

376 Cedar Valley Road
Hudson NC 28638
Phone: 828-726-8062

Copies of claim forms to follow. Please fill out the form(s) as completely and accurately as possible.

Print out and mail, email claim via our online form, or fax the completed form along with supporting documentation and photographs to:

Newton Transportation Co., Inc.
PO Box 649
Hudson NC 28638
Fax: 828-728-8942
Email: cdavis@newtontransportation.com

Documents needed in support of claim:

1. Copy of original manufacturers invoice for the item
2. Copy of the original paid freight bill
3. Copy of all invoices which verify cost of repair
4. Copy of Inspection Report
5. Copies of any other documents that are in support of your claim

Once this information has been received, we will review and advise disposition of claim and liability.

STANDARD FORM FOR PRESENTATION OF LOSS AND DAMAGE CLAIM

To: NEWTON TRANSPORTATION Co., Inc.
(Name of Carrier)

PO BOX 649
(Street Address)

Hudson, NC 28638
(City, State)

(Date)

(Your Reference Number)

(Carrier's PRO Number)

This claim for _____ is made against your company for Damage Loss in connection with the following described shipment:

_____ <small>(Shipper's Name)</small>	_____ <small>Consignee's Name</small>
_____ <small>(Point Shipped From)</small>	_____ <small>(Final Destination)</small>
_____ <small>(Name of Carrier Issuing Bill of Lading)</small>	_____ <small>(Name of Delivering carrier)</small>
_____ <small>(Date of Bill of Lading)</small>	_____ <small>(Date of Delivery)</small>
_____ <small>(Routing of Shipment)</small>	_____ <small>(Delivering Carrier's Freight Bill Number)</small>

If shipment reconsignment enroute, state particulars: _____

DETAILED STATEMENT SHOWING HOW AMOUNT CLAIMED IS DETERMINED	
<small>(Number and description of articles, nature and extent of loss or damage, invoice price of articles, amount of claim, etc..)</small>	
<small>ALL DISCOUNT and ALLOWANCES MUST BE SHOWN</small>	
NMFC Item No. of commodity lost or damaged _____	Total Amount Claimed _____

- The following documents are submitted in support of this claim:
- Original Bill of Lading Original invoice or certified copy.
 - Original paid freight bill or other carrier document bearing notation of loss or damage if not shown of freight bill.
 - Carrier's Inspection Report Form (Concealed loss or damage). Shippers concealed loss or damage form.
 - Consignee concealed loss or damage form. Other particulars obtainable in proof of loss or damage claimed:

(NOTE: The absence of any document called for in conjunction with this claim must be explained. When impossible for claimants to produce the Original Bill of Lading, or paid freight bill, a bond of indemnity must be given to protect carrier against duplicate claims supported by original documents.)

INDEMNITY AGREEMENT

In the absence of the Original Freight Bill and / or Original Bill of Lading, we agree to hold the above named carrier to whom this claim is presented and any other participating carrier, harmless and indemnified against any and all lawful claims which may be made against it or those arising out of the same shipment and will pay to said carrier and any participating carrier(s), all losses, damages, costs, counsel fees or any other expenses which they or any of them may suffer or pay by reason of payment of our claim, herein described, without the surrender of the Original Freight Bill or Bill of Lading, as such was not provided and / or cannot be located

The foregoing statements of facts is hereby certified as correct.

_____ <small>(Date)</small>	_____ <small>(Claimant's Name)</small>
	_____ <small>(Signature)</small>
	_____ <small>(Company Name, Address & Title)</small>

NOTICE TO CLAIMANTS

Claimants are requested to make use of this form for filing claims with carriers. Claims may be filed with the carrier's agent either at the point of origin or destination of shipment, or direct with the Claim Department of the carrier, and will be considered properly presented only when the information and documents called for on the other side of this form have, as far as possible, been supplied.

Before presenting a claim on account of loss and damage, the following important information respecting claims should be given careful consideration:

1. The terms under which property is accepted and transported by a carrier are stated on the bill of lading issued by the carrier; also in tariffs and classification issued or subscribed to by the carrier. Persons intending to file claims should before doing so, examine the terms and conditions under which the property was accepted and transported.
2. Carriers and their agents are bound by the provisions of law, and any deviation therefrom by the payment of claims before the facts and measure of legal liability are established will render them, as well as the claimant, liable to fines and penalties by law.
3. In order that the carrier may have an opportunity to inspect goods and thereby properly verify claims, any loss or damage discovered after delivery should be reported to the agent of the delivering line, as far as possible, immediately upon discovery, or within 15 days after receipt of goods by consignee. Concealed loss and damage claims should be supported by an "Inspection Report Form" covering the joint inspection of the loss or damage by consignee and carrier's representative.
4. It is a common practice for manufacturers and others to ship large quantities to key points for warehousing and later distribution to surrounding areas. In many instances, the original container is not opened and the contents examined before re-shipment to final destination. When this practice is followed, it is impossible to determine after delivery to final destination whether loss or damage of a concealed nature occurred before or after re-shipping. Consignees can usually expedite settlement by securing initial shipper's and warehouse's cooperation in supplying necessary billing reference so that shipment can be identified in handling with carriers rendering transportation to the distribution point.
5. Under the provisions of Part II of Interstate Commerce Act, it is unlawful for a carrier to charge or demand or collect or receive, any greater or less different compensation for the transportation of property than the rates and charges named in tariffs lawfully on file. To refund or remit in any manner or by any device, any portion of the rates and charges so specified through the payment of fraudulent, fictitious or excessive claims for loss or damage to merchandise transported is as much a violation of law as is a direct concession or departure from the published rates and charges.

In this connection, attention is also called to the following important quotation from Section 11904 of Part II of the Interstate Commerce Act:

A person, or an officer, employee, or agent of that person, that (1) knowingly offers, grants, gives, solicits, accepts, or receives a rebate, concession, or discrimination in violation of a provision of this subtitle related to motor carrier transportation subject to the jurisdiction of the Commission under subchapter II of chapter 105 of this title, or (2) by any means knowingly and willfully assists or permits another person to get transportation that is subject to the jurisdiction of the Commission under that subchapter at less than the rate in effect for that transportation under chapter 107 of this title, shall be fined at least \$200 but no more than \$500 for the first violation and at least \$250 but not more than \$2,000 for a subsequent violation.

INSPECTION REPORT

Newton's Pro # _____

Manufacturer _____ Ack # _____

Item # _____ Description _____

Description of damage (please be specific) _____

Is there any carton damage _____ Yes _____ No If yes, please describe _____

Is original carton on hand _____ Yes _____ No (carton and packaging must be held until claim is resolved)

Is this an imported item _____ Yes _____ No

Describe packaging and inner pack _____

Can the item be repaired _____ Locally _____ by Manufacturer

Invoice cost of item _____ Cost of local repairs _____

Can item be sold at a discount _____ Yes _____ No

Discount amount requested _____

Where was merchandise when damage was discovered _____

When was damage discovered _____

Current location of merchandise _____

Description of receiving facility _____ receiving dock _____ ground level receiving

Other (please describe) _____

Additional comments _____

Note: Report is merely a statement of facts and does not acknowledge carriers liability