



CRH / ALL

Transmittal Number: [REDACTED]
Date Processed: 09/01/2022

Notice of Service of Process

Primary Contact:

[REDACTED]
Farmington Hills, MI [REDACTED]

Electronic copy provided to:

Gina Gelement
Elizabeth Wilson

Entity: Robert Bosch LLC
Entity ID Number 2209229

Entity Served: Robert Bosch LLC

Title of Action: [REDACTED] vs. FCA US LLC

Matter Name/ID: [REDACTED] vs. FCA US LLC [REDACTED]

Document(s) Type: Summons/Complaint

Nature of Action: Others

Court/Agency: Vernon Parish District Court, LA

Case/Reference No: 101503 C

Jurisdiction Served: Delaware

Date Served on CSC: 08/29/2022

Answer or Appearance Due: 30 Days

Originally Served On: CSC

How Served: Certified Mail

Sender Information: [REDACTED]

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC

251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | sop@cscglobal.com

FRED A. PHARIS
831 DeSoto St.
Alexandria, LA 71301
Internet: www.pharislaw.com



PHARIS LAW OFFICES
Tel.: (318) 445-8266
Fax: (318) 445-5981
E-mail: fpharis@pharislaw.com

August 25, 2022

VIA CERTIFIED MAIL NO. 7016 2710 0000 4933 7192

Robert Bosch LLC
c/o Corporation Service Company
251 Little Falls Drive
Wilmington, DE 19808

RE: [REDACTED] v. FCA US LLC, et al
Civil Suit Number 101503 C
30th Judicial District Court, Vernon Parish, Louisiana

Dear Sir or Madam:

Pursuant to Louisiana Revised Statutes Title 13:3204, Robert Bosch LLC is hereby served with a certified copy of the enclosed citation, *Suit for Reduction in the Purchase Price* and discovery attachments, in the above-captioned case. This will constitute as service on you of those pleadings.

Please answer the petitions and discovery attachments within the delays allowed by law.

Sincerely,

[REDACTED]
FRED A. PHARIS
Pharis Law Offices

FAP/sd
Enc.
cc: Mr. [REDACTED]



Vernon Parish
Clerk of Court
Thirtieth Judicial District Court
Jeffery K. Skidmore, Clerk of Court
P.O. BOX 40 (Zip: 71496) • 215 South 4th Street (Zip: 71446)
Leesville, Louisiana

LOUISIANA LONG ARM CITATION

[REDACTED]

VS. NO: 101503 C

FCA US LLC ET AL

TO: ROBERT BOSCH LLC
3867 PLAZA TOWER DRIVE
BATON ROUGE, LA 70816

YOU ARE HEREBY SUMMONED to comply with the demand of the Plaintiff's petition, a true and faithful copy whereof accompanies this citation, or to make an appearance by filing an Answer or other pleading thereto, in writing, with the Clerk of Court at P.O. Box 40, Leesville, Louisiana, 71496-0040, within thirty (30) days after filing in the record, proof of service of this citation. Your failure to comply herewith will subject you to the penalty of entry of default judgment against you.

Witness the Honorable Judges of the Thirtieth Judicial District Court at Leesville, Vernon Parish, Louisiana.

This service was requested by **FRED A PHARIS**, and was issued by the Clerk of Court on August 19, 2022.

[REDACTED]

COURT

Division _____

DOCKET NO: _____

VERSUS

30TH JUDICIAL DISTRICT COURT

FCA US LLC, ET AL

VERNON PARISH, LOUISIANA

SUIT FOR REDUCTION IN THE PURCHASE PRICE

The petition of _____, the presumptive heir of decedent, _____ of the full age of majority, Vernon Parish, Louisiana, respectfully represents:

1.

Made defendants herein are the following:

1. FCA US LLC, (sometimes hereinafter "FCA") a limited liability company authorized to do business in the State of Louisiana;
2. Robert Bosch LLC, (sometimes hereinafter "Bosch"), a Delaware limited liability company not authorized to do business in the State of Louisiana, which may be served under the Louisiana Long Arm Statute;
3. Blue Hill Specialty Insurance Company (a subsidiary of Progressive Insurance Company), an insurance company authorized to do business in the State of Louisiana.

2.

On or about January 8, 2021, petitioner's father, _____ ("JEC"), and Bluebonnet Chrysler-Dodge, a FCA dealership located in New Braunfels, Texas, executed a contract of sale, in New Braunfels, Texas.

3.

The cause of the contract was the sale to JEC of a new 2020 Dodge Ram 4500 diesel truck, bearing Vehicle Identification Number 3C7WRKBL9LG _____; simultaneously therewith petitioner entered into a contract with a third party for the purpose of financing a portion of the purchase price.

4.

Defendant FCA assembled the truck's component parts and manufactured the truck; Robert Bosch LLC manufactured the fuel pump complained of, as described below, which was configured and placed in the 2020 Dodge Ram by defendant FCA.

5.

Since the date of the sale, the vehicle has exhibited latent, hidden, and undisclosed defects, as set forth below.

6.

Said defects are manufacturing defects and existed at the time of the sale.

7.

Said defects manifested themselves by causing failure of the vehicle to operate in the intended manner during normal use, as set out below.

8.

JEC purchased the truck for the purpose of commercial hauling of nursery plants to McKinney, Texas.

9.

On April 1, 2022, JEC's driver was driving the 2020 Dodge Ram from McKinney, Texas, to its intended final destination of Sieper, Louisiana, when the truck began to lose power and was towed to Hebert's Town and Country Chrysler Dodge Jeep Ram ("Town and Country") in Shreveport, Louisiana, which diagnosed low pressure in the high pressure fuel pump and contended that the high pressure fuel pump, PCM, injectors, valves, and gaskets needed replacement; Town and Country then issued two quotes for the cost to repair the truck, one in the amount of \$15,286.16 and the second quote in the amount of \$12,845.64.

10.

Prior to the breakdown described above, FCA had issued Recall "Y26 Y17", regarding certain 2020 RAM 4500 vehicles, the subject of the recall being, to quote:

"The high pressure fuel pump (HPFP) on your vehicle ^[1] may fail prematurely. A high pressure fuel pump failure may introduce internally failed component debris into the fuel system potentially causing fuel starvation. Vehicle occupants may notice a Malfunction Indicator Lamp illuminating, a fuel leak, abnormal engine noise, or a change in drive quality. Fuel starvation may result in an unexpected loss of motive power, which can increase the risk of a vehicle crash without prior warning."

11.

After the issuance of the recall, but before the breakdown described above, petitioner notified defendant FCA US, LLC, and upon information and belief, , directly or by extension, to Robert Bosch, LLC through FCA US, LLC's warranty system dealer or dealers that petitioner was ready, willing, and able to present the vehicle for repair; however, petitioner was told that the parts to correct the issue were not available and to keep driving the truck.

12.

After the breakdown, Petitioner requested of employees of Hebert's Town and Country that the repairs be made under warranty; instead, JEC was told by Town and Country to file a claim with his motor vehicle insurance company.

13.

Upon investigation by Defendant Blue Hill Specialty Insurance Company, Inc. (Progressive Insurance Company), it denied the claim in a letter to petitioner, wherein it was alleged that "the damage to the fuel pump was determined to be due to a recall by the manufacturer and it has been determined that the reported debris in the fuel and damaged fuel pump are the result of mechanical or electrical breakdown, which is an Exclusion on the policy. Progressive will not be responsible to pay for all, or part, of the damages being claimed."

14.

Subsequently thereto, petitioner was presented with the lower of the estimates described above by Town and Country and told that he would have to pay directly for damage to the truck other than to the fuel pump itself; Town and Country represented the cost of replacing the fuel pump was covered by the recall, and the cost of that repair was not to be charged to petitioner, but that the second quote in the amount of \$12,845.64 would need to be paid by JEC.

15.

The fuel pump failure was caused by defects or failures that should not have been present in the vehicle, which had been used and maintained properly by JEC,

and the fuel pump failed because of manufacturing defects that existed prior to the sale and were caused during the manufacturing process by FCA US LLC and Robert Bosch, LLC.

16.

However, FCA US LLC directly and through its authorized repair facility, and upon information and belief, directly or by extension, to Robert Bosch, LLC through FCA US, LLC, as well as defendant Progressive Insurance Company, denied the claim represented by the second quote in the amount of \$12,845.64. and refused to repair said vehicle without cost to JEC of the the second quote in the amount of \$12,845.64, which petitioner cannot afford.

17.

As of this writing, the vehicle remains, partially disassembled at Town and Country, in Shreveport, Louisiana, with JEC having to use another truck and not being able to provided deliveries at the rate and quantity if the truck was able to be used; consequently, JEC lost profits and petitioner continues to lose profits as a result of not being able to fulfill hauling contract.

18.

Petitioner shows that defendant FCA US LLC, directly and through its authorized dealership, Hebert's Town and Country facility, and upon information and belief, directly or by extension, to Robert Bosch, LLC through FCA US, LLC, have both been afforded notice of the existence of the defects as required by law, but was unable or unwilling to fix the vehicle; Robert Bosch, LLC, as manufacturer of the fuel pump, is conclusively presumed to know of the defect in its fuel pump.

19.

The above described problems are the result of defects that have rendered the vehicle useless, or its use so inconvenient, that it must be presumed that JEC would not have purchased the vehicle if he had known of the defects at the time of the sale.

20.

During the repair attempts and attempted normal and reasonably anticipated use by JEC of the vehicle, the use of the vehicle has been inconvenient, distressing, and mentally anguishing to JEC due to the defective performance of the vehicle and fuel pump, as described above; such damage was proximately caused by characteristics of the vehicle and its fuel pump which have rendered it unreasonably dangerous in that, as set out above, it has deviated in a material way from FCA US, LLC and Robert Bosch, LLC's specifications or performance standards regarding the problems complained about, and from the warranty issued by FCA US, LLC.

21.

However, problems with the fuel pump such as that experienced by your petitioner, as explained herein, have been the subject of the recall and complained about and/or experienced by other customers and owners of similar vehicles in sufficient numbers to show that FCA US LLC, and Robert Bosch, LLC, knew or should have known at some point in time that the fuel pump would need to be supplied to customers such as petitioner.

22.

Defendant FCA US LLC, and Robert Bosch, LLC, therefore had actual, constructive, and/or imputed knowledge of the defects in the vehicle but failed to notify petitioner of the possibility of catastrophic fuel pump failure; FCA US LLC, during repeat complaints by JEC never warned JEC of the possibility of catastrophic fuel pump failure, although complaints were made to FCA US LLC, and upon information and belief, directly also to Robert Bosch, LLC directly or through its authorized repair facility within one year of the date of the filing hereof; the delivery for sale of the vehicle complained about by JEC, and the failure to warn, with the actual, constructive, and/or imputed knowledge of the conditions and defects as set out above, was an unfair and deceptive act or trade practice; such practice offends established public policy, and is immoral, unethical, oppressive, unscrupulous, and/or substantially injurious to consumers.

23.

As a result of the unfair and deceptive acts or trade practices of said defendants, JEC has suffered actual damages.

24.

Unfortunately, on July 15, 2022, [REDACTED] (JEC), died; your petitioner, [REDACTED] as the only child of decedent, is the presumptive heir with regards to any and all property that the elder [REDACTED] died possessed of, including any unliquidated claims possessed by the decedent at the time of his death, including the claim and cause of action set forth herein; said claim inures to the benefit of your petitioner, [REDACTED]

25.

Defendant Blue Hill Specialty Insurance Company at all pertinent times had in effect an insurance policy to cover the claims of JEC caused by the damage to components parts of the vehicle other than the failure of the fuel pump itself; its denial of the claim of JEC was arbitrary, capricious, and without probable cause, as was the failure of Blue Hill Specialty Insurance Company to fairly and quickly adjust his claim within the amount of time prescribed by law.

26.

As against FCA US, LLC, your petitioner shows that he does desire and is entitled to judgment against said defendant for a reduction in the purchase price in an amount a reasonable buyer and seller would have agreed upon had JEC known of the defects prior to the sale, considering the defective nature of the vehicle, loss of use, cost of repairs, and the overall poor performance compared to that expected; an award for lost profit, judicial interest thereon from the date of the sale until paid or from judicial demand or judgement; attorney's fees; a reduction in the finance charges incurred; and all other amounts shown to be due hereon, including expert witness fees, court costs, and all other expenses related to the prosecution of the lawsuit.

27.

As against Blue Hill Specialty Insurance Company, your petitioner shows that

he does desire and is entitled to judgment against said defendant for the costs of engine repair and penalties and attorney's fees and all other amounts shown to be due hereon, including expert witness fees, court costs, and all other expenses related to the prosecution of the lawsuit.

28.

No amount in controversy, nor petitioner's cause of action, exceeds \$75,000.00 including interest, court costs, attorney's fees, or penalties.

WHEREFORE, [REDACTED], PETITIONER, PRAYS THAT:

1. Each Defendant be duly cited and served;
2. The purchase price of the said 2020 Dodge Ram truck described in the petition be reduced and that damages and attorney's fees be awarded; that there be judgment in favor of [REDACTED], and against the Defendants FCA US LLC, and Robert Bosch, LLC, *in solido*, with judicial interest thereon, and for all sums shown to be due on trial hereof;
3. There be judgment judgment in favor of in favor of [REDACTED] and against Defendant Blue Hill Specialty Insurance Company, Inc. (Progressive Insurance), for costs of repair, penalties, and attorney's fees, and with judicial interest thereon, and for all sums shown to be due on trial hereof;
4. For all just and equitable order [REDACTED]

HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY

FRED A. PHARIS
of PHARIS LAW OFFICES
831 DeSoto Street
Alexandria, LA 71301
Telephone: (318) 445-8266
Facsimile: (318) 445-5981
E-Mail: fpharis@pharislaw.com
Bar Roll No.: 1536

NOTE FOR SERVICE: Please serve FCA US LLC with the original petition and the discovery attachments through its agent for service of process, CT Corporation System, 3867 Plaza Tower Drive, Baton Rouge, LA 70816;

NOTE FOR SERVICE: Please issue a certified copy of the petition, citation, and discovery attachments for service upon defendant Robert Bosch, LLC, via the Louisiana Long Arm Statute and mail to Fred A. Pharis, 831 DeSoto St., Alexandria, LA 71301; and

NOTE FOR SERVICE: Please serve Blue Hill Specialty Insurance Company, Inc. with the original petition and the discovery attachments through its agent for service of process, Louisiana Secretary of State, 8585 Archives Ave., Baton Rouge, LA 70809.

Division _____

DOCKET NO: _____

VERSUS

30TH JUDICIAL DISTRICT COURT

FCA US LLC, ET AL

VERNON PARISH, LOUISIANA

INTERROGATORIES**TO: ROBERT BOSCH LLC**

PLEASE TAKE NOTICE that you are hereby notified and required to answer separately the following interrogatories, fully, in writing, and under oath, and to serve your answers to _____, plaintiff herein, through his attorney of record, Fred A. Pharis, within thirty (30) days from service hereof, in accordance with the provisions of the Louisiana Code of Civil Procedure.

You are further placed on notice that these interrogatories are deemed continuing, requiring supplemental answers thereto in the event relevant information which would require amendment or supplementation of the answers to these interrogatories in order that they would be properly and truthfully answered, is discovered, acquired by, or becomes known to you.

When the term "you" is used herein, the term includes agents, employees, and representatives of the defendant to whom these interrogatories are directed, including said defendant's attorney of record.

INTERROGATORY NO. 1: Have you been sued under your correct name? If not, please state your correct name and address so that proper service may be obtained.

INTERROGATORY NO. 2: Please state the date of manufacture, place of manufacture, and date of certificate of origin, if any, of the components or parts of the 2020 Dodge Ram 4500 truck, Vehicle Identification Number 3C7WRKBL9LG298909 you manufactured, configured, or otherwise prepared to be placed in the 2020 Dodge Ram truck in question.

INTERROGATORY NO. 3: Please state the name, address, and present employment status of all employees of Robert Bosch LLC, who had contact with the **John Elmo Cryer** or any of his relatives, friends, agents, or representatives with regard to the Dodge Ram. Also, please state what was said in said contacts or conversations.

INTERROGATORY NO. 4: Does Robert Boshch LLC or any other entity which is answerable to it, maintain a computer or handwritten report of your representatives' or employees' contacts with dealerships and/or customers with regard to problems, complaints, or alleged component part defects? If so, state the title of the report or file with regard to contacts regarding the **John Elmo Cryer's**

Dodge Ram 4500, and state the name, address, and employment status of the custodian of the said records.

INTERROGATORY NO. 5: Please state the amount of warranty payment reimbursements made to any dealership or repairman by you with regard to the vehicle in question, describing them with reference to their date, dealership repair order number, mileage of the vehicle, amount paid, and a description of the repairs done.

INTERROGATORY NO. 6: Please state whether or not the components or parts of the truck you manufactured, configured, or otherwise prepared to be placed in the truck in question had been repaired prior to their delivery to next possessor, and if so, the dates of the repairs, the repairs that were done, and the mechanics doing the repairs.

INTERROGATORY NO. 7: Were any warranty claims from anyone or warranty payments made to anyone prior to purchase by **John Elmo Cryer** of the truck? If so, state the name and address of the claimant and produce copies of all documents having to do with the warranty procedures.

INTERROGATORY NO. 8: Please state whether or not any of your employees have inspected the truck in question, and, if so, please state the date, time, and place of the inspection, name the other persons present, and state whether or not a report was issued, and if so, the date of the report, the name, address, and telephone number of its custodian, and give a brief synopsis of the report.

INTERROGATORY NO. 9: Please state the cause and nature of the problems repaired by you including any theories, assumptions, or opinions that will be offered at trial by you.

INTERROGATORY NO. 10: If you or any of your employees consider any of the problems with the truck to have been caused by anything other than manufacturing defects, state which problems, the cause, and when and how such information came to your knowledge.

INTERROGATORY NO. 11: Please state the name, address, and substance of the testimony of all witnesses you expect to call at the trial of the matter, and if they are expert witnesses, please state their area of expertise, their conclusions, and the substance of the facts behind those conclusions.

INTERROGATORY NO. 12: Please list and describe all evidence and documentary evidence which you will offer at the trial of this matter, and please produce said documents, attaching copies to your answers.

INTERROGATORY NO. 13: Please list and describe all items of physical evidence other than the documents stated above which you will offer at the trial of this matter, and state the present custodian of the items of evidence.

INTERROGATORY NO. 14: Did you manufacture the fuel pump of the truck described in the petition? If not, give the name, address, and telephone number of the person or entity which manufactured that component.

INTERROGATORY NO. 15: Please state whether or not you were insured by any insurance company for any loss or hazard associated with the manufacture, sale, defects, or repair of the components or parts of the truck you manufactured, configured, or otherwise prepared to be placed in the truck in question, and if so, state by whom, their name, address, and telephone number.

INTERROGATORY NO. 16: Do you deny sufficient contacts with, and amenability to suit in, the state of Louisiana? If so, answer the following questions set out under this interrogatory:

- A) State the amount of gross revenues derived by you, from sales of products manufactured by you to individuals, corporations, partnerships, or other entities, associations, or customers located in or who have offices in the State of Louisiana for each of the past seven years.
- B) If you have at any time within the last seven years placed, authorized, paid for, or shared in the payment of any advertisements of its goods or services in newspapers, magazines, or any other publications or media, whether for general circulation or limited circulation which are sold or distributed in the State of Louisiana, identify each advertisement by:
 - a) The newspaper, magazine, publication, or other media in which it appeared;
 - b) The date of the advertisement; and
 - c) The cost of the advertisement paid by You
- C) If you have ever directly or indirectly, shipped any of its products into or through the State of Louisiana:
 - a) Identify the person or business to whom and the place to which the products were shipped; and,
 - b) Give the dates of shipment.
- D) If any employee, officer, director, or shareholder, or any other of your representatives, in connection with the your business, has ever made any telephone calls into, or received any telephone calls from, anyone in the State of Louisiana, state:
 - a) The approximate number of such telephone calls;
 - b) Who initiated each call;
 - c) The date of each such call; and,
 - d) The identity of the persons.
- E) Give a brief description of each product you has sold which to your knowledge is being used in the State of Louisiana.
- F) State the name, address, and job classification of any present or former officer, director, shareholder, agent, employee, or other representative of You who has traveled into or has been physically present in the State of Louisiana in the past seven years for any purpose connected with the business of you.
- G) For all persons listed in the answer to the preceding part of this interrogatory, please state:
 - a) The date such person was present in the State of Louisiana;

- b) The purpose for which such person was present in the State of Louisiana; and,
 - c) The name and address of each person contacted by such person.
- H) If You, have ever remitted payment of any taxes to, filed any tax returns or declarations of income, assets, or sales within the State of Louisiana to any of its political subdivisions, for each such payment or filing, state:
- a) The type of tax involved and the amount of tax paid, if applicable; and,
 - b) The entity to whom the tax was paid or with whom the return was filed.
- I) If You have sold products to or purchased any products from any individual, corporation, partnership, entity, association, or customer located or having an office in the State of Louisiana during the past seven years, please state:
- a) The name, address, and, business of the Louisiana purchaser or seller;
 - b) The manner in which each contract was negotiated, the date and place of execution of each contract, and the contract price; and,
 - c) A description of the product sold or purchased, and the date, manner, and place of shipment.
- J) If you have ever solicited any business in the State of Louisiana, give the date, method of solicitation, and dollar volume of business generated from such solicitation.
- K) If you have mailed correspondence to any Louisiana citizen or resident, individual, or corporate entity, or to any post office address in the State of Louisiana in the past seven years, with respect to each correspondence, state:
- a) The date and subject matter of the correspondence; and,
 - b) The name and address of the person to whom the correspondence was sent.

DATE: July 27, 2022

FRED A. PHARIS
of **PHARIS LAW OFFICES**
831 DeSoto Street
Alexandria, LA 71301
Telephone: (318) 445-8266
Facsimile: (318) 445-5981
E-mail: fpharis@pharislaw.com
Bar Roll No. 1536
ATTORNEY FOR PLAINTIFF,

Division _____

DOCKET NO: _____

VERSUS

30TH JUDICIAL DISTRICT COURT

FCA US LLC, ET AL

VERNON PARISH, LOUISIANA

REQUESTS TO PRODUCE

TO: ROBERT BOSCH LLC

PLEASE TAKE NOTICE that you are hereby notified and required to answer separately the following requests to produce fully, in writing, and under oath, and to serve your answers to [REDACTED], plaintiff herein, through his attorney of record, Fred A. Pharis, within thirty (30) days from service hereof, in accordance with the provisions of the Federal Rules of Civil Procedure.

You are further placed on notice that these interrogatories and requests to produce are deemed continuing, requiring supplemental answers thereto in the event relevant information which would require amendment or supplementation of the answers to these interrogatories and requests to produce in order that they would be properly and truthfully answered, is discovered, acquired by, or becomes known to you.

When the term "you" is used herein, the term includes agents, employees, and representatives of the defendant to whom these interrogatories and requests to produce are directed, including said defendant's attorney of record.

REQUEST NO. 1, Repair orders or invoices: All repair orders or invoices having to do with repair of the truck or component parts in question, whether originating with you, any other party, a third person, or other entity, including;

- 1) The reverse side of said repair orders if containing information other than the form itself;
- 2) Attached computer readouts used in diagnosis or testing of the truck; and
- 3) If the order or invoice consists of multiple pages, all pages.

REQUEST NO. 2, Parts description: A description of all parts from the truck in question returned to you or an authorized repair facility or held for you for further inspection or accounting.

REQUEST NO. 3, Manufacturer or Warrantor's Bulletins and Recall Notices: All technical service bulletins, recall notices, or other communications issued by you or the warrantor of the truck either:

- 1) Issued with regard to the particular truck in question; or
- 2) Issued with regard to the particular make or model of the truck in question and having to do with any of the complaints set forth in the repair orders or invoices.

REQUEST NO. 4, Computer printouts: Computer printout(s) of information or data available to you, either originating with you, any other party, a third person, or other entity, which

- 1) Summarize the repair history of the truck or your component parts;
- 2) Show the amount of warranty payments made and/or requested;
- 3) List service bulletins or recall notices that are or may be applicable; or
- 4) Are notes of contacts made with any party or third person or entity regarding the attempted repair, performance, or complaints regarding the truck.

REQUEST NO.5, Correspondence: All written correspondence or communications, in original or copy form or otherwise reproduced, regarding repair of the truck in question or regarding any problems that **John Elmo Cryer** was having with the truck, between:

- 1) John Elmo Cryer and defendant FCA US LLC;
- 2) Defendant Robert Bosh LLC, and Bluebonnet Chrysler-Dodge and/or Hebert's Town and Country Chrysler Dodge Jeep Ram or any of the affiliates, parent corporations, or divisions of said corporations;
- 3) You and defendant FCA US LLC, or any of the affiliates, parent corporations, or divisions of said corporations;
- 4) You and Blue Hill Specialty Insurance Company/Progressive Insurance Company.

REQUEST NO. 6, Manufacturer's and Customizer's Checklists: Please produce all manufacturer's inspection and testing checklists, manufacturing line discrepancy lists and checklists, rework lists and checklists, truck operation check reporting and status list or checklists, and inspection reporting forms (interior and exterior) pertaining to the truck in question.

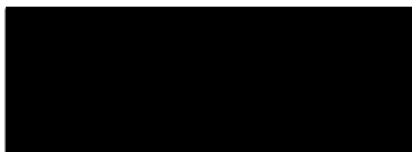
REQUEST NO. 7, Warranty Claims: Please produce all documents in response to Interrogatory No 7.

REQUEST NO. 8: Field Engineer's or Representative's Reports: Any reports made by or correspondence sent by a field service engineer, manufacturer's or warrantor's representative, or other employee regarding inspection, testing, or repair of the subject truck.

REQUEST NO. 10, All document listed in your responses to Interrogatories Nos. 11, 12 and 13.

REQUEST NO. 15, Insurance Policies: Any insurance policy or policies described in your answer to the interrogatories directed to you simultaneously herewith.

Dated: July 27, 2022



FRED A. PHARIS
of **PHARIS LAW OFFICES**
831 DeSoto Street
Alexandria, LA 71301
Telephone: (318) 445-8266
Facsimile: (318) 445-5981
E-mail: fpharis@pharislaw.com
Bar Roll No. 1536
ATTORNEY FOR PLAINTIFF,



Division _____

VERSUS

FCA US LLC, ET AL

DOCKET NO: _____

30TH JUDICIAL DISTRICT COURT

VERNON PARISH, LOUISIANA

INTERROGATORIES**TO: FCA US LLC**

PLEASE TAKE NOTICE that you are hereby notified and required to answer separately the following interrogatories, fully, in writing, and under oath, and to serve your answers to _____ plaintiff herein, through his attorney of record, Fred A. Pharis, within thirty (30) days from service hereof, in accordance with the provisions of the Louisiana Code of Civil Procedure.

You are further placed on notice that these interrogatories are deemed continuing, requiring supplemental answers thereto in the event relevant information which would require amendment or supplementation of the answers to these interrogatories in order that they would be properly and truthfully answered, is discovered, acquired by, or becomes known to you.

When the term "you" is used herein, the term includes agents, employees, and representatives of the defendant to whom these interrogatories are directed, including said defendant's attorney of record.

INTERROGATORY NO. 1: Have you been sued under your correct name? If not, please state your correct name and address so that proper service may be obtained.

INTERROGATORY NO. 2: Please state the date of manufacture, place of manufacture, and date of certificate of origin, if any, of the 2020 Dodge Ram 4500 truck, Vehicle Identification Number 3C7WRKBL9L_____ in question.

INTERROGATORY NO. 3: Please state the dealership or purchaser to whom the vehicle was shipped following its manufacture, the date of shipment, and the name and address of the person transporting the vehicle.

INTERROGATORY NO. 4: Please state whether not the dealership or purchaser described in the preceding interrogatory was an authorized repair facility for Ford brand motor vehicles at the time of the sale.

INTERROGATORY NO. 5: Did you send recall notices to John Elmo Cryer? If so, describe the recall and produce it in response to the requests for production served simultaneously with these interrogatories.

INTERROGATORY NO. 6: Have you issued any service bulletins, upgrades to service manuals, or other communications to dealerships regarding the problems and issues described in petition with regard to the fuel pump, or symptoms described therein.

INTERROGATORY NO. 7: Please state the name, address, and present employment status of all employees of FCA US LLC who had contact with John Elmo Cryer or any of his relatives, friends, agents, or representatives with regard to the vehicle. Also, please state what was said in said contacts or conversations.

INTERROGATORY NO. 8: Does FCA US LLC, or any other entity which is answerable to it, maintain a computer or handwritten report of your representatives' or employees' contacts with dealerships and/or customers with regard to problems, complaints, or alleged vehicle defects? If so, state the title of the report or file with regard to contacts regarding the subject vehicle, and state the name, address, and employment status of the custodian of the said records.

INTERROGATORY NO. 9: Please state the amount of warranty payment reimbursements made to any dealership or repairman by you with regard to the vehicle in question, describing them with reference to their date, dealership repair order number, mileage of the vehicle, amount paid, and a description of the repairs done.

INTERROGATORY NO. 10: Please state whether or not the vehicle had been repaired prior to the sale to your successor in title, and if so, the dates of the repairs, the repairs that were done, and the mechanics doing the repairs.

INTERROGATORY NO. 11: Were any warranty claims or payments made to anyone prior to the transfer of the vehicle to John Elmo Cryer? If so, state the name and address of the claimant and produce copies of all documents having to do with warranty procedures.

INTERROGATORY NO. 12: Please state whether or not any of your employees have inspected the vehicle in question, and, if so, please state the date, time, and place of the inspection, name the other persons present, and state whether or not a report was issued, and if so, the date of the report, the name, address, and telephone number of its custodian, and give a brief synopsis of the report.

INTERROGATORY NO. 13: Please state the cause and nature of the problems repaired by you or any authorized dealership or repair facility including any theories, assumptions, or opinions that will be offered at trial by you.

INTERROGATORY NO. 14: If you or any of your employees consider any of the problems with the vehicle to have been caused by anything other than manufacturing defects, state which problems, the cause, and when and how such information came to your knowledge.

INTERROGATORY NO. 15: Please state the name, address, and substance of the testimony of all witnesses you expect to call at the trial of the matter, and if they are expert witnesses, please state their area of expertise, their conclusions, and the substance of the facts behind those conclusions.

INTERROGATORY NO. 16: Please state the name and address of all persons who have issued any reports, evaluated the repairs done or claims made, or who did any investigation or evaluation of repairs or claims made by the plaintiff or John Elmo Cryer with regard to the vehicle.

INTERROGATORY NO. 17: Please list and describe all evidence and documentary evidence which you will offer at the trial of this matter, and please produce said documents, attaching copies to your answers.

INTERROGATORY NO. 18: Please list and describe all items of physical evidence other than the documents stated above which you will offer at the trial of this matter, and state the present custodian of the items of evidence.

INTERROGATORY NO. 19: Did you manufacture the vehicle described in the petition? If not, give the name, address, and telephone number of the person or entity which manufactured the vehicle.

INTERROGATORY NO. 20: Please state whether or not you were insured by any insurance company for any loss or hazard associated with the manufacture, sale, defects, or repair of the vehicle in question, and if so, state by whom, their name, address, and telephone number.

INTERROGATORY NO. 21: Please state the name and address of any insurance company who provided you with a CGL policy or other type of policy that may provide coverage as determined by the court in *Hollybrook Cottonseed Processing LLC v. American Guar. & Liab. Ins. Co.*, 772 F.3d 1031 (5th Cir. 2014).

INTERROGATORY NO. 22: Do you contend that John Elmo Cryer caused or contributed to any of the defects in the subject vehicle either through neglect, lack of maintenance, modification or alteration of the subject vehicle? If your answer is anything other than an unqualified "NO", then for each such case in which you contend that John Elmo Cryer caused or contributed to any of the defects in the subject vehicle, please state forth the following information specifically and in detail:

- A. Please state with specificity the defect you contend John Elmo Cryer caused or contributed to?
- B. What facts you allege that support your contention that John Elmo Cryer caused or contributed to such defect?

INTERROGATORY NO. 23: Do you contend that any other Defendant in this litigation caused or contributed to any of the defects in the subject vehicle either through neglect, lack of maintenance, modification or alteration of the subject vehicle? If your answer is anything other than an unqualified "NO", then for each such case in which you contend that John Elmo Cryer caused or contributed to any of the defects in the subject vehicle, please state forth the following information specifically and in detail:

- A. Please state with specificity the defect you contend any other Defendant caused or contributed to?
- B. What facts you allege that support your contention that any other Defendant caused or contributed to such defect?

INTERROGATORY NO. 24: Do you contend that any other non-party to this litigation caused or contributed to any of the defects in the subject vehicle either through neglect, lack of maintenance, modification or alteration of the subject vehicle? If your answer is anything other than an unqualified "NO", then for each such case in which you contend that John Elmo Cryer caused or contributed to any of the defects in the subject vehicle, please state forth the following information specifically and in detail:

- A. Please state with specificity the defect you contend any other non-party caused or contributed to?
- B. What facts you allege that support your contention that any other non-party caused or contributed to [REDACTED]

Date: July 27, 2022

FRED A. PHARIS
of PHARIS LAW OFFICES
831 DeSoto Street
Alexandria, LA 71301
Telephone: (318) 445-8266
Facsimile: (318) 445-5981
E-Mail: fpharis@pharislaw.com
Bar Roll No.: 1536
ATTORNEY FOR PLAINTIFF,
[REDACTED]

Division _____

DOCKET NO: _____

VERSUS

30TH JUDICIAL DISTRICT COURT

FCA US LLC, ET AL

VERNON PARISH, LOUISIANA

REQUESTS TO PRODUCE

TO: FCA US LLC

PLEASE TAKE NOTICE that you are hereby notified and required to answer separately the following requests to produce fully, in writing, and under oath, and to serve your answers to [REDACTED], plaintiff herein, through his attorney of record, Fred A. Pharis, within thirty (30) days from service hereof, in accordance with the provisions of the Louisiana Code of Civil Procedure.

You are further placed on notice that these requests to produce are deemed continuing, requiring supplemental answers thereto in the event relevant information which would require amendment or supplementation of the answers to these requests to produce in order that they would be properly and truthfully answered, is discovered, acquired by, or becomes known to you.

When the term "you" is used herein, the term includes agents, employees, and representatives of the defendant to whom these requests to produce are directed, including said defendant's attorney of record.

REQUEST NO. 1, Repair orders or invoices: All repair orders or invoices having to do with repair of the vehicle in question, whether originating with you, any other party, a third person, or other entity, including;

- 1) The reverse side of said repair orders if containing information other than the form itself;
- 2) Attached computer readouts used in diagnosis or testing of the vehicles; and
- 3) If the order or invoice consists of multiple pages, all pages.

REQUEST NO. 2, Parts description: A description of all parts from the vehicle in question returned to you or an authorized repair facility or held for you for further inspection or accounting.

REQUEST NO. 3, Manufacturer or Warrantor's Bulletins and Recall

Notices: All technical service bulletins, recall notices, owner's notifications or other communications issued by you or the warrantor of the vehicle either:

- 1) Issued with regard to the particular vehicle described in the petition and regarding the problems and issues described in petition with regard to the transmission, torque converter, or symptoms described therein; or
- 2) Issued with regard to the particular make or model of the vehicles in question and having to do with any of the complaints set forth in the repair orders or invoices, or set forth in the petition.

REQUEST NO. 4, General computer printouts: Computer printout(s) of information or data available to you, either originating with you, any other party, a third person, or other entity, which

- 1) Summarize the repair history of the vehicles;
- 2) Show the amount of warranty payments made and/or requested;
- 3) List service bulletins or recall notices that are or may be applicable;
- 4) Show special service messages applicable to the problems or complaints described in the petition; or
- 5) Are notes of contacts made with any party or third person or entity regarding the attempted repair, performance, or complaints regarding the vehicle.

REQUEST NO. 5, Specific computer printouts: The following computer printouts:

- 1) Warranty Information Network System printout;
- 2) Vehicle Inquiry Report;
- 3) History Listing.

REQUEST NO. 6, Correspondence: All written correspondence or communications, in original or copy form or otherwise reproduced, regarding repair of the vehicle in question or regarding any problems that John Elmo Cryer was having with the vehicle, between:

- 1) John Elmo Cryer and FCA US LLC;
- 2) John Elmo Cryer and Bluebonnet Chrysler-Dodge and/or Hebert's Town and Country Chrysler Dodge Jeep Ram; and/or
- 3) Bluebonnet Chrysler-Dodge and/or Hebert's Town and Country Chrysler Dodge Jeep Ram and you, or any of your affiliates, divisions, or third parties;
- 4) FCA US LLC and/or Blue Hill Specialty Insurance Company, Inc./Progressive Insurance Company.

REQUEST NO. 7, Manufacturer's and Customizer's Checklists: Please produce all manufacturer's inspection and testing checklists, manufacturing line discrepancy lists and checklists, rework lists and checklists, vehicle operation check reporting and status list or checklists, and inspection reporting forms (interior and exterior) pertaining to the vehicle in question.

REQUEST NO. 8, Field Engineer's or Representative's Reports: Any reports made by or correspondence sent by a field service engineer, manufacturer's or warrantor's representative, or other employee regarding inspection, testing, or repair of the subject vehicle.

REQUEST NO. 9, Expert Reports: Any reports made by or correspondence sent by any expert witness you have hired or employed regarding inspection, testing, or repair of the subject vehicles.

REQUEST NO. 10, Sales Documents: Please produce all documents showing the sale, financing, or payment of the purchase price of the vehicle described herein, including all documents mentioned and not mentioned in the petition, any supporting documents and any other items regarding and supporting the same, whether originating with a seller or with any other entity.

REQUEST NO. 11, Certificate of Origin: The certificate of origin for the vehicles in question.

REQUEST NO. 12, Insurance Policies: Any insurance policy or policies described in your answer to the interrogatories previously filed herewith.

Date: July 27, 2022

FRED A. PHARIS
of PHARIS LAW OFFICES
831 DeSoto Street
Alexandria, LA 71301
Telephone: (318) 445-8266
Facsimile: (318) 445-5981
E-Mail: fpharis@pharislaw.com
Bar Roll No.: 1536
ATTORNEY FOR PLAINTIFF,

Division _____

DOCKET NO: _____

VERSUS

30TH JUDICIAL DISTRICT COURT

FCA US LLC, ET AL

VERNON PARISH, LOUISIANA

INTERROGATORIES

TO: BLUE HILL SPECIALTY INSURANCE COMPANY

PLEASE TAKE NOTICE that you are hereby notified and required to answer separately the following interrogatories, fully, in writing, and under oath, and to serve your answers to plaintiff herein, _____ through his attorney of record, Fred A. Pharis, at 831 DeSoto Street, Alexandria, Louisiana 71301, within thirty (30) days from service hereof, in accordance with the provisions of the Louisiana Code of Civil Procedure.

You are further placed on notice that these interrogatories are deemed continuing interrogatories, requiring supplemental answers thereto in the event relevant information which would require amendment or supplementation of the answers to these interrogatories in order that they would be properly and truthfully answered, is discovered, acquired by, or becomes known to you.

INTERROGATORY NO. 1: What are the names and addresses of each person whom you know to have any information regarding the incident sued on or the events immediately preceding and following.

INTERROGATORY NO. 2: Have you taken any statements from any of the persons so named above, including **John Elmo Cryer or Jody Cryer** ? If so, state which persons, the date of the statement, the manner in which the statement is recorded, and the person in possession of the statement.

INTERROGATORY NO. 3: List the following which are in your possession: any photographs, drawings, notes, or diagrams that were made in connection with the incident sued on in the petition to which these interrogatories are attached. You may produce such documents in answer hereto or in answer the requests to produce served herewith; otherwise, describe them with sufficient particularity to be subject to a request to produce.

INTERROGATORY NO. 4: Please state whether or not **John Elmo Cryer** had in force and effect at the time of the incident a policy of insurance issued to him or to any subsidiary or assignee which covered his legal liability, or the legal liability of any subsidiary or assignee.

INTERROGATORY NO. 5: Did you test any fluid, part, or other item removed from or provided you from the John Elmo Cryer, Jody Cryer, or co-defendant, or that you procured from the subject vehicle in any fashion? If so, describe who did it, what he/she did, when you did it.

INTERROGATORY NO. 6: Please state whether or not John Elmo Cryer had in force and effect at the time of the accident a policy of insurance issued to him or to any subsidiary or assignee which covered damage to his vehicle.

INTERROGATORY NO. 7: Do you deny that you would be liable to pay for costs of repair, and if so, state on what basis you are denying liability.

INTERROGATORY NO. 8: Please state the name, address, and substance of the testimony of all witnesses you expect to call at the trial of the matter, and if they are expert witnesses, please state their area of expertise, their conclusions, and the substance of the facts behind those conclusions.

INTERROGATORY NO. 9: Please list and describe all evidence and documentary evidence which you will offer at the trial of this matter, and please produce said documents, attaching copies to your answers.

INTERROGATORY NO. 10: Please list and describe all items of physical evidence other than the documents stated above which you will offer at trial of this matter, and state the present custodian of the items of evidence.

Date: July 27, 2022

FRED A. PHARIS
of **PHARIS & PHARIS**
831 DeSoto Street
Alexandra, LA 71301
Telephone: (318) 445-8266
Facsimile: (318) 445-5981
Bar Roll No. 1536
fpharis@pharislaw.com
ATTORNEY FOR PLAINTIFF,

Division _____

DOCKET NO: _____

VERSUS

30TH JUDICIAL DISTRICT COURT

FCA US LLC, ET AL

VERNON PARISH, LOUISIANA

REQUESTS FOR PRODUCTION

TO: BLUE HILL SPECIALTY INSURANCE COMPANY

PLEASE TAKE NOTICE that you are hereby notified and required to answer separately the following interrogatories, fully, in writing, and under oath, and to serve your answers to plaintiff herein, [REDACTED] through his attorney of record, Fred A. Pharis, at 831 DeSoto Street, Alexandria, Louisiana 71301, within thirty (30) days from service hereof, in accordance with the provisions of the Louisiana Code of Civil Procedure.

You are further placed on notice that these interrogatories are deemed continuing interrogatories, requiring supplemental answers thereto in the event relevant information which would require amendment or supplementation of the answers to these interrogatories in order that they would be properly and truthfully answered, is discovered, acquired by, or becomes known to you.

REQUEST NO. 1: The original policy or policies of insurance described in Interrogatory No. 4.

REQUEST NO. 2: Each and every document, whether preserved on tape, disk, in writing, or in any other fashion, described in your answers to interrogatories.

REQUEST NO. 3: All documents received by you from FCA US LLC and/or Hebert's Town and Country and/or Robert Bosch LLC pertaining to your investigation of the accident described in the petition.

REQUEST NO. 4: Your investigation notes, dates, logs or entries showing your adjustment of the loss or claim made by the [REDACTED]

Date: July 27, 2022

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Bar Roll No. 1536
ATTORNEY FOR PLAINTIFF,



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FROM 71301



Fred A. Pharis
Pharis Law Offices
831 DeSoto St.
Alexandria, LA 71301

TO: Robert Bosch LLC
c/o Corporation Service Company
251 Little Falls Drive
Wilmington DE 19808

