

HHD-CV-08-6002967-S : SUPERIOR COURT  
RENAY EMMANUELE, ET AL : J.D. OF HARTFORD  
VS. : AT HARTFORD  
LAWFORD HOWELL, ET AL : MARCH 25, 2011

**Plaintiffs' Memorandum of Law in Support of the Admission of the  
OmniTRACS Messages and Positioning Data into Evidence**

The OmniTRACS messages and positioning data are direct evidence of Lawford Howell's activities in the hours leading up to this crash. The evidence is relevant and material to the issues concerning the allegations that Howell's carelessness and/or recklessness were causes of the crash. In addition, the OmniTRACS evidence is relevant and material to Howell's credibility as to matters directly at issue in the case. The evidence demonstrates that Howell lied about non-collateral matters including the claims made in his driver's logs, which are required to be truthful and accurate under penalties of prosecution, his statements to police in the course of their accident investigation (and in sworn written statements to the police), and under oath at his depositions.

**I. Factual and Procedural Background**

OmniTRACS Mobile Information Management System is a two-way satellite communications mobile messaging and position location service. Sold by Qualcomm, Inc., OmniTRACS consists of computer hardware installed on a tractor truck that communicates with two satellites orbiting the earth. The combined use of the onboard computer equipment and the satellites allows a driver and a dispatcher to communicate with one another electronically while a driver is on the road.

OmniTRACS also automatically records and provides information to the trucking company's dispatchers regarding the location of trucks and the loads. OmniTRACS automatically determines the location of the trucks through a proprietary pre-GPS system that it is highly accurate and reliable to within ½ a mile.

Here, the defendant trucking company, ATS, Inc., subscribed to the OmniTRACS messaging and positioning service as of January 2008 (the crash occurred on January 8, 2008), and the defendant Lawford Howell's tractor truck was equipped with an OmniTRACS unit at the time of, and leading up to the crash.

During the course of this litigation the ATS, Inc. has produced print-outs of OmniTRACS messages ("OmniTRACS Messages") and OmniTRACS Positioning Reports ("OmniTRACS Positioning Reports") concerning the tractor truck that Lawford Howell was driving on the day of this crash. Specifically, in February 2009 the Defendants' served their Objections and Responses to Plaintiffs' Requests for Production (**Ex. A** hereto) in which they identified the Qualcomm Messages as records "generated through the use of the QUALCOMM OMNITRAX system, if applicable, for the 1999 Freightliner Tractor Truck bearing VIN # 1FUYSSEB6XL964932 for the seven days prior to and including the date of the accident, January 8, 2008." No objection was interposed, and the trucking company produced voluminous OmniTRACS Messages for the requested timeframe. It subsequently produced the OmniTRACS Positioning Reports by way of supplemental compliance with the same discovery request.

From that set larger set of 80+ pages of messages and reports produced, Plaintiffs have selected for use at trial—(1) several messages sent between Lawford Howell and ATS, Inc. dispatchers on January 7<sup>th</sup> and 8<sup>th</sup> (many of which also include OmniTRACS

positioning data—Howell’s truck’s latitude and longitude at the date and time indicated, and the mileage from the nearest city or landmark), and (2) the Positioning Reports for those two days. *See* OmniTRACS Messages, **Ex B**, and OmniTRACS Positioning Reports, **Ex. C**).

The Defendants had sought to preclude this OmniTRACS evidence by way of motion in limine a few weeks ago (dckt. #291). This Court denied the motion (see dckt. sheet ruling at #291), adding that the Court would “not be uncomfortable” allowing the Defendants’ assertions about the reliability of the information to go to the weight to be given the evidence, not its admissibility.

In seeking to preclude this evidence, the Defendants erroneously claimed that the OmniTRACS messages and positioning reports / data “are hearsay, there is no foundation and any potentially relevant information has not been shown to be accurate and reliable.” *Id.*, p. 1. (Accordingly, the testimony of ATS, Inc. by corporate representative Steven Psyck is material to an issue in the case—the reliability of the OmniTRACS evidence. Plaintiffs respectfully move for reconsideration of the Court’s ruling on the excerpts from Psyck’s/ATS’ testimony concerning the many different things ATS relies on OmniTRACS for).

Initially (and in response to the suggestion that the OmniTRACS evidence is merely “potentially relevant”), the Court should note that there is an *abundance* of information in the OmniTRACS messages and positioning data that is highly relevant to at least two critical issues—how far / long Howell had driven prior to the crash, and his credibility.

As has been discussed at length during the course of the trial, Howell's activities and whereabouts in the hours leading up to the crash are material to the negligence and recklessness allegations.

The OmniTRACS evidence also demonstrates that Howell has repeatedly lied under oath (and to the police) about his whereabouts and activities in the hours leading up to the crash. Whether Howell can be believed is centrally at issue here since he is the only person who states that he was turning left on the green arrow when the crash occurred, and because he continues to deny being on the cell phone at the time of the crash even in the face of evidence that clearly shows he was.

Accordingly, the Defendants' purported foundational concerns are absurd. The OmniTRACS records are probative of and material to the two critical liability issues that the jury must determine—Howell's whereabouts and activities in the hours leading up to the crash, and his credibility.

The authenticity and reliability of the OmniTRACS Messages and Positioning Reports is also unassailable. As noted, **in response to Plaintiffs' discovery request for Howell's truck's OmniTRACS records, the Defendants identified and produced, without objection, the OmniTRACS evidence at issue here.** Thus, by the Defendants' own admission (corroborated by the sworn testimony of its corporate representative) the OmniTRACS Messages and OmniTRACS Positioning Reports are true and accurate copies of printouts of messages and data compiled by the OmniTRACS system concerning Lawford Howell's activities and whereabouts.<sup>1</sup>

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<sup>1</sup> See also Defendants' Response to Plaintiffs' Request for Admissions (*see* dckt. #327) in which they admitted "that the 'print-outs' of the OmniTRACS messages ... were exact copies as they were true and accurate 'print-outs' of what appeared on the computer screens and that they were printed out for preservation purposes"

Defendants' vague and unsubstantiated criticisms of the reliability and accuracy of the OmniTRACS evidence have been answered by the uncontroverted testimony of both ATS's and Qualcomm's corporate representatives.

**ATS, Inc.'s Most Knowledgeable Corporate Representative's Testimony Regarding the Accuracy and Reliability of the OmniTRACS Evidence**

Steven Psyck was the corporate representative designated as **"the person at ATS, Inc. most knowledgeable about the OmniTRACS messaging records marked as Exhibit 4 at Lawford Howell's deposition, and the OmniTRACS system that was in existence and being used as a means of tracking/monitoring/messaging for the truck/tractor/trailer driven by Lawford Howell on January 7, 2008 and January 8, 2008."** See Transcript of Deposition of Steven Psyck, **Ex. D** at 4:14 – 5:3. Mr. Psyck, a maintenance manager, testified that in fact he *is* the most knowledgeable person at ATS about those subjects. Thus, speaking on behalf of ATS, Inc., he testified that:

- OmniTRACS is a two-way communication system;
- ATS, Inc. has been using the OmniTRACS System since the early 1990s
- Mr. Howells's tractor was equipped with an OmniTRACS mobile communication device at the time of this crash;
- the OmniTRACS Messages produced by ATS, Inc. in this litigation are created in the ordinary course of ATS, Inc.'s business (referring to Ex. 2 to Psyck's deposition which is **Ex.B** hereto)
- in the normal course of ATS, Inc.'s business, ATS, Inc. uses the OmniTRACS system to determine approximate vehicle locations;
- in its normal course of its business ATS, Inc. uses the OmniTRACS system to communicate with its drivers;
- ATS, Inc. uses the OmniTRACS System in the course of investigating accidents;

- ATS, Inc. makes business decisions that rely on the data compiled by the OmniTRACS System<sup>2</sup>

See *Psyck Depo.*, **Ex. D** at 10:2-5, 10:15-25; 6:11-14; 6:19-25 and 10:15-25; 17:13-16; 11:13-16; 11:17-20; 13:17-19.

#### **ATS Inc.'s Dispatcher's Testimony Regarding the Accuracy and Reliability of the OmniTRACS Evidence**

One of ATS, Inc.'s dispatchers, Nora Novotny, a "user" in some of the OmniTRACS Messages at issue was also deposed by the Plaintiffs. She was the dispatcher sending and receiving some of the messages. Ms. Novotny testified that the job of dispatcher for ATS requires that she sit at a desk in front of a computer that runs the OmniTRACS software and communicate with the drivers answering any questions they have and assigning load pick-ups. Through the use of OmniTRACS the ATS dispatchers had all of the information contained in these documents available to them in real-time. They would utilize the information in the regular course of their dispatching duties. Ms. Novotny for instance said it was the only program they were using for the location of trucks in dispatching over 500 trucks on any given shift, the majority of which were equipped with the OmniTRACS system. Ms. Novotny also said that if and when she had any concerns about the accuracy of the OmniTRACS positioning data for a truck she would notify a supervisor by e-mail and it would usually be rectified within hours.

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<sup>2</sup> Psyck, an ATS, Inc. maintenance manager, also testified that the only thing he did to prepare for his deposition as ATS, Inc.'s corporate designee regarding the tractor's OmniTRACS data was review the OmniTRACS Messages and Positioning Reports sent to him by Plaintiffs' counsel (*Psyck Depo.*, **Ex. D** at 5:5-8), that he was "uncertain" whether ATS was aware of any functional problems with the OmniTRACS unit in Mr. Howell's tractor prior to the time of this crash and that he did not undertake that inquiry in response to being designated as the company representative (*id.* at 8:1-13), **Ex. D**.

Ms Novotny also explained that much of the information in the messages is automatically generated by the computer, and that ATS, Inc.'s drivers were required to send certain messages upon certain events (i.e. "arrival," "depart from final destination").

OmniTRACs is a vital work tool for ATS dispatch without which the job of keeping track of and efficiently managing approximately 1500 trucks would have been messy.

**Qualcomm, Inc.'s Most Knowledgeable Corporate Representative's  
Testimony Regarding the Accuracy and Reliability of the OmniTRACs Evidence**

Plaintiffs also took the deposition of Michael Hein, the **"the person at Qualcomm, Inc. most knowledgeable about the OmniTRACs positioning and messaging system / service provided to ATS, Inc. ... to track / monitor its fleet and communicate with its drivers in January 2008 including ... the authenticity, accuracy, and reliability (particularly the date and times, and global / location positioning data) of these records."**

Mr. Hein, testified that he is in fact the most knowledgeable person at Qualcomm about those subjects, and that:

- the OmniTRACs service Qualcomm provides to ATS, Inc. is both a mobile messaging and position location service (and that that was true in January 2008);
- as messages are sent via OmniTRACs, as well as on an incremental basis every hour if no messages are sent, the system sends a position report back from the truck showing where it is located;
- the position or location of the truck is calculated using a Qualcomm method that uses a main satellite, a ranger satellite, and fixed units around the country enabling the Qualcomm system to calculate / triangulate the location of the truck;
- the OmniTRACs software purchased by ATS, Inc. has the capability of printing out positioning reports—showing date/time, latitude/longitude, and nearest landmark, etc.—for January 2008 for a particular tractor;

- the hardware and software that comprises the OmniTRACS service being used by ATS, Inc. / in Lawford Howell's tractor trailer as of January 2008 are to both message its drivers as well as obtain a position history regarding the location of the tractor trucks;
- **the OmniTRACS positioning service accurately locates the truck within 300 meters (984 feet or .18 miles) 90% of the time, and within 360 meters (1,181 feet or .22 miles) 95% of the time (and that this was true in January 2008 as well);**
- **Qualcomm was not aware of any system-wide problems or malfunctions with the OmniTRACS positioning system in January 2008; and**
- **Qualcomm has no reason to believe that the positioning service provided to ATS, Inc. in January 2008 was not as reliably accurate as the statistics stated above (90% - 360 meters / 95% - 300 meters);**

See Hein Depo, **Ex E.** at 13:10 – 14:3, 15:5-16, 19:5-11; 32:10-16; 46:25 – 47:8; 48:16-18; 48:21 – 49:2; 49:4-10; 67:6-24; 72:14 – 73:2.<sup>3</sup> Plaintiffs' trucking safety expert, David Stopper, is also expected to testify that, based on his familiarity with the OmniTRACS system and these particular documents, that the OmniTRACS evidence here is reliable and accurate.

#### **ATS, Inc. Touts Its Use of State of the Art Technology Such As OmniTRACS As Enabling the Company's Dependability**

ATS, Inc., in its own words,

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<sup>3</sup> In *American Oil Co. v. Valenti*, 179 Conn. 349, 350-55 (1979), the defendant, the principal debtor on a promissory note and contract of guarantee, contested the admissibility of computer printouts summarizing the state of his accounts. In admitting the printouts, the trial court relied on the testimony of the plaintiff's sales manager, who supervised the defendant's account and whose knowledge of computer processing was derived from his monthly receipt of computer printouts and from working with other employees directly responsible for credit and computer procedures. *Id.* 357. The sales manager did not participate personally in preparing the statements or use a computer himself. *Id.* The Supreme Court concluded that the plaintiff had provided an adequate foundation for admitting the print-outs, reasoning that a person without detailed knowledge of computers who uses computer records and has only an indirect role in their production is competent to testify that the records were made in the ordinary course of business, and that the witness' personal knowledge regarding production of the documents is a question that goes to the weight of the evidence only. *Id.*, 357-58. The witness must be a person who is familiar with computerized records not only as a user but also as someone with some working acquaintance with the methods by which such records are made. *Id.*, 360-61.



is one of the largest transportation companies in the US ... we focus on customers, reward drivers and provide unparalleled customer care with **state of the art technology** and modern trucks and trailers

<http://www.atsinc.com/about/index.jsp> (Ex. F) (also stating that ATS “assures safe on-time delivery (otherwise known as experience and dependability)”) (all emphasis added).

To assure such dependability, ATS subscribes to OmniTRACS. This is how ATS describes its use of the positioning technology contained in the proffered evidence here:

For over 12 years, **QUALCOMM has been on-board supporting its customers with innovative tools to improve operational efficiency and increase profitability.** In fact, we’ve literally been “on-board”, traveling the millions and millions of miles driven by over 335,000 OmniTRACS-equipped vehicles worldwide.

From the introduction of the OmniTRACS satellite-based communication and positioning system in the late 1980s to today’s **sophisticated fleet management solutions, QUALCOMM has been a reliable partner every mile of the way.**

The [McLeod] LoadMaster™ Dispatch System **allows our dispatchers to effectively do their primary task, moving tractors and freight,** not paperwork. This gives each dispatcher more time to sell freight and plan ahead. The LoadMaster™ Dispatch System **provides the most current loads and equipment location at a glance, which allows efficient planning and routing.** The system is designed for speed; usual dispatch operations require a minimum of keystrokes, important to a dispatcher on the phone. McLeod’s LoadMaster **supports our efforts to provide prompt, convenient, and friendly service to you, as well as efficient and effective dispatch for us.**

<http://www.atsinc.com/about/technology.jsp> (Ex. G) (emphasis added).

Thus, ATS’s contrary litigation posture—that the OmniTRACS evidence in this case is unreliable—is specious at best.

#### **The Accuracy and Reliability of the OmniTRACS Data Is Also Corroborated by Other Evidence**

The OmniTRACS positioning data is also corroborated by other evidence. For example, the OmniTRACS Positioning Reports show that, at 12:29 p.m. EST on January 7<sup>th</sup>, Howell’s truck was “4.4 [miles] N of Cheshire, CT; 7.2 [miles] E of Waterbury, CT.”

A T-chek fuel receipt shows that Howell was at the Southington Travel Center truck stop in Milldale, Connecticut (I-84 exit 28) at 12:46 p.m. on the 7<sup>th</sup>. That truck stop is between 4 and 6 miles north of Cheshire and between 7 and 8 miles east of Waterbury.

Likewise, the OmniTRACS positioning data shows that Howell was 31.3 miles southwest of that truck stop, in Monroe, Connecticut (41 20 28 N 73 14 41 W as indicated in OmniTRACS msg #870778 (an “Arrival Message”), at 2:02 p.m. that day. We know the date / time and location are accurate through the bill of lading from Really Good Stuff, a company located at 448 Pepper Street in Monroe (Howell was picking up a load there), the testimony of Ed Cassiano (that company’s shipping and receiving supervisor), and the testimony of Lawford Howell—which collectively indicate that Howell went to Really Good Stuff at approximately 3:00 p.m. and left there at 4:45 p.m. Demonstrating the accuracy of the OmniTRACS positioning system, the latitude and longitude indicated on OmniTRACS msg #870778 is 3/10ths of a mile (less than a minute) from the known address of Really Good Stuff.

By the same token, we *know* that Howell’s tractor-trailer was involved in this crash in Bloomfield at 8:20 p.m. on January 8, 2008 and that it remained in that vicinity for a significant amount of time thereafter. The OmniTRACS positioning data show precisely that. (There are numerous other examples of extrinsic evidence corroborating the OmniTRACS data, which will be the subject of Plaintiffs’ experts’ testimony).

**II. The OmniTRACS Positioning and Date / Time Data and the OmniTRACS Messages Are Admissible.**

In analyzing the admissibility of the OmniTRACS evidence with respect to the hearsay objection, it is necessary to separate the positioning data and the dates/times—non-hearsay automatically generated by computers and satellites without any human

input—from the text messages, which result from human inputs, all of which are business records and parts of which are statements by a party opponent (ATS in some instances, Howell in others).

**A. The OmniTRACS Positioning and Date / Time Information Is Non-Hearsay Computer-Generated Data. There Is No Statement In This Data, Nor is there a Declarant; the Data is the Result of a Satellite-Aided Computer Process.**

The OmniTRACS positioning and date / time information is non-hearsay, computer-generated data. This data does not constitute statements (there is no declarant as that term is defined in 8-1 of the Code). They are the result of a *process*.<sup>4</sup>

Courts across the country have repeatedly held that computer-generated data (as opposed to computer-*stored* data) is not hearsay because it does not involve “statements” or “declarants.” See *United States v. Washington*, 498 F.3d 225, 230-31 (4<sup>th</sup> Cir. 2007) (printed result of computer-based test was not the statement of a person and thus would not be excluded as hearsay);<sup>5</sup> *United States v. Khorozian*, 333 F.3d 498, 506 (3d. Cir. 2003) (“nothing ‘said’ by a machine . . . is hearsay”) (quoting 4 Mueller & Kirkpatrick, Federal Evidence § 380, at 65 (2d ed. 1994)).

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<sup>4</sup> Furthermore, discovery has revealed that the process here did not deviate from its design—the particular OmniTRACS module (IMCT) was not reported as having any issues during the relevant time period. And, if ATS dispatchers had noticed a system-wide problem with the OmniTRACS software they would typically put those concerns in an e-mail and send it to the IT dept there is no evidence of any such report of a problem that has been provided by the defendant despite requests by the Plaintiffs.

<sup>5</sup> In *United States v. Washington* lab technicians ran a blood sample taken from the defendant through a gas chromatograph connected to a computer. The test results, signed by the lab director, indicated that the defendant had been driving under the influence of both alcohol and PCP. The Fourth Circuit rejected a hearsay objection to this evidence, noting that the computer-generated test result was “data generated by” a machine and observed that hearsay must be a “statement” made by a “declarant.” *Id.* at 231. Further, “[o]nly a *person* may be a declarant and make a statement.” *Id.*

In *United States v. Hamilton*, 413 F.3d 1138, 1142-43 (10<sup>th</sup> Cir. 2005), for instance, the Tenth Circuit held and concluded that computer-generated “header” information (including the screen name, subject of the posting, the date the images were posted, and the individuals’ IP address) was not hearsay (agreeing with the trial court):

Of primary importance to this ruling is the uncontroverted fact that the header information was **automatically generated** by the computer hosting the newsgroup each time [the defendant] uploaded a pornographic image to the newsgroup. In other words, the header **information was generated instantaneously by the computer without the assistance or input of a person.** As concluded by the district court, this uncontroverted fact places the header information outside of Rule 801(c)’s definition of ‘hearsay.’ In particular, **there was neither a ‘statement’ nor a ‘declarant’ involved here within the meaning of Rule 801.**

This Court should likewise recognize that the OmniTRACS positioning data and date/time information on the messages and positioning reports are automatically generated by computer process without the assistance of a human. They are the automated determination and expression of data points created by a process that does not involve a human assertion (similar to telephone toll records, cell tower information, e-mail header information, electronic banking records, Global Positioning System (GPS) data).

Hearsay rules apply to statements made by people. The computer-generated OmniTRACS positioning and date / time information do not contain statements of people and therefore do not implicate the hearsay rules. Accordingly, the Defendants’ hearsay objections to the OmniTRACS positioning and date/time data are misplaced and should be overruled.

**III. The OmniTRACS Messages Are Admissible As Both Business Records Within the Exception to the Hearsay Rule and Statements by a Party Opponent.**

**A. The OmniTRACS Messages Are Admissible As Business Records Pursuant to Conn. Gen. Stat. § 52-180 and Connecticut Code of Evidence § 8-4.**

Business records are routinely admitted under the business records exception for the truth of the business information reported therein because of the documents trustworthiness. The use of the records is not limited to establish the fact of the transaction for which the documents were created. Rather, the records may be used to establish the truth of their contents. *Margolin v. Kleban & Samor, P.C.*, 275 Conn. 765, 781-82 (2005).

ATS's designee "most knowledgeable" about the OmniTRACS evidence as well as its dispatcher, Ms. Novotny and the Qualcomm Corporate representative made clear that the OmniTRACS messages satisfy the business records statute—the OmniTRACS messages were created in the regular course of ATS's business, it was the regular course of the business to make the record at the time of the act, transaction, occurrence or event or within a reasonable time thereafter.<sup>6</sup>

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<sup>6</sup> The business records statute, General Statutes § 52-180 provides in relevant part:

(a) Any writing or record, whether in the form of an entry in a book or otherwise, made as a memorandum or record of any act, transaction, occurrence or event, shall be admissible as evidence of the act, transaction, occurrence or event, if the trial judge finds that it was made in the regular course of any business, and that it was the regular course of the business to make the writing or record at the time of the act, transaction, occurrence or event or within a reasonable time thereafter.

(b) The writing or record shall not be rendered inadmissible by (1) a party's failure to produce as witnesses the person or persons who made the writing or record, or who have personal knowledge of the act, transaction, occurrence or event recorded or (2) the party's failure to show that such persons are unavailable as witnesses. Either of such facts and all other circumstances of the making of the writing or record, including lack of personal knowledge by the entrant or maker, may be shown to affect the weight of the evidence, but not to affect its admissibility. . . .

Section 8-4 of the Connecticut Code of Evidence contains virtually identical language.

Computer-stored records are admissible business records if they “are kept in the course of regularly conducted business activity, and [it] was the regular practice of the business activity to make records, as shown by the testimony of the custodian or other qualified witness.” *United States v. Briscoe*, 896 F.2d 1476, 1494 (7<sup>th</sup> Cir. 1990). “Routinely prepared records . . . are well recognized exceptions to the hearsay rule, because their regular use in the business of the company insures a high degree of accuracy. Proof of day-to-day business reliance upon computerized records should therefore make less onerous the burden of laying a proper foundation for their admission.” *State v. Swinton*, 268 Conn. 781, 807 (2004). In applying the business records exception, the statute should be liberally interpreted because it recognizes the inherent trustworthiness of documents created for business rather than litigation purposes. *Hartford Div., Emhart Indus., Inc. v. Amalgamated Local union 376, U.A.W.*, 190 Conn. 371, 388-89 (1983).

The OmniTRACS Messages were made in the usual course of the trucking company’s business; it was the regular course of this trucking business to make these records; and they were made at the time of the acts described in these records or within a reasonable time thereafter. *See* deposition testimony of ATS and Qualcomm representatives cited above and Conn. Gen. Stat. § 51-180. They should therefore be admitted.

**B. The OmniTRACS Messages Are Admissible As Statements By a Party Opponent Pursuant to Connecticut Code of Evidence § 8-3(1).**

It is an “elementary rule of evidence that an admission of a party opponent may be entered into evidence as an exception to the hearsay rule.” *Fico v. Liquor Control Comm’n*, 168 Conn. 74, 77 (1975). Code § 8-3(1) sets out the circumstances under

which a statement offered against a party opponent is admissible including the party's own statement in either an individual or a representative capacity. According to the rule, any relevant out-of-court statement by a party declarant may be admitted against him (or it, in the case of a corporation) by the opponent. The statement need not be a specific admission of fault or wrongdoing, nor must it have been against the interest of the party when made. The statement must be inconsistent with the position taken at trial by the party against whom the statement is offered. *Johnson v. Rockaway Bus Corp.*, 145 Conn. 204, 209 (1958).

Here, Howell and ATS, Inc. both deny that Howell caused the crash by failing to keep a proper lookout and act reasonably and prudently under the circumstances. *See* Defendants Answer to Plaintiffs' Fourth Amended Trial Complaint dated February 11, 2001 (dckt. #323). Throughout discovery they have also continued to deny that Howell's carelessness resulted from having driven more than 19 hours (and been on duty for over 34 hours) in the 48-hour period preceding the crash, as well that Howell's driver's logs for January 7<sup>th</sup> and 8<sup>th</sup> are inaccurate. *See* Responses to Requests for Admissions dated March 2, 2011 (dckt. ## 327 and 328). The OmniTRACS messages show all of these denials to be baseless, and should therefore be admitted as statements by a party opponent.

**IV. The OmniTRACS Evidence Is Also Admissible As Expert Reliance Material.**

The OmniTRACS evidence is admissible on the separate and independent basis that it was relied upon in the formation of expert opinion here. *See i.e.* Plaintiffs' Disclosures of Experts David Stopper, Steven Batterman, Ph.D., and Thomas Dingus,

Ph.D and Connecticut Code of Evidence § 7-4 (b) (“bases of opinion testimony by experts”).<sup>7</sup>

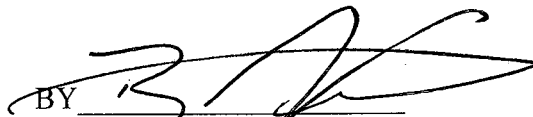
Experts may base their opinions on otherwise inadmissible hearsay provided (1) the sources are fairly reliable; (2) they are of the type relied on by experts in that field; and (3) the witness has sufficient experience to evaluate the information. *George v. Ericson*, 250 Conn. 312, 325 (1999).

The OmniTRACS evidence is highly reliable, the type of evidence relied on by experts in the fields of trucking safety and accident investigation / reconstruction, and Mr. Stopper has extensive knowledge and experience with which to evaluate this information.

**V. Conclusion**

All of the Defendants’ desperate claims about the OmniTRACS Messages and Positioning Reports being unreliable or inaccurate in some respect goes to their evidentiary weight, not their admissibility. The records should be admitted.

THE PLAINTIFFS,

BY   
Michael A. D'Amico  
Brendan Faulkner  
Their Attorneys

<sup>7</sup> The general rule is that a witness who has sufficient expertise to co-ordinate and evaluate information derived from trustworthy sources may be permitted to state his conclusions even though the sources of his knowledge would in and of themselves be inadmissible as hearsay. *Dressel v. Gregory*, 114 Conn. 718, 720 (1931); *Vigliotti v. Campano*, 104 Conn. 464, 466 (1926).



**ORDER**

The foregoing having been heard by this Court it is hereby ordered:

GRANTED/DENIED

BY THE COURT

\_\_\_\_\_  
Judge Aurigemma

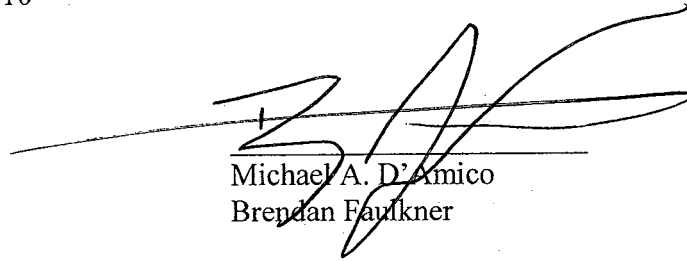
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**CERTIFICATION**

This will certify that a copy of the foregoing was hand delivered this 25<sup>th</sup> day of March, 2011 to:

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EXHIBIT A

DOCKET NO.: HHD-CV-08-6002967-S : SUPERIOR COURT  
RENAY EMMANUELE, ET AL : J.D. OF HARTFORD  
VS. : AT HARTFORD  
LAWFORD ANTHONY HOWELL, ET AL: JUNE 10,2008

**DEFENDANTS' OBJECTIONS AND RESPONSES TO  
PLAINTIFF'S REOUESTS FOR PRODUCTION**

1. Copies of all records generated by on-board recording devices, tracking systems, collision avoidance system or other on-board computer/satellite system with which the truck, 1999 Freightliner Tractor Truck bearing VIN #1FUYSSEB6XL964932, was equipped for the seven days prior to and including the date of the accident, January 8, 2008.

**RESPONSE:** Please see documents attached as Exhibit "A."

2. Copies of all records generated through the use of the QUALCOMM OMNITRAX system, if applicable, for the 1999 Freightliner Tractor Truck bearing VIN #1FUYSSEB6XL964932, for the seven days prior to and including the date of the accident, January 8, 2008.

**RESPONSE:** Please see documents attached as Exhibit "A."

3. Copies of all records generated by the EATON VORAD collision avoidance system, if applicable, for the 1999 Freightliner Tractor Truck bearing VIN #1FUYSSEB6XL964932, for the seven days prior to and including the date of accident, January 8, 2008.

**RESPONSE:** Not applicable.

4. Copies of all writings or printouts generated by a black box on the truck, 1999 Freightliner Tractor Truck bearing VIN #1FUYSSEB6XL964932, involved in the accident for the seven days prior to and including the date of the accident, January 8, 2008.

**RESPONSE:** Please see documents attached as Exhibit "B."

5. Copies of all dispatch records for the seven days prior to and including the date of the accident, January 8, 2008, for driver, Lawford Anthony Howell and the truck, 1999 Freightliner Tractor Truck bearing VIN #1FUYSSEB6XL964932.

**RESPONSE:** Please see documents attached as Exhibit "A."

6. Copies of all cell phone billing statements for Lawford Anthony Howell for the date of the accident, January 8, 2008, to include the timing and duration of all phone calls made and/or received.

**RESPONSE:** ATS, Inc. did not provide defendant Howell with a cellular telephone. Moreover, Mr. Howell did have a cellular telephone at the time of the accident through T-Mobile, with number 540-819-0658.

7. Copies of all mobile radio records/recordings for the two hours before the accident through and including the date of the accident, January 8, 2008.

**RESPONSE:** Not applicable.

8. Copies of all pick up and delivery records, trip summaries, delivery manifests, trip reports, bills of lading, manifests and weigh bills for the 48 hours prior to and including the time of the accident, January 8, 2008 at 8:22 p.m.

**RESPONSE:** All documents relative to this request and within the possession, custody, or control of Answering Defendants are contained collectively in documents attached as Exhibit "C."

9. Copies of all toll tickets, fuel receipts, weight tickets, state entry and departure records for the 48 hours prior to and including the time of the accident, January 8, 2008 at 8:22 p.m.

**RESPONSE:** All documents relative to this request and within the possession, custody, or control of Answering Defendants are contained collectively in documents attached as Exhibit "C."

10. Copy of any lease agreement(s) for the tractor and trailer, 1999 Freightliner Tractor Truck bearing VIN #1FUYSSEB6XL964932.

**RESPONSE:** Please see copy of lease agreement attached as Exhibit "D."

11. A complete copy of the driver qualification file for Lawford Anthony Howell, as per 40 C.F.R. 391.51, including, but not limited to: 1) a copy of any written response from each state agency and prior employer contacted with reference to the truck driver's driving record as per 49 CFR 391.23; 2) copies of all written records with respect to each past employer who was contacted regarding the truck driver's qualifications; 3) a copy of the truck driver's violations of motor vehicle traffic laws; 4) a copy of the truck driver's employee's application; 5) the list of truck driver's previous employers for the 10 years preceding the date of the application and the reasons for leaving said employments; 6) medical examiner's certificate; 7) a note showing when and who reviewed the driver's record with him for each year of employment as per 49 CFR 391.25; 8) a list of certificates showing all violations of motor vehicle laws and ordinances as per 49 CFR 391.27; 9) certificate of road test as per 49 CFR 391.31(e); 10)

records of drug and alcohol tests; and 11) an accident register listing all DOT recordable preventable accidents.

**RESPONSE:** Please see attached driver qualification file attached as Exhibit "E."

12. A complete copy of the personnel file for Lawford Anthony Howell.

**RESPONSE:** Not applicable, as defendant Howell was an owner/operator and not an employee operator.

13. Copies of all insurance policies covering the tractor and trailer involved in the accident, 1999 Freightliner Tractor Truck bearing VIN #1FUYSSEB6XL964932.

**OBJECTION:** Answering Defendants object to this request as the information requested is beyond the scope of the Federal Rules of Civil Procedure.

**RESPONSE:** Without waiving same, the initial policy contains a 3,000,000 C.S.L.

14. A copy of all national transportation safety investigative reports involving this crash and any other crash involving this driver, if any.

**RESPONSE:** Not applicable.

15. Copy of any and all photographs of the accident scene or the truck and/or trailer involved in this accident, 1999 Freightliner Tractor Truck bearing VIN #1FUYSSEB6XL964932.

**RESPONSE:** Please see photographs attached as Exhibit "F."

16. Copies of all service orders, repairs and maintenance records for the truck and/or trailer involved in this accident, 1999 Freightliner Tractor Truck bearing VIN #1FUYSSEB6XL964932, including but not limited to those records maintained as per 49 C.F.R. 396.3.

**OBJECTION:** Answering Defendants object to the extent that this request is not relevant nor reasonably calculated to lead to relevant admissible evidence. By way of further objection, this request is overly broad and unduly burdensome and is not reasonably limited in time or scope.

**RESPONSE:** Without waiving the same, please see attached tractor maintenance records for the six (6) months prior to this accident, attached hereto as Exhibit "G."

17. Copies of the driver's logs (i.e. record of duty status) for the past 6 months as per 49 CFR 395.

**OBJECTION:** Answering Defendants object to the extent that this request is not relevant nor reasonably calculated to lead to relevant admissible evidence. By way of further objection, this request is overly broad and unduly burdensome.

**RESPONSE:** Without waiving the above objections, please see attached copies of defendant Howell's logs for the seven (7) days prior to the date of the accident attached hereto as Exhibit "H."

18. Copy of the accident register for the commercial motor vehicle involved in the accident, 1999 Freightliner Tractor Truck bearing VIN #1FUYSSEB6XL964932.

**RESPONSE:** Not applicable.

19. Copy of any employee/employer accident report for the accident which occurred on January 8, 2008 involving the 1999 Freightliner Tractor Truck bearing VIN #1FUYSSEB6XL964932 and any subsequent investigation reports.

**RESPONSE:** Not applicable.

20. Copy of Commercial Driver's License of the Truck Driver, Lawford Anthony Howell.

**RESPONSE:** See documents contained within the driver qualifications file attached in Exhibit "E."

21. All writings giving notification to you of the truck driver's convictions or suspensions for violating a state or local law relating to motor vehicle traffic control 49 CFR 383.31.

**RESPONSE:** See documents contained within the driver qualifications file attached in Exhibit "E."

22. All writings containing the results of any drug or alcohol test that was administered to the truck driver after the accident.

**RESPONSE:** Please see documents attached as Exhibit "I."

23. All records of driver alcohol tests for Lawford Anthony Howell with a confirmed reading of 0.02 percent or greater, the type(s) of alcohol test(s) and testing procedures used, driver evaluation by a substance abuse professional including pre-employment testing and calendar year summaries for said substance abuse evaluations for the last 5 years.

**RESPONSE:** See documents contained within Exhibit "E;" however, Answering Defendants would note that no such alcohol test given to defendant Howell ever contained a confirmed reading of 0.02 percent or greater.

24. All records related to alcohol and drug testing collection processes and records of training for the last 2 years.

**RESPONSE:** See documents contained within Exhibit "E;" however, Answering Defendants would note that no such drug or alcohol tests given to defendant Howell ever contained a confirmed reading of 0.02 percent or greater.

25. All records of alcohol tests with less than 0.02 blood alcohol reading and negative drug tests.

**RESPONSE:** See documents contained within Exhibit "E."

26. Copies of all alcohol test forms, controlled substance chain of custody forms, documents related to the refusal of any driver to submit to testing, documents supplied by the driver to dispute test results and signed acknowledgements of required training documents.

**OBJECTION:** Answering Defendants object to the extent that the request is not relevant nor reasonably calculated to lead to relevant admissible evidence. By way of further objection, this request is overly broad and unduly burdensome and seeks documents which are proprietary in nature.

27. Copies of educational materials explaining drug and alcohol testing regulations submitted to drivers.

**OBJECTION:** Answering Defendants object to the extent that the request is not relevant nor reasonably calculated to lead to relevant admissible evidence. By way of further objection, this request is overly broad and unduly burdensome and seeks documents which are proprietary in nature.

28. Copies of employer's own policies and procedures relating to alcohol and drug testing.

**OBJECTION:** Answering Defendants object to the extent that the request is not relevant nor reasonably calculated to lead to relevant admissible evidence. By way of further objection, this request is overly broad and unduly burdensome and seeks documents which are proprietary in nature.

29. Copies of driver's signed receipt for educational materials explaining alcohol and drug testing regulations and employer's policies and procedures relating to alcohol and drug testing.



**OBJECTION:** Answering Defendants object to the extent that the request is not relevant nor reasonably calculated to lead to relevant admissible evidence. By way of further objection, this request is overly broad and unduly burdensome and seeks documents which are proprietary in nature.

30. Copies of all company manuals covering truck safety, maintenance, fleet safety programs and driver's standards.

**OBJECTION:** Answering Defendants object to the extent that the request is not relevant nor reasonably calculated to lead to relevant admissible evidence. By way of further objection, this request is overly broad and unduly burdensome and seeks documents which are proprietary in nature.

31. Copy of all employee/driver orientation training materials.

**OBJECTION:** Answering Defendants object to the extent that the request is not relevant nor reasonably calculated to lead to relevant admissible evidence. By way of further objection, this request is overly broad and unduly burdensome and seeks documents which are proprietary in nature.

32. Copy of ATS, Inc. hiring policies and procedures.

**OBJECTION:** Answering Defendants object to the extent that the request is not relevant nor reasonably calculated to lead to relevant admissible evidence. By way of further objection, this request is overly broad and unduly burdensome and seeks documents which are proprietary in nature.

33. Copy of all writings relating to disciplinary actions taken against the truck driver, Lawford Anthony Howell, for any reason.

**RESPONSE:** Please see documents contained in Exhibit "E."

RAWLE & HENDERSON, LLP

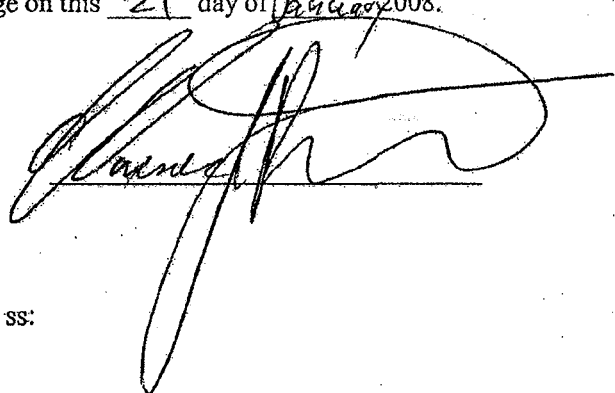
By: 

Gary N. Stewart, Esquire  
David R. Chludzinski, Esquire  
Attorneys for Defendants,  
Lawford Anthony Howell  
and ATS, Inc.

Date: 2/2/09

CERTIFICATION

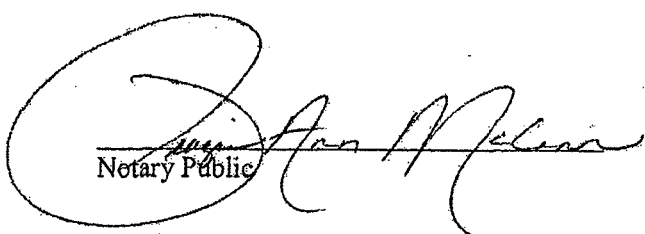
This is to certify that I, Warner Peterson, have read the above responses to plaintiffs' request for production of documents and state that they are true and accurate to the best of my knowledge on this 21 day of January 2008.

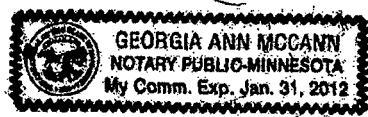


STATE OF Minnesota )  
  )  
COUNTY OF Stearns )

SS:

On this 21<sup>st</sup> day of January 2008, before me, personally appeared Warner Peterson who affirmed under oath the truth of the foregoing interrogatories and also acknowledges his execution of the above document.

  
Notary Public



**CERTIFICATE OF SERVICE**

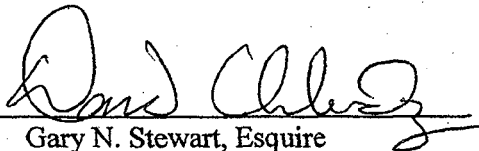
I hereby certify that on today's date, a true and correct copy of the document was served by first-class mail, postage prepaid, upon all attorneys of record, addressed as follows:

Michael A. D'Amico, Esquire  
D'Amico, Griffin & Pettinicchi, LLC  
465 Straits Turnpike  
P.O. Box 670  
Watertown, CT 06795

John Hanks, Jr., Esquire  
Aldrich & Lyons  
655 Winding Brook Drive 2<sup>nd</sup> Floor  
Glastonbury, CT 06033

Karen Gallagher, Esquire  
Ouellette, Deganis & Gallagher, LLC  
143 Main Street  
Cheshire, CT 06410

By:



Gary N. Stewart, Esquire  
David R. Chludzinski, Esquire  
Attorney for Defendants,  
Lawford Anthony Howell and  
Anderson Trucking Service, Inc.

Date:

2/12/09

EXHIBIT B

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OMNITRACS MESSAGE HISTORY \*\*\*

v3.0

<<< Forward Message >>>	000100000000010100000000
Msg#: 837104 User.: atscron	
Type.: F 65 Return Rct.....: _	
Unit.: 35541 Priority 2	
Macro: _____	
MCT.: ##0140683 Reply.: _____	
Group: _____	
Fleet: _____	
GPMN.: 77871829	
Send.: 01/07/08 0014	
Rcvd.: 01/07/08 0717	
Seen.: 01/07/08 0717	
Driver HOMELL, LAWFORD	
Location on.: _____	
_____	
_____	

PLAINTIFF'S  
EXHIBIT  
CV-08-60029G7  
NO. 10

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmnitRACS MESSAGE HISTORY \*\*\*

v3.0

```
-----  
|      <<< Forward Message >>>      | |      *** LOAD ASSIGNMENT ***      01|  
|                                     | |MANIFEST # 681654      # OF STOPS: 0|  
|Msg#: 847896 User.: robertjo       | |LOAD AT DATE: 01/07 TIME: 16:00  |  
|Type.: F 65 Return Rct.....:      | |SHIPPER INFORMATION:              |  
|Unit.: 35541 Priority 3              | | NAME: REALLY GOOD STUFF           |  
|Macro: 1 Load 681654 to Driver H    | | ADRI: 448 PEPPER STREET           |  
|MCT.: ##0140683 Reply.:            | | ADR2:                             |  
|Group:                               | | CITY/ST: MONROE                   CT |  
|Fleet: VAN03                         | | CONTACT:                          |  
|GFMN.: 77901151                     | | 203-261-1920 PICKUP #             |  
|Send.: 01/07/08 0826                 | |PO#                               BOL FLIGHT 4833|  
|Rcvd.: 01/07/08 0825                 | | MILES MT/LD 53 167 APPT MADE?    |  
|Seen.: 01/07/08 0825 41'48 48 N    | |COD                               PRELOAD? Y|  
|Driver HOWELL, LANFORD 72'42 46 W   | |CONSIGNEE INFORMATION:            |  
|Location on.: 01/07/08 0825         | | NAME: DHL                         |  
| 3.7 NNW of Hartford CT            | | ADRI: 910 NESTLE WAY              |  
| Load 681654 to Driver HOWLA       | | ADR2:                             |  
|                                     | | CITY/ST: BREIDNIGSVILLE          PA |  
|                                     | |                                     |  
-----
```

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OMNITRACS MESSAGE HISTORY \*\*\*

v3.0

```
|      <<< Forward Message >>>      | | SHER INSTRUCTIONS |
|                                         | | OFF OF COMMERCE USE THE 3 DOCK DOORS. |
|Mag#: 847887 User.: robertjo          | | THEY ARE NOT NUMBERED |
|Type.: F 65 Return Rct....: _        | |
|Unit.: 35541 Priority 2                | |
|Macro: _ SHER Instructions             | |
|MCT..: ##0140683 Reply.: _____   | |
|Group: _____                     | |
|Fleet: VAN03                           | |
|GPMN.: 77901153                         | |
|Send.: 01/07/08 0826                     | |
|Rcvd.: 01/07/08 0826                     | |
|Seen.: 01/07/08 0826 41'48 46 N         | |
|Driver HOWELL, LAWYARD 72'42 44 W       | |
|Location on.: 01/07/08 0826 _           | |
| 3.7 NNW of Hartford CT                 | |
| SHER Instructions                       | |
|                                         | |
```

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OnnitRACS MESSAGE HISTORY \*\*\*

v3.0

```
+-----+-----+
|      <<< Forward Message >>>      | ||SHEP SPECIAL INSTR |
|                                     | ||WE ARE NOT ALLOWED TO FUEL ENROUTE ON |
|Msg#: 847888 User.: robertjo         | ||ABX RUNS. YOU MUST FUEL BEFORE DISPATCH|
|Type: F 65 Return Rct....: _        | ||HELD. |
|Unit.: 35541 Priority 2              | || |
|Macro: _ SHEP Special Instructions   | || |
|MCT..: ##0140683 Reply.: _          | || |
|Group: _                             | || |
|Fleet: VAN03                         | || |
|GPMN.: 77901155                      | || |
|Snd.: 01/07/08 0826                  | || |
|Rcvd.: 01/07/08 0827                 | || |
|Seen.: 01/07/08 0827 41'48 43 N     | || |
|Driver BOWELL, LAWFORD 72'42 48 W   | || |
|Location on.: 01/07/08 0827 _       | || |
| 3.6 NNW of Hartford CT            | || |
| SHEP Special Instructions          | || |
|                                     | || |
+-----+-----+
```



CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmnitRACS MESSAGE HISTORY \*\*\*

v3.0

```

|      <<< Forward Message >>>      |  ||LOAD 681654 COMMENTS
|                                     |  ||STAGE AT 1600 DEPART AT 1700
|Mag#: 847889  User.: robertjo       |  ||
|Type.: F 65   Return Rct.....: _   |  ||
|Unit.: 35541  Priority 2             |  ||
|Macro: _ Load 681654  Comments Dr   |  ||
|MCT...: ##0140683  Reply.: _        |  ||
|Group: _ _ _ _ _                    |  ||
|Fleet: VAN03                        |  ||
|GPN.: 77901157                     |  ||
|Send.: 01/07/08  0826               |  ||
|Rcvd.: 01/07/08  0828               |  ||
|Seen.: 01/07/08  0828  41'48 47 N  |  ||
|Driver HOWELL, LANFORD  72'42 54 W  |  ||
|Location on.: 01/07/08  0828 _     |  ||
| 3.7 NNW of Hartford CT           |  ||
| Load 681654  Comments Driver HO   |  ||
|                                     |  ||

```

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmnitRACS MESSAGE HISTORY \*\*\*

v3.0

<<< Forward Message >>>		TOTAL CHARGES FOR LOAD #: 681654
Msg#: 848583	User.: robertjo	LINEHAUL: 425.00
Type.: F 65	Return Rct.....: -	FUEL_SUR 42.50
Unit.: 35541	Priority 3	_____
Macro: 53 681654		_____
MCT.: ##0140683	Reply.: _____	_____
Group: _____		_____
Fleet: VAN03		_____
GPMN.: 77903461		_____
Send.: 01/07/08 0835		_____
Rcvd.: 01/07/08 0835		_____
Seen.: 01/07/08 0835	41'48 52 N	_____
Driver HOWELL, LANFORD	72'42 50 W	_____
Location on.: 01/07/08 0835		_____
3.8 NNW of Hartford CT		_____
681654		_____

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* Omnitracs MESSAGE HISTORY \*\*\*

v3.0

<<< Return Message >>>	REQUEST FOR DIRECTIONS	20
*** CONFIRMED ***	DIRECTIONS SHPR Y CONSIGNEE _ STOP#	
Msg#: 852699 User.: theaxpp		
Type.: R ___ Return Rot.....: _		
Unit.: 35541 Priority 0		
Macro: 20 Request for Directions		
MCT.: ##0140683 Reply.: _____		
Group: _____		
Fleet: VAN03		
GPMN.: 94663320		
Send.: 01/07/08 0933		
Rcvd.: 01/07/08 0934		
Seen.: _____ 41'48 45 N		
Driver BOWELL, LANFORD 72'42 40 W		
Location on.: 01/07/08 0933		
3 6 NNW of Hartford CT		

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmitRACS MESSAGE HISTORY \*\*\*

v3.0

```
-----+-----+-----+
|      <<< Forward Message >>>      | ||REALLY GOOD STUFF      |
|                                     | ||448 PEPPER STREET      |
| Msg#: 852706 User.: theexapp        | ||MONROE CT              |
| Type.: F 55 Return Rct.: _         | ||PHONE 203-261-1920 CONTACT EXT 138 |
| Unit.: 35541 Priority 2             | ||NORTH ON RTE 25 - TAKE A RIGHT ONTO |
| Macro: _ Location REAMON Info       | ||PEPPER STREET (ACRO SS FROM CHURCH |
| MCT.: ##0140683 Reply.: _          | ||AND ADJACENT TO COUNTRY PIZZA     |
| Group: _                            | ||RESTAURAN T) CONTINUE STRAIGHT ABOUT |
| Fleet: VAN03                        | ||2 MILES UNTIL YOU SEE COMMER CE ROAD. |
| GFAN.: 77918795                    | ||TAKE A RIGHT ON COMMERCE AND FOLLOW |
| Send.: 01/07/08 0934                | ||TO THE END LOCATED LEFT OF THE     |
| Rcvd.: 01/07/08 0934                | ||CUL-DE-SAC. SOUTH ON RTE 25 - TAKE A |
| Seen.: 01/07/08 0934 41'48 45 W    | ||LEFT ONTO PEPPER STREET (INTERSECTION |
| Driver HOWELL, LAWYORD 72'42 40 W  | ||IN FRONT OF A SMALL PLAZA) CONTINUE |
| Location on.: 01/07/08 0934 _       | ||STRAIGHT FOR ABOUT 2 MILES, YOU WILL |
| 3.6 MNW of Hartford CT             | ||PASS A REALLY GOOD STUFF SIGN - DO |
| Location REAMON Info                | ||NOT TURN ONTO DRIVE WAY CONTINUE TO |
|                                     | ||NEXT STREET COMMERCE ROAD (TAKE A |
|                                     | ||                               |
|-----+-----+-----+

```

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OMNITRACE MESSAGE HISTORY \*\*\*

v3.0

```

|      <<< Forward Message >>>      | NEED LOG HOURS PLEASE
|
|Msg#: 855314  User.: atscron          |
|Type:  F  85  Return Rct... :  _     |
|Unit.: 35541  Priority 2              |
|Macro: 50 Need Log Hours              |
|MCT...: ##0140683  Reply.:           |
|Group: _____                   |
|Fleet: VAN03                          |
|GPMN.: 77925607                       |
|Send.: 01/07/08  1001                 |
|Rcvd.: 01/07/08  1003                 |
|Seen.: 01/07/08  1003   41'43 24 N   |
|Driver HOWELL, LAWFORD   72'45 43 W   |
|Location on.: 01/07/08  1003         |
| 2.8 SSW of West Hartford CT         |
| Need Log Hours                      |
|

```

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmniTRACS MESSAGE HISTORY \*\*\*

v3.0

<<< Return Message >>>	*** ARRIVAL ***	03
*** CONFIRMED ***	ARRIVAL POINT: S	
Msg#: 870778 User.: robertjo	('O'RIGIN, 'S'TOP, 'D'ESTINATION)	
Type.: R Return Rct.....: _	STOP # (IF STOP) _	
Unit.: 35541 Priority 0	LOAD # (IF LTL) _	
Macro: 3 Arrival	LOG HOURS TODAY _	
MCT.: ##0140683 Reply.: _	COMMENTS: _	
Group: _		
Fleet: VAN03	352185.1 _	
GPMN.: 94717437		
Send.: 01/07/08 1402		
Rcvd.: 01/07/08 1402		
Seen.: 01/07/08 1406 41'20 28 N		
Driver HOWELL, LAWFORD 73'14 41 W		
Location on.: 01/07/08 1402		
5.9 SSE of Newtown CT		

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

v3.0

\*\*\* OMNITRACS MESSAGE HISTORY \*\*\*

<<< Forward Message >>>	PREPLAN SENT
	-ROBERT
Msg#: 875519 User.: robertjo	
Type.: F 65 Return Act....: N	
Unit.: 35541 Priority 2	
Macro: _____	
MCT.. ##0140683 Reply.: FLEET	
Group: _____	
Fleet: VAN03	
GEMN.: 77983218	
Send.: 01/07/08 1522	
Rcvd.: 01/07/08 1530	
Sen.: 01/07/08 1530	
Driver HOWELL, LAWFORD	
Location on.: _____	
_____	
_____	





CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmniTRACS MESSAGE HISTORY \*\*\*

v3.0

```

+-----+-----+
|               <<< Forward Message >>>               || SHPR INSTRUCTIONS           |
|                                                       || E KROOK GIVEN YOU BY KELLOGGS: BOL #, |
|Msg#: 875510  User.: robertjo                        || PO #, TRL #, ETC. PLEASE BE SURE TO VE|
|Type.: F 55  Return Act....: _                      || RIFY YOUR DISPATCH INFO WITH TRAILERS |
|Unit.: 35541  Priority 2                             || MUST BE SWEEPED OUT AND ODOR FREE PRIOR |
|Macro: SHPR Instructions                             || TO DROPPING AT KELLOGGS. IT IS FOOD GR|
|MCT...: ###0140683 Reply.: _____              || ADE PRODUCT, THIS IS A MUST, OR THE TR|
|Group: _____                                   || AILER WILL BE REJECTED. CLAIMS PHONE #|
|Fleet: VAN03                                         || 269-961-3260. 8-5 EST M-F. ALSO Q/COMM|
|GFN.: 77983210                                       || YOUR FLEET MANAGER WITH ANY AND ALL IN|
|Send.: 01/07/08 1523                                 || PO. WILL NEED TO CONTACT AIB CLAIMS DE|
|Rcvd.: 01/07/08 1530                                 || PT ALSO. MUST NOT APPROVE LUMPER OVER |
|Seen.: 01/07/08 1530   41'20 45 N                 || 250.00 "THEY DO NOT SHIP PAST 1900 ON |
|Driver HOWELL, LAWYARD 73'14 50 W                 || SATURDAYS" ON ANY OVERRAGES/DAMAGES FOR|
|Location on.: 01/07/08 1530                       || KELLOGGS PLEASE LET DISPATCH KNOW SO C/|
| 5.5 SEE of Newtown CT                            || S CAN TAKE CARE OF IT         |
| SHPR Instructions                                 ||                               |
|                                                       ||                               |
+-----+-----+

```

CMD: Query Next Prev Output View Mag Try Exit  
View Forward or Return Lists

\*\*\* OmnitRACS MESSAGE HISTORY \*\*\*

v3.0

<<< Forward Message >>>	
	LOAD 685644 COMMENTS
	610 530 4718
Msg#: 875511 User.: robertjo	DIANE FRISCH
Type.: F 65 Return Rct.....: _	PRODUCT
Unit.: 35541 Priority 2	PRODUCT
Macro: ___ Load 685644 Comments Dr	
MCT.: ###0140683 Reply.: _____	
Group: _____	
Fleet: VAN03	
GPMN.: 77983214	
Send.: 01/07/08 1523	
Rcvd.: 01/07/08 1530	
Seen.: 01/07/08 1530	
Driver HOWELL, LAWFORD	
Location on.: _____	
Load 685644 Comments Driver HO	

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmniTRACS MESSAGE HISTORY \*\*\*

v3.0

<< Forward Message >>	DID YOU LEAVE THE SHIPPER YET
	-NORA
Msg#: 881053 User.: norano	
Type.: F 65 Return Rct.....: N	
Unit.: 35541 Priority 2	
Macro:	
MCT.: ##0140683 Reply.: FLEET	
Group:	
Fleet: VAND3	
GEN#: 77999683	
Send.: 01/07/08 1708	
Rcvd.: 01/07/08 1710	
Seen.: 01/07/08 1710 41'15 13 N	
Driver HOWELL, LAWFORD 74'09 28 W	
Location on.: 01/07/08 1710	
3.8 S of Harriman NY	

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmnitRACS MESSAGE HISTORY \*\*\*

v3.0

<<< Return Message >>>	YES
*** CONFIRMED ***	
Msg#: 881137 User.: norano	
Type.: R Return Rct.....	
Unit.: 35541 Priority 0	
Macro:	
MCT.: ##0140683 Reply.:	
Group:	
Fleet:	
GPN.: 94748915	
Send.: 01/07/08 1711	
Rcvd.: 01/07/08 1711	
Seen.: 01/07/08 1717 42'14 40 N	
Driver HOWELL, LAWFORD 74'10 03 W	
Location on.: 01/07/08 1711	
4.6 SSW of Harriman NY	

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmnitRACS MESSAGE HISTORY \*\*\*

v3.0

<pre>         &lt;&lt;&lt; Return Message &gt;&gt;&gt;         *** CONFIRMED ***  Msg#: 884513  User.: norano  Type.: R      Return Ret....: _  Unit.: 35541  Priority 0  Macro: 4 Leaving Shipper / Stop  MCT...: ###0140683 Reply.: _____  Group: _____  Fleet: VAN03  GFMN.: 94763654  Send.: 01/07/08 1934  Rcvd.: 01/07/08 1934  Seen.: 01/07/08 1956      40'33 57 N  Driver ROWELL, LAWFORD      75'38 45 W  Location on.: 01/07/08 1933   4.4 NNW of Alburtis PA       </pre>	<pre>    **LEAVING SHIPPER / STOP **      04     DEPART POINT: 0         ('O'ORIGIN, ELSE STOP 1-99)     LOAD # (IF LTL) _____     FUEL LEVEL IN BTHS (0-8): 6    DROPPED TRLR? Y TRLR # 94196    PICKED UP TRLR? Y TRLR # 94298    DID DRIVER LOAD OR UNLOAD? (/U/L) N         START TIME: 15:00 FINISH: 16:45    TARPING REQUIRED? N      PIECES _____    LOAD DIMENSIONS:      LGTH: _____         WIDTH: _____ HGT: _____    FEET AVAILABLE: _____ SEAL _____    SHORTAGE? _____ OVERAGE? _____ DAMAGE? _____    COMMENTS _____       </pre>
---	--

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OMNITRACS MESSAGE HISTORY \*\*\*

v3.0

<<< Return Message >>>	*** ARRIVAL ***	03
*** CONFIRMED ***	ARRIVAL POINT: D	
Msg#: 884519 User.: norano	( 'O' RIGIN, 'S' TOP, 'D' ESTINATION)	
Type.: R Return Rct.: _	STOP # (IF STOP) _	
Unit.: 35541 Priority 0	LOAD # (IF LTL) _	
Macro: 3 Arrival	LOG HOURS TODAY _	
MCT.: ##0140683 Reply.: _	COMMENTS: _____	
Group: _____		
Fleet: VAN03	352185.1	
GPM.: 94763686		
Send.: 01/07/08 1934		
Rcvd.: 01/07/08 1934		
Seen.: 01/07/08 1956 40'33 60 N		
Driver BOWELL, LAWYARD 75'38 39 W		
Location on.: 01/07/08 1934		
4.4 NNW of Alburtis PA		

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OMNITRACS MESSAGE HISTORY \*\*\*

v3.0

<< Return Message >>	AUTO-DISPATCH ERROR
*** CONFIRMED ***	
Msg#: 884516 User.: norano	Truck is too far from origin of move
Type.: R Return Ret. ....:	
Unit.: 35541 Priority	
Macro:	
MCF.: ##0140683 Reply.:	
Group:	
Fleet: VAN03	
GPN.: 925144	
Send.: 01/07/08 1934	
Rcvd.: 01/07/08 1934	
Seen.: 01/07/08 1957	
Driver HOWELL, LAWFORD	
Location on.:	
CREATED BY MSG 884515	

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmniTRACS MESSAGE HISTORY \*\*\*

v3.0

<< Forward Message >>	* TRAILER # CONFIRMATION REQUEST * 11
Msg#: 884515 User.: thexapp	PLEASE RETURN THE NUMBER OF THE
Type.: F 65 Return Rot....: _	TRAILER YOU ARE CURRENTLY PULLING....
Unit.: 35541 Priority 2	
Macro: 11 Trailer Confirmation Requ	
MCT.: ##0140683 Reply.: _____	
Group: _____	
Fleet: VAN03	
GMN.: 78010889	
Send.: 01/07/08 1935	
Rcvd.: 01/07/08 1934	
Seen.: 01/07/08 1934	
Driver HOWELL, LAMPFORD	
Location on.: _____	
Request for Trailer Number	



CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OMIATRACS MESSAGE HISTORY \*\*\*

v3.0

<<< Return Message >>>	**DEPART FROM FINAL DESTINATION**	05
*** CONFIRMED ***	MANIFEST # 681654	
Msg#: 884539 User.: norano	FUEL LEVEL IN STBS (0-8): 4	
Type.: R Return Rct.....: _	DROPPED TRLR? Y TRLR # 94298 OK? Y	
Unit.: 35541 Priority 0	PICKED UP TRLR? Y TRLR # 94405	
Macro: 5 Depart From Final	DID DRIVER UNLOAD? N	
MCT.: ##0140683 Reply.: _____	SHORTAGE? N OVERAGE? N DAMAGE? N	
Group: _____	PIECES SHORT / OVER / DAMAGED _____	
Fleet: VAN03	COMMENTS:	
CPM#: 94763775	_____	
Send.: 01/07/08 1935	_____	
Rcvd.: 01/07/08 1935	_____	
Seen.: 01/07/08 1957 40'33 55 N	352185.1 060059.1	
Driver HOWELL, LAWFORD 75'38 44 W		
Location on.: 01/07/08 1935		
4.3 NNW of Alburtis PA		

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* CmnITRACS MESSAGE HISTORY \*\*\*

v3.0

<<< Return Message >>>	AUTO-DISPATCH ERROR
*** CONFIRMED ***	
Msg#: 884541 User.: norano	No trlr on load/move 681654 /3355764
Type.: R Return Rct. ...:	- cannot deliver move
Unit.: 35541 Priority	
Macro:	
MCT.: ##0140683 Reply.:	
Group:	
Fleet: VAN03	
GFMN.: 925170	
Send.: 01/07/08 1935	
Rcvd.: 01/07/08 1935	
Seen.: 01/07/08 1957	
Driver HOWELL, LAWFORD	
Location on.:	
CREATED BY MSG 884539	

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* Omnitrace MESSAGE HISTORY \*\*\*

v3.0

<<< Return Message >>>		*** TRAILER # CONFIRMATION ***		11
*** CONFIRMED ***		I AM CURRENTLY PULLING TRAILER #		
Msg#: 884544 User.: norano		94405_		
Type.: R ___ Return Ret. ....: _				
Unit.: 35541 Priority 0				
Macro: 11 Trailer Confirmation				
MCT.: ###0140683 Reply.: _____				
Group: _____				
Fleet: VAND3				
GPMN.: 94763805				
Send.: 01/07/08 1935				
Rcvd.: 01/07/08 1935				
Seen.: 01/07/08 1958				
Driver HOWELL, LAWYARD				
Location on.: _____				
_____				
_____				

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OMNITRACE MESSAGE HISTORY \*\*\*

v3.0

<<< Forward Message >>>	*** LOAD RECAP - PENDING ***	19
Msg#: 884542 User.: thexapp	LOAD: 681654 --ARRIVAL-- --DEPART--	
Type.: F 65 Return Rot.....: _	ORIGIN: 01/07 15:02 01/07 16:45	
Unit.: 35541 Priority 2	DESTINATION: 01/07 20:34 01/07 20:35	
Macro: 19 Load Recap for 681654	THANK YOU FOR YOU EMPTY CALL. YOU ARE	
MCT... ##0140683 Reply.: _____	NOT SHOWING EMPTY TO DISPATCH. PLEASE	
Group: _____	ADVISE YOUR FLEET MANAGER THAT YOU ARE	
Fleet: VAN03	EMPTY.	
GMN.: 78010956		
Snd.: 01/07/08 1936		
Rcvd.: 01/07/08 1936		
Seen.: 01/07/08 1936 40'34 02 N		
Driver HOWELL, LAWYARD 75'38 52 W		
Location on.: 01/07/08 1936		
4.5 NNW of Alburts PA		
Load Recap for 681654		

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OMNITRACK MESSAGE HISTORY \*\*\*

v3.0

<<< Forward Message >>>		*** LOAD ASSIGNMENT ***		01
Msg#.: 884953	User.: norano	MANIFEST # 685644	# OF STOPS: 0	
Type.: P 65	Return Ret. ....:	LOAD AT DATE: 01/07	TIME: 20:40	
Unit.: 35541	Priority 9	SHIPPER INFORMATION:		
Macro: -1 Load 685644	to Driver H	NAME: KELLOGG'S - DSC LOGISTIC		
MCT...: ##0140683	Reply.: _____	ADR1: 400 NESTLE WAY		
Group: _____		ADR2: _____		
Fleet: VAN03		CITY/ST: BREIDIGSVILLE PA		
GPMV.: 78012058		CONTACT: JOLYNNE LANE		
Send.: 01/07/08 1958		610-530-4700	PICKUP # 0004426715	
Rcvd.: 01/07/08 1958		PO# JFG 87888	BOL 00020092624M	
Seen.: 01/07/08 1958	40'34 21 N	MILES MT/LD 0	121 APPT MADE?	
Driver HOWELL, LAWYRD	75'38 12 W	COD _____	PRELOAD? Y	
Location on.: 01/07/08 1958		CONSIGNEE INFORMATION:		
4.6 NNW of Alburtis PA		NAME: MARS SUPER MARKETS		
Load 685644 to Driver HOWLA		ADR1: 1401 EDISON HWY		
		ADR2: _____		
		CITY/ST: BALTIMORE MD		

CMD: Query Next Prev Output View Mag Try Exit  
View Forward or Return Lists

v3.0

\*\*\* OMNITRACS MESSAGE HISTORY \*\*\*

<<< Forward Message >>>	SHER INSTRUCTIONS
Mag#: 884954 User: norano	E ERWORK GIVEN YOU BY KELLOGGS: BOL #,
Type: F 65 Return Rct.: _	PO #, TRL #, ETC. PLEASE BE SURE TO VE
Unit: 35541 Priority 2	RIFY YOUR DISPATCH INFO WITH TRAILERS
Macro: SHER Instructions	MUST BE SWEEP OUT AND ODOR FREE PRIOR
MCT: ###0140683 Reply: _	TO DROPPING AT KELLOGGS. IT IS FOOD GR
Group: _	ADK PRODUCT, THIS IS A MUST, OR THE TR
Fleet: VAN03	AILER WILL BE REJECTED. CLAIMS PHONE #
GPMN: 78012059	269-961-3260. 8-5 EST M-F. ALSO Q/COMM
Send: 01/07/08 1958	YOUR FLKET MANAGER WITH ANY AND ALL IN
Rcvd: 01/07/08 1959	PO. WILL NEED TO CONTACT ATB CLAIMS DE
Seen: 01/07/08 1959 40'34 13 N	PT ALSO. MUST NOT APPROVE LUMPER OVER
Driver HOWELL, LANFORD 75'38 20 W	250.00 "THEY DO NOT SHIP PAST 1900 ON
Location on: 01/07/08 1959	SATURDAYS" ON ANY COVERAGES/DAMAGES FOR
4.5 NNW of Alburts PA	KELLOGGS PLEASE LET DISPATCH KNOW SO C/
SHER Instructions	S CAN TAKE CARE OF IT

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmnitRACS MESSAGE HISTORY \*\*\*

v3.0

<<< Forward Message >>>		LOAD 685644 COMMENTS
		610 530 4718
Msg#.: 884955	User.: norano	DIANE FRISCH
Type.: F 65	Return Rct.....: _	PRODUCT
Unit.: 35541	Priority 2	PRODUCT
Macro: Load 685644 Comments Dr		
MCT.: ###0140683 Reply.: _____		
Group: _____		
Fleet: VAN03		
GPMN.: 78012062		
Send.: 01/07/08 1958		
Rcvd.: 01/07/08 1959		
Seen.: 01/07/08 1959		
Driver HOWELL, LAWFORD		
Location on.: _____		
Load 685644 Comments Driver HO		

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* Omnitracs MESSAGE HISTORY \*\*\*

v3.0

<<< Return Message >>>	REQUEST FOR DIRECTIONS	20
*** CONFIRMED ***	DIRECTIONS SHPR _ CONSIGNEE Y STOP#	
Msg#: 884995 User.: theexpp		
Type.: R Return Rot.....: _		
Unit.: 35541 Priority 0		
Macro: 2D Request for Directions		
MCT.: ###0140683 Reply.: _____		
Group: _____		
Fleet: VAN03		
GMN.: 94765863		
Send.: 01/07/08 1959		
Rcvd.: 01/07/08 2000		
Seen.: _____		
Driver HOWELL, LAWFORD		
Location on.: _____		
_____		
_____		



CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

v3.0

\*\*\* OmnitRACS MESSAGE HISTORY \*\*\*

<< Forward Message >>	
Msg#: 884997	User: theaxapp
Type: F 55	Return Rot: -
Unit: 35541	Priority 2
Macro: Location MARBAO Info	
MCT: ##0140683	Reply: -
Group: -	
Fleet: VAN03	
GPM: 78012290	
Send: 01/07/08 2000	
Rcvd: 01/07/08 2000	
Seen: 01/07/08 2000	40'34 13 N
Driver HOWELL, LAWYER	75'38 14 W
Location on: 01/07/08 2000	
4.5 MNW of Alburts PA	
Location MARBAO Info	
	MARS SUPER MARKETS
	1401 EDISON HWY
	BALTIMORE MD
	PHONE 410-342-0817
	I-83 S TO I-695 N GO TO EXIT 35-A TAKE
	HWY 40 WEST GO 3.5 MILES TO ERDMAN AVE
	GO WESTBOUND TO 2ND LIGHT T/L ON
	FEDERAL ST GO UNDER OVERPASS TAKE
	NEXT LEFT ON DUNCA NWOOD LANE THEY
	3RD BLDG ON LEFT

CMD: Query Next Prev Output View Msg Try Exit  
 View Forward or Return Lists

\*\*\* OmniTRACS MESSAGE HISTORY \*\*\*

v3.0

<<< Return Message >>> *** CONFIRMED ***		*** ARRIVAL ***	03
Msg#: 889847	User.: jerryki	ARRIVAL POINT: 0	
Type.: R	Return Rct.....	( 'O' RIGIN, 'S' TOP, 'D' ESTINATION)	
Unit.: 35541	Priority 0	STOP # (IF STOP)	
Macro: 3 Arrival		LOAD # (IF LTL)	
NCT...: ##0140683	Reply.: _____	LOG HOURS TODAY	
Group:		COMMENTS:	
Fleet: VAN03		352185.1	
GMN.: 94787875			
Send.: 01/08/08 0103			
Rcvd.: 01/08/08 0103			
Seen.: 01/08/08 0111	40'13 15 N		
Driver: HOWELL, LAWFORD	76'04 13 W		
Location on.: 01/08/08 0103			
1.6 SSW of Adamstown PA			

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

v3.0

\*\*\* OmnitRACE MESSAGE HISTORY \*\*\*

<<< Return Message >>> *** CONFIRMED ***  Msg#: 889849 User.: jerryki  Type.: R Return Rct.....: _  Unit.: 35541 Priority _  Macro: _____  MCT.: ###0140683 Reply.: _____  Group: _____  Fleet: VAN03  GPMN.: 929367  Send.: 01/08/08 0103  Rcvd.: 01/08/08 0103  Seen : 01/08/08 0111 _____  Driver HOWELL, LAWFORD _____  Location on.: _____   _____   CREATED BY MSG 889847	AUTO-DISPATCH ERROR Truck is too far from origin of move
---	---

CMD: Query Next Prev Output View Msg Try Exit  
 View Forward or Return Lists

v3.0

\*\*\* OMNITRACS MESSAGE HISTORY \*\*\*

<<< Return Message >>>		**LEAVING SHIPPER / STOP **		04
*** CONFIRMED ***		DEPART POINT: 0		
		(O'IGIN, ELSE STOP 1-99)		
Msg#: 88986B	User.: jerryk1	LOAD # (IF LTL)		
Type.: R	Return Rct.: _	FUEL LEVEL IN STKS (0-9): 3		
Unit.: 35541	Priority 0	DROPPED TRLR? Y TRLR # 94405		
Macro: 4 Leaving Shipper / Stop		PICKED UP TRLR? Y TRLR # 93873		
MCT.: ###0140683	Reply.: _	DID DRIVER LOAD OR UNLOAD? (U/L) N		
Group: _		START TIME: _: _ FINISH: _: _		
Fleet: VAN03		TARPING REQUIRED? N		PIECES
GPIN.: 94788110		LOAD DIMENSIONS:		LGTH: ' _
Send.: 01/08/08 0104		WDTH: ' _		HGHT: ' _
Rcvd.: 01/08/08 0104		FEET AVAILABLE: _		SEAL
Seen.: 01/08/08 0112	40'13 16 N	SHORTAGE? _		OVERAGE? _
Driver HOWELL, LANFORD	76'04 11 W	DAMAGE? _		
Location on.: 01/08/08 0104		COMMENTS		
1.5 BSW of Adamstown PA				

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* Omnitracs MESSAGE HISTORY \*\*\*

v3.0

<<< Return Message >>>	AUTO-DISPATCH ERROR
*** CONFIRMED ***	
Msg#: 889872 User: jerryki	Truck is too far from origin of move
Type: R Return Ret....: _	
Unit: 35541 Priority _	
Macro: _____	
MCT: ##0140683 Reply: _____	
Group: _____	
Fleet: VAN03	
GPM: 929391	
Send: 01/08/08 0104	
Rcvd: 01/08/08 0104	
Seen: 01/08/08 0112	
Driver HOWELL, LANFORD	
Location on: _____	
_____	
CREATED BY MSG 889871	

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

v3.0

\*\*\* OMNITRACS MESSAGE HISTORY \*\*\*

```

|      <<< Forward Message >>>      | | * TRAILER # CONFIRMATION REQUEST * 11 |
|                                     | | PLEASE RETURN THE NUMBER OF THE   |
|                                     | | TRAILER YOU ARE CURRENTLY PULLING.... |
| Msg#: 889871 User.: theexapp        | |                                     |
| Type.: F 65 Return Rct.....: _    | |                                     |
| Unit.: 35541 Priority 2             | |                                     |
| Macro.: 11 Trailer Confirmation Requ | |                                     |
| MCT.: ###0140683 Reply.: _____ | |                                     |
| Group: _____                  | |                                     |
| Fleet: VAN03                        | |                                     |
| GEN#: 78024315                      | |                                     |
| Send.: 01/08/08 0105                | |                                     |
| Rcvd.: 01/08/08 0105                | |                                     |
| Seen.: 01/08/08 0105 40'13 16 N    | |                                     |
| Driver HOWELL, LAWFORD 76'04 08 W  | |                                     |
| Location on.: 01/08/08 0105 _____ | |                                     |
| 1.5 SSW of Adamstown PA            | |                                     |
| Request for Trailer Number          | |                                     |

```

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmniTRACS MESSAGE HISTORY \*\*\*

v3.0

<<< Return Message >>>	*** TRAILER # CONFIRMATION ***	11
*** CONFIRMED ***	I AM CURRENTLY PULLING TRAILER #	
Mag#: 889891 User : jerryki	93873_	
Type.: R Return Rot.....: _		
Unit.: 35541 Priority 0		
Macro: 11 Trailer Confirmation		
MCT.: ##0140683 Reply.: _____		
Group: _____		
Fleet: VAND3		
GPM.: 94788190		
Send.: 01/08/08 0105		
Rcvd.: 01/08/08 0105		
Seen.: 01/08/08 0112		
Driver HOWELL, LANFORD		
Location on.: _____		
_____		
_____		

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmnitRACE MESSAGE HISTORY \*\*\*

v3.0

<<< Return Message >>>	*** CASH ADVANCE REQUEST ***	18
*** CONFIRMED ***	AMOUNT: 25000 REASON: 08	
	REASON CODES:	
Msg#: 892024 User : jerryki	01-TOLLS 02-BREAKDOWN 03-FINES	
Type: R Return Rct....: _	04-PERMITS 05-PERSONAL 06-MOTEL	
Unit: 35541 Priority 0	07-TOWING 08-LUMPER 09-FUEL	
Macro: 18 Cash Advance Request		
MCT...: ###0140683 Reply.: _____		
Group: _____		
Fleet: VAN03		
GPMN: 94800397		
Send.: 01/08/08 0410		
Rcvd.: 01/08/08 0410		
Seen.: 01/08/08 0413 39'18 27 N		
Driver HOWELL, LANFORD 76'34 20 W		
Location on.: 01/08/08 0410		
2.4 ENZ of Baltimore MD		



CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

v3.0

\*\*\* CANI TRACS MESSAGE HISTORY \*\*\*

<<< Forward Message >>>	MONEY IS ON CARD
Mag#: 892063 User.: jerryki	
Type.: F 55 Return Rct....: N	
Unit.: 35541 Priority 2	
Macro: 46 Money Is On Card	
MCT...: ##0140683 Reply.: FLKET	
Group:	
Fleet: VAN03	
GFMDN.: 78028911	
Send.: 01/08/08 0413	
Rovd.: 01/08/08 0413	
Seen.: 01/08/08 0413 39'18 31 N	
Driver HOWELL, LAWFORD 76'34 16 W	
Location on.: 01/08/08 0413	
2.5 ENK of Baltimore MD	

CMD: Query Next Prev Output View Msg Try Exit  
 View Forward or Return Lists

\*\*\* COMMLTRACS MESSAGE HISTORY \*\*\*

v3.0

<< Return Message >>>	*** ARRIVAL ***	03
*** CONFIRMED ***	ARRIVAL POINT: D	
	('O'ORIGIN, 'S'TOP, 'D'DESTINATION)	
Msg#: 892915 User.: jerryki	STOP # (IF STOP) _____	
Type.: R _____ Return Rct.....: _	LOAD # (IF LTL) _____	
Unit.: 35541 Priority 0	LOG HOURS TODAY _____	
Macro: 3 Arrival	COMMENTS: _____	
MCT.: ##0140683 Reply.: _____		
Group: _____		
Fleet: VAN03	352185.1 _____	
GFMN.: 94805032		
Send.: 01/08/08 0516		
Rcvd.: 01/08/08 0516		
Seen.: 01/08/08 0517 39'18 29 N		
Driver HOWELL, LAWFORD 76'34 15 W		
Location on.: 01/08/08 0516		
2.5 NNE of Baltimore MD		
_____		



CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

v3.0

\*\*\* OMMITRACS MESSAGE HISTORY \*\*\*

<<< Forward Message >>>	*** LOAD RECAP - AVAILABLE *** 20
Msg#: 892928 User: theaxapp	LOAD: 685644 --ARRIVAL-- --DEPART--
Type: F 65 Return Rct....: _	ORIGIN: 01/07 20:57 01/07 21:00
Unit: 35541 Priority 2	DESTINATION: 01/08 06:16 01/08 06:17
Macro: 20 Load Recap for 685644	THANK YOU FOR YOU EMPTY CALL. YOU ARE
MCT.: ###0140683 Reply.: _____	SHOWING EMPTY TO DISPATCH. PLEASE
Group: _____	STAND BY.
Fleet: VAN03	
GPMN.: 78030697	
Send.: 01/08/08 0518	
Rcvd.: 01/08/08 0517	
Seen.: 01/08/08 0517 39'18 33 N	
Driver HOWELL, LAWFORD 76'34 15 W	
Location on.: 01/08/08 0517	
2.6 ENE of Baltimore MD	
Load Recap for 685644	

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmnitRACS MESSAGE HISTORY \*\*\*

v3.0

<<< Forward Message >>>	I AM GOING TO CHANGE THE DELIVERY
	APPTS
Msg#: 895057 User.: robertjo	-ROBERT
Type.: F 65 Return Rot.....: N	
Unit.: 35541 Priority 2	
Macro:	
MCT...: ###0140683 Reply.: FLEET	
Group:	
Fleet: VAN03	
GTMS.: 78037314	
Send.: 01/08/08 0659	
Rcvd.: 01/08/08 0702	
Seen.: 01/08/08 0702	
Driver HOWELL, LAWYRD	
Location on.: _____	

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

v3.0

\*\*\* OMI TRACS MESSAGE HISTORY \*\*\*

<<< Forward Message >>>		*** LOAD ASSIGNMENT ***		01
Msg#.: 895031	User.: robertjo	MANIFEST # 685312	# OF STOPS: 1	
Type.: F 65	Return Ret.....: _	LOAD AT DATE: 01/08	TIME: 09:00	
Unit.: 35541	Priority 3	SHIPPER INFORMATION:		
Macro: 1 Load 685312	to Driver H	NAME: PELLA CORPORATION		
MCT...: ##0140583	Reply.: _____	ADR1: 2000 FROLINE PLACE		
Group: _____		ADR2: _____		
Fleet: VAN03		CITY/ST: GETTYSBURG PA		
GFMT.: 78037229		CONTACT: _____		
Send.: 01/08/08 0700		717-334-0099	PICKUP # _____	
Rcvd.: 01/08/08 0700		PO# G123190	BOL 4487564	
Sean.: 01/08/08 0700	39:29 58 M	MILES MT/LD 55	272	APPT MADE? _____
Driver HOWELL, LAWFORD	76:40 08 W	CCD _____	PRELOAD? Y	
Location on.: 01/08/08 0700		CONSIGNEE INFORMATION:		
1.8 NW of Cockeysville MD		NAME: PELLA WINDOWS & DOORS		
Load 685312 to Driver HOWLA		ADR1: 220 MONROE TURNPIKE		
		ADR2: _____		
		CITY/ST: MONROE CT		

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OMNITRACS MESSAGE HISTORY \*\*\*

v3.0

<<< Forward Message >>>	SHPR INSTRUCTIONS
Msg#: 895032 User.: robertjo	DO NOT BOBTAIL TO THIS SHIPPER. MOST A
Type.: F 65 Return Rct.: _	LWAYS DROP A CLEAN AND LOADABLE EMPTY
Unit.: 35541 Priority 2	TRAILER PRIOR TO PICKUP.
Macro: SHPR Instructions	
MCT.: ##0140683 Reply.: _	
Group: _	
Fleet: VAN03	
GRN.: 78037232	
Send.: 01/08/08 0700	
Rcvd.: 01/08/08 0701	
Seen.: 01/08/08 0701 39'29 57 N	
Driver HOWELL, LAWFORD 76'40 07 W	
Location on.: 01/08/08 0701	
1.8 NW of Cockeysville MD	
SHPR Instructions	





CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmitRACS MESSAGE HISTORY \*\*\*

v3.0

<<< Forward Message >>>		*** STOP INFORMATION *** 02	
Mag#: 895034 User.: robertjo		STOP # 01 PICKUP / DELIVERY: STOPOFF	
Type.: Y 65 Return Ret.....:		PO _____	
Unit.: 35541 Priority 2		# OF PIECES _____ WEIGHT _____	
Macro: 2 STOP/PICK Load 685312 t		STOP INFORMATION:	
MCT...: ###0140683 Reply.: _____		NAME: GUNTON CORP	
Group: _____		ADRI: 2550 GENERAL ARMISTED BLVD	
Fleet: VAN03		ADR2: _____	
GPMN.: 78037238		CITY/ST: NORRISTOWN PA	
Send.: 01/08/08 0700		CNTCT: _____ 610-631-9500	
Rcvd.: 01/08/08 0702		MILES FROM PREVIOUS POINT: 107	
Seen.: 01/08/08 0702		ETA: 01/08 04:30	
Driver HOWELL, LAWYER		INSTRUCTIONS:	
Location on.: _____		_____	
		_____	
STOP/PICK Load 685312 to Drive		_____	

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmniTRACS MESSAGE HISTORY \*\*\*

v3.0

<<< Return Message >>>	I HAVE 1 CASE OF CEREAL (DAMAGED)
*** CONFIRMED ***	WHICH THE CUSTOMER REFUSED PRODUCT
Msg#: 895734 User.: robertjo	CODE IS 31846.
Type.: R Return Rct.....: _	
Unit.: 35541 Priority 0	
Macro: _____	
MCT...: ###0140683 Reply.: _____	
Group: _____	
Fleet: VAN03	
CFMN.: 94818176	
Send.: 01/08/08 0716	
Rcvd.: 01/08/08 0716	
Sean.: 01/08/08 0720 39'30 01 W	
Driver HOWELL, LANFORD 76'40 11 W	
Location on.: 01/08/08 0716	
1.9 NW of Cockeysville MD	
_____	

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OMNITRACS MESSAGE HISTORY \*\*\*

v3.0

<<< Forward Message >>>	DONAT OR DESTROY THE CREAL
	--ROBERT
Msg#: 896366 User.: robertjo	
Type.: F 65 Return Rct....: N	
Unit.: 35541 Priority 2	
Macro:	
MCT.: ##0140683 Reply.: FLEET	
Group:	
Fleet: VAN03	
GPMN.: 78041446	
Send.: 01/08/08 0730	
Rcvd.: 01/08/08 0731	
Seen.: 01/08/08 0731 39'37 57 N	
Driver HOWELL, LANFORD 76'40 17 W	
Location on.: 01/08/08 0731	
7.4 SSE of New Freedom PA	

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OMNITRACS MESSAGE HISTORY \*\*\*

v3.0

<<< Return Message >>>	OK
*** CONFIRMED ***	
Msg#: 896432 User.: robertjo	
Type.: R Return Rct.....:	
Unit.: 35541 Priority 0	
Macro:	
MCT...: ##0140683 Reply.:	
Group:	
Fleet:	
GMN.: 94820794	
Send.: 01/08/08 0732	
Rcvd.: 01/08/08 0732	
Seen.: 01/08/08 0732 39'38 47 N	
Driver HOWELL, LANFORD 76'39 52 W	
Location on.: 01/08/08 0732	
6.6 SSE of New Freedom PA	

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmniTRAC MESSAGE HISTORY \*\*\*

v3.0

```

+-----+-----+
|   <<< Return Message >>>   || REQUEST FOR SETTLEMENT INFO      31|
|   *** CONFIRMED ***         || PASSWORD: 079861122              |
|Mag#: 901239 User.: thexapp   || **NOTE: SETTLEMENT INFORMATION FOR|
|Type.: R   Return Rot.: _    || THE MOST CURRENT CYCLE IS ONLY   |
|Unit.: 35541 Priority 0      || AVAILABLE FROM THE SETTLEMENT DATE|
|Macro: 31 Settlement Request || THRU SUNDAY.                     |
|MCT.: ###0140683 Reply.:    ||                                     |
|Group: _____          ||                                     |
|Fleet: VAN03                 ||                                     |
|GMDN.: 94837595             ||                                     |
|Send.: 01/08/08 0856        ||                                     |
|Rcvd.: 01/08/08 0857        ||                                     |
|Seen.: _____          39'51 31 N ||                                     |
|Driver HOWELL, LAWFORD      77'04 20 W ||                                     |
|Location on.: 01/08/08: 0856 ||                                     |
| 0.9 WSW of New Oxford PA  ||                                     |
|_____                     ||                                     |
+-----+-----+
  
```

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

v3.0

\*\*\* OMNITRACS MESSAGE HISTORY \*\*\*

<<< Forward Message >>>	NO SETTLEMENT INFO CURRENTLY AVAILABLE
Msg#: 901246 User.: sendpay	
Type.: F 65 Return Act.....: _	
Unit.: 35541 Priority 2	
Macro: _ Settlement Response	
MCT.: ##0140683 Reply.: _____	
Group: _____	
Fleet. VAN03	
GMA#: 78058556	
Band.: 01/08/08 0856	
Rcvd.: 01/08/08 0857	
Seen.: 01/08/08 0857 39'51 25 W	
Driver HOWELL, LANFORD 77'04 59 W	
Location on.: 01/08/08 0857	
1.5 NW of New Oxford PA	
Settlement Response	

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmniTRACS MESSAGE HISTORY \*\*\*

v3.0

<<< Return Message >>>	CALL ME
*** CONFIRMED ***	
Msg#: 904293 User.: robertjo	
Type.: R Return Rct....:	
Unit.: 35541 Priority 0	
Macro: 52 Call Me	
MCT.: ##0140683 Reply.:	
Group:	
Fleet: VAN03	
GPM#: 94847712	
Send.: 01/08/08 0943	
Rcvd.: 01/08/08 0943	
Seen.: 01/08/08 0944 39'50 02 N	
Driver HOWELL, LANFORD 77'11 17 W	
Location on.. 01/08/08 0943	
2.3 E of Gettysburg PA	

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

v3.0

\*\*\* CREDITRACS MESSAGE HISTORY \*\*\*

<<< Forward Message >>>	WHAT DO YA NEED? EXTREMELY BUSY IN
	HERE
Msg#: 904347 User.: robertjo	--ROBERT
Type.: F 65 Return Rct.....: N	
Unit.: 35541 Priority 2	
Macro:	
MCT.: ##0140683 Reply.: FLEET	
Group:	
Fleet: VAN03	
GPN#: 78070320	
Send.: 01/08/08 0943	
Rcvd.: 01/08/08 0944	
Seen.: 01/08/08 0944 39'50 02 N	
Driver HOWELL, LANFORD 77'11 18 W	
Location on.: 01/08/08 0944	
2.3 E of Gettysburg PA	



CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmniTRACS MESSAGE HISTORY \*\*\*

v3.0

<<< Forward Message >>>	NEED LOG HOURS PLEASE
Msg#: 906106 User.: atscron	
Type.: F 65 Return Rct.....: _	
Unit.: 35541 Priority 2	
Macro: 50 Need Log Hours	
MCT.: ###0140683 Reply.: _____	
Group: _____	
Fleet: VAN03	
GPMN.: 78074591	
Send.: 01/08/08 1001	
Rcvd.: 01/08/08 1002	
Seen.: 01/08/08 1002 39'50 47 N	
Driver HOWELL, LAWYER 77'11 13 W	
Location on.: 01/08/08 1002	
2.6 ENE of Gettysburg PA	
Need Log Hours	

CMD. Query Next Prev Output View Mag Try Exit  
View Forward or Return Lists

\*\*\* OmniTRACS MESSAGE HISTORY \*\*\*

v3.0

<<< Return Message >>>	*** ARRIVAL ***	03
*** CONFIRMED ***	ARRIVAL POINT: 0	
Mag#: 908228 User.: robertjo	('O'RIGIN,'S'TOP,'D'ESTINATION)	
Type.: R Return Rct.....:	STOP # (IF STOP) _____	
Unit.: 35541 Priority 0	LOAD # (IF LTL) _____	
Macro: 3 Arrival	LOG HOURS TODAY _____	
MCT.: ##0140683 Reply.: _____	COMMENTS: _____	
Group: _____	_____	
Fleet: VAND3	352185.1 _____	
GMN.: 94856070		
Send.: 01/08/08 1023		
Rcvd.: 01/08/08 1023		
Seen.: 01/08/08 1026 40'05 05 W		
Driver HOWELL, LAWYARD 77'02 50 W		
Location on.: 01/08/08 1023		
1.1 WNW of Franklinton PA		
_____		

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

v3.0

\*\*\* OMNITRACE MESSAGE HISTORY \*\*\*

<<< Return Message >>> *** CONFIRMED ***	AUTO-DISPATCH ERROR
Msg#: 908233 User.: jerryki	Truck is too far from origin of move
Type.: R Return Rct.....: _	
Unit.: 35541 Priority _	
Macro:	
MCT...: ##0140683 Reply.: _____	
Group: _____	
Fleet: VAN03	
GEMN.: 948311	
Send.: 01/08/08 1023	
Rcvd.: 01/08/08 1023	
Seen.: 01/08/08 1958	
Driver HOWELL, LAWFORD	
Location on.: _____	
CREATED BY MSG 908228	

CMD: Query Next Prev Output View Msg Try Exit  
 View Forward or Return Lists

v3.0

\*\*\* OmnitRACS MESSAGE HISTORY \*\*\*

<pre>       &lt;&lt;&lt; Return Message &gt;&gt;&gt;       *** CONFIRMED ***        Msg#: 908348 User : robertjo        Type.: R      Return Rct... : _        Unit.: 35541 Priority 0        Macro: 4 Leaving Shipper / Stop        MCT..: ###0140683 Reply.: _____        Group: _____        Fleet: VAN03        GPM#: 94856433        Send.: 01/08/08 1025        Rcvd.: 01/08/08 1025        Seen.: 01/08/08 1027 40'06 22 N        Driver HOWELL, LANFORD 77'02 28 W        Location on.: 01/08/08 1025         0.4 SW of Dillaburg PA           </pre>	<pre>          **LEAVING SHIPPER / STOP **          DEPART POINT: 0          ('O'RIGIN, ELSE STOP 1-99)          LOAD # (IF LTL)          FUEL LEVEL IN BTRS (0-8): 2          DROPPED TRLR? Y TRLR # 93873          PICKED UP TRLR? Y TRLR # 94232          DID DRIVER LOAD OR UNLOAD? (/O/L) N          START TIME: _: _ FINISH: _: _          TARPING REQUIRED? _ PIECES          LOAD DIMENSIONS: LGTH: _' _          WIDTH: _' _ HGT: _' _          FEET AVAILABLE: _ SEAL          SHORTAGE? _ OVERAGE? _ DAMAGE? _          COMMENTS           </pre>	<p>04</p>
---	--	-----------

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* Omnitracs MESSAGE HISTORY \*\*\*

v3.0

<<< Return Message >>>	AUTO-DISPATCH WARNING
*** CONFIRMED ***	
Mag#: 908357 User.: jexxyki	Date-time for arrive origin
Type.: R Return Rct.....: _	Loaded move [3374520] is greater
Unit.: 35541 Priority _	than date-time of
Macro:	Depart Origin
MCT.: ###0140683 Reply.: _____	message [908348]
Group: _____	
Fleet: VAN03	
GFAN.: 948437	
Send.: 01/08/08 1025	
Rcvd : 01/08/08 1025	
Seen : 01/08/08 1958	
Driver HOWELL, LAWFORD _____	
Location on.: _____	
CREATED BY MSG 908356	

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

v3.0

\*\*\* OmniTRACS MESSAGE HISTORY \*\*\*

<<< Return Message >>>	AUTO-DISPATCH ERROR
*** CONFIRMED ***	
Msg#: 908358 User.: jerryki	Truck is too far from origin of move
Type.: R Return Rct.....: _	
Unit.: 35541 Priority _	
Macro: _____	
MCT...: ##0140583 Reply.: _____	
Group: _____	
Fleet: VAN03	
GPM#: 948438	
Snd.: 01/08/08 1025	
Rcvd.: 01/08/08 1025	
Seen.: 01/08/08 1958	
Driver HOWELL, LAWFORD	
Location on.: _____	
_____	
CREATED BY MSG 908356	

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmnitRACS MESSAGE HISTORY \*\*\*

v3.0

<<< Forward Message >>>	* TRAILER # CONFIRMATION REQUEST * 11
Msg#: 908356 User.: theexapp	PLEASE RETURN THE NUMBER OF THE
Type.: F 65 Return Rct....: _	TRAILER YOU ARE CURRENTLY PULLING....
Unit.: 35541 Priority 2	
Macro: 11 Trailer Confirmation Requ	
MCT...: ###0140683 Reply.: _____	
Group: _____	
Fleet: VAN03	
GPMN.: 78079237	
Send.: 01/08/08 1026	
Rcvd.: 01/08/08 1025	
Seen.: 01/08/08 1026	
Driver HOWELL, LANFORD	
Location on.: _____	
_____	
Request for Trailer Number	

CMD: Query Next Prev Output View Msg Try Exit  
 View Forward or Return Lists

\*\*\* OmniTRACS MESSAGE HISTORY \*\*\*

v3.0

```

|<<< Return Message >>>    || *** TRAILER # CONFIRMATION *** 11|
|    *** CONFIRMED ***      || I AM CURRENTLY PULLING TRAILER #
|Msg#: 908472  User.: robertjo  ||      94232_
|Type.: R      Return Rct.:    ||
|Unit.: 35541  Priority 0      ||
|Macro: 11 Trailer Confirmation: ||
|MCI.: ##0140683 Reply.:      ||
|Group: _____            ||
|Fleet: VAN03                 ||
|GEN.: 94856638               ||
|Send.: 01/08/08 1026         ||
|Rcvd.: 01/08/08 1026         ||
|Seen.: 01/08/08 1027         40'06 38 N ||
|Driver HOWELL, LAWYARD       77'02 20 W ||
|Location on.: 01/08/08 1026_  ||
| 0.2 W of Dillsbury PA      ||
|_____                     ||
|_____                     ||

```



Cmd: Query Next Prev Output View Mag Try Exit  
View Forward or Return Lists

\*\*\* OmnitRACS MESSAGE HISTORY \*\*\*

v3.0

```
-----|-----|-----|
|      <<< Forward Message >>>      |    *** FUEL LOG VERIFICATION ***    | 39|
|                                          |    DATA SHOWS YOU FUELED          |
| Mag#: 911592  User.: root                |    DATE: 01/08  TIME: 11:12        |
| Type.: F 65  Return Rct.....:          |    AT LOCATION: PILOT #245         |
| Unit.: 35541  Priority 3                   |           HARRISBURG PA            |
| Macro: 39 Fuel Log Verify                 |    PLEASE CONFIRM USING THE 'REPLY'|
| MCT.: ##0140683  Reply.:                |    BUTTON AND ASSOCIATED MESSAGE   |
| Group: _____                        |                                     |
| Fleet: VAN03                               |                                     |
| GFMS.: 78088613                           |                                     |
| Send.: 01/08/08  1116                       |                                     |
| Rcvd.: 01/08/08  1117                       |                                     |
| Seen.: 01/08/08  1117  40'20 56 N          |                                     |
| Driver HOWELL, LANFORD  76'42 52 W          |                                     |
| Location on.: 01/08/08  1117                |                                     |
| 0.9 NE of Skyline View PA                 |                                     |
| Fuel Log Verify                           |                                     |
|-----|-----|-----|
```

CMD: Query Next Prev Output View Msg Try Exit  
 View Forward or Return Lists

\*\*\* OMNITRACS MESSAGE HISTORY \*\*\*

v3.0

	<<< Return Message >>>		REQUEST FOR DIRECTIONS	20
	*** CONFIRMED ***		DIRECTIONS SHPR _ CONSIGNEE I STOP# 01	
	Msg#: 911840 User.: theaxapp			
	Type.: R Return Rct.....: _			
	Unit.: 35541 Priority 0			
	Macro: 20 Request for Directions			
	MCT.: ###0140683 Reply.: _____			
	Group. _____			
	Fleet: VAN03			
	GFMN.: 94867218			
	Send.: 01/08/08 1119			
	Rcvd.: 01/08/08 1120			
	Seen.: _____ 40'20 54 N			
	Driver HOWELL, LAWFORD 76'42 55 W			
	Location on.: 01/08/08 1119			
	0.8 NE of Skyline View PA			
	_____			

CMD: Query Next Prev Output View Mag Try Exit  
View Forward or Return Lists

\*\*\* OMNITRACE MESSAGE HISTORY \*\*\*

v3.0

```
-----  
|      <<< Forward Message >>>      | | GUNTON CORP  
|                                       | | 2550 GENERAL ARMISTED BLVD  
|Mag#: 911847 User.: theexapp         | | NORRISTOWN PA  
|Type.: F 65 Return Rct.: _          | | PHONE 610-631-9500  
|Unit.: 35543 Priority 2              | |  
|Macro: _ Location GUNNOR Info        | |  
|MCT...: ###0140683 Reply.: _         | |  
|Group: _____                   | |  
|Fleet: VAN03                         | |  
|GPN.: 78089287                       | |  
|Send.: 01/08/08 1120                 | |  
|Rcvd.: 01/08/08 1119                 | |  
|Seen.: 01/08/08 1119                 | |  
|Driver HOWELL, LANFORD               | |  
|Location on.: _____             | |  
|_____                               | |  
| Location GUNNOR Info                 | |  
|                                       | |  
-----
```

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmniTRACS MESSAGE HISTORY \*\*\*

v3.0

```
-----  
| <<< Forward Message >>> | PELLA WINDOWS & DOORS INC  
| | 220 MONROE TURNPIKE  
| Msg#: 911848 User : thexapp | MONROE CT  
| Type: F 65 Return Rct..... | PHONE 203-980-6002 CONTACT GSKK@PELLAC  
| Unit: 35541 Priority 2 | TNY.COM  
| Macro: Location FELMON Info | DIR TO FINAL CT RTE 25 (NORTH OR  
| MCR: ###0140683 Reply: | SOUTH) TO RTE 111 NORTH 1 MILE ON  
| Group: | RIGHT  
| Fleet: VAN03 |  
| GFN: 78089289 |  
| Send: 01/08/08 1120 |  
| Rcvd: 01/08/08 1126 |  
| Seen: 01/08/08 1126 40'19 36 N |  
| Driver HOWELL, LAWFORD 76'46 45 W |  
| Location on: 01/08/08 1126 |  
| 2.9 WSW of Skyline View PA |  
| Location FELMON Info |  
| |  
| |  
-----
```

CMD: Query Next Prev Output View Msg Try Exit  
 View Forward or Return Lists

\*\*\* ComTRACS MESSAGE HISTORY \*\*\*

v3.0

```

  <<< Forward Message >>>
  |Msg#: 914838  User.: #165
  |Type.: F 65  Return Rct.....
  |Unit.: 35541  Priority 2
  |Macro: 21
  |MCT.: ##0140683 Reply.:
  |Group:
  |Fleet: VAN03
  |GPMN.: 78096382
  |Send.: 01/08/08 1159
  |Rcvd.: 01/08/08 1204
  |Seen.: 01/08/08 1204 40'14 12 N
  |Driver HOWELL, LANFORD 76'16 47 W
  |Location on.: 01/08/08 1204
  | 5.7 NNE of Lititz PA
  |
  |*DRIVER 'KEY' DATE INFORMATION* 21
  |THE FOLLOWING ARE THE 'KEY' DATES FOR:
  | HOWELL, LANFORD
  |DRIVERS LICENSE EXPIRES: 08/25/08
  |PHYSICAL DUE: 12/03/09
  |HAE-MAT TRAINING DUE: 12/04/10
  |QTRLY TRAINING DUE: 03/31/08
  |TRACTOR INSPECTION DUE: 06/04/08
  |ANNUAL REVIEW DUE: 11/05/08
  | PLEASE UPDATE AS NECESSARY.
  | IF YOU HAVE ANY QUESTIONS, PLEASE
  | CONTACT THE SAFETY DEPARTMENT.
  
```

CMD: Query Next Prev Output View Mag Try Exit  
View Forward or Return Lists

\*\*\* OMMITRACE MESSAGE HISTORY \*\*\*

v3.0

<<< Return Message >>>	*** ARRIVAL ***	03
*** CONFIRMED ***	ARRIVAL POINT: S	
	( 'O' RIGIN, 'S' TOP, 'D' ESTINATION)	
Mag#: 919628 User.: robertjo	STOP # (IF STOP) 01	
Type.: R Return Rct.....: _	LOAD # (IF LTL) _____	
Unit.: 35541 Priority 0	LOG HOURS TODAY _____	
Macro: 3 Arrival	COMMENTS: _____	
MCT.: ##0140683 Reply.: _____		
Group: _____		
Fleet: VAN03	352185.1	
GEMN.: 94888399		
Send.: 01/08/08 1317		
Rcvd.: 01/08/08 1317		
Seen.: 01/08/08 1317 40'07 14 N		
Driver HOWELL, LAWFORD 75'24 00 W		
Location on : 01/08/08 1317		
2.0 S of Trooper PA		

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmnlTRACS MESSAGE HISTORY \*\*\*

v3.0

	<<< Return Message >>>		AUTO-DISPATCH WARNING
	*** CONFIRMED ***		
	Msg#: 919636 User.: jerryki		Date-time depart previous stop-pack
	Type.: R Return Rct.: _		is greater
	Unit.: 35541 Priority _		than date-time of
	Macro: _____		Arrive Stop-Pack
	MCT.: ##0140683 Reply.: _____		message [919628]
	Group: _____		
	Fleet: VAN03		
	GMN.: 959888		
	Send.: 01/08/08 1317		
	Rcvd : 01/08/08 1317		
	Seen : 01/08/08 1958		
	Driver HOWELL, LAWFORD		
	Location on.: _____		
	CREATED BY MSG 919628		

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmnitRACS MESSAGE HISTORY \*\*\*

v3.0

```

|      <<< Forward Message >>>      | | DID YOU GET TO STOP 1 YET?
|                                       | | --ROBERT
|Msg#: 921159 User.: robertjo         | | |
|Type.: F 65 Return Rct.....: N      | |
|Unit.: 35541 Priority 2               | |
|Macro:                               | |
|MCT.: ##0140683 Reply.: FLEET        | |
|Group:                               | |
|Fleet: VAN03                         | |
|GMS#: 78111527                       | |
|Send.: 01/08/08 1346                 | |
|Rcvd.: 01/08/08 1347                 | |
|Seen.: 01/08/08 1346 40'07 12 N     | |
|Driver HOWELL, LAWFORD 75'23 56 W   | |
|Location on.: 01/08/08 1347         | |
| 2.1 S of Trooper PA.                | |
|_____|                               | |

```



CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OMMITRACS MESSAGE HISTORY \*\*\*

v3.0

```
-----+-----+-----+
|          <<< Return Message >>>          ||AUTO-DISPATCH WARNING
|          *** CONFIRMED ***                ||
|Msg#: 921302  User.: jerryki                ||Date-time arrive at stop-pick
|Type.: R      Return Rot....: _            ||dnotes line [18] is greater
|Unit.: 35541  Priority _                    ||than date-time of
|Macro: _____                          ||Depart Stop-Pick
|MCT.: ##0140683 Reply.: _____          ||message [921299]
|Group: _____                          || | | | | |
|Fleet: VAN03                               ||
|GPN.: 961585                               ||
|Send.: 01/08/08 1348                       ||
|Rcvd.: 01/08/08 1348                       ||
|Seen.: 01/08/08 1958                       ||
|Driver HOWELL, LAWFORD _____          ||
|Location on.: _____                   ||
|_____|_____|_____|_____|_____|_____|_____|
|  CREATED BY MSG 921299                    ||
|_____|_____|_____|_____|_____|_____|_____|
-----+-----+-----+

```

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* Omnitracs MESSAGE HISTORY \*\*\*

v3.0

	<< Return Message >>		LEAVING STOP #1 NOW
	*** CONFIRMED ***		
	Msg#: 921318 User.: robertjo		
	Type.: R Return Rct.....:		
	Unit.: 35541 Priority 0		
	Macro:		
	MCT.: ##0140683 Reply.:		
	Group:		
	Fleet: VAN03		
	GMN.: 94894059		
	Send.: 01/08/08 1349		
	Rcvd.: 01/08/08 1349		
	Seen.: 01/08/08 1354 40'07 12 N		
	Driver HOWELL, LANFORD 75'23 56 W		
	Location on.: 01/08/08 1349		
	2.1 E of Trooper PA		

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

v3.0

\*\*\* OMMITRACS MESSAGE HISTORY \*\*\*

<<< Forward Message >>>	10-4
	-ROBERT
Msg#: 921666 User: robertjo	
Type: F 65 Return Rct....: N	
Unit: 35541 Priority 2	
Macro:	
MCT.: ###0140683 Reply.: FLEET	
Group:	
Fleet: VAN03	
GMN: 78112791	
Send.: 01/08/08 1354	
Rcvd.: 01/08/08 1355	
Seen.: 01/08/08 1355 40'07 09 N	
Driver HOWELL, LAWFORD 75'23 58 W	
Location on.: 01/08/08 1355	
2.1 S of Trooper PA	

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* Omnitracs MESSAGE HISTORY \*\*\*

v3.0

```
-----+-----  
|         <<< Return Message >>>         || IS STOP 2 CLOSED IN PM? || |
|         *** CONFIRMED ***               ||                          ||  
|Mag#: 925023 User.: robertjo             ||                          ||  
|Type.: R Return Rct.:                   ||                          ||  
|Unit.: 35541 Priority 0                   ||                          ||  
|Macro: _____                       ||                          ||  
|MCT.: ###0140683 Reply.: _____       ||                          ||  
|Group: _____                       ||                          ||  
|Fleet: VAN03                             ||                          ||  
|GSMN.: 94905460                          ||                          ||  
|Send.: 01/08/08 1454                     ||                          ||  
|Rcvd.: 01/08/08 1454                     ||                          ||  
|Seen.: 01/08/08 1512 40'32 05 N         ||                          ||  
|Driver HOWELL, LANFORD 75'31 16 W       ||                          ||  
|Location on.: 01/08/08 1454             ||                          ||  
| 1.3 WSW of Emmaus PA                   ||                          ||  
| _____                               ||                          ||  
|_____|_____                            ||                          ||  
-----+-----
```

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* Omnitracs MESSAGE HISTORY \*\*\*

v3.0

```
-----  
|      <<< Forward Message >>>      | DO NOT KNOW HAVE YOU CALLED THEM?  
|                                     | -ROBERT  
|Msg#: 925984 User.: robertjo        |  
|Type.: F 65 Return Rct.....: N    |  
|Unit.: 35541 Priority 2              |  
|Macro:                               |  
|MCT.: ##0140683 Reply.: FLEET      |  
|Group:                               |  
|Fleet: VAN03                         |  
|GENV.: 78125713                     |  
|Send.: 01/08/08 1511                 |  
|Rcvd.: 01/08/08 1512                 |  
|Seen.: 01/08/08 1512      40'39 21 N |  
|Driver HOWELL, LAWFORD      75'23 47 W |  
|Location on.: 01/08/08 1512         |  
| 3.8 N of Fountain Hill PA         |  
|                                     |  
|-----|  
-----
```

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

v3.0

\*\*\* OMMITRACS MESSAGE HISTORY \*\*\*

<<< Forward Message >>>	HEAD ION THERE AND SEE IF THEY WILL
	UNLOAD YOU
	--ROBERT
Msg#: 926010 User.: robertjo	
Type.: F 65 Return Ret.....: N	
Unit.: 35541 Priority 2	
Macro:	
MCT...: ##0140683 Reply.: FLEET	
Group:	
Fleet: VAN03	
GMN.: 78125800	
Send.: 01/08/08 1511	
Rcvd.: 01/08/08 1512	
Seen.: 01/08/08 1512	
Driver HOWELL, LAWFORD	
Location on.: _____	
_____	
_____	

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OmniTRACS MESSAGE HISTORY \*\*\*

v3.0

	<<< Return Message >>>		OK
	*** CONFIRMED ***		
	Msg#: 926081 User.: robertjo		
	Type.: R Return Rct....: _		
	Unit.: 35541 Priority 0		
	Macro:		
	MCT...: ###0140683 Reply.: _		
	Group:		
	Fleet:		
	GMN.: 94908834		
	Send.: 01/08/08 1513		
	Rcvd.: 01/08/08 1513		
	Seen.: 01/08/08 1513 40'39 45 N		
	Driver HOWELL, LANFORD 75'22 50 W		
	Location on.: 01/08/08 1513		
	3.1 NW of Freemansburg PA		

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OMNITRACS MESSAGE HISTORY \*\*\*

v3.0

<<< Forward Message >>>	AN ADJUSTER IS ON THE WAY OUT TO THE
Msg#: 935866 User.: timmu	ACCIDENT SCENCE, SO DON'T LEAVE UNTIL
Type.: F 55 Return Rct... : N	YOU SEE HIM
Unit.: 35541 Priority 2	HIS NAME IS JEFF, AND HIS CELL # IS
Macro: _____	203-671-1911
NCT...: ##0140683 Reply.: FLEXT	GIVE ME A CALL,
Group: _____	-TIM X7522
Fleet: VAN03	
GMR.: 78156124	
Send.: 01/08/08 2027	
Rcvd.: 01/08/08 2030	
Seen.: 01/08/08 2030 41'48 54 N	
Driver HOWELL, LAWFORD 72'42 23 W	
Location on.: 01/08/08 2030	
3.7 NNW of Hartford CT	



CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

v3.0

\*\*\* OmniTRACS MESSAGE HISTORY \*\*\*

<<< Forward Message >>>	LAWFORD, CALL ME ON YOUR DISPATCHERS
	#, THANKS
	-TIM X7522
Msg#: 936101 User.: timmu	
Type.: F 65 Return Rct.: N	
Unit.: 35541 Priority 2	
Macro:	
NCT.: ##0140683 Reply.: FLEET	
Group:	
Fleet: VAN03	
GSMN.: 78156670	
Send.: 01/08/08 2041	
Rcvd.: 01/08/08 2043	
Seen.: 01/08/08 2043 41'48 54 N	
Driver HOWELL, LAWFORD 72'42 23 W	
Location on.: 01/08/08 2043	
3.7 NNW of Hartford CT	

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* OMNITRACS MESSAGE HISTORY \*\*\*

v3.0

<<< Forward Message >>>	000100000000010100000000
Msg#: 940027 User: atscron	
Type: F 65 Return Rct....: _	
Unit: 35541 Priority 2	
Macro:	
MCT: ##0140683 Reply: _____	
Group: _____	
Fleet: _____	
GFMN: 78164460	
Send: 01/09/08 0014	
Rcvd: 01/09/08 0016	
Seen: 01/09/08 0019 41'48 43 N	
Driver HOWELL, LAWYER 72'42 30 W	
Location on: 01/09/08 0016	
3.5 NNW of Hartford CT	

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists

\*\*\* Omnitracs MESSAGE HISTORY \*\*\*

v3.0

<<< Forward Message >>>	ANY FURTHER NEWS LAWFORD?
Msg# : 943906 User.: jerryki	-JERRY
Type.: F 65 Return Ret.....: N	
Unit.: 35541 Priority 2	
Macro:	
MCT.: ###0140683 Reply.: FLEET	
Group:	
Fleet: VAND3	
GPM#: 78159493	
Send.: 01/09/08 0353	
Rcvd.: 01/09/08 0437	
Seen.: 01/09/08 0437	
Driver HOWELL, LAWFORD	
Location or.: _____	
_____	
_____	

CMD: Query Next Prev Output View Msg Try Exit  
View Forward or Return Lists  
\*\*\* OmnitRACS MESSAGE HISTORY \*\*\*

v3.0

```

|      <<< Forward Message >>>      | |HELLO LANFORD?
|                                     | |---JERRY
|Mag#: 944431  User.: jerryki         | |
|Type.: F 65   Return Rct.....: N    | |
|Unit.: 35541  Priority 2.             | |
|Macro: _____                    | |
|MCT...: ###0140683  Reply.: FLEET     | |
|Group: _____                    | |
|Fleet: VAN03                          | |
|GPMN.: 78171613                       | |
|Send.: 01/09/08 0511                   | |
|Rcvd.: 01/09/08 0546                   | |
|Seen.: 01/09/08 0546      41'48 42 N  | |
|Driver HOWELL, LANFORD      72'42 42 W  | |
|Location on.: 01/09/08 0546           | |
| 3.6 NNW of Hartford CT           | |
|_____                               | |
|                                     | |

```

EXHIBIT C

Cmd: Next Prev Output Restart Exit

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Msg#	Date	Time	Location or Comment for 35541	Avg Sp	Dir	ICM
847899	01/07	0933	3.6 NNW of Hartford CT;			N
	01/07	0910	3.6 NNW of Hartford CT;			N
847883	01/07	0835	3.8 NNW of Hartford CT;	1	SW	Y
847899	01/07	0828	3.7 NNW of Hartford CT;	0	SW	Y
847889	01/07	0827	3.6 NNW of Hartford CT;	6	SW	Y
847897	01/07	0826	3.7 NNW of Hartford CT;	2	SW	Y
847886	01/07	0825	3.7 NNW of Hartford CT;			Y
	01/07	0818	3.7 NNW of Hartford CT;			Y
	01/07	0717	3.7 NNW of Hartford CT;			Y
	01/06	1505	3.7 NNW of Hartford CT;			N
	01/06	1357	3.7 NNW of Hartford CT;			N
	01/06	1249	3.7 NNW of Hartford CT;			N
	01/06	1140	3.7 NNW of Hartford CT;			N
	01/06	1032	3.7 NNW of Hartford CT;			N
	01/06	0923	3.7 NNW of Hartford CT;			N
	01/06	0815	3.7 NNW of Hartford CT;			N
	01/06	0705	3.7 NNW of Hartford CT;			N
	01/06	0539	3.7 NNW of Hartford CT;			N
	01/06	0449	3.7 NNW of Hartford CT;			N
	01/06	0341	3.7 NNW of Hartford CT;			N

Q

Q

CMD: Next Prev Output Restart Exit

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Msg#	Date	Time	Location or Comment for 35541	AVG	SP	DIR	IGN
882933	01/07	1958	4.6 NNW of Alburtis PA;7.4 WSW of Allentown PA	2		KNE	Y
882942	01/07	1936	4.5 NNW of Alburtis PA;8.0 WSW of Allentown PA	12		SW	Y
882939	01/07	1935	4.3 NNW of Alburtis PA;8.0 WSW of Allentown PA	5		SW	Y
882959	01/07	1934	4.4 NNW of Alburtis PA;7.9 WSW of Allentown PA	6		KNE	Y
882953	01/07	1933	4.4 NNW of Alburtis PA;8.0 WSW of Allentown PA	28		NSW	Y
	01/07	1938	1.0 KNE of Glendon PA;15.5 KNE of Allentown PA	50		NSW	Y
	01/07	1738	3.8 WNW of Wayne NJ;9.0 WSW of Paterson NJ	48		SSW	Y
882137	01/07	1711	4.6 SSW of Harriman NY;31.6 NNW of Greenwich CT	49		SW	Y
882053	01/07	1710	3.8 S of Harriman NY;31.5 NNW of Greenwich CT	42		SW	Y
	01/07	1631	3.7 SSE of Hopewall Junction NY;35.9 NNW of Greer	30		NSW	Y
882510	01/07	1530	5.5 SSE of Newtown CT;12.5 N of Bridgeport CT	13		NSW	Y
882509	01/07	1529	5.7 SSE of Newtown CT;12.3 N of Bridgeport CT				Y
882077B	01/07	1402	5.9 SSE of Newtown CT;12.2 N of Bridgeport CT				N
	01/07	1401	5.9 SSE of Newtown CT;12.2 N of Bridgeport CT				N
	01/07	1330	5.0 SSE of Newtown CT;12.9 NNW of Bridgeport CT	18		W	Y
	01/07	1229	1.2 KNE of New Haven CT;	12		S	X
	01/07	1129	4.4 N of Cheshire CT;7.2 K of Waterbury CT	8		SW	Y
882914	01/07	1003	2.8 SSW of West Hartford CT;4.4 KNE of New Brita	17		SSW	Y
	01/07	0940	3.5 NNW of Hartford CT;	2		SSW	N
882706	01/07	0934	3.6 NNW of Hartford CT;				N

Cmd: Next Prev Output Restart Exit

Q

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Msg#	Date	Time	Location or Comment for 35541	Avg	SD	DIR	IGH
885031	01/08	0700	1.8 NW of Cockeysville MD;14.7 NNE of Baltimore MD	14		SW	Y
	01/08	0818	1.7 NW of Cockeysville MD;14.7 N of Baltimore MD	14		SW	Y
882928	01/08	0517	2.6 ENE of Baltimore MD;			E	Y
882915	01/08	0516	2.5 ENE of Baltimore MD;			E	Y
882063	01/08	0413	2.5 ENE of Baltimore MD;			E	Y
882024	01/08	0410	2.4 ENE of Baltimore MD;			SW	Y
	01/08	0408	2.6 ENE of Baltimore MD;			E	Y
	01/08	0320	2.6 ENE of Baltimore MD;			SW	N
	01/08	0306	0.2 SSE of Rosedale MD;5.5 ENE of Baltimore MD	36		SSE	Y
	01/08	0206	3.7 W of Shrewsbury PA;36.9 W of Baltimore MD	42		SW	Y
889871	01/08	0105	1.5 SSW of Adamstown PA;10.8 SW of Reading PA	3		E	Y
889868	01/08	0104	1.5 SSW of Adamstown PA;10.9 SW of Reading PA	3		E	Y
889847	01/08	0103	1.5 SSW of Adamstown PA;10.9 SW of Reading PA	3		E	Y
	01/08	0047	1.5 SSW of Adamstown PA;10.9 SW of Reading PA			E	Y
	01/08	0001	1.5 SSW of Adamstown PA;10.8 SW of Reading PA			E	Y
	01/07	2301	1.5 SSW of Adamstown PA;10.8 SW of Reading PA			E	Y
	01/07	2201	1.5 SSW of Adamstown PA;10.8 SW of Reading PA	20		SSW	Y
	01/07	2101	2.4 NNW of Fleetwood PA;10.0 NNE of Reading PA	13		SW	Y
884897	01/07	2000	4.5 NNW of Alburtis PA;7.5 WSW of Allentown PA	12		E	Y
884854	01/07	1959	4.5 NNW of Alburtis PA;7.5 WSW of Allentown PA	12		SW	Y



9

Cmd: Next Prev Output Restart Exit

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Msg#	Date	Time	Location or Comment for 35541	AVG	DIR	ICM
901040	01/08	1119	0.8 NE of Skyline View VA;41.1 W of Reading PA	2	SW	Y
901592	01/08	1117	0.9 NE of Skyline View VA;41.1 W of Reading PA	2	NE	X
902472	01/08	1026	0.2 W of Dillsburg PA;83.9 N of Washington DC	2	ENE	Y
902348	01/08	1025	0.4 SW of Dillsburg PA;83.6 N of Washington DC	2	ENE	Y
902228	01/08	1023	1.1 WNW of Franklinton VA;82.1 N of Washington DC	2	ENE	Y
902106	01/08	1002	2.6 ENE of Gettysburg PA;66.1 N of Washington DC	2	N	Y
	01/08	0951	2.3 E of Gettysburg PA;65.3 N of Washington DC	2	SSW	N
902347	01/08	0944	2.3 E of Gettysburg PA;65.3 N of Washington DC	2		Y
902293	01/08	0943	2.3 E of Gettysburg PA;65.3 N of Washington DC	2		Y
	01/08	0921	2.3 E of Gettysburg PA;65.4 N of Washington DC	2		N
	01/08	0911	2.3 E of Gettysburg PA;65.3 N of Washington DC	2	WSW	N
901246	01/08	0857	1.5 WSW of New Oxford PA;65.4 N of Washington DC	2	WSW	Y
901239	01/08	0856	0.9 WSW of New Oxford PA;65.5 N of Washington DC	2	WSW	Y
	01/08	0814	3.8 S of Waigalstown PA;45.4 NEW of Baltimore MD	2	WSW	N
	01/08	0755	1.3 SSE of Pipersville PA;47.8 N of Baltimore MD	2	N	Y
902452	01/08	0732	6.6 SSE of New Freedom VA;24.7 N of Baltimore MD	2	ENE	Y
902356	01/08	0731	7.4 SSE of New Freedom VA;23.8 N of Baltimore MD	2	N	Y
902734	01/08	0716	1.9 NW of Cockeysville MD;14.8 NEW of Baltimore MD	2	N	Y
902033	01/08	0702	1.8 NW of Cockeysville MD;14.8 NEW of Baltimore MD	2	ENE	Y
902032	01/08	0701	1.8 NW of Cockeysville MD;14.7 NEW of Baltimore MD	2	E	Y

Cmd: Next Prev Output Restart Exit  
View Next Page

Msg#	Date	Time	Location or Comment for 35541	AVG	DIR	ICM
	01/08	2000	3.7 NNW of Hartford CT;			N
	01/08	1944	3.8 NNW of Hartford CT;		W	N
	01/08	1930	3.8 NNW of Hartford CT;		NNW	N
	01/08	1925	3.5 NNW of Hartford CT;		W	N
	01/08	1914	3.6 N of Hartford CT;		NE	Y
	01/08	1814	3.8 NNE of Bethel CT;21.0 N of Norwalk CT		NE	Y
	01/08	1714	1.6 S of North Tarrytown NY;12.3 WSW of Greenwin		NNE	Y
	01/08	1613	4.2 SSW of Morris Plains NJ;15.5 W of East Orang		E	Y
925081	01/08	1513	3.1 NW of Freemansburg PA;7.5 NE of Allantown PA		NNE	Y
925984	01/08	1512	3.8 N of Fountain Hill PA;6.6 NE of Allantown PA		NE	Y
925023	01/08	1454	1.3 WSW of Emmaus PA;4.7 SSW of Allantown PA		NNW	Y
921666	01/08	1353	2.1 S of Trooper PA;14.7 NNW of Upper Darby PA		SW	Y
921318	01/08	1349	2.1 S of Trooper PA;14.8 NNW of Upper Darby PA			N
921299	01/08	1348	2.1 S of Trooper PA;14.8 NNW of Upper Darby PA			N
921159	01/08	1347	2.1 S of Trooper PA;14.8 NNW of Upper Darby PA			N
	01/08	1326	2.1 S of Trooper PA;14.8 NNW of Upper Darby PA		SE	N
919628	01/08	1317	2.0 S of Trooper PA;14.8 NNW of Upper Darby PA		NNE	Y
	01/08	1307	4.4 S of Trooper PA;13.2 NNW of Upper Darby PA		ENE	Y
914838	01/08	1204	5.7 NNE of Lititz PA;19.6 WSW of Reading PA		ENE	Y
911848	01/08	1126	2.9 WSW of Skyline View PA;44.5 W of Reading PA		WSW	Y

9

Q

Cmd: Next Prev Output Restart Exit

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Msg#	Date	Time	Location or Comment	Fox 35541	AVG SP	DIR	IGN
	01/09	0911	3.6 NNW of Hartford CT;				N
	01/09	0802	3.6 NNW of Hartford CT;				N
	01/09	0654	3.6 NNW of Hartford CT;				N
944431	01/09	0546	3.6 NNW of Hartford CT;				N
	01/09	0543	3.6 NNW of Hartford CT;				N
	01/09	0437	3.6 NNW of Hartford CT;				N
	01/09	0328	3.6 NNW of Hartford CT;				N
	01/09	0326	3.6 NNW of Hartford CT;				N
	01/09	0125	3.6 NNW of Hartford CT;				N
	01/09	0037	3.6 NNW of Hartford CT;				Y
	01/09	0018	3.6 NNW of Hartford CT;		5	NR	N
940027	01/09	0016	3.5 NNW of Hartford CT;				Y
	01/09	0007	3.5 NNW of Hartford CT;		2	SSB	N
	01/09	0002	3.7 NNW of Hartford CT;				N
	01/08	2342	3.6 NNW of Hartford CT;				Y
	01/08	2242	3.7 NNW of Hartford CT;				N
	01/08	2201	3.7 NNW of Hartford CT;				N
936101	01/08	2043	3.7 NNW of Hartford CT;				N
935856	01/08	2030	3.7 NNW of Hartford CT;				N
	01/08	2002	3.7 NNW of Hartford CT;		2	K	N

EXHIBIT D

**COPY**

Page 1

DOCKET NO. HHD CV 08 6002967S : SUPERIOR COURT  
RENAY S. EMMANUELE, ET AL : J.D. OF HARTFORD  
VS. : AT HARTFORD  
LAWFORD ANTHONY HOWELL, ET AL :

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VIDEOCONFERENCE DEPOSITION OF  
STEVEN PSYCK  
DDEC REPRESENTATIVE  
ON BEHALF OF ATS, INC.

---

Taken January 4, 2011

By Michelle J. Gapinski

1 THE VIDEOCONFERENCE DEPOSITION OF STEVEN PSYCK as DDEC  
2 Representative on behalf of ATS, Inc., is taken on this 4th  
3 day of January, 2011, at St. Cloud State University, Miller  
4 Center, 720 Fourth Avenue South, St. Cloud, Minnesota,  
5 commencing at 9:50 a.m.

6

7

STEVEN PSYCK,

8

a witness in the above-entitled

9

action, after having been first duly

10

sworn, deposes and says as follows:

11

12

MR. FAULKNER: Brendan Faulkner representing

13

Renay Emmanuele and her husband Mark.

14

MR. STEWART: And Gary Stewart for the

15

Defendants Lawford Howell and Anderson Trucking Service.

16

EXAMINATION

17

BY MR. FAULKNER:

18

Q Good morning, sir. We met briefly off the record.

19

Remind me again how you pronounce your last name,

20

though.

21

A Psyck, P-S-Y-C-K, it's pronounced Psyck.

22

Q Psyck, got it.

23

A Thank you.

24

Q Mr. Psyck, is it your understanding that you have been

25

designated by ATS, Inc., to testify about the subjects

1 set forth in what's been marked as Exhibit 1 to your  
2 deposition, which is a Re-Notice of Videoconference  
3 Deposition?

4 A Yes.

5 Q And have you ever had your deposition taken before?

6 A No.

7 Q So I take it you've never been designated as a corporate  
8 representative before in any capacity?

9 A Correct.

10 Q Do you understand that ATS has designated you as the  
11 person within ATS, Inc., most knowledgeable about the  
12 DDEC module that was on board the truck tractor/trailer  
13 that was being driven by Lawford Howell on January 8,  
14 2008 at the time of the subject crash?

15 A Yes.

16 Q And what did you do to prepare for your deposition  
17 today?

18 A I reviewed the documents that were provided to me.

19 Q Okay. Had you reviewed any documents prior to receiving  
20 them from my office about this case?

21 A Are the documents that you provided the ones with the  
22 yellow dot that says "Plaintiff's Exhibit"?

23 Q Yes, those documents that you have premarked as exhibits  
24 to your deposition were provided by my office. And my  
25 question is, did you ever review any documents

1 Q And are you, in fact, the person at ATS, Inc., most  
2 knowledgeable about those subjects?

3 A Yes.

4 Q And what did you do to prepare yourself for this  
5 deposition?

6 A I scanned through the exhibits.

7 Q The exhibits that were sent to you by my office?

8 A Yes.

9 Q Were you designated as the representative for this  
10 deposition by Mr. Peterson?

11 A Yes.

12 Q And in your role as a maintenance manager what  
13 experience do you have with the OmniTRACS System at ATS?

14 A I have a general knowledge of the components that come  
15 with the product, installation and sending a message to  
16 or from.

17 Q Okay: And on what occasions as maintenance manager do  
18 you send messages over the OmniTRACS System?

19 A After an installation to test it I would send it a  
20 message.

21 Q All right. What involvement, if any, do you have in  
22 ensuring the accuracy of records generated by the  
23 OmniTRACS System?

24 A None.

25 Q How does ATS ensure the accuracy of the records



1 generated by its OmniTRACS System?

2 A I don't know that we do. We rely on Qualcomm for the  
3 product that we subscribe to, purchased, and then to  
4 share data with us.

5 Q Okay. And what products of Qualcomm's was ATS either in  
6 possession of or leasing as of December of 2007 and  
7 January of 2008?

8 A We would have been in MCT's, IMCT's, cell-based units,  
9 those would have probably been the three that we were  
10 working with.

11 Q And do you have an understanding as to how long ATS,  
12 Inc., has been using the OmniTRACS System?

13 A A time frame would be from the early '90s, MCT's was the  
14 early '90s through now.

15 Q And just so the record is clear, tell us what those  
16 abbreviations that you just listed stand for.

17 A I don't know what they stand for. They represent  
18 Qualcomm's first generation of their product.

19 Q All right. What is an MCT?

20 A That is the mobile communication device that Qualcomm  
21 builds, creates, sells that we purchase.

22 Q What OmniTRACS equipment was Mr. Howell's tractor  
23 equipped with at the time of this accident?

24 A Based on the serial number of the unit it would have  
25 been an MCT version.

1 Q Was ATS aware of any functional problems with the  
2 OmniTRACS unit in Mr. Howell's tractor prior to the time  
3 of this crash?

4 A I'm uncertain.

5 Q How would you ascertain the answer to that question?

6 A Of the many pieces that go together for a MCT OmniTRACS  
7 unit I would have to know the serial number of all those  
8 pieces and then ask Qualcomm if there's ever been an RMA  
9 for any one of those different pieces.

10 Q And did you undertake that inquiry in response to being  
11 designated as a corporate representative for this  
12 deposition?

13 A No.

14 Q What does RMA stand for?

15 A Return material authorization.

16 Q Could you still do that for this particular MCT?

17 A Of all the components that comprise an OmniTRACS I don't  
18 know how I would know what keyboard serial number was in  
19 the truck, what wiring was in the truck, what dome was  
20 in the truck, but the CPU of the MCT, that serial number  
21 is -- we have that number, so only one of the pieces I  
22 would know what piece it was.

23 Q Okay. So you could determine whether there had been an  
24 RMA for this particular CMU; is that correct -- CPU?

25 A No, I would not. Qualcomm -- I would have to contact

1 A Can you repeat that question?

2 Q Sure. Do you agree that the OmniTRACS Mobile  
3 Information Management System is a two-way satellite  
4 communication system?

5 A Yes.

6 Q Do you agree that the OmniTRACS Mobile Information  
7 Management System links every vehicle in the ATS fleet  
8 to its dispatch center?

9 A I disagree.

10 Q Okay. Why?

11 A You used the word "every vehicle."

12 Q Okay. Some vehicles at ATS do not have the OmniTRACS  
13 System?

14 A That is correct.

15 Q All right. But for those either ATS assets or  
16 owner/operator assets driven in the course of ATS's  
17 usual course of business, those that are equipped with  
18 the OmniTRACS System have the ability to communicate  
19 with the dispatch center over that system, correct?

20 A There are some units that can communicate through  
21 satellite to a hub to our dispatch center.

22 Q And this particular truck/tractor was equipped to do  
23 that, correct?

24 A Based on the records that I have been provided, it  
25 appears so.

1 Q All right. Do you agree that OmniTRACS allows ATS to  
2 communicate with its vehicles that are equipped with the  
3 OmniTRACS System?

4 A Yes.

5 Q And do you agree that OmniTRACS allows ATS to determine  
6 the locations of its vehicles that are equipped with the  
7 OmniTRACS System?

8 A I don't know how Qualcomm determines its location.

9 Q But you're aware that ATS uses the OmniTRACS System to  
10 determine the location of its vehicles, correct?

11 A It's used as an approximation of where it might be if  
12 it's operable.

13 Q Okay. And you're aware that as part of its normal  
14 course of business ATS, Inc., uses the OmniTRACS System  
15 to determine approximate vehicle locations, correct?

16 A Correct.

17 Q And you're aware that ATS, as part of its normal course  
18 of business, uses the OmniTRACS System to communicate  
19 with its drivers, correct?

20 A Correct.

21 Q And you would agree that the OmniTRACS System allows for  
22 two-way contact with the company's drivers 24 hours a  
23 day assuming those drivers are in truck tractors  
24 equipped with the OmniTRACS System, correct?

25 A No.

1 location, movements, effectiveness of, you know, how the  
2 unit is operable or not operable.

3 Q How does ATS not know that despite all these years of  
4 having subscribed to the OmniTRACS System?

5 A It's not in our normal course of business to understand  
6 how Qualcomm has written or works with the satellites or  
7 mini satellite's positionings to ping off of a dome.  
8 That's -- why would I know that?

9 Q What are all of the purposes that ATS, Inc., uses the  
10 OmniTRACS System for?

11 MR. STEWART: Now or then?

12 MR. FAULKNER: Just as of December of '07 and  
13 January of '08.

14 THE WITNESS: Communication.

15 Q (By Mr. Faulkner) That's it?

16 A On an owner/operator asset we use it as communication.

17 Q Does ATS, Inc., currently use the OmniTRACS System in  
18 the course of investigating accidents?

19 A Based on the documents provided to me, they have, yes.

20 Q Do you have an understanding independent of the  
21 documents provided to you in conjunction with this case  
22 as to whether ATS, Inc., uses the Qualcomm OmniTRACS  
23 System to investigate accidents?

24 A I don't know that.

25 Q Have you ever been called on to access information from

1 an asset and it may get read, and it's possible that the  
2 opposite avenue as well from the asset to the satellite  
3 to the hub to the dispatch center.

4 Q All right. And do you have an understanding that as of  
5 2007 and 2008 ATS and its drivers would generate  
6 OmniTRACS messages in the normal course of its business?

7 A Yes.

8 Q And is it your understanding -- or scratch that. Would  
9 the documents identified as Exhibit 2 to this deposition  
10 be generated in the normal course of ATS's business?

11 A They would be -- they would occur, they wouldn't be  
12 printed and saved.

13 Q Fair enough. So the messages that are Exhibit 2 to your  
14 deposition are created in the normal course of ATS,  
15 Inc.'s, business, correct?

16 A Yes.

17 Q And the messages that are marked as Exhibit 2 are  
18 made -- withdrawn. Would you agree with me that the  
19 messages that have been marked as Exhibit 2 to your  
20 deposition are recorded by the OmniTRACS System at the  
21 time the messages are created and sent?

22 A No.

23 Q Okay. Why not?

24 A There could be a delay anywhere from the dispatch center  
25 to the hub to the satellite to the truck.

EXHIBIT E

**COPY**

SUPERIOR COURT

OF HARTFORD AT HARTFORD

RENAY S. EMMANUELE, ET AL.	)
	)
Plaintiffs,	)
	)
vs.	) Docket No.:
	) HHDCV086002967S
LAWFORD ANTHONY HOWELL, ET AL.	)
	)
Defendants.	)

VIDEOTAPED VIDEOCONFERENCE DEPOSITION OF MICHAEL HEIN

Volume 1 - Pages 1 through 112

San Diego, California

March 3, 2011

REPORTED BY CLAIRE A. WANNER, CSR NO. 12965, RPR



1 messaging transmission to and from the truck to the  
2 company's back-end system.

3 Q. All right.

4 And what it refers to mobile messaging and  
5 position location, what is it referring to when it says  
6 "position location reporting service?"

7 A. It's referring to a Qualcomm proprietary QASPR  
8 system. At the time GPS was not available, so we have  
9 our own system that calculates position.

10 Q. And am I correct then in understanding that  
11 the service that was provided by Qualcomm to ATS, Inc.  
12 by virtue of this contract was both a mobile messaging  
13 and a position location service?

14 MR. CHLUDZINSKI: Object to the form.

15 You can answer.

16 THE WITNESS: Yes. Yes.

17 BY MR. D'AMICO:

18 Q. I'm sorry. I --

19 A. Yes.

20 Q. And when it says "position location reporting  
21 service," what exactly is the service that's provided  
22 to ATS, Inc.?

23 A. As messages are sent they will attach a  
24 position of where the vehicle is located. And on an  
25 incremental basis, such as every hour, if no messages

1 are sent, it will send a position report back from the  
2 mobile vehicle expressing where it is located, if the  
3 vehicle does not.

4 Q. And so that I can understand as a layperson,  
5 can you explain to me as best you can the equipment  
6 that's necessary in order for this mobile messaging and  
7 position location reporting service to be in use?

8 A. As far as the components of the -- I'm not  
9 sure I understand.

10 Q. I'm really looking for a general overview of  
11 how it works initially and then we can get more  
12 specific.

13 A. Okay.

14 Basically the mobile component is a device  
15 that's a transceiver with an antenna that communicates  
16 to a Ku-Band satellite. In the cab the driver will  
17 have a keyboard and display as a single unit. The  
18 driver can receive messages in the form of macro  
19 messages from the main office. They can also respond  
20 and send macro messages or text message or free-form  
21 text message back to the home office.

22 At the time a message is sent, we will  
23 calculate the position and tag that along with the  
24 message as to where it -- where the vehicle was at the  
25 time of the message. Also, if the vehicle is driving

1 down the road at an incremental once an hour, it will  
2 send a position of where the vehicle is located on its  
3 own.

4 Q. All right.

5 And can you explain to me again as a general  
6 overview how is it that that position is calculated so  
7 that it can be reported?

8 MR. CHLUDZINSKI: Object to the form. You may  
9 answer.

10 THE WITNESS: The position is calculated using  
11 a Qualcomm method that uses a main satellite and a  
12 ranger satellite and using timing to communicate to  
13 those satellites to calculate or triangulate its  
14 position.

15 You also have fixed units around the country  
16 that are also used to calculate that position.

17 BY MR. D'AMICO:

18 Q. All right.

19 And the customer as reflected in this contract  
20 is who?

21 A. ATS, Inc.

22 Q. And their address?

23 A. 203 Copper [sic] Avenue North, St. Cloud,  
24 Minneapolis 56302.

25

1 MR. BULL: Object to the form.

2 You can answer.

3 THE WITNESS: Yes.

4 BY MR. D'AMICO:

5 Q. And so am I correct then in understanding that  
6 ATS purchased a plan that allowed both for text  
7 messaging or macro messaging as well as position  
8 location?

9 MR. CHLUDZINSKI: Object to the form.

10 THE WITNESS: Yes. Macro messaging, free-form  
11 messaging and, and position poles.

12 BY MR. D'AMICO:

13 Q. And earlier you described that a position  
14 location would be determined at the time a message was  
15 sent or at the time a message was received.

16 Was that part of this enhanced plan?

17 MR. CHLUDZINSKI: Objection to the form.

18 MR. BULL: Objection. Mischaracterizes  
19 testimony.

20 You can answer.

21 THE WITNESS: Can I correct?

22 Okay. So if a message is sent, it will attach  
23 a position from the mobile. If no message is sent on  
24 an hourly time or an automatic position will be sent.

25

1 that would link into our Q-Tracks 400 software, which  
2 would then send it off to our NOC to go up to the  
3 satellite down to the mobile system and in the reverse  
4 as well. When the mobile message from the mobile, to  
5 the satellite, to our network operation center, to the  
6 host software, and then passed off to the dispatch  
7 software.

8 BY MR. D'AMICO:

9 Q. All right.

10 And I'm understanding correctly then that that  
11 combination of software and hardware that you just  
12 described enabled ATS to both message its drivers as  
13 well as obtain a position history related to the  
14 location of the tractors, correct?

15 MR. CHLUDZINSKI: Object to the form.

16 THE WITNESS: That is -- that is correct.

17 BY MR. D'AMICO:

18 Q. All right. Can you go to Plaintiff's  
19 Exhibit 6 for me, if you would.

20 Take a moment and familiarize yourself with  
21 that document, and let me know when you're ready.

22 (Exhibit 6 was marked.)

23 THE WITNESS: Okay.

24 BY MR. D'AMICO:

25 Q. And what was the purpose of that amendment, if



1 can you tell me -- in whatever way you feel I can  
2 understand it -- how accurate that position location  
3 service is?

4 MR. CHLUDZINSKI: Object to the form.

5 MR. BULL: You can answer.

6 THE WITNESS: Yes.

7 It's accurate 90 percent within 300 meters;  
8 95 percent at 360 meters.

9 BY MR. D'AMICO:

10 Q. And just for a frame of reference, since we  
11 often don't use measurements as lay people in terms of  
12 meters, how far is 300 meters?

13 MR. CHLUDZINSKI: Object to the form.

14 THE WITNESS: Approximately 984 feet, I  
15 believe. Close to 1,000 feet.

16 BY MR. D'AMICO:

17 Q. All right.

18 And so 350 meters would be approximately how  
19 many feet?

20 A. 360 is approximately 1200. It's like 1157 or  
21 something like that.

22 Q. All right.

23 And if you were to -- do you know how many  
24 feet are in a mile?

25 A. 5,000 some odd feet in a mile.

1 Q. All right.

2 So if you were to tell me how accurate the  
3 position location service is by way of description in  
4 miles, how accurate is it 90 percent of the time?

5 MR. CHLUDZINSKI: Object to the form.

6 MR. BULL: Objection. Form.

7 THE WITNESS: Approximately a fifth of a mile.

8 BY MR. D'AMICO:

9 Q. And 95 percent of the time in terms of miles,  
10 how accurate would it be?

11 MR. CHLUDZINSKI: Object to the form.

12 MR. BULL: Same objection.

13 THE WITNESS: Better than a fifth of a mile.

14 BY MR. D'AMICO:

15 Q. All right.

16 And was that the case as of the month of  
17 January of 2008?

18 A. Yes.

19 MR. CHLUDZINSKI: Object to the form.

20 BY MR. D'AMICO:

21 Q. And were you aware of any system-wide problems  
22 or malfunctions with the position location service  
23 provided to ATS, Inc. in the month of January 2008?

24 MR. BULL: Object.

25 MR. CHLUDZINSKI: Object to the form.



1 MR. BULL: Form.

2 THE WITNESS: No.

3 BY MR. D'AMICO:

4 Q. Do you have any reason to believe that the  
5 position location service that was provided to  
6 ATS, Inc. in the month of January of 2008 was not as  
7 accurate as you've just described?

8 MR. CHLUDZINSKI: Object to the form.

9 MR. BULL: Objection. Form.

10 THE WITNESS: No, I do not.

11 BY MR. D'AMICO:

12 Q. All right. I want you to turn for me now, if  
13 you can, to what we've marked as Plaintiff's Exhibit  
14 16.

15 (Exhibit 16 was marked.)

16 MR. D'AMICO: And for the record, they're  
17 Bates stamped as numbers 1 through 80. And so that  
18 there's no confusion, that's not preceded by the letter  
19 Q.

20 BY MR. D'AMICO:

21 Q. All right. If you can go to the one that's  
22 Bates stamped No. 1 on the bottom, please.

23 A. Okay.

24 Q. All right.

25 First of all, are you familiar with this type

1           You can answer.

2           THE WITNESS: I know the tools we offer to  
3 integrate. But what they do with it and how they  
4 integrate it into their system, I'm not aware of.

5 BY MR. D'AMICO:

6           Q. Can you explain to me the positioning report  
7 that the OmniTRACS software is capable of generating as  
8 of January of 2008?

9           Can you tell me the information that would be  
10 provided on that report?

11          MR. BULL: Objection to the form.

12          MR. CHLUDZINSKI: Object to the form.

13          THE WITNESS: I will try my best, but I  
14 haven't look at one in awhile.

15          So it would typically have -- based on unit  
16 address -- all of the position reports; the date, time,  
17 the lat/long or nearest landmark; whether the ignition  
18 was on or off; and it may have a couple other things on  
19 it.

20          That's best of my recollection.

21 BY MR. D'AMICO:

22          Q. When you said lat or long, do you mean  
23 latitude and longitude?

24          A. Yes.

25          It will show latitude/longitude or in place of

1 BY MR. D'AMICO:

2 Q. So based on your understanding of how Q-Tracks  
3 would interface with McLeod, would a dispatcher then at  
4 ATS be looking at a McLeod screen?

5 MR. BULL: Objection. Outside the scope.  
6 Mischaracterizes.

7 MR. CHLUDZINSKI: Object to the form.

8 THE WITNESS: I assume because these screens  
9 are not ours. So I would assume that whatever dispatch  
10 software these screens are from is what they're looking  
11 at.

12 BY MR. D'AMICO:

13 Q. All right.

14 Now earlier we talked about in  
15 Plaintiff's Exhibit 1 on page five -- I'm sorry, on  
16 page Q8 of that Plaintiff's Exhibit 1 -- that the  
17 customer in this instance, ATS, was responsible for  
18 notifying Qualcomm if there was an operation or  
19 equipment failure.

20 Was there a procedure in place for purposes of  
21 that notification?

22 MR. CHLUDZINSKI: Object to form.

23 MR. BULL: Objection. Form.

24 THE WITNESS: Yes, there's a phone number they  
25 call. They would call into the hotline. The hotline

1 would determine based on what they're saying the  
2 problem would be, what to do.

3 BY MR. D'AMICO:

4 Q. And the phone number that's listed there, is  
5 that the hotline?

6 A. Yes, that is still the hotline number today.

7 Q. Is there some type of a audit or some other  
8 kind of check that Qualcomm does on some type of a  
9 routine basis to verify the accuracy of the positioning  
10 data that's provided in the Q-Tracks system?

11 MR. CHLUDZINSKI: Object to the form.

12 MR. BULL: Objection to the form. Vague.

13 THE WITNESS: Due to the nature of the way it  
14 communicates, there -- there is no need that it would  
15 vary from time to time. It either works or it does not  
16 work. So there's no --

17 BY MR. D'AMICO:

18 Q. All right. Can you explain that to me,  
19 please.

20 A. Yeah.

21 The system itself is always communicating and  
22 sending data back through the satellite as to how it's  
23 operating. So it's kind of self-adjusting and  
24 calibrating as it's working. So we can expect -- and  
25 we do expect and we do see -- the same results time and

EXHIBIT F

■ SOLUTIONS

- ONLINE TL QUOTE
- LTL QUICK QUOTE
- SPECIALIZED
- HEAVY HAUL
- WIND ENERGY
- VANS
- PAD WRAP VANS
- LOGISTICS
- INTERNATIONAL
- FURNITURE

■ ABOUT ATS

- MISSION STATEMENT
- 50 YEARS TRIBUTE
- CONTACT US
- PEOPLE
- EQUIPMENT
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- AFFILIATIONS
- ATS NEWS
- GREEN POLICY

■ JOIN ATS

- DRIVING OPPORTUNITY
- HEROES WELCOME
- OTHER POSITIONS

■ LEASING & SALES

- NEW LEASES
- USED LEASES
- USED TRUCK SALES

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**ABOUT US** > **MISSION**



**Mission, Vision & Values**  
**Anderson Trucking Service Inc.**

A Strategic Leadership Team from ATS held several meetings over the last nine months, and has developed an updated Mission Statement, Vision Statement and Corporate Values for ATS. The Team, which was directed by Rollie Anderson, was made up of leadership from various disciplines within the Anderson Trucking family of companies. Members included Brent Anderson, Scott Anderson, Jake Wood, Gary Stang, Jeff Potthoff, Jason Netland, Scott Fuller and Mike Lakmann.

*This is an extremely valuable exercise to go through for any organization. What made it even more valuable to us was the timing. Given the current economy, it is so easy to get caught in narrow and short-term thinking. This process made us look long-term and to discover who we wanted to be, how we wanted to present ourselves, and what are some of the guiding principles we will use to achieve our goals." - Gary Stang*

The team first defined what a Mission Statement, Vision Statement and Corporate Values are, and then proceeded with a process of developing each for ATS.

*In the mission statement it is important to understand the emphasis of helping people, employees, contractors, customers, and stakeholders, to succeed." - Scott Anderson*

A Mission Statement captures an organization's reason for being" and guides decision making by describing "what we do".

It is a short statement which can be easily remembered by all stakeholders.

**ATS Mission Statement**

**Helping people succeed by delivering world-wide transportation solutions.**

*Our Mission, Vision and Values are what OUR PEOPLE are all about delivering transportation solutions with their driving force being stewards committed to excellence and integrity." - Joe Goering*

A Vision Statement expresses an organization's goal and describes where we are going



and what we are striving for.

**ATS Vision Statement**

**To be the most sought-after transportation provider in the world.**

Corporate Values are the timeless guiding principles, core values that we want to live by no matter how the world around us changes.

*ATS's values guide us through our mission to the goal of our vision" - Brent Anderson*

**ATS Corporate Values**

**Innovation**

**Integrity**

**Determination**

**Responsibility**

**Excellence**

*The ATS Mission and Vision Statements and the ATS Corporate Values will be launched throughout the company during the week of November 8 - 14, 2009.*

*Taking the risk to Innovate provides the future, long term competitive edge.  
- Rollie Anderson*

*Many corporations have gone through the process of identifying corporate values...what sets us apart is that we truly believe our people deliver these values each and every day." - Jeff Potthoff*

*The ATS Mission and Vision statements reflect our international presence and our dedication to providing global logistics solutions." - Jason Netland*

*Establishing our mission, vision and values of the company provides the operating foundation for ATS." - Rollie Anderson*

*The vision statement can assist each employee and contractor to understand what ATS wants to be; thus it can be looked at by each employee and contractor as to how to perform." - Scott Anderson*

*Staying true to our corporate values is critical. That's what makes us able to succeed, no matter what challenges we may face." - Mike Lakmann*

*We believe our most valuable asset is our people including both associates and customers. What I like is our mission statement reflects that core belief. - Jake Wood*

EXHIBIT G



## ■ SOLUTIONS

ONLINE QUICK QUOTES  
 FLATBED/SPECIALIZED  
 HEAVY HAUL  
 WIND ENERGY  
 DRY VANS  
 PAD WRAP VANS  
 LOGISTICS SERVICES  
 INTERNATIONAL  
 FURNITURE

## ■ ABOUT ATS

MISSION STATEMENT  
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 ATS NEWS  
 GREEN POLICY  
 PHOTO GALLERY

## ■ JOIN ATS

DRIVING OPPORTUNITY  
 HEROES WELCOME  
 OTHER POSITIONS

## ■ LEASING & SALES

NEW LEASES  
 USED LEASES  
 USED TRUCK SALES

## ABOUT US > TECHNOLOGY

# TECHNOLOGY

We are constantly expanding our technology to provide the very best customer service. Here are some of the technologies we put to work for you. Their flexibility allows us to customize services and information.

**COGNOS** Enterprise Query and Reporting Cognos Impromptu and Impromptu Web Reports are the enterprise answer for database query and reporting. Report authors can quickly and easily create complete reporting applications using the powerful authoring capabilities of a Windows client. They then deploy these reports over the Web to any number of users inside or outside of the organization. This gives managers, production workers, supervisors, analysts, suppliers, and customers immediate access to e-business insight.

Impromptu presents information the way users view their business, not the way the data base is structured. This means users can easily create powerful reporting applications without having to understand the underlying database connectivity and functionality.

Impromptu Web Reports allows IT to manage report distribution from a single, central location, which significantly streamlines administration. Users benefit from unparalleled scheduling flexibility, unmatched ease-of-use, and professional presentation-quality reports.

**DAT Services** DAT's services provide a marketplace that we participate in to optimize our capacity utilization and your delivery needs.

**LAWSON Software** Lawson's insight tools help us efficiently and effectively manage our purchasing and financial functions.

**McLeod SOFTWARE** The LoadMaster™ Dispatch System allows our dispatchers to effectively do their primary task, moving tractors and freight, not paperwork. This gives each dispatcher more time to sell freight and plan ahead. The LoadMaster™ Dispatch System provides the most current loads and equipment location at a glance, which allows efficient planning and routing. The system is designed for speed; usual dispatch operations require a minimum of keystrokes, important to a dispatcher on the phone.

McLeod's LoadMaster supports our efforts to provide prompt, convenient, and friendly service to you, as well as efficient and effective dispatch for us.

**QUALCOMM** For over 12 years, QUALCOMM has been on-board supporting its customers with innovative tools to improve operational efficiency and increase profitability. In fact, we've literally been "on-board", traveling the millions and



millions of miles driven by over 335,000 OmniTRACS-equipped vehicles worldwide.

From the introduction of the OmniTRACS satellite-based communication and positioning system in the late 1980s to today's sophisticated fleet management solutions, QUALCOMM has been a reliable partner every mile of the way.



DriverTech's Fleet Management System was created with the idea of being flexible for any fleet operation. Simply adding their Truck-PC hardware to our fleet, helped us improve:

Fleet utilization

Reducing data entry

Reduced new driver training

Reduced vehicle down time using vehicle diagnostics

VETERAN FRIENDLY EMPLOYER

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