

ANC23FA008

OPERATIONAL FACTORS/HUMAN PERFORMANCE

Attachment 1

Guardian Personnel Interview Transcripts

May 4, 2023

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UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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RAYTHEON AIRCRAFT COMPANY FATAL

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ACCIDENT NEAR KAUPU, HAWAII

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ON DECEMBER 15, 2022

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Interview of: DEREK BOEHM, Flight Nurse and Safety Officer
Hawaii County, Hawaii

via Zoom videoconference

Tuesday,
March 21, 2023

APPEARANCES:

SHAWN ETCHER, Operational Factors Investigator
National Transportation Safety Board

DR. SABRINA WOODS, Human Performance Investigator
National Transportation Safety Board

MILLICENT HILL, Investigator-In-Charge
National Transportation Safety Board

MITCH MITCHELL, Aviation Accident Investigator
Federal Aviation Administration

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I N T E R V I E W

MR. ETCHER: Good morning again. My name is Shawn Etcher. I'm an operational factors investigator with the NTSB. All that means is I look at everything kind of forward of the cockpit door in an investigation, how it interacts with the pilot, procedures, all that kind of fun things.

In the room here there's some of my colleagues as well. I'm going to go around the room, have them introduce themselves to you so you can kind of recognize their voice as we, as we go along through this interview. Sabrina?

DR. WOODS: Hi Derek. Dr. Sabrina Woods. I'm also with the NTSB. I am a human performance investigator and so essentially I complement Shawn in the fact that I look at everything the helps us do our job and I'm also going to assess some of the things that might detract us from being able to do our job well.

MR. BOEHM: Of course.

MR. ETCHER: Millicent?

MS. HILL: Millicent Hill, I'm the investigator in charge for the NTSB.

MR. ETCHER: And Mitch.

MR. MITCHELL: Hi, good morning, Derek. Mitch Mitchell, I'm with the FAA with the Office of Accident Investigation and Prevention. I'm an accident investigator strictly here for safety investigation. I'm no way associated with any enforcement action.

MR. BOEHM: All right. Good. Good morning to you all.

1 MR. ETCHER: Good morning. Could you hear us all okay?

2 MR. BOEHM: Oh, loud and clear, yeah.

3 MR. ETCHER: Okay. Perfect. So, that's everybody that's in
4 the room that will be asking you questions today. So, and
5 I'll -- usually we'll start when I pass it off to them. I'll
6 start with the first round of questions. And then when I get done
7 asking for a while then I'll pass it off.

8 And I'll introduce them just so you can kind of a refresher
9 of who they are as well in case the voice doesn't come across
10 clearly. But thank you for taking your time today to Zoom with us
11 to do this interview. I do appreciate it. We will be recording
12 this interview and that recording will be transcribed.

13 The transcript itself will become part of the public docket.
14 Are you okay with us recording and transcribing?

15 MR. BOEHM: Of course.

16 MR. ETCHER: Thank you. And you are entitled to one
17 representative of your choice if you wish. I see you didn't bring
18 anybody with you, so I assume you'd rather not have one at this
19 point.

20 MR. BOEHM: Yes, I'm fine with that.

21 MR. ETCHER: Okay. And if you need to, during the interview
22 if you need to talk to somebody about a question or whatever, just
23 say. We're fine with that. We'll hit pause. Even though I'm
24 technology challenged I'll be able to figure out how to hit pause
25 so you can go talk to somebody as you need. All right?

1 MR. BOEHM: Okay.

2 MR. ETCHER: All right. And before we get started I just
3 want to set a few ground rules if you will. If you need a break
4 please just let us know. We're more than happy to take breaks as
5 you need. If you don't understand a question I ask or any of us
6 asks, just ask for clarification.

7 There's no right or wrong answers but if you give me an
8 answer that I don't quite understand or one of us, we're going to
9 ask follow up questions or for clarification so it's a two-way
10 street. The most important question I always say is, if you don't
11 know an answer, I don't know works fine.

12 There's no -- like I said, there's no right or wrong. We
13 just want to get as much as facts as we can to have a better
14 understanding of how the, how the operations work so we can kind
15 of help figure out this event a little better. But if you have an
16 opinion and sometimes we'll ask questions that are your opinion,
17 just let us know just so we can, when we're reading through these
18 transcripts later we can realize that that's an opinion and not,
19 you know, that's how you saw it. How's that?

20 MR. BOEHM: Of course.

21 MR. ETCHER: All right. Do you have any questions before we
22 get started?

23 MR. BOEHM: No.

24 MR. ETCHER: All right. And just so you know we typically do
25 two rounds of questioning. The first round's usually one of the

1 longest ones because we're asking questions. And then the second
2 round is usually, is a lot quicker so just for your planning
3 purposes. All right. But I always start with the toughest
4 questions first.

5 INTERVIEW OF DEREK BOEHM

6 BY MR. ETCHER:

7 Q. Can you please state your full name and spell your last?

8 A. My name is Derek Boehm, and my last name is spelled
9 B-O-E-H-M.

10 Q. All right. And how old are you?

11 A. I'm 46 years old.

12 Q. Okay. And what is your job title?

13 A. I'm a flight nurse.

14 Q. All right. For?

15 A. For Hawaii Life Flight which is a part of Guardian.

16 Q. Okay. And is there -- do you have any other roles with
17 Hawaii Life Flight?

18 A. I'm also the program safety manager. I volunteered to do
19 that probably close to a year ago.

20 Q. Okay. And what is a program safety manager volunteer
21 position do?

22 A. We -- really I'm kind of a sound board for all the employees
23 there. You know, if they have any issues with safety or they have
24 ideas kind of like being the club president almost. You know,
25 people come to me with issues and, you know, I'll bring it up to

1 Mark, our program director and -- go Cat number 2.

2 And I try to be a voice for everyone and then we work
3 together like if, you know, we have these, the Baldwin reporting
4 system and if there's a Baldwin that comes up we have safety
5 meetings where we address it. We come up with solutions for it if
6 anything, if anything needs to be done.

7 So, it's just kind of a collective part between the pilots,
8 the mechanics, management, myself. It's, it's a good little, good
9 little club we're part of.

10 Q. Okay. And we'll get into that a little bit. But just for
11 right now kind of how busy -- I know you said you volunteer for
12 that. It's I guess make it a non-paid position. How busy are you
13 with that?

14 A. Oh no, it's -- there's a small stipend that comes with it.
15 We have meetings every month and then I, like as issues come up we
16 address them. So, we usually do about two or three meetings a
17 month, you know, maybe I think my total time commitment is maybe
18 like between three and five hours with meetings and all that.

19 But I just try to be like I said, just be a person people can
20 come to if they have any safety concerns or, you know, if I can
21 bring it up to management. So, I think I get like \$80 a month to
22 do it. So, it's just a small stipend.

23 Q. Okay. All right. And just for the record do you have any
24 airman certificates?

25 A. No.

1 Q. You're strictly a flight nurse?

2 A. Correct.

3 Q. Flight nurse, flight medic, same thing, right?

4 A. Flight nurse is a little bit, a little bit higher,.

5 Q. Okay. Sorry. I'm still learning these new terms that I
6 haven't figured out yet. So, my apologies.

7 A. Not at all.

8 Q. All right. So, can you kind of give us a kind of a broad
9 Cliff's Notes version of your history with medevac flights? Kind
10 of help us understand your experience level.

11 A. Yeah. I was a flight paramedic before becoming a flight
12 nurse. I flew for Air Methods in Arizona where I, where I live
13 and I commute to Hawaii starting in 2009. And then after
14 completing nursing school I wanted to go back to flying so that's
15 when I had the opportunity to go back to Hawaii.

16 I was stationed out there when I was in the service on Oahu,
17 so having the opportunity to go back was, you know, was awesome.
18 So, yeah, I've been there two years. Just the other day was my
19 two-year anniversary and I love it there. So, it's been great.

20 Q. Excellent. And it's been two years since you've been at
21 Hawaii Life Flight or Guardian? Help me understand the two years.

22 A. It's -- well Hawaii Life Flight and Guardian is the parent
23 company of Hawaii Life Flight. So, I started two years ago with
24 them, technically both.

25 Q. Okay. Okay. I just want -- I wasn't sure if you were at

1 another state or another group of under Guardian, so I just wanted
2 to make sure how long you've been with Guardian as well. All
3 right. Perfect. So, are you -- you were based there in Honolulu,
4 is that where you're actually based or are you based at one of the
5 out island?

6 A. I'm the Big Island on Waimea.

7 Q. Okay. All right. So, and how often do you -- what is your
8 schedule? Let me, let me start it that way.

9 A. We're -- technically we're allowed to do, like full-time is
10 ten days a month but since I commute from Arizona I like to pick
11 up some extra days too, so I'll do about, anywhere between 10 and
12 14 days in a row and then I'll come back to Arizona.

13 Q. Okay. And how challenging since you said you lived in
14 Arizona, how challenging is it to deal with all you do on your,
15 I'll call it on your volunteer basis from Arizona with the folks
16 in Hawaii?

17 A. It's not bad. Like with technology, you know, we'll do Zoom
18 meetings and it's manageable. It's just, it's just time
19 management. You know, you set aside a little time. So, the time
20 commitment itself isn't, isn't overwhelming.

21 Q. Okay. And do you have people reach out and talk to you if
22 they see a problem or do you just look for reports? How do you
23 get notified if there's a concern?

24 A. No, I have people that call or text me and they're like, hey,
25 you know, just be aware we had, you know, an issue with, you know,

1 gear or whatever. But any of the major like mechanical issues
2 most people will just submit a Baldwin.

3 You know, so I kind of, I kind of deal with just some of the
4 minor complaints but the bigger issues, people up we'll just tell
5 them put a Baldwin in so that way it goes right up the chain of
6 command.

7 Q. And do you get access to those Baldwins as well or no?

8 A. Yeah. I have, I have limited access, you know. They let me
9 look at them.

10 Q. Okay. Can you kind of give me a ballpark? I'm sure every
11 day is different. Every month is different. But just kind of a
12 ballpark. How many Baldwins do you see in a, in a give month?

13 A. I think there's a handful. I don't know about every month.
14 I'd say maybe between three and four.

15 There's, and there's like a queue. Like we have a list of
16 the Baldwins and we just, we go through them and, you know, okay,
17 this was addressed. We can, we can close this one out. No,
18 there's, there's a process and order to it that we, that we
19 address and it seems like we've, we've always just kind of climb a
20 ladder.

21 Some of them are a little more easier to handle than others.
22 Being in Hawaii is unique because sometimes supplies can be a
23 challenge to get out there in a timely matter. So, it's just, you
24 know, just living in the, in the, you know, the state, it can, it
25 has it's own little challenges.

1 Q. Okay. And you said, you know, people will submit Baldwin
2 reports for gear, you know, maybe gear or mechanical issues or
3 supplies. What other reports do you get, you know, generally
4 speaking or predominantly?

5 A. I think the bulk of it is just, you know, hey, you know,
6 there was an issue with, you know, the door or a lot of times it's
7 supplies like, you know, we have these we call them mega movers.
8 They're like tarps we use people with. They were very difficult
9 to get for a while, but they're very helpful.

10 So, people when we don't have those it just kind of puts
11 it -- with patients more at risk for like being dropped. Not that
12 we've ever had a drop but it presents its own challenges. Really
13 the mechanical stuff, like that will get submitted and, you know,
14 like Cy (ph.), the head mechanic and Mark Leggett, they tend to
15 address those more than -- because that's out of my realm. Like
16 the medical world is my, is my domain.

17 Q. Okay. The medical being your domain do you interact with the
18 pilots through your, through your additional duty?

19 A. Yeah. We do. Like, you know, I tell everyone, you know, if
20 there's anything anyone's concerned about please come to me and
21 we'll, you know, we'll put a Baldwin in and we'll go -- I'll go
22 right to Mark. So, I try to be just available for them. You
23 know, of course I don't, you know, I don't, I don't speak pilot
24 very well. So, they -- but they know I'm always available for
25 them.

1 Q. Okay. All right. Why did you get into these additional
2 duties? Is there, was there a drive for you to help others? Kind
3 of help me understand why you would get into something like that?

4 A. You guys will appreciate this. So, in 2015, in December of
5 2015, I was flying rotor out here in Arizona and I was involved in
6 a helicopter crash. It was pretty bad. Andrew Swick was the
7 investigator. And, you know, I was, actually I was the only
8 survivor.

9 So, you know, when I had the opportunity to come back for
10 safety using, you know, using my experience I think people
11 gravitated towards me because of my experience with that. So,
12 people were like, oh, you should put in for that job, you know,
13 you should do that. So, if that makes us safer, you know, then
14 I'm all for it. So, that's, that's a big, you know, the biggest
15 reason why.

16 Q. Okay. Great. Well and I appreciate that, the honesty and
17 that's, I'm glad you can take some of your experience good and bad
18 if you will to be able to apply that.

19 A. Of course.

20 Q. So, that's wonderful to hear. So, I know you get about so
21 many Baldwin reports a month that you look at, or so many calls
22 and I know you communicate that up the chain as necessary. But do
23 you communicate that out to the other bases if you see something
24 that might affect others or is that -- kind of help me understand
25 that.

1 A. Mark will usually, what Mark does he'll write like blanket
2 email saying hey these are the issues that we've addressed so
3 really Mark with do that. Like he tries to do like monthly
4 updates and, you know, especially, you know, with issues like
5 supply issues or whatever then he'll, he'll just broadcast that
6 out to the rest of the crew.

7 Q. Can you -- I know it's -- I'm going to ask for a lot of
8 ballpark stuff I think on our interview today but can you kind of
9 give me a ballpark? How many times has that happened either a
10 month, or since you've been here for two years, how many times
11 have you seen that?

12 A. I'd say at least once or twice a month at least where he'll,
13 he always does updates and, you know, if something, if something
14 really critical comes up of course he'll, he'll write them an
15 email really quickly that everyone gets. But I'd say it's a
16 regular occurrence with him.

17 Q. And how are they received from all the workers? Are they
18 educated or is it like, oh, another email blast?

19 A. It's kind of both. You know, you always have your mixed
20 messages, you know, people are like, oh, you know, we're so short
21 on this, or this is, you know, that aircraft is out of service or
22 but people understand, you know, that's, there's things that we
23 can fix and we can't fix.

24 And I think they know that we're doing the -- they're doing
25 the best they can with addressing all the issues. I think most of

1 the complaints comes down to supply, like the supply chain issues
2 we had earlier in the year with just some, you know, sometimes
3 medications get low so we have to, they do others. And those are
4 kind of the usual grumbles but everyone knows it's just a minor
5 inconvenience more than anything.

6 Q. Okay. All right. Do you ever give feedback? When somebody
7 calls you about a concern or a problem do you ever give them
8 feedback back?

9 A. I do. I try to, I try to keep them in the loop, say hey, you
10 know, I know you guys asked me about, you know, mega movers or
11 whatever I saw. I say to them, I spoke with Mark, you know,
12 they're still being ordered. As soon as I know anything else
13 I'll, I'll circle back with you and, you know, that way, you know,
14 they don't feel like I've just wrote it down and forgot about
15 them.

16 Q. Okay. Do you ever get any safety concerns on fatigue or I
17 know you mentioned airplane door seals or doors or whatever, but,
18 you know, do you get feedback -- let me -- do you get any concerns
19 on fatigue? Let's start there.

20 A. Yeah. That's, I would say that's probably the number one
21 concern is that I get between supplies is that people just being
22 tired, pilots being tired, crews being tired. You know,
23 maintenance has always been an issue where, you know, aircraft are
24 all backing up and it just seems like there's a, there are these
25 big delays trying to get aircraft back in service.

1 So, when you have, you know, seven aircraft that are supposed
2 to be in service and only, but only three are in service, you
3 know, those crews are going around the clock sometimes. And of
4 course we can timeout but it's still, it's still, you know, it can
5 be exhausting.

6 So, you know, that's, that's all, it's even in the flight
7 community I think everyone would be like, you know, man, we're,
8 we've been flying a lot lately, you know. So, I would say that's
9 one of the bigger, the biggest issues is fatigue management and I
10 say, hey, you know, it's, it's not a race. It's a marathon, you
11 know, just if you get tired, timeout, you know, and then we'll
12 just, we'll just pick it up as we go, you know.

13 We can only do so much. So, you know, just tell them to be
14 safe, you know. If you're tired timeout. But the pilots, you
15 know, that's different because, you know, they'll be tired but,
16 you know, how they manage their rest time is different from ours.
17 So, you know, but we tell them the same thing. If you're tired,
18 don't go, you know, play it safe.

19 Q. Okay. Have you ever had to fatigue call out, you personally?

20 A. Oh, I have I for fatigue? Oh sure, of course.

21 Q. When was the last time or kind of give me an idea of how
22 often that occurs?

23 A. It's a pretty regular occurrence. Like a lot of the times,
24 we'll fly mostly at night. It seems that we fly a lot at night.
25 You know, each flight takes about anywhere between five and six

1 hours for turnaround time to back to the Big Island. You know, we
2 fly mostly to Honolulu. That's where the major trauma centers
3 are.

4 So, I would say in the two weeks I'm there I probably
5 timeout, geez, I don't know maybe four or five or six times. You
6 know, I'll take -- instead of taking a full ten hours, you know,
7 I'll take eight. And that seems to be a really good way to manage
8 my fatigue or if I just take eight hours I'm good to go. So, I
9 can keep going and not feel, you know, you know, exhausted.

10 Q. Okay. So, help me kind of understand a little bit, when
11 you're doing your ten day stretch or 14 day stretch or whatever it
12 is, do you have any breaks already scheduled in there or do you
13 have -- are you the one that has to say, no, I'm taking a break?

14 A. I'll have to be the one to say I'm taking a break. So, if I
15 wanted to I can schedule myself, like schedule days off but since
16 I'm there for two weeks, you know, I just, I do it in a row and
17 then, you know, I'll just time out and just manage it accordingly,
18 you know, if I feel, if I feel tired then I'll, then I'll timeout.

19 But I don't, I don't like to, I don't like to think that I
20 abuse it at all, you know. Just, I kind of do -- most times I'll
21 do two flights and then I'll timeout and that way, you know, I can
22 get, you know, at least some good rest and then come back fresh.

23 It's, it's worked really well to be honest with you. It's,
24 it's been good because I used to do like three flights and then
25 take, you know, then you get mandatory timeout for ten hours and

1 it just seemed like that was, that was really taxing.

2 Q. Okay. So, you've been doing this job for a little while.
3 How hard is it to, you know -- you get a call, you know, you have
4 a patient that needs to go somewhere how hard is it to say, no,
5 I'm too tired?

6 A. Oh, there's no question asked. You don't get any pushback
7 whatsoever. You know, we'll tell dispatch, you know, it's not
8 often where you're just like I'm, I'm exhausted, you know, like
9 that. But if it does come to that, a lot of times like we'll do,
10 we'll do back-to-back flights.

11 And then when we're in Honolulu, like hey, can you guys do a
12 third flight and we'll be like, no. We're exhausted. You know,
13 we've been going since, you know, you know, since the sun went
14 down and now the sun's coming up. So, it -- you know there's
15 other aircraft that can pick it up too. So, we never get push
16 back though. They're very understanding of that.

17 Q. Okay. And that's great they're understanding but how hard is
18 it for you personally to say, no? You know, you've got a call,
19 somebody needs help or, you know, you need to transport someone,
20 how hard is it for you personally to say, uh-uh, I'm too tired?

21 A. It, I think there's the human side to it, you know, where
22 people -- you know, we try to do the right thing and but you just
23 have to be realistic. If you're too tired, you know, then say no,
24 not difficult to say, no. You're just like -- of course, you
25 know, if they tell you patient information, like oh it's a

1 pediatric or something, of course then there's, you know, you kind
2 of get not -- you feel more compelled to do it.

3 So, I don't want to say guilted into it but like you feel
4 compelled to do it. So, but I would say it's, it's not difficult
5 to say no when you're, when you know you've reached your limit.

6 Q. Okay. Have you ever said, yes, you go to preflight or you go
7 get the patient and just before takeoff you go, man, I'm just
8 exhausted. I don't know if I can do this safely? Have you ever
9 had to do anything along that lines?

10 A. No. Not where I've would, where I felt as like I, you know,
11 hit my wall, you know. It's like before, then I'll always do that
12 before preflight, like, hey -- they'll ask us, hey, we have
13 another flight. How do you feel? And, I'll say, you know, I'm
14 exhausted. I'm going to head back to base. You know, they can
15 push it back.

16 Then we'll pick it up as soon as my timeout ends. But I've
17 never like gone midflight and be like, oh my god, I'm, you know,
18 I'm so tired. I'm just -- I try to not put myself in that
19 situation.

20 Q. Okay. Have you ever seen that happen before? Not with you
21 obviously but with other crews you've worked with?

22 A. Yeah. Yeah, sure. I mean people are always like, man, I'm
23 so tired? Or, you know, I have a cold or something. You know,
24 you'll get some people talk about that. And then, but I really
25 think we try, we really try to ask like hey how do you feel? You

1 know, do you feel okay? Especially when we've done one or two
2 already and we're like just want to knock it out, you know.

3 And of course, some flights are easier than others. Like a
4 Molokai to Honolulu, that's like, that's easy, you know, that's
5 like running to the store and back. But if you do like a Hilo to
6 Honolulu, you know, there, that's long. These are long flights.
7 So, I think that's a factor too where people might pick up a
8 shorter flight easier than a longer flight.

9 So, it's just -- we just know how they, how they run and how
10 they operate. Especially if it's a complicated patient then
11 that's even more exhausting.

12 Q. Okay. That helps. I appreciate that. So, before you go
13 accept a flight is there any kind of assessment you do of
14 yourself? Any requirements for assessing?

15 A. We have our risk assessments we do online through 9th Grade,
16 and even when we dispatched, like if we get dispatched you have to
17 put in your -- you'll text desk back your risk assessment, you
18 know, you're, you know, a four or five or whatever it is based on
19 their like their list of criteria.

20 And but again anytime if anyone says, no, I'm just really
21 tired or I don't -- you know, for any reason, they're, they're
22 okay. No problem. So, yeah, so they do, we do measure that and
23 that's, that's a mandatory for every flight.

24 Q. Now you said something like a four or a five. I assume it
25 has a scale, a weighted scale.

1 A. Yes. That's right, yes.

2 Q. And what is, you know, what's normal -- what's the scale
3 range? Is it like 1 to 100, 1 to 3? You know, kind of help me
4 understand.

5 A. I don't know what the end number is, I've never, I've never
6 really reached the end number. I would say it's been like 1 and
7 20 based on the criteria, 20-ish, you know. You know, you've been
8 on shift longer than 12 hours, you know. If the flights are
9 between 1:00 and 5:00 in the morning, like these are all things
10 that add up.

11 If you have personal issues going on, you know, like these
12 are all things that stack up. So, if somebody knows they're in
13 the, oh, I'm in the yellow, or I'll be in the red, you know,
14 they'll tell dispatch and then it seems like they'll be like,
15 okay, well according to your risk assessment you're in the red.

16 So, I think at that point it because, you know, up to the, up
17 to the -- whoever's flying if they want to take the flight or
18 decline the flight. But they know, like, no, I'm in the red. So,
19 you know.

20 Q. Okay. Have you ever been in the red, you personally?

21 A. No. No. I'm, I manage it well enough where I've never had
22 to be in the red.

23 Q. How about the yellow?

24 A. Occasionally, you know, every now and then you'll get in the
25 yellows where you'll do, you know, multiple flights early in the

1 morning, you known, 1:00, 2:00, 3:00 in the morning and, you know,
2 those are big, they add up points fast. So, it's not often. I
3 would say in two years maybe less than three times. So, three
4 times ballpark.

5 Q. Okay. All right. The last little batch of questions I have
6 and then I'm going to pass you off to Sabrina. So, you're almost
7 done talking with me for this round. How's that?

8 A. Good.

9 Q. In your additional duties do you interact with -- let me
10 rephrase that. Do you cover all the bases in Hawaii or do you
11 have other people at different bases? Like is there somebody at
12 Maui that looks at their safety or is there somebody in Honolulu,
13 or do you look at all of that?

14 A. I was looking at all of it, you know, when I took over the
15 position there hadn't been a safety officer for quite a while was
16 my understanding. So, I was trying to get everyone to come to me
17 but it's hard when we're on different islands. It's like living
18 in different cities, you know.

19 So, now they're starting, they're having a site safety
20 officer for every base. So, that way, you know, they're -- people
21 can hear what's going on and they can report so I would say that's
22 my difficulty is like when me, instead of me being able to go to
23 these people, you know, like my crews that I work with every day
24 we tell, you know, we chat it up at the kitchen table all the
25 time.

1 But there was -- it's difficulty when I have, when I talk to
2 Kauai or Molokai or, you know, Maui. So, that, I'm glad that
3 we're starting that because that way it will make it easier for me
4 to get a good feel what's going on at the bases and just as a
5 listening board, you know.

6 You know, hey the crews are saying this, the crews are saying
7 that. And then I could bring it up, you know, to Mark or whoever,
8 you know, who the chain of command is now.

9 Q. And how many of those positions do they have filled at other
10 bases right now?

11 A. They haven't officially filled them yet. I have one in Hilo.
12 I believe there's one on Kona. But there's still quite a few gaps
13 that need to be had. But the, when Mark and I were speaking, I
14 guess if they can't find someone to volunteer for it, that the
15 base managers will kind of assume that role too.

16 So, it's just they would add that into their role so at least
17 that's what their idea was.

18 Q. Okay. When did they start this base safety officer position?
19 Do you know?

20 A. They brought it up maybe a month ago, maybe, just shortly
21 after the crash month, six weeks ago ballpark.

22 Q. Okay.

23 A. And I've been working on that. I've had pretty good success
24 but it's, you know, it's hard to get people to volunteer for it
25 too though.

1 Q. Do you know what the reasoning was that they began this or is
2 it you pressure, you know, pushing pressure on them? Kind of help
3 me understand, what springboarded this into happening?

4 A. I think, I think it, to be truthful, I think the post-crash,
5 I think they want more ears out there instead of me trying to
6 chase people down at every base, they want people to like, you
7 know, as a team, you know, which I appreciate because there's only
8 so much I can do from the Big Island. I think, yeah, I think that
9 was the major reason. So, they just want to have more ears out
10 there.

11 MR. ETCHER: Okay. You've given me some things to think
12 about right now. So, I'm going to let my brain kind of work on it
13 while I -- hopefully the coffee wakes me up a little bit. And I'm
14 going to have Millicent actually see if she has any questions for
15 you.

16 MR. BOEHM: Of course.

17 MR. ETCHER: Millicent?

18 MS. HILL: Very brief.

19 BY MS. HILL:

20 Q. So, if there was a base safety officer at each base or if the
21 base safety -- well I guess we don't have someone specifically
22 volunteering to do safety, how many will there be? Would there be
23 five bases that would all report to you then?

24 A. Yeah, it would be each island. So, each island has its own
25 aircraft. The Big Island has three aircraft. So, they would all

1 report to me and I, you know, I try to check in with them
2 regularly and they have invitations to the safety meetings, too,
3 every month.

4 So, you know, they have -- there's, you know, multiple ways
5 instead of just trying to get ahold of me. You know, like some
6 hey, you know, you guys, if you guys want to be part of the safety
7 like just, you know, get in on the Zoom meeting and, you know,
8 clock in for it.

9 And so that's one way they do it. But with the other bases
10 it's just -- it's been all, it's been them coming to to me.

11 Q. Is Seth filling any of those, the safety role in Maui?

12 A. I'm sorry, what was that?

13 Q. Is Seth filling any of the safety officer roles in Maui?

14 A. Oh Seth Krasnow?

15 Q. Yes.

16 A. No. He's the base manager there but he is not, he does not
17 do the safety. Not that if he was asked he would be but no.

18 Q. Okay. How often are you here in Utah at the main
19 headquarters for safety meetings?

20 A. Never. Like I've never, I never go to Utah. But we face, we
21 do the Zoom meeting every month.

22 MS. HILL: Okay. Okay. Thank you.

23 MR. ETCHER: Good?

24 MS. HILL: Yeah.

25 MR. ETCHER: Mitch?

1 MR. MITCHELL: Hey, Derek, I just had one question. Are you
2 a flight nurse on both platforms, rotor wing and fixed wing?

3 MR. BOEHM: I've -- ever since my crash I've just done fixed
4 wing, but I've been thinking about going back to rotor and I've
5 started doing the training to go back to it just as a personal
6 victory.

7 MR. MITCHELL: Yeah. I understand. Go for it. I think you
8 answered a lot of my questions already.

9 MR. BOEHM: Oh good.

10 MR. ETCHER: Okay. Are you doing okay? Do you need a break.
11 We've been going about 40 minutes or. Do you -- it's early in the
12 morning. Do you need a coffee break or anything?

13 MR. BOEHM: Oh no, I'm fine. Thank you for asking.

14 DR. WOODS: About two seconds.

15 MR. ETCHER: Sabrina will be with you in a just a few
16 seconds. She's just finishing up her one last little thing she's
17 trying to do before she starts asking you questions. So, you can
18 breathe for just a moment.

19 MR. BOEHM: No problem.

20 BY DR. WOODS:

21 Q. Okay. Sorry about that, Derek.

22 A. Oh no.

23 Q. I'm multitasking, which is not a thing. Your overall
24 impressions now with the company especially since you have joined
25 the safety role, which thank you for that because not a lot of

1 people often step up for that role. I guess in your own words can
2 you define for me what safety culture means to you?

3 A. I think safety culture is being proactive and not reactive in
4 my, in my personal opinion where we address issues before they
5 become, you know, dangerous and that's, that's always my main goal
6 with safety is like, hey, if people are saying this is happening
7 then let's, let's stop.

8 You know, hit the pause button, stop, fix it and then, you
9 know, reevaluate it as we need to. It's, you know, there's kind
10 of, there's kind of the two sides to our role, You know, you have
11 the medical side and the aviation side. And I speak medical, but
12 I don't speak aviation.

13 So, really, you know, I'll relay any any concerns or whatever
14 to, you know, maintenance or Mark specifically so they can speak
15 together. And then that would -- and they're in the same, they're
16 in the main hangar in Honolulu so they can actually just, you
17 know, walk ten steps to each other's offices and do a face to
18 face.

19 So, which is nice because I wish I had that availability
20 where I could fly into Honolulu and just do a face to face with
21 them and, you know, instead of, you know, getting, it's 2:00
22 morning and I'm up there. So, but to answer your question, yeah,
23 I think it's proactive and not reactive with safety.

24 Q. So, pivoting then does Hawaii Life Flights and Guardian
25 together did they meet your expectations for a good safety

1 culture?

2 A. Yeah. And my on experience, and I've made that comment to
3 them, you know, especially after, you know, my helicopter crash
4 with Air Methods. And there's always room for improvement, don't
5 get me wrong. But I really feel like they try to address issues
6 before they occur instead of waiting for them to occur.

7 So, it's been refreshing to be honest with you. Like I
8 really feel like they make safety a priority and that they listen.
9 So, and it can -- it's an open door policy. It can be anyone at
10 any time and I've really appreciated it. And it's the one thing
11 I've noticed that there's -- it seems like we have good
12 communication with the staff.

13 You know, of course I always wish people would just say
14 anything at any time, but I do feel like it's been very proactive
15 environment.

16 Q. Okay. What is one of the things that in your experience that
17 you like best and that like if you could benchmark it, bottle it,
18 give it to everybody, what is one of the things that you find
19 Hawaii Life Flight and Guardian do well?

20 A. I would say their communication. Like they're very open with
21 communication. And I really appreciate there's an open door
22 policy. Like if I wanted to call my program director, Mark, you
23 know, at any time. Or Matt Strauss, any of these guys, or Michael
24 Koenes, any of these guys. They're very open door.

25 And I, and I appreciate it because that way you don't feel

1 like, you're bother them or like you're stepping on toes, you
2 know. I think they really try to listen and they -- I really feel
3 like you're just not a -- you don't feel like you're a number to
4 them.

5 You're just not, you know, a flight nurse, you know, 1234,
6 like, you know, it's Derek. We know the guy. So, I've seen that
7 there's kind of a nice commitment to the employees, too.

8 Q. So, you will find my questions always a balance. I like to
9 get a good idea of both sides of the equation. So, if there was
10 one thing that you're like, man, if they would just fix this. If
11 you had a magic wand that I'm handing to you that you could wave
12 and it would fix your one big frustration what is that frustration
13 and how do you think it could be fixed?

14 A. If I had to use one word I'd say delegation. I would say
15 delegating tasks through others that can help in management. I
16 think that would be an immense improvement where if they
17 can -- instead of, you know, like Mark, like this is about Mark.
18 You know, Mark tends to have too many irons in the fire and I
19 think he gets sidetracked by things so things tend to get
20 overlooked.

21 And we'll joke about it. He goes like if we could just clone
22 another Mark so he could be his assistance like that would be
23 ideal. That way when things are delegated, or delegated out to
24 base managers or myself which he has begun to do but I think, you
25 know, in the pre-crash world and this is something that's been an

1 ongoing issue that I think if you asked that question to anyone,
2 they would be like, yeah, he's always got too many irons in the
3 fire.

4 So, but that would be my only, you know, if I had to ask for
5 something to change to make things a little bit better, if it was
6 less, take some more things off his plate or anyone's plate. You
7 know, dispatch or anyone so, you know, that way they're not
8 overburdened with, you know, all these tasks.

9 And it's, and it's, just it's nothing personal against Mark.
10 He's a wonderful guy. I just, you know, I just wish we could do
11 more to help him.

12 Q. Can you give me an example of something that has been
13 overlooked that you felt has been overlooked that you would have
14 liked to have seen clone Mark available to take care of?

15 A. I think, you know, there comes points where -- look, his
16 communication is great but it can be delayed. So, it's, there
17 comes a point where you have to like, you kind of like, well, I've
18 called, I've texted, I emailed, you know, and things don't get
19 addressed and then you kind of, you're kind of left in the dark so
20 you have to make decision on your own.

21 You know, I would say it's a speed bump for sure of
22 frustration that others have expressed to me. And it, I don't
23 think it's ever pushed safety before but I know it's just hard to
24 say what he's missing and what he's not missing. But like people
25 ask me about, you know, on the medical side, supplies.

1 You know, the pilots they kind of go through their own chain
2 command. You know, they'll talk to Cy or Kaleo and but on our
3 side people ask about that and I say, yeah, I'm still waiting to
4 hear back about that too. So, and I hate to be pulling on his
5 sleeve all the time. You know, I try not to do that.

6 But I know he's got, he's overtasked and again I think if you
7 asked anyone that, they would all agree with that.

8 Q. You talked and praised communication kind of I think
9 laterally there within Hawaii Life Flight and even up the chain
10 like to Guardian and like to, you know, in South Jordan, like
11 Michael and those individuals. But what about other views around
12 Guardian DBAs? Like, surely there are other people that are
13 serving in the same capacity that you are like for instance the
14 Eastern Region or the Southeast Region or -- do you get what I'm
15 saying?

16 A. Oh yeah. We -- it seems like the, like the West Coast and
17 us, it seems like we collaborate quite a bit. Even on our monthly
18 meetings like we'll do like the monthly, you know, Guardian safety
19 meeting and we can all collaborate and like -- which is nice,
20 because like they have good idea and some of these guys have been
21 doing it longer than I have.

22 So, they have good ideas like, well we can, why don't we try
23 that in Hawaii, you know. So, I like that. It is a collaborative
24 effort and during the monthly meeting it is nice because we can
25 all, we can all, you know, get on a Zoom meeting and put our heads

1 together. So, that is really and of course, Michael is the
2 coordinator of that too.

3 So, I appreciate that too. I think it's, I think it's a
4 good, smart idea. Just doing the, well this isn't, this isn't
5 working in Hawaii but, you know, Alaska does it this way and that
6 works really well. So, because Alaska and Hawaii are similar.
7 Like we're both remote outposts and we have similar issues and
8 frustration that were like, well this really worked here, so it's,
9 it's cool, it's cool to see how that works together.

10 Q. So, you said like for instance here, up here in South Jordan,
11 Michael's the one who is kind of spearheading all of that,
12 correct? But do you feel comfortable like just going to the you
13 for instance in Alaska and saying, hey buddy, this is what I'm
14 seeing. What do you think? What are you seeing? Or do all roads
15 have to come up to Guardian first?

16 A. Oh no, no. If we can, if we can do it ourselves, you know,
17 that's fine. And we'll just keep Michael in the loop, you know,
18 if we have to. But like, hey, you know, hey like we had issues
19 with, I don't know, ample response times or supplies.

20 You know, oh yeah, we just did this and, you know, they
21 ordered a different brand and we got, you know, you know, things
22 were taken care of so, yeah, it's nice. Like if we, if we -- you
23 know, we don't have to go to coach for everything --

24 Q. It's indoors.

25 A. -- we just stay on our team so yeah. But we always keep each

1 other in the loop, you know, especially as we do our Baldwins.
2 Like, oh yeah, you know, we got together and we figured this out.
3 I think they're very proactive with that.

4 Q. You mentioned earlier that you don't really get to see all
5 that much what's on the Baldwins, correct? Like every once in a
6 while you'll get to look at them if maybe the issue was concerning
7 enough. Is that accurate?

8 A. Yeah. Like I'm not like an investigator so to speak on it.
9 Like I don't -- and Mark is the one who really would address each
10 one of these. Like we'll have it on a spreadsheet and be like
11 okay this is, you know, one of them was like, Kona needed a
12 generator because there was like bad weather and the power was out
13 for three days.

14 And so, I'll see like, I'll see like the complaint. Oh, it's
15 Kona. It's a complaint. But I don't really dive into it. Like I
16 don't really get into the Baldwins. You know, I see them but I
17 just don't -- I'm not -- I'm versed in them.

18 Q. Okay. Pivoting a little bit to the accident itself. How
19 well did you know Brian Treptow?

20 A. I'd flown with him a handful of times. Like I even floated
21 to Maui or sometimes like he'd come pick us up in Waimea and just
22 depending. And I always thought he was a great guy. You know,
23 just a real laid-back guy. No issue. I didn't know him like
24 personally all that well.

25 You know, just like you get in the plane. Hey, Brian, how

1 are you, you know. But I never felt unsafe with him or anything
2 like that. But, you know, that was probably the handful of times
3 I've flown with him he always seemed like a nice guy and safe and,
4 you know, a competent pilot.

5 Q. And can -- I know you only flew with him a couple of times
6 but can -- in general was that during day shift, during night
7 shifts or all over the place?

8 A. I think it was primarily during the day. I'm sure, I'm sure
9 we flew at night together but I just don't -- the one time I
10 remember offhand like we landed at Kona and, you know, we had to
11 park in a certain spot and, you know, he was fine. He knew what
12 he was doing. So, he was always just, you know, a nice guy, you
13 know, real mild mannered, nice guy.

14 Q. And did you like, for instance on a dead leg for instance did
15 you ever ride up front with him?

16 A. No. Not usually. I don't usually. I'll be in the back.
17 I'll be charting or something, you know, doing nurse stuff.

18 Q. Even when you don't have a patient onboard?

19 A. Correct. Yeah. A lot of times like I finish, I'll be
20 finishing some of the chart or, yeah, not, I normally don't ride
21 up front.

22 Q. Is it discouraged or are you -- is it not something that
23 interests you?

24 A. No. Normally I think it's not, it's not discouraged. I just
25 think the vast majority of the medical crews just, I guess we're

1 just used to riding in the back, you know. They never said we had
2 to go up there so yeah. Yeah. Normally I'm just, I'm just
3 getting finishing charting or that's about it.

4 Q. Do you ever recall having conversations with, like just, like
5 life? I call it cockpit confessionals but since you haven't
6 really sat up in the cockpit with him so much just in general
7 talking watercooler chats about like life and Hawaii life -- life
8 at Hawaii Life Flight or at Guardian? Did you ever have those
9 kinds of conversations with him that you can remember?

10 A. No. We didn't have headsets then so we, you know, there was
11 kind of that disconnect from pilot to crew in the back, which they
12 have since changed. Now we all have to wear headsets. Now we can
13 actually chat up with each other.

14 So, because you know, you know how we just normally talk in
15 the ACC and, so I would say in the aircraft, no, during flight
16 because, you know, he's doing his own thing. But on the ground,
17 you know, we chat it up and like I don't, I don't recall any real
18 conversations I had with him.

19 Other than just, you know, just, you know, minor small talk
20 and, you know, you know, the basic, you know, daily conversation
21 we had. But nothing in depth. I never really knew his personal
22 life very well so, if at all.

23 Q. When did the headsets come about? I'm sorry.

24 A. They -- we had gotten headsets because we, as safety we had,
25 we had spoken to Mark about how, like how can we talk to the

1 pilot. This is, this is probably a year ago and we had gotten
2 headsets in the, in the back of aircraft. But they were kind of,
3 like every base got a set but I don't think they actually used
4 them.

5 So, like with -- that was a project of ours. So, we got the
6 headsets because people felt like they weren't able to talk to the
7 pilots. And we got them but they weren't -- it wasn't like a
8 mandatory use, you know, and like we would use them. But it
9 wasn't until recently where they said, you know, you can't to on a
10 flight unless you're speaking to the pilot.

11 Q. So, nothing that you can remember in passing conversations
12 with Brian just about like working for Hawaii Life Flight in
13 general, good, bad or ugly, you know?

14 A. No. I didn't know him well enough. And I've heard just
15 chatter about in the post crash world about his personal life how
16 he had a lot of things going on that I had no idea about it.

17 Q. What about since a lot of people come to you, you know, as a
18 bit of a problem solver facet there on the clinician side. What
19 about from the clinicians that -- have you ever heard any
20 conversation about Brian and his personality, interpersonal skills
21 or performance from your fellow clinicians?

22 A. No. No. And Courtney and I were close like because Courtney
23 had worked in Waimea and she never said anything bad about him at
24 all. I never heard anything negative or concerning in anyway
25 about him. No. Yeah, I never heard anything through the

1 grapevine.

2 Like nobody ever -- I never heard anyone complain about him
3 or like, man, that guy, you know, he was, you know, he was doing
4 this or that. So, I never heard anything like that.

5 Q. Or the converse too, I mean did anybody say like, hey man,
6 this is a great guy. You should meet him or you should fly with
7 him? It's not always -- I don't always look for the negative.
8 But was there anything positive pointed out either?

9 A. No. I mean just the basic, like, oh, he's such a nice guy,
10 like he's a really cool guy because, you know, some of our -- oh
11 who's your pilot today? Oh, it's Brian. Oh, I love that guy.
12 He's a nice guy. So, yeah, just aside from, just small talk like
13 that.

14 I never heard any detailed conversations about him or
15 anything about his personal life. Yeah. Like it seems like, you
16 know, of course like the Maui crew is, they get to know their
17 pilots really well because, you know, they spend the most time
18 with them.

19 And so, like that, that's just kind of that disconnect, like
20 we, since we don't fly with them all that often. You know, but
21 again I never heard anything badly spoken about the guy. Everyone
22 always spoke very highly of him.

23 Q. So, then shifting dynamic -- I'm shifting topics. The
24 shifting dynamic with kind of of going to having that safety
25 component at each base and that's what you're hoping for, and then

1 maybe, you know, there's a point where they're reporting to you
2 and then reporting on up, if that were to come to fruition would
3 you get any additional training or does Guardian have anything set
4 up for you as like a recurrent training to manage that, I guess to
5 understand how a safety officer should safety?

6 A. No. And that's, that's kind of -- like I've brought that up,
7 you know, where they, like they give you like a one page, hey,
8 this is kind of like a description of what your supposed to be
9 doing.

10 But there's really -- if I could ask for training for that it
11 would be better because like you kind of step into this role and
12 you're like, I think I'm doing this right. So, if they could, if
13 they had like safety officer training, if I could, if I could ask
14 for something for them to do, you know, if I could, you know,
15 whatever, we've got to go to Utah or whatever, you know.

16 I think that would be good because then we'd have a clear, a
17 clearer understanding of what we can do and what is expected of
18 us. And basically how we can help, you know, like sometimes it
19 gets so confusing like well does Mark take care of this or does, do
20 I take care of that, you know.

21 So, and I won't say it's a frustration. It's just, there's
22 just some confusion about it. So, I think, I think it would be
23 very beneficial if they did something like that. Like, if I
24 could, if I could make a project like that I think that would be a
25 good idea.

1 Q. Okay. And so right now like you said, you just kind of get a
2 sheet of maybe responsibilities left for your interpretation and
3 that's what you're working from at this point?

4 A. Right. Exactly. And I, and I just try to be as available
5 and helpful as I can with all the staff. Like I, like since all
6 the staff come to me, you know, if they're not going to put it
7 into Baldwin and they feel more comfortable coming to me that's
8 fine.

9 And it sounds silly, but I was like anyway they want to
10 communicate with me, like I put a suggestion box up, like because
11 that way if I can go to Honolulu and they're like, hey, I suggest
12 this, you know, in an anonymous fashion.

13 But anyway, I can get them to come to me with idea or
14 concerns then I'll take it. So, you know, whatever make it safer.

15 Q. Do you know if Hawaii Life Flight has an SMS, a safety
16 management system?

17 A. They do, yes. It's part of my training if I call right. I
18 can't say I've actually ever really been into it. For part of
19 orientation, they spoke to it, spoke to it about us.

20 Q. Okay. So, you have not really dug in there or looked at what
21 it contains?

22 A. No. No, I can't say I have.

23 Q. Do you happen to know is it specific to Hawaii Life Flight or
24 is it a Guardian product that has been given to Hawaii Life
25 Flight?

1 A. I think it's, it's my understanding it's a Guardian, like
2 just a blanket across the board since they're the parent company.

3 Q. Okay. Do you happen to know at all if like for instance Mark
4 or Kaleo are involved in managing that SMS for Hawaii Life Flight?

5 A. I'm not familiar with it. I think if I had a question that's
6 who I would go to because they, if they didn't know they would
7 know who to speak with about it. But I'm not sure what roles they
8 play in that.

9 Q. Okay. Do you know -- I guess I should have start -- lead
10 with this question but do you know what an SMS is? Like a high
11 level, what is an SMS?

12 A. Like I know the safety management is like, it's kind of like
13 the safety rule book But like I'm not terribly familiar with that
14 as, you know, as a clinician. You know, I know some aspects of it
15 but I've never really had to dive into it before.

16 Q. Okay. Because that actually was a great -- brings me to
17 another question is where do you see the clinicians' plural role
18 in your safety system as a whole?

19 A. I think everyone is their own safety officer so if they see
20 or say anything then everyone knows that we can, we can call
21 timeout, you know, if something doesn't seem right. You know,
22 like we always say, if you see something, say something.

23 So, I feel good that everyone would hit the timeout button if
24 we needed to. I do wish there was more training with it. Like I
25 wish like we had more not necessarily training but -- because we

1 do our, like we have the 180 forms and all that we do every year
2 and it's just I kind of wish we had more in-depth training when it
3 came to the safety stuff.

4 Like I'm not going to do a safety school and that's only
5 because of my crash, like, you know, you know, that's, I don't
6 want anyone to ever have to go through what I went through. Like
7 if they could, if they could learn those important lessons than
8 hopefully it would prevent anything from, you know, any incident
9 from happening.

10 Q. Last couple of questions and then I'll -- I've got to think
11 and I'll hand it off. But so, at the, after the accident Hawaii
12 Life Flight like stood down, correct?

13 A. Correct.

14 Q. Was there any sort of prescribed, structured, like things you
15 did in like a safety day, like an organized, this is what we're
16 going to take the next couple of days and go over or talk about?
17 Was there anything like that?

18 A. I was back in Arizona that morning. They did the standdown.
19 There was a lot of briefs like this is what we know. You know, a
20 lot of like emails and whatnot. And then, you know, they
21 interviewed everyone seeing how they were personally.

22 And then I would say one of the biggest issues I heard was
23 that there was no, there was almost a total lack of communication
24 at some point. Like it was like a blackout period where people
25 like, what's going on? Are there aircraft in service?

1 And even like one of the, one of the biggest things like
2 routine is a good thing in the flight world. Like every morning
3 at, you know, at 9:30 we have morning brief and dispatch comes on
4 and say this is who's on duty in this, you know, aircraft and it
5 gives, it gives you the rundown.

6 And there was -- that has stopped, and people were
7 like -- there was a big confusion between that. And it was
8 concerning because nobody knew what was going on. There was like,
9 we would joke, somebody has to turn the machine back on.

10 So, if I could, if I could point in the post-crash world one
11 of the biggest things that people came up to me about was what's
12 going on, who's in service, you know, who's, you know, who's at
13 the helm? Like, who's driving the ship right now? And so, I
14 think there was a lot of unintentional, not miscommunication but
15 just a lack of communication.

16 Going like even if they just say, we have no reports to say
17 today. Please standby. Okay. That's something. But I would say
18 in the post-crash world there was a big -- that was a big concern
19 because people were like, we don't know what's going on.

20 So, there -- and people to be truthful, people were getting
21 nervous, you know, about, you know, and they'd put one aircraft in
22 service and then it would, you know, go out of service. And we're
23 like, you know, what's going on you guys? You know
24 that's -- people were concerned about that.

25 Q. What was your understanding of what your role would be in

1 that post-accident situation? Did you have a role to play or were
2 you just kind of like one of everybody else waiting to see what
3 would happen and when the communication would come?

4 A. If I -- I would say I was one of the latter ones. You know,
5 I was waiting to see which communication would come. You know, it
6 really -- it was, it was a waiting game really. It was just, well
7 what's going to happen next and I wasn't really brought into that
8 loop at all. I think that was very much an upper management
9 thing.

10 So, that's -- like that, it wasn't frustrating. It was just,
11 you know, there was just a kind of disconnect there between the
12 flight crews and upper management where there was just a big gap
13 of silence that people were starting to get concerned about. And
14 but I was never brought into any of that.

15 DR. WOODS: Okay. I think that's all I have for this moment.

16 MR. ETCHER: Okay. You doing okay, Derek? You made it
17 through round 1 so round 2 is usually quicker but if you -- do you
18 want a break?

19 MR. BOEHM: No, I'm fine. Thank you.

20 MR. ETCHER: Okay. Well, I've got -- you've answered a lot
21 of my questions. I have a few left but, you know, I appreciate
22 the time. You've, you've helped me kind of see a different
23 viewpoint. So, I appreciate that. It helps me get a better
24 picture, if you will.

25 MR. BOEHM: Oh, yeah. I'm happy to do anything I can do.

1 BY MR. ETCHER:

2 Q. Some of my questions are -- we're going back to the
3 discussion you and I had earlier where, you know, and you had
4 mentioned something about how in Waimea you guys sit around the
5 kitchen table and talk.

6 A. Mm-hmm.

7 Q. When you're doing that have you ever had -- heard any
8 complaints about any pilots, not just the accident pilot but any
9 pilots in general? Was anybody raising any complaints? You don't
10 have to mention names.

11 A. Oh, of course. Yeah.

12 Q. Kind of in general terms what were some of those
13 complaints?

14 A. There were some that were concerning and they were
15 addressed. Like one pilot, he was like sleepy Smurf. You know,
16 he could, he managed his sleep so poorly that like they had, they
17 actually had to like invite him to the crew house. Like, listen,
18 man, you need, you need to sleep, you know.

19 And he was, thank god he stopped flying for us anymore. And
20 there's been some other issues, you know, where, you know, like
21 fatigue, fatigue with Jeff. He was, he was the big one and there
22 have been some other like, you know how like personal issues that
23 people tend to, you know -- it happens in their lives.

24 So, you know like, you know, they're having hard times. But
25 people talk, you know, the more -- you know, it's hard not to, you

1 know. You're all in your personal lives. You know, your little,
2 you know, little family there. I mean you get to know each other
3 so well.

4 So, people talk. And I would say at Waimea it's mostly like
5 the pilots you fly with the most. Like, oh yeah, he's doing great
6 or so and so, you know, they, he and his wife are going through a
7 hard time.

8 But the other bases, like since we don't interact with them
9 all that much, it's -- unless you see the other crews, or you know
10 them really well we don't really get all that much information on
11 them.

12 Q. Okay. Do you, do you hear anybody complain about any of the
13 aircraft -- pilots, clinicians? Let me rephrase that, do you have
14 any complaints about aircraft?

15 A. I would say I think they're trying to more with less and I
16 think it seems like they're over -- like they don't have enough
17 manpower or whatever it is. It just seems like there's a very big
18 delay with maintenance. And I'm, and I'm not involved with that
19 at all.

20 Like I know nothing about it, you know. That's upper
21 management. I think Cy's in charge of that. And people have come
22 to me about that and they're just like, you know, what's the
23 issues with the aircraft? And I was like, I have no idea, you
24 guys.

25 So, you know, and I, you know, if I was in the hangar in

1 Honolulu and I could, I could, I'd just walk up and talk to them
2 and get, and get a good idea of what's going on. But even as a
3 nurse I don't, I don't think I'm getting the full picture of
4 what's going on.

5 You know, like they'll tell me, you know, what they feel is
6 the most important, but I couldn't give you a full understanding
7 of what is going on on their side, too. And I'm not, I'm -- you
8 know, not that they're being deceitful or anything. I just don't
9 think I'm getting the full truths out of it.

10 So, yeah, maintenance has always been an issue because
11 they'll be like, you know, we've got -- you know, there's five
12 aircraft sitting there. You know, we only have two in service.
13 And it was like the two crews that are in service are getting, you
14 know, we're getting killed, you know.

15 We're just getting, you know, flight after flight after
16 flight, you know, even with timeouts, you know, it's just I think
17 people start to get, not resentful but, you know, they're like
18 what's, you know, what's going on with the rest of the aircraft?
19 You know, we've got, you know, 11 flights stacked up and we're,
20 you know, we're going to have to keep chipping away at these.

21 So, I would say in the last 30 days this has probably been
22 the biggest frustration is. You know, and then the crew's float
23 over. Like they'll float us, they'll float me from Waimea to
24 Honolulu and I'll stay in a hotel and I'll, and I'll be doing
25 flights, you know, and it's just hard because with the aircraft,

1 you know, you'll be in one aircraft and then there'll be some sort
2 of issue and then we'll have to switch to another aircraft.

3 So, and it, and in the post-crash environment like it's hard
4 for people not to be a little, you know, apprehensive about that.
5 Like, were all the aircraft okay? Like, you know, everything's
6 cool, you know. So, you get -- and I don't think they're trying
7 to -- they're not being deceitful or anything.

8 I just don't, I just don't think -- I'm not sure how much
9 they would share with us, you know, or what they would want to
10 share with us. Maybe it's because we wouldn't understand it or
11 what but it just seems like most people -- that's the biggest
12 concern that was just what's going on with all the aircraft.

13 Q. Okay.

14 Were there any aircraft you did not like flying in? I know
15 pilots are notorious for saying oh this aircraft hates me and
16 it's, you know, whatever. But did you ever have any airplane that
17 you felt like, man, every time I fly this thing there's a problem?

18 A. No. No. I can't pick out one single aircraft. I know the
19 old, the Alpha Mike's, 947-AM was like the oldest aircraft and,
20 which has now since been retired. Like it was like the loudest
21 aircraft, too, I just remember that.

22 But I never felt unsafe in any of the aircraft. You know,
23 and they've done a lot of upgrades and it seems like, it seemed
24 like we were really on a good path, you know, they did the new
25 paint scheme, they're putting new avionics in and, you know, we

1 finally -- we did get headsets.

2 So, it seems like we're, we are doing these little victories.
3 Like we had made, you know, one advancement and then we do another
4 and we try to do another. So, it's, it seemed we are trending in
5 the right direction. So, but I can't, I can't tell you any
6 aircraft that I was like that, you know, you know, that flying,
7 you know, jalopy or anything.

8 Q. Okay. No, I'm not -- that's okay. I just figured I'd ask
9 because people are very quick if they do have an airplane with,
10 that they just don't like to fly. They're very quick to say. So,
11 I appreciate that.

12 A. Yeah. I totally get that, yeah.

13 Q. You just brought up headsets, how do you like them? Are they
14 a benefit? Do you feel like it's more of a nuisance? Kind of
15 help me understand since that's kind of fairly new now, what's
16 your opinion of them?

17 A. No. I really like it. I like it because we can talk to the
18 pilot. We can hear what's going on. Like we're -- you know, it's
19 kind of that, like we can all communicate at the same time. And
20 if we, if we, if we get busy with a patient, he can always isolate
21 us, you know, as you guys know.

22 But it's nice because, you know, especially at night when,
23 you know, like we have to have lights on in the back and they'll
24 close their curtain or there are like there were these sliding
25 doors that would come together. So, they'd close off the cockpit.

1 So, people would be like, you know, what if the guy fell
2 asleep up there or, you know, went on unconscious or something,
3 we'd never know. So, it's nice to be able to talk to them and
4 they're like especially with weather like, hey, like just the
5 other day we went -- we tried to get to Lanai and, you know, we
6 were all chatting it up and we ended up going missed because we
7 just couldn't get in.

8 But we were, we were all talking about it, like, well, you
9 know, we've already, we're at our minimum so let's, let's call it
10 a day. There was another flight anyway. But it was nice to be
11 able to speak to each other and, you know, in real time and
12 not -- there wasn't that wondering what's going on, you know.

13 Like is everything okay? You know, is the pilot awake, you
14 know. So, I think it's been probably the biggest increase in
15 safety for us personally inside the aircraft.

16 Q. Okay. And I've just got to ask because you kind of brought
17 it up, have you ever had a pilot not be awake during flight?

18 A. There was one. There was one. And I wouldn't say he wasn't
19 awake but he had no business flying and he, and he had been a near
20 constant issue and he no longer works for us. But everyone was
21 like, Jeff, you're going to kill us. Like so, and he was a
22 big -- probably the most, the scariest pilot I've ever flown with.

23 It's like, dude, I like, I like -- this is a personal matter,
24 but you've got to, you've got to get your life together. Like,
25 you can't -- I can't have you asleep at the wheel, you know.

1 Q. Okay.

2 A. So, that was one of the scariest. Yeah, he was, he was
3 scary.

4 Q. So, help me understand, how did you bring that to anybody's
5 attention or were you able to at the time?

6 A. Well we did. Yeah. We spoke to Mark and Kaleo about it.
7 And he was a project. Like he -- this was a repeated thing and
8 they tried to get him, to get him on like a sleep schedule or
9 whatever. Just something that would, you know -- people were
10 like, that's like, you know, what are you doing, man?

11 You know, so and I only knew him for a short amount of time.
12 When I first started here he was one of the pilots. And I don't
13 think he's even flying any more to be honest with you. But he
14 was, I know he was a project for them, for the people who I heard
15 who worked with him before, and they're like, yeah, Jeff, he's,
16 you know, they've, they've tried to do, they've tried to help this
17 guy.

18 And that was the only pilot I ever felt, like, scared about.
19 It was like you just -- like you're always looking over your
20 shoulder, you know. And he was the reason with the headset
21 because then we were like, Jeff, are you awake up there?

22 Like we landed in Maui to get fuel and he'd fall asleep in
23 the cockpit waiting, you know, waiting to get fuel. And I was
24 like, oh my god. Kaleo would know. You bring up his name
25 he'll -- that's a whole other conversation for him.

1 Q. Okay. I appreciate that.

2 A. Yeah.

3 Q. So, in your time with Hawaii Life Flight is it typically the
4 pilots that will turn down a flight? Is it the clinicians? Is
5 it -- kind of give me an idea of who is usually the first ones to
6 go, yeah, I'm not feeling this flight?

7 A. I think it will start with the pilot because the first thing
8 we'll ask about is weather. Like what's the weather look like?
9 Is it safe? Like each island has it's own little unique issues.
10 Like Waimea we have fog in the evening. And there's the Waimea
11 wind that comes in.

12 So, I think that's the, that's the first person we'll go to,
13 the pilots. And then, you know, if it's a clinical issue, like we
14 have a -- one of our challenges is with bariatric flights, like
15 people who are, you know, just very obese people and trying to get
16 them into the aircraft and more importantly if something was to
17 happen to them, trying to get them out of the aircraft safely.

18 That's kind of where we'll decline a flight. Of if it's,
19 like the medical crews will decline a flight if something like
20 that, where they're just too big for two people to handle. Then
21 we'll coordinate with the Coast Guard and then like OB flights,
22 like if someone's laboring, like, we can't, you know -- it would
23 not be ideal if we delivered a baby on a plane.

24 Not that we can't do it but, you know, if it's a risk to baby
25 and mom, then they need to stay put in the labor and delivery

1 they're at. Those are, those are the big ones that I can think of
2 where if the pilots decline it would be for weather. And if the
3 clinical crews or DEEF (ph.) or like is it safe for us or is it
4 safe for the patient, you know. Yeah.

5 Or like a, like we get, we get like psychiatric patients.
6 They had an incidence where a guy like, you know, you know, really
7 combative in flight. It was at Molokai probably about a year and
8 a half ago and, you know, they had to, they had to do an emergency
9 landing in Honolulu.

10 So, that was a big one too. So, it, yeah, realistic
11 patients, safety of the crew and then weather, the big ones that
12 people talk about.

13 Q. Okay. Do you ever -- in your opinion do you ever have
14 pilots, you know, the weather's kind of iffy, maybe in their
15 opinion and they kind of come to you guys? Are they hesitant to
16 call off a flight and if you've ever experienced that in your
17 opinion, a pilot that is?

18 A. No. No, I wouldn't say they're hesitant. They'll just say,
19 hey, this is -- they'll give us a realistic snapshot and they'll,
20 and they'll pull it up on their little iPad and show us the
21 weather. You know, and he's like, well this is, this is the
22 situation.

23 This is what the weather's expected to do. Like we can
24 either wait it out. You know, we'll wait an hour or 30 minutes,
25 whatever, and see where it is. Or like with Waimea, I think a lot

1 of the pilots aren't comfortable flying into there at night with
2 fog and the winds.

3 So, they'll land at Kona and then we can take them by ground.
4 I've known some pilots who have done that. They're like, no,
5 we're not going to fly into Waimea. We're just going to fly into
6 Kona at night. So, they'll just kind of -- it's a little bit
7 longer but it's doable. At least we can still get the patient out
8 through Kona.

9 So, but yeah, I think they're very reasonable when it comes
10 to that, you know. Like, you know, in a, in a safe -- it seems
11 like they're in a very methodical manner, like, you know, okay.
12 Okay. This is, this is the weather, this is what it's anticipated
13 to do. Is everybody cool with this? So, I would say they're
14 very, they're very good about that.

15 Q. Okay. All right. Switching gears just a little bit here.
16 Your new, your new role, you know, your add on duties, if you
17 will, I know you said you don't speak pilot. And that's, that's
18 fine. Do you have anybody in your group that does speak pilot, to
19 use your term?

20 A. No, not really. Like we'll, we'll ask them. You know, we
21 just ask the pilots, hey what do, you know, what is that term mean
22 or whatever. But really like the medical crew is like I would say
23 those are the two different languages that we speak. But I would
24 say there's just like, we just -- we've never been trained in that
25 and, you know, it's like a pilot wouldn't know what to say in, you

1 know, for nursing stuff.

2 So, there's just a -- we just ask a lot of questions.
3 Sometimes like, hey what does that, what does that mean or
4 something. And they'll explain it to us. We get, we get a little
5 lesson in the air.

6 Q. Okay. Do you have any pilots kind of involved in the same
7 things you are on the, on the safety side?

8 A. Like aside from Kaleo, really I've had, I've had a couple of
9 pilots now that they've put out for eight safety officers that one
10 showed interest in it but there's no other pilot in my, like in my
11 position. And then there was one mechanic, but he stepped down
12 from it.

13 Like we would try -- what we would try to do is get like one
14 from every, you know, kind of every discipline. Like you have a
15 pilot, you have a mechanic, you have management, you have
16 dispatch, you know, you have the clinicians.

17 So, they want to get -- that way everyone's got their own,
18 their own views and own opinions and own concerns, you know,
19 concerning their department. And unfortunately, it's been kind of
20 a challenge to get people to come forward with that.

21 Q. Okay. And I could imagine. I know you've been kind
22 of -- this is kind of a new-ish realm here. What's your goal in
23 the safety, in the safety world? Do you, do you have any goals
24 here for safety?

25 A. My biggest goal is just to keep being proactive and make sure

1 every flight people stop and, you know, make safety the number one
2 concern. You know, they never -- they don't want to be on the
3 other end, like, oh my god. So, if everyone could just stop, you
4 know, start a good routine.

5 That's what I try to tell people is just like let's make a
6 good routine. We'll do our walk around. We'll check the
7 aircraft. You know, check with the weather. We'll speak with the
8 pilot. You know if we take the extra 30 seconds and, you know,
9 how does everyone feel?

10 Like those are my biggest goals just starting good routines,
11 you know, where there is no room for doubt. Or, you know, if you,
12 if you were doubtful about something or concerned in the least,
13 like, no, you just hit the pause button and we'll talk about it
14 and if we're not comfortable, we won't go.

15 You know, we'll wait until another time, or we'll figure out.
16 I would say routine is my number one goal, is getting people to
17 have good safety routines.

18 Q. How do you think you can empower them to have a good safety
19 routine, or do you feel like that's the big Mount Everest you have
20 to climb?

21 A. It's a Mount Everest because it's a personal thing. Like,
22 you have to make that personal choice to let's do the walk around.
23 But if you guys do it as a crew and then you just like, all right,
24 come on. Let's go do it. Let's go do a walk around. You never
25 know. So, it's hard because everyone has their own work ethic,

1 and everyone has their own choices.

2 So, I try to just -- like I'm notoriously positive. So, I
3 just try to like make is a good habit and people see me do it and,
4 you know, that way they do it and kind of a lead by example thing.
5 And I hope, I hope it would rub off on others, you know.

6 But when it comes down to it if they're on, you know, Kauai,
7 and it's 1:00 in the morning, you know, they're, you know, they
8 need to make that conscious choice to go do it themselves and just
9 make it a good habit which is what I hope for.

10 Q. Okay. That's a good goal. So, good luck and hopefully you
11 can achieve that.

12 A. No, one day a time, that's it.

13 Q. Yep.

14 A. Just one day, one flight at a time.

15 Q. In your opinion Baldwin reports, are they, are they a good
16 thing? Do they work? Do you wish they were done different? Just
17 kind of help me understand. I mean I know I could fill out a
18 report ten times a day but if I don't feel like they work I'm not
19 going to. So, kind of help me understand in your opinion.

20 A. Personally, I mean I'll take any outlet I can get for people
21 to report. Do I think people will use it? Not really. I think
22 people, they're like I'm not going to -- nothing's going to
23 happen. It'll be six months before I hear anything. Like I wish
24 there was a faster method of dealing with this.

25 And like with my position, you know, like of course being the

1 nurse, you know, being a nurse is my first duty. If they had a
2 safety department like that, if I could choose someone like that
3 this is their sole duty is to do all the safety related stuff, you
4 know.

5 And like, that way people aren't overburdened with like this
6 is their sole focus. It's like, okay, we've got a Baldwin today.
7 We're going to check it out. We'll close it within a week, you
8 know. Like some Baldwin's have been on there for months and it
9 just seems like they, it seems like we talk about it, but we don't
10 get a lot done, you know.

11 And it's hard to, it's hard to say it because everyone's
12 overburdened with other things. And I, and I get that. Like, you
13 know, it's the real world. But I think it's effective and it's an
14 effective way to get to submit things, but it seems like it gets
15 bogged down after that.

16 You know, if I, if I have to professionally complain about
17 something, and I never complain but I wish there was a faster
18 process that I -- and I know that some people get frustrated with
19 that too. So, if I, if I could find, if I could overhaul that
20 Baldwin system to something faster that, I think that would be
21 ideal, you know.

22 Q. Okay. The last question I have then I'll pass you off to
23 Millicent next so we can do -- in case she has any follow up
24 questions. You've been doing this for a while. Are there times
25 when you get a call out to do a flight at 1:00 in the morning,

1 midnight, you know, zero dark whatever, do you ever go why on
2 earth are we doing this flight at this time of day? Why don't
3 they wait till daytime? Do you ever have those moments?

4 A. Oh god, yeah. There is another common grumble. And
5 we -- even before the crash like we -- I had email Michael Koenes,
6 Mark Leggett, like all the, all the higher ups like this is, this
7 is the major, the major concerns and complaints of the
8 ground -- of like the clinicians that I'm getting.

9 And one of the biggest issues is, you know, which like it's
10 triaging the flights. Like if we can triage the flights, if it's
11 2:00 in the morning and we have to go to Maui, you know, with, you
12 know, to pick up a 12 year old that got into an argument with her
13 mom and says, I'm going to kill myself or they broke up with their
14 boyfriend, like this can wait until morning you know.

15 Like this is something that is not life or death, like, you
16 know, they're -- this is, it's unfortunate and we're glad to help
17 but like at 2:00 in the morning this can wait. Like, if you can
18 triage these flights that would be ideal, you know. As soon as
19 sunrise hits, like, hey we'll get out of there and they've been
20 triaging flights like that lately.

21 We've been doing the most critical flights, the most time
22 sensitive flights first. And I think that's really been a
23 positive thing. And it's done by one of our physicians, you know,
24 one of the -- the physician on duty. And there are some flights
25 that it just -- this can wait, like this can absolutely wait. Not

1 that we don't want to take the flight.

2 It's just from a safety standpoint waiting three more hours
3 isn't going to make a difference at all. So, that is, that is a
4 common, like almost, you know, every shift someone comes up and is
5 like, dude, this can wait.

6 So, if I could, if I could keep making improvements with that
7 and working with our docs, like, yeah, this is great because we
8 can knock out the sickest people first and I understand the
9 hospitals like their frustrations and like I, like I know we're,
10 we're providing a service.

11 But when it comes down to the, you know, the meat and
12 potatoes of it like the, this is just more critical, and this is
13 not as critical. So, it can be, it can be frustrating for them
14 and I get that.

15 Q. Did they ever give you a reason why they, previously why they
16 didn't triage these flights?

17 A. No. I think it was just on a first come, first serve basis.
18 Really, like I think they are just trying to, like you call, we
19 haul, inside joke. You know, and I think if they were like, hey,
20 this guy is really sick. I think they'll try to accommodate that.

21 But I think it was just -- I'm not sure what the criteria was
22 for dispatch or if they had anything. To my knowledge I don't
23 think there was any sort of criteria like that. But we had
24 brought it up on the idea board months before the crash, like way
25 before that.

1 Q. And the last question, I promise, when did they start doing
2 the triage of the flights? Was it pre-accident, post-accident,
3 did it all mush together there?

4 A. No, it was post-accident and that was because we had so few
5 aircraft in service the docs, if like -- there was no choice. We
6 had to triage it because there wasn't enough aircraft. And I
7 think people appreciate it because the way they're like, all
8 right, we'll get these six flights out of the way.

9 And then, you know, between, you know, you know, if they
10 can -- the side flights are like, you know, these non-emergent
11 flights -- and I say that not emergent, like that's not an
12 emergency but like they're not risk of physical harm whatsoever.

13 So, like if those could wait until morning, one is cut down
14 on fatigue and then two, it just seems like a safer, you know,
15 just rather than, you know, them flying at night or tired. So,
16 yeah. It was probably, I would say within the month after the
17 crash, probably sooner.

18 I don't have an exact date. But very soon after the crash
19 they started doing that and I think -- I've heard very positive
20 comments about that.

21 MR. ETCHER: Okay. Well thank you so much. You've answered
22 every question I have. So, I appreciate it. I'm going to around
23 the table here and see if others do. Are you still doing okay?

24 MR. BOEHM: Oh yeah, yeah. Of course.

25 MR. ETCHER: All right. Millicent?

1 MS. HILL: Nothing, thanks.

2 MR. ETCHER: Nothing from Millicent. All right. Mitch?

3 MR. MITCHELL: Just a couple of questions.

4 BY MR. MITCHELL:

5 Q. Derek, had you flown on the accident aircraft before, N-13GS?

6 A. I'm sure I have. It's -- that was more of a Honolulu based
7 aircraft. I think, I think it was our newest aircraft if I
8 remember right. Or VF or GS. It was one of our newer aircraft.

9 I don't, I couldn't, I couldn't tell you exactly which, when
10 I flew on it, but I never had any concerns with it at all. So,
11 even when I was in Maui I had nothing --

12 Q. Okay. Nothing sticks out in your mind regarding any gremlins
13 or anything really --

14 A. No, no. I'll tell you, I used that term that term just the
15 other day, Mitch.

16 Q. Do you see any recurring gremlins on aircraft that you do fly
17 on?

18 A. No. Nothing that jumps out and bites me. No, nothing.

19 Q. Okay. Have you ever heard any of the pilots discussing any
20 concerns with autopilots or you ever hear any talk about that?

21 A. No, not with autopilot. They really -- I never heard any
22 grumbles about that in the air. Really I haven't heard too many
23 issues like when they, when they are in the air. Like there'll
24 be -- I think one time they, some of the navigation was off and
25 they had to fix it. Of course, they're like, oh no, this isn't,

1 this isn't, we're in no danger.

2 And he's like I'll just, I have a backup whatever, so they
3 are vocal. If something is occurring in the air, like we've had
4 to turn around a couple of times and land but it, I think the
5 pilot -- like one of the engines was getting hot and he was like,
6 no.

7 I'm just going to turn around and land and of course we were
8 out of service after that. But nothing with the autopilot that I
9 can recall.

10 Q. So, what's your characterization of the maintenance of the
11 aircraft that you fly on?

12 A. I think, I think they do a great job. I think they're
13 extremely undermanned and overburdened. Like I just think they're
14 constantly trying to play catch up. And I think a lot of people
15 concern about them cutting corners or, you know, maybe this can
16 wait a little longer, it just seems like they're always playing
17 catch up, that there was never enough people to get the job done.

18 And I understand like getting mechanics to work there and,
19 you know, like I think that's any, you know, company on the
20 Island. They're always trying to get good mechanics or, you know,
21 especially in Honolulu. So, it just seems like, you know, one guy
22 a night just, you know, by himself in there trying to get work
23 done.

24 So, we feel for him, you know, so I would think that's the
25 biggest issue that people have always just sitting around the

1 kitchen table, like, yeah, you know, you know, the poor guy at
2 night, you know, is just trying to get work done. That is
3 probably the biggest issue.

4 MR. MITCHELL: Thank you, sir. I have no other questions.

5 MR. ETCHER: Sabrina?

6 DR. WOODS: I just have one additional question. Is
7 there -- do you have a counterpart. Do you have a you that you
8 are aware of in Reno or any of the Nevada bases for Guardian, if
9 their safety-based person?

10 MR. BOEHM: In Reno, I don't, I'm not sure with anyone in
11 Reno. I know Daniel -- let me think. I forgot his last name. I
12 think he's in Alaska. Yeah, he's in Alaska. But no one that I
13 know of in Reno. I'd have to look it up. I have to see who, like
14 who it is.

15 I don't know all the team players on our team but I'm sure
16 they have a site safety officer. Probably Michael would know
17 that. He would, he would have that list of information.

18 DR. WOODS: Okay. No worries. I was just curious if you
19 knew how that person was. That's all I had.

20 MR. ETCHER: All right. Derek, you've answered a lot of our
21 questions and I know we've asked you a ton of questions. But is
22 there anything you can think of that you thought, man, they're
23 going to ask me about this, and we didn't or that you would think
24 would help shed some light on anything for us?

25 MR. BOEHM: No. You know what, I think, you know, one, I

1 can't thank you guys enough for doing what you do. You know,
2 everything you guys do for me and like I don't envy your job,
3 especially after going out to the crash sites and all that. You
4 know, I -- having lived through that I have an understanding of
5 that.

6 But no, I think -- like I honestly feel -- I've always felt
7 safe at Hawaii Life Flight, and I, you know, unfortunately with
8 this, I think maintenance is the biggest issue, I think the
9 biggest concerns from people. And then just, you know, the
10 management.

11 You know, being available with management and delegating
12 tasks and I think those are the biggest things I hear about the
13 most. But I am glad. And just, I try to make it safer in
14 whatever little part I can play but I do feel like they do make
15 safety a priority.

16 You know, I, you know, I just, I wish this didn't happen but,
17 you know, whatever we can do to make our jobs safer and, you know,
18 the industry itself safer then, that's I hope what we can get out
19 of it.

20 MR. ETCHER: No, and then you're -- you've educated us a lot
21 today, so I appreciate that. But I know you have my email address
22 so if you think of anything please don't hesitate. Reach out,
23 holler, every little bit even if it makes -- maybe you think it's
24 nothing, those little things believe it or not help us a lot. So,
25 I appreciate the time. And we will call this interview over at

1 9:48 local.

2 MR. BOEHM: Well thank you so much. It was a pleasure. I
3 wish I could meet you guys. I'd shake all your hands.

4 MR. ETCHER: We wish you -- we could shake your hand as well
5 but it's okay. We're glad you were able to stay at home and deal
6 with that.

7 MR. BOEHM: I appreciate it. I really do.

8 (Whereupon, the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: RAYTHEON AIRCRAFT COMPANY
 FATAL ACCIDENT NEAR KAUPU, HAWAII
 ON DECEMBER 15, 2022
 Interview of Derek Boehm

ACCIDENT NO.: ANC23FA008

PLACE: via Zoom videoconference

DATE: March 21, 2023

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.

A black rectangular redaction box covering the signature area.

Romona Phillips
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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RAYTHEON AIRCRAFT COMPANY FATAL

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ACCIDENT NEAR KAUPU, HAWAII

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ON DECEMBER 15, 2022

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Interview of: DANIEL JOHNSON, Operations Safety Officer
Guardian Flight

South Jordan, Utah

Tuesday,
March 21, 2023

APPEARANCES:

DR. WOODS, Human Performance Investigator
National Transportation Safety Board

SHAWN ETCHER, Operational Factors Investigator
National Transportation Safety Board

MILLICENT HILL, Investigator-In-Charge
National Transportation Safety Board

MITCH MITCHELL, Aviation Accident Investigator
Federal Aviation Administration

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I N T E R V I E W

(6:38 p.m.)

1
2
3 MR. ETCHER: Well good afternoon, my name is Shawn Etcher. I
4 am an operational factors investigator with the NTSB. The current
5 time is about 18:38 local time. I'm going to go around the room
6 here and have all of my colleagues introduce themselves and kind
7 of their role in this investigation so that way you know what all
8 our job duties are. Just for clarification, operational factors
9 is all I do is kind of look at everything forward the cockpit door
10 if you will, and how it interacts with the pilot, procedures, and
11 things like that. And with that, I will ask Ms. Sabrina to
12 introduce herself.

13 DR. WOODS: Hey, Dr. Sabrina Woods. I am the senior human
14 performance investigator with the NTSB on this accident. So
15 essentially, my job is kind of take everything into account, doing
16 an assessment of policies, protocols, everything that's in place
17 that helps you do your job and maybe some of the things that need
18 to be in place to help you do your job just that bit better.

19 MR. ETCHER: All right, thank you. Millicent?

20 MS. HILL: Millicent Hill, I'm the investigator in charge.

21 MR. ETCHER: Thank you, and Mitch?

22 MR. MITCHELL: I'm Mitch Mitchell, aviation accident
23 investigator with the Office of Accident Investigation and
24 Prevention for the FAA. Which means I'm here strictly for safety
25 investigation purposes not related to any enforcement action.

1 MR. ETCHER: That is everybody that will be asking you
2 questions this evening. So I just wanted you to know all of our
3 rules. Just for your information, as you see we do have a
4 recorder going. This will be recorded and transcribed. The
5 transcript itself will actually become part of our public docket
6 later on. Are you okay with us recording and transcribing?

7 MR. JOHNSON: Yes.

8 MR. ETCHER: Thank you. Any time anybody deals with us
9 especially in an interview, you have the right to have a
10 representative with you. I see you came in by yourself. Do you
11 not want a representative with you at this time?

12 MR. JOHNSON: I'm fine without one.

13 MR. ETCHER: All right, and if that changes during this
14 interview, just say so and we'll hit pause. You can leave the
15 room if you need to make a phone call or whatever. We'll work
16 with you on that. That's not a problem.

17 MR. JOHNSON: Okay.

18 MR. ETCHER: Before we get started, I always like to set down
19 just a few ground rules if you will. During the interview and
20 it's been a long day, sometimes my brain doesn't communicate with
21 my mouth and I sometimes will ask a question that makes absolutely
22 no sense to you. And it's okay, ask for clarification. This is
23 not a check right or anything like that. It's just it didn't come
24 out the way my brain thought it would, so it's okay to ask for
25 clarification because I promise you, if you give me an answer that

1 I don't quite understand, I'm going to also ask you for
2 clarification. So just feel free to do that. If you need a break
3 at any time or need to call someone, it's okay. Just say so,
4 we'll hit pause, take a break, nothing wrong with that at all.
5 And last but definitely not least, we're going to ask you lots of
6 questions. We love facts. Sometimes we're going to ask for your
7 opinion or you may have an opinion you want to give. That's okay.
8 Just let us know if it's an opinion just so we can differentiate
9 facts with how you see something or an opinion of yours. But
10 sometimes we'll ask a question and you just don't know the answer,
11 I don't know works perfect every time. So don't think you have to
12 come up with an answer either. If you don't know, you don't know.
13 So with that, we shall get started. I always start with the
14 toughest questions first.

15 INTERVIEW OF DANIEL JOHNSON

16 BY MR. ETCHER:

17 Q. Can you please state your full name and spell your last?

18 A. Daniel Lee Johnson. Last name, J-o-h-n-s-o-n.

19 Q. Thank you, and how old are you?

20 A. 32.

21 Q. And what is your job title?

22 A. Operations safety officer.

23 Q. For anybody, or?

24 A. Guardian Flight.

25 Q. For Guardian Flight, and what is an operational safety

1 officer?

2 A. So the operations safety officer is a fairly new position.
3 It was conceived last year. I was the first operations safety
4 officer to be hired in July of 2022, and essentially it is kind of
5 an administrative assistant to the director of safety as well as
6 we all have pet projects if you will. So we each have a region
7 that we help process general safety reporting of but then it's
8 also an interdisciplinary cooperative. So my counter parts, Paul
9 and Kara (ph.), are a pilot that was hired off the line, a
10 clinician that was hired off the line, and me, an aircraft
11 maintenance technician who was hired off the line. So in addition
12 to operating in our own regions to do our general duties as safety
13 officers -- which we can go into more of what that is, we do
14 collaborate a bunch on just -- I'll call up Kara and say what
15 should a narcotics log look like, you know? I can call up Paul
16 and say hey, what does this instrument do? And so it's really
17 helpful to have that and we help facilitate meetings, safety
18 meetings, regional discussions. We help develop communications,
19 we peer review a bunch of presentations, manuals, those kinds of
20 things. So we mainly just help where we can to help make the
21 system run smoother. I will say, it's a developing position.
22 We're kind of helping make it what it is but we're there to be
23 kind of the working arm of the director of safety's office.
24 Essentially, making sure that we are taking in information from
25 everywhere.

1 Q. Okay, now you said you have a maintenance background.

2 A. That's correct.

3 Q. So is your job -- and you mentioned somebody from the
4 clinician side and somebody from the pilot's side. Do you guys
5 divide up via those disciplines or do you just take geographical
6 space and this my area to oversee and this is their area?

7 A. Very good question. So we do a mixture of both. When it
8 comes to standard -- we all call it just our standard reporting.
9 Like hey, a safety report came in. We divide that up by region if
10 we're hosting just regular meetings with the program safety
11 officers or the site safety officers, we divide that up by
12 regional as well. Where we start to divide up into disciplinary
13 expertise is higher-level meetings that involve a specific -- for
14 a risk assessment for example or a new process change, or a
15 proposal. Sometimes we're tagged on those meetings to come and
16 just sit in as someone who has a background in that field and
17 might have something to say. So we're not strictly held to those
18 disciplinary lines, but it certainly does help provide
19 information, feedback, and honestly when we're talking to the
20 front line, it can also help provide credibility that we've been
21 in their shoes. So that's -- I think that's one of the most
22 important things I've seen feedback from. I can have someone from
23 the other regions say hey, I have this person with this question,
24 help. And I can provide an answer for them. So we do cross
25 regions quite a bit if something is outside of that discipline and

1 needs some clarifications. So we help each other out a lot. We
2 collaborate a lot. So lines between regions are not strict as far
3 as you know, hey stay out of my region. But as far as just
4 delegation of day-to-day duties, we use that as a helpful guide
5 and it tells the site safety officers who they should be bringing
6 their issues up to.

7 Q. So considering that, what is your region or do you have a
8 state? Is it a state? Is it a third of the US? Is it -- kind of
9 help me understand it.

10 A. Yes, the regions can be a bit confusing. Mine is easy to
11 say. I'm Alaska, Hawaii, and California.

12 Q. Okay, and I might actually remember that, so.

13 A. Yeah, that one's easy.

14 Q. All right, so you oversee those three states. That's your
15 region. How often in your current job do you get to visit bases
16 in those regions -- those states? We'll just call it states.

17 A. So that is actually something that is still in development as
18 well because we are hoping to do more onsite training education.
19 Some places have implemented what's called safety days and so
20 that's something that we'd like to lean into more. But most of my
21 travel is actually proposed still. I am -- because my -- I
22 mentioned pet projects. My pet project is helping develop an
23 audit system and so I am very deep into the interworking of that
24 right now. And my travel plans are going to revolve more around
25 once that gets launched to help educate people on that. So for

1 budgetary purposes as well, I'm planning on killing two birds with
2 one stone and doing most of my travel once that gets rolled out.

3 Q. Okay, so how is the audit planning, developing -- how is that
4 coming? In your opinion, how is it coming?

5 A. It's been a long process.

6 Q. Okay.

7 A. That's what I'm going to say to that.

8 Q. Okay.

9 A. I have some very positive feedback and I am excited that it's
10 something that we definitely need to finish out our full
11 development of SMS and it's -- I can only see positive outcomes
12 from that.

13 Q. Okay, all right so you over see Hawaii since the event took
14 place from Maui there, we're going to kind of talk a little bit
15 about that, if you will.

16 A. Yeah.

17 Q. So you -- do you have any -- forgive the term, is it site
18 safety officers in Hawaii? Did I use that right term?

19 A. That's the correct one.

20 Q. First time for everything. So how many site safety officers
21 do you have in Hawaii right now?

22 A. Zero.

23 Q. Zero? And why is that?

24 A. There's not really a good answer for that.

25 Q. Okay.

1 A. We do have a program safety officer out there. I will say
2 that the lack of -- I'm just going to say the lack of
3 communication has been frustrating to me about even discovering
4 what assets and what resources are in place where.

5 Q. Okay, so they have base safety managers?

6 A. They do have base managers.

7 Q. Base managers, sorry.

8 A. Yeah.

9 Q. I'm getting them all confused.

10 A. Those are usually clinical based and so they help make sure
11 that inventory is stocked and that the interworking of their base
12 are going logistically smoothly.

13 Q. So you don't have any points of contact in Hawaii that you
14 reach out to, to try and get this moving -- getting the knowledge
15 that you need to get it moving?

16 A. I will say post-accident that is happening much more
17 proactively.

18 Q. Okay, who typically do you work with out there?

19 A. I coordinate a lot with Mark Leggett, the program director.
20 We at least cross paths on the safety leadership meeting and then
21 the all base safety meeting. So I mainly help coordinate
22 logistics on those meetings. If someone says hey, this report is
23 ready to be closed out, I can look through it and say no, you need
24 to go back at it and do this, this, and this. Or here's what you
25 need to do, you know? So I -- but it's been a work in progress

1 just establishing a rapport out there because who am I?

2 Q. Okay.

3 A. It's a new position that's being developed and there's just
4 that -- you know, a lot of catching up to do and a lot of
5 informing, and a lot of figuring out what I should be to those
6 places, you know?

7 Q. Okay, now I know how long you've been in your current
8 position but how long have you been at Guardian?

9 A. Let's see, January of 2020. So about one year -- sorry, two
10 years, two months. Two years, three months. Yeah.

11 Q. January of 2020? So right -- everybody times everything
12 around COVID, right? So just pre-COVID? Is that --

13 A. Just right before, yeah.

14 Q. Okay, all righty. And what did you do then? Was it
15 maintenance tech? Is that what you said?

16 A. Yes, in the Anchorage facility as the maintenance technician
17 doing line maintenance and depot maintenance.

18 Q. Okay.

19 A. So after I spent a year there I would go out to the field as
20 well and do on-call line maintenance.

21 Q. Okay, sorry. I just realized I didn't ask you that and I was
22 like maybe you were based in Hawaii and that was your interactions
23 out there. Okay, so I assume you guys in your current role, look
24 over Baldwin reports.

25 A. Mm-hm.

1 Q. And you look over your three states specifically. Can you
2 give me a ballpark of how many reports you get total between those
3 three states in a given period of time? Let's say a month.

4 A. A month? It's really weird. It comes and goes in waves.

5 Q. Okay.

6 A. It seems like it will be quiet for a couple of weeks and then
7 it will pick back up but if I was to give you an average, I would
8 say Hawaii probably gives me about I would say maybe five a month.
9 Alaska probably gives me about probably eight to twelve a month if
10 I was to ballpark it. And then California, it's one base so its
11 kind of very sporadic but sometimes once or twice a month.

12 Q. So I tried to do math in my head as you were talking and I
13 probably completely failed, but I put it somewhere around 14 to 18
14 a month give or take?

15 A. Between those regions yes, that would seem accurate.

16 Q. Okay, so compared to your counterparts that have the other
17 regions divvied up to them, is that on par with what they see? Is
18 that below what they see? More than they see?

19 A. I don't know.

20 Q. Okay, I don't know works. It's okay. That's just fine.
21 Kind of give me a general taste if you will of what you see in
22 Baldwin reports. Kind of help me understand, especially from the
23 Hawaii bases.

24 A. Okay.

25 Q. Kind of help me understand what you typically would see in

1 those four to five a month reports.

2 A. Okay, are we talking pre or post-accident?

3 Q. Let's start with pre.

4 A. Okay, pre-accident mainly I would say there was a good bit of
5 operational difficulty kind of reports. Like hey, this crew car
6 wasn't in the right spot, or we have this problem with the
7 plumbing at this base, you know? Just kind of like logistical
8 kinds of things. And then there was the occasional medical stock
9 issue. The stretchers becoming dislodged you know, like someone
10 hadn't locked it in properly and it had become dislodged during
11 taxi out or whatever and someone would raise that report. So
12 mainly those kinds of things. Just little operational things and
13 then the occasional you know, misstep. But hardly, I would say
14 not many big picture items.

15 Q. Okay.

16 A. Occasionally, someone would come out of just from left field
17 and say that they didn't like how things was being run or didn't
18 agree with this decision or you know, but mostly just small
19 things.

20 Q. Okay, now let's talk post-accident. Has that changed at all?

21 A. Absolutely.

22 Q. How so?

23 A. I would describe the attitude right now as hyper-vigilant.

24 Q. Okay.

25 A. So right after the accident, sometimes two, three, reports

1 per day. Big uptick all of the sudden and it was everyone laying
2 out everything they thought was a problem. Everything they wanted
3 fixed before they would get on an airplane ever again. It was
4 kind of an interesting sounding board there for a while.

5 Q. Okay, so reports up ticked. Obviously more than four or five
6 a month. You said you'd get almost that a day --

7 A. Mm-hm.

8 Q. -- at some points. When you get those reports, what do you
9 do with them?

10 A. So that was also a pre and post-accident, so I would go over
11 both.

12 Q. Okay, please?

13 A. So pre-accident, my instruction as per the training on my new
14 job that I had was to assign it to the appropriate accountable
15 discipline. So in layman's terms that means that I find out who's
16 the clinical manager or who's the assistant chief pilot or who's
17 the program director and decide where that report would most
18 appropriately be assigned. I assigned them as an investigator and
19 that was the beginning of that report's life. I would make sure
20 that all the required fields were filled out, put an initial
21 statement in the comments section that says thank you for your
22 report, and then that would go to the accountable discipline. I
23 would also build a spreadsheet that said here's the reports that
24 are out there so that in the safety leadership meetings we had
25 kind of an overview of what was out there, and how many days it

1 had been open, and just to provide some visibility on that because
2 I didn't want it to be an out of sight out of mind issue. But
3 post-accident, we as the safety team did not deem it appropriate
4 at all times to send all of those to the accountable disciplines
5 because some of these were directly challenging decisions being
6 made out there and so I was put on an instruction to send all of
7 them through the COO and he would decide where they got sent.

8 Q. Okay, we'll come back to that in just a minute. Let's go
9 pre-accident.

10 A. Okay.

11 Q. You get a report in and you send it to the appropriate
12 person. Is there a time limit on this? Do they have any
13 requirement for you to close out a report in x-number of days or
14 respond, or anything like that? Or was it a personal requirement?

15 A. There has been no due date enforced.

16 Q. Okay.

17 A. Occasionally a question is asked hey, where are we at on this
18 report? Sometimes it's the submitter asking that, where are we at
19 on this report. I am the one who pesters people and puts in the
20 comments, can we get any updates on this. Or I will send out kind
21 of a round up email sometimes to program directors or to assistant
22 chief pilots that says here's this many reports that you have open
23 and here's what I need from you to get these things moving and
24 that's all I can do. I am an advisory data curator.

25 Q. Okay.

1 A. So I can't -- unfortunately, I can't really put much heat on
2 from my position. I can definitely make sure that they end up in
3 ostensibly, the right hands or that the right eyes are on them.
4 But I have made tracking sheets that show documented progress you
5 know, so that everyone can get to their stuff easier but by and
6 large, it's still me being the nag saying where are we at on this?
7 Where are we at on this? Come back three months later, and where
8 are we at on this?

9 Q. Okay.

10 A. Sometimes it's more timely, sometimes not.

11 Q. Can you go to your direct supervisor? I guess that would be
12 director of safety. Does he have any authority to help push this
13 along?

14 A. I would say more often than not, no.

15 Q. Okay.

16 A. I do go to him and he does come to me saying where are we at
17 on this, but I can't point much farther than the comments that I
18 have saying where are we at on this or the email that I sent
19 saying hey, can I get an update on this? You said you were going
20 to make a memo, where's the memo?

21 Q. Okay, so now let's go post-accident.

22 A. Okay.

23 Q. Now you say you send it to the COO. Did I get that right,
24 COO?

25 A. COO, yes.

1 Q. Okay, and he sends it to the right person or entity?

2 A. He reviews it and his work flow has been to decide whether
3 that's something that needs to be discussed at some meeting that's
4 beyond my pay grade or if it's something that is not sensitive and
5 can be assigned directly to local leadership right away. Like
6 yeah, we don't need to have the COO vetting that the crew car
7 needs a new bumper, you know?

8 Q. Okay, so the COO makes that decision. Does that give it any
9 more authority to get it addressed quickly? Have you noticed any
10 change in that? Let me ask it that way.

11 A. I have noticed changes happening more quickly and with more
12 umph behind them for sure. I would say as it pertains to the
13 actual architecture of the safety reporting system and what I
14 would like to refer to as full-loop closure, I feel like the
15 genesis of those concerns which is the safety report is the thing
16 that gets forgotten about. The idea is taken out of the safety
17 report and run with and then the report languishes.

18 Q. My last question I think for this round and then I'll pass it
19 off to Sabrina here, can you -- let me rephrase that, I know you
20 can. It's all open door I hear. Do you feel like you have the
21 authority to go to the COO and say hey, you wanted this to go to
22 so and so, they're not responding to me, can you kind of assist?
23 Do you have that -- do you feel like you have that authority or
24 ability?

25 A. I feel like I have the ability to bring up concerns, yeah.

1 Q. Okay.

2 A. I do feel like the process has to be something that is not
3 going to be -- I guess I'm just having to also think of how many
4 things are going on with his -- on his plate right now and
5 wondering are these -- you know, I have to do some mental
6 calculations on what is deserving of his attention and what isn't.
7 But that's a --

8 Q. So you bring up an interesting little point. He's busy.

9 A. Yes.

10 Q. You know, running a business, right? Do you feel like it's
11 taken longer for him to decide what entity that needs to go to and
12 slowing down that process at all with you having to send it to him
13 now versus the way it was pre-accident?

14 A. Yes.

15 Q. By a lot? By noticeable -- kind of help me understand. Give
16 me -- I have to visualize things in my head.

17 A. Okay, I would qualify that statement by saying it's hard to
18 gauge what was timely progressed on these reports pre-accident
19 versus post because I was just not seeing the kind of engagement
20 that I would hope for.

21 Q. Okay.

22 A. So whether it got assigned to the accountable discipline
23 right away or two weeks later, I feel like most of the time is
24 immaterial.

25 Q. Okay, that helps. Let me chew on that a little bit if you

1 will. But do you need a break or anything? Are you doing all
2 right?

3 I will let Ms. Sabrina then ask her wise questions.

4 BY DR. WOODS:

5 Q. I don't know about all that. Did I miss -- how much training
6 did you have for this position prior to assuming it?

7 A. So I had worked in the volunteer position as the site safety
8 officer for Anchorage Base previously. Then I had taken on a
9 program safety officer position, which is kind of a middle conduit
10 for safety. You listen to site safety officer concerns. You
11 escalate those up to the director of safety. So I had a little
12 bit of experience within the safety architecture you now, where
13 Baldwin is. How to open it. How to review a report. I probably
14 had about two -- a lot of it was on the job training but I did
15 have some sessions right in the beginning screensharing with my
16 director of safety, Michael where we went over how these reports
17 get filed, how to make these different spreadsheets, what meetings
18 I needed to be a part of, how to communicate with the different
19 people. We did all as a team in September go down and attend USC's
20 class on their introduction to aviation safety management systems.
21 A two-week class down at USC. But that's about the extent of the
22 formal training at this point on that and then we also are doing
23 different leadership training. Like right now we're in the middle
24 of higher reliability training sessions but that's where we're at.
25 Q. Is that synchronous or as a group scheduled intervals?

1 A. The higher reliability training?

2 Q. Yes.

3 A. It is -- right now they're doing it as a group and they have
4 like I think one or two sessions -- two sessions actually that you
5 can schedule for. So sometimes we're together in the same
6 session, sometimes we aren't.

7 Q. Okay, but it's not self-paced. You have that time that's
8 carved out?

9 A. Correct.

10 Q. Okay.

11 A. Correct.

12 Q. So it sounds like it's a couple things here and there but
13 it's largely been OJT possibly building your own as you go?
14 Choose your own adventure. You're probably too young for that
15 reference. Anyway, do you feel that the training and education
16 you've had so far is efficient to do your day-to-day job?

17 A. I will say this. Because I am someone who likes to figure
18 things out and will learn quickly, it has worked but it has been
19 definitely a sink or swim experience. So I would say in short,
20 no.

21 Q. Well that's good because my next question would be let's say
22 you have a new person coming in off the street who wants to do
23 this. Do you think the structure as it is now is solid enough for
24 that person to be successful? Keeping in mind that you did have
25 experience in the organization prior to assuming this role.

1 A. If I had no previous experience in the organization?

2 Q. Yeah.

3 A. Is that your question?

4 Q. Yeah.

5 A. No.

6 Q. What would you like to see if I gave you a magic wand and you
7 could wish for anything you wanted, what would some big changes be
8 that you would like to see to make it so that your role is
9 successful like ultimately without you having to be you know, the
10 go getter that you are.

11 A. So for my position in particular or for the company?

12 Q. For your position in particular.

13 A. Three words, clearly defined roles.

14 Q. Like written down somewhere you mean, or? I guess I'm a
15 little confused on how did you get hired? Like was there KSAs?
16 Like knowledge, skills, and whatever the A stands for because it's
17 late and I forget. Was there a set list of qualifications that
18 you were given? Like yeah, I meet that. Let's go for this. Or
19 did you kind of happen stance into it?

20 A. The qualifications were I think mainly based on -- I'm trying
21 to remember, sorry --

22 Q. That's fine.

23 A. -- on the letter that I read last year but I believe most of
24 it was desired qualities as far as like you know, they were
25 looking for someone with experience within the company because it

1 was kind of a liaison position. So that was definitely a big
2 asset to be able to know who was who and what departments did
3 what. The experience, like the actual SMS training portion of it
4 was going to be something that was done after hire. You get
5 hired. You go do this course. We're hoping to go back and do
6 several other rounds of courses at USC kind of in stride. So it
7 was not designed to be a director position just someone who helps
8 facilitate data and meetings and mainly a communication channel.

9 Q. I guess what I'm asking is that I understand the qualities in
10 the individual that you would want but what your actual duties are
11 to confirm, are those written down? Before you got hired, are
12 those -- were those written down anywhere?

13 A. Some of them. I would say the interfacing with Baldwin, yes.
14 That was written.

15 Q. Okay.

16 A. Helping talk to your safety officers and facilitate meetings,
17 that was written.

18 Q. So then the next question would be you understanding who you
19 are, you said earlier like who am I to for instance Hawaii. So
20 how are they supposed to know who you are? Is there ORG chart, or
21 a hierarchy, or something they can go look to and go hey, there's
22 this guy and this is what this guy does.

23 A. There was. I believe it's on the latest SMS policy revision.
24 It might be one that's not released yet but has an organization
25 flow chart that shows the interface between the safety officers

1 and the director of safety. As far as how I was introduced. As I
2 got phased into meetings hey everyone, this is Daniel Johnson.
3 He's your new operations safety officer. He will be helping you
4 process your reports and talking to your safety officers. If you
5 have any questions, let him know. And that was my introduction.

6 Q. And you don't know if there's any behind the scenes as to
7 what does that mean to me? What's in it for me?

8 A. Can you restate that?

9 Q. So from the people at the base-level point of view, so the
10 clinicians, the line pilots that are there, do you happen to know
11 if there was any pre-talk -- pre-brief to them like this is what
12 an SSO means to me? This is why this is so important to me. This
13 is why I should care.

14 A. There was -- after we all three got hired, there was a
15 communication put out, a bulletin that talked about our roles and
16 our regions so that was communicated. I will say this. The
17 response from the front line has been positive. They actually are
18 appreciating the level of engagement we have been offering so
19 that's been good. I have had some really good feedback there
20 because we are actually able to respond to reports that come in.
21 Call them up, talk to the submitter, get more details, tell them
22 -- reassure them that you know, that we're not just going to
23 assign it to whoever seems like the owner of it but instead we're
24 going to look at the contents of it and see if that needs to go
25 higher up the chain first. You know, so I have had positive

1 feedback in those interactions. But as far as defining what our
2 role is, I don't know if it was seen as that everyone needed to
3 know that because most people interfaced with their site safety
4 officer or the program safety officer, and that was -- this
5 position is above that as it relates to the front line for the
6 most part.

7 Q. Okay, back to the -- so actually, let's go back to -- you
8 said positive, is that the whole timeline or is that before
9 accident, post-accident that you received positive feedback as to
10 your role?

11 A. Positive, the whole time.

12 Q. Okay, both?

13 A. Yes.

14 Q. Okay.

15 A. Correct.

16 Q. So back to the kind of who am I that you might have
17 encountered in Hawaii. Did -- was it the same in California and
18 Alaska?

19 A. Alaska I had the advantage of having worked there so everyone
20 pretty much knew who I was already. Oh yeah, you're the guy who
21 used to work on the shop floor, you know? And I had worked a
22 swing shift. It was a lot more -- you know, in the evening things
23 are just slower and so I actually got to meet clinicians and
24 pilots, and just know who I worked with which was fantastic, and
25 so the transition there was natural. I had already worked with

1 the program directors to some degree on as a program safety
2 officer. So they knew who my name was. It was a pretty natural
3 transition. California, that one is interesting because it's a
4 blended base so Guardian offers the airplane and Reach is the one
5 with the clinicians there. So I have less of an interface with
6 California because I'm dealing with a subset of one little
7 employee group there and Reach is the one who actually manages
8 that program. So that one's an outlier so I don't have a whole
9 lot of footprint in California just by nature of how the program
10 is designed there. But in Hawaii, there was no previous
11 communication. I learned everyone's name by hovering over their
12 icon in meetings or talking to Michael and saying who was that,
13 you know that spoke up there. So it was a slow process of getting
14 to know who did what in Hawaii and there was definitely no -- I
15 would say there was no positive interaction in the opposite
16 direction of people trying to get to know me.

17 Q. I don't -- I'm sorry, I don't think I understand that.

18 A. Like no one went out of their way in Hawaii to try --

19 Q. Oh, I see.

20 A. -- and get to know me.

21 Q. Okay, no one? Does that include the assistant chief pilot?

22 A. Correct.

23 Q. What about the -- I'm sorry, your titles.

24 A. I know.

25 Q. Speedy Bailey, that person.

1 A. The retail director?

2 Q. No, that's not it then.

3 MS. HILL: The program director?

4 Q. No, not Mark either. Who's the -- wasn't there a Hawaii base
5 safety something?

6 MS. HILL: Derek that we talked to earlier?

7 Q. Yes, Derek. There's been a lot of people. Derek was there
8 before you, yeah?

9 A. Yes.

10 Q. Okay, so no interaction there? I know he's not physically
11 always there. He's in Arizona.

12 A. Correct.

13 Q. And he goes there for nine to ten days out of the month or
14 whatever. But he's also a safety functionary as far as I'm
15 concerned so no interface there either? No hey, let me clue you
16 in on Hawaii-isms?

17 A. I tried initiating contact when I first got the job and that
18 contact that was via email. It went un-responded to and then I
19 tried again in the fall and there was nearly a meeting and that
20 one didn't happen either.

21 Q. Understood, okay.

22 A. The expressed purpose of my email was I would like to get to
23 know you and the structure of your program.

24 Q. I sense some frustration over that.

25 A. Yeah.

1 Q. Okay, let's move into safer territory. You had SMS training
2 at the USC office, right?

3 A. Yes.

4 Q. What is role? Has that been defined? What is your role in
5 Guardians' SMS program?

6 A. I'd fall -- if we're going to talk four pillars or whatever,
7 I'm going to fall more in the assurance. Just kind of the -- and
8 promotion. I do like to get the word out there that we exist and
9 we like your reports and we're actually here to help not get
10 people in trouble.

11 Q. Sounds like an FAA line. Again though, has that been written
12 down anywhere? Has that been clearly defined or is that something
13 you've take upon yourself to do?

14 A. I think most of that is actually defined in the job
15 description.

16 Q. Okay, prior to -- and I know you had not been there doing
17 this function super long. Prior to the accident, we talked a
18 little bit about the quantity of reporting that occurred post
19 versus before. But before were there any sort of complaints that
20 percolated up? Any sort of concerns specifically about the
21 operating environment in Hawaii that you saw come across?

22 A. Only one sticks out in my head. I mean sorry, I do process a
23 lot of data but one does stick out in my head of someone issued a
24 report complaining about just infrastructure. They wished that
25 they had hangars and that the aircraft didn't sit outside and just

1 it was what I call last straw reporting. Where someone instead of
2 bringing up one issue, brings up about eight, so. But the
3 infrastructure was mainly the thing that was the concern there.
4 It's was like hey, I wish we had hangars. I wish we had you know,
5 more maintenance staff. Newer airplanes, you know all that. It
6 just went down the list.

7 Q. How do you handle a multifaceted report like that where it
8 might go to different people to resolve?

9 A. So that was actually a concern I brought up in the fall when
10 we were all having dinners after our classes in LA and we actually
11 did redesign the report a bit to have a different function called
12 collaborative accountable discipline. Because I noticed a lot of
13 them straddled the fence between disciplines or needed multiple
14 people's inputs and some people were just doing keyword searches
15 saying oh, that's for me and none of that other stuff is. And we
16 wanted to definitely encourage cooperation between the disciplines
17 so now we can assign what's a called primary accountable
18 discipline. You own this but p.s. these people are going to be
19 working on it with you. Collaborative accountable disciplines and
20 those are check boxes so I can select as many as I want.

21 Q. Okay.

22 A. So if it's flight ops but maintenance and clinical should be
23 in on it, I can click those boxes and it goes to everyone. So
24 that's one of the things that I noticed right off the bat that I
25 requested that specifically said hey, we need to be able to

1 incorporate everyone because we have a lot of people just saying
2 tag you're it and then backing out of the situation and we need to
3 make this more transparent and more conducive to collaboration.

4 Q. Now post-accident, is there anything that rises to the
5 surface that you've seen that sticks out like that one did before
6 the accident?

7 A. I mainly got a lot of reports from -- it seems to be in my
8 memory, clinicians were just scared to get back on the airplane
9 and wanted to ask a bunch of questions. Some of those things we
10 already have processes in place for and maybe they just needed to
11 be reassured that that was something we were actually thinking
12 about. But mainly what I read between the lines was just people
13 needed to be given a good reason why it was okay to get back on
14 Hawaii Life Flight airplanes. So lots of questions like hey, can
15 we triage patients and make sure that we're not having to do night
16 flights if we don't need to if it can wait till morning. That was
17 a big focus of people's concerns. That came up in several
18 meetings too where people were asking why are we operating when we
19 are operating. Can we put this off. Can we know a little bit
20 more about patient condition. You know, those kinds of things.
21 So definitely some pretty complex issues to tackle and some of
22 those have no easy answer. And then some people were focusing on
23 better crew communication. Communication like coms, headsets,
24 stuff like that. Wanting to just be more proactive. Then of
25 course you always get people asking for simulator training or

1 something thinking they can fly the airplane themselves. Just all
2 sorts of left field, right field suggestions from every angle.

3 Q. That last one with the sim was from clinicians presumably?

4 A. I believe there was one of those, yeah.

5 Q. Okay, for that question about triaging, who would that get
6 assigned to as an accountable discipline? Who owns that?

7 A. That's actually going to be three people. I would say it's
8 actually primarily clinical but that is also going to involve
9 program ops and coms.

10 Q. Okay.

11 A. So program ops is going to know how to relate to the hospital
12 a little better, or the sending and receiving facilitates. Coms
13 is going to be the one actually handling the call later and so
14 they need to be in on that process, and then clinical is just
15 going to be able to actually say the important things.

16 Q. You talked about the regions and sometimes there's a little
17 bit of an overlap, particularly since three of you right now come
18 from different disciplines. So there's a little over lap there
19 but how's your crosstalk? Do you sit down and talk about hey,
20 this is what I'm seeing over here. I might be coming your way
21 next. Things like that? I mean in this instance, one of your
22 regions -- your region -- one of your bases had a major accident
23 about five years ago, six years ago and now there's been another
24 one. I know it's before your time but I'm just saying there's
25 some things to talk about there. So some of the things that

1 you're learning and seeing how much are you passing on to you
2 know, the other two?

3 A. I would say if there's one thing we do really well, it's
4 that. We are -- my two cohorts and I are on the phone with each
5 other all throughout the day. We actually have three scheduled
6 meetings a week where Michael and the three of us get together and
7 just do a check in. So our communication is very much on the
8 regular. And I know some of the issues that Paul is dealing with
9 and that Kara is dealing with, we're actually -- that's my
10 favorite part of the job is that we are actually seemingly natural
11 collaborators between the three of us. So that's very positive.

12 Q. Okay, that's all I have at this moment. I think I'm going to
13 chew on some things.

14 BY MR. ETCHER:

15 Q. Do you need a break before we continue? Are you doing okay?

16 A. I might need some water. Let me just go fill it up.

17 Q. Do you have some?

18 A. I need to go fill up -- thank you, perfect. Then I don't
19 need a break.

20 Q. But you can still take one if you'd like.

21 A. I'm good.

22 Q. You sure?

23 A. Just power through.

24 MR. ETCHER: All right, Ms. Millicent?

25 BY MS. HILL:

1 Q. We also had a hard time finding out what assets and resources
2 were in place where. For the maintenance related Baldwin reports,
3 are most of them coming in from pilots about a maintenance issue
4 on the airplane or are they coming from mechanics?

5 A. I'd say pilots and clinical.

6 Q. Okay, so then would they -- are they still falling under your
7 discipline as maintenance or are they not truly maintenance
8 issues? Are they just perceived maintenance issues?

9 A. So from a safety reporting standpoint, like my previous role
10 as a maintenance technician is only a collaborative asset at this
11 point. It doesn't really directly relate to the reporting.
12 Because once again as it pertains to reporting, I am a data
13 curator and making -- and a data shifter. I make sure that
14 hopefully the right people see the right things. I am not
15 actually helping solve anyone's issues on those reports. I am
16 assigning them. So that being said when it comes to a maintenance
17 issue like that, we do have specific safeguards in place to make
18 sure that hopefully were aren't discovering any maintenance
19 involved discrepancies via an online report because that should be
20 a real-time event. So if you click a little button on there that
21 says is this a maintenance related item. A big flag shows up that
22 says make sure you contact your mechanic or your pilot and it says
23 -- and it actually has a fill in the blank for which person you
24 let know of the maintenance discrepancy first. Because that's a
25 get on the phone now you know, I don't want to find out 8AM on a

1 Monday when I'm checking my email you know, that there was a loose
2 wing bolt. That's not an appropriate Baldwin report. You can do
3 that after the fact but you have to let someone know and we've
4 made that quite clear, and I think for the most part I haven't had
5 issues there. There is a process for that and I tell people --
6 you know, I like one person's statement about that. They said if
7 your neighbor's house is on fire they wouldn't send you an email
8 hopefully, you know? So we treat it that way. Some things are
9 worth the phone call or a knock on an office door. That doesn't
10 discourage you from filing the report. Please do file the report
11 but make sure that's part of your work flow and not how you
12 initiate that process. So I do preach on that soapbox quite
13 often.

14 Q. Who do the maintenance related Baldwin's go to?

15 A. In Hawaii specifically?

16 Q. Yeah.

17 A. So those would go to Cy and then if -- this is a newer
18 development. There was a significant process change that took
19 place in I want to say October about the reassignment of the share
20 reporting system. So previously when anyone in a particular
21 region would hit submit, it would go to a predetermined amount of
22 safety managers in that region. 30 inboxes, ding, so and so has a
23 problem. And thankfully after some audits from GMR and external
24 sources, we got told enough times that there were too many cooks
25 in the kitchen there and we reigned that in. So now it goes to

1 the four of us in the safety team and we decide who gets to see
2 that. So if it's something that could be potentially inflammatory
3 or is actually about a program you know, or about a particular
4 person, those might go higher. So if someone said hey, I really
5 have concerns about Hawaii Life Flight's maintenance program, I
6 would send that George Tannous, Director of Maintenance, and he
7 would determine what to do with that from that point because I
8 don't want the department head to be the -- sorry, the regional
9 maintenance manager to be the gate keeper of that report at that
10 point. I don't find that to be transparent and appropriate.

11 Q. Okay, you've talked in general about the lack of response
12 from the Hawaii Life Flight. Would Cy be in that same category?

13 A. I would say he's pretty quick to respond if he thinks that he
14 shouldn't have been on a report. Why did I get this report and
15 then oops, sorry that was actually a flight problem my bad. You
16 know because I don't always know the process owner. I'm sure you
17 have learned that we have a lot of different titles and a lot of
18 different roles and it's not necessarily always congruent across
19 regions. So sometimes I've warned them that's -- I tell them
20 that's not a static field when I assign accountable discipline.
21 Don't go crazy. I can go change it. Just let me know who the
22 right person is. I'm still learning everyone's name too but he
23 would provide fairly timely responses on the reports if there was
24 an issue, yes. I didn't have a whole lot of -- actually no one on
25 one interaction with him though. In fact, that wasn't defined as

1 something that we needed to be doing.

2 Q. I know you worked in the Anchorage shop. Do you have much
3 knowledge of the culture or the vibe of the Hawaii maintenance
4 shop?

5 A. I do not.

6 Q. Okay, that's all.

7 MR. ETCHER: All right, are you good?

8 MR. JOHNSON: Yeah.

9 MR. ETCHER: Okay, Mitch?

10 BY MR. MITCHELL:

11 Q. Which airframe did you work on up in Alaska?

12 A. B200, Air 45, and our one Caravan that would come through
13 town every now and then, C208.

14 Q. Okay, so I'm going to ask you a question pre-accident. Any
15 recurring safety themes pre-accident?

16 A. Airframe specific? Region specific?

17 Q. Let's just go with your three states there for your region,
18 yeah.

19 A. Recurring themes, we did have -- pretty early on we
20 recognized that there was enough reports to raise an alarm of life
21 port sleds and spectrum sleds not being fully engaged before
22 flight. Which could involve dumping the patient into the aisle or
23 just it being dislodged and having to finagle it back in. So we
24 issued a bulletin on that where I gathered a bunch of -- my whole
25 team gathered all the reports that had come in about that. We

1 took pictures of the locking mechanisms on everything, and created
2 a procedure for shifting the sled back and forth, and verifying
3 that it was indeed locked. So that was probably the most
4 stigmatic thing we came across as far as like actual they, there's
5 a trend let's get a head of it in recent history.

6 Q. That was pre-accident?

7 A. Pre-accident, correct.

8 Q. Okay, how about post-accident?

9 A. Post-accident trends, lately its people complaining about
10 risk assessments. Everyone has their own opinion about how that
11 should look.

12 Q. How would you describe safety culture pre-accident?

13 A. Pre-accident safety culture, region specific?

14 Q. Let's just say Guardian Flight.

15 A. Give me a moment, I'm trying to think of the best way to
16 describe it.

17 Q. Okay.

18 A. Good intentions, clunky execution.

19 Q. Okay, post-accident? Same words?

20 A. It's good intentions, clunky execution.

21 Q. Okay, how many times have you been to Hawaii since being in
22 your position?

23 A. Zero, I had a trip scheduled.

24 Q. Huh?

25 A. I did have a trip scheduled but there would be no room on the

1 airplane that was going between islands, so.

2 Q. How many times have you been to California for your -- since
3 your new position?

4 A. Zero.

5 Q. Since you live in Alaska you get to visit the Alaska one?

6 A. I am in the Anchorage base quite a bit, yeah.

7 Q. Okay, fair enough.

8 A. Yeah, as I've stated before, the main plan for my travel was
9 going to be once I developed more audits, go around and train site
10 safety officers at different bases and also get to meet and greet,
11 so.

12 Q. Do you feel empowered in your job?

13 A. By some.

14 Q. Okay, do you feel you've been given the appropriate training
15 tools and resources to be successful in your position?

16 A. No.

17 Q. Okay, I have no further questions. I'm good.

18 BY MR. ETCHER:

19 Q. Are you doing all right? Round two is always quicker.

20 A. Yeah.

21 Q. You don't need a break? You're doing okay?

22 A. Yes.

23 Q. You've answered a lot of my questions and helped me answer
24 questions I didn't even realized I had until you started talking
25 so I appreciate that. I have just a few questions. Do you know

1 who created your position?

2 A. I only have assumptions.

3 Q. Okay, in your opinion who created your position?

4 A. Michael.

5 Q. Okay, in your opinion, do you know why your position was
6 created or maybe factually? Your choice.

7 A. He couldn't handle it all himself.

8 Q. Okay, factually or opinion? Sorry, was that the answer of
9 yours, was it a fact or was it an opinion?

10 A. I would say that's a straight up fact.

11 Q. Okay, I just want to make sure I understand so when I'm
12 reading this in a few months I'm like, okay.

13 A. Yeah.

14 Q. All right, perfect.

15 A. It came -- I'm not sure of the conception of the position but
16 I at least know that the announcement of the position was not long
17 on the heels of his SMS manager. I believe was her title, Tara
18 Medina, stepping down.

19 Q. Okay, your states that you cover, do they do -- I think you
20 said up in Alaska you the Leer, the B200, the once and every now
21 again Caravan, and then Hawaii has the C90. Helicopters in those
22 states I assume?

23 A. Not Guardian Flight operated.

24 Q. Okay, how about California?

25 A. PC12.

1 Q. PC12, so you kind of covered the full spectrum of fleet.

2 A. Literally every airframe we have to offer.

3 Q. Okay, does that seem daunting to you?

4 A. Not for what my position ostensibly entails.

5 Q. Okay, all right. Great answer. Big word, but that was a
6 great answer. I know you had said after the accident that you
7 were getting all sort of reports, some clinicians likely even
8 requesting sim time. Was that all strictly Hawaii or did you get
9 it from the Alaska base and the California base also?

10 A. The uptick was specifically for Hawaii.

11 Q. Okay.

12 A. Normal -- I would say normal flow of reporting for the other
13 regions.

14 Q. All righty, and then you talked about how great you and your
15 other two counterparts and Michael communicate. How do you get
16 that ability of communication out to the rest of GMR, or can you?
17 I mean, you guys learned how to do it.

18 A. I would say that is where complete culture shift has to
19 happen and I just -- I view it this way. We're not going to
20 invest time and effort into something they don't understand or
21 don't see value in.

22 Q. Okay, all right. That helps. The last two questions I have
23 and then I'll ask Sabrina. I know you used to work the line
24 before you got this position. Do you have the ability to go back
25 and work the line every now and then just to -- I don't want to

1 say keep your skills up but kind of get out there and be one of
2 them you know, to give you that more credibility? Do you have
3 that ability at all or are you off the line and no line for you?

4 A. No, logistically that would be a nightmare as far as
5 maintaining currencies, maintaining training. I know it's even
6 more rigorous for clinical and for flight but even for maintenance
7 there's regular training intervals and things you need to stay on
8 top of. So it would actually be an undo hazard to have me popping
9 in every now and then and doing some work.

10 Q. Okay, well stated. Makes sense. Last question I have.
11 You've been in your current position -- I tried to do math but do
12 to lateness of the hour I want to say about nine months give or
13 take?

14 A. Yeah, getting there.

15 Q. Okay, and you've done some training?

16 A. Yes.

17 Q. But if a COO came up to you tomorrow said Daniel, what
18 training do you need to do your job? I'll approve it. You just
19 tell me what it is. What would your words of wisdom to him be?

20 A. I'll just be honest with you. At this point I do not find me
21 or any of our team members at a limitation right now as to our
22 abilities and that's not to say that if someone tried to take my
23 position tomorrow, I'd be able to tell them exactly what I do and
24 how I do it. The biggest barrier I run into is not a knowledge
25 and capabilities limitation, it is communication. Communication,

1 communication, every time. So if there was a class to learn how
2 to communicate and persuade more eloquently and more effectively,
3 that's the one I'd want to be signed up for because I can learn
4 all of the jargon all day long and it's going to go right over
5 everyone's head at this point. People need to know why it's
6 important. Why what we're talking about is important and why it's
7 worth the time and until that is conveyed, then I have my work cut
8 out for me already.

9 Q. Okay, that was my last question and I appreciate the time
10 you've given us tonight but we'll go around and make sure Sabrina
11 gets her questions answered. Ms. Sabrina?

12 BY DR. WOODS:

13 Q. In the role according to Daniel, why is it important?

14 A. Communication?

15 Q. Why what you do is important. So you said if there's -- if I
16 could communicate more effectively and get them to understand why
17 it's important.

18 A. Oh, yeah.

19 Q. So I don't want Guardian's answer to you why it's important.
20 I want Daniel's answer to why it's important.

21 A. Absolutely, this might be a fairly long-winded answer. The
22 short answer is I believe what I do is important because I can see
23 things from a different perspective having come from the line and
24 I can help communicate those up and down, and I think that that's
25 really important. My long-winded answer that's -- I'm sorry, the

1 articulation there was terrible. My long-winded answer is really
2 communication is at the center of all this. Knowing why we need
3 to talk to each other, why we need to work as a team, why that is
4 so important and integral to a healthy SMS. I view my position as
5 -- in some way like helping connect synapses and say hey, you
6 should talk to this person or hey, you should know about this
7 going on over here, or oh, I have a resource for that, or
8 information for this. And not that that's not necessarily a
9 defined role of mine where I was told that I would be you know, a
10 resources junkie but that's what people need. They need to know
11 how to get the information that will help them do their jobs
12 better and also help protect them and their colleagues. But it
13 starts with good communication. And I view the lack of -- I view
14 any lack of communication as an unknown risk because there's
15 things out there that you might should know. And that is -- I
16 don't understand why you wouldn't want to know what the department
17 next to you is doing and how that relates to your department. Or
18 what the region next to you is doing and maybe the issues they are
19 having is something you've already figured out and you can help
20 them. So I view that as maybe not my explicit role but one of the
21 things that I try to do is have an ear to the ground and say that
22 reminds me of this thing that happened over here. Here's what we
23 did to fix it or I think you should talk to this person, they have
24 a good answer for you.

25 Q. So as you see it right now then, is the challenge like A, a

1 lack of understanding? B, a general resistance to change? Or
2 three -- nope, I'm tired. C, mistrust in the system that has been
3 established to guide them on a path? Or D, all of the above?

4 A. I'd a confusing cocktail of all of the above.

5 Q. Okay, but where would you weight it the most right now
6 between A and C?

7 A. Resistance to change.

8 Q. Okay.

9 A. A lot of change.

10 Q. Okay, I am almost positive it was you. You said you had had
11 some communications post-accident, a little more communication
12 with Mark Leggett out of Hawaii Life Flight. Is that accurate?

13 A. That's correct.

14 Q. Have you had the same level of communication post-accident
15 with Kaleo?

16 A. No, I will say a majority of my interactions post-accident
17 with the Hawaii crew has been with Mark Leggett and Derek Boehm to
18 help getting site safety officers recruited.

19 Q. Okay, from your counterparts in the other regions, how much
20 interaction do they have with assistant chief pilots within their
21 regions?

22 A. I'm not sure on that, but definitely more than what I'm
23 getting.

24 Q. Out of Hawaii?

25 A. Mm-hm.

1 Q. Okay, and I know you said California is a bit of an outlier.

2 A. Yes, but actually I've already had a positive interaction.

3 There's a new ACP over the area and he already reached out to me

4 saying he'd like to get to know me. Fantastic. Great.

5 Q. And Alaska is a little bit moot because you came from there.

6 A. Yeah.

7 Q. Okay.

8 A. But the -- I had -- I'm not sure what to make of this but I

9 have been forewarned that Hawaii was -- it takes a long time to

10 earn trust and credibility there. So I had very little

11 understanding of how tough that nut would be to crack but

12 definitely even what I viewed as proactive communication from my

13 end was not reciprocated.

14 Q. Why do you suppose that is?

15 A. I don't know. I think the resistance to change. They don't

16 want -- I don't know. Maybe it's that some of these brands don't

17 want to be part of the 38,000 employee company right now. Maybe

18 they want to just envision that things are still the way they used

19 to be when they were the mom and pop operator. I don't know. I

20 can only conjecture.

21 Q. Thank you for clarifying that.

22 A. Yes, that was an opinion.

23 Q. Okay, I think that's all I have. Thank you for your time.

24 This has been definitely very educational for me. Millicent?

25 MS. HILL: I'm good.

1 DR. WOODS: Mitch?

2 BY MR. MITCHELL:

3 Q. I just have a couple of questions. You said how many
4 employees?

5 A. GMR?

6 Q. Yeah.

7 A. 38,000.

8 Q. Do you understand your organizational chart?

9 A. To what level?

10 Q. I mean just that who reports to you? Who you report to?

11 A. Within Guardian --

12 Q. Who's your peers.

13 A. I have a fairly comprehensive knowledge of Guardian's chart.

14 Q. Okay.

15 A. It gets a little hazy on the clinical side but I can't even
16 straight answer out of them sometimes. But no, as far as it
17 relates to the aviation house and program ops and all that, yes.

18 Q. Okay.

19 A. Very -- I do understand that organizational chart.

20 Q. Do you feel like you fully understand your role and your
21 position?

22 A. Yes, I would say I do. Like I said we also are evolving as
23 to what gaps need to be filled and where I can help, so I have had
24 to be flexible.

25 Q. I'm good.

1 BY MR. ETCHER:

2 Q. You're good, okay. Well Daniel I know we've asked you a ton
3 of questions and we're always so fearful that we could ask you
4 1,000 questions but it's that 1,001th question that might have
5 been helpful. Is there any question you can think of that you
6 thought coming in here today oh, they're going to ask me all about
7 this, and we didn't?

8 A. I think we hit on everything I was expecting to come across,
9 yeah.

10 Q. Well you have my card so if something comes up in your brain
11 -- you know, I don't care if it's tonight, tomorrow, a month from
12 now. Let me know. Let any of us know because we -- it's those --
13 I don't even want to call them little things but they all help us
14 piece it all together. We will respond. We'll communicate it
15 back with you but please reach out and let us know if there's
16 something you think about. Oh, I wish they would have asked this.
17 I just thought of it. It's okay. Let us know, because we need
18 all the information we can to make sure we understand the complete
19 puzzle here and get a good picture out of it. But with that, we
20 will call this interview concluded at 19:58 local and thank you
21 very much.

22 (Whereupon, at 7:58 p.m., the interview was concluded.)

23

24

25

CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: RAYTHEON AIRCRAFT COMPANY
 FATAL ACCIDENT NEAR KAUPU, HAWAII
 ON DECEMBER 15, 2022
 Interview of Daniel Johnson

ACCIDENT NO.: ANC23FA008

PLACE: South Jordan, Utah

DATE: March 21, 2023

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.


Keeley Rupert
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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RAYTHEON AIRCRAFT COMPANY FATAL

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ACCIDENT NEAR KAUPU, HAWAII

*

ON DECEMBER 15, 2022

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Interview of: MICHAEL KOENES, Director of Safety
Guardian Flight

South Jordan, Utah

Tuesday,
March 21, 2023

APPEARANCES:

SHAWN ETCHER, Operational Factors Investigator
National Transportation Safety Board

DR. SABRINA WOODS, Human Performance Investigator
National Transportation Safety Board

MILLICENT HILL, Investigator-In-Charge
National Transportation Safety Board

MITCH MITCHELL, Aviation Accident Investigator
Federal Aviation Administration

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I N T E R V I E W

(3:00 p.m.)

MR. ETCHER: Good afternoon. It is 15:00 local time. My name is Shawn Etcher. I'm an Operational Factors Investigator with the NTSB. My role is to look at everything kind of forward of the cockpit door and everything that deals with the pilot.

I'm here with some of my colleagues. I'm going to have them introduce themselves to you as well, so you know who you'll be dealing with today. And we will start with Sabrina.

DR. WOODS: Hi, Michael. Dr. Sabrina Woods. I'm the Human Performance Investigator that's been assigned to this case. My job essentially, is to look at everything that makes up the operation and how it interfaces with the people who are part of that operation. So, I'll be taking a look at everything that makes it work well and also do an assessment on anything that might detract from it working well.

MR. ETCHER: Thank you.

MS. HILL: Millicent Hill, NTSB Investigator in Charge.

MR. ETCHER: Mitch.

MR. MITCHELL: Mitch Mitchell, Aviation Accident Investigator with the FAA with the Office of Aviation Safety and Accident Prevention here strictly for safety investigation. No way, shape, form, fashion involved with enforcement action at all.

MR. KOENES: Are you out of Washington?

MR. MITCHELL: Yes, sir.

1 MR. KOENES: Okay.

2 MR. ETCHER: So, that's everybody that'll be interviewing you
3 today and talking with you today. Just for your knowledge, as you
4 can see, we have a recorder going. We will be recording this
5 interview. We'll send that recording off to be transcribed. That
6 transcript itself will become part of the public docket when this
7 case opens up, but the recording will not. So, is it okay with
8 you for us to record and transcribe?

9 MR. KOENES: Yes.

10 MR. ETCHER: Thank you. As part of our regulations, any time
11 anybody's being interviewed by any of us from the NTSB, you have
12 the right to have a representative present with you if you wish.
13 We see you came in here all by yourself. So, I assume you don't
14 want a representative at this point?

15 MR. KOENES: That is correct, yes.

16 MR. ETCHER: If that changes, feel free to say something.
17 We'll hit pause. You can -- we'll leave the room if we need to,
18 you can phone a friend, whatever you wish to do. But know full
19 well that that is an option for you.

20 Just a few ground rules before we start. During this whole
21 process, if I ask a question and you have no idea what I'm asking
22 about, it's okay to ask for clarification. Things in my brain
23 sound one way they come out of my mouth entirely different
24 sometimes. So, don't hesitate. If you give me an answer I don't
25 quite understand, I'm going to ask a little clarifying information

1 so I can understand your answer. So, it's a two-way street.

2 If you need a break at all, say so. We'll take breaks. I
3 try and -- before we pass it off to everybody, I try and ask if
4 you need a break. But please, if you need a break at any point,
5 just say so. We will hit pause. Take a break --

6 MR. KOENES: Thank you.

7 MR. ETCHER: -- and come back. Typically, we do two rounds.
8 I'll usually start, ask a lot of questions and I'll pass it around
9 the table. That way we don't interrupt the other person's line of
10 questioning nor add confusion to you as to who do you actually
11 answer to.

12 And then the most important rule I always say is if we ask a
13 question and you don't know the answer, I don't know is perfectly
14 fine. I always tell pilots this is not a check ride. We're just
15 here for facts, and all the facts we can get the better. If you
16 have an opinion, just tell us it's your opinion. We'll ask you a
17 question. Sometimes we ask for your opinion, but we just want to
18 make sure when we read the transcript later on that we can
19 differentiate between fact and opinion. All righty?

20 MR. KOENES: Okay.

21 MR. ETCHER: Clear enough?

22 MR. KOENES: Clear.

23 MR. ETCHER: All righty.

24 INTERVIEW OF MICHAEL KOENES

25 BY MR. ETCHER:

1 Q. I always start all interviews with the toughest questions
2 first. Get those out of the way. So, please, if you could state
3 your full name and spell your last for us, that'd be helpful.

4 A. I can do that. Michael Wayne Koenes, K-O-E-N-E-S.

5 Q. And how old are you, Michael?

6 A. That's a tough question.

7 Q. I told you, these are the tough ones, they'll be a little
8 tougher for the moment.

9 A. 61.

10 Q. All righty. And what is your job title?

11 A. The Director of Safety for Guardian Flight.

12 Q. And what does director of safety for Guardian Flight, what
13 does that entail? What is your job duties? If you can capture
14 them all, even part of them.

15 A. That's a pretty broad statement. I view my responsibilities
16 first and foremost as the safety around the aircraft, anybody
17 involved with the aircraft, clinical, maintenance, pilots. And
18 coupled with that is establishing a Safety Management System for
19 the organization, trying to get into the volunteer program, the
20 active conformance.

21 Q. Okay.

22 A. There's a lot in there. I don't know --

23 Q. Okay. Okay. That's all right. That kind of gives me a nice
24 broad stroke of your job. We'll get into probably some details as
25 we go. How long have you worked at Guardian Flight?

1 A. I've been with Guardian Flight three years and a couple of
2 months.

3 Q. And as a director of safety required to hold any pilot
4 certificates or anything along that lines.

5 A. No.

6 Q. Do you hold any?

7 A. Private pilot with an instrument rating.

8 Q. Okay. Well, that's a certificate and rating, so excellent.
9 So, kind of in a cliff notes version, if you will, give us a
10 little bit of your aviation -- how did you get into director of
11 safety? Help me just kind of -- cliff notes version. How do you
12 get into this?

13 A. Do you want my entire career or just how I got into safety?

14 Q. Whatever is best for you.

15 A. I've been, I've been in aviation for 41 years. I started out
16 in the Air Force as a maintenance person. Used the GI Bill, got a
17 master's degree -- or a bachelor's degree first. My pilot's
18 license. Did that. I left the military and joined the
19 aeromedical industry, and I've been doing that for 21 years.

20 And my previous employer I was a -- what was I? I was the
21 repair station manager. And in that process, they established
22 with the Safety Department, they established an accident review
23 board. And they asked me to be part of that. And as part of
24 that, the then director of safety for that company felt like I
25 would be a good fit in his department and offered me a job in

1 safety. And I loved it. So, I took the job in safety and then
2 went on to get a master's degree at Embry-Riddle Aeronautical
3 System Safety. And I've been doing it ever since.

4 Q. Okay. Excellent. Sounds like a wide range career that kind
5 of pigeonholed you into this position, so excellent. All right.
6 So, here at Guardian, who do you report to? Who is in your chain
7 of command?

8 A. The Chief Operating Officer for Guardian Flight Jared
9 Sherman. And then I have two bosses. Jared is my solid direct
10 report. Or I report directly to him. And then I have a heavy
11 dotted line to the Vice President of Safety at the GMR level, who
12 is Tom Baldwin.

13 Q. How often do you interact with either or both of them?

14 A. Well, at a minimum, Tom Baldwin, every two weeks. Jared,
15 with various meetings at least once a week with just different
16 programs that we've set up, different groups that we have.

17 Q. All right. Excellent. So, I'm going to start digging just a
18 little bit deeper into the Hawaii Life Flight accident that
19 occurred right ahead of Christmas. How familiar are you with that
20 base out there? How often would you have -- prior to the
21 accident, how often did you interact with that base?

22 A. You would have to define interact. Physically going to the
23 base or -- we have --

24 Q. We'll start with, how often did you go out to Hawaii to visit
25 the folks at Hawaii Life Flight?

1 A. In the three years that I've been here, I've been out there
2 two or three times. But they have a program safety officer that
3 is out there that we meet monthly. We have -- the Safety
4 Department meets with all of the program safety officers monthly
5 to just talk about issues, concerns that they've gleaned from
6 their bases. And we bring that to that roundtable and have those
7 discussions and see if other bases have had the same issue or, you
8 know, it's just really a brainstorming kind of meeting.

9 Q. Is that just for the Hawaii Life Flight group, that
10 roundtable, or is that all the other entities under Guardian?

11 A. It's -- yeah, there are 12 program safety officers. So, we
12 would all come together.

13 Q. Forgive me. Maybe it's late in the day or something, my
14 brain -- the 12 safety officers, are they all Hawaii Life Flight
15 safety officers or the safety officers for other subsidiaries as
16 well?

17 A. Right. So, Hawaii was a bit unique. Hawaii only had one for
18 all of the bases out there. And that's typically what we do is
19 that we don't exceed ten bases for a program safety officer. So,
20 we have Hawaii as a program. Alaska is a program. Wyoming's a
21 program. Four Corners is a program. So, each one of those
22 programs has a program safety officer. But they don't have more
23 than ten bases of oversight. And then they meet with their -- the
24 site safety officers at those bases.

25 So, when you ask how often I interacted with them, we

1 interact monthly with the Hawaii program.

2 Q. Virtual interaction?

3 A. It is. And twofold. We have -- I meet with the program
4 safety officers and then we have a safety leadership call that we
5 meet once a month as well to discuss any open reporting or the --
6 we have a Baldwin system. So, we discuss any incidents or reports
7 that have been submitted for that program.

8 Q. And is that Baldwin system, is that named after the vice
9 president?

10 A. No.

11 Q. Ah, you just said --

12 A. No relation. No.

13 Q. Okay. I just thought I'd ask. Sorry, it was just curiosity.
14 All right, so thinking back and maybe it's been a while, maybe
15 not, what is the last time you went out and site visited with the
16 Hawaii Life Flight?

17 A. Trying to pinpoint -- prior to the accident, the director of
18 operations, the chief pilot and myself, went on a tour and visited
19 all of the bases, talked about, you know, where Guardian Flight
20 is. I gave, you know, the SMS. Here's what we're trying to do
21 talked about ASAP. I want to say that was two years ago.

22 And then about a year ago we went on a campaign of the same
23 thing. We had a rash of events, so we just kind of wanted to
24 pause and get in front of, you know, what the expectations were
25 within the organization. So, we had a presentation, took about

1 two hours, and we hit every base. We didn't go to every base, but
2 we had either bases come to one location or then we had various
3 bases within Hawaii. So, I can't put an exact date on that, but
4 it's been within the past year, prior to the accident.

5 Q. You mentioned your campaign two years ago was talking about
6 ASAP and all that. You guys have an ASAP program.

7 A. We do.

8 Q. How effective -- or how well do you think that's been
9 received by the pilots?

10 A. It was rough at first, but it's starting to catch on. We
11 have a phenomenal ASAP manager who is very diligent. He picks up
12 the phone, calls people. So, there's a really building a comfort
13 trust level between the pilots and the Safety Department. I think
14 it's going quite well.

15 Q. So, does it have an event review committee as well?

16 A. It does.

17 Q. Who's on that? And you don't have to give me names, just
18 positions or --

19 A. So, we set it up, like, as if we were unionized. So, we have
20 the FAA representative, Flight Ops maintenance, and then we have a
21 company representative, Flight Ops maintenance. And then we went
22 through a process of a nomination process. We sent out a survey
23 to all of the pilots and to all of the AMTs, and said, hey, who do
24 you want? We explained the whole program. Who would you like to
25 represent you in lieu of union? So, we have a pilot and the

1 maintenance representative for the ERC. We have primary and
2 alternates.

3 Q. And is the FAA person for the ops side, is that your POI, or
4 is it --

5 A. Yes, POI, then the -- it has been the PAI for the longest
6 time because they didn't have a PMI. But that's recently changed.

7 Q. How often does the ERC meet?

8 A. Monthly, at a minimum. We have ad hoc meetings. We had a
9 spell where we had to do some catch up because FAA didn't have the
10 support, we didn't have the support. So, we got behind on the
11 reports. So, we had several additional meetings, ad hoc meetings,
12 so we could catch up and get those reports processed. So, at a
13 minimum, monthly.

14 Q. Just a ballpark, if you can give me a ballpark number, how
15 many reports are received into the ERC in a month?

16 A. Less than ten, on the pilot side. It's hit or miss on
17 maintenance. There are months that we don't get any reports, but
18 we'll get one or two. So, ratio wise, maintenance is a lot lower
19 than the Flight Ops.

20 Q. All right. And those are reports that come in, is the
21 information in them -- I know de-identified and everything -- but
22 is the generic version of that -- issues, if there were issues in
23 those reports, is that in a generic term sent out to all pilots to
24 learn from?

25 A. Absolutely. We have our monthly report and then we have a

1 quarterly report, but the ASAP manager breaks it down. Here's
2 what we found and here's what we're doing about it. Here's
3 communication relative to those events. And part of the ERC, if
4 they make a recommendation that the company needs to produce, you
5 know, some kind of training or communication, then it comes
6 through the Safety Department. And we're the ones that post it on
7 the Baldwin system.

8 Q. Kind of high level, if you will. What are some of the things
9 that have been posted out from the ERC to pilots at large or
10 mechanics at large?

11 A. The biggest thing is pilot altitude deviation. And then
12 we've had a rash of pilots just either towing the aircraft into
13 objects or taxiing into objects. So, those are kind of the big
14 ones.

15 Q. Okay. So, you perked my interest just a little bit. Sorry,
16 but taxiing into objects, how did the ASAP, or maybe your
17 department, how did you guys address that issue?

18 A. We put together town hall meetings and we hit the road and we
19 visited every single solitary base and gave that to our
20 presentation to say, hey, here's the percentage of events here,
21 the events that we've had in the last two years, this percentage
22 are pilots doing stuff, and we wanted to focus on that.

23 But it was really more about, look, we're in the emergent
24 industry. Yes, emergent care, somebody needs our help, but it
25 doesn't mean we cut corners. It doesn't mean we rush. It doesn't

1 mean that we do things as fast as we can. We don't skip the
2 safety piece, you know, slow down, take a breath and do what
3 you've been taught to do.

4 Q. You went to every base. How many bases does Guardian Flight
5 have?

6 A. 47.

7 Q. And at those 47 bases, from your perspective, how was your
8 talk received? Was it open-armed? Was there, I won't say
9 anxiety, but was there concerns?

10 A. It's just like anything else. You have both ends of the
11 spectrum. People really appreciated it, and they like the fact
12 that we're drawing attention to it. And other folks are like, why
13 are you here, just let me do my job. That kind of thing. So, for
14 the most part, I felt like that was well received. We got
15 compliments and folks thanking us for coming out.

16 Q. When you went for those town hall meetings or whatever you
17 want to call them at the bases, was it -- were pilots required to
18 attend it or was it volunteer, you can come in if you wish. Or
19 did you require every pilot to attend?

20 A. We required the base to be taken out of service and everybody
21 to attend. So, it wasn't just pilots and EMTs, but it was the
22 whole base. We just kind of laid out. We had an Excel
23 spreadsheet of the events that have occurred in the past two
24 years, and we kind of -- we didn't go through all of them, but we
25 had the highlights of some of them that caught our attention, and

1 just we have what we call a high reliability kind of process.
2 When you look at, you know, effective systems or resilient
3 systems, and then we give them a high level education on what
4 we're looking for from a high reliability.

5 So, then we would explain the event that occurred, and then
6 we would ask them, so, how would you rate this? You know, was
7 this a human error event? Was this -- just kind of went through
8 the whole dynamics of getting their input on, was this neglect,
9 was this, you know, intentional disregard? So, really tried to
10 open the dialog to get their perception of what those events --
11 tried to get them to connect with what we were trying to
12 communicate to them relative to in a high reliable system, what
13 failed that this pilot hit a light pole on the ramp when he was
14 taxiing, and that kind of thing.

15 Q. Now, you took the whole base out of out of service. Did the
16 clinicians attend also?

17 A. Yes.

18 Q. And how did -- I don't want to say, how did they receive it,
19 but was it eye opening, scary to them, hearing about all the
20 issues? Or I shouldn't say all the issues. That made it sound
21 like a lot. I'm just -- of issues that maybe they weren't aware
22 of.

23 A. I don't -- repeat the question. How --

24 Q. How did they receive all of this information? Did it kind of
25 scare them? Did it concern them? Because you're drawing

1 attention to things that have happened that didn't go according to
2 plan. And, you know, they may not have been aware that that does
3 happen.

4 A. I don't know that that scared them. I think it was eye
5 opening that things are happening that, you know -- and it wasn't,
6 you know, this base specific. But I think it was interesting for
7 them to see Guardian Flight as a whole, the different activity and
8 things that we're challenged with.

9 Q. Okay. The accident King Air had a camera on board. Do you,
10 as director of safety, do you look at that video at all?

11 A. Nope.

12 Q. Any -- you say no, very clearly. Is it required that you do
13 not look at it or is it your personal request not to look at it?

14 A. It -- the idea of having the cameras put in the aircraft
15 without having a program wasn't the best decision the company made
16 to where you have data, but there's nothing behind it to analyze
17 it, to do anything with it, to download it, to store it. So, it
18 was, it was one of those that it's there, and it was our
19 understanding that once the card was full, then it quit recording,
20 but it still had a hard memory.

21 So, there was -- we didn't have a process in place to pull
22 the card out and do a logbook entry, swap them out, send them
23 anywhere, upload them anywhere. So, there wasn't an actual
24 process to do that. And I did not pursue that.

25 Q. So, was there a reason they put the cameras in then? If

1 there was no process to store, analyze, look at the video, was
2 there a reason they actually put them in?

3 A. I don't know the answer to that question. That happened --
4 that started happening before I came on board. So, I don't know.

5 Q. I don't know works just fine.

6 A. I don't know. I don't know the rationale behind that.

7 Q. Okay. No problem. Perfect. Let's start digging in just a
8 little bit to the accident flight.

9 A. Okay.

10 Q. I know the accident airplane, were you familiar with that
11 airplane at all from a safety standpoint? Was there complaints
12 about that airplane at all that you're aware of?

13 A. Not prior to the accident, no.

14 Q. So, post-accident, were there complaints about it?

15 A. Post-accident hearing from -- we have received more reports
16 in the last month relative to autopilot failures, DPU failures,
17 EFIS failures that we had not received before, ever.

18 Q. On the accident airplane or on the fleet, the C90s in
19 general.

20 A. No, no. You just C90s in general. So, not specific to that
21 aircraft saying, hey, this has happened all the time, but it's
22 more of just communicating, you know, and that's where Jared
23 Sherman comes in. Positive, non-punitive reporting culture, you
24 have to tell us. The sense of it's okay to write up a
25 discrepancy. We fly aircraft, they break. You know, write things

1 up, let us know to fix them.

2 So, since that, and even more after the most recent accident,
3 we're getting more and more of those dual EFIS failure on takeoff,
4 that kind of stuff.

5 Q. So, I'll go with your opinion here. If you can give me your
6 opinion, what is the reasoning for the uptick all of a sudden in
7 reports?

8 A. In my opinion, there are several things. I think the
9 biggest, in my opinion, the biggest thing for Guardian Flight is
10 Jared Sherman and his demand for transparency and his demand to
11 just express those things and to establish a different culture
12 than we've had in this organization before.

13 I think that in my opinion, I think that people are seeing a
14 shift in Guardian Flight and they're trusting the system. They're
15 trusting the Baldwin reporting culture. They're starting to --
16 and I think that maybe they recognized that they might be holding
17 on to a piece of something, a piece of information that the
18 company needs to act on. If we don't know aircraft keep breaking,
19 then how do we act on that? But in my opinion, I think it's more
20 about the leadership for Guardian Flight and the direction that
21 he's demanding that we go.

22 Q. How long has he been in that leadership role?

23 A. January 1st of 2023.

24 Q. All right. So, prior to the accident flight, if a pilot
25 wrote something up, I mean, it sounds like they were hesitant to

1 maybe draw attention to a mechanical issue. Was there any
2 rationale behind that that you've been able to determine? Or was
3 it, you know, I mean, I assume pilots don't necessarily like to
4 fly with inoperative things any more than they have to.

5 A. Could you repeat that?

6 Q. Well, that's going to be tough. No, just kidding. So, prior
7 to the accident, pilots obviously -- I shouldn't say obviously, it
8 appears pilots were hesitant to write up mechanical issues with an
9 airplane. Have you kind of determined, assessed why that might
10 have been. Were they afraid of being punished? That's a bad word
11 to use. It's the only way I can come up with though.

12 A. Well, I think that's kind of speculation in that they
13 weren't. I can, I can guarantee you from a director of
14 operations, chief pilot, director of safety, there was never any
15 pressure to not write stuff up. There was never any pressure to
16 take a flight. Right? So, I don't see that.

17 And then again, in my opinion, you have to look at the
18 perception, right? Your perception of pressure and my perception
19 of pressure are two different things. If I ask you question, I'm
20 not pressuring you to do one thing or the other. I'm asking you a
21 question. There are some that when you ask them a question,
22 you're challenging their decision making, you're challenging their
23 authority. Right?

24 So, for me to say that our pilots feel pressured, I don't
25 know where it would be coming from. It's not coming from this

1 building. It's not coming from the 119-ers or myself. But again,
2 you guys have been doing this a long time. That self-imposed
3 pressure could possibly exist, and I don't know about it until
4 somebody says something. And if they don't say anything, then I
5 don't know. Right?

6 Q. Right. Okay. That helps. So, let's talk about the accident
7 flight. We understand that Brian had to fill out a risk
8 assessment form as well as the two clinicians. Do you remember,
9 when they fill that out, do they transmit that somewhere or is it
10 just they fill it out on paper and then -- kind of help me
11 understand who do they tell their risk assessment number value?
12 Who do they tell that to, or do they?

13 A. They would communicate that to the communication center, the
14 communication specialist. They would communicate how many souls
15 on board, if you will, and what their risk level was.

16 Q. Do you remember hearing any risk numbers for that accident
17 flight, post-accident, of course?

18 A. I'm not -- yeah, I do. And I apologize, I think it was a 2.
19 So, the scale is 0 to 15 is 1. 16 to 21 is 2. 21 to 40 is -- oh,
20 you have it right there.

21 Q. Does that help you? Does that help refresh your memory?

22 A. It does. Yeah.

23 Q. It's not a check ride. I don't expect you to quote numbers
24 off the top of your head.

25 A. No, no, no. Yeah. Thank you. Right, so a RAQ (ph.) 2 would

1 be 16 to 30, not 20. So RAQ 1 is 0 to 15. RAQ 2 is 16 to 30.
2 RAQ 3 is 31 to 40. RAQ 4 is 41-51, and a RAQ 5, you don't fly.
3 It's 52 or greater. It's 52 plus.

4 Q. So, if I, if I get a 5, I don't fly.

5 A. You don't fly. There's a flag that pops up. If you click
6 all the items and it goes to the 5, 52 plus, there's a red notice
7 at the top of the form that says decline flight.

8 Q. When I go through, and it adds up and let's say it's 52, can
9 I go back in and tweak numbers to get it down to where it won't
10 give me a don't go flight?

11 A. You absolutely can.

12 Q. Is that -- I don't want to say is that encouraged but is that
13 trained for pilots to do.

14 A. No, no, no. It's not trained. It's not encouraged. But --

15 Q. Hangar talks (ph.) taught it? Is there a way you guys -- is
16 there anything you guys are looking at in safety to see, if it's
17 that high, no, just don't go. Don't worry about it. How can you
18 guys get -- I know it's hard to get in pilots' heads and train,
19 you know, teach them appropriate, but is there anything you guys
20 are doing about that, or trying to do?

21 A. Is there anything that the Safety Department is trying to do?

22 Q. Is it a safety -- is this risk assessment form, a safety
23 function?

24 A. No.

25 Q. Whose function is that?

1 A. Flight Operations.

2 Q. Okay. Is there anything Flight Operations is reaching out to
3 the pilots, reaching out to the Safety Department to say, how can
4 we get this word out? It's okay to say no.

5 A. So, there are various items on that. If you check certain
6 items, there's a little caution note that comes up. On the right-
7 hand side, you see the three columns. On the far right column,
8 though there are certain events and I can't remember what they
9 are, that there's a little caution sign that comes up. And if you
10 click on it, it says, call the pilot manager on call before you
11 proceed. So, that's the interaction that they had.

12 So, they didn't have to reach -- they don't even have to
13 reach the orange, the red five. If they click on one of those
14 events, it would tell them to call PMOC before they proceed.

15 Q. Okay. Post-accident, did you in the Safety Department,
16 Flight Ops, did anybody look at the risk assessment form, kind of
17 fill it out to see was that two really a good two or was that no?
18 Do you know if anybody's done that?

19 A. I did not do that. I don't know if anybody else did.

20 Q. Is that anything anybody has ever done before is to, I don't
21 want to say second guess a pilot, whether it's accident or not,
22 but is there any kind of audit procedure in place to look at these
23 and go, my pilot is really answering these --

24 A. No.

25 Q. Have you got any feedback on these risk assessment forms from

1 the end users?

2 A. We have. So, this form just started in October of 2022. I
3 think it was October 19th. And we have had folks contact the
4 Safety Department and say, hey, the form is missing fill in the
5 blank. Right. You don't capture this or you don't capture that.
6 And we would enter -- we created and it's constantly evolving --
7 we've added a lot of stuff. Even prior to the accident, when we
8 kicked it off in October, the pilots would say, you're missing a
9 key point here. And we would go in and I would work with the
10 Flight Ops department and then we add that line item. I'm the
11 gatekeeper for the form, but I don't manage the form.

12 Q. Now, I know I shouldn't say all pilots, but nobody likes
13 change, per se. And I know you just changed this form. So, did
14 you have any negative feedback on this form since it changed out
15 in October?

16 A. Of course. Again, both ends of the spectrum. People love
17 it. Hey, great, you're capturing things, this is important, to
18 this takes too much time. Baldwin does not have an app. So, for
19 a line pilot to be able to get into Baldwin and fill out a risk
20 assessment either on a phone or an iPad, it's challenging. So, it
21 can be cumbersome for them. So, yes, I have heard it's difficult
22 to get to.

23 We have a lot of firewalls within the Global Medical
24 Response, you know, for business intelligence protection that, you
25 know, if you don't use the system within so many minutes, it kicks

1 you out. Pilots don't like that. They wanted to stay open all
2 day. So, it's just more work for them that way. And again, you
3 have, you have folks on the one side that said, hey, this is
4 great, I love it. And then you have those that are like, no, why
5 do I need to do this, it's taking too much time.

6 Q. All right. So, that does help on that. So, I appreciate
7 that. I may have more questions on the second round.

8 A. Do it.

9 Q. My brain's kind of adjusting to what you're telling me here,
10 so I'll hold any of those. Maybe it'll clear up. So, let's talk
11 about the accident pilot. Did you know him at all? Brian.

12 A. I don't know him. I know who he was. I met with him those
13 two times. He was in the audience when we did our base visits,
14 but I did not know him personally.

15 Q. All right. Did he ever reach out to --

16 A. No.

17 Q. -- in the past as a line pilot saying, man, I'm seeing
18 problems here?

19 A. No.

20 Q. Okay. All right. Think that's all the questions I have for
21 the moment. I need my brain to kind of deal with that. Do you
22 need a break before I pass you over to Sabrina?

23 A. No, I'm just going to take a drink of water.

24 MR. ETCHER: All righty. With that --

25 DR. WOODS: Need a refill?

1 BY DR. WOODS:

2 Q. So, coming out of Hawaii for a second and coming back here,
3 we've met with the chief pilot and we're -- we will meet with your
4 training individual, Randy (ph.), and then the DO -- I guess, with
5 the chief pilot and training, how do you see you guys and the way
6 you work? This is going to be a two-part question. One is on
7 paper. On paper, how is it are you supposed to work together in
8 your respective areas of function or is it strictly siloed and you
9 don't really work together? How does that work here?

10 A. So, establishing a Safety Management System, we've
11 established different levels of round tables for one. So, we have
12 an Employee Advisory Roundtable and then we have what we call an
13 Operational Accountability Roundtable. So, it's not so much the
14 Safety Department Flight Ops, but it's all of the directors within
15 Guardian Flight meet once a month to discuss issues, concerns with
16 Guardian Flight, best practices. It was just open. We had an
17 agenda. Let's talk about these items. These are some of the
18 challenges our folks on the frontline are having. So, we had that
19 process.

20 And then again, part of our Safety Management Systems, we set
21 up the Event Review Board, like what I had at my previous employer
22 where the DO, the chief pilot, the director of training, myself,
23 director of maintenance, if it was aviation related, we would come
24 together and then do what we called a root cause analysis. And
25 again, we're trying to transition from the old school root cause

1 analysis, outcome ingenuity, just culture to more of a higher
2 reliability, which still have the tenets of just culture, but just
3 kind of transitioning that way.

4 So, when you say written, you know, kind of forcing us to
5 come together, I don't think we have anything like that. We have
6 it in our SMS Manual duties and responsibilities. But building
7 the foundation of our SMS really required us to have those
8 communications on a regular basis. So, the ERB, the Event Review
9 Board met every two weeks and then the Operational Accountability
10 met every month. And then, of course, we make part of the -- when
11 they have the CMT calls, I interact with that call as well.

12 Q. So, that's on paper. So, now, in your opinion, how do you
13 all work together? Is it going well? I mean, does it seem like
14 you're working together well, or -- this is a little more --

15 A. Can I ask you a question?

16 Q. -- interpersonal. Sure.

17 A. How do you guys interact with the FAA? This is, this is kind
18 of how -- I guess I should let you answer the question.

19 Q. Sure. I think it's entirely dependent on the individual, at
20 the individual level.

21 A. Right.

22 Q. Because you have people who work together great and
23 understand each other's roles and respect them and how to -- and
24 only seek opportunities to push each other's agendas. And then
25 you have people who are going to be adversarial no matter what you

1 do, because that's just the kind of personality that they might
2 have. Maybe they felt they were wronged in the past. So, and
3 that's why I'm asking, in your opinion, how is it that -- right
4 now, the people that are in place right now, how's it working for
5 you?

6 A. I don't know that my opinion would be of value. I've always
7 looked at the Safety Department and the 119-ers, just like the
8 NTSB and the FAA. NTSB makes recommendations. FAA does the
9 enforcement. Safety makes recommendations. 119-ers are the
10 enforcer. Whether they choose to adopt something or not, that's
11 out of my control. I don't have operational control. I'm not
12 119-er.

13 So, me coming new into the system -- and that's why I say
14 it's not fair to have mine. I think that I have a great
15 relationship with the chief pilot and the DO, and it builds every
16 day. However -- not however -- as I look at it, that group has
17 been together for 10, 15 years and I was the new guy coming in.
18 So, asking me, you know, how I think it's working is not a real
19 fair assessment of how Guardian Flight interacted.

20 But my interaction, you know, it has been good, you know, but
21 there -- again, like anything else, it's like, oh, hey, I forgot
22 to call you. Right? So, do I, you know, do I, do I knock them
23 for that? No. But I think that our relationship, that it's a
24 two-way communication. I can pick up the phone any time, they can
25 pick up the phone any time and have a discussion about any

1 particular event.

2 It was rough at first to where the Safety wasn't included in
3 that. But again, establishing the Safety Management Systems and
4 being able to build on those, the foundation, and the building
5 blocks, I think it helped the relationship and the work --
6 collaborative effort, if you will.

7 Q. And when was that adopted?

8 A. SMS?

9 Q. Mm-hm.

10 A. I've been working on that since I started day one. So,
11 that's -- we're not in active conformance. Yeah, so probably
12 March of 2020 that we've started really building on those, on the
13 foundation of Safety Management Systems.

14 Q. So, being then, as you said, some of these individuals have
15 been around for a while longer, being new here you actually have a
16 great perspective because you're not super new, but you're just
17 new enough where -- and you've had a varied career previous --
18 that you've seen some things. So, I guess, first, let's start
19 with, in your assessment, what makes for a good safety culture?
20 I'm not telling you to assess current status. In your assessment,
21 when you have like, this is the -- this is what I want to achieve.
22 What are those things?

23 A. For me, first and foremost, is having -- getting our
24 employees to a level that they can tell us anything. Right. To
25 have that non-punitive reporting culture that -- and this is what

1 I teach in our basic indoc (ph.). I want our pilots to be
2 comfortable and confident to decline a flight on a clear sunny day
3 without any fear of reprisal, anything. But that is their right
4 as a pilot in command. So, for me, in all of this, SMS data is
5 the only thing that keeps that afloat. And if I can't get people
6 to trust me or trust the organization and provide that data,
7 that's where you have a breakdown in the culture. Did that answer
8 your question?

9 Q. It does.

10 A. Okay.

11 Q. But now we're going to take it one step further. Okay. So,
12 where are we at right now? We're in this -- your opinion -- where
13 do you feel Guardian Flight is at on -- in where you're trying to
14 get? You got -- like, are you a quarter the way there, halfway
15 there, you know, three fourths? Haven't even started? Haven't
16 left the chute?

17 A. So, let me say we're moving the needle in the right
18 direction. With the addition of the three new people in the
19 Safety Department, July of last year, has been incredible. Our
20 Operation Safety officers, when a report comes in, they make an
21 immediate call to the submitter. They get more information about
22 the report. We didn't have that before. It was -- I was by
23 myself.

24 So, when you ask percentage wise, I can't put a number on
25 that, but I can tell you I see positive change and I see my staff

1 that are inundated with phone calls now that they didn't have
2 before. So, I have one operations -- I have three operations
3 safety officers, but I have one that has a maintenance background,
4 one that has a clinical background, and one that's a pilot. And
5 they work great.

6 So, our employees know that they have a direct link to the
7 discipline that they work in to call that person and have those
8 conversations. And I can tell you that there's a big shift in
9 that. I can't give you a percentage, but I can tell you there's
10 an uptick in the direct communication from the front line to the
11 Safety Department.

12 Q. Are the -- we learned about at some locations there's like a
13 base manager or like a base safety officer. Those people are all
14 rolled up under you as well, or do they have to, like, hit the
15 chief -- chief pilot first before coming to you, or how does that
16 hierarchy work?

17 A. By design, we have site safety officers who it's a voluntary
18 position, right? So, it's not a stipend. It's not a full-time
19 position. So, it can be a pilot, clinician, or maintenance
20 person. Anything safety related, they can contact us directly or
21 they can communicate up to their program Safety officer and then
22 they can communicate it to us. And then from there, like I said,
23 I meet with the VP of Safety. I can take that information that I
24 gleaned from the program Safety officers, take it to the VP of
25 Safety with all of the other directors of Safety. And then from

1 there, the VP of Safety has the opportunity to take it to the VP
2 of Maintenance, VP of Clinical, VP of Flight Operations. That's
3 kind of how the whole process works.

4 Q. And how long has the VP of Safety -- has that function always
5 been there or is that relatively new, too?

6 A. It's -- gosh, I don't -- yeah, it's been two years since they
7 created that position at the at the GMR level.

8 Q. And so, what was -- was there nothing there before or was
9 somebody else doing like dual hat?

10 A. No, they did not have a VP of Safety.

11 Q. So, that person came on -- if that's two years ago, that
12 person came on after you then?

13 A. That's a good point. No, he would have came -- he came on --
14 he came out probably six months before I took this job because he
15 helped me, he helped me transition from a sister company over to
16 this company. So, yeah. So, he would have been there at least
17 three and a half years.

18 Q. Okay. You might not have a good insight on this because it
19 might have been before your time. But it seems like what I've
20 heard anecdotally, that there's been a lot of growth in the
21 company. Would you say that's accurate? Expansion growth as in
22 more assets, more locations, more bases.

23 A. What time frame?

24 Q. Well, so before I had, I had asked for five years. But
25 that's before your time. So, I guess since you've come on board.

1 In your three years, have you seen an increase in either of those
2 capacities or is it about the same?

3 A. Yeah, I mean, we would pick up bases. We haven't done any
4 acquisitions since I came on. I could say it's a true statement
5 that we've had a lot of change, but I don't know about growth.

6 Q. Because sometimes I hear, you know, we've talked to a few
7 people and it's like, oh, I used to work for such and such
8 company, but then Guardian Flight bought them or --

9 A. Right, that's --

10 Q. -- or maybe we ceased operations and now they fall under --
11 and so, for me, that's expansion because those are people and
12 assets that you didn't have before, and now you have to fold in
13 with their different quirks and things like that.

14 A. That's before my time. I've heard a lot of, you know, just
15 that as far as the different companies and who bought who and
16 who's running what. So, yes. But that's probably -- it's
17 probably been five or six years ago.

18 Q. I guess the reason I was pursuing that is because right now,
19 do you feel that the structure and the things that you're adding
20 on, are they on pace to match the growth that you have for the
21 assets you have? Are you building your infrastructure at the same
22 rate that the company has expanded? Or is there a lag?

23 A. I would say again that that's not a fair question and that in
24 the past there was a lag, but certain things happened that we were
25 able to demonstrate, i.e., the Safety Department. We performed

1 safety culture surveys at the direction of Tom Baldwin and Brian
2 Foster at the GMR level. And we were able to demonstrate, you
3 know, staffing issues that we didn't have in the past that allowed
4 us to hire three new safety people. Right?

5 So, as we move forward, trying to look at what's the magic
6 number of how many bases per operations safety officer, that kind
7 of thing, I think that is there. I think with the current
8 leadership that we have; we've already seen an increase of, hey,
9 we need more maintenance technicians or we need more, you know,
10 fill in the blank that those assets are being allocated to our
11 Guardian Flight.

12 Q. Are you -- on paper, are you considered the SMS manager or is
13 that somebody else under you?

14 A. I'm considered the director of safety and I just -- that's --
15 I don't think anywhere on paper that says that I'm managing SMS
16 other than the SMS Manual. I've never been asked that before now.
17 So, yeah, it doesn't say that I'm responsible for the SMS. I just
18 do it.

19 Q. If I were to go to any one of your bases and ask, let's say a
20 line pilot, for instance, does Guardian Flight have an SMS and do
21 you know who manages it, do you feel confident they would know how
22 to answer that question?

23 A. With all of the communication that I've put out, I would --
24 yes, I hope so. I would also hope that if you went to our bases
25 and asked who the director of Safety was, that they would -- they

1 wouldn't pronouncement my last name correctly, but they would know
2 Michael somebody.

3 Q. When you speak, do you feel people listen?

4 A. It depends on what I'm talking about. I'm kidding. I do. I
5 feel like -- and again, it's just like everything else. You have
6 both ends of the spectrum. You know, you have the community, 20
7 percent of the people do 80 percent of the work. Right? So, you
8 have, you have those folks that just want to come in, they want to
9 do their shift, they want to get paid, and they want to go home.
10 They don't care about anything else. So, the folks that are
11 engaged, yeah, I think that people listen.

12 Q. What about up the chain?

13 A. Oh, absolutely.

14 Q. So, if you had like the burning thing in your soul that
15 you're like, no, this needs to go to the COO right away --

16 A. Okay. So, again, I don't think that's a fair question for me
17 because there's so many changes happening. Are we talking current
18 since January 1st or we're talking prior to? A lot of dynamics
19 have changed.

20 Q. How about this? Prior to the accident in Hawaii occurring.

21 A. I wouldn't be as confident.

22 Q. So, after the accident occurring?

23 A. And again the -- I'm not supposed to volunteer information.
24 No, I'm just kidding. There were changes that were starting to
25 take place in March of 2022 that we hadn't quite caught up yet.

1 And those changes, for example, though, Jared Sherman was not the
2 chief operating officer, he took over at that accident and kind of
3 conducted that as the incident -- part of the incident management
4 team. So, after the accident, there -- heavy emphasis on that.

5 I know we're talking about the Hawaii accident, but after the
6 Nevada accident, it was Jared that took our company out of
7 service, put the entire company out of service for two weeks until
8 we could get a handle on what we didn't know. So, again, it's not
9 a fair question to say, you know, no, no one listened to me
10 before, where we've made that transition, things haven't been able
11 to catch up to the new culture, if you will. That make sense?

12 Q. It does. Okay. So, forward looking, magic crystal ball, do
13 you have confidence that it's getting -- it's trending in the
14 right direction?

15 A. 100 percent. It's been demonstrated with the meetings that
16 I've been in, both at the front-line level where Jared is
17 facilitating the meetings, the new director of operations. Yeah,
18 I'm 100 percent confident that we are heading in a completely
19 different direction. A good direction.

20 Q. I had asked earlier a little bit about your working
21 relationship across the board, particularly with like the chief
22 pilot, Jeremy, and then also Randy. I'm going to stop on Randy
23 for a second, and the training. How much overlap does the Safety
24 Department have with the Training Department?

25 A. Zero.

1 Q. So, you would say that's pretty firmly siloed?

2 A. Yes.

3 Q. Is that by design or is it maybe just there's no, there's no
4 plans in the future? Is there a plan in place to change that?

5 A. Yes, it's already starting. The whole safety risk management
6 process that was kind of hit or miss before, it's very clear,
7 mandated, Safety is involved in the discussions and the risk
8 management process -- yes, that is changing.

9 Q. So, I guess how much current safety stuff, if you will, is in
10 training? So, when a new applicant first comes through the door
11 and they have been offered like, hello, congratulations, you're a
12 new employee of Guardian Flight, how much safety stuff are they
13 getting in their training if the Safety Department isn't involved
14 in training.

15 A. I can't answer that. Again, it wasn't until recently that we
16 made the decision to change directors of operation. But now I
17 have a seat at every new hire class to sit before all of the
18 pilots on their first day.

19 DR. WOODS: I need a moment on that one. So, I'm going to,
20 I'm going to hand it off because I need a moment on that. It's
21 like you hit a tab, and a list of like six other questions just
22 loaded. So, I'm going to, I'm going to defer and hand off to
23 Millicent for now while I organize myself.

24 MR. ETCHER: Before Millicent starts then, do you need a
25 break? You doing all right? You've going about an hour.

1 MR. KOENES: That depends. Who's going next.

2 MR. ETCHER: Millicent.

3 MR. KOENES: Okay. No, I'm kidding.

4 BY MS. HILL:

5 Q. How many full-time employees are in the Safety Department?

6 A. Four -- myself included.

7 Q. What are the titles of the other four?

8 A. The other three?

9 Q. Three.

10 A. Operations, safety officers.

11 Q. What roles do they serve?

12 A. I hold them at the level of the assistant chief pilots and
13 the regional maintenance managers and the regional clinical
14 managers. They interact with that group, and they are heavily
15 involved in the incident reporting tool that we have. So, kind of
16 the face of the company, they visit bases. We're just on the cusp
17 of implementing a full blown internal evaluation program. And our
18 team will be kind of leading that.

19 Q. Are they -- is like one from the clinician side, one from the
20 pilot side, and one from maintenance. Or are they -- what are
21 their backgrounds or do they serve one role in the operation more
22 than another?

23 A. They each -- they're specialized, pilot, clinician, and
24 maintenance, but they have a geographical area. So, my
25 maintenance guy, he's over Alaska, Hawaii, and California. And

1 then the clinical person is Montana. She lives in Idaho. She
2 does Northern Nevada, Wyoming, and Michigan. And then the pilot
3 takes care of the Four Corners. So, Utah, Colorado, Arizona, and
4 New Mexico, and then has Nebraska.

5 Q. When did those positions start, those three positions?

6 A. July of 2022 was the first one with the maintenance person,
7 and then the last one was the latter part of August of 2022.

8 Q. Who's the maintenance person?

9 A. Daniel Johnson.

10 Q. Since the Hawaii Life Flight accident, what changes have the
11 Safety Department implemented?

12 A. Repeat the question. What safety --

13 Q. Yeah. What changes have you made in the company?

14 A. Other than the changes that we already had in motion, I can't
15 say that we've changed anything. We did, we did audit pilot
16 records. We stood up, you know, as part of our beta to test for
17 IAP, we put together a bunch of questions for pilot records on it.
18 But that's not really a change. That's something that we were --
19 we had working.

20 When you -- you know, this is kind of where I'm torn with
21 your question in that when you talk about safety, safety specific
22 things that I'm working on, we're safety specific to where, you
23 know, you -- we shut that program down. You know, we took some
24 time, did the same thing, assessed pilot qualifications, performed
25 inspections on aircraft, met with all of the team, both at the

1 leadership level for Hawaii, all of the employees at Hawaii. Are
2 you considering those safety things that we did.

3 Q. Yeah.

4 A. So, we did that. Again, we've taken a hard look at some of
5 the maintenance records just to see if there was a trend relative
6 to, you know, people writing stuff up or not writing stuff up,
7 that kind of thing.

8 But the biggest part was taking that entire program, which
9 really shut down Hawaii, and then we implemented a process that
10 each individual person -- we brought a lot of folks over from the
11 state side that backfilled that, you know, they had their
12 orientation flights and so forth. They had the training on that
13 specific aircraft if they hadn't flown on that, but they stepped
14 in and kept some of Hawaii operational because we were the only
15 asset there for the entire state.

16 And then as we went through the process, there was no
17 pressure for any one person to come back to duty. We gave them as
18 much time as they needed. And then when they were ready to come
19 back to flight, they had to go through an interview process before
20 they were signed off. And it was more just kind of an open ended
21 question answer to get a sense of where that person was mentally.
22 And then once we went through that, then they were okay to go back
23 in service. But then we've kind of held them off to the side and
24 until we had a whole complement of folks.

25 And then it was always a standing order that, yes, you raised

1 your hand, you said you're ready to go back, you went through the
2 interview process, we feel like you're okay. But if you have one
3 flight, or even before you get on the flight, if you change your
4 mind, call it. We did have a couple of people take us up on that.
5 So, from a safety perspective, we did that. But from safety
6 programs, we didn't change anything. I hope that answered your
7 question.

8 Q. Did you identify any trends in the maintenance records of
9 reportable events or events that weren't reported?

10 A. Repeat the question.

11 Q. When you looked at the maintenance records, did you identify
12 any trends of things that were reported consistently or things
13 that were consistently not reported?

14 A. The one thing that stuck out to me from a maintenance
15 standpoint is, in my opinion, it seemed like there is a potential
16 of our pilots not writing things up until they landed in Honolulu
17 at the heavy maintenance facility to where an aircraft would land,
18 and then all of a sudden they would have nine write ups. So,
19 that's kind of what we saw and that's what I shared with Jared.
20 And that's where, you know, that whole -- his communication to
21 everybody is, it's okay to write up the aircraft. You have to
22 write the aircraft up. We break aircraft, they fly, they break.
23 And that's not a bad thing.

24 So, again, it goes back to that whole culture change mindset
25 of writing up an aircraft and grounding it was a bad thing. So,

1 just that in itself is giving the employees, the pilots the
2 comfort to go, okay, I'll write it up. It's a different
3 philosophy.

4 And again, and that's not to say that the previous leadership
5 pushed it one way or the other. There are some dynamics there
6 that people didn't want to get stranded on an island away from
7 home. Right? And you guys have been doing this long enough that
8 how many times does something happen on final? That's a pilot.
9 You know that.

10 MS. HILL: That's all I had. Thanks.

11 MR. KOENES: Okay.

12 MR. ETCHER: Thanks, Millicent. Need a break yet?

13 MR. KOENES: I just want to get some more water.

14 MR. ETCHER: Oh, yeah. We'll take a pause. How about five
15 minutes. We'll go off the record at 4:08.

16 (Off the record at 4:08 p.m.)

17 (On the record at 4:12 p.m.)

18 MR. ETCHER: Back on the record at 16:12 local. Mitch.

19 BY MR. MITCHELL:

20 Q. Thank you, sir, for bringing a lot of good information. I
21 just have a few questions. And my first one is just for some
22 clarity. So, you currently don't have an SMS or you're developing
23 one right now? Or are you using the Baldwin SMS?

24 A. No. Yeah. So, when you look at the advisory circular and
25 the voluntary program, we're trying to get into active

1 conformance. So, technically we don't have an SMS by FAA advisory
2 circular. We have the pieces parts and we just need to
3 demonstrate to the FAA we're at that level. We've had the
4 training, the leadership, the FAA training from AFS 900. We've
5 gone through that. But we're just, we're waiting to go through
6 that demonstration phase to demonstrate what we have in place.

7 Q. So, when you were talking about the risk assessments through
8 -- that's through Baldwin?

9 A. Yes.

10 Q. Is that a service that you pay for through --

11 A. Yes.

12 Q. Because Baldwin does a commercial SMS program, I believe,
13 also. But you're doing your risk assessment through them?

14 A. We're doing risk assessments and incident reporting through
15 them. Right.

16 Q. Okay. Thank you. Yeah, I just -- I confused myself.

17 A. Yeah. They -- we have the ASAP reporting through them, but
18 they do not manage our ASAP. We do that internally.

19 Q. Gotcha. Okay. Thank you, sir. You had mentioned that you
20 went out and held a town hall at your 47 bases. Something
21 specific, I believe it was taxiing into objects on the ground or
22 something, or --

23 A. That was one. Right.

24 Q. -- one of the other ones was pilots towing aircraft into
25 objects. While you were there, you had the ears -- or maybe I

1 should reword that -- the employees' attention. Did you hear any
2 common themes from the employees regarding safety concerns?

3 A. No, I guess I'm not following your question. Do they --

4 Q. Well, since you had their attention and I'm sure that there
5 was probably some dialog, some back and forth, some talking. Did
6 you hear any common safety themes amongst the 47 bases? Maybe,
7 you know, different aside from the taxiing or towing aircraft into
8 objects?

9 A. No, it was more about getting them to open up to see what I
10 mentioned before about the kind of the high reliability and asking
11 them, what do you see out of this event? Here are the details of
12 the event. You know, I mentioned earlier the, you know, like the
13 risk assessment in some of those meetings, you know, pilots were,
14 hey, you need to add this to the risk assessment, that type of
15 thing.

16 But from the -- I think one of the biggest -- now that I
17 think about it -- one of the biggest things that I did here was
18 the Baldwin system, in that it was broken, that people report
19 stuff and nothing happens. And that's true prior to July of 2022
20 in that it did take a long time to kind of process reports and get
21 things taken care of.

22 But -- and it's -- there's a big misconception in that when
23 things were reported it didn't mean that they weren't being
24 addressed. So, when things were reported, the report would go out
25 to 52 different people. And, you know, phone calls were made,

1 emails were made. Things were being taken care of, but what we
2 really sucked at was going back into the Baldwin system and
3 letting the submitter know, hey, thanks for your report, here's
4 what we did, we fixed this or here's what we're working on. But
5 it's not to say that those items weren't being taken care of. We
6 just really didn't do a good job of providing feedback to the
7 employees of the status of the report, if you will.

8 Q. You had mentioned an increase in reports on DPU failures,
9 EFIS failures and autopilot failures or. Are you seeing anything
10 with these reports and what's being done about that at this time?

11 A. In our incident reporting process, the way we have it, the
12 way we manage the reports is we have a category, a line item in
13 the report that says primary accountable discipline. So, if
14 there's a maintenance failure, we'll assign it to the maintenance
15 operations. And then after we vet the report to make sure there's
16 not anything sensitive or confidential in that report, then in
17 that scenario, we would assign it to either the director of
18 maintenance or the regional maintenance manager to say, hey,
19 there's a maintenance issue that's been reported in Baldwin.

20 We also have a section in the report that says, you know, if
21 it's a maintenance issue, when you click -- if you click, yes,
22 there's a big caution that says you cannot report anything in this
23 system, in Baldwin, unless it's been reported to maintenance or
24 the pilot and entered in the logbook. So, then that entity,
25 whoever we assign as the investigator, then they take that and do

1 the investigation and then they're responsible to go into the
2 report and fill in the investigation findings. And to some
3 degree, the final resolution.

4 And then they communicate to my team to say, hey, this
5 report's ready to close. Then we go in, we look at it, we again
6 vet the response to make sure that they have enough information in
7 there, accurate information. And then if we're satisfied with it,
8 then we close it and send communication to the submitter, telling
9 them, hey, going to the final resolution. Here's what we found
10 out about your report, here's what we did, and then we close it.

11 Q. Okay. Could you help educate me on the difference between
12 Vice President of Safety, what that position is, and Director of
13 Safety, as in what your position is?

14 A. So that's a -- that's a big request without giving you any
15 background of what's going on. So, the VP of Safety is at the
16 national level and the VP of Safety manages -- has direct reports.
17 We have ground directors of Safety. I believe in six ground
18 directors of Safety that are his direct reports. And then he has
19 five area directors of Safety that are a dotted line to him. So,
20 he has the overarching strategy, the strategic planning, if you
21 will, for the overall Safety program. And I'm responsible for the
22 certificate.

23 So, how I communicate that and kind of going back to
24 Sabrina's question about change, I try to communicate that I
25 manage Guardian Flight's Safety program for Global Medical

1 Response. So, we're trying to get it to where we're unified and
2 that we're all pulling in the same direction.

3 Q. So, in your role as director of Safety for Guardian Flight,
4 do you feel empowered to do your job? If you see something that
5 you think needs to be changed that you feel like you have the
6 support --

7 A. Absolutely.

8 Q. -- from above?

9 A. Yes. From Jared Sherman and Tom Baldwin, yeah.

10 Q. You had stated that Safety and Training were kind of silent,
11 but they you now have a seat at the table, or a seat at the front
12 of the class for all new hire classes that come in. Can you tell
13 me a little bit about that. What do you do for them at that
14 point?

15 A. So, right now we have -- we do the basic kind of high level
16 SMS, what we're trying to do, our goals in implementing SMS. We
17 spend a lot of time on the reporting culture and we're really
18 trying to get them to understand the why and the rationale behind
19 that. We give them a tutorial on Baldwin, how to submit reports.
20 We talk about the ASAP, the Aviation Safety Action Program and how
21 that works for the pilots and -- yeah, we, again, part of the
22 Safety Management System, we talk about the roundtables that we've
23 established for lines of communication, direct line to me or to
24 their representative. So that's --

25 Q. How long do you get?

1 A. Two hours.

2 Q. Two hours?

3 A. Mm-hm.

4 Q. Do you feel that that's the appropriate amount of time for
5 the subject?

6 A. Well, we have a kind of caveat on that the presentation is
7 two hours, but if we have a lot of questions and answers, we go
8 until they're through answering or asking their questions. And
9 then part of the change that we're looking at is that we're
10 looking at the Safety Department taking on the crew resource
11 management training as well, which is currently provided by the
12 Flight Operations Training Department. And we're looking at
13 taking that over. Obviously, there are steps that need to be put
14 in place for that, but that's kind of our goal is to move that out
15 of the Safety -- out of the Flight Ops Training Department and
16 moving it into Safety.

17 Q. CRM training.

18 A. Crew Resource Management.

19 Q. Yeah. Are we talking about crew between the pilot, the
20 flight surgeon and flight nurse or (indiscernible)?

21 A. Yeah. So, we have a, we have a registered nurse and a
22 paramedic.

23 Q. Thank you. Yes. Okay.

24 A. And for me, it's really about, again, opening the
25 communication when they're on an aircraft. Who does what and just

1 discussing the flight.

2 Q. I think you had mentioned that you work with the FAA's --
3 with your POI, and PMI, PAI pretty frequently. Are they providing
4 you the level of support that you feel you need?

5 A. No, they're -- they -- and it's not their fault. They do
6 everything that they can, and they do a great job on the Aviation
7 Safety Action Program. But when it comes to, you know, the SMS
8 implementation, the demonstration, they don't have the staffing.
9 When I came over -- the Salt Lake FSDO, I think they were
10 allocated ten POIs, when I came over. They only have one, so they
11 don't have the bandwidth to come over and entertain and, go okay,
12 what are you guys doing? We send them the stuff, but I don't
13 think they have the ability to manage it. So, and again, it's not
14 their fault. It's not that, you know, due to a lack of trying.
15 They just don't have the staffing.

16 Q. If you needed to reach out to them, are you able to reach
17 them?

18 A. Absolutely, yeah. We all have each other's phone numbers.
19 Yes.

20 MR. MITCHELL: Yeah, I think that's all the questions I have
21 at this time.

22 MR. ETCHER: Okay. Thanks, Mitch. You doing good? Round
23 two is quicker.

24 MR. KOENES: I'm good. No.

25 MR. ETCHER: Usually. Not always.

1 MR. KOENES: I'm just wondering where Sabrina is going to
2 take this.

3 MR. ETCHER: Surprises are always fun. Maybe we'll hold her
4 until the end.

5 BY MR. ETCHER:

6 Q. I just have a few questions. You've helped a lot. So, I
7 thank you for that. Kind of dovetailing a little bit of what
8 Mitch was asking. How often do you reach out to the FAA? How
9 often do you interact with them?

10 A. At least once a month.

11 Q. Okay.

12 A. So, we have ad hoc meetings. We started trying to set up SMS
13 meetings, but we definitely have the CMT meeting once a month
14 that, like I said, director of training, DO, chief pilot, and
15 director of maintenance and myself, meet with them.

16 Q. Have you brought it to their attention? I know the staffing
17 that they have, they don't get stuff through quick. They don't
18 have the bandwidth. I get it. You can bring it to the -- what I
19 call it the worker bee, the POI. But do you take it up to a
20 level? Have you guys tried taking it up a level?

21 A. We have. I've leveraged working with our POI, our vice
22 president of Safety has a good working relationship with Wayne
23 Frye, who's the division manager, who, as I understand it, all of
24 the FSDO managers for large air medical certificates report to
25 Wayne Frye. So, we've taken it to Wayne Frye to say, hey, we --

1 because Wayne Frye is always beating up Tom Baldwin about SMS and
2 why aren't we doing it? And the conversation has been, we're
3 trying; we don't have the support. So, we've taken it up to the
4 -- I think he's called a division manager to see if we can get
5 that resolved.

6 And then we just got to the point where -- I want to say it
7 was October, maybe November of last year -- we decided to move our
8 PBO (ph.) from here to Texas. So, at that point in time, what's
9 the point? You know why, you know, we're going to get with the
10 Salt Lake FSDO and kind of go through this process and then start
11 over with the North Texas FSDO. So, that's where we are. But
12 that's not stopping us from continuing to develop our systems.

13 Q. So, you guys are going to transfer your certificate then to
14 the North Texas --

15 A. The address, yes.

16 Q. Okay. All righty. I know Mitch asked about your time in
17 front of the class there with new hires, and you said, you know,
18 you get two hours plus if they have a lot of questions and answer
19 all the questions. How many questions do you get in a new hire
20 class?

21 A. It -- again, it's both ends of the spectrum. I get people
22 that ask a ton of questions and like what we're hearing -- or what
23 they're hearing, they applaud the company for, you know, the
24 direction we're taking in the sense that we take within the
25 operation. And then you have others that are like, okay, thanks,

1 see you. And they're ready to go. They're ready to move on. And
2 that's one of the balancing acts that we have to look at is, how
3 much information can you give a new hire employee on day one, day
4 two before they just turn off?

5 Q. So, and that leads into my next question. Which day do you
6 guys get to go in? The beginning of the training? The end of
7 the --

8 A. The first day.

9 Q. First day?

10 A. Yeah.

11 Q. I think you said that, but I couldn't remember. So, I just
12 wanted to verify. All righty. Somebody has an issue, they file a
13 Baldwin report. Do you guys have a time frame like, we've got to
14 respond to this person within a week, a month, a year? I mean, is
15 there a time frame you guys have?

16 A. Not in writing. Our goal is that within two weeks we put a
17 comment in there. So, right out of the gate, like I said, the
18 Safety Department receives all of the reports. No one else gets
19 them. We review them and -- and I'll use Daniel (ph.) as an
20 example. He gets a report for Alaska or Hawaii. He puts a
21 comment at the bottom of the form thanking the individual for the
22 report and just kind of giving them the process that we're working
23 the report just to let them know, hey, we received it, we're
24 working on it. And then as they go through the investigation
25 piece, then, you know, we have window shades within there that the

1 investigator needs to populate those fields.

2 So, the other part of that, I'm trying to think if I put that
3 in writing or not, if it's a long lead item, if it's going to take
4 greater than 30 days to accomplish, then we look at what we call
5 CAPA, a corrective action, preventative action form which we can
6 link the two forms, but that gives us the chance to say, okay,
7 we're going to close this out because this is a long lead item and
8 the CAPA is the new form that will take precedence over that. But
9 they're still linked together. So, the person that submits this
10 -- the report has visibility to the CAPA to track it that way.
11 But we just don't want it to languish for months and months
12 because it's something -- it's a big project.

13 Q. Okay. When you guys put a comment into the person that wrote
14 the report, when you guys put a comment in there, can you see when
15 they open that up and read it to know they got it or is it just in
16 the blind.

17 A. No. Yeah, when I put or anybody puts a comment in that
18 section, they will get an email from Baldwin Aviation that will
19 say, Michael Koenes commented and it'll have in their email, it'll
20 have what I typed in the form, but I have no way of acknowledging
21 that. But I guess I could pull up IT and see if they opened it,
22 but no, I don't -- there's not --

23 Q. I was just curious. All right. Sabrina had asked you a
24 question and you compared you to the 119s with NTSB and FAA. How
25 many recs do you make to your 119s?

1 A. How many --

2 Q. Recommendations do you make to your 119s?

3 A. That's a good question. I don't have a number for you.

4 Q. Can you give me a ballpark? Is it, you know, just, you know,
5 so many a month or, you know, is there any -- I'm sure every month
6 is different.

7 A. Right. No, I again, some of those could be a phone call that
8 that I don't have, you know, an email or anything like that. Or
9 it could be in one of the meetings that we have, you know, like
10 the Operational Accountability Roundtable and say, hey, what about
11 this, or what about that, that we don't really record. I'd have
12 to dig through my files to see how many quote unquote
13 recommendations we've made and what they've acted on or not.

14 Q. So, I know you gave the example of, you know, some of the
15 recommendations, but not ones that require you to go out on site,
16 visit every base, for instance. But can you give me a just
17 another example of a recommendation you would make to the Flight
18 Ops side?

19 A. The risk assessment. No, that's something that we didn't do.
20 I've -- we've kind of played with the idea of having a full-blown
21 fixed wing operational control center. As you guys know, that's
22 the predominantly helicopter driven part 135 600 series, if you
23 will. And we've talked about that several times. Those are
24 starting to happen. But those are a couple of examples.

25 And all of those, the Event Review Board, that was a safety

1 recommendation, the different roundtables, that was a
2 recommendation that we came up with. We have a company
3 communication process where we have notices, bulletins, and
4 alerts. Notices are just general information, sharing information
5 with the employee. A bulletin is relative to a policy change,
6 clarification, a new policy that's going to come out. And then
7 the alert as more of a, hey, this is critical or action required
8 on your part. So, those are all recommendations that came out of
9 the Safety Department that have been adopted.

10 So, we had -- to get into the weeds on some of the other
11 stuff, I'd have to go back and look.

12 Q. No, I just -- I just -- kind of, it's nice to get the idea
13 of, you know, what kind of things. When you send out a bulletin
14 or anything like that, an alert, to crews, how do you know they
15 read it?

16 A. There's an acknowledgment. Okay. So, let me back up. To
17 answer your question, I don't. Right? There's a feature in the
18 bulletin that they download the bulletin. It's an attached
19 document. They review it and then there's a button on the right-
20 hand side that says acknowledge that they have to click on that.
21 And if they don't click on it, then I have the ability to go in
22 and look at the reports to see percentage of completion or
23 acknowledgment.

24 So, but to answer your question, even if they acknowledge it,
25 doesn't mean that they read it.

1 Q. Right. My apologies. Acknowledged. Thank you for that.
2 How often do you have to go in and look and go, I have -- I'm
3 going to make up a number -- five percent that didn't acknowledge
4 it or whatever. How often does that happen?

5 A. I look -- we look at it constantly. When we first started
6 it, we were around 10, 15 percent. Now we're 60, 78 percent. And
7 the way the system works is that if the five of us get a bulletin
8 and I acknowledge it, and you guys don't, I have the ability to go
9 in and hit remind in the system -- and I forget the terminology --
10 in that it will send the four of you a reminder to say, hey, you
11 have a bulletin that you haven't read, but I won't get that report
12 because I acknowledged it.

13 So, other than me just clicking that button all the time and
14 annoying them, if they haven't acknowledged the report, that's how
15 we get that done.

16 Q. Do you ever have to reach out to a pilot and say, yeah, we
17 sent you X number of reminders about this alert and you never
18 acknowledged it, help me understand why.

19 A. So, I've created a wall of shame. I have the ability to run
20 a report that shows every individual that has not read all of
21 their bulletins. And I'm sending that out to the leadership team.
22 I'm sending it out to the program directors, the assistant chief
23 pilots, and the regional maintenance managers, and the operational
24 safety officers to say, they're your folks, they're not reading
25 the bulletins.

1 Q. How long have you been doing that?

2 A. Probably -- wasn't until after the Hawaii accident. December
3 timeframe.

4 Q. Have you seen an improvement since you started?

5 A. We have. Like I said, we were, we were pretty low. Then we
6 kind of hovered around 50 percent. But now I think the last one I
7 looked at we're at 82 percent acknowledgment. So, we're starting
8 to see that shift. Again, we're moving the needle in the right
9 direction. It may not be as fast as I want it to, but we're
10 heading in the right direction.

11 Q. Your three other safety officers, did I get their title
12 right?

13 A. Operations safety officers.

14 Q. Operations. There's that one word I always forget. I always
15 forget one word. So, are they physically based, live here, or are
16 they all over the place?

17 A. No, Daniel lives in Anchorage, Alaska. Kara (ph.) lives in
18 Caldwell, Idaho, and Paul lives in Charlotte, North Carolina. And
19 I live in Denver.

20 Q. So, considering the distance from one to another, Charlotte,
21 Anchorage, it's a little bit distance. Does that add any
22 challenges to your Safety team?

23 A. No. We meet three times a week. We do team calls. We have
24 to travel no matter where we go. And they all live at, you know,
25 kind of a regional hub. So, it doesn't matter if they fly out of

1 Denver or Salt Lake, it's all the same for us.

2 Q. Okay. I believe Sabrina had asked a question and you'd said,
3 well, there's been some dynamic change since Maui or the Hawaiian
4 accident. What's the reason for the dynamic change? I assume you
5 said dynamic.

6 A. Did I say dynamic?

7 Q. That's what I put quotes around. But we'll just say change,
8 how that?

9 A. I'd have to think about what you asked me.

10 Q. I think I just put quotes because I thought dynamic somebody
11 said it. It just kind of piqued my interest like, why dynamic.

12 A. I don't recall saying dynamic. But when we talk about
13 changes, I think that was Millicent's question, right? Any safety
14 changes or, no?

15 Q. It might have been.

16 A. No, I don't know.

17 Q. Forgive me. I'm trying to go over my order here and I don't
18 know.

19 DR. WOODS: I had asked you about, like your level of
20 empowerment up the chain, and you said that there was a change in
21 COO position.

22 MR. KOENES: Yes.

23 DR. WOODS: The change had started or was coming,
24 forthcoming, I think, in March timeframe. But then when the
25 accident occurred, maybe that sped things up. I don't know. I

1 don't want to put words in your mouth, but I'm saying that I think
2 that's the change you were --

3 MR. ETCHER: Maybe.

4 DR. WOODS: I was -- you had said, well, there's obviously a
5 big change in leadership to where you felt -- I had asked, you
6 know, do you feel like you could just go up to the COO and be
7 like, hey, this is what's up. And you were kind of very specific
8 about this current, absolutely. Prior to that, there might have
9 been some challenges.

10 MR. KOENES: Yes.

11 MR. ETCHER: So, it was --

12 MR. KOENES: What happened, so the big change --

13 MR. ETCHER: We'll go big.

14 MR. KOENES: -- I can use the word dynamic, is, for me -- and
15 again, I -- without trying to -- without sounding like a suck up
16 to my boss -- the dynamic change that I've seen is that the new
17 norm for Jared Sherman -- and he's is -- he's annoyed with the
18 term -- it's legal. To him legal is a minimum requirement. Where
19 we didn't have it before. It might be legal. Is it right?
20 That's the direction he's taking the company. Those are the
21 dynamics that are changing. And maybe that's where I used the
22 word.

23 The dynamics are changing in that his philosophy, yes, he's
24 responsible for revenue, but he always, every meeting, he
25 emphasizes, if you can't do it legally, if you can't do it safely,

1 don't do it. Period. And it's not that the other COO differed,
2 but it was never expressed. He's gone on record. He's been in
3 front of people face to face. We do teams calls all the time and
4 he's always beating that drum. So, that's a dynamic change where,
5 yes, it may have been a philosophy, but it wasn't communicated as
6 much as it is with the current COO.

7 BY MR. ETCHER:

8 Q. I think that's what it was about. So, I appreciate that
9 clarity. I know I didn't come up with the word dynamic, because
10 that's too big for me. All righty. I understand you were on the
11 boat out there when they were recovering the accident airplane. I
12 understand there was a note within the bag of the pilot. Is that
13 correct? Or you found a note? Somebody found a note?

14 A. Yes. We went through all of, all of the bags. Yup.

15 Q. Okay. Did that note -- what did that note say to you?
16 Anything?

17 A. In my opinion?

18 Q. Your opinion, at this point?

19 A. My opinion is when I read that note, I don't know who wrote
20 the note, but if I recall, the note said something to the effect
21 of just remember, it's only a patient in the back and you don't
22 have to fly in the clouds. In my opinion, that pilot struggled
23 flying in bad weather. He had communicated to somebody and
24 they're writing to him saying, it's okay, you don't have to fly in
25 the clouds. Why else would somebody write that in a note? My

1 opinion.

2 Q. Since you've returned, have you looked through that pilot's
3 training record to see if he had any issues in IMC conditions?

4 A. That was part of our audit and part of our -- he struggled
5 with his check rides. He struggled with approaches. He struggled
6 with holding patterns. There are a couple of things that he
7 struggled with that he failed. I think he'd been with the company
8 three times, and every year they go through that process. Every
9 year he failed and then they trained them to proficiency. So,
10 yes.

11 Q. And I know that some of that -- some of that was your opinion
12 as to what that meant. But --

13 A. Do I have to ask your permission to answer some of these
14 questions? Because -- okay.

15 Q. Well, you can ask her permission.

16 A. No, just -- just -- well -- you know, being party status, I
17 can't divulge anything that was discovered after the accident,
18 right?

19 Q. True. Let's get all technical here. Is it okay if I ask him
20 questions? So, anyway, since you've come back with that
21 knowledge, has there been any changes put in place for other
22 pilots that might fall in that kind of category?

23 A. Yes. So, that was the audit that my department did on the
24 pilot records that kind of the beta test of our audit system and
25 the questions. We found three pages' worth of things that caught

1 our attention. And we found a couple of pilot -- we found one
2 pilot for sure that struggled worse or had more challenges than
3 the incident pilot. We identified three pilots that we -- that
4 got our attention, and we kicked that up to Jared. We kicked it
5 up to the Training Department the DO and said, hey, we think that
6 these folks need to be reevaluated here. And we did that. We
7 brought them here.

8 And in the past, you could train to proficiency. And in
9 those three circumstances -- and I think there were more and I
10 apologize -- and I'll tell you why there's three. In those three
11 situations, training to proficiency was not allowed. They came
12 here, they did some SIM stuff, and then they went flying. And if
13 they didn't pass, they were gone. All three of them resigned.
14 So, that was kind of the first thing that we looked at.

15 Q. Considering that, what kind of -- I hate to use the word --
16 credibility does that give the Safety Department with pilots? Oh,
17 they identified three people, and they brought them in and -- I
18 can only imagine what pilots -- what rumor mill will spread. Did
19 that affect your guys' credibility out there with the pilots at
20 all, that you're aware of?

21 A. No. And again, I apologize to keep using this term, but both
22 ends of the spectrum, we've had pilots who say it's about time,
23 and then we've had pilots to go, why are you guys involved?
24 Right. So, it's been more on the positive side of, wow, okay, you
25 guys are looking.

1 Q. Okay. Last question I have, and then we'll get to Sabrina's
2 time.

3 A. You have given her way too much time to think about her
4 questions.

5 Q. I know how long it takes. Baldwin reports, we hear that
6 term. We've heard it. Everybody we interview talks about Baldwin
7 reports. Has anybody, whether it's Safety or anybody, looked at
8 the Baldwin reports and asked the end user how they, how they work
9 for them? Are they good? Are they bad? What needs to be
10 changed? Have you guys -- it's one thing to have a great,
11 beautiful report that looks nice and fancy, but if it's hard for
12 the user to use it -- have you guys looked into reaching out to
13 those that use it and say, how's it working for you? What needs
14 to be better?

15 A. That's part of the new process, right? Like I said, from
16 July to present, yes, it's to find out. It's that interaction,
17 that personal phone call to say, hey, I got your report. Let's
18 talk about it. Right. So, have we published anything? We have
19 -- let me think about that. Trying to think if we did publish --
20 I think we did publish new guidance of, okay, there's a new
21 process. And the first thing that we did is we took the 52 people
22 -- so these were all various managers throughout the company that
23 were receiving the report -- so we did communicate that change in
24 process and let the employee know that the report begins and ends
25 with the Safety Department and the Safety Department only.

1 I don't think I answered your question. Going back to your
2 question, I don't know that we have pulled together a working
3 group to say, okay, how's the Baldwin system working? I have been
4 called on the carpet a couple of times in a meeting and I've asked
5 them, you know, when was the last time you looked at the report?
6 I asked them to pull it up and they said, oh, you guys have made
7 five comments. So, there's been that, that education piece to
8 say, we gave you the communication that we changed it, and you
9 have to go because -- I'm getting way off track here.

10 There's a mindset that they type in the Baldwin report and
11 walk away. They don't own the report. Personally, they don't
12 take ownership of that report. They don't go back and look at the
13 report. They don't look to see what's happening. They're waiting
14 for somebody to pick up the phone and say, hey, this is what we
15 did. And we don't have that bandwidth. So, that's the education
16 piece to say you have a responsibility. You submit a report. You
17 have a responsibility to keep track of it.

18 Q. Okay. All right, perfect. You've answered my questions.
19 But I know with all the excitement that you've been anticipating,
20 it's Sabrina's turn.

21 BY DR. WOODS:

22 Q. We talked about the accident pilot, the note that was found.
23 Maybe there were some concerns that were there, which is a great
24 setup for some of my questions. But before I get to that. Hawaii
25 specific issues through -- in your capacity in three years,

1 through Baldwin, through word of mouth, through meeting boots on
2 the ground and meeting of individuals, through talking with the
3 chief pilot, talking with the director of Training, what are
4 Hawaii specific issues, in your opinion?

5 A. In my opinion, they're too far from the flagpole. And going
6 back to the growth, it's Hawaii Life Flight. So, it's one of
7 those, we're Hawaii Life Flight, you're Guardian Flight, that kind
8 of dynamic. So, I think -- and again, I can't -- I think there
9 are things that happen way early on in kind of the growth, if you
10 will with -- when there was an acquisition, there was too much
11 autonomy to let that program run the way it did because there was
12 brand identity, without reining folks in and saying, okay, you're
13 part of the Guardian Flight team, this is how we do it.

14 And I think that that's an example there that Hawaii's always
15 been out in the ocean, has always done their own thing, and we've
16 let them go, let them do their own thing. In my opinion, that we
17 didn't, we didn't pull everybody in and say, okay, you're part of
18 a bigger family now and this is how we operate.

19 Q. So, writing that, bringing them closer to the flagpole to
20 quote you, has -- how far -- has that process started? How far
21 are you in that process?

22 A. Of pulling them towards the flagpole? We're pretty far
23 along. So, for example, the site safety officer program that we
24 talked about earlier, you know, we have a program safety officer
25 and a site safety officer. We never had a safety officer at each

1 base. Now that's changing. So, we have gotten the approval to
2 recruit site safety officers. We have them at most of our bases.
3 It's not a stipend position. So, getting folks to do things
4 without paying them is kind of difficult. But we have been
5 approved to pay them a stipend to do that position. I think
6 that's one of the more significant things.

7 And just really demonstrating, you know, hey, this is your,
8 this is your conduit. Right. And we try to advocate that all the
9 time. You have a conduit from the front line all the way up to
10 the director of Safety of Guardian flight and all the way up to
11 the VP of Safety at the, at the national level, at the Global
12 Medical Response level. So, I think that's one of the biggest
13 changes.

14 Q. So, for bringing those people on, is it -- is there a set of
15 credentials that are required that comes with that position, or is
16 it like if you fog a mirror, you're in?

17 A. No, no, no, no. We have we have a list. So, we actually
18 have a document that's an agreement that says if we're going to
19 pay you the stipend, you have to agree to these items. An audit
20 as one of them. And that's where the Safety Department -- excuse
21 me, that's where we provide the training. So, we'll be
22 establishing that to say, okay, here's what an audit looks like,
23 here's what you're looking for. Then kind of go through that
24 process, because again, we're going to have a mix because it's
25 available to Clinical, Flight Ops, and Maintenance personnel.

1 Q. Does interpersonal skills have a position on that list?

2 A. Oh, absolutely. Yeah. No, it's a -- we go through an
3 interview process. We ask them why they want it. Believe it or
4 not, I've had people say, I need extra money. No, that's not for
5 you.

6 Q. So, given the uniqueness that is Hawaii, are there any other
7 bases that are like comparative that you're dealing with and how
8 far away from the fold there are?

9 A. Yes, all of them. So, going back to my comment, there --
10 there's been this allowance to function autonomously. And this is
11 the conversation that I've had recently with Jared is that we
12 don't have a Guardian Flight culture. We have a Hawaiian culture.
13 We have an Alaska culture. We have a Wyoming culture. And these
14 are all of the programs that have been acquired. Going back to
15 your other question, we have a AeroCare culture. We have a Gallup
16 culture, but we don't have -- we haven't, we haven't taken the
17 time to say, no, this is what we do.

18 And this is what I'm trying to advocate when I tell people, I
19 manage Guardian Flight's Safety program for GMR. So, we're trying
20 to make that bigger connection that we're not taking your brand
21 identity away, but we are mandating that you have to play by our
22 rules, not how you've been doing it for the past 20 years.

23 Q. When I say the words change management, what does that mean
24 to you?

25 A. It means a lot to me. It -- you want me to go through the

1 whole risk management? For me, it's identifying -- somebody who
2 identifies an issue, may have a recommendation. We go through the
3 process of doing risk management, safety risk management to where
4 we identify the activities, the conditions, and the potential.

5 Q. I'm going to stop you there. I said change management.

6 A. Change management. Mm-hm.

7 Q. So, I'm just clarifying. If you came back with --

8 A. I view it differently than anybody else.

9 Q. -- risk management. Okay, go ahead. I'm sorry to interrupt
10 you.

11 A. Change management, for me, you cannot go through the change
12 management process without going through the risk management
13 process as well. So, you have identified an issue and you come up
14 with the recommendation. So, what we go through is what -- I call
15 it systems risk management. I think FAA calls it safety risk
16 management, the SMS. What we go through is a process where we
17 identify what the conditions are or what activities are taking
18 place, what are the conditions that those activities take place
19 in, and then what are the potential hazards? Right?

20 So, we go through the risk assessment process to see what are
21 the pros and cons, what are the potential negative outcomes,
22 right, and we come up with a risk number or a risk priority
23 number, which is a cumulative of, when you're looking at severity
24 probability and then if you have records or documentation or any
25 kind of controls, it'll multiply all of those and come up with a

1 number. And then from there, we take it to the next level to say,
2 okay, what do we need to do to reduce that level of risk to a
3 reasonable level? Right? So, that to me is the beginning of
4 change management.

5 And once we work through that, then we come up with a
6 document, a process, as far as if we're doing a policy change. We
7 have to teach, hey, we're changing a policy. Here's why we're
8 changing the policy. And that's where that change management
9 comes in, in that we've identified an issue, we're making a
10 change, we've gone through the risk assessment process. Here's
11 the new process and here's the training for that process. And
12 then we communicate that to everybody within the organization.
13 And it's not the Safety Department, but it's us coming together in
14 that Operational Accountability Roundtable that have those
15 discussions and potentially create working groups to manage those.
16 Q. That was just something I thought of along with
17 (indiscernible) question. So, getting back to -- and Shawn -- I
18 actually opened the door and then I -- we had moved on and then
19 Shawn came back around to some of the things. I think Mitch did
20 as well. Going back to training and kind of how much time you
21 have at the beginning, like new applicants, how much time you
22 have, and you know what you're discussing in that role. To me,
23 there are a lot of fundamental things under training that are
24 safety elements such as CRM (ph.) is one, you mentioned that one
25 already, such as fatigue training, self-assessment, stress

1 management, decision making.

2 Yes, a lot of these are human performance things. But if --
3 you don't have an interface with the training side at the moment
4 -- I know you're working for change -- who's informing that
5 process for the training side? Are they getting -- are they
6 getting --

7 A. That would be the Training Department.

8 Q. Are they getting these things filled (ph.). First of all,
9 let's back up. Do you know, are they getting training in fatigue
10 management, self-assessment, stress management, decision --
11 aeronautical decision making, decision making?

12 A. I do not have an answer for that question.

13 Q. That's fine. That was good. It helps me gauge how I want to
14 keep going with the questions. Those things, though, are -- would
15 you agree that those things are safety data driven, like,
16 subjects?

17 A. I don't understand your question. So, would I be looking at
18 that?

19 Q. Why are we concerned -- why are we concerned about fatigue,
20 particularly in this type of flying operation? I'm not trying to
21 be --

22 A. Oh, okay. No, no, no. Yeah, yeah.

23 Q. Why are we worried about fatigue?

24 A. No, I'm worried about fatigue because I don't want a pilot at
25 25,000 feet being tired, falling asleep.

1 Q. Right. So, I would consider that a safety issue. Right?
2 So, how does that safety issue -- how are we training to that
3 safety issue if Safety is not involved in training?

4 A. I would first off say that Safety doesn't have to train the
5 safety element of it, if those pieces are there. And I own the
6 fact that I don't know whether they incorporated that into their
7 training. But I wouldn't, I wouldn't say that Safety has to
8 provide that training as long as it's there. But again, I own the
9 fact that I don't know whether it's there or not.

10 Q. I don't even necessarily mean provide the training but inform
11 the training. The information that you collect through Baldwin
12 reports, through reading about things, through, you know,
13 complaints about fatiguing out for different reasons, that has to
14 aggregate at some level. Right? And it sounds like, from what
15 I've heard over talking to you, that aggregates in your
16 department, in the Safety Department. So, then how does that
17 information --

18 A. So, I think I'm starting to follow what you're saying.

19 Q. -- spit back out to this -- to the Training side?

20 A. So, yeah. So, we do a monthly analysis on all of the reports
21 that we do. And what we do is look for trends, not only with the
22 incident reporting, but trends with phone calls, trends with the
23 Aviation Safety Action Program. And then we post that in Baldwin
24 We talk about how many reports have been reported year over year,
25 quarter over quarter, month to month. And then towards the end of

1 the report, we identify what are the top ten -- or no, top five
2 items that have been reported. Right.

3 So, if there's maintenance issues, we'll categorize that as,
4 here, maintenance hit the top five and then we drill down into
5 another side that says here are the top -- or here are all of the
6 reports relative to maintenance. Right. So, they have that data
7 published at the end of the month. I will tell you that
8 December's and January I've fallen way off because of the events
9 that I haven't been keeping up with that. But that's how we
10 communicate that out. And we also post the ASAP information as
11 well. Monthly, quarterly reports, all of that gets fed back to
12 the employee.

13 Q. So, is there an assumption there on your part that, let's say
14 you're doing that, you're aggregating, you're getting that
15 information, you're compiling it, it's there, to be interpreted
16 and had, is there some showing you're part of it, then the people
17 who facilitate the training go in and look at that data and go,
18 okay, we should probably -- this is a training problem, we should
19 probably start discussing this more on our side of the house.

20 A. That's a recent change in that our ASAP manager works
21 directly -- we started with the director of Training providing
22 that information, and then we realized that it didn't have the
23 trickledown effect. So, we started emailing that information to
24 all of the training folks, as well as the assistant chief pilots
25 and the regional maintenance managers. That's how that change

1 came about, to where we were providing the information, but it
2 wasn't going anywhere. So, then we took ownership of that and
3 decided we would communicate it out to the masses. So, that's
4 everybody from the pilot all the way up to the director of
5 Operations.

6 Q. So, in going that route, is there any concern about
7 consistency across the -- like, for instance, the assistant chief
8 pilots --

9 A. Is there any --

10 Q. -- what they do with the information then?

11 A. No, because it's full transparency. So, not only are they
12 getting the information, not only are the training, the training
13 captains, if you will, getting the information, but it's going to
14 the line pilots as well. So, we're not relying on anybody to
15 share the information for us. We're pushing it out to everybody.
16 So, there's, you know, they have that ability to ask questions.
17 So, it's not, hey, I'm going to hang onto this. I'm not going to
18 share this information. It's we don't care. We're going to let
19 everybody see it.

20 Q. I just seems, you know --

21 A. So, to your point, it didn't go anywhere before, and now it
22 is.

23 Q. I think that's all I have.

24 MR. ETCHER: Are you sure?

25 DR. WOODS: No, not at all. I think that's all I have.

1 MR. ETCHER: Millicent.

2 BY MS. HILL:

3 Q. What are some of the differences between the Hawaii Life
4 Flight culture and the Guardian culture?

5 A. It's a good question. I think just the total autonomy on
6 letting them -- it's almost as if we turned a blind eye to them
7 and we don't know what they're doing. And I don't know if that's
8 a fair statement. But it could be a get her done type -- you
9 know, we have a dying patient, we need to go, kind of mentality.
10 Without the pause or the brakes to say, no.

11 Q. Are there -- have there been any certain areas where they've
12 been more reluctant to adopt a more Guardian Flight philosophy or
13 culture?

14 A. One program more than another that -- I don't know that it's
15 at the program level as much as it is that individual and their
16 perception of what their job is. Right. So, I can't say it's a
17 program that does it one way or the other, good or bad,
18 indifferent. I think it goes to the individual and why they're --
19 why they fly for us.

20 I think that Hawaii incident pilot was an example of that,
21 that I did not know he was at a job with another company on the
22 island. I didn't know that he was a chief pilot for another
23 company. Should I have known that? Yeah, he's supposed to tell
24 somebody, but I didn't know that until, I think it was the FAA
25 brought that up, or you brought it up. It's those things that you

1 think, well, how come we didn't know that. It's the risk
2 assessment, right?

3 There's not one of those in the system anywhere. So, where
4 he got his number, I don't know. Right. We have a policy that
5 says you -- thou shall complete that risk assessment form before
6 you accept a flight. So, now I have two events that neither pilot
7 submitted a risk assessment. But I've got -- I get 1,800 of them
8 a month. So, they're doing them. But it just happened that those
9 two guys -- and I'm sure there are other pilots that aren't.
10 Right. So, that's another IEP, is like, how do you manage that to
11 where you balance how many flights did you get and how many risk
12 assessments did you receive? Somebody has to audit that, so I
13 don't think it's a program. I think it's more of an individual --
14 maybe an act of defiance? I don't know.

15 Q. We heard the term drift a lot in the Hawaii interviews. Is
16 that something that you would see more with the Hawaii Life Flight
17 program than some of the others?

18 A. No. So, where that term came from, that's part of our
19 presentation when I did the town halls, when I started talking
20 about exchanging, you know, the emergent aspect into rushing,
21 cutting corners. I use that term drift, and I used it in all the
22 presentations to say, I'm seeing drift. You guys, here's the
23 policy; you guys are drifting. And we give them the example of
24 the speed limit. Right?

25 So, I'm really excited to hear that they're talking about

1 drift because that was my main focus is talking about how we're
2 drifting. Some folks will drift and come back to center, but
3 other folks keep drifting and do their own thing. And then that's
4 where the exposure is for the company and the operation.

5 Q. They heard it. It was the word of the week.

6 A. I think that's awesome. I -- that makes me -- I'm excited
7 about that because we drove that home every base. It was about, I
8 see drift.

9 Q. So, we know from the pilots' training records, detailing the
10 recurrent trainings, from the letter, you know, he was
11 uncomfortable in flying in instrument conditions. Has anybody
12 since the accident come forward and talked more about that? Did
13 he open up to anybody about those concerns?

14 A. No. I was hoping that we would get something from his
15 partner, but no. I don't even know if that note was from his
16 partner or if he had a girlfriend. I don't know that either.

17 MS. HILL: That's all I had.

18 MR. ETCHER: Thanks, Millicent. Mitch.

19 BY MR. MITCHELL:

20 Q. Just a couple of questions. When did you start briefing new
21 hire courses? (Indiscernible).

22 A. When? Let's see, this is March. Definitely by January, it
23 was either myself or my team would do the new hire.

24 Q. January of --

25 A. January of this year.

1 Q. '23?

2 A. Mm-hm.

3 Q. So, how many course -- or how many new hire courses have
4 you --

5 A. Three our department has put on and we're doing another one
6 April 3rd. And we have been doing all of the clinical. Yeah, we
7 just kind of were absent on the pilot side.

8 Q. Same timeframe?

9 A. No, no, no. The clinical, we've been doing that for --

10 Q. Clinical you've been doing?

11 A. Right. And again, part of the change, not necessarily the
12 growth, is that we used to do all of the training here, but now
13 we're doing the clinical training in Denton, Texas. The pilots
14 are doing the training still here, and then the maintenance folks
15 are doing their training somewhere else. So, when we fragmented
16 the company and broke off the training, which again is a course
17 correction, all of our pilot training, clinical training will be
18 held in Denton, and they're trying to get that kind of wrangled in
19 to where they have everybody come together like the first day and
20 they go through HR, Payroll, Safety, have those discussions and
21 then they break out. So, that's another change that's in the
22 works.

23 Q. Do you know if any recommendations have been made regarding
24 minimum flight hour requirements for new hires?

25 A. Yes.

1 Q. Do you know what those -- that recommendation would be?

2 A. Pre or post Hawaii accident?

3 Q. Let's start pre.

4 A. So, pre we had established 2,500 hours as a minimum, which
5 was kind of based on the kind of a (indiscernible) preference, if
6 you will. And again, pre-leadership, we had issues with hiring
7 pilots. So, we dropped the limit to 2,000 hours and then we
8 dropped it even more on a case by case basis.

9 Q. So, post Hawaii accident, what is the minimum requirement?

10 A. 2,000 hours.

11 Q. 2,000? Is that the current requirement today?

12 A. No.

13 Q. Current requirement today?

14 A. 2,500 hours. 1,000 hours PIC time, 500 hours -- I had him --
15 500 hours terminal prop (ph.), and then we've also looked at our
16 float pilots, there's a minimum type. It was 150 hours, and we've
17 raised that to 200 hours minimum make and model. And then we've
18 also -- again, this is part of the other thing that you're going
19 to ask me, the other accident -- we've also, our float pilots are
20 not -- they're not allowed to be moved around if they have less
21 than 200 hours of make and model.

22 MR. MITCHELL: Thank you. That's all the questions I had.

23 MR. ETCHER: Okay. Thanks, Mitch. You made it through two
24 rounds. Doing all right?

25 MR. KOENES: Yeah. I probably said more than I should have.

1 I don't know.

2 MR. ETCHER: Oh, I see Millicent raised her hand so politely.

3 MS. HILL: I have one more, if that's okay.

4 MR. ETCHER: Okay.

5 MR. KOENES: Oh, look at the time.

6 BY MS. HILL:

7 Q. Based on auditing the pilot records and the three pilots you
8 brought in for more testing, who resigned, you said there was
9 other pilots that you identified in the, in the auditing of the
10 records? What were they identified for or needing?

11 A. I would have to go look at the records there. I mean, there
12 were things that were -- like they were missing their medical in
13 their file, documentation wasn't accurate, wasn't signed. We had
14 one pilot that, you know, say, I looked at your record and it said
15 that you were signed off for your 297, but when I go in and pull
16 the 297 record, it had your name on it. Like, okay, so how did
17 that happen? So, things like that that have been corrected.
18 Paperwork, yeah.

19 MS. HILL: That's all. That's it.

20 MR. ETCHER: Okay. I know we've asked you a ton of
21 questions. You've got to be tired of talking with us for a little
22 bit. But are there any questions that you thought, man, they're
23 going to ask about this for the Hawaii event, and we didn't?

24 MR. KOENES: No, I think I touched on the things that -- in
25 my responses. You have to give me a minute to think about it and

1 see if we missed anything. I mean, outside of that, I would like
2 to know, you know, maybe you and I could talk later about where we
3 are in some of those things relative to toxicology and just that
4 kind of stuff.

5 MR. ETCHER: Okay. Well, I thank you a lot for all the info
6 you've given us. So, thank you very much. And we will call this
7 interview concluded at 17:20 local.

8 MR. KOENES: Okay.

9 (Whereupon, at 5:20 p.m., the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: RAYTHEON AIRCRAFT COMPANY
 FATAL ACCIDENT NEAR KAUPU, HAWAII
 ON DECEMBER 15, 2022
 Interview of Michael Koenes

ACCIDENT NO.: ANC23FA008

PLACE: South Jordan, Utah

DATE: March 21, 2023

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Melissa Bousquette
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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RAYTHEON AIRCRAFT COMPANY FATAL

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ACCIDENT NEAR KAUPU, HAWAII

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ON DECEMBER 15, 2022

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Accident No.: ANC23FA008

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Interview of: ANDY MUNION, Chief Pilot
Guardian Flight

South Jordan, Utah

Tuesday,
March 21, 2023

APPEARANCES:

SHAWN ETCHER, Operational Factors Investigator
National Transportation Safety Board

DR. SABRINA WOODS, Human Performance Investigator
National Transportation Safety Board

MILLICENT HILL, Investigator-In-Charge
National Transportation Safety Board

MITCH MITCHELL, Aviation Accident Investigator
Federal Aviation Administration

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I N T E R V I E W

(10:05 a.m.)

MR. ETCHER: All right. Good morning. The time is 10:05 local time. My name is Shawn Etcher. I'm an operational factors investigator with the NTSB. So, all that means is I look at everything kind of forward of the cockpit door, how it interacts with the pilot, look at the pilot, everything along that lines. In just a moment, I'm going to go around the room here, have everybody introduce themselves as well and give you their -- kind of their role in this as well so you can have faces, names, and kind of what their tasks are. And we will start with Ms. Sabrina.

DR. WOODS: Hey, again, Dr. Sabrina Woods. I'm also with the NTSB. I'm the human performance investigator assigned to this accident. And my job is complementary to Shawn's, and essentially, I'm looking at all of the things that are set in place, kind of top down that help people do their job. And then there might be some things that detract from people being able to do their job well. So, those are the kind of things that I kind of look at in whole packages.

MR. MUNION: Okay.

MR. ETCHER: Millicent.

MS. HILL: Millicent Hill. I'm the NTSB investigator in charge.

MR. MITCHELL: Good morning, Andy. Again, Mitch Mitchell, aircraft accident investigator with the FAA, with the Office of

1 Accident Investigation Prevention. We're purely safety
2 investigation, no way associated with any type of enforcement
3 action, that's not what we do.

4 MR. ETCHER: Okay. So, that's everybody that will be
5 interviewing you today and asking questions. Typically, we go two
6 rounds. I usually start, ask a lot, and then we pass it off to
7 each other. And so, that's why we do two rounds. So, there's no
8 one interrupting somebody else's line of questioning. And not to
9 add confusion for you.

10 MR. MUNION: Okay. I appreciate that.

11 MR. ETCHER: We are recording this interview. Once the
12 recording is done, it will be sent off to a professional
13 transcriptionist. They will transcribe it. The transcript itself
14 will become part of the public docket for this event. The
15 recording will not. Are you fine with us recording and having
16 this transcribed?

17 MR. MUNION: Yes.

18 MR. ETCHER: Thank you. Hopefully they told you, you have a
19 -- you can have a representative here with you if you wish. I see
20 you came in by yourself. So, I assume you don't want to have a
21 representative at this point anyway?

22 MR. MUNION: No.

23 MR. ETCHER: Okay. If that changes, you need to phone a
24 friend or phone somebody that's okay. Just say so. The button --
25 I can hit the pause button real easy, and we'll even step out of

1 the room if we need, so you can talk to whomever you need to.

2 MR. MUNION: Okay.

3 MR. ETCHER: So, don't, don't hesitate. All right?

4 MR. MUNION: Yep.

5 MR. ETCHER: All righty. Just a few basic rules. This is
6 not a check ride. So, if you don't know an answer, I don't know
7 is fine. We love having facts as much as we can, but some of our
8 questions, and sometimes you might even have an opinion. Just let
9 us know. You know, if we want your opinion, we'll ask for it.
10 But if you have something you want to volunteer an opinion for,
11 please feel free just to tell us, you know, in my opinion or
12 whatever just so when I'm reading this transcript in a couple
13 months again or anybody reading it, they realize, oh, this was a
14 -- this is his opinion, just to help me especially. So, I
15 appreciate that.

16 MR. MUNION: Okay.

17 MR. ETCHER: If you need a break, it's okay. Just say so.
18 We will be happy to take breaks as often as we can. So, don't
19 hesitate to let us know.

20 MR. MUNION: Okay.

21 MR. ETCHER: And last really kind of important question, if
22 you will, if I ask a question, it usually sounds really good in my
23 brain, but sometimes there's a disconnect between my brain and my
24 mouth and it doesn't come out quite the same, and you have no idea
25 what I'm asking for or you're confused, ask for clarification.

1 It's okay. You give me an answer that I don't quite understand,
2 I'm going to ask for a little clarification as well. So, it's
3 kind of a give and take that way. So, don't -- please don't
4 hesitate. If you need clarification, ask for it.

5 MR. MUNION: Okay.

6 MR. ETCHER: All righty. All right. With that, if
7 everybody's ready to go. All righty.

8 INTERVIEW OF ANDY MUNION

9 BY MR. ETCHER:

10 Q. I start with the hardest questions first, and then we -- they
11 do get easier then. Can you state your full name and spell your
12 last?

13 A. Andrew Richard Munion, M-U-N-I-O-N.

14 Q. And how old are you?

15 A. 40.

16 Q. All righty. And what is your job title?

17 A. I am chief pilot for the PC12s and C90s for Guardian Flight.

18 Q. All righty. And how long have you been doing that role?

19 A. I stepped into this role in December of 2016, I believe was
20 the exact timing.

21 Q. Okay. So, we're just a little over six years.

22 A. I believe that's the appropriate timing.

23 Q. I'm trying not to do too much math in my head. I've only had
24 a couple of cups of coffee, so --

25 A. Yup, understood.

1 Q. -- my apologies. All righty. And I know you said you're the
2 chief pilot for the PC12 and the C90. Does that include Hawaii
3 Life Flight? Do you oversee that office?

4 A. Yes.

5 Q. Excellent. And I assume you have not been a chief pilot your
6 whole career here. When did you get on with Guardian, I guess, or
7 whomever? Help me kind of -- walk me through that.

8 A. Okay. So, I started in about 2011 with a company called
9 Valley Med Flight that was as a line pilot. That company was
10 acquired by the then owner of Guardian Flight in, I believe, about
11 2013. And I -- throughout -- between the time of starting as a
12 line pilot, I became an assistant chief pilot for Valley Med
13 Flight and then the chief pilot for Valley Med Flight and then the
14 chief pilot under Guardian Flight.

15 Q. Okay. Perfect. What airmen certificates and ratings do you
16 currently hold?

17 A. I am ATP, multi-engine land, commercial privileges, single
18 engine land, and instructor.

19 Q. All righty. And are you also a check airman?

20 A. I am no longer current on -- as a check airman on a Guardian
21 Flight certificate.

22 Q. So, you had been a check airmen?

23 A. I had been.

24 Q. When did you allow that currency or authority to lapse?

25 A. I would have to go to see when my two years expired on that

1 to verify. But I want to say that was right around -- towards the
2 start of 2022.

3 Q. Okay. A ballpark works good. So, I told you, I asked the
4 toughest questions first, and the next couple are probably going
5 to be the toughest of all of them. Kind of ballpark, how much
6 total time do you have?

7 A. Oh, that was not what I looked at before coming in here.

8 Q. I told you, these are the tough questions.

9 A. I would say that I'm between 3,000 and 3,500 without looking,
10 with moving into a management role relatively six years ago.

11 Q. The ballpark is good for me, so I appreciate that. And of
12 that, do you have any time in the C90?

13 A. I do have some time in the C90.

14 Q. Ballpark, about how much?

15 A. I would ballpark at about a few hundred hours.

16 Q. All righty.

17 A. I would have to verify for exacts.

18 Q. Okay. No, ballpark works perfect. So, it just kind of helps
19 me get an idea of, you know -- kind of helps me judge, you know,
20 your answers and experience, kind of helps me put that together in
21 my head a little bit. So, I thank you for that.

22 A. Okay.

23 Q. Start getting in just a little bit to the Guardian Life
24 Flight umbrella or Guardian -- you know, GMR, whatever -- what do
25 you guys normally go by. Guardian? GMR?

1 A. Guardian Flight.

2 Q. Guardian Flight. All right.

3 A. Or Guardian for short, but I personally try to stay away from
4 that one as much as I can because I know that there's other
5 Guardians out there for operating certificates with different
6 second terms, right? I know that there's a Guardian Air. There's
7 -- so, I try to be very specific when I talk about Guardian
8 Flight.

9 Q. Okay. So, I will try and keep that consistency, too. So,
10 correct me when I slip up, so don't hesitate. So, the leadership
11 structure here at Guardian Flight, kind of draw me a picture with
12 words if you will, kind of from a pilot standpoint, what's the
13 structure up? And then, you know, from your standpoint, who do
14 you talk to above -- kind of help me understand the chain of
15 command?

16 A. Sure. Current state, starting at a line pilot, we would have
17 the line pilot that would generally report up to a lead pilot, but
18 we do not have that at every base. Multiple factors that may lead
19 to not having a lead pilot at a base, but we do try to have a lead
20 pilot at each base for a local representation. From there, the
21 pilots would report to an assistant chief pilot. That assistant
22 chief pilot would report to the chief pilot, myself, for these
23 airframes or for my airframes. I report to Jeremy Salveson, who's
24 the director of operations, on the certificate. And then we do
25 have a COO. I know we are in the process of making a change at

1 the DO level right now. It has not officially gone through, but
2 that would be -- Nick Cusimano will be stepping into that role and
3 Jeremy will move into an assistant director of operations role. I
4 will still report to him as my understanding. Nick will report to
5 the COO, which is Jared Sherman. He stepped into that role
6 sometime in December, January timeframe, and then he will report
7 up to GMR through his channels.

8 Q. Okay. That kind of helps me kind of see the little tree in
9 my brain a little bit. So, I appreciate that. And you say you
10 still report -- when this transition finishes, you'll still report
11 to Jeremy, or will you actually report to Nick or kind of both?
12 Or do you -- is that been cleared yet?

13 A. I think we were waiting for the FAA to finish processing the
14 change to fully make that known. But I believe I'm going to have
15 report structure to both.

16 Q. Okay.

17 A. That is my understanding right now.

18 Q. All righty. Now, I know when you were talking about the
19 tree, if you will, the line from the line pilot up. You said that
20 some bases have lead pilots. Do you recall if Maui had a lead
21 pilot?

22 A. They did not.

23 Q. It did not. Had it ever had one?

24 A. Not to my recollection.

25 Q. Okay. So, kind of in a nutshell, if you will, however

1 easiest for you. Kind of help me understand what a lead -- base
2 lead pilot's role would be, as you see it.

3 A. Historically, Guardian Flight would utilize the lead pilots
4 as that point of contact for the assistant chief pilot or the
5 chief pilot or the director of operations. That if we needed
6 something done at the base tracking down form that, you know,
7 needs to be sent in or something along those lines, that was the
8 main duties of the lead pilot to help in that role is how it was
9 utilized a lot of the times. And then it was also a point person
10 to help if we had any scheduling things that came up or anything
11 like that to provide a local level view on that, or opinion on
12 that. Those to me would be the largest responsibilities that we
13 ever utilized a lead pilot for. I think that sums up.

14 Q. That helps a little bit. Will that -- in your opinion, will
15 that alleviate work, or will that make it more work for you to
16 manage that? How would the lead pilot -- would that help you at
17 all, or was it just really going to help the assistant chief pilot
18 the best -- the most?

19 A. I would say that it would probably help the assistant chief
20 pilots the most. And then ancillary to that would be myself.

21 Q. Okay. All right. As a chief pilot, how many pilots do you
22 have that you oversee? Is that, is that an appropriate word for
23 you?

24 A. I guess it depends on if you're referring to direct oversight
25 or through the line of -- chain of command. My direct supervision

1 is of the six assistant chief pilots. Each one of them has a
2 varying number of pilots that they will -- we typically look at
3 that as we don't want more than X amount of bases under a specific
4 chief pilot. And that number has -- we've looked at that as we've
5 grown and what's appropriate and tried to make appropriate changes
6 as needed.

7 Q. So, let's talk about the Hawaii Life Flight event. The
8 assistant chief pilot that's out there is in Honolulu. Am I --
9 please correct me if I'm wrong. It's been a bit and I don't want
10 to mess that up. How many bases does he oversee?

11 A. So, he has six locations. And when we talk about a base, we
12 talk about an aircraft because for management structure -- and I
13 -- so that's my vernacular, I should say, for anything management
14 wise, that is what I'm looking at for what their workload might be
15 and things like that. So, I want to clarify that. He would have
16 six locations, but seven bases from my perspective.

17 Q. Okay.

18 A. I'm recounting bases in my mind to make sure that that's
19 accurate.

20 Q. That's okay, that's fine. Take your time, take your time.

21 A. I believe that's accurate.

22 Q. Okay, all right.

23 A. If it's not, I'm having a brain fart on that.

24 Q. I have those quite often, so it's understandable. It's all
25 good. So, he has -- that's his structure. Does that -- from your

1 viewpoint, and I realize you're not in Hawaii, so I guess you're
2 relying on him to keep you abreast of everything out there. Is
3 that enough, too many, about right size for a chief pilot?

4 Assistant chief pilot, sorry.

5 A. I would say it's definitely not abnormal and it's manageable.
6 That's probably the best answer I can give.

7 Q. Okay.

8 A. You know, as we've looked at the events that have occurred
9 and kind of where we're at and what improvements could be, I would
10 -- personally, I'm going to be bringing forward getting some
11 additional support there. But that's not where we are at present
12 day. And I would say that that workload historically, it would be
13 manageable.

14 Q. Okay. Does Hawaii being just the way it is with all the
15 islands, does that make it more of a challenge from your
16 viewpoint? Or maybe the assistant chief has told you anything
17 along that lines? Is it -- does it make it more of a challenge?

18 A. Yes. Logistically, yes. Not having a road structure to --
19 as a backup would be a perfect example of why I would say that.

20 Q. Okay.

21 A. Point of clarity, yes.

22 Q. I just -- you kind of had that look like you were trying to
23 formulate other answers. So, I just wanted to give you --

24 A. No.

25 Q. -- the opportunity.

1 A. I appreciate that. And I'm trying to be very -- I'm going to
2 be very straight forward here, obviously. You're going to know
3 everything that I feel or know, but I'm like -- you had stated,
4 you're trying to be very clear with the questions. I'm trying to
5 just be very clear with communicating what I'm thinking.

6 Q. And I appreciate that. So, please take all the time you
7 want. It's perfectly fine. I, I'm here as long as we need, so.

8 A. So am I.

9 Q. All righty. So, you talked about your six assistant chief
10 pilots that are under you. Did I get that number right, six?

11 A. Yes.

12 Q. Okay. Of those six, that's just Assistant Chief pilots. How
13 many line pilots are there that answer to one of those six?

14 A. My lowest region has -- I'm going to give you the number for
15 fully staffed. Because that's what I do all of my planning off
16 of.

17 Q. Okay.

18 A. And I have a spreadsheet that has all of this information.
19 So, the exact numbers, it's why I'm running through it. But that
20 would be 24. That would be my lowest. And my highest, I believe,
21 is right around 40 pilots.

22 Q. Okay. And is Hawaii the lowest, tthe highest?

23 A. Hawaii is on the high end.

24 Q. Okay. Now, I know you gave me the caveat of fully staffed.
25 How do you classify staffing?

1 A. What do you mean by that?

2 Q. From your viewpoint, how would you classify pilot staffing at
3 Hawaii Life Flight? Are they adequately staffed? Are they a
4 little on the lean side? A lot on the lean? Just overly staffed
5 maybe.

6 A. I would say that they're one of my better staffed regions.
7 But we do have openings there, so, a little bit on the lean side.
8 Yeah, that's probably the best way to classify that.

9 Q. Okay.

10 A. From my perspective at least.

11 Q. Is it -- just -- I know lean can mean so many different
12 things. I can say I'm lean, and you look at me and say, no, he's
13 not. So, that's why I say lean can mean several different things.
14 But from your standpoint, lean -- is it lean enough that you're
15 staffed enough or is it a little lean that you have to bring in
16 pilots from maybe other -- do you do that? Maybe bring in other
17 pilots from other areas to help staff them up a little bit?

18 A. Historically, we don't bring someone from mainland out to
19 Hawaii to staff because of regional differences and those items.
20 We are currently hiring for support pilots; we call them floats
21 within our system. We are hiring for one of those currently in
22 Hawaii that will be Hawaii specific, or centric. But
23 historically, we would not bring somebody in from mainland over to
24 Hawaii to fly. Again, because of some of those logistical
25 differences, some of the operational differences with the airspace

1 out there and -- just there's some very local things that you
2 would need to know.

3 Q. Does Hawaii Life Flight -- do they only fly the C90s, or do
4 they have other aircrafts?

5 A. They only fly the C90s.

6 Q. So, a pilot that you hire for -- sorry, the phrase float
7 pilot -- does he -- does -- that person then is just only for the
8 C90. There's no rotorcraft, no other aircraft he has to be --
9 they would have to be responsible for?

10 A. We do tell our float pilots right now that ideal state
11 currently is that we will cross train at some point. We have not
12 pushed towards that yet and I don't have dual trained floats right
13 now.

14 Q. Okay. All righty, that helps. Now, I can only imagine what
15 a day in the life of a chief pilot is like. But I probably don't
16 even touch the tip of the iceberg. So, can you kind of draw us a
17 picture of a day in the life? Or maybe you're better to say, a
18 month of the life of a chief pilot. You know, kind of help me
19 understand what you do.

20 A. So, as I've grown and I've -- we've been able to grow the
21 assistant chief pilot position into working with their regions and
22 having more local contact with the pilot group. A lot of my job
23 has kind of changed a little bit into supporting those assistant
24 chief pilots, making sure that, that to the best of my ability,
25 they have what they need to do their job directly with the pilots.

1 Obviously, maintaining a watch on operations to ensure, obviously,
2 the legality side of things, but also that we are all moving as
3 much as we can in the same direction. And so, that we're
4 remaining consistent with the new structure that we've put in
5 place.

6 And I say new, you know, we've been working on building out
7 the assistant chief role. Just understanding that it -- that we
8 are at a size that there is support structure that was needed
9 there. That has been a major focus of mine coming into this
10 position because when I stepped into this position, that structure
11 was not there. And so, that has been something that we've tried
12 to develop and build out. And there was a time where I was -- had
13 every single pilot reporting directly to me, and that just was not
14 feasible. It was not realistic. And so, we've really tried to
15 build out the structure so that the line pilots have more of a
16 regional support and a, you know, a direct contact on the
17 management side.

18 Because of that my day now consists mostly of talking with
19 assistant chief pilots on what any issues are in their region,
20 what they're working on, what support they need, and then sitting
21 in on safety meetings, sitting in on leadership meetings, trying
22 to draft, you know, policy and procedure in there. Does that
23 answer your question?

24 Q. It does and it -- let me let my brain kind of turn on it just
25 a little bit, if you will.

1 A. Absolutely.

2 Q. I may have some of the other questions in round two, but it
3 does help. So, my brain will chew on it for just a little bit.

4 So, I --

5 A. Absolutely.

6 Q. -- appreciate that. You did mention something about -- at
7 one point all the line pilots reported to you. How many line
8 pilots were we talking? Are we talking 20? Are we talking
9 hundreds? Kind of just help me understand.

10 A. At that time, that was roughly 110 pilots, I believe.

11 Q. Okay. And you have since grown.

12 A. We have.

13 Q. I know you kind of gave me breakdowns of optimal staffing,
14 but how many total pilots do you have currently on staff today?
15 If you even know that. I mean, maybe that's -- maybe that number
16 changes a lot, too. I don't know.

17 A. It does. And so, I would have to go to my spreadsheet for
18 the up to the minute, obviously, today. Right? We are sitting at
19 roughly 50 pilot openings out of the -- and that is not just my
20 fleet. That also includes the Alaska openings.

21 Q. Okay.

22 A. That is out of 225 pilots, generally speaking, last number I
23 saw. The reason why I say that is the amount of float pilots that
24 I have approval to hire from the finance side is -- changes from
25 time to time.

1 Q. Okay.

2 A. So, that's kind of why I'm giving you ballparks there. If
3 you need exact numbers, I can get you those easily enough.

4 Q. Ballparks work right now. So, I appreciate that. You did
5 say your pilot -- your area you oversee, but then you mentioned
6 Alaska is separate. Do you not oversee Alaska?

7 A. We do have a separate chief pilot for the airframes that are
8 operated in Alaska.

9 Q. Okay. Does that chief pilot and you -- do you guys interact
10 a lot? Do you guys kind of take each other's -- give each other a
11 break?

12 A. When we came -- we -- when I came into this role, I don't
13 know that there was a specific ongoing meeting that involved both
14 chief pilots and the director of operations. Moving forward, I
15 think it was more individually based. That was something that we
16 did create, and I believe I was the one that put out the invite
17 for it technically, whatever, where we now have weekly meetings
18 for us to get on a call, make sure that we all have the same
19 understanding of what our priority levels are, what, you know,
20 what our management strategies are for different things.

21 Q. As the chief pilot -- let me first ask, what area -- besides
22 Alaska -- what is your area? Help me kind of understand your
23 footprint of where -- what you oversee.

24 A. Again, I have to be -- we break it down per airframe.

25 Q. Right.

1 A. So, I'm over the C90s and the PC12. Geographically right
2 now, that includes all of our CONUS fleet and our Hawaii fleet.

3 Q. Okay, okay. And for CONUS, are you talking the tip of Maine,
4 tip of Florida all the way to the West Coast? Or you guys go --
5 you know, are you on both coasts? Just kind of help me understand
6 the geographic area that you are in.

7 A. Yeah. So, I go bases -- the eastern bases that I have would
8 be Michigan and Idabel, Oklahoma. The furthest west would be
9 Hawaii obviously though.

10 Q. Okay.

11 A. But we have bases in many of the states towards -- out to
12 California.

13 Q. Okay.

14 A. I can't say all of them.

15 Q. All right. That just kind of helps me get a visual of the
16 area you kind of oversee, if you will. Do you do that here at
17 South Jordan or are you remote based if you will?

18 A. I work remote based right now in North Dakota, kind of by --
19 in Fargo. That move occurred 2019, I believe, with a lot of
20 travel back to here. And then COVID shut down the travel. Part
21 of the reason that that occurred was some personal items that
22 required me to move back to Fargo, but also from a company
23 perspective that put me in the middle of our Midwest region near
24 our Grand Forks, North Dakota Maintenance hub. There were some
25 operational benefits to some of that as well.

1 Q. There's operational benefits. Is there any operational
2 distractions or take -- you know, problems, challenges?

3 A. So, I would say that working remotely has been something that
4 has to be -- has taken some time to work through some differences.
5 I don't know that I would call them issues necessarily, but
6 differences where we can't walk down the hall and have that five-
7 minute conversation. But we're trying to utilize, you know, Teams
8 and things like that to overcome that. And I would say that me
9 moving back remotely, it was three or four months, give or take,
10 before COVID shut everything down and the entire office went
11 remote. Even if you were here for a while because of different
12 restrictions and things like that, everybody went remote. So, I
13 would say that that was something that we were faced with
14 regardless.

15 Q. Okay. So, you kind of told us a little bit, you know, your
16 day in the life, if you will, meetings and everything. Do you do
17 -- are you involved in any hiring or anything along that lines of
18 pilots? That is, I assume you don't do anything with the
19 clinicians.

20 A. Correct.

21 Q. We're just talking pilot side here. So, are you involved
22 with any of the hiring of pilots?

23 A. Yes, my current state for that is a high-level review. The
24 assistant chief pilots will do the -- to be clear, I need to back
25 up, actually, because HR will do a first-round screening and then

1 the assistant chief pilots will do an interview that mixes what I
2 like to refer to as technical and interpersonal questions. Those
3 can last anywhere from an hour to two and a half hours with the
4 applicant. We try to do those via Teams and on camera so that
5 there is some personal aspect there.

6 That was again, something that we changed because of COVID.
7 Pre-COVID we were bringing everybody into the office for face-to-
8 face interviews. I would say again, there's benefits and
9 negatives to that, right? As far as we still get to see face to
10 face for most of them, but technology sometimes introduces issues
11 that we have to work through.

12 So, after the -- after the assistant chief pilot does the
13 interview, I now get to see all of their interview notes. How the
14 applicant (ph.) asked the question. I verify that the PRD has
15 been verified. I will go in and look at the offer, verify numbers
16 are correct if we're out to that point. And then I will also make
17 an assessment whether a simulator evaluation needs to be completed
18 or not at this point. And then either approve an offer or don't.

19 Q. If you do a simulator, is that here in South Georgia or is
20 it --

21 A. Yes. And I need to be very careful. It's technically AATDs.

22 Q. That was going to be my next follow on. So, see -- I think
23 you're looking at my notes. Aren't you? No, I'm kidding. No, no
24 worries. All right, thank you for that added clarification. So,
25 with hiring that you're involved in, I assume but please correct

1 me if I'm wrong, you're also in charge of the bad part of that, of
2 asking somebody to go seek employment elsewhere. Are you involved
3 in that as well?

4 A. I am.

5 Q. So, kind of ballpark range. How often do you have to do that
6 bad side of the job?

7 A. I'm pausing because I've never thought about how frequently
8 it specifically happens, I guess. I would say that where I would
9 put that is probably, from an HR level and interpersonal skills, a
10 handful a year. From a training deficiency point where someone's
11 not hitting standards in training or anything like that, I will
12 say that that varies greatly depending on the class. I shouldn't
13 say greatly. It will vary depending on the class to a certain
14 extent. It's probably more so on the level of applicants we get
15 at different times.

16 There will be some classes that are a wash out, right? Or
17 that we have to ask someone to seek employment elsewhere, as you
18 put it, or that volunteer to seek employment elsewhere is 50
19 percent of the class. Other times nobody out of the class. I
20 feel that -- and this is a feeling right now -- that we have had
21 to -- due to the industry and the way it is right now, we've had
22 to vet pilots that -- back before the airlines were hiring like
23 they are now, we probably wouldn't have had to try and vet. I
24 feel like we've held a good standard of maintaining our standard
25 to come out of training.

1 Even if we may accept somebody into the training program that
2 meets legal qualifications, meets the -- passes the interview
3 portions, right? But maybe not as strongly as what I would have
4 liked to have seen. I feel like we hold our standard within the
5 training department to wash that person out, and we're not afraid
6 to do that if need be.

7 Q. Okay. That, that helps some. I'll chew on that one too,
8 just a little bit, because I know that's a -- it's a world that we
9 don't always have to look in -- you know, we don't always want to
10 look into but we -- sadly, we kind of have to. But all right,
11 back to the hiring. I know you said you look at the pilot record
12 -- the PRD on all applicants.

13 A. Point of clarification.

14 Q. Please.

15 A. My assistant chief pilots will go in and look at it, and then
16 they will download the report and save it. And then I will look
17 at that as well, just to make sure that they have gone and looked
18 at it and done the processes. But then I also have a chance to
19 look through and see if there's anything that I need to clarify
20 before moving forward to an offer off of that.

21 Q. Is there anything specifically that you -- that raises a red
22 flag for you in a PRD, if you will? Or that you specifically go
23 and like, I want to see past employment. I want to see, you know,
24 how many UNSATs or how many busts he's had or anything like that.

25 A. I will look at the totality of it, I guess is the best way

1 for me to put that from my perspective.

2 Q. Okay.

3 A. If there is an applicant that has -- and I will say right
4 now, the PRD from an employer standpoint, it's getting a lot
5 better, but there's not a lot of records in there for some
6 employers right now. So, we still have to go through the PRIA
7 process in those items.

8 Q. Right.

9 A. So, some applicants have a lot in the PRD already at this
10 point. Some do not. So, I don't rely on that solely as a
11 decision maker, I guess. I look out for interview notes and
12 everything like that. If I were to look at it and somebody, say,
13 has failed a private pilot check ride in a type rating six years
14 later, ten years later, whatever that might be, I will look at
15 what their employment record is and between what failures may be
16 and between that type of item before I would feel comfortable
17 making an offer. There are absolutely times that I have done
18 that. And there are times that I've excluded someone because of
19 that.

20 Q. Okay. So, Brian, the accident pilot on the Maui flight -- I
21 know it's probably been a while since you have looked at it, but
22 was there anything that you can recall that still, this many years
23 out, kind of comes up in your brain?

24 A. I believe he did have a failure, possibly two on the PRD for
25 the certificates. I'd have to look to see exactly which ones

1 those were again. And that would have been pre-PRD.

2 Q. Right. That was PRIA?

3 A. PRIA.

4 Q. So, you remember that -- or your brain thinks that's
5 associated with him? I assume you remember it pretty clearly,
6 maybe.

7 A. I refreshed on some of the records.

8 Q. Okay. Thank you for that. Because I was like, if you're
9 remembering that you either got a phenomenal memory or there was
10 something else that flagged, so.

11 A. I refreshed, I refreshed on some records for this.

12 Q. Okay.

13 A. I want to be accurate. I want to be 100 percent what you
14 guys need.

15 Q. Okay. So, refreshing on those records. Is there anything in
16 your mind that, given your experience now, that you would have --
17 I don't want to say second guessed, but if Brian would have
18 applied today, would it have given you any pause?

19 A. I want to say that -- and I did not go back and look at the
20 PRIA records for Brian. So, I can't necessarily answer that one
21 for you right now.

22 Q. Okay.

23 A. I know we simulator evaluated him, and I would say that from
24 what I've seen from that -- the performance on that simulator
25 evaluation would say, yes, we would have probably, or quite

1 possibly still hired. I know that the -- he has a lot of
2 helicopter hours and the fixed wing hours were low. That
3 definitely draws attention, no ifs, ands or buts about that.

4 I did look at that in conjunction with the fact that his two
5 previous jobs were professional fixed wing flying, seemingly
6 successful from what I could refresh on and see. And that, mixed
7 with his performance on the interview, I don't know that I can --
8 I would say I would have looked at all of that. And precluding
9 anything else in there, I probably would have wanted to bring him
10 into the training program. It's maybe the best way I can answer
11 that.

12 Q. Okay. All right, that says a lot right there. So, I
13 appreciate that. Back up just a little bit. For a new hire,
14 somebody applying, I know you said he had a lot of rotorcraft
15 time, but Brian did not have a lot of fixed wing. Is there a
16 certain amount of time you're looking for? Whether total time,
17 fixed wing time?

18 A. To be honest, as an organization, we haven't talked about
19 that because that is a relative -- it was very rare previously to
20 experience something like that and we would always look at the
21 person, what their experience were, those types of items. I would
22 say now that's a topic of conversation and we need to set a
23 specific number. To this day, I would look at the totality of if
24 it's recent flight hours, what their opportunities are, what type
25 of experience it was, things like that for me personally.

1 Q. Okay, okay, that helps. So, let's say I apply, you hire me,
2 I get through training, I go to -- you base me in Maui, just since
3 that's where the event took place. We'll just kind of keep it
4 simple. How's that?

5 A. Sure.

6 Q. And then I come in for recurrent training 12 months later, 6
7 months later. Sorry, trying to remember how long it is for you
8 guys, but I come in for recurrent training and I have challenges.
9 Do you get involved with that at all?

10 A. Now, the way that works is I would have a conversation with
11 the director of Training, with the instructor pilots, and we would
12 determine if there's a plan forward. If it is something that is
13 unacceptable, and we need to just move into the termination
14 standpoint. That's our current process. So, we've had quite a
15 few -- no, I shouldn't say quite a few. It's not been quite a
16 few, but the most recent ones that I can think of were -- we would
17 offer a little bit of recurrent training with the expectation that
18 we need to see vast improvement, otherwise, this will be
19 termination scenario.

20 Q. Okay. Just a little bit ago. You said, though, now you work
21 with the director of Training and instructors and stuff. What did
22 you do previous to the now?

23 A. I shouldn't have said now on that one, because we did have
24 that occur -- it's maybe more formalized now. That's maybe the
25 best way to say that. It was a little bit more informal

1 previously because we just -- we didn't have the structure in
2 place -- we didn't have the structure that we do now.

3 Q. Okay. About how long ago is the current structure that's in
4 place, how long -- about how long has it been going on?

5 A. So, this January was when I was last able to hire my -- or
6 when I was able to hire my last offline assistant chief pilot.
7 So, it has been an ongoing project. Previous to that, I only had
8 approval to hire one or two offline assistant chief pilot -- take
9 that back. It's gone in stretches, right? And it's been really
10 approved as the online assistant chief pilots, which were pilots
11 flying the job that had a little bit of management inclusion, but
12 we kept a lot of -- off of their plate. That process, it's
13 basically been -- is the assistant chief pilots have been traded
14 out. I think that's the right word for that -- that we've gone
15 into the offline -- or that I've gotten approval to go into the
16 offline structure.

17 Q. So, help me understand what is an offline?

18 A. Offline instructor is a -- it's a -- not an instructor, I'm
19 sorry, offline assistant chief pilot. I think I was saying
20 instructor there. I meant to say assistant chief pilot. That is
21 a -- purely -- it's a management position. They are not flying
22 regular line shifts. They are still qualified as PICs for us.
23 With -- most of them are check airmen as well and instructors, but
24 that is not the core responsibility of their job. Their core
25 responsibility now is to manage, to support the region, to get out

1 and observe line operations and things like that. That's the
2 structure we've been working towards.

3 Q. Okay. The last question I have, then I want to pass it off
4 to Sabrina because I know you've been talking to me for about 45
5 minutes. You've got to be tired of looking at me and talking to
6 me. I don't blame you.

7 A. Well -- and I want to make sure I'm answering the questions
8 directly, too. So, please bring me back if I'm not.

9 Q. No, and I -- sometimes I have to let it -- let my brain chew
10 on it just a little bit. So, that's why I want to -- I just have
11 one last question, I'm going to pass it to Sabrina. But as a
12 chief pilot, do you fly the line?

13 A. I do not.

14 Q. You're not required to, just don't have the time? Kind of --
15 the role doesn't require it anymore. Help me understand why you
16 don't.

17 A. Time would be the biggest one. When I took over this role,
18 the chief pilot was actively flying a full timeline schedule, if I
19 remember correctly. That decision was made very, very -- that
20 decision was made before I accepted the role, that that, that's
21 not sustainable, that's not doable. That is also what has driven
22 me towards trying to push for that assistant chief pilot
23 structure, because they will still fly some line shifts
24 occasionally to stay connected with the line level staff and
25 grounded in that, and that is a key point. Do I want to be flying

1 line shifts? Yes, personally, right. My role is not -- the
2 schedule, the responsibilities do not allow it right now.

3 Q. Okay. All right. Perfect. Like I said, that was going to
4 be my last for this round. I'll chew on a few things for a little
5 bit. But before I pass you to Sabrina, do you need a break or
6 anything?

7 A. I'm probably good to keep going right now.

8 Q. Are you sure?

9 A. Yeah.

10 MR. ETCHER: Because if -- you can -- I mean, tell Sabrina,
11 too, if you need a break and we'll --

12 DR. WOODS: Absolutely.

13 MR. MUNION: My biggest thing is, mouth is a little dry from
14 talking, but I've got water here, so.

15 MR. ETCHER: Okay, well, if you're good to go, then I will
16 pass this over to Sabrina.

17 BY DR. WOODS:

18 Q. Yeah, we could slow the pace, for sure. Don't feel like you
19 have to keep talking. Take a drink. I'm going to circle back a
20 little bit to pick apart the hiring. So, listening to Shawn and
21 some of your answers, it sounds like -- so, essentially HR does
22 the first whack. Like you get a -- like you get a group of
23 applicants. Wham! There's 20 applicants. HR is like, okay, out
24 of this 20, we're putting these, let's say, 10 forward for
25 consideration. So, at that point, then it's the assistant chief

1 pilots? Because I guess -- so let's stop there. I'm going to
2 stop the question there and then go -- how do they know where
3 they're going yet or when they apply, are they applying for a
4 specific region?

5 A. Generally speaking, they're applying for a specific base.

6 Q. Okay. So, then it gets tossed to the assistant for whatever
7 that base is and now they're taking a whack at it, right?

8 A. Yes, they are conducting the, let's call it the largest
9 portion of that interview, the --

10 Q. Okay. And are you, as the chief pilot, giving them any sort
11 of -- is there any established Guardian guidelines on what are we
12 looking for? What do we want here? What makes a shiny penny for
13 Guardian that we want this individual?

14 A. Yes, we have a form that every applicant will be asked the
15 same questions and we grade on that form.

16 Q. Okay.

17 A. So, that, we have specific knowledge-based questions that
18 we're looking for. We have specific -- you know, the personality-
19 based questions are a little bit more open ended, but that's also
20 why the assistant chief is integral in that portion, because they
21 also know the personalities at that base and culture fit and
22 things like that. But we do have that form that's listed out so
23 that every applicant's getting the same technical-based questions.
24 And that has the -- that has pretty much everything that we would
25 be looking for on there.

1 Q. But for the applicant review process, the assumption is that
2 the assistant is looking at things like experience, and history,
3 and the PRD?

4 A. Yes.

5 Q. Okay. And performance, associated with those -- training
6 performances associated with wherever the person was before they
7 came to you?

8 A. Yes, I would say that that is definitely current state.
9 Previous to PRD, we would not have access to that information
10 necessarily.

11 Q. Understood. So, then, let's say they narrow it down to five
12 individuals. At what point are they now -- are you getting
13 involved? So, now they're notifying you like, hey, boss, this is
14 the five we think are good to go. Now, you're looking at them.

15 A. Yes, I would say that for a majority of the people, I am now
16 into a point where it is document review, notes from the
17 interview, it is, like I said, the PRD review, and going that way.
18 I will have -- if assistant chief pilot is not 100 percent this is
19 a person we need to hire, I will set up phone conversations with
20 applicants at the request or the recommendation of the assistant
21 chief pilot.

22 Q. So, that's actually a great segue into -- so, what are some
23 of the red flags that would tip that scale to where, now, you're
24 more involved.

25 A. Some of the red flags would be, I mean, obviously,

1 personality based. If they -- if they're answering the questions
2 correctly, but the assistant chief pilot has a feeling that they
3 want a second look at it from a personality perspective, I may
4 come into that. If they -- if there are multiple failures and the
5 -- when they are questioned, the assistant chief pilot does not
6 feel like the -- it was answered correctly, I've been brought into
7 it with that scenario.

8 If they are somebody that is at or near minimums and -- but
9 they answer the questions correctly and the assistant chief pilot
10 wants a second opinion, I will absolutely step into that role as
11 well, at times. But a lot of that right now is at the direction
12 or request of the assistant chief pilot, or if my review of the
13 documents state that, yes, I need to talk to this person first.

14 Q. So, you said previously when you were talking to Shawn, that
15 sometimes, like, you would recommend, like, a sim eval. What
16 would be the point that would get you to make that kind of
17 recommendation?

18 A. If they are on the low end of hours, we will, we will do
19 simulator evaluations as our standard practice. Maybe I can
20 clarify this a little bit. We did simulator evaluations for, as
21 far as I can remember, every applicant pre-COVID. Again, I don't
22 want to put everything onto COVID, but we had to adapt. We had to
23 change. And when we did that, we started looking at when we can't
24 do the simulator evaluations and we're still bringing people into
25 a training course, what was our success factor? Do we see a

1 measurable difference for the -- from the data that we had at the
2 time? And is -- does this look like we're still hitting what we
3 need to hit for our hiring process?

4 As we had came out of COVID and the airline industry is
5 hiring as fast as they are, we looked at bringing the simulator
6 evaluation back into it. And there were many instances where we
7 would pass someone along to a simulator evaluation and they would
8 call back the next day, I have offer in hand from Delta or from
9 (indiscernible), and when we had data that was showing us that the
10 training department was being a successful gate for us, I should
11 say, or a determining evaluation of that person's flying if we
12 didn't see it.

13 Once we've determined that the credentials are correct, it
14 necessitated that we look at that and now we -- that's where our
15 process changed, where we will bring -- we still keep the
16 simulator evaluation as the option and we move into if it's
17 somebody that excels on the interview, we can bypass the simulator
18 evaluation and bring them into training. Maybe that -- I don't
19 know if that answers what you're asking or not. So, our standard
20 right now would be to still do a simulator evaluation. However,
21 if they do well enough on the simulator evaluation -- or on the
22 interview, they will not come in for a simulator evaluation.

23 Q. So, right now it is the default to do a sim eval. However,
24 if the person appears to be exceptional, that could be waived.

25 A. Effectively.

1 Q. So, after the fact -- so, now the -- you know, your
2 applicants are on boarded, they're at their respective locations.
3 Can I presume, is it the training department -- is the training
4 department doing any sort of training data tracking? And if so,
5 are they, are they interfacing back to you at all? For instance,
6 Randy is your training guy, right?

7 A. Yes. I want to step back to that last question.

8 Q. Okay.

9 A. From my perspective, that's effectively our default is
10 simulator evaluation unless they do well enough.

11 Q. Okay.

12 A. So, sorry, I --

13 Q. That's fine.

14 A. Can you --

15 Q. So, training data tracking. So, after the fact, now they're
16 out there in the regions -- training performance data. First, is
17 that being tracked by someone somewhere?

18 A. The assistant chief pilots look at it. After the individual
19 check rides, they will look at the check ride form, have to upload
20 it to our system. The instructors should be the ones uploading
21 the form to the system, as well. When we created that director of
22 training position, it separated -- so, that position reports up to
23 the director of operations now and we separated some of those
24 duties.

25 And some of that review would be done by the director of

1 training and I would have to defer to him exactly what he's doing
2 on that. Some of it goes to myself and the management before we
3 put someone on schedule, things like that, for looking at the
4 records.

5 Q. Okay, so, that -- that's actually a good point. This is a
6 two-part question. So, on paper, like, job duties, what is your
7 relationship with Michael as the director of safety and then Randy
8 as the director of training? So, on paper, like, according to
9 this is the chief pilot's job, what is the interface with those
10 two other functions?

11 A. When you say interface, are you talking about --

12 Q. How are --

13 A. -- specific activities or responsibilities?

14 Q. How are you supposed to work together? Are you supposed to
15 work together? Or is it like silos and everything is different,
16 and nothing touches?

17 A. I would say that we have tried to resist the silos, but there
18 are maybe some silos that were created with having a reporting
19 structure of director of training up to the director of operations
20 and not into the chief pilots. I would say that there's -- I'm
21 not going to sit here and say that there's absolutely none. I
22 would say that my responsibilities on paper absolutely, it has
23 more to do with the operational control side of putting people on
24 schedule, making sure that they've passed their check rides,
25 making -- you know, that we are only putting people on schedule

1 that have the passed check rides, things like that. Obviously
2 making the determination of, is someone doing well enough? Are we
3 seeing improvement in training if they're struggling? That has
4 gone into a discussion between myself and the director of
5 training, and then the assistant chief pilot's in there. So, I
6 would say that that's probably a shared responsibility at this
7 time. That's how I would look at it.

8 Q. And for the safety side, what if, you know, there's, you
9 know, there's a safety issue or somebody is routinely doing
10 something that someone feels is an unsafe practice? And it's
11 coming up through, let's say, like Michael's side. Does that
12 information get to you as well?

13 A. It does. A lot of the times we will have the assistant chief
14 pilot that is the active investigator on any particular incident,
15 again, because they have a little bit more regional knowledge of
16 the -- what the base is, the personalities, that type of thing. I
17 will also say that a lot of our regions do have safety meetings
18 that occur where we bring every discipline into one meeting and
19 talk about open reports, things like that. That would be,
20 obviously, reports through Baldwin system. I'm hoping you've
21 heard that term. I would admit that I cannot be on all of those
22 because some of the regions place them at the same time. So, I do
23 rely on my assistant chief pilots a lot of the times on those.

24 Q. So, that's the technical side of the job.

25 A. Mm-hmm.

1 Q. Now, let's talk interpersonal.

2 A. Okay.

3 Q. How would you describe your working relationship with,
4 actually, Jeremy, Michael, and Randy?

5 A. I would say very good on a, on a personal level, on the
6 interpersonal side. Jeremy and I have worked together for a long
7 time. I try to be very cognizant of any blind spots that may
8 create and work around those, but sometimes those are difficult to
9 see within ourselves. Right? But I would say that his strengths
10 -- our strengths benefit each other pretty well on, on that. I
11 would classify our working relationship as very strong.

12 Q. And by strong, how -- I'll break it down for you, actually.

13 A. Okay.

14 Q. On each -- how is your communication between the three of you
15 or individually? You with each and then as a whole.

16 A. I would say strong and consistent. I would say there's not
17 many days that I'm not talking to Jeremy, for sure. Randy as
18 well. Randy, not quite as frequently, but I would say our
19 communication is fairly strong and consistent from my perspective.

20 Q. Has there ever been a situation that has arisen that happened
21 in, let's say -- let's say, training, there is a consistent issue.
22 Like, for instance, I happen to know that out at Hawaii and
23 Honolulu, the training sim is INOP.

24 A. Mm-hmm.

25 Q. And so, who, who is handling that? Is that a Randy thing?

1 A. Yes.

2 Q. Is that a you thing? And then if it's -- let's say, Randy
3 struggling with something down there and -- have you ever had a
4 situation where you're like, well, if I had just known about it, I
5 could have provided this additional information.

6 A. So, I'll probably answer yes to that question. The
7 simulators, things like that. That does right now report up
8 through Randy. Randy handles the simulators, those items.

9 Q. And it may seem like I'm, like, spiraling on this. It's just
10 -- it has been difficult for me anyway to fully understand your
11 structure here. And I jokingly said to one person, I'm like, I
12 need a Venn diagram of who's in charge of what and at what time.
13 And just to kind of help me see -- because it's multifaceted and
14 we're just talking about -- like, for the most part you're dealing
15 with the front of the house, if you're talking theater speak in
16 terms of the pilots, but you also have the clinician side. How --
17 do you at all get involved with that side?

18 A. With the clinical side?

19 Q. The clinicians that are -- yes since they're different in
20 every region in who they report up through.

21 A. Oh, who they report through?

22 Q. Mm-hmm.

23 A. I am completely out of that chain, I guess, on the, on the
24 clinical side.

25 Q. That's what I assumed. But then I thought, I better not

1 assume, I better ask the question. So, okay. So, there's a lot
2 of moving pieces that have to come together to make the thing is
3 -- the air ambulance mission. Do you get what I'm saying? And
4 so, I'm trying to understand who owns each individual part of
5 that. Because if you take anyone out, it doesn't go, right? It
6 doesn't work, so.

7 A. Yes.

8 Q. You said something a little while back that was kind of
9 interesting in the hiring and what's going on. Is there a hiring
10 quota that you've been given to meet?

11 A. No. Where I'm at is -- when I was referencing any numbers, I
12 reference what full-time employees, FTEs, I'm approved to hire for
13 any given base. I would look at that vast majority of our bases
14 would be four pilots, would equal a full base. That's what I go
15 off of. I don't have a specific, thou shalt hire X amount of
16 pilots per month or per quarter or per -- that is driven off of
17 need in application flow. The amount of people that we turn down
18 would indicate that I don't have a quota, that I have to hire X
19 amount, I guess, in my opinion.

20 Q. That's kind of a little bit of what I'm driving at actually
21 with that question. So, then your -- how would you characterize
22 your attrition rate right now?

23 A. So, I'm going to say I have not looked at the attrition rate
24 since December. Historically, we've been system wide, I think
25 roughly six to eight pilots per month moving on to various things,

1 whether it be airlines, whether we have asked that pilot to leave,
2 I group them all the same as far as what I look at for attrition.

3 Q. Is that a conversation that you have with your assistants
4 because they know their regions better? Like, what --

5 A. Is -- what do you mean by that?

6 Q. Like, for instance, what might be good for one location, and
7 they feel like they're flush and they have enough to do their
8 mission. Another region with that same amount of people might be
9 like, no, this is not enough, because of the characteristics of
10 the region.

11 A. Yes, we do talk a little bit about that. But the way I would
12 classify that is we talk about that with float utilization and
13 where the support may be needed for different regions. Because
14 it's -- we're pretty set on four pilots per base with a couple
15 outliers in there -- a few outliers in there. That's been pretty
16 well set for quite some time within Guardian Flight.

17 We will have meetings where we talk about what our current
18 openings are, but we talk more so along the lines of making sure
19 that jobs are posted, making sure that the day to day is --
20 looking at-- we try to make sure that the hiring department
21 doesn't have a different priority than what the assistant chief
22 pilots might have for which jobs are the, we need to try and focus
23 on this role right now because this region -- you know, we do try
24 to have those conversations. I don't know that I feel it's ever,
25 from my perspective, ever gone to, you need to hire more for this

1 base now, type of conversations. I guess that's what I'm hearing
2 out of your question. And maybe I'm interpreting wrong. I
3 apologize.

4 Q. No, that's good. The company has grown quite a bit.

5 A. Yes.

6 Q. So, I'm going to break down some numbers for you since you've
7 been here in this position at least six years. So, let's go with
8 five years ago, what did the company look like in terms of scope
9 and scale? Ballpark, like, a high level -- like, approximately
10 how many bases, approximately how many pilots?

11 A. I believe we -- trying to remember back five years. I want
12 to be --

13 Q. Yeah, no joke, it's hard.

14 A. -- accurate as I can. There has been a lot of growth. I do
15 not believe that we were operating any of the PC-12s in Nevada at
16 that time. I believe we did have Hawaii. We would not have had
17 three of our Arizona bases. That was done through acquisition and
18 that -- since then I believe. Idabel, we would not have had. The
19 rest of that scope would be relatively similar, I think. But that
20 would be, three, four, five, six, seven, eight, nine. That's
21 probably nine or ten aircraft that we've added in that time -- or
22 bases that we've added in that time.

23 Q. In the last five years.

24 A. I'd have to go back and look at the numbers. But that's
25 my --

1 Q. It doesn't have to be exact, I'm just trying to get an idea
2 of the -- at the rate of growth.

3 A. Yeah, understood. I believe that would be back -- I did not
4 go back and look at exactly when I opened each base, but that
5 feels like it would be about right.

6 Q. So, around nine bases-ish four -- desirable, four pilots per
7 base.

8 A. Yep.

9 Q. So, that's 36. So, in the last 5 years, how many of that
10 came along -- out of that 9 and 36, how many came along in the
11 last 3 years?

12 A. So, three years have put us in 2020?

13 Q. Oh, yeah. Sorry.

14 A. Two -- I'd have to go back and look at when the Sunrise
15 acquisition occurred.

16 Q. Yeah.

17 A. I would -- maybe a handful, let's say, if that works.

18 Q. So, again, what I'm trying to get at is, is the growth of the
19 company over the last five years. And do you feel that your
20 structure and management pacing has stayed on par with the growth
21 that you're experiencing? Or is it lagging a bit, or is it maybe
22 you have more people in executive levels that you can deal with at
23 the time? People are wanting for things to do.

24 A. I want to be accurate here. I guess the best way I can
25 describe that is I came in and we identified that the offline

1 assistant chief pilot was needed right away. Right? And we
2 started moving towards that direction. And the growth of that
3 position has put us to the point where we've only just now
4 received our last offline assistant chief pilot on the finance
5 side.

6 I don't know if that answers your question or not, but to me,
7 what I'm hearing, that's maybe the best way I can describe it from
8 the growth of our management side of things. We've gone through a
9 number of CEO or COO changes, and some of those were in
10 conjunction with other companies that they had dual roles there.
11 And I can't say that there's a reason we went back to a single COO
12 at this point.

13 Q. So, overall, do you feel right now you have all the tools you
14 need to do your job? And this is gut Andy talking.

15 A. Gut Andy.

16 Q. Because you're the one that has to do the do every day.

17 A. No, I understand that. And I try to be very -- even when
18 dealing with pilots or anything, I try to be very thoughtful, if
19 that makes sense. My gut tells me we could use additional
20 resources today. My gut tells me that we've been trying to get
21 those -- we've been pushing towards that structure, those
22 resources for quite some time.

23 Q. So, I guess what are some of those -- what are the flavor of
24 those resources? Is that human? Is that technology? Is that
25 aircraft? Is that --

1 A. Yes.

2 Q. All the above --

3 A. I want everything, right?

4 Q. Yeah.

5 A. I would say that when we look at our -- what our projects
6 are, right, we're trying to upgrade the entire C90 fleet to G600s.
7 There's been many hurdles to that with I mean, supply chain like
8 -- you -- there's been a lot of -- some slowdown in that, right?
9 But that is easily -- we want to be moving that direction. We
10 feel that's the right direction to be moving for our avionics.
11 So, yes, there's physical aspects of that. I love that Michael
12 just got in the Safety Department a couple of more heads not too
13 long ago. But do I feel like we can use more? Yes. If you're
14 asking how I feel, that's exactly. Do I feel I want more
15 assistant chief pilots? Yes.

16 Q. Okay. Just a couple more questions here, bear with me. How
17 often do you -- are you able to get out? I think, Shawn, you ask
18 something like this, but how often are you able to get out to the
19 other -- to the other DBAs, for lack of a better word?

20 A. So, I'm going to answer that in two parts if you don't mind.
21 When I first removed remotely, I was coming here one week a month
22 and I was going out to a base one week a month for all of three or
23 four months. And then COVID shut down all of the movement out to
24 bases for the most part for a period of time. And it shut down
25 the commuting out to South Jordan here for a period of time.

1 Q. Yeah, I remember you said that, but I was wondering about the
2 others.

3 A. Yep, we've gone back into that. I have plans -- I had plans
4 that, you know, one of the directions I wanted to move this year
5 was each one of my assistant chiefs controls my schedule for at
6 least, you know, one week a month or something along those lines.
7 And I get to go where they say it's needed. That's been my
8 intention. That's where I've seen it, because I do feel like we
9 need to get a little bit more of my level of presence out there,
10 since COVID locked it down. That has been one area that it was a
11 little bit more lacking or is lacking right now, a little bit
12 more.

13 Previous to all that, I would do aircraft movements as well
14 for moving aircraft around, and I would work that into base visits
15 as much as I could, and I would try to have as much presence out
16 online as I could. But that is -- I do also try to utilize the
17 assistant chief pilots for that now in my absence of if I can't
18 get there. I hope that answered the question.

19 Q. Yeah, it does. Thank you. Does Guardian have an SMS?

20 A. Not fully FAA approved, but yes. We are working through that
21 process right now. But we do have an SMS as well.

22 Q. So, is this something that you're in application for?

23 A. We were in application previous to COVID. We are refreshing
24 that process right now.

25 Q. So, to -- you were looking to be a -- an approved -- is it

1 accepted or is it approved for this one? I never know the lawyers
2 speak (ph.).

3 A. We want to be in active conformance --

4 Q. Okay for part 135 operations?

5 A. -- with SMS. Yep.

6 Q. Who --

7 A. It's going to be mandated anyways, now, at this point that we
8 were --

9 Q. Who manages --

10 A. -- moving in that direction before.

11 Q. Who manages that? Who's your SMS manager?

12 A. A lot of my dealings are with Michael Koenes right now.

13 Q. Okay. And what do you see your role as in the SMS process?

14 A. I'm a huge promoter of the systems that we're trying to put
15 in place. I am a huge advocate for pilots reporting things. I'm
16 a huge advocate of us using that data to try and implement
17 changes. I look at -- right now, where I stand is one of my
18 largest roles on that is promotion to get us to where we -- where
19 every line pilot is actively invested in that. That's what I look
20 at. My biggest role is that right now.

21 Q. And do you feel you get to help inform the process, or is it
22 kind of like a canned thing that was taken off the shelf and given
23 to you?

24 A. We definitely started from a structure that was already out
25 there. We've tried to have those conversations on how do we bring

1 that to Guardian-specific items. And I feel like we've done that
2 in some areas. And some areas, I think it probably would still be
3 considered some of the previous structure that we had or that,
4 that we took it from.

5 Q. Do you specifically feel empowered to help inform your SMS
6 process?

7 A. I do.

8 Q. In general, when you speak, do you feel like those higher
9 than you are listening and appreciating? I'm not saying they can
10 always do something about it. I'm just saying, do you feel
11 they're -- you're acknowledged that your information has been
12 received?

13 A. I think that depends on the audience. Our new COO,
14 absolutely. I absolutely have 100 percent trust there that he is
15 an advocate for Guardian and what we are asking and telling him we
16 need.

17 Q. That's fair. Last question and then I have to think about
18 some things, and I'll pass it on. In my Venn diagram, that I
19 still haven't gotten anybody to draw for me --

20 A. I'm a horrible drawer.

21 Q. Do you -- so, again, chief pilot, director of Safety,
22 director -- I apologize if I'm butchering your title, but this is
23 how I see them -- director of Training. Do you see yourselves as,
24 like lateral -- like contemporaries or is one of these slightly
25 higher, one of these slightly lower in terms of hierarchy?

1 A. So, right now, I feel like when we're in conversations where
2 we're flat, we're lateral. But I'm also -- and this is from my
3 personal side, I'm very aware that there is a chain of command
4 there. I do feel I can have very direct and strong disagreements
5 with Jeremy, and Randy, and I can voice my opinion. And at the
6 end of the day, if it's within their purview or their -- I
7 understand that I may not get my way all the time. I think -- is
8 that kind of what you're asking?

9 Q. So, to quantify what you just said. So, is your -- you're
10 considering yourself maybe slightly lower than -- well, I
11 understand Jeremy, that makes sense to me. But I'm more talking
12 about safety and training. Are you, like, maybe a half step below
13 then?

14 A. No, I would put myself on the same level as Randy.

15 Q. Okay, okay. And Michael?

16 A. I would say that it's now much more of a support services.
17 So, I think that -- well he's director in this title, right?

18 Q. Yeah.

19 A. So there is a physical -- an aspect of that that I have to
20 respect, but I've never, ever felt nor experienced that Michael
21 tries to overrule or anything like that. So, I've never been put
22 in that position to have to think about specifically whether I am
23 level with him or not. So, I would consider myself level, I
24 suppose.

25 DR. WOODS: Okay. All right, well that's it for me for this

1 round. Thank you.

2 MR. ETCHER: You doing okay? You need a break? You've been
3 going about 90 minutes, give or take.

4 MR. MUNION: A break might not be a bad idea.

5 MR. ETCHER: Let's take five minutes. We'll go off the
6 record at 11:28 local.

7 (Off the record at 11:28 a.m.)

8 (On the record at 11:41 a.m.)

9 MR. ETCHER: And back on the record at 11:41. Millicent.

10 BY MS. HILL:

11 Q. If you do have to part ways with a pilot, do you typically
12 see that after a recurring -- recurrent training failure or
13 straight out of training class? At what point -- if it's not a
14 personal issue but a training issue?

15 A. We've seen it both. We've seen it both with recurrent as
16 well as -- as well as new hire. My gut feeling right now is that
17 there's more off of initials currently, but we've seen it out of
18 both.

19 Q. And if that happens, you have conversations with their
20 assistant pilot, the instructors, Randy. Did you have any
21 conversations about Brian with Kaleo?

22 A. Specific conversations, I know we would -- I know he had one,
23 if I remember correctly, one full UNSAT. And I know we would talk
24 about the discussion at that point for the retrain and things like
25 that. I believe Randy was in on that as well. That was verbal.

1 I believe there were some emails that went back and forth, just a
2 normal -- or a debrief type of thing off of check rides. But I do
3 not remember a specific conversation about repeat events or
4 anything like that.

5 Q. So, typically you're not -- I know before COVID, you would go
6 visit the bases. Since then, have you been able to visit the
7 bases, or?

8 A. Yes, I -- we hit a vast majority of our bases, actually,
9 between -- that was probably, roughly April/May timeframe in 2022
10 up until December of -- actually, technically October, early
11 November of 2022. So, coming out of COVID, we made a big push to
12 get out there and see the bases. And so, some of us, like I said,
13 I'm not going to say we hit every single base, but we were in
14 front of a vast majority of the bases.

15 Q. And you said not all the bases have lead pilots about what
16 percentage of them do?

17 A. In Hawaii, we don't have any. We're in a push right now to
18 get them assigned there. Outside of Hawaii, I would say we're
19 probably -- if I had to ballpark it, 80, 85 percent of our bases.

20 Q. Is that a voluntary thing that the pilots do, or do they have
21 to interview or compete for it?

22 A. So, there is a process to put somebody in place and if --
23 it's usually going to be an interview. We do look for the person
24 interested in that first, obviously. And there have been times
25 where there's been only one at the base that's been interested, or

1 at least one that's spoken up about being interested in it. And
2 we'll still do a discussion about what duties are, what we expect
3 of it, that type of thing. So, you classify that as the interview
4 at that point. If there's multiple people, we do try to do that
5 interview to make sure we try to select the appropriate one, the
6 best one for that role. I think that answered the question, but I
7 got a little distracted in my head there.

8 Q. Since the Hawaii Life Flight accident, I know there's been a
9 lot of work on the fleet there, inspections and upgrading avionics
10 and stuff. Is that happening fleet-wide across the other bases,
11 too? Or just in Hawaii?

12 A. Are you talking --

13 Q. With the C90s.

14 A. -- about specifics, or?

15 Q. Just in general.

16 A. My understanding and my pushes for the C90s to all be G600s
17 at some point, fleet wide. All have the GI 275s fleet wide. I
18 like standardization amongst the fleets. If I had my ideal world,
19 I'd have just G600s and the PC-12s, as well. Go cross-platform,
20 the same avionics. I think there's a lot of benefits to that.

21 Q. At what point do you anticipate getting all those installed
22 on the C90?

23 A. I would have to touch base with maintenance on that. I don't
24 know. We had been on pace to do three to five per year, I
25 believe, is what we were pushing for, for getting through the

1 budget process on that. Again, I'm saying COVID a lot, but COVID
2 really changed what we even had access to as far as government
3 products, supply chain wise, everything like that. At least
4 that's my understanding, so.

5 Q. And you have roughly 45 airplanes, 50? In between the C90s
6 and the Pilatus'?

7 A. Yes.

8 MS. HILL: That's all I have right now.

9 MR. ETCHER: Thanks, Millicent. Mitch.

10 BY MR. MITCHELL:

11 Q. Millicent's been copying my questions. So, how many C90s do
12 you guys have now?

13 A. I want to say that number is between 20 and 25.

14 Q. And at this time, are they all equipped with the same
15 avionics?

16 A. No.

17 Q. So, you have some that have already gone through the
18 transition to the G600, or?

19 A. Yes.

20 Q. Any idea of how many?

21 A. I have -- there are two CONUS side and two Hawaii side.

22 Q. Is it the full G600 with the engine instrumentation system,
23 the autopilot, the MFD?

24 A. Not engine instrumentation.

25 Q. Okay.

1 A. I want to say our first install did not include the Garmin
2 autopilot, but now we have -- and we went back and retrofitted
3 that aircraft into the Garmin autopilot. So, now our setup moving
4 forward is the G600 set up with the Garmin autopilot, screens on
5 both sides. I think that's what you're asking.

6 Q. Yeah.

7 A. Okay.

8 Q. So, with not all the aircraft being standardized at this
9 time, do you know does your training department have specialized
10 training for training on those avionics?

11 A. Yes.

12 Q. Are you guys, on your C90s, using Textron or Beechcraft check
13 list on the aircraft? Or do you guys have one that you developed
14 yourself?

15 A. We have our own.

16 Q. You have your own. Do you know if on your operations, do you
17 require a run up prior to each flight or is it just first flight
18 of the day?

19 A. Depends on the item. Some of them are first flight of the
20 day, some of them are every flight type items.

21 Q. These flights over in Hawaii, are all these flights flow
22 pressurized?

23 A. Yes. We're not flying with deactivated pressurization, if
24 that makes sense.

25 Q. Yeah.

1 A. So, the reason why I'm qualifying this is some of them are
2 going to go to altitudes where there's really a change.

3 Q. Right. Let me rephrase the question. In your procedures, in
4 your checklist, is there ever a time that the aircraft departs
5 with the bleed valves closed?

6 A. Off of my memory, there shouldn't be, save a deferral on the
7 system, I guess. And at that point I would say that we're
8 bringing it back to maintenance would be my standard operations,
9 or you know --

10 Q. Do you know if any pilots ever keep the bleed air closed for
11 increased performance, power on takeoff, and open them right after
12 liftoff?

13 A. None that I've seen. None that I've flown with. Let's put
14 it that way.

15 Q. On the -- you said that the assistant chief pilot does --

16 A. It's our IT person.

17 Q. Oh okay.

18 A. I don't know if you need to pause or --

19 Q. I'm fine with it if you are.

20 A. Sure, yep.

21 Q. If there's something you don't feel like you can say --

22 A. Nope, understood.

23 Q. The assistant chief pilot does the interviews consisting of a
24 technical and kind of a personality interview. Is the technical
25 interview, would you consider it like an oral?

1 A. Yes. I can just give you the rundown of it, I suppose. We
2 have specific approaches that we will have them brief. And we
3 choose those because of what they include in the charts, some of
4 the scenarios they present, and it naturally leads into
5 conversations about regulations, it naturally leads into
6 instrument flying specifics. So, we try to go situational based
7 on that, where we have them brief approaches and ask questions.
8 And then we have a follow up scenario that is crafted to encourage
9 conversation about decision making at that point. It puts a lot
10 of decisions onto them based off of the scenario. What would you
11 do? And walks them down -- it can waterfall a couple of different
12 ways off of that.

13 Q. Okay. Do you guys change up that technical portion of the
14 interview pretty frequently? Is it pretty much the same?

15 A. We don't. I try to monitor what's out there on the forums
16 and --

17 Q. Right.

18 A. -- make sure that there's not a gouge out there.

19 Q. You saw where I was going.

20 A. But I have it in the back of my mind that as soon as I start
21 seeing something like that, we will try to change that up.

22 Q. What are the minimum requirements for a pilot to join the
23 Guardian as a fixed wing pilot?

24 A. So, obviously we have the FAA legal requirements, right, for
25 IFR flying. So, we abide by those. We have a lot of bases that

1 are CAMEs accredited, so we will go up to 2,500 hours there. We
2 have some scenarios we can go lower than that, down to 2,000 or
3 even lower than that sometimes. We target that 2,500-hour pilot,
4 if we can. Again, I'll look more holistically to a certain extent
5 as to what those hours are.

6 Q. Any turbine aircraft experience requirement?

7 A. Not, not formally. We will try to -- if we have somebody
8 that doesn't have turbine, we will try to prioritize a PC-12 for
9 the simple fact that learning a turbine engine or something along
10 those lines, that PC-12 was designed for that, in my opinion. I
11 think Pilatus even markets it as such or used to, I think.

12 Q. And correct me if I'm wrong, but you said a sim evaluation
13 was conducted on Brian at some point.

14 A. Yes, AATD. Yes, when I say SIM --please, if I say sim, it's
15 an AATD.

16 Q. Right. And, and I apologize to you, AATD. Was that
17 satisfactory?

18 A. Yes.

19 Q. There was a --I thought, and correct me if I'm wrong please,
20 that there was something -- that there was an unsatisfactory in
21 his history? And I may have misheard that.

22 A. In his --

23 Q. Maybe it was off of PRD, or --

24 A. I might need to clear that up. I may have gotten that mixed
25 up between the two. I would have to go back and verify it with

1 Brian.

2 Q. Not a problem, I'm just trying to keep it clear in my head,
3 too, so.

4 A. The reason why I'm saying I would have to go back and clear
5 that up is some of it's off of my refresher, right. So, when
6 we're talking previous items to the company, he would have been
7 pre-PRD. And I actually am thinking now that I looked at the PRD
8 record to clarify that. So, I believe that was -- I'm getting
9 that mixed up and I apologize.

10 Q. So, on a sim evaluation. Do you guys -- or do you know, do
11 they do partial panel evaluation?

12 A. We do not. From my perspective on that, we're looking at
13 base instrument flying, things like that. They may not have had
14 time in that specific cockpit, those types of items. That's why
15 we keep it there. And then we from a, from a strategy
16 perspective, we utilize our training program to look for that.

17 Q. How long is your training program?

18 A. Rough ballpark. It will take about six to eight weeks to get
19 a pilot online.

20 Q. They go in through IOE or something after that --

21 A. Yep.

22 Q. --with blackout? Do you know how long?

23 A. I like to say our ballpark, there is about a week of IOE, but
24 it depends on the amount of flights they get, the type of flights
25 they get. We will look at that type of stuff. So, to say that

1 it's the same for every pilot, I can't say that.

2 Q. So, during this six to eight weeks of training, is there
3 specific training on the avionics packages? The two different
4 ones on the C90 or you break those people out if you know they're
5 going to a different --

6 A. So, on the C90, outside of the G600, we have what I would
7 classify as very good fleet uniformity on the avionics. So, we
8 will train to that particular aircraft and then we have a separate
9 course, and we track who's qualified on the G600. We track which
10 bases that aircraft is even allowed to go to, to be based at. And
11 we will put our restrictions on that to make sure that we don't
12 have a non-G600 qual pilot getting into a G600 aircraft. So, it's
13 not part of initial, unless they're going specifically to a base
14 that is G600.

15 Q. And I believe I heard you say partial panel training does get
16 covered --

17 A. Yes.

18 Q. -- in the training portions. Does that include full DSP
19 failure on the EFIS?

20 A. My expectation, expectation is that it is, but I will default
21 to Randy as far as --

22 Q. Okay.

23 A. -- the exact syllabus for each flight.

24 Q. So, does Guardian have more fixed wing aircraft or more rotor
25 wing.

1 A. Guardian Flight Certificate does not have any rotary.

2 MR. MITCHELL: I have no more questions. Thank you.

3 Appreciate it.

4 MR. MUNION: Okay.

5 MR. ETCHER: All right. You made it through round one,
6 right?

7 MR. MUNION: No, but I may request to pause in a brief --

8 MR. ETCHER: Just say so any time you wish.

9 MR. MUNION: -- in a little while to get water, so we have
10 some.

11 MR. ETCHER: When you do, then I can take a pause too, how's
12 that?

13 MR. MUNION: Sounds good. And I learned I'm not going to put
14 the ice in there because I've had a couple of times, ice has
15 gotten in the way of my answer.

16 MR. ETCHER: It's all good. Thank you again for educating
17 us. My brain's mulled a few things over. I have a few questions.

18 MR. MUNION: Sure.

19 MR. ETCHER: So, hopefully it'll help clarify a little bit.

20 BY MR. ETCHER:

21 Q. Let's talk a little bit about Brian in this case. I know
22 looking at his personnel record, he had a -- an email you had to
23 send him back in early COVID, I think it was April of 2020, in
24 which he was -- and please don't let me put words in anybody's
25 mouth -- but written up by a clinician. Anyway, voices were

1 raised, something to that effect. Is that -- I know that's
2 usually part of a chief pilot's job is writing that. Do you
3 recall any of that?

4 A. I remember something from a pilot. I don't off the top of my
5 head, remember something about an email or anything from a
6 clinician.

7 Q. And it may not have been a clinician. My apologies. I know
8 you sent him an email because I guess, forgive me, you guys
9 discussed it, talked, whatever and you followed up with an email.
10 Maybe?

11 A. Yep.

12 Q. Okay.

13 A. That would be the typical HR process for, you know -- if HR
14 has to be involved, I try to follow things up with the emails to
15 just make sure we're on the same page.

16 Q. Okay. Now I know this -- that was three years ago. So, lots
17 of things has happened since then. But thinking back, can you
18 recall, was he receptive? Was there anything that drew your
19 attention of him not being receptive to what the challenge is?

20 A. No, in fact, and I did refresh on that specific scenario, but
21 from what I recall, he was the opposite of that. He was very
22 receptive, in my opinion, in our conversations.

23 Q. Okay, okay. I know we keep mentioning COVID and how it's
24 affected everybody, and it affected everybody I know. And you
25 guys just like it -- or just like everybody was affected. Now

1 that COVID's hopefully in the rearview mirror, what is Guardian
2 Flight's plan to get back to a normal? You know, I know there was
3 hindrances with the supply chain and all that. Is there a plan
4 going forward to try and get everything back to where you were
5 looking at or trying to be during COVID?

6 A. Yes, and I --

7 Q. Maybe you're there, I don't know.

8 A. No, I do not feel that we are there. I think that the best
9 way I can answer that is I feel very empowered right now -- or --
10 from our new COO, Jared, to say no to something. To say we cannot
11 take this on, to say this is not the right direction we need to
12 go. That's probably the best way I can answer that.

13 Q. Okay. All right. That's good. It was just one of those
14 that kind of we kept mentioning COVID. So, I was like, what's the
15 plan? Back to Brian, I know looking at his records as well. Back
16 in 2021, he did not have a satisfactory check ride. In fact, he
17 actually, reading through it, it appears he had issues with missed
18 approach. He had two issues with that, and then an issue with a
19 power failure or something. Forgive me on that, but were you
20 involved with his -- with that UNSAT? Did they bring you involved
21 or was that strictly in Training's world and Kaleo's world?

22 A. So, I want to -- he did have successful SATS. Like, he had a
23 SAT -- you're saying we had an UNSAT, correct?

24 Q. He had an UNSAT, and I assume it was his first check ride --

25 A. Okay.

1 Q. -- that year, whatever. UNSAT, and then retrained and
2 retested and like, good.

3 A. Okay. Just wanted to make sure I was understanding what you
4 were saying. I had some involvement in some debriefs as far as
5 setting the specific plan in place for retrains, that did fall
6 into the training department realm. As to what would be
7 appropriate for the specific retrains of that event.

8 Q. Do you -- and I hate that word typically, but for lack of a
9 better phrase. Do you typically see pilots with unsatisfactory
10 training events have two unsatisfactory events, kind of, on the
11 same big category in this case, missed approach?

12 A. That would strike me as abnormal, right now.

13 Q. Okay. So, with that answer and Brian having such an issue,
14 was it abnormal that that occurred? And if so, did that cause you
15 any serious concern or any concern?

16 A. From my perspective on that and what I remember, is that
17 there was obviously the discussion about it. I believe that on
18 one of the missed approaches, it was -- I'm really going back a
19 long time on this one. But from what I remember, one of the
20 missed approaches -- and I'm not trying to make any excuses for it
21 or anything like that, just to bring a little bit of clarity. One
22 of them was -- it was a last minute -- because VFR traffic in a
23 pattern, it was a last-minute change to the missed approach
24 instructions to accommodate said VFR traffic. And just looking at
25 notes and whatnot, it seemingly tracked that that threw him off.

1 Whether it's that specific event or not that you're referring
2 to, I guess I'd have to look at the records. I think that -- I
3 wasn't a part of and did not see that there was repeat events in
4 the same event, I guess. That I can remember. The conversations
5 I was in focused along some of the improvements made, things like
6 that throughout the retrain. And I guess that's where I focused
7 was improvements made.

8 Q. Okay.

9 A. Whether you should go back online or not at that point.

10 Q. Okay.

11 A. That's where my mindset is. At least as far as I -- like you
12 said, that's a long time ago on that one, and I'm --

13 Q. And I know it's -- you have to knock off a lot of dust. At
14 least I would it in my grey matter to try and figure it out. So,
15 I appreciate you trying to help me. And the reason I ask about
16 his HR write up that you emailed him on, and the training event
17 that he was UNSAT, they all occurred very -- not really close
18 together, but within a year of each other. Does that cause any
19 concerns from your viewpoint as the chief pilot?

20 A. From the HR event and getting into that, a lot of that
21 focused around -- I don't know how to answer some of that
22 specifically because there's other employees involved in that, and
23 there is other issues there. But from my perspective, a lot of
24 that event focused around the two perceptions of the one
25 conversation that escalated to arguments.

1 From my perspective, that was -- if I remember correctly,
2 Brian was off shift at the time, just happened to be out there and
3 the other pilot approached him. There was no instigation there
4 from what I remember. And his act afterwards, I never hear -- I
5 never heard anything further about Brian's personality that would
6 relate to that. So, to me, that event did not play into account.
7 I didn't -- I did not connect the two, I guess is the best way to
8 answer that.

9 Q. All right, that's simple enough. So, I appreciate that. So,
10 for a moment, let's forget about Brian's training record. Let's
11 use me. I work for you, I'm based in -- you picked a base out
12 there in Hawaii. Whatever. I work for Guardian Flight. How's
13 that?

14 A. Sure.

15 Q. But I know you're, you're my chief at that point.

16 A. Sure.

17 Q. I go out there, I do fine in training here, and I go out
18 there -- is there a minimum amount, a minimum amount of hours I
19 should expect, or you should expect to see me get before I'm
20 released off of IOE?

21 A. So, right now, I would say that you would expect at least
22 five training flights of differing length, depending on which
23 location you're at. In aircraft, possibly more, depending on the,
24 you know -- how the training has gone up until this point and what
25 the proficiency level demonstrated is.

1 Q. Okay. So, you would base it more on flight segments versus
2 hours? Or a combination, kind of help me understand.

3 A. Yes, I would. I would say that -- and I'm going to defer to
4 Randy on some of this, but I'll answer to the best of where I'm at
5 from my perspective on what I would expect. Our -- I would say
6 that there are certain locations that we have that can accommodate
7 flight training in a much quicker timeframe just because of
8 location of instrument nav aids and things like that. Right? So,
9 that's why I, I shy away from just talking about straight hours
10 required. I want to look at, you know, the events that are taking
11 place on those training flights. And are we giving the proper
12 time in that training for the specific event to truly be covered?
13 Does that make sense?

14 Q. Okay. It does. And that's what I kind of wanted to
15 understand was just, you know, some places its once you hit ten
16 hours and there's no problems, you're free to go. Other places
17 like no, you've got -- it's a, it's a varying thing. So, I just
18 -- I wanted to understand what Guardian Flight -- more
19 importantly, what you as the chief pilot -- I know it's not --
20 it's more training world, but I know what -- you know, chief
21 pilots also have an expectation. I kind of wanted to understand
22 that.

23 A. I attempt to -- any time I'm hearing, even to the good of
24 somebody, to make sure that -- I try to make sure I have in that
25 conversation the, that can be your expectation that this is

1 progressing quickly, but that pilot still needs the time to feel
2 comfortable in that aircraft. So, I try not to -- I try to bring
3 that aspect to the conversation. When an instructor tells me
4 things are going really well, this is going to be a quick train or
5 something like that. I try to bring that up then right away of,
6 Well, that's great. Don't let that accelerate too fast. Don't
7 let that affect the training. That's what I try to bring to that
8 conversation.

9 Q. Okay, I appreciate that. Thank you. So, I do my training, I
10 finish IOE. I'm working out in Hawaii for a year, and I come in
11 for recurrent training. And the sim out in Hawaii's broke, so I
12 don't get -- and by sim, I -- just like you, AATD. It's hard for
13 me to say AATD. It's easier for me to say sim, so.

14 A. I can be fine if we default to any time we say sim, we're
15 referring to it AATD through this.

16 Q. I'm good with that, so we'll go with that. So, I go, and the
17 sim is broke, so I don't get to go in the sim. And I come -- do I
18 get my training in Hawaii or do I come back to South Jordan for
19 recurrent training?

20 A. So, right now it's all coming back to South Jordan.

21 Q. Okay.

22 A. There was a time that it was -- that the sim was -- after the
23 sim was put in place there, we had plans to bring on full time
24 instructors out there and make that a training hub to help with
25 logistics for the Hawaii pilots. I will say shortly after that we

1 had a leadership change at the CEO level. And that at the very
2 least, very slowed a lot of that support personnel and things like
3 that. I've made the decision to bring everybody back here at this
4 point, knowing that that's the case. To tell you when exactly
5 that decision was made, I, I'd have to go -- I don't know the
6 date.

7 Q. This isn't --

8 A. But that's my perspective. No, I know. I'm just trying to
9 -- like I said, I'm trying to be very clear with my words, but an
10 open book.

11 Q. Okay. So, I come back here to South Jordan for my training,
12 and I get into the sim. Is the sim part of my recurrent training?
13 Let me first start there.

14 A. Yes, there was a time that it was not. Again, COVID. I hate
15 pointing to that, but that was a reality of it, that travel
16 restrictions, particularly in Hawaii, were very, very difficult.
17 And I feel like there was a time that we weren't even allowed to,
18 unless it was for a medical mission, have people going between
19 islands out there. That necessitated that we could not do
20 simulator training in that time frame. I absolutely support sim
21 training and I -- that to me is massively important to what I want
22 a pilot to go through.

23 Q. But I can't -- and please correct me, I cannot do my check
24 ride in the simulator here, correct?

25 A. Correct.

1 Q. So, I come back here, I do my sim work, you know, a little
2 rough around the edges on several things or a few things,
3 whatever. Then do I go to an airplane to do the check ride here?
4 Or do I go back to Hawaii?

5 A. And we're talking for initial or recurrent?

6 Q. Recurrent. My apologies.

7 A. Okay. There was -- still is it that we would use the check
8 right in lieu of flight training option within the ranks. It's
9 been a big focus on moving away from that. I will say that that
10 also matched -- we had gone to increased training events held
11 online. And again, when that CEO left, that was the same one that
12 supported moving the sim into Hawaii. When that CEO left or was
13 asked to leave, I don't know how that went, again, that direction
14 was given that that's no longer going to be -- I don't want to say
15 supported, but the backing was not there to give us the resources
16 to do that appropriately. Does that make sense?

17 Q. I think --

18 A. Trying to be very careful in that -- not careful, but very
19 clear on that.

20 Q. Let me try maybe a little different angle for a moment. I
21 just want to make sure -- if I come for my recurrent training, I
22 come here to South Jordan. I hop into the sim. I can't do my
23 check ride in the sim.

24 A. Correct.

25 Q. I have to do it in an airplane.

1 A. Correct.

2 Q. Do I then go to an airplane here in South Jordan, Salt Lake,
3 whatever? Or do I go back to Hawaii to do my check, check out --
4 check ride?

5 A. You would go back out to Hawaii right now.

6 Q. Okay. Is -- you say right now, is that -- is there a plan
7 for that to change?

8 A. I don't think there is a plan for that to change. Our
9 conversations around that have focused on beefing up or bringing
10 in additional check airmen possibly from CONUS side to help with
11 those check rides or to bring in a different viewpoint. And that
12 would be globally, that would be system wide, company-wide, not
13 specific to Hawaii. That's where a lot of our conversations have
14 focused.

15 Q. All right. So, I go back out to Hawaii to do my 293, 295,
16 297, whatever that -- sorry, the regulation numbers, they all
17 smoosh in my head. So, I go back out to Hawaii to do my check
18 ride, and sadly, I would say I have a bad off day. I totally
19 messed multiple things up. So, I don't have a successful check
20 ride. How many times -- is there a number or is it just your
21 opinion? Help me understand. How many times could I mess up a
22 check ride? Yeah, I mean, I messed up the first one, but if I go
23 out again, can I mess it up and still keep a job? Or is that
24 going to be kind of, that's your jeopardy ride. You're -- kind of
25 is an all or nothing on the second ride.

1 A. That is absolutely our standpoint right now.

2 Q. That it would be a jeopardy ride at that point?

3 A. Yes. Depending on how the recurrent training goes and things
4 like that, that would be my viewpoint of it right now. We are in
5 the process of formalizing a training event so that that is very
6 known and very clear to the pilots as to if you felt this is what
7 you can expect for retraining and what our expectations of you would
8 be. We're in the process of formalizing that right now.

9 Q. Is there a magic number of times I can get retrained, you
10 know, between the check ride and my jeopardy ride now? Is there a
11 number of times that you guys are like, you know, he gets one
12 flight. He gets two flights, he gets so many hours, whatever. Is
13 there is there a magic number?

14 A. No.

15 Q. Okay. So, how -- and forgive me, this probably sounds overly
16 blunt, so forgive me. The bases are small, everybody knows
17 everybody, correct? Instructors know line pilots, pilots know
18 instructors, all that. How easy is that in your opinion? Or if
19 you've had any complaints of instructors saying, I know this guy.
20 He's always -- he's the Chuck Yeager of our base and he's just
21 having an off time. How -- are they capable of busting them on a
22 jeopardy ride again or saying, I just can't put this guy up?
23 He's, he's weak.

24 A. I would say yes because we've had that happen.

25 Q. Okay.

1 A. Where the same check airman failed somebody twice, I believe
2 we've had that happen.

3 Q. Okay.

4 A. I try to -- as a theory on this one, I try to separate that
5 so it's not the same check airman checking that person again -- is
6 the theory. Logistics don't always dictate that.

7 Q. Understood. But how about the instructors between the two
8 checking events? If there's an instructor, it's like, man, I've
9 flown with -- I've flown with Shawn, and I know he knows this
10 stuff. He's just -- something's going on, he's off. Today was
11 not the day, tomorrow is not the day. I can't sign him off yet.
12 I mean, there comes a point when somebody has got to say, wait, at
13 some point, he's got to go for the ride.

14 A. So, are you talking specifically about the Hawaiian
15 instructors or not?

16 Q. Sure, I'm out -- I'm based in Hawaii. Yes, absolutely.

17 A. From what I know of them, I don't feel that they would be in
18 that mindset.

19 Q. Okay. Okay. That's good enough for me. I appreciate that.
20 How often do you interact with the FAA? You, in your chief pilot
21 role?

22 A. We have monthly meetings that we set up to be -- maybe try to
23 be a little bit more proactive with communication. Outside of
24 that monthly meeting, most of that has funneled through Jeremy,
25 so, through the director of operations.

1 Q. Okay.

2 A. I have talked with the FAA or various POIs for, obviously,
3 inspections. We have some approaches that we're trying to, you
4 know -- that we created that we're trying to get approval for.
5 So, I've had some conversations with Lyndsay (ph.) recently about
6 those. Outside of that, though, I would say that majority of the
7 interactions with the FAA, from my perspective, run through Jeremy
8 at this point.

9 Q. Okay, okay. That's understood. It appeared the accident
10 airplane had a video system in it, and an Appareo. Did you guys
11 use those often at all? Do you ever see video from that?

12 A. Not often. That is a plan that was put in place to start
13 having them installed in all of the aircraft and then build the
14 system around that. To how we would look at that data -- and our
15 goal was to get to an ultimate full on FOQA program with that or
16 have that be a portion of. At least in the conversations I was
17 in, that's what we were trying to march towards. We've never done
18 a formal application for that. We've never done anything with the
19 FAA on that, I don't think, other than possibly mentioning it a
20 little bit. I think Michael's mentioned it on some of our
21 meetings.

22 But we have used those solely in scenarios where we had a
23 mechanical issue that the pilot had to -- I'm thinking back to the
24 details on it. But equivalently, you had to shut down the engine.
25 We use that to see where the temperatures and everything got, and

1 that that was a safe outcome, pilot did everything correctly,
2 landed. And that was on the C90 fleet. I believe, I want to say
3 that ended up being a prop issue, not an engine issue, but I'm not
4 100 percent on that.

5 We did utilize that to kind of look in the -- from what the
6 pilot reported, bring in the video to see what the numbers got to
7 and to see what the indications were as to how it presented, to
8 narrow it down a little bit in the troubleshooting process.
9 That's generally the extent that we've used those cameras, I'd
10 say.

11 Q. Okay. So, you never have somebody looking at video every now
12 and then and saying, oh, we're seeing a trend, if you will, of
13 pilots wait until 500 feet above the ground before they lower the
14 gear or, you know -- I don't want to say noncompliance with SOPs
15 but may be on the verge of noncompliance.

16 A. From my perspective, I would never want that to be something
17 that the pilots get scared of. If that makes sense? So, I try to
18 tread very lightly there. I would like to use that for
19 improvement under a full on focal program. I realized I don't
20 have this -- I don't have the people to sit down and look at every
21 flight all right now, I just don't.

22 Q. Okay.

23 A. So, no, we have never used it that way.

24 Q. All right. Let's go back a little bit. You were talking
25 about your lead pilot base -- base lead pilot program. Forgive me

1 if I messed that title up, I mess titles up all the time. If you
2 only had one applicant for it, would he automatically -- he, she,
3 that pilot, would they automatically get it? Or would you be
4 like, no, I just don't think that person would be the right fit?

5 A. So, from my gut, no. And I believe -- and I was trying to
6 think back, the reason for the pause there. I believe we've had
7 that scenario come up and that pilot did not get the base lead
8 pilot.

9 Q. Okay.

10 A. I don't want just somebody in that position if that makes
11 sense.

12 Q. Mm-hmm. I just wanted to make sure for clarification,
13 because I know you mentioned it earlier about one applying. And I
14 just wanted to make sure if, well, he's the only one, he's the one
15 body. Sorry.

16 A. Yep, no. I -- that is not my mentality.

17 Q. Okay. For new hires when they come in, do you guys have them
18 sign any kind of a training contract at all that they have to be
19 here for a year, or they have to pony up X dollars if they leave
20 before that?

21 A. No, definitely not in my fleets.

22 Q. Okay.

23 A. I do not believe we do for the Lears -- is the only reason
24 why I was thinking that, but I do not believe we do on those even
25 anymore.

1 Q. Okay. Looking at pilots as they come out of training -- I
2 know you don't necessarily specifically look at each one, but
3 lately, I know you've talked about how the airlines are culling
4 pilots left and right, if you will. Sorry, that was my
5 paraphrase. But the pilots that come out of training now, are you
6 feeling like they're the same caliber as before? Or is that -- I
7 know you're trying to hold the line, but is that caliber kind of
8 maybe pushing the bottom of that line more than it used to?

9 A. I feel like our standards haven't changed on what the end
10 result of the training program is. I've -- I think there's always
11 been a variety in that as to what -- where somebody stands above
12 the standard from that point forward in their background. The
13 best way I can say it is I think that we have a lot more that are
14 coming out that are flight instruction background or things like
15 that. That's probably -- I don't even know if that's -- I'd have
16 to look at resumes to fully say that, but.

17 I don't know that I'd feel comfortable saying that about the
18 pilots, honestly. I don't know that I'd feel comfortable saying
19 that there's been a decrease in the -- you know, I think that the
20 applicants, sure. Absolutely, there's been a decrease in some of
21 those applicants that we would ideally target. Right? But I
22 think that the ACP group and the training department and the
23 reviews have done a good job of keeping us where we need to be.
24 In large part, that's my gut feel on that.

25 Q. Okay, that's, that's what I was looking for. Sorry, I should

1 have clarified it with your gut feel. So, I appreciate that. All
2 right, I know as a chief pilot -- I shouldn't say I know. I
3 assume as a chief pilot, you get those calls in the middle of the
4 night, because the calls never come in during the day. It's
5 always in the middle of the night -- that a pilot's refusing to
6 take an airplane for whatever reason. Mechanical, tired, weather
7 is less than perfect, whatever the case may be.

8 Have you ever, as a chief pilot, had to get on the phone with
9 a pilot and go, why are you not? Help me understand. And no, you
10 need to do this because the weather's good, or well, it's -- that
11 mechanical issue is deferrable and it's going to be deferred.

12 A. I don't feel I've ever said that last statement of you need
13 to do this.

14 Q. Okay.

15 A. My intentions, my strategy, everything is to put the barriers
16 in place of doing something. There is no required call to a pilot
17 manager if you're going to fatigue out. There is a conversation
18 that may take place afterwards as to why but go get your rest.
19 That's my mentality. I try to put -- we have what's called pilot
20 manager on call, which rotates through myself, Jeremy, Randy
21 Ostman, right now, and our assistant chief pilots.

22 What I try to put out there for them, and for guidance, and
23 what I want that position to be utilizes a resource for that pilot
24 to call for second looks at weather if they so choose. If they
25 need that second weather, you know, hey, I'm not seeing anything

1 here, but this was turned on by another operator. Can you look at
2 this? Those types of calls. Hey, I want to do this, but I'm not
3 100 percent sure on where you stand with -- those are the types of
4 calls that we try to craft towards that.

5 We have some mandatory calls in there, too, when risk -- risk
6 numbers get to a certain level, and we talk through flights. So,
7 we do have some mandatory calls in there. That's just one
8 example. But I think for me personally, I've never heard that
9 somebody has said, get in an airplane and do that. If I did, I
10 would pull that manager off of pilot manager on call rotation.
11 That's not my perspective. Even if it's a weather turndown that I
12 feel we should have been able to accomplish, my mentality on that
13 is, okay, let's go back into what do you need for us to get to
14 matching levels as to what the expectation is? But I absolutely
15 try to respect personal minimums and that's my mentality.

16 Q. Okay. And you bring up risk assessment in that. How well
17 does that work in your opinion, first of all? And then have you
18 heard from others? How well does that work to actually assess the
19 risk?

20 A. So, I'll start with my mentality on that when we started
21 crafting it. When we start looking at the numbers and everything
22 like that or the -- what we have in there on the risk assessment
23 now. I try to look at is this actually walking us through a
24 assessment of risk, or is this just we're trying to document
25 something? And I do try to, from my perspective, I want it to be

1 utilized as a pointing towards the things we want them to look at.

2 I will say that there has been technological challenges with
3 this system that we are trying to work through. I have it in the
4 back of my mind that I want to get us to a point that we've got
5 one, maybe two apps for a pilot to look into before a flight, and
6 that would incorporate a risk assessment into that app. That's my
7 ultimate direction that I want to stand on that. I will admit
8 that the software we use now has had some technological issues.

9 We've recently implemented a second level reviewer for every
10 single flight, and I think that's helped with some of those
11 issues. Some of those technological issues we'll say. We have
12 removed the option for pilots to do a kneeboard (ph.) risk
13 assessment and then document it when they get back. The
14 expectation even at that time, was that if they were somewhere
15 where they didn't have Internet or something like that, they had a
16 kneeboard print out of everything that's on that risk assessment.
17 And they would be able to communicate that to the comm center,
18 what the risk assessment number was. And then for documentation
19 purposes, go back into Baldwin and create that. That's the way
20 the system was set up and designed.

21 We have removed that where they can now, if they don't have
22 Internet, they can call to either the PMOC -- well, I think that
23 we do put it at the PMOC level, pilot manager on call -- that they
24 can call and we can go through that form with them on the phone,
25 is the new direction we're heading.

1 Q. Okay, so --

2 A. Did I take a left turn there or did I answer your question?

3 Q. No, you did. So, let's talk about the accident flight. Do
4 you remember, did you ever hear what the risk assessment value --
5 is it a value and number -- what it was?

6 A. I don't remember that.

7 Q. Okay. Were there any technological challenges that you heard
8 of for that flight with dealing with the risk assessment?

9 A. Specifically reported for that flight? No, not that I
10 remember.

11 Q. Okay, okay.

12 A. The pilot would have been the one to report that, though, if
13 there was for that flight.

14 Q. So, we're back to me. It's all about me here.

15 A. Okay.

16 Q. No, I'm just kidding. I'm out in Hawaii, I have my EFB, is
17 that where I fill out my risk assessment form?

18 A. Can I clarify what I just said there --

19 Q. Please.

20 A. about the pilot?

21 Q. Absolutely.

22 A. The only reason why I said that clarifying comment is
23 because, obviously, there was no chance after -- there was nothing
24 brought up before the flight, there would have been no chance
25 after the flight to voice a technological issue, I guess, is why I

1 was saying that.

2 Q. Okay.

3 A. I just want to be very respectful and clear.

4 Q. Yep. No, and I appreciate the clarification. Thank you.

5 But I'm out -- I'm back to my question, now. I'm out in Hawaii,
6 do I fill it out on my EFB?

7 A. Mm-hmm.

8 Q. And then --

9 A. That'd be one of the options. You can -- if you have a
10 computer at home, you can still log in via the Internet to that
11 device.

12 Q. So, I could fill it out via some electric form -- electronic
13 form. When I get all the -- you know, I filled it all the way
14 out. I get all the way to the bottom. Does it total the number
15 up for me or does it just give me a score? How does it do that?

16 A. So, at the very top of the screen, you'll have your risk
17 assessment of one, two, three, four, five and it's got a sliding
18 scale where it'll show you the number where you're at within that
19 range, as well as color codes it.

20 Q. Okay.

21 A. I think I'm answering what you're --

22 Q. So, when I get to the bottom, does it give me a total? Like,
23 your risk assessment is two, your risk assessment's five.

24 A. It's not at the bottom, but it's a, it's a running total up
25 top that, I believe, stays on the screen.

1 Q. Okay. Top, bottom. My apologies. I, I'm upside down
2 anyway, so it's all good. How many times have you ever --let me
3 re-ask this question. I assume one's good, five's not good.

4 A. Correct.

5 Q. How often do you see a three, four, five? I assume that's
6 where it starts getting people's concern, like, oh, getting up
7 there.

8 A. For a new pilot, getting into three would classify as
9 relatively easy -- or not easy, but relatively -- not abnormal.
10 Because we want to highlight, you're new, added risk to specific
11 events, that type of thing. To get into a four or five for --
12 particularly for a new pilot, going off of your example with you
13 coming in. I would say that it would not be unordinary for you to
14 have to talk to the pilot manager on call.

15 Q. Okay.

16 A. I think that when there's weather, let's put it that way with
17 the way it's written.

18 Q. I'm based in Hawaii again.

19 A. Okay.

20 Q. I went through my recurrent successfully. How often would I
21 see anything higher than a one or a two out there? I've been here
22 a while, so I assume that lowers my risk.

23 A. I would say the majority, you're probably going to see a one
24 or two, probably two, maybe into three, off of what I've seen on
25 the system. We're continually going through that to make sure

1 that how we're weighting things are trying to hit the numbers that
2 would appropriately document a risk on it. And how we -- one of
3 the latest conversations we had is how do we make sure that that's
4 appropriate to both a new-hire pilot and a long-term pilot with
5 us. So, we're -- have some focus on that right now to make sure
6 that those numbers are hitting where we want them to -- need them
7 to.

8 Q. Okay. And I apologize, my last few questions here I want to
9 jump around a little bit because I'm picking it off of --
10 following up on others.

11 A. Understood.

12 Q. You talked before the simulator, the COO getting budget
13 approval to do things higher up, offline, ACP. I know it's a
14 business and all that, but how hard is it from your perspective to
15 get a budget to do something?

16 A. If I were to look back. Historically within Guardian Flight,
17 it has changed with the different COOs or leadership that we have
18 had. That's the best way I can answer that. Right now, with
19 Jared, my experience is that he is very good at -- when we bring a
20 need to him, getting us the -- what we need. It's been a very
21 short period of time. I've known Jared for a little while longer,
22 not really worked directly with him necessarily, but that is one
23 of the positives I see in him as our COO. He is very adept at
24 doing that and having that communication with up chain.

25 There was a lot of time -- and the reason why I'm answering

1 this, there is a lot of time that I was -- I would be in the early
2 what our needs conversations are, but I would drop out of those
3 conversations relatively early in that process, the way it was set
4 up. So, from my perspective, that's where it changes a little bit
5 with who's leading the ship, as far as the business side of things
6 go. That's why -- that's the best way I can answer that.

7 Q. And just -- I'm a simple-minded person here. So, from my
8 simplistic mind, give me a kind of, a ballpark if you put a budget
9 request in for an offline ACP or whatever, your choice. How long
10 would you, in your brain, think it's going to take five years
11 before this ever sees the light of day or it's going to take a
12 week and boom. What is your expectation?

13 A. I would say I'm going through historically one, if not two
14 budget seasons before I fully get something approved.

15 Q. Okay, okay.

16 A. That's been my experience.

17 Q. And thank you, I -- what I was asking for.

18 A. And I'm -- that's a ballpark. I mean, that's, that's my gut
19 feel on how many budget seasons it's been. There's been items,
20 I'm sure, that have been out there longer and there's been items
21 that have been out there shorter, I'm sure, but that's probably --
22 I'm feeling pretty confident that's where that average would hit
23 on those types of items.

24 Q. Okay. All right.

25 A. And the one budgets, I mean, I would not get it in the first

1 budget. I'm saying it would take at least two. I would fail on
2 one or two budget seasons, I guess. That's the clarification, I
3 guess, it needs there.

4 Q. Okay, perfect. That, that helps my simple mind. So, thank
5 you. Do you guys have a policy on autopilot use in the C90s? Or
6 I'm out in Hawaii, you know, done everything. On a flight, I'm
7 like, I'm going to hand fly this thing. Is that okay? Or do you
8 guys really encourage pilots to use automation?

9 A. So, I would say that we utilize our training department for
10 trying to put what our preferences out there. What our -- oh,
11 what's the word -- the culture that we want for autopilot usage.
12 We try to utilize the training department to direct a lot of that.
13 I highly encourage practicing approaches on a VFR day. If we
14 don't have a patient on board, obviously. If we do a patient on
15 board, and, you know, I -- absolutely follow the approach, you
16 know, if it's a VFR day. What I'm saying as far as practicing,
17 it's, you know, when we don't have a patient on board, I'm fine
18 going out of our -- with our pilots going out of their way a
19 little bit to do the steps for an approach.

20 I will also admit I don't sit there and look at how many went
21 and did that practice approach day in and day out. Right? But
22 that's absolutely my mentality. And I don't care about the
23 burning of jet fuel longer to do that, or the time constraint. I
24 don't care about any of that. I have confused myself off of your
25 original question.

1 Q. No, no, it's okay. It's okay. You've helped fill in some of
2 it but let me ask it maybe just differently. Is there a policy
3 within Guardian Flight that says, yeah, verily, at this altitude
4 you will be automated up, and you have to disconnect the autopilot
5 at this altitude? I know there's limitations and all that, but do
6 you guys, as Guardian Flight, have a policy that says you will use
7 your autopilot?

8 A. I'm trying to go through GOM and things like that in my head
9 here. I would have to look at the books to determine -- straight
10 to a policy specifically if there is one, where it is. That's the
11 best way I can answer that.

12 Q. Okay. Nothing that rings a bell right off the top of your
13 head.

14 A. No, short of checklists saying autopilot engaged, things like
15 that.

16 Q. Okay. All right. The last question I have and then we can
17 either take a break or you -- I'll pass you off to Sabrina. Has
18 there ever been any talk of doing two crews -- two pilots per
19 flight instead of single pilot ops?

20 A. There's been a lot of conversation around that.

21 Q. Okay. What's -- is there drawbacks? Is there hindrances to
22 doing it? I mean, I'm sure cost would be my guess -- would be one
23 maybe, but maybe not.

24 A. Well, yes, on the business side, that would be a huge cost is
25 -- a huge hurdle to climb, I would say -- was the best way for me

1 to say that. I've never been in a conversation, though, where
2 I've heard someone at the high up level say that that's too
3 expensive to do necessarily. But I've never also been in that
4 that says, yes, let's do it. If that makes sense.

5 Operationally, a lot of the conversation focuses around of,
6 that would be a major change for us and how would we manage that?
7 Because now you're introducing a lot of CRM potential issues,
8 things like that. You can't just throw two pilots in an airplane,
9 right? So, there's been a lot of discussion on that, I guess. I
10 think that answers it from my perspective.

11 Q. So, just a little clarification for me. You said you can't
12 throw two pilots in an airplane. I know -- I'm just -- but out in
13 Hawaii, they have the one group of flights that -- the CAP
14 flights. Did I get that right? CAP flights, I don't know,
15 something to that effect -- that they do have to fly with two
16 crews. So, you do it on some, but not on others. So, what's
17 trained differently for those flights?

18 A. So, on those, we have right seat trained pilots that are
19 going to be in there. That's one of my big pushes here, is that
20 whether it's an SIC role, whether it's an instructor role, some
21 type of right seat and crew training that takes place there, CRM
22 training. So, yes, I understand what you're saying. I can't say
23 that we can't. Where I was going with that was, if we are to make
24 a wholesale change on that, that's a much larger process to me
25 than just hiring additional pilots, is where I was going with

1 that, I guess.

2 Q. Okay. Thank you. And sorry for that weird question, but
3 it's just helped me clarify it in my head.

4 A. No.

5 Q. So, thank you.

6 A. I absolutely understand.

7 Q. Do you --

8 A. I'm trying to not step on you guys as much either, because I
9 understand this is going to get transcribed and it's going to be
10 easier if we're separated, so --

11 Q. Transcriptions --

12 A. -- I apologize if I --

13 Q. -- do an awesome job, so -- I've done it plenty of times and
14 they straighten it all out nicely, so they do a great job. So,
15 that's all I have. So, I appreciate all the time that you've
16 given me.

17 MR. ETCHER: I'm going to pass it off to Sabrina. But before
18 I do, do you need more water or a break?

19 MR. MUNION: Let's do a little bit more water.

20 MR. ETCHER: All righty. We'll go off --

21 MR. MUNION: Very quickly.

22 MR. ETCHER: We'll go off the record at 12:44 local.

23 (Off the record at 12:44 p.m.)

24 (On the record at 12:50 p.m.)

25 MR. ETCHER: Back on the record at 12:50 local, Sabrina.

1 BY DR. WOODS:

2 Q. All right. I do have a couple of, like, potpourri questions
3 that are going to seem like they're all over the place. But
4 again, it's -- as you say things it cues my thoughts. I'm just
5 going to ask you point blank, direct. Has Kaleo ever voiced
6 concerns, or anyone else in Hawaii Life Flight, but specifically
7 Kaleo. Have they ever specifically voiced concerns over Brian's
8 performance before the accident, stop?

9 A. From what I remember, only in the conversations about
10 training events or where we stand about that.

11 Q. Which we've discussed. And then, now hindsight is
12 unfortunately a beautiful, omniscient thing. Now, after the
13 accident, have there been concerns floated at, oh, maybe I should
14 look at this in a different light coming out of Hawaii Life
15 Flight?

16 A. I think I'd have to say yes to that.

17 Q. From who? You can name positions if you don't want to name
18 names. Like other clinicians, other pilots, or the --

19 A. I would -- I would --

20 Q. -- leadership there at Hawaii Life Flight?

21 A. I would say other pilots and probably one of the instructors.

22 Q. And I guess, can you give me an overview of what the general
23 concerns were? And again, I recognize this is very tinted through
24 hindsight-colored lenses, but.

25 A. I think -- most of what's been talked to me about that I --

1 trying to rack my brain here. But most of what's been talked to
2 me about has been just comments -- offhand comments that were
3 maybe made that didn't register at the time or didn't point to
4 anything at the time. That's what I remember talking about with
5 anybody. As far as preferring to fly VFR versus IFR, if I
6 remember, it was one. VMC versus IMC is probably the more
7 accurate term there.

8 Q. The comments were made by Brian or by whom?

9 A. Nothing to me. And that's what I have heard that there's
10 been possibly some just little tiny comments. I don't know.

11 Q. Okay.

12 A. I'm trying to give you as -- like everything that's been
13 brought to me or everything that I've talked about.

14 Q. From your position as the chief pilot, what are some of the
15 unique issues of Hawaii Life Flight? Of operating on those -- at
16 those bases? Or operating at those locations and bases?

17 A. I would say that if I had to look at my footprint, I don't
18 know that we operate anywhere that there's more community pressure
19 on the operation. Probably because of the logistics involved with
20 transporting a patient or anything like that. And we do as much
21 as -- from my perspective, we do as much as we can from a company
22 perspective to alleviate that. But the communities are so tight
23 knit out there that I think that there is community pressure for
24 flying at times. I try to honor that and respect it in the aspect
25 of -- or acknowledge it is the better term there. And then

1 how do we prevent that or keep out is my perspective.

2 I would say that there is a lot of pride in the Hawaii Life
3 Flight name and a lot of people that have been there even previous
4 to Guardian Flight owning them. So, culture change, things like
5 that, maybe has gone a little bit slower looking back on it. I
6 can't say that that's something that I noticed previously. But
7 when I look back now, that's maybe something that I would say. I
8 think supply chain is an issue out there as well.

9 Q. What do you mean by community?

10 A. So, I think it's all inherent pressures. You live next to
11 the person you are flying. You may know the story behind a lot
12 more of the patients. I don't think there is anything
13 intentional, but I think that that is a factor that we try to
14 eliminate as much as we can out there. But if I'm going to look
15 at my footprint, that is the region that that's the heaviest.

16 Q. Okay. And yeah, I needed that clarification because I wasn't
17 sure if you meant the medical community or if you meant like
18 literally, like, where you live or if you meant government geta
19 involved.

20 A. Yeah.

21 Q. You know, state government gets involved with --

22 A. A lot of that, I wouldn't have visibility to on the
23 government interactions or things like that.

24 Q. By community you mean like where they're situated and the
25 interactions with the actual immediate surrounding areas, the

1 people that they serve.

2 A. Yeah, I don't want that to sound bad. I -- like -- but
3 that's the reality of --

4 Q. No, that's not bad.

5 A. -- living that close to the patients you serve and things
6 like that.

7 Q. Okay. And then for the culture to change, I guess -- what
8 aspects of the culture are you implying that, hey, that could,
9 that could -- slow to turn the Titanic, but this needs to turn.
10 What parts of the culture give you pause?

11 A. The immediate was the trying to instill our mentality through
12 the return to service process. Direct communication with me and
13 some of these leaders that the people need to hear directly from
14 us. You follow the policy. I don't care how long it takes for
15 this patient transport, necessarily, if you're doing what we ask
16 you to do. And trying to reestablish that culture -- or not
17 reestablish -- emphasize that culture as to where we want it to
18 be. I think that's the best example I can give you. Does that
19 answer your question?

20 Q. Your return, you're talking about from --

21 A. From the accident.

22 Q. From post-accident.

23 A. Mm-hmm.

24 Q. But were some of the culture issues that were before the
25 accident -- were there cultural issues that were before the

1 accident?

2 A. I did not see them if they were there.

3 Q. I think the last, kind of, category of questions are what is
4 -- two parts. First, what's Guardian's take on seeking other
5 forms of employment while working for Guardian? Colloquially
6 known as moonlighting.

7 A. Okay. Are we talking specific aviation jobs or other --

8 Q. Any other jobs?

9 A. Okay, I don't -- we don't have a policy that states you
10 can't. I do put restrictions on the pilots that it can't be in
11 your rest time, and it cannot interfere with our flight hours
12 associated with you. So, the 8 and 24, the yearly, quarterly, bi-
13 quarterly flight restrictions.

14 Q. So, to be clear, there is nothing from the Guardian that says
15 you cannot. However, the world, according to Andy, is it cannot
16 interfere with your job. And of course, you cannot exceed your --

17 A. That is absolutely --

18 Q. -- FAA regulated.

19 A. That is absolutely the expectation that I have. And to the
20 best of my recollection, I haven't had to deal with somebody
21 bringing a concern straight forward on that for -- on -- like for
22 other pilots flying during their off time. The two weeks off is
23 the way I would classify off time. We've had some discussion
24 about that, I suppose, from what I remember, but every time I've
25 looked into that, from what I can see, duty records, other

1 commercial flying requirements, reinforcing other commercial
2 flying editions. I know we had that conversation with Brian, I
3 think is where you're going with that. And it was straight up
4 said, everything is going into our flight duty tracker for other
5 commercial flying. It is not happening when I'm on shift with
6 Guardian, anything like that.

7 Q. Were you aware that Brian was employed with another company
8 as well? Prior to the accident.

9 A. I remember he had asked if he could -- or he had stated that
10 he was -- wanted to fly helicopters on his off days. And we did
11 not say no on that. But I don't know that we ever came back and
12 said, yes, go do that or anything. But we did not say no on that
13 as long as those restrictions were met.

14 Q. I guess, did you make an assumption at that time if it was
15 for leisure, or it was for compensation?

16 A. I don't know that I did. I don't know if I made an
17 assumption at the time.

18 Q. Okay. Did you -- I mean, okay. So -- I guess -- I don't
19 know how to rephrase the question to say that, like, did you know
20 that he was working for --

21 A. I guess I, I knew that he was flying helicopters on his off
22 days.

23 Q. Okay, okay.

24 A. I can say that, like, very confidently.

25 Q. This might be a question more suited for, for Michael in

1 Safety, maybe. He has more familiarity, but have you ever heard
2 of a term called transference?

3 A. I have not heard that term.

4 Q. Transference and human factors. Okay, just curious.

5 A. You have me curious now, but I have not heard that term. To
6 clarify, you said -- called transference?

7 Q. Yeah. Transference.

8 A. Okay.

9 Q. It's just -- that's usually the way humans tend to be hard
10 wired is the thing you learn first, the thing is it's what you
11 learn best, or the thing you do the most often is the thing that
12 you do best because it becomes a certain rote (ph.). Particular
13 as we learn things when we're younger and we learn things first,
14 that's what sticks with us the best. So, it's kind of like --
15 it's kind of hand in hand with that you can't teach old dogs new
16 tricks. It's not necessarily that you can't, it's just that our
17 capacity for remembering what we learned first overrides the thing
18 -- the new thing that we're trying to learn.

19 And so, when you have individuals like, for instance, trying
20 to go for another type rating or trying to go from roundhouse, you
21 know, steam gauges to electric panels, it can sometimes be
22 difficult making that transference. And so, then when you are in
23 times of, like, high workloads, things like that, we tend to go
24 back to what we learned first. And so, that's why I was just
25 curious, talking a little bit more about some of the

1 considerations for Brian's past histories coming on board to
2 Guardian and then his current flying histories. I take all that
3 into consideration when I look at performance overall. And so, I
4 was just wondering at what level do you -- or in this instance,
5 you know, the assistant Kaleo look at some of those things when
6 you make those approvals to go fly.

7 A. Okay. So, quite similar to what we talk about is primacy.

8 Q. Yeah, well, primacy is definitely the thing that you learn.
9 First, you learn best. It's the most concrete. But transference
10 is when you need to go reach for those skills and the thing that
11 pops up first is the thing that you've learned. You know, so,
12 that's why I was just curious at some of the considerations -- and
13 not just in again, the day to day. It's, we have a training
14 history, right? That when I read through, read more heavily on
15 rotorcraft and so I had asked your assistant kind of a similar
16 question is, at what point, like -- what -- where does your
17 pendulum swing?

18 Like what is your balance? Like, are you okay, yeah, 60
19 percent of his flying career has been in rotorcraft. However, the
20 last ten years have been fixed wing, so, we're good. I'm just
21 trying to figure out what is that thought process? How do you
22 take that into account when you talk about somebody's history?
23 Because I could roll in with 10,000 hours, but if it's all, you
24 know, if it's all in rotorcraft how does that help you on paper as
25 a pilot? So, sorry. That was really long winded. I was just

1 trying to get at what level are those decisions made? And like I
2 said, that might be more of a question for Training and/or Safety?

3 A. I would probably agree with ask those -- that might be more
4 proper but -- I will say, looking at Brian's resume, I will admit
5 that I did see the rotor, but I did see that the last flying jobs,
6 multiple, were in the fixed wing world. And that may have -- that
7 definitely played into it for me.

8 DR. WOODS: All right. That is all I have. Thank you, sir.

9 MR. ETCHER: Millicent.

10 BY MS. HILL:

11 Q. In Hawaii they have the simulator there, and they said if any
12 of the pilots want to come use it, they encourage it. Use it as
13 much as you want, are there other simulators across at the other
14 locations? Is it the same policy?

15 A. The other simulators that we have here -- are in South Jordan
16 here.

17 Q. Or anywhere across the country, are there other ones? Or
18 just Hawaii and here.

19 A. For Guardian Flight, I believe Alaska has one as well, but I
20 don't know that I've ever actually seen that one. But it would be
21 here.

22 Q. Okay.

23 A. We do have the policy that if -- we're more than happy to
24 open the doors and, you know, utilize the sim. But this -- these
25 would be the only ones here.

1 Q. Would they have to pay their own way here? Essentially, if
2 they lived in the Michigan base, would they say, hey, I want to
3 come get some sim time?

4 A. If they raised that question to me, I would, I would pay for
5 that travel. Obviously not a blank check to come out every
6 weekend and go skiing on top of that but I would absolutely be
7 willing and able to pay that travel.

8 Q. Are there -- some of the operations, like the CAP flights,
9 you know, they have to have two pilots. Are there any other
10 operations going on right now with two pilots in the fixed wing?
11 Temporarily or continuing.

12 A. When we started the stand bases back up, we did put -- we put
13 a lot of restrictions on it for instructor pilots or people that
14 are right seat trained. But we did put -- they had no flight
15 duties, but they were in the cockpit as we stood bases back up out
16 in Hawaii. That then changed to a mentality of training for
17 specific items before somebody goes back into the cockpit.

18 Q. Was that just in Hawaii, the two pilots at night?

19 A. I don't believe that -- the concept was system wide, but it
20 was directed at Hawaii and Alaska, I believe, for the stand back
21 up. And then we determined that we can -- the training for the
22 single pilot, you know, we did upset recovery training. We did a
23 re-up on unusual attitude training and partial panel trainings,
24 things like that before we put our pilots back in aircraft in
25 operation.

1 Q. Okay.

2 A. I still have a number of them that have not stood back up
3 yet. So, we're still going through that process.

4 Q. Bases or individual pilots?

5 A. I am looking at, as a very individual process. I am
6 concentrated on, is the person processing. What's their mental
7 state in the conversations? And I'm not a trained person, but I'm
8 trying my best to talk to people. The ACPs are doing a lot of
9 that, and I know that there's been other conversations had with
10 other leaders with crews before they go back in service. But from
11 my perspective, it's definitely very individual-focused. You're
12 either good to be in that cockpit or you're not, and that may
13 change day to day. And we're placing the expectation support out
14 there to, if you're not, raise your hand. No negative effect.

15 MS. HILL: That's all I have.

16 MR. ETCHER: Thanks Millicent. Mitch.

17 BY MR. MITCHELL:

18 Q. Thank you, Andy, for answering all our questions today. I
19 just have a few more. Do the pilots plan and file their own
20 flight plans?

21 A. They do.

22 Q. Do you have any preferred routes that are offered to them?

23 A. Hawaii does, but we utilize the ones that -- ATC has
24 preferred routes, so we try to utilize those when able. But does
25 Guardian Flight specifically have preferred plans, preferred

1 routing? No, I don't believe we do.

2 Q. Okay. And I forgot to ask this one earlier. Does the new
3 hire pilot training, does that take place here?

4 A. Yes. For all of my airframes, yes.

5 Q. Okay.

6 A. The Lears --

7 Q. Yeah.

8 A. Yeah

9 Q. Sorry, specific for the C90.

10 A. Yep.

11 Q. Should have been more specific. That's all I have. Thank
12 you, sir.

13 MR. ETCHER: Well, thank you so much for all the time we
14 spent today. You've educated us a lot. I know we've asked a ton
15 of questions, but -- we can ask a thousand questions, but there's
16 always one question that if we don't ask, it might shed a whole
17 lot of light to it. Are there any questions like that that you
18 can think of that, man, I can't believe they didn't ask this.

19 MR. MUNION: You have asked the questions that I thought
20 beforehand and many more. I don't know that I have one right now.

21 MR. ETCHER: Okay. Well, you've got my card there. So, if
22 you have thoughts, anything. I mean, I don't care how small you
23 think it is, let us know, because it's those -- we're just putting
24 all the pieces of the puzzle together and more pieces we get, the
25 more clear the puzzle gets for us and helps us kind of figure out,

1 A, what happened, B, what can be done to fix it. So, I do
2 appreciate the time today that you've given us. It's been a long
3 time, I know, but I do appreciate it. And we will call this
4 interview concluded at 13:11 local.

5 (Whereupon, at 1:11 p.m., the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: RAYTHEON AIRCRAFT COMPANY
 FATAL ACCIDENT NEAR KAUPU, HAWAII
 ON DECEMBER 15, 2022
 Interview of Andy Munion

ACCIDENT NO.: ANC23FA008

PLACE: South Jordan, Utah

DATE: March 21, 2023

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.


Melissa Bousquette
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of:

RAYTHEON AIRCRAFT COMPANY FATAL
ACCIDENT NEAR KAUPU, HAWAII
ON DECEMBER 15, 2022

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* Accident No.: ANC23FA008
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Interview of: RANDY OSTMAN, Director of Aviation, Training and
Standardization

Guardian Flight

South Jordan, Utah

Wednesday,
March 22, 2023

APPEARANCES:

DR. SABRINA WOODS, Human Performance Investigator
National Transportation Safety Board

SHAWN ETCHER, Operational Factors Investigator
National Transportation Safety Board

MILLICENT HILL, Investigator-In-Charge
National Transportation Safety Board

MITCH MITCHELL, Aviation Accident Investigator
Federal Aviation Administration

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I N T E R V I E W

(2:05 p.m.)

DR. WOODS: Okay, thank you with that. We're getting started at 14:05. Randy, again, thank you so much for being here.

My name is Dr. Sabrina Woods. I am a Human Performance Investigator with the National Transportation Safety Board, and we are here investigating the accident that took place in mid-December of 2022. The board's been Congressionally charged with determining probable cause with aviation accidents and significant incidents. We don't do that in a vacuum though. We have a bunch of subject matter experts from with the board and then outside the board that help us kind of figure things out. Essentially, that's why you're here.

My job is, as human performance, is I'm kind of taking a holistic look at the operating environments. Everything from the policies, the tools that are in place, the training -- all of that. I do an assessment on what's working well, and I might also do an assessment on what could be better. With me is Shawn. I'll let him introduce himself.

MR. ETCHER: Good morning -- actually, it's good afternoon. I apologize for that. My name is Shawn Etcher, I'm an Operational Factors Investigator with the NTSB. So all that means is I look at everything kind of forward of the cockpit door, how it interacts with the pilot, the pilot's training, procedures, things like that just so you kind of understand where I'm looking at.

1 MR. OSTMAN: Okay, great.

2 DR. WOODS: And then Millicent?

3 MS. HILL: Millicent Hill. I'm the Investigator-In-Charge.

4 MR. OSTMAN: Okay.

5 DR. WOODS: And also, we tend to have parties to the
6 investigation. The FAA is often one of those parties in the
7 investigation, so we have representation from them.

8 MR. MITCHELL: Yes. Hi, Randy. Mitch Mitchell with the FAA,
9 and I'm an Aviation Accident Investigator. Strictly here for
10 safety investigation. Our office doesn't do anything with
11 enforcement actions, so.

12 MR. OSTMAN: Cool.

13 DR. WOODS: So with that, again, we can't do things in a
14 vacuum. We need subject matter expertise outside of that. As an
15 employee of Guardian Flight, you're going to have a wealth of
16 information that can help us out, you know. We don't work here.
17 We don't work under this kind of operational construct, so we need
18 people like you to help inform the process.

19 What we do do for a living is, is we're exit investigators.
20 We recognize that conversations like this are routine for us, but
21 it's not routine for you. With that, just to kind of -- a couple
22 of ground rules, if you will. Take the time you need to answer a
23 question. But also recognize that I don't know is a perfectly
24 acceptable answer. Just because we're, don't make -- don't think
25 that you have to make up something on the spot just to kind of

1 appease the question. If you don't know, just say so and we'll
2 move on. If you don't understand the question, please ask for
3 clarification and we'll be happy to provide that because we're
4 going to do the same. If we don't understand your answer, we
5 might ask you to like -- to give us a little more info.

6 There will be times -- we are a fact-based organization. We
7 try to collect the facts. However, there will be times where we
8 might ask you your opinion on something or maybe you don't know
9 but you have a good opinion. Did your experience on something.
10 That's fine, that's great. Just make sure you clarify that, in my
11 opinion. And that way, later on when we're kind of reviewing all
12 this information, we can discern between what's fact and you know,
13 what's Randy's opinion on the subject.

14 MR. OSTMAN: Okay.

15 DR. WOODS: If you need a break at any time, please don't
16 hesitate to ask. I'll also try to do my best to make sure, as we
17 go through the rounds and things like that, that I will check in
18 with you, see how you're doing and give you a break if you need
19 it. We do typically take two rounds. The first one is a little
20 bit longer. It's kind of like the back-building, and then usually
21 the second one is much shorter. And that's just like as things
22 that other people say, you know, more questions pop into our
23 heads.

24 With that, this interview is being recorded. That is to ensure
25 that what you have to say is documented exactly, and so that I

1 don't distract you with note taking and things like that. The
2 recording will be sent to a transcribe, and it's the transcription
3 that eventually becomes a matter of public record. Are there any
4 questions about that?

5 MR. OSTMAN: No.

6 DR. WOODS: Are you okay with that?

7 MR. OSTMAN: Yes.

8 DR. WOODS: Okay. You're also allowed one person with you
9 during the interview process. You walked in by yourself, so I'm
10 going to assume at this time you do not wish to have another
11 person with you?

12 MR. OSTMAN: I do not.

13 DR. WOODS: Okay, that's fine. Just recognize that if any
14 time during this process you're like nope, I'd like to go phone a
15 friend, just let us know and we can make that happen for you.

16 MR. OSTMAN: Great.

17 DR. WOODS: So with that, any questions for me at this time?

18 MR. OSTMAN: Nope.

19 DR. WOODS: Okay, great.

20 INTERVIEW OF RANDY OSTMAN

21 BY DR. WOODS:

22 Q. So for the record, if you would please state your full name
23 and just spell your last.

24 A. My name is Randy Ostman, that's O-s-t-m-a-n.

25 Q. Okay, thank you for that, Randy. And what is your job title

1 here at Guardian?

2 A. I am the Director of Aviation, Training and Standardization.

3 Q. Okay, and how long have you been in that position?

4 A. About four years.

5 Q. Okay, and how long have you been with Guardian overall?

6 A. Seven years.

7 Q. So what did you do, I guess, in those three years that you
8 were the Director of Training?

9 A. So, I started as a line pilot in the King Air 90. I spent
10 about a year in Hawaii, flying the line. I'm from Salt Lake City,
11 Utah, and they had openings in the training department. I have a
12 passion for training and did a lot of that prior to Guardian
13 Flight. And so I took the opportunity to come back to South
14 Jordan.

15 I started in the training department as an instructor pilot,
16 became a check airman, became an assistant chief pilot shortly
17 thereafter, and then was the -- promoted to the Director of
18 Training.

19 Q. That's actually a really good question. What did you -- can
20 you give me high-level overview of what did you do before you even
21 came to Guardian?

22 A. I did a lot of flight instruction for primary flight
23 students, as well as business owners in their personal aircraft.
24 I did a lot of training in Cirrus. And I ran a flight school, as
25 well as a basic 135 operator, a single-pilot operator.

1 Q. And overall, what are your certificates and ratings that you
2 hold?

3 A. ATP multi engine, commercial, single engine, CFI, double II,
4 MEI.

5 Q. And you said that you flew the King Air for Guardian. Is
6 there any other platforms that you fly as well?

7 A. I don't. I have flown the PC-12 a handful of times, but I n
8 have not flown any of our other aircraft.

9 Q. In those times, did you fly it as a -- in a mission or were
10 you --

11 A. Aircraft relocation mostly. I was sitting left seat, with an
12 instructor sitting right seat.

13 Q. And who is your current supervisor? Who do your report to?

14 A. Right now, as of last month, it would be Nick Cusimano (ph.).
15 Before that it was Jeremy Salveson.

16 Q. And last month meaning sometime in February this change
17 occurred?

18 A. Correct.

19 Q. Okay. Do you happen to know if that change occurred before
20 or after the accident? I know the accident was late February, but
21 I just wanted to get a gauge. I'm sorry.

22 A. So I knew that the changes was coming back in the fall. The
23 official change didn't take place until approximately the second
24 accident, yeah.

25 Q. Okay. So in your day-to-day Director of Training. What does

1 the Director of Training do here at Guardian?

2 A. So I have a group of full-time instructors that I manager
3 here at South Jordan, both on the PC-12 and the King Air 90. I
4 have, well had, an instructor in Alaska that worked on the King
5 Air 200, and I have another instructor in Hawaii that also works
6 on the C-90. And I basically manage the new-hire training, the
7 onboarding of new hires, as well as the recurrent training for our
8 current pilots. I also manage the check airmen that are out there
9 on the flight line, and I also manage contract training provider
10 agreements and sending people to flight safety and CAE.

11 Q. And -- that's a lock (ph.). I do have one question real
12 quick is are your instructors also line pilots, or are they only
13 functioning as instructors?

14 A. There's two instructors that I have, two roles I guess you
15 could say. There are full-time instructors that work specifically
16 for the training department as their primary duty, and then hold
17 pilot and command qualifications so that they can fly the line.
18 And then there's line pilots who hold instructor qualifications.

19 Q. Okay.

20 A. And their primary duty is to fly the line, and then their
21 secondary duty is to the training department, which is instructing
22 pilots.

23 Q. Can you give me a rough -- how many people is that under you
24 in all?

25 A. In all, my direct reports would be about nine in the workday,

1 I guess you could say. The line pilots don't directly report to
2 me unless they are performing instructional duties. So in the
3 hierarchy of the organization, they don't -- it doesn't show that
4 they report to me. But there's about 20 or so of them out there
5 on the flight line that I do work with.

6 Q. Do you still fly the line on occasion?

7 A. I haven't since December, but I try.

8 Q. December of 2022?

9 A. 2022, yeah.

10 Q. So if you could walk me through please, a day in life. Or
11 maybe let's go a week in the life. What is your average week like
12 in your interactions laterally along the chain in Guardian, up the
13 chain and then down the chain?

14 A. Okay. Well, every week we have management meetings. Jeremy
15 or Nick, Andy, Nathan and I, on Tuesdays. We meet weekly and we
16 discuss things appropriate to the operation weekly. We also --
17 right after that meeting, it's a biweekly thing. But I associate
18 with assistant chief pilots and discuss operational things that
19 are of concern, training items as well. Every week I meet with my
20 instructors and do an instructor, I guess, roundtable you could
21 say, weekly. And I have a monthly all parties roundtable for the
22 entire training department. We do also have -- so that's kind of
23 the lateral and below. Above, we do a biweekly leadership meeting
24 with Jared Sherman and the rest of the department heads.

25 Q. Has that always been the general schedule? Or since you've

1 been in this position for essentially the last four years, have
2 you always had that many meetings on your daily, weekly, monthly
3 timeline?

4 A. Ever since I've been in this position it was -- it kind of,
5 it started slow and then gradually built.

6 Q. I notice you mentioned the DO and then you mentioned both the
7 chief pilots. How much interaction do you have with the Director
8 of Safety?

9 A. The Director of Safety is part of the leadership call that we
10 have biweekly.

11 Q. Mm-hm.

12 A. And we get our chance to have discussions on that call. And
13 if there are ever any concerns, you know, I'm more than happy to
14 give him a call at any time. But we don't have a scheduled one on
15 one.

16 Q. And then also you didn't mention -- and it could be because
17 it's rolled up under one of these other functions. How often do
18 you interact directly with the recruitment and hiring effort?

19 A. That's weekly, there's -- on Thursdays, every week.

20 Q. Is that in the same meeting with these other individuals or
21 is that a separate meeting?

22 A. It's a separate meeting. There's an onboarding-recruitment
23 meeting.

24 Q. And what do you do? What is your function in that meeting?

25 A. Well, I am primarily responsible for staffing my department,

1 instructors and check airmen. And so I tune in for that primary
2 duty. But I'm also ancillary to the hiring of pilots as well.
3 And so I mean, I've conducted interviews and phone interviews as
4 well as sim eval. So I am a part of that in that I provide
5 feedback in briefings as to the results of those.

6 Q. Has it always been that way since you've been in that
7 position? Or do you find yourself having to do that ancillary
8 duty more and more as of late?

9 A. It ebbs and it flows, but it has increased over the years.

10 Q. I'll come back to that in a moment. You said you have about
11 nine direct reports and there's like 20 or so line pilots who
12 function as training individuals from time to time. Would you say
13 that is adequate?

14 A. No.

15 Q. For where -- okay, got it.

16 A. I'm sorry.

17 Q. It's fine, no. Where are the deficiencies that you see, you
18 perceive in what you have to work with right now?

19 A. Well, so let me preface this with the nine that I said were
20 direct reports that are not all full time, or they're not all
21 filled, okay? So there are vacancies there.

22 Q. Mm-hm.

23 A. Here in South Jordan, in fact recently, we've had two
24 resignations. So I've been kind of put down. And I've had
25 several openings for many, many years. So we've been struggling

1 with staffing, okay? In the hierarchy, in the organizational
2 hierarchy, I should have nine reports. They're not all fully
3 staffed. And the -- where it's hurting, I think, is that, you
4 know, it would be great to have more full-time instructors here at
5 South Jordan to focus on the onboarding new hires as well as
6 recurrent training needs of the organization. And it would be
7 extremely helpful to have more of that on the line as well. In
8 the instructor capacity as well as check pilot capacity.

9 Q. How many vacancies out of your nine -- I'm sorry -- do you
10 have?

11 A. Let's think here. So I have four vacancies.

12 Q. But if I'm correct in what I'm hearing. Even if you had all
13 nine staffed, you foresee the need for more.

14 A. Yes.

15 Q. Do you know about how many more would make for okay, now
16 we're plumb, we're good?

17 A. Right. So I would like to have eight total for -- to cover
18 the King Air 90, and the King Air -- or the PC-12 here at South
19 Jordan as full-time instructors. I would like a lead for each one
20 of those, so that would be 10 for just those two platforms.

21 Q. Mm-hm.

22 A. Then I would like two instructors in Hawaii. I would like
23 two instructors in Alaska with a lead up there as well. I'd also
24 like a lead for -- so a lead would be designated for each
25 platform. We'd like a lead for the Learjets. So, that would be

1 probably a total of 13 or 14.

2 Q. Sounds like you've thought about this.

3 A. A lot, yeah.

4 Q. Are your thoughts being entertained?

5 A. They're entertained, I guess. They're not executed.

6 Q. What do you foresee the roadblocks are between entertaining
7 your ideas and execution?

8 A. Budget.

9 Q. Where does staffing play into that execution?

10 A. What do you mean?

11 Q. Ideally, would you like to see these individuals hired from
12 within or external hires?

13 A. Preferably, it would be internal because that's where the
14 experience comes from. But I'm not opposed to hiring the right
15 candidate externally.

16 Q. You said you have four vacancies, and two have essentially
17 submitted resignations. Is that two in this four?

18 A. Yeah.

19 Q. Or you're going to be down six?

20 A. Yeah. Well it'll, you know what? Actually, it'll be down
21 six here pretty soon.

22 Q. And is there any short-term resolution that you see before
23 you get to that point?

24 A. The short-term resolution I think right now that has been
25 discussed is to put a pause on training and hiring for a couple of

1 months.

2 Q. Mm-hm.

3 A. So that we can build the ranks. Another solution that has
4 been discussed is utilizing contract training providers such as
5 flight safety, to help with the training needs.

6 Q. You've been here for a while. You've seen probably a lot
7 over your past seven total years, four particularly in this
8 position. Can you give me an understanding of what was Guardian
9 like five years ago versus what's Guardian like today?

10 A. Sure. Yeah, when I started with the company it was owned by
11 one individual. And since then, we've gone through several
12 mergers and acquisitions. And so we're owned by a public
13 investment group now. So there's been quite a bit of change,
14 organizational change. Once upon a time when we needed something,
15 we would go direct to the owner and say hey, we need this, this is
16 why, and we would get it. Well we would, based on justification.
17 Now, it has to go through a series of -- a spider web of people
18 and hopefully make it to the right person to get approval. And
19 we're much larger than we were five years ago as well. And we've
20 acquired bases. We've been merged with bases. So I think we have
21 over 65 aircraft now, where as before it was quite a few less, so
22 we've grown.

23 Q. Do you feel as though the infrastructure to support an
24 operation such as yours has grown with that expansion or is it
25 lagging behind that expansion?

1 A. It's both.

2 Q. How so?

3 A. It's grown, but it hasn't grown fast enough, or as fast as
4 the company or organization has grown. To give you an idea. I
5 started as, as I mentioned, as an instructor. I was the only
6 instructor and check airman for the entire C-90 group. And I had
7 to do all the check rides for all the pilots for a long time
8 there. Then I brought on another instructor. And then over the
9 course of the last four years in this training role, I've been
10 able to build that. But we've also acquired a lot more bases.
11 And so, it -- to answer your question, it's both. We've grown but
12 we haven't been able to keep up with the organization.

13 Q. Okay. Sorry, just thinking through some things. In your
14 opinion -- let's go strictly up the chain now. Do you feel that
15 there is a good understanding, that there is a good grasp of what
16 the needs of the training department are?

17 A. If I'm talking direct to Jeremy Salveson, I think so, yes.

18 Q. So, one more level up.

19 A. Right now? I think so. Six months ago? No.

20 Q. So there's been a change in the six months. That there's
21 been a change obviously in that six months. What has changed?

22 A. We've had personnel changes and leadership.

23 Q. And so now current leadership is just -- understands more
24 or maybe is more receptive to getting input?

25 A. I think they're more receptive, yeah.

1 Q. Going back to your interactions with for instance, for Jeremy
2 and then for Andy and Nathan. Well, I guess specifically in this
3 instance, Andy. How do you work together to track how training is
4 going across all these bases? You just talked about expansion.
5 You talked about the fact that you're -- could be a little short
6 in the training department. How are you tracking it? How are you
7 managing how all these line pilots out there are performing?

8 A. It's a good question. So Andy and I have an open line of
9 communication and we need to talk frequently. If ever there is a
10 concern with a line pilot, it generally goes through their direct
11 report, so the assistant chief pilots. And if there is an
12 alarming concern with any one of their pilots, they bring it to
13 Andy and I and then we can meet together to discuss those
14 concerns. Typically that's a three-way call with myself, Andy and
15 the assistant chief pilot. And we validate the concerns and then
16 we come up with a plan to address the concerns. And it just
17 really depends on what they are, with what direction we go in.

18 Q. What are some tools to go about validating the concerns?

19 A. The tools, based on training specifically, which would be the
20 standards, and ACS standards.

21 Q. Mm-hm.

22 A. Are the pilots meeting those standards or not?

23 Q. What is Guardian's take on -- what is Guardian's standard?
24 Is it just meeting the standards of ACA (ph.), blah, blah?

25 A. The Airman's Certification Standards?

1 Q. Yes, ACS.

2 A. We use the FAA certification standards.

3 Q. Would you consider that your baseline or are there any
4 standards above that?

5 A. That's our standard.

6 Q. So you said going up through, I guess, direct -- the
7 assistant then to Andy then to you. What about information from
8 the -- from your training individuals in the fields and at the
9 bases?

10 A. Yeah.

11 Q. Do you ever get feedback that was as well?

12 A. Of course, yeah. They provide briefings, usually in the form
13 of an email. Or it could be a phone call, but we want them to
14 send us emails in writing as well --

15 Q. Okay.

16 A. -- so that we can track it and have something official. But
17 all of this is generally put in their training forms as well.

18 Q. Okay. So that's a person who is already in the system. What
19 about a person who is wanting to come into the system? I'm a new
20 applicant. I'm a new person who's coming in. I want to be a line
21 pilot for Guardian.

22 A. Okay.

23 Q. You said that you do interact with the hiring process. What
24 are some of the things that you look at.

25 A. The thing that I do specifically is the simulator

1 evaluations. And I'm -- excuse me -- I am evaluating their
2 single-pilot instrument proficiency in the simulator, whether or
3 not they hit the airman certification standards. And then I
4 provide my feedback in a briefing and a recommendation to hire or
5 not.

6 Q. Who are you providing that feedback to?

7 A. Andy and his assistant chief pilot, as well as the recruiting
8 team.

9 Q. Is that the only part you take is just those sim evals?

10 A. As of recent, I mean as of the last couple of years, yes.
11 But prior to that, as an assistant chief pilot, I participated in
12 the hiring process a little more. But I'm not -- I'm not doing
13 that to this day, unless it's for my department specifically.

14 Q. So you don't engage in any sort of review of past training
15 records or the PRD or anything like that.

16 A. No, that's left up to the assistant chief pilots and the
17 chief pilot.

18 Q. Did they ever come to you with information? Like hey, we're
19 considering this individual, but we want to make sure you check
20 this specific thing on the sim evaluation? Did that ever happen?

21 A. The reason that the individuals come to a simulator
22 evaluation is likely because of their interaction with the
23 assistant chief pilot during their phone interview and the points
24 in that they've scored or haven't score on that evaluation based
25 on recent and relevant experience. And so, it's pretty much a

1 blanket evaluation for me. If they're here, it's because the ACP
2 determined that they need to be in order to make further decision
3 on their employment. And so I just do it the same for everybody.

4 Q. Okay, good terms (ph.). So prior to, let's say last year.
5 Prior to the accident occurring, what would you say -- did you
6 keep busy? What would you say your rate of individuals coming
7 through that were in that position?

8 A. Oh, two or three times a week.

9 Q. Has that changed at all after the accident?

10 A. Yeah, we put a -- I guess we've taken a break. Taking a
11 safety stand down for a period of time there. And yeah, we have
12 not done as many over the last couple of months.

13 Q. You have not done as many sim evaluations over the last few
14 months.

15 A. Yeah. I can't say that I haven't done any.

16 Q. Mm-hm.

17 A. I've done maybe two, personally. But yeah, not two or three
18 a week, like it was before the accidents (ph.). And again, we had
19 a safety stand down.

20 Q. Mm-hm.

21 A. So, we didn't do anything.

22 Q. Okay. Does your team track trends that you're seeing at all?

23 A. We don't have a spreadsheet to track trends, no. But we do
24 review records and tailor training to previous training results.

25 Q. I get that and I appreciate that. That would be for one

1 individual though. But what if you're consistently seeing a group
2 of individuals come in with the same deficiencies that need to be
3 retrained? Now what?

4 A. Yeah, now we -- so let's say for example. We did have -- or
5 identified through the check rides that were being performed with
6 the check pilots, that there was a common denominator, I guess.
7 Lack of, for example, lack of familiarity with the GPS. And so we
8 identified that as a weakness, and we put special emphasis on that
9 in our training curriculum. There's not an official policy, so to
10 speak that says we do that. It's not written down, but we do.

11 Q. Who is ultimately responsible for building your curriculum?

12 A. It's a joint effort. I have that oversight directly, but I
13 work in conjunction with operations, as well as the training
14 department to come up with that curriculum. It's a team effort.

15 Q. You said operations. Does the Director of Safety inform the
16 training department at all?

17 A. There are times, yeah. He brings things up on our leadership
18 meetings that we need to address. There have been Baldwin
19 reports, safety reports that have been filed by certain
20 individuals that I may or may have visibility to that they do
21 bring to our attention and we address in the training, new
22 policies or procedures, we address. For example, backing aircraft
23 up to an aircraft. Or backing cars up to an aircraft, I guess you
24 could say, so.

25 Q. How often do you take a look at your curricula? Is there a

1 set -- every quarter or every year, are we taking a look?

2 A. We review it every year. We have a system in which -- so
3 it's Cornerstone, which we send out the content and material and
4 we get feedback from our pilots and assistant chief pilots, and we
5 review that yearly, unless there is a need to address something
6 more emergent.

7 Q. Okay. Right now, overall how would you rate communication
8 between you and your counterparts?

9 A. The chief pilots?

10 Q. The -- well, under the DO, the chief pilots and the assistant
11 chief pilots?

12 A. It's great. We have good working relationships and open line
13 of communication. I feel like there's not one -- any one of us
14 within that team that would hesitate to pick up the phone and call
15 if we needed to.

16 Q. If they saw an issue.

17 A. Correct.

18 Q. And is that -- do you feel that's the same across all bases?

19 A. Yeah, I think so.

20 Q. Having flown for Hawaii Life Flight and then coming back here
21 to the Salt Lake area, what is your take? What is your perception
22 of how the operation is functioning there?

23 A. Hawaii has been unique in that it's kind of always run
24 itself. When I came onboard it seemed like I went out there and
25 they just kind of handled everything. There was little

1 interaction with South Jordan, it was just autonomous. And I
2 think that mentality has somewhat carried over throughout the
3 years.

4 Q. In your opinion, is that a good thing, does it not matter at
5 all, is it a bad thing?

6 A. It's good and bad.

7 Q. How so?

8 A. The reason I think it's good and bad is because it's nice to
9 not have to watch over people and micromanage. It's bad in that
10 sometimes there's a disconnect between what's happening there and
11 what maybe should be happening, according to the way that Guardian
12 wants it to be done.

13 Q. Mm-hm. Who's responsible for closing the gap on those
14 disconnects?

15 A. I think it's a team effort, there's no one individual.

16 Q. I've learned something recently and please, absolutely
17 correct me if I'm wrong. But we've gotten a high-level
18 understanding of the hiring practice at Guardian. But it seems to
19 be it's a little bit different at Hawaii Life Flight. Would you
20 say that's accurate, in how applicants come in the door?

21 A. I'm not entirely sure. I know that I have -- I'm not sure.

22 Q. Okay.

23 A. To be -- yeah, I don't know.

24 Q. And that's fine. Like I said, I don't know is a great
25 answer.

1 A. Yeah.

2 Q. Okay. In your experience and in this position, have you seen
3 differences in the way Hawaii Life Flight handles its training
4 versus other bases?

5 A. Yes, I have seen differences.

6 Q. Can you give me some examples?

7 A. Yes. In doing a recurrent observation for the instructors
8 out there. I noticed that occasionally, training events are
9 treated as checking events as opposed to training events. It's
10 more of an evaluation or a test than it is a two-way conversation
11 and training. And so that was identified and coached, so to
12 speak. And then there seem to with this most -- the Hawaii
13 accident. We did some internal audits of the training practices
14 out there, and there seem to be some misunderstanding as to how
15 things -- want it to be done or how we wanted them to be done.
16 And I think it was honest mistakes.

17 Q. Okay. Can you elaborate on that? What, like what kind of --
18 what was something that they were doing in good faith, possibly
19 not recognizing that it's not the way Guardian would like things
20 done?

21 A. For example, the simulator training that we do is not FAA
22 approved, therefore it's not credited to our program. I know
23 that. The instructors seem to have a basic understanding of that.
24 Although after going through and auditing those records for that
25 individual, there were you know, obvious deficiencies. And it

1 seemed that even though there were deficiencies, the instructors
2 who did the training with him didn't think that it was required,
3 because it's not approved. And so they ended up pushing him into
4 a check ride, you know, even though it wasn't -- he wasn't
5 performing to satisfactory standards. And their reasoning behind
6 that was that they didn't think it was required because it wasn't
7 approved. And it was kind of eye opening, I guess.

8 Q. And the unintended consequence of that was essentially were
9 you seeing individuals dismissed for this reason?

10 A. Not dismissed, but had subsequent unsatisfactory results in
11 flight.

12 Q. And how would Guardian like that to be -- that situation to
13 have been handled?

14 A. It should be handled, if there is an individual that is
15 demonstrating weakness throughout simulator AATD training, they
16 should be given training to bring that individual to satisfactory
17 standards.

18 Q. Mm-hm.

19 A. And if we can't, then it needs to be communicated through the
20 hierarch, ACPs, chief pilots and then myself, so that we can
21 develop a plan either to continue training or terminate the pilot.

22 Q. Okay. I have a lot to think about on that. Prior to the
23 accident, how confident were you as the Director of Training, that
24 individuals with deficiencies, performance deficiencies, were
25 being identified and being properly retrained to go back to the

1 line?

2 A. Prior to the accident, I felt pretty confident about that.

3 Q. So you know where I'm going with this. After the accident,
4 how confident are you that line pilots out there with performance
5 deficiencies are being identified?

6 A. I think there has been heightened awareness on that. And
7 that is being communicated more effectively now.

8 Q. How so and by whom?

9 A. The trainers, check airmen, and through the chain of command
10 -- ACPs and chief pilot then myself.

11 Q. Has a change been made to make those avenues of communication
12 easier? Or why the difference? Is it simply in response to the
13 accident itself?

14 A. So I think that it was common knowledge to do that, to make
15 that. The GOM states that instructor pilots and check airman
16 should notify the chief pilot if -- of deficiencies. But in some
17 cases that -- it wasn't happening the way that it probably should
18 have as written. And so from the accident, we did develop a
19 policy that said if you have this number of deficiencies, repeat
20 unsat events, this is what you need to do -- very detailed,
21 spelled out. And that would include communication with the chief
22 pilot and myself.

23 Q. I'm going to pivot for just a second, because there's a lot
24 to think about and unpack with what you just said. In your
25 opinion, and it sounds like you've seen a lot, done a lot. What

1 does a good safety culture mean to you? What does that look like?

2 A. I think that a good safety culture is a company that can
3 provide a system for success. And I think that we have -- we
4 claim to have the just culture, right? Where it's a non-punitive
5 process by which we identify systems that are failing as opposed
6 to individuals that are failing. And I think that's great. I
7 don't know that it is bullet proof. I don't know that we have an
8 infrastructure to make it bullet proof.

9 Q. Mm-hm.

10 A. But I think that would be a great thing to have, if we could
11 100 percent support it, you know? And I think that comes down to
12 staffing and oversight.

13 Q. So you kind of conflated the answer. It sounds like you
14 started off talking about your opinion, but then you might have
15 conflated it with what Guardian is today?

16 A. I -- it's a mix of both. But the mix of what it is today
17 isn't working to its full capacity.

18 Q. Mm-hm.

19 A. And I think that's because, like I said, staffing and
20 oversight.

21 Q. In any particular area?

22 A. Training.

23 Q. So like for instance, if I handed you -- here's a handful of
24 humans, where best do you think that they, you know, would do the
25 most good? In your opinion, it would be in the training

1 department.

2 A. Yeah well, that's my department. Yeah. But I think that it
3 would do really well in the maintenance department as well. Yeah,
4 I know that they're -- they are in dire need of help too. So, if
5 I could split that in half.

6 Q. Here's my half (ph.), okay. Okay, you've given me so much to
7 think about. I'm going to pass it off so I can kind of mull over
8 my thoughts.

9 A. Okay.

10 Q. And I'm going to let Shawn have a go here.

11 MR. ETCHER: All right.

12 MR. OSTMAN: Perfect.

13 DR. WOODS: Because (indiscernible).

14 MR. ETCHER: Before I start, do you need a break or anything?
15 You doing all right?

16 MR. OSTMAN: I'm great.

17 MR. ETCHER: You've been polishing that water off.

18 MR. OSTMAN: Yeah, I know.

19 MR. ETCHER: So at some point it's gonna come out.

20 MR. OSTMAN: I'm doing good.

21 MR. ETCHER: All right.

22 BY MR. ETCHER:

23 Q. Thank you for all the information you've given so far. My --
24 kind of like Sabrina, my brain's kind of trying to absorb it but
25 it's swimming a little bit. So I apologize if I ask questions

- 1 that she's already asked --
- 2 A. Sure
- 3 Q. -- and the answer just didn't click.
- 4 A. Yeah.
- 5 Q. And maybe you asked -- maybe Sabrina asked this and you
- 6 answered it and I totally blanked out. But how much total time do
- 7 you have?
- 8 A. I have 4,800 hours.
- 9 Q. 4,800. And how much of that is in the C-90?
- 10 A. About 1,025.
- 11 Q. Okay, so you said you were based in Hawaii for three years?
- 12 A. One year.
- 13 Q. One year, oh my apology. See?
- 14 A. That's okay.
- 15 Q. I -- I'm getting everything all messed up here. During that
- 16 time did you -- who was your chief pilot, assistant chief pilot
- 17 out there? Or did they have an assistant chief?
- 18 A. Yeah, it was Kaleo, Gabriel Wehrsig.
- 19 Q. So he was the assistant chief for you as well?
- 20 A. That's right.
- 21 Q. How was your interaction with him?
- 22 A. The interactions I had were positive. Didn't really interact
- 23 with him too much. I just kind of showed up. I was on the
- 24 schedule, I showed up and did my job, went home.
- 25 Q. Where were you based out of out there?

1 A. Lihue Kauai.

2 Q. Okay. I think when you were explaining to Sabrina what your
3 title is. I think you said you're a director of training and
4 flight standards, did I get that right?

5 A. Yeah.

6 Q. So, help me out. I kind of get a picture of Director of
7 Training. I know it's a small corner of the big picture. But
8 help me understand what the, "and flight standards." does? What's
9 -- what, on your title, what does that mean?

10 A. So I guess that means that I am responsible for ensuring the
11 pilots are upheld to the FAA mandated standards and our standards,
12 which are the FAA standards. And then also that comes with manual
13 control, I guess, documents -- standardization manuals, that sort
14 of stuff.

15 Q. Okay, so standardization manuals. Did you have to -- did you
16 write those? Did somebody else write those? You'd add to it?

17 A. It was something that I have edited, but I didn't create
18 them.

19 Q. Okay.

20 A. Yeah. They were in existence when I took this role.

21 Q. So since you've taken this role, how much have you tweaked
22 them or added to them? Has it been a big process? Was it pretty
23 great the way it was when you took over and you just had to do
24 little fine tunings?

25 A. Yeah, I think it was pretty well setup up. There was just

1 some fine tuning.

2 Q. Okay. Do you know the last time it was you actually updated
3 or created a new revision for the C-90, in the standards --
4 standards wise?

5 A. Gosh, it's been a couple years --

6 Q. Okay.

7 A. -- I think.

8 Q. Okay.

9 A. We did create a flight standards manual, but that is not
10 specific to the C-90. It's for -- it's a blanket manual for the
11 operation. And that was just recently created, I mean, mid-
12 summer, fall, last year.

13 Q. Okay, do you know why that was created last fall?

14 A. We have an idea to revise our -- all the manuals and put them
15 into one document. The flight standardization manual. And then
16 have the first part of the main manual address aircraft as a whole
17 within Guardian and how we do things. And then have tabs that
18 address each specific platform and how we want that platform to be
19 flown. And we just wanted to consolidate. Because right now,
20 there is a C-90 manual, there's a PC-12 manual, there's a Lear
21 manual, there's 200 manual. We wanted to bring that into one
22 place. But that was the start of that plan.

23 Q. That sounds like a big undertaking.

24 A. Yeah.

25 Q. Is that all on your shoulders?

1 A. No.

2 Q. Well, let me rephrase that. Is the majority on your
3 shoulders or is it a group effort?

4 A. It's a group effort. It's -- it is, yeah.

5 Q. Okay.

6 A. I share that. Although it's in my title, I share that
7 responsibility with the chief pilots.

8 Q. Okay, all righty. I think Sabrina had asked you a question
9 about do you have meetings with the Director of Safety. And you
10 said well, you have a -- is it a monthly?

11 A. It's a biweekly leadership meeting.

12 Q. Okay.

13 A. Yeah. We also have in the safety department, a operational
14 accountability roundtable where we're able to bring in concerns
15 from each department that's specific to safety. It doesn't have
16 to be specific to safety, but it was developed from a safety
17 standpoint. Michael created that.

18 Q. So do you feel like that one, those meetings you do have with
19 them. Is that -- I hate adding more meanings to peoples' lists,
20 obviously. Because listening to what your schedule is, I don't
21 think you hardly have room, would be my guess. But is that
22 acceptable enough to give any concerns you're seeing in training
23 or that they're seeing coming through Baldwin reports or whatever
24 means? For you and them to kind of communication to try and fix
25 that if there is a concern or a problem?

1 A. I think it's a good start. There's just not enough time in a
2 day it seems like you know?

3 Q. Okay, and listening to you talk about your -- I'll call it a
4 day in the life. But I don't think you really have a day. It
5 seems like it's a 38-hour day. But about approximately how much a
6 week are you working? Are you a 40-hour week or are you really
7 putting in 60, 70?

8 A. It's nonstop.

9 Q. Okay.

10 A. If I'm not doing things for my department, I serve a pilot
11 manager on-call as well. And that is a resource. It's a 24-hour
12 phone line that's operational, and we serve as a resource for
13 pilots who have questions when they're flying the line, so I do
14 that as well. And it just seems like even though I'm not on the
15 schedule, the phone just keeps ringing, so.

16 Q. Okay, and is that when you're on the -- when you're not on
17 the schedule and it keeps ringing. Is that just people calling
18 you direct?

19 A. Mm-hm.

20 Q. Is it pilots? Is it managers?

21 A. Yeah, all the above.

22 Q. Okay, all righty. I know you went through and I think in my
23 brain I had 29 instructors, nine of which are full-time, with
24 several blanks. And you had 20 line pilots that were instructors
25 part-time.

- 1 A. Yeah.
- 2 Q. And I know you said that's not even enough.
- 3 A. I -- yeah, I don't feel that's enough.
- 4 Q. Is that across all platforms, every aircraft? Or is that
- 5 just the C-90 specifically?
- 6 A. No, that's company wide, Guardian Flight.
- 7 Q. Okay. So how many instructors do you have in the C-90, do
- 8 you know?
- 9 A. Let's see. Off the top of my head, I want to say eight.
- 10 Q. Eight positions or eight actual bodies in those positions?
- 11 A. Eight positions, bodies in those positions. So I have two
- 12 that are here in Sough Jordan, and then another six or so out on
- 13 the flight line.
- 14 Q. Okay, and do those include line check airmen?
- 15 A. Yeah. Some of those are line check airmen, yeah.
- 16 Q. And you oversee line check airmen, correct?
- 17 A. Correct.
- 18 Q. How many line check airmen do you have company wide?
- 19 A. Total?
- 20 Q. Mm-hm.
- 21 A. Let's think here -- 12? Twelve.
- 22 Q. And how many -- you figured this was coming. How many in the
- 23 C-90?
- 24 A. About five.
- 25 Q. Okay. Is the C-90 your biggest fleet?

1 A. Yes.

2 Q. Okay, and there's five. Is five adequate?

3 A. No.

4 Q. How shy of adequate is that?

5 A. Well, I would say the main -- one of the main reasons why it
6 is not adequate is because the people in those roles are wearing
7 multiple hats. The assistant chief pilots are check airmen and
8 they're instructors. And so the bodies that I'm talking about,
9 they hold three, right? So the assistant chief pilots not only do
10 their job, but they do the training and checking as well. And so
11 that's why I say we need more. Because it takes away from what
12 their normal duties are.

13 Q. So, I'm not a businessman. But if you have somebody doing
14 three duties -- one primary and two add-ons or however you want to
15 look at it. How is that for you to get scheduled for them to do
16 the line check duties or training duties or anything?

17 A. It's a nightmare. And honestly, it's been -- it's been nice
18 because it used to -- once upon a time I had to do all of that,
19 right? But it's now been taken down a level. So the ACPs enter
20 -- the ACPs work together, I guess you could say, with my lead
21 instructors here at South Jordan, and they coordinate the
22 schedules for training and checking events together.

23 Q. Okay, so kind of brings up another question, I think, with
24 Sabrina's earlier question. You had mentioned you were the only
25 check airman in the C-90.

- 1 A. Yeah, for a period of time, I was.
- 2 Q. And when you were that, how many bases did you guys have?
- 3 A. I don't know an exact number but maybe 10 or so. And that
- 4 was mainland. So I would go out to Hawaii on occasions too, but
- 5 it was mostly mainland.
- 6 Q. So did you have one out there in Hawaii as well?
- 7 A. Eventually. Kaleo became a check airman.
- 8 Q. Okay.
- 9 A. There for a time, I was doing their check rides.
- 10 Q. Okay, and so compare that to now. You know, you're not the
- 11 only line check airman.
- 12 A. Mm-hm.
- 13 Q. But you guys have grown.
- 14 A. Yeah.
- 15 Q. So comparatively, is now more -- more work for you than it
- 16 was then? Or is it -- do you have enough staff to help at least
- 17 alleviate compared to what that was then for you?
- 18 A. Yeah, it's less hands-on work for me.
- 19 Q. Okay.
- 20 A. In terms of being out there and on the front line, doing the
- 21 training and doing the checking. But there's a lot of back-end
- 22 work that is created.
- 23 Q. Okay. You've also said you've got a lot of vacancies in your
- 24 department.
- 25 A. Mm-hm.

1 Q. And help me understand. I know budgets are budgets. But if
2 you have two leaving training, that opens up two spaces so I would
3 assume, dollar-for-dollar, it wouldn't be bad for budgets. Why is
4 it so hard to fill those?

5 A. I think pilots got into aviation to fly, not to teach. So
6 inherently, there's less applicants available and qualified to do
7 that role, to be in that role. And we're already in a pilot
8 shortage as it is, so that makes it worse.

9 Q. Okay, that answer brings up two questions in my brain. So
10 I'll tackle one and I pray I remember the second one.

11 A. Okay.

12 Q. Pilots like to fly, they don't like to teach. What are you
13 looking for though in a -- in an instructor pilot, whether it's a
14 line check airman or just a instructor?

15 A. Yeah, I would -- when I hire an instructor, it's quite the
16 process. I do a phone interview with them, phone screening just
17 to make sure that it's a good fit and they have good personality,
18 they fit in with the culture and they'll enjoy doing the job.
19 Also kind of verify they have the credentials and they have either
20 recent relevant single pilot flying experience or they hold a CFI
21 and have been utilizing the CFI, or they've been an instructor
22 check pilot for another organization in a professional capacity.
23 I bring them to South Jordan and we do a technical interview,
24 asking questions about OpSpecs, regulations, as well as
25 interpreting approach plates, symbology, procedural operations.

1 And then we do a simulator evaluation as well. And again, it's
2 similar to what we do with the pilots. It's a single pilot
3 instrument proficiency. And I also have them teach as well. I
4 have them teach me two subjects. One is regulatory or in OpSpecs
5 generally, and then one is a system. I provide the curriculum for
6 them. I give them subject matter, and I have them build the
7 presentation and teach it to me. And if they pass all of that,
8 then we bring them onboard.

9 Q. Ballpark estimate, if you will. How many applicants that
10 have applied meet your criteria and get hired on? I mean, I
11 assume you didn't -- you don't just have just one applicant apply
12 for one job. I assume there's probably more. But do you have
13 some that just can't -- I don't want to say can't teach, but can't
14 do what is needed of them.

15 A. Yes. Yeah, and I -- when they come to South Jordan, I try to
16 entertain everybody. And I bring them through. And when they
17 come to South Jordan it's -- it can very quickly be clear whether
18 or not they can do the job. And there's a high number of people
19 who cannot, that I do not extend offers to. But I will say that
20 there is a pretty low number of resumes coming through the door.

21 Q. Okay. And do your instructors, do they strictly do ground
22 and AATD work? Or do they actually go up and fly and instruct
23 there as well?

24 A. They go up and fly.

25 Q. Okay.

1 A. They have the opportunity. They work a 50 percent schedule.
2 It's seven on, seven off. And then their off time, they're
3 encouraged -- on time or off time, they're encouraged to go fly.
4 Oftentimes they like to do that in their off time because it's
5 incentivized. But yeah, they fly.

6 Q. And do they go do training in flight too? I mean, do they
7 take a new hire with them and go, let's go out to do IOE?

8 A. They have. Yeah, they do. Sometimes it doesn't work out
9 that way, sometimes they're just going out to fly the line.

10 Q. Okay.

11 A. It is somewhat of a break from training to go out and just be
12 a pilot.

13 Q. Okay.

14 A. So.

15 Q. All righty. Do you keep track of bust rates in training?

16 A. We do, yeah. Yeah, so we have check airmen reports that we
17 send to the FAA every year. And on those reports, it has all of
18 the pass/fail results of each applicant that has taken a check
19 ride.

20 Q. Okay, when was the last time you sent that report? Was it
21 the end of last year?

22 A. Yeah. Lindsey (ph.) had come in. It was probably mid-
23 summer, maybe fall, and we --

24 Q. Okay.

25 A. -- we went over that together.

- 1 Q. Can you recall what that bust rate was back then?
- 2 A. Gosh, it -- I'll call it pass rate because I don't like to
3 call it --
- 4 Q. Oh, sorry. Bust sounds bad, I know, sorry.
- 5 A. Bust rate. But it was in the 90's.
- 6 Q. Okay, so obviously you've had some that did not pass.
- 7 A. Mm-hm.
- 8 Q. Was it a consistent reason why people did not pass? Or was
9 it -- I don't want to say all over the map. But could you kind of
10 target why people weren't passing?
- 11 A. It's -- there were some similarities. But it wasn't
12 something that -- there was no smoking gun on it. People had
13 their own struggles. It was pretty wide variety. Some people
14 struggle with you know, SOP compliance, you know, when to put the
15 flaps up and down, you know, versus when to put the gear up and
16 down. Whereas other people misinterpret approach plates, so it's
17 -- and I mentioned earlier, GPS familiarity. So it's kind of all
18 over, man.
- 19 Q. Okay.
- 20 A. It really is.
- 21 Q. Okay. You mentioned people misinterpret approach plates.
22 What approach plates do you guys use?
- 23 A. We use the government charts.
- 24 Q. NOS or whatever it's called now?
- 25 A. Yeah.

1 Q. Okay, all righty. Since you're in training, you obviously
2 get to be involved with all the new hires that come through
3 whenever that happens.

4 A. Mm-hm.

5 Q. I don't know. How often do you have a new hire class?

6 A. Every month.

7 Q. Every month? Is it full?

8 A. No, not always. Going into the fall, and of the winter it --
9 we had pretty full classes. And it ebbs and flows. But there are
10 some months where we just have a couple candidates in there, and
11 then there are others where we wish we had a couple candidates.
12 So it's -- it's okay.

13 Q. All right. What's the quality that you're seeing. I know
14 you know, we're hearing all the time of pilot shortage and it's
15 all over the news and everything.

16 A. Yeah.

17 Q. So from your vantage point. You've got a lot of experience
18 here.

19 A. Yeah.

20 Q. A lot of experience in training. How do you see that
21 quality?

22 A. It's deteriorating, and it has slowly deteriorated over the
23 years I've been here. It's been hard to compete with other
24 operators, especially the major airlines right now. And so what
25 we generally get from a pool of pilots is the retired guys that

1 have been flying large wide body aircraft. Or we get, you know,
2 the guys that just came out of flight instructing and have been
3 instructing for a couple thousand hours. So, there's not a lot of
4 in between, you know? Occasionally we do. We get a freighter
5 that comes over and decides they didn't want to do the airline
6 life. Or we get transfers from other Medevac companies as well,
7 people who have already been in the industry. And those guys are
8 pretty well organized and have their -- they do their job well.
9 But I would say, to answer your question. The skillset is
10 deteriorating.

11 Q. So there's just no easy way to ask this question, so I'm
12 going to be blunt with it. Deteriorating skill rate. Does that
13 mean you guys have to lower the standards a little bit to get them
14 through? Or is it -- make you retrain them even that much more,
15 allocate a lot more time?

16 A. No, the standard hasn't changed. The standard will always
17 remain the same. If you don't meet the standard, you don't. You
18 don't fly, period. What we have had to do though, is extend
19 training, provide additional training to certain individuals. And
20 we can only do that for so long. And we haven't set a definite
21 amount, like this is the number and you're done because every
22 individual is going to be different. But if it gets to a point
23 where we've invested time, money, resources and an applicant is
24 just not meeting the standard, we have to make a decision to
25 terminate and we've had to do that at least once, maybe twice

1 every new hire class.

2 Q. Okay, all right. Sabrina had asked a question and you had
3 mentioned -- your answer was something to the effect of we claim
4 to have a just culture?

5 A. Mm-hm.

6 Q. You used the word claim.

7 A. Mm-hm.

8 Q. Forgive me. I don't want to assume anything. But I was
9 assuming.

10 A. Sure.

11 Q. Claim meant you can say one thing but --

12 A. Yeah.

13 Q. -- don't practice what you preach.

14 A. Yeah you know, the just culture thing is -- it's funny
15 because there have been people who neglect policy and procedure on
16 purpose. Admit it, they've done that on purpose. And made
17 comments such as, what are they gonna do, fire me? And they still
18 work here. So I don't feel like that's just.

19 Q. Okay, okay.

20 A. And there are select scenarios that that happens, you know.
21 That's not everywhere all the time. But that's why I say we claim
22 to have it because some -- when those things happen, we can't say
23 that we have it.

24 Q. Okay, thank you for that clarification. I didn't want to
25 assume anything wrong. So that I appreciate that. Let's get in

1 just a little bit to the accident flight.

2 A. Mm-hm.

3 Q. Brian specifically.

4 A. Okay.

5 Q. I assume after the event, you were involved in reviewing his
6 training.

7 A. Yes.

8 Q. And in doing so, was there anything that stood out to you?

9 A. Yes.

10 Q. What was that?

11 A. Multiple unsatisfactory remarks, repeat unsatisfactory
12 remarks on similar or same tasks, failed check rides.

13 Q. Did you know about that prior to the accident?

14 A. Very, very minimal information about it.

15 Q. Minimal means many things, so my apologies. But can you give
16 me an idea of what you mean by minimal?

17 A. Yeah, so I had been informed several years ago when he was
18 hired that he had struggled throughout training. I was a part of
19 creating an additional panel, a plan when he was a new hire. And
20 then he had subsequent failed check rides that either were not
21 communicated or just got lost.

22 Q. Okay, so let's talk about the tailored plan for him.

23 A. Mm-hm.

24 Q. Was it just for him or was it one that was put in place for
25 pilots similar?

1 A. Well, it's something that we do for people in his position,
2 that have weakness in the training.

3 Q. Okay.

4 A. And it -- I say tailored but I mean extended or additional.

5 Q. Okay. So what were the things that you extended or added to
6 for him do you recall, for his training?

7 A. You know, it was a long time ago. But from what I remember,
8 we did several extra training flights for him.

9 Q. Okay.

10 A. We did a couple extra sim sessions for him.

11 Q. Okay, so okay, back to his training. We kind of talked about
12 that. Was his deficiencies because he's a lot of time in a rotor
13 craft? Or were there just blanket pilot deficiencies? Can you --
14 could you elaborate maybe?

15 A. I don't know.

16 Q. Okay, I don't know works good.

17 A. Yeah.

18 Q. This isn't a check ride.

19 A. Yeah.

20 Q. So I don't know is perfect.

21 A. Yeah.

22 Q. Okay, since the accident. I know that -- I'm going to assume
23 that a review of his records kind of maybe surprised you just a
24 little bit.

25 A. Mm-hm.

1 Q. Did you guys do anything about that, you know, was there a
2 kind of a change? Like oh, we got to look at lots of things here?
3 Or was it like whoa, this one just got through the cracks?

4 A. Yeah, no. There was I mentioned or alluded to this earlier
5 that there seemed to be confusion in the process and what
6 communication needed to take place when certain things happened.
7 And so we developed a policy that said if this happens this many
8 times or you know, if you have a failure, you know, this is the
9 chain of command that you need to go through and this is the
10 amount of communication that needs to take place. So we had --
11 yes, we did create a new policy.

12 Q. Okay. When you keep track -- I assume you keep track of your
13 instructors' pass rates, things like that. Am I assuming
14 incorrectly?

15 A. I do the check airmen.

16 Q. The check airmen.

17 A. Yeah.

18 Q. Do you have any check airman that miraculously, they don't
19 have comparatively unsatisfactory rates compared to others?

20 A. There's a couple outliers, yeah. But I wouldn't -- I
21 wouldn't say that it's alarming.

22 Q. Okay, so how about when you have a pilot go through with one
23 of your instructors, and they get signed off to go do a check ride
24 with a line check airman and that applicant doesn't have a
25 satisfactory event?

1 A. Mm-hm.

2 Q. Do you keep track of that for the instructors as well? Like
3 oh, they sent six guys up for training but two of them didn't --

4 A. I don't have that metric, no.

5 Q. -- no, okay. Nothing you really look at?

6 A. I mean, I have a mental awareness of that, but I don't --

7 Q. Okay.

8 A. -- I don't have it on paper, no.

9 Q. Okay. Any of your instructors in Hawaii give you any --
10 concern is the absolute wrong word, so forgive me. But it's the
11 only one that comes to mind -- any concerns of the buddy-buddy
12 system, if you will? Like behind -- I know all these guys. I
13 don't want to mark their career up, especially with the pilot
14 record data base and all that?

15 A. It's a tight-knit community out in Hawaii. There's a strong
16 cultural thing out there. Yes, I believe that.

17 Q. Is there anything -- trying to think outside the box. Is
18 there anything you, in your position, can do to kind of deal with
19 that? Or is that the strong culture that it is and it's going to
20 be a hard nut to crack?

21 A. I'd like to think there's something I could do. I don't know
22 if there is. It would be a hard nut to crack.

23 Q. Okay.

24 A. What's been nice and unique for me in my position is that I
25 did start in Hawaii, and so I've built some relationships with

1 those folks. And I feel like there's mutual respect there. So if
2 I said that something needed to be done, I would hope that they
3 would believe that's the right thing that needs to be done and
4 they would do it.

5 Q. Okay, just have a few more questions and then we'll -- I'll
6 pass it back. After your review of Brian and his training history
7 and everything. Hindsight's always 20/20 or better, we all know
8 that.

9 A. Mm-hm.

10 Q. But thinking about that. Would that have, with what you
11 found there, would that have been giving you any grounds to
12 consider termination?

13 A. So had I been a little more aware or more in the loop with
14 that, we would have followed a process by which he would have come
15 to South Jordan and received additional training with the folks
16 here in our sim. And if he demonstrated proficiency, then he
17 would be released. If not, we would make that determination to
18 terminate. But that would have happened -- should have happened,
19 rather, in the process of those failures. Looking back in total,
20 just seeing the record, I would like to give him a fair chance to
21 prove himself even though he had demonstrated unsatisfactory
22 remarks. So I would still bring him here and treat him like I
23 would treat anybody else.

24 Q. Okay.

25 A. Give him a chance.

1 Q. Have you had to bring anybody from Hawaii?

2 A. Yes.

3 Q. And have they been successful?

4 A. No and yes, two.

5 Q. So you brought two in? One yes, one no?

6 A. Yeah.

7 Q. Were they -- what were their, just broad topic, the one that
8 didn't -- wasn't successful, why?

9 A. Situational awareness, instrument proficiency. The guy was
10 running into mountains, you know? So, crashed the sim a couple
11 times, just all over the map and we got rid of him.

12 Q. Okay.

13 A. So.

14 Q. All righty. The last question I have. Considering all you
15 do in training, you know, all that's on your plate. Do you ever
16 go, why do I do this?

17 A. Yeah.

18 Q. I want to go back flying.

19 A. Yeah.

20 Q. How often do you say that? Is that like every day you get
21 out of bed going, I don't get this?

22 A. You know, I really enjoyed my job for a long time. And I do.
23 I still enjoy the job because it's a passion for me is training
24 and seeing that. I've, you know, I've built this from the ground
25 up, so it's kind of like my baby. So it's been really hard to do

1 this. But I don't know if you guys are aware, I am moving on. I
2 am going to United.

3 Q. Congratulations.

4 A. Thank you. And that decision didn't come very easily, but it
5 was because of what you just asked. Why am I doing this, you
6 know? Is this healthy for me?

7 Q. Right.

8 A. And I came to the conclusion that I don't -- I don't think so
9 anymore.

10 Q. Okay, I said that was my last question but your answer gave
11 me a question or two. You said you built this from the ground up.

12 A. Mm-hm.

13 Q. When you took over training, was it not this at all?

14 A. No, no it wasn't. They, Guardian -- Air Medical Resource
15 Group was the name at the time -- had contracted flight safety for
16 all of their training. And I came in when they made the decision
17 to bring it in-house. The problem was they didn't have the
18 fundamental structure to do that, so I built it. They had the
19 manuals, the training manual. They had an SOP. But the pilots
20 that were being trained at that time were given an AFM and the
21 instructor would sit next to them and just read the AFM together.
22 Now they get a week of -- two weeks prior to coming to class, they
23 get sent training material. A week prior to being in South
24 Jordan, they are assigned online curriculum that they have to
25 complete. Then they're here for three weeks. The first week is

1 in general subjects, the second week is systems and the third week
2 is sim. That's followed by at least a week of in-flight -- or in-
3 aircraft flight training, followed by a check ride and the IOE.
4 None of that existed prior to my existence here.

5 Q. That's a big undertaking you built. Can I ask? Did they
6 just give you a blank check and say, make something work well? Or
7 is it one of those you had to -- I don't want to say beg, borrow
8 and scream -- but plead your case a lot?

9 A. Plead my case. Absolutely.

10 Q. All right. I know I promised you two questions ago that was
11 my last one.

12 A. That's okay.

13 Q. So I'm going to chew on this a little bit. But I'm going to
14 pass it back to Sabrina.

15 A. Great.

16 Q. And do you need a break before I do that?

17 A. I'm doing well, thank you.

18 Q. All right.

19 DR. WOODS: Okay. All set?

20 BY MS. HILL:

21 Q. You mentioned there is a possible pause in hiring or
22 training. How soon do you think that would happen?

23 A. They -- Nick Cusimano, had said that June and July we were
24 going to just stop bringing people onboard until we can figure out
25 what we're doing. And I think that has a lot to do not only with

1 the recent events, but also the move that we're undertaking, going
2 to Texas.

3 Q. Will there be enough staff to continue the classes? You said
4 every month you start new hire classes -- until then?

5 A. Yes, I think so. Well, for the curriculum here? Yes. Out
6 on the flight line, we're probably going to have to wait-list
7 people.

8 Q. Do you train partial panel?

9 A. Yes.

10 Q. At what point in the training is that done?

11 A. In the sim usually.

12 Q. How much of it is done or how do you train that?

13 A. Well, we used to, we would you know, fail the EFIS screens,
14 black them out. Have the individuals go into composite mode with
15 -- even though we don't know what happened, with what we do know
16 about the accident in Hawaii, we've taken that a couple steps
17 further. We blocked out other instrumentation. We've
18 incorporated scanning techniques to help partial panel, you know,
19 primary in supporting control -- performance control, you know,
20 that sort of stuff, back to the basics. Does that answer your
21 question?

22 Q. Were all the pilots flying the line brought in and trained or
23 tested on the new partial panel procedures?

24 A. They weren't brought here, no. But it was performed in the
25 aircraft, yes.

1 Q. Anybody not do so well with it?

2 A. I have one individual that has not passed. And we made the
3 decision to bring him here and do additional training. He should
4 be here tomorrow.

5 Q. How would you describe the culture here at Guardian? How has
6 it changed in the past seven years?

7 A. I love -- well, I loved Guardian Flight. I really did. It
8 was a really good place to work. The schedules, the people in
9 specific. It's a family, you know? And it's so much fun going
10 out and seeing the pilots and the clinical staff and how well they
11 get along and work together. I -- and the reason I say loved is
12 because I'm just at a point where I'm frustrated, you know. So
13 that's not to say that you know, I mean there's probably plenty of
14 other people out there. And I'm sure the majority of the people
15 out there just love what they do here, and they love the company.
16 But I think there's certainly people that are just like, what are
17 we doing, so.

18 Q. The new policy you mentioned regarding the failures, and
19 bringing them back here and communicating those failures up. Was
20 that developed strictly in the training department or with all the
21 departments or with all leadership or?

22 A. So I was not a part of the initial creation of that, our
23 suggestion that that should be what we do. It was my
24 understanding that a third-party company or people suggested
25 certain elements of training that should be brought to the pilots

1 before releasing them to service. And then I helped create what
2 that looked like in conjunction with my team.

3 Q. Do you think the changes that have happened since the
4 accident and not knowing what happened have -- are taking Guardian
5 in the right direction?

6 A. Yes, I do.

7 Q. Have there been enough changes?

8 A. There has been talk about a lot of good changes that I think
9 could potentially be enough. Has it happened? No.

10 Q. What else do you think needs to happen for Guardian to be on
11 a good path?

12 A. We need help. We need more, more people, we need more
13 training support.

14 Q. That's all I have, thanks.

15 MR. ETCHER: Okay, yep.]

16 DR. WOODS: Mitch?

17 BY MR. MITCHELL:

18 Q. Thank you, Randy. I know we're taking up a lot of your time
19 today and I certainly appreciate it, so I'll try to make my
20 questions quick. I thought you answered some of them already --

21 A. Great.

22 Q. -- going around. So just out of curiosity, with Jeremy kind
23 of on his way out, Nick coming in. How is that dynamic working
24 for you?

25 A. Dynamic as in --

26 Q. Who --

- 1 A. -- like, how does that change my reporting structure or what?
- 2 Q. -- yeah, I mean who's the director of operations today?
- 3 A. Right now, Jeremy Salveson is the director of operations.
- 4 Q. Right. But I mean, with Nick coming in and he's saying this
- 5 is the way things are going and this is what we're going to do.
- 6 Does it put you in a difficult kind of like --
- 7 A. Yes.
- 8 Q. -- I don't know where we're at?
- 9 A. Yeah. Yeah, I don't know Nick that well. I trust Jeremy and
- 10 know him very well, so there's a little uncertainty.
- 11 Q. Okay.
- 12 A. Yeah.
- 13 Q. Okay.
- 14 A. Just uncertain.
- 15 Q. Fair enough. I know you had mentioned flight safety in CAE
- 16 on some training.
- 17 A. Mm-hm.
- 18 Q. Or some potential training. Is that somebody that you use
- 19 right now for some training or?
- 20 A. Yeah, we used flight safety for the Lear program --
- 21 Q. Okay.
- 22 A. -- and the Caravan program. We don't use them full-time for
- 23 any other aircraft, but we're in the process of getting them
- 24 approved in our OpSpecs so that we can in the future. But
- 25 there's, you know, a whole bunch of scheduling issues that come

1 along with that.

2 Q. Sure. So when you're looking at that, you're talking about
3 for your C-90 platform, PC-12, using Level-D simulators?

4 A. Correct.

5 Q. Okay. Congratulations on United, by the way.

6 A. Thank you.

7 Q. A pilot's got to fly. Is that what you're going to do?

8 A. I'm going to go fly, yeah. Yeah, and I'm not sure on what
9 platform yet. They tell you, you know, week one.

10 Q. Nice.

11 A. It could be -- the smallest is a 737 and biggest is what, the
12 787? So, who knows.

13 Q. Good for you.

14 A. Thanks.

15 Q. Congratulations on that.

16 A. Appreciate it.

17 Q. So back to the -- I want to ask you a few questions about the
18 simulator or AATD evaluations that you do.

19 A. Okay.

20 Q. So you have a candidate that comes in. Did you personally
21 perform those evaluations for a potential candidate? Or were
22 the --

23 A. The simulator evaluations?

24 Q. Yes.

25 A. For certain candidates, yeah.

1 Q. Okay, but you didn't do them all.

2 A. No.

3 Q. Sometimes there was other people that would do them?

4 A. Yeah. Sometimes, you know, I will delegate that evaluation
5 to one of the instructors.

6 Q. Okay.

7 A. Sometimes Jeremy Salveson might do those. Or you know, once
8 upon a time when everybody was here, Andy might even be a part of
9 that as well.

10 Q. Okay.

11 A. So.

12 Q. Was -- did you also participate in doing some recurrent sim
13 training evaluations?

14 A. Not - not training, per se, but evaluations, I guess you
15 could say. And that would be in the process of providing
16 additional training to certain individuals who are struggling.
17 And I would be used as the manage -- management decision to you
18 know, either provide recommendation for further training or to
19 provide recommendation for termination. So yes, I have done that
20 but I'm pretty well removed from training, hands-on training.

21 Q. So a potential candidate comes in. Needs a simulator
22 evaluation.

23 A. Mm-hm.

24 Q. An AATD, whatever you want to call it.

25 A. Yep.

- 1 Q. Did you encourage use of autopilot?
- 2 A. No.
- 3 Q. All-hand flying?
- 4 A. All-hand flying.
- 5 Q. Any emergency procedures?
- 6 A. No.
- 7 Q. Any engine out procedures?
- 8 A. No.
- 9 Q. Any unusual attitude?
- 10 A. No.
- 11 Q. Upset recovery?
- 12 A. Not in the interview, no.
- 13 Q. Okay. What about somebody who's struggling out in the -- and
- 14 they come in for some additional simulator training? What kind of
- 15 things would you be focusing on? You know, obviously it's going
- 16 to depend, person-to-person and what they're weak in.
- 17 A. Yeah.
- 18 Q. But what's a common theme you'd see?
- 19 A. Common theme I think is just, like I said, single pilot
- 20 instrument proficiency. They're just rusty, lack of situational
- 21 awareness often times, making wrong turns and holds and wrong
- 22 turns on departures, that sort of stuff, missing altitudes on
- 23 approach plates. And I think that's the most common, those are
- 24 the most common things.
- 25 Q. Okay. So you've got considerable amount of time in the C-90

1 and you flew in Hawaii.

2 A. Mm-hm.

3 Q. Before going to work for Hawaiian Life Flight in Hawaii.

4 A. Mm-hm.

5 Q. Had you flown in Hawaii (indiscernible) before?

6 A. No.

7 Q. Okay.

8 A. They did training out there, some IOE and stuff with the
9 company. But no. Prior to that, no.

10 Q. How about dark night VMC? How did that -- how did -- how was
11 that experience for you?

12 A. In Hawaii?

13 Q. Yeah.

14 A. It's just like flying -- for me, it was just like flying any
15 other instrument, you know. It certainly provides additional
16 elements that you have to consider, you know. It can -- sometimes
17 you don't know when the sky begins and when the ocean begins, but
18 you rely on your instruments. It's just the same, for me, as it
19 is any other procedure.

20 Q. You said after the accident there was a safety stand down?

21 A. Yes.

22 Q. Were there any particular or specific activities that took
23 place during that safety stand down?

24 A. I guess we did a -- we did a internal audit.

25 Q. Was that tasked to the training department to do that audit

1 or?

2 A. You know, I did my own but it wasn't tasked from -- to me.
3 There was a party of sister company personnel that came over and
4 did that.

5 Q. Was the training department specifically tasked with anything
6 to do during that time as far as the safety stand down?

7 A. No.

8 Q. Okay.

9 A. Well, let me take that back. For the Hawaii accident, yes.
10 We were tasked with putting special emphasis on basic attitude
11 instrument flight as well as unusual attitude recoveries.

12 Q. Okay.

13 A. And partial panel, yes.

14 Q. Was that something that was documented into a training
15 regimen to be given to those pilots out there?

16 A. It wasn't something that we did for the pilots who were
17 already hired at that time. It was something that we incorporated
18 as we started moving forward in the initial and recurring
19 training.

20 Q. Okay. So, with your time with flying with Hawaii Life Flight
21 on the C-90, did you ever experience any DSP failures?

22 A. I never did, no, flying the line. I have experienced that
23 during training flights.

24 Q. Sure.

25 A. Yes.

1 Q. Okay. Ever had to go to composite mode for anything while
2 flying the line?

3 A. Yeah.

4 Q. Okay. How about autopilot disconnects? Any uncommanded
5 autopilot disconnects?

6 A. Yes.

7 Q. Could you attribute it to anything specific -- gremlin,
8 software --

9 A. Yeah, little gremlins.

10 Q. -- turbulence?

11 A. I would think it would most often be attributed to
12 turbulence. Inadvertent hitting of the trim switch.

13 Q. Yeah.

14 A. So, pilot induced.

15 Q. Yeah. This is going to sound like a silly question but I
16 have to ask it just because I had it on the list. Do -- when you
17 were flying for Hawaii, did you ever fly any of those flights
18 because it's not terribly far. You're probably not getting up
19 real high. Did you leave the bleed valves closed?

20 A. No, I never did.

21 Q. Do you know when they go open on the checklist?

22 A. The bleeds go open in the origination, is when I do that.

23 Q. Okay.

24 A. On our checklist. So, before the engines are even started.

25 Q. Do pilots ever use a technique of leaving the bleed valves

1 closed on the initial takeoff to have a little more power?

2 A. Not more power. Usually it's because of an environment
3 condition inside the cabin. If the bleeds are -- in the
4 wintertime, if you leave them closed it heats up the cabin a
5 little better, right?

6 Q. Faster.

7 A. So, but that's not a technique that we teach.

8 Q. Okay.

9 A. But to answer your question. It is something that people
10 have done, yes.

11 Q. So in the training of a new pilot. Do they get trained on
12 identifying spatial disorientation, identifying it?

13 A. We talk about physiological aspects of flight. But we don't
14 have a special curriculum that addresses spatial disorientation in
15 the sim or aircraft, outside of unusual attitude recoveries.

16 Q. Okay. Is unusual attitude recoveries practiced in the sim?

17 A. Yes.

18 Q. Is it practiced in the aircraft?

19 A. Yes.

20 Q. Same with upset recovery. Some people consider it the same
21 thing. Some people say it's two different things.

22 A. Yeah, I don't consider them the same. We do unusual attitude
23 recovery.

24 Q. Okay, so when you started seven years ago to now. How much
25 do you think the company has grown?

1 A. It has grown quite a bit. So we've acquired several bases.
2 I mean, the entire Nevada State, we have Reno, Cal (ph.), Scotts
3 Bluff, Denver, Idabel. I mean, we've grown so much.

4 Q. Okay. Let me maybe rephrase it. I think you said you have
5 about 65 aircraft now? Seven years ago when you came along, how
6 many aircraft were there?

7 A. Oh, that's a good question. I'm not sure I know the answer
8 to that, but.

9 Q. it can be ballpark.

10 A. Yeah, it'd probably be -- probably in the 50s maybe.

11 Q. Oh, really? That many at that time? I know you said you
12 trained to the FAA certification standards. Do you feel that the
13 FAA certification standards are adequate?

14 A. I think they're adequate. I think there's room for
15 interpretation.

16 Q. Could you expand on that a little?

17 A. Yeah. In the ACS standards it says if an applicant
18 demonstrates -- gosh, what's the verbiage -- consistent
19 unsatisfactory remarks on a task, that would be constituted an
20 unsatisfactory remark on the entire event. The word consistent
21 can be up for interpretation.

22 Q. Understood. Do all the C-90 aircraft have Stratus equipped?

23 A. Yes.

24 Q. Do all the pilots that fly for Guardian, are they issued a
25 iPad?

- 1 A. The aircraft are assigned two iPads.
- 2 Q. They have iPads in them?
- 3 A. Mm-hm.
- 4 Q. They have ForeFlight on there?
- 5 A. Yes.
- 6 Q. Okay. Do any training on the AHRS function of ForeFlight?
- 7 A. We make them aware of it but we don't encourage its use
- 8 because it's just not reliable.
- 9 Q. Do the pilots use ForeFlight to conduct their weight balance,
- 10 takeoff, landing, distance calculations -- all that stuff?
- 11 A. For the King Air 90 we do the weight and balance
- 12 calculations. The performance data is derived from the AFM. The
- 13 PC-12 has its own app for weight and balance. The King Air 200s
- 14 have a WIZWheel they use, similar to the Learjets.
- 15 Q. Okay. Do you happen to know the specific deficiencies that
- 16 Brian had notated in his training record or whatever, prior to the
- 17 accident?
- 18 A. It's been a while since I've looked at them. But from what I
- 19 can remember, it was inability to adhere to SOPs, configuration of
- 20 the aircraft, incorrect configuration of the aircraft in certain
- 21 phases of flight, altitudes -- missed altitudes on approaches and
- 22 missed approaches. Yeah, that's about all I can remember.
- 23 Q. Does C-90s have GTN 650, you said?
- 24 A. Yeah, it's a GTN 625.
- 25 Q. 625.

1 A. Yeah.

2 Q. Is there a significant training done on the operation of the
3 GTN 625?

4 A. Yes. Yeah, we have the iPad app that we provide scenarios to
5 the applicants to do at home, as well as the AATD we have here has
6 it installed, and we train them on it in the sim.

7 Q. Nice, okay. I have no other questions. Thank you. Thank
8 you, sir.

9 A. Yep, you're welcome.

10 DR. WOODS: How are you doing? Are you still okay?

11 MR. OSTMAN: Yeah.

12 DR. WOODS: Okay.

13 MR. OSTMAN: Great.

14 DR. WOODS: Do you want to keep going?

15 MR. OSTMAN: Sure.

16 DR. WOODS: All right.

17 BY DR. WOODS:

18 Q. It didn't occur to me. I thought about it after the fact.
19 But you flew out in Hawaii. By chance, did you overlap with the
20 accident pilot at all?

21 A. No, not while I was flying in Hawaii.

22 Q. Okay.

23 A. Brian was hired just a few years ago, and I was the Director
24 of Training during that time.

25 Q. Okay, and so outside of the -- was there any other direct

1 interaction to the level where you felt like you got to know this
2 individual as a person?

3 A. Yeah. Just when he came through initial training I had
4 various interactions with him and talked to him and coordinated
5 his training and additional training. Then whenever I'd go out to
6 Hawaii for check rides, in passing would talk to the guy, you
7 know, get to know him a little bit. But it was nothing out side,
8 you know, more than that -- outside of work.

9 Q. Can you, I guess what was your first impressions? Let's go
10 there. We'll do first impressions first.

11 A. Brian was a really cool guy. Super down to earth, friendly,
12 always smiling, always positive and always wanted to do the right
13 thing.

14 Q. And that alludes to mood. But specifically, was the general
15 mood, like upbeat or just kind of like taking it all in or?

16 A. He was very upbeat.

17 Q. Okay, and in your subsequent meetings with him, the same?
18 The same attitude?

19 A. Absolutely.

20 Q. There's the initial training and then there was some
21 additional training. He's -- how did he seem to take it all?

22 A. Very well, very professional. He owned his mistakes and
23 wanted to do whatever he could to improve.

24 Q. Did he ever seek you out additionally, outside of those
25 parameters of the initial training and the retraining to like,

1 what can I do more?

2 A. Not that I recall, no.

3 Q. Do you happen to know if he did that with the training guys
4 in Hawaii?

5 A. Not that I recall, no.

6 Q. Did he ever express to you concerns over the flying
7 environment there in Hawaii?

8 A. No.

9 Q. No, because I'd
10 definitely call it cockpit confessional. People talk.

11 A. Yeah.

12 Q. Right? People water cooler.

13 A. Yeah. Nope.

14 Q. Were any concerns at all that he expressed. Not just the
15 environment, but about you know, people that he works with or --

16 A. Not that I recall.

17 Q. -- organizational structure of Guardian?

18 A. No.

19 Q. Okay. Prior to the accident. I know you said that nobody
20 really elevated some of the deficiencies in performance to your
21 attention. But what about other issues? Were you made aware of
22 any interpersonal relationship issues or?

23 A. Yeah. When he was first hired, there was one instance that
24 was brought to our attention that I don't feel was at -- that he
25 was at-fault for at all. But he was involved with another

1 individual who was hired with us who seemed to have interpersonal
2 problems with Brian.

3 Q. So, but the short version is they didn't get along.

4 A. Yeah.

5 Q. Okay, for whatever reason.

6 A. Yeah.

7 Q. Okay. And I guess, how was the ultimately handled?

8 A. Outside of my purview.

9 Q. Did it affect being able to execute the mission there at all,
10 to your knowledge?

11 A. No, I don't think so.

12 Q. Okay. And you said that was pretty early on?

13 A. Yeah, it was within the first year, within the first six
14 months really.

15 Q. Nothing since then?

16 A. No.

17 Q. Okay, yeah. I think that's -- I think that's it for me.

18 A. Okay.

19 Q. Like I said, it's short. Next time is -- second round is
20 usually shorter. I think that's all I have.

21 A. Okay.

22 Q. But I reserve the right to alibi.

23 A. Okay.

24 Q. Shawn?

25 BY MR. ETCHER:

1 Q. I only have a few questions. Thank you again --

2 A. Yeah.

3 Q. -- for the education. Earlier I think Sabrina was talking
4 about if you had a -- she had a handful of guys, you said you'd
5 split -- not split the person but split the number between you and
6 maintenance, right?

7 A. Yeah, mm-hm.

8 Q. How -- and you said maintenance is short. How short? Have
9 you talked with the director of maintenance to understand how
10 short they are?

11 A. I don't have a specific number. But yeah, they're hurting
12 pretty bad. They were hurting pretty bad in Hawaii and Alaska
13 specifically.

14 Q. In your opinion. I'm going to ask for an opinion here, if
15 you can give me one. If you can't, it's okay. Is that hurting
16 their ability to maintain aircraft?

17 A. Yes.

18 Q. Okay. Being in your position, you see people coming through
19 doing all sorts of unique things sometimes with your procedures
20 and SOPs, of course. If you see something that is written one way
21 but a lot of people are doing it differently. And you're like,
22 yeah that's -- I don't like it. It's not the procedure but I like
23 how they're doing it. How hard is it for you, as a director of
24 training, to make change to a procedure, a training event,
25 whatever?

1 A. If it has something specifically to do with training, it's
2 pretty simple for me.

3 Q. Okay.

4 A. To give you an example -- unless there's FAA involvement.
5 Sorry. But for example, we had a checklist that was written for
6 the C-90 prior to me coming onboard and there were a lot of people
7 who had suggestions for improvement on that checklist. And so, I
8 didn't write it. But I put a working group together with guys who
9 had experience writing checklists and who have actually been using
10 the checklist by King Air. And we came up together with a new
11 checklist and published it, provided it to the FAA, had it
12 approved and still use it today. So just an example of one of the
13 things, so.

14 Q. Okay. No, that -- I appreciate that example. How about in
15 training? You guys have any first look maneuvers when you're
16 doing training? Like, the crew's got to do this perfect right off
17 the bat? Do you have any of those that you're aware of?

18 A. Maneuvers that they have to do perfect? No, there's no
19 maneuver that they have to do perfect. But we do have a level of
20 expectation --

21 Q. Okay.

22 A. -- coming through the door. And that would consist of basic,
23 you know, well professional instrument proficiency. I'm not here
24 to teach you really how to read from start to finish, an approach.
25 But you should know how to do that when you come here. Now, if

1 you need help with it, we'll provide you help with it. But I'm
2 not here to make you, you know, I'm not teaching primary
3 instrument pilots, right? I want to take professional pilots and
4 teach them how to do what we need to do here.

5 Q. Okay, that makes sense. Well, let's say in training you guys
6 start seeing an issue, you know. Pilots are configuring way early
7 on, before the auto mark, way out or whatever. Can you guys adapt
8 your training to get the word out to everybody? Hey, here's our
9 procedure. You are going to be trained this or looked into this,
10 you know, elevate that so that people's -- there's a lot of
11 awareness out there. Do you have that ability?

12 A. Yes.

13 Q. Okay.

14 A. Like I said earlier, we do host training -- I host monthly,
15 all-party roundtable training meetings, and many of those subjects
16 come up and we talk about them. Common areas of deficiencies or
17 things that may need to be changed in the curriculum. Things that
18 pilots are doing that are good or bad, you know. So that's --
19 we're able to have those conversations.

20 Q. But at your all-party roundtable, is that the end-user, the
21 pilots? Are they involved? I mean, I'm sure you have the ACPs
22 and the chief pilots and all that, but.

23 A. Yeah, it's mostly the training department personnel. When --
24 the way that that gets disseminated to the pilots. I -- there's
25 many ways, but the main way that is disseminated to the pilots is

1 through recurrent training and our monthly modules that we assign
2 them.

3 Q. Okay, all right. I understand Guardian Flight has an ASAP
4 program.

5 A. Mm-hm.

6 Q. If the ASAP event review committee sees a trend. Like man,
7 the last 30 reports we've gotten, 29 of them were altitude busts
8 (ph.) or very captured (ph.) in altitude, or it could be a list of
9 things.

10 A. Sure.

11 Q. I'm just picking altitude because that seems to be something
12 that pilots --

13 A. Common.

14 Q. -- yeah. Is there anything? Do they come to that -- come to
15 you as training, to bring that up, to emphasize or anything? Or
16 is that even kind of brought to your awareness?

17 A. Yeah, it is and we discuss. There's bulletins that go out,
18 safety bulletins. In the operational accountability roundtable,
19 we discuss it. In leadership meetings, we discuss it. We also
20 have safety managers that publish, in and out of my training
21 department, a Teams group. They have a file or a folder for
22 safety-related items. And they put files in there, notify us when
23 they're updating the information. And that's available to me and
24 my team.

25 Q. Okay, okay. You mentioned the FAA earlier, trying to get

1 stuff through them. And you know, we all joke and laugh but I
2 know. But how often does the FAA come in and audit your course?
3 Have they?

4 A. You know, they haven't audited the curriculum in a couple of
5 years. It used to be -- we've had probably four or five different
6 inspectors in the time that I've been here. And each time we get
7 a new inspector, they generally come out and observe training and
8 just get to meet the team. That hasn't happened in a couple of
9 years.

10 Q. So they --

11 A. I'll, let me --

12 Q. -- I'm sorry. Go ahead, please.

13 A. -- let me just follow that up with outside of performing
14 check airman observations, they do that. We have our FOI -- or
15 FAA POI does that for us.

16 Q. Okay, that's where I was going to follow up. So thank you
17 for continuing on.

18 A. Mm-hm, yeah.

19 Q. Do you wish they came more often, or is that when they come
20 it puts, you know. I mean, I know pilots -- when you hear FAA,
21 pilots clench up in testing (ph.).

22 A. I don't. I don't mind at all, not one bit. I would love for
23 them to be here. It'd be great. It's always a positive
24 relationship. In fact, I know -- the POI that we have now, I've
25 known for 10 years and I've worked with her. She was my first

1 check ride I've ever done, you know, professionally. So --

2 Q. Wow.

3 A. -- it's always been a great relationship. So I welcome the
4 FAA.

5 Q. Small world, isn't it?

6 A. It is, yeah. Yeah, funny story. I did my first 135 single-
7 pilot check ride was with three FAA inspectors. One was checking
8 the one checking the one checking me, so.

9 Q. You drew the short straw big time there.

10 A. Don't know how.

11 Q. All right. Very last question I have. And again, thank you
12 for the time today. I know you said you're getting ready to
13 depart the pattern. Have you started training a replacement or
14 even looking at that?

15 A. I've -- I was a part of the interview process for my
16 replacement. I feel that personally there was an agenda with the
17 new -- Jeremy's replacement, to come in and make some changes.
18 And I say that because the one person that was put in queue to
19 replace me hasn't been decided yet. But the one person that was
20 put in queue to replace me was -- is a long-term buddy and
21 coworker of the new DO. And so, I feel like that when he was made
22 aware that he was going to be taking the DO position, he had
23 already thought, well what am I going to do for my people. And I
24 feel like that was a part of his agenda.

25 Q. Okay. As I said, that was my last question. So again, thank

1 you so much.

2 A. You're welcome.

3 BY MS. HILL:

4 Q. What is the role of the safety department inside the training
5 department?

6 A. Well, they don't really have a major role inside the training
7 department. But they are here to, you know, promote the safety
8 culture. And they talk to our new hire candidates and recurrent
9 training candidates. And the safety managers talk to them as
10 well. But they don't really play a big role in the training
11 department.

12 Q. The avionics changes that they've made to the airplanes so
13 far, after the accident. Have they been warranted? Are they
14 enough?

15 A. With the GIT-75? It's definitely warranted. I think that is
16 something that we've, I mean, we want -- we've wanted that for a
17 long time, very long time. Is it enough? Gosh, I would -- if it
18 were me, I would have all G-600 or G-1000 aircraft -- I think
19 would be enough.

20 Q. Thanks.

21 A. Mm-hm.

22 Q. That's all.

23 DR. WOODS: Thank you, Millicent. Mitch, how about you?

24 MR. MITCHELL: Oh, just a clarification.

25 BY MR. MITCHELL:

1 Q. Are the C-90s being equipped now with the G-600s, is that?

2 A. Yeah, as far as I'm aware. I think there's plan to convert
3 all C-90s over. I don't know what the timeline is or how often
4 they're going to be doing that, but yes.

5 Q. Do you know if any of them converted?

6 A. Yeah, I think we have about four or five of them in-house.

7 Q. Okay.

8 A. Mm-hm.

9 Q. What about standby indicators?

10 A. I think all of the aircraft in Hawaii now have the standby
11 GIT-275.

12 Q. Okay.

13 A. And then there's, again, an initiative to do that for the
14 CONUS aircraft as well.

15 Q. Is there any additional training for the standby attitude
16 indicator?

17 A. Not required, but yes. We do provide training for that.
18 It's a standalone course.

19 Q. What about the GTN-600 pr 2600?

20 A. The G-600? Yes, it is a -- it's like a Level-D differences
21 course, according to the FAA, and we do provide differences
22 training for them -- ground flight and then evaluation.

23 Q. Thank you. I have no other questions. Thank you, sir.

24 A. You're welcome.

25 BY DR. WOODS:

1 Q. I do have an alibi, sort of. He got half of it, which is --
2 we, you know. We know that you're going to be exiting soon and
3 then kind of what the plan is for that. But I know you're not
4 directly involved, I guess, with the -- whoever the replacement's
5 going to be and you have an idea of who that's going to be. But
6 is the -- has there been any sort of, I don't know, work guide or
7 contingency book or this is how to do my job? Is that in place
8 for your replacement?

9 A. Not that I'm aware of, no. I have been -- the communication
10 that was given to me or the request was that I would spend a day
11 or two with the new individual and brief them on what I do. But I
12 don't have a workbook on how to do my job.

13 Q. Do you feel a day or two -- and I hope you hear my air quotes
14 in that -- is sufficient to pass on that knowledge in adequate
15 fashion?

16 A. No. But I leave next week. Friday's my last day, so they've
17 got me until then.

18 Q. Okay, understood. Okay. With that, any other alibis?

19 (No audible response.)

20 DR. WOODS: All right -- not hearing that. The wildcard
21 question that we always ask at the end is, is you had some time to
22 know that we were coming and that we were going to want to speak
23 with you and get your experience. Is there anything that we
24 didn't ask you that you thought for sure, oh, I got to prepare for
25 this, I know they're going to ask me?

1 A. You know, I tried to keep my mind pretty clear about this.
2 You know, I didn't want to come in here with any preconceived
3 notions, so no.

4 Q. Okay. And barring that this is still an open investigation,
5 are there any questions about at least the process that you have
6 for us at this time?

7 A. No. Thank you for your help and I hope you find out all you
8 need to find out, to do your jobs.

9 Q. I appreciate that, thank you. Again, thank you for your
10 time. And with that, sir, we will conclude at 16:02.

11 (Whereupon, at 4:02 p.m., the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: RAYTHEON AIRCRAFT COMPANY
 FATAL ACCIDENT NEAR KAUPU, HAWAII
 ON DECEMBER 15, 2022
 Interview of Randy Ostman

ACCIDENT NO.: ANC23FA008

PLACE: South Jordan, Utah

DATE: March 22, 2023

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Suzanne Ventura
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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RAYTHEON AIRCRAFT COMPANY FATAL

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ACCIDENT NEAR KAUPU, HAWAII

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ON DECEMBER 15, 2022

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Interview of: JEREMY SALVESON, Director of Operations
Guardian Flight

South Jordan, Utah

Wednesday,
March 22, 2023

APPEARANCES:

SHAWN ETCHER, Operational Factors Investigator
National Transportation Safety Board

DR. SABRINA WOODS, Human Performance Investigator
National Transportation Safety Board

MILLICENT HILL, Investigator-In-Charge
National Transportation Safety Board

MITCH MITCHELL, Aviation Accident Investigator
Federal Aviation Administration

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I N T E R V I E W

1
2 MR. ETCHER: Well, good morning. My name is Shawn Etcher,
3 I'm an operational factors investigator with the NTSB. All that
4 means is I look at everything kind of forward of the cockpit door,
5 how it interacts with the pilot, checklists, procedures,
6 equipment, things like that. I want to go around the room here,
7 have everybody else introduce themselves so you kind of understand
8 their role in this as well. We will start with Ms. Sabrina.

9 DR. WOODS: Hey, Dr. Sabrina Woods. I am also with the
10 NTSB. I'm a human performance investigator, So, I kind of
11 complement what Shawn does for accidents and incidents by doing a
12 full assessment of essentially everything in the organization that
13 helps us do our job. I will also be providing an assessment on
14 everything in the organization that maybe detracts from us being
15 able to do our jobs. Yeah. That's what I'm here for.

16 MR. ETCHER: Okay. Thank you. Millicent.

17 MS. HILL: Millicent Hill, NTSB IIC.

18 MR. MITCHELL: Good morning, sir. Mitch Mitchell, aviation
19 accident investigator with the Office of Accident Investigation
20 Prevention, the FAA, here strictly for safety investigation
21 purposes. Nobody involved with any enforcement action.

22 MR. SALVESON: Okay.

23 MR. ETCHER: So, that's everybody that's going to be talking
24 with you today and interviewing you. As you can see, we do have a
25 recorder going.

1 MR. SALVESON: Yup.

2 MR. ETCHER: We are going to record this interview. The
3 recording we will send away to be transcribed. That transcript
4 will become part of the public docket --

5 MR. SALVESON: Okay.

6 Mr. ETCHER: -- for this event when it becomes public. The
7 audio recording will not.

8 MR. SALVESON: Sure.

9 MR. ETCHER: Is it okay with you that we record and
10 transcribe?

11 MR. SALVESON: Yes, yes.

12 MR. ETCHER: Excellent. There are also -- anytime anybody is
13 interviewed by us, you're entitled to have a representative of
14 your choice.

15 MR. SALVESON: I understand.

16 MR. ETCHER: We see you came in here by yourself.

17 MR. SALVESON: Yes.

18 MR. ETCHER: Does that mean you don't want one at this point?

19 MR. SALVESON: I'm good. Thank you, yes, yep.

20 MR. ETCHER: Okay. If that changes during the interview,
21 just let us know. We'll take a break, hit pause, whatever. We'll
22 even step out of the room if you need to phone a friend, or --

23 MR. SALVESON: Sure.

24 MR. ETCHER: -- go talk to somebody, it's perfectly fine.

25 Just, just let us know --

1 MR. SALVESON: Okay.

2 MR. ETCHER: -- and we can do that.

3 MR. SALVESON: Okay.

4 MR. ETCHER: All righty. Just a few ground rules, if you
5 will, during the interview. Sometimes my brain and mouth, they're
6 not really connected, so it sounds good in my brain, but it
7 doesn't come out of my mouth well. So, if you don't understand a
8 question, it's okay. Just ask for clarification, because I assure
9 you. You don't -- you give us an answer that I don't quite
10 understand I'm going to ask you clarify --

11 (Crosstalk)

12 MR. ETCHER: Exactly. If you need a break at any point
13 whether that's to go to the bathroom, get a drink, talk to
14 somebody, it's okay. Just say so. We'll take breaks. And that
15 way it makes it a little less lengthy for you as well.

16 MR. SALVESON: Sure, sure.

17 MR. ETCHER: All righty. One of the most important questions
18 I always say is, you know, we want facts and that's great, but we
19 sometimes will ask questions for your opinion, or if you give us
20 an opinion, just let us know that it's your opinion.

21 MR. SALVESON: Understood, yeah.

22 MR. ETCHER: But if we ask a question and you don't know an
23 answer, I don't know works just fine. It's not a check ride.
24 You're just here to educate us and help us kind of put, put a
25 bunch of the pieces together as best we can. So, we can kind of

1 figure out what happened here.

2 MR. SALVESON: Okay.

3 MR. ETCHER: All righty. Is that all clear?

4 MR. SALVESON: Yes. Yep. I'm good.

5 MR. ETCHER: All righty. Before we get started, you have any
6 questions?

7 MR. SALVESON: No.

8 INTERVIEW OF JEREMY SALVESON

9 BY MR. ETCHER:

10 Q. All righty. I always start with a lot of the toughest
11 questions first. Okay, So, if you could give us your full name
12 and spell your last.

13 A. Okay. My name is Jeremy James Salveson. Last name spelling
14 is S-A-L-V-E-S-O-N.

15 Q. Excellent. And how old are you?

16 A. I am 41.

17 Q. And what is your job title?

18 A. Director of operations for the Guardian Flight Part 135
19 certificate.

20 Q. All righty. And what is a director of operations? What,
21 what is your oversight, if you will?

22 A. Yeah. So, operational compliance and liaison with government
23 entities for the certificate is a, is a big component of the, of
24 the role. Overseeing my chief pilots who then in turn oversee,
25 you know, assistant chief pilots and down the line. Working with

1 maintenance, director of maintenance, arranging inspections and
2 things like -- the logistics for inspections and, and things of
3 that nature and everybody's favorite other duties as assigned.
4 Right?

5 Q. Yeah, we all have -- all righty. And how long have you been
6 in that role?

7 A. So, I've been in that role for Guardian Flight since 2017.
8 But I was in that role for a certificate that was acquired by
9 Guardian Valley Med Flight since 2013 or '14, something around
10 there. I'd have to look to get you a solid date. But yeah.

11 Q. Okay. All righty. And are you a pilot?

12 A. I am, yes.

13 Q. So, what kind of certificates do you hold?

14 A. ATP, multi, commercial, single, instrument, all that, CFI II.

15 Q. Okay. Now these are probably the most challenging questions
16 for most.

17 A. Yeah.

18 Q. Can you give me a ballpark on your total time?

19 A. Ballpark I would say is about just south of 6,000 hours,
20 5,900, maybe something like that. So, yeah.

21 Q. And do you have any time in the C90 aircraft?

22 A. I do not, no.

23 Q. All righty. And can you, kind of, give us -- you kind of
24 started with your CliffsNotes version of your history with Valley
25 and all that?

1 A. Sure. Yeah.

2 Q. But kind of give us just the overall CliffsNotes version of
3 your aviation history.

4 A. Okay, yeah. So, I went to a four-year degree at the
5 University of North Dakota. From there, I did two years of flight
6 instructing, one year out at Part 61 school in New Jersey and then
7 another year at Western Michigan University under that -- under
8 their program. And then from there I moved into freight. I spent
9 about a year with AirNet Systems flying checks back in the day
10 when that was a thing.

11 And then from there I moved back to Grand Forks, North
12 Dakota, to fly a Metroliner for a UPS contract. I did that for
13 about three and a half years when I, when I came across this, this
14 new opportunity. It was a new startup, Valley Med Flight was at
15 the time, and so was, was one of the first few pilots that were,
16 were operating for them. Ended up moving into management pretty
17 quickly over there, wrote all the manuals for their certificate
18 and, and accomplished that in, in 2013 to where we were operating
19 under our own certificate.

20 And then a couple of years after that is when Guardian Flight
21 acquired Valley Med Flight. We ran the certificates independent
22 for a period of time and then around late 2017, elected to merge
23 everything together. And that's when I came out here at that time
24 to, to be director of operations for the, the main certificate.

25 Q. And as part of their acquisition of Valley, was your position

1 also acquired as a DO? Was that part of the acquisition or did
2 that happen after?

3 A. No, it happened after. Because we ran both certificates,
4 there was a director of operations for Guardian Flight at the
5 time, and then I was director of operations for Valley Med Flight.
6 And then it wasn't until Guardian was acquired that, that they
7 wanted to start merging all that stuff together. So, at that
8 point in time, the director of operations that was here had left
9 with, with the sale of the company, and then I moved into that
10 position at that time.

11 Q. Okay, Thank you. I just like to make sure I kind of see how
12 this all works in my brain. So, as the DO, you're kind of -- I
13 don't want to say the very top of the food chain, but generally
14 speaking, you're kind of up there. Who do you directly report to?

15 A. So, current state, my, my direct report is to Jared Sherman,
16 the COO. I -- at the time, it was another individual in that
17 seat. And so, her name was Vickie Spediacci, and then a -- sort
18 of a dotted line reporting structure to Brian Foster, who's the
19 GMR VP of aviation.

20 Q. Okay. All righty. And how was your working relationship
21 with the past entities and the current?

22 A. Sure, sure. I think my working relationship with the current
23 entity is quite positive. The, the past probably not so much.

24 Q. In general terms, why was it not so much? Was there
25 conflict, personal conflicts? Was it -- just kind of help me

1 understand --

2 A. Yeah.

3 Q. -- where the rub was.

4 A. I think, I think we had different ideas of what right looked
5 like.

6 Q. All righty. And with the current, you guys are kind of --
7 are you guys kind of, I don't to say lockstep because that means,
8 you know, you're just a puppet, if you will. But are you guys
9 kind of thinking the same things? Do you have difference of
10 opinions?

11 A. We do have some difference of opinions, but it's very easy to
12 have those conversations to put everything out on the table, look
13 at all available information and make the best determination from
14 that. So, there's a lot of -- there's a lot of change going on.
15 And so, honestly, Jared's really only been in that role since the
16 beginning of the year. So, what normal looks like is probably not
17 really solidified at this point. But I can, I can speak to past
18 interactions with Jared and -- I don't want it to sound funny, but
19 very easy to disagree with. Right? Like, you can have a
20 difference of opinion and it's very easy to have the conversation.

21 Q. Okay, okay. Not hard to speak up if you disagree with him.

22 A. No, nope, not at all.

23 Q. All right. And not to split hairs, but with the previous --

24 A. Yes.

25 Q. -- was that the same thing? You could easily speak up or was

1 that --

2 A. No.

3 Q. -- kind of --

4 A. No, no, not -- I don't, I don't feel so at all. I think that
5 that was not, not the situation there. No.

6 Q. Okay. Can you, kind of, give me just a general idea of -- an
7 example, if you will, of something that maybe you thought was a
8 good thing? And they, I'll say, not so much -- previously thought
9 not so much.

10 A. Sure, sure. So, the real -- the first real, unfortunately,
11 negative interaction I'd had with those, with those parties is
12 when COVID had kicked off. So, we, we -- everybody was running
13 around with their hair on fire. Right? I mean, that was the
14 world. And so, they had -- I'd actually just come back from
15 vacation. I was in Jamaica when the world shut down and just come
16 back from vacation and catching up on emails. And while I was
17 gone, the organization had made a determination to buy and
18 distribute these fogging machines that were meant to sanitize the
19 aircraft.

20 And so, I had opened that up and I had looked at the piece of
21 equipment and one of the first lines on the instructions of this
22 equipment was remove everything from the vehicle that doesn't like
23 to get wet. And I'm like, this is an airplane. Like, everything
24 doesn't like to get wet, you know. So, I put a stop to that
25 immediately and that was that was not viewed as a positive

1 interaction for me. Right? That -- I was not viewed as positive
2 in that interaction. And a very, very contentious conversation
3 with the -- my understanding was the person that was running that
4 project was actually the VP of maintenance for GMR, it was Josh
5 Brannon.

6 Very, very contentious conversation with him and ultimately I
7 ended the conversation with, you know, you're not putting these
8 things in my aircraft until the manufacturer signs off that this
9 is an acceptable means to sanitize the aircraft and we're not
10 going to damage anything. And I was, you know -- that didn't go
11 over well. So, one example. Right?

12 Q. Right. No. And thank you for that. I just, kind of -- it's
13 always nice to understand --

14 A. Sure.

15 Q. -- kind of how contentious it can be.

16 A. Absolutely.

17 Q. And so, I appreciate that. So, as a director of ops, I
18 assume you have several sub-entities that work under you, for you,
19 however you want to classify that --

20 A. Yeah.

21 Q. -- at Guardian. What are some of those entities that you
22 oversee?

23 A. Yeah. So, at the time I had three people that I would, I
24 would oversee. My chief pilot, I believe you spoke with him
25 yesterday, Andy Munion. He's the chief pilot for the C90s and the

1 PC12s. And then I have a -- it wasn't -- I don't think it was
2 Nathan at the time. There was a transition period between Steve
3 Kelly and Nathan Larson-Alexander. But I have another chief pilot
4 that oversees the Lear 45, King Air 200 and 208 fleet. Primarily
5 Alaska is where they are today. So, and then I have the director
6 of training, Randy Ostman, I was overseeing at the time.

7 Q. Okay. In your opinion, I'm asking for your opinion. How is
8 your working relationship with those three? I mean, do you -- is
9 it the same as you have with the current COO with all that? Or is
10 it, kind of, like the past where it's a little -- sometimes things
11 rub people the wrong way?

12 A. I feel like we have an incredible working relationship. I've
13 worked with Andy for as long as I've been here, been flying air
14 ambulance. Andy was actually hired just a few months before I was
15 and I worked with him forever. We know what each other's
16 thinking. You know, it's -- that's -- that is a very solid
17 relationship. Nathan is, is a little bit newer in, in his --
18 comparatively speaking, he's not new in the role, but
19 comparatively speaking he's, he's newer in that role. I -- you
20 know, I think that relationship is pretty positive as well of
21 course that's my perception. Right?

22 But I don't feel that we, you know, that we have -- we butt
23 heads really, or anything like that. He's, you know, brought
24 things to me that we've talked about and things like that, things
25 he's had concerns. I don't, I don't get the impression that there

1 is any hesitation to have any conversation there. So, Randy, I've
2 known for right in the middle of those two. So, Randy was here --
3 Randy was the training department at Guardian Flight when I got
4 here. And I think we developed that relationship really quick.
5 And yeah, I believe we have a very solid relationship as well.

6 Q. So, do you have meetings with those three groups often? Very
7 rarely. Kind of --

8 A. Sure.

9 Q. Maybe I should start a little different.

10 A. Nah, you're fine.

11 Q. Can you walk me through a day in the life of a DO here?

12 A. Yeah. I mean, well, a day in life, it varies, it varies
13 greatly. Right? Yeah, it varies greatly depending upon what's
14 going on. Right? But we do have, you know, regular interactions
15 scheduled with, with those people. Andy and I -- Andy and I --
16 actually I don't know that we have something on the calendar, but
17 we're talking so much that it's -- there wasn't really a need to
18 have that, right. We had that discussion, hey, do we need to put
19 some time on the calendar? But, you know, whether I'm picking up
20 the phone to call him or vice versa, that, that happens, you know,
21 organically.

22 So, Nathan and Randy and I do have just a regularly scheduled
23 interview weekly that, that we jump on and, you know, talk about.
24 And then we also do have -- the group of us also get together on a
25 weekly basis as well and just talk about whatever's on the, on the

1 plate. Right? And then after that meeting, we also bring in the
2 assistant chief pilots and then have a -- have another
3 conversation about, you know, if there was anything in that that
4 needs to go down as well as anything they're working on that need
5 to come up.

6 Q. So, as a DO, it kind of sounds like probably your day-to-day
7 life is a bit busy.

8 A. Sure.

9 Q. But do you still maintain currency on the aircraft or do you
10 just not even fly the line at all anymore?

11 A. The line? No flying the line I haven't done in a very long
12 time. I'd have to flip pages in a log book to give you a -- but
13 it's been a while. I haven't maintained 135 currency. I believe
14 the last 135 check, right, I had was November of 2020. I try and
15 stay current, you know, use the sim and stuff like that for
16 instrument currency and things of that nature. I move planes
17 around for maintenance and stuff like that. So, I do, I do still
18 try to fly, but it's not -- line flying with a patient in the
19 back, you know, 135 operative, it's been a while. So, yeah.

20 Q. So, how do you as the director of all of this, how do you
21 keep your finger on the pulse? How do you know what -- a change
22 you've made or a policy or whatever you've changed, how do you
23 know that that is actually working well for the end users?

24 A. Right, no. That's a fair question. No, current state it
25 relies a lot on, on the folks that are that are working with me,

1 you know, and really that ACP group is key. Assistant Chief
2 Pilot, sorry, I'm not trying to use -- that group is key. Right?
3 Because they, they are connected with -- immediately connected
4 with the line. In most cases, they're local to a base. You know,
5 they, they live in one of the bases or something like that. You
6 know, they're traveling regularly to meet with the pilots on the
7 line. So, that's -- and then, you know, bringing that back up
8 through Andy and Nathan, you know, to me and ultimately, you know,
9 having that interaction directly with them on a weekly basis too,
10 is really -- it keeps you grounded in the operation as far as what
11 the day to day from a pilot perspective looks like.

12 Q. So, for a moment, let's say you guys were odd and hired me as
13 one of your ACPs.

14 A. Sure.

15 Q. How would I know that I have the authority to come to you
16 with a concern, a policy, a procedure change you all made,
17 whatever. It did -- I didn't like it. It doesn't work for the
18 area I'm covering. Is there any guidance that I can come to you,
19 or do I have to go to your chief pilot first and then up to you?
20 Kind of help me understand how I have that latitude to come to
21 you. Or do I?

22 A. Sure. Sure. Yeah. No, I, I would hope if you were to talk
23 to any of them that they would, they would tell you that I've said
24 more than once that it's, it's not possible to hurt my feelings.
25 Right? I mean, you can, you can -- and we've had the

1 conversations, quite frankly, depending upon what comes up that an
2 ACP will, will call and, you know, just, you know, free tongue.
3 Right?

4 Like -- and there's never been any repercussions for that
5 kind of thing or anything like that. I mean, I, I can't point to,
6 you know, 2.3.4 that says policy is you can -- right. I mean, but
7 that -- I would, I would sure hope that that's what the feedback
8 that you would get from them. I think we communicate that very
9 clearly. I feel that, you know, my chief pilots kind of hold that
10 same standard to where there's really nothing that's off limits
11 if, if those folks wanted to wanted to get after us for something.

12 Q. So, if I was a line pilot, can I come to you or is that -- I
13 know there's -- you know, I've heard it before, there's open door
14 and all that.

15 A. Sure, sure. Yeah.

16 Q. Is it encouraged for me to come to you and, you know, skip my
17 chain of command and just come to you going, I have a concern
18 about this, and here's what it is.

19 A. Yeah.

20 Q. The fog machines, whatever. I mean, take whatever you want.

21 A. Yeah. No, no, no. So, short answer, yes. Right? But I
22 feel like we need a little conversation there. So, I don't -- I
23 have pilots that have worked very directly with me for a very long
24 time, you know, back from when it was Valley Med Flight and all
25 that stuff, too. Those guys for sure don't have, you know, but

1 we've, we've spent the time. We've built that relationship.
2 Right? So, I'm further removed from the line so that, that
3 relationship with somebody that's a little bit newer hasn't had
4 the opportunity to develop. Right?

5 So, I don't -- it's hard to speak for what somebody else's
6 perspective would be. And, and I, I don't feel that that's ever
7 been turned away. Right? But I can say that the folks that we
8 have spent the time develop the relationship would have no
9 concerns whatsoever about picking up the phone. The newer folks
10 it's, it's really hard to determine. Right? So, yeah.

11 Q. Okay. Fair, fair answer. So, let's kind of dig in just a
12 little bit into the accident flight --

13 A. Okay.

14 Q. -- there just off of Maui. How often do you go out to Hawaii
15 Life Flight and oversee that -- I don't want to say oversee.
16 That's probably the wrong phrase.

17 A. Sure.

18 Q. But how often do you go out to Hawaii Life Flight just to see
19 the status of the, of the group out there and talk with them and
20 interact? Does that happen at all?

21 A. It does, yeah. Not as often as it should, of course, but --
22 and I think -- but as far as recency goes, you know, we were out
23 there just a few months prior. Right? We, we did a big base
24 tour, talked with all the pilots and the clinicians and things
25 like that. And really the point of that was just to, to present

1 some awareness of, of some, you know, human error damage issues
2 and things like that that we'd seen in the recent past. Talk
3 about the incidents, really what led up to them, how, how we got
4 to where we were, that kind of stuff.

5 And then, you know, generate that that flow of communication.
6 Right? It was, it was something that, you know, it wasn't -- of
7 course, we come up with the presentation. Right? But the idea
8 was to get in there and have that, have that conversation, have
9 the back and forth to, to get their perspective from the line.
10 Prior to that, it actually was about a year prior to that, we did
11 something very similar out there. Prior to that, it had been a
12 long time. Right? And for several reasons. But, but yeah.

13 Q. Okay. So, when you went out to Hawaii, did you, did you
14 literally go to each base out there or did they all come to you?

15 A. No, we've -- I'm trying to think -- I don't think we missed
16 any. No, I think we went to every base out there. Yeah. Yep.

17 Q. Okay. And I know you guys are a 24/7 operation, so I, I can
18 imagine 100 percent of the people could not come because they were
19 working --

20 A. Sure, sure. Yeah.

21 Q. -- or whatever. But what was the turnout to those case
22 visits?

23 A. The in-person turnout in a lot of cases was unfortunately a
24 little disappointing. Right. But right, people are off, people
25 might be -- right? And so, I think we, we set our hopes really

1 high, but those that -- for the most part those that, that weren't
2 able to attend in person, you know we offered a team's option as
3 well so they could join, join virtually. So, and I, and I think
4 that was fairly well attended.

5 Q. Okay. So, Hawaii's way out there. It's not just out the
6 back door. And I'm understanding the footprint of Guardian
7 Flight, it's a big chunk of the U.S., lots of states. How do you
8 -- or do you get to all the bases? Do you do that often? How do
9 you do that? Kind of help me --

10 A. Sure, sure. Yeah. No, not, not often, no. But again, part
11 of that, part of that trip, the -- just before that, Hawaii was,
12 was almost the end of that trip where we really did get out and
13 visit almost all of the bases. There were a few occasions where
14 we brought multiple into one. But yeah, we did -- with that
15 project, with that initiative to get out and talk about those,
16 those, those events. Right? That was -- we did, we did make it
17 to almost all the bases. So, but how often that happens is not,
18 not often enough.

19 Q. So, help me kind of -- picture my brain. How many bases did
20 you have to go -- did you go visit? The Guardian or do you --

21 A. Oh, boy. I'm going to -- I mean, we didn't miss many. So,
22 50, maybe? So, yeah. Yeah, no, that was, that was for everything
23 in the, in the continental United States. Right? It was -- we
24 were able to pull a airplane that was fresh out of maintenance.
25 Right? So, we did our tour and come back and, and then it's there

1 again for a rotational asset. And so, so yeah, we, we were able
2 to pull one out of Ogden for, for this half of the country.
3 Right? And then we were able to pull one out of Grand Forks for,
4 for that half and, and -- yeah.

5 Q. All right, so considering the footprint of your company,
6 everybody's based all -- I want to say all over the place.

7 A. Sure. Yep, yep.

8 Q. So, how do you communicate to the workers at large? Or do
9 you? I mean --

10 A. Sure.

11 Q. Do you have your managers, your chiefs, and your director of
12 training and all that do that, or do you actually reach out and
13 communicate?

14 A. Yeah, I would, I would say the primary method right now is
15 going to be waterfall communications. So, through the chief
16 pilot, through the assistant chief, and then their regions. If we
17 have to get something out that's, that's timely, that's, you know,
18 mission critical, right, that kind of thing. We do have a must-
19 read options through our, our electronic recordkeeping system,
20 Flight & Duty Tracker. So, that, that is a system that we'll
21 upload a file that is a must-read. Right? And they're not even
22 able to enter a load manifest or flight log until, until they
23 acknowledge that, that communication.

24 We have another option through Baldwin Systems that is able
25 to send out bulletins and all that, as well. And then there is a

1 means to go back into that and look at how many people have
2 acknowledged that, as well.

3 Q. All right. We've been hearing through the people we
4 interviewed out in Hawaii, and even here the other -- last few
5 days or last day, that either right before or right after the Maui
6 accident, there was a push to get to the clinicians to be able to
7 communicate with the pilots via headset.

8 A. Sure.

9 Q. Was that your idea? Was that someone else's? Kind of help
10 me understand how that came to --

11 A. Yeah, I -- whose idea? I think that was just a general
12 consensus that it was the right thing to do. I don't remember --
13 I was tasked with it. Right? So, that was, that was one of those
14 deals that I raised my hand to, to accomplish. I wouldn't stand
15 up and say that it was specifically my idea. Right? I don't
16 remember kind of how that project got started. Right? But, but
17 yeah, no, it was -- but I had, I had worked on it from, from
18 several different angles over a very long period of time that just
19 had a tough time kind of getting through.

20 So, my, my initial push -- and I can't even guess how long
21 ago this was, but my initial push was actually to have that part
22 of a clinicians onboarding processes to, to issue them their own
23 headset or, or a certain dollar value of reimbursement for
24 whatever they wanted to buy or something like that. And that,
25 that was quite some time ago, but that was -- that never seemed to

1 get off the ground either.

2 It was maybe a -- maybe just a year ago, even, that we were
3 finally able to just decide that we will issue them to every
4 aircraft. So, I made a huge purchase with, you know, David Clark
5 or wherever it came from. Right? So, there -- as a matter of
6 fact, the last of those just, just went out the door just a couple
7 of days ago just to be stationed at our maintenance base so they
8 can reissue those for, you know, damage or whatever, if one breaks
9 or what have you. So, yeah, that, that, -- the culmination of
10 that project is probably not all that old, but that was something
11 that was started quite some time ago.

12 Q. Okay. Have you had any feedback on those headsets?

13 A. Personally, I have not. No, no.

14 Q. Have you heard of any from any of your chiefs or anything
15 like that?

16 A. No, not that I'm aware of, no, no.

17 Q. Okay. All right. So, in your role -- as I said, I know
18 you're busy, I'm going to assume, but when I assume things, that's
19 the worst thing I can ever do.

20 A. Sure.

21 Q. I'm going to assume that you are not involved in any pilot
22 hiring. Or do you look at any of that?

23 A. To some degree, I am, yes. So, on a, on a primary basis,
24 generally not. I'll conduct some sim interviews and things like
25 that, not a lot of them, but every once in a while I'm the guy

1 that's available. Right? So, I'll come in and, and do the sim
2 interview. And -- but short of that, if we have pilots or
3 applicants that have unique backgrounds or, you know, maybe less
4 time in a certain area or whatever, I'm typically consulted for
5 those.

6 Q. All right. I know it's been a little while, but thinking
7 back, for the accident pilot Brian. Were you involved in any of
8 that or did you look at any of his paperwork before?

9 A. Its -- I can't say for certain. It would, it would be --
10 given the background and the type of experience that Brian had, it
11 would have been a typical practice for the -- for Andy, the chief
12 pilot, to just reach out and say, hey, just running this by you.
13 You know, it's not a, it's not a slam dunk from the from the
14 logbook. Right? Like, what do you, what do you think? You know,
15 and that kind of thing.

16 And that conversation, you know, typically is something that
17 goes along the lines of we want to know how things went, right.
18 How did, how did the phone interview go? You know, where where's
19 the technical knowledge at? Did we do a sim ride? You know, how
20 did that go? That kind of stuff. And, and then, you know, if
21 everything appears to be above board there, right, everything
22 looks good. Or we think that, you know, whatever, maybe, mistakes
23 were made along the way are easily correctable during training.
24 You know, we'll, we'll, kind of, agree to proceed at that point.

25 Q. Okay. So, I know you have the director of training under you

1 as well.

2 A. Yeah.

3 Q. And since the accident, have you had the opportunity to look
4 at Brian's training record?

5 A. Yes.

6 Q. Looking at that training record, was there any -- hindsight's
7 always 20/20 or better, of course.

8 A. Right.

9 Q. But are there any concerns -- or maybe were there concerns
10 before the, the accident itself with his past history?

11 A. Yes. Yeah. No, I'm, I'm -- so, right. I mean, hindsight,
12 20/20. Looking back at that, I think there are definitely
13 concerns, some of them more significant than others. Right? But,
14 but yeah, that was -- yeah. No, that wasn't, that wasn't what I
15 would consider a normal training record.

16 Q. So, considering that and since you looked at it, where was
17 the -- I don't want to call it failures, Where, where was the
18 breakdown with -- you said, it's not a normal training record.
19 Was there something that should have been done different? Could
20 there have been something done different?

21 A. Sure, sure. Yeah. I think, again, I'll do just a little bit
22 of assuming, you know, my, my viewpoint here. I think there was
23 some, some missed on some communication. I think that there's a
24 cultural drive, particularly in the islands, to take care of their
25 own problems. And so, I think that, you know, looking at that,

1 they're like, hey, we've got, you know, we've got the sim here.
2 We can train them, you know, we can go back.

3 And I wouldn't, I wouldn't call that wrong, but I would have
4 probably said that we should have some more eyes on that, you
5 know, particularly the subsequent issues. Right? Every pilot's
6 going to have a bad day. That's fine. Right? We'll train, we'll
7 get through that. Not a big deal. Subsequent seeing similar
8 issues over and over again, that deserves more work.

9 Q. And you mentioned the cultural --

10 A. Sure, yeah.

11 Q. -- issue out there, everybody taking care of their own, of
12 course. Since the event, have you guys done anything to -- I
13 don't want to say stamp out that cultural issue, but to address
14 that issue?

15 A. Yeah. Yeah. So, historically that's a, that's a challenge
16 that that we created. Unfortunately, I'm going to just be blunt
17 with that. Right? But we had an initiative back when an
18 individual by the name of Fred Buttrell was here. He was the, he
19 was the head guy at AMGH, which at that time was the parent
20 company. And he -- after the sale of the company and some
21 internal turmoil with the leadership and things like that, he had,
22 he had moved into that role, right, to oversee guardian and
23 staffing was a challenge at that point in time. Right?

24 So, we, we had a conversation, kind of set up plans to what
25 can we do to, you know -- what, what can we do to improve the

1 staffing levels but still, you know, maintain a level of, you
2 know, training and ultimately safety? Right? That that we need
3 to -- we need to move forward with. And so, during the course of
4 those conversations, we had come up with a plan to, you know, to
5 increase the training and the oversight of the organization.
6 Along with that, there was also some competitive challenges in
7 Hawaii going on at the time.

8 And when Fred was out there discussing that with those, with
9 those pilots, one of the, one of the considerations that they
10 brought up that would improve their quality of life was to remain
11 local in the islands for their recurrent training. And so, as a
12 result of that project, we had developed a plan to make that
13 happen. Right? So, we bought them an AATD and that's installed
14 out there now. We had had plans to increase the training
15 staffing. So, instructor pilots, right, dedicated instructors,
16 things like that, check airmen. And ultimately, you know, that
17 was organizational wide, right, to increase those people because
18 they were not -- like I said, when I got here in 2017, Randy was
19 the training program.

20 And so, we had, we had made some improvements along the way
21 there. Right? But, but that was really the project that kicked
22 off the having the people that were going to be dedicated to these
23 roles and effectively, you know, improving that situation and
24 thereby, you know, opening up the scope of the folks that we were
25 able to look at. Right? And I -- you know, I wouldn't even call

1 it halfway into that project, right -- basically, we had kind of
2 started down that road and my understanding of that was at some
3 point in there, Fred was invited to leave the organization and the
4 folks that came in behind him elected not to continue to support
5 that initiative.

6 So, yeah, that left us with a situation that, that was less
7 than ideal. Right? My failure in that was not rolling it back.
8 Right? I'll own that all day long. But yeah, that was a -- that
9 was an interesting time. So, I say that -- sorry, that was a big,
10 long story. I say that because, because I led that with we
11 created that situation. Right?

12 So, we had the group of pilots that were out there that we
13 had now told did not have to come back here with -- for the
14 training department and things like that. They had their device
15 out there. However, the folks that were doing that training were
16 doing it in between the schedule. Right? In between the flight
17 schedule. They were doing it as overtime. Right? They're line
18 pilots, they weren't dedicated instructors or anything like that.
19 So, it was, it was tasking.

20 Q. Okay. So, they have an AATD out there. But when we were out
21 there, they said it was broke. It doesn't work. So, were you
22 aware of that, first of all?

23 A. I don't -- so, it does work. But there are, there are
24 challenges, but it's not fully functional. Right? They can, they
25 can do a lot of a lot of basic stuff. My understanding today is

1 that the way that the GPS communicates with the rest of the sim is
2 a significant challenge. Right? So, it's not, it's not something
3 that they can, you know, effectively use to its fullest extent.

4 And then -- so rather than continuing to place those Band-Aids on
5 that device, right, that was, that was an immediate change, is
6 that now that their training is not being completed out there.

7 Q. Okay, okay. So, just for my clarification, folks in Hawaii
8 now, they don't --

9 A. They don't stay there.

10 Q. They, they come here for their training.

11 A. They come back here, yes. Yep.

12 Q. All righty. When you have folks coming in for recurrent or
13 whatever, do you, do you stop in and talk to them, kind of explain
14 open door? I mean, do you interact with any crew that come
15 through?

16 A. Not as much as I should, but yes. Yeah. I mean, if I'm --
17 so I'm -- I've been home based, right, since this whole mess that
18 started with COVID and stuff. So, yeah, I mean, definitely not as
19 much as I should.

20 Q. Okay. All right. And home based, so, you're not in the Salt
21 Lake?

22 A. Yeah, I live down in Eagle Mountain, so I'm, what, 45 minutes
23 away?

24 Q. Okay. So, you're close, but not that close. All right.

25 A. Sure, correct. Yeah.

1 Q. So, let's talk a little bit about Brian and his, we'll call
2 them, challenges --

3 A. Okay.

4 Q. -- in his training prior to the accident. If, let's say, the
5 assistant chief pilot out there was like, man, you know, we have,
6 we have this culture thing, but Brian is just not cutting it.
7 Does he have full autonomy to just let him go? Or does that come
8 -- does that rise to your level, director of training level? Kind
9 of, how hard is it -- I don't want to say how hard is it to let
10 somebody go? Because it's always hard to --

11 A. Right. Right.

12 Q. -- let a employee go.

13 A. Yeah, no. And so -- I mean, he can -- that's a little bit
14 complicated answer. Right? Like he can -- he has the authority
15 to put his foot down and say he won't fly. Right? But to go
16 through the full termination process would require more, more
17 involvement.

18 Q. So, are you involved in that if somebody --

19 A. Generally, yeah.

20 Q. Okay.

21 A. Yeah.

22 Q. So, just ballpark range -- I know you don't keep a tally
23 sheet, I would assume, but maybe you do. Ballpark range, how many
24 times in the past year have you had to terminate a pilot?

25 A. Oh, not -- it's not, it's not -- I don't know if I can give

1 you a number. It's, it's incredibly not often. If we terminate a
2 pilot for performance issues, we have exhausted everything. And I
3 can reference the last significant one that I know that we had to
4 do was an incident with the King Air. It's an NTSB report.
5 Right? So, you guys can pull the file, 617 Mike-Mike, where the
6 pilot lost control, ultimately recovered but bent the wing in the
7 process.

8 Everybody survived that one. Right? It was, it was the best
9 outcome you could hope for. But through the process, through our
10 investigation, through the work that we did, it became evident
11 that the pilot was the issue here. Right? And so, we brought
12 this individual back and went through the training process, had
13 the conversations. We had multiple components in the aircraft
14 that we were able to reference the flight path with, it has a
15 Stratus device in there. We had a SkyTrac satellite tracking
16 communication system, even as simple as FlightAware. Right? We
17 were able to -- and all of these tracks overlay each other
18 perfectly. Right?

19 So, we've got three sources of information that'll tell us
20 exactly what happened, what speeds, climb rates, descent rates,
21 that kind of stuff. And -- to the point that we were actually
22 able to incredibly accurately recreate the exact circumstance in
23 the sim and show that pilot that, right, and say, hey, look, this
24 -- and that was just something that -- I mean, that was the case
25 where we exhausted everything. And ultimately that pilot, no

1 plane tried to kill me, plane tried to kill me. I saved the
2 world. And it's like, good job on the recovery. But no, you
3 know, like, you created this problem and we had to -- that was,
4 that was -- we had to term him right. That was, that was one
5 that, just, there's no path forward. Right? The evidence says
6 that you did this and you're not there and I can't help you.
7 Right?

8 So, so performance issues, right, I would say the majority of
9 performance issues that we bring back for reevaluation and
10 training, ultimately that individual elects to not continue with
11 us. So, it's, it's a -- during the training process, right, they
12 come to that realization that, wow, how did I get that far? And,
13 and maybe this isn't for me, kind of thing.

14 Q. Okay. All right. We'll switch gears just a little bit.

15 A. Sure.

16 Q. Does Guardian have a ASAP program?

17 A. FOQA, yes. I'm sorry -- yeah, right. Yes. That is there,
18 SMS, ASAP, sorry. Yes, no, that is there, right. And so, we --
19 those are our regular meetings as well. I'm not on that board on
20 purpose. Right? So, I can't give you the down and dirty details.
21 But, but yes. Yeah. They, they seem to have a fair amount of
22 traffic going through there from, from the feedback that I do get.
23 But again, I don't see it, so I can't offer too much on that.

24 Q. In your opinion, I'm asking for an opinion of you.

25 A. Sure. Yeah.

1 Q. What would you say is a fair amount of traffic?

2 A. Oh.

3 Q. Just kind of a ballpark. I know it probably changes.

4 A. Yeah, no. And I guess I don't know how to answer that
5 either. I, I have had enough conversations based on reports of
6 things that we can try and, you know, tweak, do better. Right?
7 Things that I know that we would never have seen had that system
8 not been in place. Right? Those are maybe more of the eye-
9 opening ones of things that, you know, hey, that -- we would have
10 never known that, right, had, had that system not been there. So,
11 specifics, I -- I'm sorry, I didn't kind of come prepared for
12 that. Yeah.

13 Q. So, and I don't like specifics out of -- ASAP's such a great
14 program.

15 A. Yeah.

16 Q. You know, I don't want to hurt that at all.

17 A. Sure.

18 Q. So, but you get that information -- or I shouldn't say you
19 get ASAP information, somebody gives you a broad picture of things
20 they've learned.

21 A. Right. Yeah. I mean, when the things are completed, right,
22 they -- safety will put out the report and say, hey, this is what
23 we saw, this is what we did, that kind of stuff. If we -- so,
24 some of those ride that line, right, between we need to do
25 something performance wise here, right. Training, what have you,

1 to where this is just a report that we never see. Right? So, I
2 would, I would say sometimes those are where maybe my involvement
3 gets to be a little bit more because we have to come up with that
4 plan to fix the issue.

5 Q. So, you've learned stuff that you wouldn't have known without
6 ASAP.

7 A. Yeah.

8 Q. How have you implemented change -- assuming what you learned,
9 oh, that needs to be changed. How have you implemented change --
10 you or Guardian --

11 A. Yeah.

12 Q. -- implemented change based on that?

13 A. Yeah. No, I mean, so of -- a large majority of those kinds
14 of things are, are training related, you know, improvements that
15 we can make in training and things like that. So, you know, Randy
16 would probably be able to offer you a little bit more detail
17 there. But that's, that's a constant feedback loop with the
18 training department. Right? To the point of saying, you know,
19 even the ACPs will come back with, with check rides and things
20 like that -- excuse me. And then have those conversations with
21 the training department, hey, this is what we saw. This is where
22 I think we can do better, you know, that kind of stuff.

23 Q. So, does your ASAP committee, the ERC, or even, you know,
24 your director of safety, does he have a direct conduit to go to
25 training? If he -- if there's an issue that comes up and the ERC

1 recognizes that, you know, this is kind of a training issue, do
2 they have that direct conduit to reach out to your director of
3 training and say, hey, here's some things we're seeing? Or do
4 they have to go another route, like through you or through the
5 COO? Or -- I don't know the -- how that flow is.

6 A. Sure, yeah. I mean, I guess I've never specifically asked
7 Michael that question on how he feels, but I don't -- I mean,
8 usually in those circumstances, right, I just don't want to be
9 blindsided. Right? Just I mean, inform me. You know, I have no
10 qualms with people talking interdepartmentally or anything like
11 that. Right? So, that would be -- that's -- and I hope he knows
12 that. I guess you'll have to ask him. Right? No, you talked to
13 him yesterday. Didn't you? Yeah.

14 Q. Well, I just wanted to know --

15 A. Sure, sure, sure.

16 Q. --what your impression of it was. And that kind of helps.
17 So, I appreciate that.

18 MR. ETCHER: I know we've been going for just about 50
19 minutes. You've got to be getting tired of talking to me. So'
20 I'm going to pass you off to Sabrina.

21 MR. SALVESON: Okay.

22 MR. ETCHER: But before I do, do you need a break? Do you
23 need a restroom or anything like that?

24 MR. SALVESON: I'm good for now.

25 MR. ETCHER: All righty. So, I will let Ms. Sabrina ask her

1 questions. They're going to be better questions.

2 BY DR. WOODS:

3 Q. If you stop stealing my questions. So, currently in your
4 role as it's now -- actually, you know what, let's, let's go back
5 prior to before the Hawaii accident. Do you feel that you have
6 the tools in place prior to the accident to do your job
7 effectively?

8 A. So, that's a very broad question, right, because I think that
9 there are levels of that. Right? There are, you know, I think we
10 can always do better. Right? And we should always be looking to
11 do better. And I would say that, are we always provided the tools
12 to do better? No. Right? I mean, now, do I have the tools
13 necessary to maintain compliance and effectively execute the
14 duties of my position? I would say generally, yes.

15 Q. To me -- where do you feel, to use your words maintaining
16 compliance, is on the spectrum of where you want to be?

17 A. Yeah, well, I mean, maintaining compliance is the baseline.
18 Right? You can't go below that. Right? I mean -- and anything
19 above that is ultimately where we want to live. Right? I don't,
20 I don't think anybody should be, or is happy with, legal minimum
21 requirement, you know, that kind of thing.

22 Q. So, again, this is prior to the accident. What other things
23 -- like, if I gave you a magic wand, here you go, you can wave it,
24 you can have anything you want. What other things do you feel are
25 needed in place to get to that above the baseline that you would

1 like to live at?

2 A. Yeah. Yeah. The training department needs help. That's an
3 easy one. Right? We've, we've finally, finally gotten to the
4 point to where our assistant chief pilot oversight is to a level
5 that I think we're comfortable with. You know, we can always look
6 forward there, too. Right? But if we're going to talk, you know,
7 what I think is right, baseline. Right? I think we're finally
8 there with that level.

9 The training department is, you know, particularly with
10 everything we've got going on right now, is, is in tough shape.
11 Right? That -- we're -- you know, Randy's, Randy's moving on.
12 Right? We're moving the operation to Texas, which means that
13 we're not going to take a few of the instructors with us. You
14 know, I think there's instructors that are just, sort of, done
15 right? Like, they're tapped. And so, yeah, I -- we got, we got
16 some work to do there.

17 Q. When -- I'm going to come back, I'm going to bench the
18 training for a second because --

19 A. Okay, sure.

20 Q. -- I want to try to group some of these questions together.
21 So, now, post-accident, so post December, starting January. Have
22 the tools that are available to you changed? And if so, is that
23 for the positive, maybe slightly for the negative, or it's just
24 changed for change sake?

25 A. So, I'm -- I might not be the person to ask that question.

1 Currently, I'm, I'm in the process of being removed from this
2 role. So -- and that, that had started prior to the accident.
3 Right? We were literally supposed to announce this, like, two
4 days after the accident in Hawaii. And so, I, I don't know that I
5 can give you a fair answer to that question. And I'm going to own
6 the fact that Randy would be a biased outlook. Right? Because I
7 don't know, is the short answer. Right? But I will also caveat
8 that by saying that I probably have a biased outlook on that.

9 Q. So, let's switch to -- in your opinion then, from what you
10 see, because you're still part of the organization, what have you
11 seen --

12 A. Yeah, I still, I still technically have the role. Right?

13 Yep. So, I'm -- yeah.

14 Q. So, what have you seen since the accident and the changes?
15 Do you think that is trending towards a path to where the tools
16 are finally coming into and settling in place, or do you feel that
17 there's more needed that is not being looked at yet?

18 A. I think that it's being looked at, but I think we're looking
19 too far down the road. Right? So, moving everything to Texas
20 and, and, you know, moving all of the training, all the devices,
21 all that kind of stuff, I think in two years, I got to help run a
22 different place. Right? Like, I think that there's the potential
23 for positive change with that. But it's a lot right now. Right?
24 And it's -- we're sacrificing a lot in particularly -- in that
25 realm right now, or in general, to, to make all that move now and

1 try to run a business and try to, try to train, and try to --
2 everything, right. We made a lot of positive change after -- and
3 I'm sorry if I'm -- I'll reference both if that's okay or do we
4 want to ask this question again? I'm sorry.

5 Q. We should just stick with one.

6 A. Stick with the one? Okay. Thank you. All right. So, yeah,
7 no, I think the response to the event, right, I think was
8 positive. You know, we put the brakes on everything. We had the
9 programs. So, that's what we call the business unit, people that
10 oversee the regions, right. The programs and the ACPs had -- you
11 know, got together with their pilots and hey, we had this event
12 happen. How are you guys doing? How are you feeling? Right?
13 And out of that, right, we identified something that we wouldn't
14 have seen. Right?

15 It was -- there was actually a connection with one of the
16 clinicians that was working in Reno with one of the clinicians
17 that was working on that accident flight. Right? So, that was
18 not a person that you wanted to throw back in an airplane and go
19 do a mission. So, I, I think we did a lot of good stuff
20 immediately post-accident. Right? But I see us putting a lot of
21 things in place now and continuing with a lot of -- a lot of
22 initiatives that are not positive for the immediate future.

23 Q. So, can you give me an example of a change that you feel is
24 for the better? Like, in your opinion, this is a good change.
25 This is a good direction to go.

1 A. Yeah. Yeah. I mean, so the immediate response, right, was
2 sort of my example of that, right, where we shut everything down.
3 It was a significant process to return folks back to service.
4 Right? It was immediately -- you know, not knowing what happened
5 with the event, you know, all of the aircraft out there were
6 inspected. It was all of the, the pilots, again, shot gunning
7 everything. Right? We're -- brought through some training,
8 right, to return back to service. There were, there were plenty
9 of -- I don't know what the right word for it is -- emotional
10 response resources available, right, dealing with the human
11 component. And so, yeah, there were -- there was a ton of stuff
12 in the moment that I think we really did, did well.

13 Q. So, not to belabor semantics with you, but I would qualify
14 that as a reaction.

15 A. Okay, sure.

16 Q. Not necessarily a change.

17 A. Okay.

18 Q. Change is something that you make and presumably it continues
19 on, like the change has been made, this is the new normal.

20 A. Sure. Sure.

21 Q. Whereas, the example you gave is more of a reaction to a
22 traumatic event in which you had to manage. So, I guess I'm
23 asking, and then what? When I ask about changes, is what changes
24 has Guardian flight, or even just Hawaii Life Flight made that is
25 now perpetuating forward? If you can pick one, that is -- that

1 you feel like this is beneficial. This is a good change, like, to
2 policy or to operation or to mission or staffing or whatever.

3 A. Yeah. No, no, fair, fair. Okay. Yeah. No. So, we -- the,
4 the one that comes to mind immediately, right, is the backup
5 instrumentation. You know, again, taking the shotgun approach, we
6 identified in looking at the aircraft that given a particular
7 failure, there's not a significant backup system -- robust backup
8 system available in that aircraft. And so, that was, that was
9 honestly a project that was, that was requested a couple of years
10 ago, unfortunately. But this was, was able to light the fire
11 underneath that that we needed to get and get that installed in,
12 first, all of that fleet. And now continuing on with the rest of
13 the C90 fleet as well.

14 Q. When you say requested, by, by whom was that requested?

15 A. Director of maintenance.

16 Q. Okay.

17 A. That was as a result of a Baldwin report that was submitted
18 on a pilot that had had an issue with, with those avionics.

19 Q. So, I always like to balance the questions out.

20 A. Sure.

21 Q. So, what change do you feel, might need a little more thought
22 into it?

23 A. Yeah.

24 Q. For it to be where people think it -- you know, how people
25 think it should go? What change perhaps is not for the better?

1 A. Sure, sure. And again, my biased opinion, of course. Right?

2 Q. Of course.

3 A. We, we are either actively or passively, however do you want
4 to say that, removing a ton of relevant experience from the
5 organization. And that's been a trend for, for a very long time.
6 You know, again, my, my biased position. Right? I've been, I've
7 been single pilot, Part 135 IFR operations for a majority of my
8 career, you know, minus my couple of years in flight instruction.
9 Right? Everything else has literally been in that vein. And I
10 don't know that, you know -- Randy, same situation. Right? He's
11 on the way out. The executive management that we'd had prior to
12 this spent a lot of time in the industry. Right?

13 The folks that are -- seem to be coming in to do this work
14 are clinical, business. You even look, you even look up the chain
15 to, you know, as high as the board of directors of global medical
16 response. There's not a single aviation individual in that.
17 Right? It's all clinical. It's all it's all major hotel, hotel
18 -- hospital operations business. Right? There's, there's a vast
19 depth of clinical. Right? I think, you know, Guardian started as
20 an aviation company that tried to hire the right folks to do the
21 clinical work. And I think today's state, Guardian is a medical
22 company that, there's some aviation over there and they do their
23 thing. So, that's -- yeah, and that's been a continuing trend, I
24 think, since, since ultimately, we were acquired back in '17, '18,
25 something like that.

1 Q. Okay. So, this has been a, six, seven year -- math --

2 A. Yeah, right, no, I hear you.

3 Q. -- trend that, that you feel is, is changing, maybe not for
4 the better.

5 A. Absolutely. Yes.

6 Q. You mentioned training a lot, and I'm going to, kind of, stop
7 on that for a second. First, talking about the accident pilot,
8 you did say that you had a chance to, hindsight, look through some
9 of the training documents there and that it was not what you
10 considered, like, a normal training record. What do you consider
11 -- what's, what's your normal, in your opinion?

12 A. Yeah, I mean, so sort of as we, as we discussed on the
13 initial conversation, a failure or as we call them, suspend
14 retrain in some cases, right. I mean, ultimate failure of a check
15 ride is incredibly rare. Suspend and retrains, not incredibly
16 rare. Right? I don't -- I couldn't give you a number, so I
17 apologize, but, but that doesn't strike me as something that's
18 incredibly concerning. Right? It was, it was somebody that, you
19 know, broke an altitude, did not level off or something like that.
20 Right? And so, we pause that, we say, hey, you see what happened?
21 Right? Demonstrate and then come back and show us, show us
22 proficiency. Right? I would say that that's not -- that would
23 not concern me on, on a check ride. Right? Now, you see the same
24 thing happening on multiple check rides. You see, you see a
25 holistic failure of a check ride for a particular reason. Those,

1 those are concerning and that's not, that's not common. So, so, I
2 don't know -- I'm sorry. I don't know if that's answering your
3 question, but --

4 Q. It is, but now, let me pivot to -- so, in the records you
5 reviewed, was that post-hiring training records?

6 A. These? Yes, these -- sorry, these would be Guardian training
7 records. Yes. Yeah.

8 Q. Okay. So, let me pivot to, then, what about prior to hiring
9 training records? What about -- like for information that's in
10 the PRD?

11 A. Yeah. So, hiring on this one, you know, would have been a
12 would have been a PRIA check, of course. That's going to be
13 typically reviewed by the individual, the hiring manager. And
14 maybe that's not the right title, sorry. In this case, it
15 probably would have been Gabriel (ph.) that reviewed that record
16 and, and Andy may have, may have also gotten the opportunity to
17 take a look at it.

18 Q. Who does -- for the hiring process, who does the first check?
19 When an application comes in the door, where does it go first?

20 A. To the recruiting department.

21 Q. Okay. And is the recruiting department, is that a separate
22 entity or does it fall under HR?

23 A. That's a good question. I think it falls under HR.

24 Q. Okay, so, they're doing the first blush. And what are they,
25 what are they doing? What are they looking for?

1 A. Yeah. So, basic, basic qualifications. Right? And then
2 from there -- excuse me -- basic qualifications and anything that
3 would just stick out, right. They're, they're looking at that,
4 and I, I mean significantly. Right? Not, not -- they wouldn't go
5 in and they look -- they wouldn't necessarily look for a failed
6 check ride. Or they wouldn't look for anything like that. It
7 would be something just incredibly like, wow, how are you even
8 flying kind of thing. You know?

9 And, and then from there, right, that's when they're going to
10 start reaching out to, in today's state, right, the assistant
11 chief pilot that, that would conduct that initial phone interview
12 and have those conversations. Provided that goes well, is when we
13 finally get them into to do the sim interview and things like
14 that. So, there's also PRIA that gets conducted, of course.
15 Right? So, when, when PRIA comes back we have -- today it's, it's
16 Terry (ph.), Terry Gerky (ph.) that's looking at those for us.

17 And prior to that, I believe Paula Holder would have been
18 doing this at the time when, when Brian was hired. She's doing a
19 little bit more detailed review of, of PRIA, of course,
20 understanding that she doesn't know what she's looking at. Right?
21 But she would see -- she would see failed check ride, she would
22 see, you know, training events that have a bunch of notes that
23 don't indicate that things went really well and things like that.
24 And typically, she'll review those and then just highlight those
25 for myself, Andy, and the, the assistant chief pilot that's,

1 that's conducting the interview.

2 Q. Who establishes the basic qualifications that the recruiting
3 team is determining for each of these applicants?

4 A. Yeah. So, the basic -- the advertised qualifications, right,
5 basic qualifications, we try to, we try to adhere to are CAM's
6 minimums. So, the organization, today's state, right, has a drive
7 to be to be CAM's certified overall. And so, that's, that's the
8 standard that, that we publish that we go forward with. We do get
9 applicants on a relatively, relatively regular basis that fall
10 short of those in some category, or what have you. And we don't
11 necessarily not review those, but they are, they are looked at a
12 little bit more closely.

13 Q. So, again, you mentioned a lot about training that path. How
14 would -- and I mean you alluded to earlier, but now I'm going to
15 ask point blank. How would you describe your working relationship
16 with Randy as the director of training?

17 A. With -- I feel like our relationship is very positive. Yeah,
18 I, I have no concerns there whatsoever. I think Randy does a
19 phenomenal job. Randy has, has built the training department from
20 the ground up with incredibly limited resources. And I'm, I'm
21 very proud of him. Right? I mean, he does a great job.

22 Q. So, in your functional role, understanding that you're moving
23 to another role soon -- but in the past, in your functional role,
24 what is your level of involvement and/or oversight, if there is,
25 with the training department?

1 A. Yeah, I mean, so Randy would report to me. Right? So, it
2 depends on, I mean, what we're, what we're, kind of, looking at
3 here. Right? If it was -- but ultimately, I would, I would think
4 that I would be like the first place he would go, right, if
5 there's, if there's something. Now it depends on, you know, where
6 -- what that is. Right? Because I'm not qualified, I have no
7 time in the C90. Right? So, if we're talking about building
8 curriculum specific to that aircraft or something like that, he's
9 going to engage -- I mean, he's got a fair amount of experience in
10 that particular aircraft.

11 So, already, he's got a baseline that's good. But he's going
12 to engage the, the, you know, subject matter experts for the
13 airframe. And vice versa. Right? I've got a significant amount
14 of experience in the PC-12. And so, you know, he would, he would
15 come to myself and/or Andy to, to kind of bounce those ideas
16 around. Is it -- is that sort of what you're asking or --

17 Q. It is. But I'm just wondering if you could get more
18 specific. How often do you interact? Do you have meetings?

19 A. Oh, yeah. Yeah.

20 Q. Do you, you know, does he -- if he wants to change a process,
21 does that -- can he -- is he autonomous? Can he do that on his
22 own or does he get your approval? That's what I'm looking --

23 A. Oh, sure. Yeah. No. Within his department he's, he's
24 mostly, I mean -- you know, obviously we all have bumpers, right.
25 But within his department, he's, he's mostly capable of doing

1 whatever he'd like. Right? It's, you know, again, one of those
2 things I typically just ask to be informed. Right? But I feel
3 like I'm only half -- asking -- answering the last half of that.
4 I'm sorry. How did you start that question?

5 Q. Engagement in terms of meetings.

6 A. Yes, yeah.

7 Q. Do you meet, do you chat, do you text?

8 A. Yeah. Oh, yeah. No, regular interactions, I feel like.
9 Right? We have, we have a one-on-one scheduled with, with him
10 that's, I believe, weekly. He has training department meetings
11 weekly that I'm invited to as well. I, I would say I'm probably
12 on those 70 percent of the time, just, just given whatever's going
13 on. And then, so -- so, yeah, and then anything outside of that,
14 right, you know, free to have the conversation, it kind of works
15 the same way. Right? If I've got something for him, I'll call or
16 text and vice versa.

17 Q. Do you know how -- if issues such that, or challenges such
18 that the accident pilot faced, how should that information get
19 from the base, up to the director training, up to yourself? Is
20 there a process for that?

21 A. The training and checking issues? Is that what you're
22 referring to? Yeah. Okay. So, I would -- in my mind, those
23 should follow two channels. Right? We should, we should have the
24 instructing and training staff, you know, directly communicating
25 with Randy. That, that would be a, a direct line report in those

1 circumstances. Right? And then that should also follow the, the
2 aviation -- or the aviation operations chain, right, from, from
3 Gabriel to Andy. And then ultimately, if it's something that I
4 need to be involved in as well, to, to me.

5 Q. Do you feel that happened in this incident?

6 A. I -- no, I don't. I mean, I, I don't know at what level --
7 I'm sure it happened at some level, but I don't know. I mean, I,
8 I was not specifically brought into the ongoing concerns with the
9 performance of this individual pilot.

10 Q. You mentioned earlier with Shawn that there seems to be a bit
11 of a cultural drive, perhaps, to take care of -- you know, to keep
12 things internal to take care of their own. Can you talk to me a
13 little bit more about that in terms of like Hawaii, and Hawaii
14 Life Flight? What are your impressions of that organization?

15 A. Yeah, I mean, overall, I have a positive impression of the,
16 of the operation. Right? Gabriel has been in that role for a
17 very long time. He's got a ton of experience with the islands,
18 with the operation, with the airframe. And, and I think that
19 he's, he's an incredibly competent individual. Right? I think
20 that he manages his folks really well. I think his folks
21 generally have a lot of respect for him.

22 And then, you know, I think that the folks that are there
23 within that program, I think, you know, the regional maintenance
24 manager Cy (ph.), and then, and then Mark, the program director,
25 you know, I think they've got some pretty regular interactions.

1 Outside looking in. Right? I'm not there. So, again, this is
2 my, my viewpoint but I do see that program itself working pretty
3 well internally. But that leads to the issues that we're
4 discussing. Right?

5 To where, you know, if there's a, if there's a dust up, you
6 know, with a pilot and a mechanic, you know, they're going to be
7 very quick to just, yeah, we fix that and we might get back, you
8 know, hey, there was just a little drama in the hangar. Not a
9 problem. We fixed it, you know. And so, I would say that where
10 -- on one hand it's a good thing, right, that I, that I do have a
11 lot of faith that Gabriel, you know, manages his operation quite
12 well. It also does, maybe, not lead to as much communication back
13 that that should be happening.

14 Q. As the DO, is there anything operationally speaking, or maybe
15 even environmentally speaking, with Hawaii Life Flight that are
16 unique to, like, island life? Like, unique to being out there in
17 the middle of the ocean, apart from, you know, CONUS.

18 A. So, like operations specific is sort of what you're --

19 Q. Operational or even environmental.

20 A. Environmental.

21 Q. The flying environment challenges that have risen to your
22 level. What do you see are the special issues unique to --

23 A. Yeah, yeah. I mean, to kind of maybe look into that. Right?

24 It's -- in one of the visits out there, we had some communications
25 about a special airport that they have that's right on the beach.

1 Right? And, and you have to really be careful about the kind of
2 weather that you go into with that, because the waves will
3 literally break up and create a wall of water at the end of the
4 runway. Right? And so, it was, it was very educational to get
5 that, that to, to fly over that and to look at that and to see the
6 challenges that they have to take.

7 That, that a lot of that just becomes something that, that
8 Gabriel will train, you know, for the circumstance. Right? Like,
9 hey, if the winds are over 20 knots, you can't go to Kalaupapa
10 because the waves are just going to be, you know -- or, or they're
11 going to have to look at the surf report or something like that,
12 right, to know if that's even a practical operation. So, there's
13 uniqueness's like that. Dark night is a real thing out there.
14 Right? Like -- and then potentially seems to be a, a factor here,
15 and it's -- excuse me -- this circumstance to where back side of
16 the island, no lights, nighttime, right. And, and that's, that's
17 a real thing.

18 So, the guys have mentioned that in the past too, to where,
19 you know, in some of those cases it may as well be IFR because
20 it's so dark, you have no reference. So, some, you know,
21 intricacies like that, they have intricacies with air traffic
22 control and the way that they operate and things like that. You
23 know, nothing that I wouldn't say is abnormal from a regional
24 perspective. Right? Like, you know, it's no different than --
25 Denver's going to have their procedures, you know, you know,

1 Phoenix is going to have theirs, right.

2 You're talking about a major, major airport and in the way
3 that they like to run things. Right? But it wouldn't necessarily
4 be an easy transplant for, you know, somebody like me that spent a
5 lot of time flying in Grand Forks, North Dakota, right, to just
6 think I can operate just flying out in Honolulu without, without a
7 little bit of that extra training and work.

8 Q. So, whose problem, quote unquote -- that's a horrible word, I
9 know -- whose challenge is that to solve? In your opinion, like,
10 who, who's responsible for addressing and fixing those issues?

11 A. Well, everybody to some level. Right? It's -- again, it's
12 kind of broad. So, I'll try and, try and answer the question, but
13 -- so, let's, let's say, for example, a Baldwin report comes in --
14 that's our, you know, safety reporting system, right -- that will
15 come in to say there's a particular issue. Let's use the ATC
16 example. It might be a bad one, but, right -- there's a
17 particular issue with the way that ATC operates in Honolulu, you
18 know, so that -- the visibility on that goes to everybody.

19 And then in that circumstance, that, that particular issue
20 would probably get assigned to, to Gabriel, the assistant chief
21 pilot, to work through and, and understand what the issue is,
22 offer if there are any solutions, be it training, be it
23 conversations with, you know, with the air traffic center. Right?
24 And then -- excuse me -- and then, you know, work to communicate
25 that as a group with, with what we need to, you know -- what we

1 would need to do, what we would need to get after. So, I don't
2 know if that helps. That was kind of a specific example of, of
3 the process that you're looking for.

4 But now let's just say something falls outside of that
5 process. Right? To where it's like, the pilot comes into
6 Honolulu and says, you know, hey, Kaleo -- sorry, that's the name
7 he goes by. Gabriel, I ran into this on the way in. Right? I
8 mean, that could get lost. Right? That's possible. You know,
9 we're all tasked and in that offhand comment, you know, walking
10 through the hallway in the hangar might, might not be, you know,
11 effectively handled at the moment. Right?

12 Q. I guess what I was looking for is more -- is your idea of
13 what the structure is for handling, like, Hawaii specific issues.
14 And it sounds like some -- and please do not let me put words in
15 your mouth.

16 A. No, you're fine.

17 Q. It sounds like it typically starts with the assistant chief
18 pilot, and then it could go various places from there.

19 A. Yeah, it would, it would escalate depending upon what the
20 issue is. And that's no -- that's, that's Hawaii. That's the
21 Midwest. That's, you know, Four Corners. Right? If it's an
22 aviation specific issue, we're going to try and engage the folks
23 that are going to have the most relevant knowledge and experience
24 of the, of the area or the operation that are going to be most
25 effectively able to, to help us find the solution.

1 Q. I'm going to transition to my last subject for this round.
2 And that is we talked a lot about training, talked a lot about,
3 like, your interface with Randy and things of that nature, but we
4 haven't talked a lot about safety. So, where do you feel like the
5 director of safety and the Safety Department fall in your
6 interactions with that department?

7 A. Okay. So, as far as his, his role's, is that kind of what
8 you're asking for? Or where I feel like our interaction should
9 happen? Or --

10 Q. Let's start with what is your level of involvement with the
11 safety team?

12 A. Okay.

13 Q. Director of Safety, on down.

14 A. Sure, yeah. So, I would say, director of safety, our
15 involvement is as necessary, maybe. You know, so -- again, I'm,
16 I'm not shy about calling Michael, shooting him a text, whatever.
17 That -- he's one individual that I don't have a recurring meeting
18 set up specifically with him. Right? So, that's, that's not the
19 case. But, but yeah, also, I mean, you know, I've, I've worked
20 with Michael now for a few years and I think we have a great
21 relationship. I don't think he has any issues bringing things to
22 me or vice versa.

23 Now, the Department as a whole, that -- I will classify that
24 as continually improving. You know, the Safety Department not so
25 long ago was Michael. Right? So, he, he was a one man show.

1 Now, recently he was, he was authorized to bring on three
2 additional individuals, right. So, now they are -- that's their
3 job. Right? They're all flying. They're, they're working the
4 safety department. They're helping us with the, with the regional
5 meetings and working through the reports and things like that.
6 They're, they're significant resources for us.

7 So, I guess maybe that's a broad response. But I would say
8 continually improving and examples of that are our, our safety --
9 regional safety meetings or program safety meetings to where we,
10 we look at the, the spreadsheet of, of all of the reports that
11 have been submitted in the area, everything that's going on,
12 whether it be program, clinical, maintenance, aviation. Right?

13 They're all there and we've got, we've got those folks on the
14 phone, right, or on the meeting, right, talking about those
15 issues, making sure that we know who owns, who owns the current
16 issue. Right? Who's, who's working -- who's working on it --
17 excuse me. And, and current status of that project. So -- and
18 that's been, that's been wonderful. That's been a, I think, a
19 game changer for the safety department and the interactions with
20 that department.

21 Q. But clarification, you are not in these meetings.

22 A. I am, yes. Yeah. Generally speaking. Not, not universally.
23 I'm in, I would say, most of them. So, not that I don't have a
24 value there, right. But if I've got myself and I've got Andy and
25 I've got the assistant chief pilot, it occasionally can get a

1 little redundant. Right? So, yeah, I, I -- the ones that I know
2 that I'm a part of, I'm on Hawaii's, Alaska's, there's one for the
3 Midwest that, that's actually just kicking off. I'm on -- I, I'd
4 have to look, but yeah, so -- not -- I don't, I don't think I get
5 100 percent, but I get pretty close.

6 Q. Because previously you said that you don't have any standing
7 meetings with safety so --

8 (Crosstalk)

9 A. Not with, with Michael. Sorry. As a point of clarification
10 with Michael specifically, I don't have any standing meetings.
11 So, with the program -- or with the safety department, yes, those
12 meetings are recurring.

13 Q. So, if something were to escalate through the safety channels
14 that would require a modification or at least some sort of address
15 from operations, how would that interface go between you and
16 Michael?

17 A. Yeah, I would probably see that from a couple of directions.
18 Really. I would, I would see it from the aviation chain. So, I
19 would hear for -- from Andy or Nathan on, you know, hey, this
20 issue came up on this. You know, if it's significant enough,
21 right, that we need to, we need to create a major change or what
22 have you. Right? That would be, that would be a group of
23 individuals, it wouldn't be just me. So, that would be, you know,
24 the assistant chief -- and this again, depending upon, right, if
25 it's a regional problem or if it's a global problem. Right?

1 Just depends on, you know -- that would, that would be the
2 type of thing that would probably get discussed in our assistant
3 chief pilot meeting to just say, hey, this issue is out there, you
4 know, feedback, what can we do to be better? That kind of thing.
5 And then again, a significant issue, right, would, would generate
6 communication between Michael and myself as well, just a, hey, is
7 this on your radar? Just, you know, making sure that we're, we're
8 getting after it.

9 Q. Did the chief pilots have a standing meeting with anyone from
10 Michael's group outside of these programmed safety meetings?

11 A. Outside of the -- not that I'm specifically aware of, but I
12 wouldn't be able to speak directly to that.

13 Q. Please describe for me, and this is in your own words, what
14 does safety culture mean to you?

15 A. What does safety culture mean? Oh, boy. Okay. I mean,
16 really, I think it's, it starts with communication. Right? It,
17 it starts with an open line of communication and one that's free
18 of repercussions. Right? It's -- because it's crucial, the flow
19 of information is, is what makes everything possible. If you
20 don't have -- if you don't have that -- you know, me sitting in my
21 desk at South Jordan, Utah, is not -- of no value to anybody in
22 Waimea, Hawaii. Right? I'm not there, I'm thousands of miles
23 away.

24 And so, without that, that free flowing communication and,
25 and the thought that they are -- that folks of any level are able

1 to communicate with anybody at any time on, on issues or concerns
2 or questions is key. Right? So, I think it starts with that.
3 And then ultimately, you know, the response of the organization is
4 important as well. There are, there are occasions where the
5 response appropriately is, thanks for the information. Right?
6 But there are also occasions where the responses should be much
7 more significant to where we need to get on making meaningful
8 change and, and make things happen. So -- yeah. Does that help?
9 Sorry.

10 Q. In your opinion, ultimately, who's responsible for creating a
11 positive safety culture?

12 A. That's everybody. Right? There's no -- I mean, that's not
13 going to fall on any one head. It's any -- anyone can, anyone can
14 easily destroy that. That's -- but it takes the entire team to
15 support it.

16 Q. Just a few more questions, please.

17 A. Sure.

18 Q. You provided this answer to the question that Shawn hadn't
19 asked earlier. He was asking about ASAP. You answered FOH, I
20 think, when you were talking about SMS.

21 A. Yes. Yes. Sorry. Yeah.

22 Q. So, tell me about your company's SMS.

23 A. Yeah. So, it's not I mean, we're following the concepts.
24 Right? But it's, it's not a, it's not a full program at this
25 point in time. So -- and it's -- again, that's, that's been a

1 challenge on many fronts. Right? Outside looking in, you know,
2 previously Michael's staffing challenges and the resources
3 available to afford the appropriate attention to the program has
4 not, has not really been present. I say previous because of, as,
5 you know, as new folks coming in, right, I think is -- his
6 capabilities have enhanced quite a bit.

7 Challenges with the FAA bandwidth, you know, there's, there's
8 not a, there's not a FSDO in the country that's appropriately
9 staffed. So, they haven't been able to afford the, the attention
10 that, that program needs as well in addition to everything else
11 that it takes to run a certificate. Right? I will say that, you
12 know, our principals are very good at, at taking feedback on our
13 priorities. Right? I think that is a very crucial component of
14 the, the interaction that we have with our principals.

15 And, and if -- I think if -- hey, if we told them drop
16 everything else, we want an SMS, they, they would probably, to the
17 extent possible, do that. Right? But I think that there are --
18 there's a lot of things out there. Right? There's a lot of -- a
19 lot of work that it takes just to, just to continually run a
20 certification. And they're, they're tasked.

21 Q. What do you feel your role is within the SMS system?

22 A. Yeah, I mean, I know I have a, you know, duty, right, that's
23 outlined in there. Right? But it's, I mean, supporting the
24 system, being an active participant, you know, the positive --
25 reinforcing the positive reporting culture, things like that. And

1 I'll be the first guy to admit as well that that I've, I've got
2 some education there. Right? This is -- this program is
3 relatively new to us. So, I know that I've got a lot to learn on,
4 on what the, what a -- the complete expected operations of an
5 effective program look like.

6 Q. Did you happen to -- have you been to any courses or anything
7 like that or --

8 A. Several --

9 Q. -- have you had any formal training on it?

10 A. Yes, several years ago, several years ago we did. When we
11 first kicked this off as a project that we wanted to undertake, we
12 spent some time at the, at the FSDO here in Salt Lake and went
13 through the presentations and the courses and stuff like that.
14 And then it, it just -- it fell off, right, like everybody's time
15 and bandwidth and resources to get that done was just not there.

16 Q. I think my last question for this round is that -- so, are
17 you just -- in your position, are you just taking the SMS as it
18 is, or do you feel you can make changes to tailor to what you feel
19 Guardian Flight needs?

20 A. No. Yeah, I definitely feel like Michael would be, would be
21 open to feedback. And, and while -- I'll even take that another
22 step. Right? I think that he's, he's solicited feedback on more
23 than one occasion. Right? He's actively looking for feedback and
24 ways to improve the program and what that takes.

25 Q. And have you provided feedback? I know I said that was my

1 last question.

2 A. Yeah. No, no, no. Right. That's fair. No I -- not --
3 again. Probably not as much as I could or should. Right? It's a
4 -- it's not a -- i's, it's been, again, one of those programs that
5 is, that is carried out for so long that it's, it's hard to --
6 it's hard to recognize that, that making that a top priority is
7 going to make a difference in the implementation of the program.
8 Up until recently, right, up until recently to where, to where I
9 believe, you know, department is appropriately staffed to handle
10 some of that additional workload. Right? So.

11 DR. WOODS: All right. That's a lot to think about. Thank
12 you.

13 MR. SALVESON: Sure.

14 DR. WOODS: That's it for me this round.

15 MR. ETCHER: We know you've been going about an hour and a
16 half. Do you need a break? Does anybody need a break?

17 MR. SALVESON: I'll get up and stretch my legs, if that's
18 okay. Sure. Yeah, okay.

19 MR. ETCHER: Let's take five minutes, we'll go off the record
20 at 9:33 local.

21 (Off the record at 9:33 a.m.)

22 (On the record at 9:43 a.m.)

23 MR. ETCHER: And we're back on the record at 9:43 local.
24 Millicent.

25 BY MS. HILL:

1 Q. How has Hawaii Life Flight assimilated into Guardian Flight?

2 A. Yeah. So, interesting question. I don't -- maybe the
3 easiest way for me to answer that, I'm not sure I know any
4 different. Right? I -- Hawaii Life Flight was part of Guardian
5 flight before, before I became in this role. Right? And quite a
6 while before I became in this role, as far as I understand. So, I
7 don't, I don't -- I'm not, I'm not sure I know any different, I
8 guess, is maybe the best way to say it. I don't, I don't feel
9 like they operate against our initiatives. Or, you know, they
10 seem to be open to the communication back and forth. Right? I
11 don't, I don't see concerns as far as actively trying to not be
12 part of the organization. But yeah, that's maybe the only way I
13 know how to answer that.

14 Q. Is there a different engagement level between them and
15 Guardian Flight and one of the other bases?

16 A. Potentially, yeah. I mean -- and I, I think there's, you
17 know -- the way that I can answer that again is we don't know what
18 we don't know. And so, I, I don't -- I maybe don't feel like
19 there's a similar amount of information flow prior, prior to
20 their, you know, programmed safety meeting and stuff like that
21 coming, coming online. I think that there was probably some more
22 information flow between other regions and this office than, than
23 with Hawaii.

24 I also, at the time, didn't view that necessarily as abnormal
25 because of the administrative support that was present out there,

1 that, that is not in many of the other regions. So, yeah, that's
2 sort of what I'm -- and again sorry -- at the time, right, you
3 know, the administrative support post, ACPs coming online and
4 stuff like that, right, has really been -- has really evened out.
5 Right?

6 I think organizational wide I, I don't -- there's not a --
7 there's not a region that's significantly underrepresented at this
8 point in time. So -- but Hawaii was always, was always -- they
9 were, they were in the front of that. Right? They were the
10 forefront of that. They were -- they had Gabriel there as an
11 offline guy for, for quite some time, so.

12 Q. Are there different avenues for a pilot to apply or get a
13 foot in the door? Say, if a pilot walked a resume into Kaleo or
14 was a friend of another pilot and said, hey, this guy wants the
15 job and here's his resume and they chat. Does he then send up a,
16 kind of, pre-stamped of like, hey, I've already talked to this
17 guy. Or is there a different avenue, I guess?

18 A. Sure, sure. No, I mean, internal recommendations are
19 definitely going to be weighted, right, versus just an application
20 that comes in that, you know, is through the electronic system.
21 Right? We don't, we don't know them from anybody. Yeah,
22 absolutely. And internal recommendation does, does carry some
23 weight, particularly if it comes from somebody with some tenure.

24 Q. So, does it change the avenue for the hiring process at all?

25 A. Not specifically. I would say that's going to be more

1 dependent on qualifications than anything. It's definitely taken
2 into consideration. Right? But, you know, particularly if, if
3 the individual that's presenting the resume has firsthand
4 knowledge and experience with that individual. And, you know, the
5 same with the individual walking in the resume has experience and
6 history and tenure with us. You know, if both of those are viewed
7 as positive, that, that will weight -- so, yeah.

8 Q. Are you part of the review process for the Baldwin reports?

9 A. Yes, yep. So, every report that comes in, I get a -- just a
10 real brief summary. Sorry, not necessarily anymore. That process
11 just changed. At the time I did, right, I, I would get just a
12 quick blurb of a real summary in my email from Baldwin of this
13 report was submitted, and just a real brief explanation of what
14 the issue may have been. And then current state today, right,
15 they they go through the safety department they assign, so.

16 Q. Would you see the resolution under any of those Baldwin
17 reports that came through?

18 A. If I actively went in and researched it. Yeah. And then
19 the, the resolution is more prominent now because of the
20 programmed safety meetings. It's generally discussed as a, as a
21 function of removing the report from the list.

22 Q. Do all the clinicians in Hawaii have headsets?

23 A. They -- I mean, I'm not physically inspecting every plane,
24 but they should have been provided with them now. Yes.

25 Q. Okay.

1 A. No, let me clarify that. The aircraft would, would be
2 provided with them, not necessarily the clinician, so.

3 Q. Okay, okay. Have you seen any Baldwin reports or heard of
4 any talk about how that program has been received by pilots or
5 clinicians?

6 A. There's been some -- I'm trying to recall. And I, I'm -- so,
7 I'm recalling, I'm recalling some of these reports. If it's
8 Hawaii specific or not, I'm not sure. But there's always
9 communication, conversation around when it would be appropriate to
10 isolate the clinicians, right, if they're just having a
11 conversation or maybe discussion -- discussing patient details,
12 right, and, and a pilot is in a critical phase of flight, that's
13 not chatter that they want in their ear. Right? So, there's been
14 there's been communication around that. Yeah, specifically
15 outside of that, I'm, I'm, I'm recalling reports that have been
16 submitted, but the details on them I -- are not specific, so.

17 Q. Are there any changes that you think should be made or that
18 are still in their infancy and haven't had a chance to be
19 implemented yet that you think could help the Guardian Flight,
20 post-accident?

21 A. I know -- I mean, we spent a lot of time talking about
22 training. I still think we have a lot of work to do there,
23 operational changes. A topic of conversation that comes up with
24 the clinicians is, is two pilot crews. Right? I think that's a
25 great conversation and it's, and it's not -- it's not wrong to

1 think that if, you know -- but that's not a -- that's not an
2 immediate solution either. Right?

3 Because there's -- the airlines have spent a ton of time on
4 developing that, perfecting that, what that looks like, CRM. You
5 know, I mean, I don't have to tell you guys, right, the number of,
6 of accident reports that are failures in CRM. Right? And so,
7 there's a very wrong way to implement that plan, too. And so, I
8 think it's worth the conversation. I think we should continue to
9 have the conversation. And ultimately, if the, the organization
10 decides that that's a path that we should go down, there's,
11 there's a right way to do it. And it's, and it's not tomorrow,
12 so.

13 So, I guess along with that right there's you know, we still
14 have avionics upgrades initiatives that we're working on that I
15 think we need to push harder on. You know, we have the standby
16 work being done, which has been fast tracked. Right? I think
17 that they're -- we're making good progress on that. You know, the
18 C90 fleet is in the middle of a G600 retrofit as well. I think we
19 need to continue that. Those, those are much more robust and
20 quite frankly, today's pilots friendly. Right? They're, they're
21 more used to those screens than they are the steam gauges and
22 stuff like that.

23 So, those are definitely initiatives that I think we need to
24 keep our foot on the gas. There are, you know -- continue to be
25 staffing challenges. Right? I think we need to continue to work

1 on making this job attractive to a pilot group. You know, making
2 them -- and there's several facets to that. Right? There's
3 quality of life, there's compensation. Right?

4 All that stuff needs to be continued to work on, you know, to
5 the point to where you're, you're back to the days to where you've
6 got the stack of applications to pick from. Right? And you're,
7 you're able to, to find the best out of the stack to do the job
8 that you're looking to do and, and, sort of, turn -- back away
9 from how do I make Guardian work for this person? You know, so I
10 think that we can continue working on that. There's, there's a
11 lot of work to do there, too. So, yeah.

12 Q. What kinds of training and changes in the training department
13 do you think would benefit Guardian Flight?

14 A. Yeah, so, I mean, recently we've done a lot of work with just
15 back to basics and, and I think that to some degree, it's, it's
16 almost unfortunate that that's needed. Right? But I think what
17 we see in, in the pilots that are available today is that I think
18 the number one that's really appreciated. And then number two, I
19 think that it's not something that folks spend a ton of time doing
20 anymore. Right? There's a lot of takeoff, punch the autopilot,
21 go in, kick it off, touch down, land. Right? We don't spend all
22 we don't spend a lot of time -- what does it look like? Basic
23 attitude, instrument, hand flying operations, so.

24 There's, there's some, I think, some additional focus we can
25 bring in there. Yeah. And then, you know, continue to sort of,

1 as I said before. Right? Continue to, to improve the, the pool
2 of applicants that, that we do have to work with, so.

3 Q. What is the policy or stance of Guardian Flight in regards to
4 hand flying? Is it -- do they recommend always using the
5 autopilot, you can hand fly if you want, only hand fly a BMC? Are
6 there --

7 A. I don't think we specifically outline that anywhere. Yeah,
8 no, I -- so, you know, more or less hand fly if you like, right.
9 We, I mean -- again I don't know if it's written down anywhere but
10 definitely through training and conversations with pilots and
11 stuff like that, we encourage, hey, if it takes an extra five
12 minutes to go shoot that approach for practice, right, do it, Get
13 the familiarity, get the experience. And so, we, we try and
14 encourage that as well. But specifically regarding hand flying, I
15 don't know that we, that we say that anywhere, so.

16 Q. Do you think the single pilot autopilot exemption is adequate
17 for the type of operations that you do at Guardian Flight?

18 A. For the type of operations we do at Guardian Flight,
19 absolutely. Yeah. And again, that's my opinion. Right? You're,
20 you're asking my opinion and that can be, can be swayed by my
21 background because that's where I live, right. I'd flew three and
22 a half years a 16,000 pound Metroliner that had no GPS and no auto
23 pilot. Right? And, and so that, that was -- in coming from the
24 freight world, right, that's, that's just sort of expected that
25 that's what a pilot does. So, to have an auto pilot, right, to

1 have these, these avionics and things like that, I think for the
2 operation that we do, that's, that's an acceptable, an acceptable
3 exemption.

4 MS. HILL: That's all.

5 MR. ETCHER: You good? Okay, Mitch.

6 BY MR. MITCHELL:

7 Q. Thank you, Jeremy, for your time this morning.

8 A. Yeah.

9 Q. Just for my clarity, how long have you been in the director
10 of operations role?

11 A. So, for Guardian Flight, just since -- about 2017-ish. July
12 2017, June 2017.

13 Q. Okay.

14 A. And then prior to that, I was the director of operations for
15 Valley Med Flight. So, yeah.

16 Q. So, you've had a pretty extensive flying background, too. I
17 noticed you said you did some freight flying, flying checks.

18 A. Yeah.

19

20 Q. What type aircraft were you flying?

21 A. So, I started out initially trained in a Baron, B58 or B
22 whatever, Baron, the 58. And, and then when I was based, I --
23 when I was assigned a base it was up in Buffalo, New York. And at
24 that time, I was assigned the Chieftain.

25 Q. Single pilot operation?

- 1 A. Yes, sir. Yeah.
- 2 Q. Autopilots on those aircrafts?
- 3 A. The Chieftains mostly had autopilots. Yes, that was, that
- 4 was an upgrade from the Baron.
- 5 Q. So, when you flew the Metroliner, was that flown as a crew or
- 6 a single pilot?
- 7 A. Single pilot.
- 8 Q. So, you got a type rating on the --
- 9 A. I do, sir. Yeah. Yep.
- 10 Q. And then Valley Med Flight, which aircraft were you --
- 11 A. The PC-12.
- 12 Q. PC-12, okay. Just kind of give me an idea of your
- 13 background.
- 14 A. Sorry, we started -- I need to clarify that. We started in
- 15 414s.
- 16 Q. Okay.
- 17 A. So, yeah, the PC-12s came on about six months after I started
- 18 there was when we got our first PC-12 and then over the course of
- 19 the next six months or so, we phase those out and we're operating
- 20 on PC-12s.
- 21 Q. Okay. You had stated that in your current role, occasionally
- 22 you relocate or move planes around for maintenance. Is that in a
- 23 specific airframe or --
- 24 A. That's all PC-12.
- 25 Q. All PC-12.

1 A. Yeah. Yep. Yeah. I'm not, I'm not authorized to fly the
2 King Air, never done any training in it, anything like that, so.

3 Q. Okay. When you went out to Hawaii on I think it was a
4 roadshow --

5 A. Yes.

6 Q. -- safety roadshow.

7 A. Sure.

8 Q. You had mentioned that you were wanting it to be more of a
9 conversation, back and forth dialog. Was there any safety
10 concerns that were brought to your attention at that time?

11 A. That specifically -- that -- I don't, I don't know. I
12 wouldn't say no. Right? But I -- if you ask me what they might
13 have been, I, I -- I'm not sure I could answer that. Right? The
14 entire frame of the conversation was, was discussing safety and
15 discussing recent events and things like that. So, the bulk of
16 the conversation would have been related to that. So, if there
17 was anything specific, I'm not, I'm not sure I'd be prepared to
18 answer that right now, so.

19 Q. Okay. Nothing sticks out of your thoughts of like a common
20 theme that you hear and you're like, oh, yeah. I hear this all
21 the time.

22 A. Not that's coming to mind immediately. Sorry. Yeah.

23 Q. Okay. I'm just, just curious. Thank you, sir. On the
24 headsets for the clinicians or for part of the crew, about how
25 long ago did that initiative start?

1 A. That -- if I'm going to guess, let's say five years, but
2 that's I -- that's a guess. That's -- but it, it hasn't been last
3 year. Right? I can, I can say that for sure, so.

4 Q. Was that a management initiative or was that a, like, a
5 request from the crews.

6 A. Yeah, no, it's probably both. It's a group thing. And so --
7 and it was, it was tackled differently. If I'm going to take a
8 stab at it, right, I would say that the concept itself was
9 probably driven from a CAM standard that says, you know, the crew
10 will have the ability to communicate. And then how we execute
11 that is, is sort of where I came into the picture. Right? So,
12 the -- and then I -- because I -- well, and again I'm, I'm
13 assuming here but because it took us so long to get that done,
14 right, there were programs and regions that just took it upon
15 themselves to, to buy them and, and, and have them for their crews
16 as well. So, that, that was, that was taken on at different
17 levels, so.

18 Q. Okay.

19 A. Hawaii specifically, I don't believe, took that upon
20 themselves. That was something that they would have just recently
21 gotten with, with this order that I'd placed, so.

22 Q. Okay. As of the day of the accident, did -- was the entire
23 Hawaii operation -- did they have headsets?

24 A. My understanding is that they -- yes, the, the program should
25 have been equipped with, with headsets at that point. Now, I, I

1 say the program because my involvement of that was, was ordering
2 them, boxing them up, and sending them to Hawaii. I, I did check
3 in on that status a couple of times. They -- one particular delay
4 that they had was making sure that they had cases to keep them in.
5 Right? So, they wouldn't get damaged and things like that. So, I
6 know that there was a delay there between the time that they
7 received them to the time that they'd actually put them in the
8 aircraft. So, I can't speak specifically to when that would have
9 been put into place.

10 Q. Are the headsets for each individual crew member?

11 A. For -- so, no, they're not -- they're assigned to the air --
12 like, there's a nurse headset, there's a paramedic headset. The
13 pilot generally has their own. So, yeah. And then I think they
14 usually have like a backup available or, or maybe one for a rider
15 or something like that.

16 Q. Are you familiar with how the isolation of the headset being
17 able to hear works in the C90?

18 A. Not directly. I, I know that it's complicated. Yes.

19 Q. Do you know if there was any training, guidance that was
20 provided to the crews on how to, how to use the headset
21 conversations, how to isolate conversations?

22 A. The, the pilots should have received that training as they're
23 going through their airframe training. If it's written down,
24 documented specifically, you know, intercom operations, probably
25 not. But that, that should have been part of their aircraft

1 training when they get out and they start, you know, actually
2 going through and flying, flying the aircraft. And then also on
3 their IOE experience, they should receive that as well.

4 The other component of that that I do know that we
5 specifically put out was with regards to the SkyTrack unit and
6 how, how that works, because I know there was a lot of concerns
7 with the clinicians on do those things even work? How do we use
8 them? That kind of thing. And so, we put out guidance a couple
9 of different times on how the SkyTrack unit and the SAT phone
10 operation works and, and how you, how you interact with the
11 intercom system to, to make that work.

12 Q. Do you know -- and if you, if you can answer, I mean --

13 A. Sure.

14 Q. -- you may not know the answer to. Can the flight nurse,
15 flight paramedic, can they isolate -- do they have the ability to
16 do it from their stations back there, or is it all controlled up
17 in the --

18 A. To the best of my knowledge, they do not have that ability.
19 I believe that that is specific to the pilot.

20 Q. Okay, thank you.

21 A. Yup.

22 Q. So. In regards to Brian, you said that, you know -- in a
23 case where an applicant may have some -- I don't know what the
24 right word would be -- perhaps qualifications that don't quite
25 meet the standard, you said that sometimes, I think it was the

1 chief pilot or assistant chief pilot, someone would call you to
2 have that discussion.

3 A. Right.

4 Q. Do you, do you have a conversation regarding Brian?

5 A. It was too long ago for me to definitively say, but I would,
6 I would say that it's likely we had that conversation.

7 Q. And I know that out in Hawaii, that dark night VMC, is very
8 challenging.

9 A. Sure.

10 Q. Have you heard safety concerns regarding Brian and flying in
11 dark night VMC conditions?

12 A. Not specific to, to Brian. No. I mean, other than the, the,
13 the normal challenges that that operation affords, right, or is,
14 is inherent to that operation. Not specifically with regards to
15 Brian. Again, outside of, you know, the training forms and check
16 ride forms and things like that, that I've, you know -- and that
17 again, that's not specific to dark night, right, as it is it's
18 just particular issues with, with the training and things that
19 maybe could be related to an IMC-ish type situation.

20 Q. Do you get a lot of concerns from Hawaii regarding IMC, dark
21 night VMC?

22 A. No, no, not, not specifically that I'm -- I mean, our
23 operation is IFR. Right? So, it's not a, it's not an abnormal
24 thing to, to have to fly IMC. You know, so the, the, the really
25 -- the, the you know, the conversations about that are

1 regionalized right? You know, it's -- Waimea's a higher
2 elevation, so, it's always in the clouds, that kind of stuff.
3 Right? We're always having to do approaches into Waimea, that
4 kind of thing and -- but, but, yeah nothing that strikes me as, as
5 abnormal as part of that conversation, so.

6 Q. I believe you had said that in the hiring process from time
7 to time, you might be the one that does the simulator --

8 A. Sure. Yeah.

9 Q. -- check.

10 A. Yeah.

11 Q. Does every applicant go through AATD or simulator check?

12 A. Nope. Not every applicant. So, the timeline on Brian
13 specifically is going to have me unsure of whether or not that
14 practice would have been in place when, when he was brought on.
15 It was, it was a function of changing, again, the, the, the scope
16 of applicants that we were willing to entertain. So, we, we
17 changed that scope and part of that included a simulator
18 evaluation as, as part of opening up that scope. Right?

19 So, now the challenges that presented themselves along the
20 way with all of that, I know I would say, you know, in the past
21 there were times that we, we didn't do it because travel's shut
22 down. Right? There were times that, that we had an applicant
23 that that was, was clearly qualified, right. They're coming out
24 of, of a similar operation, a similar location. Right? There are
25 cases like that where we would have not done it.

1 Q. Okay. But when you've conducted simulator evaluations, do
2 you advocate the use of the autopilot?

3 A. No. No.

4 Q. It's all hand flying?

5 A. It's all hand flying, yeah.

6 Q. Do you do any partial panel?

7 A. Nope. No. So, the simulator evaluation is, is IMC. Right?
8 I can run you through it if you'd like, I don't know what the
9 profile is that we'd use. So, the, the initial kick off of that
10 is, is a quick review of the procedures that we're going to do.
11 Typically, here, right, we're using Provo Airport and we do the
12 departure procedure out of Provo. That's, that's effectively a
13 loop. Right? So, you do the departure procedure out of Provo.
14 You come back, you, you hit turns at a couple of fixes. You enter
15 a hold, which is also an initial approach fix for the ILS back
16 into Provo.

17 And so, to kick, to kick that off, we'll review those
18 procedures. We'll, we'll put the applicant in, in the sim in a
19 clear VFR. Right? Just fly around, get used to the way it feels,
20 you know, push buttons, ask questions. And then when they're
21 comfortable with the device, reposition it back on the ground, put
22 it down to a relatively close to minimums for the procedures and,
23 and then, you know, operate it as you would a normal departure
24 procedure, ILS. It's all, it's all own nav, it's no vectors. And
25 then, then, yeah, all IMC hand flown.

1 Q. Do you run any emergency scenarios --

2 A. Nope.

3 Q. -- during that evaluation?

4 A. No.

5 Q. Any upset recovery or unusual attitudes, anything like that?

6 A. No, nope, it's all, it's all just normal operations. Nothing
7 breaks, nothing, anything like that. We're, we're looking for
8 instrument ability and knowledge of the procedures. You know,
9 where you're supposed to be, what you're supposed to be doing.

10 Q. Okay. So, let's say I got hired on with Guardian and come
11 back in for my recurrent and I don't do so well, do I get trained
12 up to proficiency at that point?

13 A. Yeah, depending upon what not so well means. Yeah. So, we
14 -- that's the first place to go, sort of, regardless of what we
15 see. Right? Is, is the first places we go is, okay, what does it
16 take to get you there? Right. What, what, what are the
17 deficiencies we're seeing and what sort of training plan do we
18 need to come up with to, to make sure that we can correct those
19 deficiencies?

20 So, if it's significant enough that we have to, you know --
21 and I'm making an assumption. Right? But to where you're leading
22 the question, if it's significant enough that we have to, you
23 know, not continue that training event and, and come up with a
24 plan, right, then that would be -- that, that's a conversation.
25 Right? That's -- Randy's involved in that, typically the

1 assistant chief pilot or -- and/or Andy, right, coming up with
2 hey, this is what we saw on this. This is the deficiencies that
3 we're seeing. And then they'll, they'll look at what we need to
4 do to, to build a training program to correct those deficiencies.

5 Q. Okay. Do you ever do the sim evaluations for any recurrent
6 training?

7 A. The -- so the -- yes? So, I mean, so the, the, the sim
8 training, right, is, is ultimately an evaluation at the end.
9 Right? And I don't know if I'm saying that right, but it's, you
10 know, we're, we're looking for certain standards within the sim
11 training. Right? So, it's -- if we don't see those standards,
12 you know, we do step back. Right? There's, there's a -- if
13 you're not meeting the standard, then that -- am I answering the
14 question? Sorry.

15 Q. Yeah. Do you use the sim for recurrent? Is that --

16 A. So, yes as, as much as possible. Now I will say that that
17 has been -- for whatever reason, right, we've, we've done -- we've
18 done it in aircraft. Right? We've -- there has been times in the
19 past where we have done check ride in lieu of. Right? It's not a
20 -- it's not the practice that we want to continue with. But I --
21 you know, in full transparency, it has been done, so.

22 Q. Okay. So, I heard you say that Randy's moving on. Your
23 director of training, when is that?

24 A. He is done as of next Friday.

25 Q. Is he leaving the Guardian Flight, or?

1 A. Yeah. Yep. He's -- right now has an offer with United.

2 Q. Okay. Do you -- is there already a replacement that's been
3 made?

4 A. They conducted interviews last week and to the best of my
5 knowledge, there are two top candidates that are in a, kind of,
6 final stage review.

7 Q. Okay. Do you have any idea what the expectation is with how
8 quickly they plan to fill that role?

9 A. I -- yeah, as soon as possible would, would be my
10 expectation. But it's -- I'm, I'm not directly involved with that
11 process, the -- my replacement is conducting that.

12 Q. Okay. Where are you -- where are you off to?

13 A. I'm not yet, but that remains to be seen.

14 Q. Okay. You're just --

15 A. So, as it sits --

16 Q. -- getting out of this role?

17 A. As it sits right now, I have -- well, no, I haven't, I'm, I'm
18 still on paper as far as the FAA is concerned. I'm the director
19 of operations for the certificate. Right? That, that has not
20 been processed. I -- it's under some review, what have you,
21 right, I'm not sure. But the, the, the plan today is that I would
22 assume the role of assistant director of operations.

23 Q. Okay. Do you know if there's a new director of operations
24 that's been named?

25 A. Yes. Yeah. Yeah. His name is Nick Cusimano. He's

1 currently director of operations for one of our sister
2 certificates, SevenBar.

3 Q. Okay. So, Guardian Flight's moving to Texas. I understand
4 at the end of -- part of it at the end of this month and I think
5 the rest of it by the end of the year. Is that what I understand?

6 A. Yeah, scheduled right now is to move our training devices to
7 Texas. They're scheduled to get dismantled on May 8th and then
8 make the move down there and be reassembled into a facility down
9 there. And then the rest of the building is -- I think they have
10 a goal, but it can be pretty fluid as far as I understand.

11 Q. Do you know, is there a driving reason for leaving Salt Lake
12 area and going to Texas?

13 A. I can relay what's been communicated to us. The thought is
14 that the North Texas FSDO holds at least one, if not a couple of
15 our other certificates. So, the thought is to standardize the
16 office that we're working with and, and create a uniform
17 understanding of operations from the FAA's perspective. The
18 thought is, is that Texas is a little bit more of an aviation hub.
19 So, the ability to recruit and, and retain instructing staff and
20 things of that nature. From dispatch perspective or comm center
21 directors is, you know, challenges in the Salt Lake area
22 recruiting for this level of position given compensation and
23 things of that nature.

24 So, the thought is that that, you know, bringing those
25 communication centers together is going to create some overlapping

1 coverage and things like that. There's a -- this building was
2 owned by the previous owner. So, when that changed hands -- so
3 there's a, there's a financial asset that's sitting here that can
4 be, you know, put back into monetary circulation, if you will,
5 with the organization. So, those are, I guess, some of the things
6 that have been communicated to me as far as why that would take
7 place.

8 Q. So, has Guardian already reached out to the North Texas FSDO
9 to begin that?

10 A. I'm not part of that conversation, but as far as my
11 understanding is, that has happened, yeah.

12 Q. After the accident, I thought I heard you say something about
13 some training was provided to return pilots to service after the
14 accident.

15 A. Yeah, that was -- so, that training comfort flight, right,
16 get back into the airplane, get that, you know, address any
17 concerns, any questions. You know, look at potentially what some
18 partial panel operations look like, things of that nature. Not --
19 there wasn't a specific, you know, training manual curriculum that
20 was, that was put forth. Right? It was, it was a -- just, kind
21 of get folks back into the saddle and look at some of the concerns
22 they may have with regards to returning to operations and things
23 like that, so.

24 Q. Was that conducted in aircraft, in classroom?

25 A. Largely in aircraft. Yeah. And I mean, ground components,

1 conversations, you know, one on one with, with the instructors as
2 well as, you know, Jared, our COO was, was heavily involved in
3 that just from the human perspective too, to just have the
4 personal conversation on, on how, how are you feeling? Where are
5 you at? That kind of thing.

6 Q. Okay. I know you had mentioned that backup instrumentation
7 was being installed in some of the C90 aircraft.

8 A. Yeah.

9 Q. Do you have an idea of how many have been completed?

10 A. I don't know current state, unfortunately, no. I know it was
11 a driver to have those installed in the Hawaii fleet prior to
12 that, prior to those going back into service. So, those aircraft
13 should be equipped. And it's, and it's back here now. I think we
14 got an update yesterday. The device -- the instruments themselves
15 are in stock for -- largely in stock for the aircraft remaining in
16 this fleet. I would, I would think that as they come in for
17 inspections and stuff like that, they're being installed. But
18 I'm, I'm not directly familiar with that plan.

19 Q. Okay. Is there any specific training required for pilots now
20 having that?

21 A. Required? No, but we did, we did generate a, a curriculum
22 for our computer-based training setup that covers the, you know,
23 the additional functionality and, and just the awareness that,
24 hey, you're going to have this cool new toy in the airplane.
25 Right? So.

1 Q. Okay. Do you -- when you fly and reposition aircraft, do you
2 use ForeFlight?

3 A. Yeah.

4 Q. Do you ever use the AHRS function?

5 A. I don't. The, the C90 fleet has a stratus that, that will
6 display all that stuff. The PC-12 don't. So, I don't use that
7 functionality of the program, but I know it's not uncommon for the
8 C90 folks to, so. And I think that varies greatly by pilot.
9 Right? It's, you know --

10 Q. So, in your general opinion, in the pilot pool or applicants
11 that you're getting now, are you seeing less experienced pilots?

12 A. I would say we are seeing less relevant experienced pilots.
13 Yes.

14 Q. Okay.

15 A. And that, that's an important designator from your --
16 distinction for me. Right?

17 Q. So, Guardian's going through a lot of changes right now, I
18 would say, and maybe I'm wrong, but you had made the statement
19 that you have some experience that's leaving. What's, what's
20 being done for succession planning to handle positions even like
21 yours where you're moving into something different, Randy's moving
22 to something different. What's Guardian's posture right now?

23 A. You did ask for my opinion. Right?

24 Q. Absolutely.

25 A. Okay. Next to nothing. My, my replacement is a airline --

1 regional airline copilot that turned FAA inspector that oversaw
2 and then went into SevenBar, which has four aircraft that are two
3 jet aircraft, right, and, and I think one or two King Airs that
4 are program based. Right? They're not, they're not Guardian's
5 model at all. It's not nearly to the scale. Right? So, again my
6 opinion, right, somebody -- but -- and I, and I caveated that
7 earlier by saying I'm likely biased right but -- fresh off
8 exemption pulling in a single pilot IFR 135 certificate with 70
9 some aircraft, it's a big bite.

10 So, yeah, even prior to this, right, the -- one of the
11 favored candidates for Randy's replacement has 136 hours of fixed
12 wing time. So, do with that what you will. From a broader
13 perspective, you know, the previous owner was in aviation all his
14 life. Right? His, his dad had a FBO down south. So, grew up.
15 Understood, right. He was, he has obviously left. Right? The
16 individual that replaced him was the guy that, that started Valley
17 Med Flight. And by trade, he was a nurse. But today he's a
18 commercial pilot, owns -- he actually had just sold a citation.
19 He flies Meridian now. Right? So, he's active pilot, very
20 interested, and very knowledgeable in that. He had been asked to
21 depart. Right?

22 The individual that replaced him was in aviation for a vast
23 portion of his life in the maintenance side. Fair, fair, but not,
24 not a pilot. But there were -- anyway, he's not here anymore
25 either. The individual that came in after him, Fred, right, was

1 an Air Force fighter pilot, spent some time at the airlines, you
2 know, had a, had a vast aviation background, is no longer here.

3 So, that's, that's the history. Right? We're just -- we're,
4 we're getting rid of, I mean -- even at some of the other
5 certificates, just this last year, we had two long term air
6 ambulance aviation specific folks, just -- and whether their
7 retirements are planned, I don't have visibility to that. Right?
8 But they're not backfilled. Right? So, yeah, I, I'm concerned.
9 Right? There's, there's a lot of experience that has already left
10 and continues to leave that is not being replaced with anything
11 you'd call equivalent.

12 Q. My last question, this is strictly your opinion. Do you
13 think two pilots would be a good idea?

14 A. Properly executed, and supported, and trained, it's hard to
15 say that that wouldn't have made a difference. Is that fair
16 enough to answer it that way?

17 Q. Fair enough.

18 A. Okay.

19 MR. MITCHELL: Well, thank you, that's all I've got.

20 MR. ETCHER: Okay. You made it through round one. Round two
21 is usually a lot quicker. We'll go with that in mind. But do you
22 need a break before we start round two?

23 MR. SALVESON: Let me just check the time real quick. If you
24 don't mind, can I send a quick email? And then --

25 MR. ETCHER: Take your time. I'll go take us off record at

1 25 past.

2 (Off the record at 10:25 a.m.)

3 (On the record at 10:30 a.m.)

4 MR. ETCHER: And we're back on the record at 10:30. Like I
5 said, round two is a lot quicker so we can get started, but just
6 keep that in mind. It's usually quicker.

7 MR. SALVESON: Yeah, no, no worries.

8 BY MR. ETCHER:

9 Q. Just for the record, as a director of operations, are you
10 considered a 119 for the certificate?

11 A. Yes, sir. Yeah.

12 Q. And what does that mean in layman's terms? Just for the
13 record, so we understand what a 119 --

14 A. What does a 119 means? Yeah. So, 119 is the component of
15 the regulations that outlines what is required as far as
16 management personnel for a 135 operation. So, the director of
17 operations specifically has, you know, certain qualifications that
18 need to be met to be able to hold this role and, and outlines, you
19 know, kind of, kind of what that looks like. So, does that --

20 Q. That's perfect. I appreciate, just need it for the record.

21 A. Sure, sure.

22 Q. Makes it a little easier later. So, in your role, I'm going
23 to assume you interact with the FAA.

24 A. Oh, yeah. Yeah.

25 Q. Kind of give me a ballpark. How often?

1 A. So, we do have monthly meetings that are scheduled with all
2 of our principals. And then depending upon what the projects that
3 we have going on, that can be, you know, more than that on
4 occasion. It's -- Lyndsay Carlson is our, is our principal
5 operations inspector. And something new with, with her is that
6 she's been, she's been very willing to interact with the, the
7 respective parties that are on the projects. Right?

8 So, for example, if we're working with a training manual
9 revision or something like that, she's more than happy to work
10 with Randy, you know, and then just kind of they keep me in the
11 loop. Right? So, I don't become the bottleneck in that
12 conversation or that process. So, it was new to me, but at the
13 same time, I really appreciate it because I think it, it, it
14 expedites the process. And as long as I'm kept in the loop, I
15 think we're doing the right thing there, so.

16 Q. Okay. In your interactions with the FAA, has there been any
17 communications of any concerns or, like, significant concerns or
18 risks or anything like that that you're aware of?

19 A. I mean, things-- like questions and things like that come up
20 on, on, you know, inspections or conversations or projects or
21 something like that. I'm not aware of, of anything that they've
22 brought forth, right, that says this is on fire. Right? So,
23 yeah.

24 Q. And maybe I should have clarified a little bit, more on
25 safety issues. Do they -- have they, have they brought any safety

1 issues to you that maybe you weren't aware of or anything along
2 that lines?

3 A. I mean, they usually have some feedback or suggestion on, on
4 really anything that, that comes up. And I suppose that yeah,
5 some of those things could fall into the realm of safety, but,
6 yeah. So, I guess I don't know that I can talk specifics, but,
7 but yeah, I will say that we've had those conversations. Sure,
8 yeah.

9 Q. Okay. So, I know you said Randy's moving on and you've
10 gotten -- you're getting -- I'm going to call it downgraded for
11 lack of a better term.

12 A. Yep. Yeah, it's fair game.

13 Q. To assistant, why? Why, why are you getting downgraded?

14 A. My lack of political savvy, if that's fair to answer that
15 that way? I'm not shy. If something needs to be said or done and
16 that can be perceived as not always all that positive. Right?
17 So, the example of the, of the machine for COVID, right, that I
18 gave was, was a detriment. Right? That was, that was not
19 perceived as, as a positive interaction. And so, I felt that was
20 necessary, right, to stop a significant risk. And I, I have --
21 when it comes to protecting the certificate, I don't have any
22 boundaries. Right? Like I, I don't really care if I hurt your
23 feelings, quite frankly. So -- and, and I, and I felt that that
24 was necessary in that, in that circumstance.

25 Now, was there a more tactful way to preserve somebody's

1 feelings that I could have approached that with rather than
2 putting my foot down and saying they're not going in my airplanes?
3 Most likely. Right? I will own that. You know, I, I did not put
4 a lot of thought into how they would receive what I was
5 communicating to them as much as I did the, the risk needs to go
6 away, right. So, that, that's the easiest way to say that is, is
7 I, I lack the, the political savvy that they would hope that I
8 would have.

9 Q. Okay. How long is that transition been in the works? How,
10 how long ago did they tell you? Is that before the Hawaii
11 accident?

12 A. Yes. Yeah. This would have been November some time, I
13 believe.

14 Q. Okay.

15 A. Yeah. I, I have emails back and forth, right, that, that I
16 could get you a date but I don't have the -- have it right in
17 front of me so.

18 Q. Okay. And sorry some of my questions will seem to jump
19 around topic --

20 (Crosstalk)

21 Q. So, my apologies. I know somebody had asked about single
22 pilot versus dual pilot operations. How many dual pilot
23 operations does Guardian Flight have?

24 A. So, the Jets, obviously they're required. Right? So, four
25 bases in Alaska run the Lear 45s and they obviously require dual

1 pilots. So, that's, that's a given. Outside of that, we have one
2 ship in Anchorage and one ship in Honolulu that run dual pilot.

3 Q. Okay. All righty. And I know you've, you've said you are
4 able to hire or acquire, however you want to call it, new ACPs
5 assistant chief pilots.

6 A. Yes.

7 Q. What's their requirement to be a ACP? Could I hire in off
8 the street and be an assistant chief pilot here?

9 A. No, I mean, so you have to be a current qualified pilot.
10 Right? That's, that's baseline. But beyond that, it's, it's
11 you've got to be the right person. Right? It's -- we're not, not
12 interested in filling the seat to fill the seat. Right? It's --
13 that, that person is, is going to interact with the pilots, is
14 going to be the conduit back to us. Right? It's going to be the
15 -- in many cases, it's going to be the conduit for communication
16 with the program. Right? So, the business side, right. So, they
17 have to -- they have to be able to have those, have those
18 conversations and, and engage in that back and forth and -- yeah,
19 yeah, that's all it is.

20 Q. Okay. All righty. Earlier, and I don't remember who asked
21 the question about you having a meeting with your director of
22 safety and you have no -- don't let me ever put words in your
23 mouth, but no recurrent scheduled meeting, is that --

24 A. Correct, correct. Yeah. No, no scheduled with, with
25 Michael. Yeah.

1 Q. Can I ask why?

2 A. Sure, yeah. I don't know that I have an answer, but I, I
3 suppose that neither one of us have just sort of taken the
4 initiative to put that on the books and there's, there's
5 opportunity to have that engagement and conversation elsewhere.
6 You know, I could see the value in it for sure. Right? I mean, I
7 don't, I -- it's not something that, that I would say no to, but I
8 would say that it's probably just not been, not, not been the, the
9 immediate the focus, right. Maybe?

10 Q. Okay, okay. Let's talk just a little bit about maintenance.

11 A. Okay.

12 Q. I assume you're going to interact with the director of
13 maintenance.

14 A. Yes.

15 Q. Is that regular, every now and then?

16 A. Yeah. No. So, regularly -- and again, weekly, right, we
17 have an interaction with the director of maintenance and then the
18 regional maintenance managers for the C90 fleet and then the two
19 for the PC-12 fleet. The primary focus of that meeting is to
20 discuss what needs to move around and what's coming due and things
21 like that. But, but yeah, outside of that, if there's, you know,
22 George isn't shy either. Right? He's happy to reach out and talk
23 about if there's, you know, something he's working on or something
24 that he's seeing something like that. Right? So, yeah. Again,
25 not one that I have a recurring one on one with George, but the

1 opportunity for that communication is, is there. Right? So,
2 yeah.

3 Q. Okay. Let's say I'm your pilot and I'm based wherever.

4 Well, we'll just use Maui just because --

5 A. Sure.

6 Q. -- that's kind of the event we're dealing with. And I have a
7 problem with an aircraft, and every time I take it up it, I want
8 to say it has a gremlin.

9 A. Sure, sure.

10 Q. A electric glitch, whatever. Something's not working. Every
11 time it's consistent, I write it up, I tell people it gets, gets
12 cleared, but it never gets resolved.

13 A. Sure.

14 Q. So, I put in a Baldwin report for that. Would you see that?

15 A. At the time --

16 Q. At time of the accident?

17 A. I would, yeah. At the time it would -- I would get that
18 CliffsNotes right. The email from -- the automated email from
19 Baldwin with a, with a very brief description of what the issue
20 was. I, I would see that. Yeah.

21 Q. So, what would you do with that?

22 A. Many times, not a lot. Right? Because it would, it would be
23 -- it would -- that's just the first step and, like, literally as
24 soon as that pilot clicked submit, I would get that email. So,
25 that was, that was really the first step in the process. So, the

1 report hadn't been assigned. I mean, if it was something like, oh
2 my God, how is this happening. Right? If it's a fire, you know,
3 then, then, you know, we will act on it. But the majority of
4 those were -- of those reports, you know, if, if it's maintenance
5 related, it would be, hey, this was squawked and blah, blah. This
6 is what I -- it's a -- it's an informational exchange is a lot of
7 times what those are, so.

8 Q. So, would you ever take that information and go talk with the
9 director of maintenance and say, hey, I saw this. To explain --
10 you know --

11 A. Yeah.

12 Q. -- could you fix this? Is this a problem?

13 A. If it was significant, sure. Yeah. I mean, if it was
14 something that you would normally expect to, to fail in the course
15 of operations and it's an informational report, hey, this broke.
16 I squawked it, wrote it up, blah, blah, blah. Not -- no, I
17 wouldn't follow up on every one of those. But if it was something
18 significant, right, that was, wow, how did we get here? You know,
19 I'd ask George for some more information or something.

20 Q. Okay. I'll talk just a little bit about manuals, if you
21 will. I assume you -- you're the guy that approves them. Right?

22 A. The GOM. Right? Yeah. So, the GOM is mine. Now, we do
23 have a flight standards manual that the chief pilots worked on and
24 Training Department and Randy worked on. So, that was -- I was, I
25 was aware of that. Right? But, but that's more detailed to the

1 specific operations and the aircraft operations and, and what --
2 how those, how those things are going to be trained -- slightly
3 trained, right. So, anyway -- sorry, I'm elaborating more than
4 you.

5 Q. Oh, no, no. You're good. You're good because that takes off
6 some of my questions.

7 (Crosstalk)

8 Q. So, I appreciate that. We'll talk for a moment about the
9 flight standards manual.

10 A. Okay.

11 Q. It's aircraft -- I'll say it's aircraft-ish specific.

12 A. Yep, yep, yep.

13 Q. Do all fleet -- does the entire fleet, each aircraft type,
14 does it have its own flight standards manual or is it just like
15 now the C90 maybe, or -- you know, kind of help me understand does
16 all aircraft --

17 A. Yeah, yeah, no. So, prior to that, we had an SOP manual that
18 was specific for the King Air that was generated a long time ago.
19 I say a long time ago, I don't, I don't know. Right? I think it
20 was here before I was. So, now as part of a project to, you know,
21 make improvements and things like that, like, hey, we really got
22 to, you know, move this into the Pilatus (ph.) as well. Right?
23 So, that, that project is relatively new.

24 And, and so there were a lot of, you know, SOPs that were
25 sort of, we understood -- sort of understood to be universal. And

1 that's, that's poor, right. That's not right. But it was so --
2 but anyway, that's where the Flight Standards Manual project sort
3 of came from. So, the -- what exists now is applicable to the C90
4 and the PC-12. There's -- the Alaska fleet, kind of, has some of
5 their own type things as well with the end-state goal to bring all
6 those into one book, so.

7 Q. Okay. All right. How about the GOM? I know that's yours.

8 A. Sure, yeah.

9 Q. Is that Guardian-wide?

10 A. Yes.

11 Q. And even Alaska and all that?

12 A. Yes. Yep. Yeah, that's for the certificate. And all of the
13 operations today are under the Guardian Flight certificates.

14 Q. And how long has that been in place, the GOM?

15 A. Well, I mean, for, for Guardian forever. Right? I --
16 whenever the certificate was started, again, well before my time
17 -- I think sometime around 2000, I'm sure -- it went through a
18 major revision in 2015 when the certificate was pulled down from
19 Fairbanks to Salt Lake. I wasn't part of that. That was the
20 previous DO. And then, you know, since then we've gone through a
21 few revisions as well. But, but yeah, that is, that is universal,
22 that's all, all Guardian's operations fall under that manual.

23 Q. So, what is the last revision you did to it?

24 A. Yeah. So, the last revision was actually quite recent.

25 We're on rev seven now. The FAA had rev seven for a very long

1 time. And so, that was, that was better than a year. Now, of
2 course, I understand that we wouldn't have had to wait for that.
3 Right? We could have said, hey, we're submitted, here we go,
4 we're running with this. The majority of the revision was in
5 structure. So, we, we pulled things into appendices to make it
6 easier to, to edit and revise without having to do an entire
7 manual revision.

8 Things like special use airports to where we might want to,
9 you know, add, or delete from that list depending upon when the
10 capabilities of the, of the airfield change, or conditions, or
11 what have you. Things like operational control personnel. You
12 know, the assistant chief pilots are afforded that level of
13 operational control for being managers on call and things like
14 that. So, we needed the ability to edit that list outside of a
15 full manual rev. So, there was -- there were some things that
16 were cleaned up in rev seven with, with operations and things like
17 that as well, but the majority of that rev was structure based.

18 Q. And you just mentioned chief pilot's operational control.
19 Are you talking just the chief pilots or are you also talking
20 assistant chief?

21 A. Assistant chief pilots, yeah, yep. So, we have what we call
22 the PMOC, the pilot manager on call. And so, they needed to --
23 need to be afforded that level of operational control to make
24 those decisions. So, as a result of that, we need to include them
25 in the manual. And that position, you know, we've been adding to

1 it significantly and occasionally it changes. So, it just needed
2 the ability to be a little more agile with that list, so.

3 Q. All right. And typically -- I know that's a big word.
4 Right? Typically --

5 A. Sure.

6 Q. -- it gives you lots of latitude. How long does it take the
7 FAA to return your communication or make suggestions to a manual
8 change?

9 A. Yeah, I mean, again, they're very responsive to what our
10 priorities are. And so, had I said, doing rev seven is the top of
11 my list, Lyndsay, we've got to get this done. She would have fit
12 that into the, to the openings that she might have outside of, you
13 know, the, the, the work that has to be done. Right? So, the,
14 the, the -- we'll call it, what, the Guardian like to have list
15 versus have to get done, right, you know. And so, very responsive
16 to setting those priorities. Right?

17 But, but given that the operational changes in that rev were
18 not as significant as the structure changes, you know, there were
19 definitely things that, that fell in front of that, you know,
20 improvements in, in the training again and, and just different
21 things that we would rather have her working on than, than to pull
22 her away from that to focus on check rides, check airmen
23 authorizations, things like that. Right? Those, those have been
24 huge time sucks for, for her and for Randy just given the
25 availability of inspectors and things like that.

1 Q. Okay.

2 A. I didn't answer your question. I apologize. Historically
3 it's not that long. Right? They might have it for a couple of
4 months or something like that. It's well within what I would
5 expect. This one, this particular rev was, was very long, but
6 also, we probably didn't -- I know we did not express the priority
7 that, that we probably could have had that done quicker.

8 Q. Okay. All right, that'll work. Let's get to -- back to
9 Brian, the accident pilot.

10 A. So, clarification.

11 Q. Sure.

12 A. Still Hawaii?

13 Q. Yes.

14 A. Oh, okay. All right. Okay.

15 Q. Sorry.

16 A. Nope.

17 Q. Yes, still Hawaii.

18 A. Got you. Okay.

19 Q. So, we'll get back to Brian.

20 A. Okay.

21 Q. He turned in his application. He was hired. Did you look at
22 his application since the accident?

23 A. Since the accident? I looked at his experience since -- I
24 don't, yeah, I don't think I reviewed any application or anything.

25 Q. That's a better word, experience. Anything there stand out

1 to you?

2 A. Oh, absolutely.

3 Q. What?

4 A. Yeah. Yeah. I mean, he's a VFR helicopter pilot. You know,
5 the bulk of his time was, was VFR helicopter operations. It's --
6 he'd spent a little bit of time at an airline prior to coming
7 here. But, but yeah, no, that, that really sticks out for sure.

8 Q. So, elephant in the room, I have to ask, how did he get hired
9 into the fixed wing?

10 A. Yeah. No. Fair. Right? So, qualifications were meant for
11 one. Right? The, the qualifications don't specifically specify.
12 Right? And so, meets, meets -- if we follow through -- if we
13 follow the process, right, of when an application comes in the
14 door. First qualifications, licenses, all that, they're present.
15 Right? They're not -- he meets the textbook definition of the
16 hour requirements. And, and I'm not sure how -- I won't speak to
17 specifically how we got the resume because I'm not familiar with
18 that. If that was a -- if that was a, you know, a referral or if
19 it was a -- just a something that came in from the system. Right?
20 I don't know.

21 So, but, I mean, from there meeting the qualifications,
22 right, under, under kind of our new idea of what do we need to do
23 to, to bring applicants in and appropriately support them. Two
24 years prior to his application, we wouldn't have even looked at
25 it. Right? But new state, kind of what we're working through,

1 what we're, what we're, we're trying to develop here. You know,
2 that did become something that we would review. Right? We would
3 say, we would look at that. We would go through the process; we
4 would have the interview. And, and that decision would be based
5 on how, how that performance went, so.

6 Q. So, you said two years prior.

7 A. Right.

8 Q. He wouldn't have been looked at.

9 A. Right.

10 Q. What changed during that two years?

11 A. So, the process that I outlined with, with -- that we had
12 started with Fred to say, hey, how do -- we were, we were staffed
13 at 60 percent for our pilots at that point in time. Right? So,
14 what do we need to put in place to properly support a wider scope
15 of applicants? And so, that was the process that we put in place
16 to, to look at more of these. Right? Like, prior to this, I
17 wasn't interested in a retired airline captain. Sorry, I just
18 wasn't. Right? That -- they're not -- that's not the relevant
19 experience. You know, helicopter pilots, right, not interested.
20 There was just a -- we had a -- we had a pretty narrow scope of
21 resumes that we were even willing to entertain. And, and so
22 that's where, where that came from, right. That's, that's why
23 that changed, so.

24 Q. Okay. So, fast forward two years. You hired Brian. What
25 was the minimum hour requirement? You said he met it, so.

1 A. Well -- and so, when I say he met the minimum requirements,
2 I'm specifically speaking regulatory. Right?

3 Q. Okay.

4 A. Yeah. So, I don't, I don't like minimum hour requirement.
5 Right? That's -- for a large part, that's irrelevant. I mean,
6 some of, some of the absolute worst interviews we've ever
7 conducted have been with a 20,000 hour airline captain, you know.
8 And he was going to turn around, walk out the door and jump in his
9 777 and fly across the country. Right? And he couldn't keep the
10 blue side up on the attitude indicator in my sim five minutes
11 prior to that, right.

12 So, on, on the contrary side of that, some of the best pilots
13 that I've ever hired have been 1,300 hours, you know. And they,
14 and they spent, they spent the last amount of time as a, as a
15 freight pilot, you know, maybe flying, flying, right seat in a,
16 you know, 1900 or whatever. Right? They've got solid IFR
17 relative experience that, that translates really well. Now, that
18 guy's the -- that guy's the extreme minority. Right? I've hired
19 maybe a couple of those and that was several years ago. So --
20 but, I mean, to translate that into an 1,800 hour pilot that has
21 that type of experience, great. Right? I mean that and I -- so I
22 think, I think, right, that's, that's sort of -- I sort of lost
23 the question that you asked. I'm sorry.

24 Q. What is the minimum requirement you said --

25 A. Minimum. Right. Right. Yeah. Yeah. So, I don't, I don't,

1 I don't have that, right, because to me, let's just, let's just
2 take the CAM's minimums. Right? 2,500 hours, 1,000 PIC, I can
3 get that in the right seat of a 150. I haven't touched the
4 controls in five years, but I have 2,500 hours and 1,000 PIC. So,
5 what? Right? Now I can take an 1,800-hour pilot that spent the
6 last two years pounding through the snow and ice in a Chieftain.
7 You know, single pilot, IFR, maybe an auto pilot, maybe not. I
8 will take that guy ten times over the guy that meets the
9 requirements. Right? So, is that fair? Does that answer the --

10 Q. Yep.

11 A. Yeah, okay.

12 Q. Since the, the Hawaii accident --

13 A. Yeah.

14 Q. -- has, has Guardian itself looked at, you know, here's our
15 minimums, but we really want to see a lot better or have changed
16 what they want to look for in hiring pilots?

17 A. Yeah, I mean -- and that, that again leaves some -- I will
18 say that yes the stated minimums are the CAM's minimums now,
19 right. And I -- there's not going to be, I think, ever a strong
20 appetite to go below that. Which is again, fine. Right? But I
21 don't want to lose sight of relevant experience more than the
22 minimum time, so, yeah.

23 Q. All right. My last little batch of question here, still
24 talking about Brian.

25 A. Okay.

1 Q. He gets on -- I know that you guys ran a PRIA check on him, I
2 assume --

3 A. Sure.

4 Q. -- and all that. Is there anything you look at in that PRIA
5 check, you know, FAA Bus (ph.) or anything like that? You guys
6 look at that?

7 A. Yeah. Yep. So, again, I think at that time it would have
8 been Paula Holder -- is going to get that packet and just do the
9 initial -- she's not a pilot. Right? She's not aviation. She
10 doesn't know what she's looking at, but she knows -- she's seen
11 enough PRIA packets to know that if there's something that's not
12 the same as the 15 prior that she's looked at. Right? And so,
13 today that's, that's Terry Right.

14 And so, they do that cursory review when the PRIA packet
15 comes in and then they'll send it on regardless to, to whoever did
16 the interview or whoever's part of the hiring process, so. So,
17 yeah, I, I specifically can't speak to that individual, but that's
18 the process. And there's no reason that we should have gone
19 outside of that process.

20 Q. So, she looks at that, she sends the packet up, would she
21 send that information to you or the chief pilot as well? So, you
22 can see how many --

23 A. Yeah.

24 Q. -- if they've had busts or not?

25 A. Yeah, usually if there's something in there it's a, it's a,

1 it's a broad scope, it's a broad range of people that get it.
2 It's, it's myself, it's Andy, it's the assistant chief. It's, you
3 know, if somebody else for some reason did the initial interview,
4 it would be that person as well. So, yeah.

5 Q. So, looking at that PRIA package, kind of, your opinion, I
6 guess. At what point, if you saw so many bust, how many FAA
7 certificate busts -- like we said, pilots can have off days,
8 especially on check rides.

9 A. Sure.

10 Q. And I get that, nerves and all, but how many FAA busts would
11 make you go, hmm, I don't know about this one?

12 A. Yeah. So, I don't -- at that point in time, I don't know if
13 there's, you know, it's hard to say that there's not a number.
14 Because, I mean, literally, if every check ride that they went up
15 and, you know, didn't -- I mean, that has to stick with you.
16 Right? But by the time we're reviewing that information, we're,
17 we're down the road. We sort of want to have the ability to make
18 our own evaluation. Right? So, it's, it's absolutely considered,
19 it's absolutely looked at. I can't think of a pilot performance
20 related situation that we identified in PRIA that that has made
21 the decision for us, if that makes sense.

22 Q. Okay. All right. I told you that was my last round of
23 questions.

24 A. No worries.

25 MR. ETCHER: So, I'll keep my promise. Let me pass it on to

1 Sabrina. But thank you very much. Sorry we've taken a lot of
2 your time.

3 MR. SALVESON: No, no, you're fine.

4 MR. ETCHER: We appreciate it.

5 BY DR. WOODS:

6 Q. I'm going to go back to one additional question about the,
7 kind of, the process for hiring. And I know you said that, like,
8 at least at that time, Paula does the PRIA checks and sends it on.
9 And then you also talked about Recruitment Team/HR Team who is
10 doing kind of that initial screen. You also discussed that, you
11 know, there are nuances within what's presented to you that make
12 for more relevant experience.

13 A. Sure.

14 Q. You can have a high time pilot who hasn't touched the yoke in
15 ten years versus, you know, somebody who's maybe lower in hours,
16 but who's been, you know, consistently slogging through for the
17 last two years.

18 A. Yeah.

19 Q. Does the Recruitment Team, though, when they're doing that
20 initial assessment? Like I've got 20 applications for me, are
21 they trained and cognizant enough to be able to pick out those
22 people so that they finally get in front of someone?

23 A. So, I would say they're not unaware of a preferred applicant
24 history, if that makes sense. Now, I don't know that they would
25 specifically exclude somebody that met the qualifications from our

1 review based on what they see with a, with an applicant with a
2 preferred background.

3 Q. So, I'm just wondering, how does that lower time -- how do
4 you know that that lower time -- but I've been doing the due for
5 the last two years. How do you know that it's -- if it's
6 dismissed before it gets to you, how do, how do you know?

7 A. Yeah. And I have no concerns that, that that application
8 would be dismissed. Jen, is, is -- you guys will get the
9 opportunity to talk to her. She's, she's tenacious. So, she's
10 really good at her job. So, she would not dismiss a qualified
11 applicant like that, so.

12 Q. Okay. Where do references -- because you did mention
13 referral -- and I know that was more of an internal referral
14 process, but where do references in general -- where do they fall
15 in your hiring process? Are they something that's considered or
16 its just kind of like, eh, it's there, but we don't really check
17 up on those?

18 A. So, in my experience, references these days are not
19 incredibly -- I don't want to say relevant, but that's the word
20 that's coming to mind. Right? If somebody puts a reference on
21 their resume, I'm not going to get a bad review from that
22 individual. Right? And then if I were to see something in a PRIA
23 report and I would try to contact that organization, I'm not going
24 to get anything other than the HR response that either says
25 eligible for rehire or not.

1 You know, there's just -- there's legal red tape around the
2 ability and the flow of information to be able to have that frank
3 conversation with, with a previous employer. You know, I know you
4 specifically said references, but my response to the references
5 is, right, I know what that response is going to be from, from the
6 person that's on the resume as the reference.

7 Q. Are your requests for I haven't actually looked at an
8 application except for -- your request for references is open
9 ended like they could -- a person could put anyone they choose or
10 is it specified like who was your last supervisor and I want their
11 name and phone number?

12 A. Right. And so, I'm not, I'm not sure what the iCIMS -- so,
13 that's the HR system. Right? I'm not sure what that application
14 looks like. I guess I was maybe more referring to what somebody
15 puts on their resume.

16 Q. Yeah, okay. And the reason I ask because, yeah, if you're
17 going to ask me, I'm going to be like, here's my grandmother. She
18 loves me.

19 A. Yeah, right. Yeah.

20 Q. But if it's my previous supervisor, I have no -- I have less
21 control because my experience can be positive, negative or neutral
22 with that previous supervisor. You might get that answer as a
23 result. So, that's why --

24 A. Yeah.

25 Q. -- we have to determine what references are we talking about.

1 A. Sure. And that, and that was, that was my reply with the
2 legal red tape. Right? So, there -- that's -- I'm not going to
3 get the right -- the true story from, from that supervisor.
4 Right? The story that I'm going to get from that supervisor is
5 going to be eligible for rehire or not. Right? And that's --
6 they're not going to expound it. Now, if it's a -- no, I mean,
7 even, even a stellar applicant. Right? I mean, we've, we've
8 been, you know -- to, to be specifically listed as a reference is
9 acceptable. Right?

10 I've had pilots, you know, I've offered that to them when
11 they move on, right, hey, I'm happy to be a reference. List me,
12 please. But if that person listed me as their supervisor and I
13 received a cold call from a new potential employer, the only
14 response that I can offer is eligible for rehire or not, right.
15 It's not -- it's I don't, I don't have that latitude to expound on
16 my personal experience with that individual.

17 Q. And that latitude or lack thereof is confined by what?

18 A. Legal. It's your, your personal, I guess I -- how I can
19 answer. We've been counseled to not provide that response.
20 Right? Really, the only legally protected response that we have
21 is eligible for rehire or not.

22 Q. Is that a Guardian policy?

23 A. No, it's not a policy. You know, it's, it's just been
24 counseled over the years. So, from I mean, from, you know, HR,
25 from legal, all that. Right? That's --

1 Q. In your experience -- first of all, have you, have you ever
2 just for all intents and purposes called up a reference to make a
3 determination about an applicant?

4 A. I have not, no.

5 Q. Because I was going to ask, is in your experience, has that
6 happened with whomever you were calling up, like, for instance, if
7 they were working for a freight company, if they were working for
8 crop dustings R us, whatever?

9 A. Sure. You can, you can obtain some unofficial off market,
10 right, if that relationship exists. Right? Like, hey, I know 15
11 pilots over at XYZ and you know, what's your experience in flying
12 with this guy, kind of thing? Nothing formal. Right? Nothing
13 they'll sign their name to, anything like that. But, but no, I
14 mean, the short answer to the question is no, so.

15 Q. How would you quantify staffing? Let's start with bigger
16 first and then we'll go -- we'll start with macro and then we'll
17 go micro -- staffing at guardian in terms of line pilots.

18 A. How would I -- I'm, I'm sorry, can you say that again?

19 Q. How would you quantify staffing --

20 A. Quantify.

21 Q. -- at Guardian.

22 A. Okay, so, like how are we doing?

23 Q. Yep.

24 A. Okay. I think current staffing levels are somewhere around
25 80%, if I recall, of available positions. So, yeah, I mean,

1 there's still a lot of work for us to do. Pilots are in short
2 supply and, and there's, there's a, there's a lot of work to do
3 there, so.

4 Q. Because my next question would have been, is that sufficient
5 -- do you feel that's sufficient to meet your needs at this point?

6 A. I mean, it, it depends on what the needs are. Right? I
7 mean, so if, if the need is to be fully staffed 24/7 at every base
8 we operate, no, that's not enough. That's not anywhere close to
9 enough. But you know, if the needs are to kind of keep the
10 operation going and, and mostly keep most bases flying most of the
11 time, then I mean, that's where we're at. Right? So, the -- we
12 -- the, the level of availability of the operation is dictated by
13 staffing. So, it's we're -- we're -- yeah, does that answer?
14 Kind of.

15 Q. Sort of. I'll expand. Let's move to the Hawaii Life Flight.
16 How would you quantify the staffing there, that specific -- I know
17 there's several bases under that operation, so I'm just going to
18 say the islands as a whole.

19 A. Yeah. Yeah. No. Historically, Hawaii Life Flight staffing
20 has actually been pretty good. You know, most of the bases are
21 fully staffed at most of the time. You know, openings come up
22 occasionally and we run into some of the same challenges,
23 recruiting and retaining out there. Right? Particularly given
24 cost of living and stuff like that. But generally speaking,
25 Hawaii Life Flight staffing has been better than average as far as

1 Guardian, Guardian operation goes.

2 Q. Okay. So, going back out to the Guardian level. In your
3 opinion or in your experience, actually, could you see staffing
4 affecting retention standards?

5 A. If I can read into your question, are you saying would we,
6 would we retain a pilot because we can't afford to lose them?

7 Q. Correct. Or maybe just work a little bit longer, harder with
8 an individual to get them up to standards because you can't afford
9 to lose them.

10 A. Sure. Yeah, I would say that, I mean, as a general -- as a
11 generality, right, you know, that parallels our recruiting process
12 as well. Right? You know, we are going to exhaust most resources
13 trying to regain a pilot's proficiency, right, versus moving them
14 on if, if that's the issue. Right? If it's, if it's hey, I'm
15 having a tough time with X, Y, Z on my check ride or whatever,
16 right. Yes, we would, we would put that effort in and
17 historically have, have, I feel, gone, right, above, and beyond in
18 that regard.

19 Q. Do you foresee, or have you seen any negative effect to
20 staffing affecting retention standards?

21 A. I mean, that's hard to say no to, given the example. Right?
22 There's an obvious opportunity here to do better. But now the
23 challenge comes in, right, identifying what the off day is and
24 identifying, you know, the, the significant issues versus the, you
25 know, whoops, I climbed 300 feet high on that departure or

1 whatever. Right? So, I would, I would hate to move to a
2 situation to where, you know, that individual pilot breaks that
3 altitude on two check rides and we have to show them the door.
4 Right? I don't -- that's, in my mind, isn't a significant
5 failure. Now, given the example, some of the things on there are
6 far more significant and should have been afforded more attention.
7 Yeah.

8 Q. I asked a question similar. I'm going to ask it again here.
9 Who's the person responsible for keeping track of bad day versus,
10 like, systemic issue with this person?

11 A. Sure. No, that's -- I don't think there's -- I mean,
12 ultimately, of course it's me. Right? That's just everything
13 lands on me just by design. But it's a group. Right? It's not,
14 it's not a, it's not a one person. Right? It's, it's the check
15 airman, the instructor, depending upon the, you know, the regime
16 of training and checking. Right? It -- which will flow to the
17 director of training. Which will flow to -- I'm sorry, the other
18 chain, right. The other path. right. So, this, this should
19 have, have two prongs that it's, it's going up that would flow to
20 instructor, check airman to the director of training. Right? And
21 then ACP to Andy to myself, right. So, that should be coming to
22 me from, from two different angles if we run into something that's
23 significant like that.

24 Q. So, hindsight is a beautiful thing -- actually, a beautiful
25 thing can also be quite horrific. Given what you know now, in

1 hindsight, and there is -- there's a gap here. We all understand
2 that, I think, at the table. How confident are you now, post-
3 accident, that you have identified other potential gaps out there?

4 A. Sure. Sure. I mean, I think that's a work in progress. And
5 I don't know that that's ever going to be done. Right? It's --
6 yeah, I, I don't know how else to answer that. It's -- that's --
7 that project should never be done. Right? And I don't think it
8 is.

9 Q. Well, let me be more specific.

10 A. Sure.

11 Q. I was being vague, and it didn't work right.

12 A. Okay.

13 Q. Given what we know about the performance history of the
14 accident pilot that maybe there were some deficiencies there. How
15 confident are you now that you have a system in place to recognize
16 and elevate other deficiencies that might already exist within
17 Guardian?

18 A. Sure, Sure. Okay. So, the change in structure of how that
19 training is going to be accomplished in my mind is a significant
20 component of that. I'm not -- we're now not putting that all on
21 the, the Hawaii Life Flight team. Right? They're not properly
22 supported or staffed to do that work. So, coming back here, there
23 is one department, one group of individuals that, that is, is
24 looking at this for all pilots and holding the same standard for
25 all pilots. And, and I think that that in and of itself is, is a

1 huge step in, in what it takes to catch any of those things that
2 that may be -- I forget how you worded it, right, but gaps in the
3 in the system, right, so.

4 Q. And you said Hawaii Life Flight, so is that just for them?

5 A. No -- well, because of the way that their structure was set
6 up, they, they weren't coming back here, except for training since
7 2019, '20-ish, something around there. They've been doing all of
8 their training, all of their current -- all of their check rides
9 out there. The, really only interaction in a lot of cases that
10 they had back here was virtual training for the basic in doc kind
11 of stuff and things like that, but.

12 Q. So, you're hoping that with that being folded back into a
13 larger Guardian system, it might be able to help identify?

14 A. Right. Yeah, we have, we have, now, folks that are doing
15 this work that are dedicated to that work. Right? And they don't
16 have the potential for competing priorities to say, hey, this
17 pilot's due back on the line. My instructors here don't care what
18 his line schedule is. Right? Yeah, it's -- there is no -- that's
19 not a driver for them. Right? So, they -- there's no opportunity
20 for conflicting priorities when it comes to looking at the
21 recurrent training and checking for these individuals.

22 Q. So, again, across Guardian, though, how confident are you
23 that there isn't another individual with deficiencies. This is
24 away from Hawaii Life Flight.

25 A. Sure, yeah. So, that --

1 Q. That currently exists within your system.

2 A. Okay. So, that process exists here already. Right? That --
3 there -- for the continental United States, there, there -- this
4 is the only training facility. Right? So, this is where they're
5 coming to do that. That, that structure is present already. And
6 so, is it -- I mean, it's not -- it can never be 100 percent.
7 Right?

8 But, but the, the same eyes and the same standards are being
9 applied to, to all pilots now without the ability for -- or the
10 potential for any of that to be regionalized. Right? To be -- to
11 be -- does that make sense? Kind of, yeah. So, what I'm trying
12 to say is that, you know, previous state. Right? That the
13 islands had the opportunity to get isolated with that training,
14 to, to get used to what they're seeing to, to -- right, to create
15 that new normal to where that, that's not the case now bringing
16 all that -- every -- everybody to one group and everybody to one
17 training center, so.

18 Q. Let me try one more time.

19 A. Okay.

20 Q. Restructuring my question. Given that that system has
21 already been in place for your Kona based operations, are you
22 confident that there isn't another line pilot out there right now
23 with the same amount of deficiencies currently working?

24 A. Okay. So, another component, right of, of that was a records
25 review. So, that process has been undertaken as well, right, to

1 go back and look at, do we have anybody else with this history
2 that's, that's currently operating? There were some of those --
3 not anything nearly as egregious as this, but there were some
4 failures and things that were identified and, and additional
5 training plans built for some of those pilots as well. So, I'm
6 sorry, that's where you were going with -- okay, yes.

7 So, that was a separate process that was undertaken to, to
8 make sure that we don't have any of these same repeat failures out
9 there that are, that are present. And then in works as well is a
10 program that we're adopting from, from 121, is a -- it's not
11 called Remedial Training Program anymore, but whatever, whatever
12 that -- well, I mean, quite frankly, I read the result of -- one
13 of the results of the Colgan crash was, was that program
14 specifically for 121 because that was identified in that as well,
15 right. And so, we are adopting a program very similar to that and
16 that's currently in the works.

17 Q. Okay. I think the last question I have is, you mentioned
18 earlier about, you know, Hawaii Life Flight in general tends to be
19 pretty well staffed, although they do have some issues and a lot
20 of those issues are connected to cost of living. Presumably, you
21 probably have a few other bases out there that have rather high
22 costs of living, would you say that's an accurate statement?

23 A. Yeah. Hawaii is probably the extreme example, but I would
24 say that there are other -- yeah, there are other locales there
25 that suffer that same.

1 Q. So, given that, I guess, what is Guardian's stance on seeking
2 other employment or colloquially known as moonlighting.

3 A. Sure, sure. Yeah. So, we don't specifically prohibit it,
4 right, but prior to that being undertaken, it has to be a
5 communication with your, with your supervisor, in Hawaii's case,
6 it would be Gabriel, Kaleo, and also has to be documented, right,
7 within our flight and duty system. So, there's not an opportunity
8 for violations in rest and duty periods and all that kind of
9 stuff. And so, yeah, we don't we don't prohibit it, but it has to
10 be done right.

11 Q. Were you aware that the accident pilot was working for
12 another company at the same time that he was employed with
13 Guardian?

14 A. Me personally, post-accident, I was aware. I had -- not
15 prior to. So, I would not have said no, provided that we do it
16 right. So, it doesn't concern me that I wasn't, you know, in that
17 loop, but so.

18 DR. WOODS: That's all I have. Thank you. Okay.

19 MR. ETCHER: Millicent.

20 MS. HILL: I'm good, thanks.

21 MR. ETCHER: Okay, Mitch.

22 BY MR. MITCHELL:

23 Q. Just have one question. The aircraft sanitizer fogger.

24 A. Yeah.

25 Q. Did you consider that a potential safety issue?

1 A. Absolutely. Yeah. Yeah.

2 Q. You had stated that you're being moved from the director of
3 operations to the potential assistant director of operations for
4 not being political savvy?

5 A. Sure.

6 Q. In that particular incident, is that correct, in voicing your
7 concern over that safety issue?

8 A. I, I would, I would put that in that same category.
9 Personally, yes.

10 Q. Okay. So, if I was a line pilot in Hawaii and I had a
11 significant safety issue or concern, was there fear that if I
12 brought it to somebody's attention that I could be downgraded or
13 punished?

14 A. I hope not. I like to think that my circumstances is -- how
15 would I say -- I would like to think that how I was led is not how
16 I lead. If that, if that makes sense. So, I can't speak to
17 anything going over my head, but I would be dumbfounded if any one
18 of the people that are on my team would, would treat anybody like
19 that.

20 Q. The downgrade of you and your position -- has that been --
21 has the rest of the companies have been made aware of that?
22 Pilots, flight crews.

23 A. Yeah. Yeah. So, in between, there were some communications
24 sent out announcing Nick's incoming and my moving into this new
25 role. Right? Again, like I'd said in the beginning here, that

1 was scheduled to be communicated two days after the accident,
2 right. But it didn't seem -- it didn't seem appropriate to, to
3 put it out at that point in time. So, we did opt to move that
4 down. That was also part of a larger communication that involved
5 us moving out of this office and moving everything to Texas and
6 changing all of that. So, it was, it was part of a bigger
7 conversation, it was not specific to my circumstance.

8 MR. MITCHELL: Okay. I don't have any more questions.

9 MR. ETCHER: Okay. Thanks. Again, thank you so much for
10 everything you've given us so far on this event.

11 MR. SALVESON: Yeah, sure.

12 MR. ETCHER: We appreciate it. I know we've went way over
13 time, so our apologies, but my brain is still absorbing this, so
14 give my brain a --

15 MR. SALVESON: Sure.

16 MR. ETCHER: -- moment here. But we've asked a ton of
17 questions of you, and you've been great giving us answers, but
18 we're always fearful. We can ask a ton of questions. But we
19 missed the one question that you were like, I can't believe they
20 didn't ask this.

21 MR. SALVESON: Sure, sure.

22 MR. ETCHER: Is there anything along that lines that you --
23 that we didn't ask that might help us understand things?

24 MR. SALVESON: Potentially my misunderstanding, but I didn't
25 feel like I fielded any questions specific to Reno.

1 MR. ETCHER: We're in -- this Hawaii only.

2 MR. SALVESON: This is still -- got it, got it. Understand.

3 MR. ETCHER: Yep, you're right.

4 MR. SALVESON: Okay, okay.

5 MR. ETCHER: You did not --

6 MR. SALVESON: Okay, thank you.

7 MR. ETCHER: -- because it's only Hawaii.

8 MR. SALVESON: Thank you, okay. Yes, no. Then I don't, I
9 don't have anything else --

10 MR. ETCHER: Okay.

11 MR. SALVESON: -- anything else for you guys.

12 MR. ETCHER: Then we will call this interview concluded at
13 11:22 local.

14 MR. SALVESON: Okay.

15 (Whereupon, at 11:22 a.m., the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: RAYTHEON AIRCRAFT COMPANY
 FATAL ACCIDENT NEAR KAUPU, HAWAII
 ON DECEMBER 15, 2022
 Interview of Jeremy Salveson

ACCIDENT NO.: ANC23FA008

PLACE: South Jordan, Utah

DATE: March 22, 2023

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Melissa Bousquette
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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RAYTHEON AIRCRAFT COMPANY FATAL

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ACCIDENT NEAR KAUPU, HAWAII

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ON DECEMBER 15, 2022

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Interview of: JENNIFER TATE, Pilot Recruiter
Guardian Flight

South Jordan, Utah

Wednesday,
March 22, 2023

APPEARANCES:

DR. SABRINA WOODS, Human Performance Investigator
National Transportation Safety Board

SHAWN ETCHER, Operational Factors Investigator
National Transportation Safety Board

MILLICENT HILL, Investigator-In-Charge
National Transportation Safety Board

MITCH MITCHELL, Aviation Accident Investigator
Federal Aviation Administration

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I N T E R V I E W

1
2 DR. WOODS: All right. Jennifer, thank you again for taking
3 time to talk to us and again apologies for running late. My name
4 is Dr. Sabrina Woods. I am a human performance investigator with
5 the National Transportation Safety Board. I've been assigned to
6 an accident that happened under Guardian Life flight back in
7 December of 2022.

8 Essentially, the board has been congressionally mandated to
9 determine probable cause in aviation accidents and some
10 significant incidents. What we do is we get a host of senior
11 matter -- subject matter experts together to kind of figure out
12 what happened. My job in that, in human performance, is I take a
13 look at the operation as a whole, all the policies, things like
14 that, the tools that are in place that help people do their jobs
15 well and maybe some of the things that detract from people being
16 able to do their jobs. We're going to go around the room quick.
17 Got to introduce you to the other subject matter experts at the
18 table. We'll start over here with Shawn.

19 MR. ETCHER: Good morning. My name is Shawn Etcher. I'm an
20 operational factors investigator. All that means is I look at
21 everything kind of forward of the cockpit door and how it
22 interacts with the pilots from their time they get hired on or
23 even apply all the way until whenever we need to stop. So, that's
24 why you're here; to help educate me as well. So, I appreciate you
25 coming in this morning.

1 MS. TATE: Okay. Thank you.

2 DR. WOODS: Millicent.

3 MS. HILL: Hi. I'm Millicent Hill. I'm the investigator in
4 charge.

5 DR. WOODS: And then representing the FAA, we have parties
6 often to accident cases that again help us out because we can't do
7 this in a vacuum. So, Mitch is from the FAA.

8 MS. TATE: Okay.

9 MR. MITCHELL: Yes. Good morning. Thank you for being here.
10 Again, Mitch Mitchell. I'm an accident investigator with the FAA.
11 I'm here strictly for a safety investigation and nothing to do
12 with enforcement action. So, just here to see how we can make
13 things better.

14 MS. TATE: Sounds good.

15 DR. WOODS: So, the reason why you're here, you're an
16 employee of Guardian Flight. You're an important function.
17 You're kind of the beginning of all things for a lot of what we're
18 looking into. You have a wealth of information that can help
19 possibly advance the case. There's a lot that we don't know
20 because we don't work in this environment. And so, we rely on
21 people, such as yourself, to help inform us. With that, this is
22 what we do for a living. Conversations like this are very routine
23 for us but we also appreciate that it's not routine for you and
24 that it could be a little bit disruptive. So, just please take
25 the time you need to answer the questions. Recognize that I don't

1 know is a perfectly acceptable answer. If you don't know, don't
2 feel like I've got to come up with something on the spot. Just,
3 just say you don't know and we'll move on. If you don't
4 understand the question, please do not hesitate to ask for
5 clarification because we're going to do the same. If there is
6 something that we don't understand that you're telling us, we'll
7 ask you hey, can you say that in a different way or whatever just
8 so we can make sure that we understand. There might be times that
9 we ask for your opinion. So, this is a fact based data collection
10 but there are times that we're going to ask for your opinion
11 because you have a professional opinion and you've been doing this
12 for a while. Just make sure that you clarify for us that, okay,
13 in my opinion, you know, X, Y, Z so we can differentiate between
14 fact and opinion later on.

15 MS. TATE: Okay.

16 DR. WOODS: If you need a break, don't hesitate to ask.
17 We'll make that happen. That's not a problem. I'll also make
18 sure to kind of check on you from time to time to make sure that
19 you're still doing well and that you don't need a break. As I
20 said before, we typically take two rounds. The first round kind
21 of taking the bulk of the questions that we have and then the
22 second one is like the follow up round, you know. As people ask
23 things or as you say things, we come up with additional questions
24 and that's what that second round is for. This interview is being
25 recorded. That's to make sure that what you have to say is

1 documented exactly and so that, you know, we don't distract you
2 with notetaking or that we don't like unintentionally bias what
3 you have to say. The recording will be sent to a professional
4 transcriber. It's the transcription that later goes on to be a
5 matter of public record. Do you have any questions about that?

6 MS. TATE: No.

7 DR. WOODS: Okay. Are you okay with that?

8 MS. TATE: Yes.

9 DR. WOODS: And also, you're allowed one person with you
10 during the interview process. I see you didn't come in with
11 anybody. Do you, you know -- are you -- do you have anybody that
12 you want to be with you at this time?

13 MS. TATE: No.

14 DR. WOODS: Okay. And by all means, like I said earlier, if
15 that changes throughout the course of this, just let us know and
16 we'll definitely give you time, you know, to go phone a friend or
17 do whatever it is you feel you need to do. So, with that, do you
18 have any questions at this time?

19 MS. TATE: No. I'm good.

20 DR. WOODS: Okay.

21 MS. TATE: Thank you.

22 INTERVIEW OF JENNIFER TATE

23 BY DR. WOODS:

24 Q. For the record, if you would, please state your full name,
25 spelling your last name.

1 A. Jennifer Tate, T-a-t-e.

2 Q. Thank you, Jennifer. And do you go -- what's your go by?

3 A. Jen (ph.).

4 Q. Okay. Do you mind if I call you Jen then?

5 A. That's, that's great.

6 Q. All right. Thank you. Jen, what is your duty title here at
7 Guardian?

8 A. I'm the recruiting manager.

9 Q. Okay. And how long have you been in that position?

10 A. So, I've been with Guardian for five years. Originally
11 started out as recruiter and then was promoted to manager position
12 three years ago.

13 Q. Okay. And so, we'll talk a little bit more about kind of the
14 differences in those two jobs now. But can you give us kind of a
15 high level overview of what's a day in the life of Jen look like?
16 What is it that you do?

17 A. Sure. So, I have a staff. I have a pilot recruiter and a
18 clinical recruiter and a recruiting coordinator that all report in
19 to me. So, it's overseeing the overall recruitment functions for
20 all departments for Guardian Flight.

21 Q. And so, who do you report to then?

22 A. So, right now -- so, I used to report to Janet Gibson (ph.).
23 She was the VP of talent acquisition for global medical response.
24 She left the company back in the fall. And so, currently, I'm
25 reporting in to Matt Moilin (ph.) who is kind of my counterpart.

1 He's the recruiting manager for Reach (ph.). So, Reach is one of
2 our sister companies under the global medical response umbrella.

3 Q. Okay. And do you see -- that supervisor position above you,
4 is that going to be -- I guess, what's the timeline? Is that
5 going to be filled soon?

6 A. So, yes. So, they are actively -- so, they just started up
7 with interviews again for the VP of talent acquisition position to
8 backfill Janet. Matt's in this position just kind of until that
9 position gets filled. However, they make him a director level
10 because currently we don't have a director level on the fixed wing
11 side. So --

12 Q. Interesting. And just for the record, do you happen to own
13 any certificates, pilot certificates or ratings?

14 A. I do not.

15 Q. Just wanted to make sure. So, in the structure under
16 Guardian, where do you fall with the other functionaries? By
17 functionaries, I mean there's a director of ops. There's a
18 director of safety. There's a director of training. Like where
19 do you fall in line with those other positions?

20 A. As far as my interactions or my direct position with them?

21 Q. We're going to do both. But first, your direct position.
22 Are you slightly above them, on the same line with them, slightly
23 below?

24 A. So, I'm slightly below the director level. So, but because
25 we don't have that director of recruiting level, I'm pretty much

1 it at that manager level. So, I work directly with the director
2 of operations, so, with Nick Cussamono (ph.), with Jeremy, with
3 our chief pilot, Andy.

4 Q. Okay. And so, you mentioned those three in particular. Are
5 those the three that you interact with the most?

6 A. The most would probably be our assistant chief pilots. So,
7 that's more because they help with the interview process. Our
8 interactions with the assistant chief pilots are on a day to day
9 basis and then interactions with Jeremy, Nick and Andy are as
10 needed. So, usually, two to three times a week or I'll be on
11 meetings with them. So --

12 Q. So, when you say as needed, I guess, what would be an example
13 of a need?

14 A. So, one thing, like offer letters. All of our offer letters
15 go to Andy for final approval. So, he makes that decision on the
16 offer letters. And now, we've actually added Nick to that
17 process. So, offer letter-wise, when we send an offer letter, it
18 goes through our system to Andy for approval and then to Nick for
19 final approval. So, that would be an example of one thing. So --

20 Q. That was actually a great point. I haven't had you -- can
21 you explain what is the hiring process here at Guardian? Like if
22 I am a bright, new, shiny pilot coming in the door and I filled
23 out an application, what happens next?

24 A. Sure. And it's kind of a different process for Hawaii versus
25 here on the mainland.

1 Q. Okay.

2 A. So, I'll talk about the mainland first. So, how it works is
3 my pilot recruiter goes in each morning, reviews the resumes to
4 make sure that they meet requirements and does an initial phone
5 screen with the candidate. Basic question that she asks -- she
6 wants to make sure that it's going to be a good fit with the type
7 of work we do, compensation, crew house schedule, all those basics
8 that she goes through. And then if everything sounds like it's a
9 good fit, then she'll set them up for a videoconference interview
10 with the assistant chief pilot that oversees the region that the
11 person has applied for or is interested in. So, from there, they
12 have a two and a half to three hour videoconference interview with
13 the assistant chief pilot. The assistant chief pilot's interview
14 questions are more technical, situational, safety concern
15 questions, things like that. From there, based on their
16 conversation, the assistant chief pilot can either go right to
17 extending an offer, make that decision. If they have any
18 questions or concerns whatsoever from the interview, such as
19 technical skills or hours or anything like that, then they'll
20 request that we have the candidate come here for a sim evaluation
21 with one of our trainers or training director. And then based on
22 the sim evaluation, the feedback that the trainer gives back to
23 the assistant chief pilot, if everything was good with the sim
24 evaluation, the next step is to move to offer. In the process,
25 during the interview process before the assistant chief pilot goes

1 to interview with the candidate, they review the pilot's records.
2 They pull the PRD, pilot database -- go into the pilot database to
3 review the records. That process started June of last year when
4 we started doing that, even before the interview. Then when it
5 gets to the time of offer, Andy goes through and reviews the
6 resume, the records, pilot records and reviews the offer letter
7 that I've done up because I handle doing up all the offer letters.
8 And then he will give his approval to go ahead and extend the
9 offer. So, that's here on the mainland. Hawaii, Kaleo -- how
10 that looks is we would send him the resumes. He would send up his
11 own interviews and kind of handle that, all of the process. And
12 then comes back to myself or Melanie (ph.) at that point, that's
13 our pilot recruiter, to go ahead and extend an offer. So, we're a
14 little more hands off from the Hawaii process. We're not as
15 pulled in as much. It's just the initial beginning, sending
16 resumes and then offer when we get to the offer point. So --
17 Q. Is there a reason why, that you are aware of, why Hawaii is
18 so different in structure?

19 A. There's not. I don't know if it's -- usually, I've always
20 liked to kind of accommodate to my hiring managers in the way they
21 want to handle the interview process. So, I think it just worked
22 better with -- again, that's my opinion. I think it worked better
23 with him to -- for him to manage his own schedule with setting up
24 the interviews and handling the process out there, instead of
25 having us set up the interviews.

1 Q. So, that is something that the assistant chief pilot out
2 there in Hawaii life flight has requested of you?

3 A. Right. That -- yes. That's the process for -- or been the
4 process since I started.

5 Q. So, if one of the other assistant chief pilots from another
6 location was making requests of changing, changing the system, are
7 you in power to say no if you don't think it's a good structure
8 change?

9 A. Right. Yes. If it wasn't a good decision or if we had
10 concerns about it, absolutely we'd have that conversation and if
11 needed, pull in Andy or Jeremy or Nick as well. So --

12 Q. You mentioned earlier up in that kind of overview of the
13 hiring process that, you know, the first look, the first blush, if
14 you will, is considerations and whether or not an individual is a
15 good fit. I guess, in your experience, what are those
16 considerations? What makes for a good Guardian fit?

17 A. So, just making sure that their compensation matches with
18 what they're looking for, that they're going to be okay with our
19 schedules that we work and just the type of flying that we do.
20 So, especially if it's a pilot coming from the airlines, we want
21 to make sure that they understand that they're going to have to
22 submit their own flight plans. They're going to have to do
23 weather checks, all these things that, you know, that we go
24 through as well just to make sure that they're going to be
25 comfortable de-icing in areas that need to do de-ice a plane. We

1 want them to understand that they're going to be responsible to do
2 all of that. Because some pilots, they're okay with doing it and
3 other ones are like no, I just want to walk on the plane and fly.

4 So --

5 Q. So, I'm assuming that latter is not a good fit.

6 A. So, yes.

7 Q. Did you or your staff get, get training for -- what kind of
8 training do you and your staff have?

9 A. Sure. So, coming into -- I have 20 years in the recruiting
10 industry. So, background, you know, with recruitment piece and
11 that was one of the reasons why Shane (ph.) asked me to come and
12 work here. We had worked at a previous company together and he
13 asked me to come over and take the recruitment process over here.
14 So, I didn't have an aviation background coming in. So, what I
15 did to learn and become educated is a lot of sitting in on
16 interviews. At the time when I first started, Andy was just doing
17 all the interviews. We didn't have all these assistant chief
18 pilots to help with the interview process. So, it was just really
19 Andy and I working on interviewing pilots. So, I would sit on his
20 interviews, just learn as much as I can from current staff. I
21 would Google anything I didn't know. Like any time I didn't an
22 aircraft or if a candidate said a term I didn't understand, I'm
23 Googling it to understand. Went to the FAA website to understand
24 the requirements for Part 135. So, I just did all this to have an
25 understanding kind of for my education and training. From there

1 -- and again, a lot of questions. The staff here is very patient
2 and helpful in helping me get up to speed with my knowledge.
3 Melanie, my current pilot recruiter, we hired on a year ago.
4 She's been here just over a year. So, it was a lot of hands on
5 training with me, with the assistant chief pilots and with Andy to
6 get her up to speed where she needs to be with her education and
7 knowledge.

8 Q. Is there a formal structure for that or is it just kind of
9 OJT?

10 A. OJT. Yes.

11 Q. Okay. You said earlier during kind of that breakdown of the
12 hiring process that the PRD review you said was added in June of
13 last year.

14 A. Yes.

15 Q. So, I guess, what were you doing before then?

16 A. So, before then, we would just go off of resume. I don't
17 know if -- during the interview process, if the assistant chief
18 pilots or chief pilots would ask them for log books or information
19 like that. I don't know that aspect. But we were going off of
20 background checks, PRIA and then also the resume.

21 Q. Do you know what precipitated the move to also doing a PRD
22 review?

23 A. My understanding is it was a requirement that came out.
24 Wasn't that -- I believe it was last May, June timeframe where the
25 FAA -- again, this is just my understanding that the FAA required

1 that every aviation company was now to start reviewing those pilot
2 records before moving forward with a candidate. So, for moving
3 with the hire. But we decided to start reviewing those records at
4 the interview timeframe process before even getting to the offer
5 process.

6 Q. Have you ever been handed or like mandated like a quota if
7 you will, for lack of a better word, to fill --

8 A. No.

9 Q. -- for staffing?

10 A. Not in aviation. And that was something that was different
11 for me coming in because, you know, being in recruiting, all the
12 previous companies, we always had a quota time to fill. We had a
13 number of fills that we had to do. Because we wanted to get the
14 right candidates to the door, we have never had that timeframe of
15 you have to fill so many or have so many in a class each month.
16 So --

17 Q. Have you ever experienced pressure in any other form to get
18 bodies in the door essentially?

19 A. Not from -- no. Not from our operations. I put that on
20 myself just again because, you know, we want to make sure that we
21 have full classes. Full classes would be -- they can do four per
22 airframe per class and we do new hire classes once a month. So,
23 we'd look at filling four Pilatus positions and four King Air
24 positions for training.

25 Q. In your position, do you also manage like the attrition rate

1 or retention rate?

2 A. No. I don't.

3 Q. Okay.

4 A. That's handled through our HR group.

5 Q. Okay.

6 A. So --

7 Q. So, you're, you're strictly on incoming.

8 A. Correct. Of course, I'm privy to that information and keep
9 an eye on it because that helps, that goes hand in hand with
10 recruiting, understanding why people are leaving and to help
11 identify, of course, those areas. But --

12 Q. Who -- because somebody is obviously holding the purse
13 strings, right, and what you were allowed to offer. Who, who is
14 responsible for establishing one, the numbers to which you can
15 hire up to and two, the compensation you were allowed to offer?

16 A. So, compensation is determined -- this was actually -- last
17 July we went through this whole revamp on pay scales so that
18 companywide, for global medical response, we would have the same
19 pay scale or structure for pilots across the board nationwide.
20 So, they put that into place last July. So, that was made by GMR
21 leadership. So, that would be Brian Foster level for that. And
22 then each company, they broke down and determined a geo-modifier
23 that would go on top of that based off of how remote the location
24 was or other factors, difficulty of hiring for specific areas.
25 So, that was added on top. So, compensation as of July 1st last

1 year, based on performance, \$82,000 to \$90,000 to \$100,000 is the
2 range and then based on the location, there is a geo-modifier
3 percentage added on top of that. So, that's the comp structure.
4 As far as numbers of how many we can have in the class, that is
5 determined and I'm given that direction by Randy Ostman, our
6 director of training. So, he lets me know because sometimes, you
7 know, if he doesn't have with recurrent training or if he doesn't
8 have a trainer available, he may reduce those numbers down per
9 class. So, usually, we work hand in hand with him to know how
10 many we can hire for a class per month.

11 Q. So, is that, is that determination done on the monthly basis
12 then or is it like quarterly or how does that work?

13 A. Yes. It's a month to month basis.

14 Q. Do you ever have problems meeting that request?

15 A. Of?

16 Q. Applicants into those trainings.

17 A. To fill -- to have full classes?

18 Q. Yes.

19 A. Yes, yes. So, it's been really challenging the last couple
20 -- during COVID.

21 Q. Yes.

22 A. Unfortunately, when the airlines shut down, we had just
23 plenty of pilots. And so, our classes were full each month. But
24 yes. Since the airlines opened back up, the last couple years
25 have been more challenging.

1 Q. Okay.

2 A. So --

3 Q. Can you give me a ballpark as to like we're not meeting it,
4 you know, three months out of the year, four months out of the
5 year, you know, half the time? Do you have an idea?

6 A. I would say about 70 percent of the time. So, for example,
7 for me, I have four pilots instead of a full eight. So --

8 Q. For the next month?

9 A. Yes. For April, we've got, we've got two coming in and then
10 four for May. Typically, we usually have six in the class is
11 what's been the trend for the last year.

12 Q. Are you kept apprise at all as to yes, you've got them in the
13 class but let's say they're not successful? Is that information
14 coming back to you at all?

15 A. It's not.

16 Q. Okay.

17 A. So, usually what happens is I see the termination
18 notifications that come through from our workday system. So, I
19 know when somebody is termed. So, if I see somebody that has come
20 through from training, then I'll typically ask what happened, you
21 know. How did we lose this person during training? So, ask for
22 that type of feedback again just to help with our recruiting
23 efforts to make sure we're identifying the right candidates and
24 quality candidates to come in. So --

25 Q. Who all is helping to inform that process? I know you've

1 mentioned -- it seems like a lot of interaction with like those
2 under the DO and then you did mention Randy. So, that's director
3 of training. Is there anybody else that's helping to inform that
4 process and the application that you're looking for?

5 A. When they don't pass through training or just --

6 Q. Just in general. Like what kind of -- who is giving you
7 feedback to go back into recruiting and searching for quality
8 applicants?

9 A. Sure. The majority of our feedback comes from the assistant
10 chief pilots after the interview and they've been really good
11 especially with Melanie being new this last year. They were
12 really good to provide her feedback. Hey, I'm not moving forward
13 with this candidate and here's why. So, they've been really good
14 to provide the feedback to help her as she's going through resumes
15 and doing the phone screens to kind of know what to look for so
16 that we aren't taking up a chunk of their time to do the
17 interview. If from the front, we can identify that the candidate
18 isn't qualified or to kind of understand more what they're looking
19 for.

20 Q. Have you ever seen it to where there's been an applicant put
21 forth that prior to training has been just outright rejected by
22 one of the assistant chief pilots or even the chief pilot himself?

23 A. No.

24 Q. Are most of the -- would you say that most of the reasons for
25 rejection are based -- are training based?

1 A. Reasons why they don't --

2 Q. Succeed.

3 A. -- succeed?

4 Q. They don't (ph.) successfully -- yes.

5 A. Correct. Yes.

6 Q. That's the feedback you're getting is most of it is training
7 based.

8 A. Correct. Well, and I just -- I had pulled, I had pulled a
9 report recently of terminations and reasons and that was one of
10 the top reasons. They didn't pass through training. So --

11 Q. And again, that's something that HR manages?

12 A. Mm-hm.

13 Q. Okay.

14 A. Yes.

15 Q. You've been here you said about five years now, three years
16 in this position. What are your perceptions of Guardian's growth
17 over that last five years?

18 A. It's been interesting. Yes. Going from being a small
19 company to all of a sudden, you know, we're under Global Medical
20 Response umbrella which has its advantages and disadvantages, of
21 course. You know, it's nice being a part of a bigger company
22 because there's more insight and input and knowledge there than
23 just our small group here at Guardian. So, that's been nice. But
24 then there's a lot of change, you know, and a lot of different
25 things that you have to get used to. But --

1 Q. Do you feel that you have the tools in place you need to do
2 your job with the rate of growth that has happened over the last
3 five years?

4 A. No.

5 Q. Would you mind elaborating?

6 A. So, currently, right now, my concern is with the move to
7 Louisville we've had a lot of trainers resign. So, currently, my
8 concern is just the number of trainers that we've lost and I know
9 that was a concern of Randy's. Beforehand, where, you know, he's
10 always been like we need more trainers. We need more trainers.
11 And so, we had two new FTs slotted for this year for trainers and
12 then we've lost -- three have resigned because of the move and
13 everything being related. So, we're down in our training part
14 which is kind of becoming a hinderance with us moving forward.
15 The teardown of the sims that's going to occur in May is going to
16 slow down our hiring process, you know, so we can't hire for a
17 couple months. So, those are a couple of concerns I have. One
18 thing that we're doing right now is we are interviewing for an
19 actual pilot to come on and be a recruiter. So, this is something
20 I had recommended back in the fall that we bring on board -- that
21 can help do the two to three hour interview process the assistant
22 chief pilots are doing right now. My concern there and with
23 operations as well is that they're getting -- that's all they're
24 doing is interviewing and that it's keeping them from doing their
25 day to day work and jobs and managing their teams because we're

1 bogging them down with interviews. So, the recommendation was
2 made and it was approved. So, we're actually trying to find an
3 actual pilot or former pilot that would be interested in
4 recruiting that will take on that bulk of the interview process
5 for the assistant chief pilots. So, I'm hoping that that will
6 help and it will help us with -- it'll help on the operation side
7 with the assistant chief pilots. But it will also help on our end
8 whereas Melanie is great at recruiting but she doesn't have that
9 aviation background and knowledge, if that makes sense.

10 Q. It does.

11 A. So --

12 Q. What's going well? What is it that Guardian is just -- in
13 your experience because you've got, I mean, years of experience
14 doing this before coming to this point. What is it that Guardian
15 is just like -- it's got it down to a science and if you could
16 bottle it and manufacture it and make everybody do it, you would
17 do that?

18 A. That's a good question. To me -- I'll just share with you
19 what I use to -- as I talk to candidates because recruiting is a
20 selling position. Right. I get people to come onboard. I think
21 the things and the reason why I love Guardian and stay is the
22 people and the culture. Such a rewarding job as far as what we're
23 doing. The whole mission of the company of helping save people's
24 lives is huge. And the people here, they're just very down to
25 earth, very relatable. You know, I feel like I can walk in and

1 sit down and talk with our president and have a candid
2 conversation with him. I don't feel like he's so far removed that
3 you can't do that. Same with any of our leadership. So, I love
4 those aspects of it. Our schedules, I think it's a really great
5 work life balance for pilots that are tired of kind of the
6 rigorous airline or regional airline, you know, schedules. It's a
7 great opportunity for them to have that work life balance with
8 home. So, I love our schedules. Does that answer your question?

9 Q. It does. Yes. Absolutely.

10 A. Okay.

11 Q. So, you mentioned interactions with the DO, of course, and
12 then a little bit of interaction with Randy and training. Now, do
13 you interact at all with the director of safety?

14 A. So, Michael Koenes and I, we don't interact that often. Pre-
15 COVID everybody was full time in the office. So, we would see
16 each other and interact that way, you know, but not a whole lot of
17 interaction.

18 Q. No meetings or anything that you take with the department?

19 A. No.

20 Q. Okay. Going back to Hawaii life flight specific. I know the
21 goal is to bring a pilot in to help with recruiting aspects of the
22 aviation side. Do you see Hawaii life flights different? Do you
23 see it changing and kind of adjusting more to what everybody else
24 does when that individual gets in position?

25 A. Yes, yes. I hope to have this person cover everything, you

1 know, all regions. So, and that would include Alaska as well.

2 Q. Okay. And has that conversation already happened with the
3 assistant chief pilot out in Hawaii?

4 A. No.

5 Q. How do you foresee that conversation is going to go?

6 A. Kaleo, he's really good at being adaptable and trying new
7 things. So, I think it'll be fine, you know, if we -- hey, we
8 want to be a little bit more involved. We've got this pilot
9 recruiter in place. We want them to start helping with the
10 interview process. So, I think he'll be good with that. With the
11 new process, even though we're going to have this new pilot
12 recruiter do the two and a half to three hour interview, they're
13 still going to have -- and then based on their recommendation back
14 to the ACP. The ACP is still going to do a 30 minute follow up
15 interview afterwards. So, they're making that final say and
16 decision on who comes to their team. So, we want their buy in, of
17 course, of who is coming and joining their teams. So --

18 Q. I know this was a while ago but we are here because there was
19 an accident that has occurred. Do you remember -- were you
20 involved at all with the accident pilot's hiring process?

21 A. Yes.

22 Q. But I believe this was before your role as manager. Correct?

23 A. 2019. Yes.

24 Q. So, then what was your role then at that time when the
25 accident pilot was hired?

1 A. I was doing the hiring for the pilots.

2 Q. Okay.

3 A. So, I did do Brian's offer.

4 Q. Do you remember how that hiring process -- I know you kind of
5 -- you explained to us how Guardian does it and then Hawaii life
6 flight is a little different. So, can you walk me back through
7 how did -- from your recollection --

8 A. Sure.

9 Q. -- I know it was a while ago, how Brian's process went?

10 A. Yes. I did actually go back and review resumes because I
11 wanted to --

12 Q. Yes.

13 A. -- or resumes, emails. And so, from -- because it has been
14 such a while.

15 Q. Yes.

16 A. So, what I show is that -- and I don't show that the resume
17 came through me directly initially. It was a referral from a
18 pilot that is out in Hawaii. A lot of times when pilots have
19 referrals, they'll send those right to the assistant chief pilots
20 or chief pilot directly. So, from what I could tell from my
21 emails is that that resume hadn't come through our ISIM (ph.)
22 system. It had gone from the referral right to Kaleo. At the
23 point I was brought in was at the offer point when I got the
24 request from Kaleo in November 2019 to extend an offer to him.

25 Q. Is that unusual? Is that typical? Is that it happens every

1 once in a while? How would you rate that, that occurrence in
2 normal occurrences?

3 A. Yes. I'd say for Hawaii it's more, it's more that he gets
4 the referrals from staff out there as opposed to them applying
5 directly through ISIM.

6 Q. So, again, to quantify this, typical interaction for Hawaii.

7 A. Correct.

8 Q. How often does it happen in like CONUS spaces?

9 A. Not as often. Maybe once or twice. Because usually, usually
10 if a pilot here in the mainland is referring somebody, they'll
11 copy me or Melanie on it or -- and then we can -- we upload them
12 into our system for ISIM. So, again, it's a little more hands off
13 with Hawaii where they've got that connection out there and, you
14 know, it's very much -- I don't know if you want to say kind of a
15 family feel. But they just -- and I don't know if it's because
16 we're so far removed but they'll just go right to Kaleo with the
17 referrals, as opposed to coming through the recruiting team.

18 Q. So, when an individual has a referral like that and they're
19 coming in through that means, does it still go -- I mean, you gave
20 me kind of a lengthy point by point of when an applicant comes in
21 to you, then what happens next. If it's coming in through a
22 referral, does it still go through all those processes? In the
23 change, does it still go through the, you know, the resume, the
24 PRIA, the -- at that time, I recognize PRD wasn't in place. But
25 still --

1 A. Right.

2 Q. Does it still go through all those different changes? The --
3 I mean, well, I guess the interview had been done already.

4 A. Yes. So, what would happen -- so, like in this instance --
5 so, for example, if it was a referral, Brian sent the resume right
6 to Kaleo. Kaleo interviewed the candidate, did a sim evaluation
7 if warranted and then emailed me to do the offer letter. So, at
8 that point, I would do up the offer letter, get Andy's approval.
9 Once the offer letter is accepted, that's when we put them through
10 the background check and the PRIA check and those type of things.
11 So, we extend the offer. They accept. Then they go through our
12 background process which is --

13 Q. Okay.

14 A. -- past employment. So, they do the whole PRIA, drug test,
15 education, criminal background, all those pieces. Then that comes
16 back in and it's reviewed by HR, as well as myself to make sure
17 everything is cleared and they're good to start.

18 Q. So, based on that then, I'm assuming that the offer letter is
19 pending passing all these other points.

20 A. Correct. Yes. So, the offer letter does have wording in it
21 that says it's contingent upon successfully passing background
22 and, you know, all that wording. So --

23 Q. So, then can I presume there's like a final letter that's
24 like okay. You, you passed all these points?

25 A. There's not a final letter but then we reach back out to them

1 as far as moving forward, as far as getting their travel scheduled
2 to come here for training and things like that.

3 Q. In your opinion and with your experience, this manner of
4 taking on new applicants through the referral process -- I'm
5 trying to figure out how to phrase this. Do you have any concerns
6 about that, that way of doing business? Based on your experience,
7 do you feel that the people who are coming in through the referral
8 process are meeting the same overall rigor that people coming in
9 through the traditional applicant process are?

10 A. So, what I have seen is employee referrals in the past have
11 been one of our top, one of our top three sources for recruitment
12 and they tend to stay longer. So, from those two aspects, we love
13 getting employee referrals. Their longevity is with us. They're
14 more committed to the company. I haven't typically seen, you
15 know, where there's a difference as far as skill set and quality
16 coming in, you know. I think that they -- the assistant chief
17 pilots -- again, this is my opinion that they rely on those
18 referrals that they're getting in that they're coming from a good
19 source and their recommendation, the pilot's recommendation to
20 bring the person onboard. But I have also seen assistant chief
21 pilots, such as Kaleo, that have turned down referrals because
22 they didn't have a good interview or they didn't pass the sim
23 evaluation. So --

24 Q. Okay. So, Kaleo reaches out to you requesting an offer
25 letter be, I guess, written up, if you will. Then in this

1 specific case, do you know what happened next with the accident
2 pilot specifically?

3 A. After the offer?

4 Q. Yes. Because you said there's some --

5 A. Sure.

6 Q. -- things that are supposed to happen next. But do you know
7 exactly what happened next after the offer letter?

8 A. So, after the offer letter -- so, Andy approved the offer
9 letter. And I called -- what I always do is I call the candidate
10 and make a verbal offer and then send them the written offer which
11 he accepted at that point. And then he started in our December
12 class.

13 Q. And -- okay. I have a little bit to think and chew on with
14 that. So, I think I've been chitchatting for a while now. I'm
15 going to hand it off. We've been going for about 45, 50 minutes.
16 Do you need a break or anything like that? How are you doing?

17 A. I'm okay.

18 Q. Okay.

19 A. Yes.

20 DR. WOODS: All right. Just making sure. Yes. I'm going to
21 think on that a bit. Shawn, do you want to ask questions.

22 MR. ETCHER: Sure. Thank you again for coming in and talking
23 to us. Sabrina took a lot of my questions but --

24 DR. WOODS: Sorry.

25 MR. ETCHER: -- you filled in a whole lot of blanks because I

1 never knew what happened when I'd submit an application or
2 whatever. I didn't know the process. So, I appreciate the
3 education you're giving me. Just a few additional questions if
4 you will.

5 BY MR. ETCHER:

6 Q. With Sabrina, you had mentioned it used to be, when you did
7 -- was it a job offer letter? Whatever that term you used. I
8 apologize. I've heard all these new terms lately.

9 A. You're good.

10 Q. So, it used to be you would just send it to the chief pilot
11 and now you send it to the chief pilot and the COO.

12 A. The director of operations.

13 Q. Sorry.

14 A. Yes.

15 Q. The director of operations. Why did that next step get
16 added? Do you know?

17 A. For Nick. That was implemented after the Nevada accident.

18 Q. Okay, okay.

19 A. It was like an immediate, you know, adding another level in.
20 So --

21 Q. All right. In your opinion -- I'm asking for an opinion
22 here. Is that because of another accident or is that because Nick
23 is going to be new at that position? And he wants -- I don't want
24 to say more control but he wants to know what's going on.

25 A. In my opinion, it was because of the accident. So, the

1 request to add Nick came from our VP of flight ops, Brian Foster.

2 Q. Okay.

3 A. So --

4 Q. All right. Generally speaking, how many applications do you
5 get in a period of time? Pick an easy period of time for you.
6 Month, the year. I don't -- your choice.

7 A. Yes. I don't know. You know, I pull that data all the time.
8 The last time I pulled it was in December to have our numbers for
9 the year and I just -- I don't recall right off the bat.

10 Q. I don't know. I don't recall. That's fine. So, it's all
11 good. Do you have a feeling of how many applicants you get versus
12 how many you actually offer a job offer to? Is it 100 percent?
13 Is it 5 percent? Kind of help me, from what you've seen over the
14 time.

15 A. Yes. So, shoot. I wish I had that. I had all this
16 information a couple months ago. I wish I had that for you here.
17 I can get that for you if you would like. It's -- we get -- it's
18 hard to base on that because you get a lot of applicants that come
19 through, especially from Indeed that aren't even pilots or have
20 any pilot background, you know. So, I would say if I had to just
21 guess, it would be 20 percent --

22 Q. Okay.

23 A. -- of applicants just because you've got to weed through all
24 those that don't even qualify. So --

25 Q. So, you get -- I don't want to say a lot because that's a

1 relative term but you get quite a few applicants that aren't even
2 qualified. How does that work? I'm confused. I figured pilots
3 apply for pilot positions but --

4 A. Right, right. So, we have our -- and it's all the ones from
5 Indeed. So, it's --

6 Q. Okay.

7 A. We have our suspicions that they're trying to stay on
8 unemployment or something. So, they're just really --

9 Q. Okay.

10 A. I'm going to apply for a pilot position in Deadhorse, Alaska
11 because I know I won't get hired for that. That's our
12 assumption --

13 Q. Okay.

14 A. -- as recruiters but we don't know why they're, why they're
15 applying. So, applicant-wise we get -- it's really slowed down
16 this year. But usually we would get a lot of applicants but
17 qualified applicants is really what we, what we need to look at.
18 And so, I would say, you know, again if I were to guess based off
19 of qualified applicants that come in, again the percentage of how
20 many make it through interview process and all the way to hire is
21 probably even, probably even lower than that --

22 Q. Okay.

23 A. -- than the 20 percent just because we get a lot of low time
24 applicants that come through that just we can't bring them on
25 board. And that's always, that's been kind of our biggest

1 challenge especially lately, you know. You've got the airlines
2 hiring in at higher wages, lower time than what we're requiring.
3 So, it becomes really challenging for us to find candidates and
4 get them in the door. So --

5 Q. Okay. You used a term and I know what I visualize in my
6 brain but I want to know what you visualize of qualified
7 applicants. What -- how do you define a qualified applicant?

8 A. Qualified applicant would be a pilot for sure. Definitely a
9 pilot. Somebody that meets our requirements. Somebody that has
10 their certificates, certifications. So, to me, that would be a
11 qualified candidate.

12 Q. Okay.

13 A. And then of course, you have your ideal candidate which would
14 be anybody that has cargo experience tend to be a good fit.
15 Instrument experience is another big thing that we definitely look
16 for, you know. Survey pilots or skydiving pilots, they just --
17 it's not a fit for what we do in the instruments and type of
18 aircrafts that we fly and stuff. So, we have never found somebody
19 to come that we've hired where that would be a good fit if they're
20 just VFR, if you understand that term, instead of IFR. So,
21 they've got to have the instrument for sure and then our
22 requirements.

23 Q. Okay. So, it sounds like you guys do a lot of prescreening.
24 How many of those that make it through you or your group -- and
25 you send it to Kaleo. We'll just say for that -- or any assistant

1 chief. How many that you send get job offers or do the assistant
2 chiefs cut that even a lot?

3 A. They cut it down quite a bit too. So, yes. And so, that's
4 the whole reason why we want to bring in a former pilot because
5 the ACPs have kind of been frustrated with my team saying we
6 aren't getting qualified candidates in, you know. Why are you
7 setting us up in interviews with these candidates? So, we're
8 hoping to bring somebody in that does have that background
9 knowledge that can even, you know, screen them out more, take that
10 off the assistant chief pilot's plates so they don't get
11 frustrated that they're stuck in a two and a half hour interview
12 with a candidate that's not qualified. So --

13 Q. Okay. So, I know we've talked about Kaleo, Hawaii life
14 flight. They kind of -- I don't want to say do their own thing
15 but they're a little different than --

16 A. Correct.

17 Q. -- maybe the rest. But do you have particular assistant
18 chiefs that you know they want this kind of an applicant or this
19 one wants this kind of an applicant? Is that -- does that vary a
20 lot?

21 A. There's not a whole lot of variation. We do have like -- one
22 of our assistant chief pilots, he's very specific and he's a lot
23 more selective of who he brings in. So, that would be Brandon
24 (ph.). He oversees our floats and our Arizona bases down south.
25 So, he's very selective and very -- wants, you know -- he's very

1 picky about who he brings onboard more so than the other assistant
2 chief pilots.

3 Q. Okay. When you said the applicants, do they give you
4 feedback why they turn them down? I mean, I know they'll say he's
5 not qualified. But do they say this person wasn't qualified
6 because?

7 A. Yes, yes. So, they've been -- and again, that's been a lot
8 of feedback to Melanie just helping her understanding and
9 knowledge as far as what they're looking for. So she can weed
10 them out and not weed them out but, you know, really understand
11 instead of just sending everybody through to them. They want her
12 to really be selective, you know. We're looking for a candidate
13 that has cargo experience. We're looking for somebody that has
14 instrument, you know. The, the skydivers, the surveyors aren't
15 going to work for us. So, they, they provide her with that
16 feedback.

17 Q. Okay. All right.

18 A. And usually, they copy me on it so that I know that they've
19 provided her with that feedback. So, then I can kind of help
20 guide her and direct her as well.

21 Q. Okay. So, let's say for a moment I applied. I sent you my
22 application. You guys do all your magic and whatever you look at
23 and you decide okay, you know. We're going to send him -- how
24 long from the time I apply typically, I'm going to use that word,
25 until maybe I get an interview with an assistance chief pilot or,

1 you know, get whatever the next step is? How long does that
2 usually take? Are we talking days? Are we talking months?

3 A. Sure. So, my requirement for my recruiters are they're to
4 review resumes and phone screen within 24 to 48 hours of receiving
5 the resume. And then from there, it really depends on the
6 assistant chief pilots' availability. So, typically, Melanie
7 tries to schedule them within one to two weeks because we don't
8 want to lose out on the candidate, right, because we understand
9 that they're probably interviewing other places as well. So, one
10 to two weeks for that additional interview. And then where it can
11 kind of become more lengthy is if they send them here for a sim
12 evaluation because then we're back to coordinating with the
13 candidate to get travel booked to come out for a sim evaluation.
14 So, anywhere from 45 to 60 days is kind of the timeframe for, for
15 the full hiring process. From the time of receiving resume to
16 hiring and sitting here in a class is about 45 to 60 days.

17 Q. Okay. Appreciate that. You talked about you're trying to
18 get a pilot recruiter on to help the process. Are you looking at
19 a pilot internal to Guardian or are you looking external pilot?

20 A. Both. So, we had -- so, what I'm doing -- I've done ten
21 interviews so far and I've had the assistant chief pilots do an
22 interview with the two I identified as top candidates. This one
23 gentleman we really liked. He was external. But he is a pilot
24 and he has also been a pilot recruiter. So, it's kind of -- that
25 was my thing. I'm like how are we going to find a pilot that also

1 has recruiting knowledge. It's like finding a needle in the
2 haystack. Right. And we just were fortunate enough to find this
3 guy and he was just laid off from Wheels Up. They did a big mass
4 layoff and he was just let go at the end of December with the
5 layoffs. But he's also military. So, what he had done, because
6 he didn't want to be out of work, is he signed up for a
7 deployment. So, he was hoping he could get out of that deployment
8 to come onboard with us. We did go ahead and extend an offer to
9 him. His sergeant said no. It's going to be six months. So, I
10 told him to reach back out to me after six months, see where we're
11 at in the process but we are continuing to interview at this
12 point. So, we did interview an internal candidate as well last
13 week but he's all rotor. He's on -- he works for Ari Beck (ph.),
14 one of our sister companies that has all the helicopters. They're
15 a large helicopter company. So, so, he did okay but we're just --
16 we're still trying to find --

17 Q. Okay.

18 A. -- the best candidate. So --

19 Q. Okay. All right. Appreciate that. You mentioned after you
20 extend the job offer letter, it's at that point you guys run a
21 PRIA, PRD, all that. Why do you wait until then?

22 A. So, the PRD we actually do -- we ask them when they apply.
23 And then when we set up the interview, it's in our interview email
24 as well asking them to give us access to the PRD. The ACP
25 actually reviews that before they hop on the interview with them.

1 Q. Okay.

2 A. So, that's when the records are reviewed. They're reviewed
3 again. When I get the request from the ACP to extend an offer,
4 then I do up the offer letter and send that to Andy, our chief
5 pilot. He goes in and does a second review again of the record
6 just to make sure everything is aligned, reviews their resume and
7 the offer letter before giving me approval to extend the offer.

8 Q. Okay. That helps. Thank you for that clarification.

9 A. Yes.

10 Q. I --

11 A. So, I might have confused you because our background check
12 is --

13 Q. Right.

14 A. -- then done. Once they accept the offer, then that next
15 step is they go through background and drug test. So, that comes
16 after the acceptance.

17 Q. Okay. I know aviation is a unique industry. And when you do
18 those background checks, how successful are you of actually
19 getting a background done on a pilot? I mean, companies come and
20 go, you know. Supervisors come and go. So, how successful is
21 that?

22 A. Yes. So, the part with that is we -- before they're sitting
23 here in class, I want to make sure that criminal is cleared.
24 There is no criminal background. Drug is cleared. PRIA, the
25 employers have 30 days to respond to us. So, that -- we review

1 what we have but a lot of times, they'll be here in class before
2 we get every single previous employment record in. And then even
3 with that, like a lot of times, say things -- well, sometimes, you
4 know, you get responses. Other times, it's just job title
5 verification, dates, things like that are what we get back. So --

6 Q. Have you ever gotten a PRIA back that somebody is sitting in
7 class and you're going yes, no, this wouldn't make the cut and you
8 have to pull them?

9 A. One time. It was -- and I don't recall exactly what the
10 issue was but I did send it to Jeremy and had him look at it.
11 Said hey, this guy is in class. We just got this back from a
12 previous employer. Do you have any concerns about this? And he
13 reviewed it and felt like we were okay to continue moving forward
14 with the candidate. So, I don't recall exactly what the incident
15 was but that did happen once.

16 Q. Okay.

17 A. So --

18 Q. All right. I know I asked how long from the time somebody
19 applies until you give them a job offer. I should have clarified.
20 Is that CONUS or is that Hawaii or both? Are they both the same
21 kind of timeframe?

22 A. It's the same.

23 Q. Okay. So, that is similar.

24 A. Correct.

25 Q. You said Hawaii earlier was a little unique. So --

1 A. Yes, yes. As far as -- yes. The timeframe for the recruiter
2 to still send the resumes over to Hawaii is the same. It's pretty
3 much the same, 45-60 days as well. Let me back up on that. It
4 can be longer for Hawaii.

5 Q. Okay.

6 A. We always, we always joke that they run on Hawaiian time.
7 So, it can be a longer process --

8 Q. Okay.

9 A. -- as far as getting them hired.

10 Q. All right. You pull my PRIA. I'm just saying if I applied
11 and you looked at my PRIA or PRD and all of that. What are you
12 looking for?

13 A. Looking for -- as far as no accidents. Looking for any
14 incidences, drug history. We also have a DER (ph.). That's our
15 drug representative that also reviews the PRIA. And so, it's kind
16 of like we have three different checks, you know. We've got --
17 I'm reviewing backgrounds and drug tests, as well as our DER is
18 reviewing those to make sure there's a second check there, as well
19 as our chief pilot is checking those. So, kind of have these
20 different individuals checking. So, making sure there are no
21 accidents or incidents. If there was something, you know, we'd
22 definitely -- if Andy hadn't seen it or something comes back on
23 PRIA that wasn't -- well, it would be on the pilot records. But
24 if we see something that comes back, we'll bring it up to
25 operations and have them clear it, review it and clear it. So --

1 Q. Do you ever look for unsatisfactory certificate ratings that,
2 you know, maybe I went to the FAA, didn't check right and didn't
3 pass that? Do you guys look at that kind of stuff or do you let
4 operations?

5 A. Operations. Yes.

6 Q. Okay. All right. I think my last little subset of questions
7 here is you had mentioned earlier, you know, like parachute
8 jumpers, aerial applications, you probably aren't going to look at
9 those because they're pretty much VFR.

10 A. Correct.

11 Q. How about helicopter pilots for fixed wing?

12 A. So, that's -- we will consider candidates that have both
13 fixed wing and rotor. What we tend to do with those if Melanie
14 gets in a resume like that, she'll send it to the assistant chief
15 pilot before doing a phone screen and interviewing because she
16 wants them to have eyes on it. Is their experience going to
17 translate over to what we're looking for? Then if the assistant
18 chief pilot comes back and says yes, go ahead and move forward
19 with setting up an interview, then she'll do that at that point.
20 Because those are kind of so, you know -- we don't know 100
21 percent as far as what we're looking at. Like the assistant chief
22 pilots with that dual experience, we have them look at it first.

23 Q. Okay. So, I know you said you've reviewed Brian's records.
24 Is there anything that when you reviewed that would have flagged
25 you going I don't know if we would have done that nowadays?

1 A. So, no.

2 Q. Okay.

3 A. Yes. And that was -- so, he was hired on before we started
4 doing the PRD checks. So, it was solely -- just be what came back
5 on the PRIA and background. So, but there was nothing that
6 alerted a red flag or anything of concern. So --

7 Q. How about his resume? Was there anything that you guys saw
8 there that may or may not have?

9 A. So, with his resume, he -- the only thing was -- so, he's a
10 good example of one that had the dual helicopter experience. He
11 was just shy on his fixed wing experience. He had 950 fixed wing.
12 So, one thing that, that we like to see is if they do have the
13 dual experience -- he had 7,000 total time but he had 950. And
14 typically, we like to see 1,000 fixed wing hours if they've got
15 that dual experience coming in. So, he was just shy of that. So,
16 other than that, he had his ATP, had his commercial and
17 instrument. He had his MEL, multi engine landing, certificate.
18 So --

19 Q. So, I know you said you like to see 1,000 but obviously, he
20 didn't have that. So, what kind of discretion do you guys have
21 for that or is that you guys or is that the assistant --

22 A. It's not -- that's the -- that would be the assistant chief
23 pilots and chief pilot to make that discretion or decision.

24 Q. Okay.

25 A. So --

1 Q. And then the very last question I have is I know you guys
2 reach out to do the PRD and look at PRIA and everything. Do you
3 guys ever input anything on to the PRD, you, your group?

4 A. No. That's handled by operations.

5 Q. Okay. Perfect. Thank you again. I know I've asked you a
6 lot of questions but you've really filled in some blanks. So, I
7 do appreciate --

8 A. Good.

9 Q. -- that. Sabrina.

10 DR. WOODS: Millicent?

11 BY MS. HILL:

12 Q. The PRIA information that's received while they're in class,
13 is that ever sent on to the ACP that they'd be reporting to?

14 A. If there came back a concern. If it was just, you know,
15 they're just verifying job title, dates and things like that, then
16 no. But if something came back where there was a question or
17 concern the previous employer flagged, then yes. Usually, I would
18 go to the chief pilot or to the director. Like that one incident
19 is before Nick was hired on. So, Jeremy was our director of
20 operations at that time. So, I just went straight to him with the
21 concern since the person was in class. So, typically, I'm going
22 to go to Jeremy and Andy first. But yes. If anything came back
23 during the process I think prior to hire, I would go to Andy and
24 the assistant chief pilot. But if they're here in class, I'm
25 going to go to the director level.

1 Q. That's all I had.

2 A. Okay.

3 DR. WOODS: Mitch.

4 BY MR. MITCHELL:

5 Q. Thank you, Jen, for providing us with all the information and
6 thank you for your time. I just have a few questions. In the
7 application interview process, if it's determined that a sim
8 evaluation is needed, does Guardian pay for that applicant to come
9 to the simulator?

10 A. Yes.

11 Q. Does Guardian also pay for hotel --

12 A. Yes.

13 Q. -- and per diem for that? Has there ever been any pressure
14 to -- you know, let's not simulator check this because it's just
15 costing the company money?

16 A. No.

17 Q. I know Hawaii kind of handled a little bit different. So, if
18 the assistant chief pilot out there says hey, got this referral,
19 needs a sim evaluation, do they send them to here?

20 A. He's done both in the past. They've got a sim out there.
21 So, they'll do it out there. But if that's broken or there's any
22 reason they can't do it out there, then they have sent candidates
23 here before.

24 Q. You had mentioned something in the, kind of in the discussion
25 that the pilot recruiter may have an initial -- making sure that

1 they're a possible good fit. Are Guardian fixed wing pilots
2 excepted to de-ice their own aircraft?

3 A. Yes. If that's, you know, if that's needed.

4 Q. Okay. Do you know if they provided training on that?

5 A. I don't know.

6 Q. Okay. Your current pilot recruiter -- Melanie I believe you
7 said is her name.

8 A. Correct.

9 Q. Just for my clarity. She is not a former pilot for Guardian?

10 A. Correct.

11 Q. Is she a pilot at all?

12 A. No.

13 Q. Does she have any aviation background?

14 A. She does not.

15 Q. Anywhere in the initial discussion with potential candidates
16 is there any discussion about dark night, VMC flying, mountainous
17 flying conditions, all weather, bad weather, turbulence? I
18 mean --

19 A. In the initial phone screen?

20 Q. Yes.

21 A. No. So, my understanding is that those conversations are
22 during the interview with the ACP.

23 Q. Okay. So, let's say I went through the initial screening and
24 made it through the technical interview with, you know, the ACP or
25 whoever. I came and did a simulator evaluation. It was

1 satisfactory and I'm going to get into a new hire class. Is
2 Guardian paying for that person as an employee when they come for
3 training?

4 A. Yes.

5 Q. That includes lodging and everything else?

6 A. Yes.

7 Q. You said that the culture you really like. You feel
8 comfortable that you could walk in and sit down. And you used the
9 term president. You could sit down and talk. Who is the
10 president?

11 A. Jared Sherman.

12 Q. Okay.

13 A. And prior to that, it was Vicki Spediacci.

14 Q. Okay. Do you live here in the South Jordan area?

15 A. I do. Yes.

16 Q. Okay. So, with the upcoming move to Texas, is that going to
17 change your position or location?

18 A. No. So, what's interesting -- I had -- Melanie and my
19 clinical recruiter had actually relocated down there to Texas in
20 August. They had moved our clinical training down there for
21 flight nurses and flight paramedics back in that timeframe. So,
22 Michelle (ph.) wanted to be close and there in person to do her
23 new hire orientation and classes. So, she made the move. And
24 Melanie moved because her husband had school -- an opportunity for
25 schooling down there. So, they're down there. So, how it's been

1 working since August is I've been doing all the new hire
2 orientation classes here for pilots and mechanics and dispatch.
3 We're just going to -- and I've had a recruiting coordinator here
4 as well. So, we're just going to switch our responsibilities to
5 Melanie and Michelle down there for new hire orientation.
6 Everything else we can do remotely. Interviewing and everything
7 else like that we can do from our homes. So --

8 Q. So, no changes for you.

9 A. Correct.

10 Q. Just you get to stay here. Okay.

11 A. Sorry. That was a simple -- I gave you a long winded
12 answer --

13 Q. No. That's good.

14 A. -- to a simple question.

15 Q. Just curious. All right. Yes. I don't have any other
16 questions. Thank you.

17 DR. WOODS: How are you doing so far?

18 MS. TATE: Good.

19 DR. WOODS: We've been going for a while. Do you need a
20 break or anything like that?

21 MS. TATE: I might just grab some water.

22 DR. WOODS: That's fine. I think that's totally valid.

23 MS. TATE: Okay.

24 DR. WOODS: Sure. Okay. Starting back up at 12:42. I did
25 have a couple other questions and I recognize that you may not be

1 the person. You might not know these answers.

2 BY DR. WOODS:

3 Q. But given that you do work with like the offer letters and
4 kind of the compensation and things like that, do you know what
5 Guardian's stance is on employees seeking other means of
6 employment? Colloquially known as like moonlighting.

7 A. No. I don't.

8 Q. You don't have any -- like even maybe in your dealings with
9 HR, any knowledge on the policies, if they're in place?

10 A. I don't.

11 Q. Okay. And based on that, you talked about -- or maybe that
12 was -- that might have been previous. Is there a, like a cost of
13 living adjustment depending on what base a person is located at?

14 A. There's a geo-modifier. So, yes.

15 Q. That's it.

16 A. Yes.

17 Q. Okay. And essentially, that is to help manage the region and
18 maybe it's, you know, the cost that it takes to live in that
19 region.

20 A. Correct.

21 Q. Okay. And is that predetermined or is that something that
22 the ACPs also determine?

23 A. So, they're set in place. So, we got a list. Jeremy and
24 Brian Foster had sat down and determined what geo-mods we were
25 going to offer for each location and that's what we have to go by.

1 So, in order to change it, it's kind of a lengthy process. So,
2 right now, we -- like our president has a couple others in review
3 because we're just having no applicants and no interest in those
4 locations. So, they're, they're -- he's working with compensation
5 and GMR leadership to determine if we can do a geo-modifier or
6 increase for that area.

7 Q. And that's a great question. In your experience, is the
8 reason for the lack of applicants for the specifics regions that
9 you're talking about -- do you think it's because of that lack of
10 compensation?

11 A. Correct.

12 Q. Okay. Is -- I know you're a little bit more hands off with
13 Hawaii life flight. But is that one of those regions --

14 A. No.

15 Q. -- that struggles with -- okay.

16 A. No. We -- when I first started five years ago, it was a
17 challenge. And then they did a compensation analysis but this was
18 before we were under the GMR umbrella and they were doing geo-
19 modifiers. So, they did across the board. They did compensation
20 increases for Hawaii. After that point, we didn't struggle with
21 getting applicants for Hawaii at all. So, and at any give time,
22 like I've only got a couple openings there right now. So, Hawaii
23 is usually -- the longevity is there. The applicant flow is
24 there. It's usually an easier region to staff. So --

25 DR. WOODS: Okay. All right. I think that is all I have.

1 Again, great information. This, this helps us understand the
2 operation and how it works and how it's all connected. So, that's
3 it's for me. What about you, Shawn?

4 MR. ETCHER: I'm good. Thank you again for educating me. I
5 greatly appreciate it. It's helped a ton. So, thank you.

6 MS. TATE: Sure.

7 DR. WOODS: Millicent?

8 MS. HILL: All good. Thank you for your time.

9 MS. TATE: Okay. Thank you.

10 DR. WOODS: And you, Mitch?

11 MR. MITCHELL: Yes. No further questions. Thank you, Jen.

12 MS. TATE: Okay.

13 MR. MITCHELL: Certainly appreciate it.

14 MS. TATE: Sure.

15 BY DR. WOODS:

16 Q. Okay. Well, with that, we always kind of end with what I
17 call the wild card question. And that is you had some time. You
18 knew we were coming. You knew we would like to talk to you. Is
19 there anything that we didn't ask that you thought for sure
20 they're going to ask me this, I need to prepare?

21 A: I just, I thought you guys would ask about our requirements
22 but you may have gotten that information from others before. So,
23 I wasn't really sure what to expect or what you were going to ask.
24 I thought okay. They're going to ask me about our requirements.
25 They're going to -- I brought, you know, resumes and interview

1 notes and things like that. So, yes.

2 Q. Okay. I lied. I do have one more question then. You did go
3 back because, of course, it was a while ago -- the accident pilot
4 and you did a review. Going back now, hindsight, I know it's kind
5 of a multifaceted thing, is there anything in those -- in that
6 resume or interview notes that stands out to you now?

7 A. Just his fixed wing time being a little bit shy of what we
8 like to see of the 1,000 but --

9 Q. And we talked about that earlier. Okay.

10 A. But again, I wouldn't have changed the process. Resume still
11 -- even though -- because he's close, I still would have sent that
12 to Kaleo and let him make the decision. So --

13 Q. Do you see any reforms going forward based on like the
14 outcome of this accident? Do you see -- have you seen any changes
15 effecting your process? Although, I know, I know the hours have
16 been I think a little more scrutinized. But in your process, have
17 you seen any changes or do you anticipate any changes?

18 A. Not directly for me but we have, you know -- I have -- did
19 get a call from our VP of flight operations saying effective
20 immediately these are our requirements. I know our float
21 positions are on hold currently while we reevaluate our
22 requirements for that role and kind of the reevaluating other
23 things. So, those are just kind of the impacts for us currently.
24 So --

25 Q. Okay, okay. Thank you. Sorry.

1 A. Other than, other than looking for this pilot recruiter, I
2 think that will really help both operations and recruiting side.
3 So --

4 Q. Thank you. Sorry about the last minute throw there.

5 A. No. You're good.

6 Q. Any other questions for us?

7 A. I don't think so.

8 MR. MITCHELL: Can I ask one last question?

9 DR. WOODS: Sure.

10 MR. MITCHELL: I'm sorry. It's just yours --

11 DR. WOODS: I know.

12 MR. MITCHELL: -- kind of made me think of something. I
13 didn't realize you had records there in front of you.

14 BY MR. MITCHELL:

15 Q. Do you know if the accident pilot, Brian, went through a
16 simulator evaluation prior to receiving an offer?

17 A. I don't know. Yes. I went back through my records and all I
18 could find was the email from Kaleo saying to extend an offer.

19 So --

20 Q. Is --

21 A. There wasn't, there wasn't one done here.

22 Q. Okay. Whenever you do have applicants who do a simulator
23 evaluation, is that documented?

24 A. Yes.

25 Q. Okay.

1 A. Yes.

2 Q. Perfect. Thank you. Sorry.

3 DR. WOODS: Any more alibis? Okay. With that, we've taken
4 up a lot of your time. I know we want to make sure that you get
5 to your next appointment. So --

6 MS. TATE: Okay.

7 DR. WOODS: -- we will conclude at 12:49.

8 MS. TATE: Okay.

9 (Whereupon, at 12:49 p.m., the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: RAYTHEON AIRCRAFT COMPANY
 FATAL ACCIDENT NEAR KAUPU, HAWAII
 ON DECEMBER 15, 2022
 Interview of Jennifer Tate

ACCIDENT NO.: ANC23FA008

PLACE: South Jordan, Utah

DATE: March 22, 2023

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Brenda Field
Transcriber