

MAY 26 2005

RV APPRAISALS & INVESTIGATIONS OF AMERICA, LLC

Thomas G. Bailey CFI
President, Sr. Investigator
407 Dorchester Square
Lake Mary (Orlando), Florida 32746

Member of:
International Association of Marine Investigators
Society of Professional Insurance Investigators
International Association of Arson Investigators
Florida Advisory Committee on Arson Prevention

Telephone (407) 688-9800
Fax (407) 688-0606
<http://www.rvappraisals.com>
<http://www.rvinvestigations.com>
email: tgbaily@rvappraisals.com

SENT BY CERTIFIED MAIL #7000 1670 0010 9621 5131

May 20, 2005

Ford Motor Company
Consumer Affairs
P.O. Box 6248
MD-3NE-B
Dearborn, Michigan 48126



5 MAY 24 17:59

CONSUMER AFFAIRS SECTION

RE: Dollie Bussey Ford F-150 Fire
Our case number: PR-I-275-0505
Date of loss: 05/05/05
Chassis number: 1FTDX172VN [REDACTED]
Progressive Insurance Company claim [REDACTED]

To Whom It May Concern:

I have been retained by Progressive Insurance Company to conduct the Origin & Cause investigation on a fire damaged Ford F-150 truck. The preliminary indication is that the fire originated in the engine area when the engine was off. We are requesting that a representative from Ford Motor Company be present at the inspection of the truck. Be advised that invasive exploration of the vehicle is in order to determine the precise cause.

I am providing you the following information relative to your attendance in the investigation of the Ford F-150 truck fire. It will be your responsibility to notify your designated representatives. Any items removed will be tested on site if possible. If testing cannot be preformed, RV Appraisals & Investigations of America LLC will retain those items until such time as an independent source of testing is available.

Please direct any request for information or copies of investigation reports to:

Michael F. Terrano SIU
Progressive Insurance Company
6500 Bowden Road

ER05-005-LC-0052

Jacksonville, Florida 32216

Please direct any inspection coordination request to RV Appraisals & Investigations of America, LLC at the above address.

Date of Inspection: June 9, 2005

Time: 10:00 am EST

Location: 2754 Foreman Circle, Middleburg, Florida

Please advise by email or letter to RV Appraisals & Investigations of America, LLC as to whether you will be attending.

Sincerely,



T.C. Bailey

Certified Fire Investigator



IN THE STATE COURT OF COBB COUNTY, GEORGIA, CIVIL ACTION #

PLAINTIFF: State Farm Mutual Automobile Insurance Company
(Our File #301-0443)

VS

DEFENDANT: Ford Motor Company

2001A-5702-3

COMPLAINT FOR TORT OF NEGLIGENCE (PRODUCT LIABILITY)

STATEMENT OF FACTS

State Farm Mutual Automobile Insurance Company (hereinafter referred to as "Plaintiff") files this Complaint for damages against Defendant Ford Motor Company, and respectfully shows the Court as follows:

1. Defendant Ford Motor Company (hereinafter referred to as "Defendant") is a foreign profit business corporation registered to do business in the State of Georgia. Said Defendant may be served with process through its registered agent in the State of Georgia to-wit: Corporation Process Company, 180 Cherokee Street, NE, Cobb County, Georgia 30060.

2. Defendant designed, tested, manufactured; assembled, inspected, marketed, distributed and warranted a 1999 Ford Ranger Pickup, V.I.N.: 1FTYR14V0XP [REDACTED] (hereinafter "said product") prior to November 13, 1999.

3. [REDACTED] (hereinafter Plaintiff's Insured) purchased said product in the stream of interstate commerce prior to November 13, 1999.

4. Thereafter, Plaintiff's Insured used said product for its intended purpose without abuse and without modification.

5. On or about November 13, 1999, while Plaintiff's Insured was driving said product, it quit running and when Plaintiff's Insured exited said product it was on fire.

6. As a result of the casualty described in the previous paragraph, property owned by Plaintiff was damaged in the amount \$19,572.00 (salvage is undetermined).

7. Subsequent investigation revealed that Defendant had negligently designed; negligently tested; negligently manufactured; negligently assembled; negligently inspected; negligently marketed; negligently distributed said product in a defective condition at the time of first distribution and sale for use.

8. Subsequent investigation revealed that Defendant's negligence described in the previous paragraph was the proximate cause of the casualty described above and of the damages described above.

9. As a result, Defendant is liable as tortfeasor in the amount

STATE COURT OF COBB COUNTY
CLERK
NOV 21 PM 2:05
OFFICE

of \$19,572.00 (salvage is undetermined) for damages caused by the defective part.

10. Plaintiff is subrogated to all rights and interest in the claim against Defendant as a result of making payments to Plaintiff's Insured under a policy of insurance.

11. Plaintiff has served Defendant a copy of: (a) Plaintiff's First For Admissions To Defendant; (b) Plaintiff's First Interrogatories to Defendant; and, (c) Plaintiff's First Request For Production of Documents To Defendant with the summons and complaint pursuant to O.C.G.A. 9-11-4(a)-(g).

12. Plaintiff has served Defendant a copy of: (a) Notice of Plaintiff's Desire To Settle This Litigation; (b) Notice of Plaintiff's Intention To Seek Attorney's Fees In The Event of A Default By Defendant; (c) Notice of Plaintiff's Intention To Seek Interest; (d) Notice of Service of Discovery Materials; and, (e) Notice of Conditional Stipulation For Extension of Time For Defendant with summons and complaint pursuant to O.C.G.A. 9-11-4(a)-(g).

**COUNT A: TORT OF NEGLIGENT DESIGNING; NEGLIGENT TESTING;
NEGLIGENT MANUFACTURING; NEGLIGENT ASSEMBLY; NEGLIGENT INSPECTION;
NEGLIGENT MARKETING; AND, NEGLIGENT DISTRIBUTION**

13. Plaintiff herein incorporates by reference the allegations contained in paragraphs 1 through 12 as if set forth herein.

14. Plaintiff shows that said defective part in said product, which was designed, manufactured, distributed and sold by Defendant was in a defective condition at the time of the first distribution and sale for use. Plaintiff shows that the defective condition existing in this vehicle included, but was not limited to:

a. A defective design of the defective part installed in said product.

b. The failure to warn and to continue to warn users, purchasers and registered owners of such products, by letter, recall notice, or other reasonable means, of the dangerous characteristics and properties of the defective part Defendant had a duty to exercise reasonable care to design, test, manufacture, assemble, inspect, market, and distribute safe products, so as to not subject purchasers or users or innocent third parties to an unreasonable risk of harm.

15. Defendant breached its duty to exercise reasonable care with respect to said product and defective part.

16. Defendant was negligent and acted in a willful and wanton manner in designing, testing, and/or manufacturing, inspecting, marketing, distributing and selling the installed defective part in such a manner and in such condition as to make said product inherently dangerous and defective.

17. Defendant's defective product failed as a result of the negligence of Defendant described in this Count so that Defendant's

negligence was the proximate cause of the incident and resulting damages described above in the STATEMENT OF FACTS section of Plaintiff's complaint; and, said incident and said damages was reasonable perceivable by Defendant at all times relative to Plaintiff's complaint.

COUNT B: STRICT LIABILITY OF DEFENDANT

18. Plaintiff incorporates by reference the allegations contained in paragraphs 1 through 17 as if fully set forth herein.

19. Defendant is strictly liable in tort to Plaintiff for the losses suffered by Plaintiff because the defective part installed in said product was defective when distributed and sold by Defendant, was not merchantable and was not reasonably suited to the use intended, said defective condition having existed at the time of sale. Specifically, Plaintiff shows that the defects existing in the defective part installed in said product include, but are not limited to, defects in design and engineering of the defective part installed in said vehicle, defects which were unreasonably dangerous and pose an unreasonable risk of serious injury or death to the users of said product due to malfunctions of said product resulting from defective design and manufacture of the defective part.

20. Plaintiff further shows that Defendant failed to utilize economical and technically available safety design alternatives insofar as the design of the defective product is concerned.

21. Defendant's defective product failed as a result of the negligence of Defendant described in this Count so that Defendant's negligence was the proximate cause of the incident and resulting damages described above in the STATEMENT OF FACTS section of Plaintiff's complaint; and, said incident and said damages was reasonable perceivable by Defendant at all times relative to Plaintiff's complaint.

COUNT C: BREACH OF EXPRESS AND IMPLIED WARRANTIES BY DEFENDANT

22. Plaintiff incorporates by reference the allegations contained in paragraphs 1 through 21 as if set forth verbatim herein.

23. The defective part installed in said product was not merchantable, nor was it reasonably suited for the use intended, and as such, Defendant breached the express and implied warranties of fitness for a particular purpose and of merchantability in that the defective part in said product posed an unreasonable risk of serious injury and death to its users due to the defective design of the defective part which allowed for the malfunction of said product.

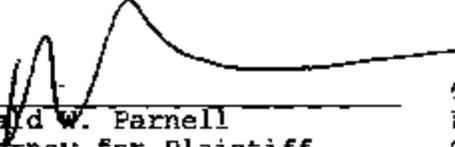
24. Defendant's defective product failed as a result of the negligence of Defendant described in this Count so that Defendant's negligence was the proximate cause of the incident and resulting damages described above in the STATEMENT OF FACTS section of Plaintiff's complaint; and, said incident and said damages was

reasonable perceivable by Defendant at all times relative to Plaintiff's complaint.

II. PRAYER FOR RELIEF AND DAMAGES

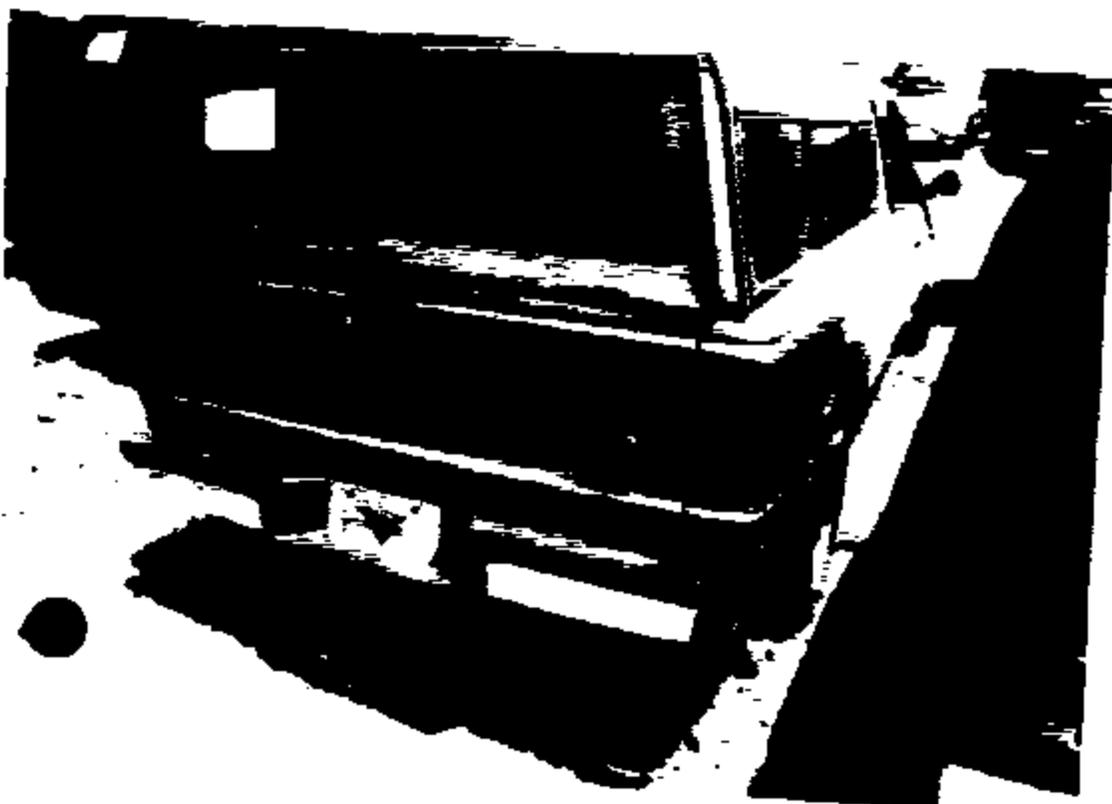
WHEREFORE, Plaintiff demands judgment against Defendant in the amount of \$19,572.00 (salvage is undetermined), plus 12% pre-judgment interest, one-third attorney fees in the event of default, costs and 12% post-judgment interest; and that a writ of fieri facias issue commanding all Sheriffs within the State of Georgia and their lawful deputies to execute said writ by levy and seizure of Defendant's goods and lands.

August 7, 2001

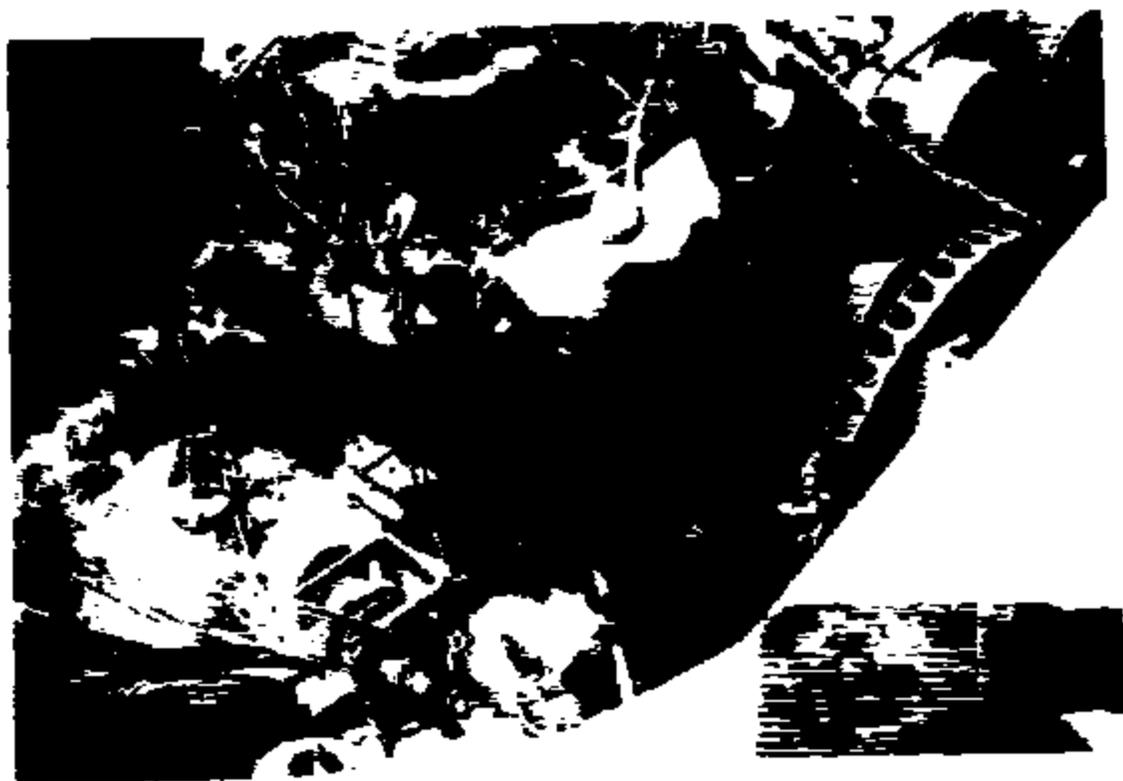


Ronald W. Parnell
Attorney for Plaintiff
State Bar Number 564450

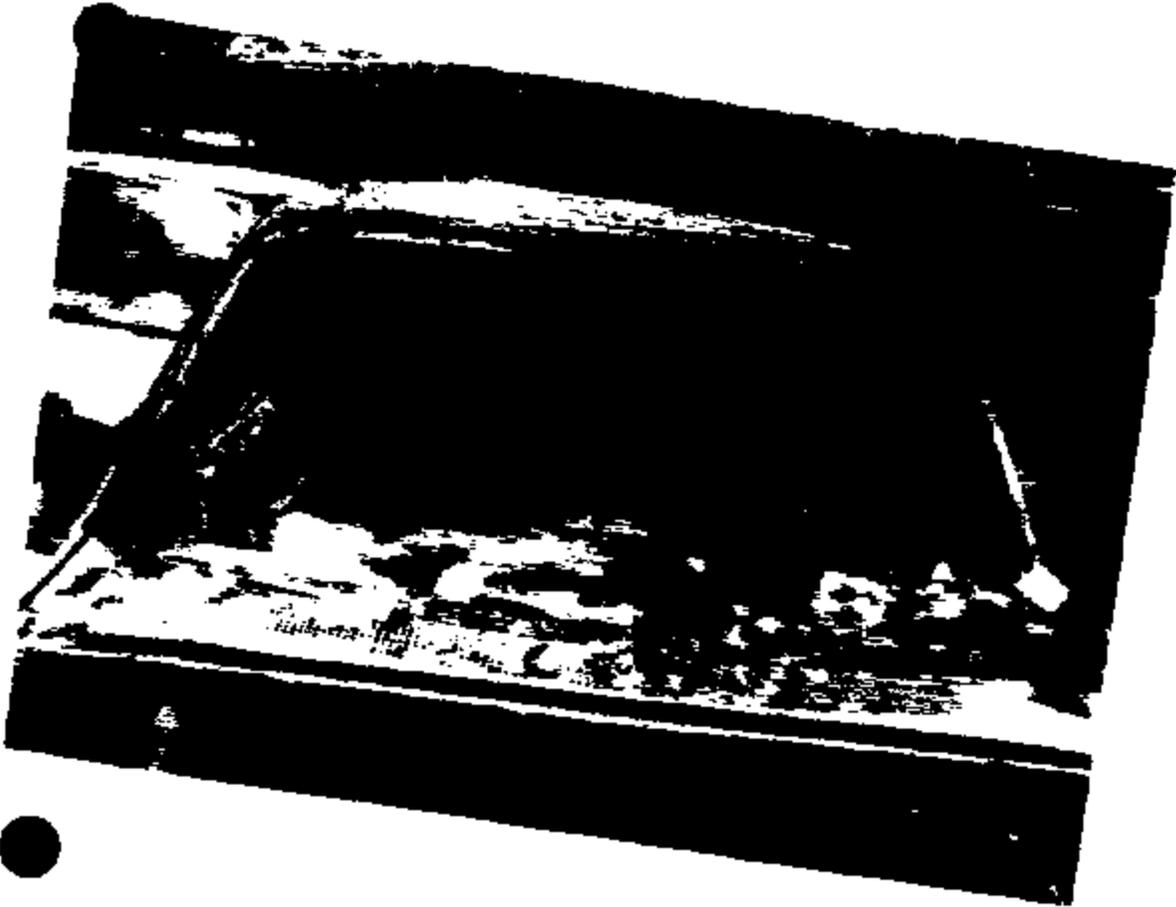
Our File #301-0443
Post Office Drawer 81085
Conyers, Georgia 30013
(770) 929-8585 Answer Service













FILED IN
2015

By
[Signature]



FILED IN
2015

By
[Signature]







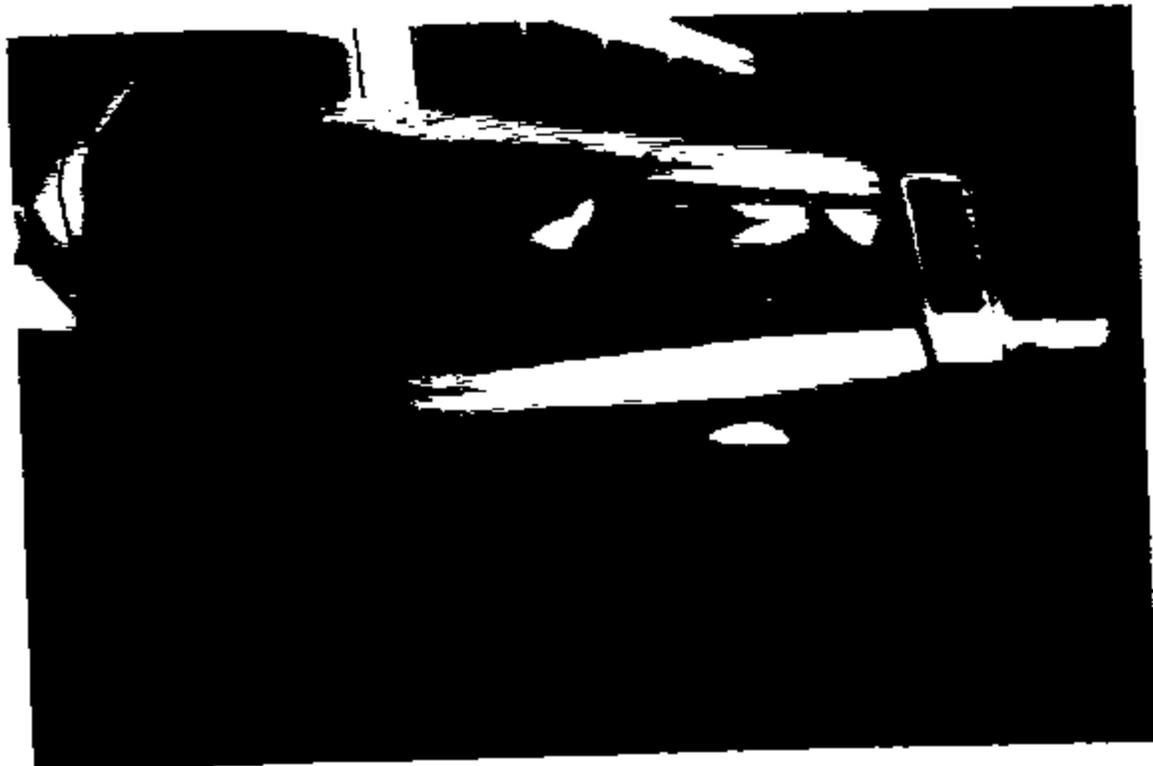






FRONT VIEW

LEFT FRONT VIEW



RIGHT FRONT VIEW

RIGHT REAR + SIDE VIEW



ER85-865-LC-8973

REAR VIEW

LEFT SIDE FROM REAR



EP85-005-LC-8875

INSIDE PICKUP BOX

LOOKING STRAIGHT DOWN INTO
FRONT OF ENGINE SHOWING
RADIATOR AND P/S LINES MELTED
AWAY—



ER05-005-LC-0977

FRONT OF ENGINE -
NOTE MAIN FUEL LINE STILL INTACT.
BUT ALL RUBBER HOSE MELTED OFF.
FRONT INJECTOR BEHIND FUEL LINE
AND UNDER COIL PACK SUSPECT
POSSIBLE LEAK.

NOTE THROTTLE BODY COMPLETELY
MELTED AND THROTTLE SHAFT
ASSY. LAYING IN THE WEARLS



LEFT SIDE OF ENGINE -

LEFT SIDE OF ENGINE,
MAIN WIRING HARNESS EXAM



ER05-085-LC-6881

UNDERNEATH VIEW OF CATALYTIC
CONVERTERS (UNDAMAGED)

INTERIOR VIEW FROM DRIVER'S
DOOR -



INTERIOR VIEW FROM DRIVER'S
SIDE —

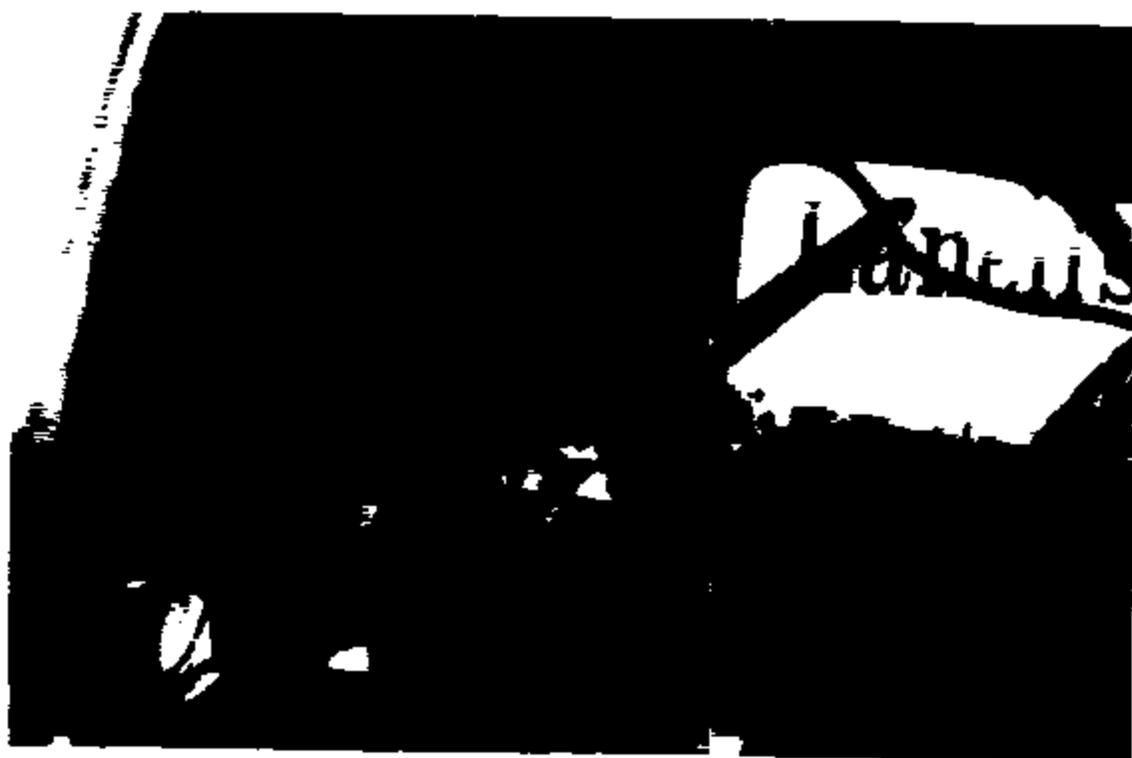
FUSE PANEL —
ALL FUSES GOOD —



EA85-885-LC-6889

SPEEDOMETER SHOWING
MILEAGE -

INTERIOR VIEW FROM DRIVER'S
DOOR -



ERG-005-LC-8967

VIEW OF CAB INTERIOR
AND SEATS FROM PASS SIDE -

INTERIOR VIEW FROM PASS
DOOR -



EA05-005-LC-0009

ANOTHER FRONT ENGINE VIEW -

LEFT SIDE ENGINE COMPART VIEW -



ER05-005-LC-8981

FIRE APPEARS TO HAVE STARTED
IN CIRCLED AREA—

RIGHT SIDE ENGINE COMP. VIEW—



LEFT SIDE ENGINE COMP. VIEW

CONSOLE SHOWING A (1) AND
CASSETTE —

==>

VIN: 1FTYR14V0XP [REDACTED] Year: 1999 Model: RANGER
 Owner Status: ORIGINAL WSD: 02/12/99 Mileage: 7000
 Name: [REDACTED] Hm Ph: [REDACTED]
 Trmt: Case: 1527913219 Day Ph: [REDACTED]
 Symptom: FIRE/SMOKE VISIBLE FLAME UNDERHOOD
 Reason: LEGAL - FIRE&PERSONAL/PROPERTY DAMAGE CLAIM
 Dealer: SOUTHLAKE FORD
 Issue Type: 07 LEGAL CAN Court: Legal Issue Type:
 Issue Status: P PENDING CAN Award: MORSI Contact: N

A/C DATE Origin Description

 12/07/99 CALGL RECEIVE VEHICLE INSPECTION BACK
 12/08/99 CALGL MANAGEMENT APPROVAL OF OFFER
 12/08/99 CALGL OFFER
 12/15/99 CALGL INFORMATION CALL/FAX WITH DEALER
 12/16/99 CALGL MANAGEMENT APPROVAL OF OFFER
 12/16/99 CALGL CUSTOMER ACCEPTS OFFER

F1=Help F2=AddAction F4=ActionDetail F6=DealerInfo
 F7=Prev F8=Next F9=ViewMORSII F11=Menu F12=Return
 NO MORE RECORDS AVAILABLE LPRRL38

==>

VIN: 1FTYR14V0X1 Year: 1999 Model: RANGER
 Owner Status: ORIGINAL MSD: 02/12/99 Mileage: 7000
 Name: Hm Ph:
 Trmt: Case: 1527913219 Day Ph:
 Symptom: FIRE/SMOKE VISIBLE FLAME UNDERHOOD
 Reason: LEGAL - FIRE&PERSONAL/PROPERTY DAMAGE CLAIM
 Dealer: SOUTHLAKE FORD
 Issue Type: 07 LEGAL CAN Court: Legal Issue Type:
 Issue Status: N INVESTIGAT CAN Award: MORSII Contact: N

A/C DATE	Origin	Description
11/17/99	CACI38	ADVISE CUSTOMER INFORMATION FORWARDED TO CONSUMER AFFAIRS DE
11/19/99	CALGL	INFORMATIONAL CALL/FAX WITH CUSTOMER
12/02/99	CALGL	INFORMATION CALL/FAX WITH DEALER
12/02/99	CALGL	INFORMATION CALL/FAX WITH DEALER
12/02/99	CALGL	REQUEST FOR VEHICLE INSPECTION- DETERMINE LIABILITY
12/07/99	CALGL	RECEIVE VEHICLE INSPECTION BACK

F1=Help F2=AddAction F4=ActionDetail F6=DealerInfo
 F7=Prev F8=Next F9=ViewMORSII F11=Menu F12=Return
 MORE RECORDS AVAILABLE LPREL38

==>

VIN: 1PTYR14V0XP Year: 1999 Model: RANGER
Owner Status: ORIGINAL WSD: 02/12/99
Name: Hm Ph:
Trmt: Case: 1527913219 Day Ph:
Symptom Desc: FIRE/SMOKE VISIBLE FLAME UNDERHOOD
Reason Desc: LEGAL - FIRE&PERSONAL/PROPERTY DAMAGE CLAIM
Dealer: SOUTHLAKE FORD
Issue Type: 07 LEGAL Issue Status: N INVESTIGAT
Comm Type: PH PHONE Odometer Reading: 7000 MI
Analyst: 0279LB LYNN BLACK Document Number:
Action Date: 12/16/99 Action Data: N Action Time: 15:23:15 EST
Origin Desc: CONSUMER AFFAIRS - LITIGATION PREVENTION
Action Desc: MANAGEMENT APPROVAL OF OFFER
Comments: APPROVAL TO PROVIDE REFUND TO THE CUSTOMER IN LIEU OF THE
REPLACEMENT.

F1=Help F2=AddAction F4=PrevAction F5=NextAction F6=ActionData
F9=PrevComments F10=NextComments F11=Menu F12=Return F13=ESP
NO MORE COMMENTS AVAILABLE

LPREL38

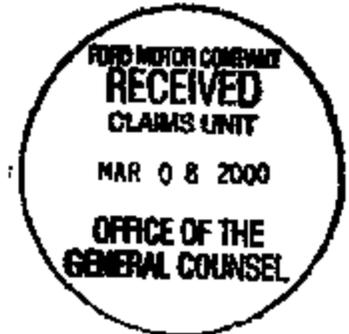
State Farm Insurance Companies

February 28, 2000



Fayetteville Claim Service Office
106 McIntosh Crossing
Fayetteville, GA 30214
(770) 460-4900

Ford Motor Company
Office of General Council
Parklane Tower West, Suite 400
3 Parklane Boulevard
Dearborn, MI 48126



CERTIFIED MAIL--RETURN RECEIPT REQUESTED

Re: Claim Number:
Our Insureds:



Date of Loss: November 13, 1999
Year, Make, and Model of Product: 1999 Ford Pickup Ranger
Vehicle Identification Number (VIN): 1FTYR14V0X [REDACTED]

ATTN: Product Claims:

The identified vehicle is insured by State Farm Mutual Automobile Insurance Company. This vehicle experienced an engine fire.

State Farm Mutual Automobile Insurance Company would like to give you an opportunity to inspect the vehicle and give you advanced notice of our potential subrogation claim. Please contact me at (770) 460-4941 to set up a time for your inspection.

Sincerely,

A handwritten signature in cursive script, appearing to read "Linda M. Edmond".

Linda M. Edmond
Claim Representative
State Farm Mutual Automobile Insurance Company
(770) 460-4941

LE/028/0228001

State Farm Mutual Automobile Insurance Company

February 27, 2001



State Farm Insurance Claim Office
105 McIntosh Crossing
Fayetteville, Georgia 30214
Phone: (770) 460-4800

Mr. Allen Robinson
Ford Motor Company
Parklane Towers West
Suite 300
Three Parklane Boulevard
Dearborn, Michigan 48126-2568

427139

RE: Our Insureds: [REDACTED]
Date of Loss: November 13, 1999
Vehicle: 1999 Ford Ranger Pickup
Claim Number: 11-3401-993

Dear Mr. Allen:

Thank you for your letter dated May 5, 2000. Pursuant to our conversation, I am forwarding the requested documentation for your review.

Description of the Incident

[REDACTED] was traveling on Old Rex Morrow Road around 4:30 a.m. en route to work when his vehicle caught on fire. The fire started in the engine compartment and spread throughout the cab area. The Clayton County Fire Department was immediately dispatched to the scene.

Due to the extent of the damages, the vehicle was rendered a total loss.

Location of the Vehicle

The vehicle is located at SADISCO of Atlanta (South), 1930 Rex Road, Lake City, GA 30260, (404) 366-2298. The Lot Number is 3712 and the Confirmation Number is 1003266.

18 MILE W

The Alleged Defect

The extent of the fire damage coupled with the fragile wire condition prevented us from determining the exact cause of the fire. However, it is without question that the cause was inherent to Ford's design/manufacture of the vehicle. The vehicle was new when [redacted] purchased it and after driving it for approximately 7,082 miles the fire started "spontaneously." Between the date of purchase and time when the fire started, no one or any other business - other than the Ford dealership - worked on or gave maintenance care to the vehicle. The driver's side of the engine was identified as the origin of the fire because of the extensive amount of aluminum melting.

Amount of Claim

Amount Paid by Company	\$18,311.50
Out of Pocket Expense by the Insureds:	\$ 500.00
Total	\$18,811.50

Remarks:

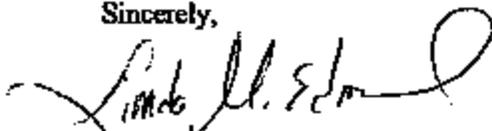
According to [redacted] the dealership (Allan Vigil Ford, 6667 Tara Blvd, Jonesboro, GA, 30237, (770) 472-3471) offered to replace the vehicle. The offer was declined since it was \$3,000.00 less than the market value of the vehicle.

Enclosure

- (1) Copy of the Fire Report
- (2) Original photographs of the vehicle's fire damage
- (3) Expert Report
- (4) Total loss document

Please contact me upon completion of your investigation.

Sincerely,



Linda M. Edmond
Senior Claim Representative
(770) 460-4941

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JUN 28 2000

Consulting Service

FAYETTEVILLE

Transportation Technology

1184 Wind Hill Lane

Marietta, Ga. 30064

Telephone / Fax (770) 428-6173

or Toll Free (877) 328-3385

www.vehicleinvestigator.com

June 27, 2000

Linda Edmond
State Farm Insurance Company
106 Macintosh Crossing
Fayetteville, GA 30214

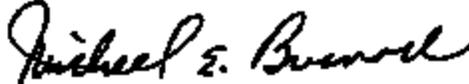
Re: Fire Loss
Transportation Technology No. : 20103
Claim No# [REDACTED]
Insured: [REDACTED]

Dear Linda:

Enclosed are our report and invoice for subject investigation. Please contact me if you have any questions or need further assistance.

Thank you again for the opportunity to assist you.

Sincerely,



Michael E. Bresnock

ERR5-885-LC-7881

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Marietta, Ga. 30064

Telephone / Fax (770) 426-6173

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1.0 ASSIGNMENT

- 1.1 Client: **State Farm Insurance Company**
Linda Edmond
- 1.2 Subject: **1999 Ford Ranger**
Ser# 1FTYR14V0XP [REDACTED] 77
Mileage # 7,082
- 1.3 Location: **Sadisco Salvage Disposal**
Rex Rd.
Forest Park, GA
- 1.4 Purpose: **Determine the cause and origin of the fire.**
- 1.5 Date of inspection: **June 14, 2000**

2.0 Participating Personnel

- 2.1 Investigator: **Michael E. Bresnock- Consultant**
Transportation Technology

Consulting Service

Transportation Technology

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Marietta, Ga. 30064
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or Toll Free (877) 328-3385
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DAYETTEVILLE

CASE 20103

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1.2 Subject

1.3 Location

1.4 Purpose

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4.0 CONCLUSIONS

5.0 PHOTOGRAPHS

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3.0 EXAMINATION OF VEHICLE

3.1 Pursuant to a request from State Farm Insurance Company we conducted an origin and cause investigation on the above mentioned vehicle while it was situated on parking stall #3713 at Sadisco Salvage Disposal in Forest Park, GA (Photo #1). The information that we obtained from State Farm Insurance Company indicated that the vehicle was in operation when the fire was discovered. Proceeding in a clockwise direction from the front of the vehicle the exterior surfaces were photographed to document the extent of the exterior surface fire damage (Photo #2, #3, #4, #5). A visual inspection of the interior showed that the front fabric seats and roof coverings (headliner) were mostly consumed (Photo #6, #7). The burn patterns on the roof panel showed the depth of fire penetration (Photo #8).

3.2 Both of the vehicle's front tires were deflated. The driver's side front tire sustained the most extensive fire damage (Photo #9, #10). The fire penetrated the interior compartment through an opening in the firewall, which was previously occupied by the heater and air conditioning components (Photo #11).

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The fire also penetrated the interior through the opening in the windshield (Photo #12). The engine compartment sustained extensive fire damage. Many of the aluminum components disintegrated or melted from fire exposure (Photo #13, #14, #15). In addition to the top side component melting, many of the aluminum components on the driver's side of the engine exhibited melting. Included were: the intake manifold, power steering pump, and brake master cylinder (Photo #16).

3.3 We were unable to perform engine compartment wire tracing because the copper wires were extremely brittle and fractured upon contact (Photo #17, #18). The fire fuel load in the engine compartment included power steering fluid, gasoline, and brake fluid along with the plastic and fiberglass components (Photo #19, #20).

4.0 CONCLUSIONS

4.1 The fire originated in the engine compartment and spread to the interior of the vehicle. The driver's side of the engine was identified as the origin area

ERG5-005-LC-7005

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because of the extensive amount of aluminum melting. The fuel load on the driver' side of this engine is normally high because of the power steering, gasoline, brake fluid reservoirs. The wires could not be traced because they were brittle from the effects of fire exposure. Upon contact, the wires splintered into small pieces. This prevented the electrical system from being eliminated as a possible cause. The extent of the fire damage coupled with the fragile wire condition prevented us from determining the exact fire cause.

ER05-005-LC-7005

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Marietta, Ga. 30064
Telephone / Fax (770) 426-6173
or Toll Free (877) 328-3385
www.vehicleinvestigator.com



Photograph: #1

Transportation Technology : 20103

Date Taken: June 14, 2000

Description of Subject: 1999 Ford Ranger

Note: Situated on stall number #3713 at Sadlaco Salvage Disposal in Forest Park, Georgia.

Consulting Service

Transportation Technology

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Marietta, Ga. 30064
Telephone / Fax (770) 428-6173
or Toll Free (877) 328-3385
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Photograph: #2

Transportation Technology : 20103

Date Taken: June 14, 2000

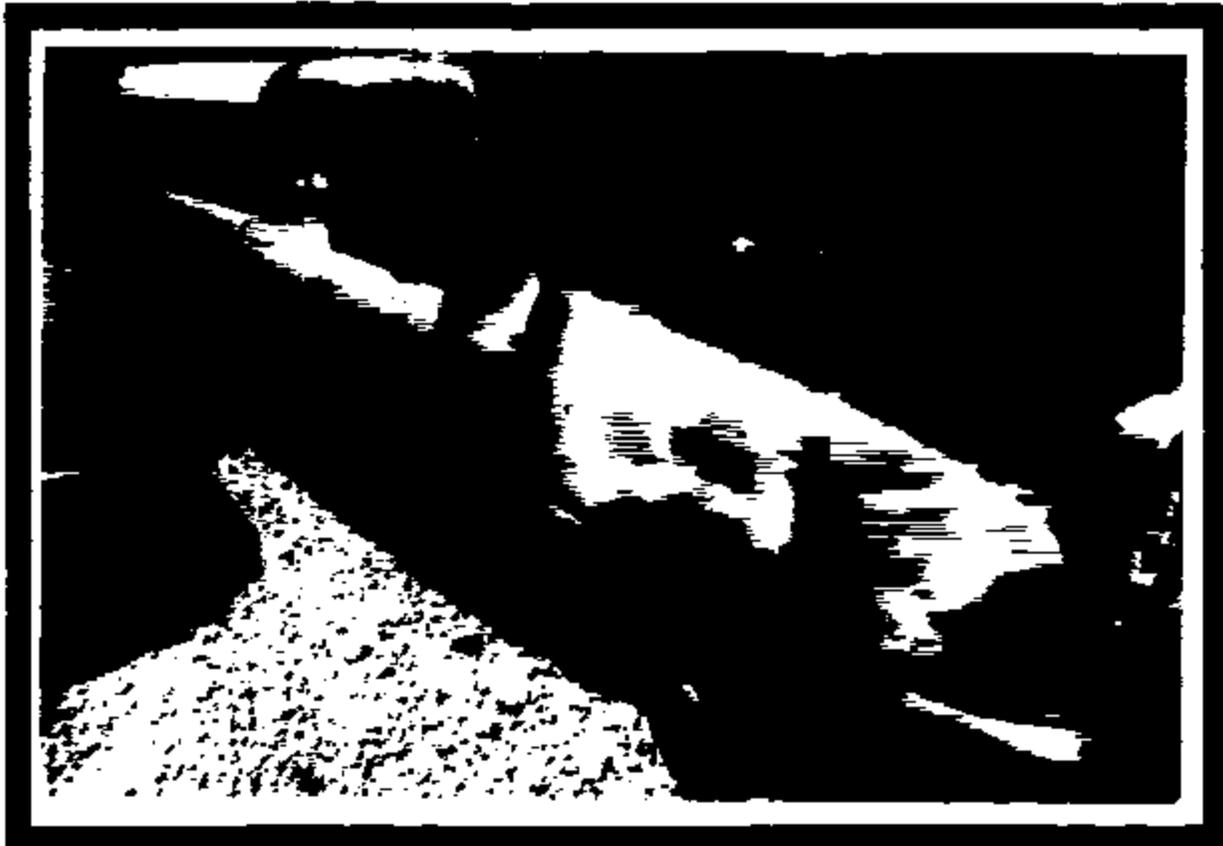
Description of Subject: 1999 Ford Ranger

Note: Front view of fire damaged vehicle.

Consulting Service

Transportation Technology

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Marietta, Ga. 30064
Telephone / Fax (770) 426-6173
or Toll Free (877) 328-3385
www.vehicleinvestigator.com



Photograph: #3

Transportation Technology : 20103

Date Taken: June 14, 2000

Description of Subject: 1999 Ford Ranger

View of passenger's side.

Consulting Service

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Transportation Technology

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Marietta, Ga. 30064
Telephone / Fax (770) 426-6173
or Toll Free (877) 328-3365
www.vehicleinvestigator.com



Photograph: #4

Transportation Technology : 20103

Date Taken: June 14, 2000

Description of Subject: 1999 Ford Ranger

Note: Rear of vehicle was not fire damaged.

Consulting Service

Transportation Technology

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Marietta, Ga. 30064
Telephone / Fax (770) 426-6173
or Toll Free (877) 328-3385
www.vehicleinvestigator.com



Photograph: #5

Transportation Technology : 20103

Date Taken: June 14, 2000

Description of Subject: 1999 Ford Ranger

Note: View of driver's side.

Consulting Service

Transportation Technology

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Marietta, Ga. 30064
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or Toll Free (877) 328-3385
www.vehicleinvestigator.com



Photograph: #6

Transportation Technology : 20103

Date Taken: June 14, 2000

Description of Subject: Interior (from passenger's side window opening)

Note: Extent of interior fire damage.

Consulting Service

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Marietta, Ga. 30064
Telephone / Fax (770) 426-6173
or Toll Free (877) 328-3385
www.vehicleinvestigator.com

RECEIVED

DATE: 11-12-00



Photograph: #7

Transportation Technology : 20103

Date Taken: June 14, 2000

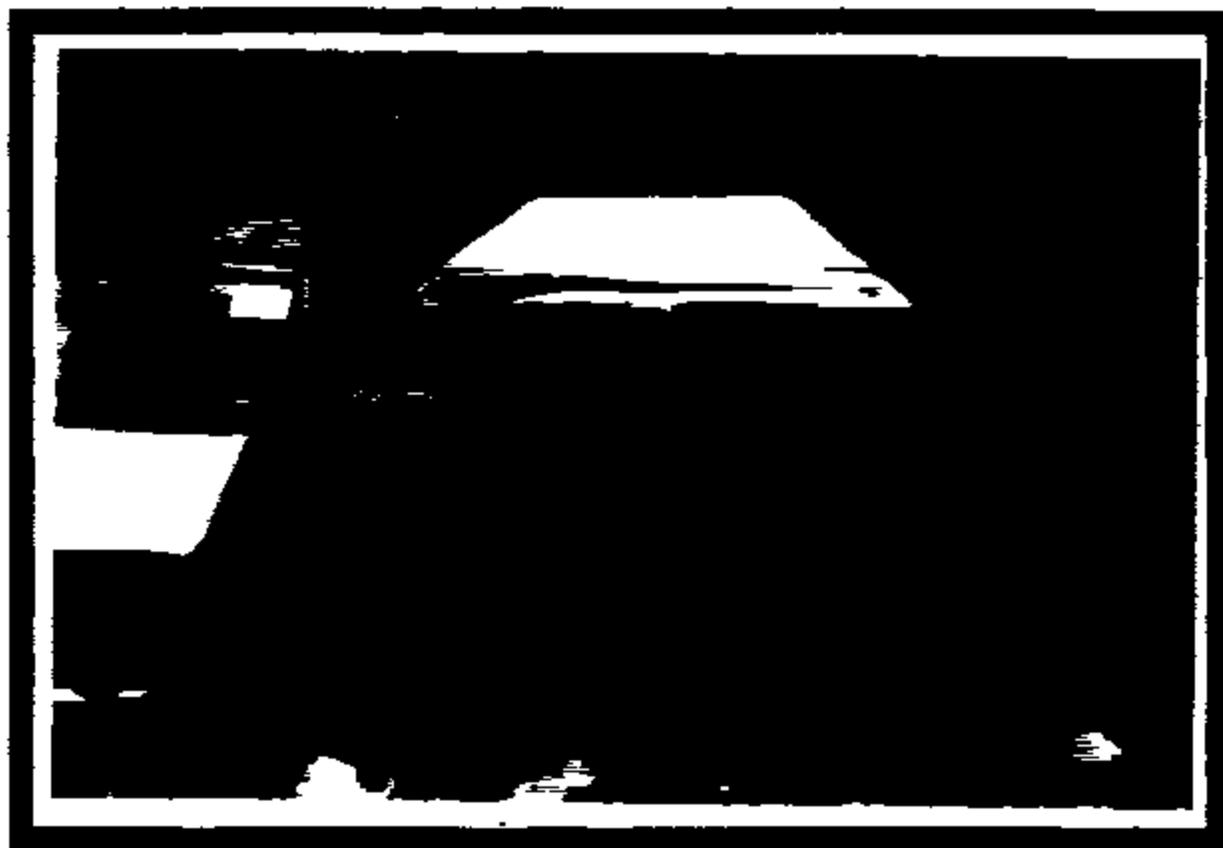
Description of Subject: Interior (roof headliner)

Note: Extent of fire damage.

Consulting Service

Transportation Technology

1184 Wind Hill Lane
Marietta, Ga. 30084
Telephone / Fax (770) 426-6173
or Toll Free (877) 328-3385
www.vehicleinvestigator.com



Photograph: #8

Transportation Technology : 20103

Date Taken: June 14, 2000

Description of Subject: Roof (exterior)

Note: Oxidation pattern on roof showing the depth of fire penetration.

Consulting Service

Transportation Technology

1184 Wind Hill Lane
Marietta, Ga. 30064
Telephone / Fax (770) 426-6173
or Toll Free (877) 328-3385
www.vehicleinvestigator.com



Photograph: #9

Transportation Technology : 20103

Date Taken: June 14, 2000

Description of Subject: Passenger's Side Front Tire

Note: Deflated with some fire damage to the casing.

Consulting Service

Transportation Technology

1184 Wind Hill Lane
Marietta, Ga. 30064
Telephone / Fax (770) 426-6173
or Toll Free (877) 328-3385
www.vehicleinvestigator.com



Photograph: #10

Transportation Technology : 20103

Date Taken: June 14, 2000

Description of Subject: Driver's Side Front Tire

Note: Deflated with extensive casing fire damage. Most of the rubber had been consumed.

Consulting Service

Transportation Technology

1184 Wind Hill Lane
Marietta, Ga. 30064
Telephone / Fax (770) 426-6173
or Toll Free (877) 328-3385
www.vehicleinvestigator.com

RECEIVED

FIVE - 1001 - 1



Photograph: #11

Transportation Technology : 20103

Date Taken: June 14, 2000

Description of Subject: Firewall

Note: One location where fire spread to interior.

Consulting Service

Transportation Technology

1184 Wind Hill Lane
Marietta, Ga. 30064
Telephone / Fax (770) 426-6173
or Toll Free (877) 328-3385
www.vehicleinvestigator.com



Photograph: #12

Transportation Technology : 20103

Date Taken: June 14, 2000

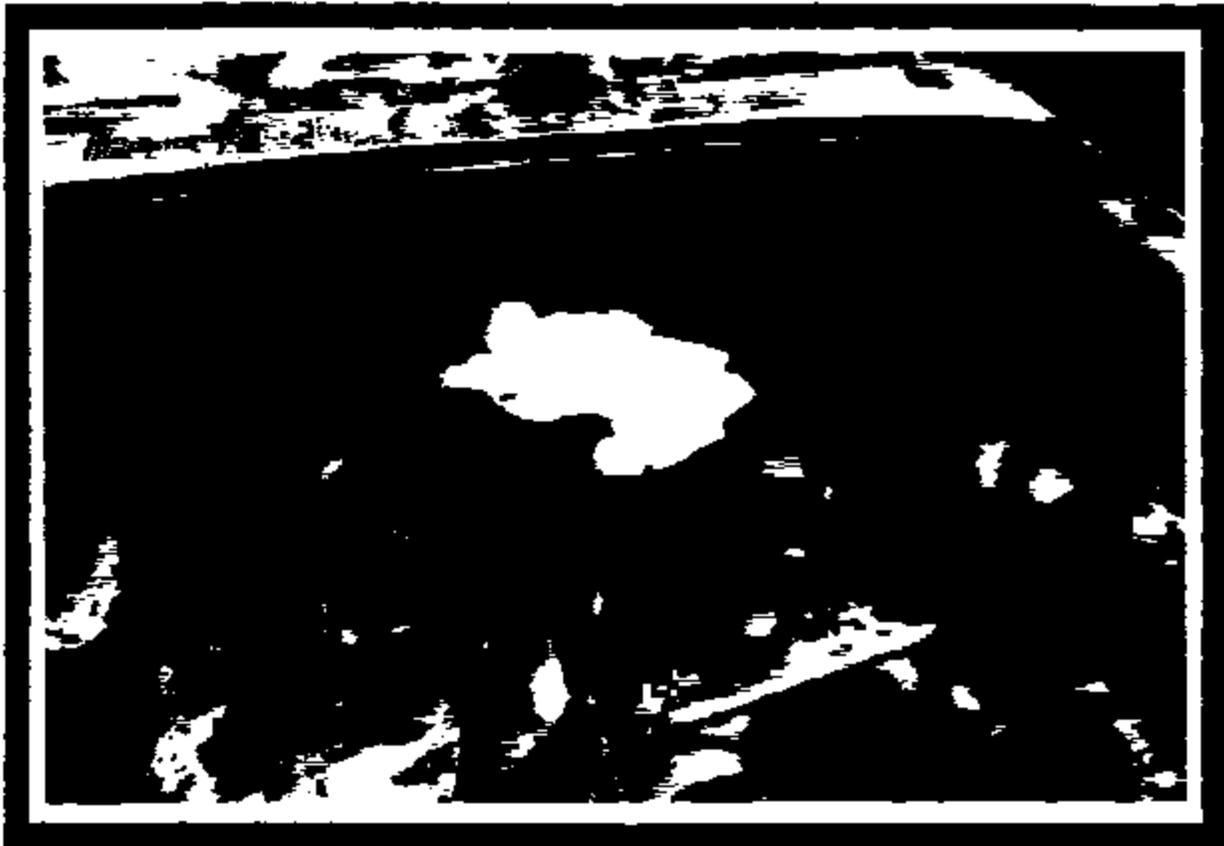
Description of Subject: Windshield

Note: Fire spread to interior through opening in windshield.

Consulting Service

Transportation Technology

1184 Wind Hill Lane
Marietta, Ga. 30064
Telephone / Fax (770) 426-6173
or Toll Free (877) 328-3385
www.vehicleinvestigator.com



Photograph: #13

Transportation Technology : 20103

Date Taken: June 14, 2000

Description of Subject: Engine Compartment

Note: Melted and reformulated aluminum puddle on top of engine.

Consulting Service

Transportation Technology

1184 Wind Hill Lane
Marietta, Ga. 30064
Telephone / Fax (770) 426-6173
or Toll Free (877) 328-3365
www.vehicleinvestigator.com

RECEIVED

FAYETTEVILLE



Photograph: #14

Transportation Technology : 20103

Date Taken: June 14, 2000

Description of Subject: Engine

Note: Melted remains of throttle.

Consulting Service

Transportation Technology

1184 Wind Hill Lane
Marietta, Ga. 30064
Telephone / Fax (770) 428-6173
or Toll Free (877) 328-3385
www.vehicleinvestigator.com



Photograph: #15

Transportation Technology : 20103

Date Taken: June 14, 2000

Description of Subject: Engine (front)

Note: Melted remains of aluminum accessory bracket.

ER05-005-LC-7021

Consulting Service

Transportation Technology

1184 Wind Hill Lane
Marietta, Ga. 30064
Telephone / Fax (770) 428-6173
or Toll Free (877) 328-3385
www.vehicleinvestigator.com

RECEIVED

DATE RECEIVED



Photograph: #16

Transportation Technology : 20103

Date Taken: June 14, 2009

Description of Subject: Engine (driver's side)

Note: Melted air intake manifold, power steering pump, and brake master cylinder.

Consulting Service

Transportation Technology

1184 Wind Hill Lane
Marietta, Ga. 30064
Telephone / Fax (770) 426-6173
or Toll Free (877) 328-3385
www.vehicleinvestigator.com

RECEIVED

DATE: 2/11/01



Photograph: #17

Transportation Technology : 20103

Date Taken: June 14, 2000

Description of Subject: Engine Compartment Wiring

Note: Location of various wire harnesses.

Consulting Service

Transportation Technology

1184 Wind Hill Lane
Marietta, Ga. 30064
Telephone / Fax (770) 426-6173
or Toll Free (877) 326-3385
www.vehicleinvestigator.com



Photograph: #18

Transportation Technology : 20103

Date Taken: June 14, 2000

Description of Subject: Engine Compartment Wiring

Note: Wires splintered into small pieces upon contact making wire tracing impossible.

Consulting Service

Transportation Technology

1184 Wind Hill Lane
Marietta, Ga. 30064
Telephone / Fax (770) 426-6173
or Toll Free (877) 328-3385
www.vehicleinvestigator.com



Photograph: #19

Transportation Technology : 20103

Date Taken: June 14, 2000

Description of Subject: Engine Compartment

Note: Fuel delivery hose remains.

Consulting Service

Transportation Technology

1184 Wind Hill Lane
Marietta, Ga. 30064
Telephone / Fax (770) 426-6173
or Toll Free (877) 328-3385
www.vehicleinvestigator.com



Photograph: #20

Transportation Technology : 20103

Date Taken: June 14, 2000

Description of Subject: Engine (driver's side)

Note: Remains of power steering hose.

EA05-885-LC-7828

FDID #03101

INCIDENT REPORT 99 /17325

PAGE 2

MOBILE PROPERTY TYPE

1 PASSENGER ROAD TRANSPORT VEHICLE.
MODEL TAG#
RANGER

YEAR MAKE

1999 FORD
VIN#
1FTYR14V0K1

FIXED PROPERTY USE

CONSTRUCTION TYPE

NO. OF STORIES

STRUCTURE STATUS

NO. OF OCCUPANTS AT TIME OF INCIDENT

NO. INCIDENT RELATED INJURIES

FIRE SERVICE

OTHERS

NO. INCIDENT RELATED FATALITIES

FIRE SERVICE

OTHERS

METHOD OF EXTINGUISHMENT

05 PRECONNECT FROM TANK

EXTINGUISHMENT SYSTEM PERFORMANCE

NO. OF EXTING. HEADS OPERATED

EXTENT OF FLAME DAMAGE

7 EXTENDED BEYOND/STRU

EXTENT OF SMOKE DAMAGE

1 OBJECT OF ORIGIN

EXTENT OF EXTING. AGENT DAMAGE

1 OBJECT OF ORIGIN

BRUSH FIRE: NO. OF ACRES

OPEN LAND

FORESTED LAND

DETECTOR PERFORMANCE

DETECTOR TYPE

DETECTOR POWER SUPPLY

AREA OF ORIGIN

83 ENGINE, RUNNING GEAR

EQUIPMENT INVOLVED IN IGNITION

90 OTHER OBJ. EXP. INSUF

IGNITION FACTOR

90 OTHER IGN.FACTOR I/I

FORM OF HEAT IGNITION

10 HEAT F/FUEL EQP INSE

TYPE OF MATERIAL IGNITED

10 GAS INSUFFICIENT INF

FORM OF MATERIAL IGNITED

10 STRUCT.COMPO/FIN I/I

LEVEL OF FIRE ORIGIN

01 GRADE LEVEL TO 9'

CLAYTON COUNTY FIRE DEPARTMENT
7810 HIGHWAY 85
RIVERDALE, GEORGIA 30274

COPY
PAGE 3

FDID #03101

INCIDENT REPORT 99 /17325

REMARKS:

E-2 ARRIVED ON SCENE WITH PICKUP TRUCK FIRE IN THE ENGINE AND PASSENGER COMPARTMENT, ALSO A SMALL WOODS FIRE. E-2 USE A 1 3/4 TRASH LINE TO EXTINGUISH THE FIRE. OWNER ADVISED THAT THE TRUCK QUIT RUNNING AND WHEN HE GOT OUT THE TRUCK WAS ON FIRE.

MEMBER MAKING REPORT PHILLIPS, JEFFREY DANIEL
OFFICER IN CHARGE PHILLIPS, JEFFREY DANIEL

ID# 5631
ID# 5631



FIRE INVESTIGATION OF A 1998 FORD RANGER PICKUP TRUCK
CLAIM NO. [REDACTED]

FOR

MR. CHRIS TORKELSON,
SENIOR CLAIMS REPRESENTATIVE
FARMERS INSURANCE GROUP OF COMPANIES.

BY

WILLIAM C. GEARY, P.E.
SPECIAL INSURANCE INVESTIGATOR
CREATIVE TECHNOLOGIES

JULY 21, 1999

William C. Geary, P.E.
7-21-99

FIRE INVESTIGATION OF A 1998 FORD RANGER PICKUP TRUCK, CLAIM NO. 38-187188

INTRODUCTION

Case Identification

Name of Insured	[REDACTED]
Policy Number	n/a
Claim Number	[REDACTED]
Date of Loss	n/a
Vehicle Description	1998 Ford Ranger Pickup Truck
Vehicle License Number (LPN)	TIZ 984 [OK]
Vehicle Identification Number (VIN)	1FTYR10C6WF [REDACTED]
Location of Vehicle	Sapulpa Auto Pool
Pool Number	70441
CREATIVE TECHNOLOGIES NUMBER	37901

Background

Wednesday, July 14, 1999

A call was received from Mr. Chris Torkelson, Senior Claims Representative of the Farmers Insurance Group of Companies (Farmers) regarding a fire which destroyed the vehicle of his insured. The insured's name was Mr. Campbell (Insured), and the vehicle was a 1998 Ford Ranger Pickup Truck (Truck). According to Farmers, the truck caught on fire in the motor area while being driven down the road. The truck was being held at the Sapulpa Auto Pool (Pool). This investigator was asked to look into the fire.

Objectives

The objective was to determine, as best as possible, the cause and origin of the fire.

FIRE INVESTIGATION OF A 1998 FORD RANGER PICKUP TRUCK, CLAIM NO. [REDACTED]

TECHNICAL INVESTIGATION

The following information was reviewed in preparation of the report:

- (X) Research into Truck Model History
- (X) Physical Examination of Truck and/or Components
- (X) Other Information/Reports
- (X) Truck Shop Manual¹

Wednesday, July 14, 1999

On the same day that the fire was called in, research was conducted into the vehicle's year, make and model. The databases of the National Highway Traffic Safety Administration (NHTSA) for recalls, defect investigations, technical service bulletins, and consumer complaints were accessed. In addition, the recalls were checked against the Consumer Reports databases. The results are shown in Figures 1 through 9.

Friday, July 16, 1999

A visit was made to the Pool to examine the destroyed truck. Upon arrival, the following identifying observations were made:

- The vehicle was a black truck, bearing a Ford emblem on the tailgate
- The truck was, indeed, burned.
- The Pool number, 70441, was written on the front cross member and the left (driver) front fender.
- The last six digits of the VIN, [REDACTED] were written on the left front fender.
- The LPN displayed the number TIZ 984 [OK]

After the identification was finished, overall photographs were taken, as shown in Figures 10 through 14. The following observations were made:

- Both front tires were deflated and badly burned.
- Both rear tires were inflated and more or less unaffected by the fire.
- 100% of the left front fender was burned
- 85 to 95% of the left door was burned, with emphasis toward the top and front.
- The hood was missing.

¹ *Chilton's Ford Ranger/Explorer/Mountaineer 1991-99 Repair Manual*, vol 26688, ed. Kevin M.G. Maher (West Chester: W. G. Nichols, Inc., 1999)

FIRE INVESTIGATION OF A 1998 FORD RANGER PICKUP TRUCK, CLAIM NO [REDACTED]

- The roof was 100% burned and was buckled.
- 90 to 99% of the right door was burned, with emphasis toward the top and front.
- 10 to 20% of the right rear fender was burned, toward the front and top.
- 10 to 20% of the left rear fender was burned, toward the front and top.
- 30-50% of the truck bed was burned toward the front.
- The fuel filler was in place and unaffected by the fire.
- The spare tire in the truck bed was burned on the top side.
- There was fire debris in the bed; namely, the hood, heater core, and much melted soft metal.
- There was no bed liner.

After the overall examination was made, the passenger compartment was checked. Photographs were taken, as shown in Figures 15 through 17. The following observations were made:

- Although burned, significant portions of the dashboard were more or less undisturbed.
- The steering column was still in place.
- There was a significant amount of melted glass inside.
- There was little or no glass inside the doors.
- No melted wiring was observed.

After the passenger compartment was gone over, the engine compartment was examined. Photographs were taken, as shown in Figures 18 through 33. The following observations were made:

- Considerable amounts of soft material had melted
- The brake fluid reservoir, located on the left side, was melted
- The master cylinder, located on the left side, was melted
- The serpentine belt had disintegrated
- All interconnecting hoses on the top of the engine had disintegrated
- The intake manifold, low in the engine compartment, was melted, as shown typically in Figure 28
- The female portion of the high pressure fuel supply's push connect fitting was missing, as shown typically in Figure 21
- The barbed connection at the side of the fuel pressure regulator was missing, as shown typically in Figure 32

DISCUSSION

Before proceeding with the inspection, the identity of the subject truck was confirmed with the information found at the Pool.

No correlation was established between the published defect data and the findings at the Pool. Figure 1 revealed a recall for 1998 Ranger 4.0 Liter (L) engines where a fuel line, routed too closely to the exhaust manifold could result in a fire. The insured's truck was equipped with a 2.3L engine, not a 4; therefore the recall does not apply. The other recalls were unrelated to the current case. No defect investigations were found, as shown in Figure 7. Forty three (43) technical service bulletins were discovered, but none appeared to relate to the current case. One hundred and thirty two (132) consumer complaints were uncovered, and those involving fires were extracted and listed in Figure 8. None of the three complaints listed appeared to relate to the current case. Figure 9 confirmed the presence of a fuel hose problem on the larger engines, but the current truck was equipped with a smaller engine.

External patterns showed the general area of origin. The burn patterns on the truck indicated that the origin of the fire was somewhere in either the engine compartment or the passenger compartment. Exactly where would be determined with an inspection the remaining parts of the truck. In examining the passenger compartment. That zone was ruled out. The condition of the dashboard, along with the condition of the wiring, appeared to eliminate the passenger compartment as the origin of the fire. Focusing on the engine compartment, the precise location of the origin was found. The amount of soft metal melted on the left (driver) side at the rear of the engine compartment places the fire's origin at that location.

Looking closer at that area, it was found that the fuel rail connections were gone. The fuel injection system for the 1998 Ranger 2.3 liter engine is equipped with a push connect fitting on the high pressure fuel supply, and a barbed connection at the side of the fuel regulator attaching it to a hose. The absence of the hose on the barbed connection can be explained by an assumed deterioration of the hose during the fire, permitting it to disintegrate and fall off. The missing push connector, however, is a different matter. It is highly unlikely that the connector came off during the fire. It is much more likely that the push connector released prior to the fire, permitting high pressure fuel to leak onto the engine. That would also account for the intense burning observed in the same location of the engine compartment, as shown typically in Figure 27.

The amount of damage done to the engine compartment can be seen by comparing Figure 31 and 34². Figure 34, showing a 4.0L engine installation, is otherwise typical in the engine compartment layout. Nearly all of the organic materials in the engine compartment were destroyed in the fire.

² *Chilton's Ford Ranger/Explorer/Mountaineer 1991-99 Repair Manual*, vol 26688, ed. Kevin M.G. Maher (West Chester: W. G. Nichols, Inc., 1999), pg 1-12

SUMMARY AND CONCLUSIONS

A call was received from Farmers regarding a fire which destroyed their insured's truck. Research was conducted into the year, make and model. A physical examination of the destroyed truck was made, and available literature on the truck was reviewed. The following was concluded:

- The origin of the fire was in the left rear of the engine compartment, adjacent to the fuel rail.
- The cause of the fire was fuel leaking from the fuel injection system high pressure supply line at the push connection (missing).

RECOMMENDATIONS

Considering the age of the truck, it would have been under warranty at the time of the fire. If it is established that Ford did any necessary work in the engine compartment, it is recommended that the manufacturer be approached about the loss.

Figure 10



Figure 11



Figure 12





Figure 13



Figure 14



Figure 15

Figure 16



Figure 17



Figure 18

ENG-68-1C-7838



Figure 19



Figure 20



Figure 21

Figure 22



Figure 23



Figure 24





Figure 25



Figure 26



Figure 27

Figure 28



Figure 29



Figure 30





Figure 31



Figure 33

1-12 GENERAL INFORMATION AND MAINTENANCE

ROUTINE MAINTENANCE AND TUNE-UP

See Figures 29 thru 34



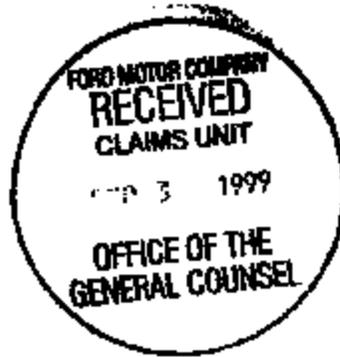
Figure 34



FARMERS

August 19, 1999

Ford Motor Company
Parklane Towers West
3 Parklane Blvd., Suite 400
Dearborn, MI 48126-2588



1720 South Broadway, Moore, OK
Mailing Address: P.O. BOX 7088
Moore, Oklahoma 73153-1088
Main Number (405) 793-2586
Toll Free (877) 777-2586
Fax (405) 912-0173
Lisa Goff (405)-793-2680
Shelia Woodward (405) 793-2684
Lorris Buckner (877) 777-2586
Sheila Vaughn (877) 777-2586

www.farmersclaims@farmers.com

RE:	Our Insured:	[REDACTED]
	Our Claim No:	[REDACTED]
	Date of Loss:	07-11-99
	VIN:	1FTYR10C6WP [REDACTED]
	Total Claim:	\$10,744.33-vehicle damages-support attached

Dear Claims Dept:

The above listed vehicle 1998 Ford Pickup burned due to fuel leaking from the fuel injection system high pressure supply line at the push connection. We inspected and reimbursed our insured for this loss.

We used William Geary, P.E. with Creative Technologies to conduct a Cause & Origin Fire investigation. I have attached a complete copy of their findings and support of all our damages.

Your prompt reply will be appreciated.

Sincerely,
FARMERS INSURANCE COMPANY, INC.

Lorrie Buckner
Claims Analyst
Subrogation Claims

Enclosure

ER05-005-LC-7045

IN THE STATE COURT OF COBB COUNTY, GEORGIA, CIVIL ACTION #

PLAINTIFF:

[REDACTED]
(Our File # [REDACTED])

VS

2001A-5702-3

DEFENDANT: Ford Motor Company

COMPLAINT FOR TORT OF NEGLIGENCE (PRODUCT LIABILITY)

STATEMENT OF FACTS

[REDACTED] (hereinafter referred to as "Plaintiff") files this Complaint for damages against Defendant Ford Motor Company, and respectfully shows the Court as follows:

1. Defendant Ford Motor Company (hereinafter referred to as "Defendant") is a foreign profit business corporation registered to do business in the State of Georgia. Said Defendant may be served with process through its registered agent in the State of Georgia to-wit: Corporation Process Company, 180 Cherokee Street, NE, Cobb County, Georgia 30060.
2. Defendant designed, tested, manufactured, assembled, inspected, marketed, distributed and warranted a 1999 Ford Ranger Pickup, V.I.N.: 1FTYR14V0XB [REDACTED] (hereinafter "said product") prior to November 13, 1999.
3. [REDACTED] (hereinafter Plaintiff's Insured) purchased said product in the stream of interstate commerce prior to November 13, 1999.
4. Thereafter, Plaintiff's Insured used said product for its intended purpose without abuse and without modification.
5. On or about November 13, 1999, while Plaintiff's Insured was driving said product, it quit running and when Plaintiff's Insured exited said product it was on fire.
6. As a result of the casualty described in the previous paragraph, property owned by Plaintiff was damaged in the amount \$19,572.00 (salvage is undetermined).
7. Subsequent investigation revealed that Defendant had negligently designed; negligently tested; negligently manufactured; negligently assembled; negligently inspected; negligently marketed; negligently distributed said product in a defective condition at the time of first distribution and sale for use.
8. Subsequent investigation revealed that Defendant's negligence described in the previous paragraph was the proximate cause of the casualty described above and of the damages described above.
9. As a result, Defendant is liable as tortfeasor in the amount

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 COBB COUNTY GA
 FILED IN OFFICE
 STATE COURT CLERK

of \$19,572.00 (salvage is undetermined) for damages caused by the defective part.

10. Plaintiff is subrogated to all rights and interest in the claim against Defendant as a result of making payments to Plaintiff's Insured under a policy of insurance.

11. Plaintiff has served Defendant a copy of: (a) Plaintiff's First For Admissions To Defendant; (b) Plaintiff's First Interrogatories to Defendant; and, (c) Plaintiff's First Request For Production of Documents To Defendant with the summons and complaint pursuant to O.C.G.A. 9-11-4(a)-(g).

12. Plaintiff has served Defendant a copy of: (a) Notice of Plaintiff's Desire To Settle This Litigation; (b) Notice of Plaintiff's Intention To Seek Attorney's Fees In The Event of A Default By Defendant; (c) Notice of Plaintiff's Intention To Seek Interest; (d) Notice of Service of Discovery Materials; and, (e) Notice of Conditional Stipulation For Extension of Time For Defendant with summons and complaint pursuant to O.C.G.A. 9-11-4(a)-(g).

**COUNT A: TORT OF NEGLIGENT DESIGNING; NEGLIGENT TESTING;
NEGLIGENT MANUFACTURING; NEGLIGENT ASSEMBLY; NEGLIGENT INSPECTION;
NEGLIGENT MARKETING; AND, NEGLIGENT DISTRIBUTION**

13. Plaintiff herein incorporates by reference the allegations contained in paragraphs 1 through 12 as if set forth herein.

14. Plaintiff shows that said defective part in said product, which was designed, manufactured, distributed and sold by Defendant was in a defective condition at the time of the first distribution and sale for use. Plaintiff shows that the defective condition existing in this vehicle included, but was not limited to:

a. A defective design of the defective part installed in said product.

b. The failure to warn and to continue to warn users, purchasers and registered owners of such products, by letter, recall notice, or other reasonable means, of the dangerous characteristics and properties of the defective part Defendant had a duty to exercise reasonable care to design, test, manufacture, assemble, inspect, market, and distribute safe products, so as to not subject purchasers or users or innocent third parties to an unreasonable risk of harm.

15. Defendant breached its duty to exercise reasonable care with respect to said product and defective part.

16. Defendant was negligent and acted in a willful and wanton manner in designing, testing, and/or manufacturing, inspecting, marketing, distributing and selling the installed defective part in such a manner and in such condition as to make said product inherently dangerous and defective.

17. Defendant's defective product failed as a result of the negligence of Defendant described in this Count so that Defendant's

negligence was the proximate cause of the incident and resulting damages described above in the STATEMENT OF FACTS section of Plaintiff's complaint; and, said incident and said damages was reasonable perceivable by Defendant at all times relative to Plaintiff's complaint.

COUNT B: STRICT LIABILITY OF DEFENDANT

18. Plaintiff incorporates by reference the allegations contained in paragraphs 1 through 17 as if fully set forth herein.

19. Defendant is strictly liable in tort to Plaintiff for the losses suffered by Plaintiff because the defective part installed in said product was defective when distributed and sold by Defendant, was not merchantable and was not reasonably suited to the use intended, said defective condition having existed at the time of sale. Specifically, Plaintiff shows that the defects existing in the defective part installed in said product include, but are not limited to, defects in design and engineering of the defective part installed in said vehicle, defects which were unreasonably dangerous and pose an unreasonable risk of serious injury or death to the users of said product due to malfunctions of said product resulting from defective design and manufacture of the defective part.

20. Plaintiff further shows that Defendant failed to utilize economical and technically available safety design alternatives insofar as the design of the defective product is concerned.

21. Defendant's defective product failed as a result of the negligence of Defendant described in this Count so that Defendant's negligence was the proximate cause of the incident and resulting damages described above in the STATEMENT OF FACTS section of Plaintiff's complaint; and, said incident and said damages was reasonable perceivable by Defendant at all times relative to Plaintiff's complaint.

COUNT C: BREACH OF EXPRESS AND IMPLIED WARRANTIES BY DEFENDANT

22. Plaintiff incorporates by reference the allegations contained in paragraphs 1 through 21 as if set forth verbatim herein.

23. The defective part installed in said product was not merchantable, nor was it reasonably suited for the use intended, and as such, Defendant breached the express and implied warranties of fitness for a particular purpose and of merchantability in that the defective part in said product posed an unreasonable risk of serious injury and death to its users due to the defective design of the defective part which allowed for the malfunction of said product.

24. Defendant's defective product failed as a result of the negligence of Defendant described in this Count so that Defendant's negligence was the proximate cause of the incident and resulting damages described above in the STATEMENT OF FACTS section of Plaintiff's complaint; and, said incident and said damages was

reasonable perceivable by Defendant at all times relative to Plaintiff's complaint.

II. PRAYER FOR RELIEF AND DAMAGES

WHEREFORE, Plaintiff demands judgment against Defendant in the amount of \$19,572.00 (salvage is undetermined), plus 12% pre-judgment interest, one-third attorney fees in the event of default, costs and 12% post-judgment interest; and that a writ of fieri facias issue commanding all Sheriffs within the State of Georgia and their lawful deputies to execute said writ by levy and seizure of Defendant's goods and lands.

August 7, 2001



Ronald W. Parnell
Attorney for Plaintiff
State Bar Number 564450

Our File #301-0443
Post Office Drawer 81085
Conyers, Georgia 30013
(770) 929-8585 Answer Service



FARMERS

Photo Mounting Sheet

Company Claim No. _____

Policy No. _____

Insured: _____

Claimant: _____



Picture # _____

Film: Polaroid _____

Negative _____

Date Taken: _____

Title: _____

Location and View: _____



Picture # _____

Film: Polaroid _____

Negative _____

Date Taken: _____

Title: _____

by: _____

Location and View: _____

ER05-009-LC-7058



FARMERS

Photo Mounting Sheet

Company Claim No. [Redacted]

Policy No. _____

Insured: _____

Claimant: _____

Picture # _____

Film: Polaroid _____

Negative _____

Date Taken: _____

Location and View: _____



Picture # _____

Film: Polaroid _____

Negative _____

Date Taken: _____

Time: _____

Location and View: _____



ER05-005-LC-7051

Figure 10

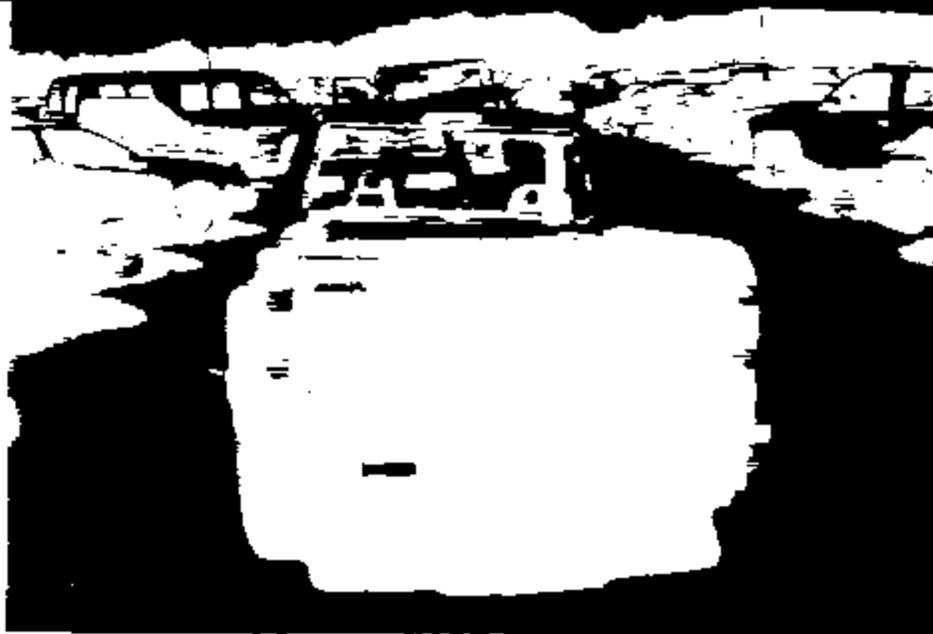


Figure 11



Figure 12





Figure 13



Figure 14



Figure 15

Figure 15



Figure 17



Figure 18



ERRS-008-LC-7094



Figure 19



Figure 20



Figure 21

Figure 22



Figure 23



Figure 24





Figure 25



Figure 26



Figure 27

Figure 28



Figure 29



Figure 30





Figure 31



Figure 32

Figure 33