

**THE TESTED PROTOTYPE DID NOT HAVE THE
SAME GEOMETRY AS THE INSTALLED ET PLUS END TERMINALS**

1. APPLICABLE STANDARDS

- A. To document the design and specifications, the applicant must submit “two separate copies of a high quality, reproducible, letter size, engineering drawing or set of drawings showing all pertinent details and installation requirements of the version(s) of the feature for which acceptance is being sought.” (Exhibit 2 at 10).
- B. Design specifications are required so the local FHWA offices “can use the drawing(s) to confirm that a purported installation of the accepted feature is in substantial conformance with what was found acceptable.” (Exhibit 2 at 10).
- C. “Any changes that may adversely influence the crashworthiness of the device will require a new acceptance letter” and the manufacturer “is expected to certify to potential users that the hardware furnished has essentially the same ... geometry as that submitted for acceptance.” (FHWA acceptance form letter – Exhibit 36) (emphasis added)
- D. “All crashworthy hardware devices are to replicate the crash tested device, regardless of who is manufacturing it.” (Artimovich e-mail – Exhibit 48).

2. CRITICAL DIMENSIONS OF ET PLUS END TERMINALS ACTUALLY INSTALLED ON NATIONAL HIGHWAY SYSTEM

	1999	2006
Exit Gate inches	1.3 to 1.5 inches	1.0 inches
Feeder Channel Width inches	5 inches	4 inches
Feeder Chute Assembly Height		
a. exterior	15 3/8 inches	14 7/8 inches
b. interior	15 3/8 inches	14 3/8 inches
Feeder Chute Assembly Length inches	37 inches	36 1/4 inches

3. WHAT WERE THE CRITICAL DIMENSIONS OF THE PROTOTYPE TESTED ON MAY 27, 2005?

- A. No one really knows because the prototype was assembled by welders at plant 31 with no input from engineers. There is no record of the prototype’s critical dimensions. No one (Trinity or TTI) made drawings of the prototype. Despite the requirements listed above, Trinity has never provided FHWA with scaleable drawings of the prototype.

- B. Trinity claims that the prototype tested on May 27, 2005 had 4 inch wide feeder channels. (It has made no representation about the height and length of the Feeder Chute Assembly). To “prove” this assertion, Trinity/TTI submitted a bogus photographic analysis to FHWA in February 2012. However, the photograph they submitted is actually of a ET PLUS with 5 inch feeder channels and was taken on May 5, 2005 (not May 27). Trinity/TTI confirmed in depositions that an ET PLUS with 5 inch feeder channels was part of the May 5 test.
- C. After the May 27, 2005 test, Trinity’s drawings show that the company decreased the exterior height of the Feeder Chute Assembly from 15 3/8 to 14 7/8. Because of the way Trinity welded the Feeder Chute Assembly to the Extruding Throat, the interior height of the Feeder Chute Assembly decreased even more (from 15 3/8 to 14 3/8).
- D. After the May 27 test, Trinity documents and drawings show that the company shortened the length of the Feeder Chute Assembly from 37 inches to 36 1/4 inches.

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