



Practice: Automotive

ESi Consultants

Richard A. Mink, MSME, PE
Senior Staff Consultant
ramink@engsys.com
630.851.4566

Joseph F. Arruda, III
Senior Consultant
jfarruda@engsys.com
949.336.9001

Gary R. Rogers, MSME, PE
Principal
grogers@engsys.com
980.221.8111

Services Utilized

- Vehicle Accident Reconstruction
- FARO Laser Scanning
- Photographic Analysis
- Crash Data Retrieval and Analysis
- Document Review

About ESI

For over 30 years, ESI has leveraged its multidisciplinary team of engineers, scientists, and professional technical staff to investigate many major accidents and disasters. Our technical expertise, hands-on experience and state-of-the-art facilities, combined with diagnostic, analytical and physical testing capabilities create an ideal environment for quickly identifying and interpreting the facts of a case.

Contact ESI

For more information visit our website or call us toll free at 866.596.3994

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ANALYSIS REVEALS DRIVER NEVER APPLIED BRAKES

Crash data retrieved from the van's Powertrain Control Module, when analyzed with scene scan data and evidence, refuted Plaintiff's sworn testimony regarding her actions leading up to the crash and led to the court granting Defendant's Motion for Summary Judgement and dismissing Plaintiff's Complaint.

SITUATION

Plaintiff was driving a rental truck, built on a van chassis, when she failed to negotiate a curve in the roadway and struck a house located along the outside of the curve. Plaintiff alleged that the van's steering and brakes failed, causing her to collide with the house and sustain various personal injuries. Plaintiff further alleged that the post-crash condition of the van had been subsequently altered such that her experts were prevented from collecting the evidence necessary to pursue her claims of steering and brake failure.

SCOPE OF WORK

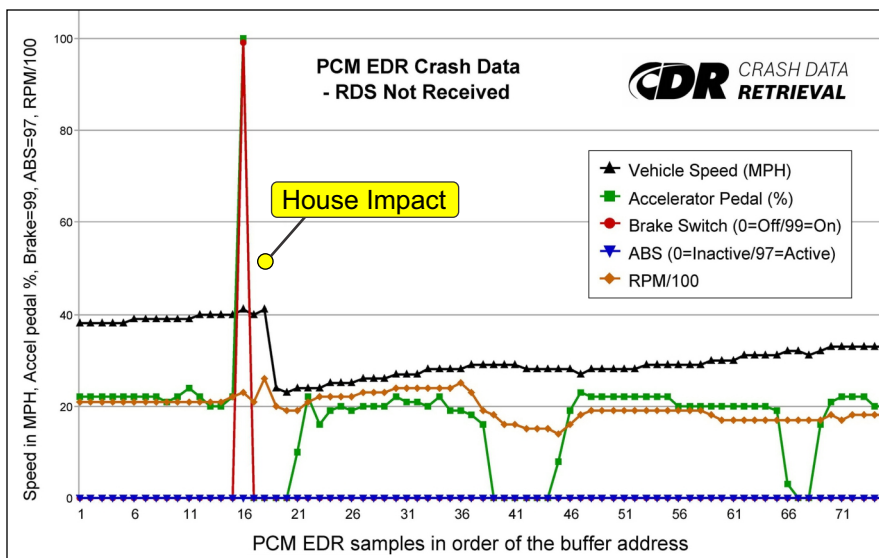
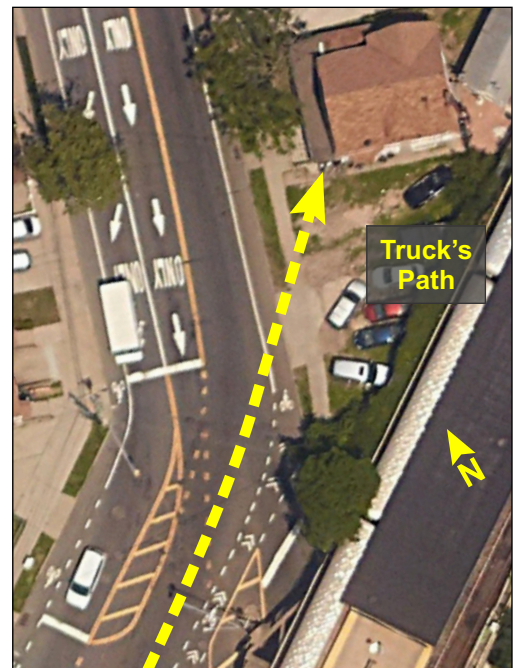
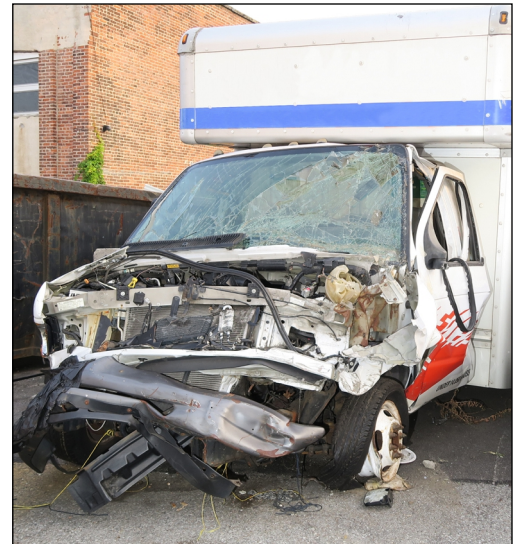
ESi was retained to inspect the subject van, to review the crash data retrieved from the subject van, and to review the opinions submitted by Plaintiff's experts.

RESULTS

After inspecting the subject van, reviewing the crash data stored in the Powertrain Control Module (PCM) and reviewing the opinions and qualifications of Plaintiff's experts, ESi's consultants submitted sworn affidavits to the court testifying:

- 1) The post-crash alterations to the van by others did not materially affect the ability to assess the pre-crash condition of the van's steering or braking systems,
- 2) The PCM data, when analyzed with scene scan data and evidence, conclusively showed Plaintiff was actively controlling the van throughout the 25-second period leading to the crash,
- 3) The PCM data conclusively showed Plaintiff never braked or attempted to slow the vehicle in response to the alleged steering and brake malfunctions, in direct opposition to her sworn deposition testimony,
- 4) Proper procedures were used to retrieve the crash data from the PCM, and
- 5) Plaintiff's experts lacked the training and experience necessary to provide valid opinions on the relevant matters, and the opinions they did provide conflicted with known characteristics of the subject van's steering and braking systems and Powertrain Control Module.

The court granted Defendant's Motion for Summary Judgment and dismissed Plaintiff's Complaint. The court denied Plaintiff's Motion for Sanctions that she demanded for alleged spoliation.



Engineering Consulting
and Forensic Investigation

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WHY ESi. The ESi Automotive Team brings together a diverse team of engineers, mechanics, technicians, scientists, and researchers, and equips them with technology needed to gather complex data and provide the most comprehensive analysis possible to our clients. With members of our team stationed at each of the ESi offices throughout the country, we can deploy the Automotive Practice Group to the site of any automotive accident, regardless of location.