CLERK
SUPREME COURT OF VIRGINIA
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RICHMOND, VIRGINIA

223 Va 317 Exhibits

IN THE

# Supreme Court of Virginia

AT RICHMOND

Record No. 791126

LIBERTY MUTUAL INSURANCE COMPANY,

Appellant,

v.

SAFECO INSURANCE COMPANY OF AMERICA,

Appellee.

EXHIBITS

Robert L. Ellis, Esquire
Siciliano, Ellis, Sheridan & Dyer
1911 N. Ft. Myer Drive, #800
Arlington, Virginia 22209
(703) 524-5400

Counsel for Appellant

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PLAINTIFF'S
EXHIBIT
# 1

FORM AU. O 108A 5/69

COMMONWEALTH OF VIRGIN
# DIVISION OF MOTOR VEHICLES
P. O. BOX 27412 RICHMOND, VA. 23269

A 526492

J. Howe Brown, Attorney
P. O. Box 338
Fairfax, Virginia 22030

INVOICE DATE
January 19, 1979

This Is Your Invoice. No Other Bill Is Rendered.

| | |
|---|---|
| 1 Search for Report filed by JOe R. Blakeney | $3.00 |

RE: Safeco Insurance Company of America-insured

1-27-77 Fairfax Co., Va
Joe R. Blakeney

NO REPORT FILED BY BLAKENEY. NO SR 21.

/bt
Source Code #01

Compl. Ex No 1
1/29/79
Cly 56811
AM

RECEIVED
JAN 22 1979
BOOTHE, PRICHARD & DUDLEY
FAIRFAX, VIRGINIA

ORIGINAL INVOICE

PLAINTIFF'S
EXHIBIT
# 2

# NATIONAL INSURANCE AGENCY

AUTO - FIRE - CYCLE - SR-22

1025 King Street
Alexandria, Virginia 22314

Phone 548-4144

NOTIFICATION OF ACCIDENT

Gentlemen:

Please be advised that our insured was involved in an automobile accident

POLICYHOLDER Joe Ray Blakeney

COMPANY Safeco

POLICY # 8a499823

POLICY DATES 11-3-76 TO 11-3-77

ACCIDENT DATE Unknown

Insured wishes to make claim under collision section of policy YES___ NO___

Estimates of repair are attached. YES___ NO___

Division of Motor Vehicles Form Fr-300 attached. YES___ NO X

a letter from B. S. Gild is attached - no accident was affected with his letter

Copies To: (1) Co only (2)_____ (3)_____

Date Sent 3/19/77

Sincerely,

John F. Johnson

Compl. Ex No. 2
1/29/79
Cly 526 11

1/27/77

PLAINTIFF'S
EXHIBIT
# 3

March 17, 1977

NATIONAL INSURANCE AGENCY
1025 King Street
Alexandria, Virginia

ATTN: Mr. Johnson

RE: Your Insured: Joe Roy Blakeney
My Clients: Mr. & Mrs. William Hilton

Dear Mr. Johnson:

This will confirm our telephone conversation in which we were able to confirm that your firm has been handling the insurance for Joe R. Blakeney.

Enclosed herewith is a copy of the accident report of William and Charlene Hilton in which Mr. and Mrs. Hilton were injured by your insured.

We would appreciate acknowledgment of our representation and information as to the status of coverage.

Very truly yours,

BERNARD S. GILD

BSG/gm
Enclosure: a/s
cc: Liberty Mutual Insurance Company
CERTIFIED NO: 888882

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)
SENT TO National Ins. Agency (Attn: Mr. Johnson)
STREET AND NO. 1025 King St.
P.O., STATE AND ZIP CODE Alex. Va.
POSTMARK OR DATE
RETURN RECEIPT SERVICES
OPTIONAL SERVICES FOR ADDITIONAL FEES
1. Shows to whom and date delivered With delivery to addressee only ..... 15¢
2. Shows to whom, date and where delivered With delivery to addressee only ..... 35¢
DELIVER TO ADDRESSEE ONLY ..... 85¢
SPECIAL DELIVERY (2 pounds or less) ..... 50¢
..... 45¢
NO INSURANCE COVERAGE PROVIDED—NOT FOR INTERNATIONAL MAIL
(See other side)
POD Form 3800 July 1969
* GPO: 1970 O-397-498

545
4144

3/17/77

Compt Ex No. 3
1/29/79
Clay 56811

PLAINTIFF'S
EXHIBIT
# 4

# NATIONAL INSURANCE AGENCY

AUTO - FIRE - CYCLE - SR-22

1025 King Street
Alexandria, Virginia 22314

Phone 548-4144

NOTIFICATION OF ACCIDENT

Gentlemen:

Please be advised that our insured was involved in an automobile accident

POLICYHOLDER Joe Roy Blakeney

COMPANY Safeco

POLICY # 8Q-499823

POLICY DATES 11-3-76 TO 11-3-77

ACCIDENT DATE 1-27-77

Insured wishes to make claim under collision section of policy YES___ NO X

Estimates of repair are attached. YES___ NO ✓

Division of Motor Vehicles Form Fr-300 attached. YES ✓ NO___

DMV report received from attorney - phone and letter from Lowyer & also Southland Ins. Co.

Copies To: (1) Co. only (2)_____ (3)_____

Date Sent 4/29/77

Sincerely,

John F. Johnson

Compl-Ex No. 4
Cly 56811
1/29/79 [illegible]

# SOUTHLAND LIFE INSURANCE COMPANY

PLAINTIFF'S EXHIBIT # 5

April 25, 1977

National Insurance Agency
1025 King Street
Att: Mr. Johnson
Alexandria, Virginia

Charlene Hilton, insured
G 5000
Date of Expenses: January 27, 1977 through February 15, 1977

Gentlemen:

We recently received a number of claims that were incurred as the result of an automobile accident, involving our insured, Mrs. Hilton, and your insured, Joe Roy Blakeney.

We would like to inform you that Southland Life Insurance Company is considering these medical charges and making payment in accordance with the terms of the group insurance contract with Southland Corporation. This medical insurance contract contains a subrogation clause which will permit us to recover our payments from the automobile liability carrier when settlement is made.

We have received a total of $2,092.10 in medical charges and paid a total of $1,678.89. Before your settlement is made, we would appreciate reimbursement for that amount and any subsequent payment we may make.

May we hear from you at your earliest convenience.

Sincerely

Linda Bell

Linda Bell
Claims Analyst

jw

Compl EX No. 5
1/29/79
Cly 56811

Home Office·Southland Center·Dallas 75221
Box 2220 Phone: 214-653-3456

PLAINTIFF'S
EXHIBIT
# 7

June 16, 1977

Certified Mail No.: 851518
Return Receipt Requested

Mr. Joe Roy Blakeney
2402 Terret Avenue
Alexandria, Virginia

Re: Insured: Joe Roy Blakeney
Policy No.: 8A 499823
Date of Loss: 1/27/77
Claimant: Charlene Hilton

Dear Mr. Blakeney:

Our Company has been notified of a claim involving a vehicle registered in your name and insured under the above policy number. Notice of this claim was received from National Insurance Agency through a Mr. John F. Johnson. We have been advised by Mr. Johnson that he has not been in contact with you nor does he know where to contact you and he received notice of the claim through an attorney representing the Hiltons.

Numerous attempts have been made to contact you at a number of known addresses and this letter is being sent to all addresses, again, in an attempt to contact you. In addition, we have also been trying to contact you regarding a previous accident.

We wish to call your attention to the terms, conditions, and provisions of the policy of insurance which you hold with General Insurance Company in connection with this incident.

The terms and conditions of your policy of insurance require that you notify the Company as soon as practicable of an accident or incident in which you or your vehicle was involved. The Company requres that you notify us of any and all accidents and it is further required that you communicate with the Company regarding the circumstances and nature of any and all incidents.

In addition to notifying our Company of an accident or incident, the policy of insurance specifically requires your cooperation with our Company in the investigation of any accident or incident. As stated above, our Company has attempted to contact you at every known address and location so that we might elicit your cooperation in investigating the accident of January 27, 1977.

Compl. Ex No. 9
1/29/79
Cly. 56811 pm

By reason of your failure to report the above accident, and further, by your failure to cooperate or communicate with this Company, you have placed us in a position of being unable to determine the facts surrounding this accident. Your failure to communicate with us could seriously jeopardize your insurance coverage with our Company and would result in a denial of any and all coverage to you due to your failure to communicate and cooperate with us.

In addition to the above, you have also failed to report any accident or incident in a timely manner. Because these accidents were not reported promptly by your the rights of this Company have been substantially jeopardized.

Under the terms, conditions, and provisions of the above mentioned policy and the applicable law this Company has a right to have its obligations to you judicially determined. Therefore, you are notified that this Company will proceed to and investigate and defend said action at its own cost and expense, but in so investigating and defending said action, this Company shall not in any manner be deemed to have waived that right or any of its rights under the terms, conditions, and provisions of said policy of insurance above referred to. Further, this Company shall not be deemed to pay any judgement rendered. Also, any and all rights accruing to this Company under said policy will be and are hereby expressly reserved. In this connection, the Company on the behalf of itself and its attorneys further reserve the right to withdraw from the defense of the above entitled action upon notice to you.

Again, I must tell you that it is imperative that you contact our Company at once at the above address or telephone number. Your failure to contact our office could and probably will result in a full denial of covergge, making you personally responsible for any and all damages arising out of this accident.

Sincerely yours,

David B. Evans
Claims Department

DBE/njg

An original of this letter is being sent to the following addresses:

Mr. Joe Roy Blakeney
130 William Street
Alexandria, Virginia

Certified Mail No.: 851517

Mr. Joe Roy Blakeney
2402 Terret Avenue
Alexandria, Virginia

Certified Mail No.: 851518

Mr. Joe Roy Blakeney
2347 Green Street, S.E.
Washington, D.C.

Certified Mail No.: 851519

Mr. Joe Roy Blakeney
c/o Walter Arnold Gar ,ge
1306 Duke Street
Alexandria, Virginia 22314

Certified Mail No.: 851520

SAFECO

SAFECO INSURANCE COMPANIES
ALEXANDRIA SERVICE OFFICE
5501 CHEROKEE AVE., SUITE 201A
ALEXANDRIA, VIRGINIA 22312

TELEPHONE (703) 354-6888

PLAINTIFF'S
EXHIBIT
# 8

July 28, 1977
~~June 16, 1977~~

851537
Certified Mail No.: ~~851517~~
Return Receipt Requested

Mr. Joe Roy Blakeney
130 William Street
Alexandria, Virginia

| | | |
|---|---|---|
| Re: | Insured: | Joe Roy Blakeney |
| | Policy No.: | 8A 499823 |
| | Date of Loss: | 1/27/77 |
| | Claimant: | Charlene Hilton |

Dear Mr. Blakeney:

Our Company has been notified of a claim involving a vehicle registered in your name and insured under the above policy number. Notice of this claim was received from National Insurance Agency through a Mr. John F. Johnson. We have been advised by Mr. Johnson that he has not been in contact with you nor does he know where to contact you and he received notice of the claim through an attorney representing the Hiltons.

Numerous attempts have been made to contact you at a number of known addresses and this letter is being sent to all addresses, again, in an attempt to contact you. In addition, we have also been trying to contact you regarding a previous accident.

We wish to call your attention to the terms, conditions, and provisions of the policy of insurance which you hold with General Insurance Company in connection with this incident.

The terms and conditions of your policy of insurance require that you notify the Company as soon as practicable of an accident or incident in which you or your vehicle was involved. The Company requires that you notify us of any and all accidents and it is further required that you communicate with the Company regarding the circumstances and nature of any and all incidents.

In addition to notifying our Company of an accident or incident, the policy of insurance specifically requires your cooperation with our Company in the investigation of any accident or incident. As stated above, our Company has attempted to contact you at every known address and location so that we might elicit your cooperation in investigating the accident of January 27, 1977.



Ol mpl. Ex No. 8
Cly 568 11
1/29/79

By reason of your failure to report the above accident, and further, by your failure to cooperate or communicate with this Company, you have placed us in a position of being unable to determine the facts surrounding this accident. Your failure to communicate with us could seriously jeopardize your insurance coverage with our Company and could result in a denial of any and all coverage to you due to your failure to communicate and cooperate with us.

In addition to the above, you have also failed to report any accident or incident in a timely manner. Because these accidents were not reported promptly by you, the rights of this Company have been substantially jeopardized.

Under the terms, conditions, and provisions of the above mentioned policy and the applicable law this Company has a right to have its obligations to you judicially determined. Therefore, you are notified that this Company will proceed to and investigate and defend said action at its own cost and expense, but in so investigating and defending said action, this Company shall not in any manner be deemed to have waived that right or any of its rights under the terms, conditions, and provisions of said policy of insurance above referred to. Further, this Company shall not be deemed to pay any judgement rendered. Also, any and all rights accruing to this Company under said policy will be and are hereby expressly reserved. In this connection, the Company on the behalf of itself and its attorneys further reserve the right to withdraw from the defense of the above entitled action upon notice to you.

Again, I must tell you that it is imperative that you contact our Company at once at the above address or telephone number. Your failure to contact our office could and probably will result in a full denial of coverage, making you personally responsible for any and all damages arising out of this accident.

Sincerely yours,

David B. Evans

David B. Evans
Claims Department

DBE/njg

**SAFECO**

SAFECO INSURANCE COMPANIES
ALEXANDRIA SERVICE OFFICE
5501 CHEROKEE AVE., SUITE 201A
ALEXANDRIA, VIRGINIA 22312

TELEPHONE (703) 354 6888

PLAINTIFF'S EXHIBIT # 9

November 16, 1977

Mr. Joe Roy Blakeney
2402 Terry Avenue
Alexandria, Virginia

| | | |
|---|---|---|
| Re: | Insured: | Joe Roy Blakeney |
| | Policy No.: | 8A 499823 |
| | Date of Loss: | 1/27/77 |
| | Claimant: | Charlene Hilton |

Dear Mr. Blakeney:

Our Company has been notified of a claim involving a vehicle registered in your name and insured under the above policy number. Notice of this claim was received from National Insurance Agency through a Mr. John F. Johnson. We have been advised by Mr. Johnson that he has not been in contact with you nor does he know where to contact you and he received notice of the claim through an attorney representing the Hiltons.

Numerous attempts have been made to contact you at a number of known addresses and this letter is being sent to the above address as we have been notified that this is where you are now residing.

We wish to call your attention to the terms, conditions, and provisions of the policy of insurance which you hold with General Insurance Company in connection with this incident.

The terms and conditions of your policy of insurance require that you notify the Company as soon as practicable of an accident or incident in which you or your vehicle was involved. The Company requires that you notify us of any and all accidents and it is further required that you communicate with the Company regarding the circumstances and nature of any and all incidents.

In addition to notifying our Company of an accident or incident, the policy of insurance specifically requires your cooperation with our Company in the investigation of any accident or incident. As stated above, our Company has attempted to contact you at every known address and location so that we might elicit your cooperation in investigating the accident of January 27, 1977.

Joe Roy Blakeney

SAFECO INSURANCE COMPANY OF AMERICA
SAFECO LIFE INSURANCE COMPANY
GENERAL INSURANCE COMPANY OF AMERICA
FIRST NATIONAL INSURANCE COMPANY OF AMERICA
SAFECO NATIONAL INSURANCE COMPANY

Compl Ex No. 9
1/29/79
Cly 5-6811

By reason of your failure to report the above accident, and further, by your failure to cooperate or communicate with this Company, you have placed us in a position of being unable to determine the facts surrounding this accident. Your failure to communicate with us could seriously jeopardize your insurance coverage with our Company and could result in a denial of any and all coverage to you due to your failure to communicate and cooperate with us.

In addition to the above, you have also failed to report any accident or incident in a timely manner. Because these accidents were not reported promptly by you, the rights of this Company have been substantially jeopardized.

Under the terms, conditions and provisions of the above mentioned policy and the applicable law this Company has a right to have its obligations to you judicially determined. Therefore, you are notified that this Company will proceed to and investigate and defend said action at its own cost and expense, but in so investigating and defending said action, this Company shall not in any manner be deemed to have waived that right or any of its rights under the terms, condition, and provisions of said policy of insurance above referred to. Further, this Company shall not be deemed to pay any judgement rendered. Also, any and all rights accruing to this Company under said policy will be and are hereby expressly reserved. In this connection, the Company on the behalf of itself and its attorneys further reserve the right to withdraw from the defense of the above entitled action upon notice to you.

Again, I must tell you that it is imperative that you contact our Company at once at the above address or telephone number. Your failure to contact our office could and probably will result in a full denial of coverage, making you personally responsible for any and all damages arising out of this accident.

Sincerely,

James V. Naylor
Joe Ky Blakeney

James V. Naylor
Claims Department

JVN/njg

**SAFECO**

1st pm (issue

PLAINTIFF'S EXHIBIT # 10

SAFECO INSURANCE COMPANIES
ALEXANDRIA SERVICE OFFICE
5501 CHEROKEE AVE., SUITE 201A
ALEXANDRIA, VIRGINIA 22312

TELEPHONE (703) 354-6888

June 21, 1978

Mr. Joe Roy Blakeney
130 William Street
Alexandria, Virginia

FILED

JUN 22 1978

JAMES E. HOOFNAGLE
Clerk of the Circuit Court
of Fairfax County, Va.

Re: Insured: Joe Roy Blakeney
Policy No.: 8A 499823
Date of Loss: 1/27/77
Claimant: Charlene Hilton

Dear Mr. Blakeney:

Our Company has been notified of a claim involving a vehicle registered in your name and insured under the above policy number. Notice of this claim was received from National Insurance Agency through a Mr. John F. Johnson. We have been advised by Mr. Johnson that he has not been in contact with you nor does he know where to contact you and he received notice of the claim through an attorney representing the Hiltons.

Numerous attempts have been made to contact you at a number of known addresses and this letter is being sent to all addresses, again, in an attempt to contact you. In addition, we have also been trying to contact you regarding a previous accident.

We wish to call your attention to the terms, conditions and provisions of the policy of insurance which you hold with General Insurance Company in connection with this accident.

The terms and conditions of your policy of insurance require that you notify the Company as soon as practicable of an accident or incident in which you or your vehicle was involved. The Company required that you notify us of any and all accidents and it is further required that you communicate with the Company regarding the circumstances and nature of any and all incidents.

In addition to notifying our Company of an accident or incident, the policy of insurance specifically requires you cooperation with our Company in the investigation of any accidents or incidents. As stated above, our Company has attempted to contact you at every know address and location so that we might elicit your cooperation in investigating the accident of January 27, 1977.

Compl Ex No. 10
1/29/79
Cly 56811

SAFECO INSURANCE COMPANY OF AMERICA
SAFECO LIFE INSURANCE COMPANY
GENERAL INSURANCE COMPANY OF AMERICA
FIRST NATIONAL INSURANCE COMPANY OF AMERICA
SAFECO NATIONAL INSURANCE COMPANY

By reason of your failure to report the above accident, and further, by your failure to cooperate or communicate with this Company, you have placed us in a position of being unable to determine the facts surrounding this accident. Your failure to communicate with us could seriously jeopardize your insurance coverage with our Company and could result in a denial of any and all coverage to you due to your failure to communicate and cooperate with us.

In addition to the above, you have also failed to report any accident or incident in a timely manner. Because these accidents were not reported promptly by you, the rights of this Company have been substantially joepardized.

Under the terms, conditions, and provisions of the above mentioned policy and the applicable law this Company has right to have its obligations to you judicially determined. Therefore, you are notified that this Company will proceed to and investigate and defend said action at its own cost and expense, but in so investigating and defending said action, this Company shall not in any manner be deemed to have waived that right or any of its rights under the terms, conditions and provisions of said policy of insurance above referred to. Further, this Company shall not be deemed to pay any judgement rendered. Also, and and all rights accruing to this Company under said policy will be and are here-by expressly reserved. In this connection, the company on the behalf of itself and its attorneys further reserve the right to withdraw from the defense of the above entitled action upon notice to you.

As soon as you receive this letter we request that you call Ed Grove of the law firm of Brault, Lewis, Geschickter & Palmer at 10533 Main Street, P. O. Box 248, Fairfax, Virginia, phone number 273-6400.

Again, I must tell you that it is imperative that you contact our Company at once at the above adress or telephone number. Your failure to contact our office could and probably will result in a full denial of coverage, making you personally responsible for any and all damages arising out of this accident.

Sincerely,

James V Naylor

James V. Naylor
Claims Department

Executed this 21 day of June, 19 78
on June 6, 1978

Service in person.

Serving
a member of the family over the age of sixteen and explaining its purport.

Posting a true copy on the front door of the usual place of abode.

Northern Virginia Courier Service, Inc.

By: [illegible]

Agent

SUBSCRIBED AND SWORN to before me this 21 day of June, 19 78.

[illegible]
Notary Public

My commission expires 1.7.80

PLAINTIFF'S
EXHIBIT
# 11

December 15, 1978

Certified Mail No.:
851588

Mr. Joe R. Blakeney
2402 Terret Avenue
Alexandria, Virginia 22301

Re: Policy No.: 8A 499823
Insured: Joe R. Blakeney
Claimant: Charlene Hilton, etal
Date of Loss: 1/27/77

Dear Mr. Blakeney:

Our attorney, Edward H. Grove III, has been ordered by the courts to file the enclosed pleadings on your behalf.

Again, I wish to call to your attention the terms, conditions and provisions of your policy of insurance with The General Insurance Company.

The terms and conditions of your policy of insurance require that you notify the company as soon as practicable of an accident incident in which you or your vehicle was involved. The company requires that you notify us of any and all accidents and it is further required that you communicate with the company regarding the circumstances and nature of any and all incidents.

In addition to notifying our company of an accident or incident, the policy of insurance specifically requires your cooperation with our company in the investigation of any accidents or incidents. As stated above, our company has madenmumerous attempts to contact you at every know address and location sotthat we may illicit your cooperation in investigating the accident of January 27, 1977.

Despite numerous attempts to contact you we still we have heard "Zero" from you concerning the above captioned accident. Your continued lack of cooperation will result in a full denial of coverage making you personally responsible for any and all damages arising out of this accident.

As soon as you receive this letter we request that you call Ed Grove of the Law Firm or Brault, Lewis, Geschickter and Palmer at 10533 Main Street, P. O. Box 248, Fairfax, Virginia phone number 273-6400.

Sincerely,

James V. Naylor
Claims Department

Compl Ex No. 11
1/29/79
Clay 576811

PLAINTIFF'S
EXHIBIT
# 12

June 16, 1977

Mr. Bernard S. Gild
Attorney-at-Law
7620 Little River Turnpike
Suite 210
Annandale, Virginia 22003

Re: Insured: Joe Roy Blakeney
Date of Loss: 1/27/77
Policy No.: 8A 499823
Your Client: Charlene Hilton

Dear Mr. Gild:

Pursuant to a conversation which we held on May 18, 1977 regarding the above captioned information, I wish to confirm in writing what I told you on that date.

To date, we have been unable to contact our insured regarding this reported accident and feel that you should be aware of a situation involving a question of coverage. As we discussed, if we are unable to contact our insured, then there definitely exists a coverage problem which could result in a full denial of coverage to our insured.

I advise that if your clients have uninsured motorist coverage under their own policy of insurance, then I would certainly suggest that you notify their Uninsured Motorist carrier immediately.

We will continue our efforts to contact our insured and investigate this accident and in the meantime, would ask that you keep us advised as to the status of your clients' injury claims.

Sincerely yours,

David B. Evans
Claims Department

DBE/njg

(PLF-DEF-EX # 12
DATE 4-17-79
JUDGE Bm.
CASE # 56811

SAFECO

PLAINTIFF'S EXHIBIT # 13

SAFECO INSURANCE COMPANIES
ALEXANDRIA SERVICE OFFICE
5501 CHEROKEE AVE., SUITE 201A
ALEXANDRIA, VIRGINIA 22312

TELEPHONE (703) 354-6888

July 28, 1977

Mr. Bernard S. Gild
Attorney-at-Law
7620 Little River Turnpike
Suite 210
Annandale, Virginia 22003

Re: Insured: Joe Roy Blakeney
Policy No.: 8A 499823
Date of Loss: 1/27/77
Your Client: Charlene Hilton

Dear Mr. Gild:

Attached is a copy of the Reservation of Rights letter which we have been attempting to have delivered to our insured. We will continue to send these letters to him at all known addresses and if you have any addresses where you suspect or believe our insured could be reached at, please let us know so we can attempt to establish communication.

Sincerely yours,

David B. Evans
Claims Department

DBE/njg

PLF-DEF-EX # 13
DATE 4-17-79
JUDGE BM
CASE # 56811

SAFECO INSURANCE COMPANY OF AMERICA
SAFECO LIFE INSURANCE COMPANY
GENERAL INSURANCE COMPANY OF AMERICA
FIRST NATIONAL INSURANCE COMPANY OF AMERICA
SAFECO NATIONAL INSURANCE COMPANY

DEFENDANT'S EXHIBIT #1

PENGAD-Bayonne, N.J.

Fairfax, Va

on 1/10/78

I, Joe Roy Blakeney am 37 years old. I am married with one child. Regarding the accident on 1/27/77: The police officer who came to the scene of the accident gave me an accident report form to give to my insurance agent who needs to fill it out and send to Division of Motor Vehicle in Richmond. The form I believe is an SR-22. About 2 or 3 days after the accident I took the form down to the insurance agency. I know I took it down to the agency within 5 days. I gave the form to one of the girls in the agents office. Her name is Mrs Johnson. I never spoke to Mr Johnson himself. I believe he only had one girl working there full time. She was a young girl. I told her I had an accident and I told her to give the form to Johnson to finish filling out. They never took a report themselves just took the form itself. I never called back but went back there to see if they had reported it to Safeco. The first time I heard from Safeco was 12/15/78 when I received a letter from Ed Grove and Tom Naylor. I never tried to call Safeco about the accident because I thought the insurance company had taken care of everything. I never received any mail from the insurance company about the accident for nearly two years. Mr Johnson never called me back about the accident. Since the accident I have lived at one of two addresses they are 130 William Street

X Joe Roy Blakeney

Alexandria, Va and 2402 Jerrett Avenue also in Alexandria. 2402 Jerrett is my ~~M~~ mothers address and 130 William is my address. I have lived at William St for 3 or 4 years and my mother has lived at 2402 Jerrett for around 10 years. I have worked for myself until someone set my truck on fire. I worked for a man named Crosley for awhile. I have done some jobs for my cousin hauling newspapers. I have read the above and to the truth to the best of my knowledge X [illegible]