

CUSTOMER CLAIMS SERVICE GUIDE

This is a guide that can assist you when your company is considering filing a loss or damage claim. This is only an overview and you should always do your own **legal research** and **investigation** before filing a claim.

All claims are filed directly against the **Carrier**. Expedited Services will work with you every step of the process to insure that your claim is “expedited” and that the outcome is fair and equitable.

Expedited Services Inc. has cargo insurance in place and this is additional protection for our customers. A copy of our insurance certificate is available on our web site.

1) WHAT IS A CLAIM?

A claim is a written statement

- * Identifying a specific shipment and a description of any loss and damage pertaining to the shipment
- * Requesting a specific sum of money
- * Giving a reason(s) why the Carrier should be held liable

2) CLAIM FORMS

Claim forms may be obtained from our web site by clicking on “Customer Services” or you may call us at 800-969-7707.

3) WHEN & WHERE TO FILE A CLAIM

Claims should be filed promptly once loss or damage is discovered. The time limits for filing are as follows:

Nine (9) months from the day of delivery or, in the event of non delivery

Nine (9) months after a reasonable time for delivery has elapsed (usually 2 weeks)

If a claim is not received by the carrier or a suit not filed within the time limit, payment could be barred by law.

4) WHO SHOULD FILE A CLAIM

A claim may be filed by the shipper, consignee, or owner of the goods. Be sure to clearly indicate on the claim form the name and complete address of the claimant. Include telephone number, fax number and e mail address (if available) to assist in a prompt conclusion of the claim.

5) DOCUMENTS

A. BILL OF LADING

The original bill of lading or certified copy serves as evidence of the receipt, as well as the kind, quantity, and apparent condition of the goods.

B. PAID FREIGHT BILL

Include the original paid freight bill or a signed statement verifying freight charges have been paid in full on the shipment against which the claim has been filed. For a claim to be concluded, all freight charges must be paid.

C. ORIGINAL INVOICE

A complete original invoice verifies the claimed amount does not exceed the terms of sale (value of goods at destination), and excludes any prospective profit. The original invoice must disclose all discounts and allowances if any. A clear photocopy of the complete original invoice is acceptable.

D. REPAIR INVOICE (if applicable)

When submitting a repair invoice, include a breakdown of hours, labor rate and materials.

E. INSPECTION REPORT (if applicable)

6) CONCEALED LOSS OR DAMAGE

A clear delivery receipt is evidence of a delivery in good condition. Loss or damage to contents of a shipping container which could not have been noted at the time of delivery is considered concealed loss/damage. In order for this type of a claim to be considered, the claimant must provide conclusive evidence that the damage or shortage occurred while the shipment was in possession of the Carrier. When the damage to the contents of a shipping container is discovered by the consignee that could not have been determined at the time of delivery, it must be reported by the shipper or consignee to the Carrier within fifteen (15) days of delivery: a request for inspection should be made at that time. All merchandise must be maintained in the original shipping container, in the same condition it was in when the loss of damage was discovered.

7) INSPECTION BY THE CARRIER

Inspection of damaged shipments may be required by calling the Carrier. Inspection by the Carrier will be made promptly and normally within five (5) working days after the receipt of request. Inspector will check contents of package against invoice, weigh the shipping container and contents, or conduct additional investigation to establish a loss has occurred. In either case the inspection will be limited to a factual report. A written report of the Carrier's findings will be made in duplicate with a copy of the report going to the consignee.

8) BURDENS OF PROOF

The claimants must establish three things:

- A) The carrier received the freight in good condition at origin
- B) The freight was short or damaged when received at destination
- C) The dollar amount of the loss or damage

9) ABOUT PAYING THE FREIGHT BILL

Payment of freight charges may not be delayed due to alleged loss or damage. Charges should be paid in full and the portion applicable to lost or damaged item(s) included in the freight claim.

The following are important points to remember:

- A) Claims and freight charges are two entirely different transactions
- B) Surface Transportation Board regulations prohibit withholding payment of freight charges due to a pending claim (Administrative Ruling No. 128)
- C) Without payment of freight charges the transportation contract has not been completed.
A valid claim must not be paid until freight charges are paid.

10) SALVAGE RETENTION

Salvage must be retained until the claim is resolved, or until the claimant gives disposition to the Carrier (See Item 300150 of the N.M.F.C (National Motor Freight Classification Series 100)

11) IF THE CLAIM IS DECLINED

If the claimant has additional information, a rebuttal letter should be sent to the Claims Analyst that declined your claim. The rebuttal letter should clearly indicate why the claimant believes the claim payment should be reconsidered and include any evidence or documentation not previously submitted. Always refer to the assigned claim number when corresponding with the Claim Analyst.

12) CLAIMS STATUS

The majority of claims are concluded within 30 (thirty) calendar days. However, this may vary depending on the scope of the claim and other circumstances specific to each claim. You need to check on the status of your claim on a regular basis until conclusion.

13) CLAIM FILING CHECKLIST

Prior to submitting your claim, please ensure it includes the following information:

- A) The claim must be in writing and specifies a dollar amount, reason for the claim (loss or damage) pro number and date of shipment, claimant name and address. Do not submit more than one claim on each claim form.
- B) The claim must be filed within nine (9) months from the date of delivery or in the event of non-delivery , within nine (9) months after a reasonable time for delivery has elapsed.
- C) The following documents should be included when filing a claim:
 - * Bill of Lading
 - * Verification of paid freight charges
 - * Complete original invoice, showing all discounts
 - * Repair invoice (if applicable)
 - * Inspection report (if applicable)

THIS INFORMATION PROVIDED IS ONLY A GENERAL GUIDE AND FOR INFORMATIONAL PURPOSES ONLY.