1 **PURPOSE:**

2

3 The purpose of this supplemental investigation is to add Party #1, Vehicle #1, and party and witness statements to the original collision. The party most at fault is now Party #2, who is in violation of 22400(a)VC. Party #1 will now be an associated factor to the collision. Based off the information gathered from the follow-up investigation, this supplemental addresses all of the particular sections that have been changed due to this new information.
**Traffic Collision Report**

**Supplemental**

**Page 32 of 52**

---

**Special Conditions**

<table>
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<tr>
<th>Number</th>
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<th>CITY</th>
<th>County</th>
<th>Reporting District</th>
<th>Beat</th>
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<th>Local Report Number</th>
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<td>PALO ALTO</td>
<td>SANTA CLARA</td>
<td>PALO ALTO</td>
<td>78</td>
<td>THURSDAY</td>
<td>2011-7-189</td>
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---

**Location**

Collision occurred on:
- US-101 N/B
- .5 MILE(S) SOUTH OF 101 SCL 52.001 OR: .5 MILE(S) SOUTH OF OREGON EXPRESSWAY

At Intersection with:

---

**Party 1**

**Driver's License Number**: A1482819

**State**: CA

**Class**: C

**Air Bag**: M

**Safety Equip.**: G

**Driver Name (First, Middle, Last)**: JOHN DAVID BISCEVIC

**Owner's Name**: SAME AS DRIVER

**Owner's Address**: SAME AS DRIVER

**Disposition of Vehicle on Orders Of**: OFFICER DRIVER OTHER

**Vehicle Identification Number**: FIELED THE SCENE

---

**Insurance Carrier**: FARMERS

**Policy Number**: 96 187628600

**State**: CA

**DOT**: CAL-T TCP/PSC MCMX

**Vehicle**: 2002 SUBA OUTBACK GRN/GLD

---

**Party 2**

**Driver's License Number**: B6692986

**State**: CA

**Class**: C

**Air Bag**: M

**Safety Equip.**: G

**Driver Name (First, Middle, Last)**: FATEKH PETROVICH VERGASOV

**Owner's Name**: SAME AS DRIVER

**Owner's Address**: SAME AS DRIVER

**Disposition of Vehicle on Orders Of**: OFFICER DRIVER OTHER

**Vehicle Identification Number**: DRIVEN FROM SCENE

---

**Insurance Carrier**: FARMERS

**Policy Number**: 96 148536867

**State**: CA

**DOT**: CAL-T TCP/PSC MCMX

**Vehicle**: 2002 LINC TOWN CAR WHI

---

**Party 3**

**Driver's License Number**: 

**State**: 

**Class**: 

**Air Bag**: 

**Safety Equip.**: 

**Driver Name (First, Middle, Last)**: 

**Owner's Name**: SAME AS DRIVER

**Owner's Address**: SAME AS DRIVER

**Disposition of Vehicle on Orders Of**: OFFICER DRIVER OTHER

**Vehicle Identification Number**: 

---

**Preparer's Name**: J. COX 017207

**Date Reviewed**: 2-22-12

---

**Prepared By**: 

**Dispatch Notified**: NO

**Reviewer's Name**: 

**Date Reviewed**: 2-22-12

---

**An Internationally Accredited Agency**
### Seating Position

<table>
<thead>
<tr>
<th>1</th>
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<td>6</td>
<td>PASSENGER</td>
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</tr>
<tr>
<td>8</td>
<td>REAR</td>
<td>OCC</td>
<td>TRK</td>
<td>OR</td>
<td>VAN</td>
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### Safety Equipment

#### Occupants
- A - NONE IN VEHICLE
- B - UNKNOWN
- C - LAP BELT NOT USED
- D - LAP BELT USED
- E - SHOULDER HARNESS NOT USED
- F - SHOULDER HARNESS USED
- G - LAP/SHOULDER HARNESS NOT USED
- H - LAP/SHOULDER HARNESS USED
- J - PASSIVE RESTRAINT USED
- K - PASSIVE RESTRAINT NOT USED
- P - NOT REQUIRED

#### Seating Position

- A - DRIVER
- B - PASSENGER
- C - HEAD ON
- D - SIDE SWIPE
- E - REAR END
- F - BROADSIDE
- G - VEHICLE / PEDESTRIAN
- H - OTHER
- I - FIXED OBJECT

#### Weather
- A - CLEAR
- B - CLOUDY
- C - RAINING
- D - SNOWING
- E - FOG / VISIBILITY
- F - OTHER
- G - WIND

#### Roadway Surface
- A - DAYLIGHT
- B - DUSK - DAWN
- C - DARK - STREET LIGHTS
- D - DARK - NO STREET LIGHTS
- E - DARK - STREET LIGHTS NOT FUNCTIONING

#### Roadway Conditions
- A - HOLES, DEEP RUTS
- B - LOOSE MATERIAL ON ROADWAY
- C - OBSTRUCTION ON ROADWAY
- D - CONSTRUCTION - REPAIR ZONE
- E - REDUCED ROADWAY WIDTH
- F - FLOODED
- G - OTHER
- H - NO UNUSUAL CONDITIONS

#### Primary Collision Factor

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<th>LIST NUMBER ( #) OF PARTY AT FAULT</th>
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<td>A - FULLY EJECTED</td>
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<td>B - PARTIALLY EJECTED</td>
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<tr>
<td>C - STAYED</td>
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<tr>
<td>D - TOSSED</td>
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<tr>
<td>E - STUMBLED</td>
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#### Traffic Control Devices

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<tr>
<td>E</td>
<td>TYPE OF COLLISION</td>
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#### Traffic Collision Coding

- A - STOPPED
- B - PROCEEDING STRAIGHT
- C - RAN OFF ROAD
- D - MAKING RIGHT TURN
- E - MAKING LEFT TURN
- F - MAKING U TURN
- G - BACKING
- H - SLOWING / STOPPING
- I - PASSING OTHER VEHICLE
- J - CHANGING LANES
- K - PARKING MANEUVER
- L - ENTERING TRAFFIC
- M - OTHER UNSAFE TURNING
- N - XING INTO OPPOSING LANE
- O - PARKED
- P - MERGING
- Q - TRAVELING WRONG WAY

#### General Information

- A - LIST NUMBER (#) OF PARTY AT FAULT

#### Inattention Codes

- A - CELL PHONE HANDHELD
- B - CELL PHONE HANDSFREE
- C - ELECTRONIC EQUIPMENT
- D - RADIO / CD
- E - SMOKING
- F - EATING
- G - CHILDREN
- H - ANIMALS
- I - PERSONAL HYGIENE
- J - READING
- K - OTHER

#### Other Associated Factors

### Sobriety - Drug Physical

- A - HAD NOT BEEN DRINKING
- B - HBD - UNDER INFLUENCE
- C - HBD - NOT UNDER INFLUENCE
- D - HBD - IMPAIRMENT UNKNOWN
- E - UNDER DRUG INFLUENCE
- F - IMPAIRMENT - PHYSICAL
- G - IMPAIRMENT - PHYSICAL
- H - NOT APPLICABLE
- I - SLEEPY / FATIGUED

### Miscellaneous

- A - APPROACHING / LEAVING SCHOOL BUS
- B - RUNAWAY VEHICLE

### Sketch

*For Sketch Diagram, See Page 4*
### Injured / Witnesses / Passengers

<table>
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<th>Witness Only</th>
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<th>Age</th>
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<th>Injured Was ('X' One)</th>
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<td>JOEL GILMORE</td>
<td>(408)421-5219</td>
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(Injured Only) Transferred By: 
TAKEN TO:

Describe Injuries:

Victim of Violent Crime Notified: ✔

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Victim of Violent Crime Notified: ✔

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STATE OF CALIFORNIA
SKETCH DIAGRAM

DATE OF INCIDENT: 07/21/2011
TIME: 1150
NCIC NUMBER: 9330
OFFICER I.D. NUMBER: 017776

ALL MEASUREMENTS ARE APPROXIMATE AND NOT TO SCALE UNLESS STATED (SCALE=

US-101 N/B

Asphalt Center Shoulder

SPEED LIMIT: 65

A) Painted Solid Yellow Roadway Edge Line
B) Painted Intermediate White Lines
C) Painted Solid White Roadway Edge Line
D) Concrete Center Shoulder

PREPARED BY: W. M. CLAWSON
I.D. NUMBER: 017776
DATE: 07/21/2011
REVIEWER'S NAME
DATE
STATE OF CALIFORNIA
FACTUAL DIAGRAM

DATE OF INCIDENT: 07/21/2011
TIME: 1150
NCIC NUMBER: 9330
OFFICER I.D.: 017776
NUMBER: 2011-4-184

ALL MEASUREMENTS ARE APPROXIMATE AND NOT TO SCALE UNLESS STATED (SCALE=

US-101 N/B

FACTUAL: (Not to Scale)

- Asphalt
- Roadway
- Shoulder
- Concrete Center Divider
- sidewalk
- Painted Solid Yellow Roadway Edge Line
- Painted Intermediate White Lines
- Painted Solid White Roadway Edge Line

PREPARED BY
W. M. CLAWSON
I.D. NUMBER: 017776
DATE: 07/21/2011
REVIEWER'S NAME
DATE
FACTS

NOTIFICATION:

On 02/13/12 it was brought to my attention the Redwood City Area Office had been contacted by Party #2(Vergasov) regarding this collision. P2 requested the investigation be re-opened.

SCENE:

See original collision investigation.

PARTIES:

Party #1(Biscevic): Fled the scene immediately following the collision. Officer Clawson made several attempts to locate P1, but he was unable to contact P1. As a result, the investigation was subsequently closed until further information was made available. I contacted P1 on 02/13/2012 via telephone from the Redwood City CHP Area Office. P1 was identified verbally and confirmed through a DMV records check. P1 was identified as a party in this collision by the following: P1 is the registered owner of Vehicle #1(Subaru), P1 admitted to driving V1 at the time of the collision, and P1 was the solo occupant at the time of the collision.

Vehicle #1(Subaru): Fled the scene prior to CHP arrival. P1 related his vehicle had minor damage around the entire vehicle prior to the collision including dents and scratches. P1 did not believe there was any damage to V1 as a result of this collision. On 02/16/12 I requested CHP Officer A. Morales #17991 respond to the address listed on DMV records for V1. Officer Morales related there was very minor damage to the front of V1 including: Small scuff to the front bumper, bent license plate, and a small white scuff mark to the right front fender. No other damage was noted or claimed.

Party #2(Vergasov): See original collision investigation. I attempted to contact P2 via telephone on 02/15/12 but there was no answer. I left a message for P2 to contact me. On 02/16/12, I contacted P2 and spoke with him regarding the collision.

Vehicle #2(Lincoln): See original collision investigation.
STATE OF CALIFORNIA
NARRATIVE/SUPPLEMENTAL
DATE OF INCIDENT TIME NCIC NUMBER OFFICER I.D. NUMBER
07/21/2011 1150 9330 017776 2011-7-189

1 PHYSICAL EVIDENCE:
2 See original collision investigation.

3

4 HIT AND RUN INFORMATION:
5 See original collision investigation.

6

7 OTHER FACTUAL INFORMATION:
8 See original collision investigation.

9

10 STATEMENTS:
11 Statements are not verbatim and are written in summary form. The statements were read back to the involved parties for verification.

12

13 Party #1 (Biscevic): I contacted P1 on 02/13/2012 at approximately 1505 hours via telephone from the
14 Redwood City CHP Area Office where he related the following: P1 recalled the events surrounding the
15 collision. P1 was driving Vehicle #1 (Subaru) on US-101 northbound, south of Oregon Expressway in the
16 #1 lane at a stated speed of 70 mph with no other vehicles traveling directly ahead of him. P1 observed
17 Vehicle #2 (Lincoln) approach from the rear in the #2 lane at a speed greater than V1. V2 traveled directly
18 behind another vehicle at an extremely close distance. The driver of V2, Party #2 (Vergasov), was waving
19 his hands and making "gestures" at the other drivers. V2 attempted to pass V1 and merge into the #1 lane,
20 but there was not enough room. V2 slowed and merged into the #1 lane directly behind V1. V2 was
21 "tailgating" V1. P2 merged V2 back into the #2 lane. V2 passed by V1 and made an abrupt lane change
22 approximately one-half a car length in front of V1. V2 braked suddenly for no apparent reason and almost
23 came to a complete stop in the #1 lane. P1 applied V1's brakes abruptly and attempted to slow V1. Due to
24 P2 taking away V1's space cushion of open and unobstructed roadway, P1 was unable to stop V1. V1
25 struck the rear of V2. V2 remained stopped in the #1 lane. P1 was not sure about P2's mental state due to
26 his earlier observations of aggressive driving. P1 drove V1 around V2 using the center divide. As P1
27 accelerated V1, P1 observed V2 accelerate also. V2 passed by V1 and crossed all lanes into the #4 lane.
28 P1 drove V1 directly behind V2 thinking V2 was going to stop on the University Avenue off-ramp. V2
29 continued to travel westbound on University Avenue from US-101. P1 positioned V1 directly behind V2 at
30 the red traffic light at the intersection of University Avenue and Woodland Avenue. P1 attempted to take a
31 picture of V2 with his cell phone. P1 continued to follow V2 westbound on University Avenue in the City of

PREPARED BY I.D. NUMBER DATE REVIEWER'S NAME DATE
J. COX 017207 07/21/2011
1 Palo Alto. P1 thought P2 was not going to stop so P1 made a left turn southbound from University Avenue.
2 P1 further related P2 never made any attempt to get P1 to stop V1 in a location to exchange information for
3 the collision. When P1 was asked why he didn’t stop or call emergency personnel, he related he felt P2
4 was going to try to start a fight due to his observations of P2's aggressive driving. P2 had been waving his
5 hands in an aggressive manner and appeared to be angry. P1 was in fear for his safety. P1 further related
6 he didn’t think there was any damage to his car.

7

8 **Party #2 (Vergasov):** See original collision investigation. I contacted P2 on 02/16/12 at 1510 hours and
9 obtained his statement regarding the collision. He related the following to me: P2 was driving Vehicle
10 #2 (Lincoln) on US-101 northbound, south of Oregon Expressway in the #1 lane at 65 mph. There were no
11 other vehicles immediately ahead of V2. P2 looked in his rear view mirror and observed Vehicle
12 #1 (Subaru) approaching his location at a high rate of speed. V1 was making numerous lane changes
13 between the #2 and #3 lanes to get through traffic. When P2 looked in his rear view mirror a second time
14 he observed V1 traveling directly behind V2. P2 heard the sound of a horn several times. P2 stated,
15 “When I make no reaction, he hit the back of me, like a touch (minor impact).” P2 continued driving V2
16 northbound for approximately one hundred yards while slowing V2 at approximately 60 mph. At that point,
17 P1 drove V1 to the left side of V2 and attempted to pass V2 by using the center divide. P2 felt an impact to
18 the left rear of V2. As V1 continued to pass by V2, the right front of V1 struck the left front of V2. After V1
19 completed its left side pass, P2 began to slow V2. P1 then slowed V1 directly ahead of V2, forcing P2 to
20 bring V2 to a complete stop in the #1 lane. P1 stopped V1 in the #1 lane approximately one car length
21 ahead of V2. P1 placed V1 in reverse. The rear of V1 struck the front of V2. P1 accelerated V1 away at a
22 speed in excess of 80 mph. P2 attempted to follow V1. P2 caught up to V1 in the #1 lane as they
23 approached University Avenue. P2 attempted to obtain the license plate number for V1. V1 merged into
24 the #2 lane. P2 drove V2 past V1 in the #1 lane. P2 drove V2 to the westbound University Avenue exit.
25 P2 was stopped at the red traffic light on westbound University Avenue at Woodland Avenue. P2 looked in
26 his rear view mirror. P2 observed V1 stopped directly behind V2. P2 stated, “He was close to me and I
27 didn’t know his intentions.” P2 drove V2 to the right shoulder on University Avenue west of Woodland
28 Avenue and stopped. P1 continued driving V1 westbound on University Avenue. P2 drove V2 home and
29 waited for CHP personnel.

30
STATE OF CALIFORNIA

NARRATIVE/SUPPLEMENTAL

DATE OF INCIDENT TIME NCIC NUMBER OFFICER I.D. NUMBER
07/21/2011 1150 9330 017776 2011-7-189

1 Witness #1 (Gilmore): W1’s contact information was obtained from a Golden Gate Communications log created on the same date and approximate time of the collision. W1 was calling emergency personnel regarding the driving observations of Vehicle #2 (Lincoln). I contacted W1 on 02/13/2012 at approximately 1650 hours via telephone from the Redwood City CHP Area Office where he related the following: W1 was traveling in the #2 lane of US-101 northbound, south of Oregon Expressway at 60 mph. W1 observed Vehicle #2 (Lincoln) pass by in the #3 lane. V2 made an abrupt lane change at a distance of approximately one car length in front of W1, cutting W1 off. W1 applied his brakes to avoid a collision. V2 continued northbound while driving in an aggressive manner. V2 changed from the #2 lane into the #1 lane directly ahead of Vehicle #1 (Subaru). V2 came to an abrupt stop in the #1 lane for no apparent reason. V1 immediately slowed also. W1 further related there was no reason for V2 to stop, there was nothing blocking the lane and no traffic ahead of V2. W1 did not see V1 strike the rear of V2, however all traffic in the #1 lane had to abruptly apply their brakes to avoid a collision with the vehicles ahead of them. W1 observed both vehicles exiting towards University Avenue. At that point, V1 was directly behind V2. The driver of V1 appeared to be using his I-Phone to video tape or photograph V2. W1 continued north on US-101. W1 couldn’t recall all the specific details due to the time lapse from the original collision.

20 OPINIONS AND CONCLUSIONS

The summary, area of impact(s), and cause were based on physical evidence, vehicle damage and statements.

20 SUMMARY:

21 Party #1 (Biscevic) was driving Vehicle #1 (Subaru) on US-101 northbound, south of Oregon Expressway in the #1 lane at a stated speed of 70 mph. Party #2 (Vergasov) was driving Vehicle #2 (Lincoln) on US-101 northbound, south of Oregon Expressway in the #3 lane at a speed greater than V1 and was approaching V1 from the south. P2 was making multiple lane changes in traffic, cutting off other vehicles and following them at distances of less than one car length. P2 turned V2 from the #3 lane into the #2 lane. As V2 began to pass by V1, P2 immediately turned V2 into the #1 lane and into the direct path of V1. P2, for no legal reason, applied V2’s brakes abruptly in the #1 lane. P2 brought V2 to a complete stop within the #1 lane. P1 applied V1’s brakes abruptly. Due to P2 stopping V2 in the #1 lane so as to “block the normal and reasonable flow of traffic,” P1 was unable to stop V1. The front of V1 struck the rear of V2. V2 was now stopped in the #1 lane. P1 turned V1 to the left and attempted to pass V2 using the center divide on the left side without sufficient clearance. Due to P1’s unsafe passing of V2 on the left, the right side of V1

PREPARED BY I.D. NUMBER DATE REVIEWER’S NAME DATE
J. COX 017207 07/21/2011
1 struck the left rear side of V2. As V1 continued north in the center divide, the right side of V1 struck the left front corner of V2. P1 drove V1 northbound. P2 drove V2 past V1 and headed toward the University Avenue exit. P1 followed V2 on the westbound University Avenue exit. P1 did not attempt to contact P2 nor did P1 call emergency personnel after the collision. P2 traveled to his home where he later contacted emergency personnel.

7 AREA OF IMPACT:
8 A.O.I #1(V1 vs. V2) was located approximately .5 miles south of the south edge of the Oregon Expressway over-crossing and approximately 6 feet east of the west roadway edge of US-101 northbound.

10 A.O.I #2(V1 vs. V2) was located approximately .5 miles south minus 50 feet of the south edge of the Oregon Expressway over-crossing and approximately 1 foot east of the west roadway edge of US-101 northbound.

13 A.O.I #3(V1 vs. V2) was located approximately .5 miles south minus 65 feet of the south edge of the Oregon Expressway over-crossing and approximately 1 foot east of the west roadway edge of US-101 northbound.

19 CAUSE:
20 Party #2(Vergasov) caused this collision by driving Vehicle #2(Lincoln) in violation of California Vehicle Code section 22400(a) which states in part: No person shall bring a vehicle to a complete stop upon a highway so as to impede or block the normal and reasonable movement of traffic unless the stop is necessary for safe operation or in compliance with law. P2 slowed V2 abruptly ahead of Vehicle #1(Subaru) for no apparent reason and interfered with the safe operation of V1.

26 An associated factor to this collision is Party #1(Biscevic) driving Vehicle #1(Subaru) in violation of California Vehicle Code section 21750 which states in part: The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left at a safe distance without interfering with the safe operation of the overtaken vehicle. P1 attempted to drive V1 around V2 without sufficient clearance. As a result the right front of V1 struck V2.
STATE OF CALIFORNIA
NARRATIVE/SUPPLEMENTAL

DATE OF INCIDENT | TIME | NCIC NUMBER | OFFICER I.D. NUMBER | DATE
07/21/2011       | 1150 | 9330        | 017776              | 2011-7-189

1 RECOMMENDATIONS:
2 I recommend a copy of this report be forwarded to the Santa Clara County District Attorney's Office for review and Party #2 (Vergasov) be prosecuted for the following:
3 22400(a)VC- Impeding/ blocking the flow of traffic.
4 20002(a)(1)VC- Misdemeanor Hit and Run.

5 I further recommend Party #1 (Biscevic) be prosecuted for the following:
6 21750VC- Failure to pass on the left safely.
7 20002(a)(1)VC- Misdemeanor Hit and Run.

11 Both parties failed to stop near the scene of the collision and exchange information.