

# UTAH AUTO BODY WATCH DAWG



ADVERTISING MATERIAL

MARCH/APRIL 2004 PAGE 1

## ABRA cah-dab-rah

by Bruce A. Davis

Monica is an attractive single mom who feels she's maybe more consumer savvy than most. However, when her own auto insurance company steered her to one of their so called "preferred shops", she unsuspectingly headed down what was to become for her a frustrating and nightmarish road filled with the consequences of a shoddy collision repair.

Monica's Nissan sustained collision damage to the right front corner. She was injured in the collision. It was a bad wallop. The impact was of sufficient force to take out the strut assembly and even required replacement of forward right front wheelhouse panels, along with associated and critical uni-body reinforcements in that area.

When the ABRA body shop called Monica to tell her the repairs were completed, she was excited and relieved to get her car back. Unfortunately, just hours after taking possession of her car she noticed unsettling problems with it. Her car now made funny noises it didn't make before. It handled strangely. Lots of different and weird smells filled the cockpit of her car. The smells were not like those of a decaying, half eaten *Happy Meal* stuffed under the passenger seat. Anyone who's been a parent of young children knows that distinct odor. These aromas were clearly different. When she accelerated on the highway she also heard high pitched squealing noises she hadn't heard before the accident. And, her horn somehow sounded odd and flat toned to her. She

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## Test Your Knowledge

### A quiz on the justice system

- In 1962 the average federal judge conducted:
  - 39 trials a year.
  - 13 trials a year.
  - 27 trials a year.
  - 60 trials a year.
- What percent of all civil cases in federal court went to trial in 1962?
  - 67.3%
  - 46.7%
  - 1.8%
  - 11.5%
- In 2002, the average judge conducted:
  - 39 trials a year.

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**ABRA cah-dab-rah***continued from pg. 1*

didn't remember it being that way before. The first time she used her auto window wash after ABRA handed her back the car, the windshield ended up being all streaked with a strange film residue. It was hard to see through after pushing the windshield wash button that had always before given her a fresh clear view of the road ahead in slushy weather. Her doors just didn't seem to close right either. They were just fine before the collision. When she tried to check her crankcase oil, her hood wouldn't stay up to perform this simple maintenance operation. It simply kept slamming down unless she held up the heavy hood with one hand while using her free hand to reach for, pull and re-stab the dip stick. This was definitely a new problem, too. She had always been able to effortlessly inspect fluid levels under the Nissan's hood by herself.

Two times back to ABRA with these specific post repair complaints and she was no better off for her added inconvenience, except maybe her doors closed a bit easier than just after the repairs. She felt ABRA's people emotionally just patted her on the head each time she went back. She was left with the impression that the ABRA service writers secretly thought she was looney, given her array of post repair complaints. She knew differently.

Frustrated from having her valid concerns not dealt with by ABRA after twice going back, and with continued pain from injuries in an auto collision that was not her fault, she sought out the law firm of Bryan A. Larson for representation. As the in-house property damage specialist at that firm, and on assignment from attorney Larson, I inspected Monica's Nissan after listing each of her complaints in our file. I later involved other experts to inspect, document and diagnose post repair symptoms with her car. This re-inspection team eventually included Tim Moultrie, an experienced field representative for MetLife, the company that had directed Monica to ABRA. They were also the ones who had paid ABRA for the subject repairs. Any guesses what all we found?

The shop had been paid to paint the hood complete along with the right fender. Instead you could see where they had merely blended into the

right front corner of the hood instead, but clear coated the entire nose of the hood, right over rock chip craters and visible road rash. I was left with the impression that had this accident happened in July, ABRA might have painted over mustard bug guts, embalming and preserving insect innards under the car's clear coat for all posterity to view.

When I popped the hood, it wouldn't stay up for me either. And, not surprisingly, the passenger side hood strut was pumping out oil like a Texas desert roughneck paid a percentage for each gallon of crude. There was a fresh pool of this hydraulic fluid at the lower mount area of this right strut. The left strut was dry and functional, the right one was adjacent to the point of impact and wasted. It was new damage and in my mind, most definitely accident related.

The tall filler neck for the window wash reservoir was sitting askew, however, I saw that the reservoir tank below it was mounted square on the underside of the wheelhouse. Odd, I thought. When I touched the filler neck, in front of witnesses it came apart in my hands and detached from the reservoir base. Right where the neck had separated from the tank at impact I spied a big hardened ring of glue gun goo smeared around the fractured filler neck base. Furthermore, it appeared that the window washer reservoir had antifreeze in it. Smell, touch and taste tests confirmed coolant in the window cleaner fluid. Also, any daycare child knows heated glue gun goop won't bond surfaces coated this way.

The adjacent antifreeze overflow reservoir on the right wheelhouse had been overfilled with too much coolant well above the designated line. There was evidence the coolant container had been coughing up its warmed contents everywhere like a Freshman at a frat party.

Under the hood I also immediately smelled ATF. At first we thought it was the tranny lines, but closer inspection revealed sloppy re-attachment of power steering lines as the leaking culprit, also adjacent to the right wheelhouse and the documented point of impact. The shiny and loose aftermarket hose clamps covered with fresh red ATF were a dead giveaway. The P/S pump reservoir was at risk of run-

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**ABRA cah-dab-rah***Continued from pg. 2*

ning dry, emptying out the rack and pinion. In time this could have caused major component failure with the added potential for a serious loss of steering control.

From the paint overspray signature, it was evident that the one of the two diaphragm horns had been removed as part of the right wheelhouse restoration. Reattached to its "L" bracket, the now silent horn sat there, with no power supply to it.

Through the concoction of smells made up of ATF, coolant, window wash and hydraulic fluid mingled together under the hood, I also detected the pungent smell of burnt rubber or plastic. I first experienced this aroma and it's unique aftertaste in my mouth when as a Cub Scout my *Converse* sneakers got too close to the campfire just before I pulled my first attempt at "Samores" off my stick. Right off, I knew something else under the hood of this Nissan wasn't right. Closer inspection revealed that the serpentine belt on the right side of the transverse mounted V6 motor had been generously bathed in this mixed cocktail of engine compartment fluids. The belt had therefore been slipping on its pulleys, squealing to high heaven and grinding itself to melted shreds in the process.

Having years of experience with such matters, I knew that any tech or shop that performed or allowed such schlock repairs regarding obvious and visible items, often camouflaged other substandard procedures, or omitted some altogether.

With that, my pocket knife was out. I scraped back a section of drip check/seal sealer where the top of the right wheelhouse was supposed to be welded to the right upper reinforcement and strut tower. Sure enough, there was no weld bead under some of the flexible sealer, where there should have been welds.

Now, the wheelhouse was suspected of having a classic "oil can" syndrome at a crucial unibody juncture, for lack of sufficient welding. On this repair, I was then left with the impression that safety also had gone out the window along with mechanical considerations and cosmetics.

As expected, the right fender was misaligned

at several points where it attached to the errant right wheelhouse. Pieces were obviously missing from the front cover assembly that was authorized to be replaced complete by MetLife. I suspect the tech who did the "put together" on this job has a junk drawer in his toolbox filled to overflowing with leftover parts from this and prior jobs.

I did see evidence that someone at ABRA had apparently tried to address Monica's door latching complaints. At all four doors of this Nissan, each striker had a big fresh booger of white grease slathered on it. Not on the latch assemblies inside the door shells, but on the four pillar strikers; large gobs of white goo perched there just waiting to ruin someone's clothing.

Our team of repair professionals soon suspected that MetLife may have been ripped off along with Monica, since some of the procedures and parts MetLife apparently had paid ABRA for, were incomplete and/or missing altogether from the actual repairs. A copy of the initial estimate confirmed these suspicions, starting with the brand new window washer reservoir MetLife paid ABRA for, but Monica obviously never got.

We appreciate that Tim Moultrie from MetLife stepped up to the plate on this one and paid 100% for the correction of all ABRA errors. Wisely Monica refused to go back to ABRA and I'm proud to say all the redo work was expertly accomplished by a body shop that's an active member of the *Auto Body Owners Association of Utah*. MetLife also picked up the tab for Monica's additional rental expenses. MetLife's home office "preferred shop" coordinator in his office back east also thanked me for bringing this matter to his attention. As some of you know, he's a former Utah resident, and a no nonsense guy when it comes to this type of shop misbehavior. MetLife only wants safe and quality repairs. I know they don't condone such shop corner cutting, ever.

All in all, MetLife paid out about \$1,300.00 to make Monica's car safe and correct, and this did not include her supplemental rental expenses that MetLife also financed. Tim Moultrie's experience and claims professionalism was appreciated in this

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**Bondo Bob***Continued from pg. 7*

flashed green, that fire breathing road monster roared to redline, and launched like a flea off an itchin' hound. I know the grungy teen that built it always got the respect and attention of my fellow hotrod-ders, . . . especially when he was upwind.

For some reason, I had an weird dream last night that I was walking around barefoot in my pajamas at Home Depot, asking some paint isle clerk how many spray cans of flat black *Krylon* it would take to re-paint a '39 Ford coupe'? See you next time.

*The end.*

for years and in incredible shape. Already Mopar converted to V8 with 4 speed. Restore it into an awesome company advertising or logo vehicle. Only \$6,800. Call Bruce at work (801)446-6464.

**NEXT ISSUE:** It seems that another auto insurance field adjuster has been caught steering business by bad mouthing a quality shop to a loyal customer, who then reported the misbehavior. More on this in the next issue of *Watch Dawg*.

**CLASSIFIEDS**

**FOR SALE 1949 International Harvester se-  
dan delivery. Extremely rare version of last year for fat fender models at IHC. Also, last year of the crank out windshield. Way cool split window rear cargo doors. Was former fire department support vehicle stored inside**

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THIS PUBLICATION IS PUBLISHED BI-MONTHLY, OR WHENEVER WE GET AROUND TO IT BY  
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**SPECIALIZING IN HELP FOR INJURED ACCIDENT VICTIMS AND THE  
BODY SHOPS WHO REPAIR THEIR VEHICLES**

**Bondo Bob**

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coupe' is like painting a mustache on the Mona Lisa. I understand from others that the owner is a really cool guy who maybe bought it that way, but man, somebody pass the hat so this fella can get another color on his rod, *any* other color. What makes matters even worse is that he had that white Christmas-time garnish angel hair stuffed in and around his megaphone exhaust pipes, undercarriage and wrinkle wall meats. I know they used to do that sort of thing with custom auto displays, but there was so much Xmas angel hair scattered about this '39, I caught myself looking around it for little porcelain images of the three wise men, a *Norelco* shaver, *Old Spice* "soap on a rope" gift packs, or a *Lionel* train set.

I personally believe that pink hot rods should be limited to a 60 mile radius around San Francisco, or maybe issued as company cars to male *Mary Kay* cosmetic representatives who go door to door, provided they do it with their hair in a slicked back DA and a pack of *Lucky Strikes* rolled up in their left tee shirt sleeve.

There were plenty of gee-whiz gadget cars at the Auto-Rama with million dollar, chest thumping sound systems, cockpit switches for scads of gadgetry, headliner DVD players and phoo-phoo, sissy blue anodized overhead cam covers. Whoopie. I bet my subwoofers can beat up your subwoofers. So what, and who cares? Give me a raked stance and raw torque any day. The sound of a blueprinted V8 motor roaring through twin glasspacks, is music enough for me.

The bevy of motorbikes there was awesome, with lots of studded leather, airbrushed skulls, boilerplate and flames embossed on chrome encrusted fuel tanks, custom rigid and swing frames and chopped fenders in every conceivable shape and config. There was this one big hairy backed dude there waxing up his knuckle head hog. He looked like a muscle bound Sasquatch on steroids stuffed into a well-worn Sturgis tank top and an unbuttoned black leather vest. His wallet was on a chain and he was sporting a Peter Fonda neck tattoo. On the chance he might read this, . . . ah, . . . I liked his bike the best.

The UVSC college display showcasing the classes they offer that includes learning auto customizing the ol' fashion way, was just incredible. These skills could become a lost art. If you notice, the average crowd attending such car shows, and behind the scenes fabricating these customs and cruisers aint getting any younger. Many of these aging craftsmen are looking more like *Tony Roma Restaurant* poster children, than the once trim and wavy haired *Coppertone/Pepsi* generation; present company excluded. If your body shop has an apprentice body man, you might be dollars ahead getting that tech enrolled in UVSC auto body classes to learn the fundamentals and where there's generally plenty of release time for your man to still work full-time for you. Call instructor Cris Boggess at (801)863-8391 for more info about his customizing class and the overall body shop tech program there. Support this curriculum at UVSC as it advances a craft and passes on unique metal skills to another generation of body men and hot rodders. Oh yeah, don't miss the annual UVSC outdoor car show, Friday night and all day Saturday, May 21<sup>st</sup> and 22<sup>nd</sup>. Check out the [www.jchackett.com](http://www.jchackett.com) website for more details. It's an awesome event, especially the Friday night cruise and evening barbecue.

At the show this year, I admit I liked the cars and trucks with the not so dazzling paint jobs best. In my day of cruising Main or State street, it was the guy with the scabby paint job that you had to watch out for. Chances are he spent all his hard earned cash under the hood on speed parts, with outward appearances generally being a secondary consideration for him. This attitude was often reaffirmed by his poor personal hygiene and the nearly toothless girls with the pepperoni complexions such gritty rodders generally dated. When I was a teen the meanest machine in my area was a '55 Chevy pavement scorcher that the owner had painted flat OD green, . . .with a brush, no less. Just enough coats to stop surface rust. From the outward appearance of his gnarly steed, we all knew the time and money the kid could have spent on custom body work, flashy paint, turtle wax or underarm deodorant was instead all invested in his motor and tranny. I remember when the traffic light

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**Quiz***Continued from pg. 1*

- b. 13 trials a year.
- c. 27 trials a year.
- d. 60 trials a year.
4. What percent of all civil cases in federal court went to trial in 2002?
- a. 67.3%
- b. 46.7%
- c. 1.8%
- d. 11.5%
5. Since 1989 (the past 15 years), Utah law has required that 50% of all punitive damage awards in excess of \$20,000 (after attorney's fees and costs) be remitted to the state treasurer for deposit into the General Fund (U.C.A. §78-18-1(3)). Since enactment of this law the total punitive damage awards in Utah have enriched the General Fund by:
- a. More than \$100,000 but less than \$1M
- b. More than \$10,000 but less than \$100,000
- c. Less than \$10,000
- d. More than \$1,000,000.
6. Huge numbers of injury and death lawsuits are filed every year, clogging the courts.
- a. True.
- b. False.
7. Which of the following apply to physicians under Utah statutes?
- a. Caps on damages.
- b. Elimination of the collateral source rule.
- c. Mandatory periodic payment of judgments awarded.
- d. Mandatory arbitration.
- e. Statutes of limitations or repose.
- f. All of the above.
- December 14, 2003. Study: Marc Galanter, who teaches law at the University of Wisconsin and the London School of Economics, for the American Bar Association.
2. **D.** 11.5% (1962) U.S. Suits Multiply, but Fewer Get to Trial, Study Says," NYTimes.com article, Adam Liptak, December 14, 2003. 12,539 civil cases were tried in federal court in 1985.
3. **B.** 13 trials a year. "U.S. Suits Multiply, but Fewer Get to Trial, Study Says," NYTimes.com article, Adam Liptak, December 14, 2003. Study: Marc Galanter, who teaches law at the University of Wisconsin and the London School of Economics, for the American Bar Association. 4,569 civil cases were tried in federal court in 2002.
4. **C.** 1.8% (2002) "U.S. Suits Multiply, but Fewer Get to Trial, Study Says," NYTimes.com article, Adam Liptak, December 14, 2003. Study: Marc Galanter, who teaches law at the University of Wisconsin and the London School of Economics, for the American Bar Association. The percentage in Utah was approximately 1.2% Source Paul Caswell, United States District Judge.
5. **C.** Less than \$10,000. Utah State Treasurers office and Utah Attorney General's office.
6. **False** Tort lawsuits (including personal injury of all types, property damage only, medical malpractice and wrongful death) constitute a tiny fraction of all filings. In 2002, those cases accounted for 0.735% of all filings in the State's District Courts (not seven percent, less than 3/4 of one percent). In 2003, they accounted for 0.944% if filings. Nearly as many were disposed of as were filed each year. By contrast, other general civil filings (business disputes, contract claims, foreclosures, and other similar categories) accounted for between a quarter and nearly a third of all filings (2002= 26.77%, 2003=31.72%). Likewise, the numbers of criminal and domestic cases filed each year were dramatically higher than tort cases: 2002— criminal 18.44%, domestic 7.19%, 2003— criminal 16.39%, domestic 8.13% Source: Utah State Courts website, statistics page: <http://www.utcourts.gov/stats/>
7. **A,B,C (in some cases), D and E.** Utah Code Ann., 78-14-1, et seq. Essentially none of the above apply to architects, mechanics, lawyers, accountants or bankers; and most, if not all, have been held unconstitutional by various state courts.

*The end.***Answers:**

1. **A.** 39 trials a year. "U.S. Suits Multiply, but Fewer Get to Trial, Study Says," NYTimes.com article, Adam Liptak,

## Letters to the editor

### Ideas about COD

What a great article! I can add much more as a shop who has been refused four times in four years to become a DRP for Farmers. Every year it is a different excuse. This year we are in a new building which should be impressive to them but they still don't want to add new COD shops. I would like some reasons, for their actions, I believe, are harmful to our shop and community.

1. When our friends call claims central they are told that Farmers will not guarantee our shop's work and they make it sound like we are a poor shop and that their COD shops are the only way to go. Our customers are intimidated and think they must go to the COD shops if Farmers is involved. The reality is, we have the highest standards that can be had and are a DRP for State Farm. I feel that Farmers just does not care how good we are, or what we can offer them.

2. Our close knit communities of Riverton, Herri-man, and Bluffdale believe they must take their cars to Sandy or Draper and feel offended that they cannot use their own neighborhood body shop and work with people they know.

3. The tax money that should stay in our community goes out to another community and our city fathers wonder why.

We used Farmers for four years for all our insurance including Workmans Comp., Garage Keepers Liability and tow trucks. Not any more! We changed to Travelers through Zions Insurance Agency. They loaned us the money for our new building so we work with them now. I think Farmers is a dying company and it shows in so many ways. I have thought of talking to (Mr. Larson) about a lawsuit for what they tell people on the phone about me and my shop. Anyway, good job, keep it up *Watch Dawg*.

—Marv Hagen (Hagen Collision)

### Satisfaction

As a manager of a GM collision center in Provo, Utah, and as a twenty five year veteran to the collision repair industry, it does my heart good to see someone finally start to expose some of the things going on in this industry, that everyone knows about, but seldom talk about in public view. Many thanks to *Watch Dawg*.

— Brad Larsen (Harmon's Auto Center)

### More Problems With Farmers

The *Watch Dawg* article about adjusters unpaid supplements was awesome, so I am forwarding on to you the name of Chris Parkinson with Farmers. Claim number 1004030216-1, Chris came into my shop and wrote an estimate. 99% was mechanical labor for which I charge \$72.00 per hour. Chris asked me if it would be okay to write it at \$36.00 per hour, with the promise that if I would supplement him on the difference, he would surely pay me. I agreed to those terms. I wrote the supplement the first of December 2003, and all I get from him is amnesia when I later went looking for my promised payment.

After the staff at Mr. Larson's lawfirm made a few calls on my behalf, I got paid. Many thanks for the help.

—Terry Pilon (Terry's Body & Paint Inc.)

*The end.*

**ABRA cah-dab-rah**

continued from pg. 3

matter when we brought our multiple discoveries to his attention. The last time I saw Mr. Moultrie he was headed into the sunset towards ABRA's facility to discuss reimbursement from them. I suspect he also had marching orders from home office to skin some fur off some butts when he got there.

No body shop is perfect, and we all make mistakes. However, is what we uncovered and documented within this ABRA repair investigation merely confirmation of notions or rumors circulating about suspicions of cut rate repairs at these large consolidators, or possibly just an isolated incident involving some bad techs, or an otherwise good ABRA tech, just having a bad day? What do you think? Snail-mail, fax or e-mail me with your thoughts.

*The end.***BONDO BOB**

For me, the annual rite of Spring is the Utah Auto-Rama. Besides Ardell Brown's eclectic and gorgeous collection, the Auto-Rama is probably Utah's next best indoor old car shindig. In my opinion this year's collection of cool rides was better than ever. That's mostly because it seemed like more locally driven cars and trucks were on display in the midst of less high buck billet glitz that's never driven. I liked that. The goofy PT Cruiser owner with the chromed front disc brake rotors was thankfully not back this year. I guess he was unable to make it, probably waiting for his fuel door to come back from the chrome platers, or maybe his twirling lava lamp car pedestal was out getting its disco bearings re-

packed.

There were a lot of hot looking road machines there. The Steve Burrows custom creation copper (metalflake butterscotch) '58 Chevy sedan delivery massaged to perfection by Steve's "*Rust to Rods*" resto-rodshop (801)747-0978 had a wowed crowd milling around it all weekend. Its center console and air cleaner are one-off hand made accessories. This airbagged beauty won no less than 3 specialty awards, and best of class, 4 total. Chris Hatch the owner, and Steve the artist, should both be proud.

Martin Hardle's burnt orange Road Runner was there showing off fresh paint and new "*don't mess with me*" wide black upper body stripes. I know this baby is a true driver, and it often stalks the back alleys and church parking lots of Draper, Utah. When Martin stomps this puppy, loose leaves and low flying fowl get sucked into its rare/stock Mopar hood scoop.

At the show the music by J.C. Hackett was classic rock and roll, and as always, perfect for the scene and really set the mood. For those of you who don't know "J.C.", he's like Utah's own *Wolfman Jack*, with less hair and much more personality. Candy Clark and Bo Hopkins from the movie *American Graffiti* were there signing autographs. Candy remains pretty as ever as "Toad's" former cruise date in the borrowed '58 Impala and Bo's personality is still that of a lead sled '51 Merc "greaser", and he remains the all time king of the switchblade wielding "Pharaoh's".

As is sometimes the case with me, there was one rod at the Auto-Rama this year that I didn't entirely like. It's a local car I believe, a '39 Ford standard coupe', with more awesome body lines than Jennifer Lopez. It had just the right stance. Under the hood I spied a hot mill that probably ate gas faster than a Yellowstone Park bear gobbles garbage in a dumpster. But, . . . it was pink. Now, I'm not talking some highlighted PPG artsy version of red. It was truly *Pepto-Bismol* pink. No graphics, no flames, nothing to distract your jolted mind from all that glossy pink. What a shame. In my mind, pink squirted on a '39 Ford

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