



MICHIGANAUTOLAW

Gursten, Koltonow, Gursten & Raitt, PC

1st transmittal via Email: March 25, 2015

2nd transmittal via Certified Mail: March 25, 2015

VIA CERTIFIED MAIL/RRR

December 8, 2015

Federal Motor Carrier Safety Administration
Attn: FOIA Team
1200 New Jersey Avenue SE
Washington, DC 20590

Re: *Freedom of Information Request*
US DOT #: 840597
Carrier #: MC-370661
Date of Accident: 01/27/2014
Our Client: Kenneth Knoll
Our File #: 215951

Dear Sir or Madam:

Pursuant to the rights granted under 5 U.S.C.A. §552, I am submitting this Freedom of Information Act (FOIA) request to gather safety information relative to the motor carrier above identified. Specifically, I am seeking the release of:

1. All files, documents, photographs, video tapes, and all information relative to a motor carrier collision at Grand River and Albion in Farmington Hills, MI, on August 3, 2012.
2. All public documents concerning **Atlas Trucking Company, LLC**, US DOT Number **840597**, including:
 - a. Enforcement reports;
 - b. Compliance reviews;
 - c. A copy of each OP-1 filed by the motor carrier;
 - d. A copy of each MCS-150A filed by the motor carrier;

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- e. A copy of each MCS-150 filed by the motor carrier;
- f. All roadside driver vehicle inspection reports to include, but not be limited to MCS-63s, along with copies of any such reports returned to the DOT;
- g. State accident reports;
- h. General correspondence;
- i. Copies of final orders of the agency, including negotiated settlement agreements, notices of a claim (to which a motor carrier has replied and/or failed to reply), and out of service orders;
- j. Final opinions (including concurring and dissenting opinions, if any) and orders made in the adjudication of cases and issued by the Federal Motor Carrier Safety Administration;
- k. Administrative rulings adopted by the Federal Motor Carrier Safety Administration;
- l. Final Opinions issued by an Administrative Law Judge in the adjudication of motor carrier enforcement cases;
- m. Decisions of the Chief Safety Officer;
- n. Copies of the initial notice of the applicable D.O.T.-OMCS rules sent to the motor carrier by the FOMCS, DOT;
- o. All driver equipment and compliance checks completed on standard D.O.T.-OMCS equipment and roadside check forms along with copies of any such reports returned to the D.O.T.;
- p. All case reports prepared by any D.O.T.-OMCS agent on this carrier;
- q. All safety compliance surveys conducted by any D.O.T.-OMCS agent on the above carrier.
- r. All notices of civil forfeiture claims or federal court action documents sent to the above mentioned company by D.O.T., along with any enclosures attached thereto and answers received from the above carrier;
- s. The safety rating by the D.O.T.-OMCS on the above listed company on the date of the accident, August 3, 2012;
- t. The present safety rating by the D.O.T.-OMCS;

- u. Any available printout or reports available for “Safety Net” as reported into by state and federal inspection officials;
- v. All memoranda and/or reviews maintained in the carrier’s files created by any state or federal agent, regional director, OMCS national director, or counsel for the U.S. Department of Transportation;
- w. All settlement agreements, consent orders, or federal court action documents in reference to actions taken against the above-listed company, and any related news releases.
- x. All correspondence and documents regarding any safety issue for the company and the driver to include but not be limited to the initiation, investigation and final conclusion of any:
 - (1) warning letters,
 - (2) targeted roadside inspections,
 - (3) any off-site investigation,
 - (4) any on-site investigation,
 - (5) any cooperative safety plan,
 - (6) any notice of violation,
 - (7) any notice of claim/settlement agreement, and
 - (8) any document that stated the company or the driver were unfit.
- y. Any document that found the driver or the company deficient in any CSA (**Compliance, Safety, Accountability**) category.
- z. Any document that found the driver or the company deficient in any BASIC (**Behavior Analysis and Safety Improvement Categories**) category.
 - aa. The BASIC measurements for the trucking company or driver for three year prior to the collision.
 - bb. Any correspondence regarding the company or the driver objecting to, or asking for a correction of, any BASIC measurement or FMCSA intervention.
 - cc. The Pre-Employment Screening Program (PSP) report on the driver for each month for the three years prior to the collision.
 - dd. Any documents showing inquiry by the trucking company for any PSP reports of the driver for the three years prior to the collision
 - ee. Copy of the carrier profile maintained by MCMIS (Motor Carrier Management

Information System) for the three years prior to the collision.

If you are unable to provide copies or reproductions of certain information, please provide the original for inspection. **To the extent information is stored electronically, including computer files, you are requested to please provide both a hard copy and an electronic copy of the information.**

Please forward copies of the information to me at:

Michigan Auto Law
Attn: Jordan Jones, Esq.
30101 Northwestern Highway
Farmington Hills, MI 48334

Please include an invoice for any amounts due. If payment is required in advance, please contact me via telephone at **248-353-7575** and I will forward the appropriate funds. Should you request an Attorney General's opinion on any part of the requested information, I ask that you not withhold any of the information not subject to an opinion, but that you forward that portion of the information to me as soon as possible.

Thank you for your time and cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jordan M. Jones', with a long horizontal flourish extending to the right.

JORDAN M. JONES

JMJ/evs