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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

MARK WEBB AND ANA WEBB,
Individually and on behalf of all others similarly
situated,
Plaintiffs

v.

VOLVO CARS OF N.A., LLC
and
VOLVO CAR CORPORATION
and
VOLVO CAR UK LIMITED
and
VOLVO CARS OF N.A., INC.
Defendants

CLASS ACTION

No.:

13 2394

JURY TRIAL DEMANDED

FILED

MAY - 1 2013

MICHAEL E. KUNZ, Clerk
By ~~_____~~ Dep. Clerk

COMPLAINT - CLASS ACTION

Mark Webb and Ana Webb, (together, "Plaintiffs"), bring this action against defendants Volvo Cars of North America, LLC ("VCNA"), Volvo Car Corporation ("VCC"), Volvo Car UK Limited ("VCUL"), and ("VCNA-INC") (collectively "Defendants" or "Volvo"), by and through the law firm Francis Alexander, LLC and their lawyer Francis Alexander Malofiy, Esquire, individually and on behalf of all others similarly situated, and allege as follows:

U.S. DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

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5-2-13
[Signature]

PREAMBLE

1. This is a class action lawsuit brought by Plaintiffs on behalf of themselves and a nationwide class of current and former Volvo vehicle owners and lessees of the Volvo 850 produced from 1997 – 1997 (the “Class Vehicles”).¹

2. Mark and Ana Webb had just bought a Volvo 850 because they wanted to be sure that their baby son, Sabino Webb, and there family would be transported in what she thought was one of the safest cars in America. However, on May 4, 2009, her Volvo 850 was struck by another car, crashing into her passenger side doors.

3. Mark and Ana Webb bought the Volvo 850 under the belief as it was advertised and marketed by Volvo – as having an innovative Side Impact Protection System (SIPS) with solid-steel anti-intrusion door bars on all four doors to protect against side-impact crashes which result in the largest percentage of fatalities. Mark Webb and Ana Webb wanted their children to be safe. What they didn’t know is that Volvo’s Side Impact Protection System (SIPS), as advertised and marketed, did not exist in the rear doors, in that, although the Volvo 850 was marketed and advertised with steel bars on all four doors, these door bars *did not exist in the rear doors*.

4. Instead of using a solid steel anti-intrusion door bar, *as advertised*, to prevent intrusion into the *rear* passenger compartment, Volvo opted to insert a small, flimsy, lightweight, unsupported piece of corrugated plastic into the rear doors of the Volvo 850. This small, flimsy-

¹ Plaintiffs reserve the right to amend or add to the vehicle models included in the Class Vehicles after conducting discovery.

piece of plastic is euphemistically referred to by Volvo as their “innovative” Side Impact Protection System (SIPS).²

5. The Volvo 850 was not crashworthy nor was it designed properly or advertised appropriately. The lack of adequate door reinforcement, enhanced the injuries by allowing the impacting car to penetrate into the passenger compartment of the Volvo 850 by eight inches; the child safety seat was fractured as was the infant’s skull.

6. Mark and Ana Webb watched their baby boy suffer as he grasped to the willows of life. After seven days of suffering, and after Ana Webb having spent her only Mother’s day with her baby-boy Sabino, he lost his fight for life. Mark and Ana Webb lost their baby-boy Sabino Webb who died prematurely on May 11th, 2009 due to blunt force injuries to the head because the Volvo 850 failed to have door bars in the rear doors of the Volvo 850 (as it was advertised and marketed by Volvo as having this specific safety feature).

7. This is a class action lawsuit brought by Plaintiffs on behalf of themselves and a nationwide class of current and former Volvo vehicle owners and lessees of the Volvo 850 produced from 1997 – 1997 (the “Class Vehicles”) under the legal causes of action as more fully set forth herein.³

² See attached Volvo Service Manual exploded parts view illustrating the solid steel anti-intrusion door bar in the front door; and in the rear door without such a solid steel door beam evidencing instead a flimsy piece of corrugated plastic affixed with two plastic clips.

³ This is not a personal injury case, a wrongful death case, or a survival action.

JURISDICTION AND VENUE

8. This Court has subject matter jurisdiction of this action pursuant to 28 U.S.C. §§1332(d)(2) and (6) of the Class Action Fairness Act of 2005 because: (i) there are 100 or more class members, (ii) there is an aggregate amount in controversy exceeding \$5,000,000, exclusive of interest and costs, and (iii) there is minimal diversity because at least one plaintiff and one defendant are citizens of different states. This Court has supplemental jurisdiction over the state law claims pursuant to 28 U.S.C. § 1367.

9. Defendant Volvo is in the business among other things of designing, manufacturing, producing, selling, distributing, and marketing automobiles and carries on regular and substantial business worldwide, including throughout the Commonwealth of Pennsylvania.

10. Venue in the Eastern District of Pennsylvania is proper because:

- a. Defendant Volvo regularly conducts business in Pennsylvania and enters their products into the stream of commerce;
- b. The Volvo defendants marketed and advertised the Volvo 850 in this district, and/or their marketing and advertising material was distributed, disseminated, or entered the borders of this district and was viewed, read, considered, and relied upon by consumers and Plaintiffs;
- c. Volvo has received substantial revenue and profits from their sales and/or leasing of Class Vehicles in this district; therefore a substantial part of the events and/or omissions giving rise to the claims occurred, in part, within this district;
- d. Plaintiffs purchased this 1997 Volvo 850 in Pennsylvania; and
- e. The accident occurred in Philadelphia County, Pennsylvania.

11. As such, Volvo has conducted substantial business in this judicial district, and intentionally and purposefully placed Volvo Class Vehicles into the stream of commerce within the districts of Pennsylvania and throughout the United States.

11. The named Plaintiffs are citizen of Pennsylvania and they seeks to certify and represent a national class of owners and lessees of Volvo Class Vehicles, constituted of citizens of

states different than that of one or more defendants and the matter in controversy exceeds the sum of \$5,000,000.00, exclusive of interest and costs.

PARTIES

12. Plaintiff Mark Webb is a citizen of the Commonwealth of Pennsylvania and resides in Philadelphia, PA. Mark Webb purchased a 1997 Volvo 850 on May 1, 2009.

13. Plaintiff Ana Webb is a citizen of the Commonwealth of Pennsylvania and resides in Philadelphia, PA. Ana Webb purchased a 1997 Volvo 850 on May 1, 2009.

14. Defendant, Volvo Cars of N.A., LLC, is a corporation incorporated and existing under the laws of the State of Delaware. Volvo Cars of N.A., LLC's registered address is: 1 Volvo Dr., Rockleigh, NJ 07647, United States. Volvo Cars of N.A., LLC's principal place of business is: 1 Volvo Dr., Rockleigh, NJ 07647, United States. Defendant's telephone number, including area code is 210-768-7300.

15. Defendant, Volvo Cars of N.A., LLC, is a subsidiary of Sweden's **Volvo Car Corporation**; with a registered address as follows: VAK Building, Assar Gabrielssons väg Göteborg SE-40-5 31, Sweden; with its principal place of business: VAK Building, Assar Gabrielssons väg Göteborg SE-40-5 31, Sweden. Defendant's telephone number, including area code is +46-31-59-00-00.

16. Defendant, Volvo Car UK Limited, is an entity of unknown form with a registered address believed to be Scandinavia House; Norreys Drive; Maidenhead; Berkshire, SL6 4FL. Defendant's telephone number: 01628 422200.

17. Defendants, Volvo Car UK Limited, is believed to be a subsidiary of Sweden's **Volvo Car Corporation**; with a registered address as follows: VAK Building, Assar Gabrielssons väg Göteborg SE-40-5 31, Sweden; with its principal place of business: VAK Building, Assar Gabrielssons väg Göteborg SE-40-5 31, Sweden. Defendant's telephone number, including areabe incorporated and existing under the laws of the State of Delaware. Upon information and belief, Volvo Cars of N.A., Inc.'s registered address is: 1 Volvo Dr., Rockleigh, NJ 07647, United States. Upon information and belief, Volvo Cars of N.A., Inc's principal place of business is: 1 Volvo Dr., Rockleigh, NJ 07647, United States.

18. Defendant, Volvo Cars of N.A., Inc., is a corporation believed to be incorporated and existing under the laws of the State of Delaware. Upon information and belief, Volvo Cars of

N.A., Inc.'s registered address is: 1 Volvo Dr., Rockleigh, NJ 07647, United States. Upon information and belief, Volvo Cars of N.A., Inc's principal place of business is: 1 Volvo Dr., Rockleigh, NJ 07647, United States.

19. Defendant, Volvo Cars of N.A., Inc., is believed to be a subsidiary of Sweden's **Volvo Car Corporation**; with a registered address as follows: VAK Building, Assar Gabrielssons väg Göteborg SE-40-5 31, Sweden; with its principal place of business: VAK Building, Assar Gabrielssons väg Göteborg SE-40-5 31, Sweden. Defendant's telephone number, including area code is +46-31-59-00-00.

20. Defendants, Volvo Cars of North America, LLC, Volvo Car Corporation, Volvo Car UK Limited, and Volvo Cars of North America, Inc. hereinafter may be referred to collectively and individually as ("**Volvo**").

21. Defendant, Volvo, develops, manufactures, and markets automobiles. Volvo distributes its products in many countries worldwide, with operations throughout North America.

22. The Plaintiff Class is defined as and consists of: All individuals who purchased or leased a Volvo 850 vehicle, from 1991 through the present.

SPECIFIC FACTUAL ALLEGATIONS AS TO PLAINTIFFS

23. Plaintiffs hereby incorporate by reference each and every allegation in this Complaint as if fully set forth herein at length.

24. On or about May 1, 2009, Plaintiffs purchased a 1997 Volvo 850 designed, manufactured and sold by defendants. Plaintiffs purchased a Volvo 850 because they wanted to be sure that their baby son, Sabino Webb, and their family would be in what they thought was the safest car in America. However, on May 4, 2009, their Volvo 850 was struck by another car, crashing into their passenger side doors of the Volvo 850.

25. Plaintiffs bought the Volvo 850 under the belief as it was advertised and marketed by Volvo – as having an innovative Side Impact Protection System (SIPS) with solid-steel anti-intrusion door bars on all four doors to protect against side-impact crashes which result in the largest percentage of fatalities. Plaintiffs wanted their children to be safe. What they didn't know is that Volvo's Side Impact Protection System, as advertised and marketed, did not exist in the rear doors.

26. Instead of using a solid steel anti-intrusion door bar, *as advertised*, to prevent intrusion into the *rear* passenger compartment, Volvo opted to insert a small, flimsy, lightweight, unsupported piece of corrugated plastic into the rear doors of the Volvo 850. This small, flimsy-piece of plastic is euphemistically referred to by Volvo as their “innovative” Side Impact Protection System (SIPS).⁴

27. The Volvo 850 was not crashworthy nor was it designed properly or advertised appropriately. The lack of adequate door reinforcement, enhanced the injuries by allowing the impacting car to penetrate into the passenger compartment of the Volvo 850 by eight inches; the child safety seat was fractured as was the infant's skull.

⁴ See attached Volvo Service Manual exploded parts view illustrating the solid steel anti-intrusion door bar in the front door; and in the rear door without such a solid steel door beam evidencing instead a flimsy piece of corrugated plastic affixed with two plastic clips.

28. On May 4, 2009, William Julian ("Julian") was the operator of a 2006 Chrysler PT Cruiser, Pennsylvania License No. FJM-6954; VIN: 8A8FY68806T267191 (the "PT Crusier").

29. On May 4, 2009, Ana Webb was the operator of Plaintiff's 1997 Volvo 850 Sedan, Pennsylvania License No. GLV-1425; VIN: YV16S5540V1396426 (the "Volvo 850").

30. On May 4, 2009, at approximately 2:45 p.m., Julian was travelling alone in the PT Cruiser southbound on Tacony Street near the intersection with Fraley Street in Philadelphia County, Pennsylvania.

31. On May 4, 2009, at approximately 2:45 p.m., Ana Webb was travelling with her two children, Donnie Webb and Sabino Webb in the Volvo 850.

32. Donnie Webb and Sabino Webb were both properly fastened in child safety seats in the rear of the car.

33. Ana Webb drove the Volvo 850 northbound on Tacony Street near the intersection with Fraley Street in Philadelphia County, Pennsylvania.

34. On May 4, 2009, at approximately 2:45 p.m., the Volvo 850 was making a left onto Fraley Street.

35. On May 4, 2009, at approximately 2:45 p.m., the PT Cruiser and the Volvo 850 were travelling in a reduced speed school zone.

36. The PT Cruiser was also travelling in excess of the speed limit.

37. The PT Cruiser was not travelling according to the reduce speed school zone.

38. The PT Cruiser collided with the Volvo 850 (the "Collision").⁵

39. At the time of the Collision, Julian was driving the PT Cruiser faster than the posted speed limit.

40. At the time of the Collision, Julian was travelling in a reduced speed school-zone cross walk.

41. At the time of the Collision, the road was damp.

⁵ See attached Philadelphia Police Department's Incident Investigation Report No.: 0915046305.

42. At the time of the Collision, the road was wet.

43. At the time of the Collision, it was raining.

44. The PT Cruiser impacted both the passenger side front door and the passenger side rear door of the Volvo 850.

45. The Volvo 850 passenger side front door appears to have provided adequate protection for the front passenger compartment.

46. However, the Volvo 850 passenger side rear door did not provide adequate protection for the rear passenger compartment or the occupant.

47. The impact of the two vehicles caused the passenger side rear door to deform inward.

48. The passenger side rear door deformed inward and intruded into the rear passenger compartment by approximately 8 inches.

49. The Volvo 850 B-pillar did not offer adequate support.

50. The Volvo 850 passenger side rear door hinge snapped in the collision.

51. The Philadelphia Police Department (“Police”) was the first to respond to the report of an accident near the intersection of Tacony Street and Fraley Street in Philadelphia.

52. At 2:56 p.m., Officer Hughes arrived on the scene and investigated the accident.

53. The infant Sabino had suffered serious injuries and was transported to Saint Christopher’s Hospital in critical condition.

54. Sabino Webb was in Saint Christopher’s Hospital for seven days while in critical care.

55. Sabino Webb died prematurely on May 11th, 2009 due to blunt force injuries to the head.

56. Plaintiffs watched their baby boy suffer as he grasped to the willows of life. After seven days of suffering, and after Ana Webb, having spent her only Mother’s day with her baby-boy Sabino, he lost his fight for life. Mark and Ana Webb lost their baby-boy Sabino Webb who died prematurely on May 11th, 2009 due to blunt force injuries to the head *because of the lack of the door bars in the rear doors of the Volvo 850.*

57. Sabino died prematurely on May 11th, 2009, one week after the accident, due to blunt force injuries to the head and the injuries he sustained as a result of the lack of adequate side impact protection of the Volvo 850 which enhanced the injuries and the defective design and construction of the Volvo 850.

THE VOLVO BRAND – SAFETY FIRST

58. Volvo defines, advertises, and promotes the brand as being **built on safety** and has extensively leveraged this public image of safety and the purported safety of their vehicles as part of their business design, image, and branding.

59. The brand has long marketed and promoted the Volvos' historic reputation for solidity and reliability.

60. Prior to strong government safety regulation Volvo had been in the forefront of safety engineering.

61. Volvo has promoted its brand by indicating that **its guiding principal behind everything made at Volvo, is and must remain safety.**

62. Volvo defines, advertises, and promotes its brand into four core values: Design, Environment, Quality, and Safety.

63. Volvo defines, advertises, and promotes its brand with the core value of Safety being of most importance and predominance in their vehicles design and construction.

64. Volvo defines, advertises, and promotes to the public its core value of Safety as **“Safety First. Always First”**

65. Volvo defines, advertises, and promotes its brand with the moniker “Volvo. For life.”

66. Volvo defines, advertises, and promotes its brand by declaring that every Volvo built is the sum of more than 70 years of focusing on safety. This is defined by Volvo to mean that the consumer is not just buying a car, **they are buying and driving the promise of safety.**

67. Volvo has also advertised “Volvo Safety Firsts” which is a list Volvo is very proud of and the innovations which are now found on many cars on the road.

68. The general public recognizes the Volvo brand as defined, advertised, promoted, and proclaimed by Volvo to recognize Safety first; always first.

69. Volvo has promoted and marketed itself as a leader in vehicle safety by having accomplished many safety milestones. These firsts include: Volvo's Traffic Accident Research Team which was established in 1970; and the SIPS – Side Impact Protection System in 1995.

70. Volvo promotes and advertises to the public its many vehicle safety milestones.

71. Volvo defines safety as, an effort to reduce injuries.

72. Volvo has marketed its vehicles as some of the safest, smartest, most trusted cars on the road.

73. Volvo further defines its role to reduce injuries in that Volvo sadly recognizes that accidents will probably always happen. But they don't have to cause injuries.

74. Volvo has promoted the Volvo brand by stating the concern for safety is the cornerstone for Volvo, dating back to 1927 when the first Volvo rolled off the production line; three-point seat belts, safety cages, and energy-absorbing impact zones were designed into Volvo cars long before it was fashionable or required by government regulation.

75. Volvo has advertised and marketed that it will not compromise its commitment to safety and that it will continue to seek out new safety features and to refine those already in our cars.

VOLVO'S SIDE IMPACT PROTECTION SYSTEM ("SIPS") ... A UNIQUE SAFETY SOLUTION FROM VOLVO⁶

76. Safety is one of the most important design criteria in all Volvo cars.

77. No modification or change is made to the design of a Volvo without its effect on safety being evaluated and verified.

78. As early as 1976, Volvo defined, designed, built, advertised, promoted, and sold its brand as having doors which incorporate "anti-intrusion members"; "crumple zones to absorb crash impact"; and "immensely strong safety cages" where the driver and passengers travel.

79. "The front and rear sections of a Volvo are crumple zones to absorb crash impact. The driver and passengers travel in an immensely strong safety cage. To protect against side swipes, each of the doors incorporates an anti-intrusion member."

80. In 1991, Volvo was the first car manufacturer to incorporate the proclaimed life-saving innovation of their Side Impact Protection System ("SIPS").

81. Volvo had recognized that in a side-impact collision, there is only around 6 to 8 inches of space between your head and the window.

82. For this reason, Volvo designed SIPS - a specially engineered protective safety system to protect life by creating a safety cage around the occupants of the vehicle and prevent intrusion into the passenger compartment by incorporating a careful mix of steel grades in various strengths and thicknesses.

83. Volvo door and side structure is made up of a combination of ultrahigh strength steel and softer grades to provide the necessary strength and carefully controlled deformation in a side impact.

84. Years of study and research have gone into the development of Volvo's SIPS.

85. Side impacts are the second most common type of accident after frontal collisions, accounting for approximately one out of every five accidents.

⁶ See attached Volvo's Press Release "SIPS: A Unique Safety Solution From Volvo" inclusive of picture illustrating the Volvo SIPS system with door bars evidenced in the rear doors.

86. While most side impacts occur at relatively low speeds, they produce an extremely high number of serious injuries.

87. Volvo's SIPS design objective was to significantly reduce both the number and severity of injuries in a side impact collision.

88. For the '92 model year, all 700 and 900 series Volvos (predecessors to the 850 series) will feature a unique Side Impact Protection System (SIPS).

89. The SIPS design is the direct result of research compiled by Volvo's accident investigation team based in Sweden.

90. Volvo has defined, advertised and promoted its brand by recognizing by posturing its SIPS in stating that one in four accidentally are side-impact crashes.

91. Fortunately, Volvos come equipped with SIPS.

92. SIPS is Volvo's technologically advanced side impact protection system.

93. Volvo recognizes that most cars these days have door bars, but the SIPS innovation goes much further.

94. With the SIPS the energy of the crash is dispersed through special roof, door, and floor panels and the speed of the intrusion is actually reduced.

95. Volvo claims that the benefits of the SIPS system allows one to believe in the car Volvo.

96. Volvo claims most are familiar with how the crumple zones in the front and rear of Volvos deform to help absorb the energy of an impact before it reaches the occupants.

97. Volvo recognizes that in a side impact, the distance between the impact and the occupant is very small. Only the doors and the B-pillar separate the occupants from the impact site.

98. For this reason Volvo designers realized the solution would require spreading the accident forces over a larger portion of the car's structure and reducing the intrusion into the passenger compartment.

99. Volvo claims this would also result in lower acceleration forces acting on the occupants.

100. Volvo claims that the solution, while largely invisible, consists of a further strengthening of the B-pillar, a reinforced door sill and roof rail, and strengthening of the floor members, all part of the SIPS.

101. Volvo claims these SIPS changes play an important role in dissipating the crash forces throughout the car's body by redirecting them around the safety cage.

102. Volvo further claims that the B-pillar reinforcement also reduces the passenger compartment intrusion and that the standard interior door panel on the car is sufficiently flexible to provide additional crash energy absorption.

103. Volvo claims has claimed that once the SIPS concept was devised, a mathematical model was constructed to determine which components should be reinforced and by how much. Following the calculations, prototypes were built and tested in Volvo's safety laboratory.

104. The tests confirmed SIPS' ability to transfer the impact energy from the doors and B-pillars to the roof, floor and sills.

105. Volvo has claimed that with the SIPS the passenger compartment intrusion was significantly reduced, as was the acceleration passed on to the occupants.

106. Volvo further claims that the testing also confirms that SIPS today, surpasses by a wide margin, the side impact standards which the government will require for model year 1994.

107. Volvo further claims that these SIPS results indicated that in side collisions involving cars, a 25% reduction in the number of fatalities or serious injuries is possible in SIPS equipped cars.

108. Volvo has claimed that the Volvo 850 is constructed as follows:

- a. body panels are made of pressed-steel sections;
- b. most components are welded together;
- c. some use is made of structural adhesives;
- d. the doors and door pillars are reinforced against side impacts as part of the side impact protection system (SIPS); and

- e. as an enhancement to the structural Side Impact Protection System built into Volvos, the car is also equipped with Side Impact Protection System (SIPS) airbags.

109. Volvo claims that SIPS can help reduce injuries in side impact collisions by approximately 40%.

110. Volvo claims that this is because Volvos equipped with SIPS are built to optimize protection of the occupants in case of side impact by being designed as an interactive system with exterior and interior safety solution:

- a. having a safety cage around the passengers designed as a network of steel profiles each of them with specific role during the deformation process.
- b. the different properties having been achieved by using different grades of steel.
- c. the entire side structure and the transverse members in the roof and floors interact to keep the passenger space as intact as possible in order to reduce injuries to occupants.
- d. these factors contribute to the advanced interplay between the various safety solutions.
- e. Volvo's SIPS system safety cage (as found on the 850 & onwards) absorbs and displaces energy in a side impact. Compared to a car without side impact protection, the velocity at which the body of the occupant is hit by the door panel has been greatly reduced.

111. SIPS is a unique Volvo safety development and is the latest in a long line of safety innovations which includes such ubiquitous items as the three-point self adjusting seat belt.

112. Safety has been a primary design criterion at Volvo since the company produced its first car in 1927.

113. All model year automobiles that were sold in the United States had to meet the new federal side-impact standards, including the Volvo 850.

114. Most auto manufacturers incorporate Side Impact Protection Systems (SIPS) into the structure of their vehicles.

115. The proclaimed innovator in this improved structural design system is Volvo.

116. The Volvo side-impact system consists of specially designed structural members of the passenger cabin, reinforcement inside the doors and special side-impact airbags mounted along the outside edges of the front seats, the contour and surface of the door panel has also been designed to minimize intrusion and chance of injury to occupants.

117. The Volvo 850 was advertised and marketed as having anti-intrusion door bars or beams built into all four doors.

118. The Volvo 850 has strong steel beams welded inside the front doors but has no steel bars or beam welded inside the rear doors.

SPECIFIC FAILURES OF THE VOLVO 850

No Anti-intrusion Door Bars or Beams or Adequate Side Impact Protection System to Prevent Intrusion and Enhanced Injury to the Rear Occupants of the Volvo 850

119. Initial and primary impact of the PT Cruiser colliding with the Volvo 850 was on the passenger side front door; secondary impact was on the passenger side rear door of the Volvo 850.

120. The passenger side front door adequately prevented intrusion into the front passenger compartment because it was adequately reinforced by a solid steel anti-intrusion door bar which is known, advertised and defined as part of Volvo's their "Side Impact Protection System (SIPS)".

121. The passenger side rear door did not prevent intrusion into the rear passenger compartment because it wasn't adequately reinforced and as a result of this lack of adequate reinforcement resulted in enhanced injuries to the injured occupant.

122. The passenger side rear door did not have an anti-intrusion door bar or beam.

123. The passenger side rear door did not prevent intrusion into the rear passenger compartment because it was not properly reinforced and did not provide adequate protection to the rear occupants of the Volvo.

124. The passenger side front doors of the Volvo 850 incorporate a solid-steel anti-intrusion door bar to prevent intrusion into the front passenger compartment.

125. The passenger side rear doors of the Volvo 850 do not have solid-steel anti-intrusion door bars.

126. In fact, the passenger side rear doors of the Volvo 850 have no anti-intrusion door bars whatsoever.

127. Instead of using solid steel anti-intrusion door bar to prevent intrusion into the rear passenger compartment, Volvo opted to insert a small, flimsy, lightweight, unsupported piece of corrugated plastic into the rear doors of the Volvo 850.

128. This small, flimsy, lightweight, unsupported piece of corrugated plastic is euphemistically referred to by Volvo as their innovative Side Impact Protection System (SIPS).

129. The Side Impact Protection system in the rear doors of the Volvo 850 is nothing more a small, flimsy, lightweight, unsupported piece of corrugated plastic.

130. This small, flimsy, lightweight, unsupported piece of corrugated plastic does not offer adequate protection to rear occupants of the Volvo 850.

131. This small, flimsy, lightweight, unsupported piece of corrugated plastic does not properly reinforce the doors, prevent intrusion into the rear passenger compartment, or protect the rear occupants from injury in the Volvo 850.

132. The passenger side rear door lacked adequate door side-impact reinforcement.

133. The lack of adequate door reinforcement allowed the impacting PT Cruiser to penetrate further into the passenger compartment than would have occurred with an adequately reinforced door.

134. Typical side door reinforcements are constructed in the form of a steel beam that spans the length of the door, and acts as a guide rail or door bar.

135. The incident vehicle was not equipped with a beam type reinforcement, but was equipped with what appears to be a honey comb material that does not span the door.

ROLE AND KNOWLEDGE OF VOLVO

136. Volvo recommends the proper use of restraint systems for all occupants including children.

137. Prior to the events that form the basis of this Complaint, Volvo knew or should have known that the Passenger Protection Act 229 requires that children under the age of four (4) must be buckled into a child safety seat.

138. Prior to the events that form the basis of this Complaint, Volvo knew or should have known that since the front seat of the Volvo 850 had an airbag, then the baby seat must be installed in the rear seat.

139. Volvo has stated that babies must travel in rearward-facing seats.

140. Prior to the events that form the basis of this Complaint, Volvo knew or should have known that state laws (including Pennsylvania) require children to ride in the backseats.

141. Volvo has stated that all passenger seat positions in a Volvo are equally safe and that there is no best place in a Volvo to secure a baby seat.

142. Prior to the events that form the basis of this Complaint, Volvo knew or should have known that the rear passenger seat positions of a Volvo 850 are not equally safe to other seat positions in the car.

143. Prior to the events that form the basis of this Complaint, Volvo knew or should have known that the rear passenger seat positions of the Volvo 850 are not the best place to secure a child safety seat.

144. Prior to the events that form the basis of this Complaint, Volvo knew or should have known that it is an extremely dangerous position to secure a child safety seat in a the rear seat position of the Volvo 850 because it does not have the anti-intrusion door bars built into the rear doors (as advertised).

145. In fact, the Volvo 850 has no beam-type or steel anti-intrusion member to resist intrusion into the rear occupant compartment and lacks adequate protection, thus enhancing the injuries to the injured occupants.

146. As instructed by Volvo, and according to federal and state child seat belt laws and child restraint laws, Ana Webb had properly fastened her baby-child, Sabino Webb in a child safety seat, rearward facing, in the rear of the Volvo 850.

147. Prior to the events that form the basis of this Complaint, Volvo knew or should have known that the 1997 Volvo 850 side-impact crash ratings were not based upon the rear occupant's safety and were focused primarily on the driver's safety on a side-impact crash as the focus of these side-impact crash tests were on the front doors of the vehicle.

148. Volvo welded in anti-intrusion door bars in the front door of the Volvo 850; however the rear doors which were not the focus of the side-impact crash tests, instead, had a flimsy piece of plastic haphazardly placed into the door attached with two plastic clips.

149. Prior to the events that form the basis of this Complaint, Volvo knew or should have known that the 1997 Volvo 850 side-impact crash ratings were based upon driver and front occupant's safety.

150. Volvo advertised the Volvo 850 as having a Side Impact Protection System (SIPS). However, Volvo knew or should have known that the protection afforded the Volvo 850 by this side impact protection system was only for the front doors – not the rear doors – as the front doors had solid steel anti-intrusion door bars.

151. The rear doors of the Volvo 850 do not have proper or adequate anti-intrusion door bars and support, thereby enhancing the injuries to the injured occupant.

152. In general the Volvo 850 was not crashworthy in that it did not protect the rear occupants, especially the children, who by law must be properly fastened in child safety seats in the rear of the car.

153. The lack of anti-intrusion door beams and lack of adequate support resulted in enhanced injuries to the injured occupant.

154. Volvo knew or should have know that the rear seat of the Volvo 850 is in fact, the most dangerous place to fasten a child safety seat as the rear door has no anti-intrusion door bar and is supported against intrusion by a small, flimsy, lightweight, unsupported piece of corrugated plastic.

155. Ana Webb and Mark Webb lost their baby son because the rear door crushed into the passenger compartment like an empty can of coke. The flimsy unsupported piece of corrugated plastic did not in any substantial way withstand the force of the collision.

156. Nowhere and at no time has Volvo revealed or made public that the Volvo 850 offers no anti-intrusion door bars in the rear doors and that they exist only in the front doors.

157. Nowhere and at no time has Volvo discuss that the front seat is safer than the rear seat because of the lack of anti-intrusion door bars in the rear.

158. Volvo has never corrected its design, build, and manufacturing of the Volvo 850 to reveal this serious, deadly, design flaw in the Volvo 850 - the complete and utter lack of any adequate anti-intrusion door system within the rear doors.

159. Volvo has never corrected its advertising, marketing, and promotion of the Volvo 850 to reveal this serious, deadly, design and manufacturing flaw of the Volvo 850 - the complete and utter lack of any adequate anti-intrusion door system within the rear doors.

CLASS ACTION ALLEGATIONS

FRCP 23 Class Certification is Appropriate

160. **NUMEROSITY.** Based upon information and belief, the Plaintiff Class is comprised of hundreds of thousands of individuals who are geographically disbursed across the United States. As a result, joinder of individual Plaintiffs is impracticable. The disposition of Plaintiffs' claims will provide a substantial benefit to the persons and the court System by using Rule 23 as the vehicle to adjudicate the rights of hundreds of thousands of individuals in one cause of action. Joining and naming each Class Member as a co-plaintiff is unreasonable and impracticable. Such a requirement would only result in Defendant's retention of money which is necessary to compensate the Class to remedy and/or remediate the damage caused by Defendants' illegal activities.

161. **COMMON QUESTIONS OF LAW AND FACT.** There exist questions of law or fact common to members of the class that predominate over questions of law or fact affecting only individual members. The questions of law or fact common to all members include but are not limited to:

- a. Was the Volvo 850 marketed and advertised with having door bars in all four doors?
- b. Was the Volvo 850 designed with door bars in all four doors?
- c. Was the Volvo 850 manufactured with door bars in all four doors?
- d. Does the Volvo 850 Volvo Side Impact Protection System (SIPS) include door bars?

162. **TYPICALITY.** The claims of the Plaintiff were substantially similar to the claims of the entire class and are typical of the claims of the class.

163. **ADEQUACY OF REPRESENTATION.** Plaintiff will fairly and adequately represent the interests of the Class. The interests of the Class are not antagonistic with those of any of the individual Plaintiff. Plaintiff has the ability to assist and adequately protect the rights of the Class during the litigation. Further, Plaintiff is represented by legal counsel who is competent and experienced in products liability cases and competent in this type of Class Action litigation.

164. **SUPERIORITY.** The maintenance of this action as a class action is superior to all other available methods of adjudication in achieving a fair and efficient adjudication of the controversy in this matter because:

- a. The prosecution of separate actions by individual members of the class would create a risk of inconsistent or varying adjudications with respect to individual members of the class;
- b. The action is manageable as a class action because notice of the pendency of the action can readily be furnished to all prospective members of the class since Volvo knows their identities;
- c. In view of the complexity of the issues and the expense of litigation, the separate claims of the individual class members are insufficient in amount to support the prosecution of separate actions because such members would lack the economic incentive to prosecute such actions;
- d. It is probable that the amount that may be recovered by individual members as a group will be large enough in relation to the expense and effort of administering the action to justify a class action; and
- e. The class members have a common and undivided interest to ensure that owners and lessees of Class Vehicles do not drive in unsafe vehicles for themselves or their family.

THE CLAIMS OF THE PLAINTIFF AND THE CLASS

COUNT I: DECEPTIVE TRADE PRACTICES

1. Plaintiff hereby incorporates by reference each and every allegation in this Complaint as if fully set forth herein at length.
2. Volvo defines, advertises, and promotes the brand as being **built on safety** and has *extensively leveraged* this public image of safety and the purported safety of their vehicles as part of their business design, image, and branding.
3. Defendants misrepresented material facts and failed to reveal material facts which were known to it with respect to the defects in Volvo 850 and its component parts, materials, and systems.
4. More specifically, Volvo made misrepresentations of material facts to customers who bought, drove, or used the Volvo 850 with respect to the cars safety, the Side Impact Protection System (SIPS), and anti-intrusion door bars, beams, and/or systems to protect occupants.
5. Customers relied on the misrepresentations when making the decision to purchase, drive, or use the Volvo 850.
6. Volvo misrepresented the safety of the cars it produced, and specifically the Volvo 850, in their advertising of the side impact protection system (SIPS), the anti-intrusion door bars, beams, and/or systems to protect occupants.
7. Volvo engaged in deceptive trade practices in its marketing, advertising, and selling of the Volvo 850 by using false or misleading press releases, literature, promotional material, marketing, and advertising campaign regarding the purported safety of the Volvo 850 and the Side Impact Protection System (SIPS).
8. Defendant Volvo used unfair methods of competition and more specifically engaged in unfair or deceptive acts or practices as defined in the Pennsylvania Unfair Trade Practices and Consumer Protection Law (73 P.S. § § 201-1 –201-9.2) as follows (as enumerated in the Code):

- (ii) Causing likelihood of confusion or of misunderstanding as to the source, sponsorship, approval or certification of goods or services;
- (iii) Causing likelihood of confusion or of misunderstanding as to affiliation, connection or association with, or certification by, another;
- (v) Representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits or quantities that they do not have or that a person has a sponsorship, approval, status, affiliation, or connection that he does not have;
- (vi) Representing that goods or services are of a particular standard, quality or grade, or that goods are of a particular style or model, if they are of another;
- (ix) Advertising goods or services with intent not to sell them as advertised;
- (xiv) Failing to comply with the terms of any written guarantee or warranty given to the buyer at, prior to or after a contract for the purchase of goods or services is made; and
- (xxi) Engaging in any other fraudulent or deceptive conduct which creates a likelihood of confusion or of misunderstanding.

9. Defendant Volvo engaged in at least the following specific deceptive trade practices:

- a. failure to disclose that the rear doors lack anti-intrusion door bars;
- b. failure to disclose that the anti-intrusion door bars only exist in the front doors;
- c. failure to disclose that the front seat is safer than the rear seat because of the lack of anti-intrusion door bars in the rear doors;
- d. failure to disclose that the purported safety of the side impact protection system (SIPS) was nothing more than an extremely successful and believable

advertising campaign but that there is no adequate side impact protection in the rear doors and the rear doors are absent any anti-intrusion door bars, beams, or solid steel structures to prevent intrusion into the occupant compartment, as falsely and deceptively advertised;

- e. failure disclose that the rear door has no beam-type or steel anti intrusion member to resist intrusion into the rear occupant compartment;
- f. failure to disclose that the rear door lacks adequate protection, thus enhancing the injuries to the injured occupants;
- g. failure to disclose that the Volvo 850 side-impact crash ratings were based upon driver and front occupant's safety, not rear occupants where by law a child must be secured;
- h. failure to disclose that the side impact protection system (SIPS) for the Volvo 850, contrary to advertising and literature, was only for the front doors - *not the rear doors* - as the front doors had solid steel anti-intrusion door bars; however the rear doors did not have proper or adequate anti-intrusion door bars and support, thereby enhancing the injuries to the injured occupant;
- i. failure to correct its design, build, and manufacturing of the Volvo 850 to reveal this serious, deadly, design flaw in the Volvo 850 - the complete and utter lack of any adequate anti-intrusion door system within the rear doors;
- j. failure to correct its advertising, marketing, and promotion of the Volvo 850 to reveal this serious, deadly, design and manufacture flaw in the Volvo 850 - the complete and utter lack of any adequate anti-intrusion door system within the rear doors; and
- k. failure to protect the general public and plaintiff from Defendant's conscious disregard of consumer safety and flagrant indifference to public safety.

10. As a direct and proximate result of Volvo's aforesaid Consumer Fraud violations, Plaintiffs and members of the Plaintiff Class have suffered ascertainable losses

WHEREFORE, Plaintiff and members of the Plaintiff Class demand judgment against the Defendants for:

- (a) Compensatory damages;
- (b) Punitive damages;
- (c) Attorneys' fees;
- (d) Interest;
- (e) Costs of suit; and
- (f) Such other and further relief as the Court deems just, necessary, and appropriate under the circumstances.

COUNT II: UNJUST ENRICHMENT

11. Plaintiff hereby incorporates by reference each and every allegation in this Complaint as if fully set forth herein at length.

12. As a direct and proximate result of Volvo's failure to disclose known defect(s) and material misrepresentations regarding known defect(s), Volvo has profited through the sale and lease of said vehicles.

13. Moreover, as a direct and proximate result of Volvo's failure to disclose known defect(s) and material misrepresentations regarding known defect(s) in the Class Vehicles, Volvo has profited to the extent that Plaintiffs and members of the Plaintiff Class purchased Defendants' vehicles.

14. Volvo has therefore been unjustly enriched due to the known defect(s) in the Class Vehicles through the use of funds that earned interest or otherwise added to Volvo's profits when said money should have remained with Plaintiffs and members of the Plaintiff Class.

15. As a result of the Volvo's unjust enrichment, Plaintiffs and members of the Plaintiff Class have suffered damages.

WHEREFORE, Plaintiff and members of the Plaintiff Class demand judgment against the Defendants for:

- (a) Compensatory damages;
- (b) Punitive damages;
- (c) Attorneys' fees;
- (d) Interest;
- (e) Costs of suit; and
- (f) Such other and further relief as the Court deems just, necessary, and appropriate under the circumstances.

COUNT III: BREACH OF DUTY OF GOOD FAITH & FAIR DEALING

16. Plaintiff hereby incorporates by reference each and every allegation in this Complaint as if fully set forth herein at length.

17. Each contract of sale and lease agreement entered by Plaintiffs and members of the Plaintiff Class for the purchase and lease of the Class Vehicles contains an implied term requiring Defendants to adhere to a duty of good faith and fair dealing.

18. Defendants have breached their duty of good faith and fair dealing by, among other things, failing to notify Plaintiffs and members of the Plaintiff Class of the defect(s) in the Class Vehicles, failing to notify Plaintiffs and members of the Plaintiff Class about the lack of anti-intrusion door bars in rear doors, and failing to fully and properly repair the defect(s) and resulting damage to the Class Vehicles, at no expense to Plaintiffs and members of the Plaintiff Class.

19. Defendants' breach of their implied duty of good faith and fair dealing was intentional, malicious, and with willful and wanton disregard of the rights and interests of Plaintiffs and members of the Plaintiff Class.

20. As a direct and proximate result of Volvo's breach of its implied duty of good faith and fair dealing, Plaintiffs and members of the Plaintiff Class have suffered damages including but not limited to costly repairs, loss of use of the vehicles, substantial loss in value and resale value of the vehicles, and other damages.

WHEREFORE, Plaintiff and members of the Plaintiff Class demand judgment against the Defendants for:

- (a) Compensatory damages;
- (b) Punitive damages;
- (c) Attorneys' fees;
- (d) Interest;
- (e) Costs of suit; and

- (f) Such other and further relief as the Court deems just, necessary, and appropriate under the circumstances.

COUNT VI: INJUNCTIVE RELIEF

21. Plaintiff hereby incorporates by reference each and every allegation in this Complaint as if fully set forth herein at length.

22. Injunctive relief is appropriate and necessary to remedy Volvo's wrongful conduct and to prevent Volvo from continuing its wrongful conduct.

WHEREFORE, Plaintiff and members of the Plaintiff Class demand judgment against the Defendants for:

(a) Entry of a preliminary injunction and permanent injunction, requiring defendants to immediately:

- (1) notify all members of the Plaintiff Class of the aforesaid defect(s);
- (2) institute a comprehensive service action of the Class Vehicles;
- (3) inspect all Class Vehicles currently owned or leased by members of the Plaintiff Class to determine the nature and extent of the defect(s) and necessary repairs for each vehicle inspected;
- (4) fully and properly repair all Class Vehicles, as required, at Defendants' sole expense;
- (5) take all necessary steps to modify the design, manufacture, and quality control for the Class Vehicles, to prevent the aforesaid defect(s) from arising in any of the Class Vehicle models in the future;

(b) Attorneys' fees;

(c) Costs of suit; and

(d) Such other and further relief as the Court deems just, necessary, and appropriate under the circumstances.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury on all claims and issues so triable.

Respectfully submitted,
FRANCIS ALEXANDER, LLC

/s/ Francis Malofiy
Francis Malofiy, Esquire
Attorney ID No.: 208494
The Beasley Building
1125 Walnut Street
Philadelphia, PA 19107
T: (215) 500-1000
F: (215) 500-1005
Law Firm / Lawyer for Plaintiffs

/d/ May 1, 2013

CERTIFICATE OF SERVICE

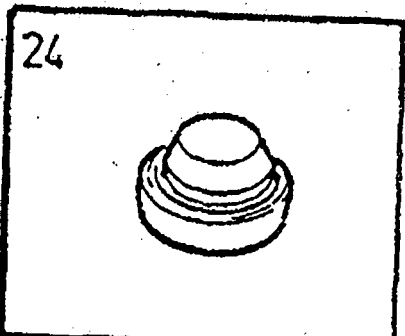
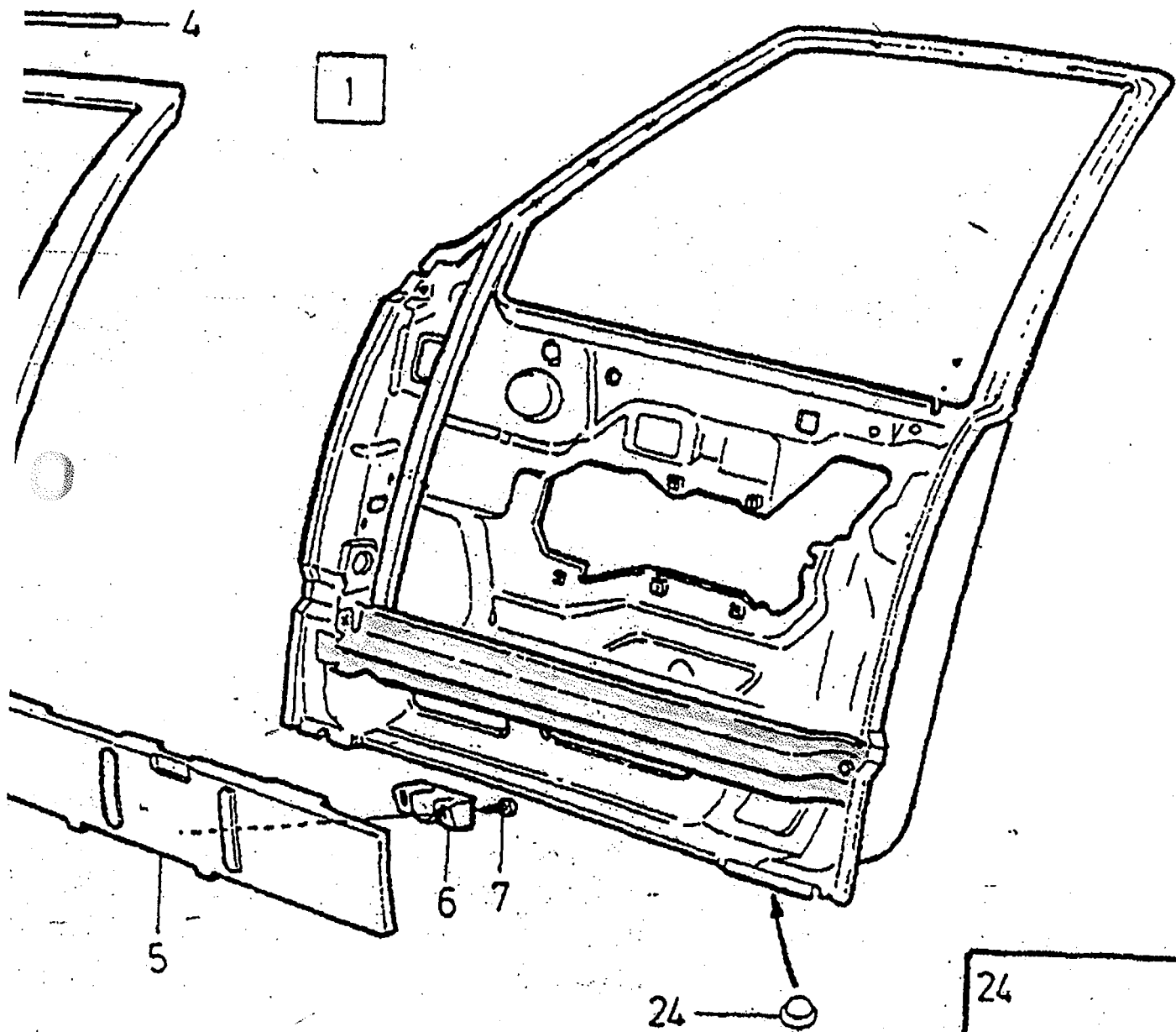
I hereby certify that a true and correct copy of the foregoing COMPLAINT - CLASS ACTION was filed with the United States District Court Eastern District of Pennsylvania on May 1, 2013, along with appropriate filing fee in the amount of \$400.00, and the appropriate Civil Cover Sheet, Designation Form, and Case Management Track Designation Form.

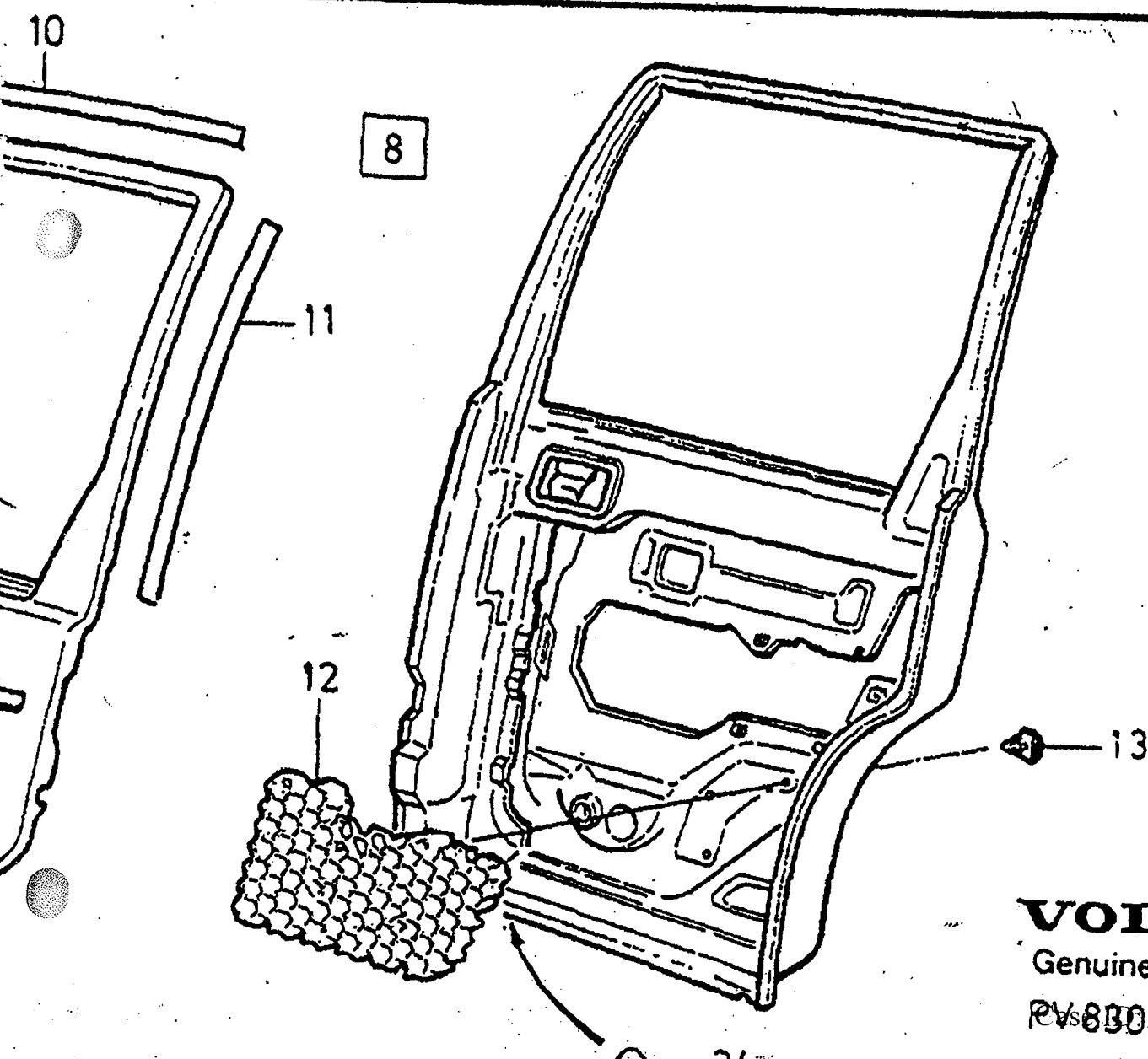
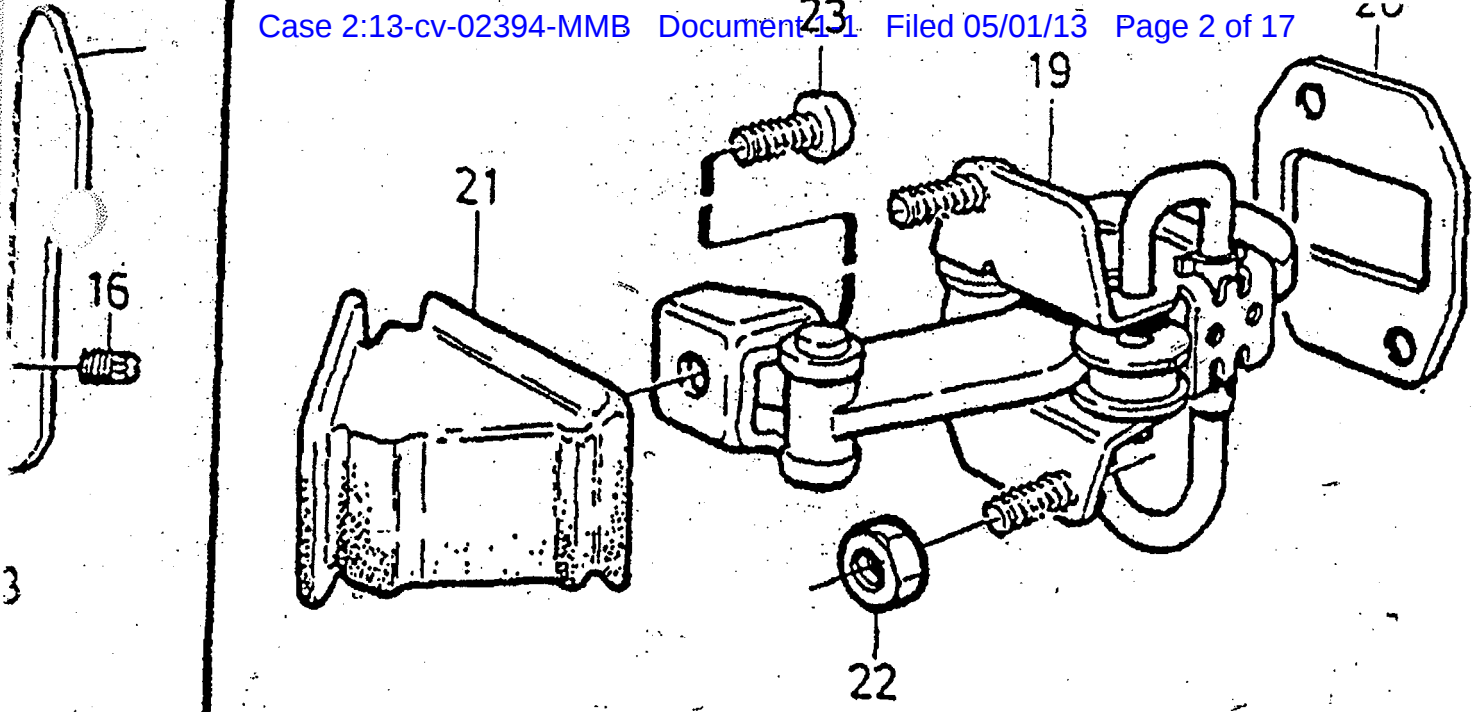
I further certify that the foregoing COMPLAINT - CLASS ACTION will be served in accordance with Federal Rules of Civil Procedure and any other applicable rules or laws.

Respectfully submitted,
FRANCIS ALEXANDER, LLC

/s/ Francis Malofiy
Francis Malofiy, Esquire
Attorney ID No.: 208494
The Beasley Building
1125 Walnut Street
Philadelphia, PA 19107
T: (215) 500-1000
F: (215) 500-1005
Law Firm / Lawyer for Plaintiffs

/d/ May 1, 2013





VOLVO
Genuine Parts
RVs 830 1674078

COMMONWEALTH OF PENNSYLVANIA
City of Philadelphia
Police Crash Reporting Form
Claim Number: CC Claim Case Closed Reportable Crash
AA 500 1 Yes No Yes No



Crash Number

P1453020

Page 01

Police Agency Data	Incident Number	0915046305	Police Agency	67301	Patrol Zone	I
	Agency Name	Philadelphia Police	Precinct	15th district	Investigation Date (MM DD YYYY)	05-04-2009
	Dispatch Time (min)	1446	Arrival Time (min)	1446	Investigator	P/O Ralph Lopez
	Reviewer		Badge Number	5362	Approval Date (MM-DD-YYYY)	

Crash Data	County	67 Philadelphia	Municipality	301 Philadelphia	Day of Week	<input type="checkbox"/> Sun <input type="checkbox"/> Thu <input checked="" type="checkbox"/> Mon <input type="checkbox"/> Fri <input type="checkbox"/> Tue <input type="checkbox"/> Sat <input type="checkbox"/> Wed <input type="checkbox"/> Unk
	Crash Date (MM-DD-YYYY)	05-04-2009	Crash Time (min)	1442	No of Units	01
	People Injured	04	People Killed*	01	*If > 00 complete Form F	
	Workzone of Yes, Complete Penn M. Section 207 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	School Bus Related <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	School Zone Related <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Notify PENNDOT Maintenance <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

Loc Type	Intersection Type	<input checked="" type="checkbox"/> A Way Intersection	<input type="checkbox"/> Y Intersection	<input type="checkbox"/> Milling Intersection	<input type="checkbox"/> Off Ramp	<input type="checkbox"/> Railroad Crossing	Special Location <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
	<input type="checkbox"/> Midblock	<input type="checkbox"/> T Intersection	<input type="checkbox"/> Traffic Circle	<input type="checkbox"/> On Ramp	<input type="checkbox"/> Crossover	<input type="checkbox"/> Other	* See Overlay		
Principal Road	Route Number		Segment (Optional)		Travel Lanes	08	Speed Limit	35	
	Street Name	TACONY	Street Ending	ST	Orientation	<input checked="" type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> Unknown	House Number (if local route)		
	Route Signing	<input type="checkbox"/> Interstate (Not Turnpike)	<input type="checkbox"/> Turnpike (East/West)	<input type="checkbox"/> Turnpike Spur	<input type="checkbox"/> State Highway	<input type="checkbox"/> County Road	<input checked="" type="checkbox"/> Local Road or Street	<input type="checkbox"/> Private Road	<input type="checkbox"/> Other/Unknown

Intersecting Road	Route Number		Segment (Optional)		Travel Lanes	02	Speed Limit	35	
	Street Name	FRALEY	Street Ending	ST	Orientation	<input type="checkbox"/> North <input type="checkbox"/> South <input checked="" type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> Unknown			
	Route Signing	<input type="checkbox"/> Interstate (Not Turnpike)	<input type="checkbox"/> Turnpike (East/West)	<input type="checkbox"/> Turnpike Spur	<input type="checkbox"/> State Highway	<input type="checkbox"/> County Road	<input checked="" type="checkbox"/> Local Road or Street	<input type="checkbox"/> Private Road	<input type="checkbox"/> Other/Unknown

Distance From Landmark	Landmark 1	Intersecting Rt Num Or Mile Post		Or Segment Marker		Ramp Use Only <input type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West	Feet	
		Or Intersecting Street Name		St Ending			Or Miles	
	Landmark 2	Intersecting Rt Num Or Mile Post		Or Segment Marker		Ramp Use Only <input type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West	Distance From Crash Scene to Landmark 1 (For Crash between Landmark 1 and Landmark 2)	
		Or Intersecting Street Name		St Ending				

GPS	Latitude	Degrees	Minutes	Seconds	Longitude	Degrees	Minutes	Seconds

TCD	Traffic Control Device	<input type="checkbox"/> Not Applicable	<input checked="" type="checkbox"/> Traffic Signal	<input type="checkbox"/> Yield Sign	<input type="checkbox"/> Police Officer or Flagman	TCD Functioning	<input type="checkbox"/> No Controls	<input type="checkbox"/> Device Functioning Improperly	<input type="checkbox"/> Emergency Preemptive Signal
	<input type="checkbox"/> Flashing Traffic Signal	<input type="checkbox"/> Stop Sign	<input type="checkbox"/> Active RR Crossing Controls	<input type="checkbox"/> Passive RR Crossing Controls	<input type="checkbox"/> Other Type TCD	<input type="checkbox"/> Device Not Functioning	<input checked="" type="checkbox"/> Device Functioning Properly	<input type="checkbox"/> Unknown	

Lane Closure	Lane Closed (if "Not Applicable", skip rest of the Lane Closure section)	<input type="checkbox"/> Not Applicable	<input checked="" type="checkbox"/> Partially	<input type="checkbox"/> Fully	<input type="checkbox"/> Unknown	Lane Closure Direction	<input checked="" type="checkbox"/> North	<input type="checkbox"/> East	<input type="checkbox"/> North and South	<input type="checkbox"/> All (N,S,E,W)
	Traffic Detoured	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/>	Est. Time Closed	<input type="checkbox"/> < 30 Min.	<input checked="" type="checkbox"/> 30-60 Min	<input type="checkbox"/> 1-3 hrs	<input type="checkbox"/> 3-6 hrs	<input type="checkbox"/> 6-9 hrs	<input type="checkbox"/> > 9 hours	<input type="checkbox"/> Unknown

FORM # AA-100 (12/02)

PENNDOT COPY

City of Philadelphia COMMONWEALTH OF PENNSYLVANIA
Claim Number: POLICE CRASH REPORTING FORM



Crash Number

AA 500 2

Police Use Only

Page:

02

P 1453020

Unit Info Type <input checked="" type="checkbox"/> Motor Vehicle in Transport <input type="checkbox"/> Hit & Run Vehicle <input type="checkbox"/> Illegally Parked <input type="checkbox"/> Legally Parked <input type="checkbox"/> Non-Motorized <input type="checkbox"/> Pedestrian <input type="checkbox"/> Pedestrian on Skates, in Wheelchair, etc. <input type="checkbox"/> Disabled From Previous Crash <input type="checkbox"/> Train <input type="checkbox"/> Pleasure Vehicle Commercial Vehicle <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If "Pedestrian" or "Pedestrian on Skates, in Wheelchair, etc.", Complete Form M, Section 2B) (If Yes, Complete Form C)	
Unit No 01 First Name WILLIAM MI S Date of Birth (MM-DD-YYYY) 03 30 1962 Last Name SULLIVAN Telephone Number Address / City / State 6011 Tulip St Zip 19135 Driver License Number 27162358 State PA Class C	
Alcohol/Drugs Suspected <input checked="" type="checkbox"/> No <input type="checkbox"/> Fleets Drugs <input type="checkbox"/> Medication <input checked="" type="checkbox"/> Apparently Normal <input type="checkbox"/> Illeg. Drug Use <input type="checkbox"/> Fatigue <input type="checkbox"/> Intoxication <input type="checkbox"/> Alcohol <input type="checkbox"/> Alcohol and Drugs <input type="checkbox"/> Unknown <input type="checkbox"/> Had Been Drinking <input type="checkbox"/> Sick <input type="checkbox"/> Asleep <input type="checkbox"/> Unknown	
Alcohol Test Type <input checked="" type="checkbox"/> Last No. Given <input type="checkbox"/> Breath <input type="checkbox"/> Urine <input type="checkbox"/> Other <input type="checkbox"/> Unknown If Test Given Primary Vehicle Code Violation <input type="checkbox"/> Charged? Yes <input type="checkbox"/> No	
Alcohol Test Results <input type="checkbox"/> Test Refused <input type="checkbox"/> Test Given, Contaminated Results Driver Presence <input checked="" type="checkbox"/> 1-Drive* Operated Vehicle <input type="checkbox"/> 2-No Driver <input type="checkbox"/> 3-Driver Fled Scene <input type="checkbox"/> 4-Hit and Run <input type="checkbox"/> 9-Unknown	
Owner/Driver <input checked="" type="checkbox"/> 01-Not Applicable <input type="checkbox"/> 02-Private Vehicle Not Owned/Leased by Driver <input type="checkbox"/> 03-Rented Vehicle <input type="checkbox"/> 04-State Police Vehicle <input type="checkbox"/> 05-PENNDOT Vehicle <input type="checkbox"/> 06-Other State Gov Veh <input type="checkbox"/> 07-Municipal Police Veh <input type="checkbox"/> 08-Other Municipal Government Veh <input type="checkbox"/> 09-Federal Gov Veh <input type="checkbox"/> 98-Other <input type="checkbox"/> 99-Unknown	
Owner First Name MARIA Owner Last Name or Business Name (If Pedestrian, skip this Section) CASTROVILLO Address / City / State / Zip 6011 Tulip St 19135 Vehicle Make Chrysler *Make Code 06 VIN 3ABFY68826E00091 Model Year 2006 Vehicle Model PT Cruisr License Plate FJN6954 Reg. State PA Est. Speed 60 Vehicle Towed <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Insurance <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown Insurance Company IDS Property Casualty Policy No 1800762229	
Trailing Unit <input type="checkbox"/> No. of Trailer Units: 0 Type Unit <input type="checkbox"/> 1-Towing Pass. Veh. <input type="checkbox"/> 2-Towing Truck <input type="checkbox"/> 3-Towing Utility Trailer <input type="checkbox"/> 4-Mobile/Modular Home <input type="checkbox"/> 5-Camper <input type="checkbox"/> 6-Full Trailer <input type="checkbox"/> 7-Sem-Trailer <input type="checkbox"/> 8-Other <input type="checkbox"/> 9-Unknown Tag No Tag Year Tag St	
Direction of Travel S *Vehicle Position 07 *Movement 01 *See Overlay Vehicle Color 05 Vehicle Type 01 06=Yellow 07=Silver 08=Gold 09=Brown 10=Orange 11=Purple 12=Green 13=Black 99=Unknown 01=Automobile 02=Motorcycle 03=Bus 04=Small Truck (if "02", Complete Form M, Section 26) 05=Large Truck 06=SUUV 07=Van 10=Snowmobile 11=Farm Equip 12=Construction Equip 13=ATV 18=Other Type Spec Veh 19=Unk. Type Spec Veh 20=Tricycle, Bicyc, Tricycle 21=Other Pedalcycle 22=Horse & Buggy 23=Horse & Rider 24=Train 25=Trolley 98=Other 99=Unknown 12=Commercial Passenger Carrier 13=Taxi 21=Tractor Trailer 22=Twin Trailer 23=Triple Trailer 31=Modified Veh 99=Unknown	
Initial Impact Point 12 Damage Indicator 4 Gradient 1 Road Alignment 1 00=Next Collision 01-12=Clock Points 13=Top 14=Undercarriage 15=Tread Limit 99=Unknown 0=None 2=Functional 3=Minor 3=Disabling 8=Unknown 1=Level 2=Uphill 3=Dow Hill 4=Bottom of Hill 5=Top of Hill 9=Unknown 1=Straight 2=Curve 9=Unknown	

FORM # AA-600 (12/02)

PENNDOT COPY

City of Philadelphia COMMONWEALTH OF PENNSYLVANIA
Claim Number POLICE CRASH REPORTING FORM



Crash Number

AA 500 2

Police Use Only

Page: 03

P 1453020

Unit Info <input checked="" type="checkbox"/> Motor Vehicle in Transport <input type="checkbox"/> Pedestrian <input type="checkbox"/> Ilt & Run Vehicle <input type="checkbox"/> Pedestrian on Skates, in Wheelchair, etc. <input type="checkbox"/> Illegally Parked <input type="checkbox"/> Disabled Horn Previous Crash <input type="checkbox"/> Legally Parked <input type="checkbox"/> Train <input type="checkbox"/> Non - Motorized <input type="checkbox"/> Phantom Vehicle <input type="checkbox"/> Commercial Vehicle <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <small>(If "Pedestrian" or "Pedestrian on Skates, in Wheelchair, etc.", Complete Form M, Section 28) (If Yes, Complete Form C)</small>	
Unit No 02 First Name ANA MI Date of Birth (MM-DD-YYYY) 07 03 1974 Last Name SOARES Telephone Number Address / City / State Phila PA 1924 Richmond St. Zip 19134 Driver License Number 25212571 State PA Class C	
Alcohol/Drugs Suspected <input checked="" type="checkbox"/> None <input type="checkbox"/> Alcohol <input type="checkbox"/> Illegal Drugs <input type="checkbox"/> Alcohol and Drugs <input type="checkbox"/> Medication <input type="checkbox"/> Unknown Alcohol Test Type <input checked="" type="checkbox"/> Test Not Given <input type="checkbox"/> Blood <input type="checkbox"/> Breath <input type="checkbox"/> Urine <input type="checkbox"/> Other <input type="checkbox"/> Unknown and Given Alcohol Test Results <input type="checkbox"/> Test Refused <input type="checkbox"/> Test Given, Contaminated Results <input type="checkbox"/> Unknown Results	
Driver or Pedestrian Physical Condition <input checked="" type="checkbox"/> Apparently Normal <input type="checkbox"/> Fatigue <input type="checkbox"/> Medication <input type="checkbox"/> Illegal Drug Use <input type="checkbox"/> Sick <input type="checkbox"/> Asleep <input type="checkbox"/> Unknown <input type="checkbox"/> Foot Wear Disturbing Primary Vehicle Code Violation <input type="checkbox"/> Charged? Yes <input type="checkbox"/> No	
Owner/Driver 02 <input type="checkbox"/> Not Applicable <input type="checkbox"/> Private Vehicle Owned/Leased by Driver <input type="checkbox"/> Private Vehicle Owned/Leased by Driver <input type="checkbox"/> Rented Vehicle <input type="checkbox"/> Private Vehicle No. Owned/Leased by Driver <input type="checkbox"/> Rented Vehicle <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> "FFVADO" Vehicle <input type="checkbox"/> Other State Gov Veh <input type="checkbox"/> Municipal Police Veh <input type="checkbox"/> Other Municipal Government Vehicle <input type="checkbox"/> Federal Gov Veh <input type="checkbox"/> Other	
Same as Driver <input type="checkbox"/> Owner First Name CAROL Owner Last Name or Business Name (If Pedestrian, skip this Section) CHRZANOWSKI Address / City / State / Zip 2962 Richmond St 19134 Vehicle Make Volvo Make Code 51 VIN 4V1L55540V1396426 Model Year 1997 License Plate GLV 1425 Reg. State PA Est. Speed 25 Vehicle Towed <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Insurance <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown Insurance Company Policy No	
Trailing Unit No. of Trailing Units: 0 Type Unit <input type="checkbox"/> 1=Driving Pass. Veh <input type="checkbox"/> 2=Driving truck <input type="checkbox"/> 3=Driving Utility Trailer <input type="checkbox"/> 4=Mobile/Modular Home <input type="checkbox"/> 5=Camper <input type="checkbox"/> 6=Flat Trailer <input type="checkbox"/> 7=Semi-Trailer <input type="checkbox"/> 8=Other <input type="checkbox"/> 9=Unknown Tag No Tag Year Tag St	
Direction of Travel N Vehicle Position 09 Movement 12 See Overlay Special Usage 00 Vehicle Color 02 Vehicle Type 01 Vehicle Color Legend: 06=Yellow 07=Silver 08=Gold 09=Brown 10=Orange 11=Purple 12=Green 13=Black 14=White 15=Other Vehicle Type Legend: 01=Automobile 02=Motorcycle 03=Bus 04=Small Truck (if "02", Complete Form M, Section 26) 05=Large Truck (if "20" or "21", Complete Form M, Section 27) 06=Large Truck 07=SUV 08=Van 09=Snowmobile 10=Farm Equip 11=Construction Equip 12=ATV 13=Other Type Spec Veh 14=Unk. Type Spec Veh 15=Unicyc, Bicycle, Tricycle 16=Other Pedalcycle 17=Horse & Buggy 18=Horse & Rider 19=Train 20=Trolley 21=Dome 22=Unknown Special Usage Legend: 00=Not Applicable 01=Fire Veh 02=Amulance 03=Police 04=Other Emergency Vehicle 05=Public Transport 06=Commercial Passenger Carrier 07=Tractor Trailer 08=Trailer 09=Triple Trailer 10=Modified Veh 11=Unknown	
Initial Impact Point 03 <input type="checkbox"/> 01=Non-Collision <input type="checkbox"/> 02=Collision <input type="checkbox"/> 03=Top <input type="checkbox"/> 14=Undercarriage <input type="checkbox"/> 15=Forward End <input type="checkbox"/> 16=Unknown Damage Indicator 3 <input type="checkbox"/> 0=None 1=Minor 2=Disabling 3=Unknown <input type="checkbox"/> 1=Level 2=Slight Gradient 1 <input type="checkbox"/> 3=Downhill 4=Horizontal 5=Top of Hill 6=Unknown <input type="checkbox"/> 1=Straight 2=Curved 3=Unknown Road Alignment	

FORM AA-500 (12/27)

PENNDOT COPY

City of Philadelphia, COMMONWEALTH OF PENNSYLVANIA
Claim Number: CP0108 CRASH REPORTING FORM



Crash Number

P 1453020

AA 500 3

File the Only

Page

04

People Information

A Person Type:
 1=Driver
 2=Passenger
 7=Pedestrian
 8=Other
 9=Unknown

B Sex:
 F=Female
 M=Male
 L=Unknown

C Injury Severity:
 0=Not Injured
 1=Killed
 2=Major Injury
 3=Moderate Injury
 4=Minor Injury
 8=Injury, Link Severity
 9=Unknown If Injury

D Seat Position:
 00=Not A Passenger/Driver
 01=Driver - All Vehicles
 02=Front Seat Middle Position
 03=Front Seat Right Side
 04=Second Row - Left Side Or Motorcycle Passenger
 05=Second Row - Middle Position
 06=Second Row - Right Side
 07=Third Row Or Greater - Left Side
 08=Third Row Or Greater - Middle Position
 09=Third Row Or Greater - Right Side
 10=Sleeper Section of Truckcab
 11=In Other Enclosed Passenger Or Cargo Area
 12=In Open Area (Back Of Pickup, Etc.)
 13=Trailing Unit
 14=Riding On Vehicle Exterior
 15=Bus Passenger
 98=Other
 99=Unknown

E Safety Equipment One:
 00=None Used / Not Applicable
 01=Shoulder Belt Used
 02=Lap Belt Used
 03=Lap And Shoulder Belt Used
 04=Child Safety Seat Used
 05=Motorcycle Helmet Used
 06=Bicycle Helmet Used
 10=Safety Belt Used Improperly
 11=Child Safety Seat Used Improperly
 12=Helmet Used Improperly
 99=Restraint Used, Type Unknown
 99=Unknown

F Safety Equipment Two:
 00=None Used / NOT Applicable
 01=Front Air Bag Deployed (For This Seat)
 02=Side Air Bag Deployed (For This Seat)
 03=Other Type Air Bag Deployed
 04=Multiple Air Bags Deployed
 05=Motorcycle Eye Protection
 06=Bicyclist Wearing Elbow/Knee/Pads
 10=Air Bag Not Deployed, Switch On
 11=Air Bag Not Deployed, Switch Off
 12=Air Bag Not Deployed, Link Switch Sw. In Op.
 13=Air Bag Removed Prior To Crash
 19=Unknown If Air Bag Deployed
 99=Unknown

G Ejection:
 0=Not Applicable
 1=Not Ejected
 2=Partially Ejected
 3=Partially Ejected
 9=Unknown

H Ejection Path:
 0=Not Ejected / Not Applicable
 1=Through Side Door Opening
 2=Through Side Window
 3=Through Windshield
 4=Through Back Door
 5=Through Back Door Tailgate Opening
 6=Through Roof Opening (Sunroof / Convertible Top Down)
 7=Through Roof Opening (Convertible Top Up)
 9=Unknown

I Ejection:
 0=None Applicable
 1=Not Ejected
 2=Extricated By Mechanical Means
 3=Extricated By Non-Mechanical Means
 8=Other
 9=Unknown

EMS Agency: medic 32 Medical Facility: St. Christophers Hosp.

Unit No: 01 Person No: 01 Delete?: Date of Birth (MM-DD-YYYY): 02-26-1962 A B C D E F G H I
 Name / Address / Phone: 1 M 0 0 1 0 1 0 1 0 0 6
 Same as Operator EMS Transport: Yes No

Unit No: 02 Person No: 02 Delete?: Date of Birth (MM-DD-YYYY): 07-03-1974 A B C D E F G H I
 Name / Address / Phone: 1 F 0 0 1 0 1 0 1 0 0 6
 Same as Operator EMS Transport: Yes No
215-823-9113

Unit No: 02 Person No: 03 Delete?: Date of Birth (MM-DD-YYYY): 03-09-2009 A B C D E F G H I
 Name / Address / Phone: 2 M 0 0 6 0 4 0 0 0 0
 Same as Operator EMS Transport: Yes No
3924 Richmond St 19134

Unit No: 02 Person No: 07 Delete?: Date of Birth (MM-DD-YYYY): 07-05-2005 A B C D E F G H I
 Name / Address / Phone: 2 M 0 0 4 0 0 0 0 0 0
 Same as Operator EMS Transport: Yes No
3924 Richmond St 19134

Unit No: 02 Person No: 08 Delete?: Date of Birth (MM-DD-YYYY): - - A B C D E F G H I
 Name / Address / Phone:
 Same as Operator EMS Transport: Yes No

Unit No: Person No: Delete?: Date of Birth (MM-DD-YYYY): - - A B C D E F G H I
 Name / Address / Phone:
 Same as Operator EMS Transport: Yes No

FORM U AA-500 (12/02)

PENNDOT COPY

City of Philadelphia, COMMONWEALTH OF PENNSYLVANIA
Claim Number: **BOICE** CRASH REPORTING FORM



Crash Number

AA 500 4

Police Use Only

Page

05

P 1453020

15 General Crash Information <small>If more than 1, use unit numbers only</small>	Crash Description	<input type="checkbox"/> 0-Non-Collision <input checked="" type="checkbox"/> 1-Rear End <input type="checkbox"/> 2-Head On <input type="checkbox"/> 3-Rear to Rear (Backing)	<input type="checkbox"/> 4-Angle <input type="checkbox"/> 5-Sideswipe (Same Direction) <input type="checkbox"/> 6-Sideswipe (Opposite Direction) <input type="checkbox"/> 7-Hit Fixed Object <input type="checkbox"/> 8-Hit Pedestrian <input type="checkbox"/> 9-Other/Unknown								
	Relation to Roadway	<input type="checkbox"/> 1-On Travel Lane <input type="checkbox"/> 2-Shoulder <input type="checkbox"/> 3-Median <input type="checkbox"/> 4-Roadside	<input type="checkbox"/> 5-Outside Trafficway <input type="checkbox"/> 6-In Parking Lane <input type="checkbox"/> 7-Gate (Ramp Intersection) <input type="checkbox"/> 8-Unknown								
	Illumination	<input type="checkbox"/> 1-Daylight <input checked="" type="checkbox"/> 2-Dark - No Street Lights <input type="checkbox"/> 3-Dark - Street Lights <input type="checkbox"/> 4-Dusk	<input type="checkbox"/> 5-Dawn <input type="checkbox"/> 6-Dark - Unknown Roadway Lighting <input type="checkbox"/> 8-Other								
	Weather Conditions	<input checked="" type="checkbox"/> 1-No Adverse Conditions <input type="checkbox"/> 2-Rain <input type="checkbox"/> 3-Sleet (Hail) <input type="checkbox"/> 4-Snow	<input type="checkbox"/> 5-Fog <input type="checkbox"/> 6-Rain & Fog <input type="checkbox"/> 7-Sleet & Fog <input type="checkbox"/> 8-Other <input type="checkbox"/> 9-Unknown								
	Road Surface Conditions	<input checked="" type="checkbox"/> 0-Dry <input type="checkbox"/> 1-Wet <input type="checkbox"/> 2-Sand, Mud, Dirt, Oil <input type="checkbox"/> 3-Snow Covered	<input type="checkbox"/> 4-Slush <input type="checkbox"/> 5-Ice <input type="checkbox"/> 6-Ice Patches <input type="checkbox"/> 7-Water - Standing or Moving <input type="checkbox"/> 8-Other								
16 Unit(s) Event Information	Harm Event L/R Most? Utility Pole Number		Harmful Events (Harm Event) 01-Hit Unit 1 02-Hit Unit 2 03-Hit Unit 3 04-Hit Unit 4 05-Hit Unit 5 06-Hit Other Traffic Unit 07-Hit Deer 08-Hit Other Animal 09-Collision With Other Non-Human Object 11-Struck By Jct 1 12-Struck By Jct 2 13-Struck By Jct 3 14-Struck By Unit 4 15-Struck By Unit 5 16-Struck By Other Traffic Unit 21-Hit Tree Or Shrubbery 22-Hit Embankment 23-Hit Utility Pole 24-Hit Traffic Sign 25-Hit Guard Rail 26-Hit Guard Rail End 27-Hit CURB 28-Hit Concrete Or Longitudinal Barrier 29-Hit Arch 30-Hit Roadside Curb 31-Hit Building 32-Hit Culvert 33-Hit Bridge Pier Or Abutment 34-Hit Parapet End 35-Hit Bridge Rail 36-Hit Boulder Or Obstacle On Roadway 37-Hit Impact Activator 38-Hit Fire Hydrant 39-Hit Roadway Equipment 40-Hit Mail Box 41-Hit Traffic Island 42-Hit Snow Bank 43-Hit Temporary Construction Barrier 44-Hit Other Fixed Object 45-Hit Unknown Fixed Object 50-Overturned Over 51-Struck By Thrown Object From 52-Holes Or Other Pavement Irregularities 53-Drift 54-Tire In Vehicle 55-Other Non-Collision 99-Unknown Harmful Event								
	Unit No	1 <input type="checkbox"/> 0 <input type="checkbox"/> 2 <input type="checkbox"/>									
	Please Put Events in Sequential Order	3 <input type="checkbox"/> 4 <input type="checkbox"/>									
	Unit No	1 <input type="checkbox"/> 0 <input type="checkbox"/> 2 <input type="checkbox"/>									
17 First Harmful Event in the Crash	Unit No	<input type="checkbox"/> 0 <input type="checkbox"/> 1	Harm Event	<input type="checkbox"/> 0 <input type="checkbox"/> 2	Most Harmful Event in the Crash	Unit No	<input type="checkbox"/> 0 <input type="checkbox"/> 2	Harm Event	<input type="checkbox"/> 0 <input type="checkbox"/> 1		
	<small>If not marked with indicator on multiple pages</small>										
18 Contributing Information	Environmental / Roadway Potential Factors (ER)		1 <input type="checkbox"/> 0 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/>		00=None 01=Weather Conditions 02=Sudden Weather Conditions 03=Other Weather Conditions 04=Deer In Roadway 05=Obstacle On Roadway 06=Other Animal In Roadway 07=Culvert 08=Work Zone Related 11=Icy Road Conditions (Ice/Snow) 12=Substance On Roadway 13=Potholes 14=Broken Or Cracked Pavement 15=TCO Obstruction 16=Soft Shoulder Or Shoulder Drop Off 18=Other Roadway Factor 25=Other Environmental Factor 99=Unknown						
	Possible Vehicle Failures (V)		1 <input type="checkbox"/> 0 <input type="checkbox"/> 2 <input type="checkbox"/>		12=Windows 13=Driver Seating/Control 14=Body, Doors, Hoods, Etc. 15=Trailer Hitch 16=Wheels 17=Airbags 18=Trailer Overloaded 19=Unbalanced/Loaded Trailer Load 20=Improper Towing 21=Obstructed Windshield 99=Unknown						
	Unit No	<input type="checkbox"/> 0 <input type="checkbox"/> 1	Unit No	<input type="checkbox"/> 0 <input type="checkbox"/> 2							
	Unit No	<input type="checkbox"/> 0 <input type="checkbox"/> 2	Unit No	<input type="checkbox"/> 0 <input type="checkbox"/> 2							
19 Indicated Prime Factor	E/R V D P		<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		Driver Action (D) 00=None Contributing Action 01=Driver Was Distracted 02=Driver Using Hand Held Phone 03=Driver Using Hands Free Phone 04=Making Illegal U-Turn 05=Improper/Excessive Turning 06=Turning From Wrong Lane 07=Proceeding With Clearance After Stop 08=Running Stop Sign 09=Running Red Light 10=Failure To Respond To Other Traffic Control Device 11=Tailgating 12=Judicial Swerving/Stepping 13=Illegally Stopped On Road 14=Careless Passing Or Lane Change 15=Passing In No Passing Zone 16=Driving The Wrong Way Or 1 Way Street 17=Catchup Or Road Blocking On Roadway 18=Driving On The Wrong Side Of Road 19=Making Improper Entrance To Highway 20=Making Improper Exit From Highway 21=Careless Parking/Unloading 22=OverUnder Compensation At Curve 23=Speeding 24=Driving Too Fast For Conditions 25=Failure To Maintain Proper Lanes 26=Driver Fleeing Police (Poli Chase) 27=Driver Inexperience 28=Failure To Use Specialized Towing 92=Affected By Physical Condition 98=Other Improper Driving Action 99=Unknown						
	Unit No		<input type="checkbox"/> 0 <input type="checkbox"/> 1		Unit No		<input type="checkbox"/> 0 <input type="checkbox"/> 2		Unit No		<input type="checkbox"/> 0 <input type="checkbox"/> 2

FORM # AA-500 (12/02)

PENNDOT COPY

City of Philadelphia, COMMONWEALTH OF PENNSYLVANIA
 Claim Number: 001011 CRASH REPORTING FORM



Crash Number

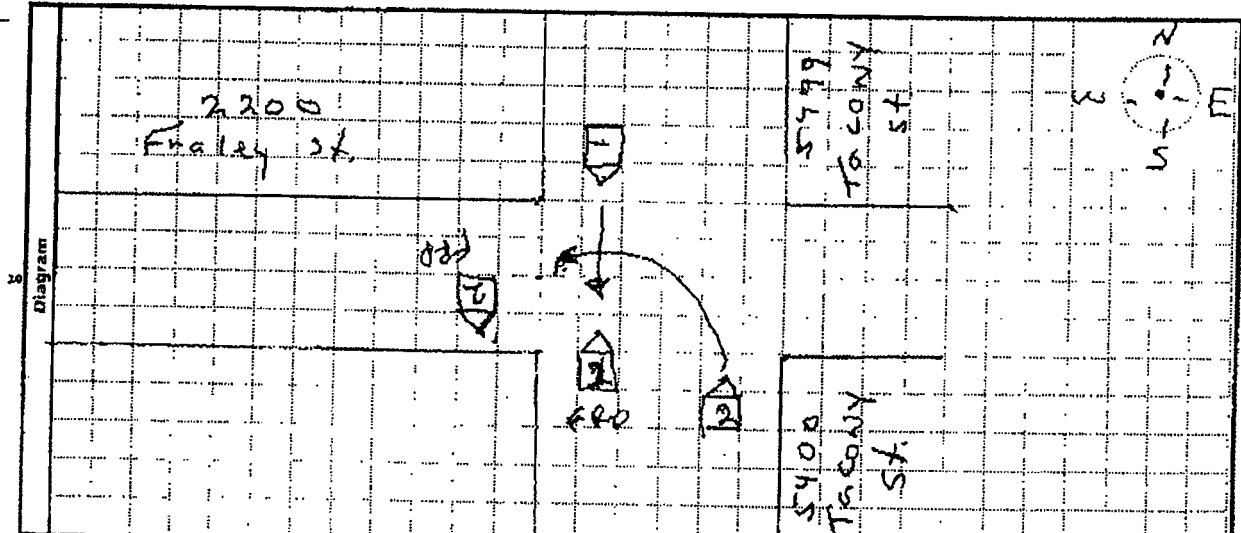
AA 500 5

Page Use Only

Page

06

P 1453020



Witness Name	Address	Phone
1 Robert McGaughran	2602 Vandike St	267-249-7634
2		

Narrative and additional witnesses: Accident Investigation Notification Issued? Property Damage

Veh. No. 1 was traveling south on 5400 Tacony St.
 Veh. No. 2 was " north on 5400 Tacony St.
 Veh. No. 2 was struck on the passenger side door
 by Veh. No. 1 when No. 2 was attempting a left
 turn in front of No. 1. A 2 mo old infant was
 transported to St. Christopher's Children's Hospital in
 critical condition. AID on location.

City of Philadelphia, Certified Copy
COMMONWEALTH OF PENNSYLVANIA
 Claim Number: **PD0128** **CRASH REPORTING FORM**



Crash Number

AA 500 F

Only Use Only
 01-15-046305/09-0830

Page

07

New

Change/Continuation

71453020

Road Surface Type	<input type="checkbox"/> Brick or Block	<input type="checkbox"/> Dirt	Special Jurisdiction	<input type="checkbox"/> Military	<input type="checkbox"/> Other Federal Sites
<input type="checkbox"/> Concrete	<input type="checkbox"/> Slag, Gravel or Stone	<input type="checkbox"/> Other	<input checked="" type="checkbox"/> No Special Jurisdiction	<input type="checkbox"/> Indian Reservation	<input type="checkbox"/> Other
<input checked="" type="checkbox"/> Blacktop	<input type="checkbox"/> Unknown		<input type="checkbox"/> National Park	<input type="checkbox"/> College/University Campus	<input type="checkbox"/> Unknown

Please complete Unit Information for each unit involved in a fatal crash. Do not repeat the information in the fields above on multiple pages.

Unit No
01

Driver Restrictions Compliance

No Restrictions/Not Applicable

Restrictions Complied With

Restrictions Not Complied With

Compliance Unknown

Not a Pennsylvania Driver

Unknown Compliance

Driver Endorsement Compliance

None Required

Required - Complied With

Required - Non Compliance

Required - Compliance Unknown

Not a Pennsylvania Driver

Unknown Compliance

Driver License Compliance

Not Licensed

Not Required for Vehicle Class

No Valid License for Class

Valid License for Class

Unk if CDL or CDL Required

Not a Pennsylvania Driver

Unknown

Drug Test Type

None

Blood

Urine

Other

Unknown if Test Given

Drug Test Results - (Up to Four Results)

0 = No Test Given
 1 = No Drug Reported
 2 = Marijuana
 3 = Cocaine
 4 = Opiates
 5 = Amphetamines
 6 = PCP
 8 = Other
 9 = Unknown Test Results

Principle Impact Point

Non-Collision

Top

Undercarriage

Towed Unit

Unknown

Avoidance Maneuver

No Avoidance Maneuver

Braking - Skid Marks Evident

Braking - No Skid Marks, Driver Stated

Braking - Other Evidence

Steering - Evidence or Driver Stated

Steering and Braking Evidence or Stated

Other Avoidance Maneuver

Inconclusive

Unknown

Under Ride Indicator

No Underride or Override

Underride, No Compartment Intrusion

Underride, Compartment Intrusion

Underride, No Compartment Intrusion

Underride, Compartment Intrusion Unknown

Override, Other Vehicle

Unknown if Underride or Override

Emergency Use

Not in Emergency Use

Lights Flashing

Siren Sounding

Both Lights and Siren

Unknown

Unit No
02

Driver Restrictions Compliance

No Restrictions/Not Applicable

Restrictions Complied With

Restrictions Not Complied With

Compliance Unknown

Not a Pennsylvania Driver

Unknown Compliance

Driver Endorsement Compliance

None Required

Required - Complied With

Required - Non Compliance

Required - Compliance Unknown

Not a Pennsylvania Driver

Unknown Compliance

Driver License Compliance

Not Licensed

Not Required for Vehicle Class

No Valid License for Class

Valid License for Class

Unk if CDL or CDL Required

Not a Pennsylvania Driver

Unknown

Drug Test Type

None

Blood

Urine

Other

Unknown if Test Given

Drug Test Results - (Up to Four Results)

0 = No Test Given
 1 = No Drug Reported
 2 = Marijuana
 3 = Cocaine
 4 = Opiates
 5 = Amphetamines
 6 = PCP
 8 = Other
 9 = Unknown Test Results

Principle Impact Point

Non-Collision

Top

Undercarriage

Towed Unit

Unknown

Avoidance Maneuver

No Avoidance Maneuver

Braking - Skid Marks Evident

Braking - No Skid Marks, Driver Stated

Braking - Other Evidence

Steering - Evidence or Driver Stated

Steering and Braking Evidence or Stated

Other Avoidance Maneuver

Inconclusive

Unknown

Under Ride Indicator

No Underride or Override

Underride, No Compartment Intrusion

Underride, Compartment Intrusion

Underride, No Compartment Intrusion

Underride, Compartment Intrusion Unknown

Override, Other Vehicle

Unknown if Underride or Override

Emergency Use

Not in Emergency Use

Lights Flashing

Siren Sounding

Both Lights and Siren

Unknown

FORM # AA-500F (REV)

PENNDOT COPY

City of Philadelphia - Certified Copy
 Claim Number: CC Claim

INVESTIGATION REPORT

PHILADELPHIA POLICE DEPARTMENT

YEAR 9	DISTRICT OF OCCURRENCE 15	LOG NUMBER 46305	REPORT TYPE INITIAL (49)	Sheet 1 of 1		LOGIC# 15	SECTOR	
METHOD CLASSIFICATION AUTO ACCIDENT		LOG# 3703	INVESTIGATING OFFICER HUGHES	BUCKLE 1152	RAYROLL 209596	DIST. UNIT PREPARING A. I. D	CODE 5400	REPORT DATE 5/4/2009
CLASSIFICATION DEATH BY AUTO		LOGIC 123	PLACE OF OCCURRENCE TACONY ST AND FRALEY ST		JANOR OFFENSES <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Adult Offenders			
COMPLAINANT (NAME AND ADDRESS) FABINO WEBB 3924 RICHMOND ST PHILA PA 19194		AGE 2		RACE WHITE		SEX MALE		
TYPE OF INJURIES 53		DATE REPORTED 5/4/2009	TIME REPORTED 2:42PM	REPORTED BY P/O LOPEZ 5362	ADDRESS 15 TH DIST.			
DATE OF OCCURRENCE 5/4/2009	JAY CODE 1	TIME 2:42PM	COLLISION <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	STATUS 1. <input checked="" type="checkbox"/> Active 2. <input type="checkbox"/> Inactive - not cleared	3. <input type="checkbox"/> Arrest - cleared 4. <input type="checkbox"/> Exceptionally cleared		UNIT 5400	
INCIDENT TYPE N/A		PROPERTY VALUE \$0		RECOVERED VALUE \$0		SECURED <input type="checkbox"/> Yes <input type="checkbox"/> No	OCCURRENCE <input type="checkbox"/> Inside <input checked="" type="checkbox"/> Outside	

AID CASE # 09-0830

1: ORIGIN AND DETAILS OF COMPLAINT:

A. Received this assignment on 5-4-09 at 3:30pm and arrived at Tacony St and Fraley St at approximately 4:30pm. P/O Lopez # 5362 reports Unit # 1, 2006 Chrysler PT Cruiser bearing Pa Tag FJM-6954 was traveling southbound on Tacony St approaching Fraley St when it proceeded into the intersection and contacted unit # 2, 1997 Volvo bearing Pa Tag GLV-1425. Unit # 2 had been traveling northbound on Tacony St when at Fraley St it proceeded to make a left turn onto Fraley St when it was contacted on the passenger side by unit # 1. As a result of the crash a 2 month old child sitting in the right rear passenger seat, restrained in a infant seat, sustained a severe head injury and was transported to St. Christopher's Hospital in critical condition. On 5-11-09 at 2:42pm while inside St. Christopher's Hospital the 2 month old child, Fabino Webb DOB 3-1-09, was pronounced dead by Dr. Shore. The body was received at the Philadelphia Medical Examiners Office under OMR# 09-1945.

2: INTERVIEWS AND INTERROGATIONS:

A. Refer to AID CASE # 09-0830

3: MESSAGES:

A. Refer to AID CASE # 09-0830

4: WITNESSES:

A. Refer to AID CASE # 09-0830

5: JUDICIAL PROCESS:

A. Refer to AID CASE # 09-0830

6: ACTION TAKEN:

A. Refer to AID CASE # 09-0830

INVESTIGATOR P/O HUGHES	BUCKLE 1152	RAYROLL 209596	SENIOR Gramich	MOSE 8768	PAYROLL 174278	REPORT DATE	REPORT	PAYROLL
SIGNATURE			SIGNATURE			SIGNATURE		

City of Philadelphia - Certified Copy
Claim Number: CC Claim



PHILADELPHIA POLICE DEPARTMENT
ACCIDENT INVESTIGATIONS UNIT



P/O Hughes # 1152

AID# 09-0830

DC# 09-15-046305

Assignment: Received this assignment on 5-4-09 at 3:30pm and arrived at Tacony St and Fraley St at approximately 4:30pm. P/O Lopez # 5362 reports that unit # 1, 2006 Chrysler PT Cruiser bearing Pa Tag FJM-6954 was traveling southbound on Tacony St approaching Fraley St when it proceeded into the intersection and contacted unit # 2, 1997 Volvo bearing Pa Tag 3JN-1425. Unit # 2 had been traveling northbound on Tacony St when at Fraley St it proceeded to make a left turn onto Fraley St when it was contacted on the passenger side by unit # 1. As a result of the crash a 2 month old child sitting in the right rear passenger seat, restrained in a infant seat, sustained a severe head injury and was transported to St. Christopher's Hospital in critical condition. On 5-11-09 at 2:42pm while inside St. Christopher's Hospital the 2 month old child, Fabino Webb was pronounced dead by Dr. Shore. The body was received at the Philadelphia Medical Examiners Office under OME# 09-1945.

Diagram:
Not in Scale

City of Philadelphia - Certified Copy
Claim Number: CC Claim

P/O HUGHES #1152
AID#09-0830
DC#09-15-046305

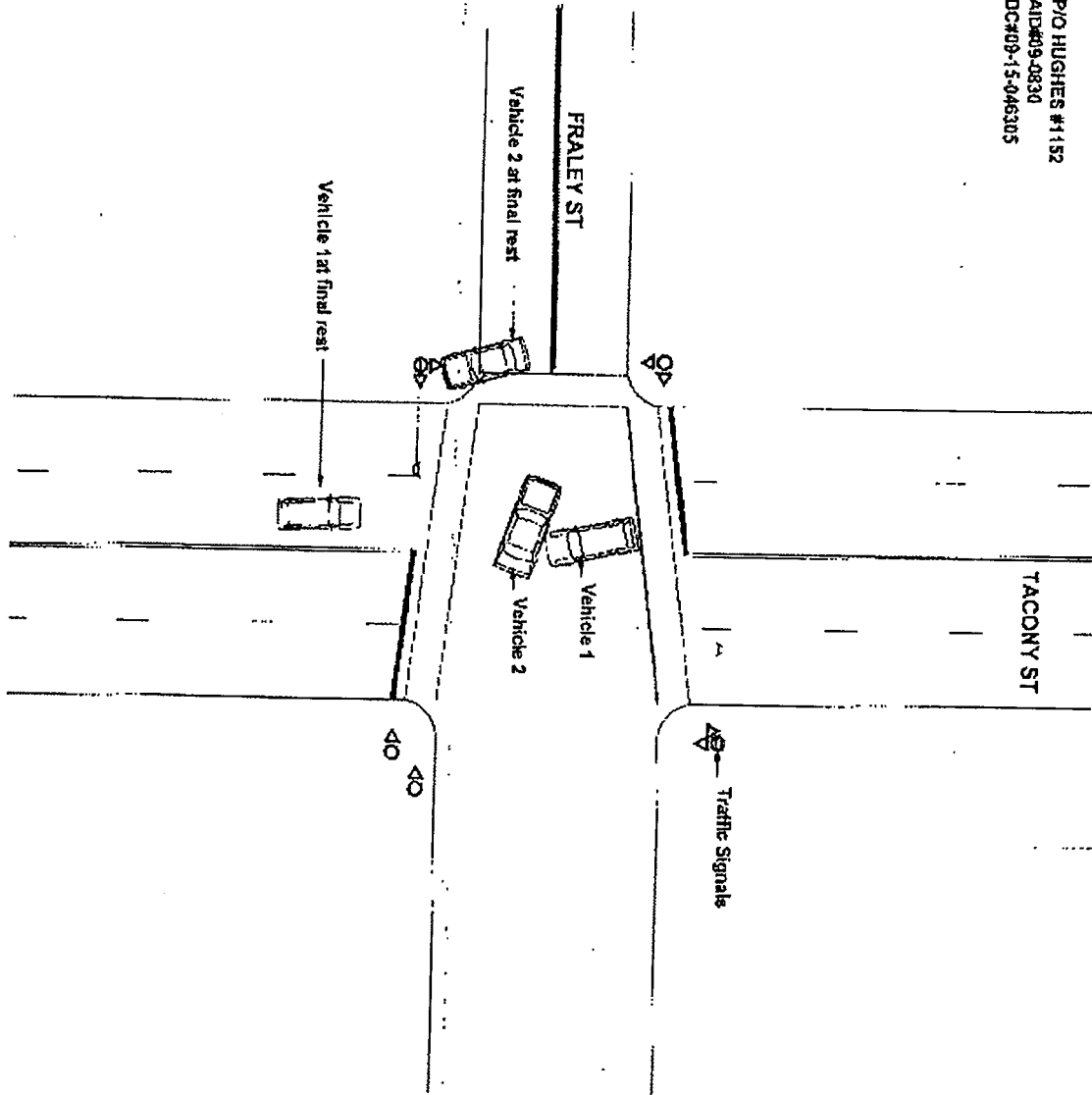


EXHIBIT "D"

Volvo's Press Release

"SIPS: A Unique Safety Solution From Volvo"

Inclusive of picture illustrating the Volvo SIPS system with door bars evidenced in the doors (emphasis added).

VOLVO NEWS & INFORMATION

SIPS: A UNIQUE SAFETY SOLUTION FROM VOLVO

Once again Volvo has advanced the frontiers of automotive safety. For the '92 model year, all 700 and 900 series Volvos will feature a unique Side Impact Protection System (SIPS). The SIPS design is the direct result of research compiled by Volvo's accident investigation team based in Sweden.

Safety is one of the most important design criteria in all Volvo cars. No modification or change is made to the design of a Volvo without its effect on safety being evaluated and verified. Years of study and research have gone into the development of Volvo's SIPS. Side impacts are the second most common type of accident after frontal collisions, accounting for approximately one out of every five accidents. While most side impacts occur at relatively low speeds, they produce an extremely high number of serious injuries. Volvo's design objective was to significantly reduce both the number and severity of injuries in a side impact collision.

Almost everyone is familiar with how the crumple zones in the front and rear of Volvos deform to help absorb the energy of an impact before it reaches the occupants. In a side impact, the distance between the impact and the occupant is very small. Only the doors and the B-pillar separate the occupants from the impact site. Volvo designers realized the solution would require spreading the accident forces over a larger portion of the car's structure and reducing the intrusion into the passenger compartment. Properly done, this would also result in lower acceleration forces acting on the occupants. But how could this objective be met?

more ...

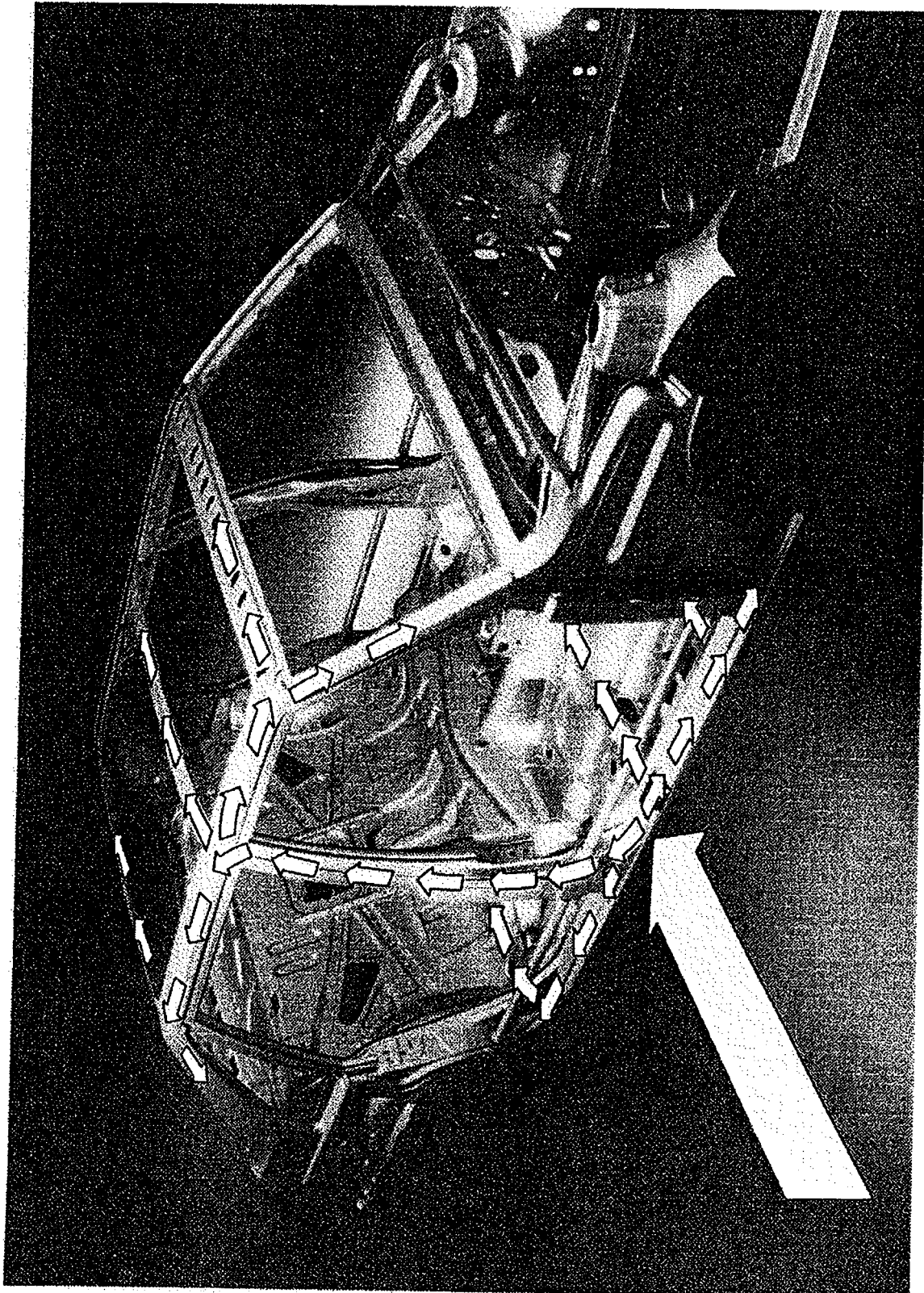
The solution, while largely invisible, consists of a further strengthening of the B-pillar, a reinforced door sill and roof rail, and strengthening of the floor members. These changes play an important role in dissipating the crash forces throughout the car's body by redirecting them around the safety cage. The B-pillar reinforcement also reduces the passenger compartment intrusion. The standard interior door panel on the car is sufficiently flexible to provide additional crash energy absorption.

Once the concept was devised, a mathematical model was constructed to determine which components should be reinforced and by how much. Following the calculations, prototypes were built and tested in Volvo's safety laboratory. The tests confirmed SIPS' ability to transfer the impact energy from the doors and B-pillars to the roof, floor and sills. Passenger compartment intrusion was significantly reduced, as was the acceleration passed on to the occupants. The testing also confirmed that SIPS today, surpasses by a wide margin, the side impact standards which the government will require for model year 1994. Further, the results indicated that in side collisions involving cars, a 25% reduction in the number of fatalities or serious injuries is possible in SIPS equipped cars.

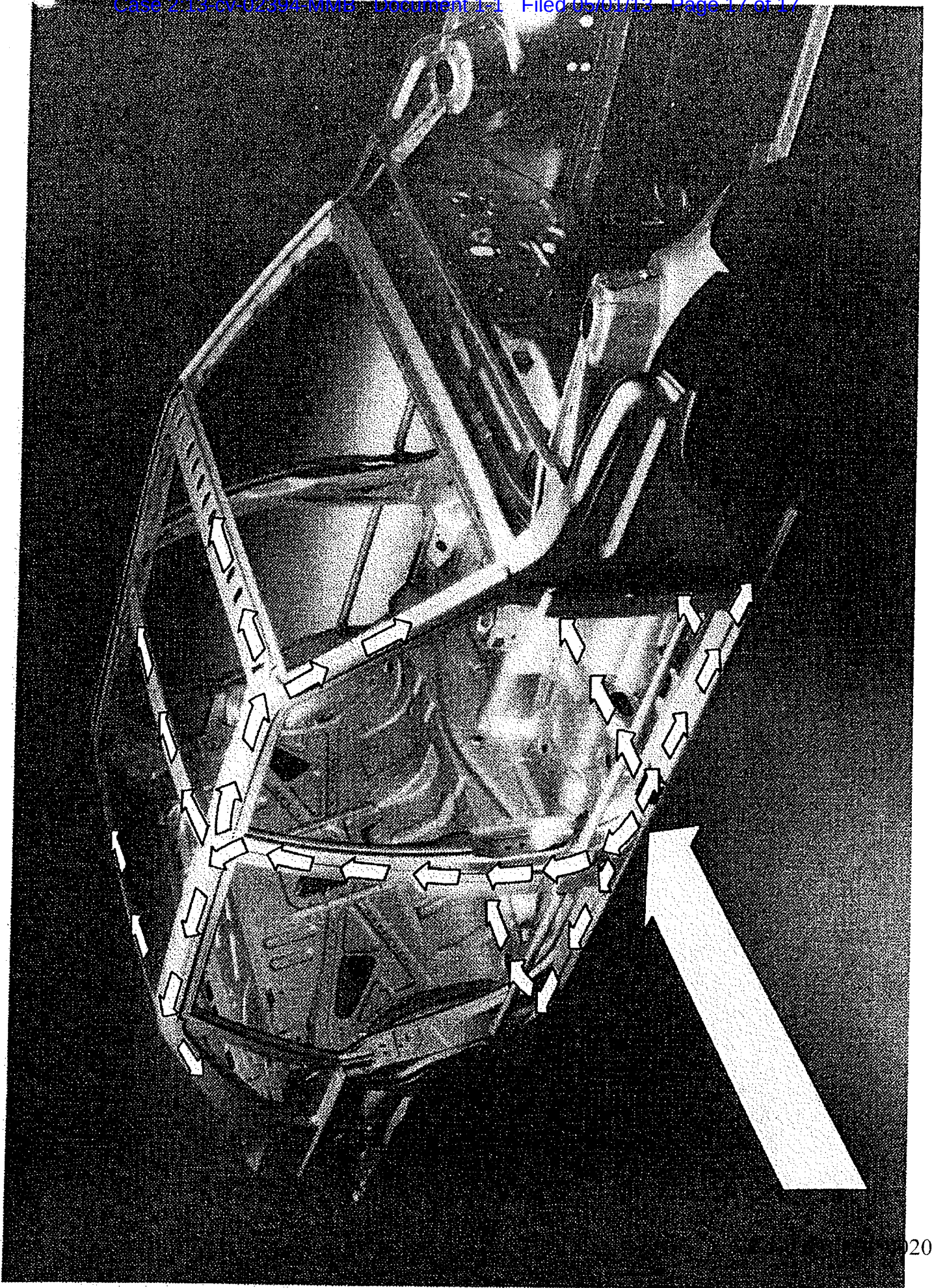
SIPS is a unique Volvo safety development and is the latest in a long line of safety innovations which includes such ubiquitous items as the three-point self adjusting seat belt. Safety has been a primary design criterion at Volvo since the company produced its first car in 1927. If you wonder how a company can remain dedicated to one idea for so long, you should read the letters Volvo receives from its owners, each stating in their own way, 'Volvo Saved My Life.'

100191

V2-3



VOLVO SIPS: SIDE IMPACT PROTECTION SYSTEM



13-00-2394

JS 44 (Rev. 12/12)



CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

13 2394
ETAL

I. (a) PLAINTIFFS

Mark and Anna Webb
3924 Richmond Street
Philadelphia, PA 19137

(b) County of Residence of First Listed Plaintiff Philadelphia County, PA
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Francis Malofiy, Esq.
Francis Alexander, LLC
1125 Walnut Street, Philadelphia, PA 19107, (215) 500-1000

DEFENDANTS

Volvo Cars of North America, LLC
Volvo Car Corporation

County of Residence of First Listed Defendant Bergen County, NJ
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 2 U.S. Government Defendant
- 3 Federal Question (U.S. Government Not a Party)
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input checked="" type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input checked="" type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input checked="" type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS			
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

28 U.S.C. Section 1332

Brief description of cause:
Seeking relief on behalf of consumers for Defendants' manufacturing and sale of allegedly defective vehicles

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMANDS CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE 5/1/13 SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

MAY 1 2013

MMB

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

13 2394

Address of Plaintiff: Mark and Anja Webb, 3924 Richmond St., Philadelphia, PA 19107

Address of Defendant: Volvo Cars of North America, LLC, 1 Volvo Dr., Rockleigh, NJ 07647

Place of Accident, Incident or Transaction: PHILA PA (Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock? (Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a)) Yes No

Does this case involve multidistrict litigation possibilities? Yes No

RELATED CASE, IF ANY:

Case Number: Judge Date Terminated:

Civil cases are deemed related when yes is answered to any of the following questions:

- 1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? Yes No
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? Yes No
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court? Yes No
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? Yes No

CIVIL: (Place in ONE CATEGORY ONLY)

A. Federal Question Cases:

B. Diversity Jurisdiction Cases:

- 1. Indemnity Contract, Marine Contract, and All Other Contracts
2. FELA
3. Jones Act-Personal Injury
4. Antitrust
5. Patent
6. Labor-Management Relations
7. Civil Rights
8. Habeas Corpus
9. Securities Act(s) Cases
10. Social Security Review Cases
11. All other Federal Question Cases (Please specify)

- 1. Insurance Contract and Other Contracts
2. Airplane Personal Injury
3. Assault, Defamation
4. Marine Personal Injury
5. Motor Vehicle Personal Injury
6. Other Personal Injury (Please specify)
7. Products Liability
8. Products Liability — Asbestos
9. All other Diversity Cases (Please specify)

CLAS ACTION
LTPCPL - DECEPTIVE TRADE PRACTICES

ARBITRATION CERTIFICATION

(Check Appropriate Category)

Francis Malofiy, Esquire, counsel of record do hereby certify:

- Pursuant to Local Civil Rule 53.2, Section 5(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;
Relief other than monetary damages is sought.

DATE: May 1, 2013

208494

Attorney-at-Law

Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: May 1, 2013

208494

Attorney-at-Law

Attorney I.D.#

MAY 1 2013



IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
CASE MANAGEMENT TRACK DESIGNATION FORM

Mark and Anna Webb

v.

Volvo Cars of North America, LLC, et al.

CIVIL ACTION

13 2394

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255.
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits.
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2.
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos.
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.)
- (f) Standard Management – Cases that do not fall into any one of the other tracks.

May 1, 2013

Date

(215) 500-1000

Telephone

Francis Malofiy, Esquire

Attorney-at-law

(215) 500-1005

FAX Number

Plaintiffs

Attorney for

francis.malofiy@beasleyfirm.com

E-Mail Address