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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

THE NORTHERN TRUST COMPANY, as
Special Administrator of the ESTATE
OF ROOSEVELT SANDERS, JR., deceased;
SHERRY SANDERS, Individually and as
Mother and Next Friend of Jacqueline
Sanders, ROOSEVELT SANDERS III,
CHRISTINE SANDERS and CHANELLE SANDERS,
her minor children; WANEARL COLLINS,
GWENDOLYN COLLINS, Individually and as
Mother and Next Friend of Warren Collins,
ERICA COLLINS and DOMINIQUE TRIC COLLINS,
her minor children; and BARBARA SMITH,
Individually and as Next Friend of
Jessica Smith, a minor, and as Special
Administrator of the ESTATE OF JEROME
GAYLES, deceased,

Plaintiffs,

vs.

No. 98 L 4154

FORD MOTOR COMPANY, a foreign
corporation, THE GOODYEAR TIRE &
RUBBER COMPANY, a foreign
corporation; BUDGET RENT A CAR
SYSTEMS, INC., an Illinois corporation,

Defendants.

_____ /

The Videotape Deposition of RICHARD SCHETTLER,
taken before me, Diane L. Szach, CSR-3170, Notary Public,
in and for the County of Oakland, Acting in Wayne County,
State of Michigan, at 20301 Oakwood Boulevard, Room 330,
Dearborn, Michigan, on January 22, 2003 at 12:06 p.m.

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IN THE STATE COURT OF LIBERTY COUNTY

STATE OF GEORGIA

RHONDA FAYE BAKER,

Plaintiff,

vs.

No. 01-SV-5869

FORD MOTOR COMPANY, and
THE VILLAGE CHILDREN'S
CENTER, INC.,

Defendants.

_____ /

The Videotape Deposition of RICHARD SCHETTLER,
taken before me, Diane L. Szach, CSR-3170, Notary Public,
in and for the County of Oakland, Acting in Wayne County,
State of Michigan, at 20301 Oakwood Boulevard, Room 330,
Dearborn, Michigan, on January 22, 2003 at 12:06 p.m.

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UNITED STATES DISTRICT COURT
NORTHEASTERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SHEILA JOHNSON and DANIEL WHITLEY,
Individually and as Special
Administrator of the ESTATE OF
JULIA WHITLEY, Deceased,

Plaintiffs,

vs.

No. 99 C 0509

FORD MOTOR COMPANY,

Defendant.

_____/

The Videotape Deposition of RICHARD SCHETTLER,
taken before me, Diane L. Szach, CSR-3170, Notary Public,
in and for the County of Oakland, Acting in Wayne County,
State of Michigan, at 20301 Oakwood Boulevard, Room 330,
Dearborn, Michigan, on January 22, 2003 at 12:06 p.m.

1 APPEARANCES:

2 JONES, OSTEEN, JONES & ARNOLD
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4 608 East Oglethorpe Highway 31313
Hinesville, Georgia 31310-0800
(912) 876-0888

5 Appearing on behalf of Plaintiff Baker.

6 KEITH L. DAVIDSON & ASSOCIATES
7 BY: KEITH L. DAVIDSON, ESQ.
8 30 North LaSalle Street, Suite 3516
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9 Appearing on behalf of Plaintiff Sanders.

10 LOWE EKLUND WAKEFIELD & MULVIHILL CO., LPA
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13 Appearing on behalf of Plaintiff Johnson.

14 SNELL & WILMER, L.L.P.
15 BY: VAUGHN A. CRAWFORD, ESQ.
16 One Arizona Center
Phoenix, Arizona 85004-0001
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17 Appearing on behalf of Defendant Ford
18 in Baker.

19 WILLIAMS MONTGOMERY & JOHN, LTD.
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21 Twenty North Wacker Drive
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(312) 443-3223

22 Appearing on behalf of Defendant
23 The Goodyear Tire and Rubber Company.

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APPEARANCES (Continued):

STELLATO & SCHWARTZ
BY: ADAM RODRIGUEZ, ESQ. (Telephonic)
120 North LaSalle Street, 34th Floor
Chicago, Illinois 60602
(312) 499-2712

Appearing on behalf of Defendant
Budget Rent A Car Systems, Inc.

ALSO PRESENT: Patrick Murphy, Videographer

1 I N D E X

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1 Dearborn, Michigan
2 January 22, 2003
3 9:04 a.m.
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6 * * *

7 RICHARD SCHETTLER

8 was thereupon called as a witness herein, and after first
9 being duly sworn to tell the truth, the whole truth and
10 nothing but the truth, testified as follows:

11 THE VIDEOGRAPHER: We're on the record. This is
12 Tape 1 of the videotape deposition of Richard Schettler
13 being taken at the Dearborn Inn, Marriott Hotel, 20301
14 Oakwood Boulevard, Dearborn, Michigan. Today is
15 Wednesday, January 22nd, 2003. The time is 12:06 p.m.

16 This is in the matter of Sanders, et al., versus
17 Ford Motor Company, Case Number 98 L 4154 in Cook County
18 Circuit Court; and Baker versus Ford Motor Company and
19 Childrens Village Centers, Incorporated, Case Number
20 01-SV-5869 in Liberty County State Court.

21 My name is Patrick Murphy, Legal Videographer
22 for Esquire Deposition Services.

23 The attorneys will now introduce themselves for
24 the record.

25 MR. MULVIHILL: Point of clarification, it's

1 also Johnson versus Whitley pending in the federal
2 district court in Chicago with Judge Devero.

3 (Discussion off the record).

4 MR. MULVIHILL: Dennis Mulvihill for the
5 Plaintiff in the Johnson matter.

6 MR. DAVIDSON: Keith Davidson for the Plaintiff
7 in Sanders.

8 MR. WILLIAMS: Brinson Williams for Ms. Faye
9 Baker in the Baker case.

10 MR. NEUCKRANZ: Tom Neuckranz for Goodyear in
11 Sanders.

12 MR. CRAWFORD: Vaughn Crawford for Ford Motor in
13 the Sanders, Johnson and Baker cases.

14 MR. RODRIGUEZ: Adam Rodriguez for Budget Rent A
15 Car.

16 EXAMINATION

17 BY MR. DAVIDSON:

18 Q. Would you state your full name, please, sir?

19 A. Richard L. Schettler.

20 Q. And are you currently employed by Ford?

21 A. Yes, I am.

22 Q. And where do you work out of for Ford?

23 A. Which building?

24 Q. Your business address, yes.

25 A. MSX.

- 1 Q. Does it have an address?
- 2 A. It does, but I'm afraid I don't know it at this time.
- 3 Q. What is your occupation?
- 4 A. I'm a development engineer.
- 5 Q. How long have you held that position?
- 6 A. For about 13 years.
- 7 Q. What was the extent of your education beyond high school?
- 8 A. I went to the Penn State University after graduation.
- 9 Then went to the military for three years, and I went to
- 10 the University of Pittsburgh for six years at night and
- 11 got my degree in mathematics with a minor in computer
- 12 science.
- 13 Q. When did you get that degree?
- 14 A. In 1976.
- 15 Q. After that, what did you do?
- 16 A. At that time I was employed by Westinghouse Research in
- 17 Pittsburgh, and then I got employment with Ford Motor in
- 18 1978.
- 19 Q. Will you run through your history with Ford, the jobs and
- 20 job duties you've had, give an overview?
- 21 A. When I first joined Ford Motor in '78, I was with the
- 22 climate control development activity to do computer
- 23 programming and do -- for vehicle assessment. Then in
- 24 April of '82, I went to the reliability section which was
- 25 forecasting of warranty data. Then in November of '83 I

1 went back to the computer or the climate control activity
2 and developed a data acquisition system for them. And in
3 March of 1989, I joined the ride and handling section.
4 It was the light truck ride and handling section which
5 today is known as vehicle dynamics. And from there
6 through March of '02 I have been in various vehicle
7 dynamics areas with different vehicle lines. So it's
8 been 13 years in the vehicle dynamics area.

9 Q. You refer to March '89 being the beginning of ride and
10 handling relating to light trucks. How long were you
11 involved with that for light trucks?

12 A. Until March of '02 at various -- with various vehicle
13 lines.

14 Q. Were you involved in that capacity with the Econoline
15 series in any way in ride and handling?

16 A. Yes, in the early stages I was with the VN58 in March of
17 '89.

18 Q. What role did you play in VN58?

19 A. I was given the assignment to do the ride on the E-250,
20 350 series, and to basically learn the balance of the
21 vehicle dynamics or ride and handling activities.

22 Q. Did this involve you in performing P6101 tests?

23 A. As a trainee, yes, it did, yes, it did.

24 Q. Any of them instrumented?

25 A. Not at that time. That was actually additional to see

1 what I could do -- because of my prior experience with
2 instrumentation of the climate control system, I was
3 there to try to see what we could do for additional
4 instrumentation of vehicle dynamics.

5 Q. Had you had any previous experience in driving vehicles
6 to test them, or was this the first?

7 A. No, sir, I had not.

8 Q. All right. Were you involved in the VN58 program with
9 any ADAMS modeling?

10 A. No, sir, I was not.

11 Q. Did you perform J-turn tests on any Econoline vehicles in
12 the VN58 program?

13 MR. CRAWFORD: Object to the form.

14 THE WITNESS: Pardon?

15 MR. CRAWFORD: I'm sorry, I'm just objecting to
16 the form. Once I'm done making my flap, then you can go
17 ahead and answer the question, and if it throws you off
18 and you need the question back, feel free to ask for it.

19 THE WITNESS: Yes. Would you please repeat
20 that?

21 MR. DAVIDSON: Sure.

22 Q. (By Mr. Davidson): The question was, were you involved
23 in any J-turn testing in the VN58 program?

24 A. No, I was not.

25 Q. Do you know what I mean by J-turn tests?

- 1 A. Yes.
- 2 Q. All right. Under whom were you training in the VN58
3 program?
- 4 A. Jerry Bravo.
- 5 Q. Did you have any training under Mr. Thrasher or
6 Mr. Sleeth?
- 7 A. They were also in the section, and I was willing to take
8 direction from any of them.
- 9 Q. What further involvement, if any, did you have with the
10 Econoline series after the VN58 program reached Job 1?
- 11 A. I stayed with the Econoline, and I went on to some VN127
12 work.
- 13 Q. When did that begin?
- 14 A. I am afraid I can't give you exact dates on that. It was
15 sort of a natural progression of things.
- 16 Q. Does 1996, '97 sound about right?
- 17 A. I was -- yes, I ended the VN127 in March of '96. So from
18 basically '89 to '96, I was pretty much involved with
19 Econoline.
- 20 Q. You seem to have some document there you're using to
21 refresh your memory. Can you tell us what it is, please?
- 22 A. Yes. This is our -- what they call the portion of our
23 LDEP or what we did, you know, where our assignments were
24 within Ford.
- 25 MR. CRAWFORD: I've got a couple of extra copies

1 if you guys want to pass it around.

2 MR. DAVIDSON: Do you want to just mark it? Why
3 don't we just mark it as Exhibit 1 here for Mr. --

4 MR. CRAWFORD: Schettler.

5 MR. DAVIDSON: Schettler's deposition.

6 MR. CRAWFORD: That's okay, he doesn't know my
7 name either.

8 (Deposition Exhibit 1 was marked
9 for identification).

10 Q. (By Mr. Davidson): All right. In between the VN58
11 program and the VN127 program, did you have any
12 involvement with ride and handling issues that related to
13 the Econoline series?

14 A. It was the Econoline series.

15 Q. I appreciate that, but the VN58 we understand ended in
16 Job 1 in 1991 or 2, somewhere in there, and you told us
17 VN127 ended in March 1996?

18 A. Excuse me, sir, that's when my involvement ended with the
19 VN127.

20 Q. Okay. But was your involvement with the Econoline
21 continuous from VN58 through VN127 with Econoline?

22 A. I was involved with Econoline work from March of '89
23 through March of '96, okay.

24 Q. Can you tell us what kind of work you were doing all
25 through that time after Job 1 for the VN58 program?

- 1 A. There are numerous changes to vehicles, tire submissions,
2 steering improvements, ride enhancements. I cannot
3 recall exactly what was being done, but that is the way
4 of our business.
- 5 Q. Did you continue to do basic 101 evaluations of the
6 Econoline series in that time period?
- 7 A. It depends on what changes were being made, but typically
8 a lot of that stuff is redone at various times,
9 especially for a tire submittal.
- 10 Q. Did you continue to do other driving evaluations of the
11 Econoline series between I think you said March '89 until
12 March '96?
- 13 A. Yes, we were continually driving them.
- 14 Q. All right. Were you also involved in ride and handling
15 evaluations of other vehicles in this time period?
- 16 A. I would think that, yes, I was involved with some other
17 vehicle lines as again I was trying to learn the trade if
18 you will.
- 19 Q. When you have indicated that you were involved in ride
20 and handling issues involving the Econoline series, did
21 that include all versions of the Econoline?
- 22 A. All series you're referring to?
- 23 Q. Well, let's take that, the 150, 250 and 350?
- 24 A. Yes.
- 25 Q. And of course we know that some of them come in different

1 versions within the same numerical category?

2 A. Yes.

3 Q. Did you have experience with all the versions say of the
4 E-350?

5 A. We did -- we did chassis cab work, we did cut away work,
6 which is another version.

7 Q. Did you also drive the extended E-350?

8 A. Yes.

9 Q. And the extended 250?

10 A. I -- probably.

11 Q. And when you say the cut away, did you drive a vehicle
12 that had dual wheels?

13 A. Yes, I have.

14 Q. All right. At the time of the VN127 program, how would
15 you describe your role?

16 A. As I stated earlier, I was given the primary
17 responsibility for ride work on the 250/350, and in
18 training for the rest of the vehicle dynamics or ride and
19 handling type of testing.

20 Q. Did anyone else have primary responsibility for that?

21 A. Jerry Bravo was my primary mentor and trainer.

22 Q. How about Wayne Schott, was he involved at all in driving
23 evaluations in the VN127 program?

24 A. I do not believe so, sir.

25 Q. Did you have experience in doing a slalom test in the

1 course of the VN127 program in which there was a tip-up,
2 two-wheel tip-up I mean, of an E-350 vehicle?

3 A. Yes, I did.

4 Q. Can you tell us about that? Let's start with when it
5 happened.

6 A. To the best of my recollection I think it was in early
7 1990, and again starting the prior March of that year or
8 of '89, we had been doing a variety of tests, and I was
9 following Jerry Bravo. He would make various maneuvers,
10 and then I would drive the vehicle. We would compare
11 notes. He would assess my assessment of the vehicle, and
12 if I picked up on a particular item, he would
13 congratulate me, and if not, he would send me back out to
14 redrive the vehicle, okay, to look for a particular
15 thing.

16 This particular time we had to borrow a
17 prototype from the NVH section that had seats in it
18 because we had loaded it with water dummies in all
19 positions. I had driven the vehicle the prior day, and I
20 guess felt pretty confident of it, and I would think that
21 Jerry had drove it that morning prior to myself, and I
22 was doing a slalom event where I in hindsight came into
23 it too fast. And the slalom event, are you familiar with
24 the slalom event?

25 Q. I think we are in general.

1 A. Okay.

2 Q. But why don't you describe it for others who may be
3 watching, you can give us a brief description.

4 A. Okay. The slalom event is a series of eight cones placed
5 80 feet apart in a straight line, and you do a zigzag
6 through it or more of a sinusoidal path. And I came in,
7 and in my zeal to complete the event, I missed a couple
8 of gates. By missing a gate, I mean I did not turn in at
9 the proper time, and as such, the error kept compounding.

10 So by the time I hit the either the fourth or the sixth
11 cone, I can't recall which one, when making a right turn,
12 the vehicle came up on two wheels, and I proceeded to --
13 after the fact we measured it -- drive that vehicle for
14 well over a hundred feet on two wheels until it came down
15 and laid down on the driver's side.

16 Q. You make that sound like somewhat of a gentle laying
17 down. Was it?

18 A. Absolutely. It was only -- we measured the scratch on
19 the side, and the longest scratch we could find was
20 4 inches long.

21 Q. Did it require the highest levels of your abilities to
22 keep it from coming down in a harder fashion?

23 A. No. I was reacting to what happened. Obviously this was
24 something new to me, I've never done that before. The
25 vehicle was telling me long before that happened to bail

1 out, but again in my zeal to impress my co-workers and my
2 mentor, I kept pushing it.

3 Q. When you say it was telling you to bail out, what do you
4 mean?

5 A. By bail out, I mean stop negotiating the cones and go
6 straight.

7 Q. Were you performing this task -- let me first ask you,
8 was it a P6101 test?

9 A. I believe it is, yes.

10 Q. Did you follow the protocol for doing the test?

11 A. I believe so, yes.

12 Q. Were there prescribed speeds for doing the test?

13 A. No, the speeds are vehicle dependent.

14 Q. Did you realize when the vehicle was telling you to bail
15 out, that if you didn't, you might have two-wheel lift or
16 rollover?

17 MR. CRAWFORD: Object to the form.

18 THE WITNESS: The idea of the test is try to
19 maintain control of the vehicle, and I was losing
20 control.

21 Q. (By Mr. Davidson): Well, did you realize at the time you
22 told us that the vehicle was telling you to bail out,
23 that if you didn't, you would get two-wheel lift and
24 possibly roll over?

25 A. Well, once you lose control, I suppose anything is

1 possible.

2 Q. And what I'm asking you is did you know that as a
3 possibility when you went beyond the point where you said
4 the vehicle was telling you to bail out?

5 MR. CRAWFORD: Object to the form.

6 THE WITNESS: I suppose anything is a
7 possibility, sir.

8 Q. (By Mr. Davidson): I'm asking what you knew at the time.
9 Did you know that that was a possibility and appreciate
10 it?

11 A. I'm sure logic would tell me that if I lost control,
12 there is a possibility of putting the vehicle on its
13 side.

14 Q. Did you think that there was a potential that you would
15 lose control when the vehicle was telling you to bail
16 out?

17 MR. CRAWFORD: I'm going to object to the form.
18 Are you asking if these went through his head at the time
19 or --

20 MR. DAVIDSON: Yes, exactly.

21 MR. CRAWFORD: -- are you asking him to think
22 about it now?

23 Q. (By Mr. Davidson): In other words, as you were getting
24 this feedback from the vehicle to bail out, what I'm
25 wondering is whether you realized there was a potential

1 for loss of control if you didn't bail out?

2 A. Oh, yes. I mean, yes. But, again, I was trying to -- I
3 was trying to, quote, save it, okay.

4 Q. You thought you had a chance of saving it and not having
5 two-wheel lift or rollover, is that right, when you went
6 through the bail out feedback point?

7 A. It's hard to say. I mean, the vehicle was telling me,
8 but I was -- I was putting in more input to try to make
9 the cones, and I guess that I just should have bailed
10 out.

11 Q. I realize what you're telling us in retrospect, but at
12 the time, would it be safe to assume you weren't of the
13 view you were going to have two-wheel lift and rollover
14 if you kept going, you thought you had a chance to save
15 it, is that right?

16 A. It's hard to say, sir, it's been 13 years ago, what was
17 going through my head at that particular point.

18 Q. Had you done this slalom test many times over the years
19 preceding in performing P6101 tests?

20 MR. CRAWFORD: Object to the form.

21 Q. (By Mr. Davidson): I don't mean with the same vehicle,
22 but with other --

23 A. Well, again, I hadn't been in this section a year at that
24 point. So I had done the maneuver many times during that
25 less than a year time frame.

- 1 Q. And where did this particular incident take place?
- 2 A. This took place at the Florida Evaluation Center in
3 Naples, Florida.
- 4 Q. And Mr. Bravo you've told us about being there. Was
5 anyone else present?
- 6 A. Mr. Thrasher was -- Don and Jerry were. They are
7 spotters which is our practice to have individuals
8 spotting.
- 9 Q. Was this filmed?
- 10 A. No, sir, it was not.
- 11 Q. Was there an investigation that resulted in any kind of
12 written evaluation or report of the incident?
- 13 A. Not to my knowledge.
- 14 Q. Were you using any roll bars or other devices to protect
15 you in the vehicle in the event of a rollover?
- 16 A. No, we were not, nothing other than your standard seat
17 belts.
- 18 Q. Now, part of the reason --
- 19 A. And a helmet.
- 20 Q. You did have a helmet on, did you?
- 21 A. Yes, which is again standard practice for these
22 maneuvers.
- 23 Q. Was one of the reasons for doing this evaluation in order
24 to make a subjective judgment of your own as to the limit
25 handling of the vehicle?

- 1 A. Yes, that was -- that's part of the development process.
- 2 Q. And did this involve your having to fill out forms and
3 indicate how you would rate the vehicle subjectively on a
4 scale of 0 or 1 to 10?
- 5 A. The vehicle was in the process of development, and by
6 development it means to make it a safe and linear
7 vehicle, and this was a prototype.
- 8 Q. Well, did it involve you filling out that kind of a form
9 to give your subjective evaluation?
- 10 A. It was not required of me at the time.
- 11 Q. Did you do so nevertheless, fill out such form?
- 12 A. No, sir, I did not.
- 13 Q. Did anyone else to your knowledge fill one out to
14 evaluate the vehicle based on what was taking place at
15 that time in the way of testing?
- 16 A. Not to my knowledge.
- 17 Q. Did you give an oral evaluation to anybody of how you
18 evaluated the ride and handling of the vehicle following
19 this incident?
- 20 A. We had our critique. As I stated earlier, Mr. Bravo had
21 put the same vehicle through its paces successfully, and
22 I failed. So the critique was more of my abilities than
23 of the vehicle's performance.
- 24 Q. Would you say that as of the time this incident took
25 place, that you were in a position to compare your

1 experience with Econoline vehicles with the ordinary
2 driver to whom the vehicle might be sold?

3 MR. CRAWFORD: I'm sorry, can I have that
4 question back?

5 (Record read).

6 MR. CRAWFORD: Object to the form, lacks
7 foundation.

8 THE WITNESS: Yes. And to be honest with you, I
9 was very impressed that a vehicle of that size could do
10 what it did.

11 Q. (By Mr. Davidson): Impressed that it would turn over the
12 way it did?

13 A. No, impressed that it would perform as well as it did
14 under those circumstances and doing what I did to it.

15 Q. But I take it it isn't something you would do over again
16 in rerunning the test, the way you had done it the first
17 time?

18 A. Oh, obviously -- as I said, our whole test series is
19 designed to maintain control, and when you reach that
20 situation, obviously you're out of control.

21 Q. Now, Mr. Shelter --

22 A. Schettler.

23 Q. Say it again, would you?

24 A. Schettler.

25 Q. Schettler?

1 A. Think of the Shetland pony.

2 Q. It's my fault, I've mispronounced your name a few times.
3 Mr. Schettler, what I was driving at here, if I can put
4 it that way, is whether you tried to evaluate your skills
5 in driving as compared with the ordinary driver who might
6 be behind the wheel of that vehicle on the public
7 roadways. Did you?

8 MR. CRAWFORD: Object to the form.

9 THE WITNESS: I -- that would be tough for me to
10 assess my driving skills versus the average. I mean, I
11 had no prior driver training. I was not involved with
12 racing like some of my colleagues prior to this, but I am
13 an auto enthusiast.

14 Q. (By Mr. Davidson): Did you understand it was part of
15 your job and responsibility to evaluate ride and handling
16 of the vehicles you were driving in order to assess their
17 suitability for the driving public?

18 A. Absolutely.

19 Q. Do you think that your experience with the Econoline
20 vehicle you were driving -- which was it by the way, it
21 was an E-350, is that right?

22 A. It was an E-350, what we refer to as a bustle back or the
23 15 pass, in this particular incident.

24 Q. All right. Did you think your experience with that
25 vehicle was the same or greater or less than that of the

1 average driver or range of drivers in the public who
2 might be driving it?

3 MR. CRAWFORD: Object to the form.

4 THE WITNESS: My experience or the maneuver?

5 Q. (By Mr. Davidson): No, I'm speaking -- let's just speak
6 of your driving experience generally with that vehicle.
7 How would you equate it with that of the average or
8 ordinary driver on the road?

9 MR. CRAWFORD: Same objection.

10 Q. (By Mr. Davidson): Let's talk about your skill and
11 experience as a driver of that vehicle.

12 MR. CRAWFORD: Same objection.

13 THE WITNESS: I would guess I would be as good
14 or better than the average, I don't know. Again, it's
15 hard to assess, sir. I don't know how to answer that.

16 Q. (By Mr. Davidson): You're not confident you had at least
17 as great or better skill than the average driver?

18 MR. CRAWFORD: Same objection.

19 THE WITNESS: I would think not at that point in
20 my career, no.

21 Q. (By Mr. Davidson): Did you understand that you were
22 being asked to do this work because Ford at least thought
23 you had greater skills than the ordinary driver of the
24 vehicle?

25 MR. CRAWFORD: Object to the form of the

1 question, assumes facts not in evidence, calls for
2 speculation.

3 THE WITNESS: I would guess that I maybe had the
4 potential and I was in training.

5 Q. (By Mr. Davidson): We spoke of water dummies being
6 something you had not used previously, is that right?

7 A. The water dummies were new at that stage or around that
8 time frame, yes.

9 Q. Had you ever driven with water dummies before?

10 A. That particular vehicle, I think the day before we did
11 water dummies.

12 Q. The day before did you go through a whole series of P6101
13 tests?

14 A. I don't recall exactly what we did the day before.
15 Because of the incident, this particular one is very
16 vivid in my mind, but the event occurred early in the
17 morning and the vehicle had been loaded the day before,
18 and I'm surmising that we did tests the day before as
19 well.

20 Q. Did you participate in the loading of the water dummies?

21 A. Yes.

22 Q. Was the aim there to try to simulate as best you could a
23 fully loaded vehicle with 15 passengers?

24 A. Yes, I would think so.

25 Q. I suppose in past P6101 evaluations you had other means

1 of loading the vehicle to replicate as best you could
2 15 passenger loading?

3 A. It was done prior to that with what we call -- we would
4 load low boxes which were on the floor of the vehicle,
5 and these loads were more stable from shifting, a lot
6 quicker to load, okay, and our standard practice was to
7 take a production vehicle under the same conditions and
8 compare it against the new model year to insure equal to
9 or better than performance of its predecessor.

10 Q. Did you in previous P6101 evaluations always have boxes
11 on the floor as opposed to on the seats?

12 MR. CRAWFORD: Lacks foundation.

13 THE WITNESS: I can't speak for the entire --
14 what happened prior to my joining the group.

15 Q. (By Mr. Davidson): I'm talking about your experience.

16 A. We had situations where we loaded weights on the seats at
17 various points. The water dummies were something new.

18 Q. They were put on the seats in this particular incident,
19 is that right?

20 A. They were placed on the seats and strapped in with the
21 seat belts, but they posed a very large problem with
22 trying to restrain them in that they would sway from side
23 to side and the water sloshing and so on.

24 Q. Are you suggesting that that had something to do with
25 your loss of control of the vehicle?

1 A. No, I'm just suggesting it was something new.

2 Q. Subsequent to this happening, I think you said -- when
3 did it happen, in March of '89, is that right?

4 A. March of '89 is when I joined, and this happened in early
5 1990.

6 Q. Early 1990, then I must have something wrong there
7 because it's part of VN -- no, was it part of VN127 or
8 part of VN58?

9 A. VN58.

10 Q. Okay. And when was the next time that you were asked
11 about this incident having occurred after the day it
12 happened, any time subsequent that you can recall?

13 A. Asked about it?

14 Q. Yes.

15 A. Nobody has asked me about it until very recently.

16 Q. How recently did the subject come up again?

17 A. I would -- within the past, I don't know, two months.

18 MR. DAVIDSON: I guess I don't have anything
19 further.

20 MR. WILLIAMS: I need to make a quit pit stop.

21 THE VIDEOGRAPHER: We're off the record at
22 12:37.

23 (Brief recess).

24 THE VIDEOGRAPHER: We're back on the record at
25 12:39. Please continue.

1 MR. WILLIAMS: Mr. Schlepper?

2 THE WITNESS: Schettler.

3 MR. WILLIAMS: Schettler, close.

4 MR. CRAWFORD: Why does everybody have such a
5 problem with that name.

6 MR. WILLIAMS: I tried to rearrange your L. Let
7 me start again. Mr. Schettler, my name is Brinson
8 Williams, you heard that a few minutes ago, and I'm going
9 to try to kind of follow up and not repeat things that
10 have already been discussed.

11 EXAMINATION

12 BY MR. WILLIAMS:

13 Q. You're an engineer by training and experience a good many
14 years now, is that fair?

15 A. I'm a math major with a computer science minor.

16 Q. Okay, okay. You've been working with engineers then for
17 20 plus years?

18 A. I've been working in the engineering field, yes, sir.

19 Q. Okay. And you started with Ford Motor Company in 1978, I
20 think I got that right, didn't I?

21 A. That's correct.

22 Q. And in March of 1989, you started working with the
23 driving of vehicles to test and evaluate handling and
24 things like that, is that fair?

25 A. That's true.

- 1 Q. You've already discussed that you had on-the-job training
2 so to speak from fellows who were already doing that kind
3 of work and experienced in it, is that right?
- 4 A. That's correct.
- 5 Q. And there was a gentleman named Bravo who was maybe your
6 primary trainer?
- 7 A. That's correct.
- 8 Q. And I think I've heard somewhere that he is deceased now,
9 is that right?
- 10 A. That's true.
- 11 Q. Mr. Thrasher was also involved and Mr. Sleeth was
12 involved?
- 13 A. They were co-workers, yes.
- 14 Q. Yes. And they're still Ford employees today, is that
15 right?
- 16 A. Mr. Thrasher has since retired.
- 17 Q. Okay. Did you receive any training other than on-the-job
18 training in the driving of vehicles in these tests that
19 you were performing?
- 20 A. Yes, downstream of that later on in my career, we had a
21 variety of different training.
- 22 Q. All right. But when you started in 1989, it was
23 on-the-job training only, is that right?
- 24 A. That's true.
- 25 Q. All right. So of course we're here or you're here today

1 because of an event that occurred you said the early part
2 of 1990, I think that's right?

3 A. Yes, it is.

4 Q. So you had been on the job being trained and becoming
5 experienced for a year or something close to a year?

6 A. A little under a year.

7 Q. Okay. Ten, eleven months, something like that?

8 A. Yes.

9 Q. I first learned of this tip-up event, if we want to call
10 it that, or rollover, roll on the side anyway.

11 A. I like lay down, because it did not roll over per se, it
12 just laid on its side.

13 Q. Okay, quarter roll, okay. I learned of this event
14 through a discovery response that I got on October the
15 18th of last year, and it's on Page 22, and I guess we
16 need to mark this as Exhibit 2 to your deposition, and
17 I'll just ask you to turn to Page 22 and we'll talk about
18 it a little bit.

19 MR. CRAWFORD: Do you have another copy?

20 MR. WILLIAMS: I'm sorry, I don't.

21 MR. DAVIDSON: Is that the interrogatory
22 answers?

23 MR. WILLIAMS: Yes.

24 (Deposition Exhibit 2 was marked
25 for identification).

1 THE WITNESS: Page 22.

2 Q. (By Mr. Williams): All right. Ford's counsel has looked
3 at that. Page 22, we're talking about the numbers at the
4 bottom of the page rather than the fax numbers at the top
5 that run one page different. I would just like for you
6 to read that response and just tell me if you've seen
7 that before?

8 A. Just this past week.

9 Q. All right. And that is a description of the event that
10 you've been talking about here for a while, is that
11 right?

12 A. With the exception of it states that -- it says the
13 proving grounds in Romeo, Michigan. That actually
14 occurred in Naples, Florida.

15 Q. Okay. So that's an error. Is there anything else there
16 that you would consider to be wrong?

17 A. No, that's -- the rest of it is correct.

18 Q. All right. I think I understood you to say that the day
19 before this lay down event occurred, you had driven the
20 vehicle that was in the event for some period of time, is
21 that right?

22 A. I'm assuming as such, because the event occurred early in
23 the morning, 8:30 to be -- to my recollection. So we had
24 the vehicle loaded the day before, and I do recall doing
25 the slalom event with that vehicle successfully which is

1 why I think I approached my first pass at this event at a
2 higher rate of speed than I should have. The practice
3 was any time you get a new vehicle or load it, whatever,
4 you start it off at a very slow rate of speed and you
5 keep doing the maneuver increasing your speed and
6 confidence and testing the vehicle out as you go. I
7 attribute it to my lack of experience to say, well,
8 yesterday I got through at 40, I can do it again today,
9 and I started off too quickly.

10 Q. I would object to the response insofar as it discusses
11 anything other than whether or not he had driven the
12 vehicle before, and with that, sir, I think you testified
13 earlier that you had done this slalom maneuver many times
14 before the day that this event happened, is that right?

15 A. I'm sure that I did it many times with different
16 vehicles, different conditions.

17 Q. And you had done it with this vehicle the day before?

18 A. Yes, I believe I did.

19 Q. And you had done it with this vehicle loaded the same way
20 with these water dummies that it was when you had this
21 lay down event, is that right?

22 A. Yes, sir.

23 Q. So you'd had some experience with the vehicle and with
24 the vehicle loaded in particular, that's fair, isn't it?

25 A. Yes, sir.

- 1 Q. Had you driven the vehicle unloaded before this event
2 happened or another E-350 vehicle?
- 3 A. Yes, sir, we -- standard procedure is to run them at curb
4 and at rear GAWR GVW.
- 5 Q. And again you had run this vehicle in the slalom unloaded
6 as well as loaded?
- 7 A. I would just be guessing at this point. I would think
8 so, but -- it was our procedure, so I would think that
9 would be the case.
- 10 Q. All right. Now, I think your testimony was that you
11 missed one gate and then the error kept compounding, I
12 think that was your phrase?
- 13 A. Correct.
- 14 Q. When you say the error kept compounding, do you mean that
15 the vehicle kept swaying further and further from side to
16 side as you went on?
- 17 A. No, I was behind in my turn-ins to make the gate, and if
18 you miss one, by the time you get on the other side of
19 the cone, you've already missed the second gate. So you
20 have to add more steering input.
- 21 Q. Okay. So you were having to turn it more and more each
22 time, is that right?
- 23 A. That's correct.
- 24 Q. Could you feel the rear end of the vehicle doing anything
25 in particular as you turned it more and more each time?

1 A. I would -- I would -- I don't know. It's -- that portion
2 of it is -- I don't recall.

3 Q. You don't remember?

4 A. I don't remember that particular --

5 Q. I don't think it's an engineering term, but I've heard
6 the term fishtailing referring to a vehicle going back
7 and forth. Do you know what I'm talking about, sir?

8 A. Yes, I know what fishtailing is, but I don't believe this
9 event would create fishtailing, it would be -- the rear
10 of the vehicle would come around in one direction only at
11 that point as opposed to doing a fish tail. When you
12 accelerate quickly, you can get a fishtailing in the
13 vehicle.

14 Q. All right. Well, was the rear end coming around in one
15 direction when you turned one way and then coming around
16 in the other direction when you turned back?

17 A. That's affirmative.

18 Q. Yes, okay. So you felt the rear end coming around, and
19 you were turning it more and more each time, and it was
20 coming around more and more each time, is that about what
21 happened?

22 MR. CRAWFORD: Object to the form.

23 THE WITNESS: I would -- logic would say that
24 would probably be reasonably close.

25 Q. (By Mr. Williams): All right, all right. And then it

1 reached a point where it was up on two wheels, is that
2 right?

3 A. Yes.

4 Q. Are you familiar with a book by a gentleman named
5 Gillespie called Vehicle Dynamics?

6 A. I've heard of it.

7 Q. That's always been described to me as kind of the bible
8 of people who do vehicle dynamics work, and you're one of
9 those people of course.

10 A. Mm-hmm.

11 Q. Is that the way you've heard it referred to as well?

12 MR. CRAWFORD: Object to the form.

13 THE WITNESS: No.

14 Q. (By Mr. Williams): All right. Have you known Ford
15 engineers who've used the book?

16 A. I've heard individuals talk of it, yes.

17 Q. Yes. And did it seem to be a reliable book in their
18 minds?

19 MR. CRAWFORD: Object to form.

20 THE WITNESS: I can't answer for them, sir.

21 Q. (By Mr. Williams): Did they seem to be relying upon it
22 when they mentioned it in conversation with you?

23 A. I wouldn't have any knowledge of that.

24 Q. All right. Do you know how Mr. Gillespie defines a
25 rollover?

- 1 A. No, sir, I do not.
- 2 Q. Do you know that he defines it as being when two wheels
3 get off the ground?
- 4 MR. CRAWFORD: Object to the form.
- 5 THE WITNESS: No, I did not know that.
- 6 Q. (By Mr. Williams): All right. Well, if that's his
7 definition of a rollover event, that would include this
8 one, wouldn't it?
- 9 MR. CRAWFORD: Object to the form, lacks
10 foundation.
- 11 THE WITNESS: I -- if that's Mr. Gillespie's
12 definition, then I guess then, yes, this would qualify,
13 but I wouldn't agree with that definition.
- 14 Q. (By Mr. Williams): Okay. Now, I think you indicated
15 that you were able to keep this vehicle going on two
16 wheels for was it a hundred feet, did I get that right?
- 17 A. At least, yes.
- 18 Q. Or maybe more than a hundred feet?
- 19 A. Right.
- 20 Q. I have seen that kind of thing done once in my life.
21 Years ago my father took me to a Joey Chitwood thrill
22 show. Have you ever heard of that?
- 23 A. That name came up after my event, trust me.
- 24 Q. Well, Joey is probably not around.
- 25 A. No?

1 Q. Maybe Joey, Jr. Is, but that is one of these things that
2 these stunt drivers I'll call them do, do you remember
3 that?

4 A. Mm-hmm.

5 Q. So you were doing something that a stunt driver does
6 then, weren't you?

7 MR. CRAWFORD: Object to the form.

8 THE WITNESS: Trust me, it was an accident. I
9 was just driving the vehicle and trying to correct it.
10 When I felt it go up on two, I tried to correct for it to
11 bring it down, and as a result, it stayed up on two
12 wheels for some time.

13 Q. (By Mr. Williams): Yes. So you were able to keep it
14 going on two wheels for some little while, is that right?

15 MR. CRAWFORD: Object to the form of the
16 question, misstates his testimony.

17 MR. WILLIAMS: Let me try again.

18 Q. (By Mr. Williams): You were able to keep it up on two
19 wheels going along for a hundred feet or more, is that
20 right?

21 MR. CRAWFORD: Object to the form of the
22 question, mischaracterizes his testimony.

23 THE WITNESS: That was not my intent to keep it
24 on two wheels, sir.

25 Q. (By Mr. Williams): But you did, didn't you?

1 A. That was -- that's what happened.

2 Q. All right. Did the other fellows who were watching
3 mention Joey Chitwood and say you were doing it like they
4 would -- like Joey would?

5 MR. CRAWFORD: Object to the form.

6 THE WITNESS: The Joey Chitwood comments came
7 out later, not right away.

8 Q. (By Mr. Williams): And what were those comments?

9 A. He just referred to him as running on two wheels as I
10 did.

11 Q. Okay, okay. I think you said you were trying to bail out
12 -- I'm sorry, I'm sorry, let me take that back. Before
13 the vehicle got up on two wheels and laid down, I think
14 you testified that you realized in retrospect that the
15 vehicle was telling you to bail out and you weren't
16 bailing out like you wish you had, is that right?

17 A. That's affirmative.

18 Q. Okay. And when you say bail out, do you mean by that
19 that instead of trying to turn the vehicle again to go
20 through the slalom, you just should have kept going
21 straight and not put that steer in?

22 A. Yes, it means to abort the slalom thing and just go
23 straight away.

24 Q. All right. And you feel like if you had just gone
25 straight instead of making that last turn, then the

1 vehicle wouldn't have gone up on two wheels, and it
2 wouldn't have ended up on its side, is that right?

3 A. Absolutely.

4 Q. How much pavement did you have there at the test track
5 that you could have just bailed out onto and gone
6 straight?

7 A. I think you can get dimensions off the Florida Evaluation
8 Center, but they call that the five-lane area where the
9 cones are set up down the center of a five lane, and I'm
10 guessing at the width of each lane as to be what,
11 10 feet. I'm sure that information is available.

12 Q. So you had two or three spare lanes that you could use if
13 you needed to in that test, is that right?

14 A. Lane and a half or -- yes, on the other side.

15 Q. Okay.

16 A. But I mean straight away I could have just gone straight
17 down with the cones.

18 Q. Okay.

19 A. And avoided this scenario.

20 Q. If you hadn't had those extra lanes and you had gone
21 straight, you would have gone off into the grass I guess,
22 is that right?

23 MR. CRAWFORD: Object to the form.

24 THE WITNESS: If I would had gone straight, I
25 would have gone right down the center of the track.

- 1 Q. (By Mr. Williams): No, I mean when you made this last
2 turn that led to the vehicle going up on two wheels, if
3 you had not made that last turn, if you had as you said
4 bailed out and just gone straight, would that have taken
5 you off in the direction of the unpaved area of the grass
6 on the side?
- 7 A. No, it would not have.
- 8 Q. Where would it have taken you, sir?
- 9 A. Pretty much down the center of the track.
- 10 Q. Were you going straight when you made this last turn?
- 11 A. You're going -- you're doing this.
- 12 Q. Yes, sir.
- 13 A. And you come around like this. If I would have just made
14 a mild right-hand turn, I would have gone down the center
15 of the track.
- 16 Q. If you'd made a --
- 17 A. It would not have taken the entire five lanes to save me
18 from that end result.
- 19 Q. All right. So you think you could have made a smaller
20 turn and stayed on the track all right?
- 21 A. Yes, and/or you hit a cone. I mean, that's why they're
22 there.
- 23 Q. Okay. Now, this document we marked as Exhibit 2 and the
24 Page 22 that you were looking at, it indicates that the
25 cause of the vehicle was a combination of factors, I

1 think that phrase is kind of halfway through the
2 paragraph if you remember, and feel free to refer to it
3 if you like.

4 MR. CRAWFORD: Object to the form.

5 Q. (By Mr. Williams): I'm looking like I said about halfway
6 through the paragraph. It's on the right side.

7 A. Yes.

8 Q. It refers to a combination of factors. Do you see that,
9 sir?

10 A. Yes.

11 Q. Including but not limited to his then relative
12 inexperience as a test driver, yours in other words.

13 A. Yes.

14 Q. The unfamiliarity with the vehicle load and properties
15 and the effects of the water dummies. Did I get that
16 about right?

17 A. Yes, sir.

18 Q. Okay. So when they say you were unfamiliar -- I'm sorry,
19 when they say you were inexperienced as a test driver,
20 they're saying that despite the fact you had been working
21 as a test driver and being trained by others for not
22 quite a year and had done many slaloms, that you still
23 didn't have sufficient experience to operate this E-350,
24 is that right?

25 MR. CRAWFORD: Object to the form.

1 THE WITNESS: That's not a correct statement.

2 Q. (By Mr. Williams): All right. You did have sufficient
3 experience?

4 MR. CRAWFORD: Object to the form.

5 THE WITNESS: This particular move or maneuver,
6 the slalom is a severe event designed to help develop the
7 vehicle for safe handling, and it takes skill to do that.
8 My skill was limited. Okay.

9 MR. WILLIAMS: All right.

10 THE WITNESS: The water dummies added to the
11 problem again primarily because of the way they would
12 move in the vehicle as you went from side to side, the
13 water dummies would shift positions in the vehicle.

14 Q. (By Mr. Williams): Well, we're going to talk about the
15 water dummies, but let's talk about your level of
16 experience right now if we could.

17 MR. CRAWFORD: Excuse me, Brinson, I need to go
18 down and tell McGuire not to leave, that we're running
19 late. Otherwise he's going to wonder what is happening
20 and why somebody isn't coming down to get him.

21 MR. WILLIAMS: Okay, okay. I don't think I have
22 much longer. Can we do it in five minutes if I'm not
23 finished?

24 MR. DAVIDSON: I'm going to have a few minutes
25 more.

1 MR. WILLIAMS: Well, then you better --

2 MR. CRAWFORD: Let me go down and get him.

3 THE VIDEOGRAPHER: Off the record, 12:56.

4 (Brief recess).

5 THE VIDEOGRAPHER: We're back on the record,

6 13:01. Please continue.

7 Q. (By Mr. Williams): Sir, we were discussing the phrase
8 used in this Page 22 of Exhibit 2, relative inexperience
9 I think, and apparently you didn't have quite enough
10 experience to do this after not quite a year of doing
11 these slalom maneuvers, I think that's what it means, is
12 that right?

13 A. At this speed under these conditions.

14 Q. Yes. Well, sir, can you tell us how long you needed
15 before you did have enough experience to be able to do
16 this slalom maneuver with the water dummies in the
17 vehicle?

18 A. At what speeds?

19 Q. Well, at the speed that you were attempting this
20 maneuver.

21 A. Well, actually I think at a later stage -- of course we
22 lost or bustle back at this point, but I think that again
23 hitting my gates, I was able to do it probably later on
24 that week with another vehicle.

25 Q. Another -- another E-350 vehicle?

- 1 A. Another vehicle, I can't recall.
- 2 Q. You don't know whether it was an E-350 or not?
- 3 A. That's true.
- 4 Q. All right.
- 5 A. We continued testing.
- 6 Q. All right. You indicated you were going too fast. How
7 fast were you going, do you recall?
- 8 A. My recollection is about 40 miles an hour.
- 9 Q. 40 miles an hour, and that caused you to miss the gates
10 and to put the vehicle up on two wheels and so on as
11 we've talked about?
- 12 A. The speed was not the culprit. My missing the gates was
13 what caused the tip-up.
- 14 Q. All right. Now, another thing that's listed here,
15 unfamiliarity with the vehicle load and properties, do
16 you see that, sir?
- 17 A. Yes, I do.
- 18 Q. All right. How long was it before you became familiar
19 enough with vehicle load and properties to be able to
20 handle this situation?
- 21 A. That's a very difficult question to ask.
- 22 Q. All right.
- 23 A. To answer I should say.
- 24 Q. All right. Are you aware of events when a tire will fail
25 on the rear of a vehicle and cause the vehicle to start

1 going from side to side?

2 MR. CRAWFORD: Object to the form.

3 THE WITNESS: I'm aware of rear tire failure,
4 but it doesn't necessarily cause the vehicle to go side
5 to side, at least not the ones I was involved with.

6 Q. (By Mr. Williams): Yes, but it can. That happens to
7 people, doesn't it?

8 MR. CRAWFORD: Object to the form.

9 THE WITNESS: I would think that just about
10 anything is possible under the circumstances -- under a
11 variety of circumstances.

12 Q. (By Mr. Williams): All right. But you don't know about
13 that one way or the other, is that right?

14 MR. CRAWFORD: Object to the form.

15 THE WITNESS: Know about -- could you be more
16 specific, sir?

17 MR. WILLIAMS: Certainly.

18 Q. (By Mr. Williams): But you're not familiar with events
19 where a tire will fail in some way on the rear of a
20 vehicle, and that will cause the vehicle to start going
21 from side to side?

22 MR. CRAWFORD: Object to the form.

23 THE WITNESS: I was involved with a test for the
24 Windstar where we intentionally blew a rear wheel as part
25 of our test, and the vehicle stability was very

1 controllable at rear GAWR.

2 MR. WILLIAMS: All right. At that was --
3 excuse me, I didn't mean to interrupt you.

4 THE WITNESS: So from that standpoint, a rear
5 tire blowout does not necessarily mean loss of control of
6 the vehicle.

7 Q. (By Mr. Williams): Well, I didn't say it did, but that's
8 one thing that can happen when a rear tire fails, isn't
9 it?

10 MR. CRAWFORD: Object to form.

11 THE WITNESS: Depending upon circumstances, I
12 guess just about anything is possible.

13 Q. (By Mr. Williams): So the answer to my question is yes?

14 MR. CRAWFORD: Object to the form.

15 THE WITNESS: No.

16 MR. WILLIAMS: All right. So we'll go onto
17 something else then.

18 Q. (By Mr. Williams): Was there some kind of incident
19 report prepared as to this event, sir?

20 MR. CRAWFORD: Objection, asked and answered.

21 THE WITNESS: Not to my knowledge.

22 Q. (By Mr. Williams): There wasn't?

23 A. I said not to my knowledge, sir.

24 Q. Okay, okay. Are you familiar with Ford having a policy
25 that when one of these tip-up events occurs, an incident

1 report is prepared?

2 MR. CRAWFORD: Object to the form.

3 THE WITNESS: To my knowledge the current policy
4 is that, that an incident report be written.

5 Q. (By Mr. Williams): All right. Do you know when that
6 became Ford's policy?

7 A. I can't answer.

8 Q. All right. Do you know that that was Ford's policy in
9 1989 at least before this event?

10 MR. CRAWFORD: Object to the form, assumes facts
11 not in evidence.

12 THE WITNESS: I'm not aware of that.

13 MR. WILLIAMS: All right. Let's mark this
14 document as Exhibit 3, and I will just ask you to look at
15 it, sir, for a minute. I'm not going to ask you a
16 detailed question about it, but I'd just like for you to
17 look at that and confirm for me that this is an incident
18 report as to a rollover event at a Ford Proving Ground,
19 Dearborn as a matter of fact.

20 MR. CRAWFORD: I'm sorry, can I see that before
21 you start answering questions.

22 THE WITNESS: Sure.

23 (Deposition Exhibit 3 was marked
24 for identification).

25 THE WITNESS: Okay, I believe this is what

1 you're --

2 Q. (By Mr. Williams): All right, let me just ask a question
3 about this. You've looked at this document that we've
4 marked as Exhibit 3 now, sir, is that fair?

5 A. This one is Exhibit 3, the incident report?

6 Q. Yes, sir.

7 A. Okay. Well, I've read the beginning page here.

8 Q. Okay. Well, I'll limit my questions to the first page if
9 that's all right.

10 A. All right.

11 Q. And this does describe an event which occurred -- well,
12 the address is 21500 Oakwood, do you see that, sir,
13 Dearborn, Michigan?

14 A. Yes.

15 Q. That's the street this hotel is on, isn't it?

16 A. Oakwood Boulevard, yes.

17 Q. Yes. So very close to here?

18 A. Yes.

19 Q. At a Ford facility. And it describes an event where a
20 Ford vehicle did a side -- did a slide sideways into a
21 one-quarter roll, do you see that?

22 A. That's what it states.

23 Q. That's about what happened with you, isn't it?

24 MR. WILLIAMS: Object to the form.

25 THE WITNESS: I cannot answer that.

1 Q. (By Mr. Williams): Well, your incident did involve a
2 quarter roll, in other words onto the side of the
3 vehicle, isn't that right?

4 A. That's true.

5 Q. All right. And what's the date of this document?

6 A. February of '89.

7 Q. Okay. And as a matter of fact, this is a report on this
8 rollover event, isn't it?

9 MR. CRAWFORD: Object to the form.

10 THE WITNESS: I assume that's what it is.

11 MR. WILLIAMS: Okay.

12 THE WITNESS: If you're telling me that.

13 Q. (By Mr. Williams): And this was a year or so before
14 yours, isn't that right?

15 A. Yes.

16 Q. Okay. Could you explain to the jury why there would have
17 been a report prepared as to this a year before your
18 incident, but none done about yours a year later?

19 MR. CRAWFORD: Object to the form, lacks
20 foundation, calls for speculation, argumentative.

21 THE WITNESS: I -- no, I could not respond to
22 that.

23 Q. (By Mr. Williams): All right. There were reports
24 prepared about this P6101 testing that you were doing at
25 the time, isn't that right?

1 A. Define reports. I mean, what --

2 Q. Documents.

3 A. Oh, absolutely, there were -- for the assessment of the
4 vehicle steering, tire reports, handling reports, yes,
5 there were documents produced, development reports.

6 Q. Yes, lots of them, is that fair?

7 MR. CRAWFORD: Object to the form.

8 THE WITNESS: I would think there would be quite
9 a few, yes.

10 Q. (By Mr. Williams): Did you have possession of at least
11 some of those documents at one time?

12 A. At one time, yes.

13 Q. Do you know where they are now?

14 A. According to our record retention policies, they were
15 destroyed.

16 Q. And what is that -- this record retention policy?

17 MR. CRAWFORD: Object to the form.

18 THE WITNESS: I believe --

19 MR. CRAWFORD: Vague as to time.

20 THE WITNESS: You'd have to go back in the
21 archives and get the precise declaration of that.

22 Q. (By Mr. Williams): How does six years sound, is that
23 about right?

24 MR. CRAWFORD: Object to the form.

25 THE WITNESS: I can't answer.

1 Q. (By Mr. Williams): You don't know?

2 A. I don't know.

3 Q. Well, you were working on P6101 testing as to the current
4 vehicle, they call it the 127, I think until March of
5 1996, did I remember that right?

6 A. Yes, that's correct.

7 Q. And there were lots of documents prepared as to this
8 P6101 testing of the VN127, too, weren't there?

9 MR. CRAWFORD: Object to the form.

10 THE WITNESS: There were documents produced.

11 Q. (By Mr. Williams): All right. March of 1996 isn't that
12 long ago, is it?

13 MR. CRAWFORD: Object to the form.

14 THE WITNESS: Well --

15 MR. WILLIAMS: That's what, just six years,
16 seven years?

17 MR. CRAWFORD: Object to the form.

18 Q. (By Mr. Williams): If the period for keeping documents
19 was six years, those documents should have been around
20 until -- am I adding it up right, until March of last
21 year? That would be six years after March of 1996,
22 wouldn't it?

23 MR. CRAWFORD: Object to the form and the lack
24 of foundation.

25 THE WITNESS: Ford has their policy, and I

1 cannot state the policy verbatim, but --

2 Q. (By Mr. Williams): Well, we can agree that six years
3 from March 1996 would take us to March 2002, wouldn't we?

4 MR. CRAWFORD: Object to the form.

5 THE WITNESS: Correct.

6 Q. (By Mr. Williams): Sir, do you know that in my case, the
7 judge ordered all of these documents to be produced in
8 October of the year 2001?

9 MR. CRAWFORD: Object to the form.

10 THE WITNESS: I'm not aware of that.

11 Q. (By Mr. Williams): Then you're probably also not aware
12 that Ford has said that all these documents had been
13 destroyed at least by the time the judge ordered that
14 they be produced?

15 MR. CRAWFORD: Object to the form.

16 THE WITNESS: I'm not aware of that.

17 Q. (By Mr. Williams): And that certainly would have been
18 within six years of March of 1996, wouldn't it?

19 MR. CRAWFORD: Object to the form.

20 THE WITNESS: If -- I mean, yes. You're asking
21 the wrong person.

22 MR. WILLIAMS: Okay. Thank you. That's all I
23 have.

24 MR. MULVIHILL: Mr. Schettler, my name is Dennis
25 Mulvihill, we met prior to the deposition, and I just

1 have a few follow-up questions for you.

2 EXAMINATION

3 BY MR. MULVIHILL:

4 Q. So I understand this, you're not calling this event a
5 rollover, you're calling it a lay down?

6 MR. CRAWFORD: Object to the form, it's been
7 asked and answered.

8 THE WITNESS: That's my terminology.

9 Q. (By Mr. Mulvihill): And I think you said also that you
10 were doing these tests as part of the P6101 testing
11 protocol, is that right?

12 A. As part of the total development of the VN58 vehicle,
13 yes.

14 Q. And the VN58 was the '92 to 96 model years of the
15 Econoline 15 passenger van?

16 A. For the whole Econoline series.

17 Q. 15 passenger vans, correct?

18 A. Included.

19 Q. This was a 15 passenger van you were testing?

20 A. This particular incident, yes, it was.

21 Q. Okay. I understood you to say that this -- that you --
22 obviously with Mr. Williams you just went over the fact
23 that no incident report was filled out?

24 A. To my knowledge, sir.

25 Q. To your knowledge, correct. Did you fill out any P6101

1 forms as a result of this incident?

2 MR. CRAWFORD: Object, it's been asked and
3 answered.

4 THE WITNESS: No, there's -- I mean, to my
5 knowledge there's no P6101 form per se. We write
6 development reports indicating that the vehicle is
7 acceptable for ride and -- for handling, for steering, et
8 cetera.

9 Q. (By Mr. Mulvihill): You would write those reports
10 typically after each test, correct?

11 A. That is not true.

12 Q. When would you write the report?

13 A. In the development process, we develop a vehicle to be a
14 safe, controllable vehicle, and upon completion we write
15 the report saying that we have met our goal.

16 Q. Move to strike as non-responsive. When would you write
17 the tests, the test results?

18 A. Upon successful completion of the test.

19 Q. Right. And you would do how many tests in a day when
20 you're doing the P6101 tests?

21 A. Well, that's a difficult question to answer. Depending
22 upon what we were testing, where, how, that could vary
23 immensely.

24 Q. Okay. If you did three tests in a particular day for
25 example, would you then write up your findings from those

1 tests into a test report on that same day?

2 A. Not necessarily, no.

3 Q. When would you write it up, a week later, a month later?

4 MR. CRAWFORD: Object to the form.

5 THE WITNESS: One -- when we -- if we were
6 developing say a bushing for a stabilizer bar, we could
7 continue testing until we had success with that bar and
8 we optimized the handling of the vehicle, at which point
9 we would write a report telling the rest of the community
10 that this was the stabilizer bar bushing that dynamics
11 wanted in this vehicle.

12 Q. (By Mr. Mulvihill): What's the longest you went after a
13 test before you wrote up a report in your P6101
14 experience?

15 A. Oh, that's a difficult question, sir. That's -- that
16 could vary. I mean --

17 Q. All right. Well, let's move on then. You said earlier
18 that the critique of this event was of you and your
19 driving abilities rather than the vehicle and the
20 vehicle's performance, is that accurate?

21 A. Amongst my peers, yes.

22 Q. And you also said that the P6101 test and these tests
23 that you did were designed to help design a safer
24 vehicle, correct?

25 A. That's correct.

1 Q. Do you know whether or not any of the data from your
2 rollover event ever went into designing a safer vehicle?

3 MR. CRAWFORD: Object to the form.

4 THE WITNESS: Data, sir, what do you mean by
5 data?

6 MR. MULVIHILL: Well, your experience in rolling
7 the vehicle over on your slalom test.

8 THE WITNESS: Well, as I said, it wasn't the
9 vehicle's fault, it was mine.

10 MR. MULVIHILL: Well, I want to move to strike
11 that as nonresponsive.

12 Q. (By Mr. Mulvihill): Do you know whether or not your
13 experience in rolling over the vehicle was ever
14 communicated to design engineers to help design a more
15 stable vehicle?

16 MR. CRAWFORD: Object to the form.

17 THE WITNESS: Not to my knowledge, but the
18 primary responsibility of handling was Jerry Bravo's, and
19 as I stated earlier, he successfully completed that
20 serpentine test.

21 Q. (By Mr. Mulvihill): So what's the significance of that?

22 MR. CRAWFORD: Object to the form of the
23 question.

24 THE WITNESS: Because of my lack of skills and
25 my insistence to try to complete the maneuver was the

- 1 reason for the failure, not the vehicle's.
- 2 Q. (By Mr. Mulvihill): If you had gone off the test track,
3 you would not have driven into oncoming traffic, would
4 you have?
- 5 A. No, sir.
- 6 Q. There were no culverts right off of the cement of the
7 test track?
- 8 A. There is a culvert, not a cement culvert, but a
9 pass-through for water on the one side at the test track.
- 10 Q. What do you mean a pass-through for water?
- 11 A. A corrugated pipe running underneath the track permitting
12 water to pass from one side to the other.
- 13 Q. You wouldn't have struck that with the vehicle if it's
14 underground, correct?
- 15 A. It -- the ground slopes away from the edge of the track,
16 and the pipe is there at an angle to permit water to
17 pass.
- 18 Q. There was no --
- 19 A. I never went off the track.
- 20 Q. Mr. Thrasher was present when you rolled the vehicle, is
21 that correct?
- 22 A. That's true.
- 23 Q. Did you talk with Mr. Thrasher about that event and how
24 to avoid that down the road?
- 25 A. Yes, and Mr. Bravo.

- 1 Q. Okay. And what did Mr. Thrasher tell you to avoid
2 rolling over the vehicle in the future?
- 3 A. Mr. Thrasher told me nothing to avoid rolling it over.
4 Mr. Thrasher corrected my driving by saying that you hit
5 your gate -- if you start missing your gate, that the
6 error compounds with each successive gate of the
7 serpentine maneuver which I dramatically proved out.
- 8 Q. You had that -- I'm sorry, I didn't mean to interrupt.
- 9 A. And then once -- once you start missing a gate, you --
10 it's time to bail out.
- 11 Q. How large were these cones?
- 12 A. Well, I would think they're your standard orange cones
13 standing about so high.
- 14 Q. You're not suggesting that striking the cone had anything
15 to do with the vehicle rolling over, are you?
- 16 A. Oh, absolutely not. I don't think I even hit a cone.
- 17 Q. That vehicle you were driving, that 15 passenger van,
18 rolled over based on steering input alone, correct?
- 19 A. Based on the maneuver, the speed I was going, the angle
20 that I cranked in, the shifting weight of the water
21 dummies and my lack of experience is why it went down.
- 22 Q. Move to strike. That vehicle did not strike anything on
23 the pavement, correct, that would have caused it to roll
24 over?
- 25 A. No.

- 1 Q. Correct?
- 2 A. I'm sorry?
- 3 Q. Correct?
- 4 A. It did not strike anything on the pavement to cause it to
5 roll over, it was the --
- 6 Q. There was no ramp or curb that you struck that might
7 cause it to trip over, correct?
- 8 A. No, there was nothing. It was a flat surface.
- 9 Q. Flat surface based on steering input alone and your
10 inexperience as a driver, is that correct, and the water
11 shifting around, is that what you're saying?
- 12 A. And the speed and the angle of my steering wheel input.
- 13 Q. Now, you were wearing a helmet?
- 14 A. That's correct.
- 15 Q. And did it have -- did that vehicle have production seat
16 belts in it?
- 17 A. Yes, it did.
- 18 Q. And you were going 40 miles an hour at the initiation of
19 this slalom maneuver?
- 20 A. Yes, sir.
- 21 Q. And did you speed up during the slalom or slow down?
- 22 A. The procedure was to try to maintain speed. I don't
23 recall looking at the speedometer right before it tipped
24 up, but I would think I would be somewhere in that
25 vicinity.

1 Q. And the vehicle rolled at about 40 miles an hour?

2 A. I'm guessing that at the initiation of the roll, it might
3 have been around the 40 mile an hour mark, i.e., when it
4 went up on two wheels. At that point of course I got off
5 the gas.

6 Q. When you didn't bail out, you had no ability to bring
7 that vehicle back in control, correct?

8 MR. CRAWFORD: Object to the form.

9 THE WITNESS: Can you please clarify that one?

10 MR. MULVIHILL: Sure.

11 Q. (By Mr. Mulvihill): You talked about the vehicle
12 communicated to you that you ought to bail out of the
13 maneuver?

14 A. That's correct.

15 Q. Okay.

16 A. Prior -- a couple of cones before that.

17 Q. Now I think you said you were about at the fourth cone
18 when this event started, correct?

19 A. Yes, yes.

20 Q. Okay. And when you didn't listen to the vehicle so to
21 speak and continued on with the maneuvers, at that point
22 you had no ability to bring that vehicle back under
23 control, correct?

24 MR. CRAWFORD: Object of the form.

25 THE WITNESS: I would say yes, I did have

1 ability, the fact that I held it up on two wheels for as
2 long as I did. In hindsight, had I jerked the steering
3 wheel to the left one more time, I think the vehicle
4 would have come down on all fours and we wouldn't be
5 here.

6 Q. (By Mr. Mulvihill): You were controlling the vehicle on
7 two wheels, is that what you're telling me?

8 MR. CRAWFORD: Object to the form.

9 THE WITNESS: The vehicle -- I was headed
10 northbound on the track, and after I rounded either the
11 fourth or sixth cone, I was making a right-hand turn.
12 The vehicle hooked around and actually came back on two
13 wheels southbound, and it came back at least two cones
14 which is 160 feet, and when it finally came to rest on
15 its side, it just fell onto its side gently.

16 MR. MULVIHILL: Move to strike as nonresponsive.

17 Q. (By Mr. Mulvihill): Was the vehicle under control when
18 it was on two wheels?

19 MR. CRAWFORD: Object to form.

20 THE WITNESS: Not from me.

21 Q. (By Mr. Mulvihill): At what point during your maneuver
22 did the vehicle become uncontrollable for you in your
23 skill as a driver having been a professional driver for
24 Ford for about a year?

25 A. In hindsight, probably the cone before.

1 Q. The third cone?

2 A. Yes. Well, the third or fifth cone. Again, I don't
3 recall whether it was the fourth or sixth cone that I
4 went around.

5 Q. And after that third cone, despite the fact that you had
6 been a professional driver being trained at Ford for
7 almost a year, you had no ability to prevent that vehicle
8 from rolling over?

9 MR. CRAWFORD: Object to the form of the
10 question.

11 Q. (By Mr. Mulvihill): Correct?

12 A. I had the ability to bail out which I did not do.

13 Q. But you didn't know the vehicle was about to roll over,
14 correct?

15 A. Not at the third cone, no.

16 Q. So when you didn't bail out, after that next steering
17 maneuver is when you lost control of the vehicle and had
18 no ability to rescue it from a rollover, correct?

19 A. After it got up on two wheels, I definitely did not have
20 control, total control.

21 Q. And the reason you couldn't use that bustle back, the 15
22 passenger van the rest of the week of testing was because
23 it was damaged in the rollover, correct?

24 A. Yes, it had been damaged, and the water that we used, the
25 well water down there, made it very odorific.

1 wheel came up.

2 Q. Are you equating the two-wheel lift with loss of control
3 or are you indicating that loss of control occurred prior
4 to two-wheel lift?

5 A. My loss of control occurred when the rear wheel came off
6 the ground, my personal loss of control. The front wheel
7 had been in the air.

8 Q. How far did the vehicle travel on two wheels before it as
9 you put it laid down?

10 MR. CRAWFORD: Objection, it's been asked and
11 answered.

12 THE WITNESS: At least two cones.

13 MR. DAVIDSON: All right.

14 THE WITNESS: Going in the opposite direction.

15 Q. (By Mr. Davidson): That's what I'm wondering. You made
16 some hand gesture, and I wanted to understand what you're
17 saying there. Are you saying that the vehicle did
18 something on the order of a 180 in terms of which way it
19 was facing, but kept going in the same direction it had
20 already been going?

21 A. As I was making the turns, when I made the final turn,
22 the ride-hand bend, the vehicle made a hook and then just
23 came back the way -- from my place where I started.

24 Q. Well, it didn't reverse direction, did it, and go back
25 where you started from?

- 1 A. It just made a 180 and came back, back around.
- 2 Q. If I understand what you're saying, it revolved in such a
3 way or yawed maybe is the right term so it was facing the
4 direction from which you had come, but it was continuing
5 to move in the direction toward which you had already
6 been going?
- 7 A. No, no, it was moving -- like I said, I was headed
8 northbound, and then after I -- it got up on two wheels,
9 it made a big circle and then was headed southbound.
- 10 Q. Well, I see. So did it then head southbound for some
11 distance beyond the point where the circle occurred?
- 12 A. Beyond -- well, it went about two cones from the last
13 cone that I passed, it came back south about two cones
14 worth.
- 15 Q. Can you give us any sense of the --
- 16 A. They're 80 feet between cones.
- 17 Q. No, I'm talking about the turning radius so we understand
18 exactly what happened.
- 19 A. Well, turning radius when you're on two wheels doesn't
20 apply. It's a bicycle at that point.
- 21 Q. You talked about a circle, some sort of a circular
22 maneuver, and I'm wondering if you can characterize it in
23 any way so we know how much distance that covered. Was
24 it a very sharp loop or something less?
- 25 A. Well, I would think it would be sharp. I mean, it's no

1 different than if you take a quarter and roll it down and
2 it goes like this and returns on you at that point.

3 Q. So you're heading approximately steady state of 40 miles
4 an hour when this two-wheel lift occurs, and you're doing
5 some sort of a maneuver, granted not intentionally, that
6 results in the vehicle going through a circular type of
7 path and heading back the other way, and then the vehicle
8 levels out?

9 A. But I am letting off the gas and possibly putting on the
10 brakes and turning the wheel all at the same time.

11 Q. Was it after the brakes were put on and your foot came
12 off the accelerator, that that's when the lay down of the
13 vehicle took place?

14 A. No, I can't -- my memory is not that good.

15 Q. Did you hear screeching of the rear wheels?

16 A. I heard that long prior to -- prior to any two-wheel
17 lift.

18 Q. Did you sense that the rear wheels were sliding at all in
19 the course of this reversal of direction?

20 MR. CRAWFORD: Object to the form.

21 Q. (By Mr. Davidson): As opposed to simply losing traction?

22 A. Normal serpentine, when you get up to normal serpentine,
23 you will have wheel squeal, tire squeal.

24 Q. Now, did you repeat the slalom test the same day or the
25 next day going at the same speeds in the same vehicle?

1 MR. CRAWFORD: Object to the form.

2 THE WITNESS: The vehicle was not being used at
3 that point.

4 Q. (By Mr. Davidson): Did you use another similar vehicle
5 to do the same test at the same speeds the next day?

6 A. I don't recall. Again like I said, this particular
7 incident stands out because of what happened. Anything
8 that happened after that is not quite as vivid.

9 Q. Well, I'm asking that because you said that you write
10 these P6101 reports on successful completion of the
11 P6101 evaluations, is that right?

12 A. We develop a vehicle, and in the process of development,
13 we continually change things with the end goal to make a
14 safe and controllable vehicle. That's our mission. And
15 to write interim reports saying, well, we tried this and
16 this didn't work, that happens on occasion, but not as a
17 standard practice.

18 Q. I just want to take this step by step. You said you
19 write the report on successful completion of the test, is
20 that a correct understanding, at some point when you
21 finally successfully complete?

22 A. Yes, yes.

23 Q. Now, this wouldn't be prior to the success, this
24 particular incident I suppose we can agree on that, can
25 we not?

1 A. I cannot tell you at what level that prototype was at
2 this stage and where we were with any of the suspension
3 components.

4 Q. But what I'm saying is wouldn't you agree that there is
5 no doubt that this incident you were involved in was not
6 something you viewed as part of the success?

7 A. Oh, no, definitely not from my standpoint in particular.

8 Q. What was the definition of success, that you had to be
9 able to do this kind of a test at least once to achieve
10 success, the slalom test?

11 A. No, you had to complete -- you had to complete the slalom
12 event with confidence and stability.

13 Q. And how many times did you have to do it successfully to
14 be able to say to yourself we succeeded?

15 A. That's a subjective call.

16 Q. Did you ever do this same test again that resulted in the
17 incident we've been discussing and do it successfully,
18 the same test, same speed, same slalom course, same
19 steering maneuvers?

20 MR. CRAWFORD: Same vehicle?

21 MR. DAVIDSON: No, I didn't say that.

22 THE WITNESS: Same style of vehicle?

23 MR. DAVIDSON: Yes.

24 MR. CRAWFORD: Object to form of the question.

25 THE WITNESS: I don't recall repeating that

1 exact test with a bustle back and water dummies.

2 Q. (By Mr. Davidson): So you can't say as you sit here now
3 whether if you had done it again, you could have
4 succeeded and done it the same way?

5 A. That's true. I would like to think my current experience
6 would get me through it.

7 Q. Do you know if Mr. Bravo ever did the test the same way
8 you did and performed it successfully?

9 A. Yes, Mr. Bravo did it the day before and successfully
10 completed it.

11 Q. I thought that after you had this incident, people were
12 advising you what not to do. Are you saying that they
13 did it the same way you did?

14 A. They success -- Mr. Bravo completed it successfully the
15 day prior.

16 Q. Did he run it the same way you did when you ran into this
17 incident?

18 MR. CRAWFORD: Object to the form.

19 THE WITNESS: From an observer standpoint, it
20 appears that way. I'm not in the vehicle with him.

21 Q. (By Mr. Davidson): To your knowledge was there any
22 change in the ride and handling characteristics of the
23 vehicle from the time you were doing this evaluation in
24 the prototype you were driving that day?

25 MR. CRAWFORD: Object to the form.

1 THE WITNESS: I don't recall. I doubt it, but I
2 don't recall.

3 Q. (By Mr. Davidson): All right. But I take it from what
4 you've told us, that you were favorably impressed, and
5 what happened to you wasn't of concern to you in respect
6 to the suitability of the vehicle for the driving public,
7 is that the case?

8 A. That's true.

9 Q. You never voiced a concern about that with your fellow
10 drivers who were ribbing you about the Chitwood analogy
11 or any of the other people who you had occasion to talk
12 to about this incident?

13 MR. CRAWFORD: Object to the form.

14 THE WITNESS: No.

15 Q. (By Mr. Davidson): Never said this gives me some pause
16 and some concern about the vehicle?

17 A. No, the converse is true.

18 Q. It reassured you it was a safe vehicle, is that it?

19 A. I've talked to my co-workers and family members
20 indicating what a in my opinion superior handling vehicle
21 the Econoline is.

22 MR. DAVIDSON: That's all.

23 THE VIDEOGRAPHER: Any further questions? This
24 completes the deposition of Richard Schettler. We're off
25 the record at 13:33.

1 STATE OF MICHIGAN)
)SS.
2 COUNTY OF OAKLAND)

3 CERTIFICATE OF NOTARY PUBLIC

4 I, DIANE L. SZACH, a Notary Public in and for
the above county and state, do hereby certify that the
5 deposition of said witness was taken before me at the
time and place hereinbefore set forth; witness was by me
6 first duly sworn to testify to the truth; that thereupon
the foregoing questions were asked and foregoing answers
7 made stenographically and later reduced to typewritten
form; and I certify that this is a true and correct
8 transcript of my stenographic notes so taken.

9 I do further certify that I am not connected by
blood or marriage to any of the parties, or their
attorneys or agents; that I am not an employee of them,
10 nor am I interested directly or indirectly in the matter
in controversy either as counsel, agent, attorney, or
11 otherwise.

12

13

DIANE L. SZACH, CSR-3170
Certified Shorthand Reporter

14

Notary Public, Oakland County
Michigan

15

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My Commission Expires:
03/09/05

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