



FedEx Express  
Customer Support Trace  
3875 Airways Boulevard  
Module H, 4th Floor  
Memphis, TN 38116

U.S. Mail: PO Box 727  
Memphis, TN 38194-4643  
Telephone: 901-369-3600

June 4, 2010

Dear Customer:

The following is the proof-of-delivery for tracking number **869667283713**.

---

**Delivery Information:**

<b>Status:</b>	Delivered	<b>Delivery location:</b>	1200 N.J. AVE SE W41 306 20590
<b>Signed for by:</b>	T.MAPP	<b>Delivery date:</b>	Jun 4, 2010 13:15
<b>Service type:</b>	Standard Box		

---

**Shipping Information:**

<b>Tracking number:</b>	869667283713	<b>Ship date:</b>	Jun 3, 2010
		<b>Weight:</b>	2.0 lbs/0.9 kg

**Recipient:**  
DAVID STRICKLAND  
NHTSA-WEST BLDG  
1200 NEW JERSEY SE  
20590 US

**Shipper:**  
PAUL SHERIDAN  
SHERIDAN, PAUL V  
22357 COLUMBIA ST  
481243431 US

**Reference**

KLINE

Thank you for choosing FedEx Express.

FedEx Worldwide Customer Service  
1.800.GoFedEx 1.800.463.3339

To: Mr. Clarence Ditlow, Director \*  
Center for Auto Safety  
Suite 330  
1825 Connecticut Ave, NW  
Washington, DC 20009-5708  
(202) 328-7700

Date: 1 June 2010

VIA EMAIL AND FEDEX 1283181-00003186

From: Mr. Paul V. Sheridan  
DDM Consultants  
22357 Columbia Street  
Dearborn, MI 48124-3431  
313-277-5095 / [pvs6@Cornell.edu](mailto:pvs6@Cornell.edu)

**Subject 1: Jeep Grand Cherokee Defect Petition 09-005 (DP-09-005) File Update**

**Subject 2: Has Chrysler Group LLC Declared the Bankruptcy Order Void?**

### Courtesy Copy List

Ms. Angel M. DeFilippo  
Grieco Oates & DeFilippo, LLC  
414 Eagle Rock Avenue  
West Orange, NJ 07052  
973-243-2099

Mr. Courtney E. Morgan, Jr.  
Morgan & Meyers, PLLC / Suite 320  
3200 Greenfield Road  
Dearborn, MI 48120  
313-961-0130

Mr. David L. Strickland  
NHTSA Headquarters/West Building  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
888-327-4236

Honorable Arthur J. Gonzalez, Chief Judge  
U.S. Bankruptcy Court for the  
Southern District of New York  
One Bowling Green  
New York, NY 10004-1408  
(212) 668-2870

Senator Frank Lautenberg  
324 Hart Senate Office Building  
District of Columbia 20510-3003  
202-224-3224

Senator Carl Levin  
269 Russell Senate Office Building  
Washington, D.C. 20510-2202  
202-224-6221

Ms. Silvia Gambardella  
Special Projects Producer- WTVD  
411 Liberty Street  
Durham, NC 27701  
919-687-2219

Mr. Brian S. Malone  
Publisher/Editor  
Times of Trenton  
500 Perry Street  
Trenton, N.J. 08605  
609-989-5665

\* Available with hyperlinks here: <http://links.veronicachapman.com/Ditlow-Baker-1.pdf>

DDM Consultants  
22357 Columbia Street  
Dearborn, MI 48124-3431  
313-277-5095  
[pvsheridan@comcast.net](mailto:pvsheridan@comcast.net)

1 June 2010

Mr. Clarence Ditlow, Director  
Center for Auto Safety - Suite 330  
1825 Connecticut Ave, NW  
Washington, DC 20009-5708  
(202) 328-7700

**Subject 1: Jeep Grand Cherokee Defect Petition 09-005 (DP-09-005) File Update**  
**Subject 2: Has Chrysler Group LLC Declared the Bankruptcy Order Void?**

Dear Mr. Ditlow:

### **Review**

Previously I had submitted DaimlerChrysler Safety Recall No. A10–Fuel Tank Blocker Bracket <sup>1</sup> as a [file update to the subject](#) (Attachment 1). What remains significant about this document is that it represents the first time that three key words were used connectedly and simultaneously with respect to the Jeep Grand Cherokee:

“safety”  
“skid plate”  
“repaired”

Although the underlying portent is well-understood internally to Chrysler and its dealers, Safety Recall A10 represented the first admission that Grand Cherokee fuel tank safety/crashworthiness issues could be “repaired” by existence or installation of a skid plate. Alternatively, I have not located MOPAR documentation or Chrysler new vehicle sales order guides that promote these three key words simultaneously. MOPAR materials use phraseology such as “recreation” when selling the fuel tank skid plate to the aftermarket. The new vehicle sales brochures/documents for option package “XEE” use similar descriptions. <sup>2</sup>

Again, prior to my discovery/submission of Safety Recall A10 to the lawsuit of Kline v. Chrysler, Lomans, et al., these three key words were never simultaneously offered to the public; either from Chrysler, from Chrysler dealerships, or from NHTSA (Attachment 1). <sup>3</sup>

---

<sup>1</sup> Dated February 2002, I was unable to locate Safety Recall A10 at the NHTSA website, and it was only recently that you located its cover letter of January 4, 2002 from Matthew Reynolds of the DaimlerChrysler Vehicle Compliance Office.

<sup>2</sup> Although refusing to be interviewed, Chrysler re-emphasized this public posturing/vernacular in their statement submitted to an [ABC News report](#) which described the death of Mrs. Susan Kline; [a case we reviewed pictorially in Attachment F of DP-09-005](#).

<sup>3</sup> As you will see below, Chrysler’s promotional use of the phrase ‘fuel tank skid plate’ is misleading since it implies a purpose restricted to mere recreation. In truth, the essential elements of fuel system crashworthiness are intrinsic to its purpose/design. Internally, for decades, and at the engineering level, it has been referred to as “a protective impact deflection structure.”

**Subject 1: Jeep Grand Cherokee Defect Petition 09-005 (DP-09-005) File Update**

I recently re-acquired a document that was part of my Chrysler FMVSS-301 files (Attachment 2). This “CONFIDENTIAL” August 24, 1978 memo by Mr. Leonard Baker, former Safety Manager of Chrysler Engineering,<sup>4</sup> is entitled: Fuel System Design—Chrysler Passenger Car and Trucks. The subsection “Truck – Fuel Tank Location” states:

*“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.”* (Attachment 3)

In stark contrast to an “on the surface” wording that was legally deployed in Safety Recall A10, this “Baker memo” of the former Chrysler Corporation (Old Carco) confirms detailed internal knowledge of the following fundamental fuel system defect/crashworthiness issues:

1. The fundamental lack of safety when fuel tanks are NOT located “*ahead of the rear wheels*” (such as in the Ford Pinto or the 1993-2004 Jeep Grand Cherokee).
2. The fundamental lack of safety when fuel tanks are located below the rear bumper, and are therefore vulnerable to the underride accident scenario due to “*a concern with vertical height differences that create a mismatch with passenger car bumpers*” (such as in the 1993-2004 Jeep Grand Cherokee).
3. The fundamental lack of safety when fuel tanks are unshielded; that is, when these have NOT been provided with “*a protective impact deflection structure*” (i.e. a fuel tank skid plate, which would have “repaired” the 1996 Jeep Grand Cherokee driven by Mrs. Kline).<sup>5</sup>

All three of these fuel system defect/crashworthiness issues were intrinsic to the accident sequence which occurred on February 24, 2007; [leading to the horrific death of New Jersey resident Mrs. Susan Kline](#). All three fuel system defect/crashworthiness issues were corrected in 2005 with the WK version of the Jeep Grand Cherokee; an engineering design which was heavily influenced by Daimler which has not had any fire related severe burn or death victims.<sup>6</sup>

<sup>4</sup> Mr. Baker later moved to an organization promoted as the Product Analysis Group. In-truth Product Analysis is part of the [Chrysler Legal department](#). In this later role, Baker reported to staff such as [Mr. Lewis Goldfarb](#) (Lead attorney for safety defect litigation) and [Mr. William O’Brien \(Chrysler Counsel\)](#); both of whom were involved in the confiscation of my Chrysler office safety files (Attachment 2). Attachment 3 was written to Mr. Robert M. Sinclair, who later became Executive VP of Chrysler Engineering, reporting to President Hal Sperlich and Chairman Lee Iacocca.

<sup>5</sup> Please see footnote 3, page one. It should be recognized that discussion of “*a protective impact deflection structure*” was occurring/extensive during a period when plastic fuel tanks were not yet in use at Chrysler.

<sup>6</sup> Option “XEE” is [not available on the 2005-2010 WK Jeep Grand Cherokee](#) since these versions are equipped with “*a protective impact deflection structure*” (i.e. a fuel tank skid plate) [as standard](#). This is also true for the [2011 WL version](#) which shares major development/part commonality with the [Mercedes-Benz ML Class SUV](#) (which has never included the three fuel system design defects described by Baker).

**Subject 2: Has Chrysler Group LLC Declared the Bankruptcy Order Void?**

I am sharing this "Confidential" Baker memo with no moral or ethical risk. However, public disclosure of related or similar documents may pose a legal risk.

On March 30, 2009 [President Obama announced the determination by his 'Auto Task Force'](#) that a taxpayer-funded bailout would require that Chrysler LLC (Old Carco) file for bankruptcy. The latter was granted by Judge Arthur Gonzalez of the U.S. Bankruptcy Court for the Southern District of New York on June 1, 2009. Since that ruling, billions of taxpayer dollars have been funneled to Chrysler Group LLC (New Carco), including a near-billion-dollar grant to Chrysler dealers. [In bankruptcy court filings Chrysler declared](#) that it will:

*"Only pay incentives to those dealers that they believe have value to the acquiring company."*

Respecting the President's knowledge of the bankruptcy laws, Chrysler continually emphasized distinctions between entities that possessed value versus those that did not. Old Carco, allegedly bankrupt circa June 1, 2009, was publicly and unequivocally declared as having no value. Indeed, minutes after the President's announcement, plaintiffs nationwide hurriedly received a facsimile entitled, "Notice of Suggestion of Bankruptcy" alleging this 'no value' status (Attachment 4).

However, [in the case of Kline v. Chrysler, Lomans, et al.](#), Chrysler Group LLC has ostensibly declared the bankruptcy status of Old Carco as void. In response to discovery (served on April 22, 2010 for production on May 7, 2010) Chrysler Group LLC has unabashedly reversed its earlier legal position regarding the 'no value' status of Old Carco by repeatedly resurrecting the following pre-bankruptcy rhetoric against plaintiffs:

*"Assuming an appropriate protective order is entered, Chrysler Group LLC will produce the documents by May 28, 2010. Almost all the (Old Carco) documents you are seeking contain confidential commercial information. As such, Chrysler Group LLC will not produce these (Old Carco) documents without a protective order in place. I will forward a proposed protective order to you with the discovery responses." (Attachment 5)*

In order to secure the billion-dollar taxpayer-funded bailout, Chrysler Group LLC was compelled to [liquidate the assets of Old Carco and declare it insolvent \(i.e. bankrupt\)](#). However, in the closed-door realm of safety defect litigation, Chrysler Group LLC is now proclaiming that this publicly promoted claim of liquidation/insolvency was merely a ruse; that in-reality Old Carco retains substantial value, and therefore the Baker memo and related or similar discovery documents which relate to an *"investigation presently underway"* are commercially proprietary, confidential, and valuable.

Respectfully yours,

[Paul V. Sheridan](#)

# Attachment 1

February 2002

Dealer Service Instructions for:

**Safety Recall No. A10 -- Fuel Tank Blocker Bracket**

Effective immediately, all repairs on involved vehicles are to be performed according to this recall notification. The labor operations for the interim service procedure that was published in the A10 electronic mail (DMAIL) message of January 4, 2002 will be cancelled on March 15, 2002. Those vehicles that have already been repaired by having a skid plate installed, do NOT require any additional service.

**Models****2002 (WJ) Jeep® Grand Cherokee**

*NOTE: This recall applies only to the above vehicles that are equipped with a fuel tank brush guard (WITHOUT Sales Code – XEE) built through December 13, 2001 (MDH 121317).*

**IMPORTANT:** Some of the involved vehicles may be in dealer new vehicle inventory. **Federal law requires you to stop sale and complete this recall service on these vehicles before retail delivery.** Dealers should also consider this requirement to apply to used vehicle inventory and should perform this recall on vehicles in for service. Involved vehicles can be determined by using the DIAL VIP System.

**Subject**

About 71,000 of the above vehicles may not comply with the requirements of Federal Motor Vehicle Safety Standard (FMVSS) 301 – Fuel System Integrity. Under certain accident conditions, the fuel tank may deform and damage an internal control valve. This could allow fuel leakage to occur if the vehicle rolls over. Fuel leakage in the presence of an ignition source can result in a fire.

**Repair**

A fuel tank blocker bracket must be installed on all involved vehicles.

**Parts Information**

<u>Part Number</u>	<u>Description</u>
<b>CBJ0A100</b>	<b>Fuel Tank Blocker Bracket</b>

**Each dealer** to whom vehicles in the recall were invoiced will receive enough Blocker Bracket Packages to service about **10%** of those vehicles. Each package contains a blocker bracket and a spacer.

**Service Procedure**

1. Raise the vehicle on an appropriate hoist.
2. Support the fuel tank with an OTC Fuel Tank Jack or equivalent.
3. Remove the four (4) fuel tank-to-rear bumper fascia clips (Figure 1).
4. Loosen, but do not remove, the bolts for the two (2) rear brush guard-to-frame support brackets (Figure 2).

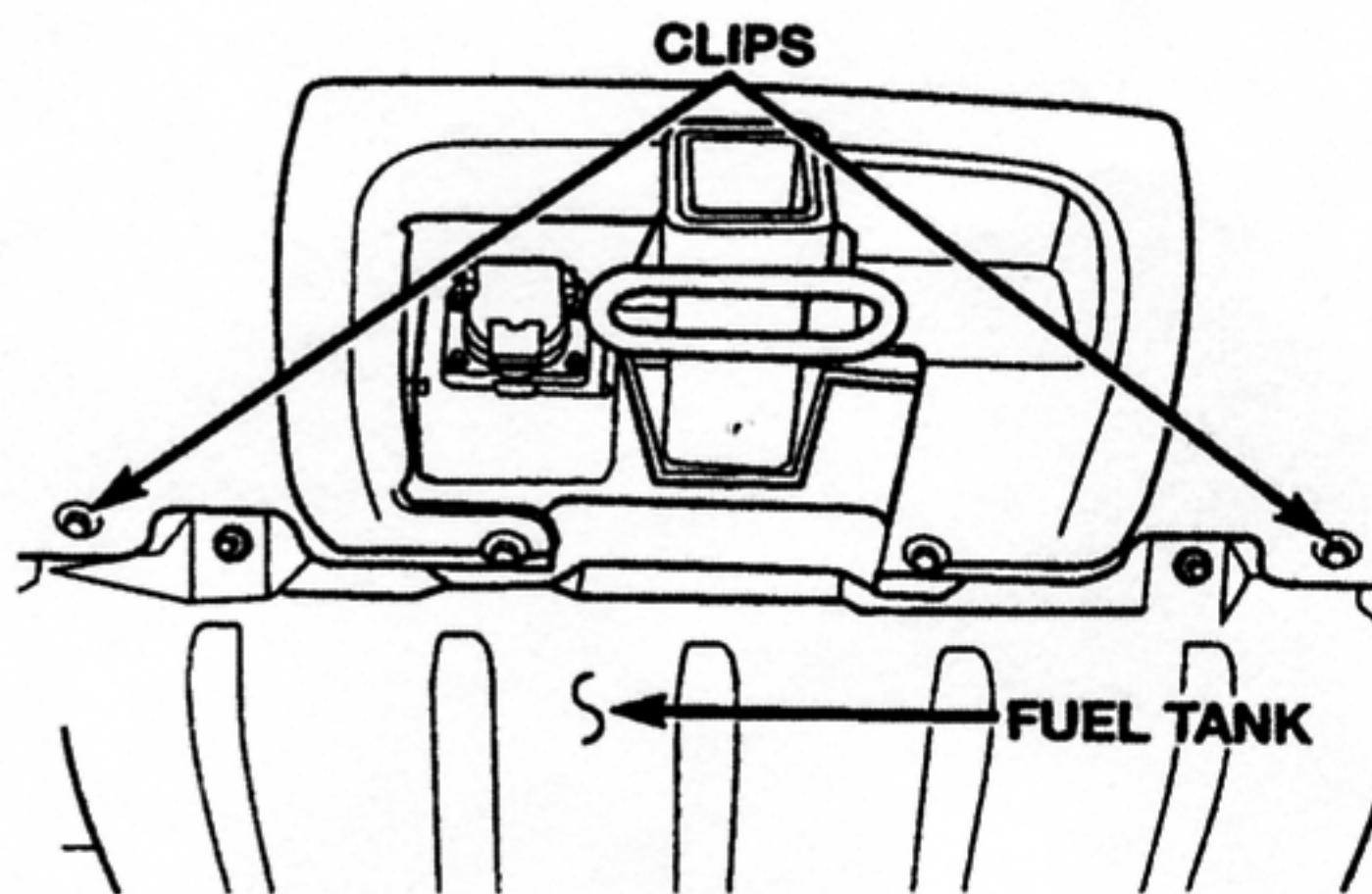


Figure 1

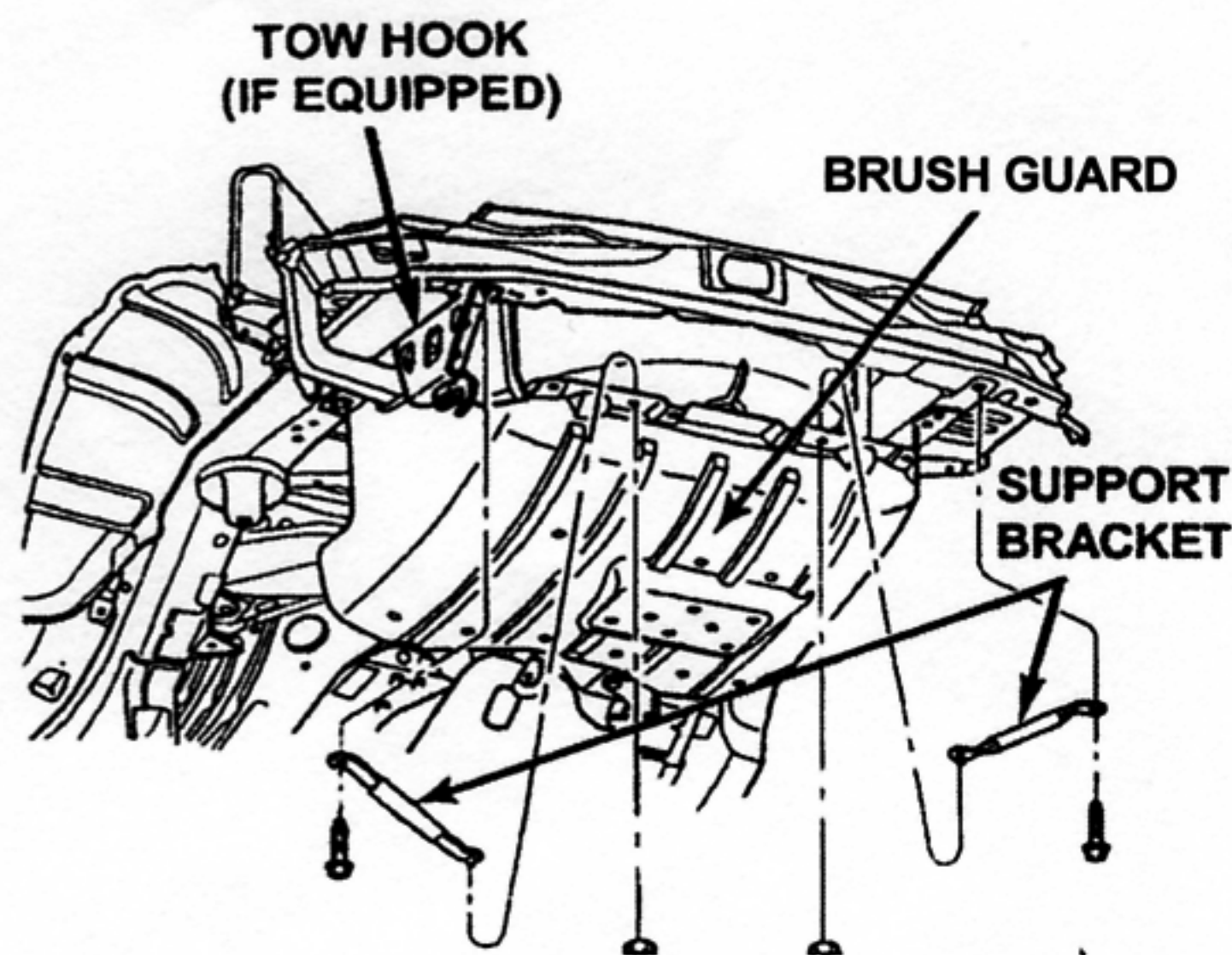


Figure 2



**Service Procedure (Continued)**

5. Loosen, but do not remove, the bolts for the front brush guard-to-frame support bracket (Figure 3).
6. Disconnect the electrical harness clip from the left side of the brush guard.

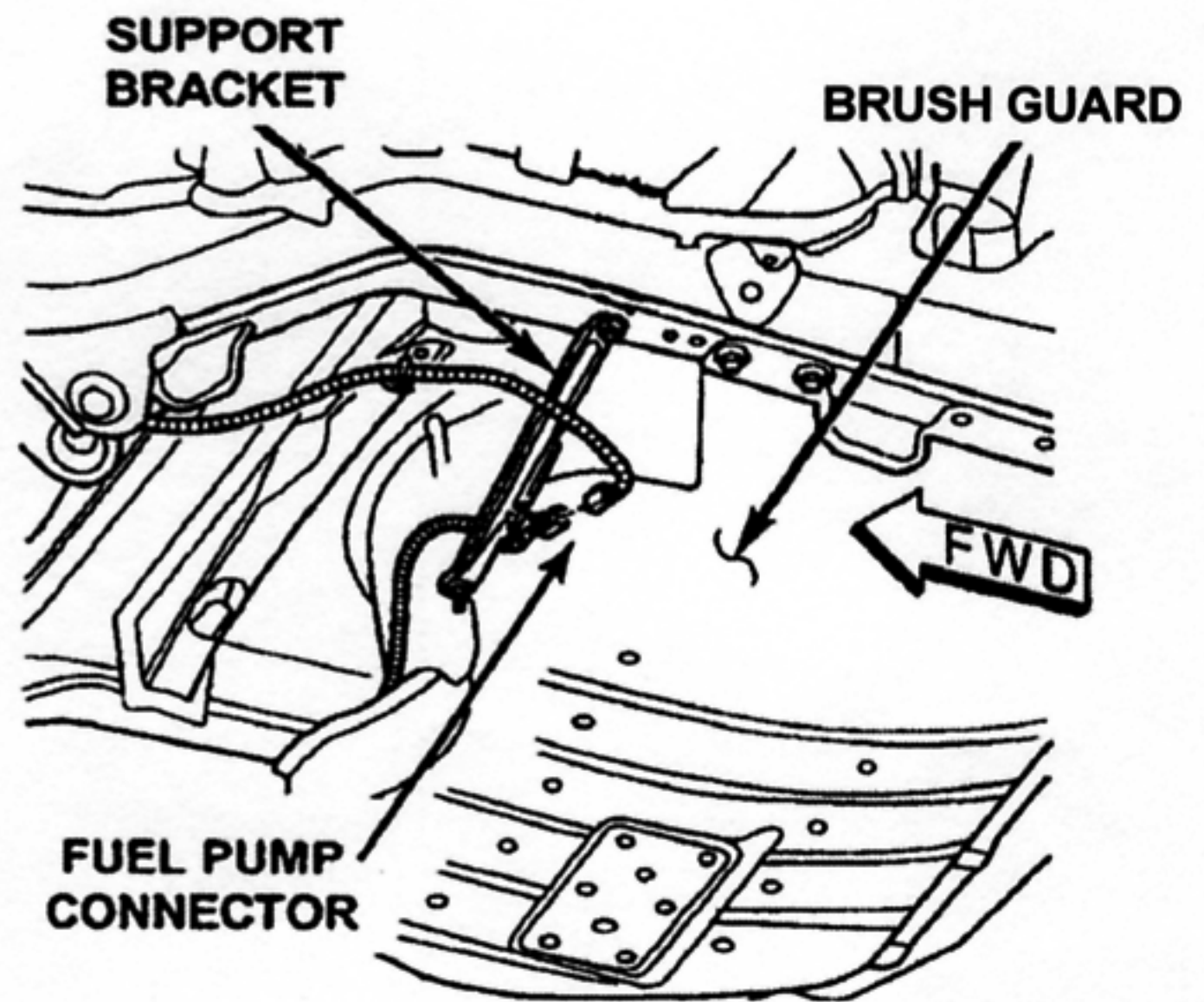


Figure 3

7. Remove the three (3) forward-most LEFT SIDE brush guard/trailer hitch (if equipped) mounting bolts (Figure 4). **DO NOT remove the rear left brush guard/trailer hitch mounting bolt.**
8. Loosen, but do not remove, the remaining four (4) brush guard bolts (one left side and three right side).
9. **For vehicles equipped with a trailer hitch,** loosen but do not remove, the two (2) rear-most trailer hitch bolts.
10. Using a large pry bar, reposition the fuel tank/brush guard assembly as far to the right side of the vehicle (passenger side) as possible.

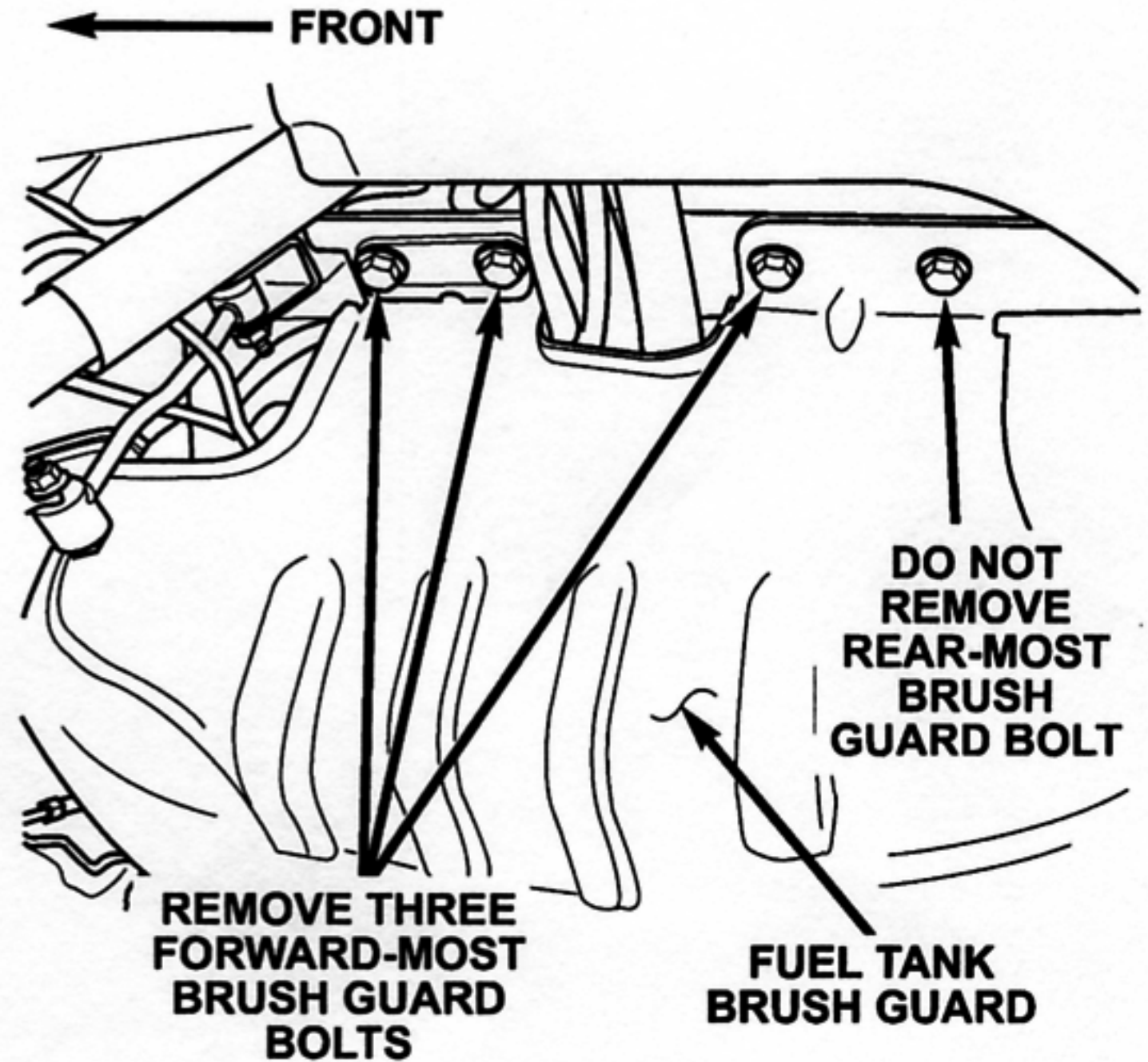


Figure 4

<b>Service Procedure (Continued)</b>
--------------------------------------

11. With an assistant holding the tank assembly in the right-most position, and using a 12 inch extension, tighten the three right and the rear-most left, brush guard bolts to 65 ft-lbs (88 N·m).
12. **For vehicles equipped with a trailer hitch,** tighten the two (2) rear-most trailer hitch bolts to 65 ft-lbs (88 N·m).
13. Install the fuel tank blocker bracket adjacent to the left side of the fuel tank brush guard (Figure 5).

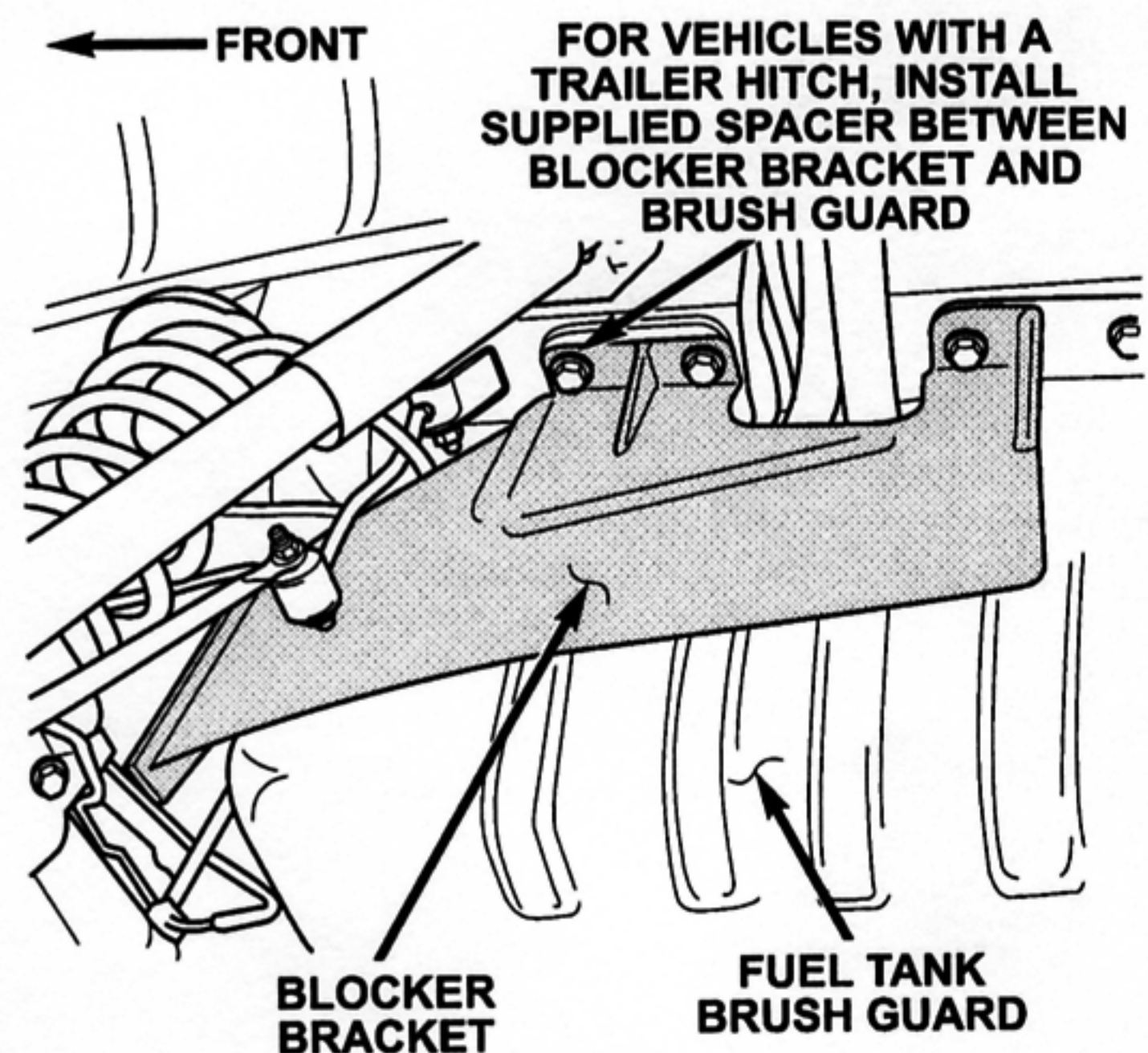


Figure 5

**IMPORTANT:** For vehicles equipped with a trailer hitch, install the supplied spacer between the blocker bracket and the brush guard at the forward-most bolt hole location.

14. Position the blocker bracket as far to the right as possible (next to the brush guard) and then install the fuel tank brush guard/trailer hitch mounting bolts (Figure 5). Using a 12 inch extension, tighten the bolts to 65 ft-lbs (88 N·m).

**IMPORTANT:** Tighten the forward-most blocker bracket bolt first.

15. Secure the electrical harness to the blocker bracket with the harness clip. If the clip was damaged during removal, use a new clip (PN 04688451).
16. Tighten the front brush guard-to-frame support bracket bolts (Figure 3).
17. Tighten the bolts for the two (2) rear brush guard-to frame support brackets (Figure 2).
18. Install the four (4) rear fascia-to-fuel tank push pins (Figure 1).
19. Remove the fuel tank support.
20. Lower the vehicle.

**Completion Reporting and Reimbursement**

Claims for vehicles that have been serviced must be submitted on the DIAL System. Claims submitted will be used by DaimlerChrysler to record recall service completions and provide dealer payments.

Use the following labor operation number and time allowance:

	<b>Labor Operation Number</b>	<b>Time Allowance</b>
Install Fuel Tank Blocker Bracket	14-A1-01-84	0.3 hours

Add the cost of the recall parts package plus applicable dealer allowance to your claim.

NOTE: See the Warranty Administration Manual, Recall Claim Processing Section, for complete recall claim processing instructions.

**Parts Return**

Not applicable.

**Dealer Notification and Vehicle List**

All dealers will receive a copy of this dealer recall notification letter by first class mail. Two additional copies will be sent through the DCMMS, and the MDS2 will be updated to include this recall in the near future. **Each dealer to whom involved vehicles were invoiced will receive a list of their involved vehicles.** The vehicle list is arranged in Vehicle Identification Number (VIN) sequence. Owners known to DaimlerChrysler are also listed. The lists are for dealer reference in arranging for service of involved vehicles.

### **DIAL System Functions 53 and VIP**

All involved vehicles have been entered to DIAL System Functions 53 and VIP for dealer inquiry as needed.

Function 53 provides involved dealers with an updated VIN list of their incomplete vehicles. The customer name, address and phone number are listed if known. Completed vehicles are removed from Function 53 within several days of repair claim submission. To use this system, type "53" at the "ENTER FUNCTION" prompt, then type "ORDA10".

### **Owner Notification and Service Scheduling**

All involved vehicle owners known to DaimlerChrysler are being notified of the service requirement by first class mail. They are requested to schedule appointments for this service with their dealers. A copy of the owner letter is attached.

Enclosed with each owner letter is an Owner Notification Form. The involved vehicle and recall are identified on the form for owner or dealer reference as needed.

### **Vehicle Not Available**

If a vehicle is not available for service, let us know by filling out the pre-addressed Owner Notification Form or describe the reason on a postcard and mail to:

DaimlerChrysler Corporation  
CIMS 482-00-85  
800 Chrysler Drive East  
Auburn Hills, Michigan 48326-2757

### **Additional Information**

If you have any questions or need assistance in completing this action, please contact your Zone Service Office.

Customer Services Field Operations  
DaimlerChrysler Corporation

## **Attachment 2**

LAW OFFICES  
**CHAMBERS STEINER**

A Professional Corporation

1490 FIRST NATIONAL BUILDING  
DETROIT, MICHIGAN 48226-3592

Telephone (313) 961-0130  
Fax (313) 961-8178

JOHN F. CHAMBERS  
SANFORD L. STEINER  
MICHAEL S. MAZUR  
ALEXANDER T. ORNSTEIN  
DARRELL M. AMLIN  
COURTNEY E. MORGAN  
JEFFREY T. MEYERS  
ANGELA J. NICITA  
LOUIS G. COREY  
JOHN I. KITTEL  
RICHARD J. CAROLAN  
MICHELLE J. HARRISON  
PATRICIA A. MURRAY  
CHRISTOPHER S. HARTMAN  
FRANKLIN J. CHAMBERS  
MARTIN R. STURM  
KEVIN P. BURCH  
DOUGLAS A. MERROW  
LISA A. KLAEREN  
FRANK B. MELCHIORE  
DANIEL C. BROWN

**KALAMAZOO OFFICE**  
7040 STADIUM DRIVE  
KALAMAZOO, MICHIGAN 49009  
Telephone (616) 375-4300  
Fax (616) 375-4077

**ROSEVILLE OFFICE**  
25235 GRATIOT AVE.  
ROSEVILLE, MICHIGAN 48066  
(810) 773-3455

July 14, 1995

Thomas G. Kienbaum, Esq.  
500 Woodward Ave., Suite 4000  
Detroit, Michigan 48226-3406

Re: Chrysler vs. Sheridan

Dear Mr. Kienbaum:

I am in receipt of your most recent correspondence regarding the magistrate's recommendation and our providing of information to you regarding office materials. I do not know how you could have reasonably concluded from the correspondence that was forwarded to you that we are of the opinion that there is no basis to conclude that evidence may have been tampered with in this case. Indeed, the anxiety exhibited by the fact that you immediately faxed your reply to me suggests that in reality you hold the opposite opinion. Due to the necessity of my attendance at federal court in Wichita, Kansas this week, I did not believe that I was going to be able to comply with the July 14, 1995 deadline. Now, it appears that we are in a position to comply.

The information provided hereunder is based upon our limited and restricted ability to review materials which were allegedly seized from Mr. Sheridan's work space. That review is neither complete, nor did it have as its purpose the ferreting out of all details of evidence tampering which may exist. Lack of inclusion of any specific item in this list shall not be taken as an admission of the authenticity of such a document or other tangible item.

The document submitted by the plaintiff entitled, "Confidential Inventory of Material from Paul V. Sheridan's Cubicle at the Chrysler Technology Center", dated March 16, 1995, has numerous general inconsistencies and inaccuracies based on defendant's knowledge and cursory examination of the actual inventory:

July 14, 1995

1. This "inventory" fails to list and does not contain the following files:

- Liftgate Latch - General
- Liftgate Latch - Competitive
- Safety Leadership Team - Meeting Minutes
- Safety Leadership Team - Preliminary
- Liftgate Latch - Safety Office
- H. G. Cook Study
- FMVSS 206 - General
- Seat Back Strength - General
- Seat Back Strength - FMVSS 207 Specifications
- Offset Impact - General
- Rear Crash Survivability - General
- FMVSS - 301
- Side Crashworthiness Issues
- FMVSS - 214
- Bumper Issues - General
- NS-Body Bumper
- Taillamp Studies - Zarowitz
- Amber Taillamp - NS-Body
- Rear Seat Headrest - General and Zarowitz
- Back-up Light - General

2. The "inventory" lists files but inaccurately portrays their original/current contents:

- Box #1 - File "NS Liftgate System". This file contained subfiles such as "Customer Injury", "Saginaw", et al. Also contains photographs that were originally in the "Liftgate Latch - General" file which is missing per #1 above. (see page 4 of inventory).

CHAMBERS STEINER

Page 3

July 14, 1995

- Box #1 - File "NHTSA News" contains only half its original contents (see page 4 of inventory).
- Box #1 - File on "Muth Technologies" not listed; subfile "RSZ" not listed (see page 4).
- Entry on page 8 of inventory indicates that a file contained "correspondence for Dr. Detroit Motorsports". No correspondence was ever sent to Mr. Sheridan's Chrysler office for Dr. Detroit Motorsports, nor was any on file at that location.

3. The "inventory" identifies files and file locations by box number but the location identified was found to be inaccurate.

4. The "inventory" fails to explain/list file materials that were found in the actual inventory by defendant:

- Documents relating to FMVSS-208 dated December 21 were found in Box #1 in file "NS-Restraints". This file is not listed on inventory. (see page 4)

5. This "inventory" fails to accurately explain/list documents allegedly found in the cubicle, as described during the deposition of plaintiff's investigators.

6. The "inventory" fails to list files that were found in the actual inventory.

7. The "inventory" fails to list/identify location of specific video tapes:

- Environmentally Safe Oil Changes
- Formula SAE
- IIHS Bumper Tests
- Etc.



CHAMBERS STEINER

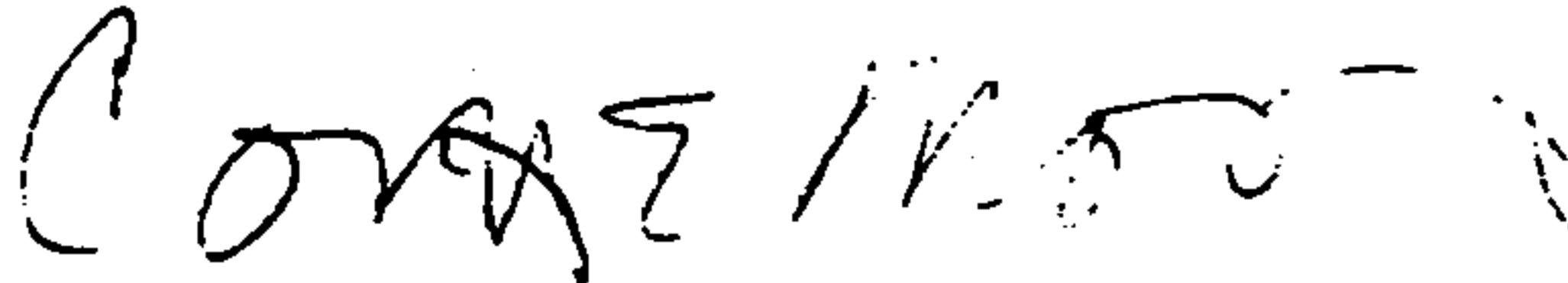
Page 4

July 14, 1995

8. The "inventory" fails to accurately list contents of computer disks and computer hard drive.

This response is not complete. Further examinations of inventory is still pending. Preliminary examinations cover documents listed through page 18, but not Box #7. Document listings from page 18 through 39 have not yet been examined.

Sincerely,



Courtney E. Morgan, Jr.

CEM/mn

cc: George Googasian, Esq.  
(Via Facsimile)

## **Attachment 3**

Inter Company Correspondence

File Code

Date

August 24, 1978

Name & Department	Division	Plant/Office	CIMS Number
R. M. Sinclair, Director International Product Development	Product Plan. & Design Office	Chrysler Center	416-20-15
L. L. Baker, Manager Automotive Safety	Engineering Office	Chrysler Center	418-12-34

Subject: Fuel System Design - Chrysler Passenger Cars And Trucks.

Pursuant to the discussions between Messrs. Vining, Jeffe, Sperlich and yourself with Mr. Mochida on August 22, the fuel system design for domestic passenger cars and trucks is summarized for Mr. Mochida's information.

Not only are the impact performance requirements of MVSS-301 pertinent to the design approach but the significant increase in the last few years in the numbers of product liability cases involving fuel system fires and the increase in the size of the awards by sympathetic juries has to be recognized. In the Ford Pinto case the NHTSA Office of Defects Investigation selected arbitrary performance criteria of minimal or no fuel leakage when the test car is impacted in the rear by a full size car at 35 mph as a basis for questioning the safety of a recall modification of the Pinto.

• Passenger Car

Fuel Tank Location

The front wheel drive configuration in Chrysler's Omni and Horizon allowed the fuel tank to be located beneath the rear seat. This location provides the protection of all of the structure behind the rear wheels--as well as the rear wheels themselves--to protect the tank from being damaged in a collision. This same location will be used in the new 1981 K-Body cars which will also have a front wheel drive.

The rear wheel drive H-Body scheduled for introduction in 1983 will have the fuel tank located over the rear axle and beneath the floor pan.

The question of whether M, R or J-Body cars should be converted to tank over axle prior to their phase-out is a matter under intensive study at this time.

Filler Neck And Cap

As the fuel tank is moved to a more forward location, the fuel fill is moved to the side of the car. The fuel cap will be recessed below the body surface and a fuel fill door provided. The fuel filler neck is designed to break away from the car body with the fuel filler cap still in place.

In this design the filler cap and fill neck or fill tube remain with the tank to avoid separation and possible fuel leakage. This side fill is scheduled for J and M-Bodies in 1980 and the Y-car in 1981.

The fuel fill is less likely to be damaged in a sideswipe when located on the right side of the car. As new models are introduced, the fuel fill will be moved to the right side of the vehicle. This may also offer greater protection to drivers who run out of gasoline on the highway, since they will fill the tank on the side away from the traffic.

#### Structure

In 1979 through 1983, the M, R, and J model cars which have the fuel tank under the floor pan behind the rear wheels, structural reinforcement of the longitudinals on each side of the tank, shielding of any unfriendly surfaces adjacent to the tank, and the design of straps and hangers to limit undesired tank movement will be employed.

#### Truck

##### Fuel Tank Location

The same principles regarding fuel tank location apply to truck design. It is important that these larger fuel tanks are not only shielded from damage in a collision but do not break away from the truck and thereby spread fuel onto the roadway. The approach used by Mitsubishi on the SP-27 of locating the fuel tank ahead of the rear wheels appears to provide good protection for the tank.

The front wheel drive T-115 to be introduced in 1982 will have the fuel tank ahead of the rear wheels and under the rear seat. However, in rear wheel drive trucks there is no clearance over the axle for fuel tank installation and in many cases there is insufficient space ahead of the axle for fuel tanks of the desired capacity.

Chrysler is investigating fuel tank relocation ahead of the rear wheels for vans and multi-purpose 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.

##### Fill Neck And Cap

All trucks and vans have side fill. The sweptline pickup truck (DW 1-3) and multi-purpose vehicles (AD-1 & AW-1) will have a recessed fill cap and fuel filler door beginning in 1981.

  
L. L. Baker

## **Attachment 4**

# HANLON BOGLIOLI & HANLON PC

ATTORNEYS AT LAW

ROBERT M. HANLON\*  
BERNARD F. BOGLIOLI\*  
BONNIE H. HANLON\*  
ROBERT M. HANLON, JR.†  
MARY O'KEEFE MASSEY\*  
ROBERT M. COOK‡

WILLIAM F. HANLON (1901-1972)

OF COUNSEL  
ALBERT W. CORNACHIO III†

P.O. BOX 6147  
EDISON, NEW JERSEY 08818  
(732) 346-9555  
FAX (732) 346-1501

HAND DELIVERY  
523 RARITAN CENTER PARKWAY  
EDISON, NEW JERSEY 08837

800 WESTCHESTER AVENUE, S-608  
RYE BROOK, NY 10573  
(914) 220-5322 / FAX (914) 696-0450

WEST LONG BRANCH, NJ  
(732) 229-8020 / FAX (732) 870-0772

RICHARD P. GROSSMAN, JR.\*  
RICHARD J. MIRRA\*  
CHRISTINE GIORDANO HANLON†

\* Admitted NJ Only  
† Admitted NJ & NY  
‡ Admitted NJ & PA  
§ Admitted NY Only

REPLY TO: EDISON

May 1, 2009

Clerk  
Morris County Superior Court  
Morris County Court House  
Washington and Court Streets  
PO Box 910  
Morristown, New Jersey 07963-0910

RE: Kline v. Chrysler LLC, et al  
Docket No. MRS-L-3575-08  
Our File No. 2805

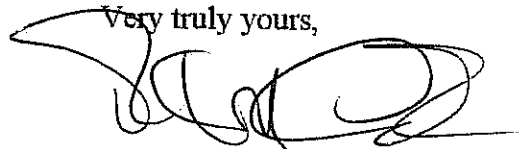
Dear Sir/Madam:

Enclosed are an original and one copy of a Notice of Suggestion of Bankruptcy staying all litigation against Chrysler LLC.

Kindly file same and return a stamped filed copy to this office in the enclosed self-addressed stamped envelope.

Thank you for your attention in this regard.

Very truly yours,



ROBERT M. COOK

RMC/laf  
Enclosures

cc: Angel M. De Filippo, Esq.  
Grieco, Oates & De Filippo, LLC

Margaret M. Mitchell, Esq.  
Weston, Stierli, McFadden & Capotorto

MAY - 4 2009

Kline v. Chrysler LLC, et al  
May 1, 2009  
Page 2

cc: Michael J. Rossignol, Esq.  
Law Office of Michael J. Rossignol

---

James T. Gill, Esq.  
Leary, Bride, Tinker & Moran

**HANLON BOGLIOLI & HANLON PC**

P.O. Box 6147

Edison, New Jersey 08818 (Mailing Address)

523 Raritan Center Parkway

Edison, New Jersey 08837

(732) 346-9555

Attorneys for Defendant, Chrysler LLC

improperly plead as DaimlerChrysler Corporation a/k/a Chrysler Corporation

THOMAS KLINE, as Administrator Ad  
 Prosequendum of the Heirs at Law of SUSAN  
 MORRIS KLINE (Deceased), as Administrator  
 of the Estate of SUSAN MORRIS KLINE, and  
 THOMAS KLINE, Individually

Plaintiffs,

vs.

VICTORIA MORGAN-ALCALA, CARLOS  
 ALCALA, NATALIE RAWLS,  
 DAIMLERCHRYSLER CORPORATION,  
 a/k/a CHRYSLER CORPORATION, LOMAN  
 AUTO GROUP, JOHN DOES, A through Z,  
 (Names being fictitious), ABC  
 CORPORATIONS, 1 through 100, (Names  
 being fictitious),

Defendants.

SUPERIOR COURT OF NEW JERSEY  
 LAW DIVISION: MORRIS COUNTY  
 DOCKET NO. MRS-L-3575-08

Civil Action

**NOTICE OF SUGGESTION OF  
BANKRUPTCY**

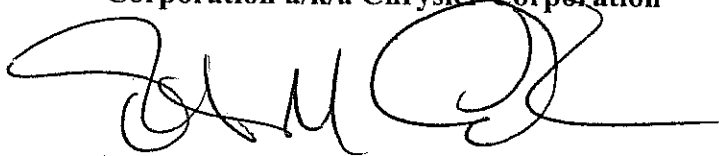
**PLEASE TAKE NOTICE THAT** on April 30, 2009 (the "Petition Date"), Chrysler LLC ("Chrysler") and certain domestic direct and indirect subsidiaries (the "Debtors"), filed a voluntary petition for relief in the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court") under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code"), which is being jointly administered and which is pending before the Honorable Arthur J. Gonzalez as Case No. 09-50002 (AJG).



**PLEASE TAKE FURTHER NOTICE THAT**, in accordance with the automatic stay imposed by operation of section 362 of the Bankruptcy Code, from and after the Petition Date no cause of action arising prior to, or relating to the period prior to, the Petition Date, including this action, may be commenced or prosecuted against the Debtors including Chrysler LLC, improperly plead as DaimlerChrysler Corporation a/k/a Chrysler Corporation, in this civil action, and no related judgment may be entered or enforced against the Debtors outside of the Bankruptcy Court without the Bankruptcy Court first issuing an order lifting or modifying the automatic stay for such specific purpose.

Dated: May 1, 2009

**HANLON BOGLIOLI & HANLON, PC**  
**Attorneys for Defendant Chrysler LLC,**  
**improperly plead as DaimlerChrysler**  
**Corporation a/k/a Chrysler Corporation**



**Robert M. Cook, Esq.**

## **Attachment 5**

Founded in 1852  
by Sidney Davy Miller

# MILLER CANFIELD

M. SHEILA JEFFREY  
TEL (734) 668-7797  
FAX (734) 747-7147  
E-MAIL [jeffrey@millercanfield.com](mailto:jeffrey@millercanfield.com)

Miller, Canfield, Paddock and Stone, P.L.C.  
101 North Main Street, Seventh Floor  
Ann Arbor, Michigan 48104  
TEL (734) 663-2445  
FAX (734) 747-7147  
[www.millercanfield.com](http://www.millercanfield.com)

MICHIGAN: Ann Arbor  
Detroit • Grand Rapids  
Kalamazoo • Lansing  
Saginaw • Troy

FLORIDA: Naples

ILLINOIS: Chicago

NEW YORK: New York

OHIO: Cincinnati

CANADA: Toronto • Windsor

CHINA: Shanghai

MEXICO: Monterrey

POLAND: Gdynia

Warsaw • Wrocław

May 5, 2010

**VIA FACSIMILE (973) 243-2095 AND FEDERAL EXPRESS**

Angel M. DeFilippo, Esq.  
Grieco, Oates & DeFilippo, LLC  
414 Eagle Rock Avenue, Suite 200  
West Orange, New Jersey 07052

Re: Kline (Thomas, et al.) v. Chrysler Corporation, et al.

Dear Ms. DeFilippo:

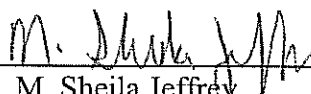
My firm is discovery counsel for Chrysler Group LLC, which is the custodian of records for Old Carco LLC (f/k/a Chrysler LLC). I am in receipt of the subpoena you served on Chrysler Group LLC. I note that the Notice of Deposition is dated March 10, 2010 and the Order Issuing Subpoena is dated April 2, 2010. However, Chrysler Group LLC was not served with the subpoena until April 28, 2010.

The subpoena directs Chrysler Group LLC either to provide a witness for a records deposition on May 7, 2010 or produce the requested documents prior to May 7, 2010. Because of the belated service of the subpoena, and the voluminous documents sought therein, Chrysler Group LLC is unable either to produce a witness or the documents on May 7, 2010. Chrysler Group LLC will provide responses and objections to the discovery requests appended to the subpoena by May 7, however.

Assuming an appropriate protective order is entered, Chrysler Group LLC will produce the documents by May 28, 2010. Almost all the documents you are seeking contain confidential commercial information. As such, Chrysler Group LLC will not produce these documents without a protective order in place. I will forward a proposed protective order to you with the discovery responses.

Please do not hesitate to contact me if you have any questions.

Sincerely yours,

By:   
M. Sheila Jeffrey  
Attorney at Law

MSJ/wsb

cc: Courtney E. Morgan, Jr., Esq. – Via Facsimile (313) 961-8178 and Federal Express  
17,944,035.1\142778-00081

Founded in 1852  
by Sidney Davy Miller

# MILLER CANFIELD

MICHIGAN: Ann Arbor  
Detroit • Grand Rapids  
Kalamazoo • Lansing  
Saginaw • Troy

M. SHEILA JEFFREY  
TEL (734) 668-7797  
FAX (734) 747-7147  
E-MAIL [jeffrey@millercanfield.com](mailto:jeffrey@millercanfield.com)

Miller, Canfield, Paddock and Stone, P.L.C.  
101 North Main Street, Seventh Floor  
Ann Arbor, Michigan 48104  
TEL (734) 663-2445  
FAX (734) 747-7147  
[www.millercanfield.com](http://www.millercanfield.com)

FLORIDA: Naples  
ILLINOIS: Chicago  
NEW YORK: New York  
OHIO: Cincinnati  
CANADA: Toronto • Windsor  
CHINA: Shanghai  
MEXICO: Monterrey  
POLAND: Gdynia  
Warsaw • Wrocław

May 5, 2010

**VIA FACSIMILE (973) 243-2095 AND FEDERAL EXPRESS**

Angel M. DeFilippo, Esq.  
Grieco, Oates & DeFilippo, LLC  
414 Eagle Rock Avenue, Suite 200  
West Orange, New Jersey 07052

Re: Kline (Thomas, et al.) v. Chrysler Corporation, et al.

Dear Ms. DeFilippo:

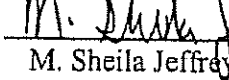
My firm is discovery counsel for Chrysler Group LLC, which is the custodian of records for Old Carco LLC (f/k/a Chrysler LLC). I am in receipt of the subpoena you served on Chrysler Group LLC. I note that the Notice of Deposition is dated March 10, 2010 and the Order Issuing Subpoena is dated April 2, 2010. However, Chrysler Group LLC was not served with the subpoena until April 28, 2010.

The subpoena directs Chrysler Group LLC either to provide a witness for a records deposition on May 7, 2010 or produce the requested documents prior to May 7, 2010. Because of the belated service of the subpoena, and the voluminous documents sought therein, Chrysler Group LLC is unable either to produce a witness or the documents on May 7, 2010. Chrysler Group LLC will provide responses and objections to the discovery requests appended to the subpoena by May 7, however.

Assuming an appropriate protective order is entered, Chrysler Group LLC will produce the documents by May 28, 2010. Almost all the documents you are seeking contain confidential commercial information. As such, Chrysler Group LLC will not produce these documents without a protective order in place. I will forward a proposed protective order to you with the discovery responses.

Please do not hesitate to contact me if you have any questions.

Sincerely yours,

By:   
M. Sheila Jeffrey  
Attorney at Law

MSJ/wsb

cc: Courtney E. Morgan, Jr., Esq. – Via Facsimile (313) 961-8178 and Federal Express  
17,944,035.1\142778-00081

Founded in 1852  
by Sidney Davy Miller

# MILLER CANFIELD

M. SHEILA JEFFREY  
TEL (734) 668-7797  
FAX (734) 747-7147  
E-MAIL [Jeffrey@millercanfield.com](mailto:Jeffrey@millercanfield.com)

Miller, Canfield, Paddock and Stone, P.L.C.  
101 North Main Street, Seventh Floor  
Ann Arbor, Michigan 48104  
TEL (734) 663-2445  
FAX (734) 747-7147  
[www.millercanfield.com](http://www.millercanfield.com)

MICHIGAN: Ann Arbor  
Detroit • Grand Rapids  
Kalamazoo • Lansing  
Saginaw • Troy

FLORIDA: Naples

ILLINOIS: Chicago

NEW YORK: New York

OHIO: Cincinnati

CANADA: Toronto • Windsor

CHINA: Shanghai

MEXICO: Monterrey

POLAND: Gdynia

Warsaw • Wrocław

RECEIVED

MAY 06 2010

MORGAN & MEYERS, P.L.C.

May 5, 2010

VIA FACSIMILE (973) 243-2095 AND FEDERAL EXPRESS

Angel M. DeFilippo, Esq.  
Gricco, Oates & DeFilippo, LLC  
414 Eagle Rock Avenue, Suite 200  
West Orange, New Jersey 07052

Re: Kline (Thomas, et al.) v. Chrysler Corporation, et al.

Dear Ms. DeFilippo:


My firm is discovery counsel for Chrysler Group LLC, which is the custodian of records for Old Carco LLC (f/k/a Chrysler LLC). I am in receipt of the subpoena you served on Chrysler Group LLC. I note that the Notice of Deposition is dated March 10, 2010 and the Order Issuing Subpoena is dated April 2, 2010. However, Chrysler Group LLC was not served with the subpoena until April 28, 2010.

The subpoena directs Chrysler Group LLC either to provide a witness for a records deposition on May 7, 2010 or produce the requested documents prior to May 7, 2010. Because of the belated service of the subpoena, and the voluminous documents sought therein, Chrysler Group LLC is unable either to produce a witness or the documents on May 7, 2010. Chrysler Group LLC will provide responses and objections to the discovery requests appended to the subpoena by May 7, however.

Assuming an appropriate protective order is entered, Chrysler Group LLC will produce the documents by May 28, 2010. Almost all the documents you are seeking contain confidential commercial information. As such, Chrysler Group LLC will not produce these documents without a protective order in place. I will forward a proposed protective order to you with the discovery responses.

Please do not hesitate to contact me if you have any questions.

Sincerely yours,

By:   
M. Sheila Jeffrey  
Attorney at Law

MSJ/wsb

cc: Courtney E. Morgan, Jr., Esq. – Via Facsimile (313) 961-8178 and Federal Express  
17,944,025.1\142778-00081

Original - Return 1st copy - Witness 2nd copy - File 3rd copy

DAKLAND COUNTY

10-109074-CZ

STATE OF MICHIGAN  
JUDICIAL DISTRICT  
SIXTH JUDICIAL CIRCUIT  
COUNTY PROBATE

**SUBPOENA**  
Order to Appear and/or Produce



JUDGE RAE LEE CHASOT

KLINE, THOMAS. v. MORGAN, ALCALA  
Court telephone no.

Police Report No. (if applicable)

Court Address  
1200 N. Telegraph Road, Dept. 404, Pontiac, MI 48341

248-858-1000

Plaintiff(s) Petitioner(s) <input type="checkbox"/> People of the State of Michigan <input checked="" type="checkbox"/> IN RE THOMAS KLINE	V	Defendant(s) Respondent(s) VICTORIA MORGAN-ALCALA, et al
<input checked="" type="checkbox"/> Civil <input type="checkbox"/> Criminal		Charge

Probate In the matter of

In the Name of the People of the State of Michigan. TO: NEW CARCO ACQUISITION LLC, a/k/a  
NEW SCHRYSLER  
30600 Telegraph, Suite 2345  
Bingham Farms, MI 48025

If you require special accommodations to use the court because of disabilities, please contact the court immediately to make arrangements.  
**YOU ARE ORDERED:**

1. to appear personally at the time and place stated below; You may be required to appear from time to time and day to day until excused.

The court address above     Other: 30600 Telegraph Road, Suite 2925, Bingham Farms, MI 48025

Day Friday	Date May 7	Time 9:00 a.m.
---------------	---------------	-------------------

2. Testify at trial.

3. Produce/permit inspection or copying of the following items: See attached

4. Testify as to your assets, and bring with you the items listed in line 3 above.

5. Testify at deposition.

6. MCL 600.6104(2), 600.6116, or 600.6119 prohibition against transferring or disposing of property attached.

7. Other: The requested items can be copied and mailed to Grieco, Oates & DeFilippo, LLC to meet the subpoena requirements.

8.

Person requesting subpoena Courtney E. Morgan, Jr.	Telephone no. 313-961-0130	
Address 3200 Greenfield, Suite 260		
City Dearborn	State MI	Zip 48120



NOTE: If requesting a debtor's examination under MCL 600.6110, or an injunction under Item 6, this subpoena must be issued by a judge. For a debtor examination, the affidavit of debtor examination on the other side of this form must also be completed. Debtor's assets can also be discovered through MCR 2.305 without the need for an affidavit of debtor examination or issuance of this subpoena by a judge.

**FAILURE TO OBEY THE COMMANDS OF THE SUBPOENA OR APPEAR AT THE STATED TIME AND PLACE MAY SUBJECT YOU TO PENALTY FOR CONTEMPT OF COURT.**

April 22, 2010

Date

Judge/Clerk/Attorney Courtney E. Morgan, Jr. (P29137)

Court use only	
<input type="checkbox"/> Served	<input type="checkbox"/> Not Served

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return this card to you.</li> <li>Attach this card to the back of the mail piece or on the front if space permits.</li> </ul>	A. Signature <input checked="" type="checkbox"/> The Corporation Company Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:	B. Received by (Printed Name):	C. Date of Delivery: APR 27 2010
New CarCo Acquisition LLC c/o The Corporation Company 30600 Telegraph Road, #2345 Bingham Farms, MI 48025	<input type="checkbox"/> Is delivery address different from item 1? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO	
	APR 28 2010 MORGAN & MEYERS PIC	
2. Article Number (Transfer from service label)	3. Service type: <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input checked="" type="checkbox"/> C.O.D.	
PS Form 3811, August 2001	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	7008 1300 0001 2716 7757
Domestic Return Receipt	102885-02-M-1540	

**End of Document**