

Hsiao Tong (LKKAUTO)

From: Michael Yap <michaelkeyap@yahoo.com.sg>
Sent: Thursday, 18 October 2018 9:18 PM
To: Hsiao Tong (LKKAUTO)
Subject: Re: ACCIDENT INVOLVING SGU 8998A & SHA 7633C ON 15/04/2018

Hi Hsiao Tong,

We refer to your email of 9/10/18.

As loss adjuster appointed by AIG, we have to leave this matter in your good hands taking into consideration all views mentioned with the expectation that you will endeavour to get the best outcome for us in settlement without compromise and in a professional manner.

Thank you.

Best regards
Yap Kiok Eng

Sent from my iPhone

chewht@lkkauto.com

Hi Mr Yap,

We refer to your below email and we have reviewed the matter.

As you know for changing lane, one must ensure the adjacent lane is safe and traffic flow is clear before proceeding. Most important, to check the "blind spot" to ensure the area on the left of your vehicle which cannot be viewed in your wing mirror is safe prior to change lane safely. Third party who had the benefit view of your car is also contributory liable for not taking action to avoid the collision.

To study the existing accident, one should consider what is the cause of action that both parties are taken before collision. Obviously, the proximate cause of accident is changing lane and should not stress the condition of damage to wing mirrors. If both parties did not change lane, the collision would not have happened. The wing mirror would not have been damaged. Therefore, the proximate cause of accident is changing lane. For changing lane, both parties should exercise care and caution. We are of the view that 50% liability on each party to bear is fair and reasonable.

Your suggestion to ask third party to withdraw their claim and both parties undertake to bear its own loss is not feasible. Simply in civil law, everyone owns a duty not to cause damage losses to others through negligence, failure which the suffered is entitled to claim damage losses against the others. Therefore, there is no way to prevent third party to bring action against you, vice versa their claim also does not preclude you from making claim from third party.

We wish to stress that our offer of settlement is strictly made on a without prejudice basis with a view to close this matter amicably and to avoid further litigation, which would escalate to even more cost.

If you insisted that we should not settle third party claim, kindly let us have them in writing within the next 10 days i.e. by **19/10/2018**. We will seek further instruction from AIG on this matter.

Thank you.

Best Regards,

Hsiao Tong, Chew | Case Handler

LKK Auto Consultants Pte Ltd

Phone: 6742-3197 | email: chewht@lkkauto.com | fax: 6741-4108

Blk 51, Paya Ubi Industrial Park, Ubi Avenue 1, #02-25 | S(408933)

From: Michael Yap <michaelkeyap@yahoo.com.sg>

Sent: Wednesday, 12 September 2018 11:11 PM

To: Hsiao Tong (LKKAuto) <chewht@lkkauto.com>

Subject: Re: ACCIDENT INVOLVING SGU 8998A & SHA 7633C ON 15/04/2018

Hi Hsiao Tong, here is a typo correction of my mail sent earlier. In paragraph 2, it should be "the taxi came from behind and its right side mirror got damaged upon hitting my car's left side mirror and damaging it too."

Sorry and thank you!

Sent from my iPhone

On 12 Sep 2018, at 3:45 PM, Michael Yap
<michaelkeyap@yahoo.com.sg> wrote:

Hi Hsiao Tong, thank you. However, we would like to add that the taxi with the benefit of the full view of our car filtering to the left lane should give way to it as normally is required and the accident could have been avoided.

To consider a 50/50 case may be too general a view to take without looking into the specific circumstance of how the taxi's right side mirror was damaged on which the claim is made. You will agree from photos taken that we can specifically identify that the taxi came from behind and its right side mirror got damaged upon hitting my car's right side mirror and damaging it too. Hence, the taxi's mirror is not damaged by our car initiating and hitting it and the liability must weigh heavily on them.

With due respect, you could also consider asking them to withdraw the case and both sides undertaking to stop making claims on each other for an amicable settlement.

However, without prejudice, this claim does not howsoever preclude us from making our claims from them for damages to our car arising from the said accident.

Thank you and we look forward to a favourable outcome from you.

Sent from my iPhone

On 4 Sep 2018, at 12:16 PM, Hsiao Tong (LKKAUTO) <chewht@lkkauto.com> wrote:

Hi Mr Yap,

We refer to your below email.

We enclosed a copy of the estimate from the Third Party claimant with our surveyor's marking and recommendation together with inspection photos for your reference.

The breakdown of third party claim is as follows: -

1. Cost of Repair (w/GST)	\$ 946.31
2. Loss of Rental (2days x \$115.00)	\$ 230.00
3. Loss of Income (2days x \$80.00)	\$ 160.00
4. LTA/ GIA Search Fee	\$ 7.49
TOTAL	<u>\$1,343.80</u>

As discussed before, we are of the view that the case would be a 50/50 case (equal liability) as both parties were changing lane. Under Motor Accident Guide, both vehicles should exercise caution when changing lanes. Attached here is a copy of video footage from third party for your easy reference.

If you insisted that we should not settle third party claim, kindly let us have them in writing within the next 7 days i.e. by **12/09/2018**. We will seek further instruction from AIG on this matter.

Please call us if you have further queries.

Note: This video footage is solely for investigation and shall not be reproduced. You undertake to preserve its confidentiality and will not disclose, provide or make available the video footage in whole or in part, to any third party.

Best Regards,

Hsiao Tong, Chew | Case Handler

LKK Auto Consultants Pte Ltd

Phone: 6742-3197 | email: chewht@lkkauto.com | fax: 6741-4108

Blk 51, Paya Ubi Industrial Park, Ubi Avenue 1, #02-25 | S(408933)

From: Michael Yap <michaelkeyap@yahoo.com.sg>

Sent: Monday, 3 September 2018 8:58 AM

To: Hsiao Tong (LKKAuto) <chewht@lkkauto.com>

Subject: Re: ACCIDENT INVOLVING SGU 8998A & SHA 7633C ON 15/04/2018

Hi Hsiao Tong, can you give more details of the claim made including the amount and arrange to forward the full video recording of the case.

Thank you.
Sent from my iPhone

On 24 Aug 2018, at 11:27 AM, Hsiao Tong (LKKAuto) <chewht@lkkauto.com> wrote:

24 AUG 2018

Mr Yap Kiok Eng/ Mr Yap Wen-Wei Eugene

Dear Sir/ Mdm

OUR REF : CC3/AIG18007217/K1pa3

YOUR REF : SGU 8998A

**ACCIDENT INVOLVING SGU 8998A & SHA 7633C
ON 15/04/2018**

We refer to the above subject matter. We write to inform you that we are the loss adjuster appointed by your motor insurer, AIG Asia Pacific Insurance Pte Ltd to deal with the third party claim against your policy.

We have received a claim from SHA 7633C against your motor insurance policy.

We have reviewed the matter and based on all available information at hand for the accident, we are of the view that we do not have a good defense towards the claim submitted by the owner of SHA 7633C. Kindly refer to the attached video screenshot from SHA 7633C for your easy reference. The video shows that you had changed lane where third party was approaching from behind. Therefore, we are of the view that there is certainly a portion of

liability on us and we will proceed to negotiate for an amicable settlement with the Third Party.

If you feel strongly against our settlement offer to the third party, kindly let us have them in writing within the next 10 days i.e. by **04/09/2018**, after we shall proceed with negotiation with Third Party claimant on the without prejudice basis and any settlement should not bind any claims whatsoever by you/your driver against the other party's insurer arising from this particular accident.

Please note that your No-Claim Discount (NCD) (if any) will be affected and reduced by 30% (20% for commercial vehicles) upon next renewal due to this Third Party claim. However, if your policy has a NCD protector feature, it will be deemed utilized for this claim and your NCD will be protected.

Please call us if you have further queries.

Best Regards,

Hsiao Tong, Chew | Case Handler

LKK Auto Consultants Pte Ltd

Phone: 6742-3197 | email: chewht@lkkauto.com | fax: 6741-4108

Blk 51, Paya Ubi Industrial Park, Ubi Avenue 1, #02-25 | S(408933)

<TP VIDEO SCREENSHOT.pdf>

<REPAIR ESTIMATE_-_MARKED.pdf>

<IMG_2583.JPG>

<IMG_2584.JPG>

<IMG_2585.JPG>

<IMG_2586.JPG>

<IMG_2587.JPG>

<IMG_2588.JPG>

<IMG_2589.JPG>

<IMG_2590.JPG>

<SHA7633C VC (TS).avi>