

## Press Release of Paul V. Sheridan Response to Walden v FCA Jury Verdict of \$150,000,000.00

On May 19, 2010 my presence at a Senate Committee on Commerce, Science, and Transportation was requested by Center for Auto Safety (CAS) Director, Clarence Ditlow. This hearing reviewed the plight inflicted upon automotive safety whistleblowers. Senator Jay Rockefeller was deeply chagrined when Mr. Ditlow informed him that my plight included being sued as an individual by Chrysler for the largest amount in history: \$82,000,000.00.

During the above I was introduced to National Highway Traffic Safety Administration (NHTSA) Administrator Mr. David Strickland. The introduction was made by Mr. Ditlow, and former NHTSA Administrator Joan Claybrook.

During this face-to-face discussion with Mr. Strickland I reviewed my participation in the CAS Petition of October 2, 2009; the latter requested a formal NHTSA investigation of the fuel system safety defect in Jeep sport utility vehicles. With Ditlow and Claybrook as witnesses, I informed Mr. Strickland of my possession of a key internal Chrysler document which described in-detail what the engineers and product managers at Chrysler have known since not later than 1978: *Placing a fuel tank behind the rear axle, below the bumper, and leaving it completely unprotected from direct collision impact, constituted a "fundamental safety defect."*

I informed Mr. Strickland of the legally "protected" status of this two-page document, a status that had been demanded by Chrysler defense lawyers as part of their secret lawsuit settlements. I suggested to Mr. Strickland that an official NHTSA request for the document would obviate the legal risks of disclosure. At this point Mr. Strickland formally requested that I forward to him, what has come to be called, the "Baker Memo." From that moment forward, the memo became a public document. It was received by NHTSA on June 1, 2010. The Baker memo was later added to the public file of the NHTSA Defect Petition 09-005.

The Baker memo, dated August 24, 1978, distributed throughout Chrysler and its suppliers, details approaches to ensure the crashworthiness of fuel system design. Mr. Baker, then a high-level Safety Manager in Chrysler Engineering:

*"Chrysler is investigating fuel tank relocation ahead of the rear wheels for vans and multipurpose vehicles, but present plans for pickups through 1983 and for MPV's and vans through 1985 have the fuel tank located behind the rear wheels. In vehicles both with and without bumpers there is a concern with vertical height differences that create a mismatch with passenger car bumpers. Where fuel tank location behind the rear axle is all that is feasible, a protective impact deflection structure may have to be provided whether or not a bumper is provided. An investigation whether to relocate the fuel tank or to provide impact deflecting structures is presently underway."*

Mr. Baker discussed the need to relocate the fuel tank *"ahead of the rear wheels."* Note also that he emphasizes the need for *"impact deflecting structures."* Nowhere in this memo, which was received by Mr. Strickland in June 2010, does Mr. Baker suggest that a trailer hitch in any way contributed to the crashworthiness of the Jeep SUV. In fact, the term 'trailer hitch' is nowhere to be found.

Three years after his receipt of the Baker memo, Administrator Strickland convened a secret, closed-door meeting on June 9, 2013 with Secretary of Transportation Raymond LaHood, and Fiat-Chrysler Automobiles (FCA) Chairman Sergio Marchionne. At the trial of Walden versus FCA, emails were disclosed that demonstrate the level of accommodation that Strickland and LaHood offered, not to the taxpayer, but to their suitors at FCA. That accommodation resulted in the joint June 10, 2013 announcement that a "trailer hitch" was the remedy for crashworthiness, and only for a restricted number of Jeeps that FCA agreed to recall.



On the basis of these and other facts presented at trial, none of which could be rebutted by FCA defense lawyers, the jury ordered that the Walden family be compensated for the fire-death loss of 4-year-old Remington with a unanimous verdict of \$150,000,000.00.



One of the key documents that convinced the Walden jury that their verdict was appropriate was the 1978 Baker memo. However, rather than bringing this type of documentary evidence to the secret meeting in Chicago, none of which would present the term ‘trailer hitch,’ Mr. Strickland essentially brought an updated copy of his personal resume. Later in 2013, Mr. Strickland acquired a high level position at a Washington, D.C. law and lobbying firm that is retained by FCA. Mr. Strickland not only betrayed my trust, he betrayed the trust of the American taxpayer and the Obama Administration.

***“ . . . rather than bringing this type of documentary evidence to the secret meeting in Chicago, none of which would present the term ‘trailer hitch,’ Mr. Strickland essentially brought an updated copy of his personal resume.”***

A year after Mr. Strickland assumed his “new job at Chrysler,” a 23-year-old expecting mother burned to death in a Jeep Liberty. The horrific fire death of Kayla White occurred in Michigan on November 11, 2014. The accident occurred less than a 15-minute drive from FCA headquarters in Auburn Hills, Michigan. Her manslaughter was a direct result of the secret meeting in Chicago on June 9, 2013 between LaHood, Marchionne and Strickland.



On the basis of the manslaughter of Kayla White, the unanimous verdict of \$150,000,000.00 in the trial of Walden versus FCA, the emails that were disclosed at trial, and the further evidence that such a proceeding would produce, I hereby renew my request that a criminal investigation of Mr. Raymond LaHood, Mr. Sergio Marchionne, and Mr. David Strickland be initiated by not only the Department of Justice, but by the relevant state attorneys general, including but not limited to Michigan Attorney General Bill Schuette.

The formal details of my original request for a criminal investigation are here:

<http://pvsheridan.com/Sheridan2Ditlow-4-12Feb2015.pdf>