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August 29,2012

Dear Customer:

The following is the proof-of-delivery for tracking number **8007-9341-5859**.

Delivery Information:

Status:	Delivered	Delivered to:	Receptionist/Front Desk
Signed for by:	S.HARRIS	Delivery location:	1200 N.J. AVE SE W41 306 20590
Service type:	FedEx 2Day Box	Delivery date:	Aug 29, 2012 13:51



Shipping Information:

Tracking number:	8007-9341-5859	Ship date:	Aug 27, 2012
		Weight:	2.0 lbs/0.9 kg

Recipient:

MR DAVID STIRKCLAND
WEST BUILDING
1200 NEW JERSEY SE
20590 US

Reference

Shipper:

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SHERIDAN, PAUL V
22357 COLUMBIA ST
481243431 US

EA12 005

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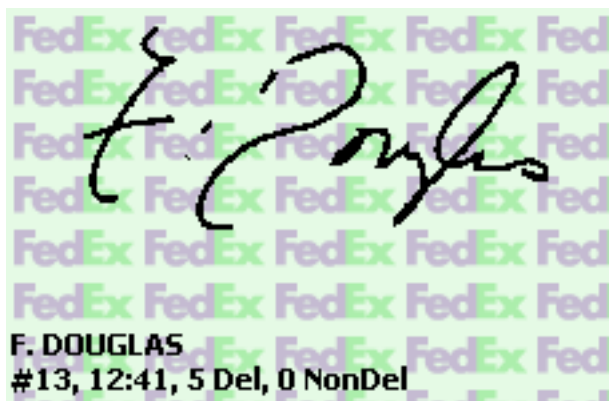
August 28,2012

Dear Customer:

The following is the proof-of-delivery for tracking number **128318100003810**.

Delivery Information:

Status:	Delivered	Delivery location:	1000 CHRYSLER DR Auburn Hills, MI 48326
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Service type:	FedEx Ground-U.S.		



Shipping Information:

Tracking number:	128318100003810	Ship date:	Aug 27, 2012
		Weight:	1.7 lbs/0.8 kg

Recipient:
1000 CHRYSLER DR
Auburn Hills, MI 48326 US

Shipper:
PAUL SHERIDAN
SHERIDAN, PAUL V
22357 COLUMBIA ST
DEARBORN, MI 481243431 US

Thank you for choosing FedEx Ground.

FedEx Worldwide Customer Service
1.800.GoFedEx 1.800.463.3339

To: Mr. David L. Strickland *
NHTSA Headquarters
West Building
1200 New Jersey Avenue, SE
Washington, DC 20590
202-366-4000

Date: 27 August 2012

VIA FEDEX AIRBILL 8007 – 9341 - 5859

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

Subject: Chrysler Public Statements Regarding Reference – WUSA-9 News Report
Reference: EA12-005 File Update (Jeep Grand Cherokee, et al. Fuel Tank System Defect)

Courtesy Copy List

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Mr. Sergio Marchionne, Chairman **
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Mr. David Kelleher, Chairman **
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* Available with hyperlinks: <http://links.veronicachapman.com/Sheridan2Strickland-6.pdf>

** By email or USPS)

DDM Consultants
22357 Columbia Street
Dearborn, MI 48124-3431
313-277-5095

27 August 2012

VIA FEDEX AIRBILL 8007 - 9341 - 5859

Mr. David L. Strickland, Administrator
NHTSA Headquarters
1200 New Jersey Avenue, SE
Washington, DC 20590
202-366-4000

Subject: Chrysler Public Statements Regarding Reference – WUSA-9 News Report
Reference: EA12-005 File Update (Chrysler Jeep Fuel Tank System Defect)

Dear Mr. Strickland:

Since the referenced investigation is ongoing, NHTSA declined to offer comments for two WUSA-9 television news broadcasts (hyperlinked):

21 June 2012: [Jeep Grand Cherokee Gas Tank Fires and Deaths Petitioned By Center for Auto Safety](#)

22 June 2012: [Jeep Gas Tank Fires; Chrysler Whistleblower Speaks Out](#)

Chrysler Group LLC refused a live interview but provided comments. Two were presented on 22Jun12. Similar content continues to be forwarded to the Agency with the clear purpose to subvert EA12-005. As a service to the public and the Agency, I offer rebuttal to the Chrysler comments (ATTACHMENT 1).

The Ruse of that FMVSS-301 is “rigorous”

The first broadcasted comment from Chrysler Group LLC stated:

“Chrysler Group conducted rear impact testing without skid plates and the ‘93 – ‘04 Jeep Grand Cherokee exceeded the rigorous federal rear impact test requirements and performance.”

Let us first dispense with the claim that the relevant rear impact test requirements were “rigorous.” At a basic level, one that laypeople appreciate, the original FMVSS-301 was so lax that even the Ford Pinto complied. Unknown to the layperson, the impact test lauded above included the arbitrary condition of impacting fully and only the bumper. The “rigorous federal rear impact test requirements” were no more rigorous for the Jeep Grand Cherokee than that for the Ford Pinto. More importantly, not only is this claim intending to mislead, it promotes the notion that Jeep Grand Cherokee compliance *per se* has investigatory consequence for EA12-005. It does not. This alleged compliance also has no connection to the public’s right to be truthfully informed of vehicle crashworthiness. ¹

In media statements, within litigation, and to the Agency, Chrysler executives and Chrysler/Chrysler-dealership lawyers have continually promoted the notion that “complying with government standards” is the essence of crashworthiness. However, a former NHTSA official will soon testify that it is known that FMVSS does not include all that is needed to protect the public. In 1996 Administrator Dr. Ricardo Martinez declared that FMVSS were “minimums.” During 1992 to 1994 my Safety Leadership Team (SLT) documented that “complying with government standards” was a good starting point, but that [our efforts would focus on FMEA and the real world](#) (ATTACHMENT 3).

The eleven items listed below typify the rigor of the SLT. Having EA12-005 investigatory consequence, these items merely begin to address real world conditions that were/are not specified by FMVSS-301:

1. Common everyday traffic conditions where vehicle separation post rear collision is unlikely or not possible (i.e. restitution values at or close to zero), ⁱⁱ
2. Doors jammed post rear collision making egress difficult-to-impossible,
3. High temperature in the collision components of either or both of the bullet and target vehicles,
4. Electrically charged components/systems in the collision areas of the bullet and target vehicles,
5. Zero direct flame contact tolerance of plastic fuel system materials even when post collision leakages are in-compliance / minimal,
6. Lateral rear offset impact,
7. Angular rear offset impact,
8. Foreseeable collision speeds higher than 30mph,
9. Compact spare versus full-size spare, or no spare present in a rear compartment, ⁱⁱⁱ
10. No car-to-car test regimen where direct collision impact to the fuel tank, regardless of location or tank material on the target vehicle, can ascertain the need for an “impact deflecting structure”,
11. No car-to-car test regimen where mismatched bumper and structural heights between bullet and target vehicles confirm a high probability of a rear underride collision and the need for an “impact deflecting structure”. ^{iv}

With the exception of Item 9, this list is not esoteric to the automotive industry or NHTSA. But when I review this list with the layperson they are shocked and dismayed, especially those that own a Jeep vehicle identified by EA12-005. Ironically and predictably, Chrysler/Chrysler dealership defense experts have promoted some of these items, but doing so as part of their defense strategy (?!).

The Fraudulent Claim that Skid Plates Make “no difference”

The two Chrysler statements are coordinated to undermine EA12-005 by promoting the fallacy that skid plates make “no difference” to the crashworthiness of Jeep vehicles:

“Chrysler Group conducted rear impact testing without skid plates . . .”

“The overwhelming majority of rear impact fires over the life of the ‘93 to ‘04 Jeep Grand Cherokees were the result of high speed, high energy crashes in which a skid plate would have made no difference in the outcome of these tragic events.” ^v

The insidious part of this diversion also involves the issue of alleged compliance of the ZJ-Body. Prior to these statements, but hidden from the public and the Agency, Chrysler was in possession of the expert report by Mr. Neil Hannemann. ^{vi} The configurations listed below are in-evidence regarding the original ZJ-Body FMVSS-301 compliance testing. In general, when the ZJ-Body was configured with a:

- a. compact spare, it did not comply. ^{vii}
- b. full-size spare, it complied in a few tests.
- c. compact or full-size spare, and a trailer tow package, it complied,
- d. skid plate, it always complied regardless of other possible vehicle configurations.

Mr. Hannemann has testified that the two compliance tests, submitted for the 1993 Jeep Grand Cherokee, were invalid. These submissions avoided the “worst case” configurations implied by FMVSS-301. While assessing a \$140,000 fine against Chrysler for a previous invalid FMVSS-301 submission, NHTSA stated:

“Automakers are required to assure that all of their vehicles comply with applicable federal safety standards. While they do not have to test all possible vehicle configurations in order to ensure that all vehicles will comply, they must exercise prudent engineering judgment in selecting the ‘worst case’ configurations for testing. In this case, the configurations tested by Chrysler during development of the 1994 Ram pickup were not in the ‘worst case’ configuration. Moreover, the tests that Chrysler conducted during product development should have heightened Chrysler’s awareness of the potential for a failure of the fuel system in a crash.” (ATTACHMENT 6)

Evidence that the “no difference” claim is bogus also involves the WJ-Body recall of February 2002. Not only was recall A-10 the subject of [ABC News coverage](#), it was central to a hearing of 7 May 2010 wherein I was the only witness. ^{viii} [My letter to Clarence Ditlow at the Center for Auto Safety \(CAS\) of 1 Jun 2010](#) which was forwarded to Chrysler quotes their A-10 notice:

“Those (Jeep Grand Cherokee) vehicles that have already been repaired by having a skid plate installed do NOT require any additional service.” (underline added)

Whether discussing crashworthiness or the minimums of FMVSS-301 compliance, it is well-known to Chrysler that a skid plate has repeatable positive effects. However, the fact that alleged FMVSS-301 compliance of the ZJ-Body is so flimsy, that it may be dependent upon which spare is ordered during original purchase, should be thoroughly investigated by the Agency (Please see Item 9 above). ^{ix}

The Ruse of “high speed, high energy crashes”

The second media comment of 22 June 2012 from Chrysler Group LLC:

“The overwhelming majority of rear impact fires over the life of the ‘93 to ‘04 Jeep Grand Cherokees were the result of high speed, high energy crashes in which a skid plate would have made no difference in the outcome of these tragic events.”

Accidents involving Jeep Grand Cherokees and Jeep Cherokees, wherein the most harmful event (MHE) was fire, have included “high speed, high energy crashes.” Confidentiality agreements aside, the media claim of an “overwhelming majority” is false. Six accident examples include but are not limited to:

Date of Accident	Vehicle	Severe Injury / Death	Plaintiff / Litigation Status
1 Sep 1999	Jeep Grand Cherokee (ZJ)	2 Injuries / 1 Death	Austin / Settled
6 Oct 2001	Jeep Grand Cherokee (ZJ)	1 Severe Injury	Smith / Settled
12 Feb 2006	Jeep Grand Cherokee (ZJ)	2 Injuries / 1 Death	Jarmon / Settled
24 Feb 2007	Jeep Grand Cherokee (ZJ)	1 Death	Kline / Pending
26 June 2011	Jeep Cherokee (XJ)	4 Deaths	Roe / Pending
6 March 2012	Jeep Grand Cherokee (WJ)	1 Death	Walden / Pending

It cannot be overemphasized that these severe-injury/death accidents all provoked one or more of the eleven items that were/are not addressed by FMVSS-301. If a rigorous approach to crashworthiness had been endorsed/adopted by Chrysler executive/engineering management, Items 1 - 11 would have been intrinsic to the Jeep design. Page 4 of [my letter of 9Feb11](#) discussed the fact that the Daimler-influenced WK-Body Jeep Grand Cherokee addressed these items, and as a result has had no fuel system MHE fire accidents, let-alone issues regarding invalid FMVSS-301 compliance. ^x

At best, from the Chrysler defense perspective, the issue of speed or energy does not ameliorate the fuel system defect; it merely increases the probability of confirmation. In any case, the Chrysler media innuendo that they have conducted high speed crash tests with skid plates, and such confirmed that the latter “*would have made no difference in the outcome of these tragic events*” is shameful; they have never conducted any high speed/skid plate impact testing that could be used as the basis of that media claim.

Diversionsary Use of “Skid Plate” Vernacular Versus the Requested/Anticipated Remedy

The Chrysler statements are coordinated to divert attention from what has actually been requested, to the promotional use of the term “skid plate.” This diversion is directed at the layperson and the Agency:

“Chrysler Group conducted rear impact testing without skid plates . . .”

“The overwhelming majority of rear impact fires over the life of the ‘93 to ‘04 Jeep Grand Cherokees were the result of high speed, high energy crashes in which a skid plate would have made no difference in the outcome of these tragic events.”

My use of the term ‘encapsulation’ may have been overlooked/edited by the media and misunderstood by selected plaintiffs. I can assure you that my precise wording is recognized by Chrysler/Chrysler-dealership defense lawyers, and *this* is the context wherein it is purposely avoided in the two statements above.

Specifically, at no time have I requested that an OEM or Mopar “skid plate” be the focus of a recall and retrofit of the Jeep vehicles. [The ABC News report back in 2009](#) contains the following dialogue:

ABC: *This is a potential retrofit for people? Putting it (the fuel tank) inside this steel?*

Sheridan: *Yes, this skid plate does encapsulate the plastic tank. It tends to shield a plastic tank. It will fix some of the accident scenarios, and it may well have protected Mrs. Kline. ^{xi}*

On 3 August 2012, I testified regarding encapsulation vs. the design of the Mopar “skid plate”:

Q: *And what about the encapsulation device that you talked about before. It was manufactured by who?*

Sheridan: *The encapsulation concept, which a skid plate can fulfill. In other words if a skid plate is designed properly, it will completely encapsulate the tank, and I’m emphasizing that with you because the original skid plate that came with the ZJ doesn’t do a complete job of encapsulation. It’s not bad but it’s not everything.*

As a matter of fact, when you look at the Mopar skid plate, it appears as though they assume that a full option package was coming with the Jeep; in other words, trailer hitch and skid plate. And that’s why when you take - - when a trailer hitch is not on a skid plate installed vehicle, you can still see plastic, because the Mopar does not go all the way up and encapsulate the tank in the rear section.

It looks as though they said well, the trailer hitch will do that. But on those vehicles that don’t get a trailer hitch, you want full encapsulation and the one submission I made to NHTSA shows a skid plate design that encapsulates every aspect of the tank. So that’s the general idea of what I’m proposing.

During my 3 August 2012 deposition quoted above I elaborated on at-least 15 occasions regarding the “skid plate” vernacular versus encapsulation. On page 145 I also addressed what would be “acceptable” in terms of the anticipated rigor required by EA12-005 (ATTACHMENT 7).

With [my letter to you of 27 July 2012](#) I enclosed a cd which contained several photographs of a ZJ-Body Jeep Grand Cherokee that had the optional factory-installed Mopar “skid plate,” but without the trailer tow package. I have discussed these “see plastic” issues via email submission to Mr. Larry Hershman of the NHTSA Office of Defects Investigation (ATTACHMENT 8).

Conclusions

1. It is disingenuous to claim that a manufacturer can “*exceed*” the requirements of FMVSS-301; the compliance results are Pass/Fail.
2. It is spurious or untruthful to claim that the original FMVSS-301 was “*rigorous*.”
3. The Chrysler emphasis on FMVSS-301 compliance testing “*without skid plates*” conceals the historical fact that tests conducted with skid plates always passed, but those vehicle configurations that comprise the “worst case” are questionable to the point of potentially being invalid.
4. The data refutes the Chrysler notion that an “*overwhelming majority of rear impact fires . . . in 1993 to 2004 Jeep Grand Cherokees were the result of high speed, high energy crashes.*”
5. The Chrysler claim that “*rear impact fires . . . were the result of high speed, high energy crashes in which a skid plate would have made no difference*” is baseless to the point of being fraudulent.
6. In the context of EA12-005, Chrysler emphasis on the marketing term “skid plate” purposely belies what is requested/required to remedy the lack of crashworthiness on the affected Jeep vehicles.

Current Requests

1. Please request the transcript and exhibits to the deposition of Mr. Judson Estes in Austin v DaimlerChrysler, Westbury Jeep-Eagle, et al. of 26/27 May 2005 (PLEASE SEE ENDNOTE IX).
2. Please request from Chrysler Group LLC all “*high speed, high energy*” impact tests that support their public allegations that “*a skid plate would have made no difference.*” ^{xii}

Again, because content such as that detailed above continues to be forwarded to NHTSA, with the clear purpose of subverting EA12-005, I am offering rebuttal in the context of a public service. Please do not hesitate to contact me at any time.

Respectfully,

Paul V. Sheridan

Attachments

Endnotes

ⁱ Another indication of inaccuracy in the Chrysler comment is the ruse that FMVSS-301 compliance results in gradation. Their promotion that the ZJ-Body “*exceeded*” FMVSS-301 requirements contradicts a well-known rudimentary fact: Compliance with FMVSS is a ‘Pass – Fail’ grading system; the manufacturer is either in compliance or not.

Ironically, in the area of vehicle crashworthiness where it is common practice/knowledge to provide the public with a grade scale (NHTSA NCAP, IIHS offset impact, etc.), Chrysler executives feign ignorance. In his deposition of 15Jun2011, former Chrysler Executive Engineer for Chassis Systems Owen J. Viergutz [testified as follows](#) regarding vehicle crashworthiness:

Q: If I tell you that the crashworthiness is based on the duty of a manufacturer to make a vehicle safe to protect its passengers from enhanced injuries after a collision do you recognize that as a definition of crashworthiness?

A: *Not at all. I don't have a better one necessarily, but I don't understand what that one says. (---)*

Q: So let me just ask you so that I'm clear. During the time when you were Chassis Drivetrain Engineering director and executive engineer in the Engine Engineering of Jeep, Dodge and Truck, you never discussed or knew what the term "crashworthiness" meant?

A: *I'm saying now sitting at this point in time, I don't have any recollection of it, no. Whether I did 20 years ago, I don't know.*

Q: What don't you have a recollection of, what the term meant, or do you have a recollection of talking to someone about it?

Q: Did you have an understanding of your own idea of what the meaning of crashworthiness was when you were executive engineer of Jeep, Dodge and Truck or director of Chassis Drivetrain Engineering?

A: *The difficulty I'm having is with the term "crashworthiness". To me that's somewhat like a term "goodness", that it is too unspecific, too amorphous to really get a handle on what it means. You know, I understand the need to have a vehicle perform in certain adverse conditions, but the term I'm struggling with is the term "crashworthiness". To me it has no specifics behind it. I'm not saying it doesn't; I'm saying to me it doesn't.*

Q: And was that your understanding of how you approached the term "crashworthiness" back in the years from 1987 to '94; you also felt it didn't have any meaning?

A: *I don't -- I'm saying I don't have a way of defining crashworthiness today. I don't know what I thought 20 years ago on the subject.*

During the relevant time, Viergutz was subordinate to the Vice President of Engineering Mr. Francois Castaing (ATTACHMENT 2). On 14March1996 Mr. Castaing [testified as follows](#) regarding his knowledge of crashworthiness:

Q: What does the term crashworthiness mean in terms of design of a product?

A: *I don't know. Tell me.*

Q: You don't know the phrase?!

A: *No.*

Q: Well, let me make sure I'm clear on this. As the chief engineer of the company, are you at all familiar with the use of the phrase crashworthiness by the engineers of the company?

A: *Crashworthiness is so vague that you have to tell me what you intend by that.*

ⁱⁱ The technical literature is polluted with a misuse of the term ‘restitution’ when the context is crashworthiness or accident reconstruction. Frequently the term is incorrectly used by experts to describe approximations or measured material rebound to original dimensionality/shape post collision or post stress/strain. In the context of accident reconstruction the term describes the elasticity or plasticity of the collision event/constituents. In upcoming correspondence I will detail the values of restitution that I have estimated for various Jeep crash tests and accidents.

ⁱⁱⁱ Please see letter section entitled, *The Fraudulent Claim that Skid Plates Make “no difference.”*

^{iv} Please see Attachment 4.

Endnotes Continued

^v It should be noted that these Chrysler comments are offered in the context of a broadcast that was prompted by the news media, the latter was prompted specifically by the NHTSA escalation of PE10-031 to EA12-005. The comments mislead when focused only on the “ ‘93 to ‘04 Jeep Grand Cherokees.” It is well-known that EA12-005 includes three vehicle types: Jeep Grand Cherokee, Jeep Liberty and Jeep Cherokee. It is well-known to Chrysler that the Jeep Cherokee (XJ) is also the subject of [low speed crashes and fires leading to injury and death](#) (ATTACHMENT 5).

^{vi} As of this letter Chrysler Group LLC is also in possession of [the Neil Hannemann deposition of 29 June 2012](#).

^{vii} This “worst case” was the configuration of the 1996 Jeep Grand Cherokee driven by Mrs. Susan Kline on 24 Feb 2007. The fact that FMVSS-301 compliance of the ZJ-Body was *so* flimsy, that it may have depended upon which spare was ordered, was an issue that was not discussed by the selling dealership (Loman’s Auto Group) at the time of the sale to Kline.

^{viii} The Kline vs. Butler, et al. hearing transcript of 7 May 2010 is available [here](#).

^{ix} The truth is that Chrysler has probably known about the non-valid compliance submission issue since the introduction of the ZJ-Body in August 1992. However, there is no doubt that Chrysler became aware of this issue not later than 26/27 May 2005 at the deposition of Mr. Judson Estes. For the two-day deposition transcript and all deposition exhibits, including the internal compliance submission test reports, please contact (Discovery counsel for Chrysler Group, LLC):

M. Sheila Jeffrey, Esquire
Miller, Canfield, Paddock & Stone PLC
101 North Main Street, Seventh Floor
Ann Arbor, Michigan 48104
Tel: 734-663-2445
Fax: 734-747-7147

^x Please note that beginning with the Daimler-influenced 2005 WK-Body version of the Jeep Grand Cherokee a “skid plate” that encapsulated the mid-mounted polyethylene fuel tank was offered as standard equipment. Please see Jeep television ad [here](#).

^{xi} Note that my “this skid plate” interview quote is not referring to the Mopar unit.

^{xii} If such testing exists, and has not been disclosed to plaintiffs in existing or upcoming litigation, then the appropriate remedies will be sought in those forums. However if such testing does not exist, as I suspect, then their media comments must be challenged and exposed as fraudulent.

ATTACHMENT 1

Mr. David L. Strickland
Administrator
NHTSA Headquarters

27 August 2012

Subject: Chrysler Public Statements Regarding Reference – WUSA-9 News Report
Reference: EA12-005 File Update (Jeep Grand Cherokee, et al. Fuel Tank System Defect)

Video Screenshots of Chrysler media statements made in response to WUSA-9 News broadcasts of 21 and 22 June 2012 on NHTSA defect investigation EA12-005:

“Chrysler Group conducted rear impact testing without skid plates and the ‘93 – ‘04 Jeep Grand Cherokee exceeded the rigorous federal rear impact test requirements and performance.”

“The overwhelming majority of rear impact fires over the life of the ‘93 to ‘04 Jeep Grand Cherokees were the result of high speed, high energy crashes in which a skid plate would have made no difference in the outcome of these tragic events.”

Online video links here:

21Jun2012: [Jeep Grand Cherokee Gas Tank Fires and Deaths Petitioned By Center for Auto Safety](#)

22Jun2012: [Jeep Gas Tank Fires; Chrysler Whistleblower Speaks Out](#)

“Chrysler Group conducted rear impact testing without skid plates and the ‘93-’04 Jeep Grand Cherokee exceeded the rigorous federal rear impact test requirements and performance.”

Source: Chrysler



JEEP GAS TANK FIRES

“The overwhelming majority of rear impact fires over the life of the ‘93 to ‘04 Jeep Grand Cherokee were the result of high speed, high energy crashes in which a skid plate would have made no difference in the outcome of these tragic events.”

Source: Chrysler

JEEP GAS TANK FIRES

WUSA 9 .COM

NOW 87°

ATTACHMENT 2

Mr. David L. Strickland
Administrator
NHTSA Headquarters

27 August 2012

Subject: Chrysler Public Statements Regarding Reference – WUSA-9 News Report
Reference: EA12-005 File Update (Jeep Grand Cherokee, et al. Fuel Tank System Defect)



Inter Company Correspondence

Telephone

Date

12/14/87

To — Name & Department

CIMS Number

Jeep & Truck Engineering

From — Name & Department

CIMS Number

F. J. Castaing

Subject: Organization Charts

Attached is a complete set of organization charts for Jeep & Truck Engineering.

F. J. Castaing

DRIVETRAIN/CHASSIS ENGINEERING
DECEMBER 14, 1987

DRIVETRAIN/
CHASSIS
DIRECTOR
G. J. VIERGUTZ

TRANSMISSION/
FINAL DRIVE
CHIEF ENGINEER
J. E. MCCAFFEE

AUTO TRANS
MANAGER
M. J. GREENING

SR ENGINEER
T. LOWERY

ENGINEER
S. R. FLEMMING
R. A. MOROSZ
G. W. GARDNER

MANUAL TRANS
MANAGER
R. D. BLOUGH

SR ENGINEER
D. C. MCLEARN

ENGINEER
P. M. BOBER
D. G. BUCKINGHAM
R. L. MCCONNARD
W. M. OGDONHUE

AXLES
MANAGER
R. C. GRABOWSKI

SR ENGINEER
C. R. HALL

ENGINEER
K. J. RUNSTADLER
R. C. RYMAN
M. W. HOLY
A. F. POTY
B. F. BOHLMANN

CLUTCH/PROP
MANAGER
T. C. BROWN

SR ENGINEER
R. VALO

ENGINEER
F. R. SHAWER
L. K. LABA
G. P. HENTON
J. B. LUTZ
S. M. LILLY

CONTROL SYSTEMS
MANAGER
R. N. HATKID

ENGINEER
E. T. CHITKA
R. M. CZAPSKI
B. S. CHEN
P. S. HARTNAGEL
B. J. LEMPTA
R. MAY
R. M. THOMAS

CHASSIS SYSTEMS
CHIEF ENGINEER
D. F. BUSER

STRUC. TIRES, WHL S
SUPERVISOR
D. R. HELEBRANT

SR ENGINEER
TBD

ENGINEER
E. S. BOBERG
J. R. SCHLEICHER
P. R. HELLEBUYCK

STRUCT/SUSPENS
SUPERVISOR
C. R. WREFFORD

SR ENGINEER
TBD

ENGINEER
R. W. OLSEN
P. D. SHELIN
L. D. ZAHN

COOLING SYSTEMS
MANAGER
T. F. FLYNN

SR ENGINEER
S. D. JOHNSTON

ENGINEER
R. N. COX
J. W. WELC
H. K. MOLF

CHASS/ENGINE SYS
MANAGER
L. C. MILLER

SR ENGINEER
R. J. FIELDS

ENGINEER
J. R. BALOGH
S. FERRA
M. E. FEDELEM
D. J. WOODINE
C. A. HOLFE

BRAKE SYSTEMS
MANAGER
P. B. HELLENS

SR ENGINEER
L. L. SHIVELY

ENGINEER
M. L. RULLENDER
A. W. PALMER
D. K. ATENKO

DRIV/CHASS
SYSTEM DEVEL
MANAGER
S. H. SCHRAMM

SR ENGINEER
A. C. CULBERTSON

ENGINEER
M. A. POTOCKI
R. C. REISING

ENG TECH SPEC
L. J. GOODIN
B. L. RETZLAFF

TECHNICIAN
J. R. OHRENS
R. L. BLANCHARD
J. C. BRYSONE
D. E. CHAIR

MECHANIC
C. F. ELLIOTT
R. A. FEDEROFF
D. J. GERRITSEN

DRIV/CHASS
DESIGN SERVICES
MANAGER
H. R. KEMENT

SR DESIGN LDRS
LMD SYSTEMS
K. R. BOBCEAN

CONTROL SYSTS
J. D. CARLSTROM

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C. W. DERBY

CLUTCH/PROP
R. R. HAMILTON

MANUAL TRANS
G. P. HENTSCHEL

JEEP STRUC/SUSP
T. C. JOHNSON

TRUCK STRUC/SUSP
G. G. KINGSPEL

AXLES
J. E. KRUPINSKI

COOLING SYSTS
G. M. NASH

BRAKE SYSTS
G. J. STODPS

OPERATIONS
SUPERVISOR
R. R. KNIGHT

TIMING COORD
G. J. STOECKER

PARTS COORD
R. J. MARTENKA

PCN COORD
J. M. STANLEY

SECRETARY
N. T. NGUYEN
L. J. KILLEEN
E. K. PISTOR

DESIGN
SUPERVISOR
L. J. SLATER

CHECKER
R. A. BIXBY
A. E. DIEDERICH
D. C. POOSCH

DETAIL/LAYOUT
B. H. FALLOT
T. S. BRYAN
R. SCHEER
T. A. SOROVETZ

DESIGNER
C. F. BREHM
D. R. COUGHLIN
M. E. DUTKA
J. K. EGGENBERGER
J. J. GEDMAN
K. M. GORDON
D. M. HALE
G. KETTUNEN
M. S. MAREK
G. L. RILEY
R. J. ROZICH
J. R. SCHARITZ
M. A. SOYS
D. L. TROOST
R. F. TURNER
G. A. VITUMS

CONTRACT
PERSONNEL

ATTACHMENT 3

Mr. David L. Strickland
Administrator
NHTSA Headquarters

27 August 2012

Subject: Chrysler Public Statements Regarding Reference – WUSA-9 News Report
Reference: EA12-005 File Update (Jeep Grand Cherokee, et al. Fuel Tank System Defect)

Please note first and sixth pages of Attachment 3
(i.e. PDF Page 16 of 49, and PDF Page 21 of 49)

**NS-BODY
SAFETY LEADERSHIP TEAM (SLT)**

**DEPOSITION
EXHIBIT**
R. Z. ...
3
LA 3 7/11/98

<u>Members</u>	<u>CIMS</u>	<u>Telephone</u>	<u>Telefax</u>
Gregory A. Blindu	415-03-05	876-5983	876-4752
James L. Boeberitz	414-05-29	876-3942	822-7431
▶ Mark W. Clemons	414-04-35	876-3763	822-8984
Mark W. Crossman	482-02-13	776-4757	776-2250
▶ Michael T. Delahanty	483-10-08	776-6742	776-2822
▶ William H. Hines	414-04-40	876-5523	822-6957
Neal E. Hoxsie	482-12-02	876-4898	776-2261
▶ Harlan E. Kifer	483-46-10	776-1258	776-2048
▶ Frank O. Klegon	482-12-01	776-2843	776-4516
▶ Kenneth S. Mack	463-00-00	880-5222	880-5234
Richard Medel	233-02-22	833-2800	833-2792
▶ Fred W. Schmidt	482-10-02	776-4827	776-2261
▶ Paul V. Sheridan	482-08-02	776-4824	776-2261
▶ Ronald S. Zarowitz	415-03-21	876-1126	822-5069

CC

D. Bostwick	414-02-10	T. Moore	463-00-00
T. Creed	483-56-02	J. Rickert	482-02-08
D. Dawkins	415-03-17	F. Sanders	482-12-02
R. Franon	415-05-30	R. Sarotte	450-03-16
J. Herlitz	483-56-02	C. Theodore	482-08-02
K. Horbatink	414-05-29	S. Torok	414-04-41
M. Levine	414-04-40	R. Winter	482-08-02
D. Malecki	482-08-02		

AGENDA

**MARCH 16, 1993, 8:15 - 9:00 a.m.
CTC PROCESS COURT - CONFERENCE ROOM 2A**

- "60 Minutes" Seatback Strength Video P. Sheridan
- NS-Body Safety Features List P. Sheridan

▶ Attended March 9 meeting.

Minivan Operations, March 9, 1993
PVS#71930309.slt



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

DEC 10 1996

Mr. Paul V. Sheridan
22357 Columbia
Dearborn, MI 48124-3431

Dear Mr. Sheridan:

In response to your letter of December 9, 1996, I have enclosed a copy of the trip report that NHTSA investigator Julie Abraham and I prepared after we interviewed you on April 11, 1995 in Detroit. We prepared no other documents reflecting the contents of that interview.

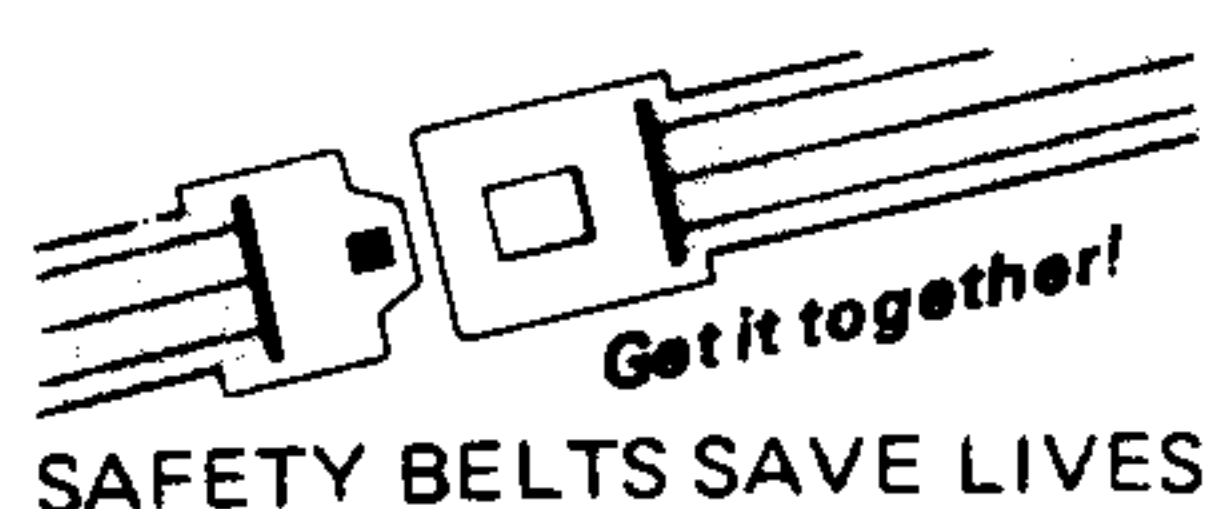
Please note that the enclosed copy is taken from the public file that NHTSA maintains on the Chrysler Minivan Liftgate Investigation, EA94-005. Some information has been deleted from this version of the report pursuant to a request for confidentiality that Chrysler Corporation filed under NHTSA's regulations at 49 CFR Part 512 governing the protection of confidential business information obtained by the agency. The deleted portions appear as blank spaces in the copy being furnishing.

If you have any questions concerning this matter, feel free to contact me at 202-366-5238.

Sincerely,

Coleman R. Sachs
Staff Attorney

Enclosure



AUTO SAFETY HOTLINE
(800) 424-9393
Wash. D.C. Area (202) 366-0123



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

Memorandum

Chrysler Minivan Liftgate Latches

Date: October 24, 1995

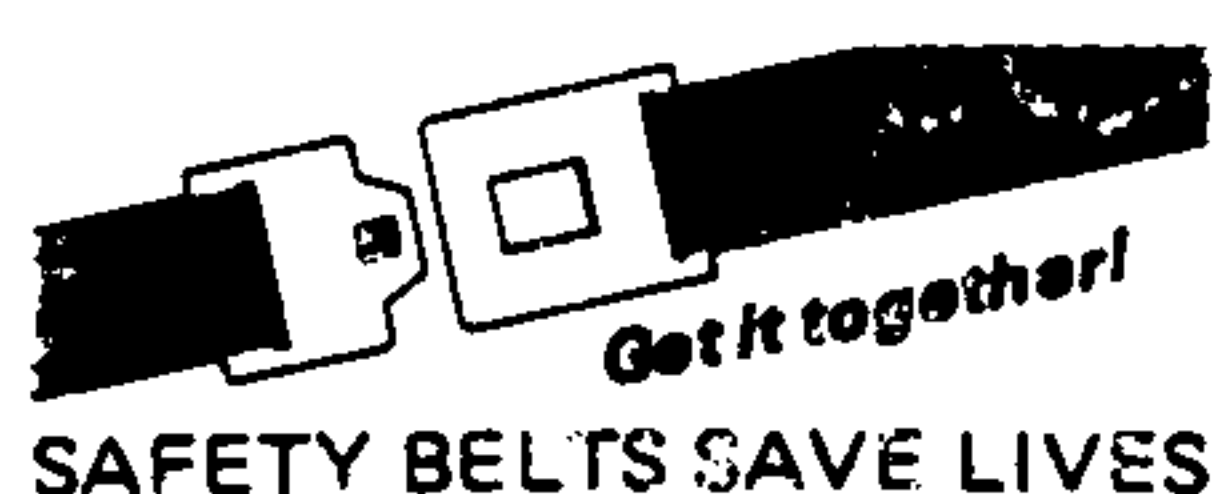
Julie Abraham
Safety Defects Engineer
Vehicle Integrity Branch

Reply to
Attn. of:

EA94-005 File
Office of Defects Investigation

Enclosed is a trip report filed by Coleman Sachs and Julie Abraham concerning their interview of former Chrysler employee, Paul V. Sheridan, on April 11, 1995, in which Mr. Sheridan discussed issues pertaining to the subject investigation. Portions of this document have been redacted as a result of a confidentiality request filed by Chrysler that NHTSA has granted.

#####



T-R-I-P--R-E-P-O-R-T

Filed By: Coleman Sachs, Trial Attorney, NCC-10, and
Julie Abraham, Safety Defects Engineer, NSA-12

Subject: Trip to Detroit, MI on April 11, 1995 to
Interview Former Chrysler Employee Paul V.
Sheridan on Chrysler Minivan Rear Liftgate
Latches, EA94-005

Date: May 10, 1995

We arrived in Detroit on April 11, 1995 at approximately 12:40 pm, and proceeded downtown for a 1:30 appointment with Mr. Sheridan at the office of his attorney, Courtney Morgan of Chambers Steiner, 1490 First National Building, Detroit, MI. We waited in the outer office from 1:30 to 1:50, when Messrs. Sheridan and Morgan returned from lunch. We then proceeded to a conference room where the interview was to be held.

Coleman asked Mr. Morgan whether he wanted us to make a tape recording of the interview. He responded "no." Coleman then informed him that we would confine ourselves to taking handwritten notes that would be used to compile a trip report.

The interview began at approximately 2:00 pm. Coleman asked Mr. Sheridan to describe his educational background. He handed us a resume (Exhibit 1) showing that he was awarded a Bachelor of Science degree from the State University of New York at Albany in June 1978 with concentration in Mathematics and Physics. In response to a question from Julie, Mr. Sheridan stated that his degree was in applied physics. He also stated that he holds an M.B.A. from Cornell. Coleman asked Mr. Sheridan whether he had received any training in engineering. He stated that while working for Ford and Chrysler, he had taken an extensive number of in-house and SAE seminars on engineering subjects.

Coleman asked Mr. Sheridan to describe his employment history in the automotive field. He stated that from late 1980 to 1981, he held a product planning position with the Ford Motor Company. This required him to establish communications among a variety of functional areas within the corporation, including engineering, marketing, and sales, to develop a product plan for future models, including the Ford Taurus.

In 1984, Mr. Sheridan moved to the Chrysler Corporation, where he was offered a promotion into a position as a program planning manager in the company's Advanced Vehicle Planning Office. The areas he worked in included powertrain, chassis, and body component planning. In 1985, Mr. Sheridan received a "Your Personal Best" award (Exhibit 2) from Chrysler Chairman Lee Iacocca, which carried high recognition, as it was only the third such award presented in the corporation. In

September, 1987, he moved into truck operations, where he concentrated on full-size, "B-Class" trucks, including the Dodge Dakota and full size vans. He stated that safety issues were not emphasized at that time in the product planning process for trucks. From September to April 1988, he was an Engineering Program Manager in a group responsible for N-Body and B-Body vehicles, including the Dodge Dakota. The engineering issues he dealt with included program timing, cost and weight. Starting in April 1988, he spent three and one half years working on a Cummins diesel project for the Dodge Dakota truck.

In January 1991, Mr. Sheridan forwarded to Chrysler Chairman Lee Iacocca a confidential report rebutting a low performance appraisal that he had received, and alleging what he characterized as serious ethical breaches on the part of certain named managers in Jeep and Dodge Truck Engineering (Exhibit 3). Mr. Sheridan stated that Mr. Iacocca read this report, and ordered an investigation that verified all of the information that it contained. One outcome of this investigation was that Robert Lutz was denied the Chairmanship of the Chrysler Corporation.

Upon completion of the Cummins diesel project, Mr. Sheridan was transferred, on April 1, 1991, to a position as Product Planning Manager for Chrysler minivans. Mr. Sheridan stated that this was a desirable position, because at that time everyone in the corporation wanted to work on the minivan platform. Mr. Sheridan attributed this career move to his rebuttal of the performance appraisal he received in his prior position, as well as to his reputation in the corporation. (See Chrysler Times article attached as Exhibit 4). The areas he dealt with included power train, body, and chassis systems for the AS body minivan that Chrysler planned to introduce in 1996. Door latches were included in the body systems work. Mr. Sheridan was asked whether Chrysler compared minivans to other body types, such as station wagons and hatchbacks, for the purpose of competitive analysis. He responded that the company looked at vehicles other than minivans only if those vehicles exhibited a new, innovative option that could be used to embellish the product. As an example, Mr. Sheridan cited side air bags on Volvo sedans. He stated that otherwise, marketability considerations generally govern Chrysler's peer review. Mr. Sheridan stated that the planning work on the Chrysler minivan included comparisons of that vehicle to the Ford Aerostar, Toyota Previa, Mazda MPV, and the GM Astro/Safari/Lumina.

In late 1992, Mr. Sheridan conceived the idea of forming a Safety Leadership Team (SLT) for the minivan program. This idea was inspired by Mr. Sheridan's awareness that through the introduction of the air bag and other safety features,

Chrysler could advertise itself as a safety leader through 1990 and 1991, but that it was facing competition in this area from other manufacturers. The SLT was to address the gamut of safety issues involving the minivan, and analyze those aspects of the minivan that connoted safety

The SLT met for one to one and one half hours every other week. Its recommendations were to be reported to Chrysler's Product Direction Team, comprised of senior company officials.

At one of the first meetings of the SLT, Mr. Sheridan played a videotape of a "60 Minutes" segment on seatback failure to introduce the concept of automotive safety (video attached as Exhibit 6). This video was of interest to Mr. Sheridan because he had experienced seatback failure while participating in a stock car race. The video featured a number of vehicles, including the Chrysler minivan. Mr. Sheridan expressed the belief that there should be a dynamic test standard for seatback strength. He said that he agrees with the substance of the 60 Minutes segment, and that probably everybody else in the industry, including Chrysler, does also. As described by Mr. Sheridan, the segment highlights the fact that seat belts do not restrain occupants during rear impacts, and that the only restraint in that crash mode is the seat back. If the seat back is not designed to withstand certain moderate accelerations, Mr. Sheridan stated that the risk of injury, or even death, increases, since occupants may be ejected from under the belt, or they may fall backwards, breaking their necks and backs. After showing the video, Mr. Sheridan was told not to mention the seatback issue again. He understood that this direction came from Francois Castaing, Chrysler's head of Engineering, who was upset that Mr. Sheridan was showing the video.

Mr. Sheridan stated that the minivan rear liftgate latch was raised as an issue at SLT meetings because (1) Chrysler had conducted bumper tests in which the liftgate had popped open; (2) Ron Zarowitz, an attorney from the Safety group who was a member of the SLT, brought to the team's attention a case in Saginaw, Michigan in which occupants were ejected through an open minivan liftgate, and other cases that were pending against the company; and (3) most members of the SLT considered liftgate latch openings to be a safety problem. The SLT's Engineering Liaison, Ernie Laginnes, recommended a dual stage latch to duplicate side door latches. The SLT adopted this recommendation after noting that dual stage latches were then being used on the liftgate of the Ford Windstar.

In early 1993, the SLT made a presentation to the Product Direction Team proposing a dual stage latch for minivan

liftgates. Sixty members of the Product Direction Team were in attendance at that time. One of those members, Chris Theodore, stated at the meeting: "If we make that change we indict ourselves. We are not going to do that."

After its defeat on the dual stage latch recommendation, the SLT focused on Ford's claim that the Windstar had more safety features than any other minivan. Ford was advertising the Windstar as "the only minivan that meets all passenger car standards." Mr. Sheridan feared that the Windstar would become the principal competitor of the Chrysler minivan because Ford had the capability to produce a large quantity of these vehicles. This was not the case for the Toyota Previa, the Mazda MPV, or other minivan models.

The SLT made a second presentation to the Product Direction Team on a dual stage latch for the minivan liftgate in February 1994. Since the Ford Windstar liftgate had two latches, each with a dual latching capability, Mr. Sheridan tried to attack the latch issue from a competitive perspective for this presentation. The SLT's recommendation was not favorably received. At the meeting, Chris Theodore stated: "That ship has sailed."

Julie asked Mr. Sheridan whether inertial unlatching of the rear liftgate was ever a topic of discussion within Chrysler. Mr. Sheridan responded that there were no such discussions during the meetings in which he participated.

forty, who he described as the predominant ^{women over} minivan drivers,

Mr. Sheridan stated that if a safety problem is encountered in a vehicle with such drivers, then it is a real problem. He also stated that Chrysler markets its minivans to women and to families with children.

In 1993, the SLT formed consumer focus groups and, in 1994, it conducted research clinics for input on minivan safety issues. In the winter of 1994, it was to address side air bags at a clinic held in Boston. Before the presentation was made, Chris Theodore instructed the SLT to "pull side airbags-- Legal has a problem." Attorney Ron Zarowitz, who was a member of the SLT, told Chris Theodore: "Nobody inside Legal knows what you're talking about . . . Chris, you do Engineering, I'll do Legal." Mr. Sheridan stated that side air bags were ordered to be pulled because Chrysler's head of Engineering, Francois Castaing, stated that he did not know how to engineer them yet.

Mr. Sheridan was asked by Theodore R. Cunningham, a corporate vice president who served as General Product Manager for the

minivan platform, to prepare a status report on the SLT.

After issuing this memo, Mr. Sheridan was invited to a meeting concerning the SLT. He assumed that the meeting was to discuss the problems facing the SLT that were documented in his memo. Instead, he was instructed at the meeting on matters that he should and should not write about. Sheridan recalls that he was specifically told not to write anything about minivan liftgate latches.

Mr. Sheridan stated that on October 14, 1994, at the Chrysler Testing Center, Chrysler Proving Grounds, a hand assembled "P-Zero" 1996 Chrysler minivan was crashed into a wall at 30 mph. The Chest G meter registered 60 G's in 22 milliseconds and 68 G's for a final reading. Standard 208 allows 60 G's. Mr. Sheridan stated that Chrysler's "bogey" is 48 G's, so that the worst performing vehicles would not exceed the Federal limits. On November 4, a second test was run, which produced a failing chest measurement of 75 G's and a failing measurement for femur load. In a third test, on November 21, the chest measurement was 44 G's. Mr. Sheridan stated that prior to conducting that test, the steering column had been redesigned and welded in place, and modifications had been made to the vehicle's front rails, front bumpers, and engine mounts.

As a result of these test failures, Mr. Sheridan stated that Chrysler was holding meetings twice a day to deal with the problem. Additionally, Chrysler decided on December 1, 1994 that 50 to 100 "C-1" minivans built in late November could not be sold by Chrysler. Mr. Sheridan identified the C-1 as the only phase before production in the assembly plant that can be serialized and sold. Chrysler also pushed the production date to February 23, 1995.

Mr. Sheridan stated that his employment at Chrysler was terminated on December 19, 1994, after he was accused of leaking a document concerning the minivan test failures to a friend who gave the document to Automotive News. He stated that he was not allowed in his office after that date, and that an inventory of his office files that was prepared by Chrysler identified as empty several folders that contained documents at the time of his departure.

Coleman asked whether Chrysler documents modifications in component designs. Mr. Sheridan responded that it did so with a Product Change Notice (PCN). He stated that all information on PCNs involving latches would be maintained by the Door Hardware Group within Body Engineering. Mr. Sheridan identified Wayne Brock as the Group Leader, and stated that Ernie Laginnes was in Body Engineering at that time. Mr. Sheridan stated that the PCN would describe the design of the change, including underlying technical data. He stated that engineering drawings would also be attached. The need for PCN is specified in Chrysler's Engineering Practices Manual. Chrysler's policy is to retain this information for seven years. Mr. Sheridan stated that any change would also be noted in Chrysler's "Engineering Smart Book," which is compiled by outside contractors on an annual basis to detail each engineering change that has taken place. Mr. Sheridan noted, however, that the liftgate latch modifications for the 1995 minivan were kept at such a low profile that they were not even included in the Smart Book.

Mr. Sheridan identified Ernie Laginnes as the Executive Engineer for Body Engineering on the Minivan platform. He also stated that Jim Peters, Paul Corby, and Frank Chaniese of the Bumper Group would have information on what was going wrong with the minivan latch. He also mentioned Tom Edson, Chief of Engineering Program Management, as a possible information source.

Mr. Sheridan stated that a major portion of the NS project was to strengthen the minivan body to increase torsional and bending moments. He contended that a new latch on an old minivan will not solve the hatch opening problem because the body will deform to produce a fork bolt-detent lever bypass. Mr. Sheridan stated that there was so little body rigidity that the rear liftgate had to be taped shut in frontal impact tests that Chrysler conducted on 1991 and 1992 model year minivans.

Mr. Sheridan stated that in early 1992, the Door hardware Group compared the Chrysler minivan only to other minivans, including the Previa, Aerostar, Villager, and Quest. The group conducted a weight and cost analysis, corrosion resistance analysis, and an opening and closing analysis.

Mr. Sheridan could not name anyone on the workgroup, but recommended that we check with Jim Peters, one of the Body Engineering Managers.

Mr. Sheridan stated that the 1996 Chrysler minivan has a rear door handle. This will eliminate what he described as the weakest aspect of the current latch, which is the fact that it must be sufficiently sensitive to be sprung by turning a thin key.

On the issue of fasteners, Mr. Sheridan identified Paul Doolan, an Engineering Program Manager, as a possible information source. He stated that an effort was made to standardize fasteners on the minivan and that problems were encountered with counterfeits coming in. Mr. Sheridan stated that Chrysler dealt very sternly with suppliers whenever counterfeits were found.

Mr. Sheridan also stated that there was a special task force on ABS for minivans, and that Peter Rosenfeld and Bernie Swanson were members. He stated that the company received a high volume of complaints on ABS warning lights. He also stated that Chrysler changed its ABS supplier from Bendix to ITT Tevis.

Mr. Sheridan stated that if consumer complaints raised a safety issue, Ron Boltz would get a copy. Field reports would be maintained by Parts and Service in Centerline, Michigan. Technical Service Bulletins (TSB) were issued in response to field reports.

Mr. Sheridan stated that the air bags placed in the first production 1996 minivans were not tethered and had an E-fold. During October and November the company decided that the air bags had to be tethered, and adopted a standard fold. Because automatic equipment was not available to fold these bags, they had to be folded by hand. Mr. Sheridan believes that this may pose a problem.

We concluded our interview of Mr. Sheridan at 6:00 pm.

Documents we were given by Mr. Sheridan that have not been previously referenced as exhibits in this trip report are attached as follows:

Documents detailing Mr. Sheridan's background, assigned projects, and other activities-- Exhibit 11;

Other miscellaneous documents-- Exhibit 13.

ATTACHMENT 4

Mr. David L. Strickland
Administrator
NHTSA Headquarters

27 August 2012

Subject: Chrysler Public Statements Regarding Reference – WUSA-9 News Report
Reference: EA12-005 File Update (Jeep Grand Cherokee, et al. Fuel Tank System Defect)

“ 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. ” (bolding added)

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 5

Mr. David L. Strickland
Administrator
NHTSA Headquarters

27 August 2012

Subject: Chrysler Public Statements Regarding Reference – WUSA-9 News Report
Reference: EA12-005 File Update (Jeep Grand Cherokee, et al. Fuel Tank System Defect)


[Print](#)

Defects - Search Results

1 Record(s) Displayed.

Report Date : July 12, 2012 at 09:33 PM

NHTSA Action Number : EA12005

NHTSA Action Number : EA12005

NHTSA Recall Campaign Number : N/A

Vehicle Make / Model:

JEEP / CHEROKEE

JEEP / GRAND CHEROKEE

JEEP / LIBERTY

Model Year(s):

1993-2001

1993-2004

2002-2007

Manufacturer(s) :

CHRYSLER GROUP LLC

Component(s) :

FUEL SYSTEM, GASOLINE:DELIVERY:HOSES, LINES/PIPING, AND FITTINGS

FUEL SYSTEM, GASOLINE:STORAGE

FUEL SYSTEM, GASOLINE:STORAGE:TANK ASSEMBLY

FUEL SYSTEM, GASOLINE:STORAGE:TANK ASSEMBLY:FILLER PIPE AND CAP

Date Investigation Opened : June 12, 2012

Date Investigation Closed : Open

Summary:

NHTSA has conducted extensive analysis of the data regarding fuel tank integrity for the model year (MY) 1993-2004 Jeep Grand Cherokee (JGC). As a result of that work, the agency has decided to upgrade its safety defect investigation to an Engineering Analysis and to expand the scope of vehicles included in the investigation. NHTSA's assessment of the data collected during Preliminary Evaluation (PE) 10-031 indicates that rear-impact-related tank failures and vehicle fires are more prevalent in the JGC than in the non-Jeep peer vehicles. In addition, the agency's analysis of its FARS data for the peer vehicles and three Jeep models shows a higher incidence of rear-impact, fatal fire crashes for the Jeep products. PE10-031 had focused on the fuel tank system integrity of the JGC vehicles during rear-end collisions and impacts. The fuel tank is located at the rear of the vehicle, between the bumper and axle, and is manufactured from a plastic material (HDPE). Three peer vehicles (across the same MY range as the JGC) were identified for comparative assessment: the Chevrolet Blazer, Ford Explorer, and Toyota 4Runner. ODI has collected and assessed a significant volume of data for the JGC and three peer vehicles under the Defect Petition (DP) 09-005 and PE10-031, much of which was either provided by the petitioner or by the subject and peer manufacturers in response to ODI's information request letters. NHTSA has also utilized its FARS database. Fatal crash data was collected for the JGC and its three peers, along with data for two other Jeep vehicles, the Cherokee and Liberty, which were also manufactured with rear mounted fuel tanks and assessed by ODI as Jeep peer vehicles. Based on the agency's current analysis, ODI has upgraded its investigation to determine whether the subject vehicles contain a defect that presents an unreasonable risk to safety. **The subject vehicles for the investigation will be MY 1993-2004 JGC, MY 1993-2001 Cherokee, and MY 2002-2007 Liberty.** The estimated production volumes for these vehicles are shown above, although attrition is a factor for the older vehicles. Please note that the counts shown in the above failure report summary are for the JGC only (values shown in the total column are unique). Data for the other Jeep models and possibly other peer models will be collected during the investigation. The ODI reports cited above can be reviewed online at www-odi.nhtsa.dot.gov/ complaints under the following identification (ODI) numbers: JGC: 506249, 549376, 734783, 869217, 10009553, 10335943, 10351589, 10351980, 10357528. Liberty: 10357195, 10366653 (duplicate of 10357195), 10138726, 10149256, 10181332 Cherokee: 10409104

ATTACHMENT 6

Mr. David L. Strickland
Administrator
NHTSA Headquarters

27 August 2012

Subject: Chrysler Public Statements Regarding Reference – WUSA-9 News Report

Reference: EA12-005 File Update (Jeep Grand Cherokee, et al. Fuel Tank System Defect)

July 25, 1994



Chrysler Corporation
CIMS 483-02-12
800 Chrysler Drive East
Auburn Hills MI 48326-2757

Contacts: Alex Tsigdinos (810) 576-9001

CHRYSLER NOTIFIES OWNERS TO BRING IN RAM TRUCKS FOR FRAME REINFORCEMENT

Auburn Hills, MI - Chrysler Corporation is notifying owners of 7,000 1994 model year Dodge Ram 1500 and 2500 light duty pickup trucks that were built without a rear bumper that their trucks may not comply with federal fuel impact integrity standard requirements. Owners are being instructed to bring their vehicles to their local Dodge dealer to have a rail reinforcement bracket installed at no cost.

Chrysler said that during a rear impact compliance test, fuel leakage occurred in excess of that allowed by the federal standard. Analysis determined that the fuel leak was caused by impact distortion of the left frame rail which contacted and damaged the fuel filler hose and its attachment nipple. Chrysler's subsequent testing and analysis confirmed the condition. Corrective action was immediately taken and vehicles were contained to prevent further shipment.

There are no known accidents or injuries related to this condition.

-0-

(30394-S)

ATTACHMENT 7

Mr. David L. Strickland
Administrator
NHTSA Headquarters

27 August 2012

Subject: Chrysler Public Statements Regarding Reference – WUSA-9 News Report
Reference: EA12-005 File Update (Jeep Grand Cherokee, et al. Fuel Tank System Defect)

Selected pages from the 3 August 2012 deposition of plaintiff's expert Paul V. Sheridan emphasizing the distinction between diversionary Use of "Skid Plate" vernacular versus the requested/anticipated remedy under EA12-005

In The Matter Of:
Kline v.
Morgan-Alcala, et al

Paul V. Sheridan
August 3, 2012
Video Deposition

Rizman Rappaport Dillon & Rose
66 W. Mt. Pleasant Ave.
Livingston, N.J. 07039
(973) 992-7650

COPY

Min-U-Script® with Word Index

Page 1

1 SUPERIOR COURT OF NEW JERSEY
2 LAW DIVISION - MORRIS COUNTY
3 DOCKET NO. MRS-L-3575-08
-----x
4 THOMAS KLINE, as Administrator :
5 Ad Prosequendum of the heirs at :
6 law of SUSAN MORRIS KLINE :
7 (deceased), as Administrator of :
8 the Estate of SUSAN MORRIS KLINE, :
9 and THOMAS KLINE, individually, :
10
11 Plaintiffs, :
12
13 v. :
14 VICTORIA MORGAN-ALCALA, CARLOS :
15 ALCALA, NATALIE RAWLS, DAIMLER :
16 CHRYSLER CORPORATION, a/k/a :
17 CHRYSLER CORPORATION, LOMAR AUTO :
18 GROUP, BUTLER CHRYSLER JEEP, :
19 INC., JOHN DOES A through Z :
20 (names being fictitious), ABC :
21 CORPORATIONS 1 through 100 :
22 (names being fictitious), :
23 Defendants. :
24 -----x
25

VIDEOTAPED
DEPOSITION UPON
ORAL EXAMINATION
OF
PAUL V. SHERIDAN

TRANSCRIPT of the stenographic notes of JEROME
L. ROSE, a Notary Public and Certified Shorthand
Reporter of the State of New Jersey, Certificate No.
X100332, taken at the offices of Grieco, Oates &
DeFilippo, 414 Eagle Rock Avenue, West Orange, New
Jersey, taken on Friday, August 3, 2012, commencing at
10:14 a.m.

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1
2
3 A P P E A R A N C E S :
4 GRIECO, OATES & DeFILIPPO
5 414 Eagle Rock Avenue
6 West Orange, New Jersey 07052
7 BY: ANGEL M. DeFILIPPO, ESQ.
8 Attorneys for Plaintiffs
9
10 CALLAHAN & FUSCO
11 72 Eagle Rock Avenue
12 East Hanover, New Jersey 07936
13 BY: MATTHEW S. STOCKWELL, ESQ.
14 MARK P. BRADLEY, ESQ.
15 Attorneys for Defendant Loman Auto Group
16
17 LEARY, BRIDE, TINKER & MORAN
18 7 Ridgedale Avenue
19 Cedar Knolls, New Jersey 07927
20 BY: JAMES T. GILL, ESQ.
21 Attorneys for Defendant Alcala
22
23 Also present:
24 Russell J. Sacco, Jr., Esq.
25 Personal Attorney of Kline

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5 Paul V. Sheridan
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7 By Ms. DeFilippo 224
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1 THE VIDEOGRAPHER: My name is Robert
2 McDonald, member of the National Legal Video
3 Association, for Rizman, Rappaport, Dillon & Rose.
4 Today is August 3rd, 2012. On the record at
5 approximately 10:14 and here in the matter of Kline
6 v. Morgan-Alcala, et al.
7 The witness is Paul V. Sheridan and we
8 are at the offices of Grieco, Oates & DeFilippo, 414
9 Eagle Rock Avenue, West Orange, New Jersey.
10 Would counsel introduce yourselves for
11 the record, please.
12 MR. STOCKWELL: Matthew Stockwell,
13 Callahan & Fusco, for Loman Auto Group.
14 MS. DeFILIPPO: Angel DeFilippo,
15 Grieco, Oates & DeFilippo for the plaintiff.
16 MR. GILL: James Gill, Leary, Bride,
17 Tinker & Moran on behalf of defendant Alcala.
18 MR. BRADLEY: Mark Bradley, Callahan &
19 Fusco, for Loman Auto Group.
20 THE VIDEOGRAPHER: Thank you.
21 Will the court reporter please
22 administer the oath.
23
24
25

Sheridan - direct Page 81

1 tank behind the axle, but you must protect it. You
2 can put the tank just about anywhere you want as
3 long as it's protected. In other words, the design
4 approach and philosophy must be comprehensive and --
5 I think I've responded to your question.
6 Q. What would then -- what would the
7 protection have to be on the ZJ?
8 A. Well, I'm recommending that the fuel
9 tank on the ZJ be completely encapsulated with very
10 strong -- and we'll call it a skid plate, but I
11 would use the word encapsulation. The inside
12 surfaces of the encapsulation or skid plate will be
13 very friendly, will protect the entire -- any
14 portion of the tank from unfriendly surfaces.
15 The additional structure should help
16 with crush. We're still working on fixing the fuel
17 filler hose issue, but with the addition of this
18 encapsulation structure, I'll call it, we should
19 mitigate in large part some of the rail crush that
20 impinges on the fuel filler hoses and tends to rip
21 them out of the tank or rip them off the body side.
22 We also need to implement something
23 that takes care of the -- once the fuel filler hose
24 is breached, any fuel leakage from that area, a
25 rollover valve or some kind of a one-way valve on

Sheridan - direct Page 82

1 that hose to keep that hose from leaking.
2 So, that's what I'm recommending.
3 Q. The encapsulation device that you
4 talked about, is that something that's available on
5 the market?
6 A. Very close. S&K Manufacturing makes a
7 skid plate, as they call it, that almost completely
8 encapsulates the ZJ tank and I submitted that as a
9 starting point to NHTSA. I submitted that to them
10 and they're aware of my discussion about that.
11 Q. When did S&K first begin manufacturing
12 that skid plate?
13 A. The part number is JT3001 and I believe
14 they began manufacturing this current design about
15 four or five years ago, but I don't know that for
16 sure, but it's been around for a while.
17 Q. And you talked about the fuel filler
18 hose. Are you aware of any physical evidence that
19 the fuel filler hose separated in the Kline
20 accident?
21 A. No. All of it burned up, but there is
22 some indication in the area where the fuel filler
23 hose went through that the frame rail crushed and
24 may have impinged on the hose.
25 But the quick answer to your -- the

Sheridan - direct Page 83

1 precise answer to your question is no.
2 Q. All right. Well, you just talked about
3 the frame rail. What was the word you used? I
4 don't want to put words in your mouth.
5 A. I think I said impinged.
6 Q. Okay, impinged.
7 Where did you get that information
8 from?
9 A. From the vehicle inspection.
10 Q. Okay. Did you take photographs of the
11 hole in the frame rail?
12 A. I believe I did, yes.
13 Q. And is that -- are those photographs or
14 photograph or photographs on the disk that you
15 provided to Miss DeFilippo?
16 A. Yes.
17 Q. Did you have to elevate the Kline Jeep
18 to obtain those photographs?
19 A. No. I specifically requested at that
20 inspection that we not lift the vehicle.
21 Q. Okay. How many inspections of the
22 Kline vehicle have you done?
23 A. One.
24 Q. Have you attended other experts'
25 inspections of the Kline Jeep?

Sheridan - direct Page 84

1 A. No. Well, you know, when you said
2 other experts, Mr. Phillips and Mr. Hannemann were
3 at the inspection that I was also at.
4 Q. What I meant, though, is was there
5 maybe an inspection by another expert at a later
6 date that you may have also attended?
7 A. No.
8 Q. Have you ever inspected the Subaru that
9 was involved in this accident?
10 A. No.
11 Q. Have you ever inspected the Alcala
12 Sienna?
13 A. I have not inspected the Sienna, but I
14 have looked at a big pile of photographs that Mr.
15 Phillips gave to me at the inspection date. So, he
16 gave me a big pile and I was looking through those
17 photographs. He had a whole bunch of photographs
18 and he gave them to me.
19 Q. So, Mr. Phillips inspected the Alcala
20 Sienna, to your knowledge?
21 A. Yes.
22 Q. Did you know he was going to inspect
23 the Alcala Sienna?
24 A. Well, he already had, apparently, when
25 he gave me the photographs. So, I didn't know, but

Sheridan - direct Page 105

1 Four-Wheeling: Off-Road and Winter Driving
2 Techniques."
3 How do you know they're familiar with
4 those instructional videos?
5 A. Well, they were standard fare. When
6 the Jeeps went to the dealerships, these videos went
7 with them. This is part of the standard MOPAR
8 package that went out the door when the Grand
9 Cherokee, in particular, was being delivered.
10 I have a copy of that one as well. It
11 came to me in the packages that I mentioned earlier,
12 the hard copy packages. This video came to me as a
13 regular recipient of MOPAR materials and that's part
14 of the network.
15 Q. What does that document tell the Loman
16 Auto Group?
17 A. Well, it discusses the safety of the
18 skid plate. It discusses techniques for on-road
19 safety and off-road safety. It's a pretty good
20 video.
21 Q. Okay. And what does it say about the
22 skid plate in particular?
23 A. It specifically says that this is an
24 item that enhances off-roading. That's what it
25 said.

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1 Q. Okay. And what's the concern with
2 off-roading?
3 A. In that particular case, a minor bump
4 of a plastic fuel tank and you'll breach it. So,
5 off-roading is -- the stipulation is that
6 off-roading, you're more likely to run into a rock.
7 And so like the transfer case where we have a skid
8 place on the transfer case, it's standard in many of
9 the ZJs, we need to put it on the fuel tank if
10 you're going to go off road because a minor hit will
11 breach the tank.
12 Q. All right. And the next section,
13 Section 23, it talks about teardowns. Can you tell
14 me what teardowns have to do with this case?
15 A. The teardown procedure involves
16 acquiring detailed component-by-component
17 information and knowledge about competitive
18 vehicles. And in the process of doing component or
19 competitive vehicle teardowns, we acquired that
20 information about competitive SUVs.
21 So, we knew that other SUV
22 manufacturers were moving their tank and what they
23 were doing to protect their tank. And this is an
24 on-going process at Chrysler.
25 So, it relates to general knowledge of

Sheridan - direct Page 107

1 the SUV competition and specific fuel system
2 knowledge of SUV competition.
3 Q. Do you know what vehicles in 1993 had a
4 fuel tank located behind the rear axle?
5 A. I'm pretty good with some of it. The
6 S10 Blazer two-door has a tank behind the axle, but
7 if I recall correctly, it has a standard skid plate
8 or it has some encapsulation on it from GM.
9 There are some a Japanese that have the
10 fuel tank behind the axle. I photographed the
11 Suzukis and they have a tank behind the axle and
12 they have a standard skid plate.
13 There are others that have skid
14 plates -- or excuse me -- fuel tanks behind the
15 axle. I don't know if they have any protection or
16 not.
17 Q. Okay.
18 A. So, the general answer to your
19 question, you know, response to your question is
20 that there are some others in 1993 that had the tank
21 behind the axle.
22 Q. Are you aware of any testing done by
23 anyone with regard to -- strike that.
24 Has anyone ever tested the ability of a
25 skid plate to withstand impacts from another motor

Sheridan - direct Page 108

1 vehicle?
2 A. I believe in one of the CAS tests a
3 skid plate was on one of the ZJs and what happened
4 was in that test, which was somewhat -- it was
5 incremental in that the fuel tank was not breached,
6 but the filler hose was breached.
7 So, while the skid plate appears to be
8 offering protection to breaching the tank, it did
9 not in that particular test offer any protection for
10 the fuel filler hose.
11 Q. Which test was that?
12 A. I believe that one was in Virginia or
13 at the University of Washington. It's in my report.
14 Q. Are you able to tell me where in your
15 report it is?
16 A. I might be able to.
17 Q. It wasn't a Karco test, was it?
18 A. No, it was not. And I can't because
19 I -- I have a DVD with me that has my whole report
20 on it and I believe the report I'm referring to is
21 an attachment. It's a video attachment. I didn't
22 do a good job explaining what the attachment is.
23 Q. That's fine. It might be there. I
24 just --
25 A. Yeah. In other words, what I tried to

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1 do -- and if I failed in this particular instance,
2 then we'd have to correct the record and I apologize
3 for making a mistake here, but I believe all of the
4 CAS tests are part of my report in one form or
5 another.
6 Have you seen my report? I'm not --
7 Q. Yes, I have.
8 A. -- interrogating you, but it would be,
9 like, video attachment V or something like that.
10 Q. Okay. So, it's possible that it's
11 there.
12 A. Yes.
13 Q. Let me just ask you what were the
14 vehicles involved in that Virginia CAS test?
15 A. The one that I have in my mind is a
16 Mercury Sable station wagon into a 1996 or 1997 ZJ.
17 Q. What speed was the Sable wagon -- how
18 fast was it going when it impacted the ZJ?
19 A. I believe 50 miles per hour.
20 Q. Was it an offset?
21 A. Yes, to the best of my recollection, it
22 was.
23 Q. Were you at this test?
24 A. No.
25 Q. Do you know when it took place?

Sheridan - direct Page 110

1 A. It was either 2010 or 2011. It was
2 before the Karco test.
3 Q. Moving on to minivan operations, top of
4 Page 12, what design ideas did you share with other
5 platforms?
6 A. Just about everything. One particular
7 job where I was somewhat famous inside the company
8 for was the volume inputs on complexity management.
9 I used to give presentations to the other platforms
10 because we had taken the lead within minivans on
11 complexity.
12 The other issue that we would have
13 shared back and forth would have been the use of the
14 polyethylene fuel -- excuse me -- material for fuel
15 tanks. And I say that because I had knowledge of
16 the use of it on the ZJ as a result of my four years
17 in Jeep Truck Engineering and then it was proposed
18 to be used on the NS-Body Minivan, which was a major
19 change for the minivan because prior to that time,
20 the tanks on minivans were steel.
21 So, I was familiar with the use of the
22 material on the ZJ and as the chassis planning
23 person on the NS minivan, I was approached about the
24 entire subject by Mr. Bernard Swanson,
25 S-w-a-n-s-o-n.

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1 So, we shared many, many things among
2 the platforms. And so this is a general statement
3 about that sharing process.
4 Q. Okay.
5 A. I have other specifics but, you know, I
6 don't know if they relate to Kline particularly.
7 Q. Let me ask you specifically. Anything
8 to do with regard to the design or location of the
9 fuel tank?
10 A. The only issue would have been during
11 the proposition to use a composite or polyethelene
12 material on the minivan and the fact that on the
13 minivan it was mid-mounted. And my issue with the
14 mid-mounting was okay, but we need to put some
15 protection on the tank and we did not get it on the
16 minivan even though it's mid-mounted. It's not
17 encapsulated. It's exposed. You can't see it from
18 a side view point of view. It's tucked up above the
19 frame rail on the driver's side of the minivan, but
20 we didn't get any protection other than that.
21 MR. STOCKWELL: I'd like to take a
22 break.
23 THE VIDEOGRAPHER: Off the record at
24 12:51 p.m.
25 (A recess is taken.)

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1 (Mr. Gill leaves the deposition.)
2 (Discussion off the record.)
3 (Luncheon recess is taken.)
4 AFTERNOON SESSION
5 THE VIDEOGRAPHER: This is Tape 3.
6 Back on the record at 1:54 p.m.
7 BY MR. STOCKWELL:
8 Q. Mr. Sheridan, wasn't it the sole
9 mission of the Minivan Safety Leadership Team to
10 identify advertisable safety features?
11 MS. DeFILLIPPO: Objection to form.
12 A. No.
13 Q. Was that one of the objectives?
14 A. Yes.
15 Q. Okay. What were the other objectives?
16 A. The other objectives were to determine
17 our current status circa the team's formation in
18 January of 1993 in terms of where we were with
19 respect to safety.
20 The focus at that point was on the
21 AS-Body Minivan which was the predecessor to the
22 NS-Body Minivan, make recommendations and/or solicit
23 inputs from the entire group on how to improve our
24 safety position, most especially on the minivan.
25 When the letter went out that announced

Sheridan - direct Page 141

1 Q. I believe that's what you said, but I
2 don't want to put words in your mouth.
3 A. It was in February of 19 -- excuse me
4 -- February of 2002 that the Ford recall occurred.
5 Q. So, you point out that approximately
6 five years prior to the Kline accident, Loman Auto
7 Group was notified of these retrofits.
8 Are you saying then that Loman should
9 have done something to the Kline Jeep as a result of
10 receiving these Ford retrofits?
11 A. What I'm saying is that Kline -- excuse
12 me. The Loman Auto Group was aware of the procedure
13 of recalling and retrofitting to enhance fuel tank
14 crash worthiness.
15 So, it's not an esoteric issue for the
16 Loman Auto Group. It's standard practice in the
17 industry. He was aware of the fact that this kind
18 of thing goes on. So, that's the point I'm making.
19 Q. Okay. But are you saying he should
20 have done something to the Kline Jeep?
21 A. Not as a result of this. All I'm
22 saying is that this is the general knowledge in the
23 industry and I am staying that he should have done
24 something with the Kline vehicle, but not directly
25 as a result of the Ford recall.

Sheridan - direct Page 142

1 Q. What are you saying that Loman should
2 have done with the Kline vehicle?
3 A. I think Mr. Loman should have put Mr.
4 Tom Kline and Mrs. Susan Kline on notice regarding
5 the vulnerability of that fuel tank, the fact that a
6 impact deflection or deflecting structure --
7 sorry -- an impact deflecting structure was
8 available to enhance the fuel tank crashworthiness
9 of their vehicle.
10 Q. When should he have done this?
11 A. As soon as possible, whenever he had
12 notice that Kline was his customer, I think; as soon
13 as it went out the door. Loman is the dealer that
14 sold the vehicle. It shouldn't have gone out the
15 door without some kind of protection or at the very
16 least some notice to Mr. and Mrs. Kline so that they
17 can make an informed decision.
18 Q. What knowledge did Loman have in 1996
19 when this vehicle was sold that the fuel tank was
20 vulnerable?
21 A. He had been selling Jeeps and both XJs
22 ZJs without skid plates from his dealership. When
23 he would walk through the service bays he would see
24 a plastic container hanging behind the axle below
25 the bumper, a view that most folks don't see. He

Sheridan - direct Page 143

1 was fully aware of the fact that plastic unprotected
2 is vulnerable to impact.
3 So, in my opinion it's not an esoteric
4 issue when you're a car dealer. You see it every
5 day. And he had sold in '93. He had sold in '94.
6 He had sold in '95. So, he had plenty of experience
7 with respect to viewing what is a very vulnerable
8 fuel tank.
9 Q. Did Loman fail to perform any
10 manufacturer issued recalls to the Kline Jeep?
11 A. Not that I know of.
12 Q. Opinion and Conclusion No. 5. Can you
13 state to any degree of certainty whether a fuel tank
14 skid plate shield would have prevented a fire in
15 this accident?
16 A. Yes. I believe that the appropriate
17 fuel tank skid plate design and mounting system
18 would have deflected the impacting vehicle either
19 under or away from the tank and would have gone a
20 long way to protecting the tank from breach.
21 Q. What device are you talking about, just
22 the skid plate or something else?
23 A. Well, in this particular -- in Q&C No.
24 5 we're talking about the skid plate only. So, I
25 was only addressing that part of the Kline vehicle

Sheridan - direct Page 144

1 accident.
2 Q. Okay. Have you done any testing to
3 determine whether a skid plate could withstand a 70
4 mile an hour impact?
5 A. A 70 mile an hour impact?
6 Q. Yeah.
7 A. I haven't, no.
8 Q. Anybody else that you know of that has?
9 A. No.
10 Q. And what about the encapsulation device
11 that you talked about before? It was manufactured
12 by who?
13 A. The encapsulation concept, which a skid
14 plate, can fulfill am. In other words, if a skid
15 plate is designed properly, it will completely
16 encapsulate the tank and I'm emphasizing that with
17 you because the original skid plate that came with
18 the ZJ doesn't do a good job of complete
19 encapsulation. It's not bad, but it's not
20 everything.
21 As a matter of fact, when you look at
22 the MOPAR skid plate, it appears as though they
23 assume that a full option package was coming with
24 the Jeep; in other words, trailer hitch and skid
25 plate. And that's why when you take -- when a

Sheridan - direct Page 145

1 trailer hitch is not on a skid plate installed
2 vehicle, you can still see plastic because the MOPAR
3 does not go all the way up and encapsulate the tank
4 in the rear section.
5 It looks as though they said well, the
6 trailer hitch will do that. But on those vehicles
7 that don't get a trailer hitch, you want full
8 encapsulation and the one submission I made to NHTSA
9 shows a skid plate design that encapsulates every
10 aspect of the tank.
11 So, that's the general idea that I'm
12 proposing.
13 Q. Okay. If Chrysler issued a recall
14 right now and installed a skid plate on all ZJs,
15 would that be acceptable to you?
16 A. I'd have to see the testing they
17 conducted to confirm what the safety level would be.
18 I'd want to know what the context of the skid plate
19 design is, what it is they -- in other words, I'd
20 like to see an FMVA. I'd like to see something that
21 says this design that we're proposing for the recall
22 addresses these specific engineering and
23 crashworthiness issues.
24 Q. By the way, in 1996 when Loman sold the
25 Kline Jeep, were they -- was Loman aware of any post

Sheridan - direct Page 146

1 collision fuel-fed fires in the region?
2 A. I don't know what he was aware of.
3 MS. DeFILIPPO: Can you read back the
4 answer?
5 THE REPORTER: "Was he aware of any
6 post" --
7 MR. STOCKWELL: " -- collision fuel-fed
8 fires."
9 (Record is read.)
10 MS. DeFILIPPO: Loman Auto Group or
11 John Loman?
12 MR. STOCKWELL: Loman Auto Group.
13 MS. DeFILIPPO: Well, wait, wait.
14 Just note my late objection because I didn't really
15 get the full question.
16 MR. STOCKWELL: We could reask it.
17 MS. DeFILIPPO: You can reask it.
18 Q. Would your answer change if I said
19 Loman Auto Group instead of John Loman?
20 A. I'd have to say I don't know. I had
21 assumed in the original question you meant Mr. Loman
22 himself.
23 Q. How did you obtain the Baker memo?
24 A. Originally or in recent times?
25 Q. Originally.

Sheridan - direct Page 147

1 A. Originally it was part of the file for
2 the Chassis Systems Business Group.
3 Q. And how did you reacquire it?
4 A. Mr. Tom Flanagan.
5 Q. I know you told me who he was. Could
6 you tell me again?
7 A. Sure. Mr. Flanagan was the fellow who
8 retired from Chrysler around 1988. He was an
9 engineer at Chrysler. I've worked with Tom on
10 several Chrysler litigation cases. He's an expert
11 for plaintiffs. So, he had a copy.
12 Q. Okay. Did you ask him for it or did he
13 volunteer it to you?
14 A. No, I asked him for it.
15 Q. When's the last time you saw Mr.
16 Flanagan or spoke to him?
17 A. The last time I spoke to Mr. Flanagan
18 is at least a year, maybe two years ago. About a
19 year ago, I'm going to say.
20 Q. Okay. Has he supplied you with any
21 other documents in connection with the Kline case?
22 A. No.
23 Q. Would you agree that Mr. Baker himself
24 is the best source for the intent of that memo?
25 A. Probably, but I wasn't at Chrysler when

Sheridan - direct Page 148

1 it was written. I just -- all I have is what was
2 written on the document.
3 Q. That document was prepared before
4 Castaing became part of Chrysler, correct?
5 A. Yes.
6 Q. Have you ever read Baker's deposition
7 that he gave in the Austin case?
8 A. Yes.
9 Q. When was the first time you read it?
10 A. Sometime last year.
11 MR. STOCKWELL: Let's take a quick
12 break.
13 THE VIDEOGRAPHER: Off the record at
14 2:45 p.m.
15 (A recess is taken.)
16 (E-mail from Clarence Ditlow with
17 attached copies of photos is marked P-4 for
18 identification.)
19 THE VIDEOGRAPHER: This is Tape No. 4.
20 Back on the record at 2:53 p.m.
21 BY MR. STOCKWELL:
22 Q. All right. Mr. Sheridan, I've marked
23 Exhibit Sheridan-4. It also actually has copy cap
24 of Ditlow-23 we marked at Clarence Ditlow's
25 deposition. Just take a look and let me know when

Sheridan - direct Page 221

1 axle location become defective?
2 A. In my opinion, 1973.
3 Q. Are there any disadvantages to a fuel
4 tank located over the rear axle or in the middle of
5 the vehicle?
6 A. There's advantages and disadvantages to
7 every design. The configuration you just mentioned
8 is very close to the Crown Victoria. Although it's
9 slightly behind the axle, it's also above the axle.
10 That, of course, puts it in proximity, very close
11 proximity to the passenger compartment.
12 So, that's a design issue. You're
13 taking the tank and moving from back in the rear and
14 you're moving it closer to the passenger
15 compartment, but as long as you protect it, as long
16 as you make sure there's no breach and foreseeable
17 accident, then you've done the complete engineering
18 job.
19 Did I answer your question?
20 Q. Yes.
21 Are you aware of a lawsuit involving
22 Ford, a Ford Explorer actually, where a bullet
23 vehicle rear-ended the Explorer and the mid-ship
24 fuel tank fractured?
25 A. I did hear somewhere where there's a

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1 case out there about that, but I'm not familiar with
2 the case.
3 Q. If, hypothetically, in this accident
4 the fuel tank was located forward of the rear axle,
5 are you able to state to any degree of certainty
6 whether the fuel tank would not have punctured in
7 this accident?
8 A. Well, relating to the Explorer case --
9 and after you mentioned that, my tape drive was
10 going -- and what I recall saying to somebody,
11 probably Clarence Ditlow, was the Explorer itself is
12 not the exemplar vehicle for mid-mounted fuel tanks
13 in the SUV. The WK is.
14 And the reason I say that is because
15 unlike the Ford Explorer, the WK has encapsulation.
16 So, if you move the tank and do the encapsulation,
17 which is what the Germans did on the WK, then my
18 answer would be yes, you would protect the tank.
19 You would not have a breach.
20 In other words, back to my earlier
21 testimony, you must do the complete engineering job.
22 Q. You've never spoken to John Loman, have
23 you?
24 A. I have not.
25 Q. Have you taken any video of any

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1 inspections in this case?
2 A. No.
3 Q. Have you seen videotapes of any
4 inspections in this case?
5 A. No.
6 Q. Do you agree with the statement that
7 all vehicles are vulnerable no matter how well they
8 are designed?
9 MS. DeFILIPPO: Objection to form.
10 A. At the level of logic, yes, that's a
11 true statement.
12 Q. Have you done any other vehicle
13 inspections in connection with this case other than
14 what we've talked about and what's contained in your
15 report?
16 A. Yes. I've looked at the WK
17 extensively, the 2005 through current Jeep Grand
18 Cherokee.
19 Q. Have you taken any photographs?
20 A. No. I have photographs, but I haven't
21 taken any.
22 Q. Have you taken any -- are you in
23 possession of any photographs of the underbody of
24 the WK?
25 A. No, but I have inspected the underside

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1 of the WK extensively.
2 Q. Are you aware of any testing, other
3 than the two Karco tests, the FHA test, any other
4 testing in connection with this case?
5 A. No.
6 Q. And, of course, the Chrysler crash
7 test. Any other crash test?
8 A. When you say crash test, you mean the
9 internal 301 certification test?
10 Q. Right.
11 A. No.
12 MR. STOCKWELL: Those are my questions.
13 Thank you.
14 THE WITNESS: Thank you, counsel.
15 MS. DeFILIPPO: I have just a couple
16 things.
17 CROSS EXAMINATION BY MS. DeFILIPPO:
18 Q. Mr. Sheridan, you talked about requests
19 you made of a dealer in Michigan?
20 A. Yes.
21 Q. Is there -- when you make these
22 requests, is there times when you were denied?
23 A. Yes.
24 Q. With respect to --
25 MS. DeFILIPPO: I'm going to mark this

<p>98:7;105:11;118:21; 123:20;132:7;140:24; 151:19;152:8,14;154:12, 19;155:6;160:6;164:5; 176:16;177:6;197:2; 203:15;222:20;225:23</p> <p>earliest (1) 39:22</p> <p>early (5) 7:3;39:18,18;86:11; 137:14</p> <p>easiest (1) 47:11</p> <p>Economy (1) 93:1</p> <p>Ed (1) 163:20</p> <p>Eddy (1) 56:8</p> <p>E-d-d-y (1) 56:9</p> <p>education (3) 69:13,15,17</p> <p>Edward (1) 152:24</p> <p>effect (5) 39:6;73:23;74:7; 156:5;167:23</p> <p>effective (1) 126:19</p> <p>effects (4) 123:23;124:3;219:16, 18</p> <p>effort (3) 24:14;168:4;200:9</p> <p>egregious (2) 119:9;125:22</p> <p>egress (1) 125:16</p> <p>eight (3) 51:20;52:17;78:4</p> <p>either (17) 14:21;40:17;41:19; 43:14;58:7;59:4;61:17; 67:3;86:10;110:1; 120:24;125:6;143:18; 158:5;179:10;201:20; 219:18</p> <p>elaborate (3) 20:2;22:10;173:13</p> <p>elaboration (1) 98:8</p> <p>electric (1) 93:19</p> <p>electronic (7) 18:19;57:14,17;58:3, 8;114:20;115:7</p> <p>electronically (1) 18:15</p> <p>electronics (3) 196:12,13,16</p> <p>elevate (1) 83:17</p>	<p>elevated (2) 172:19,21</p> <p>Eleven (1) 196:20</p> <p>eliminate (1) 217:24</p> <p>eliminated (4) 8:19;30:16,24;172:15</p> <p>elimination (1) 138:10</p> <p>Elmira (1) 23:9</p> <p>E-l-m-i-r-a (1) 23:9</p> <p>else (15) 11:14;43:15;47:7; 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ATTACHMENT 8

Mr. David L. Strickland
Administrator
NHTSA Headquarters

27 August 2012

Subject: Chrysler Public Statements Regarding Reference – WUSA-9 News Report

Reference: EA12-005 File Update (Jeep Grand Cherokee, et al. Fuel Tank System Defect)

**Typical ZJ-Body with factory installed
light-gauge MOPAR "Skid Plate"
but without trailer hitch option**



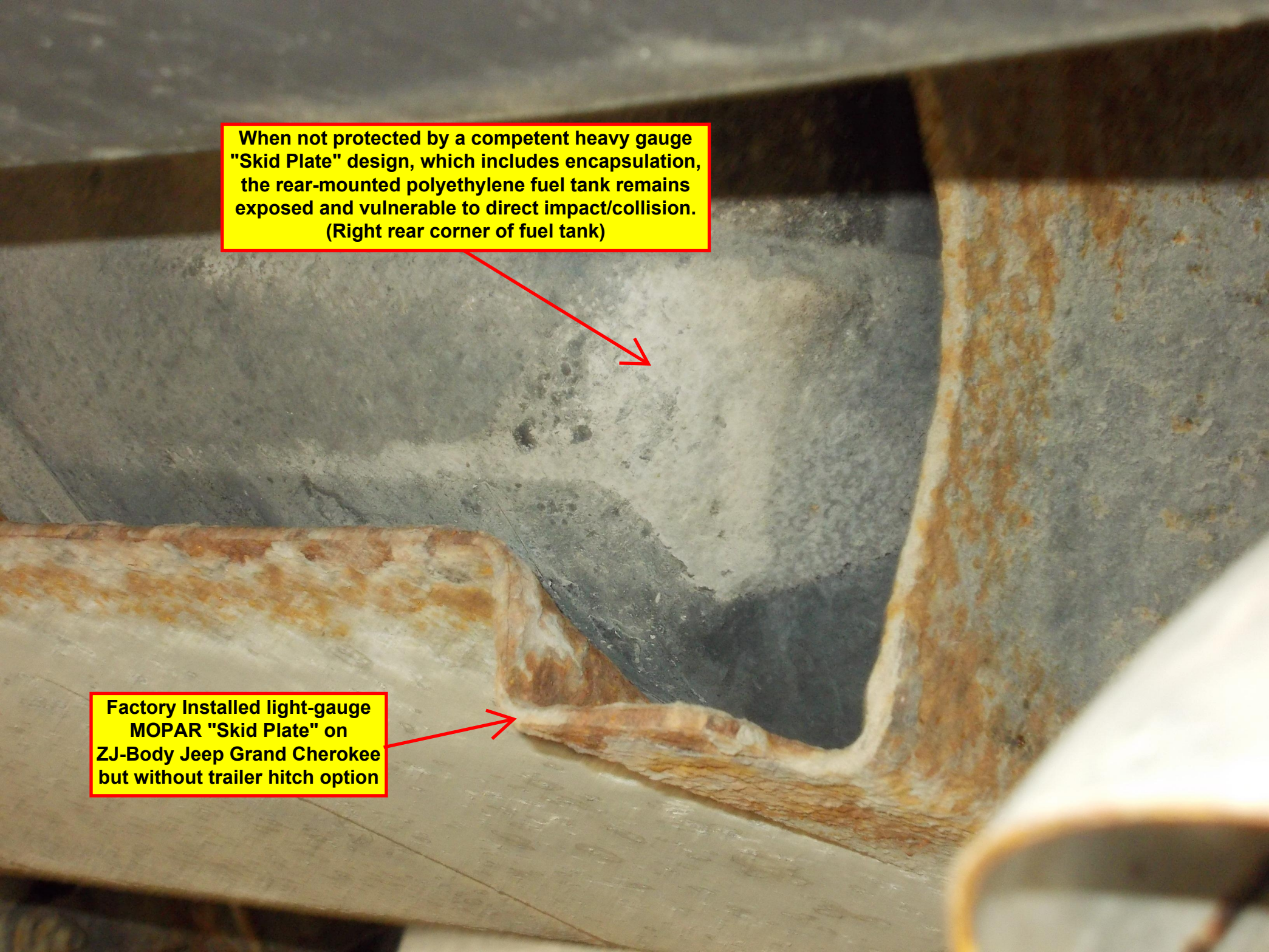
Lateral Beam of Trailer Hitch Option resides here/at this level when installed . . . Between upper edge of MOPAR "Skid Plate" and lower edge of rear frame cross member (Obscured by gray RIM Fascia)


When not protected by a competent "Skid Plate" design, which includes encapsulation, the rear-mounted polyethylene fuel tank remains exposed and vulnerable to direct impact/collision.

Factory Installed light-gauge MOPAR "Skid Plate" on ZJ-Body Jeep Grand Cherokee but without trailer hitch option


When not protected by a competent heavy gauge "Skid Plate" design, which includes encapsulation, the rear-mounted polyethylene fuel tank remains exposed and vulnerable to direct impact/collision. (Right rear corner of fuel tank)

Factory Installed light-gauge MOPAR "Skid Plate" on ZJ-Body Jeep Grand Cherokee but without trailer hitch option





Factory Installed MOPAR "Skid Plate" on ZJ-Body Jeep Grand Cherokee but without trailer hitch option



Minimal Side Encapsulation of Polyethylene Fuel Tank with Factory Installed MPOAR "Skid Plate" No Encapsulation at Front of Fuel Tank which is exposed to Suspension and Axle Components.

(Some Aftermarket "Skid Plates" also fail to encapsulate in these vehicle areas)

END OF DOCUMENT

Mr. David L. Strickland
Administrator
NHTSA Headquarters

27 August 2012

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