



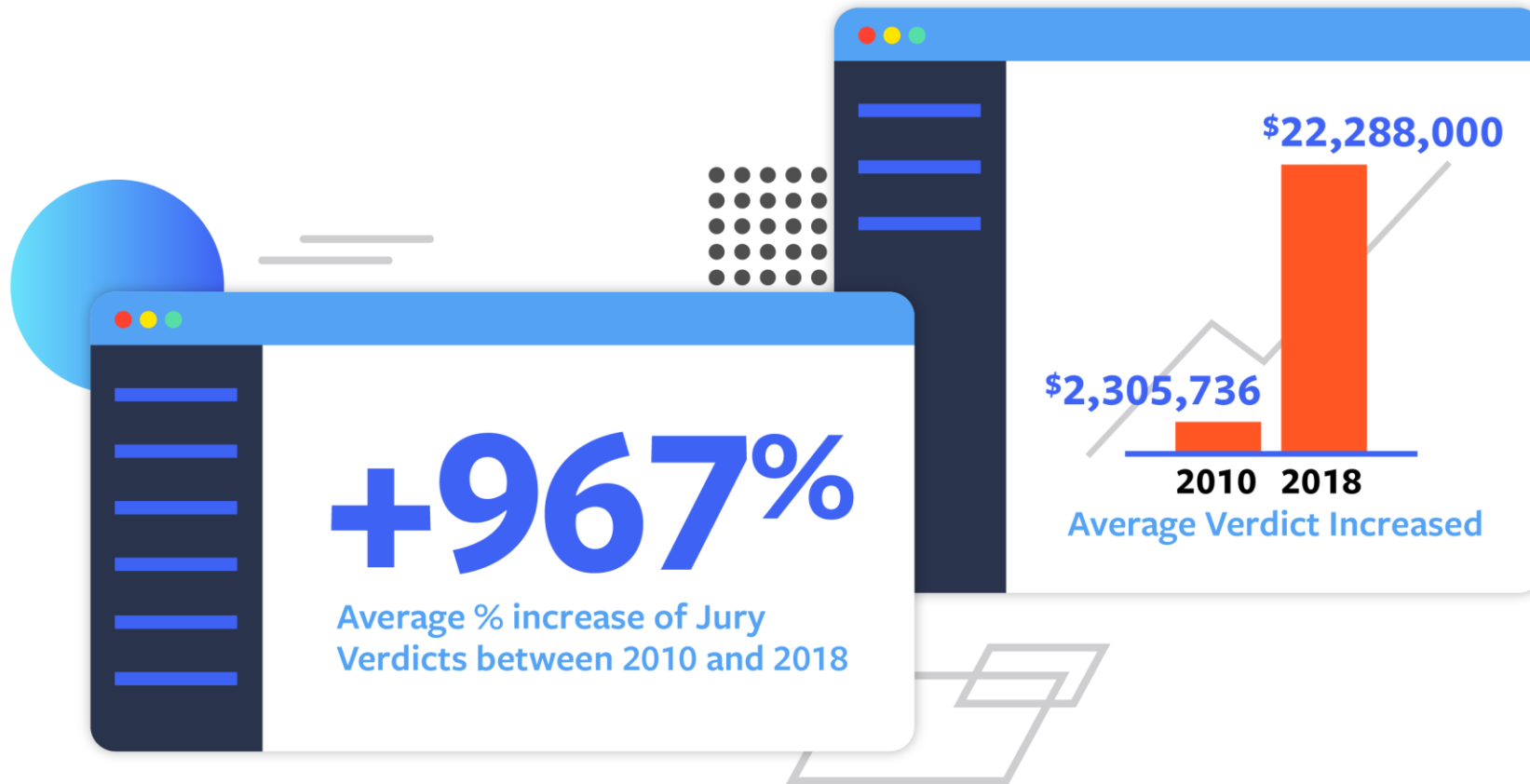
**Bluewire**  
***Angels in the Outfield***



Steve Bryan, CEO & Co-Founder

September 19, 2024

# An Exponential Rise in Nuclear Verdicts



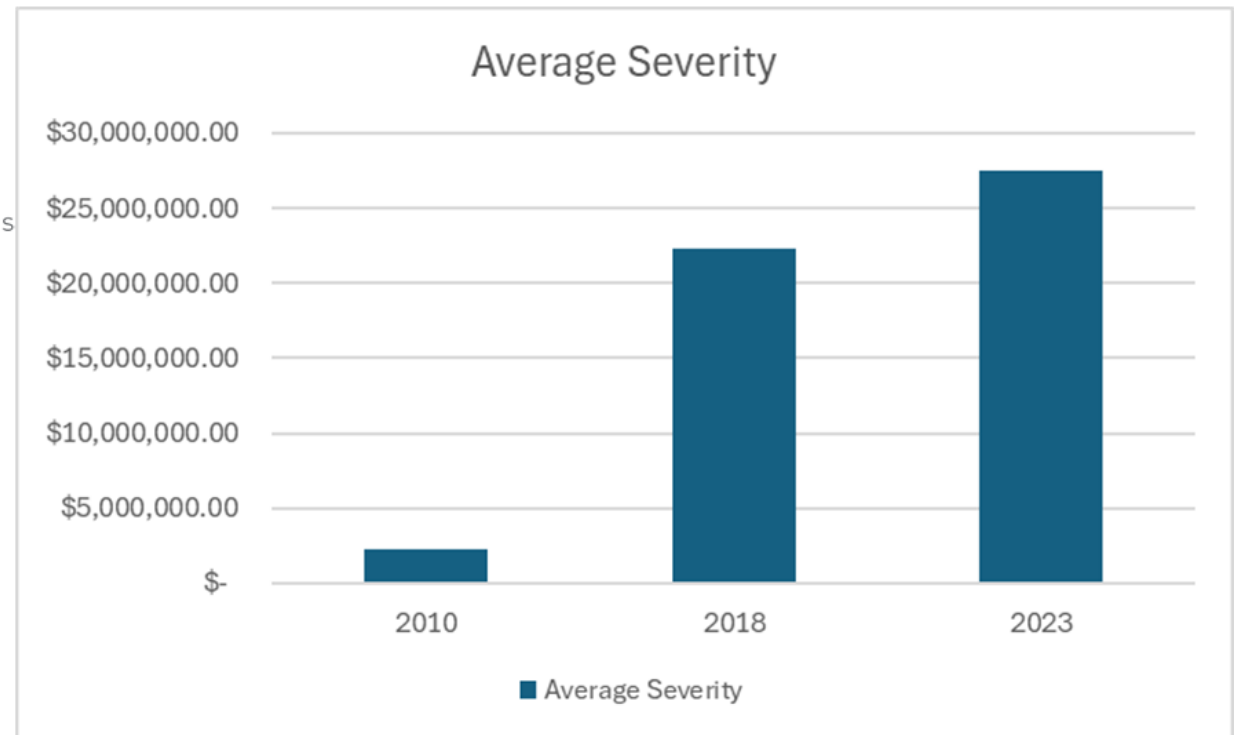
# Rise in Severity – Average \$27M (2023)

Business Truck Driving Job News

## Nuclear reaction: Report shows trucking companies 'under siege' by costly lawsuits

By John Worthen - July 26, 2023

WASHINGTON — A [report](#) from the U.S. Chamber of Commerce's Institute for Legal Reform says the trucking industry is under siege by litigation.



# The Strategic Plan – The Reptile Theory

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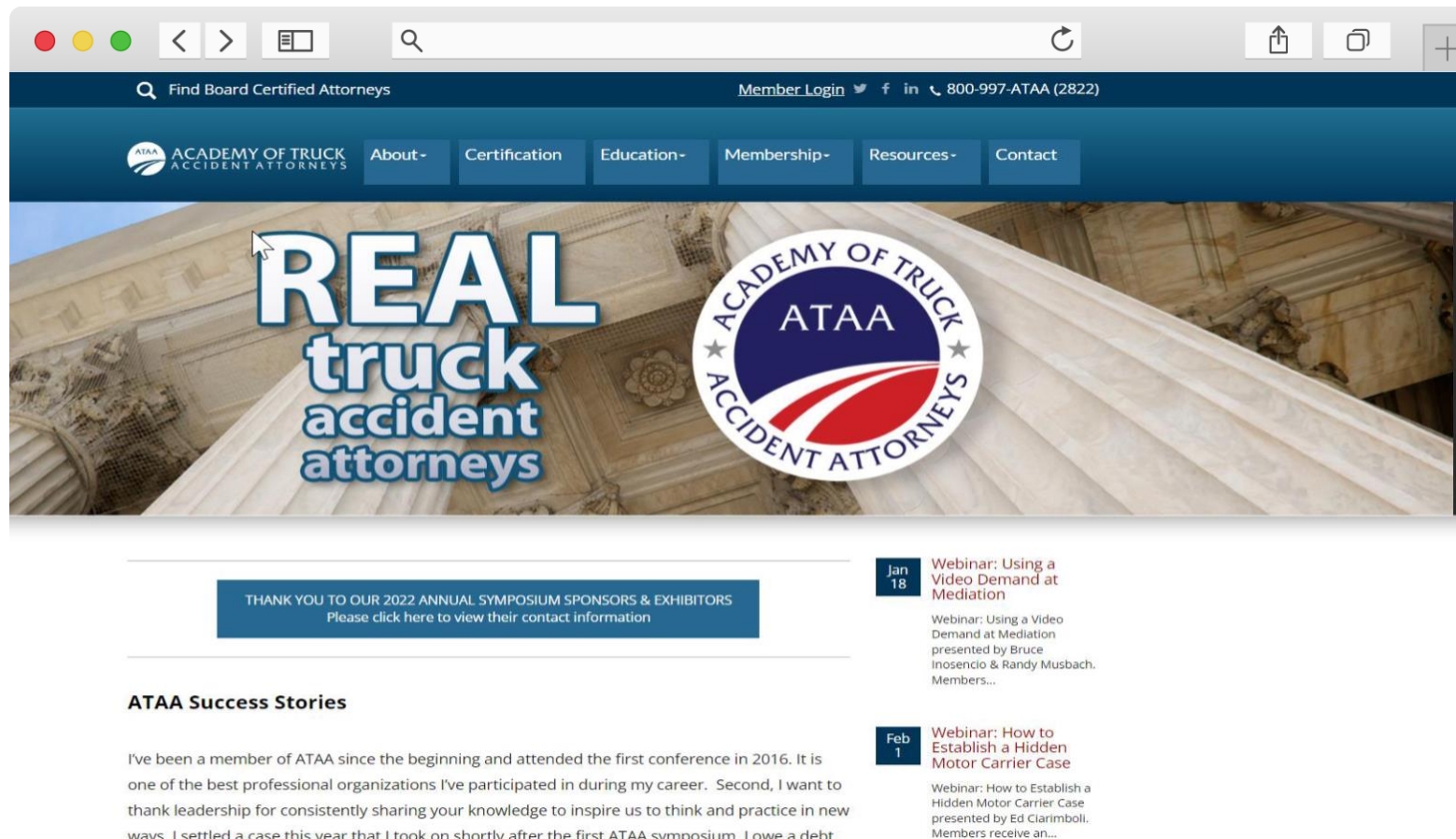
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Print length	Language	Publisher	Publication date	ISBN-10	ISBN-13
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# The Tactical Application of the Reptile Theory



The screenshot shows the homepage of the Academy of Truck Accident Attorneys (ATAA). The browser window has a search bar and navigation icons. The website header includes a search bar with the text "Find Board Certified Attorneys", a "Member Login" link, and social media icons for Twitter, Facebook, and LinkedIn, along with the phone number "800-997-ATAA (2822)". The main navigation menu contains links for "About-", "Certification", "Education-", "Membership-", "Resources-", and "Contact". The hero section features a large image of a classical building facade with the text "REAL truck accident attorneys" and the ATAA logo. Below the hero section, there is a blue button that says "THANK YOU TO OUR 2022 ANNUAL SYMPOSIUM SPONSORS & EXHIBITORS Please click here to view their contact information". The "ATAA Success Stories" section includes a testimonial and a list of webinars.

Find Board Certified Attorneys

Member Login

800-997-ATAA (2822)

ATAA ACADEMY OF TRUCK ACCIDENT ATTORNEYS

About- Certification Education- Membership- Resources- Contact

**REAL**  
truck  
accident  
attorneys

ATAA ACADEMY OF TRUCK ACCIDENT ATTORNEYS

THANK YOU TO OUR 2022 ANNUAL SYMPOSIUM SPONSORS & EXHIBITORS  
Please click here to view their contact information

**ATAA Success Stories**

I've been a member of ATAA since the beginning and attended the first conference in 2016. It is one of the best professional organizations I've participated in during my career. Second, I want to thank leadership for consistently sharing your knowledge to inspire us to think and practice in new ways. I settled a case this year that I took on shortly after the first ATAA symposium. I owe a debt

**Jan 18** Webinar: Using a Video Demand at Mediation  
Webinar: Using a Video Demand at Mediation presented by Bruce Inosencio & Randy Musbach. Members...

**Feb 1** Webinar: How to Establish a Hidden Motor Carrier Case  
Webinar: How to Establish a Hidden Motor Carrier Case presented by Ed Clarimboli. Members receive an...

# Opponent is smart, well trained, highly motivated

← → ↻ 🏠 🔍 ☆ 📁 | S ⋮

academyoftruckaccidentattorneys.org/upcoming\_cle\_programs.php

## UPCOMING CLE PROGRAMS

**Sep 18** **Webinar: Litigating Oversized Load Cases**  
Webinar: Litigating Oversized Load Cases presented by Seth McCloskey. Members receive an email...

**Sep 25** **2024 Annual Symposium**  
Join us at the 2024 Annual Symposium in Nashville, Tennessee!

**Oct 2** **Webinar: Trucking Tricks of the Trade to Guide Your Truck Crash Litigation**  
Webinar: Trucking Tricks of the Trade to Guide Your Truck Crash Litigation presented by Andy Young. Members...

**Oct 16** **Deep Dive on Telematics Systems Like Samsara**  
Deep Dive on Telematics Systems Like Samsara presented by Ed Ciarimboli. Members receive an...

### UPCOMING CLE PROGRAMS

**2024 Annual Symposium**  
September 25-27, 2024  
Grand Hyatt Nashville • Nashville, TN

**2025 New Trucking Lawyers Division Bootcamp**  
March 19-22, 2025  
Tempe Mission Palms Hotel • Tempe, AZ

**2025 Annual Symposium**  
September 18-20, 2025  
Hilton Austin • Austin, TX

**2026 Annual Symposium**  
September 17-19, 2026  
Hyatt Regency Denver Convention Center • Denver, CO

# ATAA trains members to seek out Systemic Failures

Table 2. Percent of Cases that Yielded a Plaintiff Verdict by the Issues Brought Against the Defendant in Court (Cases above \$1M)

ISSUE BROUGHT AGAINST THE DEFENDANT IN COURT	% OF PLAINTIFF VERDICTS	# OF CASES
HOS / Log Book	100.0%	26
Driver History	100.0%	14
Controlled Substances	100.0%	13
Left Scene of the Crash / Failed to Call 911	100.0%	8
Health Related Issue	100.0%	5
Sleep/Fatigue	91.7%	36
Driver on Their Phone	91.7%	12
Rear End Collision	89.2%	66
Work Zone / Construction	88.9%	18
Unfavorable Hiring Practices	87.5%	24

KEY: Systemic Failures



2020 Study by ATRI  
Understanding Nuclear Verdicts

# Huge Volume of Data that fuels the reptile – seeking Systemic Failures in MC’s data

**SEVERITY CATEGORY** [Reset](#) ^

	Min	Max	%
Crash	<input type="text"/>	to <input type="text"/>	%
Violation	<input type="text"/>	to <input type="text"/>	%
CSA BASIC's	<input type="text"/>	to <input type="text"/>	%
Driver OOS	<input type="text"/>	to <input type="text"/>	%
Critical Acute	<input type="text"/>	to <input type="text"/>	%
New Entrant	<input type="text"/>	to <input type="text"/>	%
MCS - 150	<input type="text"/>	to <input type="text"/>	%
Judicial Hellholes	<input type="text"/>	to <input type="text"/>	%
Safety Rating	<input type="text"/>	to <input type="text"/>	%

[Reset](#) ^

**COMPANY PROFILE** [Reset](#) ^

DOT #'S

**BLUEWIRE** Release Date: 08/01/2024 [Export Excel](#)

6,013,471 Driver Count    90.45 Average BLUEWIRE GAP SCORE

70.00 - 79.99    80.00 - 89.99    90.00 - 100

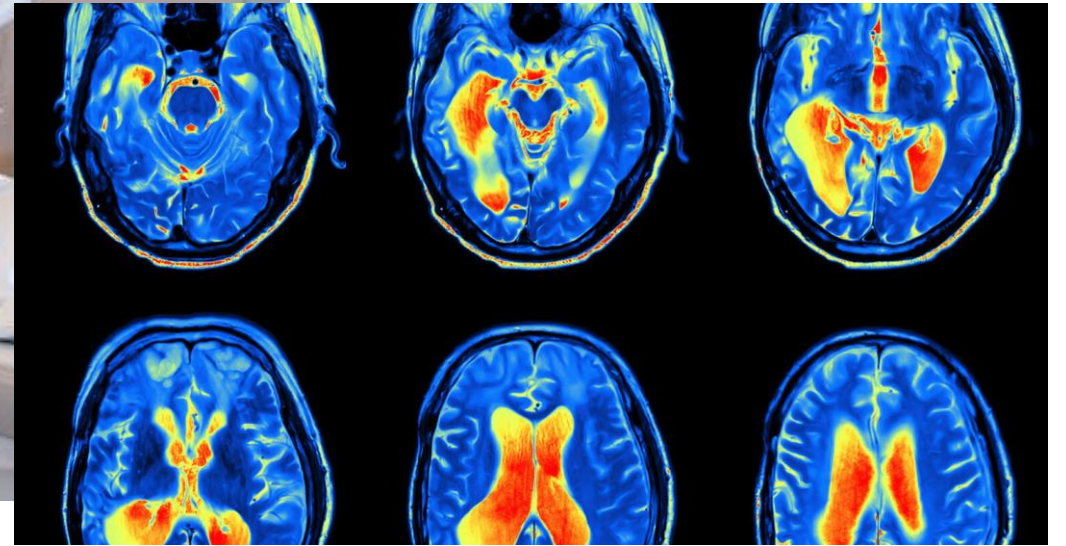
WEAK → PROTECTED

DOT #	COMPANY	CLASSIFICATION	STATUS	AUTHORITY DATE	SAFETY RATING	POWER UNITS	BLUEWIRE GAP SCORE
1	FEDERAL I						
64	CHEROKEE	HL	A	1974-05-31		4	72.50
174	CWT FARMS	CA	A	1974-05-31	S	10	72.98
198	TRANSPOR	A	A	1974-05-31		9	78.98
206	C & K TRA	AL	A	1974-05-31	S	150	97.07
222	ALASKA	BC	A	1974-05-31	S	2	100.00
227	S	C	A	1974-05-31	S	4	96.76
	BERRY METAL COMPANY	C	A	1974-05-31	S	2	93.04
	ANDERSON COACH & TRAVEL	A	A	1974-05-31	S	2	94.35
	ANDERSON COACH & TRAVEL	A	A	1974-05-31	S	47	93.42
344	MCCARTER TRANSIT INC	AL	A	1974-05-31	S	134	91.73





# Reptile has been detecting Systemic Failures since 2009



# How do you evaluate Systemic Failures in inspections, violations, crashes, MCS-150, Safety Rating, OOS, New Entrant and Judicial Hellholes?

The screenshot shows the FMCSA (Federal Motor Carrier Safety Administration) website interface. At the top, there is a navigation bar with the FMCSA logo and the text "Federal Motor Carrier Safety Administration". To the right of the logo is a "LOGIN" link and a search input field. Below this is a dark blue banner with the FMCSA logo and the slogan "Working Together for Safety." On the left side of this banner is the "SMS Safety Measurement System" logo. In the center of the banner are navigation links: "A&I", "CSA", "SMS", "TOOLS", "HELP", and "SEARCH". On the right side of the banner is a "QUICK SEARCH" section with a text input field labeled "Enter Carrier Name or U.S. DOT#" and a "GO" button.

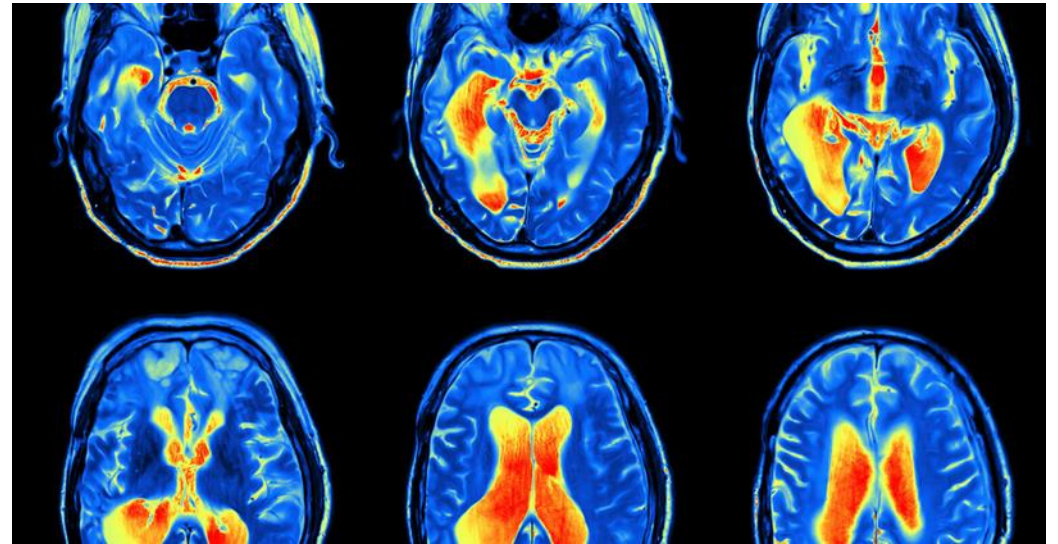
The main content area is titled "SEARCH for Carrier". Below the title, it says "To define your search, please select from the criteria below." There are three radio button options for search criteria: "U.S. DOT#" (selected), "Carrier Name", and "Outside U.S.". The "U.S. DOT#" option has a text input field containing "1271322". Below these options, a message states: "U.S. DOT# 1271322 is **inactive** at the time of the last SMS update. For the most up-to-date information, please visit the [SAFER](#) system." Below this message, there is a section titled "Filter carrier name by location." with three radio button options: "Service Center", "U.S. State", and "Outside U.S.". Each option has a dropdown menu. The "Service Center" dropdown shows "Select a Service Center", the "U.S. State" dropdown shows "Select a State", and the "Outside U.S." dropdown shows "Select a Country". At the bottom of the search form are two buttons: "SEARCH" and "DOWNLOAD".

Below the search form, the text "Your search returned no results." is displayed.

# CSA Fails at the Task of Severity Risk Analysis



VS



# CSA is a tool designed by FMCSA to conduct audits



## The Carrier Safety Measurement System (CSMS) Effectiveness Test by Behavior Analysis and Safety Improvement Categories

January 2014

Prepared for:  
Federal Motor Carrier Safety Administration  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Prepared by:  
John A. Volpe National  
Systems Center  
55 Broadway  
Cambridge, MA 02142

Prepared on:  
January 24, 2014

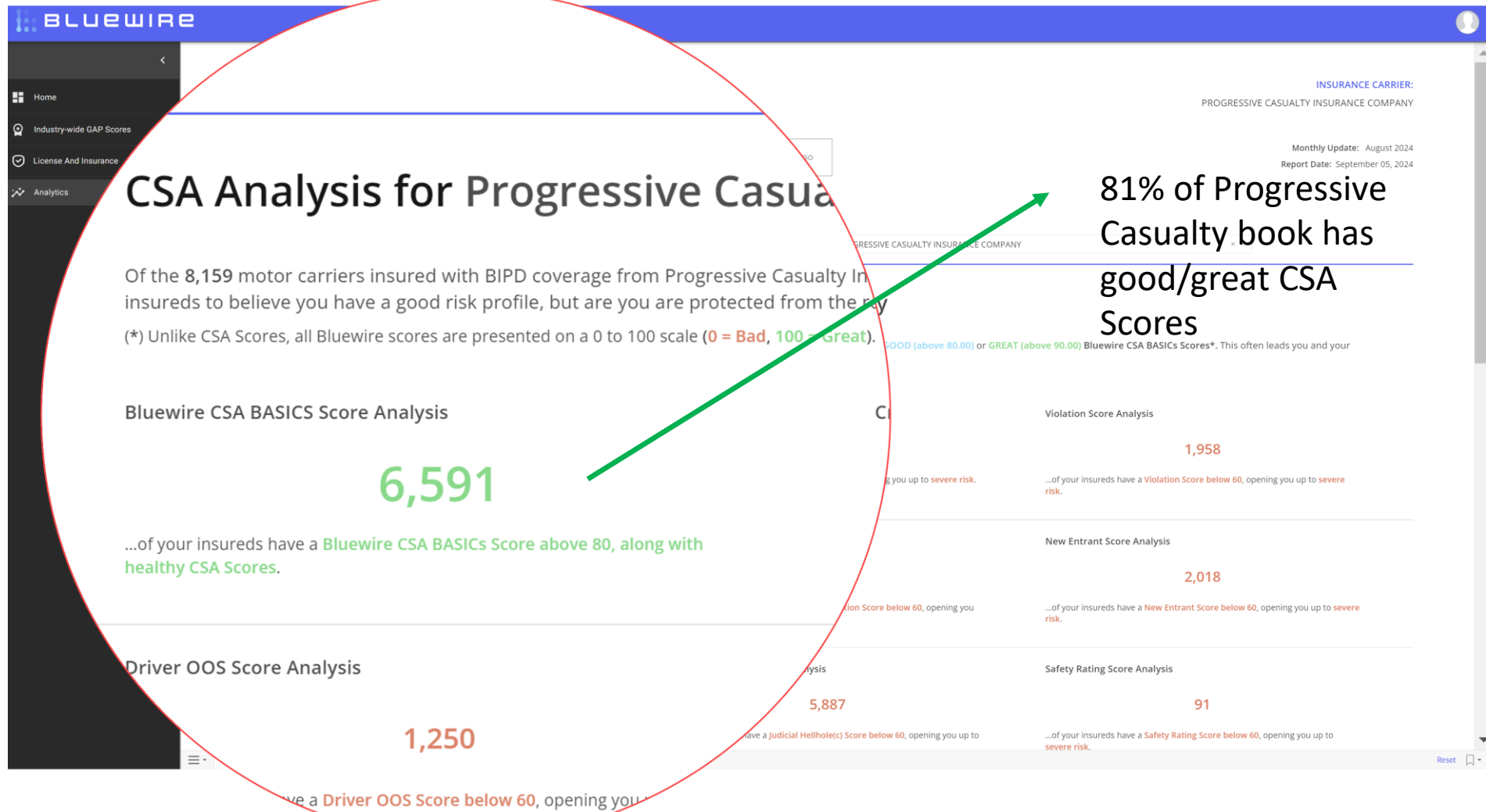
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# CSA is utterly ignorant of Systemic Failures



# CSA identifies a \$26.9M problem

Summary of Closed Enforcement Cases														
Subject Type	FY 2018		FY 2019		FY 2020		FY 2021		FY 2022		FY 2023		FY 2024	
	# Cases	Amount Settled	# Cases	Amount Settled	# Cases	Amount Settled	# Cases	Amount Settled	# Cases	Amount Settled	# Cases	Amount Settled	# Cases	Amount Settled
Broker	0	\$0	0	\$0	0	\$0	1	\$3,880	0	\$0	2	\$26,829	9	\$84,954
Cargo Tank Facility	33	\$676,990	17	\$219,660	9	\$122,050	1	\$12,173,000	6	\$82,820	9	\$259,580	5	\$35,740
Carrier	4319	\$30,939,363	3647	\$24,191,220	2802	\$16,941,016	2327	\$15,022,885	3360	\$23,566,661	3626	\$24,316,623	1818	\$12,519,471
Drug Consortium	0	\$0	1	\$5,890	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0
Freight Forwarder	64	\$847,662	61	\$725,045	9	\$33,660	14	\$72,380	14	\$90,330	14	\$113,340	5	\$23,650
HM Carrier	171	\$2,149,000	112	\$1,212,080	69	\$531,189	37	\$404,060	73	\$792,450	83	\$1,044,980	32	\$401,060
HM Carrier (Not Placarded)	0	\$0	0	\$0	1	\$3,110	0	\$0	0	\$0	0	\$0	0	\$0
HM Carrier/Shipper	85	\$1,055,550	67	\$675,460	27	\$381,650	26	\$205,600	42	\$341,940	34	\$291,720	14	\$224,850
HM Carrier/Shipper (Not Placarded)	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0
Not Carrier (45-Day)	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0
Other	4	\$16,486	3	\$21,770	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0
Passenger Carrier	115	\$1,196,732	65	\$533,569	49	\$282,520	10	\$62,379	19	\$75,820	28	\$143,522	18	\$132,680
Shipper	4	\$46,310	0	\$0	0	\$0	0	\$0	1	\$29,390	0	\$0	1	\$15,120
Small Passenger Carrier	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0
<b>Total</b>	<b>4795</b>	<b>\$36,928,093</b>	<b>3973</b>	<b>\$27,584,694</b>	<b>2966</b>	<b>\$18,295,195</b>	<b>2416</b>	<b>\$27,944,184</b>	<b>3515</b>	<b>\$24,979,411</b>	<b>3796</b>	<b>\$26,196,594</b>	<b>1902</b>	<b>\$13,437,525</b>
<b>Average</b>												<b>\$26,988,029</b>		

Report Filters:  
Report Focus - National

Data Source: FMCSA's Enforcement Management Information System (EMIS) data snapshot as of 3/29/2024.

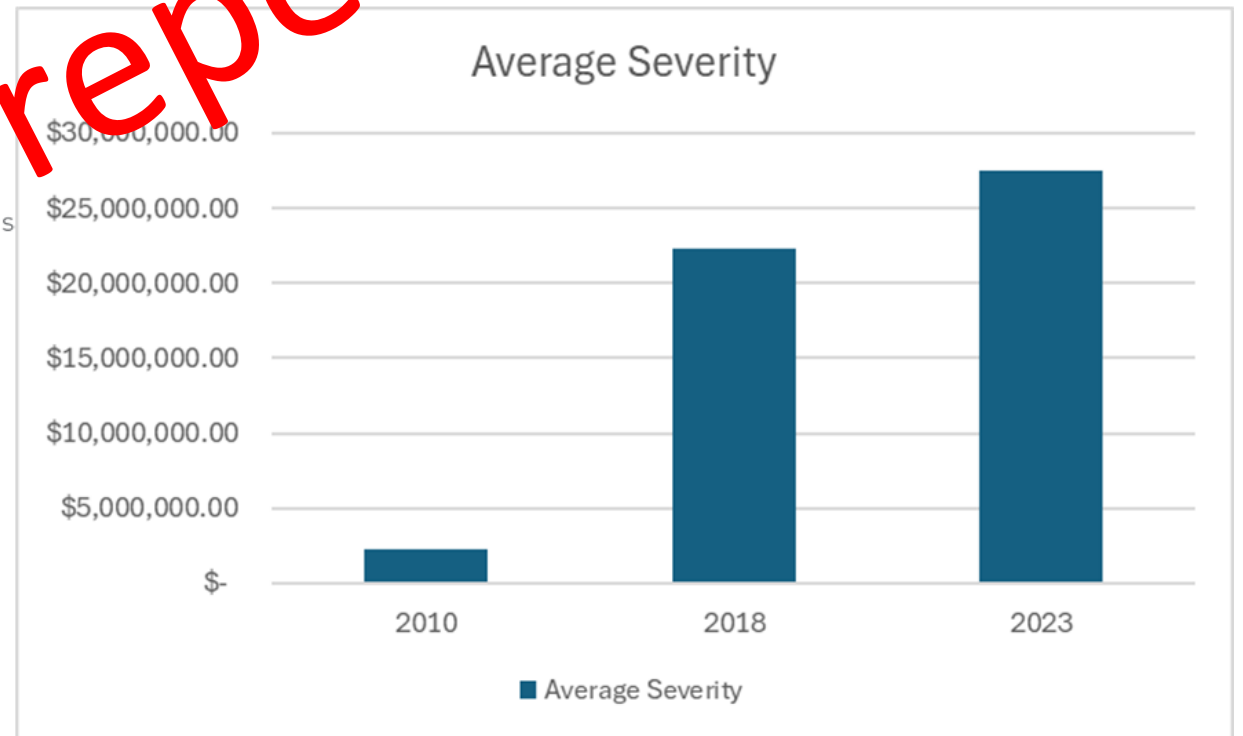
# Rise in Severity – Average \$27M (2023)

Business Truck Driving Job News

## Nuclear reaction: Report shows trucking companies 'under siege' by costly lawsuits

By John Worthen - July 26, 2023

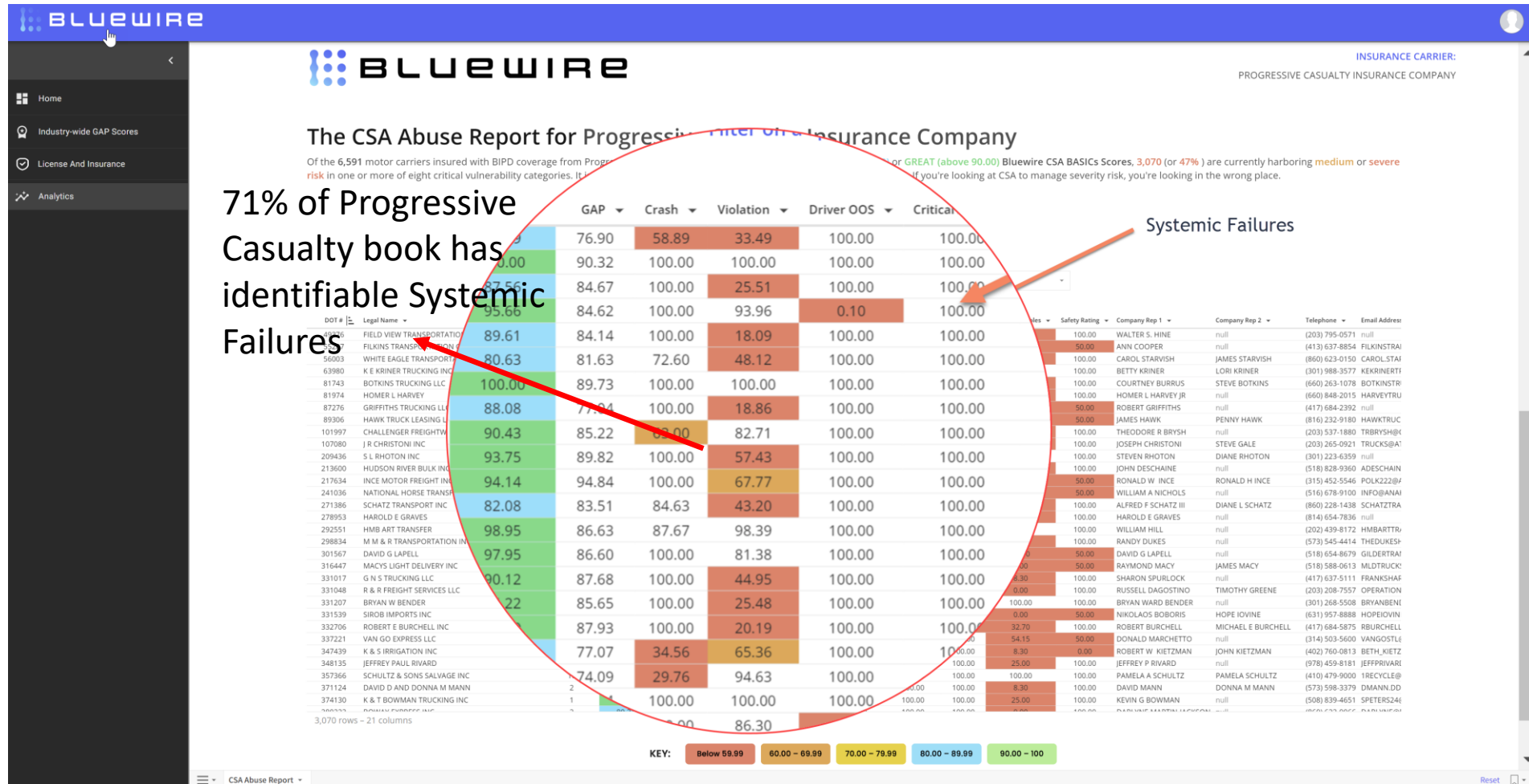
WASHINGTON — A report from the U.S. Chamber of Commerce's Institute for Legal Reform says the trucking industry is under siege by litigation.



Allow me to repeat myself




# Systemic Failures result in AVERAGE Verdict of \$27M



# Progressive Casualty Insurance – Book of Business

BLUEWIRE
👤



**Progressive Casualty Insurance Company**  
Book of Business Report

Steven Bryan  
steven@bluewire.ai

YOUR COMPANY LOGO HERE

AVERAGE GAP SCORE: 89.89

MONTHLY UPDATE: August 2024  
REPORT DATE: September 05, 2024

Primary Carrier Name\*

PROGRESSIVE CASUALTY INSURANCE COMPANY

🔍 progres

- PROGRESSIVE AMERICAN INSURANCE COMPANY 2
- PROGRESSIVE BANK 1
- PROGRESSIVE CASUALTY INS. CO. 310
- PROGRESSIVE CASUALTY INSURANCE COMPANY 8,890**
- PROGRESSIVE COUNTY MUTUAL 12,973
- PROGRESSIVE EXPRESS INSURANCE COMPANY 4,064
- PROGRESSIVE GULF INSURANCE COMPANY 40
- PROGRESSIVE HAWAII INSURANCE CORP 2,568
- PROGRESSIVE MICHIGAN INSURANCE COMPANY 1,870
- PROGRESSIVE MOUNTAIN INSURANCE COMPANY OF OHIO 5,238
- PROGRESSIVE NORTHEASTERN INSURANCE COMPANY 7

## Severity Scores

The nine Severity Scores represent the critical vulnerabilities most common to your book of business. \* (ATRI), \*\* Understanding the Impact of Nuclear

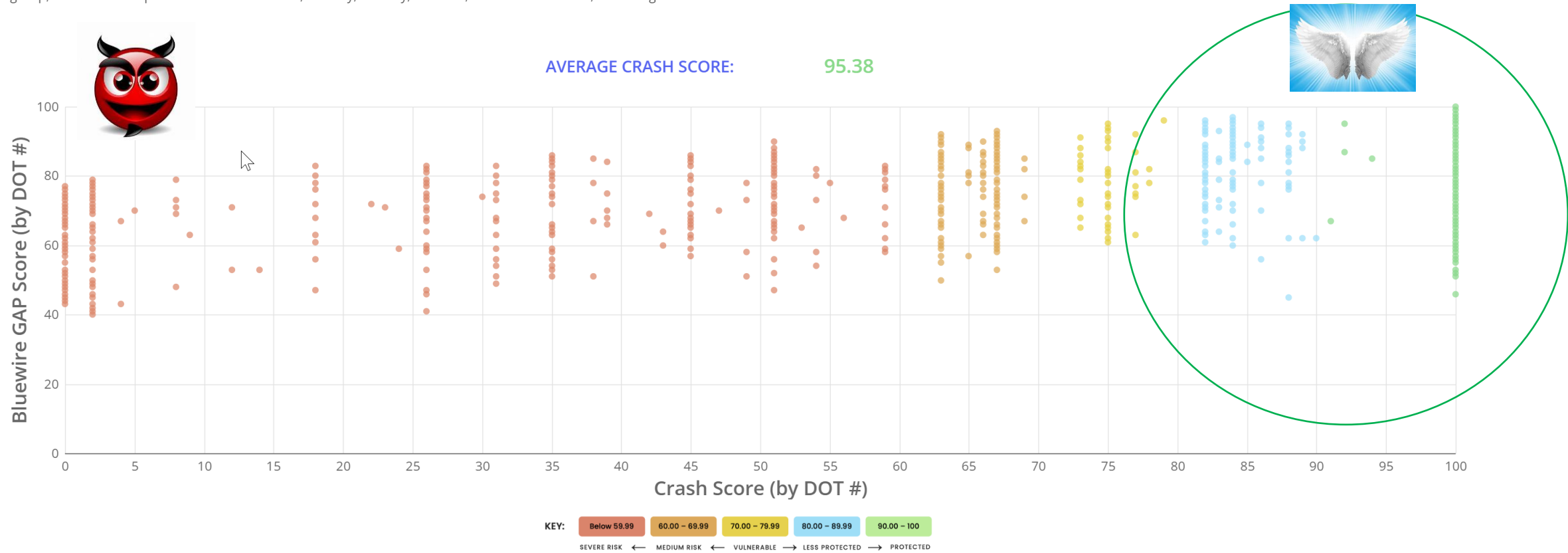
Severity Categories		Scores
<p><b>Crash</b> Your crash score vs. your peers</p>		
<p><b>Violations</b> Violation rates that impact severity</p>		
<p><b>CSA BASICS</b> The presence of CSA alerts that make you vulnerable to severity</p>	<span style="font-size: 1.2em; color: green;">90.36</span>	<p><b>Judicial Hellhole</b> Operating in plaintiff-friendly jurisdictions can dramatically increase your vulnerability to high-value claims and excess settlements</p>
<p><b>Driver OOS</b> Driver out-of-service rates compared to your peers</p>	<span style="font-size: 1.2em; color: blue;">85.33</span>	<p><b>Safety Rating</b> Unsatisfactory and conditionally rated carriers are exposed to greater severity risk</p>
<p><b>Critical Acute Violations</b> The presence of critical and acute violations discovered during compliance reviews</p>	<span style="font-size: 1.2em; color: green;">99.89</span>	

Insurance Book of Business Benchmark Report
Reset

# Systemic Failures- Crash

## Crash Score Benchmark

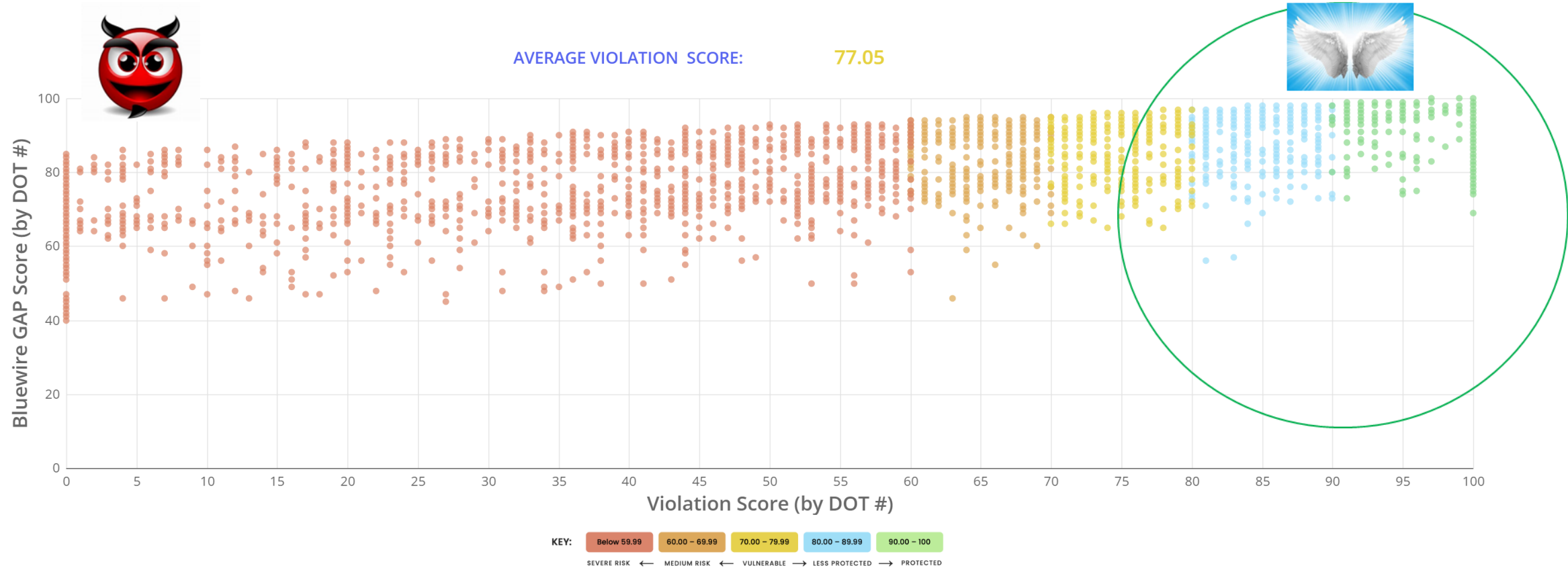
This is a dynamic group, as opposed to the defective static peer groups of CSA. Bluewire's proprietary AI scores every industry DOT# based on size, new entrant status, de-authorizations, and data sufficiency. Within each size group, scores are computed based on the count, recency, severity, citations, and hazmat release, then weighted to focus on similar-sized carriers.



# Systemic Failures- Violations

## Violation Score Benchmark

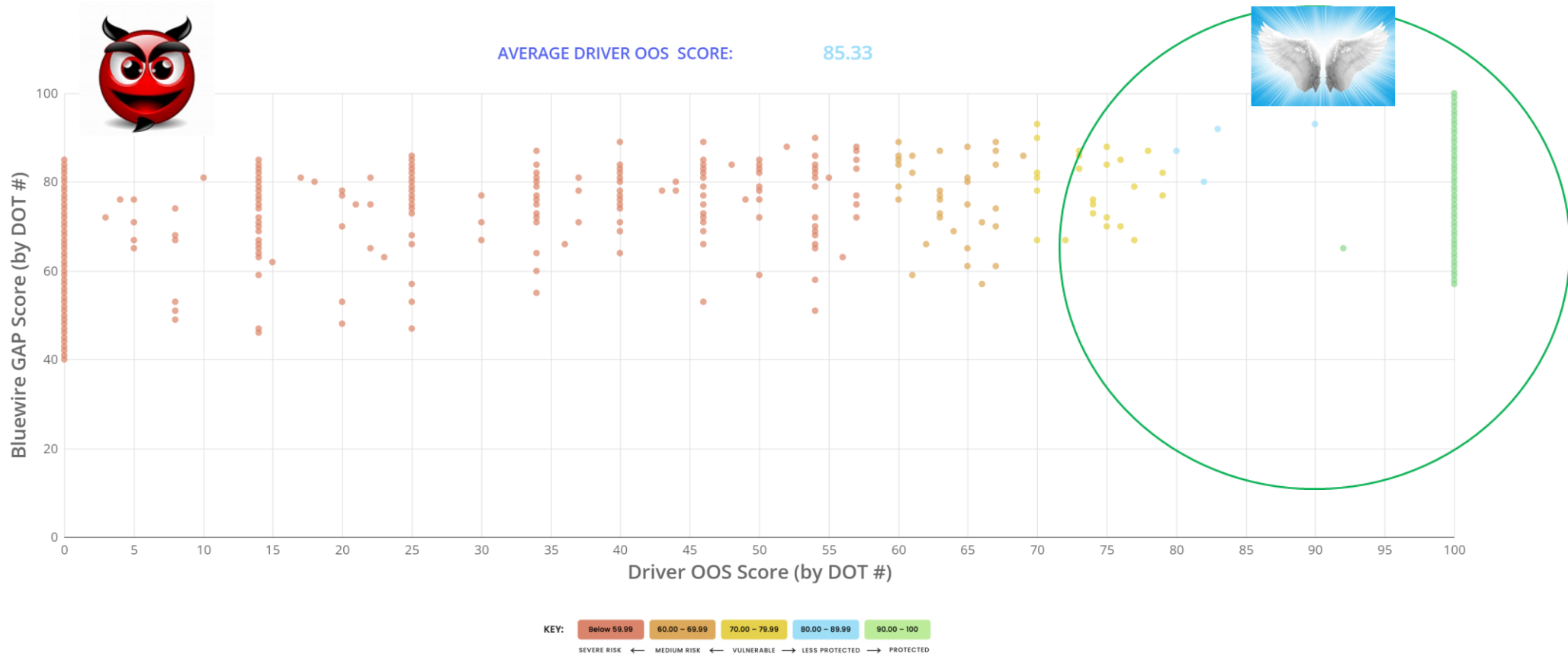
Hundreds of claims and cases have been studied to correlate violations to outcomes adverse to the motor carrier. Research shows that violations in the categories of Speeding, HOS, Driver Fitness and Drug & Alcohol inflame the reptile and lead to extraordinary financial punishment. Bluewire weights and scores looking for these inflammatory exposure points.



# Systemic Failures- Driver OOS

## Driver OOS Score Benchmark

Many insurance carriers focus on Driver Out of Service rates as a key indicator of poor safety culture at a motor carrier. The narrative of a driver who is prohibited from operating due to HOS, Driver Credentials, or Substance abuse are triggers for the reptile. Driver OOS violations can be found across multiple CSA BASIC's. A few OOS violations can be masked by CSA, Bluewire exposes them.



# An Angel

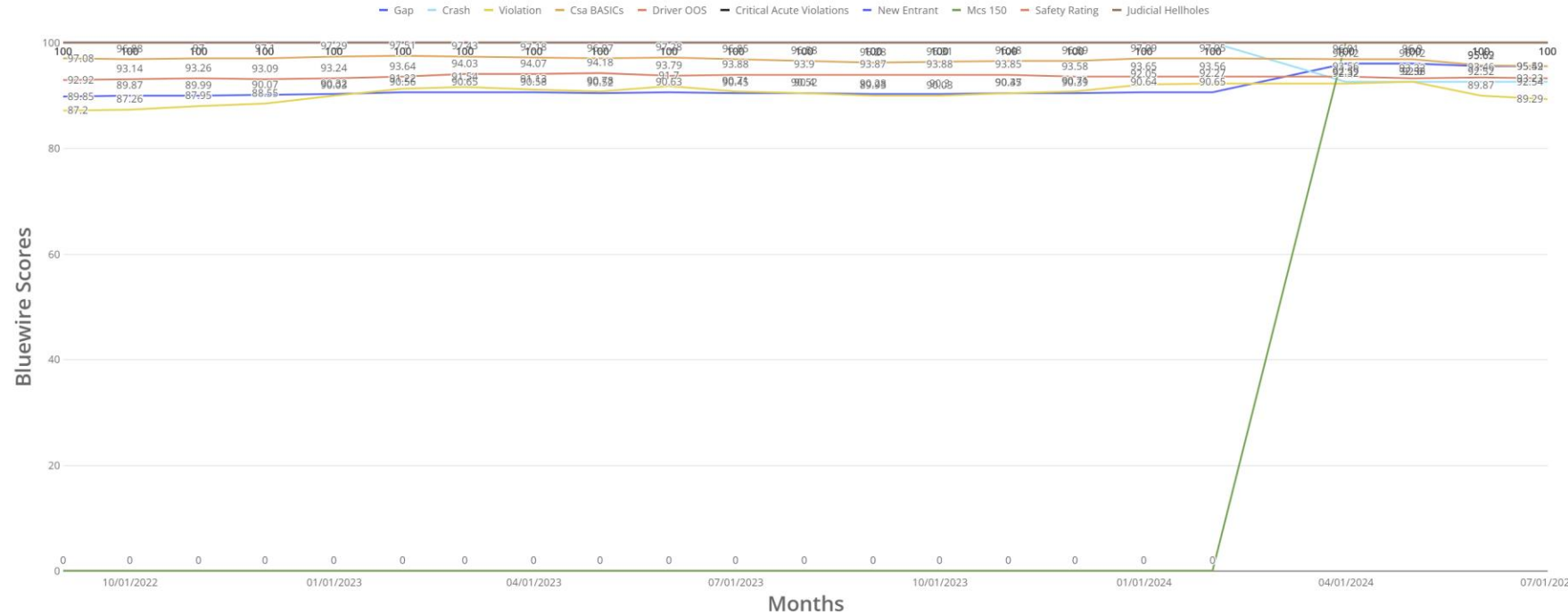


Select a DOT#:

Select a Date Range:

Crash and Violation Detail Report for  of  AK

## Bluewire GAP Scores and Severity Scores by Month



# A Devil

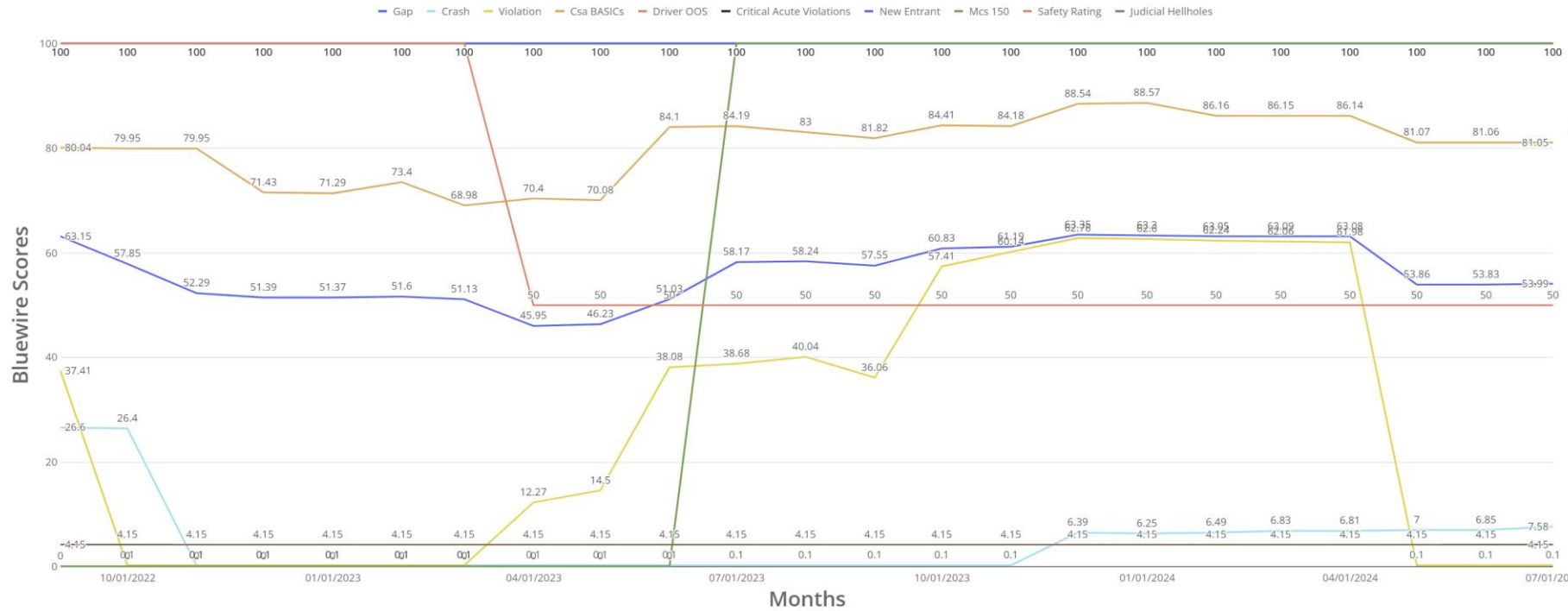


Select a DOT#:

Select a Date Range:

Crash and Violation Detail Report for  Trucking Llc of , MO

## Bluewire GAP Scores and Severity Scores by Month



CSA Scores



# Thank You



BLUEWIRE.AI



STEVE BRYAN



CEO & CO-FOUNDER  
STEVE@BLUEWIRE.AI  
503.367.7196