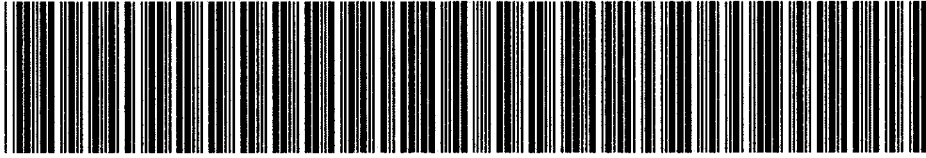


DI-06-EXPLORER: BOOK 1 OF 33 2003Q3 SEQUENCE ID 131

EWR D&I ANNOTATION

FAN-000002L033007DP131-1469

Artemis # : 000002L033007DP131**Record Created Date :****Printed Date :** 02/05/2008

Description : DI06-Explorer: A 1994 Ford Explorer (VIN 1FMDV32X1RU[REDACTED]) rolled on a North Carolina interstate after the right rear tire experienced a tread separation. In the event two of the three occupants were ejected. Two were seriously injured and one was killed. A copy of the accident report and a newspaper article were submitted to us by Ford.

3rd Quarter
2003

SeqID
131



Automotive Safety Office
Environmental and Safety Engineering

March 17, 2006

Ms. Christina Morgan, Chief
Early Warning Division
Office of Defects Investigation, Enforcement
National Highway Traffic Safety Administration
400 Seventh Street, S.W.
Washington, D.C. 20590

Dear Ms. Morgan:

Subject: DI06-Explorer:NVS-217ph

The Ford Motor Company (Ford) response to the agency's March 7, 2006 letter requesting certain information concerning the Ford Third Quarter of 2003 through Fourth Quarter 2005 Early Warning Reports (EWR) for Light Vehicles is attached. Ford is providing all responsive documents available; however, Ford possesses limited information regarding some of the incidents that are pending matters or that have only been recently identified by Ford. Therefore, in those cases we are unable to provide responsive information beyond that contained in the documents provided.

As described in a March 13, 2006 letter to the agency, Ford is providing the available requested documents that relate to incidents in the United States at this time. Ford will provide the requested information available for incidents outside of the United States on or before April 7, 2006. Ford notes that it was unable to locate files for a few incidents which were reported in the United States. Ford will continue to search for information related to those events and provide any information located with our April 7, 2006 submission for events which occurred outside of the United States.

Ford notes that some of the records being produced pursuant to these responses contain medical and/or other matters of a personal nature regarding the claimants. In the interests of full disclosure, Ford is producing these items to the agency in unredacted form. While Ford does not believe that these items meet the criteria for protection of confidential

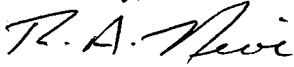


March 17, 2006

business information for which it would be entitled to request confidential treatment, Ford requests that the agency exercise appropriate care to prevent the dissemination of these materials beyond persons having an official need to review them.

If you have any questions, please call my office.

Sincerely,

A handwritten signature in black ink, appearing to read "R. A. Nevi".

R. A. Nevi
Assistant Director
Global Automotive Safety Compliance

Attachment

FORD MOTOR COMPANY (FORD) RESPONSE TO DI06-EXPLORER

Ford has prepared this response to the agency's request for additional information concerning Sequence IDs identified in the table below from the Ford Third Quarter of 2003 through Fourth Quarter 2005 Early Warning Report (EWR) for Light Vehicles, pursuant to a diligent search for the information and documents requested.

As described in a March 13, 2006 letter to the agency, Ford is providing the available requested documents that relate to incidents in the United States at this time. Ford will provide the requested information available for incidents outside of the United States on or before April 7, 2006.

YearQ	Sequence IDs
2005Q4	49, 51, 56, 57, 58, 62, 63, 64, 68, 69, 71, 77, 79, 80, 81, 82, 100
2005Q3	67, 69, 71, 73, 75, 76, 79, 80, 84, 85, 86, 90, 92, 93, 98, 101, 121, 131, 135
2005Q2	96, 99, 106, 107, 109, 112, 115, 123, 130, 131, 178, 179, 443
2005Q1	139, 141, 142, 144, 149, 151, 153, 154, 158, 159, 184, 211
2004Q4	100, 102, 107, 109, 118, 119, 120, 121, 122, 124, 134, 135, 137, 142, 144, 151, 152, 153, 177, 178, 182, 208
2004Q3	119, 123, 124, 126, 130, 131, 132, 134, 135, 142, 144, 145, 146, 147, 148, 152, 153, 155, 156, 162, 163, 164, 166, 174, 178, 182, 184, 194, 198, 200, 224, 225, 242, 255, 262, 266
2004Q2	134, 135, 137, 139, 141, 148, 149, 150, 159, 160, 162, 163, 164, 165, 169, 171, 172, 194, 232, 539, 540
2004Q1	89, 101, 102, 109, 111, 120, 123, 126, 127, 128, 129, 130, 138, 139, 140, 141, 143, 144, 159, 163, 181, 183, 214
2003Q4	92, 93, 94, 95, 102, 105, 106, 115, 116, 117, 121, 124, 127, 128, 130, 132, 133, 134, 141, 148, 149, 156, 192, 193, 198, 444
2003Q3	131, 133, 143, 145, 146, 152, 155, 156, 158, 161, 162, 164, 165, 166, 167, 171, 174, 175, 176, 177, 184, 187, 190, 191, 192, 193, 194, 195, 196, 197, 207, 210, 215, 226, 227, 230, 238, 239, 265, 267, 276, 279, 290, 294, 670, 680

Ford reviewed the relevant lawsuits, claims and early notice files requested by the agency. Additionally, Ford contacted its employees who were most likely to be knowledgeable about systems potentially containing responsive information or documents. Ford asked these employees to identify files and record sources used in Ford's usual course of business that were most likely to contain information responsive to the agency's request.

For the purpose of responding to this inquiry, Ford is construing the term "manufacturer" as defined in the EWR rules and, therefore, did not include suppliers or other outside entities (such as law firms) in its search. Items in the possession of such entities are not in Ford's direct possession or control.

Ford notes that some of the records being produced pursuant to these responses contain medical and/or other matters of a personal nature regarding the claimants. In the interests of full disclosure, Ford is producing these items to the agency in unredacted form. While Ford does not believe that these items meet the criteria for protection of confidential business

information for which it would be entitled to request confidential treatment, Ford requests that the agency exercise appropriate care to prevent the dissemination of these materials beyond persons having an official need to review them.

Answers to your specific questions are set forth below. After each numeric designation, Ford has set forth verbatim the request for information, followed by its response. Unless otherwise stated, Ford has undertaken to provide responsive documents dated up to and including January 11, 2006. In the event that Ford located duplicate documents in its search, Ford is producing only one copy of each such document. Materials and information responsive to requests 1 through 3 below are provided in Appendix A, organized into sections by Sequence ID.

Request 1

Provide a complete and full copy of the claim or notice document(s) that notified Ford Motor Corporation of the incident, including any amendments and supplements thereto, excluding: (a) medical documents and bills, except those showing the cause of death or injury; (b) property damage invoices or estimates; and (c) documents related to damages.

Answer

The information responsive to this request is most likely contained in Ford's files of formal complaints, informal claims, and informal notices of potential lawsuits and informal claims received by Ford's legal staff and/or is contained in its Master Owner Relations System (MORS) and Common Quality Indicator System (CQIS). Responsive materials retrieved from these files and information systems are provided in Appendix A behind the applicable Sequence ID tab.

Request 2

Provide a copy of all documents, photographs, videos, received from the claimant(s) or claimant's representative that identify and/or support or purport to support any allegation of a defect in the vehicle, regardless of whether Ford Motor Corporation disputes the assertions therein and excluding: (a) medical documents and bills, except those showing the cause of death or injury; (b) property damage invoices and estimates; and (c) documents related to quantification of damages.

Answer

Responsive materials retrieved from searches of the above noted files and information systems are provided in Appendix A behind the applicable Sequence ID tab.

Request 3

Provide a copy of all investigative documents prepared by any local, state, or Federal governmental agency or personnel related to the incident, including but not limited to photographs, Police Accident Reports, or cause and origin reports.

Answer

Responsive materials retrieved from these searches of the above noted files and information systems are provided in Appendix A behind the applicable Sequence ID tab.

Request 4

At your option, provide Ford Motor Corporation's assessment of the circumstances that led to the incident including Ford Motor Corporation's analysis of the claim and/or notice regarding allegations of a defect.

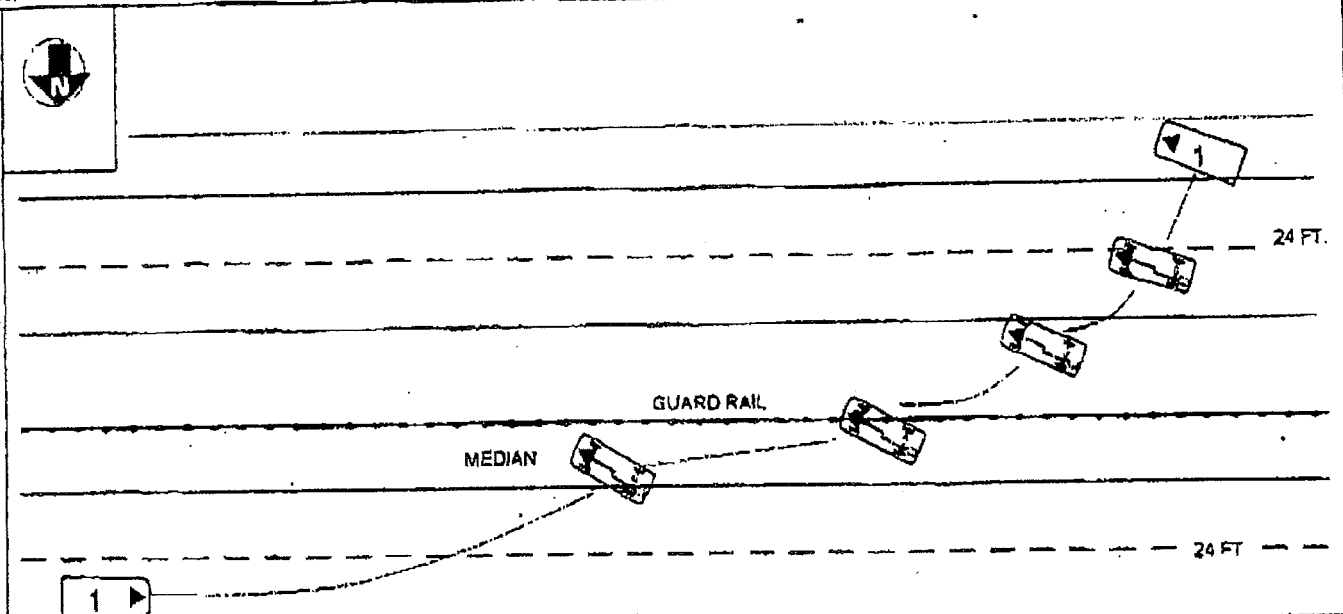
Answer

Ford is not providing an assessment of the circumstances that led to the incident, nor is it providing an analysis of the claim and/or notice regarding allegations of a defect at this time.

###

POINTS OF INITIAL CONTACT (Write in Codes)			VEHICLE INFO.		ROADWAY INFO.		WORK ZONE RELATED	
			Unit 1	Unit 2	Veh #1	Veh #2		
60			Unit 1	Unit 2	60 Authorized Speed Limit	70	60 Road Feature	0
61			Unit 1	Unit 2	61 Estimate of Original Traveling Speed	70	61 Road Character	1
CRASH SEQUENCE (Unit Level)			Unit 1	Unit 2	62 Estimate of Speed at Impact	60	61 Road Classification	1
49 Vehicle Maneuver/Action			4		63 Tire Impressions Before Impact (N)	153	62 Road Surface Type	4
50 Non-Motorist Action			-		64 Distance Traveled After Impact (ft.)	221	63 Road Configuration	4
61 Non-Motorist Location Prior to Impact			-		65 Emergency Vehicle Use	-	64 Access Control	2
62 Crash Sequence - First Event for This Unit			11		66 Post Crash Fire (If "Yes" check block)	<input type="checkbox"/>	65 Number of Lanes	4
63 Crash Sequence - Second Event			2		67 School Bus - Contact Vehicle	<input type="checkbox"/>	66 Traffic Control Type	0
64 Crash Sequence - Third Event			5		68 School Bus - Noncontact Vehicle	<input type="checkbox"/>	67 Traffic Control Oper	-
65 Crash Sequence - Fourth Event			44		COMMERCIAL VEHICLE: Hazardous Materials Involvement From Placard indicate Haz Mat Placard <input type="checkbox"/> Yes <input type="checkbox"/> No Hazardous Cargo <input type="checkbox"/> Yes <input type="checkbox"/> No Released (does not include fuel from fuel tank) <input type="checkbox"/> Yes <input type="checkbox"/> No Carrying Haz Mat <input type="checkbox"/> Yes <input type="checkbox"/> No 4-digit placard number or name from diamond or box 1-digit number from bottom of diamond			
66 Most Harmful Event for This Unit			5					
67 Distance/Direction to Object Struck			5					
68 Vehicle Undercarriage/Overide			3					
69 Vehicle Details			5					

TRAILER INFO.		Veh #1	Veh #2
62 Trailer Type	0		
1st Trailer No. Axles			
Width (inches)			
Length (feet)			
2nd Trailer No. Axles			
Width (inches)			
Length (feet)			
63 Veh # Overwidth Trailer and Overwidth Mobile Home			
Overwidth Permit #			



Veh #1 was: ☒ Traveling ☐ Parked Facing N S E W on I-40 Veh #2 was: ☐ Traveling ☐ Parked Facing N S E W on

66 NARRATIVE (Include pertinent and unusual steps, which are not listed elsewhere on the form)
VEH.1 WAS TRAVELING WEST ON I-40 IN THE OUTSIDE LANE. PHYSICAL EVIDENCE AT THE SCENE INDICATES THAT THE RIGHT REAR TIRE TREAD SEPARATED, CAUSING THE DRIVER TO LOSE CONTROL PRIOR TO THE COLLISION. VEH.1 RAN OFF THE ROAD TO THE LEFT INTO THE MEDIAN AND OVERTURNED. THE LEFT SIDE OF VEH.1 STRUCK THE GUARD CABLE AND CONTINUED TO OVERTURN ACROSS THE EASTBOUND LANES. VEH.1 CAME TO A STOP IN AN UPRIGHT POSITION HEADED IN A SOUTHEAST DIRECTION ON THE EASTBOUND SHOULDER. DURING THE COLLISION, THE TWO PASSENGERS WERE EJECTED FROM THE VEHICLE. ANGEL ARGENT GARCIA DIED AS A RESULT OF THE INJURIES SUSTAINED AT THE SCENE OF THE COLLISION.

Owner		Owner Address		ADDITIONAL PROPERTY DAMAGE		Date	Property?	Estimated Damage
D.O.T.		RALEIGH NC					<input checked="" type="checkbox"/>	\$300.00
Name		Address		City		State	Phone No.	
		JACKSONVILLE NC						
Name		Address		City		State	Phone No.	
		KNOXVILLE TN						
Name		Charge(s)		Officer Number		Department	Date of Report	
NONE		(Include all violations)		1277		NC SHP/C6	8/27/2003	
Name		Charge(s)		Officer Number		Department	Date of Report	
R.B. MAYNARD		R.B. Maynard		1277		NC SHP/C6	8/27/2003	

Ford Motor Company

Office of the General Counsel

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

**AUTOMOTIVE SAFETY AND PRODUCT LITIGATION
FACSIMILE TRANSMITTAL SHEET**

Date: **August 27, 2008** Time: **9:15 AM**
To: **John Madden** Facsimile Number: **(919) 821-6800**
Telephone Number: **(919) 821-6661**
From: **Marcy Hahn** Facsimile Number: **(313) 248-7727**
Telephone Number: **(313) 323-8287**

Number of Sheets Transmitted, Including this one: **6**

If you do not receive all the pages, please contact the above.

IMPORTANT NOTICE: THIS COMMUNICATION CONTAINS CONFIDENTIAL INFORMATION WHICH IS INTENDED ONLY FOR THE USE OF THE ADDRESSEE. IT MAY ALSO CONTAIN (AND IF LABELED "PRIVILEGED AND CONFIDENTIAL" DOES CONTAIN) INFORMATION THAT IS PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE OR THE WORK PRODUCT DOCTRINE. COPYING OR DISTRIBUTION OF THIS COMMUNICATION BY PERSONS OTHER THAN THE ADDRESSEE IS PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS BY UNITED STATES MAIL. THANK YOU.

Re: **Two Alleged Tread Separation Fatalities**

John - Attached please find two accident reports that I received this morning regarding two alleged tread separation fatalities which recently occurred in North Carolina. Please have your investigator gather more information about these.
Thank you.

Marcy

DMV-246 (Rev. 12-98)

THIS REPORT IS FOR THE USE OF THE DIVISION OF MOTOR VEHICLES. THE DATA IS COLLECTED FOR STATISTICAL ANALYSIS AND SUBSEQUENT HIGHWAY SAFETY PROGRAMMING. DETERMINATIONS OF "FAULT" ARE THE RESPONSIBILITY OF INSURERS OR OF THE STATE'S COURTS.

FATALITY

Do not write in these spaces

Date Received by DMV

No. of Units Involved

Form 1 of 1

☐ Supplemental Report

☐ Non-Reportable

Date

County

Time

Local Use/Patrol Area

08 / 21 / 2003

JOHNSTON

2050

180

Sequence No

A3

Highway

Crash occurred ☒ in ☐ on ☐ Highway

BENSON

or 3 5 0 Miles N S E W

☐ ☒ ☐ outside municipality

h. N S E W

on Highway

Highway Number of highway, Street or Road or Service Road (Include name)

Range of Service Road

Highway

MM331

Highway

or 3 5 0 Miles N S E W

☐ ☒ ☐ outside municipality

h. N S E W

Use Highway Number, Street Name or Address County or State Line

Use Highway Number, Street Name or Address County or State Line

Use Highway Number, Street Name or Address County or State Line

Use Highway Number, Street Name or Address County or State Line

Use Highway Number, Street Name or Address County or State Line

Use Highway Number, Street Name or Address County or State Line

Use Highway Number, Street Name or Address County or State Line

Use Highway Number, Street Name or Address County or State Line

UNIT 1

☒ VEHICLE ☐ PEDESTRIAN ☐ HIT & RUN ☐ COMMERCIAL

to VEHICLE

UNIT 2

☐ VEHICLE ☐ PEDESTRIAN ☐ HIT & RUN ☐ OTHER

Driver

First Name

Last Name

Driver

First Name

Last Name

Address

Address

Address

Address

City

RALEIGH

State

NC

City

State

Zip

Zip

Same Address as Driver's

Driver's Phone

H ()

000

000

0000

Driver's Phone

H ()

000

000

0000

License

Yes ☒ No ☐

License

Yes ☐ No ☐

D.L. #

DOB

State

NC

D.L. #

DOB

State

NC

CDL License

34 Vision

35 Physical

36 D.L.

Restrictions

CDL License

34 Vision

35 Physical

36 D.L.

Restrictions

37 Alcohol

38 Alcohol

39 Results

40 Vehicle

37 Alcohol

38 Alcohol

39 Results

40 Vehicle

37 Alcohol

38 Alcohol

39 Results

40 Vehicle

Owner

Same as Driver's

Owner

Same as Driver's

Address

Same Address as Driver's

Address

Same Address as Driver's

City

MAGNOLIA

State

NC

City

State

Zip

Zip

Plate #

Plate

State

NC

Plate #

Plate

State

Year

Year

VIN

1FMDV32X1RU

VIN

1FMDV32X1RU

Vehicle

Make

Year

Style (Type)

Vehicle

Make

Year

Style (Type)

Vehicle

Make

Year

Style (Type)

43 TAD

44 Estimated

Damage

43 TAD

44 Estimated

Damage

43 TAD

44 Estimated

Damage

43 TAD

44 Estimated

Insurance

Company

Policy #

Insurance

Company

Policy #

Insurance

Company

Policy #

Insurance

Company

20 COMMERCIAL VEHICLE: Cargo, Carrier Name, Address, County

40 Cargo Body Type

41 Same Address as Driver's

Carrier Identification Numbers, GVWR, Axles

US DOT#

ICC#

42 Same Address as Driver's

43 Same Address as Driver's

44 Same Address as Driver's

45 Same Address as Driver's

46 Same Address as Driver's

47 Injured Taken

by EMS to

48 Name of EMS

49 Injured Taken

by EMS to

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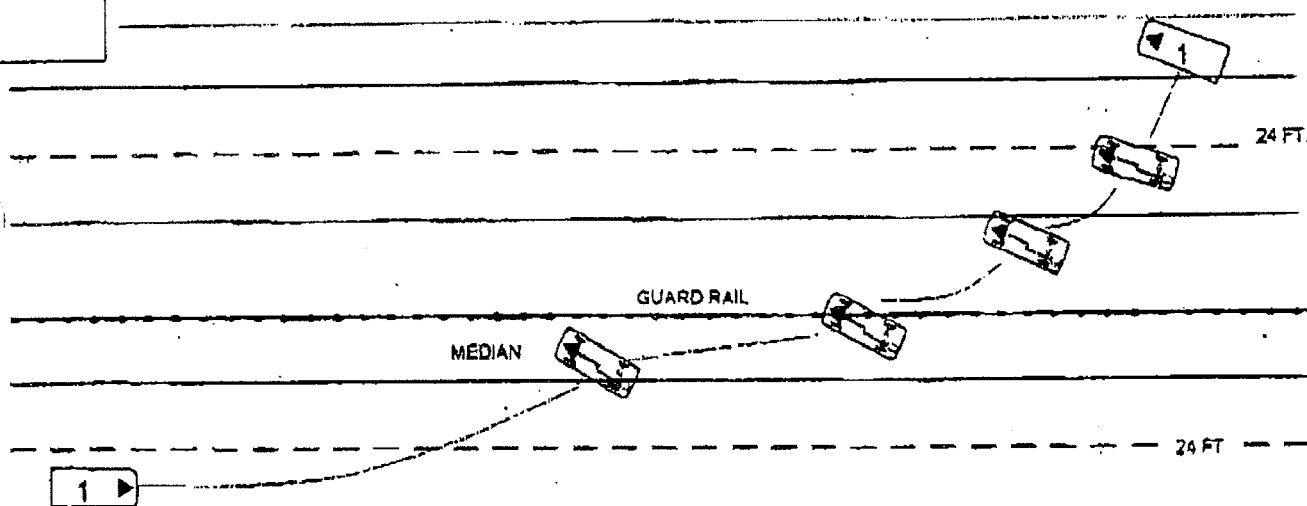
46 Name of EMS

47 Injured Taken

by EMS to

46 Name of EMS

47 Injured Taken



Veh. # 1 was: ☒ Traveling ☐ Parked Facing N ☐ S ☐ E ☒ W on I-40

Veh. # 2 was: ☐ Traveling ☐ Parked Facing N ☐ S ☐ E ☐ W on

VEH.1 WAS TRAVELING WEST ON I-40 IN THE OUTSIDE LANE. PHYSICAL EVIDENCE AT THE SCENE INDICATES THAT THE RIGHT REAR TIRE TREAD SEPARATED, CAUSING THE DRIVER TO LOSE CONTROL PRIOR TO THE COLLISION. VEH.1 RAN OFF THE ROAD TO THE LEFT INTO THE MEDIAN AND OVERTURNED. THE LEFT SIDE OF VEH.1 STRUCK THE GUARD CABLE AND CONTINUED TO OVERTURN ACROSS THE EASTBOUND LANES. VEH.1 CAME TO A STOP IN AN UPRIGHT POSITION HEADED IN A SOUTHEAST DIRECTION ON THE EASTBOUND SHOULDER. ~ DURING THE COLLISION, THE TWO PASSENGERS WERE EJECTED FROM THE VEHICLE. [REDACTED] DIED AS A RESULT OF THE INJURIES SUSTAINED AT THE SCENE OF THE COLLISION.

FD Type: [REDACTED] Owner Address: [REDACTED] Phone: [REDACTED] Owner: [REDACTED] Additional Property Damage: [REDACTED] Estimated Damage: \$300.00
 Name: [REDACTED] Address: [REDACTED] Jacksonville NC [REDACTED] Phone No: [REDACTED]
 Name: [REDACTED] Address: [REDACTED] Knoxville TN [REDACTED] Phone No: [REDACTED]
 Name: NONE Charge(s): [REDACTED] (Citation # optional)
 Name: [REDACTED] Charge(s): [REDACTED]
 R.B. MAYNARD - Officer Name: [REDACTED] Officer Number: 1277 Department: NCSP/ICE Date of Report: 08/01/2003



Johnston Wreck Kills One

By JON SOLES Of The Record Staff

The State Highway Patrol is investigating a wreck that left a Raleigh man dead on I-40 in Johnston County last night.

Sgt. C.S. Taylor said a Ford Explorer driven by Jose Argenal-Garcia lost control and overturned several times on I-40 about 2 miles south of Benson. A passenger, 23-year-old Angel Antonio Argenal-Garcia of Raleigh, was killed in the wreck. He was pronounced dead at the scene, according to Sgt. Taylor.

Jose Argenal-Garcia and another passenger, Gilberto Antonio Reyes, both suffered serious injuries and were transported to Wake Medical Center, according to Sgt. Taylor. "They were in serious condition, but I don't think it's going to be life threatening," he said.

Sgt. Taylor said the wreck happened about 9 p.m. He said the Explorer was traveling in the westbound lane when it overturned several times. The vehicle crossed the median guardrail and came to rest in the eastbound lanes, Sgt. Taylor said.

Details about the accident were unavailable at presstime, but Sgt. Taylor said charges against the driver are pending. Trooper J. Maynard investigated the accident.

Return to Today's Clips