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SUPERIOR COURT OF WASHINGTON IN AND FOR KING COUNTY

JAMES H. OSBORNE and DIANE B. OSBORNE, husband and wife, KEVIN S. OSBORNE, a single person, and DIANE B. OSBORNE, as Guardian ad Litem for the minor child A.R.O.,

Plaintiffs,

v.

RECREATIONAL EQUIPMENT, INC., d/b/a REI, a Washington corporation, FAIRLY BIKE MANUFACTURING CO., LTD., a foreign corporation, GRUPPO S.p.A., a foreign corporation, Giant bicycle, Inc., a foreign corporation, MAVIC SAS, a foreign corporation, FUNG TIEN ELECTRIC CO., LTD., a foreign corporation, ABC, a business entity, DEF, a business entity, and GHI, a business entity,

Defendants.

NO. 10-2-20999-9 KNT

DECLARATION OF PATRICK LOGAN, P.E. RE DEFENDANT REI'S MOTION FOR SUMMARY JUDGMENT RE LIABILITY

I, Patrick Logan, declare as follows:

1. I am over the age of 18, competent to testify, and make this declaration from my own personal knowledge.

2. I am a Professional Engineer licensed in Oregon and California. I earned my Bachelor of Science degree in Aerospace Engineering from the University of Notre Dame in 1982. Since 2006, I have been the President of K Ridley Technology. I have worked in the area of bicycle design and development and bicycle accident investigation since 1996.

1 3. I have been a member of the National Society of Professional Engineers (NSPE)
2 for 10 years and a member of the American Society of Testing and Materials (ASTM) for 16
3 years, participating in the F08 Committee on Sports and Recreation. Since 2008 I have acted as
4 Chair of the ASTM Subcommittee F.08.10 on bicycle standards. Through my education and
5 experience, I have expertise on bicycle testing, standards, evaluation of performance, accidents
6 and accident reconstruction. A copy of my CV is attached hereto.

7 4. I have been retained as an expert witness by Recreational Equipment, Inc. ("REP")
8 in the above-captioned matter. I have had the opportunity to inspect the subject bicycle, inspect
9 the scene of the subject accident, and review metallurgical testing of the subject bike, pertinent
10 medical records, and the depositions of Richard James and Jon Jacobson. I have been provided a
11 copy of a CD containing Dr. James' file. I have reviewed all of the documents from that file that
12 I was able to open.

13 5. During my inspection of the subject bicycle, I took measurements of the bike
14 frame including the top tube and the down tube. I measured tube length, tube diameter and wall
15 thickness using digital calipers, tape measures and rulers. Based on my measurements and
16 inspection of the subject bicycle, it is my opinion that the subject frame is consistent with the
17 specifications and design for a 2006 Team Trionfo.

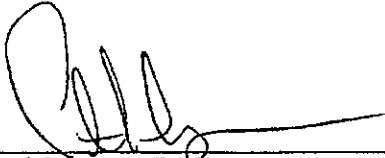
18 6. At the time that the subject 2006 Team Trionfo was manufactured the only
19 American standard that applied to the bike frame was the Consumer Product Safety Commission
20 ("CPSC") standards found at 16 C.F.R. 1512. Subsequently, in 2009, the ASTM passed, for the
21 first time, standards for road bike frames (referred to as condition 1 in the standard) found in
22 ASTM 2802.

23 7. I modeled a 2006 Team Trionfo aluminum frame and tested the model to the
24 loads (forces) defined in ASTM 2802 and CPSC 1512 using Finite Element Analysis (FEA).
25 The stresses in the models did not approach failure in any of the FEA analyses. In other words,
26

1 the strength of the Team Trionfo frame was sufficient to pass all of these tests, and would meet
2 or exceed CPSC and ASTM standards.

3 I declare under penalty of perjury under the laws of the State of Washington that the
4 foregoing is true and correct.

5 EXECUTED this 18th day of April, 2012, at EUGENE, Oregon.

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Patrick Logan, P.E.

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