the above reasons, said product was unreasonably dangerous beyond the contemplation of the average user.

J. T.K. Holdings, Inc. failed to exercise its duty under Section 577.7 of the Federal Motor Vehicle Safety Standards, which requires a manufacturer of motor vehicles or replacement equipment to notify the owner of such equipment of such defects, hazards and danger and/or recall such equipment.

22. The injuries and damages complained of herein were a result of the acts of Defendant, Bruce Mayfield, as follows:

- A. Such Defendant operated his vehicle in a negligent and reckless manner.
- B. Such Defendant operated his vehicle to the left of the center of the roadway.
- C. Such Defendant attempted to pass another vehicle when it was not safe to do so.

D. Such Defendant operated his vehicle at an unsafe speed.

23. The injuries and damages complained of herein were a result of the acts of Defendant, TRW Vehicle Safety Systems Inc., as follows:

A. TRW Vehicle Safety Systems, Inc. breached the following duties under manufacturers' products liability, and committed the following acts of negligence which violated the customary and usual procedures generally recognized and accepted in Defendant's industry and which violated industry standards.

B. TRW Vehicle Safety Systems, Inc. breached its implied warranty of fitness and its implied warranty of merchantability.

C. The product referred to below was defective in its condition, design, and/or manufacture when it was placed in the normal channels of commerce as follows:

(1) The passenger air bag system was defectively manufactured and designed so that it would not deploy in a front accident which would occur at a Delta V and direction of force which should deploy such air bag system.

D. The product was negligently designed as stated above.

E. There was inadequate testing and inspection of the product prior to its release.

F. There were no adequate warnings or instructions placed on the product or that accompanied the product, which were communicated to the user as to the proper manner of use of such product or dangers associated with the use of such product.

G. Defendant failed to exercise its post-sale duty to warn of such dangers or to modify

their product to eliminate such hazards.

H. Defendant violated generally recognized and accepted industry standards in the design and/or manufacture of the product.

I. Defendant violated the following governmental standards and/or regulations in the manufacture, design and/or marketing of its product: FMVSS 208.

J. The description of the product is as follows:

The passenger air bag system in the above described 2007 Chevrolet Cobalt vehicle. For the above reasons, said product was unreasonably dangerous beyond the contemplation of the average user.

24. All of the acts committed by General Motors Corporation, TRW Vehicle Safety Systems, Inc., T.K. Holdings, Inc., and [REDACTED], amounted to a reckless disregard for the rights of others and were committed intentionally and with malice toward others with evidence of a conscious indifference for the life and safety of [REDACTED] and therefore the Plaintiff has been damaged in an amount in excess of the amount required for diversity jurisdiction pursuant to 28 U.S.C. Sec. 1332 for punitive or exemplary damages.

WHEREFORE, Plaintiff prays judgment in the amounts recited above, plus costs, interest, attorney's fees, and such other relief as the Court may deem proper.

ATTORNEYS' LIEN CLAIMED

JURY TRIAL DEMANDED

/s/ John M. Merritt

JOHN M. MERRITT - OBA #6146
MERRITT & ASSOCIATES, P.C.
P. O. BOX 1377
OKLAHOMA CITY, OKLAHOMA 73101
(405) 236-2222 FAX (405) 232-8630
Docket.clerk@merrittfirm.com
ATTORNEY FOR PLAINTIFF

Docket Clerk

From: okwd_ecf_notice@okwd.uscourts.gov
Sent: Tuesday, March 08, 2011 4:53 PM
To: okwdecf@okwd.uscourts.gov
Subject: Activity in Case [REDACTED] v. General Motors Company et al Amended Complaint

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

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U.S. District Court

Western District of Oklahoma[LIVE]

Notice of Electronic Filing

The following transaction was entered by Merritt, John on 3/8/2011 at 4:52 PM CST and filed on 3/8/2011

Case Name: [REDACTED] v. General Motors Company et al

Case Number: [REDACTED]
[REDACTED]

Document Number: 10

Docket Text:

AMENDED COMPLAINT, *First* against General Motors Company, [REDACTED], TK Holdings Inc, TRW Vehicle Safety Systems Inc filed by [REDACTED].(Merritt, John)

[REDACTED] Notice has been electronically mailed to:

Barbara A Merritt docket.clerk@merrittfirm.com

John M Merritt docket.clerk@merrittfirm.com, JILL.BLUE@MERRITTFIRM.COM,
MICHAEL.BLUE@MERRITTFIRM.COM

Mark A Cox docket.clerk@merrittfirm.com, jill.blue@merrittfirm.com

[REDACTED] Notice has been delivered by other means to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1041971380 [Date=3/8/2011] [FileNumber=1938361-0]
[23379e5cee5bc789f3453481d889d8ef6cd58e60375b5a6c3e97b0b34841ffaac479
a2b5798732d3be41cb8dc72a5d40c2446997a08567e4872c87bc1b268b3c]]

MERRITT & ASSOCIATES, P.C.
917 N. ROBINSON
OKLAHOMA CITY, OK 73102



73102 RETURN RECEIPT REQUESTED

ncopost
04/13/2011

\$11.79⁰⁰

041L10203170

ZIP 73102
041L10203170



General Motors, LLC
By serving: The COporation Trust Company
COporation Trust Center
1209 Orange Street
Wilmington, DE 19801



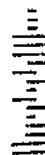
RETURN RECEIPT REQUESTED
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DETACH ALONG PERFORATION



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C

Thank you for using Return Receipt Service



IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

[REDACTED], an incapacitated)
person, by and through her Estate,)
Administered by her Guardian, [REDACTED],)

PLAINTIFF,)

V.)

Case No.: [REDACTED]

1) GENERAL MOTORS COMPANY;)
2) T. K. HOLDINGS, INC.;)
3) [REDACTED];)
4) TRW VEHICLE SAFETY SYSTEMS,)
INC.; and 5) GENERAL MOTORS, L.L.C.,)

DEFENDANTS.)

PLAINTIFF'S DISMISSAL WITHOUT PREJUDICE
OF GENERAL MOTORS COMPANY, ONLY

COMES NOW the Plaintiff, and hereby dismisses the above styled and numbered
action *without prejudice* to the filing of a future action against General Motors Company,
only, reserving all rights to proceed against all remaining parties or others who may be liable.

/s/ John M. Merritt
JOHN M. MERRITT - OBA #6146
MERRITT & ASSOCIATES, P.C.
P. O. BOX 1377
OKLAHOMA CITY, OKLAHOMA 73101
(405) 236-2222 FAX (405) 232-8630
Docket.clerk@merrittfirm.com
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of April, 2011, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing. Based on the electronic records on file, the Clerk of the Court will transmit a Notice of Electronic Filing to the following ECF registrants:

Mary Quinn Cooper general_delivery@ecslok.com, mcooper@ecslok.com
Andrew L Richardson general_delivery@ecslok.com, arichardson@ecslok.com

Attorneys for Defendant, General Motors Company.

John J. Griffin, Jr. griffinj@crowedunlevy.com, ECF@crowedunlevy.com,
kelley.williams@crowedunlevy.com
Kyle H. Dreyer kdreyer@hdbdlaw.com

Attorney for Defendant, T.K. Holdings, Inc.

James A. Jennings, III JAJ@jctokc.com, amp@jctokc.com, vlp@jctokc.com

Attorney for Defendant, TRW Vehicle Safety Systems, Inc.

I hereby certify that on this 21st day of April, 2011, I served the attached document by United States mail on the following, who are not registered participants of the ECF System:

GENERAL MOTORS, L.L.C., by serving: The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801;

[REDACTED], by serving him at [REDACTED], Longview, TX [REDACTED].

/s/ John M. Merritt

JOHN M. MERRITT - OBA #6146

Anna Deshazo

From: okwd_ecf_notice@okwd.uscourts.gov
Sent: Thursday, April 21, 2011 1:06 PM
To: okwdecf@okwd.uscourts.gov
Subject: Activity in Case [REDACTED] v. General Motors Company et al Notice (other)

This is an automatic e-mail message generated by the CM/ECF system. Please **DO NOT RESPOND** to this e-mail because the mail box is **unattended**.

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U.S. District Court

Western District of Oklahoma[LIVE]

Notice of Electronic Filing

The following transaction was entered by Merritt, John on 4/21/2011 at 1:06 PM CDT and filed on 4/21/2011

Case Name: [REDACTED] v. General Motors Company et al

Case Number: [REDACTED]

Filer: [REDACTED]

Document Number: 28

Docket Text:

NOTICE (other) by [REDACTED] *Plaintiff's Dismissal Without Prejudice of General Motors Company, Only (Merritt, John)*

[REDACTED] Notice has been electronically mailed to:

Andrew L Richardson general_delivery@ecslok.com, arichardson@ecslok.com

Barbara A Merritt docket.clerk@merrittfirm.com

James A Jennings , III JAJ@jctokc.com, amp@jctokc.com, vlp@jctokc.com

John J Griffin , Jr griffinj@crowedunlevy.com, ECF@crowedunlevy.com,
kelly.williams@crowedunlevy.com

John M Merritt docket.clerk@merrittfirm.com, JILL.BLUE@MERRITTFIRM.COM,
MICHAEL.BLUE@MERRITTFIRM.COM

Mark A Cox docket.clerk@merrittfirm.com, jill.blue@merrittfirm.com

Mary Quinn-Cooper general_delivery@ecslok.com, mcooper@ecslok.com

Notice has been delivered by other means to:

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[STAMP dcecfStamp_ID=1041971380 [Date=4/21/2011] [FileNumber=1970118-0
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7433ef6b7a77f0f5e377214dcd0896a70e133de595fca0dfc0be0b9741f4a]]

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

██████████, an incapacitated
person, by and through her Estate, Administered
by her Guardian, ██████████,

Plaintiff(s),

v.

GENERAL MOTORS COMPANY;
T. K. HOLDINGS, INC.;
██████████; and
TRW VEHICLE SAFETY SYSTEMS, INC.,
and GENERAL MOTORS, L.L.C.

Defendant(s).

Case No. ██████████
The Honorable Lee R. West

**GENERAL MOTORS LLC'S
DISCLOSURE STATEMENT IDENTIFYING CONSTITUENTS OF LLC**

General Motors LLC submits the following statement:

General Motors LLC is a Delaware limited liability company. General Motors, LLC has its headquarters in the state of Michigan. General Motors LLC is owned by General Motors Holdings LLC, a Delaware limited liability company, which has its headquarters in Michigan. Accordingly, no member (or owner) of General Motors LLC is a resident of Mississippi, Plaintiffs' alleged state of citizenship. *See* First Am. Compl., DKT. No. 10, at 1, ¶ 2 (March 8, 2011).

ELDRIDGE COOPER
STEICHEN & LEACH P.L.L.C.

By s/ Mary Quinn Cooper
MARY QUINN COOPER, OBA# 11966
ANDREW L. RICHARDSON OBA 16298
P.O. Box 3566
Tulsa, Oklahoma 74101-3566
(918) 388-5555 FAX (918) 388-5654
general_delivery@ecslok.com
Attorneys for Defendant
General Motors LLC

CERTIFICATE OF SERVICE

I hereby certify that on the ____ day of May, 2011, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

John Merritt, Barbara Merritt, Mark Cox
docket.clerk@merrittfirm.com
Attorneys for Plaintiff

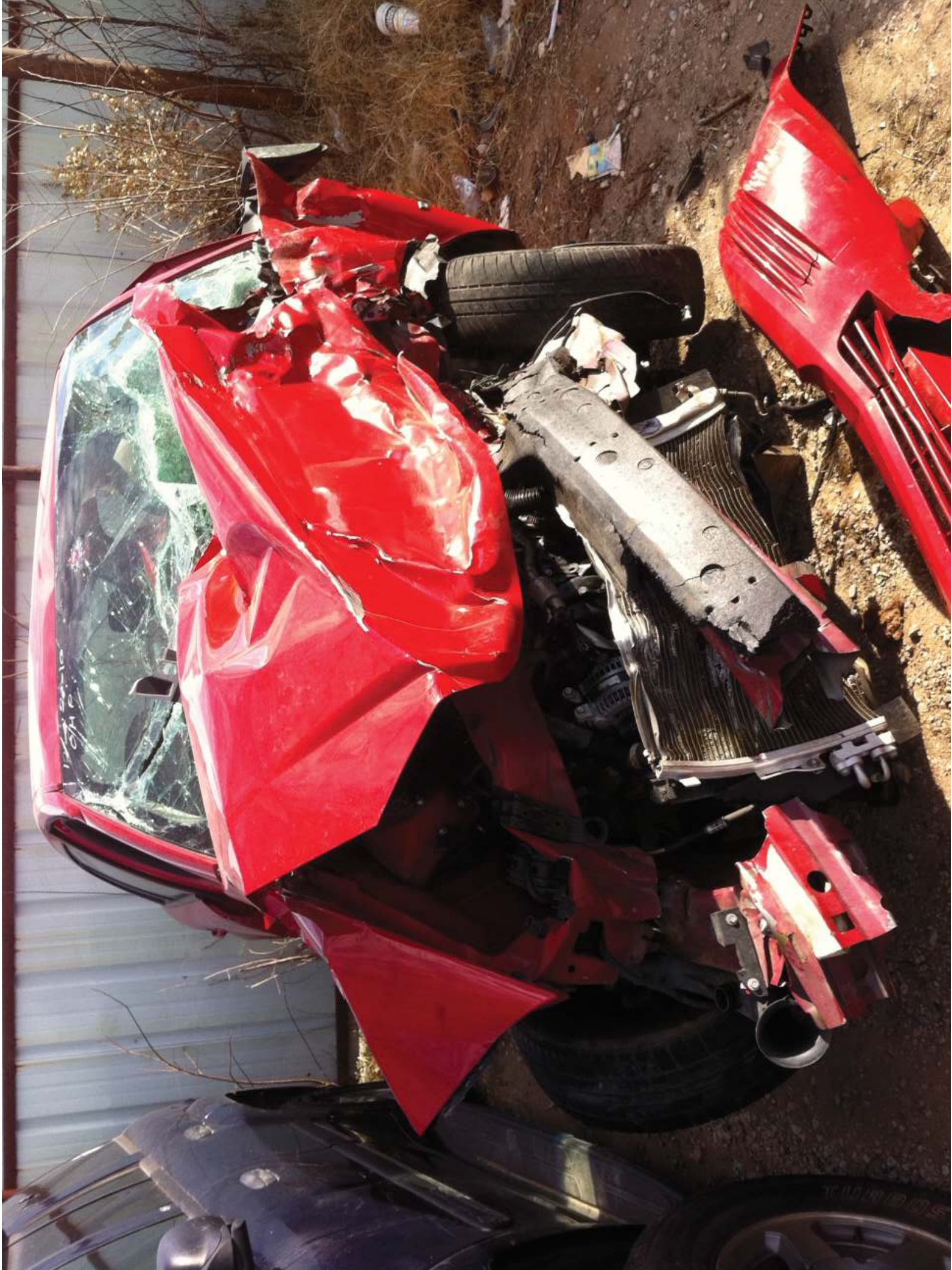
John Griffin at john.griffin@crowedunlevy.com
Kyle Dreyer at kdreyer@hdbdlaw.com
Giovanna Tarantino Bingham at gtarantino@hdbdlaw.com

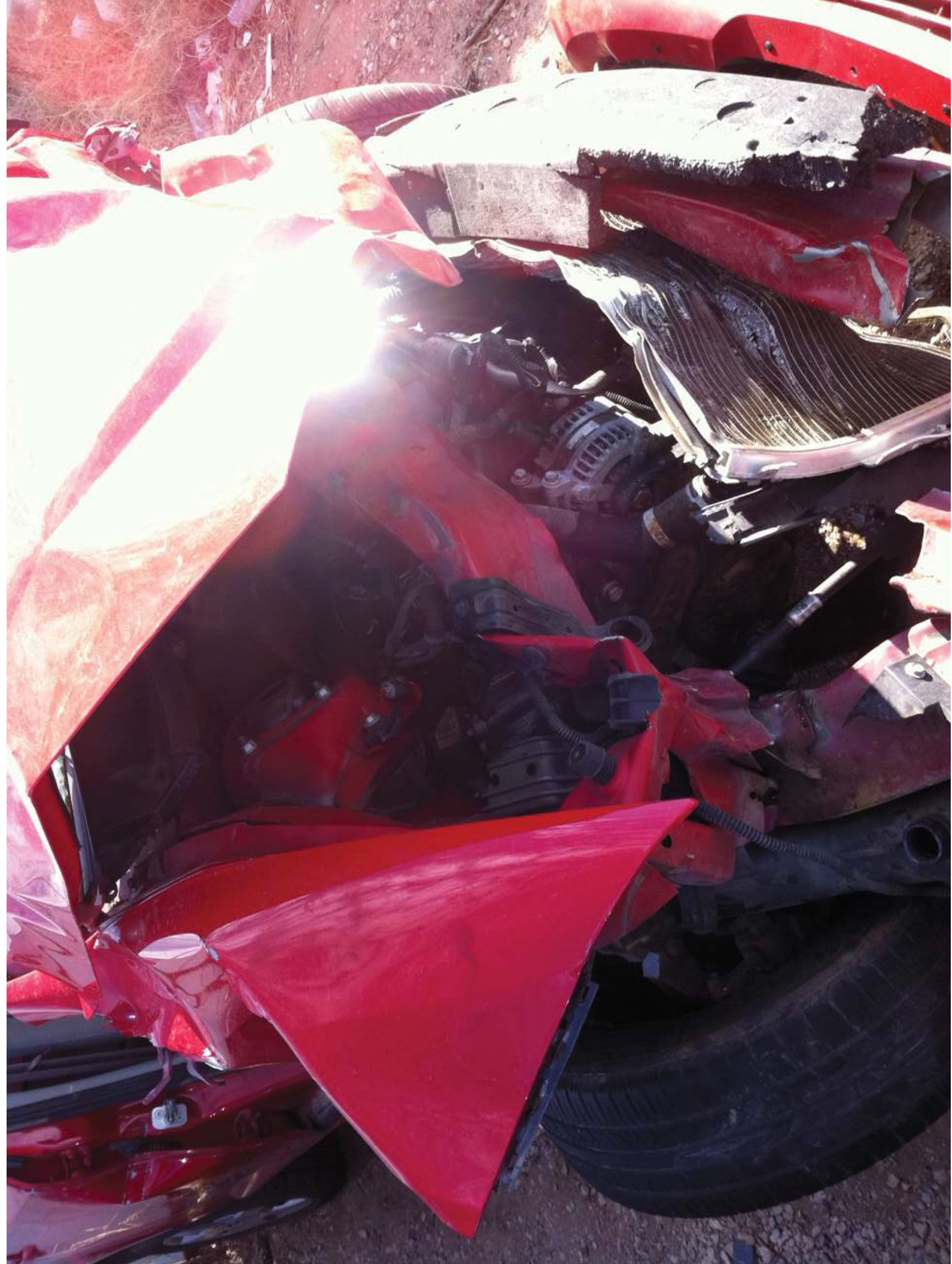
Jim Jennings at jaj@jctokc.com

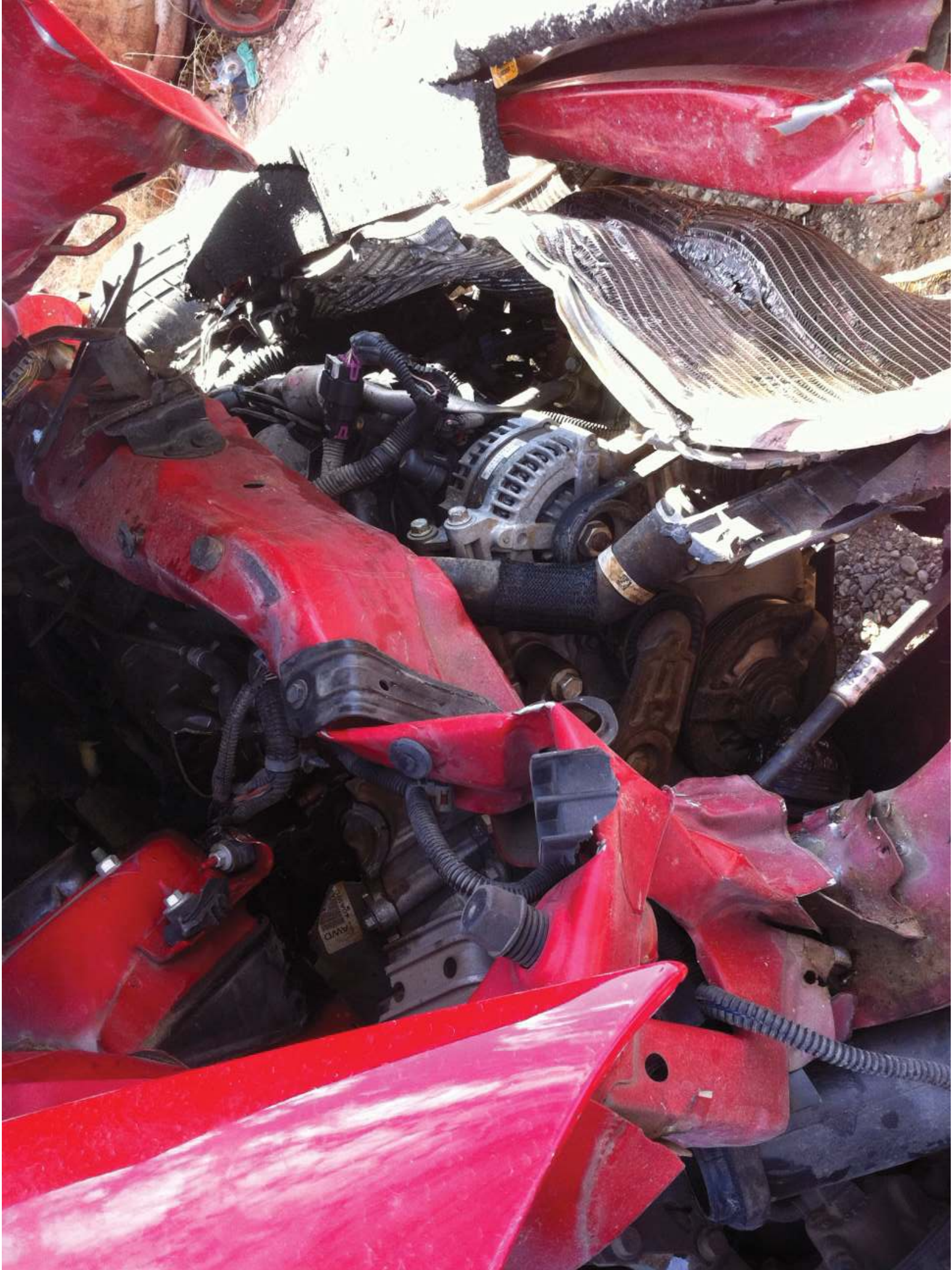
s/ Mary Quinn Cooper

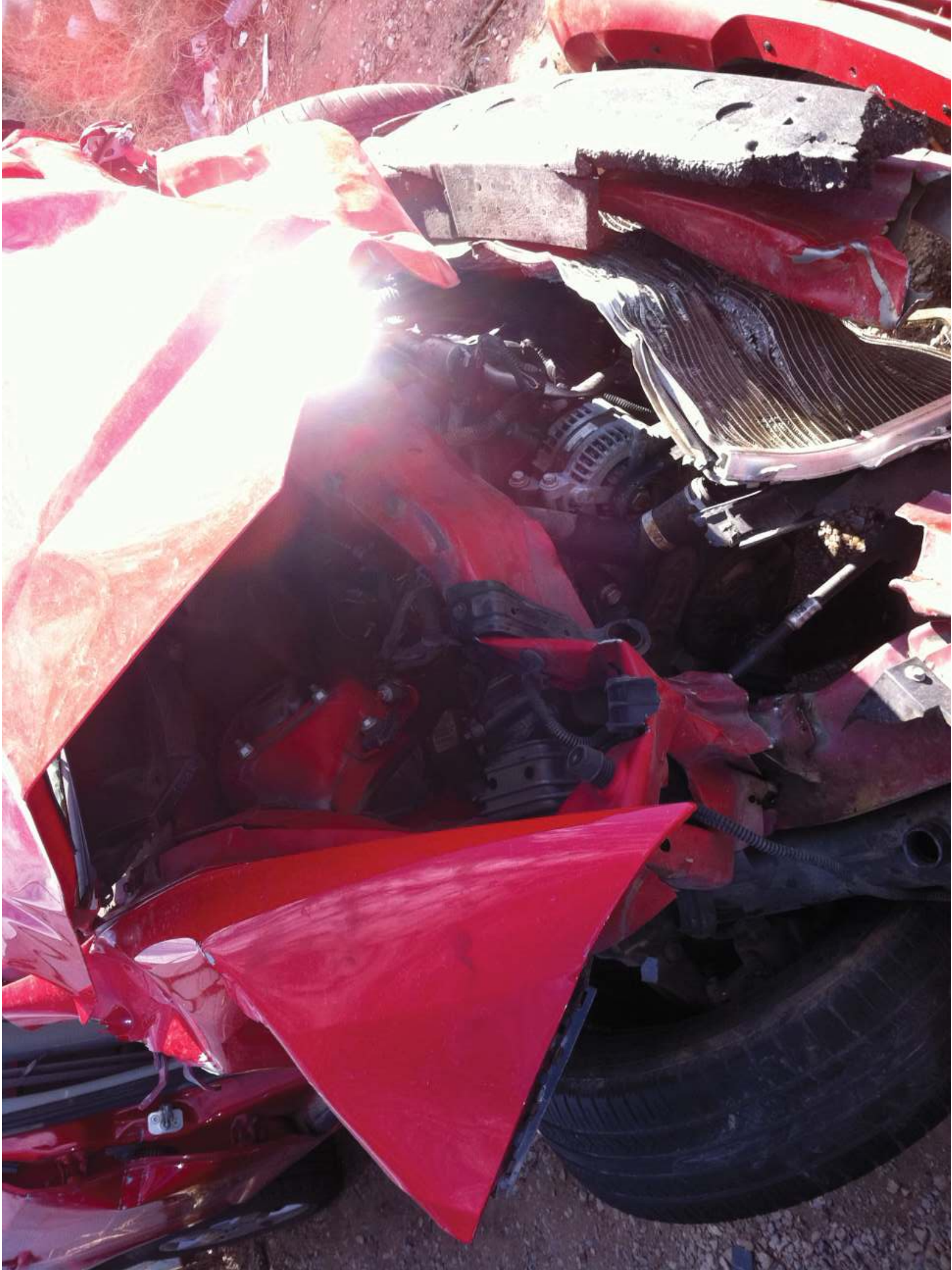


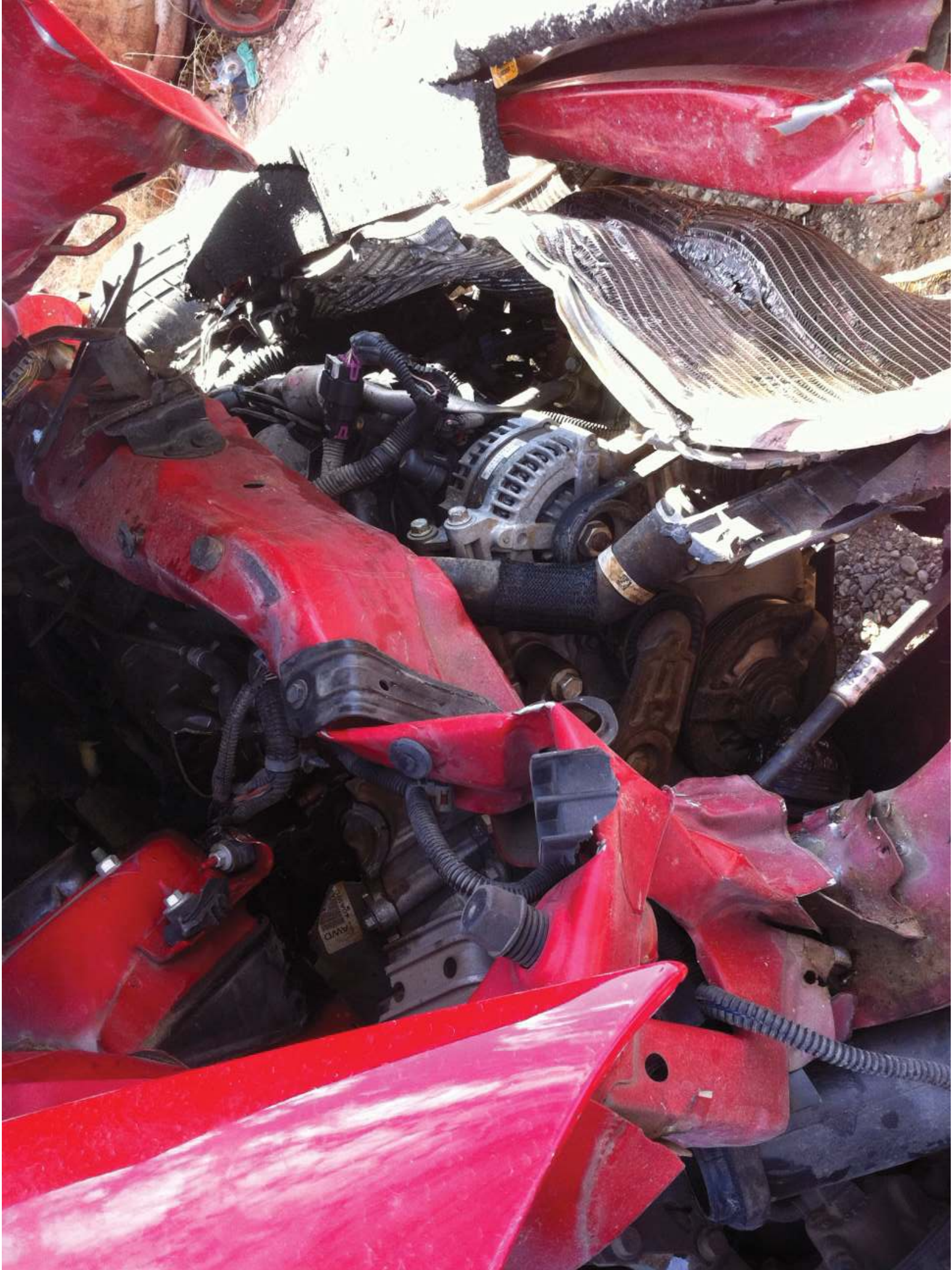




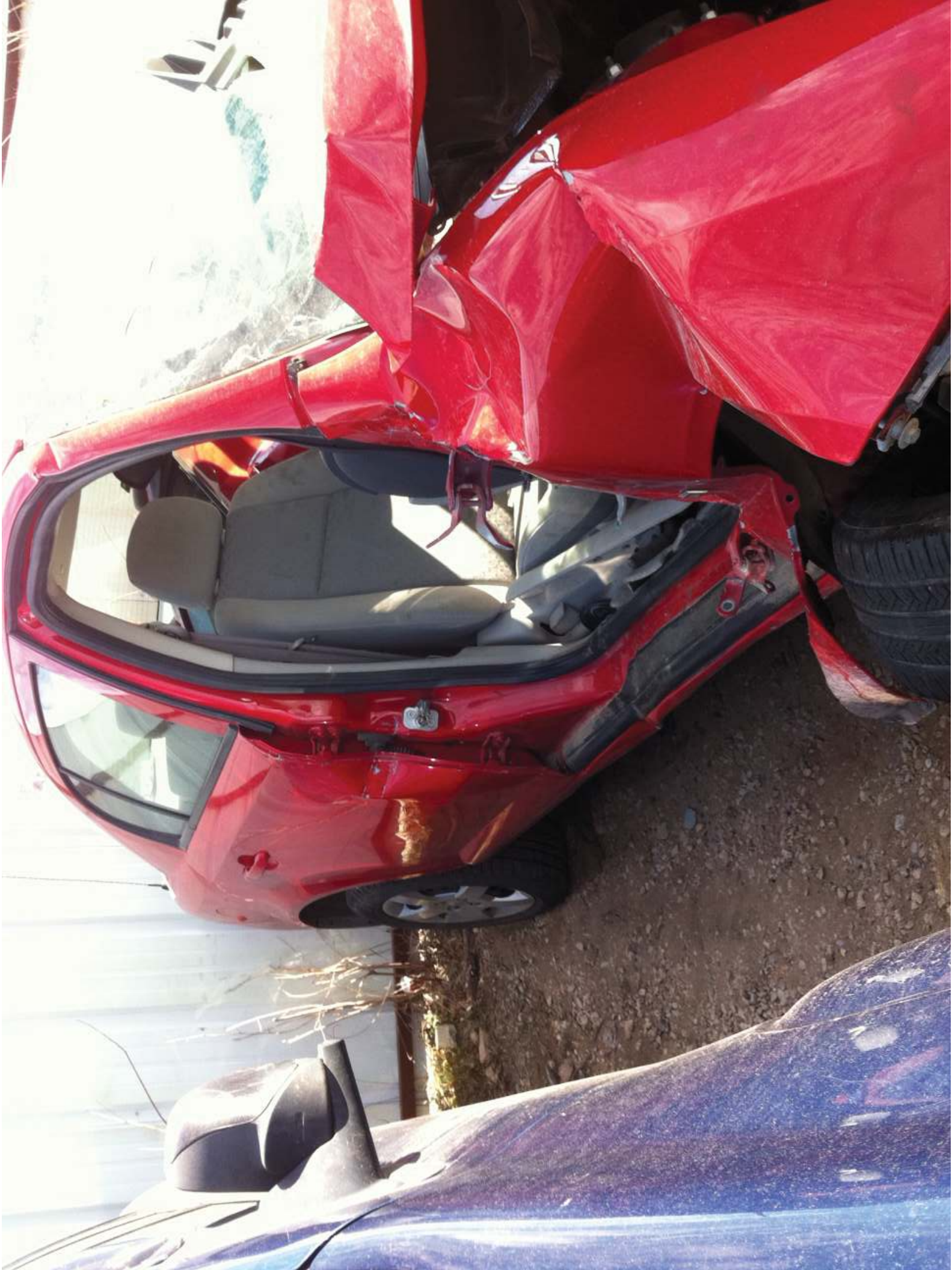


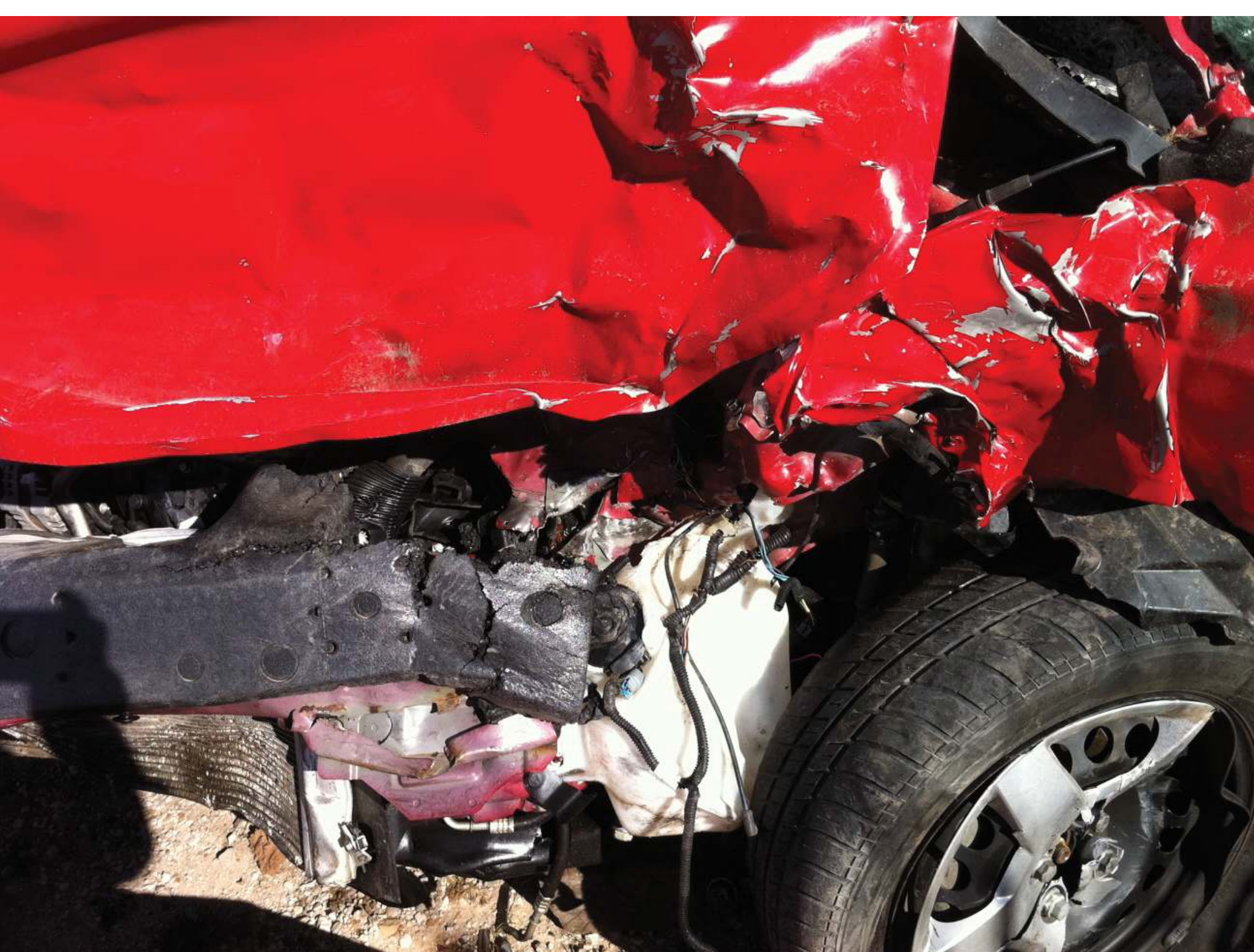




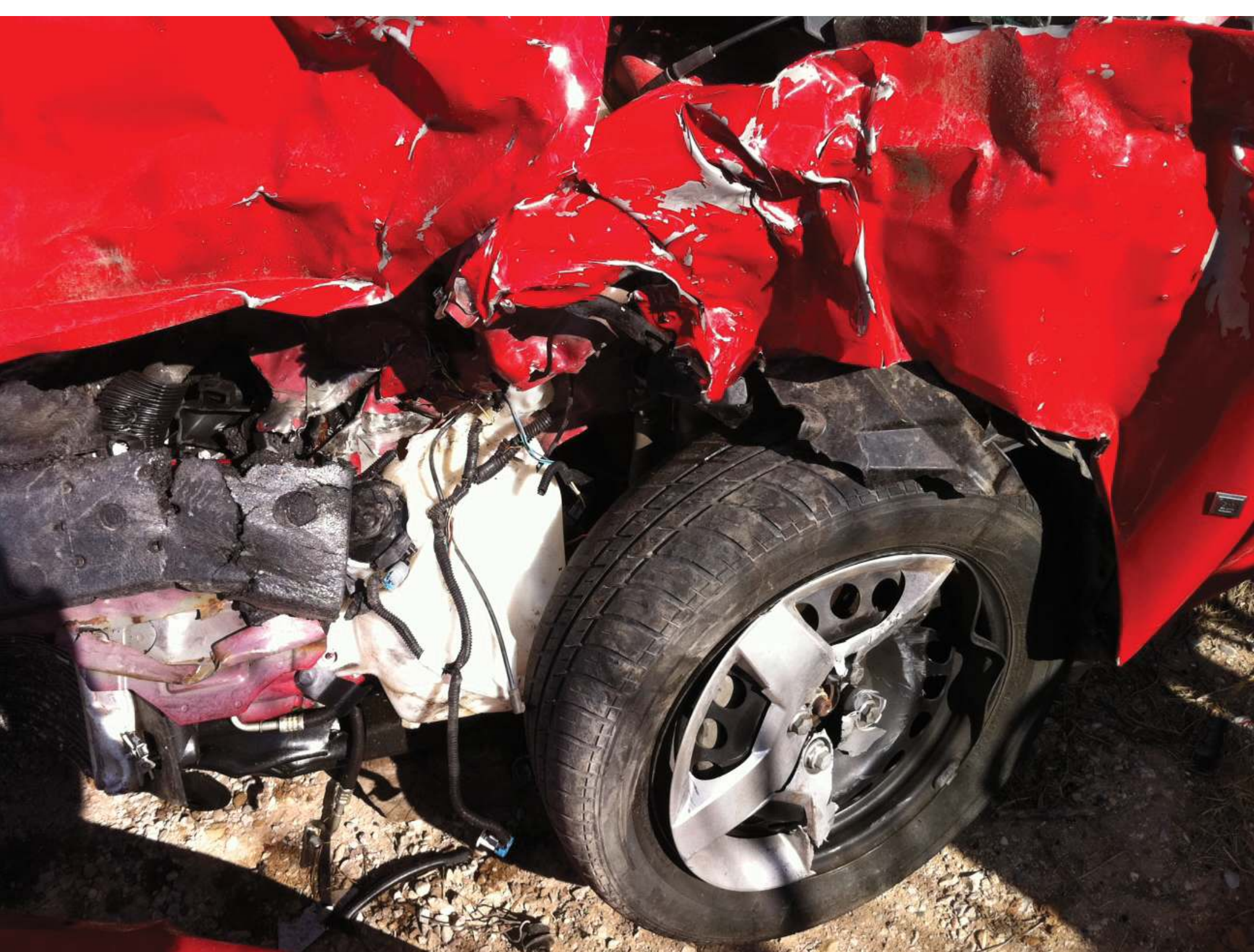








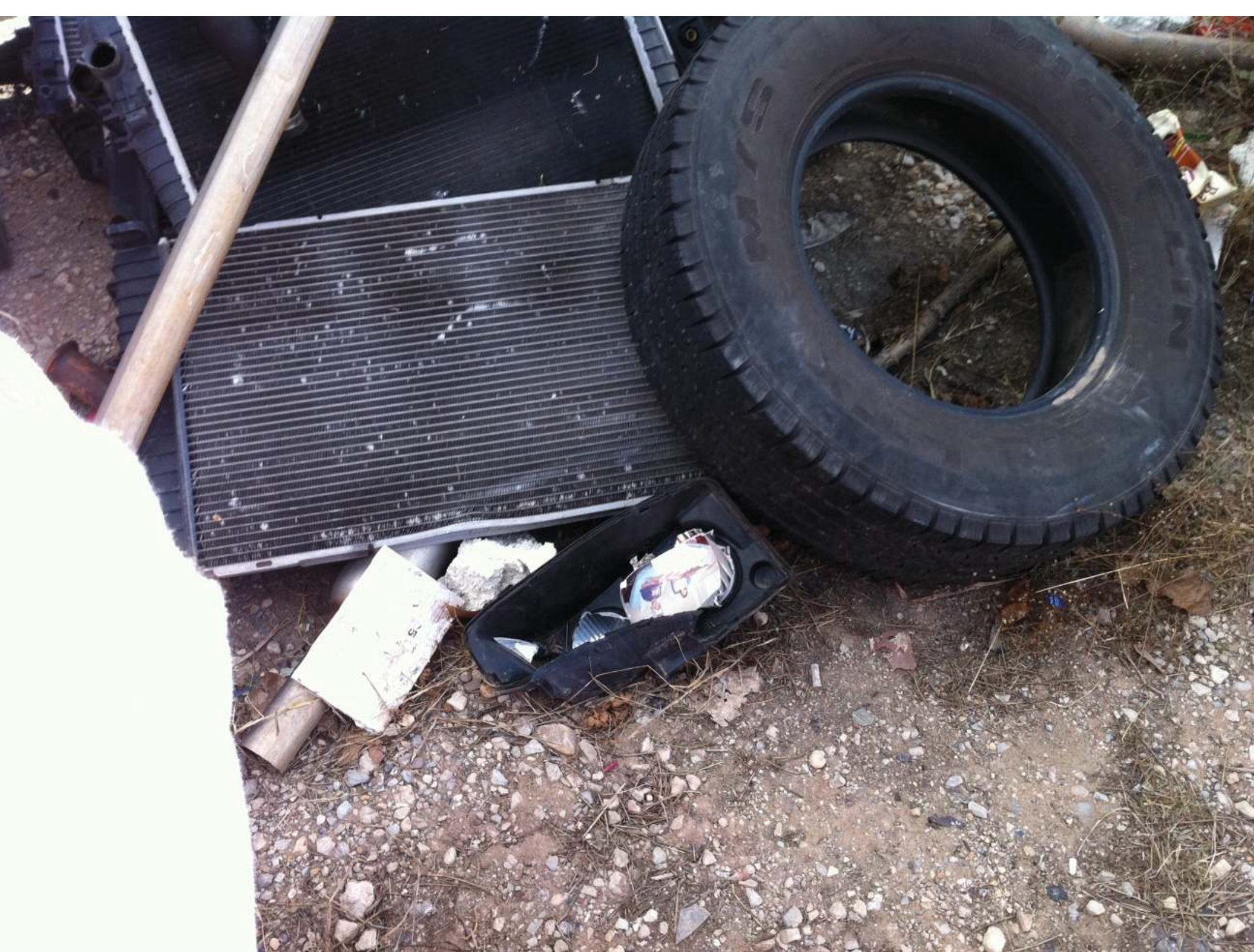








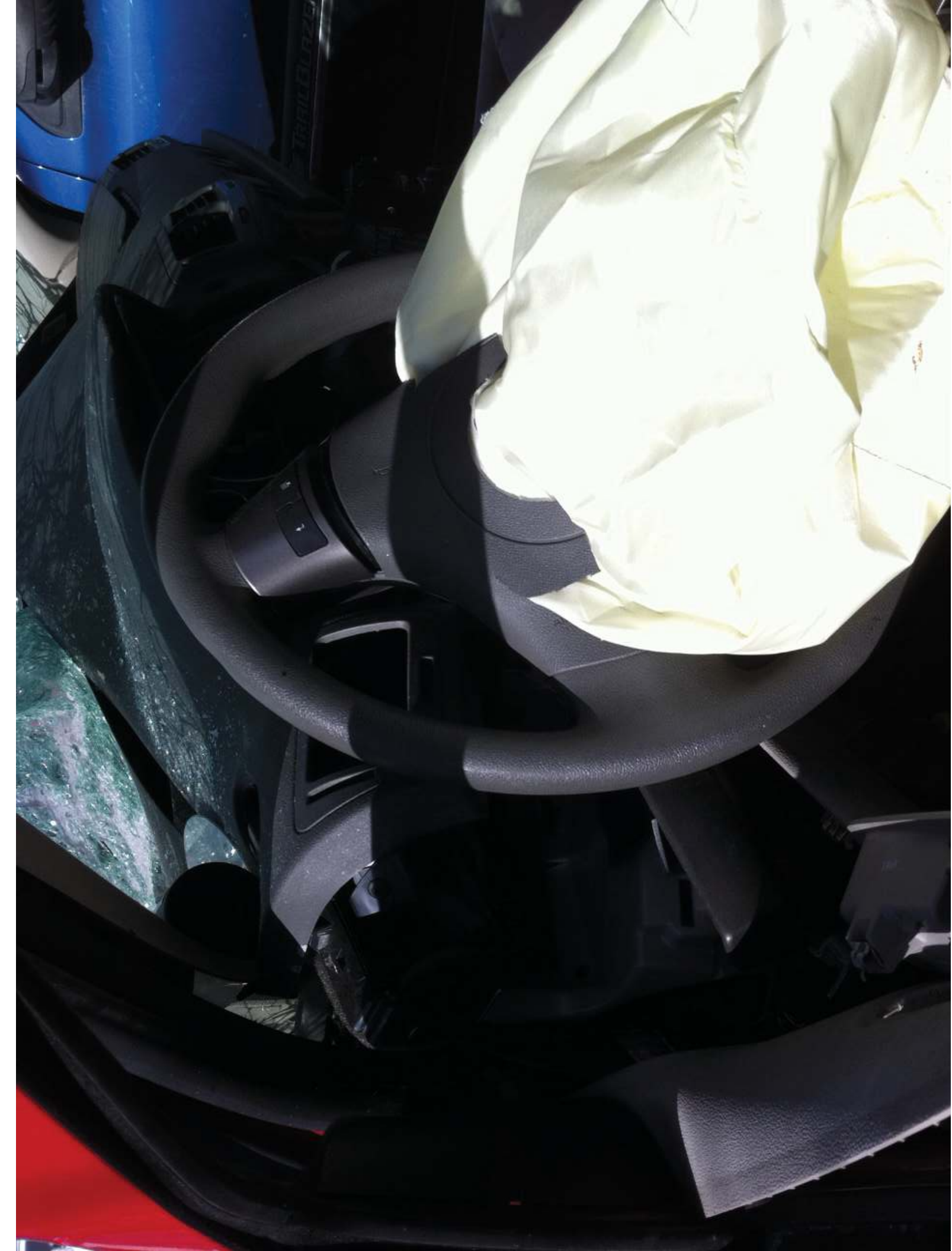


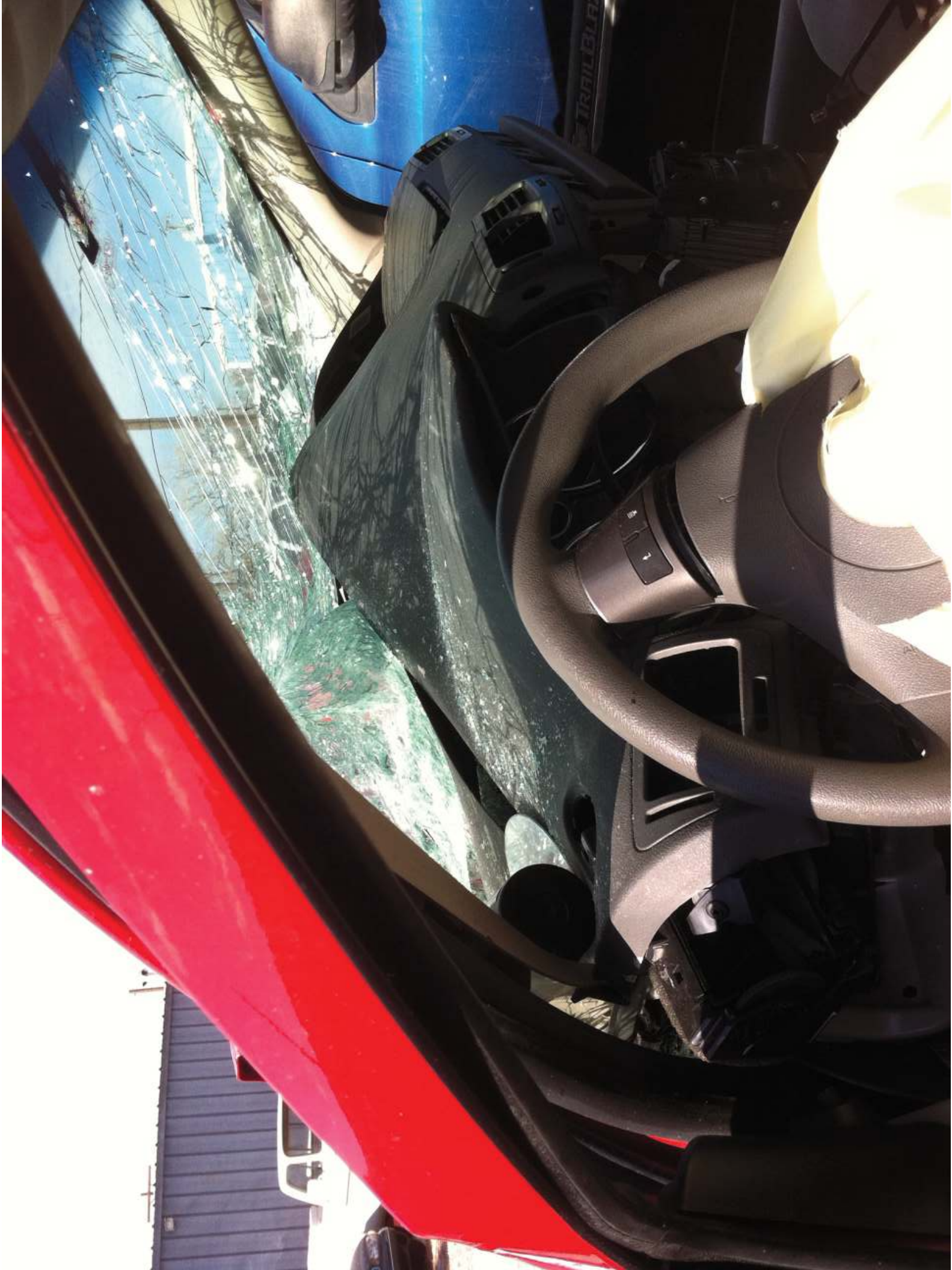


















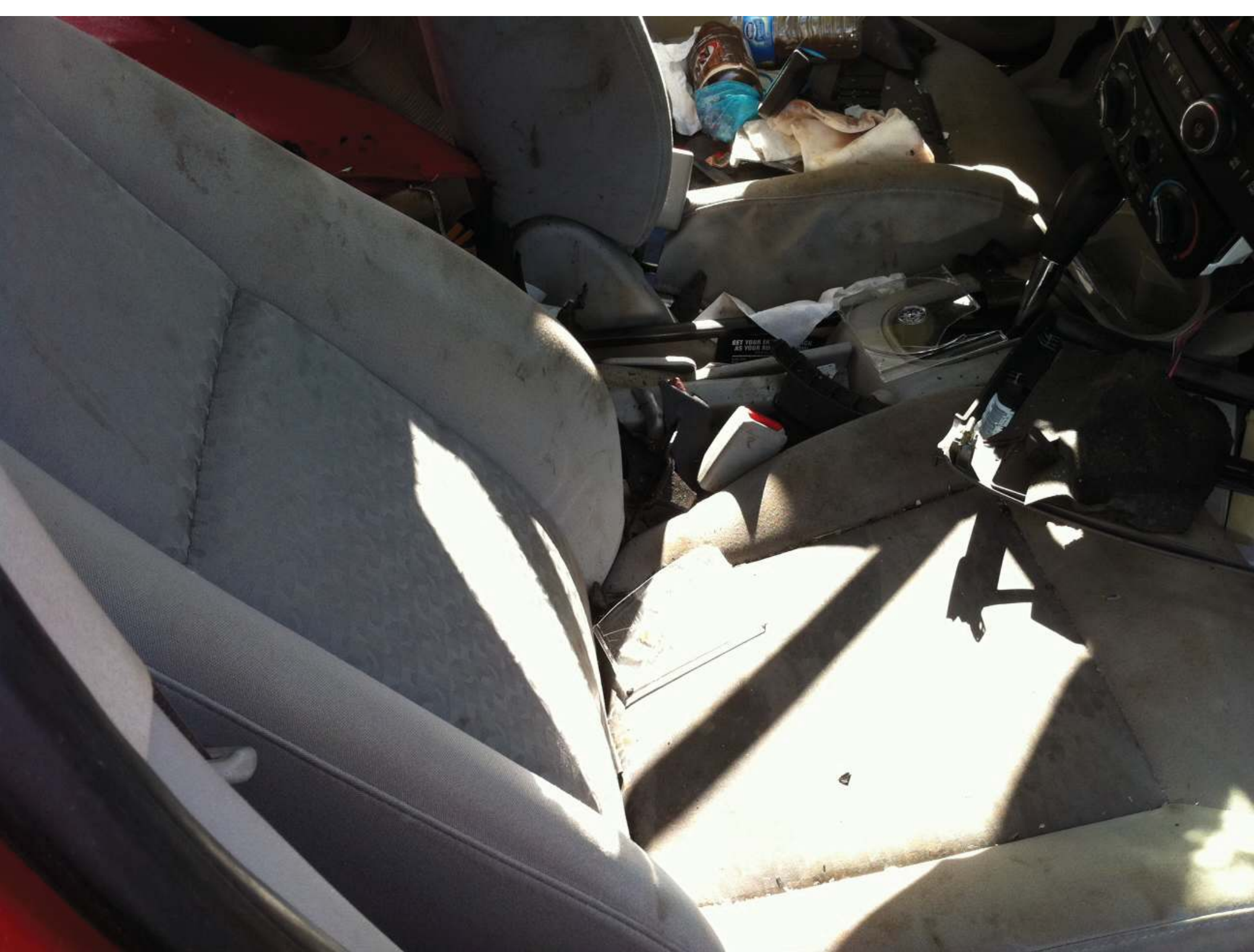
















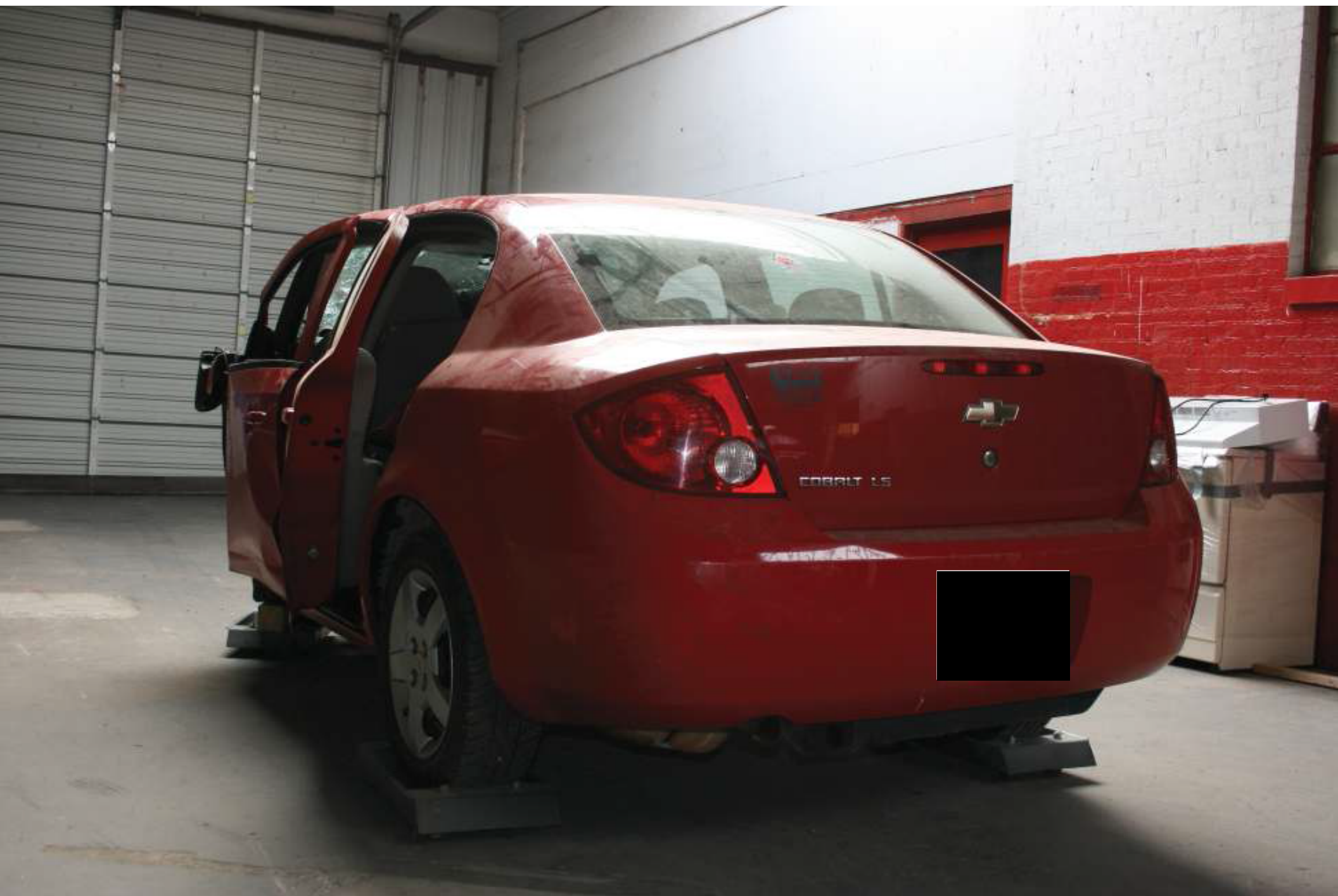


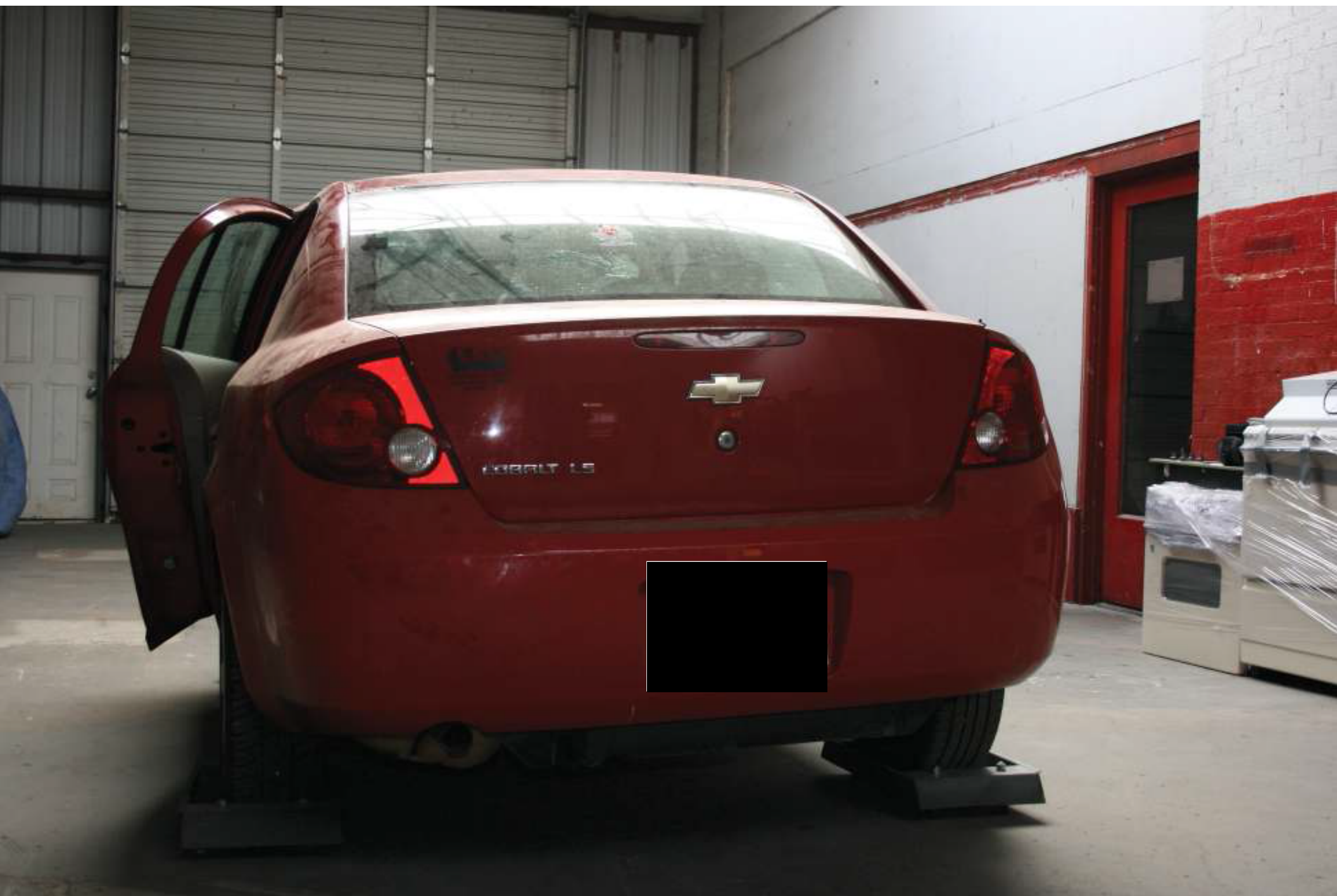
















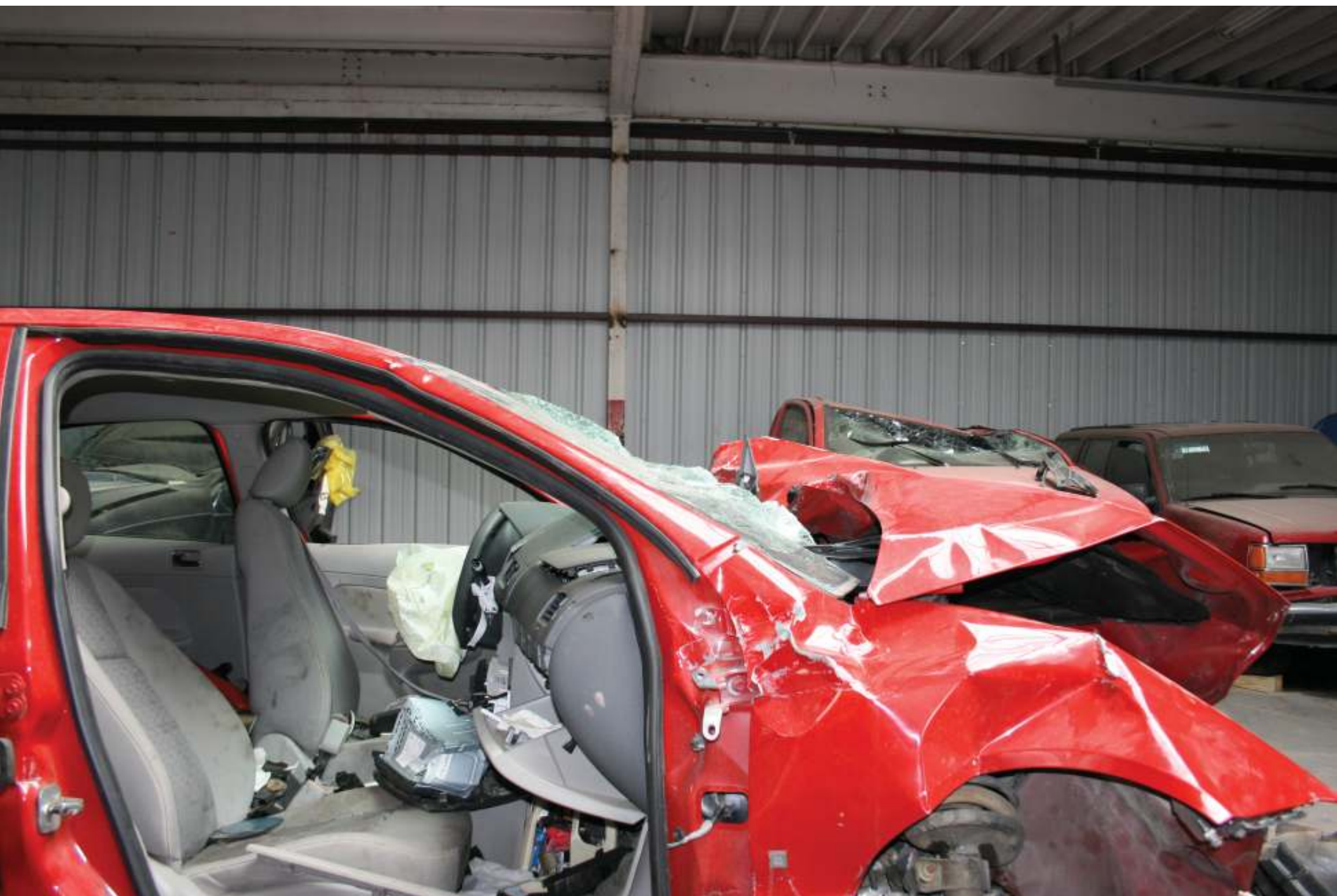


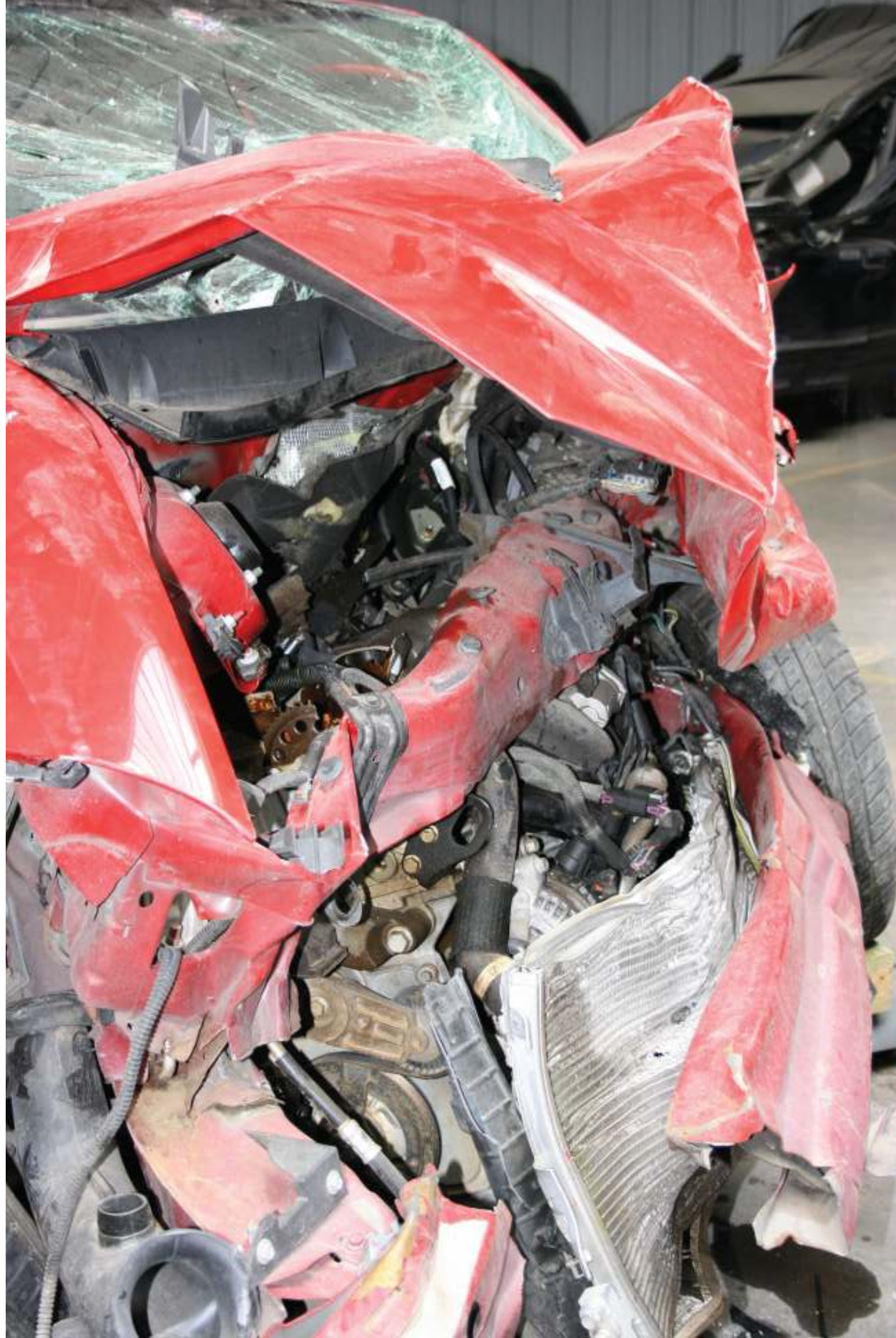






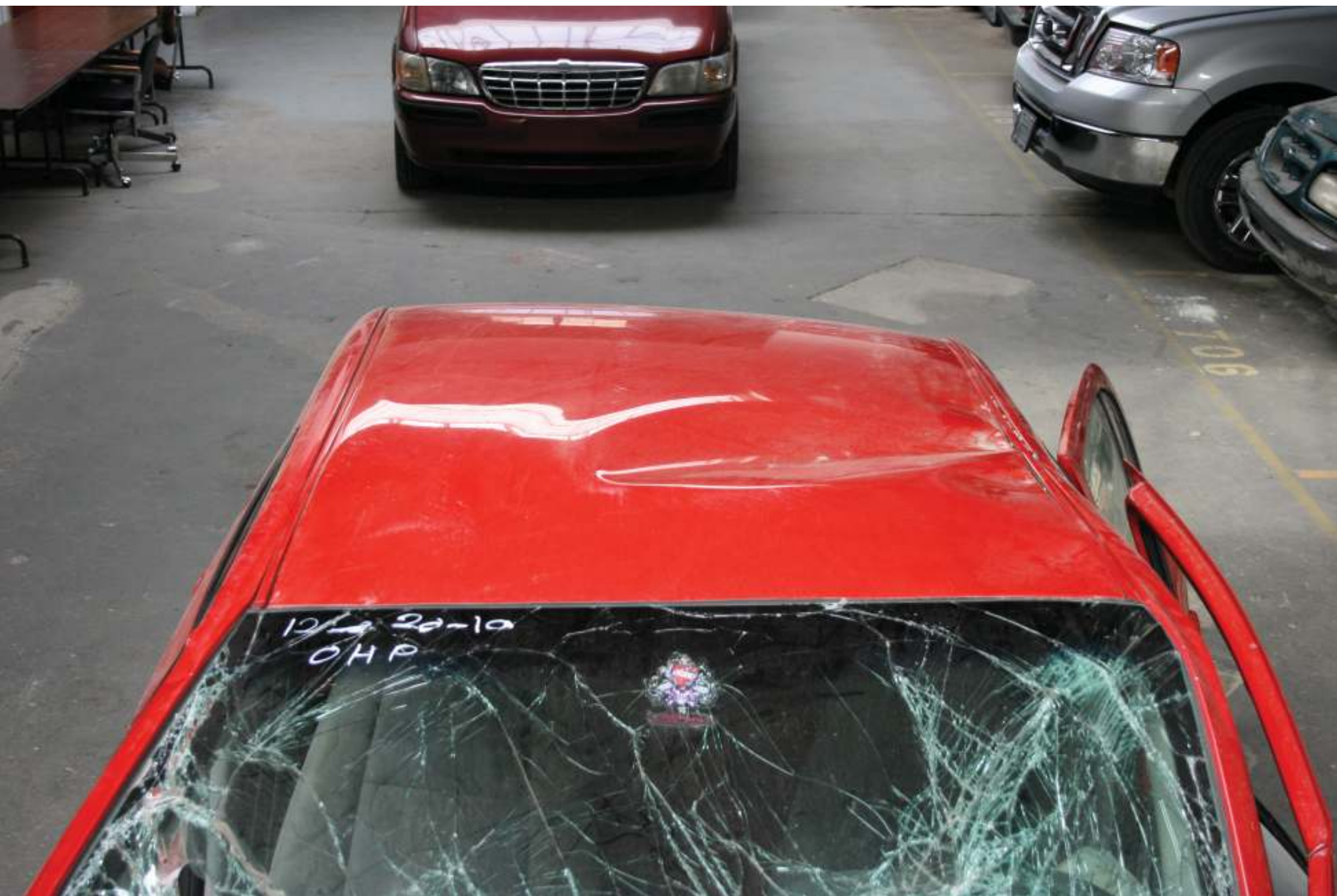






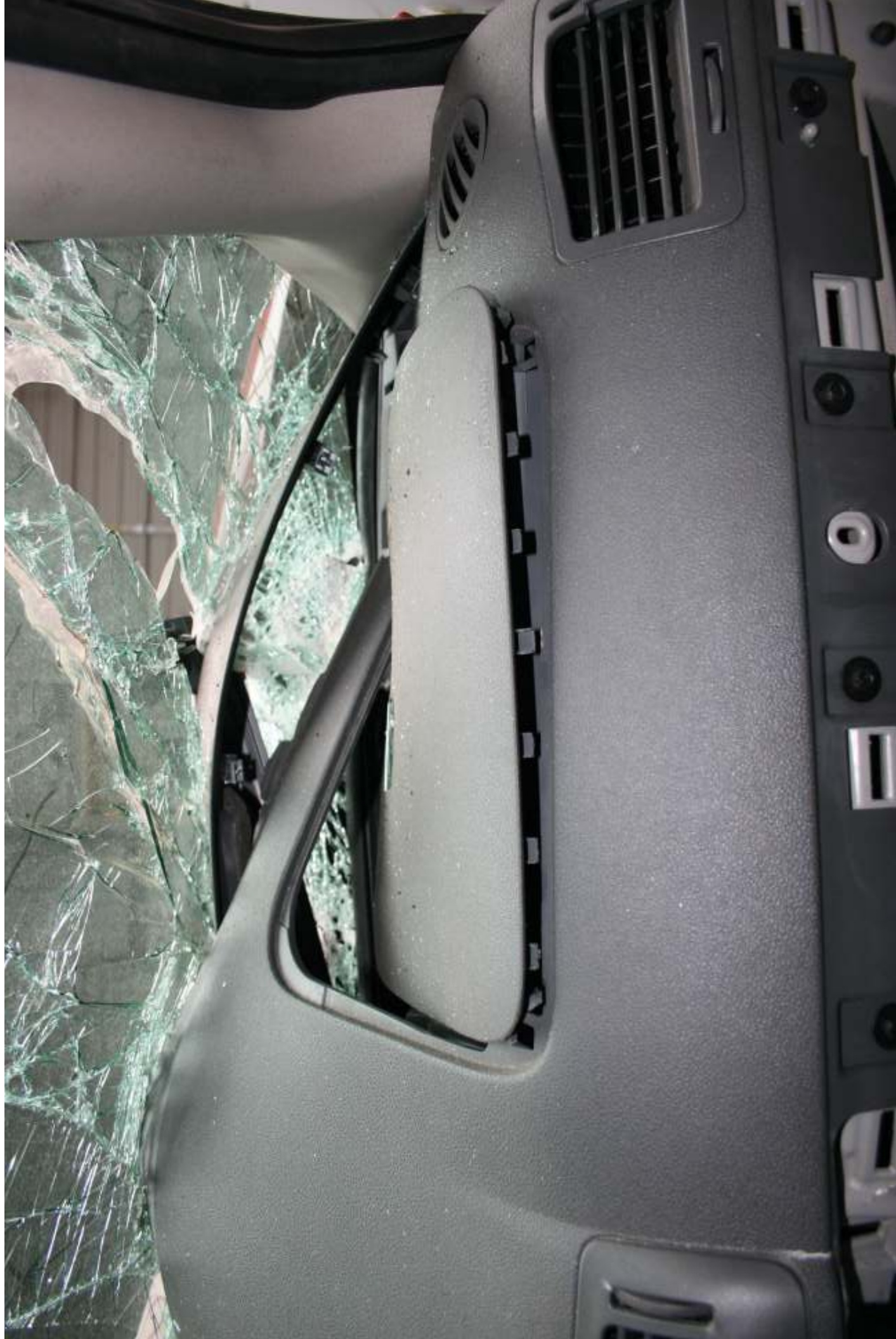


12/4 20-10
OHP















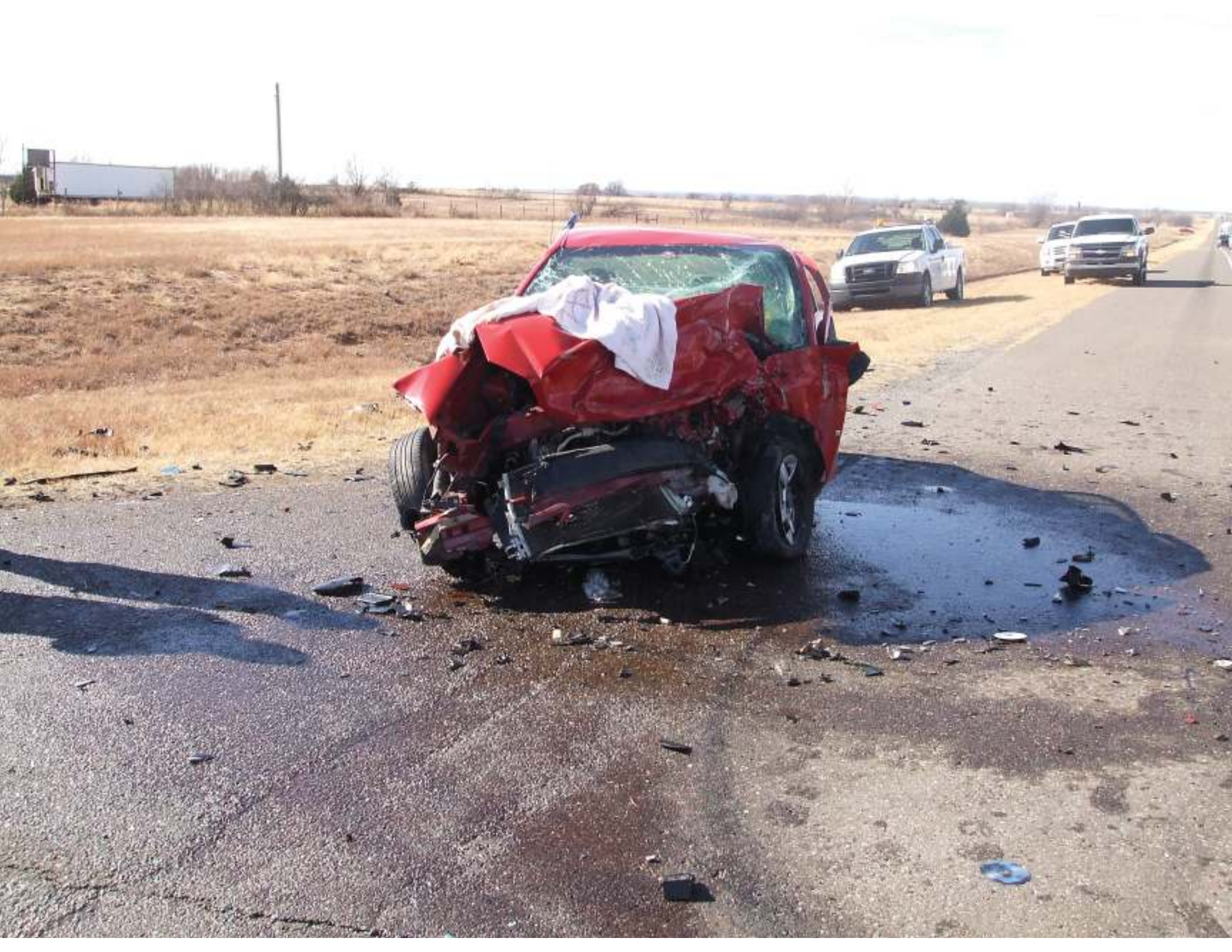






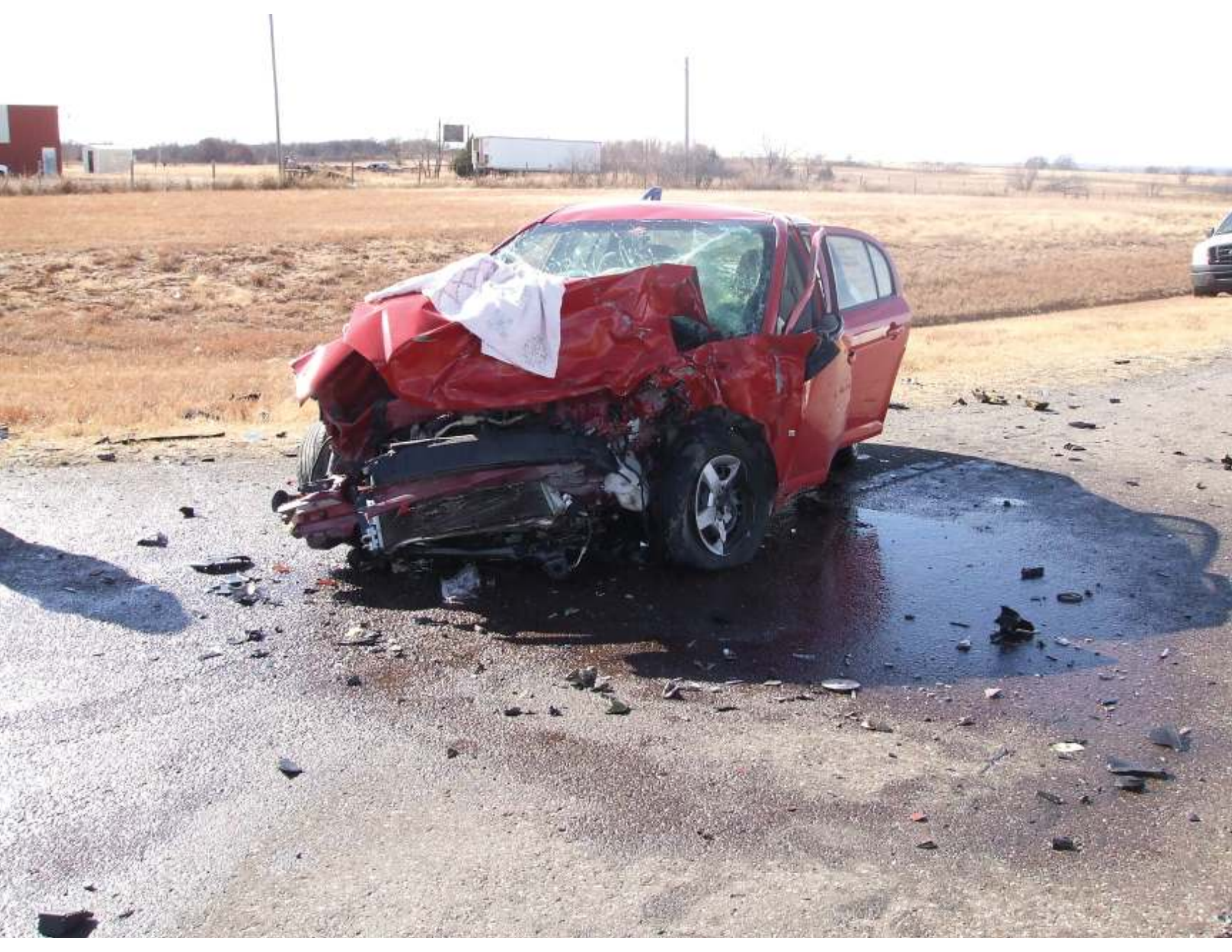














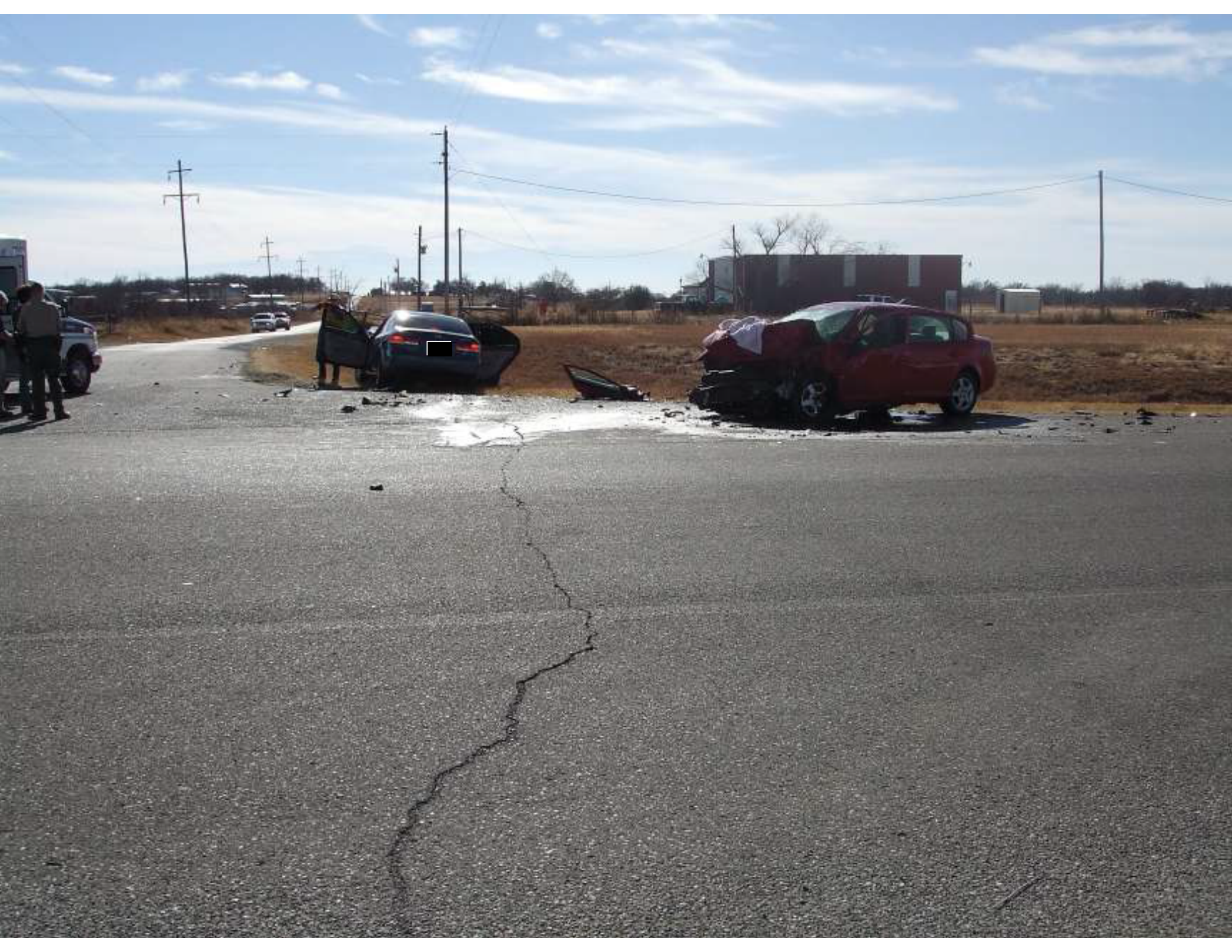






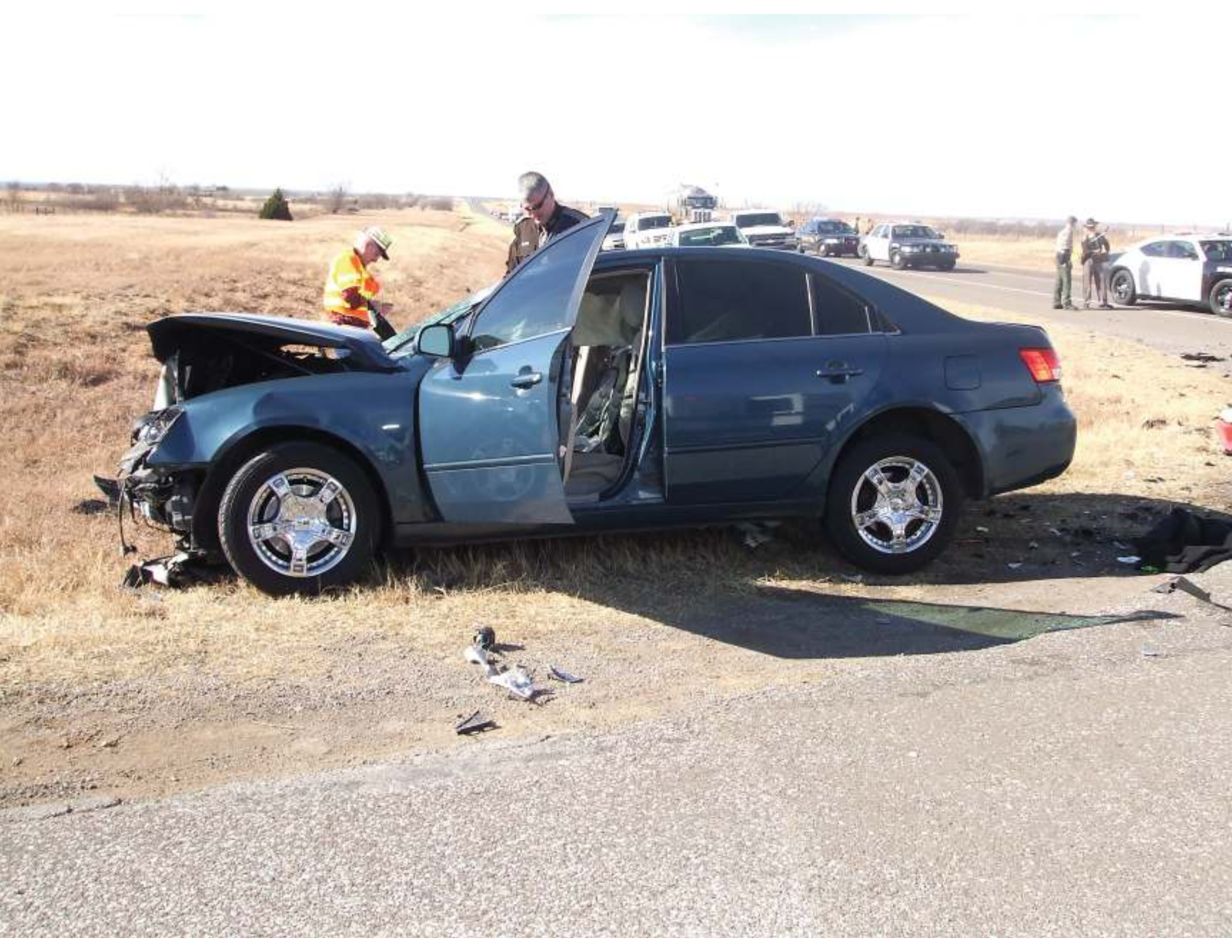




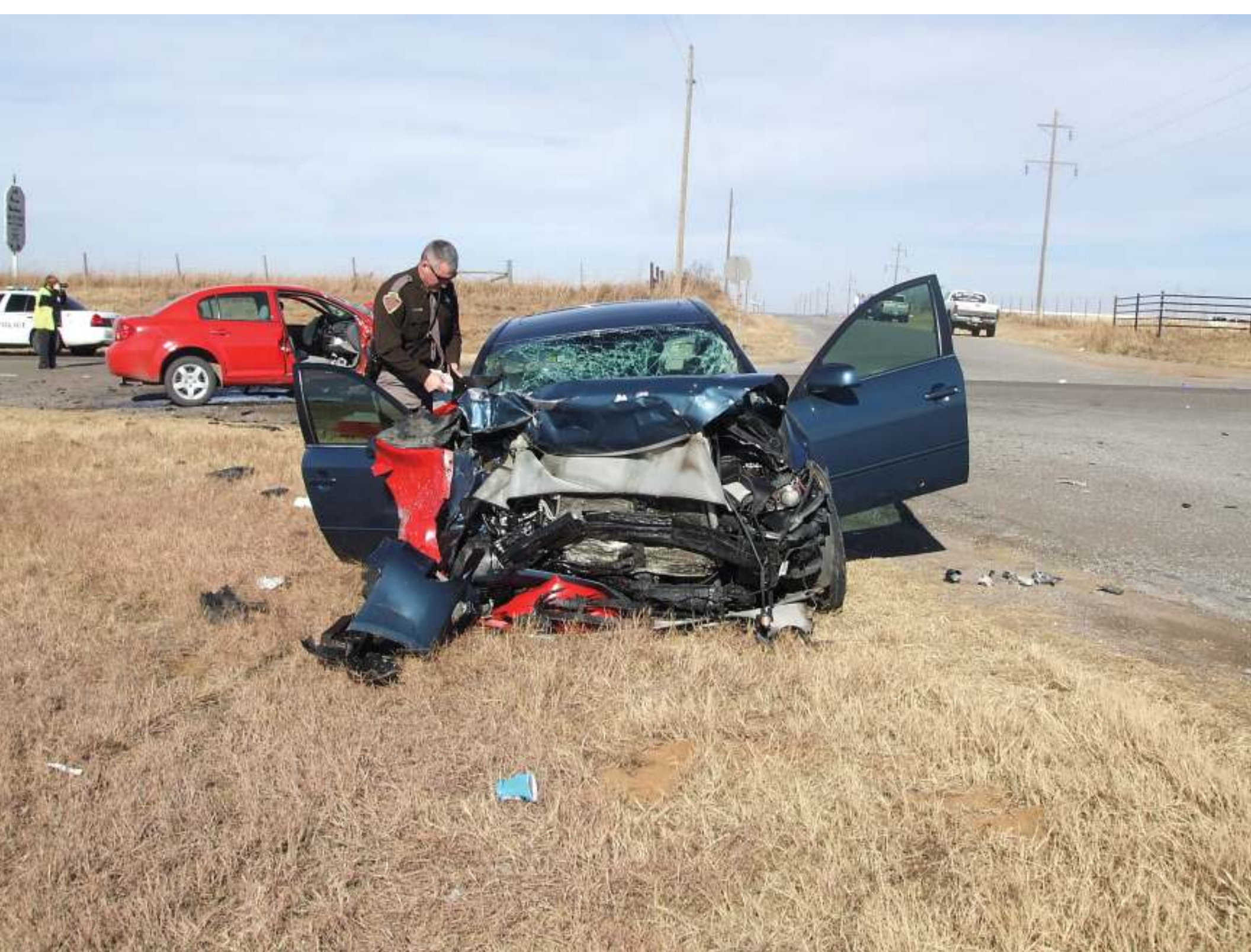


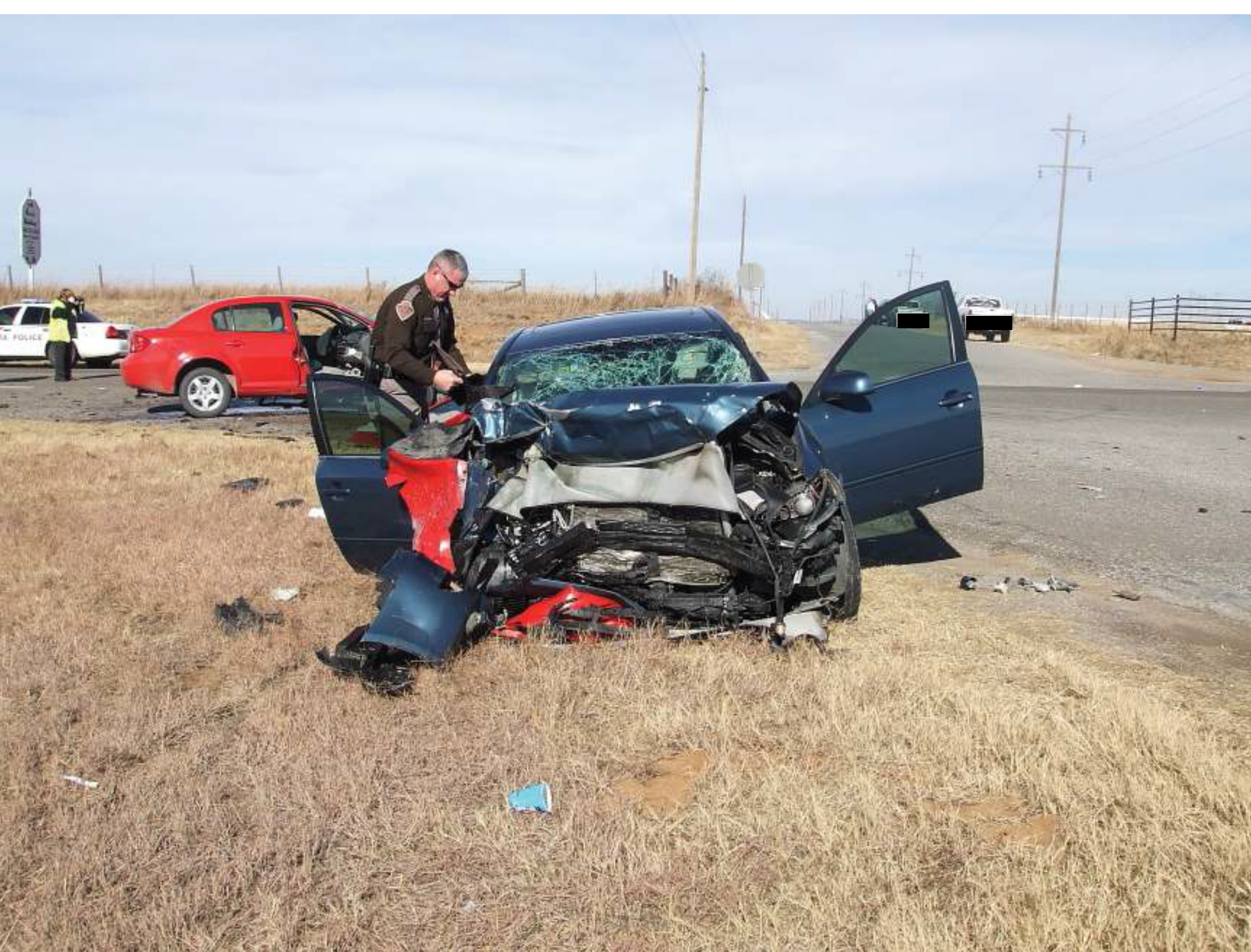






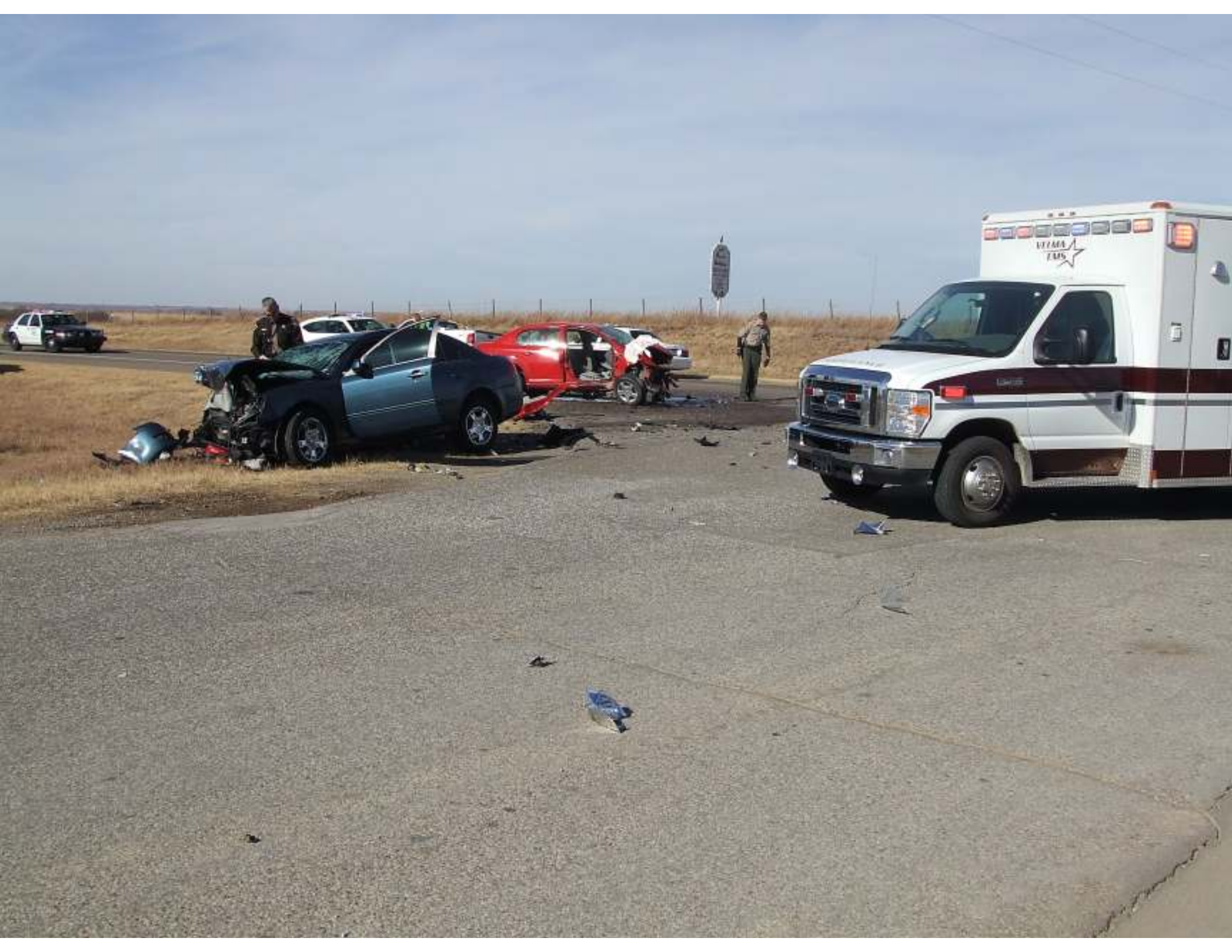


















HYUNDAI

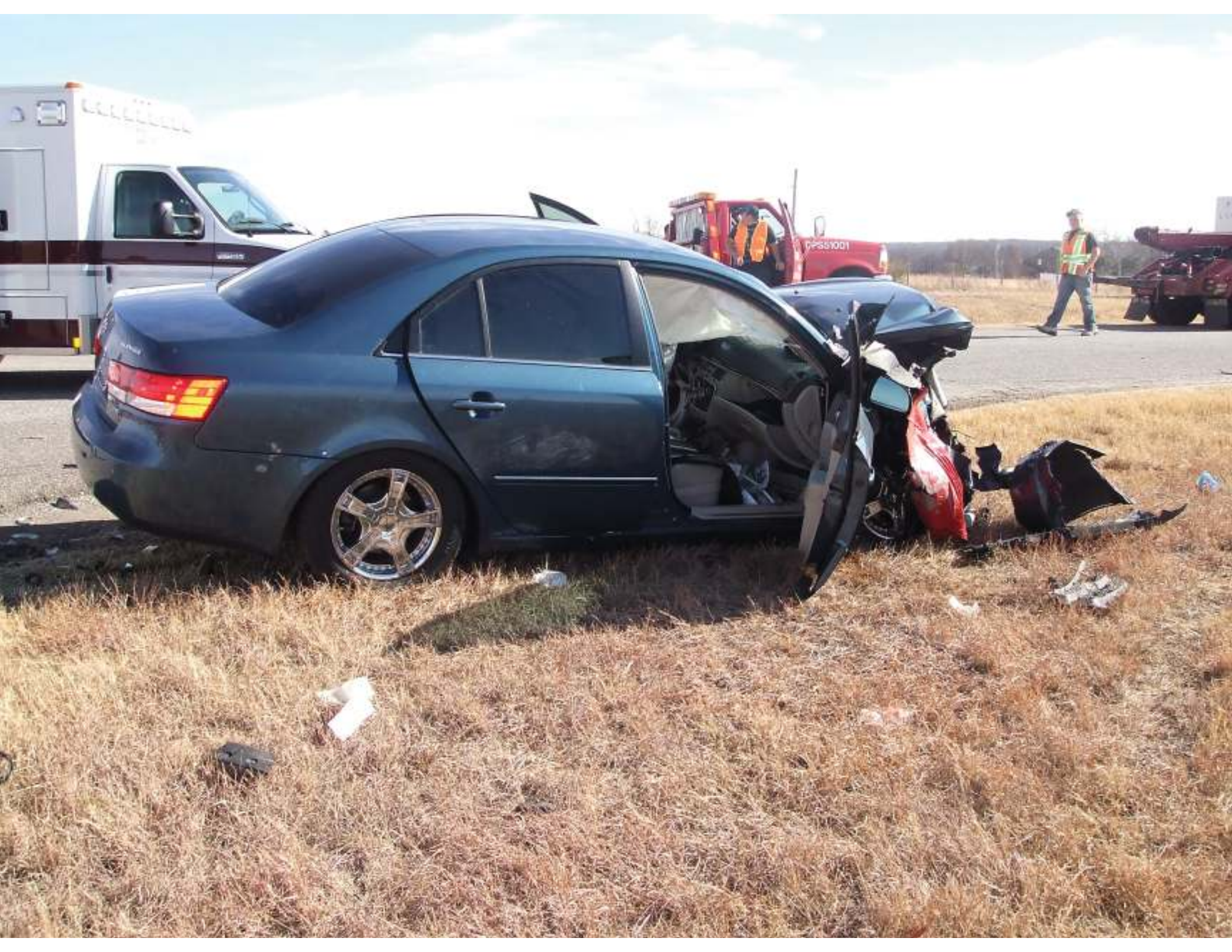


SONATA

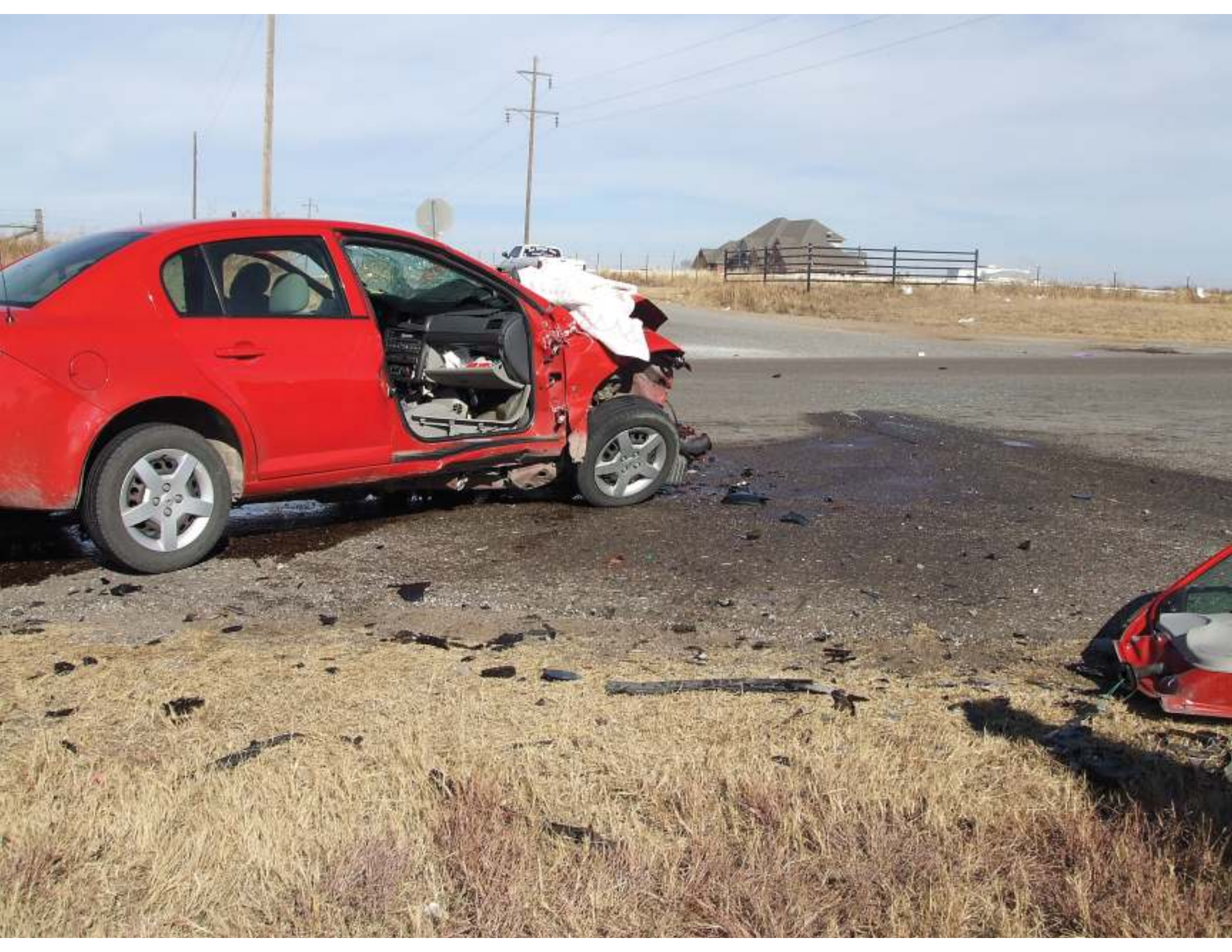


V6





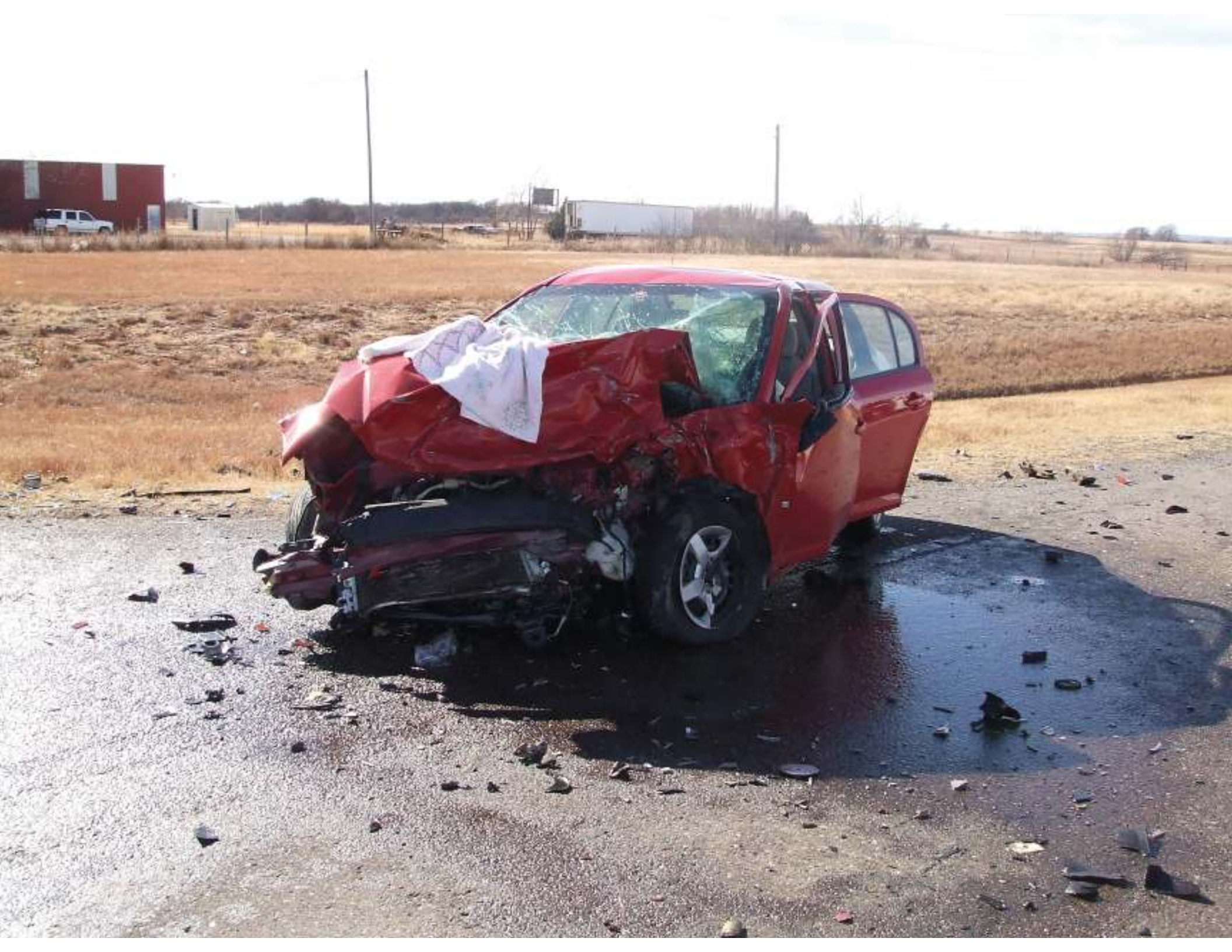




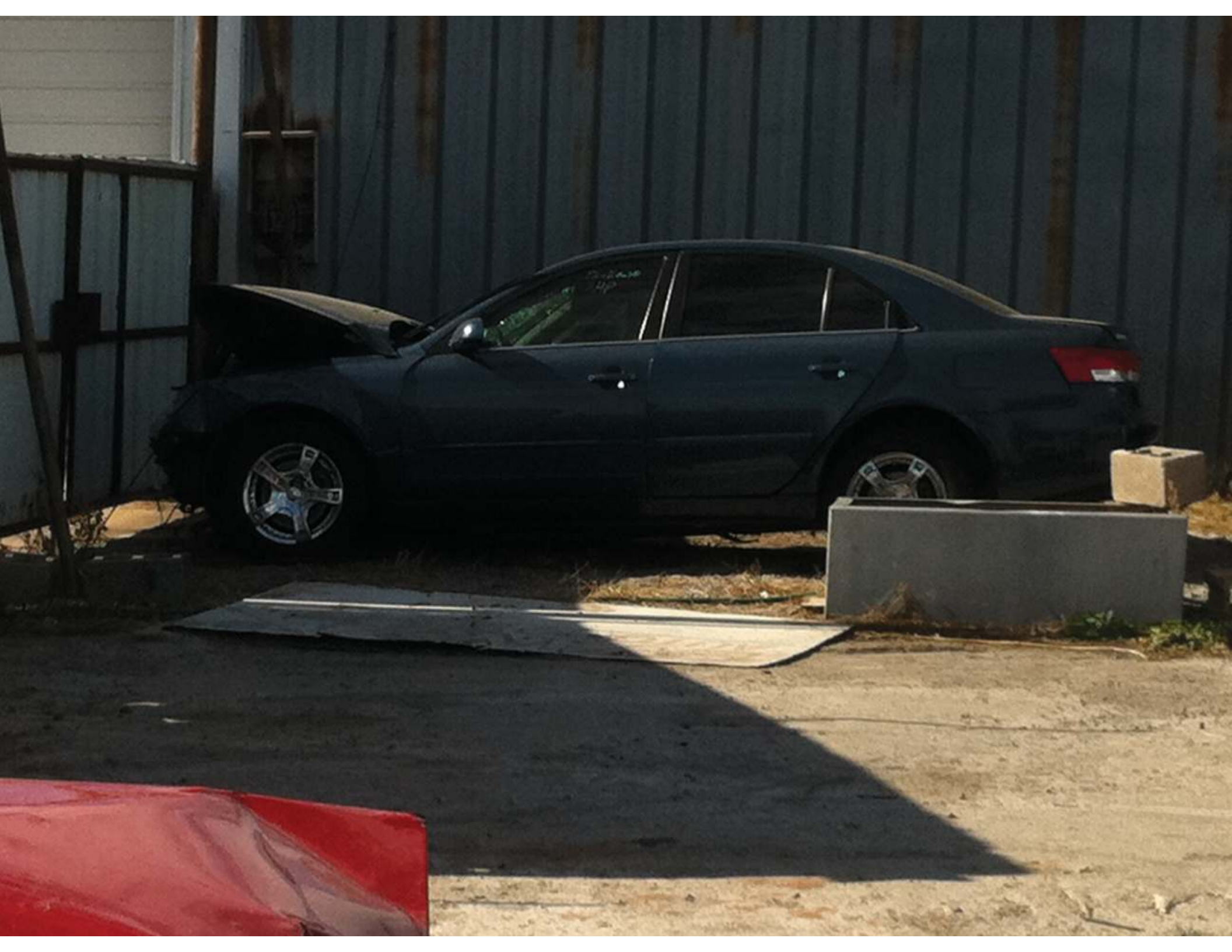


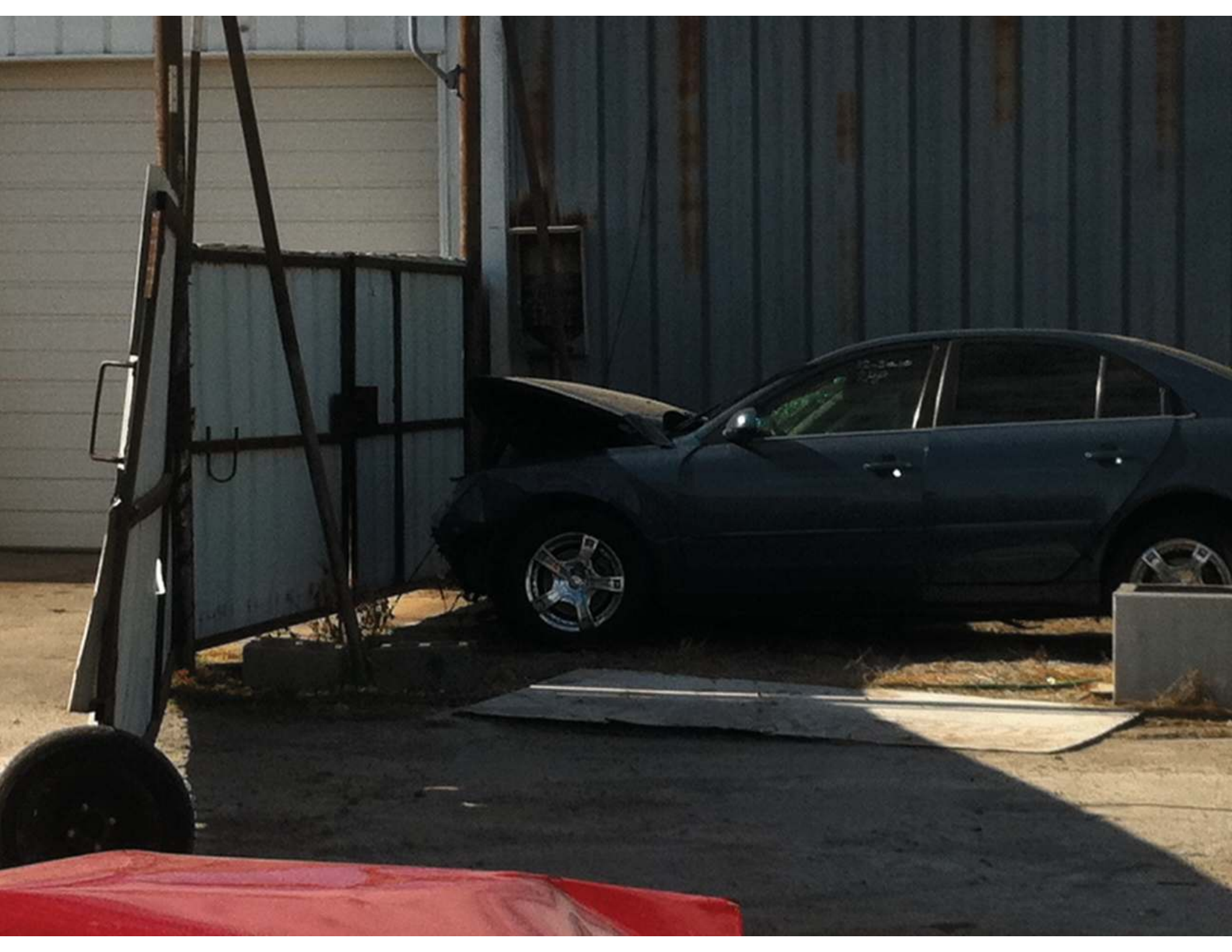




























AD Query**Estimate Photo 01 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:46:00 Size:60264

Description:

Insured: [REDACTED]

Policy No [REDACTED]

Vehicle:7, CHEV, COBALT LS

VIN:1G1AK55F577 [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 02 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:46:00 Size:32562

Description:

Insured: [REDACTED]

Policy No [REDACTED]

Vehicle:7, CHEV, COBALT LS

VIN:1G1AK55F577 [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 03 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:46:00 Size:52138

Description:

Insured: [REDACTED]

Policy N [REDACTED]

Vehicle:7, CHEV, CORAL T LS

VIN:1G1AK55F577 [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 04 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:46:00 Size:39164

Description:

Insured [REDACTED]

Policy [REDACTED]

Vehicle:7, CHEV, COBALT LS

VIN:1G1AK55F577 [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 05 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:46:00 Size:20539

Description:

Insured: [REDACTED]

Policy No: [REDACTED]

Vehicle:7, CHEV, CORAL T LS

VIN:1G1AK55F577 [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 06 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:47:00 **Size:**28285

Description:

Insured [REDACTED]

Policy N [REDACTED]

Vehicle:7, CHEV, COBALT LS

VIN:1G1AK55F577 [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 07 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:47:00 Size:37134

Description:

Insured: [REDACTED]

Policy N [REDACTED]

Vehicle:7, CHEV, COBALT LS

VIN:1G1AK55F577 [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 08 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:47:00 Size:32588

Description:

Insured: [REDACTED]

Policy N [REDACTED]

Vehicle:7, CHEV, COBALT LS

VIN:1G1AK55F577 [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 09 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:47:00 Size:35436

Description:

Insure [REDACTED]

Policy [REDACTED]

Vehicle:7, CHEV, COBALT LS

VIN:1G1AK55F577 [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 10 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:47:00 Size:30543

Description:

Insured [REDACTED]

Policy N [REDACTED]

Vehicle:7, CHEV, COBALT LS

VIN:1G1AK55F577 [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 11 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:47:00 Size:38717

Description:

Insured: [REDACTED]

Policy N [REDACTED]

Vehicle:7, CHEV, COBALT LS

VIN:1G1AK55F57 [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 12 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:47:00 Size:15637

Description:

Insured:

Policy N

Vehicle:7, CHEV, COBALT LS

VIN:1G1AK55F571

Loss date:12/20/10

Estimator:Paul griffith

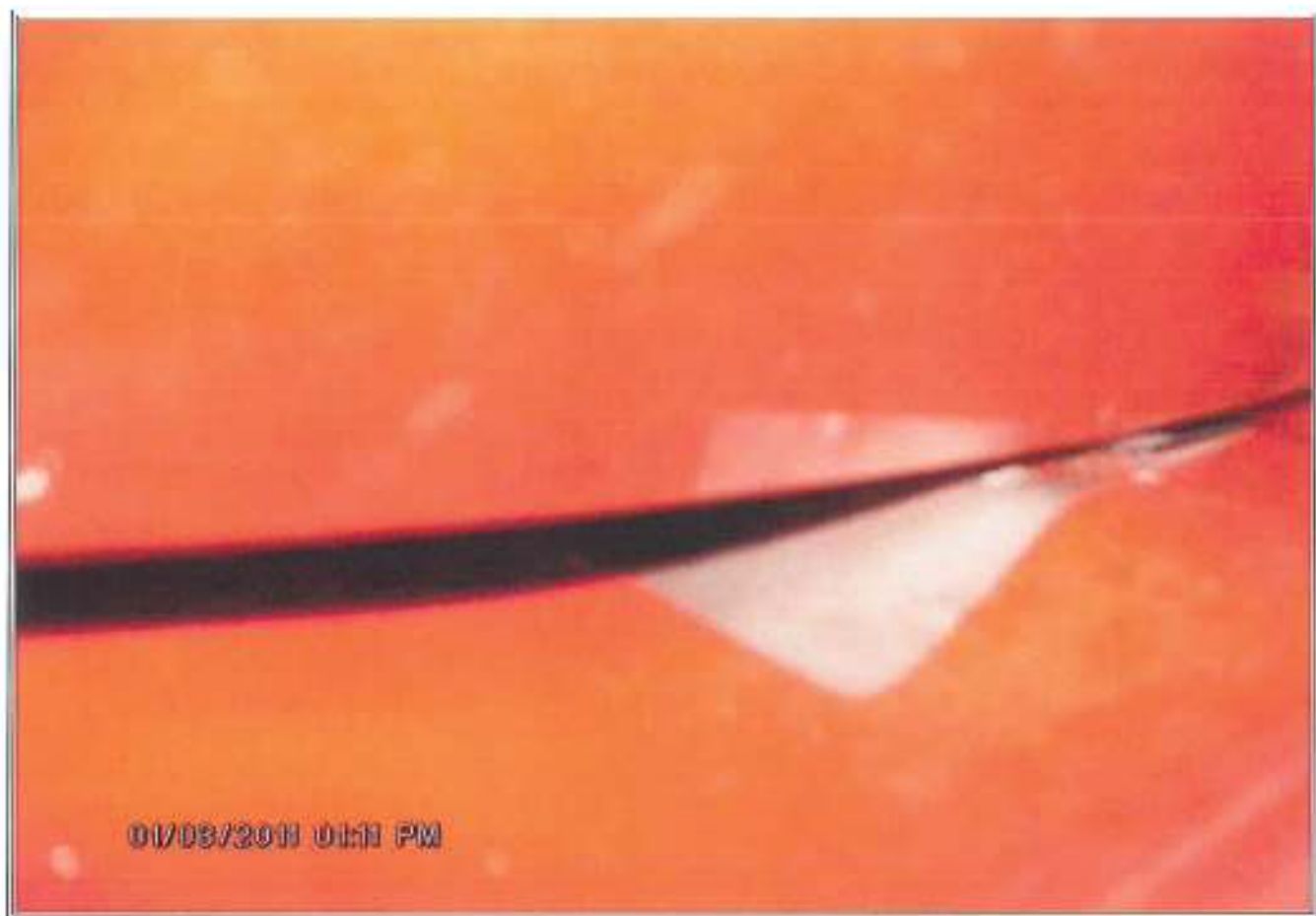
**Estimate Photo 13 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:47:00 Size:47983

Description:

Insured [REDACTED]

Policy N [REDACTED]

Vehicle:7, CHEV, CORAL T LS

VIN:1G1AK55F577 [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 14 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:47:00 Size:42869

Description:

Insured: [REDACTED]

Policy N [REDACTED]

Vehicle:7, CHEV, COBALT LS

VIN:1G1AK55F577 [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 15 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:47:00 Size:37362

Description:

Insured [REDACTED]

Policy N [REDACTED]

Vehicle:7, CHEV, COBALT LS

VIN:1G1AK55F577 [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 16 for Claim Number [REDACTED]**

Photo date:13/01/2011 09:50:27:00 Size:31737

Description:

Insured [REDACTED]

Policy N [REDACTED]

Vehicle:7, CHEV, COBALT LS

VIN:1G1AK55F577 [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

[illegible]

[illegible]

Abstract

FRONT	LEFT SIDE	RIGHT SIDE	REAR
ARTICLES IN VEHICLE			
REMARKS			
Towed to			
IMPOUNDED BY <u>OHP</u>		DATE <u>12-20-10</u>	FSC# <u>1352</u>
RELEASED BY		DATE	UNLOCK
THE UNDERSIGNED authorizes listed services and acknowledges that carrier is not responsible for loss or damage due to acts beyond control of the carrier or when services are performed under supervision of others.			
SIGNATURE		CHARGES	
LOT NO.		HOOKUP \$ <u>65.00</u>	
KEY <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		MILEAGE \$ <u>42.00</u>	
REG NO.		FLAT BED \$ <u>0.00</u>	
In Car		DRIVESHAFT/AXLE \$ <u>65.00</u>	
52		CLEAN UP \$ <u>0.00</u>	
01/13/2011 09:48 AM		WINCHING \$ <u>25.00</u>	
		STORAGE \$ <u>407.06</u>	
		2nd TOW \$ <u>0.00</u>	
		TOTAL \$ <u>592.58</u>	

PAGE 81

AD Query**Estimate Photo 01 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:11:00 Size:40415

Description:

Insured: [REDACTED]

Policy N [REDACTED]

Vehicle:6, HYUN, SONATA GLS

VIN:5NPEU46F96H [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 02 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:11:00 Size:38981

Description:

Insured: [REDACTED]

Policy N [REDACTED]

Vehicle:6, HYUN, SONATA GLS

VIN:5NPEU46F96H [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

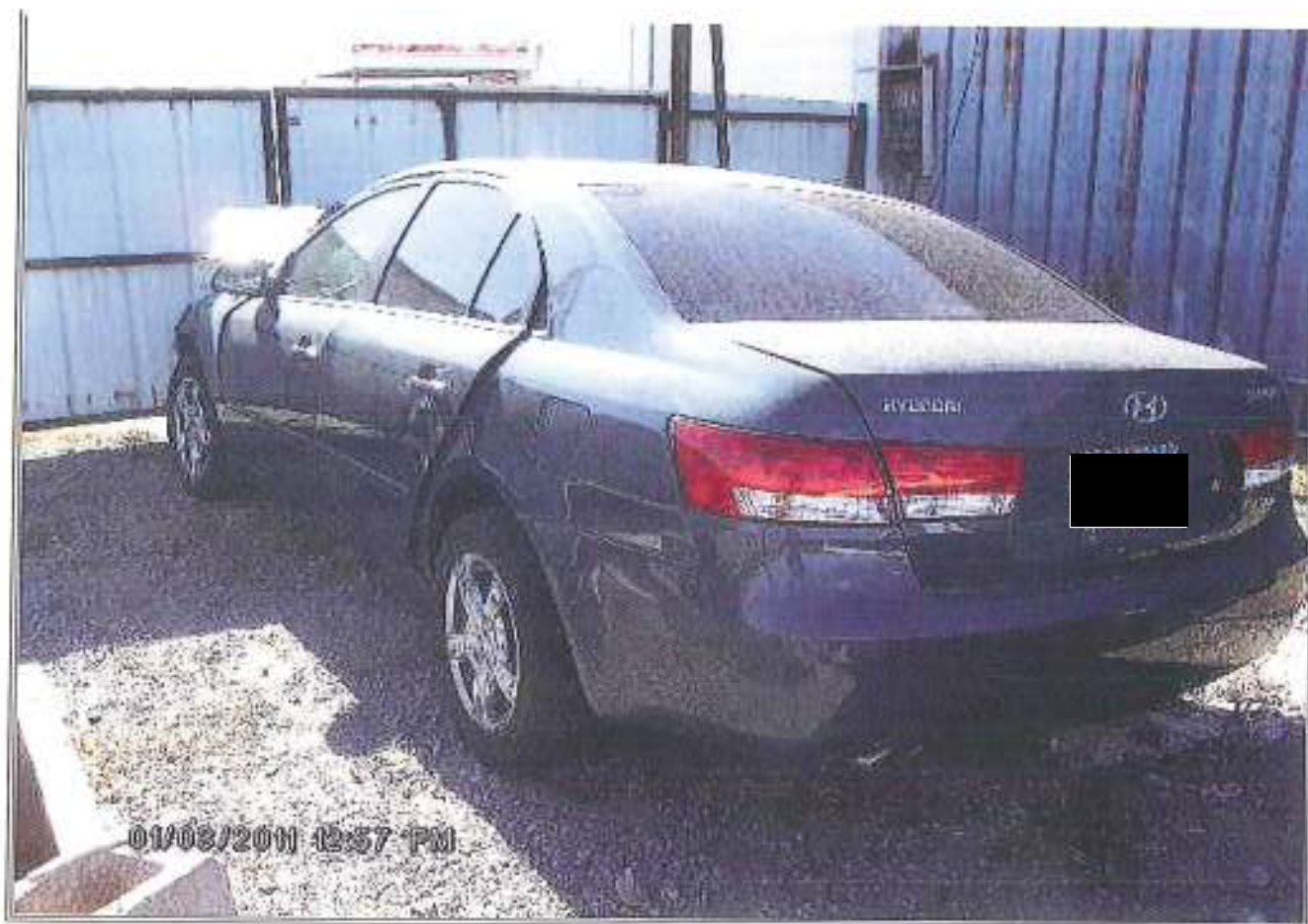
**Estimate Photo 03 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:11:00 Size:34485

Description:

Insured [REDACTED]

Policy [REDACTED]

Vehicle:6, HYUN, SONATA GLS

VIN:SNPEU46F961 [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 04 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:11:00 Size:33282

Description:

Insured: [REDACTED]

Policy N [REDACTED]

Vehicle:6, HYUN, SONATA GLS

VIN:5NPEU46F96H [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 05 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:11:00 Size:45736

Description:

Insured: [REDACTED]

Policy N [REDACTED]

Vehicle:6, HYUN, SONATA GLS

VIN:5NPEU46F96H [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 06 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:11:00 Size:36810

Description:

Insured [REDACTED]

Policy N [REDACTED]

Vehicle:6, HYUN, SONATA GLS

VIN:5NPEU46F96H [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 07 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:11:00 Size:44037

Description:

Insured [REDACTED]

Policy [REDACTED]

Vehicle:6, HYUN, SONATA GLS

VIN:5NPEU46F96H [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 08 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:11:00 Size:44355

Description:

Insured [REDACTED]

Policy N [REDACTED]

Vehicle:6, HYUN, SONATA GLS

VIN:5NPEU46F96H [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 09 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:11:00 Size:36497

Description:

Insured: [REDACTED]

Policy N [REDACTED]

Vehicle:6, HYUN, SONATA GLS

VIN:5NPEU46F96H [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 10 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:11:00 Size:50541

Description:

Insured [REDACTED]

Policy N [REDACTED]

Vehicle:6, HYUN, SONATA GLS

VIN:5NPEU46F96H [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 11 for Claim Number [REDACTED]**

Photo date: 03/01/2011 13:19:11:00 Size: 27413

Description:

Insured [REDACTED]

Policy [REDACTED]

Vehicle: 6, HYUN, SONATA GLS

VIN: 5NPEU46F96H [REDACTED]

Loss date: 12/20/10

Estimator: Paul griffith

**Estimate Photo 12 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:11:00 Size:20070

Description:

Insured [REDACTED]

Policy N [REDACTED]

Vehicle:6, HYUN, SONATA GLS

VIN:5NPEU46F96H [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 13 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:11:00 Size:31777

Description:

Insured [REDACTED]

Policy [REDACTED]

Vehicle:6, HYUN, SONATA GLS

VIN:5NPEU46F96H [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 14 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:11:00 Size:32670

Description:

Insured [REDACTED]

Policy N [REDACTED]

Vehicle:6, HYUN, SONATA GLS

VIN:5NPEU46F96H [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 15 for Claim Number [REDACTED]**

Photo date:03/01/2011 13:19:11:00 Size:45859

Description:

Insured [REDACTED]

Policy N [REDACTED]

Vehicle:6, HYUN, SONATA GLS

VIN:5NPEU46F96H [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

**Estimate Photo 16 for Claim Number [REDACTED]**

Photo date:14/01/2011 15:10:14:00 Size:25947

Description:

Insured [REDACTED]

Policy N [REDACTED]

Vehicle:6, HYUN, SONATA GLS

VIN:5NPEU46F96H [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

Storage Charges	\$ paid by iaa	
Less payment to lienholder	\$ na	
Amount to you (Payment enclosed)	\$ 8549.09	Draft Num
Additional Payments	\$ na	Draft Num
		Draft Num

NOTICE:

State law requires that owners of Total Loss or Salvage motor vehicles apply for a salvage Certificate within 30 days of a Total Loss Settlement.

☐ Does apply> ☒ Does not apply>

Any state sales tax due the owner through replacement of the vehicle will be considered when notice is filed. Invoice Presented.

☐ Does apply> ☒ Does not apply>

[REDACTED]

CRIME BUREAU

Estimate Photo 17 for Claim Number [REDACTED]

Photo date:14/01/2011 15:10:14:00 Size:25324

Description:

Insured: [REDACTED]

Policy N [REDACTED]

Vehicle:6, HYUN, SONATA GLS

VIN:5NPEU46F96H [REDACTED]

Loss date:12/20/10

Estimator:Paul griffith

[illegible]

Estimate Photo 18 for Claim Number

Photo date:14/01/2011 15:10:14:00 Size:36179

Description:

Insured

Policy Number: [REDACTED]

Vehicle:6, HYUN, SONATA GLS

VIN:SNPEU46F96H

Loss date: 12/20/10

Estimator: Paul griffith

Date: 01/06/2011 Company: [REDACTED]
 Claim No: [REDACTED]

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that the undersigned for valuable consideration paid or to be paid, does hereby grant, sell, transfer and deliver unto

Exempt Reading: 0

(hereinafter) the motor vehicle described below:

Year	Make	Model	Body Type	Serial Number
2006	HYUN	SONATA GLS	4D SED	5NPEU46F96H [REDACTED]

To have and to hold all and singular the said goods and chattels to said grantee, its successors and assigns. The undersigned covenants and warrants that the undersigned is the lawful owner of said goods and chattels, that they are free from all claims and demands of third parties and that the undersigned will warrant and defend same against the

[REDACTED]

Cu-Seller: (Sign as your name appears on title)

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, _____ owner of the following described Motor Vehicle, Year _____
 Make HYUN Model SONATA GLS
 Serial # 5NPEU46F96H [REDACTED] hereby constitute and appoint _____ of _____ and/or _____ of _____ my (or our) true and lawful Attorney to sign in the name, place, and stead of, the undersigned any Certificates of Ownership issued by the Division of Motor Vehicles of the State covering the vehicle described above in whatever manner necessary to transfer any registration of said vehicle as they deem fit and proper.

IN WITNESS WHEREOF, the undersigned does hereby set his hand and seal this _____ day of _____, 2011.

01/14/2011 03:04 PM [REDACTED]

Signature(s) of grantee(s) to whom power of attorney is granted:

Estimate Photo 19 for Claim Number [REDACTED]

Photo date: 14/01/2011 15:10:14:00 Size: 32800

Description:

Insured: [REDACTED]

Policy N: [REDACTED]

Vehicle: 6, HYUN, SONATA GLS

VIN: 5NPEU46F96H [REDACTED]

Loss date: 12/20/10

Estimator: Paul griffith

01/13/2011 03:04 PM

Description:

Insured:

Policy N

Vehicle:6, HYUN, SONATA GLS

VIN:5NPEU46F96H

Loss date: 12/20/10

Estimator: Paul griffith

GEICO
BILL OF SALE - POWER OF ATTORNEY

VEHICLE IDENTIFICATION NUMBER 1NPEU46F96H [REDACTED]	YEAR MONTH 2006	MAKE/TYPE/STYLE HYUN <small>TELECOMMUNICATIONS</small>
VEHICLE COLOR SGX	VEHICLE TYPE 3600	VEHICLE IDENTIFICATION NUMBER BR5C567
PREVIOUS OWNER BIG TOWN AUTO SALES LONGVIEW TX		SALES TAX 95621
SALES TAX [REDACTED]		ACTUAL MILEAGE [REDACTED]
LONGVIEW, TX		

SIGNATURE OF OWNER/LESSEE MUST BE A NC

UNLESS OTHERWISE AUTHORIZED BY LAW, IT IS A VIOLATION OF STATE LAW TO FORGE THE NAME OF ANYONE PROVIDED ON A CERTIFICATE OF TITLE OR OTHERWISE FOR THAT INFORMATION ON A CERTIFICATE OF TITLE

DATE OF SALE NONE	DATE OF PURCHASE [REDACTED]	DATE OF RELEASE [REDACTED]
DATE OF SALE 01/17/2011 08:04 PM	DATE OF PURCHASE [REDACTED]	DATE OF RELEASE [REDACTED]

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

██████████ an incapacitated person, by
and through her Estate, Administered by her
Guardian, ██████████

Plaintiff(s),

v.

GENERAL MOTORS COMPANY;
T. K. HOLDINGS, INC.;
██████████ and
TRW VEHICLE SAFETY SYSTEMS, INC., and
GENERAL MOTORS, L.L.C.

Defendant(s).

Case No. ██████████
The Honorable Lee R. West

GENERAL MOTORS LLC'S RULE 26 INITIAL DISCLOSURE

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, and the associated local rules, General Motors LLC (GM), makes the following Initial Disclosure:

I. PRELIMINARY STATEMENT

The vehicle involved in this lawsuit is a 2007 Chevrolet Cobalt four-door sedan, bearing the VIN 1G1AK55F577██████████. Preliminarily, GM understands this lawsuit arises from a two-vehicle crash that occurred on December 20, 2010, outside of Velma, Oklahoma, when a 2006 Hyundai Sonata, driven by ██████████, entered the opposing lane of traffic, and the subject Chevrolet Cobalt, driven by ██████████ collided with the Sonata. GM understands Plaintiff, ██████████, was a right front passenger in the Cobalt at the time of the collision.

In her First Amended Complaint, Plaintiff alleges the Cobalt was defective, because its airbags did not deploy during the crash. Plaintiff also alleges the Cobalt's safety belt "either inertially unlatched or inadvertently unlatched during the collision" and/or did not provide adequate restraint. Finally, Plaintiff alleges the Cobalt's "interior compartment was designed

with inadequate distances from the position of the occupant to the interior surfaces of the occupant compartment.” GM has denied Plaintiff’s allegations.

Photographs of the Cobalt in its post crash condition and the CDR report for the crash data Plaintiff downloaded from the Cobalt’s SDM indicate the driver frontal airbag deployed during the crash, and the passenger frontal airbag did not deploy. According to the CDR report, at the time of the recorded crash event, deployment of the passenger airbag was suppressed by the passenger sensing system, diagnostic trouble code B0081 was present, and the airbag warning light was illuminated. According to the CDR report, the airbag warning light had been illuminated for 34 ignition cycles, for a total warning lamp on time of 83740 seconds (23 hours, 15 minutes, 40 seconds).

The 2007 Chevrolet Cobalt was designed, in part, manufactured, in part, and assembled in final form by General Motors Corporation, n/k/a Motors Liquidation Company. General Motors LLC has acquired documents and other information from Motors Liquidation Company, f/k/a General Motors Corporation, regarding the design and development of the 2007 Chevrolet Cobalt.

The 2007 Chevrolet Cobalt is known internally, at GM, as a GMX001. The GMX001 was introduced in the 2005 model year. GMX001 vehicles include both sedans and coupes that were marketed in North America under the Chevrolet and Pontiac brand names. Chevrolet marketed the GMX001, in the United States and Canada, as the Chevrolet Cobalt, from the 2005-2010 model years, in both sedan and coupe models. Pontiac marketed the GMX001, in Canada, from the 2005-2010 model years, in both sedan and coupe models (initially as the Pontiac Pursuit, then as the Pontiac G5 Pursuit, and finally as the Pontiac G5). Pontiac marketed the GMX001, in Mexico, from the 2005-2009 model years, in both sedan and coupe models

(initially as the Pontiac G4 and later as the Pontiac G5). Pontiac marketed the GMX001, in the United States, from the 2007-2009 model years, as the Pontiac G5, in the coupe version only. Production of GMX001 vehicles ended, after the 2010 model year.

The frontal airbag system on the 2005 GMX001 is a dual stage system that incorporates a Sensing and Diagnostic Module (SDM) from the SDM-EPS family, calibrated specifically for GMX001 vehicles, and a GSAT-3 electronic front sensor. In the 2006 model year, the airbag system for the GMX001 (excluding the SS coupe model) incorporated a Delphi PODS-B passenger sensing system, as part of the vehicles' compliance with the advanced airbag requirements of Federal Motor Vehicle Safety Standard (FMVSS) 208. The airbag system for the SS coupe was carried over from the 2005 model year and did not include a passenger sensing system.

In the 2007 model year, the GMX001 incorporated a new driver airbag module, steering wheel, and passenger airbag inflator, and a revised frontal airbag sensing calibration, with a lower second stage deployment threshold. As an interim 2007 model year change, the calibration of the PODS-B passenger sensing system for the GMX001 was redefined, to increase the number of pressure counts (the compliance margin) between the child seat condition that creates the highest pressure count and the adult classification threshold.

For the 2008 model year, the GMX001 frontal airbag system used an SDM from the SDM-EPS family and a GSAT-4 electronic (raw data) front sensor. The frontal sensing calibration changed with the introduction of raw data sensors. The SS coupe version of the GMX001 was first equipped with a passenger sensing system in the 2008 model year, with the introduction of the GMX001 HPVO (marketed as a Chevrolet Cobalt SS coupe). Because the GMX001 Chevrolet Cobalt SS coupe had a unique seat design, the Delphi PODS-B passenger

sensing system utilized on the 2008 GMX001 Chevrolet Cobalt SS coupe was not substantially similar to the Delphi PODS-B passenger sensing system utilized on other GMX001 vehicles.

The frontal airbag sensing calibration for GMX 001 vehicles changed, again, in the 2009 model year, due to the implementation of a passenger airbag system that provided Low Risk Deployment (LRD) as defined by FMVSS 208, for the NHTSA 3 and 6 year old positions, and an IEE Body Sense, Infant Only Suppression (IOS) system. The SS coupe version of the GMX001 continued to use the PODS-B passenger sensing system that was specifically developed for the SS coupe.

In providing its Initial Disclosure, GM will provide information about the Delphi PODS-B passenger sensing system on 2006 – 2008 GMX001 vehicles (excluding the Chevrolet Cobalt SS coupe model). Although there are other General Motors vehicles that utilize a PODS-B passenger sensing system, the PODS-B bladder design and ECU calibration are affected by seat height, seat back angle, seat cushion size, seat cushion shape, seat cushion stiffness, seat bolster height, seat cover material, safety belt geometry, and belt tension sensor location, as well as by the geometry of the floor relative to the seat and the width of the space between the door and the center console, which can affect how occupants sit in the seat. Other vehicles that utilize PODS-B passenger sensing systems are not substantially similar to the 2007 Chevrolet Cobalt four-door sedan involved in this case (including the factors that affect bladder design and system calibration).

The front row safety belt restraint system in the 2007 Chevrolet Cobalt four-door sedan includes a Type 2 design single retractor, with an energy management feature and a pretensioner, mounted at the base of the “B” pillar. The retractor is an emergency locking retractor (ELR) that is webbing sensitive and vehicle sensitive. The front passenger retractor has an automatic

locking (ALR) feature. The upper guide loop is adjustable. The lap belt anchor is attached to the body, and the end release buckle assembly is mounted to the front seat.

The front row safety belt system in the 2007 Chevrolet Cobalt four-door sedan is similar to the front row safety belt systems used in 2005-2010 GMX001 4-door sedans. The location of the upper guide loop and the location of the retractor are different between the GMX001 coupe and sedan. Therefore the shoulder belt routing is different between the coupe and sedan. In providing its Initial Disclosure, GM will provide information about the front row safety belt restraint systems (including the retractor assembly, buckle assembly, and safety belt anchorages) in 2005-2010 GMX001 4-door sedans.

Gm's determinations of scope and the documents consequently produced are for the purposes of discovery only. In making these disclosures, GM does not concede that the information or documents produced are properly discoverable or admissible at trial.

GM's investigation of the December 20, 2010, collision is ongoing. GM has not completed its collection of documents relating to this action, interviewed all witnesses, or completed discovery or preparation of its defenses to Plaintiff's allegations. In addition, this case is in its preliminary stages, and information relating to Plaintiff's allegations is limited. GM reserves the right to supplement or modify its disclosures, if appropriate, as the case develops, based on the discovery of additional or different information.

II. DISCLOSURES

A. The name and, if known, the address and telephone number of each individual likely to have discoverable information that GM may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information:

No.	Name	Anticipated Testimony
1.	[REDACTED] c/o Merritt & Associates, P.C. PO Box 1377 Oklahoma City, OK 73101	Facts and circumstances of collision; Plaintiff's claims
2.	[REDACTED] c/o Merritt & Associates, P.C. PO Box 1377 Oklahoma City, OK 73101	Facts and circumstances of collision; Plaintiff's claims
3.	[REDACTED] c/o Lytle, Soule & Curlee, P.C. 119 N. Robinson Ave., Ste 1200 Oklahoma City, OK 73102	Facts and circumstances of collision; observations at the collision scene
4.	TK Holdings Inc. c/o Crowe & Dunlevy 20 North Broadway, Ste 1800 Oklahoma City, OK 73102	Facts and circumstances of collision
5.	[REDACTED] Duncan, OK [REDACTED]	Facts and circumstances of collision; observations at the collision scene
6.	[REDACTED] Natchez, MS [REDACTED]	Facts and circumstances of collision; condition of the subject 2007 Chevrolet Cobalt
7.	[REDACTED]	Facts and circumstances of collision; observations at the collision scene
8.	[REDACTED]	Facts and circumstances of collision; observations at the collision scene
9.	[REDACTED]	Facts and circumstances of collision; observations at the collision scene
10.	[REDACTED]	Facts and circumstances of collision; observations at the collision scene

No.	Name	Anticipated Testimony
11.	Deputy Matthew Peck Stephens County Sherriff's Department 101 S. 11 th St. Duncan, OK 73533 580-255-3131	Facts and circumstances of collision; observations at the collision scene; investigation of the collision
12.	Deputy Chad Powell Stephens County Sherriff's Department 101 S. 11 th St. Duncan, OK 73533 580-255-3131	Facts and circumstances of collision; observations at the collision scene; investigation of the collision
13.	Representative of Stephens County Sherriff's Department 101 S. 11 th St. Duncan, OK 73533 580-255-3131	Facts and circumstances of collision; observations at the collision scene; investigation of the collision
14.	Trooper Mark Smith Oklahoma Highway Patrol 705 E. Gore Blvd Lawton, OK 73502 580-353-0783	Facts and circumstances of collision; observations at the collision scene; investigation of the collision
15.	Trooper Kevin Crawford Oklahoma Highway Patrol 705 E. Gore Blvd Lawton, OK 73502 580-353-0783	Facts and circumstances of collision; observations at the collision scene; investigation of the collision
16.	Representative of Oklahoma Highway Patrol 705 E. Gore Blvd Lawton, OK 73502 580-353-0783	Facts and circumstances of collision; observations at the collision scene; investigation of the collision
17.	Officer Randy Whipple Velma Police Department PO Box 447 Velma, OK 73491 580-444-3380	Facts and circumstances of collision; observations at the collision scene; investigation of the collision
18.	Representative of Velma Police Department PO Box 447 Velma, OK 73491 580-444-3380	Facts and circumstances of collision; observations at the collision scene; investigation of the collision
19.	David Bloodswort Velma Volunteer Fire Department PO Box 447 Velma, OK 73491-0447 580-444-3393	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.

No.	Name	Anticipated Testimony
20.	Representative of Velma Volunteer Fire Department PO Box 447 Velma, OK 73491-0447 580-444-3393	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.
21.	Jaime Hennessee AirEvac PO Box 106 West Plains, MO 65775 417-256-7207	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.
22.	Lori Herrian AirEvac PO Box 106 West Plains, MO 65775 417-256-7207	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.
23.	G. Clement AirEvac PO Box 106 West Plains, MO 65775 417-256-7207	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.
24.	Representative of AirEvac PO Box 106 West Plains, MO 65775 417-256-7207	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.
25.	Patricia Snyder Velma EMS PO Box 447 Velma, OK 73491 580-444-2535	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.
26.	Representative of Velma EMS PO Box 447 Velma, OK 73491 580-444-2535	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.
27.	James Worthy American Medical Response AMR Ambulance 616 N. Highway 81 Duncan, OK 580-470-6073	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.
28.	Brian Womack American Medical Response AMR Ambulance 616 N. Highway 81 Duncan, OK 580-470-6073	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.

No.	Name	Anticipated Testimony
29.	Laurie Smith American Medical Response AMR Ambulance 616 N. Highway 81 Duncan, OK 580-470-6073	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.
30.	Christina Pohocsucut American Medical Response AMR Ambulance 616 N. Highway 81 Duncan, OK 580-470-6073	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.
31.	Representative(s) of American Medical Response AMR Ambulance 616 N. Highway 81 Duncan, OK 580-470-6073	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.
32.	Robert Hicks Evan's and Sons Automotive and Towing/Evan's Wrecker 15 W. Bois D Arc Ave. Duncan, OK 73533 580-252-1877	Facts and circumstances of collision; observations at the collision scene; condition of the subject 2007 Chevrolet Cobalt
33.	Representative of Evan's and Sons Automotive and Towing/Evan's Wrecker 15 W. Bois D Arc Ave. Duncan, OK 73533 580-252-1877	Facts and circumstances of collision; observations at the collision scene; condition of the subject 2007 Chevrolet Cobalt
34.	Representative of Car Cab Wrecker 6309 South Bryant OKC, OK 405-670-6114	Facts and circumstances of collision; condition of the subject 2007 Chevrolet Cobalt
35.	Representative of Safeway Insurance Policy # [REDACTED] 800-352-3089	Facts and circumstances of collision; investigation of the collision
36.	Representative of Geico Policy [REDACTED] 203 SW H Ave. Lawton, OK 73501 800-841-3000 580-695-6744	Facts and circumstances of collision; investigation of the collision

No.	Name	Anticipated Testimony
37.	Representative of Government Employees Insurance Company c/o The Corporation Trust Inc. 300 E. Lombard Street Baltimore, MD 21202-3219	Facts and circumstances of collision; investigation of the collision
38.	Representative of Physical Medicine & Rehab Associates, PC 5100 N Brookline Ste 500 Oklahoma City OK 73112 405-605-8780	Medical care and treatment; injuries sustained by Plaintiff.
39.	Representative of Valir Rehab Hospital 700 NW Seventh St Oklahoma City OK 73102 405-236-3131	Medical care and treatment; injuries sustained by Plaintiff.
40.	Representative of Walgreen Home Care	Medical care and treatment; injuries sustained by Plaintiff.
41.	Representative of Walgreens Company 16797 Collections Center Dr Chicago IL 60693 217-554-8590	Medical care and treatment; injuries sustained by Plaintiff.
42.	Representative of Duncan Regional Hospital 1407 Whisenant Dr. Duncan, OK 73533 580-252-5300	Medical care and treatment; injuries sustained by Plaintiff.
43.	Representative of Deaconess Home Health	Medical care and treatment; injuries sustained by Plaintiff.
44.	Representative of Morningstar Emergency Physicians 34 SW 89th St, #A Oklahoma City OK 73139 405-271-2240	Medical care and treatment; injuries sustained by Plaintiff.
45.	Representative of OU Medical Center 1200 N. Everett Dr. OKC, OK 73104 405-271-4700	Medical care and treatment; injuries sustained by Plaintiff.
46.	Medical Care Providers not yet identified	Medical care and treatment; injuries sustained by Plaintiff
47.	Emergency Responders not yet identified	Medical care and treatment; injuries sustained by Plaintiff.
48.	All individuals at scene of crash not yet identified	Facts and circumstances of collision; observations at the collision scene
49.	Past and current owners of the subject vehicle	Knowledge and information regarding the subject vehicle

No.	Name	Anticipated Testimony
50.	Representative(s) of General Motors, LLC	Development, design, testing and performance of the 2007 Chevrolet Cobalt, and its systems and components.
51.	Expert Witnesses	GM has not yet determined the experts it may call to testify at trial. However, in a good faith effort to comply with the disclosure requirements, GM anticipates retaining an accident reconstruction expert, an expert to address occupant kinematics and biomechanics, and experts to respond to Plaintiff's defect claims. GM also anticipates relying on the testimony of one or more engineers knowledgeable about the design, development, testing and safety features of the 2007 Chevrolet Cobalt. GM will supplement this disclosure to provide the names of these experts, as the scheduling order requires.
52.	All witnesses identified during discovery not objected to by GM	
53.	All witnesses listed by Plaintiff not objected to by GM	
54.	GM reserves the right to supplement this list to identify additional witnesses, including expert witnesses, as discovery progresses.	

B. A copy of, or a description by category and location of all documents, data compilations, and tangible things that are in the possession, custody or control of GM and that GM may use to support its claims or defenses unless solely for impeachment:

Pursuant to Rule 26(a)(1)(B) of the Federal Rules of Civil Procedure, GM lists below the categories of documents and information, in both paper format and electronically stored, on which it may rely in support of its claims and/or defenses. Relevant electronically stored information which reasonably can be rendered to TIFF images will be so provided in TIFF format. Relevant information, whether in paper format or electronically stored, is located in and around Detroit, Michigan, and other GM engineering centers.

GM has not yet determined the tangible things it may use to support its claims or defenses; nor has it generated or collected all the exhibits and information it may use at trial.

In a good-faith effort to comply with the disclosure requirements of Rule 26, GM identifies the following documents and/or tangible things, which are either publicly available or in the possession of third parties, and which GM may use to support its claims and/or defenses:

No.	Description
1.	Official Oklahoma Traffic Collision Report
2.	Field notes of law enforcement personnel, if any
3.	Reports prepared by EMS or other emergency responders (not yet obtained)
4.	Medical records for Sarah Miller
5.	Crash scene photographs (not yet obtained)
6.	Photographs of subject 2007 Chevrolet Cobalt from Plaintiff
7.	Sales records for the subject 2007 Chevrolet Cobalt (not yet obtained)
8.	Title history records for the subject 2007 Chevrolet Cobalt (not yet obtained)
9.	Federal Motor Vehicle Safety Standard 208
10.	Federal Motor Vehicle Safety Standard 209
11.	Federal Motor Vehicle Safety Standard 210

GM also identifies the following documents and tangible things in GM's possession and control, which GM may use to support its claims or defenses, and which GM will provide to Plaintiff:

12.	Vehicle Invoice for the subject 2007 Chevrolet Cobalt
13.	Vehicle Delivery/Incentive History for the subject 2007 Chevrolet Cobalt
14.	Vehicle Event History for the subject 2007 Chevrolet Cobalt
15.	GMVIS1 (GM Vehicle Inquiry System) printout and GMVIS2 (Global Warranty Management) information for the subject 2007 Chevrolet Cobalt
16.	Vehicle Profile Information System (VPIS) report for the subject 2007 Chevrolet Cobalt
17.	Owner's Manual for the 2007 Chevrolet Cobalt
18.	Warranty booklet and maintenance schedule for the 2007 Chevrolet Cobalt
19.	Service manual for the 2007 Chevrolet Cobalt
20.	Recalls and technical service bulletins, if any, applicable to the passenger sensing system on the 2006-2008 GMX001 (excluding the 2008 Chevrolet Cobalt SS coupe)
21.	Recalls and technical service bulletins, if any, applicable to the front passenger safety belt systems on 2005-2010 GMX001 sedans

In addition, GM identifies the following documents, which GM may use to support its

claims or defenses, which GM will search for or request and produce to Plaintiff, if available, upon the entry of an appropriate protective order, and once the items have been collected:

22.	Product Assembly Documents (PADs) for the following in the 2007 Chevrolet Cobalt sedan: a. SDM b. Right front passenger seat c. Passenger airbag status indicator d. Passenger airbag module e. Passenger knee bolster assembly f. Right front passenger safety belt g. Instrument panel
23.	Design information describing the geometry of the following components of the frontal airbag system in the 2007 Chevrolet Cobalt sedan: a. SDM b. Right front passenger seat c. Passenger airbag status indicator d. Passenger airbag module e. Passenger knee bolster assembly f. Right front passenger safety belt g. Instrument panel Some of this design information may be saved in two-dimensional ("2D") drawings and some design information may be saved in a three-dimensional ("3D") electronic CAD data format. GM's electronic CAD data constitutes highly confidential, commercially sensitive trade secrets. If a two dimensional drawing is not available, GM will provide a jpeg image of its 3D CAD data for that component. If Plaintiff wants GM to provide its highly confidential, commercially sensitive CAD data in a 3D electronic format, GM will require a specific protective order, governing highly confidential electronic trade secret information. If a sufficient protective order is issued governing highly confidential trade secrets, GM will provide 3D CAD data files in JT file format. If Plaintiff does not already have the necessary software to read JT files, free software can be obtained at JT2go.com
24.	(2005) GMX-001 PAC Initial PAC Report
25.	2005 GMX001 Mid-Term Report to the Performance Assessment Committee (PAC)
26.	2005 GMX001 Final Report to the Performance Assessment Committee (PAC)
27.	2006 GMX001 Final Report to the Performance Assessment Committee (PAC) Report Supplement
28.	2007 GMX001 Final PAC (Performance Assessment Committee) Report Supplement
29.	GAP reports, if any, issued by the Performance Assessment Committee, applicable to the front safety belt restraint system on 2005-2010 GMX001 four-door sedans or applicable to the passenger sensing system on the 2006-2008 GMX001 (excluding the 2008 GMX001 SS coupe)
30.	Occupant Performance Evaluation Consideration Book Version 4, Revision 12/7/2000
31.	Occupant Performance Evaluation Consideration Book Version 4.2, Revision 11/21/2005

32.	FMVSS 208 compliance documentation applicable to the 2007 Chevrolet Cobalt sedan
33.	Test Procedures for FMVSS 208 applicable to the 2007 Chevrolet Cobalt sedan
34.	Safety goals presentation(s) applicable to the 2007 GMX001
35.	Final safety performance report(s) applicable to 2007 GMX001
36.	Sled test set-up sheets, with video, evaluation reports, data plots and back-up data, if available, for frontal sled tests, with any ATD (belted or unbelted) in the right front passenger position, conducted on 2006-2008 GMX001 vehicles (excluding the 2008 Chevrolet Cobalt SS coupe)
37.	Sled test set-up sheets, with video, evaluation reports, data plots and back-up data, if available, for frontal sled tests, with a belted ATD in the right front passenger position, conducted on 2005 GMX001 sedans or 2009-2010 GMX001 sedans
38.	Crash test reports, with video and evaluation reports, if available, for frontal crash tests, with any ATD (belted or unbelted) in the right front passenger position, conducted on 2006-2008 GMX001 vehicles (excluding the 2008 Chevrolet Cobalt SS coupe)
39.	Crash test reports, with video and evaluation reports, if available, for frontal crash tests with a belted ATD in the right front passenger position, conducted on 2005 GMX001 sedans or 2009-2010 GMX001 sedans
40.	2006 MY GMX 001 Passenger Sensing Performance Review
41.	Report No. 06-X001-PS-01, 2006 GMX 001 PODS-B Passenger Sensing Static Performance Validation Tests
42.	Report No. 06-X001-PS-02, 2006 GMX 001 PODS-B Passenger Sensing System Dynamic Performance Validation Tests
43.	Report No. 06-X001-PS-03, 2006 GMX 001 PODS-B Passenger Sensing Static Performance with Human Volunteers
44.	Report No. 06-X001-PS-04, 2006 GMX 001 PODS-B Passenger Sensing Environmental Performance Validation Tests
45.	Report No. 07-X001-PS02, 2007i GMX001 Delphi PODS-B Passenger Sensing System Static Validation Tests
46.	Static Automatic Suppression System Component Technical Specification CG1039, applicable to the PODS-B passenger sensing system on the 2006 – 2008 GMX001
47.	CTS # CM20331, Section 3.2.1.1. (Airbag Suppression/Electronics) applicable to the PODS-B passenger sensing system on the 2006 – 2008 GMX001
48.	Problem Resolution Tracking System (PRTS) reports, if any, involving the PODS B passenger sensing system on the 2006 - 2008 GMX001 (excluding the 2008 GMX001 HPVO SS coupe)
49.	Design Failure Mode and Effects Analysis (DFMEA), if any, generated by General Motors, applicable to the PODS-B passenger sensing system on the 2006 -2008 GMX001 (excluding the 2008 GMX001 HPVO SS coupe)

50.	<p>GM will contact Delphi, the PODS-B supplier, and request documents describing the PODS-B passenger sensing system on the 2007 Chevrolet Cobalt, if available, including:</p> <ul style="list-style-type: none"> a. product definition documentation b. software definition documentation c. documents describing the hardware d. validation documents e. failure mode and effects analysis f. PPAP documentation. <p>The production of supplier documents will require a non-sharing protective order. GM cannot control the timing or the content of Delphi, the PODS-B supplier's response. GM will produce the document it receives, if any, upon receipt, subject to a non sharing protective order.</p>
51.	<p>GM will contact Continental AG (Siemens VDO), the frontal airbag sensing system supplier, and request documents describing the SDM on the 2007 Chevrolet Cobalt, if available, including:</p> <ul style="list-style-type: none"> a. systems requirements documentation b. software definition documentation c. documents describing the hardware d. validation documents e. End of line test results for the specific SDM in the 2007 Chevrolet Cobalt four-door sedan, bearing the VIN 1G1AK55F577 [REDACTED] if available, and a description of the end of line testing f. failure mode and effects analysis g. PPAP documentation. <p>The production of supplier documents will require a non-sharing protective order. GM cannot control the timing or the content of Continental AG (Siemens VDO), the sensing system's supplier's response. GM will produce the document it receives, if any, upon receipt, subject to a non sharing protective order.</p>
52.	Reports of the inflation induced injury testing applicable to the passenger frontal airbag on the GMX001 vehicles in the 2007 model year, with video, if available
53.	Product Investigation files, if any, involving the passenger sensing system on the 2006-2008 GMX001 (excluding the 2008 Chevrolet Cobalt SS coupe)
54.	Product Investigation files, if any, involving the passenger sensing system on the 2006-2008 GMX001 (excluding the 2008 Chevrolet Cobalt SS coupe)
55.	NHTSA IRs, if any, involving the passenger sensing system on the 2006-2008 GMX001 (excluding the 2008 Chevrolet Cobalt SS coupe)
56.	Transport Canada IRs, if any, involving the passenger sensing system on the 2006-2008 GMX001 (excluding the 2008 Chevrolet Cobalt SS coupe)
57.	Test procedures for FMVSS 209 applicable to the 2007 Chevrolet Cobalt sedan
58.	FMVSS 209 compliance documentation applicable to the 2007 Chevrolet Cobalt sedan
59.	Test Procedures for FMVSS 210 applicable to the 2007 Chevrolet Cobalt sedan
60.	FMVSS 210 compliance documentation applicable to the 2007 Chevrolet Cobalt sedan
61.	Vehicle Technical Specifications (VTS) applicable to 2007 GMX001
62.	Program Plan Book applicable to the 2007 GMX 001
63.	Seating arrangement drawing(s) for the 2007 Chevrolet Cobalt sedan

64.	Copies of the specifications for the right front passenger safety belt assembly in the 2007 Chevrolet Cobalt four-door sedan, listed on the safety belt drawings or in design information
65.	Problem Resolution Tracking System (PRTS) reports, if any, involving the front safety belt assemblies in 2005-2010 GMX001 four-door sedans
66.	Design information, describing the geometry of the following systems on the 2007 Chevrolet Cobalt four-door sedan: (a) right front passenger safety belt; and (b) instrument panel Some of this design information may be saved in two-dimensional ("2D") drawings and some design information may be saved in a three-dimensional ("3D") electronic CAD data format. GM's electronic CAD data constitutes highly confidential, commercially sensitive trade secrets. If a two dimensional drawing is not available, GM will provide a jpeg image of its 3D CAD data for that component. If Plaintiff wants GM to provide its highly confidential, commercially sensitive CAD data in a 3D electronic format, GM will require a specific protective order, governing highly confidential electronic trade secret information. If a sufficient protective order is issued governing highly confidential trade secrets, GM will provide 3D CAD data files in JT file format. If Plaintiff does not already have the necessary software to read JT files, free software can be obtained at JT2go.com.
67.	Seating arrangement drawing for the 2007 Chevrolet Cobalt four-door sedan
68.	Product Investigation files, if any, involving the front passenger safety belt systems on 2005-2010 GMX001 sedans
69.	FPE files, if any, involving the front passenger safety belt systems on 2005-2010 GMX001 sedans
70.	NHTSA IRs, if any, involving the front passenger safety belt systems on 2005-2010 GMX001 sedans
71.	Transport Canada IRs, if any, involving the front passenger safety belt systems on 2005-2010 GMX001 sedans

In a good-faith effort to comply with the disclosure requirements of Rule 26, GM identifies the following documents and tangible things GM may use to support its claims or defenses, but which have not yet been determined or obtained:

72.	Subject 2007 Chevrolet Cobalt coupe and its component parts
73.	Exemplar 2007 Chevrolet Cobalt coupe and its component parts
74.	Photographs of exemplar vehicle(s)
75.	Videotapes of exemplar vehicle
76.	Photographs of the subject 2007 Chevrolet Cobalt
77.	Videotapes of the subject 2007 Chevrolet Cobalt
78.	Diagrams of injuries
79.	Diagrams of crash scene

80.	Models of crash scene
81.	Photographs taken by experts
82.	File materials of experts
83.	Expert curriculum vitae
84.	Billing records of Plaintiff's experts
85.	Demonstrative exhibits of experts
86.	Documents and tangible things produced by GM in discovery not objected to by GM
87.	Documents produced by Plaintiff in discovery not objected to by GM
88.	Exhibits identified as discovery progresses
89.	Exhibits listed by other parties unless otherwise objected to by GM
90.	GM reserves the right to supplement this list to identify additional exhibits as discovery progresses

C. A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered:

GM has not made a claim for damages in this case.

D. For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part of all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy judgment:

GM is directly responsible for satisfying any judgment entered against it in this case, after post-trial or appellate rulings, if any, up to \$35 million, including legal defense expenses. The amount by which a judgment (including defense expenses) exceeds \$35 million is covered by excess insurance provided by a number of carriers.

III. GENERAL COMMENTS

In making this disclosure, GM does not represent that it is identifying every document, tangible thing or witness possibly relevant to this lawsuit, nor does GM waive its right to object to production of any document or tangible thing on the basis of attorney client privilege, attorney work product doctrine, relevancy, undue burden or any other valid objection. Rather, GM's disclosure represents GM's good faith effort to identify information subject to the disclosure requirements of Rule 26(a)(1).

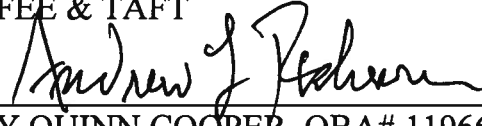
As set forth in its Answer, GM denies the allegations in Plaintiff's Petition. Further the breadth of the allegations may make it difficult for GM, at this stage of discovery, to make complete Rule 26(a)(1) disclosures.

Finally, GM's disclosures are made without in any way waiving: (1) the right to object on the grounds of competency, privilege, relevance, materiality, hearsay, or any other proper ground to the use of any such information for any purpose, in whole or in part, in any subsequent stage or proceeding in this action or any other action; and (2) the right to object on any and all grounds, at any time, to any other discovery proceeding involving or relating to the subject matter of these disclosures. Discovery in this matter is in the initial stages and GM's investigation and discovery are ongoing. GM reserves the right to supplement its disclosure, if necessary, based upon any additional information which may be forthcoming.

All of the disclosures set forth are made subject to these comments and qualifications.

MCAFEE & TAFT

By:



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General Motors, L.L.C.

CERTIFICATE OF MAILING

I hereby certify that on the 18th day of November, 2011, a true and correct copy of the foregoing was mailed with proper postage thereon prepaid to:

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Barbara A. Merritt
MERRITT & ASSOCIATES, P.C.
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IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

[REDACTED], an incapacitated)
person, by and through her Estate,)
Administered by her Guardian, [REDACTED],)

PLAINTIFF,)

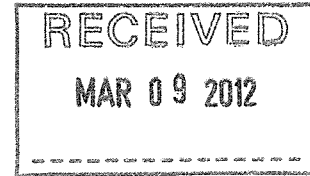
V.)

1) T. K. HOLDINGS, INC.;)

2) [REDACTED];)

3) TRW VEHICLE SAFETY SYSTEMS,)
INC.; and 4) GENERAL MOTORS, L.L.C.,)

DEFENDANTS.)



Case No.: [REDACTED]

**PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF
DOCUMENTS AND THINGS**

COMES NOW the undersigned moving party and makes demand pursuant to the applicable Rules of Civil Procedure that the below described documents and things be produced by General Motors, L.L.C., at the offices of counsel for this moving party within 30 days of the date of service of this request.

The incident which is the subject of this request is the incident which is complained of in Plaintiff's Petition or Complaint filed herein which resulted in the injuries and damages complained of therein.

DEFINITION OF "THE PRODUCT"

The term "the product" as used herein in this discovery request shall mean the product

which was associated with the injury or damage to the plaintiff, as alleged in the pleadings filed herein or more specifically as follows:

2007 Chevrolet Cobalt, the subject vehicle.

DEFINITION OF “SIMILAR PRODUCTS”

The term “similar products” as used hereinafter in this Request for Production shall mean products other than “the product” which are essentially and substantially similar to “the product” with regard to design, formulation, specifications, material or chemical composition, make and/or model, and which were either designed, manufactured, assembled, packaged, sold, distributed, advertised, installed, serviced, repaired, maintained, or in any way handled by the defendant and/or which were manufactured under the same patent or patent pending number or formula as the product which injured plaintiff. For instance, a product which is functionally the same model as the product involved but has different trim or attachments or other appurtenances but is known by a different model name or number would be a similar product.

Similar products are also defined as follows:

Vehicles of the identical design as the subject vehicle which are of a different year and make.

DEFINITION OF “COMPARABLE PRODUCTS”

The term “comparable products” as used hereinafter in this Request for Production shall mean products other than “the product” or “similar products” which have likeness as

to design, formulation, specifications, dimensions, or material or chemical composition, or have the same general uses as “the product” or “similar products”. For instance, a product which is used for the same purposes as the product involved and has the same functional operation as the product involved but is different in size or material makeup or has a different operational design would be considered a comparable product.

Comparable products are also defined as follows:

Any GM vehicle that contains an identical right front passenger occupant presence system.

DEFINITION OF “IDENTICAL PRODUCTS”

The term “identical products” as used herein shall be construed to mean all other products manufactured under the same design, formula, plan and/or scheme as “the product” though there may have been engineering change orders issued since the original design of the product.

Identical products are also defined as follows:

The same year, make and model vehicle as the subject vehicle.

DEFINITION OF “COMPONENT PART(S)” AND/OR “DESIGN CONCEPT(S)”

When answering any request herein that refers to “component part(s)” and/or “design concept(s)”, please answer each request separately under a separate heading for each component part and design concept defined below.

The phrases “component part(s)” and/or “design concept(s)” as used herein shall mean

the following:

(1) “The right front occupant sensing system that senses the presence of a right front occupancy”

(2) “The system in the crash data recorder that receives and processes data from the above described occupant presence detection system and results in output that triggers the airbag dash lights that indicate the right front occupant airbag is operable.

DEFINITION OF “HAZARD(S)” AND “CONDITION(S)”

The term “hazard(s)” or “specific hazard(s)” or “specific conditions” or “alleged hazard or hazards” as used herein shall mean the following:

(1) “The right front occupant sensing system that senses the presence of a right front occupancy”

(2) “The system in the crash data recorder that receives and processes data from the above described occupant presence detection system and results in output that triggers the airbag dash lights that indicate the right front occupant airbag is operable.

DEFINITION OF MANUFACTURER

The term “manufacturer” as used herein shall be construed to mean any corporation, partnership, business entity, agency or individual who manufactured, remanufactured, altered, changed, and/or modified the product and/or any component part(s) as defined herein.

Unless otherwise stated herein, the documents and tangible items requested shall not be limited to any manufacturer, year, model or make of product nor shall they be limited to products sold or manufactured in the United States.

Plaintiff requests this answering party as part of its due and diligent search, to provide a copy of this request to each of its engineering and technical personnel and their staffs, as well as those employees involved with maintaining and archiving the type of documents ordered produced herein. Plaintiff requests this answering party request that each such employee make a due and diligent search for such documents and furnish all documents found to the person designated by this answering party to file the verified response. If any such personnel do not read English, then it is requested that a translated copy of this request be furnished to each such employee.

DESCRIPTION OF SUBJECT MATTERS:

NOTE: If the phrase “subject matters described herein” appears herein, it refers to the below described subjects. These descriptions are not delimiting, but are intended to call this answering party’s attention to general subject matter categories for which documents should be produced. Production must not be limited to information, tangible items, computer data, computer CDs, computer records, computer tapes, imaged and other documents which contain the below phrases though a search should be made for such exact phrases. If information, tangible items, computer data, computer CDs, computer records, computer tapes, imaged and other documents exist which refer to the below subjects without using the

exact phrase, they should be produced.

This request not only calls for documents and/or tangible items in your possession but also those to which you have access.

You are required prior to responding to these discovery requests to make a due and diligent search of all documents and/or tangible items in this Defendant's possession and/or to which this Defendant has access and make a due and diligent inquiry of all agents, servants and employees of the Defendant as well as all other persons who are in privity with this Defendant, including but not limited to predecessors and successors of this Defendant (if a company or corporation) with the view in mind to elicit all information available to respond to these discovery requests.

It is not sufficient to respond by stating you will produce such documents and/or tangible items in accordance with deadlines set by the Court. This party demands that if such documents and/or tangible items exist at this time that such be produced within the time period requested to enable this party to review such documents and/or tangible items in time to develop this party's evidence in this case. If such documents and/or tangible items exist and you do not produce such, this party may move for sanctions in the form of a default judgment and will move that no such documents and/or tangible items which are later produced be admitted in the trial of this case at Defendant's request.

If you answer any of these discovery requests stating that no such documents and/or tangible items exist or that none are found, please describe the search that was made for such

documents and/or tangible items, the locations where such searches were performed, and the names of all persons who participated in such a search to locate such tangible items and/or other documents.

If any documents and/or tangible items requested herein do not exist, please state that fact and state whether or not they have ever been in existence, explaining why such no longer exist.

If you answer these discovery requests claiming that the requested documents and/or tangible items are no longer available or that such is not in your possession, or that such do not exist, please state whether or not there are any other persons or entities, giving their names, addresses and telephone numbers, that may or do have possession of such documents and/or tangible items, or who have microfilm, microfiche, or digital data copies of such documents.

If you claim that any discovery request is protected by a work product or other privilege, then describe such documents and/or tangible items with sufficient clarity to permit this party to determine if such privilege is properly claimed. If some documents and/or tangible items or parts of some documents and/or tangible items requested are not privileged, then produce those parts thereof that are not so privileged.

If you claim a work product privilege to any documents and/or tangible items requested herein, then file a privilege log with your responses stating the following:

1. The purpose for which the documents and/or tangible items was made or created.

2. The name, address, telephone number, place of employment and job title of the person who ordered the documents and/or tangible items to be made or created and whether or not this person was a licensed attorney employed by this answering party at the time.

3. The author or creator of such documents and/or tangible items.

4. The date such documents and/or tangible items were created.

5. The names, addresses and phone numbers of all persons and entities who received a copy of the original of the documents and/or tangible items, together with a statement of the reasons why such person or entity received such documents and/or tangible items.

6. A description of the nature of the subject matter of such documents and tangible items.

This document request requires that you produce all of the below documents and/or tangible items which are in your possession and/or to which you have access and/or which are in the possession of your attorneys (including attorneys employed to defend other cases filed against you) and/or in the possession of any of your wholly owned subsidiaries and/or in the possession of any of your contractors where such documents were produced or created on behalf of you, and which are accessible by you. An index of all documents and data furnished in electronic form must be provided.

If there are no documents and/or tangible items found for any below requests, then Plaintiff demands that this answering party, referring to the number of the request, state in its verified response “After due and diligent search, no documents and/or tangible items can

be found.” If some documents and/or tangible items are found for any request, then Plaintiff demands this answering party, referring to the request number, describe in its verified response those documents and/or tangible items produced and further state in its verified response “After due and diligent search, no documents and/or tangible items other than those listed above can be found.”

Plaintiff requests Defendant produce any such documents and/or tangible items required to be produced herein, without regard to where in the world they were created, sent or received.

Description of Tangible Items:

Tangible items as described herein are any physical objects, electronically recorded data and/or visual images, data storage devices, videotapes, motion picture films, computer tapes, computer software, books, logs, records, papers, audio recordings, digital recordings, photographs, digital images, plats, graphs, drawings, illustrations, animations, graphic displays, posters, communications, letters, e-mails, web pages, test reports, test results, engineering studies, source materials, memorandums, CD's, DVD's, microfiche, microfilm, x-rays, radiological films, computer files, and all other documents, things and/or electronic files, which in any manner relate to the subjects of the documents and/or tangible items which these requests require you to produce.

NOTE: When producing the below requested documents and/or tangible items, please

identify by the Request Number each group of documents and/or tangible items furnished. It is requested each group of documents be separately bound with a cover sheet that states the number of the request for which such documents are being produced.

DOCUMENTS TO BE PRODUCED:

NUMBER : 1

Please produce all documents and/or tangible items relied upon in answering the interrogatories served with this request for production not otherwise specifically requested herein.

NUMBER : 2

All maps, plats, charts, diagrams, drawings, photographs, movies, and video tapes made in connection with the incident which gives rise to this lawsuit. This request includes but is not limited to photographs, maps, plats, charts, diagrams and drawings of the scene of the incident and the product.

If you claim an attorney work product privilege as to any document or thing requested, then state which of such documents are in your possession or to which you have access and the date each such item came into existence so that a Court can make a determination as to

whether such items are so protected. Further, in such case, state the name of the person who developed or produced such item and that person's relationship to this answering party at the time such item was created or came into existence.

If there is to be a charge for reproduction of such material in excess of \$50.00, please produce the originals only so that it may be determined which documents are desired to be reproduced. Originals may be retained by you after inspection subject to being reproduced at times to be agreed upon.

NUMBER : 3

Any sub rosa investigation reports.

NUMBER : 4

Please produce all documents of any nature whatsoever, which contain the names and/or last known addresses and/or last known telephone number and/or last known whereabouts of any persons who were present at the time of the incident described above or who were present immediately before or after such incident or who claim to have knowledge concerning such incident.

NUMBER : 5

A copy of all credit reports, claims reports, and any other reports and documents

which relate in any manner whatsoever, to the plaintiff's background, including but not limited to any police reports, conviction records, and investigative reports concerning any such matters and reports concerning prior claims, injuries and lawsuits of Plaintiff.

NUMBER : 6

All motion pictures, videos and still photographs taken of the injured plaintiff.

NUMBER : 7

Any statements made by the plaintiff either written or recorded or initialed, concerning the incident or the injuries and damages complained of herein.

NUMBER : 8

Copies of all rules, regulations, codes, and standards which apply to the manufacture, formulation, sale, distribution, and use of the product and similar products as required by any local, state or federal government agency.

Copies of all communications, letters, and any other documents which contain any communications by this defendant to any such governmental agencies concerning such existing and/or proposed standards, rules, regulations, and codes.

Copies of any rules, regulations, standards, and codes which apply to the manufacture, formulation, sale, and/or distribution of this product and/or the component parts described

herein as required or recommended by any local, state, or national industry, trade association, or any other non-governmental group.

Any communications, letters, and other documents concerning communications from this defendant to any such local, state, and national industry, trade association, and any other non-government group concerning such existing and/or proposed standards, rules, regulations and codes.

Copies of any and all communications from the above local, state and federal government agencies and local, state and national industry, trade association, or nongovernment groups to this defendant concerning such existing and/or proposed rules, regulations, standards and codes.

It is not sufficient to state that all such items requested above are equally accessible to this party inasmuch as this party does not know which such items are considered by this answering party to be applicable to the product.

This request may be limited to any such items which would in any way relate to any of the mechanisms, structures, or components of the product which could be involved with the alleged hazards defined herein whether or not you believe such hazards exist. For instance, if any such structure, mechanism or component could be possibly redesigned to increase or decrease the hazards defined herein, the documents requested herein should be furnished for such structure, mechanism or component.

NUMBER : 9

All catalogue specification sheets for the product and “similar products” and “comparable products” showing all such products which were marketed by this Defendant at the time of the incident complained of in Plaintiff’s Complaint at the time the product involved left your hands and for the five (5) years prior thereto and to the present date. This request covers catalogues which were furnished to dealers, retailers, customers and/or which were available to the public. This request calls for documents which, among other things, would show the various models, colors, configurations and options available for such products.

NUMBER : 10

Produce all documents of any nature whatsoever which contain any communications made by this defendant and its employees and commissioned agents concerning said product or the component parts described herein to any governmental agency, state, local and/or national.

NUMBER : 11

Copies of all communications, documents, records, writings, and letters between this defendant and any suppliers of any component parts referred to herein, and/or manufacturers and/or assemblers of any component parts referred to herein.

This request calls for but is not limited to the entire file maintained for such component part manufacturers and suppliers normally kept by the defendant in the ordinary course of business.

NUMBER : 12

Any and all documents, letters, interoffice memorandums, and other such writings, produced by or routed to and/or addressed to any employee of defendant whose job description and/or job duties include the interpretation of standards relating to the design of the product which is the subject matter of this action and/or “similar products” and/or “comparable products” or the component parts described herein where such document in any way refers to such identically designed, “similar” and/or “comparable” products or the component parts described herein and their conformance and/or non-conformance with any standards, code and/or regulations (government & private).

NUMBER : 13

Copies of the index of your consumer complaint records and computer tapes which contains your company’s nomenclature for each type of consumer complaint and category of consumer complaint and category of products.

A printout of all such consumer complaints relating to the product, “identical products”, “similar products”, and “comparable products”.

The computer tape which contains all consumer complaints relating to the product, “identical products”, “similar products”, and “comparable products”.

The physical records which contain such consumer complaints of “identical products”, “similar products” and “comparable products” and/or the names and last known addresses and telephone numbers of each such consumer.

NUMBER : 14

Copies of all communications, documents, records, writings and/or letters between this defendant and any third party or supplier concerning demands that such party or supplier indemnify this defendant for any judgment rendered herein or which concerns demand that such third party or supplier defend this defendant in this action or which concerns notification of such third party or supplier of a possible indemnity claim of this defendant.

NUMBER : 15

Copies of all engineering change orders and engineering change requests relating to the component parts referred to herein or the formulation of such product.

This request may be limited to any such items which would in any way relate to any of the mechanisms, structures, or components of the product which could be involved with the alleged hazards defined herein whether or not you believe such hazards exist. For instance, if any such structure, mechanism or component could be possibly redesigned to

increase or decrease the hazards defined herein, the documents requested herein should be furnished for such structure, mechanism or component.

NUMBER : 16

Any and all engineering change orders and engineering change requests which relate to the component parts described herein or which relate to similar component parts in any “similar” and “comparable” products.

NUMBER : 17

All plans, specifications, design prints, schematics, drawings, formulas, and blueprints pertaining to the component parts of the product or the product referred to herein.

This request may be limited to any such items which would in any way relate to any of the mechanisms, structures or components of the product which could be involved with the alleged hazards defined herein whether or not you believe such hazards exist. For instance, if any such structure, mechanism or component could be possibly redesigned to increase or decrease the hazards defined herein, the documents requested herein should be furnished for such structure, mechanism or component.

NUMBER : 18

Any and all engineering committee meeting minutes relating to the design or

formulation of the component parts described herein and any post-design changes, modifications, and any post-design discussions in such engineering committee meetings concerning such component parts.

This request may be limited to any such items which would in any way relate to any of the mechanisms, structures or components of the product which could be involved with the alleged hazards defined herein whether or not you believe such hazards exist. For instance, if any such structure, mechanism or component could be possibly redesigned to increase or decrease the hazards defined herein, the documents requested herein should be furnished for such structure, mechanism or component.

NUMBER : 19

Copies of any and all warranties which accompanied this product which is the subject matter of this action.

NUMBER : 20

Any and all reports and documents and communications of any nature whatsoever, and test results concerning any economic feasibility studies, hazard identification studies, risk evaluation studies, or any other studies whose purpose was to determine the feasibility of alternate designs, formulations, or safeguards which might reduce the incidence of injury associated with the hazards described herein or to identify hazards associated with the use

of the component parts described herein or the product, “identical products”, “similar products”, and “comparable products”.

NUMBER : 21

Copies of any and all documents which in any way refer to any fines, reprimands, suspensions, sanctions, and warnings, issued by any governmental and/or private regulatory agency and/or industry association and/or group which relate in any way to the manufacture, formulation, distribution, and/or sale of products identical in design or formulation to the product which is the subject matter of this lawsuit and “similar products” and “comparable products”.

This request may be limited to any fines, reprimands, suspensions, sanctions, and warnings as they might be related to or associated with the hazards described herein or component parts described herein.

NUMBER : 22

Any and all installation, operation, maintenance, and service instructions, booklets, and warnings pertaining to said product.

NUMBER : 23

Produce a copy of all interrogatories answered by this defendant at the request of any

governmental agency with reference to such product, as it might be related to or associated with the hazards described herein or component parts described herein.

NUMBER : 24

All documents concerning any listings or approvals by any certifying or testing agency or laboratory or association regarding the product, identical products, similar or comparable products.

NUMBER : 25

Copies of all instructions, warnings, promotional literature or other material or information which accompanied the product when it left this defendant's hands or which was on the product at the time this defendant received any part of the product or the product.

NUMBER : 26

The operator's manual for the product.

NUMBER : 27

A list of all of the employees and their job descriptions who were employed at the plant which were involved with the manufacture of the component parts herein for the product or which assembled the component parts in the product at the time of the product's

manufacture.

NUMBER : 28

Please produce from your engineering library copies of all recommended design and formulation practices and suggested design and formulation practices contained in any treatises and/or books and/or other materials relating to the design of the component parts described herein and this type of product and “similar” and “comparable” products.

NUMBER : 29

Copies of all records relating to the replacement of any parts, controls, and accessories of the product which is the subject matter of this action after the product left this Defendant’s hands, which are in the possession of this Defendant.

NUMBER : 30

A list stating all patent numbers and patent pending numbers and copyrights applicable to the component parts of the product and “similar products” and “comparable products” and a copy of all such patents and patents pending and copyrights.

NUMBER : 31

Produce any still and movie photographs and video tapes which have been made of

any tests conducted after the incident of the product and identical products, and still and movie tapes which have been made of any pre-market tests, post design tests and post manufacture tests of “identical products”, “similar products”, and “comparable products” which involved any crash, performance and/or failure test of such products or any components referred to herein, as they relate to or are associated with the hazards defined herein.

NUMBER : 32

Copies of all documents of any nature whatsoever which refer to any pre-market or post-market testing done on the component parts referred to herein or the product, “similar products” and “comparable products” to determine whether the hazards described herein existed in such products or which depict the hazards defined herein.

NUMBER : 33

Copies of all advertising, newspaper ads, television commercials and any and all other advertising and promotional literature which has ever been published and/or disseminated which concerns “the product” and “similar products”.

NUMBER : 34

Copies of any and all recall letters and documents which in any way refer to any recall

and post design retrofit of the product, “similar products” and “comparable products”.

NUMBER : 35

Copies of any and all reports and communications between this defendant and any scientists and other technical personnel where the safety of the product, which is the subject of this complaint, and any “similar” and “comparable” product was referred to in any manner as they relate to or are associated with the hazards described herein.

NUMBER : 36

Copies of all bills of sale, invoices, warranties, after-sale records, inspection records pertaining to said product.

NUMBER : 37

Copies of any and all brochures made available to promote the sale of the product, “similar products” and “comparable products”.

NUMBER : 38

Copies of any and all dealer and service center bulletins concerning the maintenance, recall and repair of such products as they relate to the component parts or hazards described herein. This request calls for all formal service bulletins and informal service bulletins and

memorandums and communications sent to and received by service centers and dealers and this Defendant concerning said product.

NUMBER : 39

All delivery tickets, bills of lading, and freight records concerning the shipment of said product.

NUMBER : 40

All operator manuals for each and every “similar product” manufactured, sold and/or distributed by this defendant.

NUMBER : 41

Produce all system safety studies which were made to determine what safeguards and warnings and instructions could or should be incorporated in the design or formulation of the product or which would accompany the product which would or might tend to reduce or eliminate the hazards defined herein.

NUMBER : 42

If this defendant and/or any of its subsidiaries and/or insurance companies received any oral and/or written complaints, reports and/or information wherein it was alleged,

whether or not you believe such allegation to be true, that any and/or all of the component parts described in Plaintiff's preamble contained on identical, similar and/or comparable products were defective and/or contained inadequate and/or no warnings and/or that any hazard(s) defined in the preamble to these requests in any manner contributed to any injuries to persons, then produce any and all documents in your possession or to which you have access which contain any of the following information:

A. The make, model, serial number and batch number, and year of each such product or component allegedly involved.

B. The name and last known address of the owner of each such product.

C. The name and last known address of the person or entity who made each such allegation.

D. The date of manufacture of each such product or component.

E. The serial number, model number, batch number or other identifying number of each such product or component.

F. If such allegation was made in connection with any legal action, produce copies of the Petition or Complaints and documents containing last-known addresses of plaintiffs and names and addresses of plaintiffs' counsel and produce copies of all depositions taken in any such lawsuit and a copy of any trial transcript. Further, please produce a copy of all interrogatories answered by this Defendant in any such lawsuit.

G. All inter-company communications which refer to any such allegations.

H. Name and address of any employee of this Defendant who investigated or was aware of such allegation and/or who examined any such part(s) or product(s).

I. Any investigation report concerning such allegations.

WARNING: If you object to this request as being overbroad and fail to (at the minimum) provide such information as it relates to identically designed products, this party will seek sanctions and a default judgment. Without limiting or waiving this party's entire request above, this party demands that if you claim this request is overbroad, you at least produce all such information requested which involved the hazards described in the preamble to these requests which involved identically designed products as well as products which are a member of the same series (and/or similar formulation) as the product involved in the incident complained of herein. If the product which is the subject of this action evolved from the design of another product or if other similar products evolved from the design of the product which is the subject of this action, then produce all such information for such similar products. Clearly define in your answer whether you are providing all documents requested and, if not, then describe with particularity what class of documents you are objecting to or failing to provide.

If you are not in the possession of any such documents due to lapse of time, then produce documents from which this party can ascertain what insurance companies,

adjustment and risk management companies or firms may have been used by this answering party to insure, adjust, investigate, and/or pay any claims arising from any such incidents, and from which the last known address and telephone number of any such company and/or firm may be ascertained. If the documents which you claim are not in your possession were ever in the possession of any attorney hired by you or the above entities, then state the name and address of such attorneys.

NUMBER : 43

Produce any and all test results and reports of any such tests which have been performed on the component parts referred to herein on the product, identical products, similar products or comparable products since the incident complained of in Plaintiff's Petition or Complaint which demonstrate that the hazards described herein do or do not exist.

NUMBER : 44

Copies of any and all tests results and reports for the component parts referred to herein for each identically designed product as the product which is the subject matter of this lawsuit and "similar product" and "comparable product", which concern tests made as a result of any complaint received from any consumer, user, and/or plaintiff whether or not a lawsuit was filed which demonstrate that the hazards described herein exist or do not exist.

NUMBER : 45

All parts, fragments, components, and any other portions of the product involved in plaintiff(s)' injuries.

NUMBER : 46

Copies of any trade name registrations used in connection with this product.

NUMBER : 47

Copies of any and all labels, warnings, and instructions which now accompany the product, "identically designed products", "similar products" and "comparable products" which were not contained on the product which is the subject matter of this action at the time it left the manufacturer's hands.

NUMBER : 48

Copy of any warnings, cautions, and instructions as to use of the product and any and all other labels that were affixed by your company to the product at the time it left your hands and/or which were ever furnished to users, owners, lessors, and/or dealers and/or distributors and/or sellers of such products.

NUMBER : 49

Copies of any disclaimers, exclusions, and limitations of warranty which accompanied this product.

NUMBER : 50

Copies of any warnings, cautions, and instructions as to use of the product and any and all other labels that were affixed by your company to the product at the time it left your hands and/or which were ever furnished to users, owners, lessors, and/or dealers and/or distributors and/or sellers of such product.

NUMBER : 51

Warranty records for the 100 identically designed products manufactured before the product, which is the subject of this lawsuit and for the 100 identically designed products manufactured subsequent to the product which is the subject matter of this action.

NUMBER : 52

All documents which in any way concern a withdrawal of such components and/or the product, similar and/or comparable products from the market.

NUMBER : 53

Copies of all depositions of any employees of this defendant, which were given in any litigation concerning identically designed or formulated products as the product which is the subject of this action and/or “similar products” and/or “comparable products” where there were allegations of similar or identical hazards to the hazards described herein.

NUMBER : 54

Copies of all communications made between any plaintiff herein and this defendant and/or any other person which are in the possession of the defendant.

NUMBER : 55

Copies of any statements, written or otherwise, obtained from anyone, including but not limited to your employees or obtained from anyone interviewed or questioned by or on behalf of this defendant in connection with the incident complained of in this action.

NUMBER : 56

All investigation report(s) which contain any information concerning any knowledge of any person(s) concerning events leading up to, surrounding, or subsequent to the incident complained of in the Petition/Complaint filed herein, including but not limited to, all graphs, pictorial notes made, written or tape recorded notes or video notes made concerning such

facts and investigation.

NUMBER : 57

All insurance policies which were in force and effect and which might afford liability insurance coverage to this defendant as a result of the occurrence complained of herein, whether such defendant is or is not a named insured on the policy.

NUMBER : 58

All communications, documents, records, writings and/or letters which concern the subject of any policy defense claimed under policies of insurance which would, in the absence of such policy defenses, afford applicable liability or indemnity insurance to this defendant for the claims herein.

NUMBER : 59

The entire file of each and every expert you may call at the time of trial and all material they have reviewed or may rely upon in their work or in formulating their opinions, including all notes, memorandums, writings, computations, computer runs, recreations, reconstructions, demonstrations, written or recorded statements, formulas, opinions or conclusions, observations, comments, treatises, articles, publications, statistics, test results, photographs, videos and other recorded audio and visual materials, charts, diagrams, plans

and specifications, and other such materials, as well as a copy of each such witness' most recent curriculum vitae.

NUMBER : 60

All financial statements, annual reports, operating statements, and 10K filings for the five (5) years preceding this request.

NUMBER : 61

Please produce all records which would reflect the gross income, net income, gross profits and net profits for all products sold by you in the State where the incident complained of in Plaintiff's Petition/Complaint occurred for the five (5) years preceding this request.

NUMBER : 62

Copies of all T.V. advertisements, newspaper advertisements, radio advertisements, advertising brochures and pamphlets; all other advertising literature or promotional literature of any nature whatsoever which has been aired, printed, or otherwise proliferated to members of the public or to customers or dealers of this defendant, which in any way refers to identical, similar and/or comparable products. Any document of any nature whatsoever which reflects demographics of the advertising market where such advertising materials were published or aired. All documents which contain names of advertising agencies or other

companies which placed such advertisements on behalf of such Defendants or who developed such advertisements.

NUMBER : 63

Copies of all records which would depict the total number of products which were sold by this defendant which contained the component parts described herein which were of identical design and the total number of such component parts which were sold by this defendant as after market replacement parts.

NUMBER : 64

Copies of all interoffice, intraoffice, interdepartmental, intradepartmental, intercompany and intracompany memorandums, routing slips, reports, letters, writings, computer entries, video tapes, sound recordings, transcription notes, audio-visuals or other documents or memorializations which allude to or discuss any hazards associated with the product (or its use or misuse) or which discuss or allude to any considerations of recall of such product, retrofit of such product, or warnings which might be given post sale for such product as a result of the hazards described herein or which discuss reports of hazards made to this defendant by any person(s) or entities including any governmental agencies. This request requires the production of any such documents even though it was determined by you that no such hazards existed or that such reports were unfounded and even though there was

no recall made nor retrofits provided nor warnings issued.

NUMBER : 65

All accounting or other records which would reflect the gross and net profits from the sale of the product which is the subject matter of this action earned by this Defendant, including but not limited to the total cost of producing and selling the product and the total revenues resulting therefrom. Also produce all such records relative to the sale of all such products sold and records which would reflect the total number of such products sold.

NUMBER : 66

Copies of the tear down manual for the product.

NUMBER : 67

All patents and patents pending which were applied for by you and/or your employees and/or which have been assigned to you for safeguards or safety devices which were designed for use with or which could be used in association with the product defined herein.

Further, please produce all applications and documentation submitted in support of the granting of such patents and patents pending.

This request includes but is not limited to any device or process which might under any circumstances reduce or eliminate the exposure of persons to the hazards defined herein.

NUMBER : 68

All minutes of the Board of Directors which refer or allude to the hazards defined herein.

NUMBER : 69

All minutes of any formally and/or informally constituted Safety Committees and Code Compliance Committees which refer to or allude to any hazards defined herein and/or which refer to the product, and/or which refer to an “identical” product, and/or which refer to a “similar” product, and/or the safeguards defined herein and/or component parts defined herein.

NUMBER : 70

All organizational charts which depict the departments of your company and the titles of the department heads including line and staff organizational authority. Further produce all documents which reflect the names, addresses and telephone numbers of all department heads and line and staff supervisors.

NUMBER : 71

All audio visual presentations, videos, movies, film strips, and other audio and all visual materials contained in your company library which allude to and/or refer to the

hazard(s) defined herein. Also produce the check out logs and viewing logs for the above requested materials.

NUMBER : 72

A list of every case, by style and by cause number, in which each of your experts have been involved and/or where they have testified and/or where they have consulted.

NUMBER : 73

All references, source materials, treatises, authoritative materials, tests, testing results, videos and/or photographs of any such tests and investigation, research, and data upon which each of your experts will rely, or intend to rely upon at the time of trial in order to form and/or support their opinions and/or their contentions with reference to the issues in this case.

NUMBER : 74

All documents of any nature whatsoever which would reveal the names and addresses of all insurance companies and/or other persons or entities who provided any policies of insurance or indemnity for any claims made against this Defendant for product defects and/or negligence in the manufacture, distribution and/or sale of products for the period of time from the date of the manufacture of the product which is the subject of this action until the present date. These documents should include but are not limited to documents which might

also refer to any claims adjustment and/or risk management firms employed by this Defendant and/or such insurance companies and/or persons or entities who provided indemnity for product defects during the period of time requested above.

NUMBER : 75

All computer codes, documentation, identification of data bases and computer access necessary for this party to make a computer search for all data and documentation responsive to this party's discovery requests.

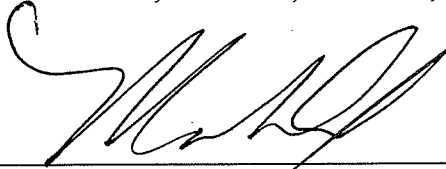
NUMBER : 76

Please produce all pooling and other agreements which were in force and effect on the date of the subject incident which provided for funds to be made available to pay a money judgment entered by a court against you which might result from allegations of negligence against you.

NUMBER : 77

Please provide any and all documents of any kind whatsoever which relate to and/or refer to or underlie Service Bulletin #SB-08-09-41-002C, including but not limited to any engineering documents which discuss or evaluates the problem discussed in the summary in such Service Bulletin. Please provide all of the above information requested for Service

Bulletin #SB-08-09-41-002C; for Service Bulletin #SB-09-09-41-003; for Service Bulletin #SB-09-09-40-003; for Service Bulletin TSB-09-09-41-002; for Service Bulletin #TB-08-09-41-006B; for Service Bulletin SB-08-09-41-007; for 4011; for 1022; and for 5669.

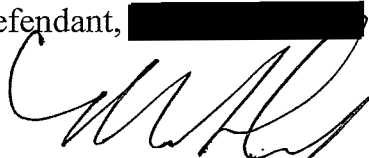


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docket.clerk@merrittassociateslaw.com
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT ON THIS 8th DAY OF MARCH, 2012 A TRUE AND CORRECT COPY OF THE ABOVE AND FOREGOING HAS BEEN SERVED UPON THE FOLLOWING BY FIRST CLASS U.S. MAIL, POSTAGE PREPAID.

MARY QUINN COOPER and ANDREW L. RICHARDSON, McAfee & Taft, 1717 S. Boulder, Suite 900, Tulsa, OK 74119, (918) 587-0000, Attorney for Defendants, [REDACTED] [REDACTED] [REDACTED]
[REDACTED] A Professional Corporation, 20 N. Broadway, Suite 1800, Oklahoma City, OK 73102, (405) 235-7718, and KYLE H. DREYER, Hartline Dacus Barger Dreyer, LLP, 6688 N. Central Expressway, Suite 1000, Dallas, TX 75206, (214) 369-2100, Attorneys for T.K. Holdings, Inc.; JAMES A. JENNINGS, Jennings Cook & Teague, 204 N. Robinson, Suite 1000, Oklahoma City, OK 73102, (405) 609-6000, Attorney for Defendant, TRW Vehicle Safety Systems, Inc.; and SHAWN E. ARNOLD, Lytle, Soule & Curlee, P.C., 119 N. Robinson Ave., Suite 1200, Oklahoma City, OK 73102, (405) 235-7471, Attorney for Defendant, [REDACTED]



MARK A. COX - OBA #13630

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

[REDACTED], an incapacitated)
person, by and through her Estate,)
Administered by her Guardian, [REDACTED],)

PLAINTIFF,)

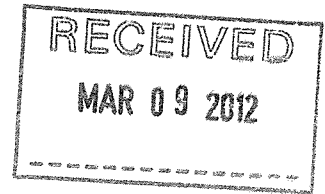
V.)

1) T. K. HOLDINGS, INC.;)

2) [REDACTED];)

3) TRW VEHICLE SAFETY SYSTEMS,)
INC.; and 4) GENERAL MOTORS, L.L.C.,)

DEFENDANTS.)



Case No.: [REDACTED]

PLAINTIFF'S FIRST SET OF INTERROGATORIES

TO: GENERAL MOTORS, L.L.C.

BY SERVING: MARY QUINN COOPER, McAfee & Taft, 1717 S. Boulder, Suite
900, Tulsa, OK 74119

You are hereby directed to answer the following discovery requests within 30 days after the service of these discovery requests upon you in accordance with the applicable rule of civil procedure.

In answering these discovery requests, furnish such information as is available to you, not merely such information as is of your own knowledge. This means that you are to furnish information which is known by you and/or in your possession and/or in the possession of

your agents, servants, employees, independent contractors, successors, predecessors, assigns, and/or the attorneys and/or insurance companies for any such party or for yourself.

In answering these discovery requests, answer each discovery request to the extent possible, and explain your inability to further answer, should you be unable to completely answer any request.

Plaintiff demands these discovery requests be verified under oath by the person to whom they are directed or, if directed to a corporation or association or other similar entity then by an officer of such entity or if the answering party is an unincorporated business then by the owner of the business or by a partner if a partnership.

You are required prior to answering these discovery requests to make a due and diligent search of all books, records, papers, computer tapes, computer records and any other documents in your possession and to which you have access and to inquire amongst all persons under your direction and control and make due and diligent inquiry of all agents and employees of this answering party with a view toward eliciting all information available to answer these discovery requests.

If you answer any of these discovery requests stating that no such information exists or that none was found, please describe the search that was made for such information, the locations where such searches were performed, and the names of all persons who participated in such a search to locate such information.

If you answer any of these discovery requests claiming that the requested information

is no longer available or that such is not in your possession, or that such does not exist, please state whether or not there are any other persons or entities, giving their names, addresses and telephone numbers, that may or do have possession of such information, or who have microfilm, microfiche, digital data or computer copies of such information.

These discovery requests do not require you to reveal your work product but do, among all other legal requirements, require you to answer to the extent you may offer evidence as to such subject matter and to reveal the opinions of any persons who may testify at trial. This does not mean that your answers may be limited to those areas and subjects upon which you intend to offer evidence.

If any information referred to herein does not exist, please state that fact and state whether or not such has ever been in existence, explaining why such no longer exists.

NOTE: For all information, documents and things referenced in Plaintiff's discovery requests to which you claim a privilege, please prepare a privilege log as required under the Rules of the Court where this action is filed, and describe each privilege claimed and the reasons therefor setting forth the following information:

1. The purpose for which the document, tangible item or information was made or created.
2. The name, address, telephone number, place of employment and job

title of the person who ordered the document, tangible item or information to be made or created and whether or not this person was a licensed attorney employed by this answering party at the time.

3. The author or creator of such document, tangible item or information.
4. The date such document, tangible item or information was created.
5. The names, addresses and phone numbers of all persons and entities who received a copy of or the original of the document, tangible item or information together with a statement of the reasons why such person or entity received such document, tangible item or information.
6. A description of the nature of the subject matter of such document, tangible item or information.
7. The specific privilege being asserted.

DEFINITIONS OF “COMPONENT PART(S)” AND/OR “DESIGN CONCEPT(S)”

When answering any interrogatory herein that refers to “component part(s)” and/or “design concept(s)”, please answer each interrogatory separately under a separate heading for each component part and design concept defined below.

The phrases “component part(s)” and/or “design concept(s)” as used herein shall mean the following:

- (1) “The right front occupant sensing system that senses the presence of a right front

occupancy”

(2) “The system in the crash data recorder that receives and processes data from the above described occupant presence detection system and results in output that triggers the airbag dash lights that indicate the right front occupant airbag is operable.

DEFINITION OF “THE PRODUCT”

The term “the product” as used herein in this discovery Request shall mean the product which was associated with the injury or damage to the plaintiff, as alleged in the pleadings filed herein or more specifically as follows:

2007 Chevrolet Cobalt, the subject vehicle.

DEFINITION OF “SIMILAR PRODUCTS”

The term “similar products” as used hereinafter in this discovery request shall mean products other than “the product” which are essentially and substantially similar to “the product” with regard to design, formulation, specifications, material or chemical composition, make and/or model, and which are either designed, manufactured, assembled, packaged, sold, distributed, advertised, installed, serviced, repaired, maintained, or in any way handled by the defendant and/or which were manufactured under the same patent or patent pending number or formula as the product which injured plaintiff.

Similar products are also defined as follows:

Vehicles of the identical design as the subject vehicle which are of a different year and make.

DEFINITION OF “COMPARABLE PRODUCTS”

The term “comparable products” as used hereinafter in this discovery request shall mean products other than “the product” or “similar products” which have likeness as to design, formulation, specifications, dimensions, or material or chemical composition, or have the same general uses as “the product” or “similar products”.

Comparable products are also defined as follows:

Any GM vehicle that contains an identical right front passenger occupant presence system.

DEFINITION OF “IDENTICAL PRODUCTS”

The term “identical products” as used herein shall be construed to mean all other products manufactured under the same design, formula plan and/or scheme as “the product” though there may have been engineering change orders issued.

Identical products are also defined as follows:

The same year, make and model vehicle as the subject vehicle.

DEFINITION OF “HAZARD(S)” AND “CONDITION(S)”

The term “hazard(s)” or “specific hazard(s)” or “specific conditions” or “alleged hazard or hazards” as used herein shall mean the following:

“That any right front occupant presence system malfunctioned and/or failed to report the presence of an occupant.”

NUMBER : 1

Please state the full name, residence and business address, occupation and job title of all persons answering or assisting in answering these interrogatories.

NUMBER : 2

Prior to answering these interrogatories, have you made a due and diligent search of all books, records, and papers of the defendant and a due and diligent inquiry of all agents and employees of the defendant with the view to eliciting all information available to answer these interrogatories?

NUMBER : 3

If Defendant is a corporation, state the state of incorporation; the address of the principal place of business; the name and address of the accounting office; the names and addresses of the members of the Board of Directors of the corporation and the location where the Board of Directors regularly or usually meet.

NUMBER : 4

What are the names, addresses, home telephone numbers, places of employment, job titles or capacities and present whereabouts of all persons having knowledge or relevant information, facts or circumstances in this case known to you or your attorneys?

NUMBER : 5

What are the names, addresses, home telephone numbers, places of employment, job titles or capacities and present whereabouts of all persons known to you or your attorneys, who arrived, or claimed they arrived, or whom you or your attorney think arrived, or claim they arrived or that someone has told you or your attorney that they arrived, at the scene of the accident immediately or shortly after it happened?

NUMBER : 6

State the names, addresses, and telephone numbers, known to you, your attorney, insurance carrier, their representatives, or to anyone acting in your behalf or their behalf, of all persons who have heard or claimed to have heard any statement or statements made by the plaintiff herein, or any defendant herein, or by any agent of any defendant herein, concerning the manner in which the occurrence mentioned in said Complaint or Petition occurred, or concerning the persons at fault in said occurrence.

NUMBER : 7

State as to each person named in answer to the interrogatories herein whether you, your attorney, insurance carrier, their representative, or anyone acting in your behalf or their behalf, have obtained any typed, written or recorded statements or statements signed or initialed by such person including the plaintiff herein. If the answer is yes, then also state the date and place each statement was obtained, the name, address, and telephone number of the person who prepared such statement, and name and address of the person who now has custody of each such statement.

NUMBER : 8

State all relevant facts on which you base any pleaded affirmative defenses to the action which has not been specifically inquired into in any other portion of these interrogatories.

NUMBER : 9

State the name, address and telephone number of any person or persons known to you who have or are making an investigation as to how or in what manner the accident complained of in this action occurred.

NUMBER : 10

If this defendant manufactured, distributed and/or sold the product or the component parts described herein, state the inclusive dates of manufacture, distribution and/or sale of each such component part and the product from beginning to end and the date the product left your possession describing each component.

NUMBER : 11

If this defendant did not manufacture, distribute and/or sell the product or the component parts described herein, state what relationship this defendant is to the manufacturer, distributor and seller and the name and last-known address of each such entity.

NUMBER : 12

Please state the name of the chief design engineer in charge of the design group which designed the component parts described herein at the time of their original design and at the time of answering these interrogatories.

NUMBER : 13

Please state the names, job titles, and last-known addresses of your “Chief of Claims” and/or any other person whose job description or job duties include the administration of product liability claims or product defect claims and/or who is assigned to participate in responses to government agencies investigating or analyzing product defects, failures, or

hazards.

NUMBER : 14

Please state the names, last-known addresses, home telephone numbers, and places of employment of all persons known to you, your attorneys, agents, servants, and employees, or your insurance companies, who have any knowledge whatsoever or whom you believe or suspect have any knowledge whatsoever of any of the facts leading up to and/or surrounding the accident, incident, or event complained of herein, or persons whom you believe or suspect may have information concerning the handling of the product or any defects in the product or who you believe or suspect may have any knowledge as to the damages or injuries of the plaintiff, including but not limited to all persons from whom recorded, written, or other statements have been obtained.

This interrogatory should be answered also as to expert witnesses employed by this defendant. Further, for each person listed please give a detailed summary of their expected testimony at trial and/or the nature of the facts each such person possesses or which you believe or suspect such person possesses.

NUMBER : 15

State the name and last-known address of each and every person, firm, or other entity who had possession of the product or the components described herein which is the subject

of this action since the date of manufacture and/or assembly until the present time and give the inclusive dates of possession of each.

NUMBER : 16

Describe in detail the nature of every oral and/or written complaint, report and/or information received by this defendant and/or any of its subsidiaries and/or insurance companies and/or predecessor or successor corporations or companies and/or parent or sister corporations or companies and/or acquired corporations or companies of this defendant wherein it was alleged or reported (whether or not you believe such allegation or report to be true) that any and/or all of the component parts described herein contained on identical, similar and/or comparable product(s) were defective and/or contained inadequate and/or no warnings and/or that the hazard(s) described herein in any manner contributed to any injuries to any person(s), giving the name and last-known address of each such person making such allegation and/or report and the date thereof and, if suit was filed the case number, court designation and location and the name and address of the plaintiff and plaintiff's counsel.

NUMBER : 17

Did you purchase the product line from another company? If so, state the name and address of such company.

NUMBER : 18

State the name of each and every expert witness you intend to call or reasonably anticipate you will call at the time of trial in the above styled cause of action and for each such expert witness please state the following:

- (A) Nature and summary of the subject of expected testimony for each separate expert and the substance of the facts and opinions to which each expert is expected to testify, and a summary of the grounds for each separate opinion for each separate expert.
- (B) Home address and telephone number of each expert, and business address and telephone number of each expert.
- (C) Whether or not such witness has written a report or will write a report regarding the above-styled cause of action.
- (D) Each and every document or thing upon which said witness will rely to form expert opinions and/or which was reviewed in order to form expert opinions.

(This interrogatory inquires of any expert, whether to testify relative to the issues of liability or damages.)

NUMBER : 19

Please list every case, by style and by cause number, in which each of your experts have been involved and/or in which they have testified.

NUMBER : 20

Please state the name and address of each and every insurance company and/or any other person and/or entity who provided any policies of insurance and/or indemnity for product defects and products manufactured by this Defendant from the period of time when the product which is the subject of this action was manufactured and/or sold up until the present date. This information should include, but is not limited to, any claims adjustment companies and/or risk management firms who were employed by this Defendant and/or any such other persons and/or entities and/or insurance companies to investigate and/or adjust product claims reported or made against this Defendant during such period of time.

NUMBER : 21

Please state the total amount in dollars of gross sales, gross income, net income, gross profits and net profits for all products sold by you in the State where the incident complained of in Plaintiff's Petition/Complaint occurred for each year for the preceding five (5) years and please state the same separately for each such year and each category.

NUMBER : 22

Please describe in detail the method used to make a computer search and/or physical record search for information and documents requested by the Plaintiff in Plaintiff's Discovery Requests.

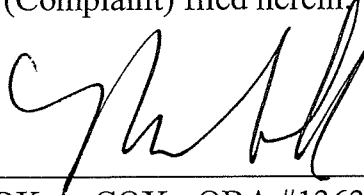
NUMBER : 23

If this answering Defendant has conducted a computer search for information and documents responsive to Plaintiff's Discovery Requests, please describe in detail all databases you have searched and all search terms used and/or queries used.

NUMBER : 24

Please state whether you are a signator to any pooling and/or other agreement which provides for funds to be made available to pay a money judgment entered by a court against you which might result from allegations of nursing home malpractice against you?

- (A) If your answer is in the affirmative, then state the name, address and telephone number of each person and entity who is a signator of such agreement.
- (B) If your answer is affirmative, please state the total amount of funds that are available under such agreement to pay such a judgment that might hypothetically be rendered against you today for the acts complained of in Plaintiff's Petition (Complaint) filed herein.

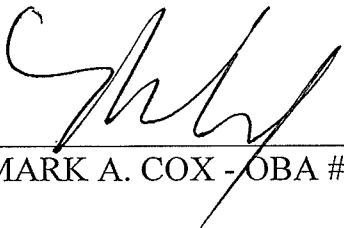


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docket.clerk@merrittassociateslaw.com
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT ON THIS 8th DAY OF MARCH, 2012 A TRUE AND CORRECT COPY OF THE ABOVE AND FOREGOING HAS BEEN SERVED UPON THE FOLLOWING BY FIRST CLASS U.S. MAIL, POSTAGE PREPAID.

MARY QUINN COOPER and ANDREW L. RICHARDSON, McAfee & Taft, 1717 S. Boulder, Suite 900, Tulsa, OK 74119, (918) 587-0000, Attorney for Defendants, General Motors, L.L.C.; JOHN J. GRIFFIN, JR., Crowe & Dunlevy, A Professional Corporation, 20 N. Broadway, Suite 1800, Oklahoma City, OK 73102, (405) 235-7718, and KYLE H. DREYER, Hartline Dacus Barger Dreyer, LLP, 6688 N. Central Expressway, Suite 1000, Dallas, TX 75206, (214) 369-2100, Attorneys for T.K. Holdings, Inc.; JAMES A. JENNINGS, Jennings Cook & Teague, 204 N. Robinson, Suite 1000, Oklahoma City, OK 73102, (405) 609-6000, Attorney for Defendant, TRW Vehicle Safety Systems, Inc.; and SHAWN E. ARNOLD, Lytle, Soule & Curlee, P.C., 119 N. Robinson Ave., Suite 1200, Oklahoma City, OK 73102, (405) 235-7471, Attorney for Defendant, [REDACTED].



MARK A. COX - OBA #13630

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA

FILED

SEP 14 2011

ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
BY T. H. H. DEPUTY

██████████, an incapacitated person, by and through her Estate, Administered by her Guardian. ██████████

Plaintiff.

vs.

No. [REDACTED]

GENERAL MOTORS COMPANY,
T.K. HOLDINGS, INC., [REDACTED]
[REDACTED] TRW VEHICLE SAFETY
SYSTEMS INC., and GENERAL
MOTORS, L.L.C.,

Defendants.

AGREED PROTECTIVE ORDER

Upon review of the record, the Court GRANTS the parties' Joint Motion for Entry of Agreed Protective Order [Doc. 56] filed on September 13, 2011, and ENTERS the following Agreed Protective Order, which shall govern the production and protection of the confidential and proprietary documents produced in this matter.

1. The parties in this lawsuit and subject to this Agreed Protective Order are plaintiff [REDACTED], an incapacitated person, by and through her Estate, administered by her Guardian, [REDACTED] ("Plaintiff"), defendants General Motors LLC, TK Holdings Inc., and TRW Vehicle Safety Systems Inc. (collectively "Defendants"), and defendant Bruce Mayfield. They will be referred to as the "Parties."

2. Plaintiff requested Defendants produce certain documents that Defendants contend are proprietary, confidential, and may reflect business trade secrets. Specifically, Defendants wish to protect the disclosure of certain materials including confidential,

proprietary, and/or trade secret information of Defendants, and desire these documents and this information should not be disclosed or permitted to be disclosed to any person or entity not bound by this Agreed Protective Order.

3. Therefore, the Parties agree Defendants may produce such proprietary, confidential and trade secret information to Plaintiff in this case with the protections afforded by this Agreed Protective Order.

4. Each Defendant may produce any document it contends constitutes proprietary, confidential, and/or trade secret information by clearly labeling such material and indicating it is being produced pursuant to this Agreed Protective Order. Any markings or labeling shall not affect the legibility of the documents, including any handwritten notes that may be on the documents.

5. The Parties reserve their rights to challenge the propriety of the designation of a given document as confidential. The Parties shall not be required to challenge the confidential designation of a document at the time the designation is made. If the Parties disagree with the designation of any document as "confidential," the Parties shall first try to resolve such dispute in good faith. If the dispute cannot be so resolved, the objecting Party or Parties may seek appropriate relief from the Court.

6. No person shall be permitted to have access to any document or information covered by this Agreed Protective Order, except those persons identified in Paragraph 7 of this Agreed Protective Order. In addition, the persons identified in Paragraph 7(d) shall not be permitted to have access to any document or information covered by this Agreed Protective Order until such person has signified in writing his or her agreement to be bound by the terms hereof.

7. Any document or information covered by this Agreed Protective Order shall be held in confidence and shall not be revealed, discussed, or disclosed in any manner, in any form, to any person or entity other than:

- a. The Court in this matter or any other court having jurisdiction over discovery procedures in this lawsuit;
- b. Counsel retained in or working on the prosecution, defense, appeal or settlement of this matter, and the employees of such counsel assigned to assist them;
- c. The parties or their employees; and,
- d. Any experts or consultants used or retained by counsel to aid in the prosecution, defense, appeal or settlement of this matter. Prior to receiving any information produced pursuant to this Agreed Protective Order, any such expert or consultant must first be shown a copy of this Agreed Protective Order and must sign a declaration in the form of Exhibit A ("Expert Declaration") attached hereto. Such Expert Declaration must be disclosed upon reasonable request.

Each person in the above categories to whom documents or information covered by this Agreed Protective Order are disclosed are ordered to hold such documents or information in confidence and not to disclose them or any portion thereof, except to persons identified in this paragraph, and subject to the provisions of Paragraphs 1, 2, 3, 4, 5 and 6 of this Agreed Protective Order; and further, such persons are ordered not to use said documents for business or competitive purposes or for any purpose whatsoever, other than

for the preparation and trial of this lawsuit. Further, the party or parties receiving "confidential" documents shall not under any circumstances sell, offer for sale, advertise, or publicize documents or information covered by this Agreed Protective Order or any information contained therein.

8. Any other party to this litigation shall be entitled to receive any documents produced hereby, but only upon agreeing to be bound by the protections of this Agreed Protective Order.

9. The use of any documents identified as "confidential" at any deposition, hearing or trial in this matter shall not waive the confidential nature of the document. Any document(s) marked "confidential" may be used at a deposition, but such portion of the deposition as designated by counsel shall be treated as confidential.

10. Inadvertent or unintentional production of any document or information containing confidential information, which is not designated "confidential," shall not be deemed a waiver in whole or in part of a claim for confidential treatment.

11. Within sixty (60) days from receipt of written request from a producing party upon final termination or completion of this case, each receiving party shall return to the requesting Defendant all documents and information produced pursuant to this Agreed Protective Order.

12. Nothing in this Agreed Protective Order shall prejudice, limit or restrict the right of any Party to seek additional protective orders different in substance from this agreement.

13. This Agreed Protective Order may be executed in two or more counterparts, each of which, when so executed shall be an original, but such counterparts together shall constitute but one and the same instrument.

14. This Court shall retain jurisdiction of all matters pertaining to this Agreed Protective Order even after the final conclusion of this lawsuit, and all parties to this case are deemed to submit to the jurisdiction of this Court for matters relating to the enforcement of this Agreed Protective Order.

ENTERED this 14th day of September, 2011.


LEE R. WEST
UNITED STATES DISTRICT JUDGE

EXHIBIT A
EXPERT DECLARATION

I, _____, declare as follows:

I understand that the information and/or documents to be provided to me marked as confidential and subject to the Agreed Protective Order entered in the lawsuit entitled, *Sarah Ann Miller, an Incapacitated Person, by and through her Estate, administered by her Guardian, [REDACTED] v. General Motors Company, TK Holdings Inc., [REDACTED] TRW Vehicle Safety Systems Inc., and General Motors, LLC, No. CIV-11-203-W*, pending in the United States District Court for the Western District of Oklahoma, constitute confidential information that is to be used only for the purpose of this lawsuit. I understand that said information is not to be disclosed by me to anyone nor used for any purpose other than that described above.

I have read the Agreed Protective Order entered in this case and agree to be bound by its terms. I understand that I may not copy or otherwise disseminate any confidential information received by me in the course of this case in any way not prescribed by the Agreed Protective Order. I further understand that I must return all copies of confidential information and/or documents disclosed to me to the person who provided such materials to me immediately upon written request after the conclusion of this matter.

I hereby stipulate to the jurisdiction of the United States District Court for the Western District of Oklahoma, with regard to any proceedings to enforce the terms of the Agreed Protective Order against me, whether by way of contempt of court, by a civil action for injunctive relief and/or monetary damages, or otherwise.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at _____

This _____ day of _____, 20__.

Anna Deshazo

From: okwd_ecf_notice@okwd.uscourts.gov
Sent: Wednesday, September 14, 2011 1:50 PM
To: okwdecf@okwd.uscourts.gov
Subject: Activity in Case [REDACTED] v. General Motors Company et al Order on Motion for Protective Order

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

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U.S. District Court

Western District of Oklahoma[LIVE]

Notice of Electronic Filing

The following transaction was entered on 9/14/2011 at 1:50 PM CDT and filed on 9/14/2011

Case Name: [REDACTED] v. General Motors Company et al

Case Number: [REDACTED]

Filer:

Document Number: 57

Docket Text:

AGREED PROTECTIVE ORDER; the Court GRANTS the ptys' [56] Joint Motion for Entry of Agreed Protective Order. Signed by Honorable Lee R. West on 9/14/11. (ap)

5:11-cv-00203-W Notice has been electronically mailed to:

Shawn E Arnold arnold@lytlesoule.com, weis@lytlesoule.com

John J Griffin, Jr griffinj@crowedunlevy.com, ECF@crowedunlevy.com, kelley.williams@crowedunlevy.com

Mark A Cox docket.clerk@merrittfirm.com, jill.blue@merrittfirm.com

Barbara A Merritt docket.clerk@merrittfirm.com

John M Merritt (Terminated) docket.clerk@merrittfirm.com, JILL.BLUE@MERRITTFIRM.COM,
MICHAEL.BLUE@MERRITTFIRM.COM

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maggie.peroni@wtllaw.com

David R Tippetts david.tippetts@wtllaw.com, maggie.peroni@wtllaw.com

5:11-cv-00203-W Notice has been delivered by other means to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1041971380 [Date=9/14/2011] [FileNumber=2077722-0
] [416373c704c45ffe6cea3d10493d9e1a5c31a585339609ab9bce2a10d9aa01fed47
02c2bce8a3b0f4dbe73cb8ee7ebb616ab73d8f15821f1144f25946984d1c8]]

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

██████████, an incapacitated person, by
and through her Estate, Administered by her
Guardian, ██████████

Plaintiff(s),

Case No. ██████████
The Honorable Lee R. West

v.

GENERAL MOTORS COMPANY;
T. K. HOLDINGS, INC.;
██████████; and
TRW VEHICLE SAFETY SYSTEMS, INC., and
GENERAL MOTORS, L.L.C.

Defendant(s).

**GENERAL MOTORS LLC'S RESPONSE
TO PLAINTIFF'S FIRST INTERROGATORIES**

For its response to Plaintiff's First Interrogatories, General Motors LLC (GM) states as follows:

PRELIMINARY STATEMENT

The vehicle involved in this lawsuit is a 2007 Chevrolet Cobalt four-door sedan, bearing the VIN 1G1AK55F577██████████. Preliminarily, GM understands this lawsuit arises from a two-vehicle crash that occurred on December 20, 2010, outside of Velma, Oklahoma, when a 2006 Hyundai Sonata, driven by ██████████, entered the opposing lane of traffic, and the subject Chevrolet Cobalt, driven by ██████████, collided with the Sonata. GM understands Plaintiff ██████████, was a right front passenger in the Cobalt at the time of the collision.

In her First Amended Complaint, Plaintiff alleges the Cobalt was defective, because its airbags did not deploy during the crash. Plaintiff also alleges the Cobalt's safety belt "either inertially unlatched or inadvertently unlatched during the collision" and/or did not provide

adequate restraint. Finally, Plaintiff alleges the Cobalt's "interior compartment was designed with inadequate distances from the position of the occupant to the interior surfaces of the occupant compartment." GM has denied Plaintiff's allegations.

Photographs of the Cobalt in its post crash condition and the CDR report for the crash data Plaintiff downloaded from the Cobalt's SDM indicate the driver frontal airbag deployed during the crash, and the passenger frontal airbag did not deploy. According to the CDR report, at the time of the recorded crash event, deployment of the passenger airbag was suppressed by the passenger sensing system, diagnostic trouble code B0081 was present, and the airbag warning light was illuminated. According to the CDR report, the airbag warning light had been illuminated for 34 ignition cycles, for a total warning lamp on time of 83740 seconds (23 hours, 15 minutes, 40 seconds).

The 2007 Chevrolet Cobalt was designed, in part, manufactured, in part, and assembled in final form by General Motors Corporation, n/k/a Motors Liquidation Company. General Motors LLC has acquired documents and other information from Motors Liquidation Company, f/k/a General Motors Corporation, regarding the design and development of the 2007 Chevrolet Cobalt.

The 2007 Chevrolet Cobalt is known internally, at GM, as a GMX001. The GMX001 was introduced in the 2005 model year. GMX001 vehicles include both sedans and coupes that were marketed in North America under the Chevrolet and Pontiac brand names. Chevrolet marketed the GMX001, in the United States and Canada, as the Chevrolet Cobalt, from the 2005-2010 model years, in both sedan and coupe models. Pontiac marketed the GMX001, in Canada, from the 2005-2010 model years, in both sedan and coupe models (initially as the Pontiac Pursuit, then as the Pontiac G5 Pursuit, and finally as the Pontiac G5). Pontiac marketed the GMX001, in Mexico, from the 2005-2009 model years, in both sedan and coupe models (initially as the Pontiac G4 and later as the Pontiac G5). Pontiac marketed the GMX001, in the United States, from the 2007-2009

model years, as the Pontiac G5, in the coupe version only. Production of GMX001 vehicles ended, after the 2010 model year.

The frontal airbag system on the 2005 GMX001 is a dual stage system that incorporates a Sensing and Diagnostic Module (SDM) from the SDM-EPS family, calibrated specifically for GMX001 vehicles, and a GSAT-3 electronic front sensor. In the 2006 model year, the airbag system for the GMX001 (excluding the SS coupe model) incorporated a Delphi PODS-B passenger sensing system, as part of the vehicles' compliance with the advanced airbag requirements of Federal Motor Vehicle Safety Standard (FMVSS) 208. The airbag system for the SS coupe was carried over from the 2005 model year and did not include a passenger sensing system.

In the 2007 model year, the GMX001 incorporated a new driver airbag module, steering wheel, and passenger airbag inflator, and a revised frontal airbag sensing calibration, with a lower second stage deployment threshold. As an interim 2007 model year change, the calibration of the PODS-B passenger sensing system for the GMX001 was redefined, to increase the number of pressure counts (the compliance margin) between the child seat condition that creates the highest pressure count and the adult classification threshold.

For the 2008 model year, the GMX001 frontal airbag system used an SDM from the SDM-EPS family and a GSAT-4 electronic (raw data) front sensor. The frontal sensing calibration changed with the introduction of raw data sensors. The SS coupe version of the GMX001 was first equipped with a passenger sensing system in the 2008 model year, with the introduction of the GMX001 HPVO (marketed as a Chevrolet Cobalt SS coupe). Because the GMX001 Chevrolet Cobalt SS coupe had a unique seat design, the Delphi PODS-B passenger sensing system utilized on the 2008 GMX001 Chevrolet Cobalt SS coupe was not substantially similar to the Delphi PODS-B passenger sensing system utilized on other GMX001 vehicles.

The frontal airbag sensing calibration for GMX 001 vehicles changed, again, in the 2009 model year, due to the implementation of a passenger airbag system that provided Low Risk Deployment (LRD) as defined by FMVSS 208, for the NHTSA 3 and 6 year old positions, and an IEE Body Sense, Infant Only Suppression (IOS) system. The SS coupe version of the GMX001 continued to use the PODS-B passenger sensing system that was specifically developed for the SS coupe.

GM will provide information about the Delphi PODS-B passenger sensing system on 2006 – 2008 GMX001 vehicles (excluding the Chevrolet Cobalt SS coupe model). Although there are other General Motors vehicles that utilize a PODS-B passenger sensing system, the PODS-B bladder design and ECU calibration are affected by seat height, seat back angle, seat cushion size, seat cushion shape, seat cushion stiffness, seat bolster height, seat cover material, safety belt geometry, and belt tension sensor location, as well as by the geometry of the floor relative to the seat and the width of the space between the door and the center console, which can affect how occupants sit in the seat. Other vehicles that utilize PODS-B passenger sensing systems are not substantially similar to the 2007 Chevrolet Cobalt four-door sedan involved in this case (including the factors that affect bladder design and system calibration).

The front row safety belt restraint system in the 2007 Chevrolet Cobalt four-door sedan includes a Type 2 design single retractor, with an energy management feature and a pretensioner, mounted at the base of the “B” pillar. The retractor is an emergency locking retractor (ELR) that is webbing sensitive and vehicle sensitive. The front passenger retractor has an automatic locking (ALR) feature. The upper guide loop is adjustable. The lap belt anchor is attached to the body, and the end release buckle assembly is mounted to the front seat.

The front row safety belt system in the 2007 Chevrolet Cobalt four-door sedan is similar to the front row safety belt systems used in 2005-2010 GMX001 4-door sedans. The location of the

upper guide loop and the location of the retractor are different between the GMX001 coupe and sedan. Therefore the shoulder belt routing is different between the coupe and sedan. GM will provide information about the front row safety belt restraint systems (including the retractor assembly, buckle assembly, and safety belt anchorages) in 2005-2010 GMX001 4-door sedans.

GM's determinations of scope and the documents consequently produced are for the purposes of discovery only.

NUMBER: 1

Please state the full name, residence and business address, occupation and job title of all persons answering or assisting in answering these interrogatories.

ANSWER: GM prepared these responses with the help of its lawyers. To the extent this interrogatory asks for more information, GM objects because it is overly broad and will not lead to admissible evidence.

NUMBER: 2

Prior to answering these interrogatories, have you made a due and diligent search of all books, records, and papers of the defendant and a due and diligent inquiry of all agents and employees of the defendant with the view to eliciting all information available to answer these interrogatories?

ANSWER: GM prepared these responses on the basis of information in records that GM keeps in the ordinary course of business. This does not mean that GM searched "all" of its "books, records, and papers," or that GM made an inquiry of "all" of its "agents and employees." GM objects to this interrogatory, because it is argumentative and overly broad, and tries to impose a burden on GM beyond that required by the Federal Rules of Civil Procedure.

NUMBER: 3

If Defendant is a corporation, state the state of incorporation; the address of the principal place of business; the name and address of the accounting office; the names and addresses of the members of the Board of Directors of the corporation and the location where the Board of Directors regularly or usually meet.

ANSWER: General Motors LLC is a Delaware limited liability company, with its principal place of business in Michigan. Beyond that, GM objects to this interrogatory, because it will not lead to admissible evidence.

NUMBER: 4

What are the names, addresses, home telephone numbers, places of employment, job titles or capacities and present whereabouts of all persons having knowledge or relevant information, facts or circumstances in this case known to you or your attorneys?

ANSWER: GM refers Plaintiff to the Oklahoma Traffic Collision Report, which Plaintiff may find responsive to this request. GM believes the following people may have information about the crash, Plaintiff, and Plaintiff's claims in this lawsuit:

No.	Name	Anticipated Testimony
1.	██████████ c/o Merritt & Associates, P.C. PO Box 1377 Oklahoma City, OK 73101	Facts and circumstances of collision; Plaintiff's claims
2.	██████████ c/o Merritt & Associates, P.C. PO Box 1377 Oklahoma City, OK 73101	Facts and circumstances of collision; Plaintiff's claims
3.	██████████ c/o Lytle, Soule & Curlee, P.C. 119 N. Robinson Ave., Ste 1200 Oklahoma City, OK 73102	Facts and circumstances of collision; observations at the collision scene

No.	Name	Anticipated Testimony
4.	TK Holdings Inc. c/o Crowe & Dunlevy 20 North Broadway, Ste 1800 Oklahoma City, OK 73102	Facts and circumstances of collision
5.	[REDACTED] [REDACTED] Duncan, OK [REDACTED] [REDACTED]	Facts and circumstances of collision; observations at the collision scene
6.	[REDACTED] [REDACTED] Natchez, MS [REDACTED]	Facts and circumstances of collision; condition of the subject 2007 Chevrolet Cobalt
7.	[REDACTED] [REDACTED] Lindsey, OK [REDACTED] [REDACTED]	Facts and circumstances of collision; observations at the collision scene
8.	[REDACTED] [REDACTED] Comanche, OK (lives in Meridian, OK) [REDACTED]	Facts and circumstances of collision; observations at the collision scene
9.	[REDACTED]	Facts and circumstances of collision; observations at the collision scene
10.		Facts and circumstances of collision; observations at the collision scene
11.		Facts and circumstances of collision; observations at the collision scene; investigation of the collision
12.		Facts and circumstances of collision; observations at the collision scene; investigation of the collision
13.		Facts and circumstances of collision; observations at the collision scene; investigation of the collision

14.	Trooper Mark Smith Oklahoma Highway Patrol 705 E. Gore Blvd Lawton, OK 73502 580-353-0783	Facts and circumstances of collision; observations at the collision scene; investigation of the collision
15.	Trooper Kevin Crawford Oklahoma Highway Patrol 705 E. Gore Blvd Lawton, OK 73502 580-353-0783	Facts and circumstances of collision; observations at the collision scene; investigation of the collision
16.	Representative of Oklahoma Highway Patrol 705 E. Gore Blvd Lawton, OK 73502 580-353-0783	Facts and circumstances of collision; observations at the collision scene; investigation of the collision
17.	Officer Randy Whipple Velma Police Department PO Box 447 Velma, OK 73491 580-444-3380	Facts and circumstances of collision; observations at the collision scene; investigation of the collision
18.	Representative of Velma Police Department PO Box 447 Velma, OK 73491 580-444-3380	Facts and circumstances of collision; observations at the collision scene; investigation of the collision
19.	David Bloodswort Velma Volunteer Fire Department PO Box 447 Velma, OK 73491-0447 580-444-3393	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.
20.	Representative of Velma Volunteer Fire Department PO Box 447 Velma, OK 73491-0447 580-444-3393	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.
21.	Jaime Hennessee AirEvac PO Box 106 West Plains, MO 65775 417-256-7207	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.
22.	Lori Herrian AirEvac PO Box 106 West Plains, MO 65775 417-256-7207	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.

23.	G. Clement AirEvac PO Box 106 West Plains, MO 65775 417-256-7207	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.
24.	Representative of AirEvac PO Box 106 West Plains, MO 65775 417-256-7207	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.
25.	Patricia Snyder Velma EMS PO Box 447 Velma, OK 73491 580-444-2535	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.
26.	Representative of Velma EMS PO Box 447 Velma, OK 73491 580-444-2535	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.
27.	James Worthy American Medical Response AMR Ambulance 616 N. Highway 81 Duncan, OK 580-470-6073	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.
28.	Brian Womack American Medical Response AMR Ambulance 616 N. Highway 81 Duncan, OK 580-470-6073	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.
29.	Laurie Smith American Medical Response AMR Ambulance 616 N. Highway 81 Duncan, OK 580-470-6073	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.
30.	Christina Pohocsucut American Medical Response AMR Ambulance 616 N. Highway 81 Duncan, OK 580-470-6073	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.

31.	Representative(s) of American Medical Response AMR Ambulance 616 N. Highway 81 Duncan, OK 580-470-6073	Facts and circumstances of collision; observations at the collision scene; medical care and treatment; injuries sustained by Plaintiff.
32.	Robert Hicks Evan's and Sons Automotive and Towing/Evan's Wrecker 15 W. Bois D Arc Ave. Duncan, OK 73533 580-252-1877	Facts and circumstances of collision; observations at the collision scene; condition of the subject 2007 Chevrolet Cobalt
33.	Representative of Evan's and Sons Automotive and Towing/Evan's Wrecker 15 W. Bois D Arc Ave. Duncan, OK 73533 580-252-1877	Facts and circumstances of collision; observations at the collision scene; condition of the subject 2007 Chevrolet Cobalt
34.	Representative of Car Cab Wrecker 6309 South Bryant OKC, OK 405-670-6114	Facts and circumstances of collision; condition of the subject 2007 Chevrolet Cobalt
35.	Representative of Safeway Insurance Policy [REDACTED] 800-352-3089	Facts and circumstances of collision; investigation of the collision
36.	Representative of Geico Policy # [REDACTED] 203 SW H Ave. Lawton, OK 73501 800-841-3000 580-695-6744	Facts and circumstances of collision; investigation of the collision
37.	Representative of Government Employees Insurance Company c/o The Corporation Trust Inc. 300 E. Lombard Street Baltimore, MD 21202-3219	Facts and circumstances of collision; investigation of the collision
38.	Representative of Physical Medicine & Rehab Associates, PC 5100 N Brookline Ste 500 Oklahoma City OK 73112 405-605-8780	Medical care and treatment; injuries sustained by Plaintiff.
39.	Representative of Valir Rehab Hospital 700 NW Seventh St Oklahoma City OK 73102 405-236-3131	Medical care and treatment; injuries sustained by Plaintiff.

40.	Representative of Walgreen Home Care	Medical care and treatment; injuries sustained by Plaintiff.
41.	Representative of Walgreens Company 16797 Collections Center Dr Chicago IL 60693 217-554-8590	Medical care and treatment; injuries sustained by Plaintiff.
42.	Representative of Duncan Regional Hospital 1407 Whisenant Dr. Duncan, OK 73533 580-252-5300	Medical care and treatment; injuries sustained by Plaintiff.
43.	Representative of Deaconess Home Health	Medical care and treatment; injuries sustained by Plaintiff.
44.	Representative of Morningstar Emergency Physicians 34 SW 89th St, #A Oklahoma City OK 73139 405-271-2240	Medical care and treatment; injuries sustained by Plaintiff.
45.	Representative of OU Medical Center 1200 N. Everett Dr. OKC, OK 73104 405-271-4700	Medical care and treatment; injuries sustained by Plaintiff.
46.	Medical Care Providers not yet identified	Medical care and treatment; injuries sustained by Plaintiff
47.	Emergency Responders not yet identified	Medical care and treatment; injuries sustained by Plaintiff.
48.	All individuals at scene of crash not yet identified	Facts and circumstances of collision; observations at the collision scene
49.	Past and current owners of the subject vehicle	Knowledge and information regarding the subject vehicle
50.	John Sprague General Motors Field Performance Assessment	Development, design, testing and performance of the airbag system on the 2007 Chevrolet Cobalt
51.	Michael Wendzinski General Motors Field Performance Assessment	Development, design, testing and performance of the safety belt system on the 2007 Chevrolet Cobalt

GM also refers Plaintiff to its response to Interrogatory No. 12, below. GM reserves the right to supplement this list to identify additional witnesses, including expert witnesses, as discovery progresses.

NUMBER: 5

What are the names, addresses, home telephone numbers, places of employment, job titles or capacities and present whereabouts of all persons known to you or your attorneys, who arrived, or claimed they arrived, or whom you or your attorney think arrived, or claim they arrived or that someone has told you or your attorney that they arrived, at the scene of the accident immediately or shortly after it happened?

ANSWER: GM refers Plaintiff to its response to Interrogatory No. 4. GM's investigation and discovery are continuing, and GM will supplement this response, if necessary, as required by the Federal Rules of Civil Procedure. GM objects to this interrogatory to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 6

State the names, addresses, and telephone numbers, known to you, your attorney, insurance carrier, their representatives, or to anyone acting in your behalf or their behalf, of all persons who have heard or claimed to have heard any statement or statements made by the plaintiff herein, or any defendant herein, or by any agent of any defendant herein, concerning the manner in which the occurrence mentioned in said Complaint or Petition occurred, or concerning the persons at fault in said occurrence.

ANSWER: At this time, GM does not know of anyone with information responsive to this interrogatory; however, GM's investigation and discovery are continuing. GM will supplement this response, if necessary, as required by the Federal Rules of Civil Procedure. GM objects to this interrogatory to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 7

State as to each person named in answer to the interrogatories herein whether you, your attorney, insurance carrier, their representative, or anyone acting in your behalf or their behalf, have obtained any typed, written or recorded statements or statements signed or initialed by such person including the plaintiff herein. If the answer is yes, then also state the date and place each statement was obtained, the name, address, and telephone number of the person who prepared such statement, and name and address of the person who now has custody of each such statement.

ANSWER: GM refers Plaintiff to GM's response to Interrogatory No. 4, which lists people who may have knowledge of facts relevant to this lawsuit. Beyond this, GM objects to Interrogatory No. 7 because it asks for information protected from disclosure by the attorney-client privilege and the work product doctrine.

NUMBER: 8

State all relevant facts on which you base any pleaded affirmative defenses to the action which has not been specifically inquired into in any other portion of these interrogatories.

ANSWER: GM refers Plaintiff to the Answer General Motors LLC filed in this lawsuit. GM's defenses are detailed in its Answer. GM's investigation and discovery are continuing, and GM will supplement this response, if necessary, as required by the Federal Rules of Civil Procedure.

NUMBER: 9

State the name, address and telephone number of any person or persons known to you who have or are making an investigation as to how or in what manner the accident complained of in this action occurred.

ANSWER: GM refers Plaintiff to the Official Oklahoma Traffic Collision Report prepared by the Oklahoma Highway Patrol. GM does not know of any other non-privileged investigation into how the crash occurred. GM will supplement this response to identify its expert witnesses in

accordance with the Court's Scheduling Order. Beyond this, GM objects to this interrogatory, because it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 10

If this defendant manufactured, distributed and/or sold the product or the component parts described herein, state the inclusive dates of manufacture, distribution and/or sale of each such component part and the product from beginning to end and the date the product left your possession describing each component.

ANSWER: GM refers Plaintiff to the Preliminary Statement, above. GM refers Plaintiff to the Vehicle Invoice for the subject 2007 Chevrolet Cobalt (see Bates No. 1) and the GMVIS1 (GM Vehicle Inquiry System) printout and GMVIS2 (Global Warranty Management) information (see Bates Nos. 4-10) identified and produced as part of GM's Rule 26 Initial Disclosure.

General Motors LLC did not manufacture, distribute or sell the 2007 Chevrolet Cobalt four-door sedan, bearing the VIN 1G1AK55F57[REDACTED] or any of its component parts. General Motors Corporation (subsequently known as Motors Liquidation Company) manufactured in part, assembled into final form, and distributed the 2007 Chevrolet Cobalt four-door sedan, bearing the VIN 1G1AK55F57[REDACTED]. Beyond this, GM objects to this interrogatory because it is overly broad, unduly burdensome, and will not lead to admissible evidence.

NUMBER: 11

If this defendant did not manufacture, distribute and/or sell the product or the component parts described herein, state what relationship this defendant is to the manufacturer, distributor and seller and the name and last-known address of each such entity.

ANSWER: GM refers Plaintiff to the Preliminary Statement. GM also refers Plaintiff to its response to Interrogatory No. 10.

General Motors Corporation (subsequently known as Motors Liquidation Company) manufactured in part, assembled into final form and distributed the 2007 Chevrolet Cobalt four-door sedan, bearing the VIN 1G1AK55F57[REDACTED]. General Motors Company (formerly known as NGMCO, Inc.) acquired substantially all of the assets of Motors Liquidation Company (formerly known as General Motors Corporation) on July 10, 2009, in a transaction executed under the jurisdiction and pursuant to approval of the United States Bankruptcy Court for the Southern District of New York. The scope and limitations of New GM's responsibilities are defined in the Bankruptcy Court's "Order (i) Authorizing Sale of Assets Pursuant to Amended and Restated Master Sale and Purchase Agreement with NGMCO, Inc., a U.S. Treasury-Sponsored Purchaser; (ii) Authorizing Assumption and Assignment of Certain Executory Contracts and Unexpired Leases In Connection with the Sale; and (iii) Granting Related Relief," entered on July 5, 2009 (the "Sale Approval Order"), which is a final binding order. *See generally In re General Motors Corp.*, 407 B.R. 463 (Bankr. S.D.N.Y. 2009) ("Sale Opinion") (approving sale transaction).

General Motors LLC was known as General Motors Company, between July 9, 2009 and October 16, 2009, when it converted from a corporation to a limited liability company with a different name. This is shown by the records of the Delaware Secretary of State. The October 16, 2009 conversion of General Motors LLC to a limited liability company was part of a reorganization to provide greater financial and organizational flexibility to the organization, which was completed when General Motors LLC transferred all of its assets and liabilities except for those related to the U.S. automotive operations to its parent, General Motors Holdings LLC, on October 19, 2009 and November 2, 2009. As part of this reorganization a new ultimate parent company was created, and it changed its name from General Motors Holding Company to General Motors Company on October 16, 2009.

Beyond this, GM objects to this interrogatory, because it is overly broad, unduly burdensome and will not lead to admissible evidence.

NUMBER: 12

Please state the name of the chief design engineer in charge of the design group which designed the component parts described herein at the time of their original design and at the time of answering these interrogatories.

ANSWER: GM will identify the following individuals:

- A. The release engineer for the PODS-B passenger sensing system on the 2007 Chevrolet Cobalt
- B. The performance engineer for the PODS-B passenger sensing system on the 2007 Chevrolet Cobalt
- C. The release engineer for the right front passenger safety belt on the 2007 Chevrolet Cobalt 4-door sedan
- D. The safety performance integration engineer for the 2007 Chevrolet Cobalt

Beyond that, GM objects to this interrogatory, because it is not reasonably calculated to lead to the discovery of admissible evidence.

NUMBER: 13

Please state the names, job titles, and last-known addresses of your "Chief of Claims" and/or any other person whose job description or job duties include the administration of product liability claims or product defect claims and/or who is assigned to participate in responses to government agencies investigating or analyzing product defects, failures, or hazards.

ANSWER: GM does not have an individual with the job title "Chief of Claims." GM refers Plaintiff to its responses to Request for Production Nos. 8 and 13. GM objects to this interrogatory because it is vague and ambiguous and will not lead to admissible evidence. GM also objects to this interrogatory to the extent it asks for information protected from disclosure by the attorney-

client privilege and/or work product doctrine.

NUMBER: 14

Please state the names, last-known addresses, home telephone numbers, and places of employment of all persons known to you, your attorneys, agents, servants, and employees, or your insurance companies, who have any knowledge whatsoever or whom you believe or suspect have any knowledge whatsoever of any of the facts leading up to and/or surrounding the accident, incident, or event complained of herein, or persons whom you believe or suspect may have information concerning the handling of the product or any defects in the product or who you believe or suspect may have any knowledge as to the damages or injuries of the plaintiff, including but not limited to all persons from whom recorded, written, or other statements have been obtained.

This interrogatory should be answered also as to expert witnesses employed by this defendant. Further, for each person listed please give a detailed summary of their expected testimony at trial and/or the nature of the facts each such person possesses or which you believe or suspect such person possesses.

ANSWER: GM refers Plaintiff to its responses to Interrogatory Nos. 4, 6 and 12, above. GM also refers Plaintiff to its responses to Request for Production Nos. 8 and 13. GM has not yet determined which persons it may call as expert witnesses at trial. GM's investigation and discovery are continuing, and GM will supplement this response, if necessary, as required by Federal Rules of Civil Procedure. GM objects to this interrogatory to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product or consulting expert doctrines.

NUMBER: 15

State the name and last-known address of each and every person, firm, or other entity who had possession of the product or the components described herein which is the subject of this action since the date of manufacture and/or assembly until the present time and give the inclusive dates of

possession of each.

ANSWER: GM refers Plaintiff to the Vehicle Invoice (see Bates No. 1) and the GMVIS1 (GM Vehicle Inquiry System) printout and GMVIS2 (Global Warranty Management) information (see Bates Nos. 4-10) identified and produced as part of GM's Rule 26 Initial Disclosure. GM's investigation and discovery are continuing, and GM will supplement this response, if necessary, as required by the Federal Rules of Civil Procedure.

NUMBER: 16

Describe in detail the nature of every oral and/or written complaint, report and/or information received by this defendant and/or any of its subsidiaries and/or insurance companies and/or predecessor or successor corporations or companies and/or parent or sister corporations or companies and/or acquired corporations or companies of this defendant wherein it was alleged or reported (whether or not you believe such allegation or report to be true) that any and/or all of the component parts described herein contained on identical, similar and/or comparable product(s) were defective and/or contained inadequate and/or no warnings and/or that the hazard(s) described herein in any manner contributed to any injuries to any person(s), giving the name and last-known address of each such person making such allegation and/or report and the date thereof and, if suit was filed the case number, court designation and location and the name and address of the plaintiff and plaintiff's counsel.

ANSWER: GM refers Plaintiff to the documents and information that GM has agreed to produce in its responses to Request for Production Nos. 8, 13 and 20. Beyond that, GM objects to this interrogatory, because it is vague and ambiguous, overly broad, unduly burdensome, and will not lead to admissible evidence. GM also objects to this interrogatory to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 17

Did you purchase the product line from another company? If so, state the name and address of such company.

ANSWER: GM refers Plaintiff to the Preliminary Statement and to GM's responses to Interrogatory Nos. 10 and 11, above. Beyond this, GM objects to this interrogatory as vague and ambiguous.

NUMBER: 18

State the name of each and every expert witness you intend to call or reasonably anticipate you will call at the time of trial in the above styled cause of action and for each such expert witness please state the following:

- (A) Nature and summary of the subject of expected testimony for each separate expert and the substance of the facts and opinions to which each expert is expected to testify, and a summary of the grounds for each separate opinion for each separate expert.
- (B) Home address and telephone number of each expert, and business address and telephone number of each expert.
- (C) Whether or not such witness has written a report or will write a report regarding the above-styled cause of action.
- (D) Each and every document or thing upon which said witness will rely to form expert opinions and/or which was reviewed in order to form expert opinions.

(This interrogatory inquires of any expert, whether to testify relative to the issues of liability or damages.)

ANSWER: GM has not yet decided whom it may call as expert witnesses at trial. GM will supplement this response, if necessary, as required by the Court's Scheduling Order and the

Federal Rules of Civil Procedure. GM objects to this interrogatory to the extent it asks for information protected from disclosure by the attorney-client privilege and/or the work product or consulting expert doctrines.

NUMBER: 19

Please list every case, by style and by cause number, in which each of your experts have been involved and/or in which they have testified.

ANSWER: GM refers Plaintiff to GM's response to Interrogatory No. 18, above. When GM identifies the expert witnesses it may call at trial, GM will ask its experts to produce a list of the lawsuits in which they have been deposed or testified during the last four years. Beyond this, GM objects to this interrogatory, because it is overly broad and unduly burdensome.

NUMBER: 20

Please state the name and address of each and every insurance company and/or any other person and/or entity who provided any policies of insurance and/or indemnity for product defects and products manufactured by this Defendant from the period of time when the product which is the subject of this action was manufactured and/or sold up until the present date. This information should include, but is not limited to, any claims adjustment companies and/or risk management firms who were employed by this Defendant and/or any such other persons and/or entities and/or insurance companies to investigate and/or adjust product claims reported or made against this Defendant during such period of time.

ANSWER: GM is directly responsible for satisfying any judgment entered in this case following post trial or appellate rulings, if any, up to \$35,000,000, including legal defense expenses. The amount by which a judgment (including legal defense expenses) exceeds \$35,000,000 is covered by excess insurance provided by a number of carriers. GM objects to this interrogatory, to the extent it asks for more information, because it will not lead to admissible evidence.

NUMBER: 21

Please state the total amount in dollars of gross sales, gross income, net income, gross profits and net profits for all products sold by you in the State where the incident complained of in Plaintiff s Petition/Complaint occurred for each year for the preceding five (5) years and please state the same separately for each such year and each category.

ANSWER: General Motors LLC has not yet existed for five years and did not exist at the time the subject 2007 Chevrolet Cobalt was designed, manufactured or sold. GM objects to this interrogatory because it will not lead to admissible evidence.

NUMBER: 22

Please describe in detail the method used to make a computer search and/or physical record search for information and documents requested by the Plaintiff in Plaintiff s Discovery Requests.

ANSWER: GM refers Plaintiff to the documents and information GM has agreed to produce in its Rule 26 Initial Disclosure and in response to Plaintiff s First Interrogatories and First Request for Production. GM will search in the places it reasonably believes will have the information and data that GM has agreed to provide. After Plaintiff has reviewed the documents that GM produces, if Plaintiff has concerns about the documents and information provided, additional inquiry can be made to address Plaintiff s concerns.

GM objects to this interrogatory, because it is overly broad, unduly burdensome, asks for information that is not relevant to the issues in this case, and is not reasonably calculated to lead to the discovery of admissible evidence. GM also objects to this interrogatory because it seeks information that is protected from disclosure by the attorney client privilege and/or work product doctrine.

NUMBER: 23

If this answering Defendant has conducted a computer search for information and documents responsive to Plaintiff's Discovery Requests, please describe in detail all databases you have searched and all search terms used and/or queries used.

ANSWER: GM incorporates its response to Interrogatory No. 22 above. GM objects to this interrogatory, because it is overly broad, unduly burdensome, asks for information that is not relevant to the issues in this case, and is not reasonably calculated to lead to the discovery of admissible evidence. GM also objects to this interrogatory because it seeks information that is protected from disclosure by the attorney client privilege and/or work product doctrine.

NUMBER: 24

Please state whether you are a signator to any pooling and/or other agreement which provides for funds to be made available to pay a money judgment entered by a court against you which might result from allegations of nursing home malpractice against you?

(A) If your answer is in the affirmative, then state the name, address and telephone number of each person and entity who is a signator of such agreement.

(B) If your answer is affirmative, please state the total amount of funds that are available under such agreement to pay such a judgment that might hypothetically be rendered against you today for the acts complained of in Plaintiffs Petition (Complaint) filed herein.

ANSWER: This lawsuit does not involve any allegations of nursing home malpractice.

MCAFEE & TAFT

By: 

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Tulsa, Oklahoma 74119
(918) 574-3065
Attorneys for Defendant
General Motors, L.L.C.

CERTIFICATE OF MAILING

I hereby certify that on the 5th day of June, 2012, a true and correct copy of the foregoing was mailed with proper postage thereon prepaid to:

Mark A. Cox
Barbara A. Merritt
MERRITT & ASSOCIATES, P.C.
P. O. Box 1377
Oklahoma City, Oklahoma 73101

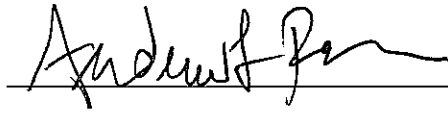
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A handwritten signature in black ink, appearing to read "Shawn Arnold", is written over a horizontal line.

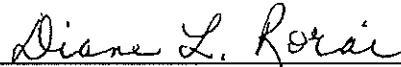
VERIFICATION

STATE OF MICHIGAN)
)
COUNTY OF WAYNE) SS.

██████████ being first duly sworn, deposes and says that she is authorized pursuant to applicable law and rules to verify, on behalf of General Motors LLC, the foregoing

**GENERAL MOTORS LLC'S RESPONSE
TO PLAINTIFF'S FIRST INTERROGATORIES**

and that the same are hereby verified on behalf of General Motors LLC.



DIANE L. RORAI
Authorized Agent

Sworn to and subscribed before me

this 4th day of June, 2012.



Notary Public

TERESA L. HARRISON
Notary Public, State of Michigan
County of Oakland
My Commission Expires 06-04-2018
Acting in the County of Oakland

Re: Sarah Miller v. General Motors LLC

[REDACTED], an incapacitated person, by and through her Estate,
Administered by her Guardian, [REDACTED]
[REDACTED],

V.

DEFENDANTS.

=====

Case No.: [REDACTED]

1

restraint. Finally, Plaintiff alleges the Cobalt's "interior compartment was designed with inadequate distances from the position of the occupant to the interior surfaces of the occupant compartment." GM has denied Plaintiff's allegations.

Photographs of the Cobalt in its post crash condition and the CDR report for the crash data Plaintiff downloaded from the Cobalt's SDM indicate the driver frontal airbag deployed during the crash, and the passenger frontal airbag did not deploy. According to the CDR report, at the time of the recorded crash event, deployment of the passenger airbag was suppressed by the passenger sensing system, diagnostic trouble code B0081 was present, and the airbag warning light was illuminated. According to the CDR report, the airbag warning light had been illuminated for 34 ignition cycles, for a total warning lamp on time of 83740 seconds (23 hours, 15 minutes, 40 seconds).

The 2007 Chevrolet Cobalt was designed, in part, manufactured, in part, and assembled in final form by General Motors Corporation, n/k/a Motors Liquidation Company. General Motors LLC has acquired documents and other information from Motors Liquidation Company, f/k/a General Motors Corporation, regarding the design and development of the 2007 Chevrolet Cobalt.

The 2007 Chevrolet Cobalt is known internally, at GM, as a GMX001. The GMX001 was introduced in the 2005 model year. GMX001 vehicles include both sedans and coupes that were marketed in North America under the Chevrolet and Pontiac brand names. Chevrolet marketed the GMX001, in the United States and Canada, as the Chevrolet Cobalt, from the 2005-2010 model years, in both sedan and coupe models. Pontiac marketed the GMX001, in Canada, from the 2005-2010 model years, in both sedan and coupe models (initially as the Pontiac Pursuit, then as the Pontiac G5 Pursuit, and finally as the Pontiac G5). Pontiac marketed the GMX001, in Mexico, from the 2005-2009 model years, in both sedan and coupe models (initially as the Pontiac G4 and later as the Pontiac G5). Pontiac marketed the GMX001, in the United States, from the 2007-2009

model years, as the Pontiac G5, in the coupe version only. Production of GMX001 vehicles ended, after the 2010 model year.

The frontal airbag system on the 2005 GMX001 is a dual stage system that incorporates a Sensing and Diagnostic Module (SDM) from the SDM-EPS family, calibrated specifically for GMX001 vehicles, and a GSAT-3 electronic front sensor. In the 2006 model year, the airbag system for the GMX001 (excluding the SS coupe model) incorporated a Delphi PODS-B passenger sensing system, as part of the vehicles' compliance with the advanced airbag requirements of Federal Motor Vehicle Safety Standard (FMVSS) 208. The airbag system for the SS coupe was carried over from the 2005 model year and did not include a passenger sensing system.

In the 2007 model year, the GMX001 incorporated a new driver airbag module, steering wheel, and passenger airbag inflator, and a revised frontal airbag sensing calibration, with a lower second stage deployment threshold. As an interim 2007 model year change, the calibration of the PODS-B passenger sensing system for the GMX001 was redefined, to increase the number of pressure counts (the compliance margin) between the child seat condition that creates the highest pressure count and the adult classification threshold.

For the 2008 model year, the GMX001 frontal airbag system used an SDM from the SDM-EPS family and a GSAT-4 electronic (raw data) front sensor. The frontal sensing calibration changed with the introduction of raw data sensors. The SS coupe version of the GMX001 was first equipped with a passenger sensing system in the 2008 model year, with the introduction of the GMX001 HPVO (marketed as a Chevrolet Cobalt SS coupe). Because the GMX001 Chevrolet Cobalt SS coupe had a unique seat design, the Delphi PODS-B passenger sensing system utilized on the 2008 GMX001 Chevrolet Cobalt SS coupe was not substantially similar to the Delphi PODS-B passenger sensing system utilized on other GMX001 vehicles.

The frontal airbag sensing calibration for GMX 001 vehicles changed, again, in the 2009 model year, due to the implementation of a passenger airbag system that provided Low Risk Deployment (LRD) as defined by FMVSS 208, for the NHTSA 3 and 6 year old positions, and an IEE Body Sense, Infant Only Suppression (IOS) system. The SS coupe version of the GMX001 continued to use the PODS-B passenger sensing system that was specifically developed for the SS coupe.

GM will provide information about the Delphi PODS-B passenger sensing system on 2006 – 2008 GMX001 vehicles (excluding the Chevrolet Cobalt SS coupe model). Although there are other General Motors vehicles that utilize a PODS-B passenger sensing system, the PODS-B bladder design and ECU calibration are affected by seat height, seat back angle, seat cushion size, seat cushion shape, seat cushion stiffness, seat bolster height, seat cover material, safety belt geometry, and belt tension sensor location, as well as by the geometry of the floor relative to the seat and the width of the space between the door and the center console, which can affect how occupants sit in the seat. Other vehicles that utilize PODS-B passenger sensing systems are not substantially similar to the 2007 Chevrolet Cobalt four-door sedan involved in this case (including the factors that affect bladder design and system calibration).

The front row safety belt restraint system in the 2007 Chevrolet Cobalt four-door sedan includes a Type 2 design single retractor, with an energy management feature and a pretensioner, mounted at the base of the “B” pillar. The retractor is an emergency locking retractor (ELR) that is webbing sensitive and vehicle sensitive. The front passenger retractor has an automatic locking (ALR) feature. The upper guide loop is adjustable. The lap belt anchor is attached to the body, and the end release buckle assembly is mounted to the front seat.

The front row safety belt system in the 2007 Chevrolet Cobalt four-door sedan is similar to the front row safety belt systems used in 2005-2010 GMX001 4-door sedans. The location of the

upper guide loop and the location of the retractor are different between the GMX001 coupe and sedan. Therefore the shoulder belt routing is different between the coupe and sedan. GM will provide information about the front row safety belt restraint systems (including the retractor assembly, buckle assembly, and safety belt anchorages) in 2005-2010 GMX001 4-door sedans.

GM's determinations of scope and the documents consequently produced are for the purposes of discovery only.

NUMBER: 1

Please produce all documents and/or tangible items relied upon in answering the interrogatories served with this request for production not otherwise specifically requested herein.

ANSWER: GM refers Plaintiff to the documents that GM has identified and agreed to produce in its Rule 26 Initial Disclosure and in its answers to Plaintiff's First Interrogatories. GM objects to this request to the extent it seeks information that is protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 2

All maps, plats, charts, diagrams, drawings, photographs, movies, and video tapes made in connection with the incident which gives rise to this lawsuit. This request includes but is not limited to photographs, maps, plats, charts, diagrams and drawings of the scene of the incident and the product.

If you claim an attorney work product privilege as to any document or thing requested, then state which of such documents are in your possession or to which you have access and the date each such item came into existence so that a Court can make a determination as to whether such items are so protected. Further, in such case, state the name of the person who developed or produced such item and that person's relationship to this answering party at the time such item was created or came into existence.

If there is to be a charge for reproduction of such material in excess of \$50.00, please produce the originals only so that it may be determined which documents are desired to be reproduced. Originals may be retained by you after inspection subject to being reproduced at times to be agreed upon.

ANSWER: GM refers Plaintiff to the Oklahoma Traffic Collision Report, which Plaintiff may find responsive to this request. GM also refers Plaintiff to photographs provided by Plaintiff's counsel of the scene, subject vehicle and the Hyundai involved in the crash. GM has not found any other non-privileged documents responsive to this request. GM's investigation and discovery are continuing and GM will supplement this response, if necessary, in accordance with the Federal Rules of Civil Procedure.

GM objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 3

Any sub rosa investigation reports.

ANSWER: GM does not have any sub rosa investigation reports. GM objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 4

Please produce all documents of any nature whatsoever, which contain the names and/or last known addresses and/or last known telephone number and/or last known whereabouts of any persons who were present at the time of the incident described above or who were present immediately before or after such incident or who claim to have knowledge concerning such incident.

ANSWER: GM refers Plaintiff to the Oklahoma Traffic Collision Report for the subject crash. GM's investigation and discovery in this matter are continuing, and GM will supplement this response in accordance with the Federal Rules of Civil Procedure.

NUMBER: 5

A copy of all credit reports, claims reports, and any other reports and documents which relate in any manner whatsoever, to the plaintiff's background, including but not limited to any police reports, conviction records, and investigative reports concerning any such matters and reports concerning prior claims, injuries and lawsuits of Plaintiff.

ANSWER: GM refers Plaintiff to the Official Oklahoma Collision Report for the subject crash. Beyond this, GM objects to this request because it asks for information equally available to Plaintiff and will not lead to admissible evidence. GM objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 6

All motion pictures, videos and still photographs taken of the injured plaintiff.

ANSWER: GM refers Plaintiff to photographs provided by Plaintiff's counsel. GM has not found any other documents responsive to this request.

NUMBER: 7

Any statements made by the plaintiff either written or recorded or initialed, concerning the incident or the injuries and damages complained of herein.

ANSWER: GM has not found any documents responsive to this request.

NUMBER: 8

Copies of all rules, regulations, codes, and standards which apply to the manufacture, formulation, sale, distribution, and use of the product and similar products as required by any local, state or federal government agency.

Copies of all communications, letters, and any other documents which contain any communications by this defendant to any such governmental agencies concerning such existing and/or proposed standards, rules, regulations, and codes.

Copies of any rules, regulations, standards, and codes which apply to the manufacture, formulation, sale, and/or distribution of this product and/or the component parts described herein as required or recommended by any local, state, or national industry, trade association, or any other non-governmental group.

Any communications, letters, and other documents concerning communications from this defendant to any such local, state, and national industry, trade association, and any other non-government group concerning such existing and/or proposed standards, rules, regulations and codes.

Copies of any and all communications from the above local, state and federal government agencies and local, state and national industry, trade association, or nongovernment groups to this defendant concerning such existing and/or proposed rules, regulations, standards and codes.

It is not sufficient to state that all such items requested above are equally accessible to this party inasmuch as this party does not know which such items are considered by this answering party to be applicable to the product.

This request may be limited to any such items which would in any way relate to any of the mechanisms, structures, or components of the product which could be involved with the alleged hazards defined herein whether or not you believe such hazards exist. For instance, if any such structure, mechanism or component could be possibly redesigned to increase or decrease the hazards defined herein, the documents requested herein should be furnished for such structure, mechanism or component.

ANSWER: GM refers Plaintiff to the Federal Motor Vehicle Safety Standards ("FMVSS") which are a matter of public record. GM also refers Plaintiff to the following documents GM identified in its Rule 26 Initial Disclosure and agreed to produce pursuant to the Protective Order:

- A. FMVSS 208 compliance documentation applicable to the 2007 Chevrolet Cobalt sedan (see Bates Nos. 7830-12585)
- B. Test procedures for FMVSS 208 applicable to the 2007 Chevrolet Cobalt sedan
- C. FMVSS 209 compliance documentation applicable to the 2007 Chevrolet Cobalt sedan (see Bates Nos. 12586-12707)
- D. Test procedures for FMVSS 209 applicable to the 2007 Chevrolet Cobalt sedan (see Bates Nos. 6258-6347)
- E. FMVSS 210 compliance documentation applicable to the 2007 Chevrolet Cobalt sedan (see Bates Nos. 6384-7086)
- F. Test procedures for FMVSS 210 applicable to the 2007 Chevrolet Cobalt sedan (see Bates Nos. 6348-6383)
- G. NHTSA information requests (IRs), if any, involving:
 - 1. The front passenger safety belt systems on 2005-2010 GMX001 sedans (GM has not located any responsive NHTSA IRs)
 - 2. The passenger sensing system on the 2006-2008 GMX001 (excluding the 2008 Chevrolet Cobalt SS coupe) (GM has not located any responsive NHTSA IRs)
- H. Transport Canada Information Requests (IRs), if any, involving:
 - 1. The front passenger safety belt systems on 2005-2010 GMX001 sedans (GM has not located any responsive Transport Canada IRs)
 - 2. The passenger sensing system on the 2006-2008 GMX001 (excluding the 2008 Chevrolet Cobalt SS coupe) (GM has not located any responsive Transport Canada IRs).

NUMBER: 9

All catalogue specification sheets for the product and "similar products" and "comparable products" showing all such products which were marketed by this Defendant at the time of the

incident complained of in Plaintiff's Complaint at the time the product involved left your hands and for the five (5) years prior thereto and to the present date. This request covers catalogues which were furnished to dealers, retailers, customers and/or which were available to the public. This request calls for documents which, among other things, would show the various models, colors, configurations and options available for such products.

ANSWER: GM will search for and produce the following documents, if found:

- A. Representative advertising and sales brochures for 2007 Chevrolet Cobalt sedans
- B. A dealer order guide applicable to the 2007 Chevrolet Cobalt

Beyond this, GM objects to this request because it is overly broad and will not lead to admissible evidence.

NUMBER: 10

Produce all documents of any nature whatsoever which contain any communications made by this defendant and its employees and commissioned agents concerning said product or the component parts described herein to any governmental agency, state, local and/or national.

ANSWER: See GM's Response to Request No. 8. Beyond this, GM objects to this request because it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence.

NUMBER: 11

Copies of all communications, documents, records, writings, and letters between this defendant and any suppliers of any component parts referred to herein, and/or manufacturers and/or assemblers of any component parts referred to herein.

This request calls for but is not limited to the entire file maintained for such component part manufacturers and suppliers normally kept by the defendant in the ordinary course of business.

ANSWER: GM refers Plaintiff to the documents identified in response to Request No. 8, above.

GM also refers Plaintiff to the following documents which GM agreed to request from suppliers in connection with GM's Rule 26 Initial Disclosure, upon the entry of a non-sharing protective order, covering the production of supplier documentation:

- A. From Delphi, the PODS-B supplier, documents describing the PODS-B passenger sensing system on the 2007 Chevrolet Cobalt, if available, including:
 - 1. product definition documentation
 - 2. software definition documentation
 - 3. documents describing the hardware
 - 4. validation documents
 - 5. failure mode and effects analysis
 - 6. PPAP documentation.
- B. From Continental AG (Siemens VDO), the frontal airbag sensing system supplier, documents describing the SDM on the 2007 Chevrolet Cobalt, if available, including:
 - 1. systems requirements documentation
 - 2. software definition documentation
 - 3. documents describing the hardware
 - 4. validation documents
 - 5. End of line test results for the specific SDM in the 2007 Chevrolet Cobalt four-door sedan, bearing the VIN 1G1AK55F577 [REDACTED], if available, and a description of the end of line testing
 - 6. failure mode and effects analysis
 - 7. PPAP documentation.

Beyond this, GM objects to this request because it is overly broad, unduly burdensome and will not lead to admissible evidence.

NUMBER: 12

Any and all documents, letters, interoffice memorandums, and other such writings, produced by or routed to and/or addressed to any employee of defendant whose job description and/or job duties include the interpretation of standards relating to the design of the product which is the subject matter of this action and/or "similar products" and/or "comparable products" or the component parts described herein where such document in any way refers to such identically designed, "similar" and/or "comparable" products or the component parts described herein and their conformance and/or non-conformance with any standards, code and/or regulations (government & private).

ANSWER: GM refers Plaintiff to the documents GM identified in response to Request No. 8. Beyond this, GM objects to this request because it is overly broad, unduly burdensome and will not lead to admissible evidence. GM objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 13

Copies of the index of your consumer complaint records and computer tapes which contains your company's nomenclature for each type of consumer complaint and category of consumer complaint and category of products.

A printout of all such consumer complaints relating to the product, "identical products", "similar products", and "comparable products".

The computer tape which contains all consumer complaints relating to the product, "identical products", "similar products", and "comparable products".

The physical records which contain such consumer complaints of "identical products", "similar products" and "comparable products" and/or the names and last known addresses and telephone numbers of each such consumer.

ANSWER: GM refers Plaintiff to the documents identified in its response to Plaintiff's Request No. 8. GM also refers Plaintiff to the following documents that GM identified and agreed to produce in its Rule 26 Initial Disclosure:

- A. Product Investigation files, if any, involving the (PODS-B) passenger sensing system on the 2006-2008 GMX001 (excluding the 2008 Chevrolet Cobalt SS coupe), subject to protective order
- B. Product Investigation files, if any, involving the front passenger safety belt systems on 2005-2010 GMX001 sedans, subject to protective order
- C. FPE files, if any, involving the front passenger safety belt systems on 2005-2010 GMX001 sedans, subject to protective order

In addition, GM will search for and produce the following documents, if any and if located:

- D. FPE files, if any, involving the (PODS-B) passenger sensing system on the 2006-2008 GMX001 (excluding the 2008 Chevrolet Cobalt SS coupe), subject to protective order
- E. GM has a Customer and Relationship Services (CARS) group (formerly Customer Assistance Center or "CAC"), which takes calls from customers and attempts to answer questions or accept complaints relating to GM vehicles. GM also has a Product Allegation Resolution Center (PAR), which takes calls from customers who claim to have a problem with their vehicle and attempts to arrange for an inspection of the customer's vehicle. GM has a number of databases that store CAC and PAR data. GM will search for and produce the following documentation, if any and if located:
 - 1. U.S. CARS, CAC or PAR reports, if any, involving the passenger sensing system on a 2006-2008 Chevrolet Cobalt (excluding the 2008 Chevrolet Cobalt SS coupe) or 2007-2008 Pontiac G5
 - 2. U.S. CARS, CAC or PAR reports, if any, involving an allegation that the right front passenger in a 2006-2008 Chevrolet Cobalt (excluding the 2008 Chevrolet Cobalt SS coupe) or 2007-2008 Pontiac G5 was injured due to the non-deployment of the passenger frontal airbag, under circumstances where the driver frontal airbag deployed

3. U.S. CARS, CAC or PAR reports, if any, involving the front safety belt system on a 2005-2010 Chevrolet Cobalt sedan
- F. A list of U.S. personal injury lawsuits, if any, involving the passenger sensing system on a 2006-2008 Chevrolet Cobalt (excluding the 2008 Chevrolet Cobalt SS coupe) or 2007-2008 Pontiac G5
- G. Copies of the Complaints filed in any lawsuits identified in (F) above, if located in GM's files
- H. A list of U.S. personal injury lawsuits, if any, involving an allegation that the right front passenger in a 2006-2008 Chevrolet Cobalt (excluding the 2008 Chevrolet Cobalt SS coupe) or 2007-2008 Pontiac G5 was injured due to the non-deployment of the passenger frontal airbag, under circumstances where the driver frontal airbag deployed
- I. Copies of the Complaints filed in any lawsuits identified in (H) above, if located in GM's files
- J. A list of U.S. claims handled as Not-in-Suit Matters (NISMs), if any, involving the passenger sensing system on a 2006-2008 Chevrolet Cobalt (excluding the 2008 Chevrolet Cobalt SS coupe) or 2007-2008 Pontiac G5
- K. Copies of the police reports filed relative to the incidents underlying any claims identified in (J) above, if located in GM's files
- L. A list of U.S. claims handled as Not-in-Suit Matters (NISMs), if any, involving an allegation that the right front passenger in a the 2006-2008 Chevrolet Cobalt (excluding the 2008 Chevrolet Cobalt SS coupe) or 2007-2008 Pontiac G5 was injured due to the non-deployment of the passenger frontal airbag, under circumstances where the driver frontal airbag deployed
- M. Copies of the police reports filed relative to the incidents underlying any claims identified in (M) above, if located in GM's files
- N. A list of U.S. personal injury lawsuits, if any, involving an alleged failure of the front safety belt system on a 2005-2010 Chevrolet Cobalt sedan
- O. Copies of the Complaints filed in any lawsuits identified in (N) above, if located in GM's files
- P. A list of U.S. claims handled as Not-in-Suit Matters (NISMs), if any, involving an alleged failure of the front safety belt system on a 2005-2010 Chevrolet Cobalt sedan
- Q. Copies of the police reports filed relative to the incidents underlying any claims identified in (P) above, if located in GM's files

- R. Technical Assistance Center (TAC) contacts, if any, involving the passenger sensing system on a 2006-2008 Chevrolet Cobalt (excluding the 2008 Chevrolet Cobalt SS coupe) or 2007-2008 Pontiac G5
- S. Technical Assistance Center (TAC) contacts, if any, involving the front safety belt system on a 2005-2010 Chevrolet Cobalt sedan.

Beyond this, GM objects to this request because it is overly broad, unduly burdensome, and will not lead to admissible evidence. GM also objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 14

Copies of all communications, documents, records, writings and/or letters between this defendant and any third party or supplier concerning demands that such party or supplier indemnify this defendant for any judgment rendered herein or which concerns demand that such third party or supplier defend this defendant in this action or which concerns notification of such third party or supplier of a possible indemnity claim of this defendant.

ANSWER: GM objects to this request because it is overly broad and will not lead to admissible evidence.

NUMBER: 15

Copies of all engineering change orders and engineering change requests relating to the component parts referred to herein or the formulation of such product.

This request may be limited to any such items which would in any way relate to any of the mechanisms, structures, or components of the product which could be involved with the alleged hazards defined herein whether or not you believe such hazards exist. For instance, if any such structure, mechanism or component could be possibly redesigned to increase or decrease the hazards defined herein, the documents requested herein should be furnished for such structure, mechanism or component.

ANSWER: GM refers Plaintiff to the Preliminary Statement and to the change information, if any, contained on the following documents that GM agreed to produce, subject to protective order, in its Rule 26 Initial Disclosure:

- A. Product Assembly Documents (PADs) for the following in the 2007 Chevrolet Cobalt sedan (see Bates Nos. 12941-13027):
 - 1. SDM
 - 2. Right front passenger seat
 - 3. Passenger airbag status indicator
 - 4. Passenger airbag module
 - 5. Passenger knee bolster assembly
 - 6. Right front passenger safety belt
 - 7. Instrument panel
- B. Design information describing the geometry of the following components of the frontal airbag system in the 2007 Chevrolet Cobalt sedan:
 - 1. SDM
 - 2. Right front passenger seat
 - 3. Passenger airbag status indicator
 - 4. Passenger airbag module
 - 5. Passenger knee bolster assembly
 - 6. Right front passenger safety belt
 - 7. Instrument panel

In addition, GM will search for and produce the following documents, if any and if located, subject to protective order:

- C. Engineering Work Orders (EWOs) if any, applicable to the right front passenger safety belt on 2005-2010 GMX001 sedans

- D. EWOs, if any, applicable to the passenger sensing system on the 2006-2008 GMX001 (excluding the 2008 Chevrolet Cobalt SS coupe)
- E. EWOs, if any, applicable to the passenger airbag status indicator on the 2006-2008 GMX001 (excluding the 2008 Chevrolet Cobalt SS coupe).

GM objects to the extent this request asks for more because it is vague, overly broad and unduly burdensome.

NUMBER: 16

Any and all engineering change orders and engineering change requests which relate to the component parts described herein or which relate to similar component parts in any "similar" and "comparable" products.

ANSWER: See GM's response to Request No. 15. Beyond that, GM objects to this request because it is overly broad, unduly burdensome and will not lead to admissible evidence.

NUMBER: 17

All plans, specifications, design prints, schematics, drawings, formulas, and blueprints pertaining to the component parts of the product or the product referred to herein.

This request may be limited to any such items which would in any way relate to any of the mechanisms, structures or components of the product which could be involved with the alleged hazards defined herein whether or not you believe such hazards exist. For instance, if any such structure, mechanism or component could be possibly redesigned to increase or decrease the hazards defined herein, the documents requested herein should be furnished for such structure, mechanism or component.

ANSWER: GM refers Plaintiff to its responses to Request Nos. 8, 11 and 15. GM also refers Plaintiff to the following documents that GM agreed to produce, subject to protective order, in its Rule 26 Initial Disclosure:

- A. Occupant Performance Evaluation Consideration Book Version 4, Revision 12/7/2000 (see Bates Nos. 5582-5744)
- B. Occupant Performance Evaluation Consideration Book Version 4.2, Revision 11/21/2005 (see Bates Nos. 5745-5900)
- C. Static Automatic Suppression System Component Technical Specification CG1039, applicable to the PODS-B passenger sensing system on the 2006 – 2008 GMX001 (see Bates Nos. 13408-13505)
- D. CTS # CM20331, Section 3.2.1.1. (Airbag Suppression/Electronics) applicable to the PODS-B passenger sensing system on the 2006 – 2008 GMX001 (see Bates Nos. 13506-13544).

GM objects to the extent this request asks for more because it is vague, overly broad and unduly burdensome.

NUMBER: 18

Any and all engineering committee meeting minutes relating to the design or formulation of the component parts described herein and any post-design changes, modifications, and any post-design discussions in such engineering committee meetings concerning such component parts.

This request may be limited to any such items which would in any way relate to any of the mechanisms, structures or components of the product which could be involved with the alleged hazards defined herein whether or not you believe such hazards exist. For instance, if any such structure, mechanism or component could be possibly redesigned to increase or decrease the hazards defined herein, the documents requested herein should be furnished for such structure, mechanism or component.

ANSWER: GM refers Plaintiff to the FPE and Product Investigation files referenced in response to Request No. 13. GM also refers Plaintiff to the following documents that GM agreed to search for and produce, subject to protective order, in its Rule 26 Initial Disclosure:

- A. (2005) GMX-001 PAC Initial PAC Report (see Bates Nos. 5901-5949)
- B. 2005 GMX001 Mid-Term Report to the Performance Assessment Committee (PAC) (see Bates Nos. 5260-5374)

- C. 2005 GMX001 Final Report to the Performance Assessment Committee (PAC) (see Bates Nos. 5375-5581)
- D. 2006 GMX001 Final Report to the Performance Assessment Committee (PAC) Report Supplement (see Bates Nos. 12847-12871)
- E. 2007 GMX001 Final PAC (Performance Assessment Committee) Report Supplement (see Bates Nos. 12872-12927)
- F. GAP reports, if any, issued by the Performance Assessment Committee, applicable to the front safety belt restraint system on 2005-2010 GMX001 four-door sedans or applicable to the passenger sensing system on the 2006-2008 GMX001 (excluding the 2008 GMX001 SS coupe) GM has not located any responsive GAP reports)
- G. Safety goals presentation(s) applicable to the 2007 GMX001 (see Bates Nos. 12928-12940)
- H. Final safety performance report(s) applicable to 2007 GMX001 (see Bates Nos. 12791-12821)

In addition, GM will search for and produce the following documents, if located, subject to protective order:

- I. PDT meeting minutes, if any, that discuss the front safety belts on 2005-2010 GMX001 sedans
- J. Occupant Detection Global Workgroup meeting minutes, if any, that discuss the passenger sensing system on the 2006-2008 GMX001 (excluding the Chevrolet Cobalt SS coupe model)
- K. Suppression QIT meeting minutes, if any, that discuss the passenger sensing system on the 2006-2008 GMX001 (excluding the Chevrolet Cobalt SS coupe model).

Beyond this, GM objects to the extent this request asks for more because it is vague, overly broad and unduly burdensome. GM also objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 19

Copies of any and all warranties which accompanied this product which is the subject matter of this action.

ANSWER GM refers Plaintiff to the new vehicle limited warranty accompanying the 2007 Chevrolet Cobalt sedan that GM identified in its Rule 26 Initial Disclosure and produced as Bates Nos. 460-507.

NUMBER: 20

Any and all reports and documents and communications of any nature whatsoever, and test results concerning any economic feasibility studies, hazard identification studies, risk evaluation studies, or any other studies whose purpose was to determine the feasibility of alternate designs, formulations, or safeguards which might reduce the incidence of injury associated with the hazards described herein or to identify hazards associated with the use of the component parts described herein or the product, "identical products", "similar products", and "comparable products".

ANSWER: GM refers Plaintiff to GM's responses to Request Nos. 8, 11, 13, 15, 17 and 18, above and Request No. 31, below. In addition, GM refers Plaintiff to the following documents that GM agreed to search for and produce, subject to protective order, in its Rule 26 Initial Disclosure:

- A. 2006 MY GMX 001 Passenger Sensing Performance Review (see Bates Nos. 12822-12846)
- B. Report No. 06-X001-PS-01, 2006 GMX 001 PODS-B Passenger Sensing Static Performance Validation Tests (see Bates Nos. 13291-13317)
- C. Report No. 06-X001-PS-02, 2006 GMX 001 PODS-B Passenger Sensing System Dynamic Performance Validation Tests (see Bates Nos. 13318-13370)
- D. Report No. 06-X001-PS-03, 2006 GMX 001 PODS-B Passenger Sensing Static Performance with Human Volunteers (see Bates Nos. 13371-13377)
- E. Report No. 06-X001-PS-04, 2006 GMX 001 PODS-B Passenger Sensing Environmental Performance Validation Tests (see Bates Nos. 13378-13385)
- F. Report No. 07-X001-PS02, 2007i GMX001 Delphi PODS-B Passenger Sensing System Static Validation Tests (see Bates Nos. 13386-13407)

- G. Problem Resolution Tracking System (PRTS) reports, if any, involving the PODS B passenger sensing system on the 2006 - 2008 GMX001 (excluding the 2008 GMX001 HPVO SS coupe) (see Bates Nos. 13546-13810)
- H. Problem Resolution Tracking System (PRTS) reports, if any, involving the front safety belt assemblies in 2005-2010 GMX001 four-door sedans (see Bates Nos. 7311-7829)

GM also refers Plaintiff to the following documents that GM agreed to search for and produce in its Rule 26 Initial Disclosure:

- I. Recalls and technical service bulletins, if any, applicable to the passenger sensing system on the 2006-2008 GMX001 (excluding the 2008 Chevrolet Cobalt SS coupe) (see Bates Nos. 12708-12790)
- J. Recalls and technical service bulletins, if any, applicable to the front passenger safety belt systems on 2005-2010 GMX001 sedans (see Bates Nos. 7289-7306).

Beyond this, GM objects to this request, because it is vague and ambiguous, overly broad, unduly burdensome and will not lead to admissible evidence. GM also objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 21

Copies of any and all documents which in any way refer to any fines, reprimands, suspensions, sanctions, and warnings, issued by any governmental and/or private regulatory agency and/or industry association and/or group which relate in any way to the manufacture, formulation, distribution, and/or sale of products identical in design or formulation to the product which is the subject matter of this lawsuit and "similar products" and "comparable products".

This request may be limited to any fines, reprimands, suspensions, sanctions, and warnings as they might be related to or associated with the hazards described herein or component parts described herein.

ANSWER: GM refers Plaintiff to GM's response to Request No. 8, above and 25, below. To the extent this request asks for more, GM objects to this request because it is vague and ambiguous, overly broad, unduly burdensome and will not lead to admissible evidence. GM also objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 22

Any and all installation, operation, maintenance, and service instructions, booklets, and warnings pertaining to said product.

ANSWER: GM refers Plaintiff to its response to Request No. 25, below, and to the following documents that GM agreed to search for and produce in its Rule 26 Initial Disclosure:

- A. Owner's manual for the 2007 Chevrolet Cobalt (see Bates Nos. 11-459)
- B. Service manual for the 2007 Chevrolet Cobalt (see Bates Nos. 508-5259).

Beyond this, GM objects to this request because it is overly broad and will not lead to admissible evidence.

NUMBER: 23

Produce a copy of all interrogatories answered by this defendant at the request of any governmental agency with reference to such product, as it might be related to or associated with the hazards described herein or component parts described herein.

ANSWER: See GM's response to Request No. 8, above. Beyond this, GM objects to this request because it is vague and ambiguous, overly broad, unduly burdensome, and will not lead to admissible evidence.

NUMBER: 24

All documents concerning any listings or approvals by any certifying or testing agency or laboratory or association regarding the product, identical products, similar or comparable products.

ANSWER: GM refers Plaintiff to the documents GM has agreed to search for and produce in response to Request No. 8, above. Beyond this, GM objects to this request because it is vague and ambiguous, overly broad, unduly burdensome and will not lead to admissible evidence. GM also objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 25

Copies of all instructions, warnings, promotional literature or other material or information which accompanied the product when it left this defendant's hands or which was on the product at the time this defendant received any part of the product or the product.

ANSWER: GM refers Plaintiff to the documents GM has agreed to search for and produce in response to Request Nos. 9, 19 and 22, above. In addition, GM will provide, subject to a protective order, the following:

- A. Engineering drawings for the following warnings on the 2007 Chevrolet Cobalt four-door sedan:
 - 1. Visor warning labels
 - 2. Hang tag warning

GM also refers Plaintiff to the warnings and instructions affixed to the subject vehicle.

NUMBER: 26

The operator's manual for the product.

ANSWER: GM refers Plaintiff to its response to Request No. 22.

NUMBER: 27

A list of all of the employees and their job descriptions who were employed at the plant which were involved with the manufacture of the component parts herein for the product or which assembled the component parts in the product at the time of the product's manufacture.

ANSWER: GM objects to this request because it is vague and ambiguous, overly broad, unduly burdensome and will not lead to admissible evidence

NUMBER: 28

Please produce from your engineering library copies of all recommended design and formulation practices and suggested design and formulation practices contained in any treatises and/or books and/or other materials relating to the design of the component parts described herein and this type of product and "similar" and "comparable" products.

ANSWER: GM refers Plaintiff to its responses to Plaintiff's Requests Nos. 8, 11, 13, 15, 17, 18 and 20, above. In addition, GM will produce the following documents, subject to protective order:

- A. Criteria for Selecting Suitable Seat Mounted Air Bag Suppression Technologies for GM Vehicles (Approved 11/12/03)
- B. Passenger Seat – Airbag Suppression Integration Lessons Learned for the Delphi PODS-B System (Globally Approved 31MY06)
- C. Delphi PODS-B Seat Integration Guidelines and Requirements Rev. 4.6, Dated November 1, 2005
- D. DFSS Project #450 Review – Seat Trim Material Change Impact on Suppression System Performance (6/06).

Beyond that, GM objects to this request, because it is overly broad, unduly burdensome and will not lead to admissible evidence.

NUMBER: 29

Copies of all records relating to the replacement of any parts, controls, and accessories of the product which is the subject matter of this action after the product left this Defendant's hands, which are in the possession of this Defendant.

ANSWER: GM refers Plaintiff to the GMVIS1 (GM Vehicle Inquiry System) printout and GMVIS2 (Global Warranty Management) information for the subject 2007 Chevrolet Cobalt, identified in GM's Rule 26 Initial Disclosure and produced at Bates Nos. 4-10.

NUMBER: 30

A list stating all patent numbers and patent pending numbers and copyrights applicable to the component parts of the product and "similar products" and "comparable products" and a copy of all such patents and patents pending and copyrights.

ANSWER: GM's patents are held by GM's global technology holding company, GM Global Technology Operations, Inc. ("GTO"). GTO's patents cover a broad range of technologies, components, devices and processes. Whether a particular patent relates to or the claims cover a particular technology, component, device or process is subject to a variety of interpretations and conclusions, and is limited by the vagaries associated with the way and words a particular individual might use to describe that particular technology, component, device or process. All GTO's patents are available to the public through the United States Patent and Trademark Office, a variety of public libraries, computer searching companies such as Lexis and Dialog, and on a variety of sites on the Internet. There are a variety of companies and professionals capable of conducting computerized and manual patent searches, and GM invites Plaintiff's counsel to search the public records and come to their own conclusions regarding which patents are of interest under the particular facts of the case.

NUMBER: 31

Produce any still and movie photographs and video tapes which have been made of any tests conducted after the incident of the product and identical products, and still and movie tapes which have been made of any pre-market tests, post design tests and post manufacture tests of "identical products", "similar products", and "comparable products" which involved any crash, performance and/or failure test of such products or any components referred to herein, as they relate to or are associated with the hazards defined herein.

ANSWER: GM refers Plaintiff to Plaintiff to the following test documentation that GM agreed to search for and produce in its Rule 26 Initial Disclosure:

- A. Sled test set-up sheets, with video, evaluation reports, data plots and back-up data, if available, for frontal sled tests, with any ATD (belted or unbelted) in the right front passenger position, conducted on 2006-2008 GMX001 vehicles (excluding the 2008 Chevrolet Cobalt SS coupe)
- B. Sled test set-up sheets, with video, evaluation reports, data plots and back-up data, if available, for frontal sled tests, with a belted ATD in the right front passenger position, conducted on 2005 GMX001 sedans or 2009-2010 GMX001 sedans
- C. Crash test reports, with video and evaluation reports, if available, for frontal crash tests, with any ATD (belted or unbelted) in the right front passenger position, conducted on 2006-2008 GMX001 vehicles (excluding the 2008 Chevrolet Cobalt SS coupe)
- D. Crash test reports, with video and evaluation reports, if available, for frontal crash tests with a belted ATD in the right front passenger position, conducted on 2005 GMX001 sedans or 2009-2010 GMX001 sedans
- E. Reports of the inflation induced injury testing applicable to the passenger frontal airbag on the GMX001 vehicles in the 2007 model year, with video, if available.

Beyond this, GM objects to this request because it is overly broad, unduly burdensome, and will not lead to admissible evidence. GM also objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 32

Copies of all documents of any nature whatsoever which refer to any pre-market or post-market testing done on the component parts referred to herein or the product, "similar products" and "comparable products" to determine whether the hazards described herein existed in such products or which depict the hazards defined herein.

ANSWER: Based on the CDR report for the data downloaded from the subject Cobalt's SDM, deployment of the Cobalt's passenger airbag was suppressed by the passenger sensing system, diagnostic trouble code B0081 was present, and the airbag warning light was illuminated at the time

of the recorded crash event. According to the CDR report, the airbag warning light had been illuminated for 34 ignition cycles, for a total warning lamp on time of 83740 seconds (23 hours, 15 minutes, 40 seconds). GM refers Plaintiff to GM's responses to Request Nos. 8, 11, 12, 18, 20 and 31, above. GM objects to providing anything more in response to this request because it is vague, overly broad, unduly burdensome, given the facts underlying this case, and will not lead to admissible evidence.

NUMBER: 33

Copies of all advertising, newspaper ads, television commercials and any and all other advertising and promotional literature which has ever been published and/or disseminated which concerns "the product" and "similar products".

ANSWER: GM refers Plaintiff to the documents and information GM has agreed to search for and produce in response to Request No. 9, above. Beyond this, GM objects to this request because it is overly broad, unduly burdensome and will not lead to admissible evidence.

NUMBER: 34

Copies of any and all recall letters and documents which in any way refer to any recall and post design retrofit of the product, "similar products" and "comparable products".

ANSWER: GM refers Plaintiff to the documents GM has agreed to provide in response to Request No. 8, 13, and 20, above.

Beyond this, GM objects to this request because it is overly broad, unduly burdensome, and will not lead to admissible evidence. GM also objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 35

Copies of any and all reports and communications between this defendant and any scientists and other technical personnel where the safety of the product, which is the subject of this complaint,

and any "similar" and "comparable" product was referred to in any manner as they relate to or are associated with the hazards described herein.

ANSWER: GM refers Plaintiff to the documents that GM agreed to produce in its Rule 26 Initial Disclosure and to GM's responses to Request Nos. 8, 11, 12, 15, 17, 18, 20, 22, 28 and 31, above. If Plaintiff will clarify the information they are asking about, GM will try to respond further, if appropriate. GM otherwise objects to this request because it is vague, overly broad, unduly burdensome, and will not lead to admissible evidence. GM also objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 36

Copies of all bills of sale, invoices, warranties, after-sale records, inspection records pertaining to said product.

ANSWER: GM refers Plaintiff to its responses to Request Nos. 2, 19 and 29, above, and to the following documents identified in GM's Rule 26 Initial Disclosure:

- A. Vehicle Invoice for the subject 2007 Chevrolet Cobalt (see Bates No. 1)
- B. Vehicle Delivery/Incentive History for the subject 2007 Chevrolet Cobalt (see Bates No. 2)
- C. Vehicle Event History for the subject 2007 Chevrolet Cobalt (see Bates No. 3)

GM also refers Plaintiff to the following documents:

- D. The CDR report for the crash data that Phillip Nottingham downloaded from the subject Cobalt's SDM, on GM's behalf, on April 2, 2012 (a copy of which was provided to Plaintiff's counsel at the time of the download)
- E. The CDR report for the crash data that Robert W. Painter downloaded from the subject Cobalt's SDM, on Plaintiff's behalf, on February 23, 2011 (which Plaintiff also has).

Additional information may be available from the dealer. GM objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 37

Copies of any and all brochures made available to promote the sale of the product, "similar products" and "comparable products".

ANSWER: GM refers Plaintiff to the documents and information GM has agreed to search for and produce in response to Request No. 9, above. Beyond this, GM objects to this request because it is overly broad, unduly burdensome, and will not lead to admissible evidence.

NUMBER: 38

Copies of any and all dealer and service center bulletins concerning the maintenance, recall and repair of such products as they relate to the component parts or hazards described herein. This request calls for all formal service bulletins and informal service bulletins and memorandums and communications sent to and received by service centers and dealers and this Defendant concerning said product.

ANSWER: GM refers Plaintiff to the Technical Assistance Center contacts that GM has agreed to search for and produce, if any, in response to Request No. 13, to the recalls and service bulletins identified in response to Request No. 20 and to the GMVIS1 (GM Vehicle Inquiry System) printout and GMVIS2 (Global Warranty Management) information for the subject 2007 Chevrolet Cobalt, identified in response to Request No. 29.

Beyond this, GM objects to this request because it is overly broad, unduly burdensome, and will not lead to admissible evidence.

NUMBER: 39

All delivery tickets, bills of lading, and freight records concerning the shipment of said product.

ANSWER: GM refers Plaintiff to the documents identified in response to Request No. 36.

NUMBER: 40

All operator manuals for each and every "similar product" manufactured, sold and/or distributed by this defendant.

ANSWER: GM refers Plaintiff to its response to Request No. 22, above. In addition, GM will produce the following documentation:

- A. Owner manual for the 2006 Cobalt
- B. Owner manual for the 2008 Chevrolet Cobalt

Plaintiff may obtain owner manuals for other GM vehicles, at Plaintiff's expense, by contacting Helm, Inc., at www.helminc.com. Beyond this, GM objects to this request because it is overly broad, unduly burdensome, and will not lead to admissible evidence.

NUMBER: 41

Produce all system safety studies which were made to determine what safeguards and warnings and instructions could or should be incorporated in the design or formulation of the product or which would accompany the product which would or might tend to reduce or eliminate the hazards defined herein.

ANSWER: GM refers Plaintiff to the documents GM agreed to produce in its Rule 26 Initial Disclosure and to its responses to Request Nos. 8, 11, 17, 18 and 20, above. Beyond that, GM objects to this request because it is overly broad, unduly burdensome, and will not lead to admissible evidence.

NUMBER: 42

If this defendant and/or any of its subsidiaries and/or insurance companies received any oral and/or written complaints, reports and/or information wherein it was alleged, whether or not you believe such allegation to be true, that any and/or all of the component parts described in Plaintiff's preamble contained on identical, similar and/or comparable products were defective and/or contained inadequate and/or no warnings and/or that any hazard(s) defined in the preamble to these requests in any manner contributed to any injuries to persons, then produce any and all documents in your possession or to which you have access which contain any of the following information:

- A. The make, model, serial number and batch number, and year of each such product or component allegedly involved.
- B. The name and last known address of the owner of each such product.
- C. The name and last known address of the person or entity who made each such allegation.
- D. The date of manufacture of each such product or component.
- E. The serial number, model number, batch number or other identifying number of each such product or component.
- F. If such allegation was made in connection with any legal action, produce copies of the Petition or Complaints and documents containing last-known addresses of Plaintiff and names and addresses of Plaintiff's counsel and produce copies of all depositions taken in any such lawsuit and a copy of any trial transcript. Further, please produce a copy of all interrogatories answered by this Defendant in any such lawsuit.
- G. All inter-company communications which refer to any such allegations.
- H. Name and address of any employee of this Defendant who investigated or was aware of such allegation and/or who examined any such part(s) or product(s).

I. Any investigation report concerning such allegations.

WARNING: If you object to this request as being overbroad and fail to (at the minimum) provide such information as it relates to identically designed products, this party will seek sanctions and a default judgment. Without limiting or waiving this party's entire request above, this party demands that if you claim this request is overbroad, you at least produce all such information requested which involved the hazards described in the preamble to these requests which involved identically designed products as well as products which are a member of the same series (and/or similar formulation) as the product involved in the incident complained of herein. If the product which is the subject of this action evolved from the design of another product or if other similar products evolved from the design of the product which is the subject of this action, then produce all such information for such similar products. Clearly define in your answer whether you are providing all documents requested and, if not, then describe with particularity what class of documents you are objecting to or failing to provide.

If you are not in the possession of any such documents due to lapse of time, then produce documents from which this party can ascertain what insurance companies, adjustment and risk management companies or firms may have been used by this answering party to insure, adjust, investigate, and/or pay any claims arising from any such incidents, and from which the last known address and telephone number of any such company and/or firm may be ascertained. If the documents which you claim are not in your possession were ever in the possession of any attorney hired by you or the above entities, then state the name and address of such attorneys.

ANSWER: GM refers Plaintiff to its responses to Requests Nos. 8 and 13, above. Beyond this, GM objects to this request because it is overly broad, unduly burdensome, and will not lead to admissible evidence. GM also objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 43

Produce any and all test results and reports of any such tests which have been performed on the component parts referred to herein on the product, identical products, similar products or comparable products since the incident complained of in Plaintiff's Petition or Complaint which demonstrate that the hazards described herein do or do not exist.

ANSWER: GM refers Plaintiff to its responses to Requests Nos. 8, 13, 15, 18, 20, and 31, above.

Beyond this, GM objects to this request because it is overly broad, unduly burdensome, and will not lead to admissible evidence and because this request because it is not consistent with the Federal Rules of Evidence. GM also objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 44

Copies of any and all tests results and reports for the component parts referred to herein for each identically designed product as the product which is the subject matter of this lawsuit and "similar product" and "comparable product", which concern tests made as a result of any complaint received from any consumer, user, and/or plaintiff whether or not a lawsuit was filed which demonstrate that the hazards described herein exist or do not exist.

ANSWER: GM refers Plaintiff to the documents GM has agreed to search for in response to Request Nos. 8 and 13, above. Beyond this, GM objects to this request because it is vague and ambiguous, overly broad, unduly burdensome, and will not lead to admissible evidence. GM also objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 45

All parts, fragments, components, and any other portions of the product involved in plaintiff(s)' injuries.

ANSWER: GM does not have any parts, fragments, components or any other portions of the subject vehicle.

NUMBER: 46

Copies of any trade name registrations used in connection with this product.

ANSWER: GM refers Plaintiff to the Preliminary Statement. Beyond that, GM objects to this request as vague and ambiguous.

NUMBER: 47

Copies of any and all labels, warnings, and instructions which now accompany the product, "identically designed products", "similar products" and "comparable products" which were not contained on the product which is the subject matter of this action at the time it left the manufacturer's hands.

ANSWER: GM refers Plaintiff to its response to Request No 40, above.

Beyond this, GM objects to this request because it is overly broad, unduly burdensome, and will not lead to admissible evidence.

NUMBER: 48

Copy of any warnings, cautions, and instructions as to use of the product and any and all other labels that were affixed by your company to the product at the time it left your hands and/or which were ever furnished to users, owners, lessors, and/or dealers and/or distributors and/or sellers of such products.

ANSWER: GM refers Plaintiff to its responses to Request Nos. 20, 22, 25 and 40, above.

GM also refers Plaintiff to the labels, warnings, and instructions that accompanied the product. Beyond this, GM objects to this request because it is overly broad, unduly burdensome, and will not lead to admissible evidence.

NUMBER: 49

Copies of any disclaimers, exclusions, and limitations of warranty which accompanied this product.

ANSWER: GM refers Plaintiff to its response to Request No. 19, above.

NUMBER: 50

Copies of any warnings, cautions, and instructions as to use of the product and any and all other labels that were affixed by your company to the product at the time it left your hands and/or which were ever furnished to users, owners, lessors, and/or dealers and/or distributors and/or sellers of such product.

ANSWER: GM refers Plaintiff to its responses to Request Nos. 20, 22, 25 and 40, above.

GM also refers Plaintiff to the labels, warnings, and instructions that accompanied the product. Beyond this, GM objects to this request because it is overly broad, unduly burdensome, and will not lead to admissible evidence.

NUMBER: 51

Warranty records for the 100 identically designed products manufactured before the product, which is the subject of this lawsuit and for the 100 identically designed products manufactured subsequent to the product which is the subject matter of this action.

ANSWER: GM objects to this request because it is overly broad, unduly burdensome, and will not lead to admissible evidence.

NUMBER: 52

All documents which in any way concern a withdrawal of such components and/or the product, similar and/or comparable products from the market.

ANSWER: GM refers Plaintiff to the Preliminary Statement and to its response to Request Nos. 13 and 20. Beyond this, GM objects to this request because it is vague and ambiguous, overly broad,

unduly burdensome, and will not lead to admissible evidence. GM also objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 53

Copies of all depositions of any employees of this defendant, which were given in any litigation concerning identically designed or formulated products as the product which is the subject of this action and/or "similar products" and/or "comparable products" where there were allegations of similar or identical hazards to the hazards described herein.

ANSWER: GM does not maintain a comprehensive collection of the transcripts of the depositions of its employees. GM refers Plaintiff to the lawsuits, if any, that GM has agreed to identify in response to Request for Production No. 13. Plaintiff may obtain copies of depositions, if any, from the court stenographers for the cases identified. GM objects to this request, because it is overly broad, unduly burdensome and will not lead to admissible evidence.

NUMBER: 54

Copies of all communications made between any plaintiff herein and this defendant and/or any other person which are in the possession of the defendant.

ANSWER: GM did not investigate Plaintiff's crash prior to receiving notice of the Plaintiff's lawsuit. Other than the pleadings and discovery served in this case and communications between Plaintiff's counsel and counsel for GM, which plaintiff has, GM is not aware of communications responsive to this request.

NUMBER: 55

Copies of any statements, written or otherwise, obtained from anyone, including but not limited to your employees or obtained from anyone interviewed or questioned by or on behalf of this defendant in connection with the incident complained of in this action.

ANSWER: GM's lawyers, and others acting at their direction, are investigating the crash and Plaintiff's claims in the lawsuit. GM did not investigate Plaintiff's crash prior to receiving notice of the Plaintiff's lawsuit. GM objects to this request because it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 56

All investigation report(s) which contain any information concerning any knowledge of any person(s) concerning events leading up to, surrounding, or subsequent to the incident complained of in the Petition/Complaint filed herein, including but not limited to, all graphs, pictorial notes made, written or tape recorded notes or video notes made concerning such facts and investigation.

ANSWER: GM refers Plaintiff to the Oklahoma Traffic Report and the medical records that Plaintiff's lawyers have furnished to GM. GM also refers Plaintiff to the CDR reports referenced in GM's response to Request No. 36. GM objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 57

All insurance policies which were in force and effect and which might afford liability insurance coverage to this defendant as a result of the occurrence complained of herein, whether such defendant is or is not a named insured on the policy.

ANSWER: GM is directly responsible for satisfying any judgment entered in this case following post trial or appellate rulings, if any, up to \$35,000,000 including legal defense expenses. The amount by which a judgment (including legal defense expenses) exceeds \$35,000,000 is covered by excess insurance provided by a number of carriers. To the extent this request asks for more information, GM objects because it will not lead to admissible evidence.

NUMBER: 58

All communications, documents, records, writings and/or letters which concern the subject of any policy defense claimed under policies of insurance which would, in the absence of such policy defenses, afford applicable liability or indemnity insurance to this defendant for the claims herein.

ANSWER: GM incorporates its response to Request No. 57.

NUMBER: 59

The entire file of each and every expert you may call at the time of trial and all material they have reviewed or may rely upon in their work or in formulating their opinions, including all notes, memorandums, writings, computations, computer runs, recreations, reconstructions, demonstrations, written or recorded statements, formulas, opinions or conclusions, observations, comments, treatises, articles, publications, statistics, test results, photographs, videos and other recorded audio and visual materials, charts, diagrams, plans and specifications, and other such materials, as well as a copy of each such witness' most recent curriculum vitae.

ANSWER: GM has not yet decided whom it may call as experts at trial. GM will supplement this response, if necessary, as required by the Court's Scheduling Order and the Federal Rules of Civil Procedure. At the time of their depositions, GM will ask its experts to make their files available for inspection. Beyond this, GM objects to this request because it is overly broad, unduly burdensome, and asks for information over which GM does not have possession or control.

NUMBER: 60

All financial statements, annual reports, operating statements, and 10K filings for the five (5) years preceding this request.

ANSWER: New GM has not been in existence for 5 years. GM refers Plaintiff to the Investors section at www.gm.com, where current financial information about the company is available. Beyond that, GM objects to this request, because it is overly broad, unduly burdensome, seeks information that is not relevant and is not reasonably calculated to lead to the discovery of admissible evidence.

NUMBER: 61

Please produce all records which would reflect the gross income, net income, gross profits and net profits for all products sold by you in the State where the incident complained of in Plaintiff's Petition/Complaint occurred for the five (5) years preceding this request.

ANSWER: New GM has not been in existence for 5 years. GM refers Plaintiff to the Investors section at www.gm.com, where current financial information about the company is available. Beyond that, GM objects to this request, because it is overly broad, unduly burdensome, seeks information that is not relevant and is not reasonably calculated to lead to the discovery of admissible evidence.

NUMBER: 62

Copies of all T.V. advertisements, newspaper advertisements, radio advertisements, advertising brochures and pamphlets; all other advertising literature or promotional literature of any nature whatsoever which has been aired, printed, or otherwise proliferated to members of the public or to customers or dealers of this defendant, which in any way refers to identical, similar and/or comparable products. Any document of any nature whatsoever which reflects demographics of the advertising market where such advertising materials were published or aired. All documents which contain names of advertising agencies or other companies which placed such advertisements on behalf of such Defendants or who developed such advertisements.

ANSWER: GM refers Plaintiff to its response to Plaintiff' Request No. 9. Beyond this, GM objects to this request because it is overly broad, unduly burdensome and will not lead to admissible evidence.

NUMBER: 63

Copies of all records which would depict the total number of products which were sold by this defendant which contained the component parts described herein which were of identical design and the total number of such component parts which were sold by this defendant as after market replacement parts.

ANSWER: GM will identify the number of 2007 Chevrolet Cobalts that General Motors Corporation (subsequently known as Motors Liquidation Company) sold in the US, if that information is located. Beyond that, GM objects to this request as vague and ambiguous. GM also objects to this request because it is overly broad, unduly burdensome and will not lead to admissible evidence.

NUMBER: 64

Copies of all interoffice, intraoffice, interdepartmental, intradepartmental, intercompany and intracompany memorandums, routing slips, reports, letters, writings, computer entries, video tapes, sound recordings, transcription notes, audio-visuals or other documents or memorializations which allude to or discuss any hazards associated with the product (or its use or misuse) or which discuss or allude to any considerations of recall of such product, retrofit of such product, or warnings which might be given post sale for such product as a result of the hazards described herein or which discuss reports of hazards made to this defendant by any person(s) or entities including any governmental agencies. This request requires the production of any such documents even though it was determined by you that no such hazards existed or that such reports were unfounded and even though there was no recall made nor retrofits provided nor warnings

issued.

ANSWER: GM refers Plaintiff to GM's responses to Request Nos. 8, 9, 11, 13, 15, 17, 18, 20, 22, 25, 28, 31, and 40, above. Beyond this, GM objects to this request because it is vague and ambiguous, overly broad, unduly burdensome, and will not lead to admissible evidence. GM also objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 65

All accounting or other records which would reflect the gross and net profits from the sale of the product which is the subject matter of this action earned by this Defendant, including but not limited to the total cost of producing and selling the product and the total revenues resulting therefrom. Also produce all such records relative to the sale of all such products sold and records which would reflect the total number of such products sold.

ANSWER: See GM's response to Request No. 63. General Motors LLC did not sell 2007 Chevrolet Cobalts and did not exist at the time the 2007 Chevrolet Cobalt was produced and sold. Consequently, General Motors LLC did not earn any profits from the sale of 2007 Chevrolet Cobalts.

NUMBER: 66

Copies of the tear down manual for the product.

ANSWER: GM refers Plaintiff to GM's responses to Request No. 22, above.

NUMBER: 67

All patents and patents pending which were applied for by you and/or your employees and/or which have been assigned to you for safeguards or safety devices which were designed for use with or which could be used in association with the product defined herein.

Further, please produce all applications and documentation submitted in support of the granting of such patents and patents pending.

This request includes but is not limited to any device or process which might under any circumstances reduce or eliminate the exposure of persons to the hazards defined herein.

ANSWER: GM refers Plaintiff to GM's responses to Request No 30, above. GM otherwise objects to this request, because it is vague and ambiguous, overly broad, unduly burdensome, and will not lead to admissible evidence.

NUMBER: 68

All minutes of the Board of Directors which refer or allude to the hazards defined herein.

ANSWER: GM refers Plaintiff to GM's responses to Request No 18, above. GM objects to Request No. 68 because it is vague, overly broad, unduly burdensome, and will not lead to admissible evidence.

NUMBER: 69

All minutes of any formally and/or informally constituted Safety Committees and Code Compliance Committees which refer to or allude to any hazards defined herein and/or which refer to the product, and/or which refer to an "identical" product, and/or which refer to a "similar" product, and/or the safeguards defined herein and/or component parts defined herein.

ANSWER: GM refers Plaintiff to GM's responses to Request No 18, above. Beyond this, GM objects to Request No. 69 because it is vague, overly broad, unduly burdensome, and will not lead to admissible evidence. GM also objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 70

All organizational charts which depict the departments of your company and the titles of the department heads including line and staff organizational authority. Further produce all documents

which reflect the names, addresses and telephone numbers of all department heads and line and staff supervisors.

ANSWER: GM objects to this request, because it is vague and ambiguous, overly broad, unduly burdensome, and will not lead to admissible evidence.

NUMBER: 71

All audio visual presentations, videos, movies, film strips, and other audio and all visual materials contained in your company library which allude to and/or refer to the hazard(s) defined herein. Also produce the check out logs and viewing logs for the above requested materials.

ANSWER: GM refers Plaintiff to GM's responses to Request Nos. 8, 9, 11, 13, 15, 17, 18, 20, 22, 25, 28, 31, and 40, above. Beyond this, GM objects to this request because it is vague and ambiguous, overly broad, unduly burdensome, and will not lead to admissible evidence. GM also objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 72

A list of every case, by style and by cause number, in which each of your experts have been involved and/or where they have testified and/or where they have consulted.

ANSWER: GM has not yet decided whom it may call as experts at trial. GM will supplement this response, if necessary, as required by the Court's Scheduling Order and the Federal Rules of Civil Procedure. Beyond this, GM objects to this request because it is overly broad, unduly burdensome, and asks for information over which GM does not have possession or control. GM objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 73

All references, source materials, treatises, authoritative materials, tests, testing results, videos and/or photographs of any such tests and investigation, research, and data upon which each of your experts will rely, or intend to rely upon at the time of trial in order to form and/or support their opinions and/or their contentions with reference to the issues in this case.

ANSWER: GM has not yet decided whom it may call as experts at trial. GM will supplement this response, if necessary, as required by the Court's Scheduling Order and the Federal Rules of Civil Procedure. Beyond this, GM objects to this request because it is overly broad, unduly burdensome, and asks for information over which GM does not have possession or control. GM objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

NUMBER: 74

All documents of any nature whatsoever which would reveal the names and addresses of all insurance companies and/or other persons or entities who provided any policies of insurance or indemnity for any claims made against this Defendant for product defects and/or negligence in the manufacture, distribution and/or sale of products for the period of time from the date of the manufacture of the product which is the subject of this action until the present date. These documents should include but are not limited to documents which might also refer to any claims adjustment and/or risk management firms employed by this Defendant and/or such insurance companies and/or persons or entities who provided indemnity for product defects during the period of time requested above.

ANSWER: GM refers Plaintiff to GM's responses to Request No 57, above. To the extent this request asks for more information, GM objects because it will not lead to admissible evidence.

NUMBER: 75

All computer codes, documentation, identification of data bases and computer access necessary for this party to make a computer search for all data and documentation responsive to this party's discovery requests.

ANSWER: GM refers Plaintiff to the documents GM has agreed to produce in its Rule 26 Initial Disclosure and in response to Plaintiff's First Interrogatories and First Request for Production. GM will search in the places it reasonably believes will have the information and data that GM has agreed to provide. After Plaintiff has reviewed the documents GM produces, if Plaintiff has concerns about the documents and information provided, additional inquiry can be made to address Plaintiff's concerns. GM objects to this request, because it is overly broad, unduly burdensome, asks for information that is not relevant to the issues in this case, and is not reasonably calculated to lead to the discovery of admissible evidence. GM also objects to this request because it seeks information that is protected from disclosure by the attorney client privilege and/or work product doctrine.

NUMBER: 76

Please produce all pooling and other agreements which were in force and effect on the date of the subject incident which provided for funds to be made available to pay a money judgment entered by a court against you which might result from allegations of negligence against you.

ANSWER: GM refers Plaintiff to GM's responses to Request No 57, above. To the extent this request asks for more information, GM objects because it is vague and ambiguous and will not lead to admissible evidence.

NUMBER: 77

Please provide any and all documents of any kind whatsoever which relate to and/or refer to or underlie Service Bulletin #SB-08-09-41-002C, including but not limited to any engineering

documents which discuss or evaluates the problem discussed in the summary in such Service Bulletin. Please provide all of the above information requested for Service Bulletin #SB-08-09-41-002C; for Service Bulletin #SB-09-09-41-003; for Service Bulletin #SB-09-09-40-003; for Service Bulletin TSB-09-09-41-002; for Service Bulletin # 1B-08-09- 41-006B; for Service Bulletin SB-08-09-41-007; for 4011; for 1022; and for 5669.

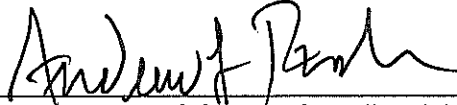
ANSWER: GM will contact its Service and Parts Operations (SPO) and request the following documentation:

- A. SPO files, including any backup information associated with all versions of SB-08-09-41-002, including SPO files associated with SB-08-09-41-002C, if any and if available
- B. SPO files, including any backup information associated with SB-09-09-41-003, if any and if available
- C. SPO files, including any backup information associated with SB-09-09-40-003, if any and if available
- D. SPO files, including any backup information associated with SB-09-09-41-002, if any and if available
- E. SPO files, including any backup information associated with all versions of SB-08-09- 41-006, including SB-08-09- 41-006B, if any and if available
- F. SPO files, including any backup information associated with SB-08-09-41-007, if any and if available
- G. SPO files, including any backup information associated with Bulletin 4011, if any and if available
- H. SPO files, including any backup information associated with Bulletin 1022, if any and if available
- I. SPO files, including any backup information associated with Bulletin 5669, if any and if available.

GM will produce the non privileged portions of the SPO files, if any and if located, subject to protective order, to the extent that the associated bulletins are applicable to the airbag system on a 2006-2008 GMX001 or to the front safety belt system on a 2005-2010 GMX001sedan. Beyond

that, GM objects to this request, because it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. GM also objects to this request to the extent it asks for information protected from disclosure by the attorney-client privilege and/or work product doctrine.

MCAFEE & TAFT

By: 
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ANDREW L. RICHARDSON OBA 16298
BRITA H. CANTRELL OBA 12327
1717 South Boulder, Ste 900
Tulsa, Oklahoma 74119
(918) 574-3065
Attorneys for Defendant
General Motors, L.L.C.

CERTIFICATE OF MAILING

I hereby certify that on the 5th day of June, 2012, a true and correct copy of the foregoing was mailed with proper postage thereon prepaid to:

Mark A. Cox
Barbara A. Merritt
MERRITT & ASSOCIATES, P.C.
P. O. Box 1377
Oklahoma City, Oklahoma 73101

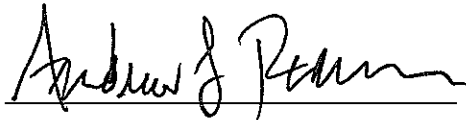
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A handwritten signature in black ink, appearing to read "Andrew J. Pearson", is written over a horizontal line.

M&A MERRITT & ASSOCIATES LAW OFFICES, P.L.L.C.

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Fax (405) 232-8630

FAX COVER SHEET

Date: April 23, 2012

Total number of pages (including this page): 7

Sent for immediate delivery to:

To: Kyle Dreyer, esq.

Fax: 214-369-2118

To: Amber Stryk Skillern

Fax: 713-244-0801

To: John Griffin, esq.

Fax: 405-272-5225

To: James Jennings

Fax: 405-609-6501

To: Mary Quinn Cooper

Fax: 918-388-5654

From: Sean Avery Neal

Our file name: [REDACTED]

Our file number: 51639

Description: Notice for Deposition of GMC representative.

If you experience any difficulty with this transmission, please call us immediately at (405) 236-2222. For future correspondence with us by fax, our fax number is (405) 232-8630. The information contained in this transmission is confidential and privileged and is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or use of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and destroy all parts of this document without reading or saving it. Thank you.

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MARK A. COX

Licensed – Oklahoma

R. THEODOR STRICKER

Licensed – Oklahoma &
Arkansas

April 23, 2012

Via Fax

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OTHER OFFICES

ARKANSAS

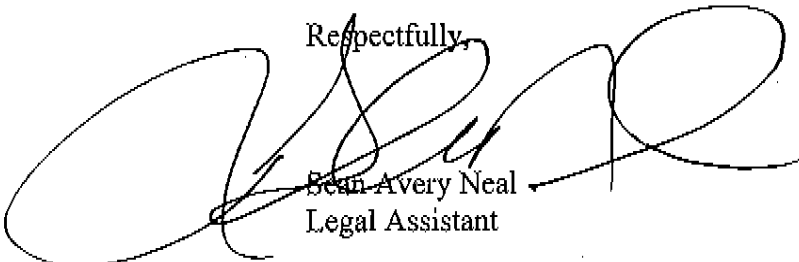
Jonesboro, Arkansas
249 S Main St / 72401
P.O. Box 660 / 72403-0060
(870) 268-0822

Re: [REDACTED] vs. General Motors Company
Case No. [REDACTED]
Our File No. 51639

Dear Counselors,

Please allow this to serve as a cover letter for the following notice to take deposition(s). If you have any questions or concerns, please do not hesitate to contact me.

Respectfully,


Sean Avery Neal
Legal Assistant

Principal office is in
Oklahoma City, Oklahoma

Cc: LF, 231

PRACTICE LIMITED TO CATASTROPHIC INJURIES

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

██████████, an incapacitated)
person, by and through her Estate,)
Administered by her Guardian, ██████████)

PLAINTIFF,)

V.)

Case No.: ██████████

1) GENERAL MOTORS COMPANY;)
2) T. K. HOLDINGS, INC.;)
3) ██████████)
4) TRW VEHICLE SAFETY SYSTEMS,)
INC.; and 5) GENERAL MOTORS, L.L.C.,)

DEFENDANTS.)

**NOTICE TO TAKE THE DEPOSITION OF THE PERSON(S)
KNOWLEDGEABLE OF GENERAL MOTORS COMPANY**

TO: ALL DEFENDANTS HEREIN BY SERVING THE COUNSEL NAMED IN THE
ATTACHED CERTIFICATE OF SERVICE.

THE DEFENDANTS HEREIN WILL TAKE NOTICE THAT THE PLAINTIFF WILL TAKE THE DEPOSITION(S) OF THE PERSON(S) KNOWLEDGEABLE AS TO THE SUBJECT MATTERS SHOWN ON THE ATTACHED PAGE. PLAINTIFF DEMANDS DEFENDANT PRODUCE SUCH PERSON(S) KNOWLEDGEABLE TO TESTIFY AS TO SUCH SUBJECT MATTER(S) ON THE BELOW STATED DATE AT THE BELOW STATED TIME AT THE BELOW STATED LOCATION. SUCH DEPOSITION(S) WILL BE TAKEN BY STENOGRAPHIC REPORTER.

DATE(S) ON WHICH SUCH DEPOSITION(S) WILL BE TAKEN:

SUCH DEPOSITION(S) WILL COMMENCE ON MAY 10TH, 2012, BEGINNING AT 11:00 AM ET, and will continue between the hours of 9:00 AM and 5:00 PM on each day thereafter until completed.

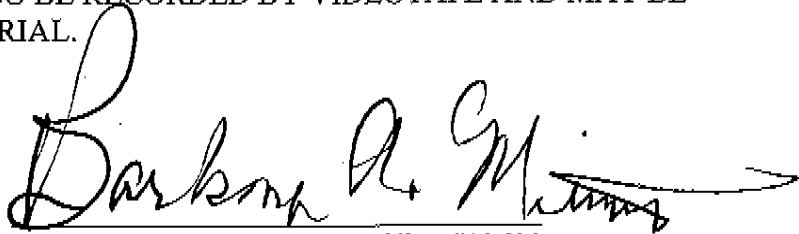
LOCATION AT WHICH DEPOSITION(S) WILL BE TAKEN:

BIENENSTOCK COURT REPORTING & VIDEO
30800 Telegraph Rd., Suite 2925
Bingham Farms, MI 48025

1 (888) 644-8080

A SHORTHAND REPORTER OR QUALIFIED AUTHORITY WILL REPORT SUCH DEPOSITION(S).

SUCH DEPOSITION(S) MAY ALSO BE RECORDED BY VIDEOTAPE AND MAY BE PRESENTED AT THE TIME OF TRIAL.

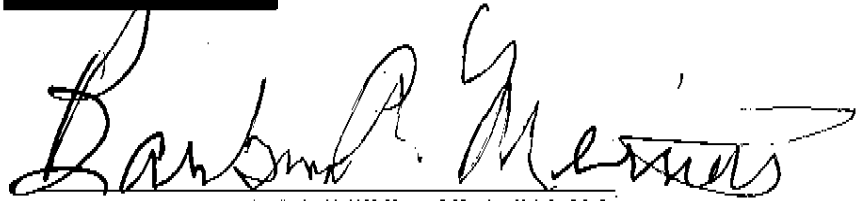
A handwritten signature in black ink, appearing to read "Barbara A. Merritt", with a long horizontal flourish extending to the right.

BARBARA A. MERRITT – OBA #13639
MERRITT & ASSOCIATES LAW OFFICES, PLLC
POST OFFICE BOX 2058
OKLAHOMA CITY, OK 73101
(405) 236-2222 FAX (405) 232-8630
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT ON THIS 18th DAY OF APRIL, 2012 A TRUE AND CORRECT COPY OF THE ABOVE AND FOREGOING HAS BEEN SERVED UPON THE FOLLOWING BY FIRST CLASS U.S. MAIL, POSTAGE PREPAID.

MARY QUINN COOPER and ANDREW L. RICHARDSON, McAfee & Taft, 1717 S. Boulder, Suite 900, Tulsa, OK 74119, (918) 587-0000, Attorney for Defendants, General Motors, L.L.C.; JOHN J. GRIFFIN, JR., Crowe & Dunlevy, A Professional Corporation, 20 N. Broadway, Suite 1800, Oklahoma City, OK 73102, (405) 235-7718, and KYLE H. DREYER, Hartline Dacus Barger Dreyer, LLP, 6688 N. Central Expressway, Suite 1000, Dallas, TX 75206, (214) 369-2100, Attorneys for T.K. Holdings, Inc.; JAMES A. JENNINGS, Jennings Cook & Teague, 204 N. Robinson, Suite 1000, Oklahoma City, OK 73102, (405) 609-6000, Attorney for Defendant, TRW Vehicle Safety Systems, Inc.; BART A. CHANCELLOR, Law Offices of Michael H. Githens, 2601 N.W. Expressway, Suite 712W, Oklahoma City, OK 73112, (405) 242-6400, Attorney for Defendant, [REDACTED]



BARBARA A. MERRITT - OBA #13639

Please produce person(s) knowledgeable as to the below subject matters:

Subject Matters:

1. As to the design of the front seat passenger presence system that detects the presence of a passenger in such passenger's seat.
2. As to how the input of data outputted by the above described passenger presence detection system is processed to cause the front passenger airbag to be activated or deactivated and/or to activate the "yes" "no" lights on the passenger airbag display located on the dash of the subject vehicle between the driver's and passenger's seating positions.
3. Each failure of the above described passenger airbag occupant presence system that could result in the crash data recorder recording that there was trouble with the above described occupant presence detection system.
4. Each failure of the system which accepts input from the above described occupant presence system which could fail causing the crash data recorder to record trouble with the above described occupant presence detection system when, in actuality, no such problem exists.
5. Each and every claim and/or report made to you (whether a lawsuit was filed or not) wherein it was reported that a front passenger seat airbag did not deploy where it was believed or alleged by the person/entity making such report and/or claim that the airbag should have deployed, where it was found that the crash data recorder recorded there was and/or had been trouble with the front seat occupant presence detection system.
6. As to any accident or crash test, where after the accident the crash data recorder reported trouble with the front seat occupant presence detection system. As to crash tests, such

person knowledgeable must have such knowledge relating to developmental crash tests as well as production vehicle crash tests.

09-09-40-003A: SIR Airbag Light Illuminated, DTC B0081 and Passenger Presence System (PPS) Code 23 Stored (Replace Passenger Seat Belt Retractor and Re-Route Wire Harness) - (Jul 26, 2010)

SIR Airbag Light Illuminated, DTC B0081 and Passenger Presence System
Subject: (PPS) Code 23 Stored (Replace Passenger Seat Belt Retractor and Re-Route Wire Harness)



Models: 2006-2008 Chevrolet Cobalt Coupe
2008-2010 Chevrolet Cobalt SS Coupe
2006 Pontiac Pursuit Coupe (Canada Only)
2007-2010 Pontiac G5 Coupe

This bulletin is being revised to update the model years. Please discard Corporate Bulletin Number 09-09-40-003 (Section 09 Restraints).

Condition

Some customers may comment that the SIR light is illuminated. Upon investigation, the technician may find the following SDM code stored:

DTC B0081 71: Passenger Presence System Invalid Serial Data Received With Passenger Presence System (PPS) Flash Code of DTC 023

Cause

The wire on the Belt Tension Sensor (BTS), that is part of the retractor assembly, may become open or acquire a ground near the sensor. If the BTS is rotated toward the rear of the vehicle, added stress is applied to the wire bundle that may cause an open or a ground path. The two photos below illustrate the possible effects on the wiring. Each photo indicates the area to investigate at the arrow labeled (1).

Figure 1 Stress Point on Wiring Bundle



Figure 2 □ Outer Wiring Wrap Insulation Breached



Correction

If PPS DTC 23 is Current, Perform the Following Steps

Important: Technicians are to inspect the electrical connections to all the PPS components.

1. Check for shorts, opens and continuity between the PPS module and belt tension sensor (BTS) mating connector that is part of the vehicle harness (Located under the passenger

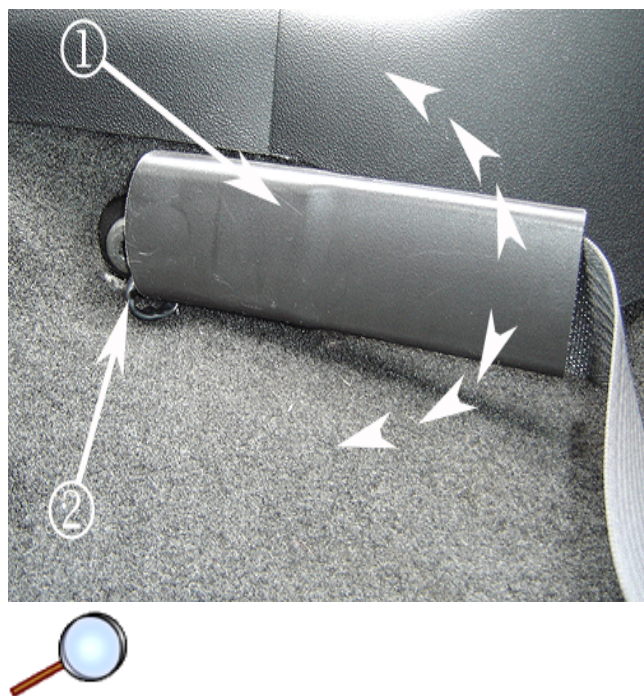
rear trim panel near the rear seat cushion).

2. If there are no wiring issues, replace the Passenger Seat Belt Retractor using the repair instruction "Seat Belt Installation and Seatbelt Sleeve Modification" located below. Do not replace the PPS.
3. Connect the Diagnostic Scan Tool and clear the codes.
4. Verify that the DTC does not reset.

If PPS DTC 23 is in History, Perform the Following Steps

1. Connect the Diagnostic Scan Tool.
2. Locate the Passenger Side Belt Tension Sensor (BTS) and rotate the seat belt sleeve fully as shown in Figure 3.

Figure 3 "Rotating the Seat Belt Sleeve"



(1) Passenger Seat Belt Sleeve

(2) BTS Sensor Wire Sheath

3. Slowly rotate the BTS w/sleeve forward and rearward. Did PPS and SDM faults change to current and cause the Air Bag light to illuminate? If the DTC changed to current, replace Seat Belt retractor using "Seat Belt Installation and Seatbelt Sleeve Modification" instructions located below.

Figure 4 "BTS Wires"

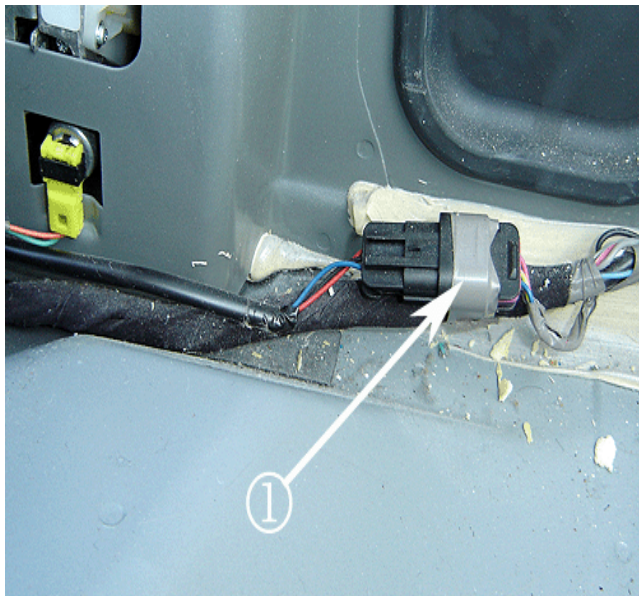


4. Move wires (1) near the BTS paying close attention near the area that is around the bottom of sleeve. Did PPS and SDM faults change to current and cause the Air Bag light to illuminate? If DTC changed to current, replace Seat Belt Retractor using "Seat Belt Installation and Seatbelt Sleeve Modification" as shown in the next section.
5. Check for shorts, opens and continuity between the PPS module and belt tension sensor (BTS) mating connector that is part of the vehicle harness (Located under the passenger rear trim panel near the rear seat cushion).
6. Clear the codes.
7. Verify that the DTC does not reset.

Seat Belt Retractor Pretensioner Installation and Sleeve Modification

1. Remove the rear passenger quarter trim panel and rear seat cushion. Refer to Rear Quarter Panel Trim Removal in SI.

Figure 5 □ BTS Connector



2. Locate the BTS connector (1) located under the trim panel.
3. Remove the tape from the connector securing the connector to the wire loom.
4. Refer to Seat Belt Retractor Pretensioner Replacement - Front (Coupe) in SI for removal and discarding instructions.

Important: DO NOT retape the BTS connector (retainer is located 200 mm (8 in) rearward of the connector) to the harness. DO NOT re-install the BTS to body retainer (refer to Figure 6).

Figure 6 □ **BTS Harness Retainer**

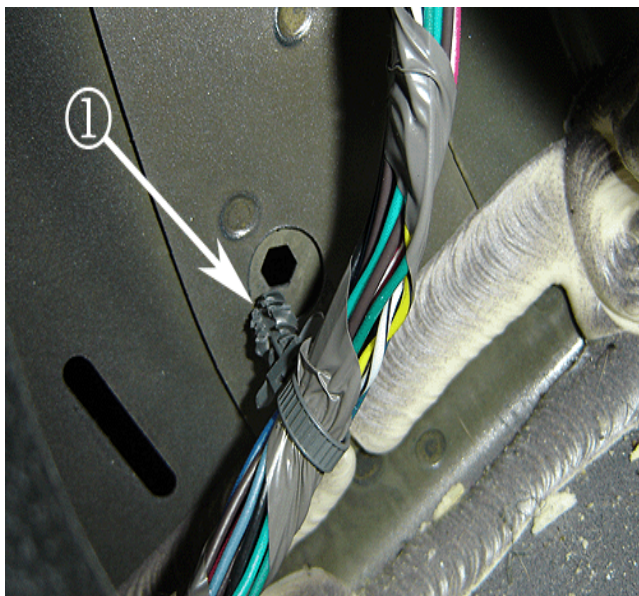


Figure 7 □ **Wire Stress Area**

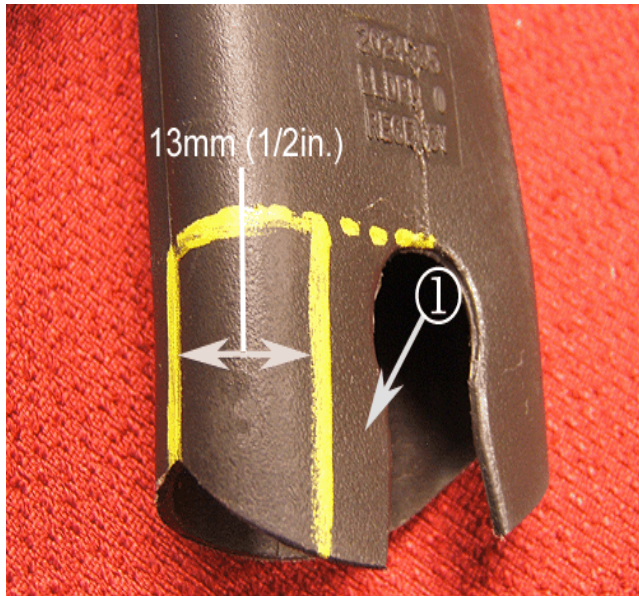


5. Route the new wire pigtail from the BTS to allow extra slack at the previous wire stress area (refer to Figure 7).

Figure 8 □ **Proper Stress Relief Loop**

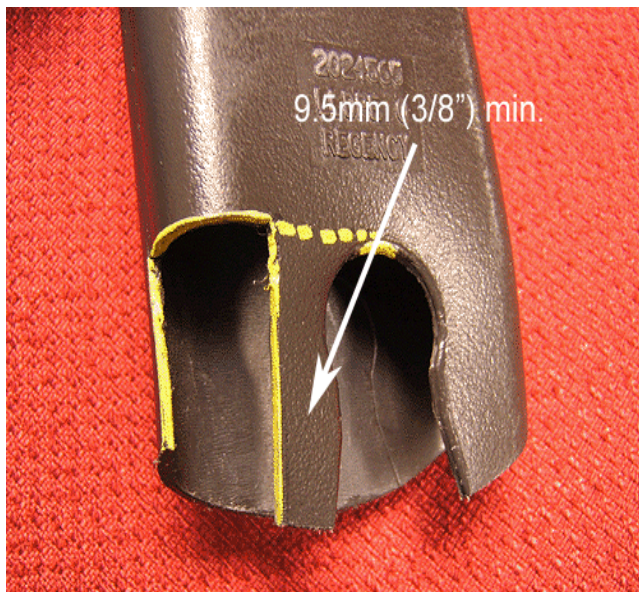


6. Slide the BTS pigtail wire forward to gain additional wire near the sensor as shown allowing the pigtail loop to contact the floor (refer to Figure 8).

Fig. 9 Sleeve Modification

7. Mark the BTS plastic sleeve as shown in Figure 9. The reference points for marking are the molding line on the side of the sleeve and the top of the pre-existing bolt anchor hole. Proper marking will result in a 13 mm (1/2 in) wide notch. To make the modification, sharp scissors are all that is needed as the material is very soft.

Important: Use a temporary marking pen so that excess can be washed off after the modification is made.

Figure 10 □ Modified Sleeve



8. Once the cuts have been made, verify that a 9.5 mm (3/8 in) section of plastic remains (refer to Figure 10).
9. Install the sleeve and anchor bolt. Refer to Seat Belt Retractor Pretensioner Replacement - Front (Coupe) in SI.
10. Rotate the sensor and sleeve forward and rearward to verify if wire stress caused by the BTS has been corrected. If not, move the harness again until the wire stress is corrected.
11. Install the rear passenger quarter trim panel and rear seat cushion. Refer to Rear Quarter Panel Trim Installation in SI.

Parts Information

Part Number	Description
19169207	Retractor, Seat Belt

Warranty Information

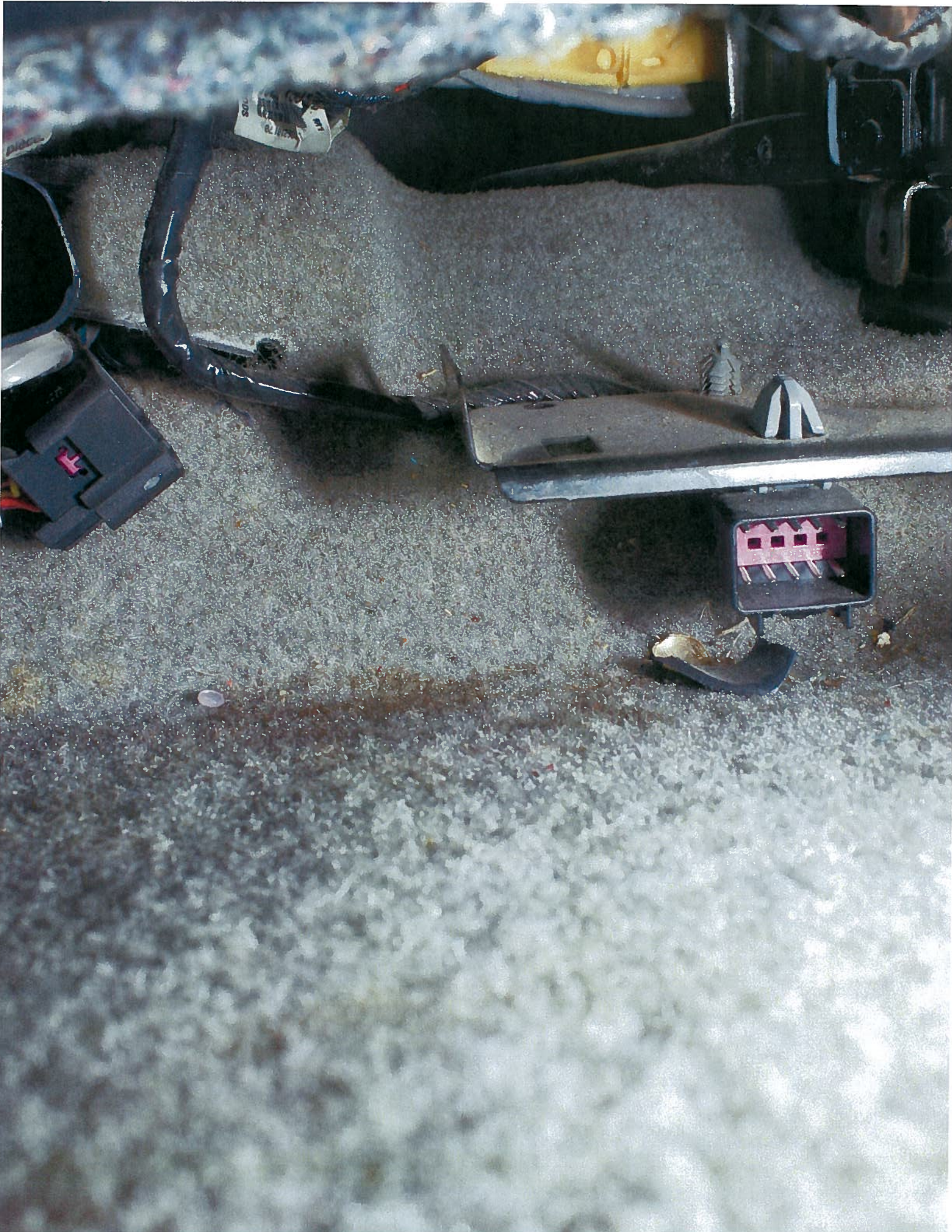
For vehicles repaired under warranty, use:

Labor Operation	Description	Labor Time
N9624□	Seatbelt Retractor Replacement and Belt Sleeve Modification	0.7 hr
□ This is a unique labor operation for bulletin use only. It will not be published in the Labor Time Guide.		

GM bulletins are intended for use by professional technicians, NOT a "do-it-yourselfer". They are written to inform these technicians of conditions that may occur on some vehicles, or to provide information that could assist in the proper service of a vehicle. Properly trained technicians have the equipment, tools, safety instructions, and know-how to do a job properly and safely. If a condition is described, DO NOT assume that the bulletin applies to your vehicle, or that your vehicle will have that condition. See your GM dealer for information on whether your vehicle may benefit from the information.



WE SUPPORT
VOLUNTARY
TECHNICIAN
CERTIFICATION



PERSON(S) KNOWLEDGEABLE AS TO THE
BELOW SUBJECT MATTERS:

1. Any of the subject matters referenced in the attached Interrogatories and Requests for Production.
2. The names, last known addresses and telephone numbers requested in the attached Interrogatories and Requests for Production.
3. The assembly practices and methodologies followed when inserting the male portion of the connector or plug (described in the attached Interrogatories and Requests for Production) into the female portion of such plug or connector and/or ensuring a connection is made between the male and female portion and/or ensuring the male and/or female portions are properly secured and fastened.
4. All tests and test documents of the type referred to in the attached Interrogatories and Requests for Production.

NOTE: Such person knowledgeable must be a person who has actual knowledge relating to the plant where the subject vehicle was assembled new and who have actual knowledge as to such assembly practices and methodologies that were followed during the time period the subject vehicle was assembled.

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

[REDACTED], an incapacitated
person, by and through her Estate,
Administered by her Guardian, [REDACTED]

PLAINTIFF,

V.

Case No.: [REDACTED]

1) T. K. HOLDINGS, INC.;
2) [REDACTED]
[REDACTED] TRW VEHICLE SAFETY SYSTEMS,
INC.; and 4) GENERAL MOTORS, L.L.C.,

DEFENDANTS.

**PLAINTIFFS' SECOND SET OF INTERROGATORIES AND
SECOND REQUEST FOR PRODUCTION OF DOCUMENTS**

TO: GENERAL MOTORS, L.L.C.

BY SERVING: MARY QUINN COOPER and ANDREW L. RICHARDSON, McAfee
& Taft, 1717 S. Boulder, Suite 900, Tulsa, OK 74119

You are hereby directed to answer the following discovery requests within 30 days
after the service of these discovery requests upon you in accordance with the applicable rule
of civil procedure.

In answering these discovery requests, furnish such information as is available to you,
not merely such information as is of your own knowledge. This means that you are to furnish
information which is known by you and/or in your possession and/or in the possession of



your agents, servants, employees, independent contractors, successors, predecessors, assigns, and/or the attorneys and/or insurance companies for any such party or for yourself.

In answering these discovery requests, answer each discovery request to the extent possible, and explain your inability to further answer, should you be unable to completely answer any request.

Plaintiff demands these discovery requests be verified under oath by the person to whom they are directed or, if directed to a corporation or association or other similar entity then by an officer of such entity or if the answering party is an unincorporated business then by the owner of the business or by a partner if a partnership.

You are required prior to answering these discovery requests to make a due and diligent search of all books, records, papers, computer tapes, computer records and any other documents in your possession and to which you have access and to inquire amongst all persons under your direction and control and make due and diligent inquiry of all agents and employees of this answering party with a view toward eliciting all information available to answer these discovery requests.

If you answer any of these discovery requests stating that no such information exists or that none was found, please describe the search that was made for such information, the locations where such searches were performed, and the names of all persons who participated in such a search to locate such information.

If you answer any of these discovery requests claiming that the requested information

is no longer available or that such is not in your possession, or that such does not exist, please state whether or not there are any other persons or entities, giving their names, addresses and telephone numbers, that may or do have possession of such information, or who have microfilm, microfiche, digital data or computer copies of such information.

These discovery requests do not require you to reveal your work product but do, among all other legal requirements, require you to answer to the extent you may offer evidence as to such subject matter and to reveal the opinions of any persons who may testify at trial. This does not mean that your answers may be limited to those areas and subjects upon which you intend to offer evidence.

If any information referred to herein does not exist, please state that fact and state whether or not such has ever been in existence, explaining why such no longer exists.

NOTE: For all information, documents and things referenced in Plaintiff's discovery requests to which you claim a privilege, please prepare a privilege log as required under the Rules of the Court where this action is filed, and describe each privilege claimed and the reasons therefor setting forth the following information:

1. The purpose for which the document, tangible item or information was made or created.
2. The name, address, telephone number, place of employment and job title of the person who ordered the document, tangible item or

information to be made or created and whether or not this person was a licensed attorney employed by this answering party at the time.

3. The author or creator of such document, tangible item or information.
4. The date such document, tangible item or information was created.
5. The names, addresses and phone numbers of all persons and entities who received a copy of or the original of the document, tangible item or information together with a statement of the reasons why such person or entity received such document, tangible item or information.
6. A description of the nature of the subject matter of such document, tangible item or information.
7. The specific privilege being asserted.

INTERROGATORIES AND REQUESTS FOR PRODUCTION

INTERROGATORY NO. 1: Please describe in detail at what stage of the new vehicle assembly process, the plug or connector which is shown in the attached photograph (Exh. 1) is connected (i.e. the male portion of the plug or connector inserted into the female portion of the plug or connection).

INTERROGATORY NO. 2: Please describe in detail the exact method employed

to insert the male portion of such plug or connector into the female portion of such plug or connector.

REQUEST FOR PRODUCTION NO. 1: Please produce all instructions and/or other materials which provided guidance to the person responsible for inserting the male portion of such plug or connector into the female portion of such plug or connector as to the methodology that such person should employ when causing the male portion of such plug or connector to be inserted into the female portion of such plug or connector.

INTERROGATORY NO. 3: Please describe in detail all steps that the person responsible for inserting the male portion of such plug or connector into the female portion of such plug or connector was required to take to ensure the male portion of the plug or connector was fully inserted into the female portion of such plug or connector so that the male portion of such plug or connector would be securely fastened into the female portion of such plug or connector.

REQUEST FOR PRODUCTION NO. 2: Please produce all instructions and other materials which provided guidance to the person responsible for inserting the male portion of such plug or connector into the female portion of such plug or connector as to the methodology that should be employed to ensure the male portion of such plug or connector

was securely inserted into the female portion of such plug or connector and that such male portion was securely fastened to such female portion.

INTERROGATORY NO. 4: Describe in detail each and every test that was performed during and after the new vehicle assembly which would reveal that the male portion of such plug or connector was making connection with the female portion of such plug or connector.

REQUEST FOR PRODUCTION NO. 3: For each and every test you have described in the immediately preceding Interrogatory, please produce the written test protocol for each such test that was available to the person(s) performing each such test and all documents and/or checklists which were completed as a result of each such test performed on the subject vehicle at the time of the assembly of the subject vehicle or thereafter.

NOTE: Please identify each document produced in a manner that will enable the Plaintiff to easily associate each such document with each such test you have described.

INTERROGATORY NO. 5: Please describe in detail each and every test that was performed during or after the assembly process which was performed for the purpose of ensuring that the male portion of such plug or connector was securely fastened to the female portion of such plug or fastener.

REQUEST FOR PRODUCTION NO. 4: For each and every test you have described in your answer to the immediately preceding Interrogatory, please produce the written test protocol that was available to each person(s) who performed each such test and all documents and/or checklists which were completed as a result of such tests performed on the subject vehicle at the time of the assembly of the subject vehicle or thereafter.

NOTE: Please identify each document produced in a manner that will enable the Plaintiff to easily associate each such document with each such test you have described.

INTERROGATORY NO. 6: Please state the name, last known address and telephone number of each person who was involved with the insertion of the male portion of such plug or connector into the female portion of such plug or connector for the subject vehicle when such vehicle was being assembled by you.

INTERROGATORY NO. 7: If there is no way of knowing the name, last known address and telephone number of each person who was involved with the insertion of the male portion of such plug or connector into the female portion of such plug or connector for the subject vehicle when such vehicle was being assembled by you, then provide the names, last known addresses and telephone numbers of every person who worked in the immediate

assembly area where such male portion of such plugs or connectors were inserted into such female portion of such plugs or connectors on the dates of assembly of the subject vehicle.

INTERROGATORY NO. 8: Please describe in detail each and every warranty and/or other report and/or claim of any nature whatsoever, including lawsuits, wherein it was alleged that a connector of identical design as the connector pictured in the attached photograph (Exh. 1) did not make connection and/or that the male portion thereof was not securely fastened to the female portion thereof, and/or that the male portion thereof was not inserted and/or was not fully inserted into the female portion.

REQUEST FOR PRODUCTION NO. 5: Please produce every warranty claim and/or any other report and/or claim, including lawsuits wherein it was alleged that a connector of identical design as the connector pictured in the attached photograph (Exh. 1) did not make connection and/or that the male portion thereof was not securely fastened to the female portion thereof, and/or that the male portion thereof was not inserted and/or was not fully inserted into the female portion.

Mark A. Cox
MARK A. COX - OBA #13630
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OKLAHOMA CITY, OKLAHOMA 73101
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ATTORNEY FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT ON THIS 8th DAY OF JUNE, 2012 A TRUE AND CORRECT COPY OF THE ABOVE AND FOREGOING HAS BEEN SERVED UPON THE FOLLOWING BY FIRST CLASS U.S. MAIL, POSTAGE PREPAID.

MARY QUINN COOPER and ANDREW L. RICHARDSON, McAfee & Taft, 1717 S. Boulder, Suite 900, Tulsa, OK 74119, (918) 587-0000, Attorney for Defendants, General Motors, L.L.C.; JOHN J. GRIFFIN, JR., Crowe & Dunlevy, A Professional Corporation, 20 N. Broadway, Suite 1800, Oklahoma City, OK 73102, (405) 235-7718, and KYLE H. DREYER, Hartline Dacus Barger Dreyer, LLP, 6688 N. Central Expressway, Suite 1000, Dallas, TX 75206, (214) 369-2100, Attorneys for T.K. Holdings, Inc.; JAMES A. JENNINGS, Jennings Cook & Teague, 204 N. Robinson, Suite 1000, Oklahoma City, OK 73102, (405) 609-6000, Attorney for Defendant, TRW Vehicle Safety Systems, Inc.; and SHAWN E. ARNOLD, Lytle, Soule & Curlee, P.C., 119 N. Robinson Ave., Suite 1200, Oklahoma City, OK 73102, (405) 235-7471, Attorney for Defendant, [REDACTED]

Mark A. Cox
MARK A. COX - OBA #13630

CONNECTOR



FREE PACK
MARLBORO
WITH EVERY
PURCHASE OF 100 CIGARETTES