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SC SUPREME COURT

IN THE STATE OF SOUTH CAROLINA  
In the Supreme Court

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APPEAL FROM BAMBERG COUNTY  
Court of Common Pleas  
Doyet A Early, III, Circuit Court Judge

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Case No 2006-CP-05-00034

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Connie Carson as Personal Representative  
of the Estate of Beryl Harvey,

Appellant,

-v-

CSX Transportation, Inc ,

---

Respondent

Case No 2006-CP-05-00107

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Connie Carson as Personal Representative  
of the Estate of Beryl Harvey,

Appellant,

-v-

CSX Transportation, Inc ,

---

Respondent

**APPENDIX  
TO RECORD ON APPEAL**

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-And-

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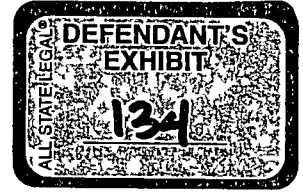
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CSX TRANSPORTATION, INC

## INDEX

<b>I</b>	<b>Defendant CSXT's Exhibits</b>	
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7/14/09 Murchugh-Parker



DOA. May 2004 May 30, 2004  
Survey 2006

Cutback since accident  
Poor quality photos after accident

Xing # 634785N  
Samburg County, SC.  
S. off Peanmark, SC.

Stop sign & stop line

Train going S to N. - CSX Freight (46mph)  
Van made L turn off highway  
Driver & pass ejected  
CSX 160 Engine 4480CW

Genetic Survey ~~896-7705~~

Cindy 896-7705 - Appeals

~~Cox & Parkers~~

Done in 2004. 1-400, or 1-200  
Cindy.nash@SCLGS, SC.gov  
nash

Site Visit - March, 06 - Ken.

7/21/09

Converted Don Crews Video (9 minutes)  
to Quicktime. Video shot 6-4-04

Surveyor. Cox & Pinkins, Columbia, SC.

Ronald W. Fisher 803-254-0518

Project # 6 WS 31-46. dug Craig Metz

Fisher @ coxandpinkins.com.

803-360-7891(e)

7/28/09

e-mailed specs to Ron & Don Crews  
going to site Tues 8/4/09.

Event recorder.

Emergency 4/6'  $\approx$  6.1/sec after impact  
work backward. (Per Duerm)

Impact	19:05:00	46 mph
	19:04:42	47 mph
	19:04:39	48 mph
	19:04:05	49 mph

12/1/09

# Photogrammetric Analysis

From Crews Video 6/9/04

Bushes along rails - center line of bushes

is  $\approx 40$  ft - same distance as

power pole - along Crews sight line on road.

Power pole is  $\approx 28$  perpendicular from near rail.

8/8/09

Dan's video @ 20' (6:17 on digital movie)

was shot closer to the center of the lane than the photo ~~13.5~~ (13.5 CD 26 pictures)

This is determined by the relationship of the pole to the left w/ the stop sign - compared in the video & the photo. When he looks W down Honeyford you can see he is near the center of the lane.

The photos shot 6/9/04 are 1895 x 1272 on the CD. (947.5 x 636)

Cameras set to 37mm, ~~some~~ all have -1 bank

Straight up on my scene is North as defined by Google & the North East aerial

Height is lat 15.2, long -166.5

4/15/09 Performed my photogrammetric analysis on the L05 tooth, then compared it to Don Crews' measurements at site. They lined up very well. His 1014 vinv @ 70" post step bar is consistent.

Driver position in Van is  
3.5 ft forward of xgc, 1.5 ft to left  
+ 5' 4" ft above ground  
⇒ Driver is 4.9 ft from front bumper.

2/29/09 Van decelerates to stop @ 3.2 fps<sup>2</sup>

Van accelerates @ 1.47 fps<sup>2</sup> to impact

Determine speed of train over 32.5 sec prior to impact from event recorder.

32 - 32 sec prior to impact

$$116 - 45 \text{ ft} = 71 \text{ ft over 1 sec}$$

⇒ 48.4 mph - assume @ 32 sec

∴ 32.5 sec train covers

$$(5280 - 3110) = 2170 \text{ ft} + 45 \text{ ft} + \frac{71 \text{ ft}^2}{2} = 2251$$

Train decelerating ⇒  $\approx$  48.3 mph @ 32.5 sec

∴ 48.3 mph over 2251 ft in 32.5 sec

⇒ deceleration rate of .096 fps<sup>2</sup> (.003g's)

⇒ final speed = 46.16 mph @ impact.

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**CERTIFICATE OF COUNSEL**

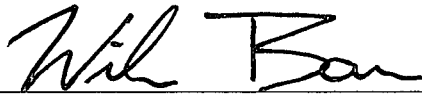
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The undersigned hereby certifies that the Appendix to the Record on Appeal contains all material proposed to be included by any of the parties and not any other material

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February 8, 2012  
Hampton, SC

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