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

THOMAS KLINE, AS ADMINISTRATOR AD PROSEQUENDUM OF THE HEIRS AT LAW OF SUSAN MORRIS KLINE, (DECEASED), AS ADMINISTRATOR OF THE ESTATE OF SUSAN MORRIS KLINE, AND THOMAS KLINE, INDIVIDUALLY,

Plaintiff(s),

VICTORIA MORGAN-ALCALA, CARLOS ALCALA, NATALIE RAWLS, DAIMLER CHRYSLER CORPORATION, A/K/A CHRYSLER CORPORATION, LOMAN AUTO GROUP, BUTLER CHRYSLER, JEEP, INC., JOHN DOES A THROUGH Z, (names being fictitious), ABC CORPORATIONS 1 through 100, (names being fictitious), Defendant(s).

-----X

DEPOSITION OF: ROBERT BANTA Volume II

DATE: September 7, 2012

TIME: 10:10 a.m.

v.

BEFORE: SUSAN DE PALMA, a Notary Public and Certified Court Reporter of the State of New Jersey

LOCATION: CALLAHAN & FUSCO, LLC 72 Eagle Rock Avenue East Hanover, New Jersey 07936

2 (Pages 2 to 5)

APPEARANCES  APPEARANCES  APPEARANCES  APPEARANCES  APPEARANCES  ARE CONTESS AD EFILIPPO, LLC  Attempost of the Filination of the second of th	Page 2		Page 4
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1	ROBERT BANTA, 3196 Tullio Way,	1	Q. And do you remember the law firm?
2	Henderson, Nevada, having been first duly	2	MR. BRADLEY: Plaintiff or
3	sworn according to law, testifies as	3	defendant?
4	follows:	4	THE WITNESS: The defense law
5		5	firm was Hanlon, Buglione, Hanlon in
6	DIRECT EXAMINATION	6	Edison I believe.
7	BY MS. DE FILIPPO:	7	Q. Was Chrysler also involved in
8		8	that lawsuit?
9	Q. Mr. Banta, we are here for the	9	A. No.
10	continuing deposition. Your original	10	Q. Did that involve a post collision
11	deposition in this case was taken I	11	fuel-fed fire, that lawsuit?
12	believe on June 28th of 2011. You recall	12	A. No. It was a home structure
13	that in this case we started taking your	13	fire. A vehicle that was parked and the
14	deposition at that time. Correct?	14	plaintiff's allegation involved what they
15	A. Yes.	15	believed was a malfunction of the
16	Q. And I'm going to tell you that	16	electrical system.
17	all of the instructions that I gave you	17	Q. Have you ever done in your
18	then still apply. Do you want me to	18	capacity as a fire expert or in any expert
19	repeat any of the general deposition	19	capacity, have you ever given testimony or
20	instructions?	20	rendered reports for a plaintiff?
21	A. No.	21	A. Yes.
22	Q. You've given depositions numerous	22	Q. And are we talking about an
23	occasions. Correct?	23	injured plaintiff?
24	A. I have.	24 25	A. I'm sorry, let me back up a little bit. I also did deposition
25	Q. So you know what the format is?	23	
	Page 7		Page 9
1	Just one thing, I might have asked you	1	testimony this year on behalf of a
2	this before but how many times have you	2	plaintiff also in a vehicle fire case in a
3	testified in either a deposition or at	3	garage. And that was a plaintiff's case.
4	trial for Chrysler, on behalf of Chrysler?	4	I believe it was State Farm.
5	A. In deposition, maybe I'm	5	Q. State Farm was the plaintiff?
6	guessing, 50 to a hundred times. And at	6	A. State Farm was the plaintiff.
7	trial, perhaps 20 times.	7	Q. It wasn't an injured plaintiff,
8	Q. Have you done any depositions or	8	it was a property damage claim?
9	trial testimony for other than Chrysler,	9	A. Yes. The home had burned down.
10	people other than Chrysler or entities	10	Q. Now, you used the term "also."
11	other than Chrysler?	11	So what were you thinking of when you
12	MR. BRADLEY: In what capacity?	12	initially answered the question that you
13	Q. In your capacity as an expert.	13	gave testimony or rendered a report for a
14	A. Yes. I've done a couple of	14	plaintiff in a fire case?
15	depositions on behalf of Mercedes Benz.	15	A. Because I think one of your
16	Q. When you say a couple I'm	16	earlier questions was had I given
17	sorry to interrupt you, because you made a	17	testimony for someone other than Chrysler
18	pause. I thought when you say a	18	and I told you about Mercedes Benz and I did not toll you about the State Farm
19	couple, you mean two, two to three?	19 20	did not tell you about the State Farm
20	A. Two to three.	20 21	case. Q. And then my question was about
21	Q. Okay, go ahead.	22	Q. And then my question was about plaintiffs. And we know about the State
22	A. And I believe one trial for	23	Farm case with the property damage. Is
23 24	Mercedes Benz here in New Jersey.	23 24	there any other time when you rendered a
1 2 71			
25	<ul><li>Q. Do you remember what county?</li><li>A. Princeton.</li></ul>	25	report or gave testimony for a plaintiff

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			32 (Pages 122 to 123)
	Page 122		Page 124
1	MR. BRADLEY: Just note my	1	A. I think
2	continuing objection.	2	MR. BRADLEY: It's not very clear.
3	THE WITNESS: Yes.	3	THE WITNESS: I think it's more.
4	Q. And when you look at this	4	Q. You think it's more than
5	photograph, does it appear to you to be	5	17 inches from the ground?
6	well, let me ask you this.	6	A. Yeah. Maybe close to 20.
7	Did you have an opportunity	7	MR. BRADLEY: Just note my
8	during the pendency of this case, and I	8	objection.
9	think you've indicated such in your	9	THE WITNESS: The bottom surface
10	reports, to look at the CARCO testing that	10	of the floor tank?
11	was done to Jeep Grand Cherokee?	11	Q. The bottom surface, yes.
12	A. Yes, I looked at that.	12	MR. BRADLEY: Just note my
13	Q. And when you look at the second	13	objection. I don't see how this has
14	photograph that is in this packet, does it	14	anything to do with his expert report and
15	look to be the vehicle from the CARCO	15	it's beyond the scope of his expert
16	45-mile an hour test?	16	MS. DE FILIPPO: Fine.
17	MR. BRADLEY: If you know.	17	MR. BRADLEY: You can answer.
18	-	18	Q. You can answer.
19	<ul><li>Q. If you can recall.</li><li>A. Yes.</li></ul>	19	A. Yeah, I think that's about right,
		20	17 or 18.
20	Q. If you look at that photograph	21	Q. So now the can you tell by
21	and you look at the car itself, can you	22	looking at the photograph whether this
22	identify the tank in that car?	23	Jeep Grand Cherokee is in the same
23	MR. BRADLEY: As depicted in the	24	configuration as the Kline vehicle?
24	photograph? MS. DE FILIPPO: Yes.	25	MR. BRADLEY: Just note my
25		2.5	
	Page 123		Page 125
1	THE WITNESS: Identify the what?	1	continuing objection.
2	Q. The gas tank.	2	THE WITNESS: Well, it's the same
3	A. Yes. It's painted yellow.	3	type of vehicle.
4	Q. So the item on the car underneath	4	Q. And is there anything which
5	the bumper which is painted yellow and has	5	encompasses the tank as you look at the
6	two straps on either side of it, that's	6	photograph which we have previously marked
7	the gas tank. Correct?	7	as Banta-23 that you are looking at right
8	A. Yes.	8	now, the same one you're looking at?
9	Q. In the third photograph are you	9	MR. BRADLEY: Can you repeat that
10	able to identify that vehicle as a Jeep	10	question? I don't understand it.
11	Grand Cherokee?	11	Q. Is there any part of the vehicle
12	A. Yes.	12	which is covering, shielding the tank as
13	Q. Is it a ZJ?	13	you look at it depicted in Banta-23?
14	A. Yeah.	14	MR. BRADLEY: Just note my
15	Q. And when you look at that	15	objection. This is called an exemplar
16	photograph you see that there's a	16	vehicle.
17	yardstick in that photograph but behind	17	THE WITNESS: No, nothing covers
18	that yardstick is the gas tank depicted?	18	the tank. You mean the bottom and rear
19	A. Yes.	19	surfaces?
20	Q. And is the gas tank, although	20	Q. Right.
21	it's not painted yellow, the structure	21	A. Other than the vehicle structure?
22	which is approximately 17 inches from the	22	Q. Right. Go to the next photograph
23	ground as per that yardstick?	23	which is the side view of the Jeep Grand
24	MR. BRADLEY: If you can tell.	24	Cherokee. Correct?
25	Q. A little less than 17.	25	A. Yes. Of this Grand Cherokee,
1-0	X		·

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	Page 126		Page 128
1	yes.	1	objection.
2	Q. And can you see the tank in that	2	Q. In the photograph.
3	photograph?	3	A. Yes.
4	A. Yes.	4	Q. I'm just trying to identify what
5	Q. And about how much of that tank	5	we're looking at. Is that the hole that
6	hangs below the vehicle structure?	6	the filler hose passes through to get from
7	MR. BRADLEY: Just note my	7	the place where you put the gas into the
8	objection.	8	car to the tank?
9	Q. Based on what you can see in that	9	A. Yes.
10	photograph.	10	Q. And if you look at the next
11	A. Oh, maybe about seven inches in	11	photograph, you've already seen this
12	this photograph.	12	photograph, Banta-24. That would be the
13	Q. And is there anything when you	13	bumper that we talked about earlier.
14	look at that tank depicted in this	14	Correct?
15	photograph, can you tell what material	15	A. Yes.
16	that tank is made of?	16	Q. And that's a similar bumper to
17	MR. BRADLEY: If you know.	17	what the Susan Kline vehicle would have?
18	THE WITNESS: Yes.	18	MR. BRADLEY: Just note my
19	Q. What is it?	19	objection.
20	A. It's high density polyethylene.	20	THE WITNESS: Yes.
21	Q. And is that the same substance	21	Q. And then finally, the last
22	that the Susan Kline tank was made of?	22	photograph in this is a photograph of
23	A. Let me go back and re-answer.	23	well, you tell me if you can indicate
23	The typical material is high density	24	what's depicted on the last photograph.
25	polyethylene, at least that's what Susan	25	MR. BRADLEY: Just note my
2.5			
	Page 127		Page 129
1	Kline had.	1	objection. I don't know what it depicts
2	Q. Okay.	2	and I don't see how it's relevant and it's
3	A. This vehicle appears to have a	3	beyond the scope of his expert report.
4	production fuel tank and if it's a	4	MS. DE FILIPPO: Fine.
5	production tank, it was also high density	5	MR. BRADLEY: You can answer if
6	polyethylene.	6	you know what's depicted.
7	Q. So it looks like what would have	7	THE WITNESS: This is a post
8	been the tank in the Susan Kline vehicle?	8	crash photograph done by CARCO after this
9	A. Yes.	9	vehicle was hit in the rear by a bullet
10	Q. If you look at the next	10	vehicle at 40 miles an hour.
11	photograph, is that the side frame rail?	11	Q. You've seen this before.
12	A. The left side rail, yes.	12	Correct?
13	Q. It's the left side rail?	13	A. I think I have, yeah.
14	A. This vehicle had either a trailer	14	Q. Okay. And
15	tow or skid plate on it at one time.	15	A. I think I saw this in black and
16	Q. Okay. But when you look at the	16	white. I've not seen a nice one like this
17	side rail is the side rail depicted?	17	before.
		1	O I've same. I composed that was
		18	Q. I'm sorry, I represented that was
18	Is that the piece of metal that has an	18 19	the last photo. There's one more.
18 19	Is that the piece of metal that has an oval hole through it?		
18 19 20	Is that the piece of metal that has an oval hole through it? A. Yeah, the pass-through?	19	the last photo. There's one more.
18 19 20 21	Is that the piece of metal that has an oval hole through it? A. Yeah, the pass-through? Q. Yes.	19 20	the last photo. There's one more. The next photograph is can you
18 19 20 21 22	Is that the piece of metal that has an oval hole through it? A. Yeah, the pass-through? Q. Yes. A. Yes.	19 20 21	<ul><li>the last photo. There's one more.</li><li>The next photograph is can you</li><li>tell me what that is?</li><li>A. That's the same vehicle with a</li></ul>
18 19 20 21 22 23	Is that the piece of metal that has an oval hole through it? A. Yeah, the pass-through? Q. Yes. A. Yes. Q. When you look at this photograph,	19 20 21 22	<ul><li>the last photo. There's one more.</li><li>The next photograph is can you</li><li>tell me what that is?</li><li>A. That's the same vehicle with a</li><li>different view and it appears that in this</li></ul>
18 19 20 21 22	Is that the piece of metal that has an oval hole through it? A. Yeah, the pass-through? Q. Yes. A. Yes.	19 20 21 22 23	<ul><li>the last photo. There's one more.</li><li>The next photograph is can you</li><li>tell me what that is?</li><li>A. That's the same vehicle with a</li></ul>

			34 (Pages 150 to 155)
	Page 130		Page 132
1	Q. Is that stoddard?	1	A. Yes.
2	MR. BRADLEY: If you know.	2	Q. Now, in looking at that photo,
3	THE WITNESS: Probably.	3	can you tell me what part of the vehicle
4	Q. Mr. Banta, if you would look at	4	protects the part of the tank that we're
5	the photographs, whichever you prefer,	5	looking at in that photograph?
6	either photograph number 2, 3 or 4 in this	6	A. No. It's covered by fascia
7	packet, or any that you need to look at,	7	material.
8	and would you indicate to me or show me on	8	Q. So if a vehicle were to strike
9	any of the photographs what protected the	9	just that yellow piece of the car, whether
10	portion of the tank that's hanging below	10	it be because it's lower or some kind of
11	the bumper?	11	vehicle that's not even a car, let's say
12	A. The tank	12	it was a recreational vehicle of some
13	MR. BRADLEY: Just note my	13	sort, what would protect that portion of
14	continuing objection as this is not	14	the tank that we see here in yellow?
15	necessarily depictive of the Susan Kline	15	MR. BRADLEY: Just note my
16	subject vehicle. Are you asking what	16	objection.
17	protected it in this vehicle as depicted,	17	THE WITNESS: Just the tank
18	in the Susan Kline vehicle, any vehicle?	18	surface itself.
19	MS. DE FILIPPO: I note your	19	Q. So in other words, whatever the
20	objection. But he didn't ask me that	20	material of the tank is at the time?
21	question. So he can answer if he	21	A. The tanks on its own.
22	understands my question.	22	Q. Now if you look at the next
23	MR. BRADLEY: If you understand	23	photograph, which we marked Banta-23,
24	the question, you can answer.	24	where the bumper has been removed, is the
25	THE WITNESS: If we look at this	25	crossmember depicted in that photograph,
	Page 131		Page 133
1	-	1	Banta-23?
	photograph	2	A. Yes.
2	MS. DE FILIPPO: Why don't we mark	3	Q. It is?
3	I'm thinking we ought to mark all the	4	A. Yes, the rear crossmember.
4	photographs so we know what we're looking	5	Q. So the rear crossmember, that is
5	at. So let's mark from the beginning to		the piece of equipment that you indicated
6	end with the exception of the ones	6 7	previously protects the tank. Correct?
7	previously marked.	8	A. No. The rear crossmember and the
8	(Circultete sucche aus respired and	9	bumper both. They're both back there and
9	(Six photographs are received and	10	they're tied together.
10	marked Banta-28 through Banta-33 for	11	Q. So with the bumper off are you
11	identification.)	12	saying that the rear crossmember doesn't
12	O I atto just start with abots with	12	protect the tank?
13	Q. Let's just start with photograph	13 14	MR. BRADLEY: Just note my
14	which I have marked Banta-29. Would you	14 15	objection. I believe he testified before
15	look at that photograph, Mr. Banta, this	16	there was a box that protected the tank.
16	one?	10	THE WITNESS: They're in
17	A. Okay.	18	combination.
18	Q. You've already testified that	10	Q. I'm saying with the bumper off as
19	that depicts the back of the CARCO Jeep	20	you see it here in Banta-23, are you
20	Grand Cherokee prior to being stuck.	20	indicating there's no protection for any
21	Correct?	22	part of that tank?
22	A. Yes.	22	A. Well, I guess
23	Q. And you've already indicated that	23 24	MR. BRADLEY: From what?
24	what's yellow in the bottom of the bumper is the gas tank. Correct?	24 25	THE WITNESS: There is protection
25	$\mu$ the day lange 1 () $\pi$ ()	1 2 3	

	Page 250		Page 252
1	Q. You you did look at the films?	1	Q. Behavior of the movement of the
2	A. Oh, yeah.	2	rail vis-à-vis the tank. Correct?
3	Q. And if you re-looked at the films	3	A. Yes.
4	you could then again indicate what	4	Q. That's really the rigidity we're
5	happened in those cases. Correct?	5	talking about.
6	A. I'll try.	6	MR. BRADLEY: Note my objection.
7	Q. Well, you'll give your opinion as	7	THE WITNESS: Yes.
8	to what you think happened with respect to	8	Q. As you said before, it's for
9	that? Why was a bracket added to the '97	9	those things to move together in a crash.
10	car as far as you're concerned?	10	A. I think what it does, when you
11	MR. BRADLEY: Just note my	11	put that bracket on it makes this beam,
12	objection.	12	the distance of the bracket, stronger and
13	THE WITNESS: The 97 ZJ had a new	13	it changes the bend points, you know,
14	fuel tank. It was a co-extruded multi	14	where it deforms.
15	level tank, multilayer tank that was also	15	Q. Right.
16	reshaped and some believed that it would	16	A. It moves the deformation away
17	require a new certification test. So it	17	from wherever it was before.
18	was tested again and again and it would	18	Q. And you're hitting again with a
19	not pass. So impact performance people	19	flat plywood board coming at you,
20	determined that it needed a reinforcement	20	nondeformable flat moving barrier. So
21	on that left rail and when they put the	21	you're not hitting sideways or under-ride.
22	reinforcement on, it passed easily.	22	It's just a flat out hit in the back so
23	Q. Let me stop you right there. So	23	that that bracket then strengthened that
24	what was the tell me the mechanism that	24	rail from that flat hit?
25	allowed a reinforcing bracket to make it	25	MR. BRADLEY: Just note my
		+	
	Page 251		Page 253
1	Page 251	1	Page 253
1	so that the tank didn't fail.	1	objection.
2	so that the tank didn't fail. MR. BRADLEY: Note my objection.	2	objection. THE WITNESS: The bracket
2 3	so that the tank didn't fail. MR. BRADLEY: Note my objection. THE WITNESS: There was a new	2 3	objection. THE WITNESS: The bracket obviously strengthened the rail but I
2 3 4	so that the tank didn't fail. MR. BRADLEY: Note my objection. THE WITNESS: There was a new tank. The tank was reshaped.	2 3 4	objection. THE WITNESS: The bracket obviously strengthened the rail but I think the design intent there was to move
2 3 4 5	so that the tank didn't fail. MR. BRADLEY: Note my objection. THE WITNESS: There was a new tank. The tank was reshaped. Q. I understand.	2 3 4 5	objection. THE WITNESS: The bracket obviously strengthened the rail but I think the design intent there was to move the bend points.
2 3 4 5 6	so that the tank didn't fail. MR. BRADLEY: Note my objection. THE WITNESS: There was a new tank. The tank was reshaped. Q. I understand. A. So the old compliance test wasn't	2 3 4 5 6	objection. THE WITNESS: The bracket obviously strengthened the rail but I think the design intent there was to move the bend points. Q. You agree with the fact that
2 3 4 5 6 7	<ul> <li>so that the tank didn't fail.</li> <li>MR. BRADLEY: Note my objection. THE WITNESS: There was a new tank. The tank was reshaped.</li> <li>Q. I understand.</li> <li>A. So the old compliance test wasn't valid for the new tank.</li> </ul>	2 3 4 5 6 7	objection. THE WITNESS: The bracket obviously strengthened the rail but I think the design intent there was to move the bend points. Q. You agree with the fact that Chrysler never did any vehicle-to-vehicle
2 3 4 5 6 7 8	<ul> <li>so that the tank didn't fail.</li> <li>MR. BRADLEY: Note my objection. THE WITNESS: There was a new tank. The tank was reshaped.</li> <li>Q. I understand.</li> <li>A. So the old compliance test wasn't valid for the new tank.</li> <li>Q. But what about the bracket</li> </ul>	2 3 4 5 6 7 8	objection. THE WITNESS: The bracket obviously strengthened the rail but I think the design intent there was to move the bend points. Q. You agree with the fact that Chrysler never did any vehicle-to-vehicle testing?
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	Page 254		Page 256
1	A. Yes.	1	objection.
2	Q. And they can't pass on the costs	2	THE WITNESS: I think between the
3	by selling a vehicle.	3	Blazer and Explorer they were both strong
4	A. And they depend on the auto	4	competitors. Both sold more than the
5	manufacturers to do the testing.	5	Grand Cherokee.
6	Q. That's right. And in fact, they	6	Q. With the exception of the ZJ and
	don't even have or did not have an FMVSS	7	the XJ or the old Ford Pinto, can you give
8	for something like steering. Correct?	8	me an example of a very minor rear end hit
9	MR. BRADLEY: Note my objection.	9	in a vehicle which resulted in a fuel tank
10	Q. No FMVSS that covered issues	10	fire?
11	regarding steering?	11	MR. BRADLEY: Just note my
12	MR. BRADLEY: Note my objection.	12	objection as to minor and comparing to
13	THE WITNESS: No FMVSS for fire.	13	other vehicles.
14	Q. Right, per se. Per se.	14	THE WITNESS: Can you read that
15	A. Yeah. There's the end direct	15	back?
16	301, 302, 303, 304.	16	(Whereupon the previous question
17	Q. But in steering safety or	17	is read back.)
18	steering column safety there's no FMVSS at	18	THE WITNESS: Not limited to the
19	all?	19	rear end.
20	MR. BRADLEY: Just note my	20	Q. Would you also agree that the
21	objection.	21	tank in the ZJ could have been located
22	THE WITNESS: I think there is	22	mid-ship?
23	for columns.	23	MR. BRADLEY: Note my objection.
24	Q. But not for the actual steering	24	A. It could with a significant
25	mechanism?	25	degree of tear-off. It could not in the
-	Page 255	-	Page 257
1	A. I think you're correct.	1	ZJ or WJ be located mid-ship but for a
2	Q. Would you agree that NHTSA does	2	pretty significant tear-up. Frame rails
3	not allow compliance based on the test of	3	would have to move, the body would have to
4	a vehicle if the parts are different than	4	change. It could be done but it would not
5	what will be the production vehicle?	5	be the ZJ anymore. That's essentially what
1	A. That's right.	6	we did on the WK, we extended the wheel
7	MR. BRADLEY: Just note my	7	base and moved the frame rails, made room
8	objection.	8 9	for it.
9	Q. Do you agree that Chrysler was not aware of any problem locating the tank	9 10	<ul><li>Q. Why did you do that?</li><li>MR. BRADLEY: Note my objection.</li></ul>
11		11	
12	in the rear and, therefore, no problems of		THE WITNESS: Why did we move it?
1 1 2	lo option avenue avenue talega inte	10	O Vee
1	location were ever taken into	12	Q. Yes.
13	consideration?	13	A. We wanted a more contemporary
13 14	consideration? MR. BRADLEY: Just note my	13 14	A. We wanted a more contemporary location and we needed more real estate
13 14 15	consideration? MR. BRADLEY: Just note my objection.	13 14 15	A. We wanted a more contemporary location and we needed more real estate underneath the vehicle for a spare tire.
13 14 15 16	consideration? MR. BRADLEY: Just note my objection. THE WITNESS: Yes.	13 14 15 16	<ul><li>A. We wanted a more contemporary location and we needed more real estate underneath the vehicle for a spare tire.</li><li>Q. But what's more contemporary?</li></ul>
13 14 15 16 17	consideration? MR. BRADLEY: Just note my objection. THE WITNESS: Yes. Q. Do you agree that the number one	13 14 15 16 17	<ul><li>A. We wanted a more contemporary location and we needed more real estate underneath the vehicle for a spare tire.</li><li>Q. But what's more contemporary? What does that mean?</li></ul>
13 14 15 16 17 18	consideration? MR. BRADLEY: Just note my objection. THE WITNESS: Yes. Q. Do you agree that the number one competitor of the ZJ back in the nineties	13 14 15 16 17 18	<ul> <li>A. We wanted a more contemporary location and we needed more real estate underneath the vehicle for a spare tire.</li> <li>Q. But what's more contemporary?</li> <li>What does that mean?</li> <li>A. Oh, the general trend in the auto</li> </ul>
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	Page 258		Page 260
1	or anyone, did any kind of high speed	1	Q. What was it in the year 1990?
2	vehicle-to-vehicle crash testing to	2	MR. BRADLEY: Just note my
3	determine the effectiveness of the skid	3	objection.
4	plate or lack of effectiveness in the ZJ?	4	THE WITNESS: Twenty.
5	A. No.	5	Q. Twenty into the side with a
6	MR. BRADLEY: Note my objection.	6	nondeformable flat barrier?
7	Q. Does FMVSS 301 require the	7	A. Yes. Essentially it's the same
8	manufacturer to do side impact testing?	8	kind of barrier to hit with the rear, just
9	A. Yes.	9	different weight.
L 0	Q. 301 does?	10	Q. I want to go back to the tests.
.1	A. Yes.	11	We talked about 5208 and 5380. Correct?
2	Q. So I want to talk to you about	12	Do you remember? Well, the record will
.3	the Dodge Durango. That had a mid ship	13	bear me out.
L 4	tank. Correct?	14	The next test I want you to look
15	A. It did, yes.	15	at is 5441.
16	Q. And it did not hang below the	16	MR. BRADLEY: Are you going to
17	frame rails, however. It was tucked up	17	mark this? Do you want the cover page?
18	into, as high as the frame rails. Is that	18	MS. DE FILIPPO: Yes. Just mark
19	accurate?	19	it.
20	MR. BRADLEY: Just note my	20	
21	objection to this line of questioning.	21	(Safety Test Vehicle Crash Test
22	THE WITNESS: I'm not sure of	22	Letter is received and marked Banta-38 for
23	that.	23	identification.)
24	Q. You're not sure if it did or not?	24	
			O Devilse many de vous diagonas
25	A. I'm not sure, no.	25	Q. By the way, do you disagree
25	A. I'm not sure, no. Page 259	25	Page 261
25	Page 259 Q. I just want to go back	1	Page 261 have you read the Teets deposition in this
	Page 259 Q. I just want to go back A. We have 15 minutes and I need a	1 2	Page 261 have you read the Teets deposition in this case?
1	Page 259 Q. I just want to go back A. We have 15 minutes and I need a cup of coffee.	1 2 3	Page 261 have you read the Teets deposition in this case? A. Yes.
1 2 3 4	Page 259 Q. I just want to go back A. We have 15 minutes and I need a cup of coffee. Q. When you said 301 required side	1 2 3 4	Page 261 have you read the Teets deposition in this case? A. Yes. Q. Do you disagree with Mr. Teets
1 2 3	Fage 259 Q. I just want to go back A. We have 15 minutes and I need a cup of coffee. Q. When you said 301 required side impact testing, what were you referring	1 2 3 4 5	Page 261 have you read the Teets deposition in this case? A. Yes. Q. Do you disagree with Mr. Teets when he indicates that he met you in the
1 2 3 4 5 6	Page 259 Q. I just want to go back A. We have 15 minutes and I need a cup of coffee. Q. When you said 301 required side impact testing, what were you referring to? What has to be tested regarding side	1 2 3 4 5 6	Page 261 have you read the Teets deposition in this case? A. Yes. Q. Do you disagree with Mr. Teets when he indicates that he met you in the nineties when he was at Jeep and Truck
1 2 3 4 5	Page 259 Q. I just want to go back A. We have 15 minutes and I need a cup of coffee. Q. When you said 301 required side impact testing, what were you referring to? What has to be tested regarding side impact?	1 2 3 4 5 6 7	Page 261 have you read the Teets deposition in this case? A. Yes. Q. Do you disagree with Mr. Teets when he indicates that he met you in the nineties when he was at Jeep and Truck Engineering and that you didn't work in
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ZJ-Body Jeep Grand Cherokee: What Showroom Customer Would See if Fuel Tank was <u>not</u> colored to match rear underbody / rear suspension components.

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RAN

Jeep

P31070-01 CENTER FOR AUTO SAFETY TARGET VEHICLE 1996 JEEP GRAND CHEROKEE VEHICLE TO VEHICLE REAR IMPACT, 20% OFFSET 05 / 16 / 11

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