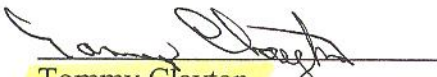


(C)

This is to verify that I was the driver of the wrecker, for Baker's Wrecker Service, Sevierville, Tennessee, that picked up Eddie and Rhonda Smith's 2007 Lexus ES 350 on Interstate 40, October 12, 2006. When I started to winch the vehicle onto the roll-back, I asked Mr. Smith to place the car in neutral. When he moved the car into neutral, the engine turned over and attempted to start by itself. It stopped on it's own after several seconds. After getting the car loaded, I was securing the rear of the car and noticed the smell of hot brakes. On further inspection I saw that the brake pads were burnt up, smelled extremely hot and the rotors were scorched and pitted. I pointed this out to the Smiths' and was told that the car had, for no reason, ran away with her and would not stop. According to Mrs. Smith all this happened with the emergency brake on, the transmission in reverse and both feet on the brake.

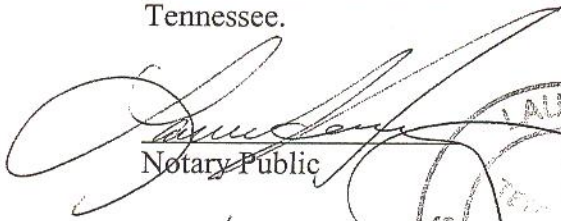
If you have any questions concerning this incident, please call me at 865-453-9203.


Tommy Clayton
Baker's Wrecker Service

2-20-7
date

County of Sevier
State of Tennessee

Signed before me this 20th day of February, 2007, a notary public in the state of Tennessee.


Notary Public
2/23/10

