

Asher Sng (LKKAUTO)

From: Kesaval, Jaclyn-M <Jaclyn-M.Kesaval@aig.com>
Sent: Friday, 14 June 2019 10:25 AM
To: Asher Sng (LKKAUTO)
Subject: FW: #9089551934SG004#Your Ref : SLK8898Z

From: Kesaval, Jaclyn-M
Sent: Friday, August 24, 2018 10:23 AM
To: Irene Chung <irene@slksingapore.com>
Cc: Yong, Ivy-AV <Ivy-AV.Yong@aig.com>; 'Michael Sim' <michaelsim@slksingapore.com>
Subject: RE: #9089551934SG004#Your Ref : SLK8898Z

Dear Mr Sim/Ms Chung,

We refer to your email below.

Once again, we wish to highlight to you that under the Terms and Conditions 9 entitled "Conduct of Proceedings" under your Motor Policy, it is clearly stated that "We shall have full discretion in the conduct of any proceedings and/or how We settle a claim."

We have noted the concerns as per your email below.

Our assessment of the claim is always on a **without prejudice** basis and it is in the **best interest** of our insured and the policy.

As earlier mentioned, the video footage has shown that the moment your vehicle had engaged the reverses gear, third party vehicle had come to a complete stop. Before reversing, one should ensure that there is no pedestrian/obstruction before proceeding.

Under the eyes of the law, the video footage is a crucial evidence as it can show how the accident had occurred. A credible witness statement can support your claim but in this case the witness statement also confirms the facts shown by the video footage.

In this scenario, as much as we can understand your view, we have to follow the merits of the matter as explained in our email earlier. We will proceed with our settlement with third party to prevent third party from incurring more losses and prevent more loading on your policy.

In any case, if you managed to recover more than 80% of your repair / uninsured losses from the third party insurer, please forward us the necessary documents for our underwriters to review the NCD.

We hope the above clarifies.

Thank you.

Jaclyn M K
AIG

Complex Claims Examiner

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From: Irene Chung [<mailto:irene@slksingapore.com>]
Sent: Thursday, August 23, 2018 9:40 PM
To: Kesaval, Jaclyn-M
Cc: Yong, Ivy-AV; 'Michael Sim'
Subject: RE: #9089551934SG004#Your Ref : SLK8898Z

Hi Jaclyn

This feel totally strange and bias against Mr. Sim. It doesn't matter if the taxi driver stopped before Mr. Sim reversed into his taxi. Taxi driver stopping is not the significant fact here, taxi driver inching forward further twice, knowing there is a reversing car is.

1. Why inch forward the second time after being asked to stop by traffic warden?
2. Why inch forward from covering less than 1/3 of the parallel lot (he was stopped the first time by traffic warden) to more than 1/3 of the lot (traffic warden had to stop him a second time)?
3. Why inch forward further when he was stopped twice by the traffic warden?
4. Why inch forward when the car in front of him is preparing to reverse in with his signal on?
5. Why inch forward to block the path of a reversing car?

Obviously taxi driver has to stop when asked to stop by the traffic warden (a creditable witness), wouldn't it be very obvious if taxi driver ram right into Mr Sim's car in front of so many by stander?

The fact is WHY INCH FORWARD? Since Mr. Sim without knowing taxi driver inched forward and unintentionally reversed into the taxi driver, isn't this obvious that the taxi inched forward two times intentionally by not giving the car in front of him enough space to reserve into the lot.

We still cannot agree with your analyses and it is with great disappointment that you as Mr. Sim's motor insurance agent viewed the whole incident this manner. He has been purchasing his motor insurance from AIG for many years, this incident truly is a wake up call for him to change motor insurance. As per your statement below, discretion is yours to make.

With AIG as Mr. Sim's agent, he would like to express his disappointment and totally short-changed as a policy holder.

5. However, the Mercedes Taxi that was right behind the Jaguar was observed to be inching forward. Hence, I gestured to the taxi driver of the Mercedes Taxi to stop so as to allow the Jaguar Car to reverse into the parking lot. The taxi driver of the Mercedes Taxi complied and there was enough space for the Jaguar Car to reverse into the parallel parking space with the Mercedes Taxi blocking less than $\frac{1}{3}$ of the empty parallel parking space. However, as the Jaguar Car stopped to prepare to reverse into the parallel parking space, suddenly the Mercedes Taxi inched forward a little again and stopped, blocking more than $\frac{1}{3}$ of the empty parallel parking space, obstructing the path of the Jaguar Car's path of reversing and there was not enough space for the Jaguar Car to reverse into the parallel parking space.
6. Just after the Mercedes Taxi inched forward and stopped, the Jaguar Car had reversed and the rear right portion of the Jaguar Car collided into the front left portion of the Mercedes Taxi. Both parties had alighted and was in an altercation. I approached them to advise them to exchange particulars and not to obstruct the traffic any further which they complied.

Warmest Regards
Irene Chung
Executive PA to MD
+65 96884962
SLK Plastic & Rubber Pte Ltd

From: Kesaval, Jaclyn-M <Jaclyn-M.Kesaval@aig.com>
Sent: Thursday, 23 August 2018 4:47 PM
To: Irene Chung <irene@slksingapore.com>; 'Michael Sim' <michaelsim@slksingapore.com>
Cc: Yong, Ivy-AV <Ivy-AV.Yong@aig.com>
Subject: RE: #9089551934SG004#Your Ref : SLK8898Z

Dear Mr Sim/Ms Chung,

We refer to your email below.

We have noted your concerns as per your email below and append herewith our findings and assessment.

SLK 8898Z – herein referred to as “**your vehicle**”
SHC 8055D – herein referred to as “**third party vehicle**”

Your statement filed as below:-

#carpark, Moving in/ out of parking lot & Going straight, Blue Car SLK8898Z, White Car SHAXXXX. As usual the Columbarium was packed with people. There was a long queue of car behind mine. I waited for the moving car to vacate the parking lot I was waiting for (fortunately it was right in front of my car) & activated that I was next in line to take this lot. Once the lot was vacant, I moved my car forward to give me an angle to do a reverse back in into the lot. The (taxi) behind my car moved his vehicle forward and hit the back of my car. Taxi driver and myself came out of our vehicle and had an altercation in the chaos. I horned that we were jamming the traffic/blocking their path. I had to quickly get into my car and complete my parking thinking I could continue our unfinished business. I did not hold the traffic up. Unfortunately the taxi driver did not come back to me after waiting for him at the accident location for 10-15 mins. Fortunately, the col witness if the needs arise. The next day, 2nd April 2018 I did the norm which was to file a police report on this incident. Please see my Notice of Compliance thinking the taxi driver did a hit and run on me and I didn't get his vehicle number or driver's license. I decided not to think too much of it because there was or scratch. Most importantly no bodily damage to me or the taxi driver. No pictures were taken because there was nothing to show of any damages. I did not insurance report because there isn't any damages to claim.

Third party statement as below:-

ON. 1 April 2018 @ 10.50 hr I was
A was waiting on my lane. (at) Market Lane - near
Columbarium Complex. Suddenly I reversed
and hit veh A front at the point of accident
I veh A carry 2 passengers male and female
Both was ok.

Based on only the statements of both parties, we were of the view that they were conflicting as you had stated that the third party vehicle rear ended your vehicle and third party had stated that you reversed your vehicle and collided.

Nevertheless, we had asked both parties to provide evidence in order to better assess the claim and liability apportionment.

While you have provided us with your witness statement, as explained by my colleague, Ivy, the witness statement does not benefit us as the witness has mentioned that the third party vehicle had stopped before collision had taken place. We can understand your concern that the third party vehicle had already blocked or occupied the space required for you to reverse and park the vehicle.

However, as the Jaguar Car stopped to prepare to reverse into the parallel parking space, suddenly the Mercedes Taxi **inched forward a little again and stopped**, blocking more than $\frac{1}{3}$ of the empty parallel parking space, obstructing the path of the Jaguar Car's path of reversing and there was not enough space for the Jaguar Car to reverse into the parallel parking space.

Third party has recently forwarded the video footage to us and it confirms that third party vehicle was indeed stationary when your vehicle reversed and collided into the third party vehicle. We are unable to forward you the video footage via email under PDPA regulations, however, should you require to view the video footage we would like to invite you to make an appointment at our office to view the footage.

From both the video footage as well as statement from your witness, it is undisputed that at the point of collision, third party vehicle was stationary.

Liability

We have perused all the evidences in hand and are of the view that we are unable to be absolved from all liabilities.

Under past precedent cases, the liability has been against the reversing party who has to exercise caution before reversing the vehicle.

Having said the above, liability may range anywhere between 60% to 90% (against us) in scenarios similar to this. As the video also shows clearly that the third party vehicle was stationary, the liability may end up at 80% to 90% against us.

We have no strong bases to reject the third party claim against your policy and are of the view that settlement of the matter is cost effective and amicable and will proceed to settle the matter amicably with the third party claimant and workshop.

Kindly note that the settlement of the claim is on a without prejudice basis and shall not be construed as an admission of liability. Please note that your Non-Claim Discount (NCD) (if any) will be affected and reduced by 30% upon next renewal due to this Third Party claim.

We wish to highlight to you that under the **Terms and Conditions 9** entitled "Conduct of Proceedings" under your Motor Policy, it is clearly stated that "We shall have full discretion in the conduct of any proceedings and/or how We settle a claim."

If you wish to have the matter reviewed by an independent party, you may refer the matter to FIDReC (Financial Institutions Dispute Resolution Centre), an independent dispute resolution centre whose findings are binding on the insurance company but not on the customer. FIDReC may be contacted at 36 Robinson Road #15-01, Singapore 068877 or by telephone at: 6327 8878.

We hope the above clarifies.

Jaclyn M K
AIG

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From: Irene Chung [<mailto:irene@slksingapore.com>]

Sent: Monday, August 20, 2018 5:25 PM

To: Yong, Ivy-AV; 'Michael Sim'
Cc: 'Discover us'; Kesaval, Jaclyn-M
Subject: RE: #9089551934SG004#Your Ref : SLK8898Z

Hi Ivy

Per Mr. Sim's telephone conversation with you yesterday. This is to affirm that he does not agree to your suggestion to claim against his motor policy.

After reading the witness statement you shown below, may I know why you said it is not beneficial to Mr. Sim? It sounded like you just wanted to close the case and move on. We will not go through all this trouble to look for this witness to just hear you say such baseless suggestion.

As the witness has said, initially the taxi driver was blocking less than 1/3 of the parallel lot which Mr Sim was preparing to reverse in, as a driver, you would definitely be mindful of the car in front of you. It was obvious that Mr. Sim moved forward to give himself an angle to reserve into the parallel lot (not forgetting that he had his signal on indicating he was reversing).

The witness then mentioned that "suddenly the Mercedes Taxi inched forward a little and stopped, blocking MORE than 1/3 of this parallel lot" – Why would the Taxi driver inched forward from blocking "less than 1/3 to more than 1/3" of this lot when the car in front of him has signalled and has made an angle to reverse? It does not matter if Taxi driver stopped or not, the fact that he moved forward to block more than 1/3 of the parking lot while Mr. Sim clearly was reversing into, showed that the Taxi driver has intentions to cause or create this opportunity for his taxi to be hit by a reversing car.

As a driver, when you are in the midst of making an angle to reverse into a parallel lot, for a split second, you will not notice the car behind you has moved forward. That taxi driver has intention of letting Mr Sim's car reversed into him. Mr. Sim is clearly the victim here and please do not say the witness statement is not beneficial to Mr. Sim.

Purely based on your interpretation to make a judgement that the witness statement is not beneficial to Mr. Sim seemed very biased against Mr. Sim. Furthermore, you do not and should not even suggest that this should be claimed against Mr. Sim's motor policy. Mr. Sim should claim against the taxi driver for all the inconveniences caused to him.

Once again, Mr. Sim is the victim here. Please get this fact established and for the record, if this persist we will get our lawyer to handle this case and we will demand compensation for all the stress and time wasted.

Thank you.

Warmest Regards
Irene Chung
Executive PA to MD
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SLK Plastic & Rubber Pte Ltd

From: Yong, Ivy-AV <Ivy-AV.Yong@aig.com>
Sent: Thursday, 16 August 2018 1:56 PM
To: Irene Chung <irene@slksingapore.com>; 'Michael Sim' <michaelsim@slksingapore.com>
Cc: 'Discover us' <discover_1002@yahoo.com.sg>; Kesaval, Jaclyn-M <Jaclyn-M.Kesaval@aig.com>
Subject: RE: #9089551934SG004#Your Ref : SLK8898Z

Dear Mr. Sim,

Please refer attached statement recorded by our adjuster.

Witness is adamant that taxi driver inched forward and stopped subsequently your vehicle reversed and hit into the front left portion of taxi.

The statement is not beneficial to us, hence, we will proceed to settle third party claim against your motor policy.

Thank you

5. However, the Mercedes Taxi that was right behind the Jaguar was observed to be inching forward. Hence, I gestured to the taxi driver of the Mercedes Taxi to stop so as to allow the Jaguar Car to reverse into the parking lot. The taxi driver of the Mercedes Taxi complied and there was enough space for the Jaguar Car to reverse into the parallel parking space with the Mercedes Taxi blocking less than $\frac{1}{3}$ of the empty parallel parking space. However, as the Jaguar Car stopped to prepare to reverse into the parallel parking space, suddenly the Mercedes Taxi inched forward a little again and stopped, blocking more than $\frac{1}{3}$ of the empty parallel parking space, obstructing the path of the Jaguar Car's path of reversing and there was not enough space for the Jaguar Car to reverse into the parallel parking space.
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Ivy Yong
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From: Irene Chung [<mailto:irene@slksingapore.com>]
Sent: Thursday, August 16, 2018 8:25 AM
To: Yong, Ivy-AV
Cc: 'Discover us'; 'Michael Sim'; Kesaval, Jaclyn-M; june@standardsis.com
Subject: RE: #9089551934SG004#Your Ref : SLK8898Z

Hi Ivy

I left a message in your voice mail yesterday. Finally managed to find our Witness, her name is Zhiyuan. She is willing to meet us tomorrow (Friday) at 3pm. She is working and studying currently so is difficult for her to make time out, we hope you can confirm your attendance urgently.

Venue to meet is Tai Seng 18, Rocky Master Café – 3pm

Please advise your mobile number for faster and easier communications. I have added June Tan in this email, she is the MD of Standard Security Investigation Services that Zhiyuan was being employed as one of their traffic warden on 1st April 2018 – day of accident occurred at Mandai Columbarium.

As this matter needs urgent attention, please make yourself available so we can settle this case soonest possible.

Thank you.

Warmest Regards
Irene Chung
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+65 96884962
SLK Plastic & Rubber Pte Ltd

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