DP14-004
CHRYSLER
9/15/2014
LEGALS AND CUSTOM
COMPLAINTS PUBLIC
9T

POLICE ACCIDENT REPORT

DP14-004
CHRYSLER
9/15/2014

9T

Police Accident Report

Gwinnett County Police Investigator's Report

Reporting Officer: Case Number(s): Court Jurisdiction: Case Status:	Badge #: Officer: B832 HOLLIS, J Case # 1: Case # 2: STATE COURT Case Kev: Case Literal: AA CLEARED ARREST - ADUL		Case # 5;	
Last Name 1. 2. 3. 4. 5. Have any of these de	ndant(s): First Name Mi Initial fendants been convicted of a fel	Warrant Number(s):	Date of Warrant: 07-11-2011 07-11-2011 07-11-2011	TO LEAD TO BE AND A SERVICE OF THE S
Approving Supervisor	594 - W: Baraha		то ден от де	
Property Disposition:		Release to Owner		
If Property disposition val. 2. 3.	6. 7.	separately below.		

Court Official Authorizing Release: ____

Highway Collision Report

S.R. 124 (Braselton Highway) @ Buford, Georgia June 16, 2011

State Court

Gwinnett County Police Case Number

Inv. J.E. Hollis #832



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Drivers

Driver #1

Lawrenceville, GA
Black / Male / 30 years old
D.O.B. –

Driver #2

Buford, GA White / Male / 38 years old D.O.B. –

Driver #3

White / Female / 36 years old D.O.B. —

Victim Passenger

leased)

Vehicle #3 Dawsonville, GA 3 White / Female / 58 years old

D.O.B. – D.O.D. –

Charges:

Homicide by Vehicle in the 2nd Degree-Driving on the Wrong side of the way-

Failure to Maintain Lane-Following Too Close-



Date / Time

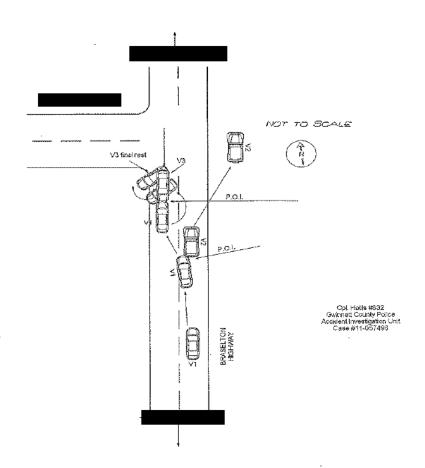
Thursday, June 16th, 2011 4:53 p.m.

Location

Buford, GA

Collision Scenario

Vehicle #1, a 2004 Jeep Grand Cherokee, operated by was traveling north on S.R. 124 (manager) and intended to continue north. Vehicle #2, a 2008 Jeep Wrangler, operated by was stopped on S.R. 124 at the intersection of and intended to turn left. Vehicle #3, a 2009 Dodge Journey, operated by was headed south on S.R.124 and intended to continue south. Vehicle #1 swerved out of its lane in to the left lane (southbound lane of travel) and struck the left rear bumper of vehicle #2 and continued in to the southbound lane where it struck vehicle #3 head on. (driver#1), (driver #3) and the passenger in vehicle#3, Mrs. were all transported for serious injuries. Mrs. died on July 2, 2011 from the injuries she sustained in this collision.



Vehicle #1

1. 2004 Jeep Grand Cherokee

Gray in Color

Georgia Vehicle Registration Number:

VIN: 1J4GX48S94C

Driven by:

Lawrenceville, GA

Registered Owner:

Lawrenceville, GA

Expiration: 02/2012

Insurance Company: Alistate

Insurance Policy Number:



Figure #1: Vehicle #1, 2004 Jeep Grand Cherokee final rest.

Vehicle #2

2. 2008 Jeep Wrangler Silver in Color Georgia Vehicle Registration Number Expiration: 10/2011 VIN: 1J4GA69178L Driven by: Buford, GA Registered Owner: Buford, GA Insurance Company: Allstate Insurance Policy Number:



Figure #2: Vehicle #2, 2008 Jeep Wrangler final rest.

Vehicle #3

3. 2009 Dodge Journey

Blue in Color

Georgia Vehicle Registration Number: Expiration: 03/2012

VIN: 3D4GG57V49T

Driven by:

Lawrenceville, GA

Registered Owner:

Lawrenceville, GA

Insurance Company: Liberty Mutual

Insurance Policy Number:



Figure #3: Vehicle #3, 2009 Dodge Journey final rest.

Witnesses

Amrehein, D. Ofc. #1406
 770 Hi Hope Road
 Lawrenceville, GA 30045
 (770) 513-5000

(GCPD Initial Responding Officer)

2. McCall, H. Ofc. #1152 770 Hi- Hope Rd Lawrenceville, GA 30045 (770)513-5000

(GCPD Initial Responding Officer)

Duncan, J.D. Ofc. #1281
 770 Hi- Hope Rd
 Lawrenceville, GA 30045
 (770)513-5000

(GCPD Initial Responding Officer)

4. Ingalls, B.E. #346 770 Hi- Hope Rd Lawrenceville, GA 30045 (770)513-5000 (GCPD -North Precinct Evening Watch Sergeant)

5. Falkenhagen, J. Ofc. #951 770 Hi- Hope Rd Lawrenceville, GA 30045 (770)513-5000 (GCPD -AIU Investigator)

6. Hollis, J.E. Cpl. #832 770 Hi- Hope Rd Lawrenceville, GA 30045 (770)513-5000 (GCPD-Lead AIU Investigator)

7. Pennyman, Jonathan #F850
Gwinnett County Fire and Emergency Services
408 Hurricane Shoals Road
Lawrenceville, GA 30045
(678)518-4800

(GCFD-M18)

8. Holmes, Megan #1398

(GCFD-M18)

Gwinnett County Fire and Emergency Services 408 Hurricane Shoals Road Lawrenceville, GA 30045 (678)518-4800

9. Mims, Thorstein #285 Gwinnett County Fire and Emergency Services 408 Hurricane Shoals Road Lawrenceville, GA 30045 (678)518-4800	(GCFD-E27)
10. Holder, Mark #210 Gwinnett County Fire and Emergency Services 408 Hurricane Shoals Road Lawrenceville, GA 30045 (678)518-4800	(GCFD-E27)
11. Steele, Kenneth #1123 Gwinnett County Fire and Emergency Services 408 Hurricane Shoals Road Lawrenceville, GA 30045 (678)518-4800	(GCFD-E27)
12. Kump, Brian #F903 Gwinnett County Fire and Emergency Services 408 Hurricane Shoals Road Lawrenceville, GA 30045 (678)518-4800	(GCFD-E24)
13. Hall, Justin #F1129 Gwinnett County Fire and Emergency Services 408 Hurricane Shoals Road Lawrenceville, GA 30045 (678)518-4800	(GCFD-E24)
14. Franchiseur, Ed #F158 Gwinnett County Fire and Emergency Services 408 Hurricane Shoals Road Lawrenceville, GA 30045 (678) 518-4800	(GCFD-E24)
15. Wilson, Rusty #F475 Gwinnett County Fire and Emergency Services 408 Hurricane Shoals Road Lawrenceville, GA 30045 (678) 518-4800	(GCFD-B3)
16. Jugenheimer, Angela #F652 Gwinnett County Fire and Emergency Services 408 Hurricane Shoals Road Lawrenceville, GA 30045 (678) 518-4800	(GCFD-MS2)

17	Pollack, Paul #F345 Gwinnett County Fire and Emergency Services 408 Hurricane Shoals Road Lawrenceville, GA 30045 (678) 518-4800	(GCFD-S24)
18.	Hendricks, Edward #F664 Gwinnett County Fire and Emergency Services 408 Hurricane Shoals Road Lawrenceville, GA 30045 (678) 518-4800	(GCFD-S24)
19.	Gonzalez, Charlie #F864 Gwinnett County Fire and Emergency Services 408 Hurricane Shoals Road Lawrenceville, GA 30045 (678) 518-4800	(GCFD-S24)
20.	Keiser, Bryant #F1313 Gwinnett County Fire and Emergency Services 408 Hurricane Shoals Road Lawrenceville, GA 30045 (678) 518-4800	(GCFD-S24)
21.	Harris, James #F1156 Gwinnett County Fire and Emergency Services 408 Hurricane Shoals Road Lawrenceville, GA 30045 (678) 518-4800	(GCFD-M10)
22.	Williams, Adrian #F872 Gwinnett County Fire and Emergency Services 408 Hurricane Shoals Road Lawrenceville, GA 30045 (678) 518-4800	(GCFD-M10)
23.	Strother, Donald #F1017 Gwinnett County Fire and Emergency Services 408 Hurricane Shoals Road Lawrenceville, GA 30045 (678)518-4800	(GCFD-M10)

	0. 11 B 31 (151047	(GCFD-M10)
24.	Strother, Donald #F1017 Gwinnett County Fire and Emergency Services 408 Hurricane Shoals Road Lawrenceville, GA 30045 (678)518-4800	(GCFD-M10)
25.	Pazinets, Jessica #F1289 Gwinnett County Fire and Emergency Services 408 Hurricane Shoals Road Lawrenceville, GA 30045 (678)518-4800	(GCFD-M10)
26.	Rutledge, Tommy #F385 Gwinnett County Fire and Emergency Services 408 Hurricane Shoals Road Lawrenceville, GA 30045 (678)518-4800	(GCFD-FD10)
27.	Edling, Jerry #F704 Gwinnett County Fire and Emergency Services 408 Hurricane Shoals Road Lawrenceville, GA 30045 (678)518-4800	(GCFD-M16)
28.	Thomas, Brandon #F852 Gwinnett County Fire and Emergency Services 408 Hurricane Shoals Road Lawrenceville, GA 30045 (678)518-4800	(GCFD-M16)
29.	Hilsman, Ashley #F1063 Gwinnett County Fire and Emergency Services 408 Hurricane Shoals Road Lawrenceville, GA 30045 (678)518-4800	(GCFD-M24)
29.	White, Christopher #F1253 Gwinnett County Fire and Emergency Services 408 Hurricane Shoals Road Lawrenceville, GA 30045 (678)518-4800	(GCFD-M24)

30. Reeves, Eddie E.

(Investigator from Medical Examiner's Office)

Gwinnett County Medical Examiner's Office 363 Swanson Drive Suite A Lawrenceville, GA 30043 (770) 995-5558

31. Lawrenceville, GA

(Witness)

32. Cumming, GA

(Embracing Hospice)

33. Cook, V. Ofc. #1279 770 Hi- Hope Rd Lawrenceville, GA 30045 (770)513-5000

(GCPD Initial Responding Officer)

Exhibits

- E-1 Copy of State of Georgia Collision Report, Form DMVS 523, Case # Completed by: Inv. J. E. Hollis #832 (witness #6), Completed on: June 16th, 2011.
- E-2 Gwinnett County Police Department Computer Aided Dispatch (CAD) call, Police Call #Generated on: June 16th, 2011 @ 4:53 p.m.
- E-3 Gwinnett County Police Department Computer Aided Dispatch (CAD) call, Fire Call #Generated on: June 16th, 2011 @ 4:53 p.m.
- E-4 Gwinnett County Police Department Supplement Report completed by Investigator Hollis on June 16th, 2011.
- E-5 Gwinnett County Police Department Witness Statement completed on June 16th, 2011 by (witness #31), obtained by Officer Amrhein # (witness #1).
- E-6 Copy of Facsimile Transmission Verification Report to State of Georgia Department of Motor Vehicle Safety (F.A.R.S.) sent on July 5th, 2011 by Investigator Hollis #832.
- E-7 Copy of NHTSA, Office of Defects Investigation (ODI), for a 2004 Jeep Grand Cherokee, obtained on July 16th, 2011 by Investigator J.E. Hollis #832.
- E-8 Copy of NHTSA, Office of Defects Investigation (ODI), for a 2008 Wrangler 4x4, obtained on June 16th, 2011 by Investigator J.E. Hollis #832.
- E-9 Copy of Gwinnett County Police Impound Form for a 2004 Jeep Grand Cherokee, VIN: 1J4GX48594C competed on June 16th, 2011 by Officer Amrhein #1406.
- E-10 Copy of Gwinnett County Police Impound Form for a 2009 Dodge Journey, VIN: 3D4GG57V49T competed on June 16th, 2011 by Officer Amrhein #1406.
- E-11 Copy of Gwinnett County Police Impound Form for a 2008 Jeep Wrangler, VIN: 1J4GA69178L competed on June 16th, 2009 by Officer Amrhein #1407.
- E-12 Copy of Scene photos obtained on June 16th, 2011 by Investigator Falkenhagen #951 (witness #5).
- E-13 Copy of Inspection photos obtained on June 17th, 2011 by Investigator J.E. Hollis #832.
- E-14 Copy of Division of Gwinnett County Magistrate Court Warrant Application for obtained by Investigator Hollis #832 on July 11th, 2011.
- E-15 Copy of Gwinnett County Magistrate Court Warrant for Vehicular Homicide 2nd Degree for obtained by Investigator Hollis #832 on July 11th, 2011.

E-16 Copy of Gwinnett County Magistrate Court Warrant #### or Following Too Closely for , obtained by Investigator Hollis #832 on July 11th, 2011. Copy of Gwinnett County Magistrate Court Warrant # for Failure to Maintain E-17 obtained by Investigator Hollis #832 on July 11th, 2011. Lane for Copy of Gwinnett County Magistrate Court Warrant for Driving on the E-18 Wrong side of the Roadway for several obtained by Investigator Hollis #832 on July 11th, 2011. Copy of Gwinnett County Medical Examiner's Investigative Report completed E-19 on July 22nd, 2011 by Forensic Investigator Eddie E. Reeves (witness #30). Gwinnett County Police Accident Investigation Unit Fatal/Serious Injury Collision Vehicle Inspection Report for a 2004 Jeep Grand Cherokee, VIN: 1J4GX48S94C completed By Investigator J.E. Hollis #832 on June 17th, 2011. Gwinnett County Police Accident Investigation Unit Fatal/Serious Injury Collision Vehicle E-21 Inspection Report for a 2008 Jeep Wrangler, VIN: 1J4GA69178L completed By Investigator J.E. Hollis #832 on June 17th, 2011. Gwinnett County Police Accident Investigation Unit Fatal/Serious Injury Collision Vehicle Inspection Report for a 2009 Dodge Journey Truck, VIN: 3D4GG57V49T completed By Investigator J.E. Hollis #832 on June 17th, 2011. Copy of NHTSA recalls for 2009 Dodge Journey obtained by Investigator Hollis #832. E-23 completed by Investigator Hollis E-24 Copy of DMVS523 Final Report, case #832.

Fatality Motor Vehicle Collision, at the intersection of Buford, Georgia

Factual Information

Pre-collision Events

At approximately 1653 hours on June 16, Grand Cherokee on), traveling north near the City of	erating a 2004 Jeep Buford. was
on his way to meet a few friends for dinner at the intersection of		otor vehicle collision
at the lintersection of	Dilve.	
Mr. was operating a 2008 Jeep stopped and waiting to turn left on to		headed north, was on his way
home in the . Subdivision.	,	
Mrs. , was operating a 2009 Dodge	Journey on were headed home.), headed south,

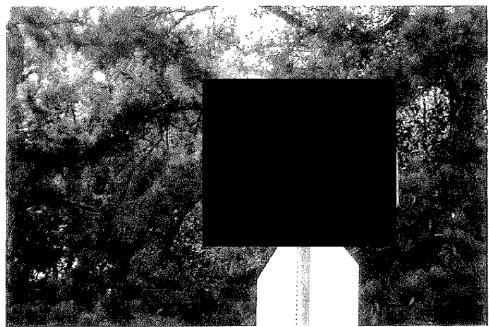


Figure 1. S.R.124 (Braselton Highway) @ Amber Creek Drive.

Emergency Res	ponse
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On June 16th, 2011 at 4:53 p.m., the Gwinnett County Police Department Communication Center dispatched Ofc. D. Amrhein #1406 (witness #1) to With the collision's reported severity and possible traffic obstruction, Ofc. V. Cook #1279 (witness #33) also proceeded to

Ofc. Amrhein #1406 arrived at the collision scene approximately 7 minutes after the first report of the collision. Shortly after arriving, Ofc. Cook #1279 arrived on scene and advised Police Dispatch that the intersection would be shut down for extrication of the passenger of one of the vehicles. Sgt. Ingalls #346 (witness #4), the North Precinct Evening watch Supervisor arrived at the collision scene at approximately 5:09 p.m. Given the collision's severity, the Accident Investigation Unit was requested to investigate the collision at 5:17 p.m.

On June 16th, 2011, at 4:53 p.m., the Gwinnett County Fire Department Communication Center dispatched Medic 18, Engine 27 and Engine 24 to the reported collision scene. At approximately 5:00 p.m., 7 minutes after the first reports of the collision were received by the 9-1-1 Call Center, Gwinnett County Fire Department Medic 18 and Engine 27 arrived at the collision scene. Battalion 3, who also responded to the scene, advised radio dispatch there were three vehicles involved and there were a total of three patients, three possibly critical. Medic 10, Medic 18 and Medic 24 also responded to the collision scene after radio dispatch was notified of how many patients there were, which was a total of three.

Mrs. was the driver and Mrs. was the front seat passenger. Mr. was the lone occupant and the driver of vehicle #1. All three were possibly had critical injuries and were transported. At 5:21 p.m. Medic 10 and Medic 18 transported two patients, Mr. to Gwinnett Medical Center (GMC)- Lawrenceville, 1000 Medical Center Boulevard, Lawrenceville, Georgia; both units arrived at approximately 5:34 p.m.

Medic 24 transported Mrs. to Atlanta Medical Center and arrived at approximately 6:22 p.m.

June 16th, 2011, Investigator Falkenhagen #951 (witness #5) and myself were on duty and responded to the scene.

Initial Observations

Myself and Investigator Falkenhagen arrived at the collision scene at approximately 5:41 p.m. and observed several GCPD vehicles blocking the entire intersection of east, west, north and south of the collision scene; all vehicle traffic was prohibited from traveling through the collision scene.



Figure 2: Initial observation.

We stopped our Police vehicles south of *I* the on scene collision investigation. On the shoulder of the southbound lane of S.R.124, I observed two S.U.V.'s, a gray Jeep Grand Cherokee and a blue Dodge Journey facing southwest and off the road in the southbound lane. The two vehicles were south of the collision scene, stopped on the right shoulder of the northbound lane of S.R. 124.

I walked north towards the damaged vehicles and their final rest positions and observed scattered debris and fluids from the vehicles scattered throughout the collision scene. I found the gray Jeep Grand Cherokee with heavy damage to the front end and the blue Dodge Journey with heavy damage to the front end as well. I continued walking approximately 200 feet north of the collision scene and was not able to locate any more roadway evidence. I observed the silver Jeep Wrangler on the right shoulder of the northbound lane and there did not appear to be any damage. I then turned around and began walking south towards the collision scene. I continued past the collision scene and continued approximately 200 feet south of the collision scene. Walking south of the collision scene, I was not able to locate any roadway evidence.



Figure 7: Front end damage to vehicle #1, Jeep Grand Cherokee.

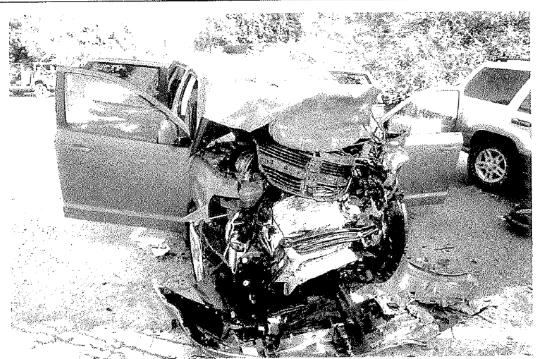


Figure 8: Front end damage to vehicle #3, Dodge Journey.



Figure 9: Damage to left rear tail light and bumper, vehicle #2, Jeep Wrangler.

See collision scene photos obtained by Investigator J.E. Hollis #832 (witness #7), Exhibit #15.

Roadway Information Design The collision occurred in the southbound lane of travel on the at the intersection of Drive. This portion of second is outside the geographic and jurisdictional boundaries of the City of Buford which is located in Gwinnett County, Georgia. This portion of proceeds north and south with one travel lane constituting northbound traffic and one travel lane constituting southbound traffic. The travel lanes are divided by a double-yellow line and the roadway surface is black asphalt. The roadway surface was free of any defects at the time of the collision, no physical or testimonial evidence was obtained indicating a roadway defect was a contributing factor in this collision. proceeds east and west with one travel lane constituting east bound This portion of traffic and one travel lane constituting westbound traffic. The travel lanes are not divided by a yellow line and the roadway surface is black asphalt. The roadways surface was free of major defects at the time of the collision, no physical or testimonial evidence was obtained indicating a roadway defect was a contributing factor in this collision. is 45 mph. Two GDOT speed The posted speed limit for the portion of limit signs are posted to the right on either side of the roadway, north and south bound lanes. The air temperature at the time of the collision was approximately 84 degrees Farenheight and the roadway was dry.

Physical Evidence

This collision involved injuries which were ultimately fatal; therefore, the investigation of this collision followed a particular methodology which included a detailed examination of the collision scene.

The collision scene examination consisted of identifying and photographing physical evidence related to this collision. The collision scene physical evidence consisted of road evidence as well as contact and induced damage which the 2004 Jeep Grand Cherokee, 2008 Jeep Wrangler and 2009 Dodge Journey sustained during the collision.

I began the on scene collision investigation by starting approximately 200 feet south of the collision scene, walking in the northbound lane of travel in which the Jeep Grand Cherokee and Jeep Wrangler was traveling. While walking in the northbound lane I did not notice any yaw marks, skid marks or any other type of evidence that would lead me to believe there was any braking involved from the Jeep Grand Cherokee. I continued to walk north in the northbound lane of travel approximately 250 feet past the collision scene. I turned around and walked south in the south bound lane of travel. As I approached the collision scene at the intersection of

As I approached the collision scene I observed debris in the immediate area of the collision in the southbound lane which was from the vehicles and was caused after the vehicles made contact. I observed a road gouge in the roadway where Vehicle #1 and Vehicle #3 hit head on. Given the vehicles final rest, and Driver #2's testimony, it was determined that vehicle #1 was traveling north in the north bound lane of travel when driver #1 suddenly turned his vehicle to the left, "clipping" the left rear (driver side) tail light/ bumper/ quarter panel and then crossed over in to the south bound lane of travel and struck vehicle #3 head on. Once vehicle #1 and vehicle #2 hit head on, vehicle #1 rotated counter clockwise and vehicle #3 rotated clockwise, both coming to a final rest near the shoulder of the south bound lane of S.R. 124, at the intersection of The driver of Vehicle #2 pulled forward to the right shoulder of the north bound lane to get his vehicle out of traffic.



Figure 10: Road gouges in the south bound lane where vehicle#1 and vehicle #3 collided head on.

Driver Information
2004 Jeep Grand Cherokee- Monkonji Lindsey
The driver of the 2004 Jeep Grand Cherokee, possessed a valid class "C" Georgia driver's license. At the time of the collision possessed a valid class "C" Georgia driver's license. license was issued in January 2010 and is set to expire in February 2013. A GCIC/NCIC driver's license inquiry revealed license did not have any current or pending suspensions.
2008 Jeep Wrangler- Aaron Watts
The driver of the 2008 Jeep Wrangler, is a 38 year old male, D.O.B. At the time of the collision possessed a valid class "C" Georgia drivers license with no endorsements. Iicense was issued in October 2007 and is set to expire in October 2012. A GCIC/NCIC driver's license inquiry revealed license did not have any current or pending suspensions.
2009 Dodge Journey
The driver of the 2009 Dodge Journey, is a 36 year old female, D.O.B. At the time of the collision Lyle possessed a valid class "C" Georgia drivers license with no endorsements. Ilicense was issued in March 2011 and is set to expire in March 2019. A GCIC/NCIC driver's license inquiry revealed license did not have any current or pending suspensions.
Injuries
When I arrived on scene I was advised by Sgt. Ingalls that the injuries to both of the occupants of vehicle #3, were possibly life threatening and were being transported. Gwinnett County EMS stated both of the occupant's of vehicle #3 injuries were possibly life threatening and was being transported to Gwinnett Medical Center while Mrs. was being transported to Atlanta Medical Center. Sgt. Ingalls stated that the driver of Vehicle #1, Mr. suffered injuries that were not life threatening but was transported to Gwinnett Medical Center and driver #2, Mr.

Watts was not injured.

Vehicle inspections

Exterior and Interior Post Collision Inspection of the 2004 Jeep Grand Cherokee

On June 17, 2011 I conducted an interior and exterior post collision vehicle inspection of the 2004 Jeep Grand Cherokee; VIN:1J4GX48S94C The inspection was completed at the Gwinnett County Police Department Accident Investigation Unit impound lot which is located at Gwinnett County Police Headquarters, 770 Hi-Hope Road, Lawrenceville, Georgia, 30045. The vehicle was secured at that location on June 16, 2009 by Investigator Falkenhagen #951 (witness #5); the vehicle was towed to the location on a straight truck roll back wrecker operated by Willards Wrecker Service. During the post collision inspection, GCPD AIU standard operating procedure, photos were obtained both of the vehicle's exterior and interior, (See Vehicle Inspection Photos, Exhibit 13).

The vehicle is identified as a four door, 2004 Jeep Grand Cherokee, gray in color. The vehicle was registered in the State of Georgia to Monkonji Lindsey of 398 Timber Gate Drive, Lawrenceville, Georgia, 30045. At the time of the collision the vehicle was being operated by there were no other occupants in the vehicle.

The exterior of the Jeep Grand Cherokee presented contact damage which was concentrated about the vehicle's front end. (see figure 11-12).

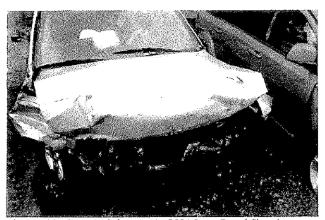


Figure 11: Front end damage to 2004 Jeep Grand Cherokee.



Figure 12: Damage to 2004 Jeep Grand Cherokee roof and doors.

The vehicle's front end presented extensive contact damage which was characterized by closely crumpled, torn, and deeply abraded metal. The vehicle's front end, roof and doors were most significantly displaced from its manufactured position. (see figure 11-12).

The 2004 Jeep Grand Cherokee was equipped with four steel radial tires each in which the front two tires were manufactured by Destination and the two rear tires were manufactured by Stampede. The two front tires were LE Radial Model, P245/70R16. Both tires were flat. The tread depth on the left front tire was 3/32 of an inch and the right front tire was 0/32 of inch. The rear tires were Radial Sun model, P245/70R16. Both tires air pressure was 35 PSI. The tread depth on the left rear tire was 0/32 of an inch and the right rear had a tread depth of 6/32.

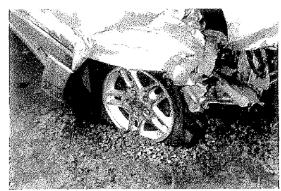




Figure 13: Front right tire of 2004 Jeep Grand Cherokee.

Figure 14: Right rear tire of 2004 Jeep Grand Cherokee.

Both the driver side and passenger side mirror was missing due to the collision damage.

The vehicle was equipped with a standard automatic transmission which was in drive at the time of inspection.

The interior of the vehicle also presented extensive contact damage which was concentrated about the front dashboard. The steering wheel was connected to the steering column by four supports, all of which were still attached to the steering column. The steering wheel was also displaced from its original manufactured position by collision. The light switch and all other switches which control various mechanical fixtures in the vehicle were all displaced as a result from the collision.

Air Bag

The 2004 Jeep Grand Cherokee was equipped with driver side and passenger side airbags, both of which were deployed. (see figure 15-16).



Figure 15: Deployed driver side air bag.



Figure 16: Deployed passenger side air bag.

Seat Belt

As is customary while completing a post collision inspection, I examined the driver's seat belt assembly for evidence as part of the collision. The 2004 Jeep Grand Cherokee was equipped two active seat belt restraints, in the front driver seat compartment and the front passenger side compartment. The rear seat were also equipped with seat belts However, because the vehicle was occupied by only the driver at the time of collision, only the driver's seat belt was inspected. The seat belt was not in a fully extended position and was locked back, this is a clear indication the seat belt was not in use at the time of the collision.



Figure 17: Driver side seat belt in the 2004 Jeep Grand Cherokee.

Vehicle Recall Data

As part of the post collision vehicle inspection, I conducted an on line search for recalls pertaining to a 2004 Jeep Grand Cherokee. I completed the vehicle recall search of NHTSA's on line vehicle recall database.

NHTSA reported 11 possible recalls or defects for a 2004 Jeep Grand Cherokee which would not have an impact on the collision. To see a complete list of all vehicle recall's for the 2004 Jeep Grand Cherokee see exhibit 7.

The vehicle was released to Willard's Wrecker Service at the completion of the post vehicle inspections. Mr. Lindsey was notified that the vehicle was released and where the vehicle was.

Exterior and Interior Post Collision Inspection of the 2008 Jeep Wrangler

On June 17, 2011 I conducted an interior and exterior post collision vehicle inspection of the 2008 Jeep Wrangler; VIN:1J4GX48S94C The inspection was completed at the Gwinnett County Police Department Accident Investigation Unit impound lot which is located at Gwinnett County Police Headquarters, 770 Hi-Hope Road, Lawrenceville, Georgia, 30045. The vehicle was secured at that location on June 16, 2011 by Investigator Falkenhagen #951 (witness #5); the vehicle was towed to the location on a straight truck roll back wrecker operated by Willard's Wrecker Service. During the post collision inspection, Gwinnett County Police Department Accident Investigation Unit standard operating procedure, photos were obtained both of the vehicle's exterior and interior, (See Vehicle Inspection Photos, exhibit 13).

The vehicle is identified as a four-door, 2008 Jeep Wrangler, silver in color. The vehicle was registered in the State of Georgia to Buford, Georgia, At the time of the collision the vehicle was being operated by Aaron Watts; there were no other occupants in the vehicle.

The exterior of the 2008 Jeep Wrangler presented contact damage which was concentrated about the vehicle's left rear bumper/ tail light (See figure 18-19).



Figure 18: 2008 Jeep Wrangler



Figure 19: 2008 Jeep Wrangler

The vehicle's left rear bumper/ tail light presented minor contact damage which was characterized by closely crumpled, metal and broken plastic. The vehicle's left rear bumper was most significantly displaced from its manufactured position (see figure 18-19).

The interior of the 2008 Jeep Wrangler did not sustain any damage related to the collision (see figure 21).

The 2008 Jeep Wrangler was equipped with four steel radial tires each of which was manufactured by BF Goodrich. Each tire was Mud Terrain, P255/75R17. All four tire's air pressure ranged between 32 PSI to 34 PSI and the tread depth on all four tires ranged from 4/32 to 8/32 of an inch.



Figure 20: Tire for 2008 Jeep Wrangler.

The left and right side mirror were still attached to the vehicle. The vehicle was equipped with a standard automatic transmission which was in park at the time of inspection.

Air Bag

During post collision vehicle inspection it was noted the 2008 Jeep Wrangler was equipped with two air bags, one for each forward occupant position. The driver and passenger side air bag were not deployed during the collision (see figure 28).



Figure 21: Non deployed air bags in 2008 Jeep Wrangler.

Seat Belt

I examined the driver's seat belt assembly for evidence as part of the collision. The 2008 Jeep Wrangler was equipped with five active seat belt restraints, one for each occupant position. However, because the vehicle was occupied by only the driver at the time of collision, only the driver's seat belt was inspected. Based on the driver testimony and no other evidence to prove otherwise, it was determined that the seat belt was in use at time of the collision.



Figure 22: Driver side seat belt in 2008 Jeep Wrangler.

Vehicle Recall Data

As part of the post collision vehicle inspection, I conducted an on line search for recalls pertaining to a 2008 Jeep Wrangler. I completed the vehicle recall search of NHTSA's on line vehicle recall database.

NHTSA reported 5 possible recalls or defects for a 2008 Jeep Wrangler which would not have an impact on the collision. To see a complete list of recalls for a 2008 Jeep Wrangler see exhibit 8.

The vehicle was released to Willard's Wrecker Service at the completion of the post vehicle inspections. Mr. Watts was notified that the vehicle was released and where the vehicle was.

Exterior and Interior Post Collision Inspection of the 2009 Dodge Journey

On June 17, 2011 I conducted an interior and exterior post collision vehicle inspection of the 2009 Dodge Journey; VIN:3D4GG57V49T The inspection was completed at the Gwinnett County Police Department Accident Investigation Unit impound lot which is located at Gwinnett County Police Headquarters, 770 Hi-Hope Road, Lawrenceville, Georgia, 30045. The vehicle was secured at that location on June 16, 2011 by Investigator Falkenhagen #951 (witness #5); the vehicle was towed to the location on a straight truck roll back wrecker operated by Willard's Wrecker Service. During the post collision inspection, Gwinnett County Police Department Accident Investigation Unit standard operating procedure, photos were obtained both of the vehicle's exterior and interior, (See Vehicle Inspection Photos, exhibit 13).

The vehicle is identified as a four-door, 2009 Dodge Journey, blue in color. The vehicle was registered in the State of Georgia to Lawrenceville, Georgia, Lawrenceville, Georgia, At the time of the collision the vehicle was being operated by and Mrs. (deceased) was a passenger in the front seat.

The exterior of the 2009 Dodge Journey presented contact damage which was concentrated about the vehicle's front end (See figure 23).



Figure 23: Front end damage to 2009 Dodge Journey.

The vehicle's front end presented extensive contact damage which was characterized by closely crumpled, torn, and deeply abraded metal. The vehicle's front end, roof and doors were most significantly displaced from its manufactured position. (see figure 23).

The interior of the vehicle also presented extensive contact damage which was concentrated about the front dashboard. The steering wheel was connected to the steering column by four supports, all of which were still attached to the steering column. The steering wheel was also displaced from its original manufactured position by collision. The light switch and all other switches which control various mechanical fixtures in the vehicle were all displaced as a result from the collision (see figure 27).

Air Bag

The 2009 Dodge Journey was equipped with four steel radial tires each in which the front two tires and right rear tire were manufactured by Kumho and the left rear tire was manufactured by Goodyear. The two front and right rear tires were Solus Radial Model, P225/65R17. Both front tires were flat and the right rear tire was at 28 PSI. The tread depth on the three tires ranged from 5/32 to 7/32 of an inch. The left rear tire Integrity Radial model, P225/65R17. The air pressure was 30 PSI. The tread depth on the left rear tire was 5/32 of an inch.



Figure 24: Left Front tire and left rear tire on 2009 Dodge Journey.

The left and right side mirror were still attached to the vehicle. The vehicle was equipped with a standard automatic transmission which was in park at the time of inspection.

Air Bag

During post collision vehicle inspection it was noted the 2009 Dodge Journey was equipped with two air bags, one for each forward occupant position. The driver and passenger side air bag were deployed during the collision (see figure 28).





Figure 25: Deployed air bags in the 2009 Dodge Journey. Figure 26: Deployed air bags in the 2009 Dodge Journey.

Seat Belt

I examined the driver and passenger seat belt assembly for evidence as part of the collision. The 2008 Dodge Journey was equipped with five active seat belt restraints, one for each occupant position. However, because the vehicle was occupied by only the driver and the front seat passenger at the time of collision, only the driver's seat belt front passenger seat belt was inspected. Both driver side and passenger side seat belts were locked out and extended. Both seat belts were also cut so the Gwinnett County EMT could extricate the driver and passenger. Based on this evidence it was determined that he seat belts were in use at the time of the collision.



Figure 27: Passenger side seat belt that was cut in the 2009 Dodge Journey.



Figure 28: Driver side seat belt that was cut in the 2009 Dodge Journey.

Vehicle Recall Data

As part of the post collision vehicle inspection, I conducted an on line search for recalls pertaining to a 2009 Dodge Journey. I completed the vehicle recall search of NHTSA's on line vehicle recall database.

NHTSA reported 7 possible recalls or defects for a 2009 Dodge Journey which would not have an impact on the collision. To see a complete list of recalls for a 2008 Jeep Wrangler see exhibit 23.

The vehicle was released to Willard's Wrecker Service at the completion of the post vehicle inspections.

Mr. Who is husband, was notified that the vehicle was released and where the vehicle was.

Witness Statements
Monkonji Lindsey
June 30, 2011 I went to the residence of Driver #1, I made contact with who stated that he was just released from Gwinnett Medical Center in which he stated that he was there due to the injuries that he sustained in the collision. Lindsey was on crutches and stated that he had a broken foot.
I asked if he recalled what happened the day of the collision and he stated that he did not remember anything about the collision other than driving on S.R. 124 and then being removed from his vehicle by Gwinnett County EMT's. I asked if he was drinking the day of the collision and he stated that he did not have anything to drink that day. It is stated that he was not feeling good that day so he called in sick to work. Lindsey stated that he went to bed on the morning of June 16, 2011 at approximately 3:00 a.m. because he could not sleep and then woke up at approximately 8:30-9:00 a.m. stated that he had a few beers that night/ morning but he was not drunk. I asked where he was headed to before he was in the collision and he stated that he was on his way to a location on Buford Highway called "Triple Play" to meet friends for dinner and a few beers. I also asked Lindsey if he was on the phone or texting at the time of the collision and he stated no and that his phone was not working so he was not able to use it.
Curtis Moore
June 16, 2011 Mr. (witness #31) who lives at Lawrenceville, GA. Stated that he was behind the Dodge Journey and observed the Jeep Grand Cherokee swerve in to the south bound lane of travel on S.R. 124 and strike the blue Dodge Journey head on. See witness statement (exhibit 5).
Aaron Watts
June 16, 2011 Mr. Driver #2, stated that he was stopped for traffic so he could turn left in to his subdivision, Subdivision. Stated that while he was stopped he had his left turn signal activated. Said as he was waiting for traffic to clear so he could turn, he felt his Jeep get hit from behind and then heard the collision in the southbound lanes of S.R. 124. Stated that he pulled his vehicle out of traffic to right side of the northbound lanes of S.R. 124 and went to see if he could help any of the drivers and passengers but stated that the vehicles were so bad that he thought he should wait for the Police and Fire Dept. to show up
Patti Braaten
On July 2, 2011 (witness #32), who is a nurse with an organization called "Embracing Hospice", located at Cumming, GA, contacted Eddie Reeves of the Gwinnett County Medical Examiner's Office. Patti advised Reeves that on June 22, 2011 Mrs. was transported to her facilities from Gwinnett Medical Center. Patti stated that Mrs. died on July 2, 2011 at approximately 0022 hours from the injuries that she sustained in the collision that she was involved in on June 16, 2011 at

Medical Examiner's Report Deborah Samples On October 21st, 2011 I received the Gwinnett County Medical Examiner's Office Medical Examiner's Investigative Report, Case Number (which documented Eddie Reeves Investigative Report. Reeves stated in the report that The Gwinnett County Medical Examiner's Office would accept jurisdiction for the purpose of certifying the death certificate for need the deceased female in for an autopsy. Reeves stated that he was going to subpoen a the medical records from the Gwinnett Medical Center. Reeves indicated that the cause of death for was "Generalized Blunt -Force Trauma with closed Head Injury, Delayed effects" that was consistent with injuries caused from a head on traffic collision. Conclusion On the afternoon of June 16, 2011, at approximately 4:53 p.m. vehicle #1, a 2004 Jeep Grand Cherokee, operated by Mr. Was traveling north on . Vehicle #2, a 2008 Jeep was headed north on stopped for traffic so he could turn Wrangler, operated by left on to Amber Creek Drive. Vehicle #3, a 2009 Dodge Journey, operated by passenger in the front seat, was headed south on Mr. quickly swerved out of his lane in an attempt to avoid a collision with Jeep Wrangler, due to following too closely and the Wrangler stopped in front of him, striking vehicle #2 in the left rear tail light/ bumper and crossed over the double-yellow line and struck vehicle #3 head on. The driver of vehicle #1, was transported to Gwinnett Medical Center with serious, but non-life threatening injuries. Driver #3 was also transported to Gwinnett Medical Center for with what were at the time life threatening injuries. The passenger of vehicle #3, Mrs. was also transported for life threatening injuries to Atlanta Medical Center. Mrs. was in and out of consciousness, but never gained full consciousness after the collision and died on July 2, 2011 due to injuries she sustained in this collision. Driver #2 did not sustain any type of injuries and was not transported. After examining all three vehicles, physical evidence and speaking to witnesses, I concluded this collision was not the result of a mechanical failure or roadway defect and was completely driver error whom was charged with Following Too Closely, in violation of O.C.G.A. 40-6-

Case closed-AA-Adult Arrest

49(a), Failure to Maintain Lane, in violation of O.C.G.A. 40-6-48(a), Driving on the Wrong Side of the Roadway, in violation of O.C.G.A. 40-6-40(a) and Vehicular Homicide in the 2nd Degree, in violation of

O.C.G.A. 40-6-393(c). These violations ultimately resulted in the death of Mrs. I

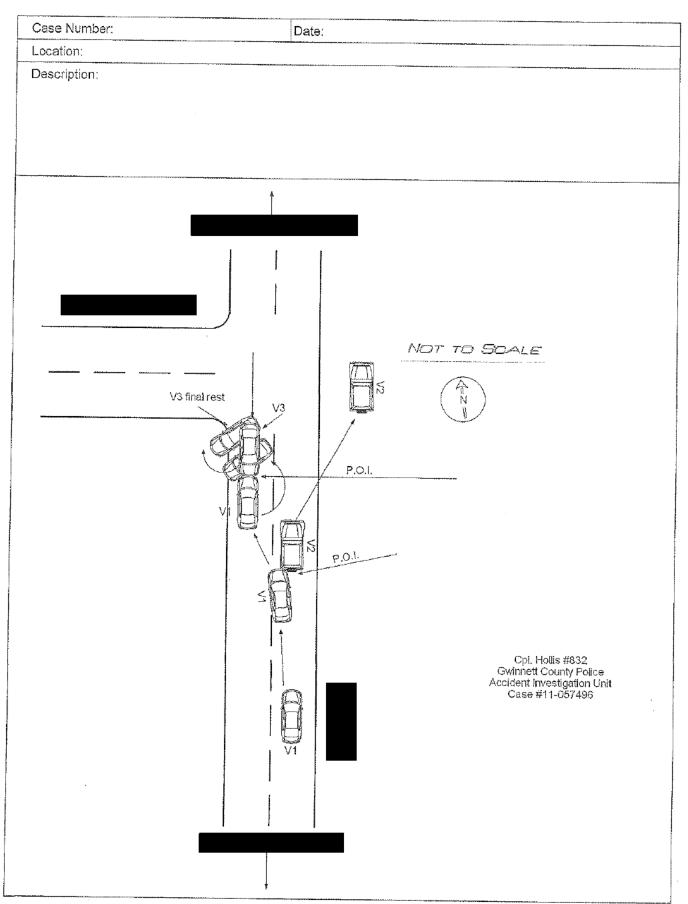
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Veh 1 Violation			Citation	#:		ا ٦	Citations - Veh 2 Viol					***************************************		٦ ؞				
				- L	·		7 011 22 7101		<u> </u>						tation #;	<u>L</u>		
First Harmful Event	Traffic-Way Flow	Weather	Surface Cond	J. Ligh	t Cond.	M	anner of Collision	Lo	cation a	t R	oad Co	np.	Road I	Def.	Roa	1	Const	uction/
11	1	1	1		1		2	7100	1	act	2		1		Charae	it o r 1	Mainte Zo	uction/ nance ne ()
		Veh # 3	Veh	#	Skio	i		L			······································			1	J			
Number of O	ocupants	2			Dist Befo	ano	e 0	n 3	A	FTER	0 Veh 3				Wid	ith of Ro	oad	
Point of Initia	Contact	12			Imp	act	ve:									24'		
Damage to V	ehicles	4			1		Vel	ì <u></u>	A 		Veh							
Damage Othe	er Than Vehicle	i	r: Name		<u> </u>	III PARLUIC				<u> </u>			Ţ	TAKEN	-	SAFETY	1	A ID
		Addre	ess;	4					AGE	SEX	VEH #	POS	INJURY	TAKEN FOR TREAT	EJECT	EQUIP	EXTRIC	AìR BAG
			Dri	√er#3	or Pedes	trian	#				eres and construction		2	1	1	3	1	1
Occupants (L	ist Below):	***************************************	Drh	ver#	or Pedes	trian	#								<u> </u>			
Last Name	First	Address		City		Stat	e ZIP		Х	Х	Х	Х	XXX	ххх	XXX	XXX	XXX	XXX
				LAWE	RENCEVILLE	= (3A		58	F	3	3	2	1	1	3	1	1
				v,														

				~~~~														<del></del>



Detailed History for Police Event

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As of 6/16/2011 19:28:33

Output for: B832

Priority:1 Type:41C8 - VEH ACC-TRAPPED

Location

<2434/2000> Route Wap It

Map:580-J9

Created:	06/16/2011	16:53:06	CT18	CO374
Entered:	06/16/2011	16:53:22	CT18	CO374
Dispatch:	06/16/2011	16:54:59	DP03	CO433
Enroute:	06/16/2011	16:55:16	DP03	CO433
Onscene:	06/16/2011	17:00:22	90592	B1406
Control:	06/16/2011	17:01:37	DP03	CO433
Closed:	06/16/2011	19:08:20	91710	B951

ICUnit: PrimeUnit:2123 Dispo:C19 Type:41C8 - VEH ACC-TRAPPED

Agency: GP DAREA: NS Zone: 332 RD: 421058

Case#

16:54:34 INFO

16:53:06 CREATE TypeDesc:VEHICLE ACC-INJ LocDesc: <2434/ 2000> Priority: 1 Response: 1P Agency: GP Map: 580-J9 LocType:H 16:53:06 ALI 16:53:22 ENTRY 16:53:22 -ASSOC Type:41I Agency:GF Service: F Event: 3 Comment:PPR 16:53:22 -PREMIS 16:53:23 -NFPREM DAREA: NS Comment: COMP ADV THAT ONE PERSON 16:53:34 INFO IS UNC... 16:53:51 CHANGE Type:411-->41C8 TypeDesc:VEHICLE ACC-INJ-->VEH ACC-TRAPPED DAREA:NS Comment: 2 PATS UNC...ONE PASSENGER 16:54:21 INFO UNC...DRIVER OF OTHER VEHICLE IS UNC....

BLEEDING FROM....

DAREA: NS Comment: UNSURE OF WHERE DRIVER IS

16:54:39 SELECT 16:54:59 DISP 331C Operator:B1406 OperNames 16:54:59 -PRIU 331C 16:54:59 -HOLD 16:55:01 INFO 16:55:14 MISC 16:55:16 BACKER 16:55:23 INFO 16:55:27 BACKER 16:56:00 INFO 16:56:51 INFO 16:56:57 *ENRTE 16:57:06 INFO 16:58:36 INFO 16:59:21 INFO 16:59:31 NOMORE 17:00:21 INFO 17:00:22 *ONSCN 17:00:49 ONSCN 17:01:20 BACKOS 17:01:32 CLEAR 17:01:37 OK 17:02:58 MISC

17:04:10 BACKER

17:04:54 MISC

17:09:31 ONSCN

17:11:16 OK

17:17:00 BACKER

17:17:34 *RFT

17:17:38 *RFT

17:17:47 *RFT

17:17:53 BACKER

17:22:45 OK

17:23:34 *CASE

17:23:48 PRIOR

17:29:39 *RI

17:41:40 ONSCN

17:41:45 OK

17:50:05 OK

17:53:24 *RFT

17:55:22 *RFT

17:57:00 MISC

17:58:07 MISC

17:58:40 OK

18:22:23 OK 331C 310C 2123 2124 2174 2175 Contact:20

18:31:03 *CLEAR 2175

18:31:34 CLEAR 310C

18:37:14 MISC 2174 Comment:124 OPEN

18:37:15 CLEAR 2174

18:37:24 CHGLOC 2124 Location:HQ, LAW Comment:AIULOT

18:37:26 PRIU 2123

18:37:30 CLEAR <u>2123</u> Dispo:C19 DispoLevel:0

18:37:38 CLEAR 331C

18:45:26 *ONSCN 2124

18:45:53 OK <u>2124</u> Contact:30

19:08:20 *CLEAR 2124

19:08:20 -CLEAR

19:08:20 *CLOSE

#### CONTACT INFO:

Name	Phone	RPaddr	PremPhn#	Aud/Sil?	Airmind	AltNumber
<del>/</del>						
		The second secon				

Detailed History for Fire Event #

As of 6/16/2011 19:31:10

Output for: B832

Priority:1 Type:41C8 - VEH ACC-TRAPPED

Locatio

r<2434/2000> Route Map It

Map:580-J9

Created:	06/16/2011 16:53:06	CT18	CO374
Entered:	06/16/2011 16:53:22	CT18	CO374
Dispatch:	06/16/2011 16:53:52	DF01	CO375
Enroute:	06/16/2011 16:54:05	90764	F285
Onscene:	06/16/2011 17:00:11	DF02	CO450
Control:	06/16/2011 17:28:02	DF02	CO452
Transprt:	06/16/2011 17:21:03	DF02	CO452
Complete:	06/16/2011 17:33:21	DF02	CO452

ICUnit: PrimeUnit:E27 Dispo: Type:41C8 - VEH ACC-TRAPPED

Agency:GF DAREA:FD1 Station:27 RD:060112

Case #

XREF::Police Event:

Type:411 Agency:GP | Detail

16:53:22 ENTRY
16:53:22 -ASSOC
16:53:22 -PREMIS
16:53:24 -NFPREM
16:53:27 SELECT
16:53:34 INFO
16:53:51 CHANGE
16:53:52 DISP

16:53:52 DISP

16:53:52 DISP

16:53:52 -PRIU

16:53:52 -CASE

16:53:53 -HOLD

16:54:05 *ENRTE

16:54:21 INFO

16:54:34 INFO

16:54:52 *ENRTE

16:55:01 INFO

16:55:23 INFO

16:55:43 ENRTE

16:56:00 INFO

16:56:45 DISP

16:56:45 DISP

16:56:45 DISP

16:56:51 INFO

16:57:05 BACKER

16:57:06 INFO

16:57:13 MISC

16:57:19 MISC

16:58:03 *ENRTE

16:58:19 *RI

16:58:32 BACKER

16:58:36 INFO

16:58:42 *ENRTE

16:59:21 INFO

16:59:31 NOMORE

16:59:59 CHGLOC

17:00:11 ONSCN

17:00:11 -PRIU

17:00:21 INFO

17:03:29 *ONSCN

17:04:54 BACKOS

17:05:39 *ONSCN

17:06:37 ONSCN

17:08:38 *ONSCN

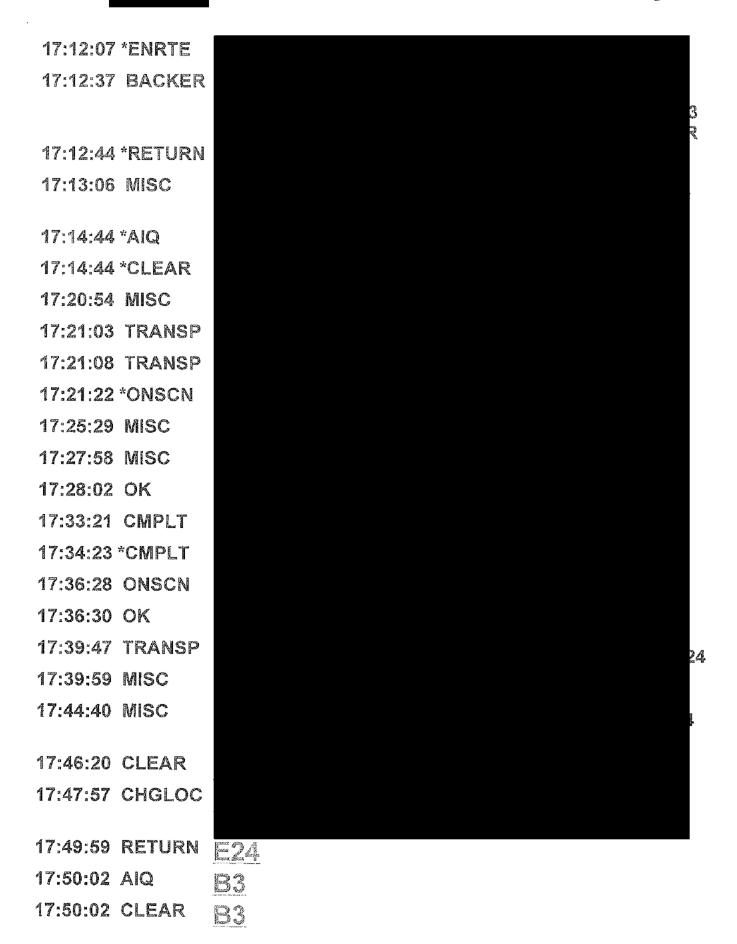
17:09:05 MISC

17:09:20 ONSCN

17:10:17 BACKER

17:10:46 *ENRTE

.. .. . .



17:51:06 *RETURN	
17:51:10 *AIQ	NSZ
17:51:10 *CLEAR	NIS2
17:54:05 *RI	Come 2 de
17:58:59 RETURN	Rose dan 1
17:59:19 PRMPT	E27 Comment:Preempted and dispatched to call
	#F11037683
17:59:32 AIQ	TAC3
17:59:32 CLEAR	TAC3
18:02:41 *AIQ	E24
18:02:41 *CLEAR	E24
18:22:55 *CMPLT	M24
18:34:57 *RETURN	M18
18:38:27 *RETURN	M10

18:42:25 *AIQ

S24

18:42:25 *CLEAR

S24

18:48:15 *AIQ

18:48:15 *CLEAR

M10

18:55:20 *AIQ

M18

18:55:20 *CLEAR

M18

19:18:32 *RETURN M24

#### CONTACT INFO:

Name	Phone	RPaddr	PremPhn#	Aud/Sil?	Airmind	AltNumber

Q6-16-2	2011	REPORT TIME: 1653	GUINNETT COUNTY P	OLICE DEPARTM	FWL MAENITE IN	
INVL:	NAME (FI	ULL);		NATURE OF CALL:	Report Type:	
				5102	INVESTIGATOR SU	PP
2 1	ON 7.11.11 LANE AND	I OBTAINED ARREST WARRANT DRIVING ON THE WRONG SIDE T COUNTY DETENTION CENTER	TS FOR VEHICULAR HOMICIDE IN T OF THE ROADWAY FOR DRIVER #	HE SECOND DEGREE, FO 1, D	DLLOWING TOO CLOSE RIVER #1 TURNED HIM	LY, FAILURE TO MAINTAIN SELF IN ON 7.11.11 AT THE
						Exhibit 4
0.107 -	TARLES			***************************************		
CASE ST AC	TATUS: CASE AC	TIVE	DATE CLEARED:			

Assignment/Shift: FAIU

OFFICER: HOLLIS,J

BADGE#: B832

NCIDENT No. 1
SUBDIVISION / APARTMENT / SHOPPING CENTER NAME:
CITY: SIATE: CIP: PREMISE VACANT? UNDER CONSTRUCTION? OFFENSE LOC: PREMISE TYPE:  BUFORD GA 30518  Yes No Yes No 1 18 HIGHWAY
INVL: NAME (FULL) dast first middle initial): STREET ADORESS:
SUBCIVISION / APARTMENT / SHOPPING CENTER NAME: CITY: STATE; ZIP: E-MAIL ADDRESS: GA
RACE: ETHNICITY: SEX: DATE OF BIRTH: QUN: STATE: CCCUPATION: EMPLOYER/SCHOOL:
TYPE: HOME PHONE: TYPE: BUS PHONE: BUS EXT#: TYPE: CELL PHONE: TYPE: OTHER PHONE: MISC:
INVL: NAME (FULL) (last first middle initial): STREET ADDRESS:
SUBDIVISION / APARTMENT / SHOPPING CENTER NAME: CITY: STATE: ZIP: E-MAIL ADDRESS:
RACE: ETHNICITY: SEX: DATE OF BIRTH: OLN: STATE: OCCUPATION: EMPLOYER/SCHOOL:
TYPE: HOME PHONE: TYPE: BUS. PHONE: BUS. EXT.#: TYPE: CELL PHONE: TYPE: OTHER PHONE: MISC: H   O
NAME (FULL) (last first middle initial): STREET ADDRESS:
SUBDIVISION / APARTMENT / SHOPPING CENTER NAME: CITY: STATE: ZIP: F-MAIL ADDRESS: GA   GA   GA   GA   GA   GA   GA   GA
RACE: ETHNICITY: SEX: DATE OF BIRTH: OLN: STATE OCCUPATION: EMPLOYER/SCHOOL:
TYPE: HOME PHONE: TYPE: BUS PHONE: BUS EXT #: TYPE: CELL PHONE: TYPE: OTHER PHONE: MISC:
INVL: NAME (FULL) (last first middle initial):  STREET ADDRESS:
SUBDIVISION / APARTMENT / SHOPPING CENTER NAME: CITY: STATE; ZIP: , E-MAIL ADDRESS:
RACE ETHNICITY: SEX: DATE OF BIRTH: OLN: STATE: OCCUPATION: EMPLOYER/SCHOOL:
TYPE: HOME PHONE: TYPE: BUS. PHONE: BUS EXT #: TYPE: CELL PHONE: TYPE: OTHER PHONE: MISC:
H) B C O O O O O O O O O O O O O O O O O O
CHARGES:  CHARGES:  VEHICLE HOMICIDE 2ND  GZONE:  421058  3 DRIVING ON HWY LANED FOR TRAFFIC  ARREST LOCATION:  CHY:  STATE: ZIP:  GA
OFFENDER INV.   CHARGES:   CHARGES:   CHARGES:   COUNTS: WADDAND # CITATION #:     DRV
OFFENDER INV. CHARGES:  OFFENDER INV. CHARGES:  OFFENDER INV. CHARGES:  OFFENDER INV. CHARGES:  VEHICLE HOMICIDE 2ND  2 FOLLOWING TOO CLOSELY  3 DRIVING ON HWY LANED FOR TRAFFIC  ARREST LOCATION:  CHY:  STATE GA  WEAPON  COLOR DESCRIPTOR  ALIAS:
CHARGES:  CHARGE
CHARGES: DRV   1 VEHICLE HOMICIDE 2ND   1   1   1   1   1   1   1   1   1
CHARGES: DRV    CHARGES:   VEHICLE HOMICIDE 2ND     GZONE:   2  FOLLOWING TOO CLOSELY     421058   3  DRIVING ON HWY LANED FOR TRAFFIC     ARREST LOCATION:   CHY:   STATE:   ZIP:     ARREST LOCATION:   GA     CHY:   STATE:   ZIP:     CHY:   STATE
CHARGES:  VEHICLE HOMICIDE 2ND  GZONE:  421058  JERVING ON HWY LANED FOR TRAFFIC  ARREST LOCATION:  MAME (FULL ) Viast first middle initial OFFENDER  ALIAS:  WEAPON  COLOR DESCRIPTOR  ALIAS:  STATE: JP:  GA:  STATE: JP:  BLK BRO 225 5*11* DBR MAKE: MAKE LITERAL:  COLOR COLOR COLOR: STATE: LC YEAR: LIC TYPE: OTHER PHONE: INVOLVEMENT:  STATE: JYPE: OTHER PHONE; INVOLVEMENT:  STATE: LC YEAR: LIC TYPE: OTHER PHONE; INVOLVEMENT:  STATE: LC YEAR: LIC TYPE: LC YEAR: LIC TYPE: STATE: LC YEAR: LIC TYPE: LC YEAR:
OFFENDER INVI DRV  GZONE: 421058  2 FOLLOWING TOO CLOSELY 3 DRIVING ON HWY LANED FOR TRAFFIC  ARREST LOCATION:  MARK (FILL I Visit first middle incide OFFENDER  ALIAS:  CHY  STATE: QCCUPATION:  STATE: QCCUPATION:  STATE: QCCUPATION:  STATE: QCCUPATION:  STATE: QCCUPATION:  PMPLOYER / SCHOOL:  B   Mark   Mark

JUVENILE INV		∏Yes ⊠No	o COMMERCIAI		PRIVATE PROPE							Of	
Accident Num.	ber	ALL STATE OF THE S	Agency NCIC No GA06702		GE MOTOR VE	ORGIA UNIFOR HICLE ACCIDE	RM NT REPORT	County I G	WINNE		are Rec by DIVIV	5	
Date			° Week [	Time	(	Off, Arrived	Vehicles	otal Numbe Injuries	Fataliti	ies Inside	le City of:		
06-16-2011 Road of		Sun M T		S 1653	At Its	700	3	2	1				- FKTI
Occurrence.		aNT sugget Pt 1	RI. 3 Co. Road	.∏ _{City} et	<ul> <li>Intersection Wit</li> </ul>	th Interstate 2	Launat St	- 2 N C	- Pood A	701481	Corrected Re Suppl to Origi		Yes N Yes Y
Not at Its			RI. 3 CO. ROBO	Ennt									Yes [N]
Intersection B	][	Feet	-	West 1	Interstate 2	Lowest St. Rt.	3 County	rRd. 4	City St. 5	Co. Line	City	<u></u>	163 [
And continuing Next Reference		ction checked ab	love, the								Grid 421058	···	
	AST NAME	ANGELES 19 10 10 10 10 10 10 10 10 10 10 10 10 10	FIRST	1 Intersta	ate 2 Lowes MIDDLE INITIAL	st St. Rt. 3	Co. Road 4		t. 5 <u> </u>	o, Line FIRST	<u> </u>	MIDDLE	INITIAL
Invt: DRV						- DRVI					***************************************	L	
#: 1					1005	#: 2			State		Zio		OB.
City LAWRENCE		G	State GA			City BUFORD		w	GA				
Driver's Licens	se No.	Clas C	ss State GA	X M	lale Female	Driver's Lice	nse No.		Class C	State GA	e X Male	• LIF	emale .
	urance Co. LSTATE			Policy No.	<u> </u>		surance Co.		ACCORDING TO THE PARTY OF THE P		Policy No.		
Year	Make		odel		 one ivo.	Year	Make		Model	v eo	Telenho	ne No	
2004 VIN	JEEP	710	RAND CHE Vel	(678) 65 hicle Color	50-9356	2008 VIN	JEEP		WRANG	1	Vehicle Color		
1J4GX48S94 Tag #	C	State	GR' County		Month / Year	1J4GA6917 Tag#	8L State		Cou		SIL.	Month / Y	rear
		GA	GWINNE	ETT	02 / 2012		GA			·		1	
Trailer Tag #		State	County		Month / Year /	Trailer Tag #	# State		Cou	nty	i	Month / \ /	/ear
Same as D	river Own	ner's Name (last fi	irst middle initial)			Same as	s Driver Ov	wner's Nam	e (last first	t middle initi	ial)		
Address					***************************************	Address			***************************************	***************************************			
City			State	Zip		City			Ştatı	e	Zip		***************************************
Removed By				r=7.1	4_4	Removed B	v			Campage	- I list	****	
	T	L Tanaha	Request	Li	Results	Alcohol Test		Resu		Request Drug Test	List	Resu	No.
Alcohol Test	Туре	Results	Drug Test	Тура									
Driver Cond	Direction	ion of Travel	Vision Obscured	Contrib	buting Factors	Driver Cond	Direc	vsnT to noit		islon bscured	Contrib	uting Fac	tors
Veh Cond	Veh	Maneuver	Ped Maneuver			Veh Cond		h Maneuve		ed Maneuve			
Most Harmful I	Event	Veh Clas	s:	Veh Typ	e;	Most Harmfi	Most Harmful Event Veh Class: Veh Type:						
Traffic Ctrl	or noncontraction of the	E	Device Inoperative	? Yes	☐ No	Traffic Ctrl	······	Carrier de la constitue de la constitue de constitue de constitue de la constitue de constitue de constitue de	Devi	ice (noperat	tive? Yes	No	
Injured Taken	To:				Ву:								
EMS Notified 1	Time	EMS Arrival	Time	Hospital A	Ardval Time	Photos	Taken	Yes	No	Ву:			
Report By: B8	332	<- Badge#		artment			ecked By:			,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		Date C	Checked
HOLLIS,J Witness(es):	NAN	AE (last first midd	Gwinnett Coun	nty Police De Street Ac		11-2011   870	4 BAF	RNHART, L		State Zij		Telephon	ne No.
1												Telephon	
2		AE (last first midd)	·	Street Ad	dress		Cit	ty		State Zi	p	tetehion	ie No.
DMVS MICRO	FILM NUM	BER (DO NOT W	VRITE IN THIS SP		New Years of the Party of the P	and so at he telefolish Telefolish							····
Carrier Name					Commercia	Carrier Nam							
Vehicle# Address			City	State	e Zip	Vehicle # Address		******		City	Stat	ė	Zip
No. of Axles	G.V.W	√R. Fed.	. Reportable	Cargo E	Body Type	No. of Axies	G.V.	W.R.		portable	Cargo l	Body Typ	) <del>6</del>
Vehicle Config		Y ₁	res No		Intrastate	Vehicle Con	nfig. I.C.C.N	MC#	U.S.D.G	herard (	Interstate	Intrasta	ate[
Verious Gering	1.0.0.in.	0.6		JISTORIO L.J		V 93 NOTO 42		VII.OM	0.0.2.			49.144	
	- Lander	Yes 2. No	C.D.L. Susper	=	Yes 2 No	9	C.D.L.? 1.			,	pended? 1.		2. No
Vehicle Placari Relea:		Yes 2. No	Hazardous Mate	arlais? T.[	Yes 2. No	Vehicle Plac Rei	carded? 1.[ leased? 1.[	Yes 2		Zardous IVia	aterials? 1.	Yes 2	2No
If YES Name	J		nond or Bex:			if YES, Nan	∸ ne or 4 Digit N	 Number fro	 m Diamon	d or Box:			
	-		of Diamond:				-			Diamond: _			
Ran Off Ro	oadDc	wn Hitl Runaway	yCargo Loss/	/ShiftS	eparation of Units	Ran Off	Road	Down Hill R	unaway _	Cargo Lo	oss/ShiftS	Separatio	n of Units

Accident Number		1	Nature -	of Call: 5	5102		Fro	n Ti	me: 22	30	Da	ate Fron	n: 07-	11-2011	DAGGERS KOM STE		00FEW WEGO #21FA.FO				**************************************
REMARK	(S:																				
ADDITION	AL CHARGE: D	RIVING C	IHT NC	E WRON	IG SID	E OF	THE ROA	\DV	VAY O.	C.G.	4. 40-	6-4 <b>0(</b> A	).								
FOLLOWING OF TURNED H	I LOBTAINED / NG TOO CLOSI ON THE WRON HIMSELF IN ON STIGATION CO	ELY O.C.6 IG SIDE O I 7.11.11 A	G.A. 40 OF THE AT THE	)-6-49 W. EROADV	'ARRA WAY O	NT# .C.G.A	\. 40-6-40	ΕΑ (Α)	AILURE WARE	E TO RANT	MAIN #	TAIN L	ANE (	D.C.G.A R DRIVI	. 40-6 ER #1	-48 WA	RRANT			/-11951 AND /ER #1	*
INDICATE C	N THIS DIAGRA	M WHAT I	IAPPE	NED				. MINITERNO			tarrex.o.p.	*******************	02230000			INDIC	ATE			CAUTA CHORNELL	1
Citations - Vehi		THE CONTROL OF THE CO			negatives and a				Citati	ons -	Vehicke	2 #				ONI AND REAL PROPERTY.					
Veh 1 Violation	40-6-393(B)		***********	Cit	ation#	11W	-11951		Veh 2	2 Viola	tion:						Cit	ation#:			
First Harmful Event	Traffic-Way Flow	Weath	er	Surface	Cond.	Ligh	t Cond,		vlanner Collision			ation at of Impa		oad Com	ıp.	Road D	ef.	Road Charad		Constru Mainte Zor	nance
		Vel			 Veh#		Sk	id		3					L				1		
Number of O	ccunanis						Dis	stand fore										Wid	ith of Ro	ad	
								pact		Veh	·	-		Veh							
Point of Initia											1	Al		 Veh							
	er Than Vehicle		Owner Addres	: Name	<u>www.</u>	ddaw daw a i an carpora	1	***************************************	***************************************	-4-44-4		AGE	SEX	VEH#		INJURY	TAKEN FOR TREAT	EJECT	SAFETY	EXTRIC	AIR BAG
					Drive	r#	or Pede	stria	an#			indicates and the second		A CONTRACTOR OF THE STATE OF	Agé de de la Constitutión (Constitutión (Con						
Occupants (L	.ist Below);				Drive	er#	or Pede	stria	an#	••••											
Last Name	First	Address	*********			City		St	ate	ZIP		Χ	Х	Х	Х	XXX	XXX	XXX	XXX	XXX	XXX
			***********													<u> </u>			<u> </u>		
																			<u> </u>		
														1 1		E .	1	1		l l	
			**********																		

JUVENILE INV		□yes ⊠n	to COMMERCE		PRIVATE PROPE						PA	AGEC	Х	
Accident Num	11005	7496	Agency NCIC GA0670	NO. 0200	GE MOTOR VEI	ORGIA UNIF	ORIU JENIT	REPORT	County GW	INNETT	Date	e Rec by DIVIVS		
Date	,	П П Рау	of Week	Time		Off. Arrived	- 1	Tota	al Number o		Inside	City of:	***************************************	
06-16-2011		Sun M T	W Th F	S 1653		700		3	Injuries 2	1	<u> </u>			
Road of Occurrence		-			At Its Intersection Wit					and the second second second		Corrected Rep		Yes N
Not at Its	Interstate	2 Lowest St. I	Rt. 3 Co. Roa	٦	t. 1	Interstate 2	Lo	west St. Rt.	3 <b>∑</b> Co. ≅	coad 4 C	ity St.	Suppl to Origin	a17	Yes Y
Intersection B	ut	Mile	rt □South □	JEast Of: ]West ₁	Interested of	1 awart St. D		Townsty B.	ا ا ا	. St. e[] C		Hit & Run		Yes N
And confloyin	a in the dire	ection checked at			Interstate 2	Lowest of R	J	County Ro	s, 4ECR)	/ St. 5[] C				
Next Reference	ce Point is		70V0, (1)G	1 Inters		t St. Rt. 3	Co.	Road 4	city St.	5 Co. L		Grid 421058		
Invi: DRV	AST NAME		FIRST		MIDDLE INITIAL S	Invl:	] LAS	ST NAME		FIF	RST	ľv	IIDDLE	E INITIAL
#: 3						#	Add	dress						
City LAWRENCE	(VIII   CC		State	Zip	DOB	City	.1			State		Zip	D	ОВ
Driver's Licens		Cla		I N	Aale 🗙 Female	Driver's Li	censa	No.		Olass	State	Male	F	Female
	urance Co. BERTY MU		GA	Policy No	7	Posted Speed	Insur	ance Co.				Policy No.		
Year	Make	Mi	odel	Teleph	one No.	Year	N	Make	M	lodel		Telephon	e No.	
2009 VIN	DODG	JC	DURNEY V	ehicle Color		VIN		<del>" </del>			V	/ehicle Color		
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# GWINNETT COUNTY POLICE DEPARTMENT WITNESS STATEMENT FORM

Case Number:		Page 1	Number:	of
Statement of	,	NAME OF THE OWNER		
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Home Phone	Wo	rk/Cell Phone #		
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Exhibit 5

To protect the privacy of individuals, NHTSA does not make medical records available to the public without authorization. For this reason, documents falling into this category have not been included in this complaint record.



# STATE OF GEORGIA DEPARTMENT OF MOTOR VEHICLE SAFETY

#### FACSIMILE TRANSMITTAL SHEET TO: DATE: GA Dept. of Transportation 7/5/11FROM: P.O. Box 80447 Gwinnett County Police Department Conyers, GA 30013 Accident Investigation Unit Attn: Accident Reporting FARS Unit P.O. Box 602 Lawrenceville, Ga. 30046 FAX NUMBER: TOTAL NO. OF PAGES INCLUDING COVER: (404) 635-8174 PHONE NUMBER: SENDER'S PHONE NUMBER: (404) 635-8234 (770) 338-7430 Ext. 5678 SENDER'S FAX NUMBER: DOT Traffic Fatality Notification (770) 338-7431 Name: Passenger: Driver: Pedestrian: (Check One) Date of Accident: <u>06/16/11</u>. Date of Death (if different): 07/02/11 County: <u>Gwinnett</u> Time: Location: Embracing Hospice House . City: Cumming . Remarks: Delayed death due to injuries that were sustained in 3 vehicle traffic collision which the deceased was a passenger in vehicle #3. The case # for the collision is Gwinnett County Police case The time of death is unknown at this point, I was notified by a family member and the Gwinnett County Medical Examiner that it was in the early hours of July 2, 2011. Investigating Agency: Gwinnett County Police Department Investigating Officer: <u>Inv. J. E. Hollis #832</u>.

DMVS-0314 (01/04)



Defects - Search Results

2 Record(s) Displayed.

Report Date: October 11, 2011 at 08:12 PM

Search Type: VEHICLE Model Year: 2004 Make: JEEP

Model: GRAND CHEROKEE

NHTSA Recall Campaign Number:

NHTSA Recall Campaign Number:

Model: GRAND CHEROKEE

Model: GRAND CHEROKEE

N/A

NHTSA Action Number:

DP09005

Make: JEEP

Manufacturer: CHRYSLER GROUP LLC

Model Year: 2004 Component(s):

FUEL SYSTEM, GASOLINE:STORAGE:TANK ASSEMBLY:FILLER PIPE AND CAP FUEL SYSTEM, GASOLINE:DELIVERY:HOSES, LINES/PIPING, AND FITTINGS

Date Investigation Opened: November 6, 2009 Date Investigation Closed: August 23, 2010 Summary:

In a letter dated October 2, 2009, the Center for Auto Safety (CAS) petitioned NHTSA to open a defect investigation and recall model year 1993-2004 Jeep Grand Cherokees. CAS alleged that the subject vehicles have defective fuel tank storage systems that present a fire hazard in crashes. CAS alleged that the plastic fuel tank's placement behind the rear axle and below the rear bumper, and the lack of adequate shielding, make it more vulnerable to rupture or leakage from a rear-impact by another vehicle (including damage from other components located on the Grand Cherokee), or in the case of rollover crashes, from other external objects. CAS also alleged that the fuel filler neck tears off in crashes. In its petition, CAS cites data from NHTSA's Fatality Analysis Reporting System (FARS) showing 172 fatal fire crashes with 254 fatalities involving the subject vehicles from calendar years 1992 through 2008. CAS stated that there have been at least 44 crashes with 64 total fatalities (subject and non-subject vehicles) where fire was entered as the Most Harmful Event (MHE) in the FARS database. In response to the CAS petition, ODI made a preliminary examination of available data. FARS data showed 2,988 occupants of the subject vehicles have died in crashes since 1992. Of those, 55 died in 44 crashes where fire was listed as the Most Harmful Event. Identifying crashes most likely associated with the alleged defect as described by CAS (defined as the subject vehicle being struck at the 5,6 or 7 o'clock positions) isolated 10 crashes with 13 occupant fatalities. ODI also reviewed the Vehicle Owner Questionnaires (VOQ) database and identified 12 reports alleging A) a post-crash fuel tank leak and/or B) a post-crash fire potentially related to a fuel tank leak. Of the 12 reports, 10 involved fires (two involved fuel leaks only) with 9 alleged injuries and 1 alleged fatality. The existence of these post-crash fires does not, by itself, establish a defect trend. Further review and investigation into these incidents is needed to determine the existence of any relationship between the alleged defect and each fire or leak. It should be noted that ODI also conducted a preliminary review of the Early Warning Reporting (EWR) data that did not find the subject vehicles to be over-represented for post-crash fires. ODI's initial review neither supports nor excludes the possibility that a defect exists in the subject vehicles. However, ODI has always taken the position that vehicle fires pose a significant safety risk. Accordingly, ODI has granted the petition to further investigate the conditions associated with post-crash fires in these vehicles.

NHTSA Action Number:

PE10031 Make: JEEP

Manufacturer: CHRYSLER GROUP LLC

Model Year: 2004 Component(s):

FUEL SYSTEM, GASOLINE:STORAGE:TANK ASSEMBLY

FUEL SYSTEM, GASOLINE:STORAGE:TANK ASSEMBLY:FILLER PIPE AND CAP FUEL SYSTEM, GASOLINE:DELIVERY:HOSES, LINES/PIPING, AND FITTINGS

Date Investigation Opened: August 23, 2010

Date Investigation Closed: Open

Summary:

In a letter dated October 2, 2009, the Center for Auto Safety (CAS) petitioned NHTSA to open a defect investigation and recall model year 1993-2004 Jeep Grand Cherokees. CAS alleged that the subject vehicles have defective fuel tank storage systems that present a fire hazard in crashes. CAS alleged that the plastic fuel tank's placement behind the rear axle and

Exhibit 7 11-057496

T--- 10/11/0011

below the rear bumper, and the lack of adequate shielding, make it more vulnerable to rupture or leakage from a rear-impact by another vehicle (including damage from other components located on the Grand Cherokee), or in the case of rollover crashes, from other external objects. CAS also alleged that the fuel filler neck tears off in crashes. In its petition, CAS cites data from NHTSA's Fatality Analysis Reporting System (FARS) showing 172 fatal fire crashes with 254 fatalities involving the subject vehicles from calendar years 1992 through 2008. CAS stated that there have been at least 44 crashes with 64 total fatalities (subject and non-subject vehicles) where fire was entered as the Most Harmful Event (MHE) in the FARS database. In response to the CAS petition, ODI conducted a preliminary examination of available data. FARS data showed 2,988 occupants of the subject vehicles have died in crashes since 1992. Of those, 55 died in 44 crashes where fire was listed as the Most Harmful Event. Identifying crashes most likely associated with the alleged defect as described by CAS (defined as the subject vehicle being struck at the 5, 6 or 7 o'clock positions) isolated 10 crashes with 13 occupant fatalities. ODI also reviewed the Vehicle Owner Questionnaires (VOQ) database and identified 12 reports alleging A) a post-crash fuel tank leak and/or B) a post-crash fire potentially related to a fuel tank leak. Of the 12 reports, 10 involved fires ( two involved fuel leaks only) with 9 alleged injuries and 1 alleged fatality. The existence of these post-crash fires does not, by itself, establish a defect trend. Further review and investigation into these incidents is needed to determine the existence of any relationship between the alleged defect and each fire or leak. It should be noted that ODI also conducted a preliminary review of the Early Warning Reporting (EWR) data that did not find the subject vehicles to be over-represented for post-crash fires. ODI has granted the petition to further investigate the conditions associated with post-crash fires in these vehicles.

1200 New Jersey Avenue, SE, West Building Washington DC 20590 USA 1.888.327.4236 TTY 1.800.424.9153





#### Defects - Search Results

4 Record(s) Displayed.

Report Date: October 11, 2011 at 08:13 PM

Search Type: VEHICLE Model Year: 2008 Make: JEEP

Model: WRANGLER 4-DR 4X4

NHTSA Recall Campaign Number:

NHTSA Recall Campaign Number:

Model: WRANGLER 4-DR 4X4

09V436000

Model: WRANGLER 4-DR 4X4

NHTSA Action Number:

EQ09006 Make: JEEP

Manufacturer: CHRYSLER GROUP LLC

Model Year: 2008 Component(s): EQUIPMENT

EQUIPMENT:MECHANICAL

Date Investigation Opened: July 22, 2009 Date Investigation Closed: August 19, 2009

Summary:

THE DEFECTIVE TOW BAR ASSEMBLIES INVOLVED IN THIS RECALL WERE SUPPLIED TO CHRYSLER FOR USE ON SOME OF ITS JEEP WRANGLER VEHICLES. THE PURPOSE OF THIS INVESTIGATION WAS TO IDENTIFY ANY ADDITIONAL PURCHASERS OF IDENTICAL OR SUBSTANTIALLY SIMILAR DEFECTIVE ASSEMBLIES AND TO INITIATE ADDITIONAL DEFECT REPORTING AND SAFETY RECALLS AS NECESSARY. TO ACCOMPLISH THIS RMD CONTACTED THE SUPPLIER OF THE ASSEMBLIES, VALLEY TOWING PRODUCTS, AND CONFIRMED NO OTHER SUCH ASSEMBLIES WERE DISTRIBUTED. THIS EQ IS THEREFORE CLOSED.

NHTSA Action Number:

PE09037

Make: JEEP

Manufacturer: CHRYSLER GROUP LLC

Model Year: 2008 Component(s): POWER TRAIN

POWER TRAIN:MANUAL TRANSMISSION POWER TRAIN:AUTOMATIC TRANSMISSION Date Investigation Opened: August 12, 2009 Date Investigation Closed: November 17, 2009

Summary

IN A LETTER DATED NOVEMBER 3, 2009, CHRYSLER GROUP LLC (CHRYSLER), NOTIFIED NHTSA THAT IT WILL CONDUCT A SAFETY RECALL OF APPROXIMATELY 161,000 MODEL YEAR (MY) 2007 AND 2008 JEEP WRANGLER VEHICLES BUILT WITH AUTOMATIC TRANSMISSIONS. CHRYSLER STATED THAT "THESE VEHICLES WERE NOT EQUIPPED WITH A TRANSMISSION FLUID TEMPERATURE WARNING SYSTEM AND THE OPERATION OF THESE VEHICLES BEYOND THE LIMITS OF REASONABLE USAGE OVER A PERIOD OF TIME COULD RESULT IN TRANSMISSION FAILURE AND IN SOME CASES TRANSMISSION FLUID EXPULSION." THE EXPELLED FLUID COULD COME IN CONTACT WITH A HOT ENGINE OR EXHAUST COMPONENT AND CAUSE A FIRE. CHRYSLER WILL CONDUCT A SAFETY RECALL TO INSTALL A "HOT OIL" WARNING MESSAGE IN THE INSTRUMENT CLUSTER AND A CHIME INDICATING AN ELEVATED TRANSMISSION FLUID TEMPERATURE CONDITION. AN OWNER'S MANUAL ADDENDUM STATING THE PURPOSE OF THE "HOT OIL" MESSAGE AND CHIME TO INCLUDE CAUTION AND WARNING STATEMENTS REGARDING ELEVATED TRANSMISSION FLUID TEMPERATURE CONDITIONS WILL BE PROVIDED TO OWNERS. BASED ON CHRYSLER'S DECISION TO CONDUCT A SAFETY RECALL THIS ENGINEERING ANALYSIS IS CLOSED.

NHTSA Action Number:

PE10032

NHTSA Recall Campaign Number:

N/A

Exhibit 8 11-057496 Make: JEEP

Manufacturer: CHRYSLER GROUP LLC

Model Year: 2008 Component(s):

FUEL SYSTEM, GASOLINE;STORAGE

FUEL SYSTEM, GASOLINE:STORAGE:TANK ASSEMBLY:FILLER PIPE AND CAP FUEL SYSTEM, OTHER:STORAGE:TANK ASSEMBLY:FILLING/CHARGING

Date Investigation Opened: August 23, 2010 Date Investigation Closed: February 16, 2011

Summary:

ODI found the rate of warranty claims related to fuel spit back on the subject vehicles is lower than other vehicles previously recalled to correct defects related to fuel spit back. Although the rate of complaints reported to the agency on the subject vehicles is higher than or similar to the rates experienced in previous investigations where safety recalls were conducted, ODI suspects that the NHTSA safety complaints submitted by subject vehicles owners may have been influenced by internet related publicity both before and during this investigation. A safety-related defect trend has not been identified at this time and further use of agency resources does not appear to be warranted. Accordingly, this investigation is closed. The closing of this investigation does not constitute a finding by NHTSA that no safety-related defect exists. The agency will monitor the issue and reserves the right to take future action if warranted by the circumstances. See attached report for additional information. In addition, Chrysler is initiating a lifetime warranty program, at no cost to the consumer, to address the fuel spit back problem in approximately 135,000 model year 2007-2008 Jeep Wrangler vehicles built from March 1, 2007 to March 31, 2008. Chrysler will notify all affected vehicle owners of this action. Consumers should refer to the warranty and service bulletins and sample owner notification letter available in the investigative file. The vehicle build date can be found on the certification label located on the driver door or door jamb.

**NHTSA Action Number:** 

PE11019 Make: JEEP

Manufacturer: CHRYSLER GROUP LLC

Model Year: 2008 Component(s):

AIR BAGS: ROLL PROTECTION

AIR BAGS:FRONTAL:SENSOR/CONTROL MODULE

AIR BAGS: ON-OFF SWITCH ASSEMBLY

AIR BAGS:KNEE BOLSTER

AIR BAGS:FRONTAL:DRIVER SIDE INFLATOR MODULE

AIR BAGS:SIDE/WINDOW

Summary: ODI has received 29 consumer complaints of airbag light illumination and/or clockspring failure on model years 2007-2008

Date Investigation Opened: May 23, 2011 Date Investigation Closed: Open

Jeep Wrangler. Twenty-three of the 29 complaints specifically identified the airbag clockspring wiring assembly as the source of the Issue. The remaining six complaints referenced only the airbag light being illuminated. Among the fourteen owners contacted, six stated that they owned a Right Hand Drive version of the vehicle typically used by postal carriers. Sixteen of the 29 complaints were received since January 1, 2011. A broken electrical circuit in the airbag clockspring wiring assembly can

lead to non-deployment of the driver side frontal airbag.

NHTSA Recall Campaign Number:

Model: WRANGLER 4-DR 4X4

N/A

Model: WRANGLER 4-DR 4X4

1200 New Jersey Avenue, SE, West Building Washington DC 20590 USA 1.888.327.4236 TTY 1.800,424.9153



### Gt mett County Police Impoun Form

DATE OF IMPOUND 6/16/11 GRID#421058 ARREST _____ ABANDONED ____ OTHER (EXPLAIN)___ INCIDENT: ACCIDENT Reporting agency case #: wand Cherokee MODEL: Lawrenceville, GA IMPOUND DESTINATION: # IMPOUND LOCATION Wrecker Driver: (Prin SIGNATURE: TIME CALLED:/ROO TIME DEPARTED: 1 25 TIME ARRIVED 18/5 INVENTORY: NARRATIVE: (if vehicle-has been red tagged, attach red tag to report) THIS SECTION MUST BE COMPLETED RELEASE VEHICLE YES ______NO___ **Do NOT hold vehicle for insurance, tag or driver information. HOLD VEHICLE FOR: EVIDENCE _____ (Fatality, Hit & Run, Court, etc.) PROCESSING _____(Vehicle to be released following processing: yes ____ no ____) if not, give reason CONDEMNATION REPORTING OFFICER: ) Amcheir BADGE #: 1406 APPROVING OFFICER: PLEASE HAVE PROPER PICTURE I.D. OF PERSON CLAIMING VEHICLE. Vehicle Released to: Towing Charges: Name: Towing: Address: ____ Storage: City, State and Zip: Admin. Fees: Day Time Phone: _____ Total Exhibit 9 ORIGINAL - POLICE YELLOW COPY - VEHICLE OPERATOR PINK COPY - CONTRACT WRECKER GOLDENROD - CONTRACT WRECKER

# Gwi .ett County Police Impound ... rm

DATE OF	IMPOUND OF 1	16/2011	GRID#		
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ORIGINAL - POLICE YELLOW	COPY – VEHICLE OPERAT	OR PINK COPY - CONTRA	CT WRECKER GOLL	11-0574	,

## Gw nett County Police Impound orm DATE OF IMPOUND 6/16/11 ABANDONED_____OTHER (EXPLAIN)__ INCIDENT: ACCIDENT MYT RECOVERY REPORTING AGENCY CASE #:___ DRIVER (if différent from owner) (NAME, ADDRESS, CITY, STATE, ZIP): Same As when IMPOUND DESTINATION: IMPOUND LOCATION WRECKER DRIVER: (PRINT) Chac SIGNATURE: TIME CALLED: TIME ARRIVED: CONDTION OF VEHICLE: EXCELLENT_ POOR_ STRIPPED____ INVENTORY: NARRATIVE: (if vehicle has been red tagged; attach red tag to report) Involved in Arcident THIS SECTION MUST BE COMPLETED RELEASE VEHICLE YES NO [∞]Do NOT hold vehicle for insurance, tag or driver information. HOLD VEHICLE FOR: EVIDENCE _____ (Fatality, Hit & Run, Court, etc.) PROCESSING _____(Vehicle to be released following processing: yes _____ no ____) If not, give reason__ CONDEMNATION APPROVING OFFICER: BADGE #: PLEASE HAVE PROPER PICTURE I.D. OF PERSON CLAIMING VEHICLE. CASE # 11-05749 Vehicle Released to: **Towing Charges:** Name: Towing: Address: Storage: City, State and Zip: Admin. Fees: Day Time Phone: ____ Total

Exhibit 11

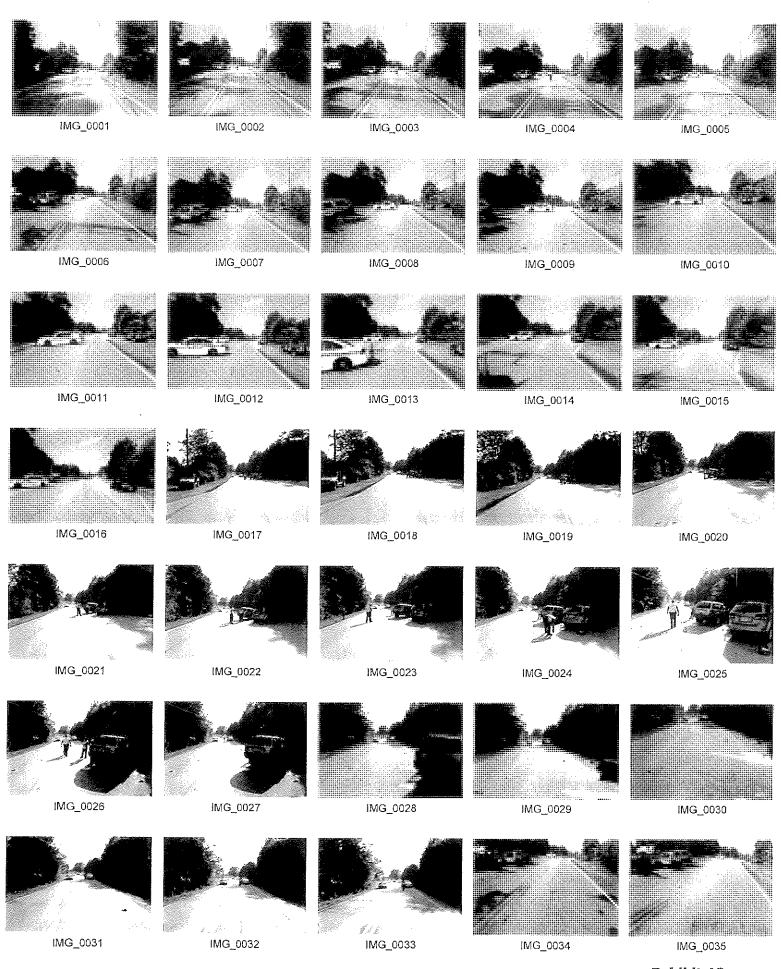


Exhibit 12 11-057496









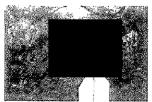




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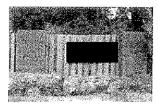
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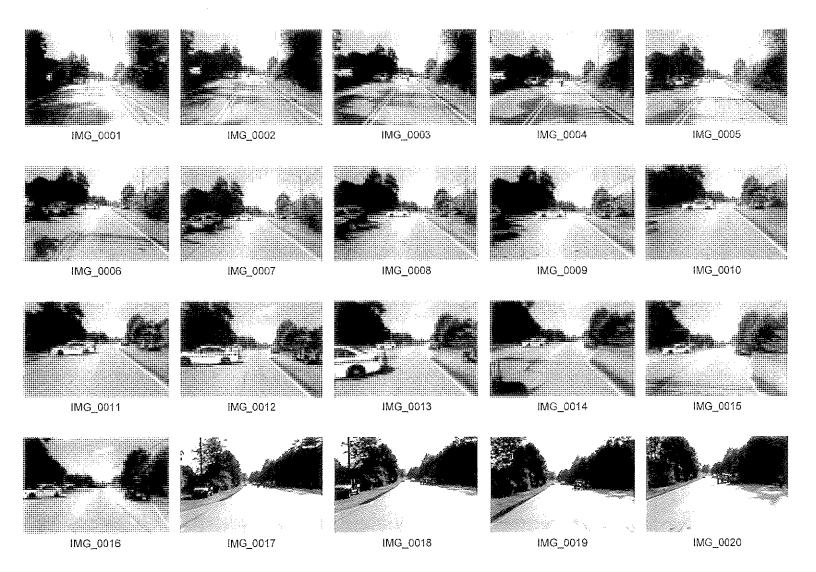
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IMG_0147





IMG_0021





IMG_9889

IMG_9890

MAGISTRATE COURT OF GWINNETT COUNTY CRIMINAL ARRES: MARRANT APPLICATION - LAW ENFORCEMENT	WARRANT NO.
PROSECUTOR/APPLICANT: Inv. J.E. Hollis #832	AGENCY: GCPD
ADDRESS:	1
CITY: Lawrenceville	STATE: GA ZIP: 30044
PHONE NO. (770)513-5100	(MOBILE/PGR.)
ACCUSED:	
# of Co-Defendant(s) [ ] The <u>ATTACHED</u> arrest/incident report	rt contains the below address and personal data.
ADDRESS:	
CITY: Lawrenceville	STATE:STATE:
	(MOBILE/PGR.)
RACE <u>B</u> AGE <u>30</u> SEX <u>M</u> HT <u>5'11</u> WT <u>225</u>	EYES Brown HAIR Black
DOBSSN	AUTOTAG
f X TNONE F PARENTS OF SAME CHILD/REN)   [	POUSE [] LIVE TOGETHER [] FORMERLY LIVED TOGETHER ] PARENT [] CHILD [] STEPPARENT [] STEPCHILD LILD [] OTHER
The accused represented that he/she lived at the above address for Has the accused lived outside Georgia within the past ten years? Does the accused have significant family ties outside Georgia? Has the accused used any false names or aliases?	Years         Months         [ x ] Unknown           [ ] Yes         [ ] No         [ x ] Unknown           [ ] Yes         [ ] No         [ x ] Unknown           [ ] Yes         [ ] No         [ x ] Unknown
If yes, list all such names known:  Indicators that the accused may flee this jurisdiction if released on bond:  [ ] Lack of community fies [ ] Significant ties outside Georgia Factors which indicate the accused may try to intimidate witnesses or obstruct jus [ ] Expressed fears of victim [ ] History of the accused Aggravating or mitigating circumstances which should be considered in setting bo [ ] Gang related [ ] Other  Do you request to be present at future bond hearings in this case? [ ] Yes Factors concerning the accused's mental condition: [ ] Threats or acts of violence [ ] Past mental treatment Accused is known or suspected of having been convicted of the following offense [ ] Rape [ ] Murder [ ] Aggravated Sodomy [ ] Treason [ ] Aggravated Child Molestation [ ] Mar [ ] Trafficking in Cocaine or Marijuana [ ] Other Felonies [ ] Other factors indicating that the accused would pose a significant threat to the or	[ ] Threats by the accused and:  s, Contact # [ ] No  [ ] Defusions [ ] Discriented [ ] Use of intoxicants s:  [ ] Armed Robbery [ ] Aircraft Hijacking nufacture/Distribution of Controlled Substances are Misdemeanors
[x] have [ ] have not conducted a criminal history check. [x] No probation.	/parole/bond; Accused is on [ ] probation [ ] parole [ ] bond for:
best of my knowledge.  CPL: Halley #832	yom to and subscribed before me this // day of /ca // All All All All All All All All All
ARREST WARRANT ISSUED: [ ] YES [ ] NO [ ] HE  OFFENSE(S): Volume Tourner  [ ] IMMEDIATE/CONTINUING THREAT [ ] EVADE ARREST/OBS  [ ] BAD CHECK - 10 DAY NOTICE GIVEN [ ] FAMILY VIOLENCE	ROLE [] NO INFORMATION AT NONE ARING SCHEDULED  TRUCT JUSTICE [ ACCUSED IN CUSTODY WAS EXAMINED IN STRUCT OF BOND

Warrant Format	CRIMINAL ARREST WARRANT
STATE OF GEORGIA	GEORGIA, GWINNETT COUNTY
errosener.	WARRANT NO
	POLICE CASE NO
Lawrenceville, GA	
Accused	A ETTE A MOY
Personally appeared before m	AFFIDAVIT e the undersigned Prosecutor, Inv. J.E. Hollis #832
who on oath says that, to the best of hi	is/her knowledge and belief, the above-listed Accused, on June 16, 2011
between the hours of 4:50	p.m. and 4:55 p.m. did commit the offense of Vehicular Homicide
in the 2nd degree	in violation of O.C.G.A. 40-6-393 ( ) ar
	upon which this affidavit for arrest is based are as follows: Accused did
Accused was traveling north on	when he struck a vehicle in the rear that stopped to make a left turn
and then crossed over the double ye	ellow line and struck another vehicle head on. The passenger in the vehicle
	3) died a few weeks later as a result of injuries sustained in the collision.
-	
Prosecutor makes this affidavit that a w Sworn to and subscribed before me	arrant may issue for the Accused's arrest.
this 11th day of July	Prosecutor #832
hereby commanded to arrest the Accused in	STATE WARRANT FOR ARREST  larshal or other Law Enforcement Officer of this State - Greetings:  me in the above affidavit, incorporated by reference herein, and other sworn testimony, you are amed in the above affidavit, charged by the prosecutor therein with the above offense against pagner named in the above affidavit, and bright the Arrent with the above offense against
	ORDER FOR BOND
IT IS HEREBY ORDERED that the a	aforesaid Accused be and is hereby granted bail to be made with sufficient surety as provided
by the Sheriff of Gwinnett County in	the amount of Seven Thomas Doccan
SUPERIOR Court of Gwinnett County,	the presence of said Accused at arraignment, trial and final disposition in the STATE  Georgia.   CASH ONLY.
Witness my hand and seal,	ALCOHOL MAN AND AND AND AND AND AND AND AND AND A
Superior Court only: [ ] 17-6-1 [ ] 15-	11-5(b)
Bond Hearing: [ ] 17-10-1	Judge, Magistrate Court (Mar 02)

Warrant Format STATE OF GEORGIA	CRIMINAL ARREST WARRANT
Vs.	GEORGIA, GWINNETT COUNTY
	WARRANT NO
	POLICE CASE NO
Lawrenceville, GA	
Accused	A F F ID ALLY
Personally appeared before	AFFIDAVIT  me the undersigned Prosecutor, Inv. J.E. Hollis #832
who on oath says that, to the best o	f his/her knowledge and belief, the above-listed Accused, on June 16, 2011
between the hours of 4:50	p.m. and 4:55 p.m. did commit the offense of Following too
Closely	in violation of O.C.G.A. 40-6-49(a)
near	
Gwinnett County, Georgia, and again laws of the state of Georgia. The fac	st, the victim, and the cts upon which this affidavit for arrest is based are as follows: Accused did
Accused was traveling north on	when he struck a vehicle in the rear that stopped to make a left turn
and then crossed over the double	yellow line and struck another vehicle head on. The passenger in the vehicle
	e #3) died a few weeks later as a result of injuries sustained in the collision.
	- Country and a robust of infances sustained in the consider,
Prosecutor makes this affidavit that a	a warrant may issue for the Accused's arrest.
Sworn to and subscribed before me	$0.0 \times 1.0$
this 11 day of July	20 11 Prosecutor #832
Judge, Magistrate Court of Gwinnett	3
	STATE WARRANT FOR ARREST
hereby commanded to arrest the Accused	a, Marshal or other Law Enforcement Officer of this State - Greetings:  In to me in the above affidavit, incorporated by reference herein, and other sworn testimony, you are  In named in the above affidavit, charged by the prosecutor therein with the above offense against  Indian manner named in the above affidavit, and bring the Accused before me or come other ludicity.
This 1 day of Twc	Judge, Megistrate Court
	ORDER FOR BOND
IT IS HEREBY ORDERED that t	he aforesaid Accused be and is hereby granted bail to be made with sufficient surety as provided
by the Sheriff of Gwinnett County (\$	in the amount of CDAR Towns Of STATE
SUPERIOR Court of Gwinnett Cou	inty, Georgia. CASH ONLY.
Witness my hand and s	seal, this
Superior Court only: [ ] 17-6-1 [ ]	
Bond Hearing: [ ] 17-10-1	Judge, Wagistrate Court (Mar 02)

Warrant Format STATE OF GEORGIA	CRIMINAL ARREST WARRANT GEORGIA, GWINNETT COUNTY
vs.	WARRANT NO
	POLICE CASE NO
Lawrenceville, GA	
Accused	AFFIDAVIT
	me the undersigned Prosecutor, Inv. J.E. Hollis #832
who on oath says that, to the best of	his/her knowledge and belief, the above-listed Accused, on June 16, 2011
between the hours of 4:50	p_m. and 4:55 p_m. did commit the offense of Failure to
maintain lane	in violation of O.C.G.A. <u>40-6-48(1)</u> a
near /e	
Gwinnett County, Georgia, and agains laws of the state of Georgia. The fact	t, the victim, and the s upon which this affidavit for arrest is based are as follows: Accused did
Accused was traveling north on	when he struck a vehicle in the rear that stopped to make a left turn
and then crossed over the double	yellow line and struck another vehicle head on. The passenger in the vehicle
that was struck head on (Vehicle	#3) died a few weeks later as a result of injuries sustained in the collision.
For sufficient cause made known hereby commanded to arrest the Accused	STATE WARRANT FOR ARREST Marshal or other Law Enforcement Officer of this State - Greetings: to me in the above affidavit, incorporated by reference herein, and other sworn testimony, you are named in the above affidavit, charged by the prosecutor therein with the above offense against d manner named in the above affidavit, and bring the Accused before me or some other Judicial law directs. Herein fail not.
	Judge, Magistrate Court
IT IS LIEDEDY ADDEDED that the	ORDER FOR BOND
by the Sheriff of Gwinnett County	ure the presence of said Accused at arraignment, trial and final disposition in the 🔼 STATE
	eal, this 1/ day of 20/
Superior Court only: [ ] 17-6-1 [ ]	15-11-5(b)
3ond Hearing: [ ] 17-10-1	Jedge, Magistrate Court (Mar 02)
•	Exhibit 17

Warrant Format	CRIMINAL ARREST WARRANT
STATE OF GÉORGIA	GEORGIA, GWINNETT COUNTY
Managelia	WARRANT NO
Monthly	POLICE CASE NO
Lawrenceville, GA	
Personally appeared before	AFFIDAVIT e me the undersigned Prosecutor, Inv. J.E. Hollis #832
•	of his/her knowledge and belief, the above-listed Accused, on June 16, 2011
between the hours of 4:50	p.m. and 4:55 p.m. did commit the offense of Driving on the
wrong side of the roadway	in violation of O.C.G.A. 40-6-40(a) at
<u>nea</u>	
Gwinnett County, Georgia, and again laws of the state of Georgia. The fa	nst, the victim, and the cts upon which this affidavit for arrest is based are as follows: Accused did
Accused was traveling north on	when he struck a vehicle in the rear that stopped to make a left turn
and then crossed over the doubl	e yellow line and struck another vehicle head on. The passenger in the vehicle
that was struck head on (Vehicl	e #3) died a few weeks later as a result of injuries sustained in the collision.
this day of Judge; Magistrate Court of Gwinnett  To any Sheriff, Deputy Sheriff, Constable For sufficient cause made known	Prosecutor  County  STATE WARRANT FOR ARREST  The Marshal or other Law Enforcement Officer of this State - Greetings:  The prosecutor HS32  The Marshal or other Law Enforcement Officer of this State - Greetings:  The to me in the above affidavit, incorporated by reference herein, and other sweet testimony you are
the laws of this State at the time, place a Officer of this State to be dealt with as the day of	. $\mathcal{M}$
	ORDER FOR BOND
	the aforesaid Accused be and is hereby granted bail to be made with sufficient surety as provided
by the Sheriff of Gwinnett County  (\$	in the amount of Ore Thromas and State source the presence of said Accused at arraignment, trial and final disposition in the ASTATE
SUPERIOR Court of Gwinnett Co	unty, Georgia. [ ] CASH ONLY.
Witness my hand and	seal, this
Superior Court only:	15-11-5(b)
Bond Hearing: 17-10-1	Judge, Magistrate Court (Mar 02)

[ ] FELONY [X] MISDEMEANOR [ ] FAMILY VIOLENCE [ ] SPECIAL CONDITIONS OF BOND

Investigative Report:

Report By: Eddie E. Reeves, Forensic Investigator

Deceased:

## Report of Death:

On Saturday, July 2, 2011 at 0050 hours, I received a page instructing me to contact Patti with Embracing Hospice, telephone number 678-965-2360. Patti Braaten reported the death of a 58-year-old white female who was involved in a motor vehicle accident on June 16, 2011. She had been transported from the scene to Gwinnett Medical Center-Lawrenceville, then admitted to hospice on June 29, 2011. She stated she pronounced the female dead at 0022 hours on July 2, 2011.

Patti stated the deceased female had died of injuries sustained in the motor vehicle accident and had not regained consciousness.

I advised Patti our office would accept jurisdiction for the purpose of certifying the death certificate; however, we would not need to bring the deceased female in for an autopsy. I would subpoen a medical records from the hospital and the deceased female could be released to the funeral home of the family's choice. I requested the decedent's medical record number and was given

## Jurisdiction:

Under the provisions of the Georgia Death Investigation Act, jurisdiction was accepted in this death. I began a Medical Examiner's investigation and inquiry in accordance with OCGA 45-16-24.

## Identification of Decedent:

a 58-vear-old white female, date of birth
was a resident at Dawsonville, Georgia
Her next-of-kin was her husband, telephone number

## Conversation with Sergeant Chris Hyde - GCPD AIU:

I telephoned Sergeant Chris Hyde with the Gwinnett County Police Department Accident Investigation Unit. I informed Sergeant Hyde of the death of the decedent as per his e-mail. He stated he would have Investigator Hollis e-mail a copy of the accident report.

Investigative Report:

#### Additional Information:

A copy of the Gwinnett County Police Department Motor Vehicle Accident Report, case number was received by this office and will be made a part of this file.

The report stated, in part, the decedent had been a passenger in a Dodge that had been involved in a head-on collision on Highway 124 at the intersection with Buford, Georgia The Dodge had been southbound on Highway 124 when a Jeep Cherokee had struck another vehicle in the rear, crossed the center line and stuck the vehicle the decedent was a passenger in.

The decedent was transported from the scene to the hospital.

A subpoena for the production of medical records was prepared and faxed to Gwinnett Medical Center-Lawrenceville.

## Summary and Conclusion:

It is of the opinion of this investigator that the decedent died as a result of injuries sustained in a motor vehicle accident. This opinion is, however, in no way conclusive. Upon receipt of the medical records, all available information will be provided to the Medical Examiner. The final cause and manner of death will be determined by the Medical Examiner.

<u>Lear E. A. 02 22-2011</u> Eddie E. Reeves

Forensic Investigator

sc-0574:eer

#### **EXTERIOR ANALYSIS**

Case	Date: <u>6.1</u>	17.11 Time: 1700	
Vehicle # <u>1</u>	VIN:	Inspection Location:	GCPD / HQ
Year: 2004	Make: Jeep	Model: Grand Cherokee	Color: Gray

NOTI	NOTE: Tires numbered left to right from front to rear							
				TIRE	S			
POSITION	MANUFACTURER	MOD	EL NAME	TREAD TYPE	SIZE		PRESSURE	TREAD DEPTH
1/LF	Destination		LE	R	P245/70F	R16	Flat	3/32
2 / RF	Destination		LE	R	P245/70F	R16	Flat	0/32
3 / LR	Stampede	Ra	dial Sun	R	P245/70F	R16	35PSI	0/32
3A / ILR	ALL PARTY OF THE P							
4 / RR	Stampede	Ra	dial Sun	R	P245/70F	R16	35PSI	6/32
4A / IRR	ALCONOMIC PARTIES							
5	TO ALL LINE TO ALL	***************************************						Water
5A/ILR	A PROPERTY AND A PROP							
6	POTO POTENTIAL					PATALON .		
6A / IRR								···
7								
7A / ILR								·····
8						·		
8A/IRR								
9						M#04-004-004-004-004-004-004-004-004-004-		
9A/ILR								
10								
10A / IRR					***************************************			
1	Outside Mirror  EXTERNAL CARGO Yes  No  No							
Left	Righ	t						
Yes No Yes No WINDSHIELD WIPERS Good Fair Poor Bad Missing Missing						lissing 🗌		

## **ELECTRICAL ANALYSIS**

Case#         Date: 6.17.11         Time: 1700           Vehicle # 1         VIN         Location: GCPD / HQ           Year: 2004         Make: Jeep Model: Grand Cherokee Color: Gray           Trailer #         VIN:           Year: Make: Model: Color:								
VEHICLE TYPE:								
☐ CAR ☐ PICKUP ☐ LARGE TRUCK ☐ BOBTAIL TRACTOR ☐ BUS								
TRACTOR TRAILER	☐ MOTORCYCLE ☐ VAN	☐ RV 🖂 SPORT U	TILITY					
EXTERIOR LIGHTI	NG Inspection completed v	vithout electrical power applied						
HEADL	IGHTS	PARKING	G LIGHTS					
Left	Right	Left	Right					
Working ☐ Not Working ☐ Broken ☑ Unknown ☐	Working ☐ Not Working ☐ Broken ☑ Unknown ☐	Working ☐ Not Working ☐ Broken ☑ Unknown ☐	Working ☐ Not Working ☐ Broken 図 Unknown ☐					
Hot shock Yes ☐ No ☐ Unk ⊠	Hot shock Yes ☐ No ☐ Unk ⊠	Hot shock ☐ Cold Break ☐ Hot shock ☐ Cold Brea Unk ☑ Unk ☑						
HIGHBEAM	HIGHBEAM	FRONT TURN SIGNALS						
Working ☐ Not Working ☐ Broken ☑ Unknown ☐	Working ☐ Not Working ☐ Broken ☑ Unknown ☐	Working ☐ Not Working ☐ Broken ☑ Unknown ☐	Working ☐ Not Working ☐ Broken ☑ Unknown ☐					
Hot shock ☐ Cold Break ☐ Unk ⊠	Hot shock ☐ Cold Break ☐ Unk ⊠	Hot shock ☐ Cold Break ☐ Hot shock ☐ Cold Break ☐ Unk ☒ Unk ☒						
	F-4							
FOG/DRIVING L	IGHTS N/A 🖂	TAIL LIGHTS						
#1	#2	Left	Right					
Clear ☐ Amber ☐	Clear ☐ Amber ☐	Working ☐ Not Working ☑ Working ☐ Not Working ☐ Broken ☐ Unknown ☐ Broken ☐ Unknown						
Working ☐ Not Working ☐ Broken ☐ Unknown ☐	Working ☐ Not Working ☐ Broken ☐ Unknown ☐	Hot shock ☐ Cold Break ☐ Hot shock ☐ Cold Break Unk ☒						
Hot shock	Hot shock ☐ Cold Break ☐ Unk ☐							
BRAKE I	_IGHTS	REAR TURI	N SIGNALS					
Left	Right	Left	Right					
Working ☐ Not Working ⊠ Broken ☐ Unknown ☐	Working ☐ Not Working ☒ Broken ☐ Unknown ☐	Working ☐ Not Working ☒ Broken ☐ Unknown ☐	Working ☐ Not Working ☒ Broken ☐ Unknown ☐					
Hot shock ☐ Cold Break ☐ Unk ⊠	Hot shock ☐ Cold Break ☐	Hot shock ☐ Cold Break ☐	Hot shock ☐ Cold Break ☐					

## INTERIOR ANALYSIS

Case#				Date: 6.17.11 Time: 1700											
Vehicle	e # <u>1</u>		V۱	N:	Inspection Loc				Loc	ation:	GCPD / H	Q			
Year: 2	2004	ŝ	Vlake:	<u>Jeep</u>		Λ	√lodel:	Gran	id Ch	eroke	<u>a</u> (	Color: <u>G</u>	<u>ray</u>		
			······································	DOORS								V	/INDOWS		
LEFT FF	RONT	1	∏ U	nlocked ⊠ m □		Open ☐ Closed ⊠		***	*	LEFT	FRONT	Broken	, –	3/4 [] ] open	
RIGHT F	RONT		l 🔲 U nknow	nlocked ⊠ ⁄n []		Open ☐ Closed ⊠		N/A		RIGHT	r front	Broken	Closed ⊠ 1/4 □	3/4 [] open [	
LEFTR	REAR		l 🔲 U nknow	nlocked ⊠ ⁄n □		Open ☐ Closed ⊠		N/A		LEF	T REAR	Broken	Closed ⊠ 1/4 ⊑	3/4 🗍 ] open	
RIGHT	REAR		l∐ U nknow	nlocked ⊠ ⁄n □		Open ☐ Closed ⊠		N/A		RIGH	T REAR	Broken	Closed 1/4	3/4 🗍 ] open	
REA	ıR		⊠ U nknow	niocked ☐ ⁄n ☐		Open ☐ Closed ⊠		N/A		GNIM	SHIELD	Brok	en 🗵 Not Broke Induced		ontact 🗌
€Bit Cityle-green construction						and the second s				BACK	GLASS	Brok	en 🔲 Not Broke Induced		ontact 🗌
	*************	<del>i de elektrik al al tabella la commo</del>				SEATS / S	SAFE	TYR	REST	RAIN	TS				
SEAT	SEA	ГТҮРЕ	1	SEAT	POS	ITION		F	REST	RAINT	DESCRI	PTION	TYPE		IN USE
#1	1	ket⊠ ıch 🗌	Fre	ont ☐ 3/4 ⊠ Rear ☐		•	N/A	Lap ⊠ Shoulder ⊠ None □			Automatic Manual 🗵		Yes □ No ⊠		
#2	1	ket ∏ ıch ∏	Fre	ont 🗌 3/4 🗍 Rear 🗍			N/A	Lap ☐ Shoulder ☐ Childseat ☐ None ☐			Automatic Manual [	_	Yes ☐ No ⊠		
#3	ł .	ket⊠ ıch 🗌	Fre	ont ☐ 3/4 ☑ Rear ☐			N/A		Lap ⊠ Shoulder ⊠ Childseat ☐ None ☐			Automatic Manual 🗵	3	Yes □ No ⊠	
#4	Ber	ket ☐ nch ⊠		ont 🔲 3/4 🗍 Rear 🗍	Fixed		N/A		Lap ⊠ Shoulder ⊠ Childseat ☐ None ☐			Automatic Manual 🗵	3	Yes □ No ⊠	
#5	Ber	ket ∐ ich ⊠		ont 🔲 3/4 🔲 Rear 🗍	Fixed	$\boxtimes$	N/A		ap ⊠ Shoulder ⊠ Childseat □ None □		Automatic Manual 🗵	1	Yes ☐ No ⊠		
#6	1	ket □ ich ⊠	Fre	ont 🗍 3/4 🗍 Rear 🗍			N/A	La	р⊠		er⊠ Chill one 🏻	dseat 🗌	Automatic Manual 🗵		Yes ☐ No ⊠
#7	į.	ket 🔲	Fre	ont 🔲 3/4 🗍 Rear 🗍			N/A	La	р		er 🔲 Chil	dseat 🗌	Automatic Manual		Yes □ No □
		UR BAG	<u> </u>	кеш 🗆	- IXCU	L		ANS	MISS		7110 []		SPEED		1
SEAT	EQUI		,	PLOYED		MANUAL		A110	WILOC		MATIC D		Digital 🗵		edle 🗌
#1	Yes 🛚	No□	Yes	⊠ No □	R[	Position R ☐ 1 ☐ 2 ☐ 3 ☐ P				Position Reading 0 P □ R □ N □ D ⊠					
#3	Yes 🗵	No	Yes	⊠ No □	,	4 🗍 5 🗍 Broken					S  L [ oken		Mileage unkno	wn	
HEAD REST		SEAT es ⊠ N		SEAT 2 Yes ☐ No		SEAT Yes ⊠ N		!	SEA' s ⊠	Γ4 No□	SEA' Yes []		SEAT 6 Yes ⊠ No⊟	ĺ	SEAT 7
TILT STEERING         Yes         No         HORN         LOOSE CARGO?         Yes         No           Up         3/4         ≥         1/2         1/4         Down         Yes         No         □					⊠ Type?										
Character of the Control of the Cont	· · · · · · · · · · · · · · · · · · ·		<del>manan sassuun</del> .	NACONO DE CONTRACTO DE CONTRACT	~~		4 7	Fo - 3.5	T.		J.				

## **ELECTRICAL ANALYSIS**

Case# Date: 6.17.11 Time: 1700 Location: GCPD//HQ							
Vehicle # 1 VIN:							
IGNITION SWITCH	HEADLIGHT SWITCH	HIGHBEAM SWITCH					
On ⊠ Off ☐ Unk ☐ Broken ☐	On Off Unk Broken	On ☐ Off ⊠ Unk ☐ Broken ☐					
WIPER SWITCH	TURN SIGNAL SWITCH	CRUISE CONTROL					
On  Off  Delay  Unk	Off ⊠ Left ☐ Right ☐ Unk ☐ Broken ☐	On ☐ Off ☒ Unk ☐ Broken ☐					
HEATER SWITCH	DEFROSTER SWITCH	AIR CONDITIONING SWITCH					
On ☐ Off ☑ Unk ☐ Broken ☐	On D Off Unknown D	On Off Unknown					
DOME LIGHT	AM/FM RADIO	CELLULAR TELEPHONE					
On ☐ Off ☑ Unknown ☐	On Off Unk Broken	Equipped: Yes ☐ No 🏻					
	Volume: Low ☐ Med☐ High ☐ Unk ☐	On Hook  Off Hook  Unknown					
REMARKS							

## **BRAKE ANALYSIS**

Case#: Date: <u>6.17.11</u> Time: <u>1700</u> Inspection	Location:GCPD / HQ				
Vehicle #1 ViN					
Year: 2001 Make: Jeep Model: Grand Cher	rokee Color:Gray				
Trailer#VIN:					
Year: Make: Model: Color:					
VEHICLE TYPE:					
□CAR □ PICKUP □ LARGE TRUCK □	BOBTAIL TRACTOR BUS				
☐ TRACTOR TRAILER ☐ MOTORCYCLE ☐ VAN	☐ RV SPORT UTILITY				
NOTE: Axles are numbered front to rear in seque	nce				
FRONT WHEELS (Axle #1)	Axle #2				
Standard 🗌 ABS 🔀 Air 🔲 None 🗌	Standard ☐ ABS ☒ Air ☐ None☐				
Working Not Working Unknown	Working ☐ Not Working ☐ Unknown☐				
Contributed to collision cause Yes ☐ No⊠ Contributed to collision cause Yes ☐ No⊠					
Axle #3 N/A	Axle #4 N/A				
Standard 🗌 ABS 🔲 Air 🔲 None 🗌	Standard				
Working ☐ Not Working ☐ Unknown ☐	Working ☐ Not Working ☐ Unknown ☐				
Contributed to collision cause Yes 🗌 No 🗌	Contributed to collision cause Yes  No				
Axle #5 N/A 🗌	Axle #6 N/A				
Standard	Standard 🗌 ABS 🔲 Air 🔲 None 🗌				
Working 🗌 Not Working 🔲 Unknown 🗍	Working 🗌 Not Working 🔲 Unknown 🗌				
Contributed to collision cause Yes  No	Contributed to collision cause Yes 🗌 No 🗌				
Axle #7 N/A 🗌	Axle #8 N/A □				
Standard 🗌 ABS 🗌 Air 🔲 None 🗀	Standard 🗌 ABS 🔲 Air 🔲 None 🔲				
Working 🗌 Not Working 🗌 Unknown 🗍	Working 🗌 Not Working 🔲 Unknown 🔲				
Contributed to collision cause Yes 🗌 No 🗌	Contributed to collision cause Yes 🔲 No 🗌				
Brake Pedal Pressure? Yes ⊠ No □					
(Full Pedal ⊠ 3/4 Pedal □ 1/2 Pedal □ 1/4 Pedal □ )					
Brake System inoperative due to collision damage? Yes ☐ No ☒ Brake Pedal Assembly? Destroyed ☐ Pinned ☐					
Frailer Brake switch activated? Yes ☐ No ☐ N/A ☒					
Parking Brake working? Yes 🗵 No 🗌					
Parking Brake set? Yes 🖾 No 🗌					
Gwinnett County Police Department					

## **EXTERIOR ANALYSIS**

Case#	Date: <u>6.1</u>	17.11 Time: 1700	<u>)</u>
Vehicle #2	VIN:	Inspection Loc	ation: GCPD / HQ
Year: 2008	Make: Jeep	Model: Wrangler	Color: Silver

NOTI	E: Tires numbered	left to right fron	ı front to rear	to the second se	- 100,000 година	
			TIRES			
POSITION	MANUFACTURER	MODEL NAME	TREAD TYPE	SIZE	PRESSURE	TREAD DEPTH
1 / LF	BF Goodrich	Mud Terrain	R	255/75R17	32 PSI	7/32
2 / RF	BF Goodrich	Mud Terrain	R	255/75R17	33 PSI	8/32
3 / LR	BF Goodrich	Mud Terrain	R	255/75R17	32 PSI	7/32
3A / ILR	LEVOLUTION					
4 / RR	BF Goodrich	Mud Terrain	R	255/75R17	34 PSI	4/32
4A / IRR						
5						
5A / ILR						
6				- ALABOUT		
6A / IRR						
7	L. J. C. CONTROL					
7A / ILR	L. L					
8						
8A/IRR						
9						
9A / ILR						
10		, , ,				
10A / IRR					,	
Outside Mirror  EXTERNAL CARGO Yes Describe: No						
Left	Righ	t				0000
Yes ⊠ N Missing			SHIELD WIPER	RS Good ⊠ Fair 🗌	Poor  Bad  N	Aissing ☐

## **ELECTRICAL ANALYSIS**

Case# Da	ate: <u>6.17.11</u> Time:	1700							
Vehicle # 2 VIN:	Location: GCP								
Year:2008	ake: <u>Jeep</u> Model: <u>Wrangler</u>	Color:Silver							
Trailer# VIN:									
Year: Make: Model: Color:									
VEHICLE TYPE:									
☐ CAR ☐ PICKUP ☐ LARGE TRUCK ☐ BOBTAIL TRACTOR ☐ BUS									
☐ TRACTOR TRAILER									
EXTERIOR LIGHT	ING Inspection completed	without electrical power applied	1						
HEAD	LIGHTS		G LIGHTS						
Left	Right	Left	Right						
Working ⊠ Not Working ☐ Broken ☐ Unknown ☐	Working ⊠ Not Working ☐ Broken ☐ Unknown ☐	Working ⊠ Not Working ☐ Broken ☐ Unknown ☐	Working ⊠ Not Working ☐ Broken ☐ Unknown ☐						
Hot shock Yes 🗌 No 🗍 Unk 🗍	Hot shock Yes ☐ No ☐ Unk ☐	Hot shock ☐ Cold Break ☐ Unk ☐	Hot shock ☐ Cold Break ☐ Unk ☐						
HIGHBEAM	HIGHBEAM	FRONT TUI	RN SIGNALS						
Working ⊠ Not Working ☐ Broken ☐ Unknown ☐	Werking ⊠ Not Working □ Broken □ Unknown □	Working ⊠ Not Working ☐ Broken ☐ Unknown ☐	Working ⊠ Not Working □ Broken □ Unknown □						
Hot shock ☐ Cold Break ☐ Unk ☐	Hot shock ☐ Cold Break ☐ Unk ☐	Hot shock ☐ Cold Break ☐ Unk ☐	Hot shock ☐ Cold Break ☐ Unk ☐						
	With the second								
	JGHTS N/A	TAIL LIGHTS							
#1	#2	Left	Right						
Clear ⊠ Amber 🗌	Clear ☐ Amber ☐	Working ☐ Not Working ☐ Broken ☑ Unknown ☐	Working ⊠ Not Working □ Broken □ Unknown □						
Working ☐ Not Working ☐ Broken ☐ Unknown ☐	Working ☐ Not Working ☐ Broken ☐ Unknown ☐	Hot shock	Hot shock ☐ Cold Break ☐ Unk ☐						
Hot shock ☐ Cold Break ☐ Unk ☐	Hot shock ☐ Cold Break ☐ Unk ☐								
n ave	I I A I I I I I I I I I I I I I I I I I								
BRAKE	LIGHIS	REAR TURI	SIGNALS						
Left	Right	Left	Ríght						
Working ⊠ Not Working □ Broken □ Unknown □	Working ⊠ Not Working □ Broken □ Unknown □	Working ☐ Not Working ☐ Broken ⊠ Unknown ☐	Working ⊠ Not Working □ Broken □ Unknown □						
Hot shock ☐ Cold Break ☐ Unk ☐	Hot shock  ☐ Cold Break  ☐ Unk  ☐	Hot shock ☐ Cold Break ☐ Unk ☐	Hot shock ☐ Cold Break ☐						

## INTERIOR ANALYSIS

Case			Date: 6.17.11 Time: 1700												
Vehicl	e# <u>2</u>		VII	1:	inspection Lo				Loc	ation: 🤉	GCPD / H	Q			
Year: 2	2008	Ā	lake:	<u>Jeep</u>	Model:Wrangle				igler		Color: S	<u>ilver</u>			
	- kakiin			DOORS	***************************************	<u> </u>						V	VINDOWS		
LEFTF	RONT	1	Ur know	nlocked 🗌 n 🔲		Open ☐ Closed ☐		***	*	LEFT	FRONT	Broken		Closed ☐ 3/4 ☐ 1.	
RIGHT F	RONT	1	Unknow	nlocked 🗌 n 🔲		Open ☐ Closed ☐		N/A	×	RIGHT	FRONT	Broken		Closed ☐ 3/4 ☐ 1/2 ☐ 1/4 ☐ open ⊠	
LEFT F	REAR	1	∐ Ur iknow	nlocked 🗌 n 🔲		Open ☐ Closed ☐		N/A	×	LEFT	REAR	Broker	Closed _	3/4 [_] ] open	
RIGHT	REAR		∐ Uı ıknow	nlocked 🗌 n 🖺		Open ☐ Closed ☐		N/A	☒	RIGH'	T REAR	Broker	Closed 🗍	3/4 [] open	
REA	AR.	i	Uı ıknow	nlocked 🗌 n 🗍		Open ☐ Closed ☐		N/A	×	WIND	SHIELD	Brok	en □ Not Brokei Induced		ontact 🗍
<u> </u>		Jeneral				adalah adalah di 1990 A				васк	GLASS	Brok	en 🗌 Not Broker Induced		ontact 🗌
						SEATS / S	SAFE	TY R	EST	RAIN	rs				
SEAT	SEA	TTYPE		SEAT	POS	ITION		RESTRAINT DESCRIPTION			TYPE		IN USE		
#1	1	:ket [] nch ⊠	Fro	nt □ 3/4 ⊠ Rear □			N/A □	Lap ⊠ Shoulder ⊠ None □			Automatic Manual 🗵		Yes ⊠ No □		
#2	1	ket 🗌 nch <table-cell></table-cell>	Fro	nt ☐ 3/4 ☐ Rear ☐			N/A	Lap ☐ Shoulder ☐ Childseat ☐ None ☐			Automatic Manual		Yes ☐ No ☐		
#3	1	ket □ nch ⊠		nt ☐ 3/4 ☑ Rear ☐	Fixed		N/A □	Lap ⊠ Shoulder ⊠ Childseat ☐ None ☐			Automatic Manual 🗵	]	Yes □ No ⊠		
#4	Ber	ket 🗌 nch 🔲		nt	Fixed		N/A	Lap ⊠ Shoulder ⊠ Childseat ☐ None ☐			Automatic Manual 🗵	3	Yes ☐ No ⊠		
#5	Ber	ket 🗌 nch 🔲		nt	Fixed		N/A	Lap ⊠ Shoulder ⊠ Childseat ☐ None ☐			Automatic Manual 🗵	]	Yes □ No ⊠		
#6	1	ket □ nch □		nt 🔲 3/4 🔲 Rear 🗍	Fixed		N/A	Lap ☐ Shoulder ☐ Childseat ☐ None ☐			Automatic Manual [	]	Yes □ No □		
#7	1	ket □ nch □	Fro	nt 3/4 Rear			N/A	Lap ☐ Shoulder ☐ Childseat ☐ None ☐			Automatic Manual [		Yes □ No □		
	, , , , , , , , , , , , , , , , , , ,	AIR BAG					TR	ANS	MISS	SION			SPEED	OMET	ER
SEAT	EQUI	PPED	DE	PLOYED		MANUAL	- 🗆				MATIC D	Ī	Digital 🗌	Ne	edle 🛚
#1	Yes 🛚	No□	Yes	□ No 🏻	R[	Position 1 1 2 4	□ 3 6 □		P [	⊠ R[	sition N [] S [] L [	<u>p</u> 🗆	Reading 0		
#3	Yes 🛚	No□	Yes	□ No 🛛	-	Broken	ů 		ranconica(SiSiki)		oken 🗌		Mileage unkno	wn	
HEAD REST	_	SEAT ′ ′es ⊠ No		SEAT 2 Yes ☐ No		SEAT Yes ⊠ N		1	SEA'	T 4 No□	SEA¹ Yes ⊠		SEAT 6 Yes ⊠ No⊡		SEAT 7
TILT STEERING         Yes         No         HORN           Up         3/4         1/2         1/4         Down         Yes         No         □				LO	OSE	CARG	O? Yes	□ No	⊠ Type?						

## **ELECTRICAL ANALYSIS**

Case# Date: 6.17.11 Time: 1700 Location: GCPD / HQ									
Vehicle # 2 VIN:									
Trailer # VIN:									
IGNITION SWITCH	HEADLIGHT SWITCH	HIGHBEAM SWITCH							
On 🗌 Off 🛛 Unk 🗌 Broken 🗌	On  Off  Unk  Broken	On ☐ Off ☑ Unk ☐ Broken ☐							
WIPER SWITCH	TURN SIGNAL SWITCH	CRUISE CONTROL							
On ☐ Off ☒ Delay ☐ Unk ☐ Broken ☐	Off ☐ Left ⊠ Right ☐ Unk ☐ Broken ☐	On ☐ Off ☒ Unk ☐ Broken ☐							
HEATER SWITCH	DEFROSTER SWITCH	AIR CONDITIONING SWITCH							
On Off Unk Broken	On ☐ Off ☑ Unknown ☐	On ☐ Off ☑ Unknown ☐							
DOME LIGHT	AM/FM RADIO	CELLULAR TELEPHONE							
On Off Unknown	On ☐ Off ☑ Unk ☐ Broken ☐	Equipped: Yes 🗌 No 🗵							
	Volume: Low ☐ Med☐ High ☐ Unk ☐	On Hook  Off Hook  Unknown							
REMARKS									

## **BRAKE ANALYSIS**

Date: 8.17.11 time: 1700 inspection	Location: GCPD / RQ					
Vehicle #1 VIN						
Year: 2004 Make: Jeep Model: Grand Chero	okee Color:Gray					
Trailer # VIN:						
Year: Make: Model: Color:						
VEHICLE TYPE:						
□CAR □ PICKUP □ LARGE TRUCK □	BOBTAIL TRACTOR BUS					
☐ TRACTOR TRAILER ☐ MOTORCYCLE ☐ VAN	☐ RV  ☐ SPORT UTILITY					
NOTE: Axles are numbered front to rear in seque	nce					
FRONT WHEELS (Axle #1)	Axle #2					
Standard ☐ ABS ⊠ Air ☐ None ☐	Standard ☐ ABS ⊠ Air ☐ None☐					
Working ☐ Not Working ☐ Unknown☐	Working ☐ Not Working ☐ Unknown☐					
Contributed to collision cause Yes ☐ No⊠	Contributed to collision cause Yes ☐ No⊠					
Axle #3 N/A ⊠ Axle #4 N/A ⊠						
Standard ABS Air None	Axle #4 N/A 🛛					
	Standard ABS Air None					
Working Not Working Unknown	Working Not Working Unknown					
Contributed to collision cause Yes No	Contributed to collision cause Yes 🗌 No 🗌					
Axle #5 N/A ⊠	Axle #6 N/A ⊠					
Standard 🗌 ABS 🗌 Air None 🗌	Standard 🗌 ABS 🔲 Air 🗌 None 🗌					
Working Not Working Unknown	Working 🗌 Not Working 🔲 Unknown 🗌					
Contributed to collision cause Yes 🔲 No 🗍	Contributed to collision cause Yes 🗌 No 🗌					
Axle #7 N/A ⊠	Axle #8 N/A ⊠					
Standard 🗌 ABS 🗌 Air 🗌 None 🔲	Standard 🗌 ABS 🔲 Air 🗌 None 🗌					
Working ☐ Not Working ☐ Unknown ☐	Working 🗌 Not Working 🔲 Unknown 🔲					
Contributed to collision cause Yes ☐ No ☐	Contributed to collision cause Yes 🗌 No 🔲					
Brake Pedal Pressure? Yes No C  (Full Pedal 3/4 Pedal 1/2 Pedal 1/4 Pedal )  Brake System inoperative due to collision damage? Yes No S  Brake Pedal Assembly? Destroyed Pinned  Trailer Brake switch activated? Yes No No N/A S  Parking Brake working? Yes No P  Parking Brake set? Yes No S						
Gwinnett County Police Denartment						

## **BRAKE ANALYSIS**

Date: <u>6.17.11</u> Time: <u>1700</u> Inspection	1 Location:GCPD / HQ						
Vehicle #2         VIN:           Year: 2008         Make:         Model:         Wrangler           Trailer #         VIN:							
Year: Make: Model: Color:	-						
VEHICLE TYPE:							
☐CAR ☐ PICKUP ☐ LARGE TRUCK ☐	☐ BOBTAIL TRACTOR ☐ BUS						
☐ TRACTOR TRAILER ☐ MOTORCYCLE ☐ VAN							
NOTE: Axles are numbered front to rear in seque	ence						
FRONT WHEELS (Axle #1)	Axle #2						
Standard ☐ ABS ☒ Air ☐ None ☐	Standard ☐ ABS ⊠ Air ☐ None☐						
Working ☐ Not Working ☐ Unknown☐	Working ☐ Not Working ☐ Unknown☐						
Contributed to collision cause Yes ☐ No⊠	Contributed to collision cause Yes ☐ No⊠						
Axle #3 N/A ⊠	Axle #4 N/A ⊠						
Standard 🗌 ABS 🗌 Air 🔲 None 🗌	Standard  ABS  Air None						
Working 🗌 Not Working 🔲 Unknown 🗌	Working Not Working Unknown						
Contributed to collision cause Yes  No	Contributed to collision cause Yes  No						
Axle #5 N/A ⊠	Axle #6 N/A						
Standard  ABS  Air None	Standard 🗌 ABS 📗 Air 🔲 None 🗌						
Working ☐ Not Working ☐ Unknown ☐	Working 🗌 Not Working 🔲 Unknown 🔲						
Contributed to collision cause Yes  No	Contributed to collision cause Yes 🗌 No 🗌						
Axle #7 N/A ⊠	Axle #8 N/A ⊠						
Standard 🗌 ABS 🗌 Air 🔲 None 🗍	Standard ☐ ABS ☐ Air ☐ None ☐						
Working ☐ Not Working ☐ Unknown ☐	Working 🗌 Not Working 🔲 Unknown 🗌						
Contributed to collision cause Yes No	Contributed to collision cause Yes 🗌 No 🗍						
Brake Pedal Pressure? Yes ⊠ No □	The state of the s						
(Full Pedal ⊠ 3/4 Pedal □ 1/2 Pedal □ 1/4 Pedal □ )							
Brake System inoperative due to collision damage? Yes No No							
Brake Pedal Assembly? Destroyed ☐ Pinned ☐  Trailer Brake switch activated? Yes ☐ No ☐ N/A ☒							
Parking Brake working? Yes No No N/A 🔯							
Parking Brake set? Yes ⊠ No □							
Gwinnett County Police D	epartment						

## **EXTERIOR ANALYSIS**

Case#	Date: <u>6.17.</u>	<u>11</u> Time: <u>1700</u>	
Vehicle #3	VIN:	Inspection Loca	tion: GCPD / HQ
Year: 2009	Make: <u>Dodge</u>	Model: Journey	Color: Blue

			TIRES			
POSITION	MANUFACTURER	MODEL NAME	TREAD TYPE	SIZE	PRESSURE	TREAD DEPTH
1/LF	Kumho	Solus	R	225/65R17	Flat	5/32
2 / RF	Kumho	Solus	R	225/65R17	Flat	6/32
3 / LR	Goodyear	Integrity	R	225/65R17	30 PSI	5/32
3A/ILR	1					
4 / RR	Kumho	Solus	R	225/65R17	28 PSI	7/32
4A / IRR						
5	:					
5A / ILR						
6						
6A / IRR						
7						
7A/ILR			1. AMAD. AMA		77.	
8					d demonstration	
8A / IRR						
9					·	
9A / ILR						
10					THE REPORT AND ADDRESS OF THE PARTY OF THE P	
10A / IRR						
Outside Mirror EXTER			NAL CARGO	Yes ☐ Des No ⊠	cribe:	
Left	Right					v:::::::::::::::::::::::::::::::::::::
Yes ☑ No ☐ Yes ☑ No ☐ WINDSHIELD WIPERS Good ☐ Fair ☑ Poor ☐ Bad ☐ Missing ☐ Missing ☐						lissing 🗌

## ELECTRICAL ANALYSIS

Case# Da	te: <u>6.17.11</u> Time: <u>1</u>	1700							
Vehicle # 3 Vin:	Location: GCPI	) / HQ							
Year: 2009 Ma	ke: <u>Dodge</u> Model: <u>Journey</u>	Color: Blue							
Trailer# VII	V:								
Year: Make: Model: Color:									
VEHICLE TYPE:									
☐ CAR ☐ PICKUP ☐ LARGE TRUCK ☐ BOBTAIL TRACTOR ☐ BUS									
☐ TRACTOR TRAILER	☐ MOTORCYCLE ☐VAN	☐ RV 🛛 SPORT U	TILITY						
EXTERIOR LIGHT	NG Inspection completed v	vithout electrical power applied							
HEAD	LIGHTS	PARKING	3 LIGHTS						
Left	Right	Left	Right						
Working ☐ Not Working ☐ Broken ⊠ Unknown ☐	Working ☐ Not Working ☐ Broken ☑ Unknown ☐	Working ☐ Not Working ☐ Broken ☒ Unknown ☐	Working ☐ Not Working ☐ Broken ☑ Unknown ☐						
Hot shock Yes ☐ No ☐ Unk ☐	Hot shock Yes ☐ No ☐ Unk ☐	Hot shock	Hot shock ☐ Cold Break ☐ Unk ☐						
HIGHBEAM	HIGHBEAM	FRONT TUE	RN SIGNALS						
Working ☐ Not Working ☐ Broken ☑ Unknown ☐	Working ☐ Not Working ☐ Broken ☑ Unknown ☐	Working ☐ Not Working ☐ Broken ☑ Unknown ☐	Working ☐ Not Working ☐ Broken ☑ Unknown ☐						
Hot shock ☐ Cold Break ☐ Unk ☐	Hot shock  Cold Break Unk	Hot shock ☐ Cold Break ☐ Unk ☐	Hot shock ☐ Cold Break ☐ Unk ☐						
FOG/DRIVING I	.IGHTS N/A ⊠	TAIL LIGHTS							
#1	#2	Left	Right						
Clear ☐ Amber ☐	Clear ☐ Amber ☐	Working ☐ Not Working ☒ Broken ☐ Unknown ☐	Working ☐ Not Working ☑ Broken ☐ Unknown ☐						
Working ☐ Not Working ☐ Broken ☐ Unknown ☐	Working ☐ Not Working ☐ Broken ☐ Unknown ☐	Hot shock ☐ Cold Break ☐ Unk ⊠	Hot shock ☐ Cold Break ☐ Unk ⊠						
Hot shock ☐ Cold Break ☐ Unk ☐	Hot shock  Cold Break Unk .								
47.00 mm - 17.00 mm - 1									
BRAKE	LIGHTS	REAR TUR	N SIGNALS						
Left	Right	Left	Right						
Working ☐ Not Working ☒ Broken ☐ Unknown ☐	Working ☐ Not Working ☒ Broken ☐ Unknown ☐	Working ☐ Not Working ☒ Broken ☐ Unknown ☐	Working ☐ Not Working ⊠ Broken ☐ Unknown ☐						
Hot shock ☐ Cold Break ☐ Unk ☑	Hot shock ☐ Cold Break ☐ Unk ⊠	Hot shock ☐ Cold Break ☐ Unk ☑	Hot shock ☐ Cold Break ☐						

## INTERIOR ANALYSIS

Case#

Case#				Date:	: <u>6.17.11</u> Time: <u>1700</u>										
Vehic	le # <u>3</u>		V	in:	inspection Lo			n Loc	cation: GCPD / HQ						
Year:	2009		Make	: <u>Dodge</u>	Model:Journey			rney		Color: <u>Bl</u>	<u>ue</u>				
				DOORS					Gill Pocks and Car			١	WINDOWS		
LEFTF	RONT		I □ L nknov	Jnlocked ⊠ vn □	and the second	Open ⊠ Closed □		olitak	Krai:	LEFT FRONT		Broke		Closed ⊠ 3/4 □ 1/2 □ 1/4 □ open □	
RIGHT	FRONT	1	l∏ L nknov	Inlocked ⊠ vn □		Open [∷] Closed ⊠		N/A	<b>,</b> П	RIGH"	T FRONT	Broke	1/4	Closed ⊠ 3/4 ☐ 1/2 ☐ 1/4 ☐ open ☐	
LEFT	REAR		l 🔲 L nknov	Inlocked ⊠ vn □		Open ⊠ Closed □		N/A	· 🗆	LEF	T REAR	Broke	Closed 1/4	3/4 [] ] open	
RIGHT	REAR	1	nknov	Inlocked ⊠ vn ∐	- CONTRACTOR CONTRACTOR	Open ☐ Closed ⊠		N/A		RIGH	T REAR	Broke	Closed 🗵	3/4 □ open	
RE#	AR	ł	l⊠ L nknov	Inlocked ☐ vn ☐		Open ∐ Closed ⊠		N/A	· 🗆	WIND	SHIELD	Brol	en 🖾 Not Broke Induced		ontact 🗌
										BAC	(GLASS	Brol	ten 🔲 Not Broke Induced		ontact [
		**************************************	WHO			SEATS / S	SAFE	TY F	REST	RAIN	TS				
SEAT	SEAT	TYPE		SEAT		SITION			RESTRAINT DESCRIPTION TYPE				IN USE		
#1	1	ket 🗵				N/A	Lap ⊠ Shoulder ⊠ None □			Automatic ☐ Manual ⊠		Yes ⊠ No □			
#2	1	ket 🔲	Fr	ont ☐ 3/4 ☐ Rear ☐			N/A	Lap ☐ Shoulder ☐ Childseat ☐ None ☐			Automatic		Yes ☐ No ☐		
#3	1	ket ⊠ ch □	Fr	ont ☐ 3/4 ☐ Rear ⊠			N/A	Lap ⊠ Shoulder ⊠ Childseat ☐ None ☐			Iseat □	Automatic Manual 🗵		Yes ⊠ No □	
#4	Ben	ket 🗌 ch 🛄		ont □ 3/4 □ Rear □	Fixed		N/A ⊠	Lap ☐ Shoulder ☐ Childseat ☐ None ☐			Manual [	1	Yes ☐ No ☐		
#5	Ben	ket 🗍 ch 🔲		ont 🗍 3/4 🗍 Rear 🗍	Fixed		N/A ⊠	Lap ☐ Shoulder ☐ Childseat ☐ None ☐			Manual [	]	Yes ☐ No ☐		
#6	Ben	ket 🗌 ch 🔲		ont 🔲 3/4 🗍 Rear 🗍	Fixed		N/A ⊠	Lap ☐ Shoulder ☐ Childseat ☐ None ☐				Automatic Manual [		Yes ☐ No ☐	
#7	1	ket 🔲 ch 🛄	Fr	ont 🗌 3/4 🗍 Rear 🗍			N/A ⊠	La	р 🗌		er ☐ Child ne ☐	iseat □	Automatic Manual	_	Yes ☐ No ☐
	Д	IR BAG					TR	ANS	MISS	ION			SPEED	OMET	ER
SEAT	EQUIF	PED	DE	PLOYED		MANUAL	- 🗆			AUTO	MATIC 🗵	1	Digital 🗌	Nee	dle 🗌
#1	Yes ⊠	No□	Yes	⊠ No □	R[	Position ☐ 1☐ 2 4 ☐ 5 ☐			PΩ	R	sition ]N⊠ S∐L[	gu	Reading 49 mp	h	
#3	Yes 🛚	No□	Yes	⊠ No □		Broken					oken 🗌		Mileage unkno	wn	
HEAD REST		SEAT es ⊠ No		SEAT 2 Yes ⊠ No		SEAT Yes ⊠ N			SEAT		SEAT Yes 🔲 l		SEAT 6 Yes ⊠ No⊡		EAT 7
TILT STEERING Yes ⊠ No ☐ HORN Up ☑ 3/4 ☐ 1/2 ☐ 1/4 ☐ Down ☐ Yes ☑No ☐				LOOSE CARGO? Yes  No  Type?											

## **ELECTRICAL ANALYSIS**

Case# Date: 6.17.11 Time: 1700 Location: GCPD / HQ								
Vehicle #3 VIN								
Trailer# VIN:								
IGNITION SWITCH	HEADLIGHT SWITCH	HIGHBEAN SWITCH						
On 🗵 Off 🗌 Unk 🔲 Broken 🗍	On ☐ Off ☐ Unk ☒ Broken ☐	On ☐ Off ☐ Unk ⊠ Broken ☐						
WIPER SWITCH	TURN SIGNAL SWITCH	CRUISE CONTROL						
On Off Delay Unk Broken	Off ☑ Left ☐ Right ☐ Unk ☐ Broken ☐	On Off Unk Broken						
HEATER SWITCH	DEFROSTER SWITCH	AIR CONDITIONING SWITCH						
On Off Unk Broken	On ☐ Off ☑ Unknown ☐	On 🗌 Off 🗌 Unknown 🗵						
DOME LIGHT	AM/FN RADIO	CELLULAR TELEPHONE						
On Off Unknown	On 🗌 Off 🗌 Unk 🗵 Broken 🗍	Equipped: Yes ☐ No ⊠						
	Volume: Low ☐ Med☐ High ☐ Unk ☐	On Hook						
REMARKS	1.000							

## **BRAKE ANALYSIS**

Case: Date: 6.17.11 Time: 1700 Inspection	Location:GCPD / HQ					
Vehicle #3 VIN:	·					
Year: 2009 Make: Dodge Model: Journey Co	olor: <u>Blue</u>					
Trailer # VIN:						
Year: Make: Model: Color:						
VEHICLE TYPE:						
☐CAR ☐ PICKUP ☐ LARGE TRUCK ☐	BOBTAIL TRACTOR BUS					
☐ TRACTOR TRAILER ☐ MOTORCYCLE ☐ VAN	☐ RV ⊠ SPORT UTILITY					
NOTE: Axles are numbered front to rear in seque	nce					
FRONT WHEELS (Axle #1)	Axle #2					
Standard ☐ ABS ☒ Air ☐ None ☐	Standard ☐ ABS ⊠ Air ☐ None☐					
Working ☐ Not Working ☐ Unknown☐	Working Not Working Unknown					
Contributed to collision cause Yes  No	Contributed to collision cause Yes No					
Axle #3 N/A ⊠ Axle #4 N/A ⊠						
Standard	Standard ☐ ABS ☐ Air ☐ None ☐					
Working ☐ Not Working ☐ Unknown ☐	Working ☐ Not Working ☐ Unknown ☐					
Contributed to collision cause Yes  No	Contributed to collision cause Yes 🔲 No 🗌					
Axle #5 N/A ⊠	Axle #6 N/A ⊠					
Standard 🗌 ABS 🔲 Air None 🗌	Standard					
Working ☐ Not Working ☐ Unknown ☐	Working 🗌 Not Working 🗌 Unknown 🗌					
Contributed to collision cause Yes  No	Contributed to collision cause Yes 🗌 No 🗍					
Axle #7 N/A ⊠	Axle #8 N/A ⊠					
Standard 🗌 ABS 🗌 Air 🗌 None 🗌	Standard 🗌 ABS 🗌 Air 🗌 None 🗍					
Working ☐ Not Working ☐ Unknown ☐	Working 🗌 Not Working 🔲 Unknown 🗌					
Contributed to collision cause Yes 🗌 No 🗌	Contributed to collision cause Yes 🗌 No 🗌					
Brake Pedal Pressure? Yes No (Full Pedal 3/4 Pedal 1/2 Pedal 1/4 Pedal )  Brake System inoperative due to collision damage? Yes No  Brake Pedal Assembly? Destroyed Pinned  Trailer Brake switch activated? Yes No NA  Parking Brake working? Yes No NO						
Parking Brake set? Yes No S  Gwinnett County Police Department						



Recalls - Search Results

7 Record(s) Displayed.

Report Date: October 18, 2011 at 08:28 PM

NHTSA Action Number: N/A

Search Type: VEHICLE

Make: DODGE

Model or Model No.: JOURNEY

Model Year: 2009

Make: DODGE Model: JOURNEY

Model Year: 2009

Manufacturer: CHRYSLER LLC Mfr's Report Date: JUN 03, 2008

NHTSA CAMPAIGN ID Number: 08V247000

Component: ELECTRICAL SYSTEM:WIRING
Potential Number of Units Affected: 6,692

Summary:

CHRÝSLER IS RECALLING 6,692 MY 2009 DODGE JOURNEY VEHICLES EQUIPPED WITH A 3.5L ENGINE. THE ENGINE WIRING HARNESS MAY CONTACT THE LEFT TRANSAXLE MOUNT.

Consequence:

DAMAGE TO THE WIRING HARNESS COULD RESULT IN AN ENGINE COMPARTMENT FIRE,

Remedy:

DEÂLERS WILL INSPECT THE ENGINE WIRING HARNESS FOR DAMAGE. IF THE HARNESS IS DAMAGED, THE WIRING WILL BE REPAIRED AND A TIE WRAP INSTALLED TO SECURE THE HARNESS AWAY FROM THE LEFT TRANSAXLE MOUNT. IF NO DAMAGE IS FOUND, A TIE WRAP WILL BE INSTALLED TO SECURE THE HARNESS AWAY FROM THE LEFT TRANSAXLE MOUNT. THE RECALL BEGAN ON JULY 7, 2008. OWNERS MAY CONTACT CHRYSLER AT 1-800-853-1403.

#### Notes:

CHRYSLER RECALL NO. H21. CUSTOMERS MAY CONTACT THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION'S VEHICLE SAFETY HOTLINE AT 1-888-327-4236 (TTY: 1-800-424-9153); OR GO TO HTTP://WWW.SAFERCAR.GOV.

Make: DODGE Model: JOURNEY

Model Year: 2009

Manufacturer: CHRYSLER LLC Mfr's Report Date: OCT 07, 2008
NHTSA CAMPAIGN ID Number: 08V528000 NHTSA Action Number: N/A

Component: POWER TRAIN: AUTOMATIC TRANSMISSION: CONTROL MODULE (TCM, PCM)

Summary:

CHRYSLER IS RECALLING 712 MY 2009 SEBRING, DODGE CALIBER, AVENGER, JOURNEY, JEEP PATRIOT, AND COMPASS VEHICLES. A NEW ADHESIVE USED IN THE POWER TRAIN CONTROL MODULE (PCM) MANUFACTURING PROCESS CAN CAUSE THE PRINTED CIRCUIT BOARD TO BREAK.

Consequence:

THIS CAN CAUSE THE ENGINE TO STALL AND CAUSE A CRASH WITHOUT WARNING,

Remedy:

DEALERS WILL REPLACE THE PCM FREE OF CHARGE. THE RECALL BEGAN ON NOVEMBER 10, 2008. OWNERS MAY CONTACT CHRYSLER AT 1-800-853-1403.

#### Notes:

CHRYSLER RECALL NO. H33. CUSTOMERS MAY ALSO CONTACT THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION'S VEHICLE SAFETY HOTLINE AT 1-888-327-4236 (TTY 1-800-424-9153), OR GO TO HTTP://WWW.SAFERCAR.GOV.

Make: DODGE Model: JOURNEY

Model Year: 2009

Manufacturer: CHRYSLER LLC Mfr's Report Date: MAR 09, 2009

NHTSA CAMPAIGN ID Number: 09V082000 NHTSA Action Number: N/A

Component: ELECTRICAL SYSTEM

Potential Number of Units Affected: 16,852

CHRYSLER IS RECALLING 16,852 MY 2009 DODGE JOURNEY VEHICLES EQUIPPED WITHOUT OPTIONAL 115 VOLT AUXILIARY POWER OUTLET. AN UNUSED ELECTRICAL CONNECTOR FOR THE OPTIONAL 115 VOLT AUXILIARY POWER OUTLET OPTION MAY BECOME CORRODED AND COULD SHORT CIRCUIT.

Consequence:

IF THE FUSE FOR THIS CIRCUIT DOES NOT BLOW, THE CONNECTOR COULD OVERHEAT AND POTENTIALLY CATCH FIRE.

Remedy:

DEALERS WILL RE-ROUTE AND STOW THE 115 VOLT AUXILIARY POWER OUTLET CONNECTOR AND PULL THE 25 AMP FUSE TO REMOVE POWER FROM THIS UNUSED CIRCUIT FREE OF CHARGE. THE RECALL BEGAN ON MARCH 30, 2009. OWNERS MAY CONTACT CHRYSLER AT 1-800-853-1403.

CHRYSLER RECALL NO. J09. OWNERS MAY ALSO CONTACT THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION'S VEHICLE SAFETY HOTLINE AT 1-888-327-4236 (TTY 1-800-424-9153), OR GO TO HTTP://WWW.SAFERCAR.GOV.

Make: DODGE Model: JOURNEY

Model Year: 2009

Manufacturer: CHRYSLER LLC Mfr's Report Date: APR 07, 2009 NHTSA CAMPAIGN ID Number: 09V118000 NHTSA Action Number: N/A

Component: ELECTRICAL SYSTEM:WIRING

Summary:

CHRYSLER IS RECALLING 4,314 MY 2009 DODGE JOURNEY, JEEP GRAND CHEROKEE, COMMANDER AND WRANGLER VEHICLES. WIRING MAY BE REVERSED ON THE STEERING COLUMN CONTROL MODULE DRIVER AIRBAG SQUIB CONNECTOR. THE DRIVER'S AIRBAG MAY NOT DEPLOY AS INTENDED.

IN THE EVENT OF A CRASH, THE DRIVER'S AIRBAG MAY NOT PROPERLY INFLATE AND MAY NOT BE ABLE TO PROPERLY PROTECT AN OCCUPANT, INCREASING THE RISK OF INJURIES.

DEALERS WILL INSPECT THE DRIVER'S AIRBAG SQUIB WIRES AND REPLACE THE STEERING COLUMN CONTROL MODULE FREE OF CHARGE. THE RECALL IS EXPECTED TO BEGIN DURING MAY 2009. OWNERS MAY CONTACT CHRYSLER AT 1-800-853-1403.

Notes:

CHRYSLER RECALL NO. J13. OWNERS MAY ALSO CONTACT THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION'S VEHICLE SAFETY HOTLINE AT 1-888-327-4236 (TTY 1-800-424-9153), OR GO TO HTTP://WWW.SAFERCAR.GOV.

Make: DODGE Model: JOURNEY

Model Year: 2009

Manufacturer: CHRYSLER LLC Mfr's Report Date: APR 07, 2009 NHTSA CAMPAIGN ID Number: 09V118000

NHTSA Action Number: N/A

Component: AIR BAGS

Summary:

CHRÝSLER IS RECALLING 4,314 MY 2009 DODGE JOURNEY, JEEP GRAND CHEROKEE, COMMANDER AND WRANGLER VEHICLES. WIRING MAY BE REVERSED ON THE STEERING COLUMN CONTROL MODULE DRIVER AIRBAG SQUIB CONNECTOR. THE DRIVER'S AIRBAG MAY NOT DEPLOY AS INTENDED.

Consequence:

IN THE EVENT OF A CRASH, THE DRIVER'S AIRBAG MAY NOT PROPERLY INFLATE AND MAY NOT BE ABLE TO PROPERLY PROTECT AN OCCUPANT, INCREASING THE RISK OF INJURIES.

Remedy:

DEÁLERS WILL INSPECT THE DRIVER'S AIRBAG SQUIB WIRES AND REPLACE THE STEERING COLUMN CONTROL MODULE FREE OF CHARGE. THE RECALL IS EXPECTED TO BEGIN DURING MAY 2009. OWNERS MAY CONTACT CHRYSLER AT 1-800-853-1403.

Notes

CHRYSLER RECALL NO. J13. OWNERS MAY ALSO CONTACT THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION'S VEHICLE SAFETY HOTLINE AT 1-888-327-4236 (TTY 1-800-424-9153), OR GO TO HTTP://WWW.SAFERCAR.GOV.

Make: DODGE

Model: JOURNEY

Model Year: 2009

Manufacturer: CHRYSLER LLC

Mfr's Report Date: APR 07, 2009

NHTSA CAMPAIGN ID Number: 09V118000

NHTSA Action Number: N/A

Component: AIR BAGS:FRONTAL

Summary:

CHRYSLER IS RECALLING 4,314 MY 2009 DODGE JOURNEY, JEEP GRAND CHEROKEE, COMMANDER AND WRANGLER VEHICLES. WIRING MAY BE REVERSED ON THE STEERING COLUMN CONTROL MODULE DRIVER AIRBAG SQUIB CONNECTOR. THE DRIVER'S AIRBAG MAY NOT DEPLOY AS INTENDED.

Consequence:

IN THE EVENT OF A CRASH, THE DRIVER'S AIRBAG MAY NOT PROPERLY INFLATE AND MAY NOT BE ABLE TO PROPERLY PROTECT AN OCCUPANT, INCREASING THE RISK OF INJURIES.

Remedy:

DEALERS WILL INSPECT THE DRIVER'S AIRBAG SQUIB WIRES AND REPLACE THE STEERING COLUMN CONTROL MODULE FREE OF CHARGE, THE RECALL IS EXPECTED TO BEGIN DURING MAY 2009. OWNERS MAY CONTACT CHRYSLER AT 1-800-853-1403.

Notes

CHRYSLER RECALL NO. J13, OWNERS MAY ALSO CONTACT THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION'S VEHICLE SAFETY HOTLINE AT 1-888-327-4236 (TTY 1-800-424-9153), OR GO TO HTTP://WWW.SAFERCAR.GOV.

Make: DODGE

Model: JOURNEY

Model Year: 2009

Manufacturer: CHRYSLER GROUP LLC

Mfr's Report Date: DEC 23, 2010

NHTSA CAMPAIGN ID Number: 10V658000

NHTSA Action Number: N/A

Component: ELECTRICAL SYSTEM:WIRING

Potential Number of Units Affected: 64,934

Summary:

CHRYSLER IS RECALLING CERTAIN MODEL YEAR 2009 DODGE JOURNEY VEHICLES MANUFACTURER FROM NOVEMBER 1, 2007, THROUGH NOVEMBER 7, 2008. THE WIRES WITHIN THE FRONT DOOR WIRE HARNESSES MAY FATIGUE AND BREAK, WHICH CAN INTERRUPT THE CIRCUITS FOR THE SIDE IMPACT SENSOR(S), RESULTING IN AN AIRBAG WARNING LAMP ILLUMINATION AND LOSS OF SIDE CRASH SENSING CAPABILITY.

Consequence:

IN THE EVENT OF A CRASH, THE SIDE AIRBAG MAY NOT DEPLOY, REDUCING THE PROTECTION INTENDED FOR THE OCCUPANT AND INCREASING THE RISK OF INJURIES.

Remedy:

CHRYSLER WILL NOTIFY OWNERS AND REPLACE THE LEFT AND RIGHT DOOR WIRING HARNESSES FREE OF CHARGE. THE SAFETY RECALL BEGAN ON FEBRUARY 18, 2011. OWNERS MAY CONTACT CHRYSLER AT 1-800-853-1403.

#### Notes:

CHRYSLER SAFETY RECALL NO. K07. OWNERS MAY ALSO CONTACT THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION'S VEHICLE SAFETY HOTLINE AT 1-888-327-4236 (TTY 1-800-424-9153), OR GO TO  $\underline{\text{HTTP://WWW.SAFERCAR.GOV}}$ .

1200 New Jersey Avenue, SE, West Building Washington DC 20590 USA 1.888.327.4236 TTY 1.800.424.9153



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S.R. 124. Vehicle #2, a 2008 Jeep Wrangle Drive. Vehicle #3, a 2009 Dodge Journey, home.  Mr. quickly swerved out of his lane him, striking vehicle #2 in the left rear tail li was transported to Gwinnett Medical Cente were at the time life threatening injuries. The Center. Mrs was in and out of consustained in this collision. Or iver #2 did not After examining all three vehicles, physical defect and was completely driver error on in violation of O.C.G.A. 40-6-3 and Degree, in violation of O.C.G.A. 40-6-3	operated by Arry Lyle in an attempt to avoid ght/ bumper and cross or with serious, but non ne passenger of vehicle nsciousness, but neve: sustain any type of inj evidence and speakin whor 6-48(a), Driving on the	and had passeng a collision with J ed over the doub t-life threatening #3, Mrs. r gained full cons juries and was no g to witnesses, I n was charged w Wrong Side of th	leep Wrangler, ile-yellow line ar injuries. Driver # wa sclousness after at transported. concluded this ith Following To ne Roadway, in	indue to find struct 3 was also to the column of the colum	iollowing iollow	ont seal	losely nead o ed to ( life thi d on Ji result on	and the n. The Gwinner reateni uly 2, 2 of a me .C.G.A	ed soui e Wrar driver ett Medi ng inju 2011 du echanic 40-6-	th on gler singler singler singler single single to in the sall failutes.	topped licle #1 enter fo Atlanta juries s are or re Failure	r with to Medic Medic she oadwa	et of what cal
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Report By: HOLLIS,J			·							***************************************	~		
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Assignment/Shift FA!U

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# DP14-004 CHRYSLER 9/15/2014 LEGALS AND CUSTOM COMPLAINTS PUBLIC

CLAIM AND COMPLAINT

# DP14-004 CHRYSLER 9/15/2014

Claim and Complaint



ATLANTA DIFFICE WI CONTRY STORE 1201 Feachires Street no Sune 900 Atlanta, Georgia 3036) 404/98) 7650 mme. 977/AR8-7405 TOOL FREE -04/961.7691 +4X

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Reply To: Savannah

### October 12, 2011

Chrysler Group, LLC Corporate Headquarters Attention: Legal Department 1000 Chrysler Drive Auburn Hills, MI 48326

M. Diane Owens, Esquire Swift, Currie, McGhee & Hiers, LLP 1355 Peachtree Street, NE Suite 300, Atlanta, GA 30309

Chrysler Group, LLC By Its Registered Agent: The Corporation Company (FL) 328 Alexander Street, Suite 10 Marietta, GA 30060

deceased)

Our Client: Date of Accident: June 16, 2011

Dear Sir or Madam and Ms. Owens:

Our firm has been asked by the ! family to look into the matter of the death of Deborah Samples, which was the result of an auto accident which occurred on June 16, 2011 in Gwinnett County, Georgia. A copy of the accident report is enclosed.

This firm, along with our consultants will be inspecting, photographing and removing the right front passenger side restraint system, in accordance with the protocol which is attached. We also intend to download the data recorder pursuant to Chrysler's Service Manual on the 2009 Dodge Journey. The inspection, removal and download will take place on Thursday, November 17, 2011 beginning at 9:30 a.m. at Co-Part, 6089 Highway 20, Loganville, Georgia 30052. We hereby invite representatives of Chrysler to be present at the inspection/removal.

Thank you in advance for your prompt attention to this request. If you have any questions or concerns, please call me at the Savannah office.

With kind regards, I am

Very truly yours.

HARRIS PENN LOWRY DELCAMPO, LLP

Stephen G. Lowry

Chrysler Group LLC

SGL:lms Enclosures - as stated

www.hpllegal.com

2009 Dodge Journey / Removal of front passenger side restraint system

### Protocol:

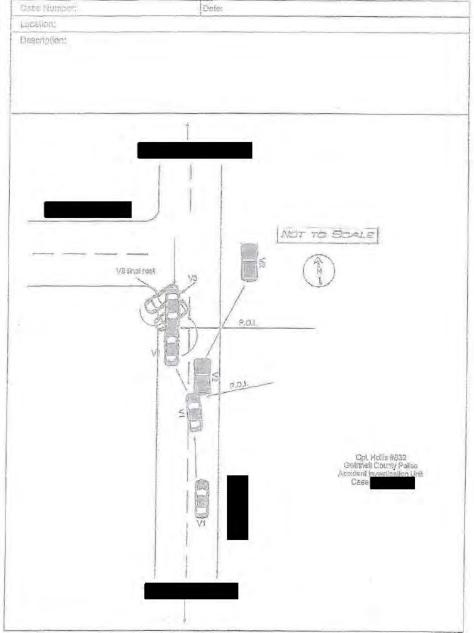
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Page 1 of 1

# DP14-004 CHRYSLER 9/15/2014

Claim and Complaint



### **Service of Process Transmittal**

06/04/20 2

CT Log Number 520620424

TO: Melissa Gravlin

Chrysler Group LLC
Office Of General Counsel, 000 Chrysler Drive

C MS: 485 3 62 Auburn Hills, M 48326 2766

**Process Served in Georgia** RE:

FOR: Chrysler Group LLC (Domestic State: DE)

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

TITLE OF ACTION: (deceased) Da e of Acc den: RE: Our Cl en: June 16, 2011 // o: Chrysler Group, LLC

DOCUMENT(S) SERVED: Le er, Exh b s COURT/AGENCY: None Spec f ed

Le  $\,$  er of  $\,$  n en  $\,$  Threa en ng L  $\,$  ga  $\,$  on  $\,$  Wrongful dea h cla m and demand for \$3,400,000.00  $\,$  o release cla m  $\,$ NATURE OF ACTION:

ON WHOM PROCESS WAS SERVED: The Corpora on Company, Mar e a, GA

DATE AND HOUR OF SERVICE: By Cer f ed Ma l on 06/04/2012 pos marked on 05/31/2012

Case # None Spec f ed

JURISDICTION SERVED:

APPEARANCE OR ANSWER DUE: 30 days from da e of 05/31/2012

ATTORNEY(S) / SENDER(S):

S ephen G. Lowry Harr s Penn Lowry Delcampo, LLP 400 Colony Square 1201 Peach ree S ree NE

Su e 900 A lan a, GA 30361 404 961 7650

ACTION ITEMS: CT has re a ned  $\,$  he curren  $\,$  log, Re a n Da e: 06/04/2012, Expec ed Purge Da e: 06/09/2012

mage SOP

The Corpora on Company Amy McLaren 328 Alexander S ree Su e 10 SIGNED:

ADDRESS:

Mar e a, GA 30060 800 592 9023 TELEPHONE:



ATLANTA OFFICE . 400 Colony Square 1201 Peachtree Street NE Suite 900 Atlanta, Georgia 30361 404/961.7650 PHONE 877/688.7405 TOLL FREE 404/961.7651 FAX

SAVANNAH OFFICE 405 East Perry Street Savannah, Georgia 31401 912/651.9967 PHONE 866/310.7272 TOLL FREE 912/651.1276 FAX

May 31, 2012

### VIA CERTIFIED MAIL

Chrysler Group, LLC Corporate Headquarters Attention: Legal Department 1000 Chrysler Drive Auburn Hills, MI 48326

M. Diane Owens, Esquire Swift, Currie, McGhee & Hiers, LLP 1355 Peachtree Street, NE

Chrysler Group, LLC By Its Registered Agent: The Corporation Company (FL) 328 Alexander Street, Suite 10 Marietta, GA 30060

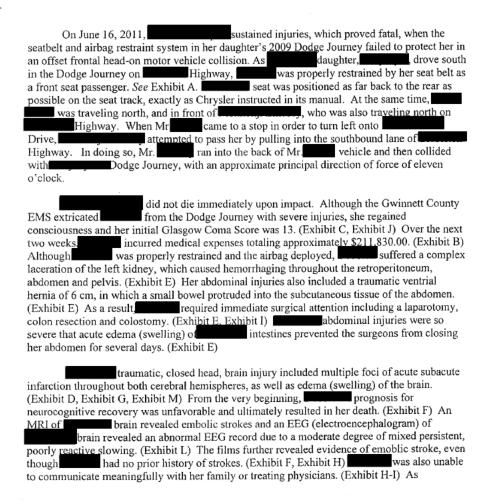
Suite 300, Atlanta, GA 30309

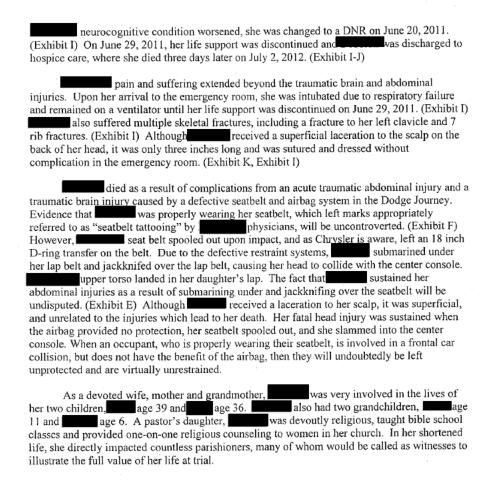
(deceased) Our Clien Date of Accident: June 16, 2011

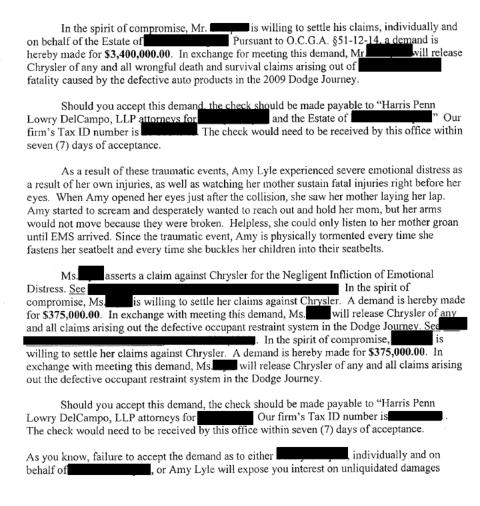
Dear Sir or Madam and Ms. Owens:

, individually and as executor of the As you know, this firm represents regarding wrongful death and estate claims for the death of his wife, Estate of For the purposes of pre-suit settlement, this firm is also representing the interests of in her claim for Negligent Infliction of Emotional Distress. The daughter, purpose of this letter is to set forth the following facts and information in attempt to negotiate a The information contained within this letter settlement on behalf is for settlement purposes only and is inadmissible at trial. O.C.G.A. § . This entire letter and all of the exhibits are submitted with a McBride. view toward compromise of this claim.

To assist in your evaluation, we have included a copy of the police report (Exhibit A), a summary of medical expenses incurred (Exhibit B), the EMS Report (Exhibit C), June 16, 2011 CT (Exhibit D), June 27, 2011 Operative Report (Exhibit E), June 17, 2011 Consultation (Exhibit F), June 17, 2011 MRI (Exhibit G); June 17, 2011 Chart Notes (Exhibit H); Discharge Summary (Exhibit I); Death Certificate (Exhibit J); ICU Flow Sheet (Exhibit K); and June 18, 2011 EEG Report (Exhibit L).







pursuant to O.C.G.A. §51-12-14. I have sent this letter directly to you, as the attorney of record for Chrysler, as well as to Chrysler's registered agent, via certified mail. Should you contend this demand is in any manner non-compliant with O.C.G.A. § 51-12-14, please respond accordingly within seven (7) days of receipt of this demand. Failure to respond accordingly will constitute waiver of any objection to the procedural requirement(s) set forth in O.C.G.A, § 51-12-14.

Both offers expire and are withdrawn thirty (30) days from the date of this letter. This offer is also withdrawn and terminates by law upon a counteroffer or rejection by Chrysler.

Please be advised that we are prepared to take all actions necessary to protect our clients' interest. Should we be unable to resolve this matter, we will take this case to trial and seek all available damages.

With kind regards, I am

Very truly yours,

HARRIS PENN LOWRY DELCAMPO, LLP

Stephen G. Lowry

SGL/clw Enclosures – as stated

## EXHIBIT A

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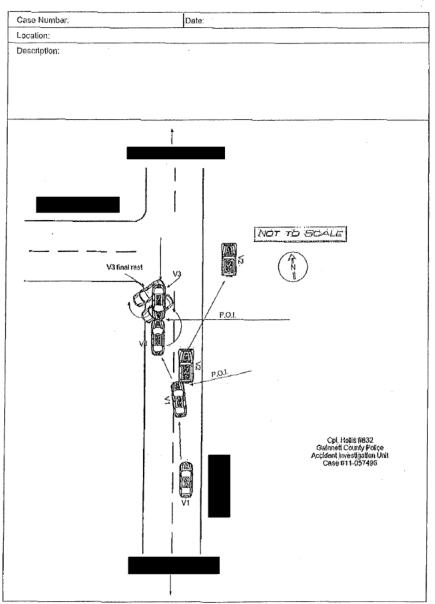
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Page 1 of 1

## **EXHIBIT B**



Tab	Provider	Date	Amount	Sub-Total
1.	Gwinnett Fire & EMS 408 Hurricane Shoals Rd, NE Lawrencevlle, GA 30046	6/16/2011	1,125.00	
	Lawrencevile, GA 30046	0/10/2011	1,120.00	1,125.00
	Gwinnett Medical Center 1000 Medical Cnr Blvd	6/16/2011 -		
	Lawrenceville, GA 30046	06/29/2011	210,705.00	210,705.00
			GRAND TOTAL	211,830.00



To protect the privacy of individuals, NHTSA does not make medical records available to the public without authorization. For this reason, documents falling into this category have not been included in this complaint record.



# EXHIBIT E

# EXHIBIT F

# EXHIBIT G

# EXHIBIT H

# **EXHIBIT I**

# **EXHIBIT J**

# EXHIBIT K

# EXHIBIT L

# DP14-004 CHRYSLER 9/15/2014

Claim and Complaint



### Service of Process Transmittal

05/22/2013 CT Log Number

TO: Melissa Gravlin

Chrysler Group LLC

Office Of General Counsel, 1000 Chrysler Drive

CIMS: 485-13-62

Auburn Hills, MI 48326-2766

RE: Process Served in Georgia

FOR: Chrysler Group LLC (Domestic State: DE)

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

TITLE OF ACTION: as surviving spouse, and Personal Representative of Decedent,

; as Executor of the Estate of Individually, Pltfs. vs. et al. including Chrysler Group

LLC, Dits.

DOCUMENT(S) SERVED: Summons, Information Form, Complaint, First Continuing Interrogatories, First

Request for Production

COURT/AGENCY: State Court of Gwinnett County, GA

Case #

NATURE OF ACTION: Product Liability Litigation - Manufacturing Defect - on 06/16/2011 in faulty

seatbelt spooler in 2009 Dodge Journey VIN 3D4GG57V49T resulting in death

ON WHOM PROCESS WAS SERVED: The Corporation Company, Marietta, GA

DATE AND HOUR OF SERVICE: By Process Server on 05/22/2013 at 11:56

JURISDICTION SERVED: Georgia

APPEARANCE OR ANSWER DUE: Within 30 days, exclusive of the day of service

ATTORNEY(S) / SENDER(S): Stephen G. Lowry

Harris Penn Lowry, LLP 405 E. Perry Street Savannah, GA 31401 912-651-9967

ACTION ITEMS: CT has retained the current log, Retain Date: 05/22/2013, Expected Purge Date:

05/27/2013 Image SOP

SIGNED: The Corporation Company

PER: Amy McLaren
ADDRESS: 328 Alexander Street

328 Alexander Street Suite 10

Marietta, GA 30060 TELEPHONE: 800-592-9023

## IN THE SAPERIOR COURT OF GWINNETT COUNTY

### STATE OF GEORGIA

JURY DEMAND

, as surviving spouse, and Personal Representative	· ·
of Decedent , as Executor of	
the Estate of Individually,	CIVIL ACTION NUMBER:
PLAINTIFF	
VS.	
; Chrysler Group, LLC;	
and Hayes Chrysler-Dodge-Jeep, Inc.	
DEFENDANT	

### **SUMMONS**

TO THE ABOVE NAMED DEFENDANT: Chrysler Group, LLC

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

Stephen G. Lowry, Harris Penn Lowry, LLP 405 E. Perry Street Savannah, GA 31401

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This day of Maly , 20/3

Richard T. Alexander, Jr., Clerk of Superior Court

INSTRUCTIONS: Attach addendum sheet for additional parties if needed, make notation on this sheet if addendum sheet is used.

SC-1 Rev. 2011

### General Civil Case Filing Information Form (Non-Domestic) County GWINNETT CLERK STATE COURT CLERK STATE COURT Davel Fried Tos/26/2013, GA Davel Fried Tos/26/2013, GA Court - ABHAY S HWEDD-KX33 ☐ Superior ☑ State Docket ' Deferidation ALEXANDER, CLERK Plaintiff(s) as surviving spouse Maiden Middle I. Suffix Prefix Middle I. Suffix Prefix Maiden Last First First Chrysler Group, LLC , Exec of Est of Middle I. Suffix Prefix Maiden Middle I. Suffix Prefix First Maiden Hayes Chrysler-Dodge-Jeep, Inc. Middle I. Suffix Prefix Maiden First Middle I. Suffix Prefix Maiden Middle I. Suffix Prefix Maiden Last First Middle I. Suffix Prefix Maiden Last First No. of Defendants 3 No. of Plaintiffs 3 Plaintiff/Petitioner's Attorney ☐ Pro Se Lowry, Stephen Last Middle I. Suffix Bar # 460289 If Tort is Case Type: Check Primary Type (Check only ONE) (Check no more than TWO) ☐ Contract/Account ☐ Auto Accident ☐ Wills/Estate ☐ Premises Liability ☐ Real Property □ Dispossessory/Distress ☐ Other Professional Negligence ☐ Personal Property □ Product Liability ☐ Equity ☐ Other Specify _____ ☐ Habeas Corpus ☐ Appeals, Reviews Are Punitive Damages Pleaded? ☐ Yes ☐ No Post Judgment Garnishment, Attachment, or Other Relief ☐ Non-Domestic Contempt Tort (If tort, fill in right column) ☐ Other General Civil Specify

IN THE STATE COURT OF GWINNETT GOUNTY COUNTY, GA

STATE OF GEORGIA

THE STATE COURT OF GWINNETT GOUNTY COUNTY, GA

STATE OF GEORGIA

THE STATE COURT OF GWINNETT GOUNTY COUNTY CO

and Personal Representative of Decedent,	) FICHARD ALEXANDER. CLERK
, as Executor of the Estate of	)
; and Individually,	) Civil Action No.:
	(Jury Trial Demanded)
Plaintiffs,	
v.	
; CHRYSLER GROUP LLC,	)
and HAYES CHRYSLER-DODGE-	)
JEEP, INC.	
Defendants.	)

### COMPLAINT FOR DAMAGES AND DEMAND FOR JURY TRIAL

COME NOW as surviving spouse, and personal representative of

Decedent as executor of the estate of s

(collectively, "Decedent Plaintiffs"); and and hereby file Complaint for Damages and

Demand for Jury Trial against Defendants and Chrysler Group

LLC ("Chrysler") as a Defendant, showing this Court the following:

### Parties

1.

Plaintiff s was the husband of deceden and he is the Executor of the Estate of e is the daughter of and brings this suit in her individual capacity. Plaintiffs are residents of the State of Georgia and submit to the jurisdiction and venue of this Court.

Defendant is an adult natural person and a resident of Gwinnett County, Georgia. He can be served with process by delivering a Summons and copy of this Complaint to his residence address at the served with process by delivering a Summons and copy of this Complaint to his residence address at the served with process by delivering a Summons and copy of this Complaint to

3.

Defendant Chrysler Group, LLC, formally known as New Carco Acquisition, LLC, is a corporation created and existing pursuant to the laws of the State of Delaware with a principal place of business in the State of Michigan. Defendant Chrysler Group, LLC, is registered to do business in the State of Georgia and regularly does and conducts business within the State of Georgia. Defendant Chrysler Group, LLC, may be served with process by delivering a copy of this Complaint along with a Summons to its registered agent, The Corporation Company (FL), at 328 Alexander Street, Suite 10, Marietta, Georgia 30060.

4.

Defendant Chrysler Group, LLC, is legally responsible for the negligence and defects in vehicles previously manufactured by other Chrysler entities that were reorganized through bankruptcy. Defendant Chrysler Group, LLC, has assumed liability for product defects for such entities. Defendant Chrysler Group, LLC, is the proper entity to sue related to a product defect in a 2009 Dodge Journey. Defendant Chrysler Group, LLC, and previous entities for which Defendant Chrysler is legally responsible for are collectively referred to as "Chrysler" herein.

5.

This Court has personal jurisdiction over Chrysler because it regularly and routinely transacts business in Georgia, is registered to do business in Georgia, committed tortious acts and

omissions within the confines of the State of Georgia, and is legally responsible for product defects contained in the subject 2009 Dodge Journey.

6.

Defendant Hayes-Chrysler-Dodge-Jeep, Inc. ("Hayes Chrysler") is a Georgia corporation engaged in the business of marketing, promoting, advertising and selling automobiles in the state of Georgia with its principle office in Lawrenceville, Georgia. Defendant Hayes may be served via its registered agent: Michael D Hayes at 719 Pike Street, Lawrenceville, Georgia 30045.

7.

This case is a tort action against Defendants, jointly and severally, and jurisdiction and venue are proper in this Court pursuant to O.C.G.A. § 9-10-31, § 9-10-93, § 14-2-501, § 14-2-510, Georgia Constitution Art. VI, § 2, ¶ IV and Georgia's Long Arm Jurisdiction.

8.

Jurisdiction and venue are proper in this Court.

### **FACTS**

9.

On June 16, 2011, was a belted, right front seat passenger in a 2009

Dodge Journey, VIN No. 3D4GG57V49 heading South on ...

10.

At all times relevant hereto, was wearing her seatbelt as designed and intended, and in the correct manner as instructed by defendant Chrysler.

The 2009 Dodge Journey owner's manual provides the front passenger's seat should be moved back as far as practical to allow the airbags time to inflate.

12.

At all times relevant hereto, positioned the right front passenger seat as instructed by defendant Chrysler to be as far from the airbag as possible.

13.

Ms. was a small statured person. Specifically, she was about 5'2" tall.

14.

At approximately 4:53 pm, defendant was driving North on

15.

While driving North on unexpectedly swerved into the South bound lane.

16.

When defendant swerved into the South bound lane, the left front of his 2004

Jeep Grand Cherokee impacted the left front of the Dodge Journey Ms. was traveling as a passenger in.

17.

Upon impact, the seat belt worn by Ms. failed to properly restrain her and spooled out or paid out. Because of Ms. position as far from the airbag as practical, as instructed by defendant Chrysler, she did not contact the air bag but instead impacted the dashboard and center console with her head and upper torso.

Because of the restraint system's failure to restrain Ms. in a foreseeable collision the lap belt portion of the seat belt system came off of her pelvis and loaded on her abdomen.

This is known as submarining.

19.

Due to the loads on her abdominal structure by the lap belt, Ms. Successful suffered severe injuries to her abdominal area including a lacerated left kidney and a hernia to her small bowel.

These injuries caused significant internal bleeding and required emergency surgery.

20.

who was severely injured in the impact witnessed her mother's impact with the dashboard and center console.

21.

After the collision, Ms. was lying across into the driver's seat with her head in her daughter's lap. The spooled-out seatbelt was still around her.

22.

The report of the emergency medical technicians stated that Ms. was wearing her seatbelt and that she had seatbelt bruises and burns across her upper torso.

23.

As a result of the collision and the failure of her restraint system to properly restrain her,

Ms. suffered severe injuries to her head, neck and abdomen. Specifically, she suffered
traumatic closed head injury with loss of consciousness, a left kidney laceration, and a traumatic
hernia, causing severe internal bleeding throughout her abdomen and pelvis.

After arriving at the hospital, Ms. regained consciousness and scored a 13 on the Glasgow Coma Scale.

25.

After battling her injuries for more than two (2) weeks in the hospital, Ms. passed away on July 2, 2011. She was pronounced dead at 12:22 a.m. on July 2, 2011.

26.

The seatbelt in the right front passenger seat of the Dodge Journey at issue had a socalled "load limiter" in the retractor. This load limiter allowed the seat belt to spool out in a frontal collision without any stop or limitation. If the occupant, who was properly wearing the restraint system, was involved in a frontal collision but did not make contact with the airbag, as occurred in this incident, then the occupant is left virtually unrestrained with no protection.

27.

Defendant Chrysler knew or should have known that in foreseeable collisions an occupant properly wearing its restraint system and following its instructions would not be properly restrained or protected and likely would receive serious and potentially catastrophic injuries.

28.

Defendant Chrysler took no steps to warn or adequately warn its occupants of these dangers that it knew or should have known of.

29.

In fact, Chrysler's own instructions would place a person of smaller stature such as Ms.

In more danger because the only way for this seat belt system to provide any protection

was to make sure the occupant made contact with the airbag. However, Chrysler's instructions told the occupant to sit as far from the airbag as possible which would increase the likelihood that a small statured person would miss the airbag and make contact with the dangerous, unforgiving parts of the interior of the vehicle.

30.

Hayes Chrysler sold the vehicle to in the spring of 2010.

### **COUNT ONE**

(Negligence of

31.

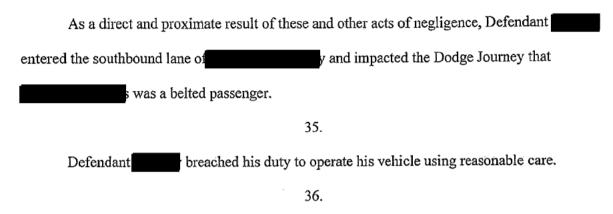
Plaintiffs incorporate by reference all of the previous allegations contained in this Complaint.

32.

Defendant owed a duty to and to the traveling public in general to use reasonable care in his operation of his vehicle.

33.

While operating the Jeep Grand Cherokee on June 16, 2011, Defendant negligently failed to observe and assess traffic conditions on the second proper lookout for other vehicles, failed to maintain his lane of travel, and negligently failed to control the vehicle.



Defendant negligence directly and proximately caused injuries and subsequent death.

### **COUNT TWO**

(Negligence Per Se of Defendant

37.

Plaintiffs incorporate by reference all of the previous allegations in this Complaint.

38.

Defendant operation of the 2004 Jeep Grand Cherokee on June 16, 2011 violated O.C.G.A. §§ 40-6-49, 40-6-46, 40-6-40 and constitutes negligence *per se*, or negligence as a matter of law.

39.

As a direct and proximate result of these and other acts of negligence constituting negligence *per se*, Defendant veered into the southbound lane and into oncoming traffic on His negligence *per se* caused the frontal collision between his vehicle and the 2009 Dodge Journey being driven by and in which swas a belted passenger. This collision proximately caused injuries and death of the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same and the same

caused sto suffer fright, shock, mental distress and severe physical injury, resulting in her death on June 16, 2011.

40.

Defendant is liable to Plaintiff for all acts of negligence and negligence per se as set forth in this Complaint for Damages.

### **COUNT THREE**

### (Strict Liability of Chrysler)

41.

Plaintiffs incorporate by reference all of the previous allegations in this Complaint.

42.

Chrysler is strictly liable to Plaintiff under O.C.G.A. § 51-1-11 and other applicable law for the death of because the risks inherent in the design of the Subject Vehicle outweigh any utility of the chosen design, thereby rendering the vehicle defective, unreasonably dangerous and not reasonably suited to the use for which it was intended.

43.

As set forth herein, Chrysler installed a dangerous and defective occupant restraint system in the Subject Vehicle, failed to adequately to inform owners and potential occupants of its dangers and defects, and failed to inform owners and users about the specific danger posed to smaller statured persons, such as females in the fifth percentile like Deborah Samples.

44.

The Subject Vehicle unreasonably dangerous in the following particulars:

a) The seat belt system in the 2009 Dodge Journey was consciously designed and manufactured by Chrysler in such a manner that, rather than securing and protecting an

- occupant during a foreseeable collision, the belt allows for excessive spool out and submarining and fails to remain properly secured on the occupant;
- b) The seat belt system in the 2009 Dodge Journey was consciously designed and manufactured by Chrysler in such a manner that the lap belt slips off the bony part of the pelvis and onto the abdomen of the occupant in a frontal or offset frontal collision;
- c) The 2009 Dodge Journey does not contain, and is not accompanied by, warnings to prospective owners, users or occupants, including Plaintiffs in this case, of the unreasonable risk of physical harm associated with the negligent and defective design of the seat belt system in the 2009 Dodge Journey;
- d) The 2009 Dodge Journey does not contain, and is not accompanied by, any <u>adequate</u>
  warnings to prospective owners, users or occupants, including Plaintiffs, of the
  unreasonable risk of physical harm associated with the negligent and defective design of
  the seat belt system in the 2009 Dodge Journey;
- e) The 2009 Dodge Journey was not adequately tested by Chrysler to determine whether prospective owners, users and occupants of the 2009 Dodge Journey would be exposed to an unreasonable risk of physical harm during foreseeable impacts because of the design of the occupant restraint system in the 2009 Dodge Journey fails to protect occupants in a foreseeable collision;
- f) Chrysler knew, or should have known, from testing that was performed on the 2009

  Dodge Journey and other Chrysler vehicles with the same or similar seat belt systems that those systems, rather than prevent injuries, would in fact increase the risk of injury in foreseeable collisions;

- g) Chrysler knew, or should have known, from other real world incidents involving the 2009 Dodge Journey and other Chrysler vehicles with the same or similar seat belt systems, that the system as designed increases the risk of grievous injury in foreseeable collisions rather than reduces the risk of such injury;
- h) Chrysler designed, assembled, manufactured, sold, supplied and distributed an occupant restraint system that was in a defective and dangerous condition;
- i) Chrysler designed, assembled, manufactured, sold, supplied and distributed an occupant restraint system that was not safe for its intended uses and purposes; and
- j) Chrysler designed, assembled, manufactured, sold, supplied and distributed the occupant restraint system which lacked the necessary features and design to make it safe for its intended use and purpose so that it would provide adequate protection to the right front passenger involved in a frontal or near frontal crash.

45.

As a result of these dangers and defects in the Dodge Journey and suffered from catastrophic injuries that ultimately resulted in her death.

46.

The defects specified above caused plaintiff or witness her mother suffer catastrophic injuries and death. Plaintiff suffered mental suffering and emotional pain due to witnessing the injuries and death of her mother.

### **COUNT FOUR**

(Negligence of Chrysler)

47.

Plaintiffs incorporate by reference all of the previous allegations in this Complaint.

Chrysler, as a product designer and manufacturer, owed a duty to the consuming public in general, and Plaintiffs in particular, to exercise reasonable care to design, test, manufacture, inspect, market and distribute a product which was free of unreasonable risk or harm to owners, users, and occupants in foreseeable situations and a product which would not cause severe injury to users and occupants.

49.

Chrysler breached its duty to exercise reasonable care in designing, testing, manufacturing, inspecting, marketing, distributing and selling the Subject Vehicle.

50.

As set forth herein, Chrysler's actions in designing, testing, manufacturing, inspecting, marketing, distributing and selling the occupant restraint system and failure to inform owners of its inherent danger posed to front passengers manifests a willful, reckless, or wanton disregard for life or property.

51.

Chrysler breached its duty of care in a number of ways, including but not limited to the following:

- a) The seat belt system in the 2009 Dodge Journey was consciously designed and manufactured by Chrysler in such a manner that, rather than securing and protecting an occupant during a foreseeable collision, the belt allows for excessive spool out and submarining and fails to remain properly secured on the occupant;
- b) The 2009 Dodge Journey does not contain, and is not accompanied by, warnings to prospective owners, users or occupants, including Plaintiffs in this case, of the

- unreasonable risk of physical harm associated with the negligent and defective design of the seat belt system in the 2009 Dodge Journey;
- c) The 2009 Dodge Journey does not contain, and is not accompanied by, any <u>adequate</u> warnings to prospective owners, users or occupants, including Plaintiffs, of the unreasonable risk of physical harm associated with the negligent and defective design of the seat belt system in the 2009 Dodge Journey;
- d) The 2009 Dodge Journey was not adequately tested by Chrysler to determine whether prospective owners, users and occupants of the 2009 Dodge Journey would be exposed to an unreasonable risk of physical harm during foreseeable impacts because of the design of the occupant restraint system in the 2009 Dodge Journey fails to protect occupants in a foreseeable accident;
- e) Chrysler knew, or should have known, from testing that was performed on the 2009

  Dodge Journey and other Chrysler vehicles with the same or similar seat belt systems that those systems, rather than prevent injuries, would in fact increase the risk of injury in foreseeable collisions;
- f) Chrysler knew, or should have known, from other real world incidents involving the 2009 Dodge Journey and other Chrysler vehicles with the same or similar seat belt systems, that the system as designed increases the risk of grievous injury in foreseeable collisions rather than reduces the risk of such injury;
- g) Chrysler designed, assembled, manufactured, sold, supplied and distributed an occupant restraint system that was in a defective and dangerous condition;
- h) Chrysler designed, assembled, manufactured, sold, supplied and distributed an occupant restraint system that was not safe for its intended uses and purposes; and

i) Chrysler designed, assembled, manufactured, sold, supplied and distributed the occupant restraint system which lacked the necessary features and design to make it safe for its intended use and purpose so that it would provide adequate protection to the right front passenger involved in a frontal or near frontal crash.

52.

Chrysler's failure to exercise reasonable care in designing, testing, manufacturing, inspecting, marketing, distributing, and selling the subject vehicle's occupant restraint system proximately caused as a catastrophic injuries and death.

53.

The negligence specified above caused plaintiff to witness her mother suffer catastrophic injuries and death. Plaintiff to suffer suffered mental suffering and emotional pain due to witnessing the injuries and death of her mother.

### COUNT FIVE

(Chrysler's Failure to Warn)

54.

Plaintiffs incorporate by reference all of the previous allegations in this Complaint.

55.

Chrysler had a continuing duty to warn the public of dangers associated with the design, use and operation of its products.

56.

Prior to designing, marketing, distributing, selling, and placing the Subject Vehicle into the stream of commerce and at all other times pertinent herein to the present day, Chrysler was aware that the Subject Vehicle contained a dangerous and defective occupant restraint system. Chrysler owed a duty to warn, a duty to adequately warn the public, and a continuing duty to warn the public of dangers associated with the design, use and operation of its products.

58.

Chrysler knew or should have known that if a small statured person, such as a female in the 5th percentile as defined by the National Highway Traffic Safety Administration (NHTSA), sat in the right front seat and followed the specific instructions given by Chrysler, that she would be exposed to dangers and potential injury or death.

59.

Chrysler was aware that the occupant restraint system contained a load limiting device in the retractor which would allow the seat belt to spool out or pay out during a frontal collision without any stop or limit as long as G forces were high enough. This left the occupant with a restraint that would not restrain in a foreseeable frontal collision.

60.

Chrysler's own testing made it aware that placing the occupant too far from the airbag exposed the occupant to the danger of having the seat belt spool out and the occupant not contacting the airbag and leaving the occupant virtually unrestrained.

61.

Chrysler was aware or should have been aware of the propensity of its seat belt to spool out or pay out which would allow the belt to move around the body of the occupant including coming off the pelvis in a foreseeable collision and, therefore, causing severe injuries to internal organs and the abdominal area.

Despite this knowledge, Chrysler failed to warn and failed to adequately warn the public of the dangers associated with its occupant restraint system.

63.

As a direct and proximate result of Chrysler's actions, was seriously injured and died.

64.

As a direct and proximate result of Chrysler's negligence, witnessed her mother receive serious and life-threatening injuries and therefore suffered severe mental, emotional and physical distress.

#### COUNT SIX

### (Negligence of Hayes Chrysler)

65.

Plaintiffs incorporate by reference all of the previous allegations in this Complaint.

66.

Hayes Chrysler-Dodge-Jeep, Inc. (hereinafter known as "Hayes Chrysler") was under a duty to exercise ordinary care in the maintenance, inspection and sale of the vehicles to the public.

67.

Hayes Chrysler breached that duty when it sold the subject vehicle. Prior to its sale to Ms. Hayes Chrysler was aware or should have been aware of the aforementioned defective and dangerous conditions associated with the subject vehicle.

Furthermore, Hayes Chrysler breached its duty when it negligently performed inspection and repair work on the subject vehicle prior to the subject incident.

69.

Defendant Hayes Chrysler failed to warn, failed to adequately warn, and failed its continuous duty to warn of dangers which it knew or should have known.

70.

As a direct and proximate result of this negligence associated the subject vehicle,

Deborah Samples suffered pre-impact distress, severe injury and damages for the loss of her life.

71.

As a direct and proximate result of Chrysler's negligence, witnessed her mother receive serious and life-threatening injuries and therefore suffered severe mental, emotional and physical distress.

#### **COUNT SEVEN**

#### Negligent Infliction of Emotional Distress

72.

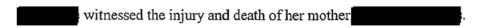
Plaintiffs incorporate by reference all of the previous allegations in this Complaint.

73.

suffered physical injury as a direct and proximate result of the negligence of another.

74.

As a direct and proximate result of Defendants' actions, defects and negligence, I suffered severe physical injury and death.



76.

suffered severe mental, emotional and physical distress arising out of her own physical injury.

77.

suffered severe mental, emotional and physical distress from witnessing her mother's physical injury and death.

## DAMAGES AND PRAYER FOR RELIEF

78.

Plaintiffs incorporate by reference all of the previous allegations in this Complaint.

79.

As a direct result of defectively designed and manufactured occupant restraint system in the 2009 Dodge Journey, Deborah Samples suffered physical injury and death, and suffered severe mental, emotional and physical emotional distress.

80.

As a result of Chrysler and Hayes Chrysler's negligence and failure to warn of the dangers associated with the restraint system and failure to remedy the subject vehicle.

Suffered physical injury and death, and success suffered severe mental, emotional and physical emotional distress.

As a result of the negligence of Defendant success and suffered physical injury and death.

82.

As a result of the negligence of Chrysler and Hayes Chrysler suffered severe mental, emotional and physical emotional distress.

83.

Plaintiffs seek damages from Defendants' Chrysler, Hayes Chrysler and amount to be determined by the enlightened conscience of the jury and as demonstrated by the evidence, for the full value of the life of the life of the pain and suffering, her medical expenses and funeral costs.

WHEREFORE, Plaintiff prays for the following relief:

- That summons issue requiring these Defendants to appear as provided by law to answer the allegations of this Complaint;
- 2) On behalf of s, as Executor of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate of the Estate
- 3) On behalf of Plaintiff as as surviving spouse of decedent leads, the recovery of damages representing the full value of the life of s;
- 4) Amy Lyle is entitled to recover all damages from severe mental and emotional pain and suffering from Chrysler and Hayes Chrysler

- 5) That Plaintiff recover all general and compensatory damages for emotional distress which shall be proven at trial and determined by a jury;
- 6) That Plaintiffs have and recover all damages to which they are entitled to recover under Georgia law; and
  - 7) That Plaintiffs have a TRIAL BY JURY of all issues so triable;
  - 8) For such other and further relief as this Court deems just and appropriate.

This **2** day of May, 2013.

### HARRIS PENN LOWRY, LLP

BY:

ÆFFREY R. HARRIS

Georgia Bar No. 330315

DARREN W. PENN

Georgia Bar No. 571322

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Attorneys for Plaintiff

FILED IN OFFICE CLERK STATE COURT SWIKNETT COUNTY, GA

# IN THE STATE COURT OF GWINNETT COUNTYPH 1: 33 STATE OF GEORGIA 2013 HAY 2 THAT

		RICHARD ALEXANDER. CLERK
, as surviving spouse,	)	BICHARD ACCAMA
and Personal Representative of Decedent,	)	
;	)	
, as Executor of the Estate of	)	
; and	)	Civil Action No.:
Individually,	)	
	)	(Jury Trial Demanded)
Plaintiffs,	)	
	)	
v.	).	
	)	
,	)	
CHRYSLER GROUP LLC,	)	
and HAYES CHRYSLER-DODGE-	)	
JEEP, INC.	)	
	)	
Defendants.	)	

# PLAINTIFFS' FIRST CONTINUING INTERROGATORIES TO DEFENDANT HAYES CHRYSLER-DODGE-JEEP, INC.

COMES NOW Plaintiffs	, as surviving spouse and Personal
Representative of Decedent	s, as Executor of the Estate of
e Individu	ually, and serve Plaintiffs' First Continuing
Interrogatories to Defendant Hayes Chrysl	er-Dodge-Jeep, Inc., ("Hayes Chrysler") and requests that
Defendant responds within the time and m	anner permitted by law.

The following written interrogatories ("Discovery Requests") are served on you pursuant to the Georgia Civil Practice Act. You are required to answer these interrogatories separately and fully, in writing, under oath and serve a copy of such answers upon Plaintiffs' counsel within the time specified by law.

#### SPECIAL INSTRUCTIONS

#### **Privilege Claims**

If a work product or attorney-client privilege is claimed as to any document or any information responsive to these requests. Plaintiffs request that the information or document(s) to which a privilege is claimed be identified with such particularity and in such a manner that the Court, and not defense counsel unilaterally, may determine whether the document or information is indeed entitled to privileged status. Be on notice that if you claim a privilege, you bear the burden of proving that "specific matters are indeed subject to privilege or protection." v. General Motors Corp. (S.D. Ga. 1993). To support a claim of privilege, for each responsive document to which a privilege is claimed, Defendant must provide a privilege log setting forth a general description of the document, the author of the document, the recipients of the document (including "cc's"), the date the document was prepared, and the privilege claimed. Absent a timely and complete privilege log that supports the claims of privilege and can be ruled upon by the Court, any such claims of privilege shall be deemed untimely under Georgia law.

(11th Cir. 1996).

# Confidentiality and Breadth Objections and Motions for Protective Order

If you wish to seek protection from the general duty to provide broad discovery established by O.C.G.A. § 9-11-26(b), the means to do so is by filing a motion for protective order, as set forth in O.C.G.A. § 9-11-26(c). If a motion for protection from discovery order is sought, that motion should be filed before the time for responding to that discovery runs. See, e.g., Wright, et al., Federal Practice and Procedure '2035 p. 478-79 (1994). Defendants bear the burden of clearly and specifically demonstrating why discovery should not be had, and it is

patently improper to attempt to shift or avoid that burden of proof by failing to file a motion for protective order as required by O.C.G.A. § 9-11-26(c) and instead force Plaintiffs to bear the burden of filing a motion to compel. <u>Id.</u> '2035 p. 484.

Thus, if you contend that any documents or information responsive to these requests are confidential because they contain trade secrets or contain allegedly confidential or proprietary business information, such belief in and of itself provides no basis for the blanket withholding of production of such documents or information in a timely manner. If Defendant intends to make confidentiality or trade secret claims about responsive documents or information, Defendant should 1) contact Plaintiffs' counsel prior to responding to these requests, 2) seek to obtain a mutually agreed upon sharing confidentiality order pertaining to such documents, and 3) articulate to Plaintiffs a specific basis for the claims of confidentiality of each such document to which a claim of confidentiality is made so that Plaintiffs, or the Court, can make a reasonable determination of the validity of defendant's claim to confidentiality and need for a sharing confidentiality order. If Plaintiffs do not voluntarily agree with your assertions of confidentiality or your proposed protective order and you continue to seek to prevent the discovery of information or documents that are relevant and discoverable under O.C.G.A. § 9-11-26(b)(1) based on claims of confidentiality, you are required to file a motion for protective order before discovery responses are due, as specifically contemplated in O.C.G.A. § 9-11-26(c) and provide specific support for such claims. Again, you bear the burden of clearly demonstrating the need for protection from discovery, and stereotyped or conclusory objections, bereft of specific facts, are insufficient to prevent discovery.

The same rule applies to any attempts to avoid responding to Plaintiffs' discovery requests on grounds that the requests are overbroad, annoying, oppressing, or unduly

burdensome. If you contend that you should not be required to provide information in response to Plaintiffs' discovery requests on one of those grounds, O.C.G.A. § 9-11-26(c) dictates that a motion for protective order be timely filed and clearly supported.

#### Other Similar Incidents

These requests seek, among other things, the production of documents relating to other complaints, lawsuits, incidents, or occurrences in which it was alleged that you were negligent or that a defective or unsafe product made by you contributed to a death or injury. Under Georgia law evidence of other incidents is relevant, discoverable, and admissible at trial pursuant to, among other authorities,

#### To Whom These Requests Are Directed

Each request is addressed to the personal knowledge of the Defendant, as well as to the knowledge and information of Defendant's attorneys, investigators, agents, employees, and other representatives. When a question is directed to Defendant, the question is also directed to each of the aforementioned persons.

# Continuing Duty to Supplement

These requests shall be deemed continuing and you are required to supplement or amend any prior response if the person or entity to whom these requests are addressed ascertains any change, different or added fact, condition or circumstances, or that there be any other witness(es) or evidence.

#### Other Matters To Ensure Efficient Discovery

Plaintiffs request that Defendant take the time to accumulate all information which is called for by this discovery request, whether it is facts or documents, and to provide all such information in its initial written discovery responses. If the time provided by law to respond to this written discovery does not provide you an adequate opportunity to do so, Plaintiffs will extend the time, provided that a request for more time is made well before the time for responding set by law has run and the extension requested is not excessive.

Plaintiffs request that you set forth in your response the text of the request propounded as well as your responses or objections to that request so that it is clear from the four corners of your response what the request sought and what your answer to that request is. This is helpful to the Court and the parties so that it is not necessary to flip from one document to another to determine what the answer to a particular request is. If Defendant requests it, Plaintiffs will provide these requests on computer disk to facilitate this process. Plaintiffs will reciprocate this request if Defendant will provide a copy of its discovery requests on disk.

Finally, Plaintiffs request that Defendant respond to these requests individually, separately and completely, and supplement any responses to these requests individually, separately, and completely. In supplementing, Plaintiffs request that you do not send letters to counsel identifying additional documents or information, but that you instead provide discovery responses in the form of a pleading served on all parties.

Plaintiffs request that Defendant respond to and supplement these and all future document requests by producing the requested documents segregated according to request number and identifying the documents produced in a formal written pleading and stating which numbered request they respond to. Plaintiffs request that Defendant not produce unidentified documents via letters that state essentially nothing more than "here are some more responsive documents."

Plaintiffs request that Defendant not apply any stamp or markings or other document management numbers, symbols, or colored inking or striping to the requested documents so as to obscure any information contained on the documents or copies made therefrom or to interfere with character recognition software, thus preserving the legibility of all such documents and copies in their entirety.

#### **DEFINITIONS** (as used herein)

- 1. The terms "YOU", "YOUR", "YOUR COMPANY", "CHRYSLER" refer to Chrysler Group LLC, every department, division, office, agency or affiliate thereof. Requests to Chrysler Group LLC include its predecessor in interest, New Carco Acquisition, LLC, or any successor in interest, any parent corporations and holding companies with which the Defendant is associated, any subsidiaries and/or other companies that are owned, in whole or in part, by this Defendant, whether foreign or domestic. Finally, these words and phrases specifically include present and former officers, directors, agents, employees and any and all other persons, firms or corporations, acting or purporting to act on behalf of "you," or "your company."
- 2. The term "SUBJECT VEHICLE" refers to the 2009 Dodge Journey, VIN 3D4GG57V497 which was involved in the crash subject to this lawsuit.
- 3. The term "DOCUMENTS" means all writings and other printed matter of every kind, including, but not limited to, books, records, manuals, statements, minutes, letters, correspondence, memorandum reports, lists, studies, surveys, directives, agreements, contracts, print-outs, telegrams, teletype, telexes, telefax, pamphlets, notes, messages, bulletins, e-mail, diary and calendar entries, maps, charts, brochures, graphics, tabulations, press releases, address books, ledgers, invoices, bills, work sheets, trip reports, receipts, returns, prospectuses, financial statements, tax returns, schedules, affidavits, applications, resumes, cancelled checks, check

books, check stubs, check ledgers, transcripts, statistics, magazine or newspaper articles or advertisements, releases, test reports and records of meetings, conferences, telephone conversations or other conversations or communication (including any and all drafts, alterations, modifications, changes and amendments of any of the foregoing) in the possession, custody or control of the Defendant responding to this discovery. The term "document" or documents" shall also including non-printed matter such as voice records and reproductions, film impressions, photographs, negatives, slides, microfilms, microfiches, e-mail, and other things that document or record ideas, words or impressions. The term "document" or "documents" further includes all punch cards, tapes, disks, or records used in electronic data processing, together with the programming instructions and other written materials necessary to understand or use such punch cards, tapes, disks or other recordings, and further includes data or data compilation in electronic or other form that can be printed through proper programming or decoding of the electronic or mechanical data storage facility.

- 4. The term "**IDENTIFY**" means to provide the following:
  - a) With regard to a natural "person", state the name, last known residential address and phone number, and the name and address of their present employer;
  - b) With respect to any entity which is not a natural "person", state the entity's correct legal name, last known address and phone number, state the nature of such entity (e.g. corporation, general partnership, etc.), and if you have any business relationship with such entity either direct or indirect state the nature of such relationship;

- c) With respect to a tire, state the name of the manufacturer, date of manufacture, location of manufacture and physical description, including size, specification designations and skim stock compound;
- d) The words or phrases "And", "or," "and/or" shall be construed either disjunctively or conjunctively, as necessary to make the usage of such words inclusive rather than exclusive.
- 5. "RELATES" or "RELATING TO" means concerning, reflecting, pertaining to, referring to, documenting, evidencing, illustrating, or otherwise bearing upon in any way.
- 6. "TEST" means any test, crash test, FMVSS certification test, litigation test, computer simulation test, sled test, development test, evaluation, research, survey, investigation, analysis, or review, by whatever name called.
- 7. "FAILURE MODE" means any events or circumstances likely to produce a failure of the occupant restraint system to function as intended by providing adequate restraint to an occupant in a manner likely to result in an injury, and includes failures of belt webbing, latches, bucklers, and retractor assemblies, in foreseeable collisions occurring in the environment of their intended use. The term particularly includes malfunctions involving excessive belt webbing extension or spool-out doe to retractor failure, excess slack due to use of the comfort feature, or accidental release of the safety belt buckle and latch plate.

The term "spool out" means:

6. The term "OCCUPANT RESTRAINT SYSTEM" means a seat belt type device or apparatus designed to secure and restrain a person in a motor vehicle in order to provide protection from the results of a collision, including all necessary seats, belts, straps, webbing, retractor mechanisms, latches, buckles, hardware, fasteners, anchor points, airbags and all

hardware, parts accessories and components designed for the installation of any such devise or apparatus in a motor vehicle.

- 7. The term "RETRACTOR" (when used alone) means a device for storing all or part of the webbing in an occupant restraint system incorporating adjustment hardware by means of a locking mechanism that is activated by vehicle acceleration (an inertial or vehicle or sensitive locking device), webbing movement (a web sensitive locking device), or other automatic actions during an emergency and is capable when locked to withstanding restraint forces.
  - 8. The term "RISK" means the probability of injury resulting from a given hazard.
- 9. The term "SLED TEST" means a specific type of test in which vehicle components are subjected to simulated collision acceleration nd deceleration forced on a "sled", and "impact sled", or a "Hi-'G' sled" in order to analyze, evaluate or study the crash performance of the vehicle component.
- 10. The term "SPOOL-OUT" means any excessive extension of occupant restraining system belt webbing from the retractor assembly from any cause which is neither expected nor intended by the uses.
- 11. The term "SUBJECT VEHICLE PLATFORM" means the Dodge Journey or Dodge JC, including but not limited to JC49 and JCUV, the Dodge Avenger, and any other platform vehicle with a substantially similar driver and front passenger occupant restraint system sold in the U.S. and worldwide.

#### INTERROGATORIES

#### "PERSONS WITH KNOWLEDGE"

1.

Identify any and all liability insurance policies, which apply or might apply to the incident which forms the basis of this action.

2.

Identify the names, addresses, home telephone numbers, places of employment, job titles or capacities, and present whereabouts of all witnesses who saw or claim they saw all or any part of the motor vehicle incident described in Plaintiffs' Complaint ("subject vehicle").

3.

Identify the names, addresses, home telephone numbers, places of employment, job titles or capacities, and present whereabouts of all persons who have given written statements concerning the facts and circumstances of the subject incident.

4.

Identify the dates when you held the vehicle title to the 2009 Dodge Journey, VIN 3D4GG57V497 ("subject vehicle") and where you received it from.

5.

Identify all standards, procedures or protocals regarding receiving an automobile for sale, inspecting such automobile or maintaining such auto prior to sale.

Identify and describe each and every action you took with the subject vehicle, including but not limited to inspections, maintenance, repairs, walk throughs, installations, demonstrations and/or test drives.

7.

Identify and describe each and every technical service bulletin, communication and/or warning which would apply to the 2009 Dodge Journey.

This 21st day of May, 2013.

HARRIS PENN LOWRY, LLP

RV.

Georgia Bar No. 330315 DARREN W. PENN Georgia Bar No. 571322 STEPHEN G. LOWRY Georgia Bar No. 460289

JED D. MANTON Georgia Bar No. 868587

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405 E. Perry Street Savannah, GA 31401 P: 912-651-9967 F: 912-651-1276

Attorneys for Plaintiff

FILED IN OFFICE
CLERK STATE COURT
IN THE STATE COURT OF GWINNETT COUNTY COUNTY. GA
STATE OF GEORGIA
7913 MAY 21 PM 1: 33

, as surviving spouse, and Personal Representative of Decedent,	)	RICHARD ALEXANDER. CLERK
, as Executor of the Estate of ; and Individually,	) ) )	Civil Action No.:
Plaintiffs,	)	
v.	)	
CHRYSLER GROUP LLC, and HAYES CHRYSLER-DODGE-JEEP, INC.	) ) .)	
Defendant.	)	

# PLAINTIFFS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO DEFENDANT HAYES CHRYSLER-DODGE-JEEP, INC.

Plaintiff, , as surviving spouse and Executor of the Estate of , requests Defendant Hayes Chrysler-Dodge-Jeep, Inc., its employees or subordinates, agents and/or attorneys pursuant to O.C.G.A. § 9-11-26, et. seq., and O.C.G.A. § 24-10-26, et. seq., produce the following items within its possession, custody and control to the office of Harris Penn Lowry, LLP, at 405 East Perry Street, Savannah, GA 31401 within thirty (30) days as required by law.

#### SPECIAL INSTRUCTIONS

#### **Privilege Claims**

If a work product or attorney-client privilege is claimed as to any document or any information responsive to these requests, Plaintiffs request that the information or document(s) to which a privilege is claimed be identified with such particularity and in such a manner that the

Court, and not defense counsel unilaterally, may determine whether the document or information is indeed entitled to privileged status. Be on notice that if you claim a privilege, you bear the burden of proving that "specific matters are indeed subject to privilege or protection."

v. General Motors Corp.,

(S.D. Ga. 1993). To support a claim of privilege, for each responsive document to which a privilege is claimed, Defendant must provide a privilege log setting forth a general description of the document, the author of the document, the recipients of the document (including "cc's"), the date the document was prepared, and the privilege claimed. Absent a timely and complete privilege log that supports the claims of privilege and can be ruled upon by the Court, any such claims of privilege shall be deemed untimely under Georgia law.

#### Confidentiality and Breadth Objections and Motions for Protective Order

If you wish to seek protection from the general duty to provide broad discovery established by O.C.G.A. § 9-11-26(b), the means to do so is by filing a motion for protective order, as set forth in O.C.G.A. § 9-11-26(c). If a motion for protection from discovery order is sought, that motion should be filed before the time for responding to that discovery runs. See, e.g., Wright, et al., Federal Practice and Procedure '2035 p. 478-79 (1994). Defendants bear the burden of clearly and specifically demonstrating why discovery should not be had, and it is patently improper to attempt to shift or avoid that burden of proof by failing to file a motion for protective order as required by O.C.G.A. § 9-11-26(c) and instead force Plaintiffs to bear the burden of filing a motion to compel. Id. '2035 p. 484.

Thus, if you contend that any documents or information responsive to these requests are confidential because they contain trade secrets or contain allegedly confidential or proprietary

business information, such belief in and of itself provides no basis for the blanket withholding of production of such documents or information in a timely manner. If Defendant intends to make confidentiality or trade secret claims about responsive documents or information, Defendant should 1) contact Plaintiffs' counsel prior to responding to these requests, 2) seek to obtain a mutually agreed upon sharing confidentiality order pertaining to such documents, and 3) articulate to Plaintiffs a specific basis for the claims of confidentiality of each such document to which a claim of confidentiality is made so that Plaintiffs, or the Court, can make a reasonable determination of the validity of defendant's claim to confidentiality and need for a sharing confidentiality order. If Plaintiffs do not voluntarily agree with your assertions of confidentiality or your proposed protective order and you continue to seek to prevent the discovery of information or documents that are relevant and discoverable under O.C.G.A. § 9-11-26(b)(1) based on claims of confidentiality, you are required to file a motion for protective order before discovery responses are due, as specifically contemplated in O.C.G.A. § 9-11-26(c) and provide specific support for such claims. Again, you bear the burden of clearly demonstrating the need for protection from discovery, and stereotyped or conclusory objections, bereft of specific facts, are insufficient to prevent discovery.

The same rule applies to any attempts to avoid responding to Plaintiffs' discovery requests on grounds that the requests are overbroad, annoying, oppressing, or unduly burdensome. If you contend that you should not be required to provide information in response to Plaintiffs' discovery requests on one of those grounds, O.C.G.A. § 9-11-26(c) dictates that a motion for protective order be timely filed and clearly supported.

#### Other Similar Incidents

These requests seek, among other things, the production of documents relating to other complaints, lawsuits, incidents, or occurrences in which it was alleged that you were negligent or that a defective or unsafe product made by you contributed to a death or injury. Under Georgia law evidence of other incidents is relevant, discoverable, and admissible at trial pursuant to, among other authorities,

2 (1994).

To Whom These Requests Are Directed

Each request is addressed to the personal knowledge of the Defendant, as well as to the knowledge and information of Defendant's attorneys, investigators, agents, employees, and other representatives. When a question is directed to Defendant, the question is also directed to each of the aforementioned persons.

# Continuing Duty to Supplement

These requests shall be deemed continuing and you are required to supplement or amend any prior response if the person or entity to whom these requests are addressed ascertains any change, different or added fact, condition or circumstances, or that there be any other witness(es) or evidence.

# Other Matters To Ensure Efficient Discovery

Plaintiffs request that Defendant take the time to accumulate all information which is called for by this discovery request, whether it is facts or documents, and to provide all such information in its initial written discovery responses. If the time provided by law to respond to this written discovery does not provide you an adequate opportunity to do so, Plaintiffs will

extend the time, provided that a request for more time is made well before the time for responding set by law has run and the extension requested is not excessive.

Plaintiffs request that you set forth in your response the text of the request propounded as well as your responses or objections to that request so that it is clear from the four corners of your response what the request sought and what your answer to that request is. This is helpful to the Court and the parties so that it is not necessary to flip from one document to another to determine what the answer to a particular request is. If Defendant requests it, Plaintiffs will provide these requests on computer disk to facilitate this process. Plaintiffs will reciprocate this request if Defendant will provide a copy of its discovery requests on disk.

Finally, Plaintiffs request that Defendant respond to these requests individually, separately and completely, and supplement any responses to these requests individually, separately, and completely. In supplementing, Plaintiffs request that you do not send letters to counsel identifying additional documents or information, but that you instead provide discovery responses in the form of a pleading served on all parties.

Plaintiffs request that Defendant respond to and supplement these and all future document requests by producing the requested documents segregated according to request number and identifying the documents produced in a formal written pleading and stating which numbered request they respond to. Plaintiffs request that Defendant not produce unidentified documents via letters that state essentially nothing more than "here are some more responsive documents."

Plaintiffs request that Defendant not apply any stamp or markings or other document management numbers, symbols, or colored inking or striping to the requested documents so as to obscure any information contained on the documents or copies made therefrom or to interfere

with character recognition software, thus preserving the legibility of all such documents and copies in their entirety.

#### **DEFINITIONS** (as used herein)

- 1. The terms "YOU", "YOUR", "YOUR COMPANY", "CHRYSLER" refer to Chrysler Group LLC, every department, division, office, agency or affiliate thereof. Requests to Chrysler Group LLC include its predecessor in interest, New Carco Acquisition, LLC, or any successor in interest, any parent corporations and holding companies with which the Defendant is associated, any subsidiaries and/or other companies that are owned, in whole or in part, by this Defendant, whether foreign or domestic. Finally, these words and phrases specifically include present and former officers, directors, agents, employees and any and all other persons, firms or corporations, acting or purporting to act on behalf of "you," or "your company."
- 2. The term "SUBJECT VEHICLE" refers to the 2009 Dodge Journey, VIN 3D4GG57V49T578288, which was involved in the crash subject to this lawsuit.
- 3. The term "DOCUMENTS" means all writings and other printed matter of every kind, including, but not limited to, books, records, manuals, statements, minutes, letters, correspondence, memorandum reports, lists, studies, surveys, directives, agreements, contracts, print-outs, telegrams, teletype, telexes, telefax, pamphlets, notes, messages, bulletins, e-mail, diary and calendar entries, maps, charts, brochures, graphics, tabulations, press releases, address books, ledgers, invoices, bills, work sheets, trip reports, receipts, returns, prospectuses, financial statements, tax returns, schedules, affidavits, applications, resumes, cancelled checks, check books, check stubs, check ledgers, transcripts, statistics, magazine or newspaper articles or advertisements, releases, test reports and records of meetings, conferences, telephone conversations or other conversations or communication (including any and all drafts, alterations, modifications, changes and amendments of any of the foregoing) in the possession, custody or

control of the Defendant responding to this discovery. The term "document" or documents" shall also including non-printed matter such as voice records and reproductions, film impressions, photographs, negatives, slides, microfilms, microfiches, e-mail, and other things that document or record ideas, words or impressions. The term "document" or "documents" further includes all punch cards, tapes, disks, or records used in electronic data processing, together with the programming instructions and other written materials necessary to understand or use such punch cards, tapes, disks or other recordings, and further includes data or data compilation in electronic or other form that can be printed through proper programming or decoding of the electronic or mechanical data storage facility.

- 4. The term "**IDENTIFY**" means to provide the following:
  - a) With regard to a natural "person", state the name, last known residential address and phone number, and the name and address of their present employer;
  - b) With respect to any entity which is not a natural "person", state the entity's correct legal name, last known address and phone number, state the nature of such entity (e.g. corporation, general partnership, etc.), and if you have any business relationship with such entity either direct or indirect state the nature of such relationship;
  - c) With respect to a tire, state the name of the manufacturer, date of manufacture, location of manufacture and physical description, including size, specification designations and skim stock compound;
  - d) The words or phrases "And", "or," "and/or" shall be construed either disjunctively or conjunctively, as necessary to make the usage of such words inclusive rather than exclusive.

- 5. "RELATES" or "RELATING TO" means concerning, reflecting, pertaining to, referring to, documenting, evidencing, illustrating, or otherwise bearing upon in any way.
- 6. "TEST" means any test, crash test, FMVSS certification test, litigation test, computer simulation test, sled test, development test, evaluation, research, survey, investigation, analysis, or review, by whatever name called.
- 7. "FAILURE MODE" means any events or circumstances likely to produce a failure of the occupant restraint system to function as intended by providing adequate restraint to an occupant in a manner likely to result in an injury, and includes failures of belt webbing, latches, bucklers, and retractor assemblies, in foreseeable collisions occurring in the environment of their intended use. The term particularly includes malfunctions involving excessive belt webbing extension or spool-out doe to retractor failure, excess slack due to use of the comfort feature, or accidental release of the safety belt buckle and latch plate.

The term "spool out" means:

- 6. The term "OCCUPANT RESTRAINT SYSTEM" means a seat belt type device or apparatus designed to secure and restrain a person in a motor vehicle in order to provide protection from the results of a collision, including all necessary seats, belts, straps, webbing, retractor mechanisms, latches, buckles, hardware, fasteners, anchor points, airbags and all hardware, parts accessories and components designed for the installation of any such devise or apparatus in a motor vehicle.
- 7. The term "RETRACTOR" (when used alone) means a device for storing all or part of the webbing in an occupant restraint system incorporating adjustment hardware by means of a locking mechanism that is activated by vehicle acceleration (an inertial or vehicle or sensitive locking device), webbing movement (a web sensitive locking device), or other

documents relating to the acquisition of the vehicle prior to sale to Plaintiffs; documents relating to the sale of the subject vehicle to Plaintiffs; all service history documents; and all notices of recall, service bulletins, and/or customer satisfaction programs, that applied to the subject vehicle.

4.

Documents relating to all agreements, including but not limited to bailment agreements and contracts, between you and any other Defendant in this lawsuit relating to the design, manufacture, modification, distribution and/or sale of the subject vehicle.

5.

The "Complete Vehicle Manual" and/or any other document supplied to any alter or final-stage-manufacturer of a 2009 Dodge Journey relating to the modification or conversion of such vehicle.

6.

Documents relating to communications from Chrysler to you, or from you to Chrysler, relating to potential issues of front passenger occupant restraint system in Chrysler vehicles from 2000 through the present date.

7.

Documents relating to Chrysler's standards and/or guidelines concerning where a front passenger occupant should position the seat track relative to the airbag in Chrysler vehicles from 2000 to the present day.

Documents relating to Chrysler's standards and/or guidelines concerning seat belt retractors, including but not limited the amount of excess slack a seat belt should give during a frontal or offset frontal crash from 2000 to the present day.

9.

Documents relating to Chrysler's standards and/or guidelines concerning submarining, including but not limited the amount of excess slack a seat belt should give during a frontal or offset frontal crash from 2000 to the present day.

10.

All documents regarding inspections, service, sale or maintenance of vehicles, including but not limited to checklists, manuals guidelines, teaching materials, and/or instructions.

11.

Documents relating to head injuries sustained by belted occupants in the Subject Vehicle Platform in a frontal or offset frontal impact including but not limited to:

- Consumer complaints, including those from fleet operators;
- Field reports, including field technical reports and dealer field reports;
- Notices, bulletins, and other communication (including those transmitted by electronic means and including warranty and policy extension communications and product improvement bulletins) sent by Ford to Intermediate Vehicle Manufacturers and/or Final Stage Manufacturers, dealers, owners, purchasers, lessors or lessees.

# This 21st day of May, 2013.

HARRIS PENN LOWRY, LLP

BY:

Georgia Bar No. 330315
DARREN W. PENN
Georgia Bar No. 571322
STEPHEN G. LOWRY
Georgia Bar No. 460289
JED D. MANTON
Georgia Bar No. 868587
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405 E. Perry Street Savannah, GA 31401 P: 912-651-9967

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Attorneys for Plaintiff

FILED IN OFFICE
CLERK STATE COURT
IN THE STATE COURT OF GWINNETT COUNTY, GA
STATE OF GEORGIA
7913 MAY 21 PM 1: 33

, as surviving spouse, and Personal Representative of Decedent, ; and Individually,	) ) ) )	RICHARD ALEXANDER, CLERK  Civil Action No.:
Plaintiffs,	)	
v.	)	
CHRYSLER GROUP LLC, and HAYES CHRYSLER-DODGE-JEEP, INC.	) ) .)	
Defendant.	)	

# PLAINTIFFS' FIRST CONTINUING INTERROGATORIES TO DEFENDANT CHRYSLER GROUP, LLC

Representative of Decedent s, as Executor of the Estate of Individually, and serve Plaintiffs' First Continuing

Interrogatories to Defendant Chrysler Group, LLC ("Chrysler") and requests that Defendant responds within the time and manner permitted by law.

The following written interrogatories ("Discovery Requests") are served on you pursuant to the Georgia Civil Practice Act. You are required to answer these interrogatories separately and fully, in writing, under oath and serve a copy of such answers upon Plaintiffs' counsel within the time specified by law.

#### SPECIAL INSTRUCTIONS

#### **Privilege Claims**

If a work product or attorney-client privilege is claimed as to any document or any information responsive to these requests, Plaintiffs request that the information or document(s) to which a privilege is claimed be identified with such particularity and in such a manner that the Court, and not defense counsel unilaterally, may determine whether the document or information is indeed entitled to privileged status. Be on notice that if you claim a privilege, you bear the burden of proving that "specific matters are indeed subject to privilege or protection."

V. General Motors Corp.,

(S.D. Ga. 1993). To support a claim of privilege, for each responsive document to which a privilege is claimed, Defendant must provide a privilege log setting forth a general description of the document, the author of the document, the recipients of the document (including "cc's"), the date the document was prepared, and the privilege claimed. Absent a timely and complete privilege log that supports the claims of privilege and can be ruled upon by the Court, any such claims of privilege shall be deemed untimely under Georgia law. E.I. DuPont De Nemours & Co. Benlate Litigation, 99 F.3d 363, 371 (11th Cir. 1996).

#### Confidentiality and Breadth Objections and Motions for Protective Order

If you wish to seek protection from the general duty to provide broad discovery established by O.C.G.A. § 9-11-26(b), the means to do so is by filing a motion for protective order, as set forth in O.C.G.A. § 9-11-26(c). If a motion for protection from discovery order is sought, that motion should be filed before the time for responding to that discovery runs. See, e.g., e.g., et al., Federal Practice and Procedure '2035 p. 478-79 (1994). Defendants bear the burden of clearly and specifically demonstrating why discovery should not be had, and it is

patently improper to attempt to shift or avoid that burden of proof by failing to file a motion for protective order as required by O.C.G.A. § 9-11-26(c) and instead force Plaintiffs to bear the burden of filing a motion to compel. <u>Id</u>. '2035 p. 484.

Thus, if you contend that any documents or information responsive to these requests are confidential because they contain trade secrets or contain allegedly confidential or proprietary business information, such belief in and of itself provides no basis for the blanket withholding of production of such documents or information in a timely manner. If Defendant intends to make confidentiality or trade secret claims about responsive documents or information, Defendant should 1) contact Plaintiffs' counsel prior to responding to these requests, 2) seek to obtain a mutually agreed upon sharing confidentiality order pertaining to such documents, and 3) articulate to Plaintiffs a specific basis for the claims of confidentiality of each such document to which a claim of confidentiality is made so that Plaintiffs, or the Court, can make a reasonable determination of the validity of defendant's claim to confidentiality and need for a sharing confidentiality order. If Plaintiffs do not voluntarily agree with your assertions of confidentiality or your proposed protective order and you continue to seek to prevent the discovery of information or documents that are relevant and discoverable under O.C.G.A. § 9-11-26(b)(1) based on claims of confidentiality, you are required to file a motion for protective order before discovery responses are due, as specifically contemplated in O.C.G.A. § 9-11-26(c) and provide specific support for such claims. Again, you bear the burden of clearly demonstrating the need for protection from discovery, and stereotyped or conclusory objections, bereft of specific facts, are insufficient to prevent discovery.

The same rule applies to any attempts to avoid responding to Plaintiffs' discovery requests on grounds that the requests are overbroad, annoying, oppressing, or unduly

burdensome. If you contend that you should not be required to provide information in response to Plaintiffs' discovery requests on one of those grounds, O.C.G.A. § 9-11-26(c) dictates that a motion for protective order be timely filed and clearly supported.

#### Other Similar Incidents

These requests seek, among other things, the production of documents relating to other complaints, lawsuits, incidents, or occurrences in which it was alleged that you were negligent or that a defective or unsafe product made by you contributed to a death or injury. Under Georgia law evidence of other incidents is relevant, discoverable, and admissible at trial pursuant to, among other authorities.

#### To Whom These Requests Are Directed

Each request is addressed to the personal knowledge of the Defendant, as well as to the knowledge and information of Defendant's attorneys, investigators, agents, employees, and other representatives. When a question is directed to Defendant, the question is also directed to each of the aforementioned persons.

#### **Continuing Duty to Supplement**

These requests shall be deemed continuing and you are required to supplement or amend any prior response if the person or entity to whom these requests are addressed ascertains any change, different or added fact, condition or circumstances, or that there be any other witness(es) or evidence.

#### Other Matters To Ensure Efficient Discovery

Plaintiffs request that Defendant take the time to accumulate all information which is called for by this discovery request, whether it is facts or documents, and to provide all such

information in its initial written discovery responses. If the time provided by law to respond to this written discovery does not provide you an adequate opportunity to do so, Plaintiffs will extend the time, provided that a request for more time is made well before the time for responding set by law has run and the extension requested is not excessive.

Plaintiffs request that you set forth in your response the text of the request propounded as well as your responses or objections to that request so that it is clear from the four corners of your response what the request sought and what your answer to that request is. This is helpful to the Court and the parties so that it is not necessary to flip from one document to another to determine what the answer to a particular request is. If Defendant requests it, Plaintiffs will provide these requests on computer disk to facilitate this process. Plaintiffs will reciprocate this request if Defendant will provide a copy of its discovery requests on disk.

Finally, Plaintiffs request that Defendant respond to these requests individually, separately and completely, and supplement any responses to these requests individually, separately, and completely. In supplementing, Plaintiffs request that you do not send letters to counsel identifying additional documents or information, but that you instead provide discovery responses in the form of a pleading served on all parties.

Plaintiffs request that Defendant respond to and supplement these and all future document requests by producing the requested documents segregated according to request number and identifying the documents produced in a formal written pleading and stating which numbered request they respond to. Plaintiffs request that Defendant not produce unidentified documents via letters that state essentially nothing more than "here are some more responsive documents."

Plaintiffs request that Defendant not apply any stamp or markings or other document management numbers, symbols, or colored inking or striping to the requested documents so as to obscure any information contained on the documents or copies made therefrom or to interfere with character recognition software, thus preserving the legibility of all such documents and copies in their entirety.

- 1. These Special Instructions are not intended as any attempt by the Plaintiffs to impose upon you an requirements or obligations beyond those imposed upon you by the Georgia Rules of Civil Procedure (the "Rules"), and they should not be considered as such by you. In responding to these Discovery Requests you are requested to follow the following instructions, which the Plaintiffs believe are consistent with the Rules.
- 2. Except as otherwise specified, the Discovery Requests cover the entire period from January 1, 1965, through the date of your response, whether your response is an original response or a supplemental response. The Discovery Requests require you to disclose and/or produce (as the case may be) all responsive discoverable matter, information, documents, or things known or reasonably available to you which may have existed during the period of time or any part thereof concerning the subject matter of any particular Discovery Request.
- 3. Please respond to Discovery Requests by furnishing all responsive discoverable matter, information, documents, or things either in your possession, in your control, or accessible to you by reasonable inquiry. This includes discoverable matter, information, documents, or things in the possession, custody, or control of your (a) agents, (b) employees; (c) attorneys, (d) corporate departments or divisions; (e) your parent or subsidiary corporations; (f) corporate affiliates; and (g) any other persons, firms or corporations which because of your business relationship would readily respond to your inquiry in the ordinary course of business.

- 4. Where no discoverable matter, information, documents, or things exist which would be responsive to a Discovery Request, please so state.
- 5. If you object to a particular Discovery Request or to a part of a Discovery Request, please note that the Rules require that the reasons for objection must be stated. Unsupported boilerplate objections are not permissible under Georgia law. Further, if you interpose a privilege objection you must provide a privilege log. The Plaintiffs will treat all untimely and inadequate objections and claims of privilege or immunity <u>as waived</u>.
- 6. Various words, phrases, and abbreviations used in the Discovery Requests should be given the meaning and interpretation set forth in the Table of Definitions contained herein, unless otherwise stated. If you are unsure of the meaning of a word, phrase, or abbreviation used in any Discovery Request, please contact counsel for the Plaintiffs <u>in writing</u>, specify the word or phrase whose meaning you claim is unclear, and ask for <u>written clarification</u> of the word or phrase in question. To the extent any ambiguity genuinely exits, such written clarification will be promptly provided to you.

# **DEFINITIONS** (as used herein)

1. The terms "YOU", "YOUR", "YOUR COMPANY", "CHRYSLER" refer to Chrysler Group LLC, every department, division, office, agency or affiliate thereof. Requests to Chrysler Group LLC include its predecessor in interest, New Carco Acquisition, LLC, or any successor in interest, any parent corporations and holding companies with which the Defendant is associated, any subsidiaries and/or other companies that are owned, in whole or in part, by this Defendant, whether foreign or domestic. Finally, these words and phrases specifically include present and former officers, directors, agents, employees and any and all other persons, firms or corporations, acting or purporting to act on behalf of "you," or "your company."

- 2. The term "SUBJECT VEHICLE" refers to the 2009 Dodge Journey, VIN 3D4GG57V497 which was involved in the crash subject to this lawsuit.
- 3. The term "DOCUMENTS" means all writings and other printed matter of every kind, including, but not limited to, books, records, manuals, statements, minutes, letters, correspondence, memorandum reports, lists, studies, surveys, directives, agreements, contracts, print-outs, telegrams, teletype, telexes, telefax, pamphlets, notes, messages, bulletins, e-mail, diary and calendar entries, maps, charts, brochures, graphics, tabulations, press releases, address books, ledgers, invoices, bills, work sheets, trip reports, receipts, returns, prospectuses, financial statements, tax returns, schedules, affidavits, applications, resumes, cancelled checks, check books, check stubs, check ledgers, transcripts, statistics, magazine or newspaper articles or advertisements, releases, test reports and records of meetings, conferences, telephone conversations or other conversations or communication (including any and all drafts, alterations, modifications, changes and amendments of any of the foregoing) in the possession, custody or control of the Defendant responding to this discovery. The term "document" or documents" shall also including non-printed matter such as voice records and reproductions, film impressions, photographs, negatives, slides, microfilms, microfiches, e-mail, and other things that document or record ideas, words or impressions. The term "document" or "documents" further includes all punch cards, tapes, disks, or records used in electronic data processing, together with the programming instructions and other written materials necessary to understand or use such punch cards, tapes, disks or other recordings, and further includes data or data compilation in electronic or other form that can be printed through proper programming or decoding of the electronic or mechanical data storage facility.
  - 4. The term "**IDENTIFY**" means to provide the following:

- a) With regard to a natural "person", state the name, last known residential address and phone number, and the name and address of their present employer;
- b) With respect to any entity which is not a natural "person", state the entity's correct legal name, last known address and phone number, state the nature of such entity (e.g. corporation, general partnership, etc.), and if you have any business relationship with such entity either direct or indirect state the nature of such relationship;
- c) With respect to a tire, state the name of the manufacturer, date of manufacture, location of manufacture and physical description, including size, specification designations and skim stock compound;
- d) The words or phrases "And", "or," "and/or" shall be construed either disjunctively or conjunctively, as necessary to make the usage of such words inclusive rather than exclusive.
- 5. "RELATES" or "RELATING TO" means concerning, reflecting, pertaining to, referring to, documenting, evidencing, illustrating, or otherwise bearing upon in any way.
- 6. "TEST" means any test, crash test, FMVSS certification test, litigation test, computer simulation test, sled test, development test, evaluation, research, survey, investigation, analysis, or review, by whatever name called.
- 7. "FAILURE MODE" means any events or circumstances likely to produce a failure of the occupant restraint system to function as intended by providing adequate restraint to an occupant in a manner likely to result in an injury, and includes failures of belt webbing, latches, bucklers, and retractor assemblies, in foreseeable collisions occurring in the environment of their intended use. The term particularly includes malfunctions involving excessive belt

webbing extension or spool-out doe to retractor failure, excess slack due to use of the comfort feature, or accidental release of the safety belt buckle and latch plate.

The term "spool out" means:

- 6. The term "OCCUPANT RESTRAINT SYSTEM" means a seat belt type device or apparatus designed to secure and restrain a person in a motor vehicle in order to provide protection from the results of a collision, including all necessary seats, belts, straps, webbing, retractor mechanisms, latches, buckles, hardware, fasteners, anchor points, airbags and all hardware, parts accessories and components designed for the installation of any such devise or apparatus in a motor vehicle.
- 7. The term "RETRACTOR" (when used alone) means a device for storing all or part of the webbing in an occupant restraint system incorporating adjustment hardware by means of a locking mechanism that is activated by vehicle acceleration (an inertial or vehicle or sensitive locking device), webbing movement (a web sensitive locking device), or other automatic actions during an emergency and is capable when locked to withstanding restraint forces.
  - 8. The term "RISK" means the probability of injury resulting from a given hazard.
- 9. The term "SLED TEST" means a specific type of test in which vehicle components are subjected to simulated collision acceleration nd deceleration forced on a "sled", and "impact sled", or a "Hi-'G' sled" in order to analyze, evaluate or study the crash performance of the vehicle component.
- 10. The term "SPOOL-OUT" means any excessive extension of occupant restraining system belt webbing from the retractor assembly from any cause which is neither expected nor intended by the uses.

11. The term "SUBJECT VEHICLE PLATFORM" means the Dodge Journey or Dodge JC, including but not limited to JC49 and JCUV, the Dodge Avenger, and any other platform vehicle with a substantially similar driver and front passenger occupant restraint system sold in the U.S. and worldwide.

## **INTERROGATORIES**

#### "PERSONS WITH KNOWLEDGE"

- 1. Identify every person who claims to have knowledge of any discoverable matter, information, documents, or things relating to any facts alleged in the Complaint, and describe generally what each person identified claims to know.
- 2. Before filing an Answer to the Complaint in this action did you conduct any investigation to determine whether there were good grounds to support the Answer you filed, or that the denials and defenses asserted in your Answer were substantially justified in fact and law? If so, identify every person who has conducted such investigation on your behalf to determine any information or circumstances relating to the subject matter of this action, or any claim or defense of any party to this action and state the inclusive dates of each investigation.
- 3. Identify every person who has made any observations, measurements, photographs or videotapes of the Dodge Journey, state each of the observations and measurements each person has made, and identify each of the photographs or videotapes each person has made.
- 4. Identify every person who has made any observations, measurements, maps, plats, photographs, or videotapes of the scene of the occurrence, state each of the observations and measurements each person has made, and identify each of the maps, plats, photographs or videotapes each person has made.

- 5. Identify every statement which has been made by any person relating to the subject matter of this action, or any claim or defense of any party to this action.
- 6. Identify every person Chrysler expects to call to testify on its behalf as an expert witness on the trial of the case, and for each state the subject matter on which the expert is expected to testify; state the substance of the facts and opinions to which he/she is expected to testify; give a summary of the grounds for each opinion; and give a summary of his/her qualifications as an expert witness.
- 7. Identify every person who has been retained or specially employed by Chrysler in anticipation of litigation or preparation for trial who is not expected to be called by Chrysler as an expert witness on the trial of the case.
- 8. Identify the person or persons from Chrysler who will be participating in this case as a witness, a corporate representative, O.C.G.A. § 9-11-30(b)(6) designee, assisting with discovery, investigating the vehicle or accident scene or involved in any other aspect of this litigation.
- 9. Identify every person who has expressed an opinion relating to the subject matter of this action, or the claims or defenses of any party to this action, describe generally what opinions each person has expressed, and give a summary of the grounds for or basis of each opinion. NOTE: This interrogatory seeks information about opinions held by persons (including present or former employees of any Defendant) other than experts retained or specifically employed by Chrysler in anticipation of litigation or for trial whether or not they are expected to testify.
- 10. Identify every person or former Chrysler employee who may be called to testify at trial concerning any information relating to the subject matter of this action, or the claims or

defenses of any party to this action, describe generally what discoverable matter or information each person claims to know.

11. Identify the names, addresses, home telephone numbers, places of employment, job titles or capacities, and present whereabouts of all witnesses who saw or claim they saw all or any part of the motor vehicle incident described in Plaintiffs' Complaint ("subject vehicle").

## "DENIALS AND DEFENSES"

- Each of the numbered paragraphs of the Complaint is incorporated by reference. State with particularity what part of each paragraph you admit, and what part of each paragraph you deny, and provide the following information: State every factual basis for Chrysler's denial of any fact alleged in the Complaint, identify all discoverable matter, information, applications of law to fact, documents, or things, on which Chrysler may rely as the basis for its denial of any part of the paragraphs of the Complaint, and identify every person who claims to have knowledge of same.
- 13. State and describe each Affirmative Defense to the Complaint which Chrysler intends to assert in this action, whether pleaded in Chrysler's amended Answer or not. For each state every factual basis for the Affirmative Defense and provide the following information: Identify all discoverable matter, information, applications of law to fact, documents, or things, on which Chrysler may rely as the basis for each such Affirmative Defense, and identify every person who claims to have knowledge of same. NOTE: This discovery request includes, but is not limited to, those Affirmative Defenses asserted in Chrysler's Answer to the Complaint.
- passenger's seat belt in the 2009 Dodge Journey at the time of the incident or not wearing it properly? If so, state every factual basis for your contention and provide the following

information: Identify all discoverable matter, information, applications of law to fact, documents, or things, on which Chrysler may rely as the basis for each such contention; and identify every person who claims to have knowledge of same.

- position occupant restraint system in the 2009 Dodge Journey at the time of the incident? If so, provide the following information: state every factual basis for your contention; identify all discoverable matter, information, applications of law to fact, documents or things, on which Chrysler may rely as the basis for each such contention; and identify every person who claims to have knowledge of same.
- 16. Identify and describe all injuries you contend as received as a result of the incident. For each injury, state every factual basis for your contention and provide the following information: state how and when you contend each injury was caused; identify all discoverable matter, information, applications of law to fact, documents, or things, on which Chrysler may rely as the basis for each such contention; and identify every person who claims to have knowledge of same.

#### "OCCUPANT RESTRAINT SYSTEM"

- 17. Describe the design and construction of the occupant restraint system selected and installed by Chrysler in the 2009 Dodge Journey. Include in your answer a description of the subject retractor's locking mechanism, and the designated part numbers for the subject seatbelt buckle and subject retractor component parts.
- 18. Identify the manufacturer and supplier of the occupant restraint system installed in the 2009 Dodge Journey.

- 19. Identify every person who selected, determined, designed, or approved the occupant restraint system, including but not limited to the retractor, torsion bar, load limiter, latch plate and lap belt, for installation by Chrysler in the 2009 Dodge Journey.
- 20. Identify every person who selected, determined, designed, or approved the front passenger seat track and its placement/position for the 2009 Dodge Journey.
- 21. Identify every person involved in formulating the instruction that front seat passengers should position the seat in the rear-most position and as far as possible from the air bag in the 2009 Dodge Journey owner's manual.
- 22. Identify by model year and model series designation all vehicles manufactured by Chrysler between January 1, 1965, and the current year, in which the subject seatbelt system and retractor was installed as standard equipment.
- 23. Identify every <u>external</u> standard relating to the seatbelt, spool-out, excess slack, and airbag failure modes which you contend is applicable to the design, inspection, testing, manufacture, assembly, marketing, distribution and sale of the occupant restraint system installed by Chrysler in the 2009 Dodge Journey.
- 24. Identify every Chrysler <u>internal</u> standard relating to the seatbelt, spool-out, excess slack, and airbag failure modes which you contend is applicable to the design, inspection, testing, manufacture, assembly, marketing, distribution and sale of the occupant restraint system installed by Chrysler in the 2009 Dodge Journey.
- 25. Identify every potential failure mode relating to the retractor, torsion bar, load limiter, shoulder and lap belt, latch plate, submarining and front passenger airbag for the 2009 Dodge Journey.

- 26. Identify every reliable book, treatise, or article relating to the seatbelt, spool out, excess slack and/or submarining failure modes which you contend is applicable to the design, inspection, testing, manufacture, assembly, marketing, distribution and sale of the occupant restraint system installed by Chrysler in the 2009 Dodge Journey.
- 27. State what you contend to be the ordinary purposes and intended function of the subject seatbelt system. State every factual basis for your contention and provide the following information: Identify all discoverable matter, information, applications of law to fact, documents, or things, on which Chrysler may rely as the basis for each such contention; and identify every person who claims to have knowledge of same.
- 28. What benefit or utility do you contend an occupant restraint system equipped with the subject seatbelt retractor, torsion bar, load limiter, and latch plate provides to a user or consumer if spool-out of the seatbelt occurs in circumstances of foreseeable accident modes in the environment of use? State every factual basis for your contention and provide the following information: Identify all discoverable matter, information, applications of law to fact, documents, or things, on which Chrysler may rely as the basis for your contention; and identify every person who claims to have knowledge of same.

## "SPOOL OUT'

29. State what you contend to be the ordinary purposes and intended function of the subject retractor. State every factual basis for your contention and provide the following information: Identify all discoverable matter, information, applications of law to fact, documents, or things, on which Chrysler may rely as the basis for each such contention; and identify every person who claims to have knowledge of same.

- 30. What benefit or utility do you contend an occupant restraint system equipped with the subject front passenger airbag provides to a female approximately 5 feet, two inches tall and seated in the rear-most position if a spool-out of the seatbelt occurs in circumstances of foreseeable accident modes in the environment of use? State every factual basis for your contention and provide the following information: Identify all discoverable matter, information, applications of law to fact, documents, or things, on which Chrysler may rely as the basis for your contention; and identify every person who claims to have knowledge of same.
- 31. Do you contend that spool-out of the subject seatbelt retractor cannot or should not occur in foreseeable accident modes in the environment of use if the retractor functions as intended? If so, state every factual basis for your contention and provide the following information: Identify all discoverable matter, information, applications of law to fact, documents, or things, on which Chrysler may rely as the basis for reach such contention; and identify evely person who claims to have knowledge of same.
- 32. If you contend that spool-out of the subject retractor can or may occur in foreseeable accident modes in the environment of use even if the retractor functions as intended, state every factual basis for your contention and provide the following information: State the conditions under which you contend spool-out of the subject retractor can occur in foreseeable accident modes in the environment of use; identify all discoverable matter, Information, applications of law to fact, documents, or things, on which Chrysler may rely as the basis for each such contention, and identify every person who claims to have knowledge of same.
- 33. Do you contend that the average consumer or user of motor vehicles using an occupant restraint system equipped with the subject retractor reasonably expects that spool-out may occur in foreseeable accident modes in the environment of use? If so, state every factual

basis for your contention and provide the following information: Identify all discoverable matter, information, applications of law to fact, documents, or things, on which Chrysler may rely as the basis for each such contention; and identify every person who claims to have knowledge of same

- 34. Do you contend that an occupant restraint system equipped with the subject retractor provides an adequate degree of occupant restraint protection to the user if spool-out does occur in foreseeable accident mode in the environment of use? If so, state every factual basis for your contention and provide the following information: identify all discoverable matter, information, applications of law to fact, documents, or things, on which Chrysler may rely as the basis for your contention; and identify every person who claims to have knowledge of same.
- 35. Please state every warning provided to the consumer regarding the possibility that a spool-out of the retractor could occur in a foreseeable accident situation, and provide the exact language of warning, the placement of each warning, and the medium used to provide the warning.
- 36. Please state every warning provided to the consumer to position the front passenger seat in the rear-most position, as far as away as possible or practical from the airbag, and provide the exact language of warning, the placement of each warning, and the medium used to provide the warning.

## "ALTERNATIVE DESIGNS"

37. Identify every commercially available occupant restraint system retractor design alternatives to the subject retractor which included specific design countermeasures to eliminate, minimize, or guard against spool-out and which could have been selected and installed in the Dodge Journey, and for each give the following information: Identify any feasibility or

cost/benefits analyses of such alternative retractor designs as compared to the subject retractor: state whether you contend the design alternative was not feasible for economic or technical reasons; identify all discoverable matter, information, applications of law to fact, documents, or things, on which Chrysler may rely as the basis for your contention; and identify every person who claims to have knowledge of same. FIRST NOTE: such design countermeasures include, but are not limited to the use of pre-tensioners, web sensitive, and/or other automatic locking devices or web grabbers in conjunction with inertial or vehicle sensitive locking devices SECOND NOTE: this Interrogatory calls for not only those design alternatives which were commercially available, but particularly those Which Chrysler actually used in its production vehicles.

alternatives to the subject retractor which included specific design countermeasures to eliminate, minimize, or guard against passenger submarining under the lap-belt which could have been selected and installed in the Dodge Journey, and for each give the following information:

Identify any feasibility or cost/benefits analyses of such alternative lap belt designs as compared to the subject lap belt: state whether you contend the design alternative was not feasible for economic or technical reasons; identify all discoverable matter, information, applications of law to fact, documents, or things, on which Chrysler may rely as the basis for your contention; and identify every person who claims to have knowledge of same. FIRST NOTE: such design countermeasures include, but are not limited to the use of cinching latch plate. SECOND NOTE: this Interrogatory calls for not only those design alternatives which were commercially available, but particularly those which Chrysler actually used in its production vehicles.

- alternatives to the subject lap belt which included specific design countermeasures to eliminate, minimize, or guard against occupant submarining where the lap belt slips off the bony part of the pelvis and onto the abdomen, which could have been selected and installed in the Dodge Journey, and for each give the following information: Identify any feasibility or costfbenef1ts analyses of such alternative lap belt designs as compared to the lap belt; state whether you contend the design -alternative was not feasible for economic or technical reasons; identify all discoverable matter, information, applications of law to fact, documents, or things, on which Chrysler may rely as the basis for your contention; and identify every person who claims to have knowledge of same. NOTE: this interrogatory calls for not only those design alternatives which were commercially available, but particularly those which Chrysler actually used in its production vehicles.
- 40. Identify all vehicles sold by Chrysler anywhere in the world prior to or in 2009 that contained a seatbelt retractor with pretensioners, web grabbers, automatic locking retractors or lap belts with cinching latch plates.
- 41. Identify all vehicles known to Chrysler and sold by any manufacturer before or in 2009 that contained seatbelt retractors with pretensioners, web grabbers and/or cinching latch plates.
- 42. Identify the first model vehicle sold by Chrysler anywhere in the world that included seatbelt retractors with pretensioners, web-grabbers, and/or lap belts with cinching latch plates.

- 43. State the cost per vehicle for installing as standard equipment a seatbelt with retractors, pretensioners, web-grabbers, load limiters with a limitation to the amount of spool out or seats with cinching latch plates in the 2009 Dodge Journey.
- 44. As for each person Chrysler intends to call as an expert witness in this case, provide the following:
  - a) a summary of all opinions and facts about which the person IS expected to testify;
  - b) a list of all previous testimony offered by this witness;
  - c) a current curriculum vitae,
  - d) identify each and every document reviewed by the witness related to the expected testimony;
  - e) state the amount the witness, or his or her employer, have been paid by Chrysler or counsel retained by Chrysler in connection with providing expert testimony in the last ten (10) years; and
  - f) identify all testing conducted by the witness related to the expected testimony.

[signatures on the next page]

This 21st day of May, 2013.

# HARRIS PENN LOWRY, LLP

BY

Georgia Bar No. 330315
DARREN W. PENN
Georgia Bar No. 571322
STEPHEN G. LOWRY
Georgia Bar No. 460289
JED D. MANTON
Georgia Bar No. 868587
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405 E. Perry Street Savannah, GA 31401 P: 912-651-9967

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Attorneys for Plaintiff

FILED IN OFFICE CLERK STATE COURT IN THE STATE COURT OF GWINNETT COUNTY UNITY, GA STATE OF GEORGIA 2013 MAY 21 PM 1: 33

, as surviving spouse, and Personal Representative of Decedent,	) )	RICHARD ALEXANDER, CLERK
, as Executor of the Estate of ; and Individually,	) ) )	Civil Action No.:
Plaintiffs,	)	
v.	)	
CHRYSLER GROUP LLC, and HAYES CHRYSLER-DODGE-JEEP, INC.	, ) ) )	
Defendant.	)	

## PLAINTIFFS' FIRST CONTINUING INTERROGATORIES TO DEFENDANT MOKONJI LINDSEY

Representative of Decedent

e Individually, and serve Plaintiffs' First Continuing

Interrogatories to Defendant

and manner permitted by law.

The following written interrogatories ("Discovery Requests") are served on you pursuant to the Georgia Civil Practice Act. You are required to answer these interrogatories separately and fully, in writing, under oath and serve a copy of such answers upon Plaintiffs' counsel within the time specified by law.

## SPECIAL INSTRUCTIONS

- 1. These Special Instructions are not intended as any attempt by the Plaintiffs to impose upon you an requirements or obligations beyond those imposed upon you by the Georgia Rules of Civil Procedure (the "Rules"), and they should not be considered as such by you. In responding to these Discovery Requests you are requested to follow the following instructions, which the Plaintiffs believe are consistent with the Rules.
- 2. Except as otherwise specified, the Discovery Requests cover the entire period from January 1, 1965, through the date of your response, whether your response is an original response or a supplemental response. The Discovery Requests require you to disclose and/or produce (as the case may be) all responsive discoverable matter, information, documents, or things known or reasonably available to you which may have existed during the period of time or any part thereof concerning the subject matter of any particular Discovery Request.
- 3. Please respond to Discovery Requests by furnishing all responsive discoverable matter, information, documents, or things either in your possession, in your control, or accessible to you by reasonable inquiry. This includes discoverable matter, information, documents, or things in the possession, custody, or control of your (a) agents, (b) employees; (c) attorneys, (d) corporate departments or divisions; (e) your parent or subsidiary corporations; (f) corporate affiliates; and (g) any other persons, firms or corporations which because of your business relationship would readily respond to your inquiry in the ordinary course of business.
- 4. Where no discoverable matter, information, documents, or things exist which would be responsive to a Discovery Request, please so state.
- 5. If you object to a particular Discovery Request or to a part of a Discovery Request, please note that the Rules require that the reasons for objection must be stated.

Unsupported boilerplate objections are not permissible under Georgia law. Further, if you interpose a privilege objection you must provide a privilege log. The Plaintiffs will treat all untimely and inadequate objections and claims of privilege or immunity <u>as waived</u>.

6. Various words, phrases, and abbreviations used in the Discovery Requests should be given the meaning and interpretation set forth in the Table of Definitions contained herein, unless otherwise stated. If you are unsure of the meaning of a word, phrase, or abbreviation used in any Discovery Request, please contact counsel for the Plaintiffs in writing, specify the word or phrase whose meaning you claim is unclear, and ask for written clarification of the word or phrase in question. To the extent any ambiguity genuinely exits, such written clarification will be promptly provided to you.

Plaintiffs , as surviving spouse and Personal Representative of Decedent , as Executor of the Estate of Individually, request that Defendant answer under oath the following interrogatories, the answers to be served upon Plaintiffs' attorney of record, Stephen G. Lowry, within forty-five (45) days from the date said interrogatories are served upon Defendant.

## **DEFINITIONS**

Unless a contrary meaning appears in context, the following definitions apply:

- (a) "You," "your," and "Defendant" mean Defendant or any person or persons acting on his behalf, including, but not limited to, agents, attorneys, advisors, investigators, representatives and other persons acting on his behalf.
- (b) "Document" shall mean each writing, thing, transcript, or record of any type or description that is or has been in your possession, control, or custody, or of which you have knowledge.

- (c) "Communication" includes any statement or utterance, whether written or oral, made by one person to another, or in the presence of another, and any document (as defined above) delivered or sent from one person to another.
- (d) "Identify" when used with respect to a document or documents, shall mean, with respect to each document, the date, a description sufficient for identification, the subject matter and content, the specific location of the document and the name and address of the person having custody of the document.

"Identify" when used with respect to a person or persons, shall mean the name, age, business and residence addresses and telephone numbers, the employer and place of employment of all such persons.

- (e) Unless the context indicates otherwise, "person" shall mean the plural as well as the singular and shall include any natural person (alive or deceased), any firm, corporation, proprietorship, joint venture, trust or estate, business association, partnership, or other form of legal entity.
- (f) The terms "relating to" and "relate to" mean directly or indirectly mentioning, describing, pertaining to, being connected with, or reflecting upon the subject matter of the specific request.
  - (g) When appropriate, the singular shall encompass the plural, and vice versa.

## INTERROGATORIES

- 1. What is the name and address of the person answering these interrogatories, and, if applicable, the person's official position or relationship with the party to whom the interrogatories are directed?
  - 2. List all former names and when you were known by those names. State all addresses

where you have lived for the past 10 years, the dates you lived at each address, your Social Security number, and your date of birth.

- 3. Have you ever been convicted of a crime, other than any juvenile adjudication, which under the law under which you were convicted was punishable by death or imprisonment in excess of 1 year, or that involved dishonesty or a false statement regardless of the punishment? If so, state as to each conviction, the specific crime and the date and place of conviction.
- 4. Describe any and all policies of insurance which you contend cover or may cover you for the allegations set forth in plaintiff's complaint, detailing as to such policies the name of the insurer, the number of the policy, the effective dates of the policy, the available limits of liability, and the name and address of the custodian of the policy.
- 5. Describe in detail how the incident described in the complaint happened, including all actions taken by you to prevent the incident.
- 6. Describe in detail each act or omission on the part of any party to this lawsuit that you contend constituted negligence that was a contributing legal cause of the incident in question.
  - 7. State the facts upon which you rely for each affirmative defense in your answer.
- 8. Do you contend any person or entity other than you is, or may be, liable in whole or part for the claims asserted against you in this lawsuit? If so, state the full name and address of each such person or entity, the legal basis for your contention, the facts or evidence upon which your contention is based, and whether or not you have notified each such person or entity of your contention.
- 9. Were you charged with any violation of law (including any regulations or ordinances) arising out of the incident described in the complaint? If so, what was the nature of the charge; what plea or answer, if any, did you enter to the charge; what court or agency heard the charge;

was any written report prepared by anyone regarding the charge, and, if so, what is the name and address of the person or entity who prepared the report; do you have a copy of the report; and was the testimony at any trial, hearing, or other proceeding on the charge recorded in any manner, and, if so, what is the name and address of the person who recorded the testimony?

- 10. List the names and addresses of all persons who are believed or known by you, your agents, or your attorneys to have any knowledge concerning any of the issues in this lawsuit; and specify the subject matter about which the witness has knowledge.
- 11. Have you heard or do you know about any statement or remark made by or on behalf of any party to this lawsuit concerning any issue in this lawsuit? If so, state the name and address of each person who made the statement or statements, the name and address of each person who heard it, and the date, time, place, and substance of each statement.
- 12. State the name and address of every person known to you, your agents, or your attorneys who has knowledge about, or possession, custody, or control of, any model, plat, map, drawing, motion picture, videotape, or photograph pertaining to any fact or issue involved in this controversy; and describe as to each, what item such person has, the name and address of the person who took or prepared it, and the date it was taken or prepared.
- 13. Do you intend to call any expert witnesses at the trial of this case? If so, state as to each such witness the name and business address of the witness, the witness's qualifications as an expert, the subject matter upon which the witness is expected to testify, the substance of the facts and opinions to which the witness is expected to testify, and a summary of the grounds for each opinion.
- 14. Have you made an agreement with anyone that would limit that party's liability to anyone for any of the damages sued upon in this case? If so, state the terms of the agreement and

the parties to it.

- 15. Please state if you have ever been a party, either plaintiff or defendant, in a lawsuit other than the present matter, and, if so, state whether you were plaintiff or defendant, the nature of the action, and the date and court in which such suit was filed.
- 16. Please identify each person whom you believe may have investigated any aspect of the incident or Plaintiffs' claims of injury and damage.
- 17. Please state in detail where you were coming from when this collision occurred, who was driving, where you were going, and the route followed up to the point of impacts.
  - 18. Please state the speed of your vehicle at the time of impact.
- 19. Please identify each and every physical and/or mental injury you sustained in this incident.
- 20. Please state in detail the disposition of any citation received as a result of this incident, the nature of the citation, including the dates of any court hearings, and any pleas and any fines paid.
- 21. If the vehicle involved in this collision belongs to someone other than you, please explain the circumstances under which the vehicle came into your possession and the purpose for which the vehicle was being used.
- 22. If the vehicle belongs to someone other than you, please state by whom you were given permission to operate the vehicle, on what date authorization was given, whether permission was expressly limited to use for any specific purpose, and, if so, what purpose.
- 23. Have you been involved in any automobile accidents as a driver before or after the incident which is the subject matter of this litigation? If your answer is in the affirmative, please state the date, time and location of the incident, name and contact information of all parties

involved, and the names of any other persons injured in the accident, if any.

24. For the last ten (10) years, please state your employment. For each employer, please

list the date you started work, the date you terminated work, the reason for the termination, your

last rate of pay, your general duties or job title, and the name, address, and telephone number of

your immediate supervisor

25. Please state whether, at the time of the incident described in the Complaint, you were

performing any employment related obligations and if so please state the name of your employer

and describe your duties.

26. Please state in detail your activities for the twenty-four (24) period immediately

preceding this collision.

27. When did you first see the vehicle driven by Amy Lyle and how fast were you going

when you first saw his vehicle?

28. Did you consume any alcoholic beverages and/or drugs of any kind within the 48-

hour period before this incident?

29. Do you wear glasses, contact lenses, or hearing aids? If so, who prescribed them,

when were they prescribed, when were your eyes or ears last examined, and what is the name

and address of the examiner?

This 21st day of May, 2013.

HARRIS PENN LOWRY, LLP

BY:

WEEDEN D LINDRIS

Georgia Bar No. 330315

DARREN W PENN

Georgia Bar No. 571322

STEPHEN G. LOWRY



Attorneys for Plaintiff

FÎLED ÎN OFFICE
CLERK STATE COURT
IN THE STATE COURT OF GWINNETT COUNTYNETT COUNTY, GA
STATE OF GEORGIA
2013 MAY 21 PM 1: 33

, as surviving spouse, and Personal Representative of Decedent,	)	RICHARD ALEXANDER. CLERK
, as Executor of the Estate of	)	į.
; and Individually,	)	Civil Action No.:
Plaintiffs,	)	
v.	)	
CHRYSLER GROUP LLC, and	)	
HAYES CHRYSLER-DODGE-JEEP, INC.	)	
Defendant.	)	

# PLAINTIFFS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO DEFENDANT MOKONJI LINDSEY

Plaintiffs

s, as Executor of the Estate of hypersonal Representative of Decedent

through the undersigned attorney, hereby serve the following Requests for Production of

Documents upon Defendant and and under oath within the time prescribed by law. These requests for production of documents are served pursuant to O.C.G.A. § 9-11-26 and § 9-11-33 and shall be deemed continuing and must be supplemented by Defendant to the extent required by O.C.G.A. § 9-11-26(e).

## DEFINITIONS

Unless a contrary meaning appears in context, the following definitions apply:

- (a) "You," "your," and "Defendant" means you are you, and any person or persons acting on his behalf, including, but not limited to, agents, attorneys, advisors, investigators, representatives and other persons acting on his behalf.
- (b) "Document" shall mean each writing, thing, transcript, or record of any type or description that is or has been in your possession, control, or custody, or of which you have knowledge.
- (c) "Communication" includes any statement or utterance, whether written or oral, made by one person to another, or in the presence of another, and any document (as defined above) delivered or sent from one person to another.
- (d) "Identify" when used with respect to a document or documents, shall mean, with respect to each document, the date, a description sufficient for identification, the subject matter and content, the specific location of the document and the name and address of the person having custody of the document.

"Identify" when used with respect to a person or persons, shall mean the name, age, business and residence addresses and telephone numbers, the employer and place of employment of all such persons.

- (e) Unless the context indicates otherwise, "person" shall mean the plural as well as the singular and shall include any natural person (alive or deceased), any firm, corporation, proprietorship, joint venture, trust or estate, business association, partnership, or other form of legal entity.
- (f) The terms "relating to" and "relate to" mean directly or indirectly mentioning, describing, pertaining to, being connected with, or reflecting upon the subject matter of the specific request.

(g) When appropriate, the singular shall encompass the plural, and vice versa.

## **REQUESTS**

The documents requested are as follows:

- 1. Any documents identified in response to interrogatories.
- 2. Please produce any and all written reports, statements, writings or documents, with attachments, compiled by any person identified by you in response to Plaintiffs' Interrogatories.
- 3. Any accident reports and transcripts of any judicial hearing relevant to the incident giving rise to this litigation.
- 4. All title, registration, invoices, reports, statements, bills or other documents proving ownership of any vehicle owned by you on the date of the incident giving rise to Plaintiffs' Complaint.
- 5. Copies of all reports, videotapes, photographs, documents and charts or graphs in your possession, custody or control relating to the incident which is the subject of Plaintiffs' Complaint and Plaintiffs' claims for injuries and damages.
- 6. Copies of all statements, whether recorded, oral or otherwise, in your control or obtained on your behalf, of any parties or witnesses who have knowledge or information relating to the incident complained of in the Complaint.
- 7. Copies of maintenance and purchase records for the 2004 Jeep Grand Cherokee described in the Complaint.
- 8. Copies of all repair estimates or other statements reflecting the value and/or extent of the damage to the 2004 Jeep Grand Cherokee described in the Complaint.
- 9. Copies of all photographs indicating the damage to any of the vehicles involved in the incident described in the Complaint.

- 10. Each and every document or thing which you contend is evidence, proof or support of Plaintiffs' or your own alleged negligence, including any admissions of fault, for the incident which is the subject of this lawsuit.
- 11. Copies of all photographs depicting any injuries sustained by you, or any other passenger during the incident described in the Complaint.
- 12. Copies of all insurance policies, which may provide coverage for this incident, or related documents indicating coverage for this incident which is the subject of Plaintiffs' Complaint.
  - 13. Please produce a copy of any deposition or sworn statement ever given by you.
- 14. Copies of all documents, letters, photographs, video tapes, or other items of tangible evidence in your possession, custody or control which support the defenses in your Answer to Plaintiffs' Complaint.
- 15. Copies of your cell phone records, including texts, from June 16, 2011 from 4:00 pm until 8:00 pm.
- 16. Copies of the results of any "BI Index" or bodily injury index searches conducted on the Plaintiffs.
  - 17. Please produce all records obtained by you through third party subpoenas.
- 18. Please produce all records obtained or provided to you related to Plaintiffs' Complaint.
- 19. Please provide a copy of any citation or traffic ticket received by you from any authority concerning this incident.
- 20. Please provide a copy of any document containing the disposition of the citation or traffic ticket received by you from any authority concerning this incident.

21. Please provide copies of any documentation or receipts obtained from food, beverage, or other purchases, including the date, time and location of the purchase, for 12 hours prior to the collision.

This 21st day of May, 2013.

HARRIS PENN LOWRY, LLP

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