

Veron Chen (LKKAUTO)

From: Celine Fong (LKKAUTO)
Sent: Friday, 17 December 2021 10:20 AM
To: Cooma & Rai; Veron Chen (LKKAUTO); Admin-D (LKKAUTO); Bryan Ang (LKKAUTO)
Cc: 'GERALD POH WEE BIN'
Subject: RE: Pre-repair survey of XD1698A (TMA) - LKK ref: CS3/LPC20012247/Qvf3e2 - C&R ref: MPR215498/L121
Attachments: Survey Report.pdf

Dear Sir,

We have reviewed the matter, and enclosed report on Cost of Replacement of the total loss TMA, it based on depreciation charge on TMA after usage of 10 years and 3 months on the new purchase price (\$49,000.00).

Best Regards,

Celine Fong

LKK Auto Consultants Pte Ltd

phone: 6256-3561 | email: celinefong@lkkauto.com | fax: 6256-4315

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

From: Cooma & Rai <coomarai@singnet.com.sg>
Sent: Monday, 6 December 2021 1:51 PM
To: Celine Fong (LKKAUTO) <celinefong@lkkauto.com>; Veron Chen (LKKAUTO) <veronchen@lkkauto.com>; assignments <assignments@lkkauto.com>; Admin-D (LKKAUTO) <admin-d@lkkauto.com>; Bryan Ang (LKKAUTO) <bryanang@lkkauto.com>
Cc: 'GERALD POH WEE BIN' <geraldpoh@lonpac.com>
Subject: RE: Pre-repair survey of XD1698A (TMA) - LKK ref: CS3/LPC20012247/Qvf3e2 - C&R ref: MPR215498/L121
Importance: High

Dear Ms Celine,

For the purpose of court use, a need a concise report covering all the issues that were raised and to make a firm assessment on what is the reasonable sum to offer the Plaintiff for the damages/loss to the TMA.

Your report will then be used to mount our client's case at the assessment and to decide what sum to offer in an effort to reach agreement on the quantum.

Please let us have your considered report covering all the pertinent points within the next 10 days.

Best Regards

M P Rai

Cooma & Rai | Advocates & Solicitors | Notary Public | Commissioner for Oaths

T +65 6438 0783 | F +65 6438 0784 | coomarai@singnet.com.sg | 133 New Bridge Road, #08-02 Chinatown Point, Singapore 059413 | www.coomarai.com |

Office Hours: Mondays – Fridays from 9 am to 5.30 pm. We are closed for lunch between 1 pm and 2 pm. We are also closed on weekends and on Public Holidays.

CONFIDENTIALITY CAUTION: This message is intended only for the use of the individual or entity to whom it is addressed and is privileged and confidential. If you are not the intended recipient, please notify us immediately by return e-mail, delete this message and you should not disseminate, distribute or copy any information contained herein.

From: Celine Fong (LKKAUTO) <celinefong@lkkauto.com>

Sent: Friday, 29 October 2021 7:12 pm

To: Veron Chen (LKKAUTO) <veronchen@lkkauto.com>; Cooma & Rai <coomarai@singnet.com.sg>; assignments <assignments@lkkauto.com>; Admin-D (LKKAUTO) <admin-d@lkkauto.com>; Bryan Ang (LKKAUTO) <bryanang@lkkauto.com>

Cc: 'GERALD POH WEE BIN' <geraldpoh@lonpac.com>; vicky@coomarai.com

Subject: RE: Pre-repair survey of XD1698A (TMA) - LKK ref: CS3/LPC20012247/Qvf3e2 - C&R ref: MPR215498/L121

Dear Sir,

The earlier recommended cost of replacement of above TMA unit of less 50% was based on the market practice, as this unit had been more than 10 years at the time of accident.

Now we had re-compute the depreciation value of the said unit based on the depreciation charge as follows:

To calculate the value of a fixed asset (TMA) costing \$38,000.00 (Original purchased price) at the time of the accident using the “straight line method”.

Fixed Asset Cost \$38,000.00

Estimate Residual Value \$200.00

Estimated useful life 20 years

Depreciation Charge p.a = $\frac{\text{Fixed Asset cost } \$38,000.00 - \text{Residual Value } \$200.00}{\text{Estimated useful life 20 years}}$

= \$1890.00 per year

i.e \$157.50 per month

Beginning 1st year \$38,000.00

-\$18,900.00

Depreciation value End of 10 years (120 months) \$19,100.00

Depreciation charge after another 3 months - \$472.50
(i.e \$157.50 per month x 3 months)

\$18,627.50

=====

Depreciated value as at 123 months of purchase on 04th November 2020 (DOA) is \$18,627.50

1. Did you check with the TMA manufacturer's authorized workshop to evaluate if the damaged TMA could be repaired and on the safety performance of the said TMA if it could be repaired or whether it ought to be treated as a total loss, prior to quoting the repair charges? (if yes, let us have the evidence/email/documents to support your position);

The TMA unit is manufactured to absorb impact energy from the rear of the said vehicle under the LTA guideline it is unable to repair, for safety reason only for replacement.

2. Why is there such a great difference in the two assessments, listing the areas of difference, and the reason(s) for the difference? (You had recommended for the TMA to be repaired whilst the Plaintiff's surveyor deemed the TMA a "total loss.")

Typo error. The damage of the TMA was a recommended cost of replacement subject to depreciation charges.

3. What is the prudent sum that Lonpac should offer to resolve the dispute?

For this case, difference in depreciation charge is plus & minus 5% subject to condition of the TMA at the time of accident.

4. What is the prudent period for repairs that Lonpac should offer to resolve the loss of use dispute?

Normally period for replacement is about 10 days. It depends on the availability of the TMA, if not available locally may have to import from overseas subject to document proof i.e. shipping document.

5. Is the cost of the new replacement of the TMA at \$69,550 claimed by the Plaintiff fair and reasonable? If yes, why yes. If no, why not?

The computation of damaged TMA is based on the original model purchased on 30/07/2009. If Court order that the new replacement of the new TMA at \$69,550, we may have to re-compute the new TMA depreciation charge based on the equivalent usage of the new TMA.

Best Regards

Ang Bryan Tani

AMSOE, AMIRTE, AFF SAE, M.MATAI, AFF.Inst.AEA
Senior Technical Investigator
Technical Investigation & Reconstructionist (SAE-A)

From: Cooma & Rai <coomarai@singnet.com.sg>

Sent: Monday, 25 October 2021 10:01 AM

To: Veron Chen (LKKAuto) <veronchen@lkkauto.com>; assignments <assignments@lkkauto.com>; Admin-D (LKKAuto) <admin-d@lkkauto.com>; Bryan Ang (LKKAuto) <bryanang@lkkauto.com>

Cc: 'GERALD POH WEE BIN' <geraldpoh@lonpac.com>; vicky@coomarai.com

Subject: RE: Pre-repair survey of XD1698A (TMA) - LKK ref: CS3/LPC20012247/Qvf3e2 - C&R ref: MPR215498/L121

Importance: High

Hi Veron,

We have managed to get a one-week extension. Please let us have the detailed replies, including the answers to the specific questions raised, by this Friday.

Regards

M P Rai

M/s Cooma & Rai

From: Veron Chen (LKKAuto) <veronchen@lkkauto.com>

Sent: Friday, 22 October 2021 4:54 pm

To: Cooma & Rai <coomarai@singnet.com.sg>; assignments <assignments@lkkauto.com>; Admin-D (LKKAuto) <admin-d@lkkauto.com>; Bryan Ang (LKKAuto) <bryanang@lkkauto.com>

Cc: 'GERALD POH WEE BIN' <geraldpoh@lonpac.com>; vicky@coomarai.com

Subject: RE: Pre-repair survey of XD1698A (TMA) - LKK ref: CS3/LPC20012247/Qvf3e2 - C&R ref: MPR215498/L121

Dear Sir,

We have check with my senior surveyor , please allow us to extend one week, we will try to revert back asap.

Best Regards,

Veron Chen | Case Handler

LKK Auto Consultants Pte Ltd

Phone: 6256-3561 | email :sur@lkkauto.com | fax: 6256-4315

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

From: Cooma & Rai [<mailto:coomarai@singnet.com.sg>]

Sent: Thursday, 21 October 2021 8:54 AM

To: Veron Chen (LKKAuto) <veronchen@lkkauto.com>; assignments <assignments@lkkauto.com>; Admin-D (LKKAuto) <admin-d@lkkauto.com>; Bryan Ang (LKKAuto) <bryanang@lkkauto.com>

Cc: 'GERALD POH WEE BIN' <geraldpoh@lonpac.com>; vicky@coomarai.com

Subject: RE: Pre-repair survey of XD1698A (TMA) - LKK ref: CS3/LPC20012247/Qvf3e2 - C&R ref: MPR215498/L121

Importance: High

Hi Mr Veron,

Please let us know by this week when your senior surveyor can revert with the detailed answers required so that we may request for further time from the court.

Regards

M P Rai
M/s Cooma & Rai

From: Veron Chen (LKKAUTO) <veronchen@lkkauto.com>
Sent: Wednesday, 20 October 2021 6:04 pm
To: Cooma & Rai <coomarai@singnet.com.sg>; assignments <assignments@lkkauto.com>; Admin-D (LKKAUTO) <admin-d@lkkauto.com>; Bryan Ang (LKKAUTO) <bryanang@lkkauto.com>
Cc: 'GERALD POH WEE BIN' <geraldpoh@lonpac.com>; vicky@coomarai.com
Subject: RE: Pre-repair survey of XD1698A (TMA) - LKK ref: CS3/LPC20012247/Qvf3e2 - C&R ref: MPR215498/L121

Dear Sir,

My apologise, due to the attending surveyor is no longer with our company. I have escalated this case to my senior surveyor.

Please allow me additional time to check and revert to you asap.

Best Regards,

Veron Chen | Case Handler

LKK Auto Consultants Pte Ltd

Phone: 6256-3561 | email :sur@lkkauto.com | fax: 6256-4315

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

From: Cooma & Rai [<mailto:coomarai@singnet.com.sg>]
Sent: Wednesday, 20 October 2021 3:59 PM
To: Veron Chen (LKKAUTO) <veronchen@lkkauto.com>; assignments <assignments@lkkauto.com>; Admin-D (LKKAUTO) <admin-d@lkkauto.com>; Bryan Ang (LKKAUTO) <bryanang@lkkauto.com>
Cc: 'GERALD POH WEE BIN' <geraldpoh@lonpac.com>; vicky@coomarai.com
Subject: RE: Pre-repair survey of XD1698A (TMA) - LKK ref: CS3/LPC20012247/Qvf3e2 - C&R ref: MPR215498/L121
Importance: High

2nd Reminder

Dear Mr Veron,

We refer to our emails below and look forward to receiving your detailed response by this week as we are required to reply to the opposing party by 25 October 2021.

Best Regards

M P Rai

Cooma & Rai | Advocates & Solicitors | Notary Public | Commissioner for Oaths

T +65 6438 0783 | F +65 6438 0784 | coomarai@singnet.com.sg | 133 New Bridge Road, #08-02 Chinatown Point, Singapore 059413 | www.coomarai.com |

Office Hours: Mondays – Fridays from 9 am to 5.30 pm. We are closed for lunch between 1 pm and 2 pm. We are also closed on weekends and on Public Holidays.

CONFIDENTIALITY CAUTION: This message is intended only for the use of the individual or entity to whom it is addressed and is privileged and confidential. If you are not the intended recipient, please notify us immediately by return e-mail, delete this message and you should not disseminate, distribute or copy any information contained herein.

From: Cooma & Rai <coomarai@singnet.com.sg>

Sent: Sunday, 17 October 2021 7:25 pm

To: 'Veron Chen (LKKAUTO)' <veronchen@lkkauto.com>; 'assignments' <assignments@lkkauto.com>; 'Admin-D (LKKAUTO)' <admin-d@lkkauto.com>; 'Bryan Ang (LKKAUTO)' <bryanang@lkkauto.com>

Cc: 'GERALD POH WEE BIN' <geraldpoh@lonpac.com>; 'vicky@coomarai.com' <vicky@coomarai.com>

Subject: RE: Pre-repair survey of XD1698A (TMA) - LKK ref: CS3/LPC20012247/Qvf3e2 - C&R ref: MPR215498/L121

Importance: High

Dear Mr Veron,

Your urgent action and detailed response to the questions posed would be appreciated as we have to prepare a reply to the opposing party by 25 October 2021.

Best Regards

M P Rai

Cooma & Rai | Advocates & Solicitors | Notary Public | Commissioner for Oaths

T +65 6438 0783 | F +65 6438 0784 | coomarai@singnet.com.sg | 133 New Bridge Road, #08-02 Chinatown Point, Singapore 059413 | www.coomarai.com |

Office Hours: Mondays – Fridays from 9 am to 5.30 pm. We are closed for lunch between 1 pm and 2 pm. We are also closed on weekends and on Public Holidays.

CONFIDENTIALITY CAUTION: This message is intended only for the use of the individual or entity to whom it is addressed and is privileged and confidential. If you are not the intended recipient, please notify us immediately by return e-mail, delete this message and you should not disseminate, distribute or copy any information contained herein.

From: Veron Chen (LKKAUTO) <veronchen@lkkauto.com>

Sent: Friday, 8 October 2021 6:03 pm

To: coomarai@singnet.com.sg; assignments <assignments@lkkauto.com>; Admin-D (LKKAUTO) <admin-d@lkkauto.com>; Bryan Ang (LKKAUTO) <bryanang@lkkauto.com>

Cc: 'GERALD POH WEE BIN' <geraldpoh@lonpac.com>

Subject: Pre-repair survey of XD1698A (TMA) - LKK ref: CS3/LPC20012247/Qvf3e2 - C&R ref: MPR215498/L121

Importance: High

Dear Sir,

We will check and revert.

Best Regards,

Veron Chen | Case Handler

LKK Auto Consultants Pte Ltd

Phone: 6256-3561 | email :sur@lkkauto.com | fax: 6256-4315

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

From: Cooma & Rai <coomarai@singnet.com.sg>

Sent: Friday, 8 October 2021 10:36 AM

To: assignments <assignments@lkkauto.com>; Admin-D (LKKAuto) <admin-d@lkkauto.com>; Veron Chen (LKKAuto) <veronchen@lkkauto.com>; Bryan Ang (LKKAuto) <bryanang@lkkauto.com>

Cc: 'GERALD POH WEE BIN' <geraldpoh@lonpac.com>

Subject: Pre-repair survey of XD1698A (TMA) - LKK ref: CS3/LPC20012247/Qvf3e2 - C&R ref: MPR215498/L121

Importance: High

CONFIDENTIAL & PRIVILEGED

TOP URGENT

Dear Sirs,

DC/DC 721/2021

We act for Lonpac Insurance Bhd (Lonpac).

Our client had engaged you to inspect the third party's vehicle no. XD 1698A – TMA and you had prepared pre-repair inspection reports dated 16 November 2020 (containing the damaged photographs) and 19 May 2021 – estimating the cost of repairs (COR) at \$23,986.

We attach at the link below the Plaintiffs' documents for your perusal and consideration, including the surveyor's report from Carlink Consultancy that states that the TMA has to be treated as a "total loss". In other words, it cannot be repaired.

<https://www.dropbox.com/s/v33m00bzhms7pg5/plaintiff%20list%20of%20documents.pdf?dl=0>

Please also see attached page 6 of the Statement of Claim, in particular, paragraphs 13 to 16 – the Plaintiff's claim for a new replacement costs of the SS TMA at \$65,000 plus 7% GST and their claim for the loss of use – i.e. the costs of renting other lorries with truck mounted attenuators during the period from 04.11.2020 to 31.12.2020 at \$7,639.80.

As litigation has been commenced and in order to advise our clients on the prudent offer to make to protect their interest at an early stage, we would be obliged if you could review the gulf in the COR and let us know the following:

1. Did you check with the TMA manufacturer's authorized workshop to evaluate if the damaged TMA could be repaired and on the safety performance of the said TMA if it could be repaired or whether it ought to be treated as a total loss, prior to quoting the repair charges? (if yes, let us have the evidence/email/documents to support your position);
2. Why is there such a great difference in the two assessments, listing the areas of difference, and the reason(s) for the difference? (You had recommended for the TMA to be repaired whilst the Plaintiff's surveyor deemed the TMA a "total loss.")
3. What is the prudent sum that Lonpac should offer to resolve the dispute?

4. What is the prudent period for repairs that Lonpac should offer to resolve the loss of use dispute?
5. Is the cost of the new replacement of the TMA at \$69,550 claimed by the Plaintiff fair and reasonable? If yes, why yes. If no, why not?
6. Could the damaged TMA have been repaired to its pre-accident condition? If yes, who could have repaired it and what would have been the reasonable cost of repairs?
7. Was there no second hand TMA or a more economical TMA available for replacement at a cheaper price as at November 2020 or thereabouts? If yes, please state the reason and how long would it have taken the owners to obtain and install it?
8. Did the owner mitigate their loss by not getting the damaged TMA repaired or a more reasonable replacement TMA? If yes, please state the reasons.
9. Is there any code or rule that states that a damaged TMA cannot be repaired?
10. Any other information that you deem relevant to support your opinion and which would advance Lonpac's defence on the replacement cost of the TMA.

We look forward to hearing from you urgently as we have to advise Lonpac and make a prudent protective offer as soon as possible.

Best Regards

M P Rai

Cooma & Rai | Advocates & Solicitors | Notary Public | Commissioner for Oaths

T +65 6438 0783 | F +65 6438 0784 | coomarai@singnet.com.sg | 133 New Bridge Road, #08-02 Chinatown Point, Singapore 059413 | www.coomarai.com |

Office Hours: Mondays – Fridays from 9 am to 5.30 pm. We are closed for lunch between 1 pm and 2 pm. We are also closed on weekends and on Public Holidays.

CONFIDENTIALITY CAUTION: This message is intended only for the use of the individual or entity to whom it is addressed and is privileged and confidential. If you are not the intended recipient, please notify us immediately by return e-mail, delete this message and you should not disseminate, distribute or copy any information contained herein.