



NATIONAL TRANSPORTATION SAFETY BOARD

Office of Aviation Safety
Washington, D.C. 20594

August 24, 2021

Attachment 1: Interviews and Statements

OPERATIONAL FACTORS FACTUAL REPORT

CEN20LA215



UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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FATAL CRASH OF MITSUBISHI MU-2B

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AIRPLANE N44MX NEAR SIOUX FALLS,

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Accident No.: CEN20LA215

SOUTH DAKOTA, ON JUNE 7, 2020

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Interview of: CLANE CAMPBELL, Pilot

McNeely Charter Service, Inc.

Via telephone

Tuesday,

August 18, 2020



APPEARANCES:

D. SHAUN WILLIAMS, Operations Investigator
National Transportation Safety Board

COURTNEY LIEDLER, Investigator in Charge
National Transportation Safety Board

DUJUAN SEVILLIAN, PhD, Human Performance Investigator
National Transportation Safety Board

ERIC KINNEY, Deputy National Flight Test Manager
Federal Aviation Administration

LADDIE HOSTALEK, Former Chief Pilot
McNeely Charter Service, Inc.

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I N T E R V I E W

(1:30 p.m. CDT)

DR. SEVILLIAN: I'm Dujuan Sevillian, human performance investigator for the NTSB. Thank you for taking time out to talk with us today. NTSB is responsible for investigating aircraft accidents and coming up with probable cause and recommendations to prevent future accident occurrences. You're here today because you're an expert, and we want to hear from you, particularly your involvement as a pilot for McNeely Charter.

So, on the phone today, we have NTSB personnel and parties to our investigation. Our parties help us understand the technical details to support our investigation. Our representative from the FAA's Office of Accident Investigations will be online with us, and he's not from the enforcement side. So he'll introduce himself here in a moment.

The interview will consist of two rounds of questioning by the interviewers. Let us know if you need a question repeated. If you do not know the answer to a question, simply state that you do not know. And if you need to take a break, let us know and we'll take a break.

MR. CAMPBELL: Okay.

DR. SEVILLIAN: You are allowed one representative for your interview today. Who would you like to represent you?

MR. CAMPBELL: From McNeely Charters?

DR. SEVILLIAN: It can be anyone.

1 MR. CAMPBELL: If Laddie's online, I'd like Laddie to be my
2 representative.

3 DR. SEVILLIAN: Okay. All right. As I stated before, the
4 conversation will be recorded. It will be recorded and a
5 transcript will be developed for the accident case public docket.
6 The voice recording will not be published. So, therefore, none of
7 our conversation today will be considered confidential.

8 So what I'll do is I'll let the parties introduce themselves
9 alongside NTSB personnel, so we'll start with Shaun.

10 MR. WILLIAMS: Hey, team, my name is Shaun Williams. I'm the
11 operations investigator with the NTSB.

12 DR. SEVILLIAN: Okay. Let's go to Courtney.

13 MS. LIEDLER: All right. My name is Courtney Liedler. I am
14 the investigator in charge for this accident with the NTSB.

15 DR. SEVILLIAN: All right. Matt, are you online?

16 (No response.)

17 DR. SEVILLIAN: Matt Rigsby may be coming in a little later.
18 Eric?

19 MR. KINNEY: My name's Eric Kinney. I'm with the FAA. I'm
20 the deputy national flight test manager.

21 DR. SEVILLIAN: Okay, and Todd?

22 (No response.)

23 DR. SEVILLIAN: Todd's not online.

24 All right. Laddie?

25 MR. HOSTALEK: Laddie Hostalek. I was chief pilot at the

1 time the incident occurred and check airman for McNeely Charters.

2 DR. SEVILLIAN: Okay. Thank you.

3 So is there anything else before we get started, Clane?

4 MR. CAMPBELL: No, that's it.

5 DR. SEVILLIAN: Okay.

6 INTERVIEW OF CLANE CAMPBELL

7 BY DR. SEVILLIAN:

8 Q. Okay, so for the record, could you please state your name
9 with spelling?

10 A. Yes. It's Clane Campbell. That's C-l-a-n-e, last name
11 Campbell, C-a-m-p-b-e-l-l.

12 Q. All right. And what is your role at McNeely Charter?

13 A. I'm a captain on the Metroliner.

14 Q. Okay. How long have you been a captain on the Metroliner?

15 A. For McNeely, it's one year.

16 Q. Okay. And can you give us a kind of, sort of a brief
17 aviation background of yourself?

18 A. Yes. I started flying in Jamaica back in 2000, got my
19 private there. I came here in 2004, did my commercial. In 2007,
20 I did my multi-engine and instrument rating. I came to the U.S.
21 in 2014, and in 2015, I was a flight instructor at American Flyers
22 in Pompano Beach, Florida. I instructed there, and then I went to
23 Virginia to do some skydiving with Current Aviation.

24 The following year, in 2017, I went to here in Texas within
25 El Paso. I was flying the Metroliner as first officer for Sierra

1 West Airlines. I became a captain there in 2017. I spent a year
2 and a half with them, and I transitioned over here to McNeely
3 Charters, which I've been a captain since.

4 Q. Okay. About how many hours do you have, total flying hours?

5 A. I'm coming up on 4,000.

6 Q. Okay. And I don't know if you said this earlier, but do you
7 fly any other aircraft for McNeely other than the Metroliner?

8 A. No, sir, just the Metroliner.

9 Q. Okay. And when you got hired at McNeely, could you take me
10 through the process as far as any training that you received from
11 McNeely when you were onboard?

12 A. Yes, absolutely. Well, I got the call from Mr. Todd at the
13 time for an interview, and I went in person, did the interview. I
14 got the job. And then the following week, sometime in July of
15 last year, we did -- we started ground school. We did 8 days
16 total ground school. This entailed a lot of stuff. I mean, we
17 did both systems to NTSB stuff, everything. It was about 8 days
18 of intense ground school.

19 Then I had some flight training with the check airman, which
20 was Brian Peterson (ph.) at the time and still is. I did a couple
21 of flights with him, a couple of training flights, and then on the
22 29th of that month, I did my check flight. Yes.

23 Q. And, as far as check airman training, give me the scope of
24 what that includes.

25 A. Yes. Well, we -- on a day-to-day basis, we have ground

1 school, and then we have a briefing of what we're going to, you
2 know, do in the air and stuff like that. And then we'll just go
3 out and we'll see who demonstrates stuff, and then I'll do it and,
4 you know, he shows me what's going on. And then, on the flights,
5 he just showed me the operations for the IOT vector, the check
6 flight.

7 Q. Um-hum. And, in the training curriculum, is there recurrent
8 training that's built in?

9 A. Yes, there is a recurrent training. I believe I'm trained
10 every 6 months.

11 Q. And what does that training consist of?

12 A. Well, every 6 months, I do a 135, 297. I do a 299 every
13 year. And we do a ground school, and then we'll do a TSA (ph.)
14 and all those exams, written exams. And then we'll go up and
15 we'll fly for -- my last check was an hour, hour and a half,
16 pretty much. So that's the practical portion of that.

17 Q. Okay. So can you run me through a typical scenario where you
18 are assigned to a flight? How would you go about that, you know,
19 getting ready for the flight? How would you proceed with that?

20 A. Well, on a day-to-day basis -- well, pretty much, if there's
21 a trip, we could get the call initially, and we -- typically it's
22 where we get heads up that -- there's a heads-up time, and we'll
23 just, you know, take rest and just get ready. Get to the airport
24 on time. Do our pre-flights. And then from there it's, you know,
25 whatever they -- whatever it is that we're supposed to do in terms

1 of where we go and whatever then. You know, pretty much just go
2 wherever and get that -- get the flight and go from there.

3 Q. Okay. So what's your understanding of what McNeely's
4 definition of duty time is?

5 A. Well, typically, we do -- it's 14 hours duty day as max what
6 we are to do, and that's what we follow by, the guidelines of a
7 14-hour duty day.

8 Q. And then how much rest time is typically needed, or does
9 McNeely --

10 A. Well --

11 Q. -- (indiscernible)?

12 A. -- pretty good with McNeely Charters, to be honest. It -- we
13 don't take less than 14 hours off after each flight. And that's
14 standard across the board.

15 Q. Okay. And, in the time that you've been flying, have you
16 ever had to cancel a trip because you weren't fit to fly?

17 A. So far, no, sir. No.

18 Q. Okay. And if you had to do -- if you had to cancel a trip
19 because you weren't fit to fly, who would you contact?

20 A. Well, the dispatch first, and usually, typically on every
21 flight, I kind of send a message to my boss just to let him know
22 that we're fine. So but dispatch is where we contact and let them
23 know, because they're the person who call me. If I'm not fit, I'm
24 not feeling good or fatigued, whatever, I let them know I'm not
25 fit enough to take that trip.

1 Q. So when were you hired on again?

2 A. In July of last year.

3 Q. Okay. And so did you ever fly with Reggie?

4 A. No, sir. I never fly -- flown with Reggie.

5 DR. SEVILLIAN: Okay. All right. Those are the questions
6 that I have for right now. Thank you.

7 Shaun?

8 MR. WILLIAMS: Yeah. Thanks, Dajuan.

9 BY MR. WILLIAMS:

10 Q. Thanks, Clane, for trying to help us here. So kind of talk
11 to me a little bit about your duty day itself. When you come on,
12 I understand you're 14 hours, but if it's your first day, what
13 time -- or how is it worked out so that you know when you're
14 starting to be available to the company?

15 A. Do you mean after a day of work?

16 Q. No. Let's say you've been on vacation, okay, so you've had
17 the last week off, so rest isn't an issue.

18 A. Right.

19 Q. It's your first day on.

20 A. Yes.

21 Q. Are you expected to be ready at 12:01? Are you given a time
22 that says, hey, you know, at 9 o'clock, you'll start? You know,
23 we may call you for -- you would be available for a flight trip.
24 At what point --

25 A. Yes.

1 Q. -- are you available ?

2 A. Yes, sir. My first day back on call is 8:00 a.m. Tuesday
3 mornings.

4 Q. Okay. And then that's just on call, so then you're on call
5 starting at that point until when?

6 A. Until I get a trip.

7 Q. Okay. All right. So you start being available at 8:00 a.m.
8 You may not get anything until about 8, 9 o'clock that night
9 potentially, and then once you land, and you're -- then you start
10 counting for rest, is that right, before you can come back --

11 A. Yes.

12 Q. -- the next day?

13 A. Yes, sir. Typically, it's 14 hours.

14 Q. Okay. And so how are you compensated? How does your pay
15 structure work?

16 A. Oh, I'm on salary.

17 Q. You're salaried. So it doesn't matter how much you fly,
18 don't fly, weather cancels or anything like that, you're just
19 straight salary?

20 A. Yes, sir.

21 Q. Okay. All right. What about sick leave? Do you have sick
22 leave?

23 A. Yes, we do get sick leave.

24 Q. Okay. All right. So bear with me here just a second. When
25 you're out on a trip, how does the communication work? When are

1 you expected to communicate with the company?

2 A. We call once we're in position. The first leg, once we're in
3 position on the airplane, we'll call and start our duties. And we
4 call right before we take off and once we land and chalked in,
5 then we'll call again to let them know we're on the ground. And
6 typically, again, whatever is happening after that, then we'll
7 call to get a release to go or stay or whatnot. And that's the
8 same process once we get back or whatever. We land again, we'll
9 call again to let them know we're on the ground as soon as
10 possible.

11 Q. So let's talk about when you go -- when you start your duty.
12 When does that begin?

13 A. When I get to the airport.

14 Q. When you get to the airport, okay.

15 A. Yes.

16 Q. All right. Okay. So when you're -- let's say you do a
17 diversion out there. When you divert, you divert, you get fuel,
18 whatever, do you call back to the company to --

19 A. Go ahead.

20 Q. Oh, yes, before you take back off? Do you kind of work all
21 that out?

22 A. That would -- yeah, that would be a two-process call. I tell
23 them I'm on the ground, and I'll call because to let them know I
24 diverted and this is where I'm at. I'm getting fuel. I'm on the
25 ground at this time. And once I'm fueled and ready to go again,

1 I'll call again, and I get a release at that time period.

2 Q. Okay. Do you end up speaking with, or would you end up
3 speaking with Reggie at all or anyone from management, Reggie or
4 Laddie or anyone like that? Or is it that coordination is kind of
5 done behind the scenes?

6 A. Yeah, I'm not even -- I don't typically have a direct contact
7 with him. I'll call Reggie or Laddie when needed, but typically
8 I'm mostly speaking with dispatch.

9 Q. Okay. And what does dispatch do for you as a pilot? Like,
10 how would you describe --

11 A. They -- go ahead.

12 Q. How would you describe their role, like, what do they do for
13 you?

14 A. Well, they give us all the information. They give me all the
15 information as to how the trip is coordinated. They pretty much
16 coordinate the trip. Once they get the trip and have all the
17 details, they will pass that information on to me, in terms of
18 letting me know what time I need to be in position at the airport,
19 where I'm going, what I'm taking, an estimated weight of what I'm
20 taking and, you know, all that stuff, where and when to get fuel
21 and all that. And, when I'm ready to leave, I'll call them for a
22 release, pretty much.

23 Q. Okay. So backing up just a little bit, I want to talk some
24 about training here. Prior to coming to McNeely, if I recall
25 right, you were a flight instructor with American Flyers just

1 prior to McNeely. Is that correct?

2 A. I'm not -- not prior -- well, prior but not immediately
3 before McNeely. But I was an instructor back in 2016, 2017.

4 Q. Okay. So is the Metro the biggest thing you've flown?

5 A. Yes, sir.

6 Q. Okay. And is that your first 135 job?

7 A. Yes, sir.

8 Q. Okay. What did you think of the training?

9 A. I think it's great. It's right on. Just I would say I would
10 put it side by side with, like, safe training. It's pretty good.
11 A lot of detailed information in the training department.

12 MR. WILLIAMS: Okay. All right. So I'm going to pass off
13 here.

14 Thank you, Dajuan. I appreciate the chance, and that's all I
15 have at this time.

16 DR. SEVILLIAN: Thanks, Sean.

17 Courtney?

18 MS. LIEDLER: All right. I do have a couple questions for
19 you, Mr. Campbell.

20 BY MS. LIEDLER:

21 Q. What is your experience if you've had any (indiscernible) you
22 were trained on, what happens if, during the trip, you feel as
23 though that you aren't fit to continue?

24 A. Well, in a situation like that, then I will tell them I'm not
25 feeling good, if that's the situation or whatever the situation

1 might be. I'll call dispatch and let them know. Ninety percent
2 of the time, the ideal thing, they would probably try to get the
3 next crew to complete the trip.

4 Q. Okay. And so you would call dispatch, and dispatch would be
5 the ones who work this, or would you call Reggie or --

6 A. No, I will call dispatch. I'm not in direct contact really
7 with Reggie. That's, you know, something that needs to be
8 directed to Reggie, but the chain of command that -- I'm not in
9 direct contact with Reggie. So, you know, stuff like that, it's a
10 dispatch call, and they will take it into consideration and do
11 what they need to do.

12 Q. Okay. Has this ever -- has it ever occurred to you?

13 A. No, it's never happened really. Just a couple days ago,
14 actually, I came back into Laredo, and I told them that my duty
15 time was going to be up, so they got another crew to finish the
16 trip. But that's what -- that's the (indiscernible) anything like
17 that has ever happened.

18 Q. Okay. And you said that, once you told them the duty was
19 over, they cancelled the trip?

20 A. Say that again?

21 Q. You said that, once you notified them that you're over duty
22 time, they cancelled the trip.

23 A. No. No, I wasn't over duty time. I was already in -- I
24 think I was in about 7 or 8 hours, so I told them if I made the
25 trip, you know, then it -- I'm going to be close to my duty time.

1 So they just had another crew came out to do the trip -- to finish
2 the trip.

3 Q. Okay.

4 A. Yeah. And that was just due to a customs delay. That's it.
5 There's just (indiscernible).

6 Q. Okay. So that's the question. You just touched on it. You
7 said a customs delay?

8 A. Yes, there was a customs delay.

9 Q. Okay. So, let's say you're flying a trip, and let's just use
10 Mexico as an example. You're flying a trip from Texas to Mexico,
11 and you get to Mexico. There's -- you're caught and your cargo up
12 -- or there's an issue with customs. Does your clock -- does your
13 duty time clock keep running? Or does it --

14 A. Yes.

15 Q. -- stop through the time you're in Mexico?

16 A. No, it keeps running.

17 Q. (Indiscernible) take a few minutes.

18 A. Okay.

19 Q. Okay. Do you have any other duties at McNeely other than
20 being a captain on the Metro?

21 A. That's my only duty at McNeely Charters.

22 Q. Okay. And, if you're delayed on the ground for any period of
23 time, how would the comp sheet show it? Like, let's use your
24 example that you just gave where you're delayed in customs. How
25 is it discussed about your continued flight on to the next leg or

1 the possibility of, you know, delaying until to the next day or
2 your duty time at that point? How is that handled? I mean --

3 A. Well, that's -- yeah, that is a conversation between the
4 captain and dispatch. And, like, for example, this past incident,
5 it was just a discussion. And I will tell them what the reason
6 is, and they just figure it out. There was two options. If you
7 have another crew, then they'll come out and do the trip, or if
8 not, the trip will turn out to be canceled and wait until the
9 following day to complete the trip. That's typically how they do
10 it.

11 Q. Okay. So, with your delay in customs, you were still within
12 your -- the duty limit of your day?

13 A. Oh, yes. I was only about 7 hours total of duty time.

14 Q. Okay. All right. Have you ever had any delays from one day
15 to another or cancel a flight due to time -- out of your duty
16 time?

17 A. No. I've never experienced that so far.

18 Q. Have you ever exceeded your duty time?

19 A. No. Typically, we don't. We don't go over a 14-hour of duty
20 day.

21 Q. And that's never happened to you, you said?

22 A. No. I don't go past my 14-hour duty days.

23 Q. Okay, perfect. And have you ever had a problem -- have you
24 ever had a situation where you had a mechanical problem during one
25 of your deliveries -- or one of your cargo flights when you're

1 clear of operations?

2 A. No. I haven't had any problems so far. Knock on wood.

3 Q. Yeah.

4 A. Yeah.

5 Q. All right. What if -- what have you been trained -- if you
6 have a problem with the airplane during a flight, what have you
7 been -- what is your training for that? How do you handle that?

8 A. In terms of a problem on the ground or in the air?

9 Q. Let's say either.

10 A. Okay. Well, if we have a problem on the ground, we typically
11 call dispatch and, depending on the issue, they will probably
12 transfer me or have me call the director of maintenance. And he
13 typically will do a troubleshoot first to see what the problem
14 might be, if it's something fixable or not. And then, from there,
15 if they could get it fixed, then they will fix it. If not, then
16 the plane is grounded until, you know, they could clear it up.

17 Q. Okay. How about in the air?

18 A. In the air, well, if you have -- depending on, let's say, the
19 nature of the emergency, we divert to the nearest airport,
20 (indiscernible) the airport. And, once we land, it's going to be
21 a call to dispatch to let them know what the situation is. And
22 nine out of ten, if you have to divert in the air, it's going to
23 be something that's not fixable.

24 But I'll still talk to -- probably they'll have me talk to
25 maintenance and see if, you know, if it's something fixable or

1 not. And then, if not, the plane will be grounded. Possibly, you
2 know, if I have freight on board, they'll probably send a rescue
3 plane, you know, send another crew with another plane to recover
4 the trip.

5 Q. All right. Give me one second. I'm scribbling as fast as I
6 can. Okay. So you were -- you said you're compensated on a
7 salary?

8 A. Yes. I'm straight salary (indiscernible).

9 Q. Okay. With that, what is -- is there -- if you were to have
10 to deny a trip, and I'm sorry if I missed this, but if you would
11 have to deny taking a trip, are there any repercussions or are
12 there any -- is there anything, you know, that you would be
13 concerned with to deny the trip?

14 A. Oh, no. Our boss, he is -- he told -- we can deny a trip.
15 We don't have any repercussion.

16 Q. Repercussion.

17 A. We're not penalized for it, so to speak.

18 Q. Okay.

19 A. Yes.

20 Q. Have you ever denied a trip?

21 A. I have not, not so far, but (indiscernible) denied.

22 Q. And, when you get notified, what -- tell me a little bit
23 about how you get notified about a trip and -- as far as, you
24 know, you get notified of a trip and, you know, within a couple
25 hours, and you have to leave, or is it, you know, a longer period

1 of time, 12, 24 hours? What's your notification you usually get
2 for a trip?

3 A. Well, it's an on-demand charter company, so the typical we'll
4 get is if there is a heads up, if the trip is booked in advance,
5 then we'll get that notification right away. So you could be
6 anywhere from 24 hours to an hour prior to the trip.

7 Q. Okay. And are you -- tell me a little bit about how it works
8 as far as notifying about when you're available for a trip and
9 when you're not available for a trip. So are you kind of, like,
10 just basically, like you said, on demand? Are you on call, so to
11 speak, all the time, or are there certain time periods that you,
12 you know, that you're scheduled for, or how does that work?

13 Actually, on-demand, so could you explain that?

14 A. Yes. So I'm typically on call at 8:00 a.m. Tuesday mornings,
15 that's when I'm on call. So they know that I'm on call at 8:00.
16 If I'm assigned a trip, I do the trip. And once I'm back, then
17 I'll call them, and I'll calculate 14 hours from my off-duty time
18 when I return, and that would be my next time that I'm available,
19 14 hours after that time, after that trip. And I'll give them
20 that time, and that's when they will mark me down to be available
21 again, after the 14 hours later.

22 Q. Okay. And you said -- so your day -- you start on call at
23 8:00 a.m. in the morning. When would be the last time they would
24 call you? If you start on call at 8:00 a.m., what time at night
25 would they stop calling you or call someone else, or how does that

1 work?

2 A. You know, if I -- well, if I'm next in line, I'm on call
3 (indiscernible) until I get a trip.

4 Q. Okay. So is there -- you said you're next in line. Is there
5 kind of a rotation, is that what I'm understanding?

6 A. Well, we have three captains here in Laredo. So, pretty
7 much, if I'm next up in line, then once I'm on call, I am on call,
8 which means I make myself available, ready to take a trip. So, if
9 I should get called out, that's when my duty would start, once I,
10 you know, go to the airport, at that time, which could be anytime.
11 It could be 12:00 in the evening even though I was on call since
12 8:00 in the morning.

13 Q. Okay. So there's -- you said there's two captains in
14 Laredo --

15 A. Three.

16 Q. -- and only two of you --

17 A. Three.

18 Q. Oh, there's three?

19 A. Yes.

20 Q. Okay. So there's three captains in Laredo, and then between
21 the three of you, let's say you get a trip. That means the other
22 two behind you then just kind of step up, and then the next -- so
23 is it, like, the next -- the first one out, and then the last one
24 in goes to the bottom of the list?

25 A. Yes.

1 Q. Okay. Okay. Do you have any communications typically with
2 Active Aero while you're en route?

3 A. No, ma'am. No. I don't have any direct contact with Active
4 Aero. If it's an Active Aero trip, the dispatcher has given me
5 that information prior to the trip, and once I receive the
6 documents for the freight, I will -- I have an email address that
7 I send it to for Active Aero. And that's the only communication
8 that I have. That's it. I just send them the paperwork, and once
9 they get it, I (indiscernible).

10 Q. And, when you say you (indiscernible) by email, is that from
11 Active Aero, or is that from McNeely dispatch?

12 A. No, no. Once I get the freight -- dispatch, when they call
13 me up for the trip, if it's an Active Aero trip, they would tell
14 me it's an Active Aero trip. Once I get the freight, they would
15 give me their paperwork, whoever does Active Aero. That's the --
16 Active Aero is loading the airplane. They will give me the
17 paperwork for the freight at that time.

18 I would email that document to Active Aero, and then they
19 would verify and make sure I have the right freight on board and
20 just let me know if that's the right freight that I should have.
21 That's the only communication I have with Active Aero.

22 MS. LIEDLER: All right. Okay. I think that's all I have
23 right now, Mr. Campbell. I think we'll maybe have a little bit
24 more later, but that's all for right now. Thank you.

25 MR. CAMPBELL: All right. You're welcome.

1 DR. SEVILLIAN: All right. Thanks, Courtney.
2 Matt Rigsby, are you online?
3 (No response).
4 DR. SEVILLIAN: Okay. Eric, go ahead.
5 MR. KINNEY: I actually don't have anything.
6 DR. SEVILLIAN: All right. Todd, you online?
7 MR. WILLIAMS: Todd is not on the line.
8 DR. SEVILLIAN: Okay. We'll then go to Laddie.
9 MR. HOSTALEK: Yeah, I don't have any questions.
10 DR. SEVILLIAN: Okay. Are you okay now, Clane? Do you need
11 to take a break, or do you want us to continue?
12 MR. CAMPBELL: I'm okay to continue.
13 DR. SEVILLIAN: Oh, okay. I don't have any follow-up
14 questions.
15 Shaun?
16 MR. WILLIAMS: No, no questions.
17 DR. SEVILLIAN: Okay. Courtney?
18 MS. LIEDLER: Nothing further from me. Thank you.
19 MR. CAMPBELL: All right.
20 DR. SEVILLIAN: All right. Eric?
21 MR. KINNEY: No, I'm good.
22 DR. SEVILLIAN: And Laddie?
23 MR. HOSTALEK: No. Thank you.
24 DR. SEVILLIAN: Okay. So, Clane, thanks for taking time out
25 to speak with us today. Is there anything that you want to

1 provide us before we depart as far as any other details that you
2 may want to tell us that we didn't cover?

3 MR. CAMPBELL: No. No, I really don't have anything at this
4 time.

5 DR. SEVILLIAN: Okay. Well, that concludes our hearing for
6 now. Off the record at 3:09 Eastern Time.

7 (Whereupon, at 2:09 p.m. CDT, 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: FATAL CRASH OF MITSUBISHI MU-2B
AIRPLANE N44MX NEAR SIOUX FALLS,
SOUTH DAKOTA, ON JUNE 7, 2020
Interview of Clane Campbell

ACCIDENT NO.: CEN20LA215

PLACE: Via telephone

DATE: August 18, 2020

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.



Teresa Holevas
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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FATAL CRASH OF MITSUBISHI MU-2B

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AIRPLANE N44MX NEAR SIOUX FALLS,

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SOUTH DAKOTA, ON JUNE 7, 2020

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Interview of: PRESTON POPE, Pilot

McNeely Charter Service, Inc.

Via telephone

Tuesday,

August 18, 2020



APPEARANCES:

DUJUAN SEVILLIAN, PhD, Human Performance Investigator
National Transportation Safety Board

D. SHAUN WILLIAMS, Operations Investigator
National Transportation Safety Board

COURTNEY LIEDLER, Investigator in Charge
National Transportation Safety Board

MATT RIGSBY, Investigator
Federal Aviation Administration

ERIC KINNEY, Deputy National Flight Test Manager
Federal Aviation Administration

LADDIE HOSTALEK, Former Chief Pilot
McNeely Charter Service, Inc.

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I N T E R V I E W

(3:30 p.m. CDT)

DR. SEVILLIAN: All right. Preston, as I said before, my name is Dujuan Sevillian. I'm a Field Performance Investigator with the NTSB. Thank you for taking time out of your day to speak with us.

NTSB is responsible for investigating aircraft accidents and coming up with probable cause and recommendations to prevent future accident occurrences. You're here today because you're an expert, and we want to hear from you, particularly your involvement as a pilot for McNeely Charter.

On the phone today, we have NTSB personnel, as well as parties to our investigation. Our parties help us with understanding the technical details to support the investigation. Representative of the FAA's Office of Accident Investigation may be online with us, but he's not from the enforcement side at all. The parties will introduce themselves in a moment.

The interview will consist of two rounds of questioning by the interviewers. Let us know if you need a question repeated. If you do not know the answer to a question, simply state you do not know. And if you need to take a break, let us know as well.

You're allowed one representative for your interview today. Who would you like to represent you?

MR. POPE: I was under the impression that our former chief pilot, Laddie Hostalek, would be on the call. Is he on the call?

1 DR. SEVILLIAN: Yes, Laddie should be on the call. Laddie,
2 are you on the call?

3 MR. HOSTALEK: I'm here.

4 MR. POPE: Excellent.

5 MR. HOSTALEK: Yes, I'm on the call.

6 MR. POPE: That works for me.

7 DR. SEVILLIAN: Okay. As I stated before, our conversation
8 will be recorded, and a transcript will be developed for the
9 accident case public docket. The voice recording will not be
10 published. None of our conversation today will be considered
11 confidential.

12 So let's go ahead and let the parties introduce themselves.
13 We'll start with Shaun. Go ahead.

14 MR. WILLIAMS: Hey, Preston. Shaun Williams. I'm the
15 operations investigator with the NTSB assigned to this
16 investigation.

17 MR. POPE: Hi, Shaun.

18 DR. SEVILLIAN: Okay. Courtney?

19 MS. LIEDLER: Yep. Hi, my name is Courtney Liedler. I am the
20 investigator in charge with the accident with the NTSB.

21 DR. SEVILLIAN: All right.

22 MR. POPE: Hi, Courtney.

23 DR. SEVILLIAN: Is Matt Rigsby online?

24 MR. RIGSBY: Yes, Dujuan, I'm on. Matt Rigsby with the FAA
25 Office of Accident Investigation.

1 MR. POPE: Hi, Matt.

2 DR. SEVILLIAN: Okay. Eric?

3 MR. KINNEY: Hello. My name's Eric Kinney. I'm with the
4 FAA. I'm the deputy national flight test manager.

5 DR. SEVILLIAN: Okay.

6 MR. POPE: Hi, Eric.

7 DR. SEVILLIAN: And is Todd online?

8 (No response.)

9 DR. SEVILLIAN: Okay. And, Laddie?

10 MR. HOSTALEK: Laddie Hostalek, former chief pilot, McNeely
11 Charter Service.

12 DR. SEVILLIAN: All right. So, with that being said, is
13 there anything else before we get started, Preston?

14 MR. POPE: Nope. No, I believe I'm ready.

15 DR. SEVILLIAN: All right.

16 INTERVIEW OF PRESTON POPE

17 BY DR. SEVILLIAN:

18 Q. So, for the record, could you please state your name with
19 spelling?

20 A. Yes. That's Preston James Pope, P-r-e-s-t-o-n, J-a-m-e-s,
21 P-o-p-e.

22 Q. Okay. And what's your job title at McNeely?

23 A. First officer.

24 Q. How long have you been a first officer for McNeely?

25 A. 13 or 14 months, 15 months, somewhere in there. Just shy of

1 a year and a half.

2 Q. Okay. And do you hold any other positions outside of your
3 job as first officer?

4 A. No, sir.

5 Q. Okay. So could you please just give us a brief background of
6 your aviation history? Just kind of a background of your aviation
7 history.

8 A. Sure. I began flying in the spring of 2017 from Utah. I
9 began flying there with a flight school called Platinum Aviation.
10 Did my training mostly with them and also with a couple of other
11 outfits I went to after I received my private pilot with Platinum
12 Aviation. I began work on my instrument training with them.

13 I finished my instrument training at an accelerated school in
14 Minnesota called Venture North Aviation, and I also did my
15 commercial with them a few months after that. Then I got my
16 multi-engine commercial a few months after that, also at an
17 accelerated school called Riggins Flight Service in South Dakota.

18 Spent a few months looking for jobs. Was fortunate enough to
19 know Reggie and was recommended by a mutual friend to speak with
20 Reggie, who then hired me about a year and a half ago. Went
21 through basic indoc and started with the company February of 2019.
22 And then been here ever since.

23 Q. Okay. About how many hours do you have total?

24 A. 890, I believe.

25 Q. Okay. And which aircraft do you fly for McNeely?

1 A. A Metroliner SA227.

2 Q. Okay. And you mentioned a second ago about indoc training.
3 Can you take us through that process of what's covered in indoc,
4 that training?

5 A. Yeah. To the best of my abilities -- it's been about a year
6 and a half -- but it was -- I think it was 6 full days. We
7 started early, about 7:00 a.m., and went through a lot of the
8 rules of Part 135 and how we operate and our Op Specs. And we did
9 that, you know, handling of hazmat material, and talked a lot
10 about principles of weather. And we talked a lot about instrument
11 flying and approaches and stuff like that.

12 And then, towards the later half of the week was when our
13 Metroliner expert, who is on with us, Laddie, came in to teach us
14 aircraft systems and a lot of stuff about the aircraft. And
15 that's what we spent the last few days of indoc doing. That
16 was -- that's the gist of it.

17 Q. Okay. And how about recurrent training? Does McNeely have
18 any recurrent training?

19 A. Yes, we do recurrent training with each check ride. A lot of
20 the same stuff, you know. It seems to be the -- I actually just
21 did recurrent training fairly recently, and it was mostly with
22 systems, aircraft systems. And it was fairly aircraft specific.
23 But we did go over, you know, maybe if we changed some little
24 things -- or not changed things in Op Specs, but just, you know,
25 little company things. We might talk about that sort of thing,

1 but it was mostly aircraft systems.

2 Q. Okay. Who performed the check ride review with you?

3 A. My most recent check ride was performed by Brian Peterson,
4 our new chief pilot.

5 Q. Okay. And earlier, you mentioned that you knew Reggie. What
6 kind of pilot was Reggie, if you could sum it up, you know, in
7 general? What would you say? What type of pilot was he?

8 A. Man, being a 26, 27-year-old kid, you know, getting to learn
9 from Reggie, it was kind of like a -- it was like getting to learn
10 how to be a quarterback from Brett Favre. I mean, Reggie was --
11 he knew everything about aviation. He knew everything about his
12 aircraft, his MU-2s, his Metroliners. He loved them. He was, I
13 mean, an extraordinarily competent pilot. And it's honestly been
14 confusing, just trying to figure out, and even a little scary
15 that, if one of the greatest can go down -- it's made me think
16 about that kind of stuff a lot. But he was a really amazing
17 pilot.

18 I remember we got caught in some kind of hairy weather, just
19 through -- just some cloudy and some precipitation. And I
20 remember him -- how well he kicked off the autopilot, and he hand
21 flew for 20 or 30 minutes through some really, really rough
22 flying. It was one of my first times flying with him, and I'd
23 never been in anything quite like that. And to just watch him
24 never, never venture off of course or off of altitude in that kind
25 of weather was like really impressive, really blew my mind as a

1 300-hour pilot. I have rambled on long enough, but he was
2 something else.

3 Q. So how often did you fly with him?

4 A. You know, after my initial training, almost never. It's been
5 almost a -- well, it's probably been about 15 or 14 months since I
6 last flew with Reggie.

7 Q. Okay. So switching gears here, we'll talk a little bit about
8 your perspective or what your knowledge is on differences between
9 duty time versus flight time. So what's your interpretation, as a
10 pilot at McNeely, on what duty time is considered?

11 A. Duty time starts when we get to the airport, and it ends when
12 we finish our paperwork and head home after our flight. That's my
13 interpretation of duty time.

14 Q. Okay. And do you ever fill out any forms for McNeely to
15 capture your flight time and duty time?

16 A. Yeah, we have a time and duty sheet that we fill out at the
17 end of a flight and send it in.

18 Q. And, when you fill that out and send it in, who are you
19 sending it in to?

20 A. We send it in -- well, gosh, I don't know who would look at
21 it now. But it goes to a company email, goes to
22 dispatch@mcneelycharter.com, so the appropriate parties can view
23 it. I believe -- Laddie, what was Jim's former job title? He was
24 the assistant chief pilot? Yeah, it seemed to mostly -- it seemed
25 to be mostly Jim's job, Jim Speidel.

1 Q. And, as far as -- go ahead.

2 A. I'm sure, you know, as part of his job of receiving that and
3 reviewing that was, you know, keeping dispatch up to date of when
4 we were back on duty or back available to be on duty.

5 Q. Okay. So what's the process that you go through when you
6 have knowledge that you have a flight that you need to complete,
7 or you're scheduled for a flight? Could you run us through that
8 process when you are scheduled for a flight, what you do?

9 A. It depends on if we have advance warning, or if they bid on a
10 trip and it's termed as a go-now, you know, it's ready to go now,
11 where the company gives us -- they're pretty generous with how
12 long they give us to get to the airport. I was always told, you
13 know, try to be there in about an hour.

14 So if I get a call at, say, you know, 2:00 p.m. on a Monday,
15 and it's that sort of a trip, then I try to get to the airport in
16 45 minutes to an hour or so. Perform my pre-flight, make sure
17 everything's good with the plane, and then we, you know, we either
18 fly -- load the cargo or wait for the cargo. We'll fly to where
19 the cargo is.

20 That's -- but, yeah, I'll receive a call from dispatch. You
21 know, like I said, if it's a trip Monday at 2:00, I'll get a call
22 from them at 2:00, and they give me the, you know, trip details,
23 where we're going and how heavy the cargo is, what it is, where
24 we're picking it up, et cetera.

25 Q. Until you get a call from dispatch needing you to fly a

1 specific route and -- are you allowed to cancel a flight because
2 of, let's say, you're not fit to fly?

3 A. Yeah. Yeah, I could do that. It hasn't happened to me yet.
4 I haven't had to do that yet, but yeah, absolutely I could.

5 DR. SEVILLIAN: Okay. That's the questions I have for right
6 now. We'll go to Shaun. Thanks.

7 BY MR. WILLIAMS:

8 Q. Yeah, thanks. So I want to keep going with that. So like
9 Dujuan asked if you were able to cancel a flight if you weren't
10 fit to fly --

11 A. Yep.

12 Q. How would that affect pay? How are you paid? How are you
13 compensated?

14 A. I'm salary, so it wouldn't.

15 Q. Okay. Are you straight salary or is there like a base plus
16 flight hours or anything like that?

17 A. I'm straight salary.

18 Q. Straight salary. Okay. All right. And then do you have
19 sick time? Would you still be compensated if you called out sick
20 or something?

21 A. I would be, yes.

22 Q. Okay.

23 A. And the one time I believe I had to, yeah, I was still paid.

24 Q. Okay. And so I'm going to jump around a little bit. I
25 apologize. Are there any incentives, I guess, or disincentives,

1 for not completing a trip or not being on time? Does anything
2 come down? Do you get emails? Would you get phone calls, hey,
3 why couldn't you guys get there on time? Anything like that.

4 A. Gosh, like I said, I've never had to refuse a trip, haven't
5 had to do that. But no, there's none that I know of.

6 Q. Okay.

7 A. I mean, it's -- anything would just be speculation whether or
8 not we would get a phone call or an email. You know, I'd suspect
9 maybe a phone call to say, hey, is everything all right? You
10 know, it's -- if there was a phone call, it would be something
11 like that. I don't believe it would be disciplinary in nature,
12 but yeah.

13 Q. So whose responsibility is it to ensure that flight-duty wise
14 you're legal for a flight?

15 A. I would suppose that would come down on myself, you know,
16 knowing when I would be ready for a flight. But when we land,
17 generally what happens is, depending on how long the flight was,
18 what the time period was, you know, me and my captain will confer
19 with each other. And we'll say, how much time do you want to take
20 off? Do you just want to do the minimum 10? Or sometimes, you
21 know, if it's a really long trip, we'll take 16.

22 And that's when we call dispatch and let them know that we've
23 landed and everything's good. We'll just let them know when we're
24 back up again. And they've never given us any sort of problems
25 for that, whether or not, you know, they want us to take the

1 minimum 10 or bothered if we take 16. That's -- that would be how
2 we normally settle that.

3 Q. Okay. So if you take the 10, when does your 10 start and
4 when does your -- how do you figure out your 10 hours?

5 A. I mean, if we landed and finished our paperwork and left the
6 airport at noon, and that was when our duty day ended and our rest
7 period began, we would be back up at 10:00 p.m.

8 Q. Okay. So it's just a straight 10? You're not looking back
9 24 hours from -- or anything like that? You just look for the
10 straight 10?

11 A. Yeah. I mean, that's -- it would depend on the circumstance
12 of how long the flight was and how much duty time we did cover,
13 and that's usually something I, you know, confer with my captain.
14 He's better about those -- knowing those regulations than I do off
15 the top of my head. I often have to look into it. But he -- but,
16 you know, whichever captain I'm with there, they're well aware of,
17 you know, how we stay legal and if we have to take 12 because we
18 were on duty for such and such period of time.

19 Q. Okay. All right.

20 A. If that makes sense.

21 Q. Yeah. No, it does. So, since the accident, has there been
22 any -- is there, like, a safety stand down? Is there any safety
23 information distributed? Has there been anything brought to the
24 pilot group that you're aware of?

25 A. None that I'm aware of.

1 Q. Okay.

2 A. But, you know, Reggie was the only one that flew the
3 company's MU-2s.

4 Q. Right.

5 A. So, you know, if it was an issue with the MU-2 or something
6 like that, you know, that information wouldn't be immediately
7 valuable to us. Plus we, you know, we don't know what caused the
8 accident, if it wasn't MU-2 specific. So I speculate that there's
9 just not a specific subject that we could go over as a company in
10 that regard.

11 Q. Okay. So you mentioned that you flew with Reggie. So I want
12 to -- how long ago was that --

13 A. Yes.

14 Q. -- you flew the Metro with Reggie?

15 A. I would say it was April, early to mid-April of 2019. So --

16 Q. Okay.

17 A. Yeah, I'd say 16 months ago, 15 months ago.

18 Q. Okay. Well, there's portions of it that you remember, it
19 seems like, pretty vividly. Do you remember when Reggie was
20 working with you, whether it was, hey, here's the checklist; we
21 follow this checklist? Or here, let me show you this other way of
22 doing things? Like, was -- describe how he used checklists and
23 procedures and stuff. Was it, you know, kind of the --

24 A. Okay.

25 Q. You know, I think you get kind of what I'm saying. Trial

1 knowledge versus what's in the procedures.

2 A. Yeah, I know what you mean. Sort of these are the rules, but
3 this is how we do things?

4 Q. Yeah.

5 A. No. There wasn't really any of that. I mean, he didn't --
6 you know, I wouldn't say that he would consult a checklist for
7 every last thing that he did, but he's been flying that plane for
8 decades. But he did have me consult the checklist for everything
9 that we, you know, everything that we did. And he made sure that
10 the checklists were complete.

11 But, you know, he -- those were -- you know, he did have the
12 checklists memorized. And he wanted to make sure that I was by
13 the book and followed the checklists. And that's how our captains
14 do it, too, you know, call in for checklists, making sure
15 everything's done. Yeah, that's -- I mean, that's just how we do
16 it.

17 Q. Okay.

18 A. How he did things privately, I don't know, but when I was
19 with him, that was how it was.

20 Q. Okay. Yeah, I wouldn't want you to speculate. I just want
21 to know what you remember and how he was when you flew with him,
22 so --

23 MR. WILLIAMS: All right. Dujuan, I think that's all I have
24 for right now. Thank you.

25 DR. SEVILLIAN: All right. Thanks, Shaun.

1 Courtney?

2 BY MS. LIEDLER:

3 Q. All right, Preston, thanks. Okay. So let's go a little bit
4 to, if you can -- I mean, if you can -- I'm just checking my
5 notes. So it sounds like -- when we're talking about duty time,
6 it sounds like you are responsible for tracking your duty time and
7 submitting that to dispatch. Is that correct?

8 A. Yeah, I would say that's correct.

9 Q. All right. And is there ever any question -- you mentioned
10 that dispatch would look at it, and then they would say, you know,
11 whether or not there was issue with you taking 16, 14 hours,
12 versus 10 hours. Has that ever happened to you? Have they ever
13 questioned when you called in and told them what time you're going
14 to be back online? Have they ever questioned when you'll be back
15 in service?

16 A. Nope.

17 Q. And if you can talk to me a little bit about your
18 understanding of a flight with Active Aero and the rating system
19 that Active Aero uses for categorizing a flight as red, yellow, or
20 green. Can you talk to me a little bit about what you know about
21 that?

22 A. I know nothing about that.

23 Q. Okay.

24 A. Yeah, I don't ever deal with the dispatch side and the
25 bidding side. I don't -- that's beyond my scope of practice you

1 could say.

2 Q. Okay. Does -- as far as dealing with dispatch, do you talk
3 to dispatch, or is that typically the captain?

4 A. The only time I would talk to dispatch is, you know, when
5 they call me to inform me that I have a trip. But I'm not the one
6 that calls them to tell them that we're going to be off the ground
7 in 15 or we've landed or -- that's all handled by the captain,
8 including when we land back where we're going on rest, whether
9 that's, you know, here at base in El Paso or wherever, to inform
10 them of when we'll be back up and stuff. That's handled by the
11 captain.

12 Q. Okay. So, actually, when we talked about tracking your duty
13 time, the captain is the one that really handles how long you guys
14 are going to be off duty for rest and then notifying dispatch to
15 give them the time when you'll be back on duty. Is that right?

16 A. Yeah. I mean, he'll consult with me, but we rarely, if ever,
17 disagree on that, on how much time we should take. That doesn't
18 really happen.

19 Q. Okay. And, Preston, where are you based? What -- where is
20 home base for you?

21 A. Home base for me is in El Paso, Texas. Airport specific,
22 that would be Kilo-Echo-Lima-Papa.

23 Q. Okay. Okay. All right. Talk to me about -- have you had
24 to, since flying for McNeely, have you had to divert during a
25 trip?

1 A. That I personally have not had to do yet.

2 Q. Okay. And -- I'm just looking at my notes. So I'm going to
3 jump to another area here. How are you -- how does it work for
4 you, as far as is there -- do you work on, like, an on-call
5 schedule where you work based on -- I know it's an on-demand
6 carrier, but can you describe to me a little bit about when you
7 would be called? When you know you'd be called? Are you just
8 kind of on-call all the time for a flight, or how does that work?

9 A. Yeah, I just describe it as on call all the time. And unless
10 I need time off, in which case I request the time. And that's
11 never been denied. You know, if I needed a weekend because my
12 wife and kids and I are going to the Hatch Chili Festival or
13 something, that's always been pretty easy to deal with the company
14 with that. Or if I had a doctor's appointment or something, I
15 just let them know so that, you know, during those times, I'm not
16 on call. But yeah, it's -- otherwise, I'm just on call, ready to
17 go.

18 Q. And are there -- how many other FOs that fly the Metro do you
19 rotate with?

20 A. One other.

21 Q. And is it -- in a situation where you may -- so you mentioned
22 that you may be -- it may be 2 hours you have a flight, or maybe
23 24 hours you're getting called for a flight. Is it -- do you have
24 -- between the two of you, do you guys have an indication on who's
25 going to be the next person to get a flight, or is it just kind of

1 luck of the draw?

2 A. We generally rotate, barring any abnormal circumstances. We
3 usually just rotate. For instance, you know, we only have one of
4 our planes here in El Paso right now, and the other crew is on a
5 trip in that plane, so I know that I'm not on-call right now. I
6 guess, technically, I could be if they wanted to. You know, if
7 they wanted to fly my captain and I to the other airplane, they
8 could. But we've never done that. So yeah, we generally just
9 rotate crews.

10 Q. So there is only one Metro based there in El Paso?

11 A. There's usually two, but the one's getting -- the one is in
12 maintenance right now. Were the other plane here in El Paso, then
13 I would be on call, yeah.

14 Q. Okay. Have you ever had a maintenance problem during one of
15 your flights?

16 A. No.

17 Q. Okay. If you had a maintenance issue during a flight, how
18 would that be handled?

19 A. You know, depending on what the problem was, consult the
20 checklist, double check the -- you know, our Op Specs and see if
21 we can continue the flight without it. If we can't, or if it's an
22 emergency-type of mechanical issue, we would divert, try to land
23 as soon as possible, get the problem taken care of.

24 Q. Okay. Have you ever experienced any significant delays
25 during one of your flights?

1 A. Yeah. I mean, I've been made to wait for cargo for quite a
2 while before, but that's -- yeah, that's it.

3 Q. Have you ever gone over your -- what you would call a normal
4 duty day, duty hours?

5 A. No.

6 Q. If you were approaching duty hours and -- your duty hour
7 limit, and you were -- whether it be a delay for weather or
8 diversion or whatever it is, how would that be handled, as far as
9 determining if you were going to continue beyond the duty hours or
10 delay the flight? Who would make that decision?

11 A. This is a little speculative because I've never had that
12 happen, but I would assume that, that decision would be handled by
13 the captain. We would consult dispatch and try to find the best
14 course of action, whether that was -- yeah, it's hard to say. I
15 don't know exactly.

16 Q. Okay.

17 A. I mean, I have waited for cargo for so long before that we
18 had to just refuse the trip, because we were -- there's no way we
19 were going to be able to do the trip within our duty time, because
20 they were so late with the cargo. So I guess that kind of answers
21 that question. I don't know if refusing the trip is the best way
22 to word that either, we just couldn't do it.

23 Q. Can you just delay it to the next day or how did that work?

24 A. Yeah. In one specific instance I can recall, yeah. We ended
25 up just -- I think we waited at the airport until, like, 6:00 or

1 7:00 p.m., somewhere in there, maybe 8:00. And we just -- the
2 cargo was so late, so late, so late that the -- I don't know who
3 handles all this, if it was the broker or whatever, but we ended
4 up taking that same cargo we were supposed to, the next morning at
5 7:00 or 8:00 a.m.

6 MS. LIEDLER: Okay. All right. I think right now, Preston,
7 I think I've exhausted my questions here.

8 MR. POPE: Okay.

9 MS. LIEDLER: So I'll let the next person go on. Thank you.

10 MR. POPE: Oh, you're welcome.

11 DR. SEVILLIAN: Thanks, Courtney. Let's go to Matt.

12 BY MR. RIGSBY:

13 Q. Okay. You doing okay? You don't need a break or anything?

14 A. I'm fine. Thank you.

15 Q. You mentioned that you fly the SA227, the Metroliner. Have
16 you ever taken any flights with Reggie in the MU-2?

17 A. No. No, I've never even been inside one.

18 Q. Okay. So what about, have you ever done a pre-flight risk
19 assessment, like a formal -- where you rank, you know, weather and
20 everything?

21 A. Formally, no.

22 Q. Okay.

23 A. I mean, we look at all that stuff. You know, we plan for our
24 flights. But I've never --

25 Q. Sure.

1 A. -- sat down with a piece of paper.

2 Q. Okay. There's no numbering system or anything like that?

3 A. No. I just, you know, follow the IMSAFE guidelines, and make
4 sure I'm rested. And if there's weather, how we can get around it
5 or what our best course of action is, stuff like that is usually
6 our pre-flight conversation and planning.

7 Q. Sure. Have you flown cargo for Active Aero in the past?

8 A. I can say almost certainly, yes, but that's usually not
9 something that they -- that I'm aware of, whether if it's an
10 Active Aero trip or -- you know, sometimes the dispatcher says
11 that. Sometimes it's just you've got a trip at this time. So I
12 think so. I can say, yeah, I've flown a trip for Active Aero.

13 Q. Okay. Are you familiar with Active Aero's ranking system for
14 operators?

15 A. I am not. Again, I don't know anything about that.

16 Q. Okay. Have you ever had to divert due to weather while
17 you've been with the company?

18 A. Negative.

19 Q. Okay. Have you heard of other pilots that may have had to
20 divert for weather?

21 A. Yeah, I think one of the captains I fly with on a regular
22 basis had to divert 9 months or a year ago, really foggy here in
23 El Paso. They had to go up to -- I think that had to divert up to
24 Las Cruces, New Mexico. But yeah, otherwise, I mean, I don't --
25 yeah. Yeah, that's the only instance I can really think of.

1 Q. You've been -- how long have you been with the company again?

2 I'm sorry. I know you --

3 A. About a year and a half. Yeah. Officially they hired me in
4 February of 2019.

5 MR. RIGSBY: Okay. Okay. I think that's it for me.

6 MR. POPE: Okay.

7 MR. RIGSBY: Thank you.

8 DR. SEVILLIAN: Okay. Thanks, Matt.

9 Eric?

10 MR. KINNEY: Yes, sir. I'm up. I'm annoyed with Matt; he
11 stole some of my good questions. Right now, I think I've only got
12 one.

13 As far as you know, in your experience with flying with the
14 company there, are you guys using company-developed checklists, or
15 do you use the OEM or manufacturer's-developed checklist?

16 MR. POPE: Oh, man, I don't -- I'm not sure who developed the
17 checklist. I want to say that it's a manufactured checklist, but
18 I can't say that with any degree of certainty.

19 MR. KINNEY: Okay. Fair enough.

20 MR. POPE: Yeah. I suppose I've never thought about that.

21 MR. KINNEY: That's fine. Matt stole my other ones, so
22 that's it for me.

23 MR. POPE: Okay.

24 DR. SEVILLIAN: Okay. All right. And did Todd ever join us?

25 (No response.)

1 DR. SEVILLIAN: Okay. Laddie?

2 MR. HOSTALEK: No, I don't have anything.

3 DR. SEVILLIAN: Okay. So we'll start the second round of
4 questions here. I don't have any follow-ups as of right now, so
5 we'll go to Shaun.

6 MR. WILLIAMS: No, I think my question's been answered.
7 Thank you, Dajuan.

8 DR. SEVILLIAN: Okay. Courtney?

9 MS. LIEDLER: I don't think I have any more questions. Thank
10 you though.

11 DR. SEVILLIAN: Okay. Matt?

12 MR. RIGSBY: No, Dajuan. I think I'm done. Thank you.

13 DR. SEVILLIAN: All right. And, Eric?

14 MR. KINNEY: No, sir. I'm all set.

15 DR. SEVILLIAN: All right. And, Laddie?

16 MR. HOSTALEK: I'm all set. Thank you.

17 DR. SEVILLIAN: Okay. Well, thank you, Preston, for taking
18 time to interview with us today. Is there anything that you would
19 like to offer us as far as anything for the interview before we
20 depart? Any comments or anything or anything you want to let us
21 know?

22 MR. POPE: Just a request. Find out what happened to my
23 friend.

24 DR. SEVILLIAN: Yes, and one of the things that we do here at
25 the NTSB is we definitely try to get to the bottom of it, and --

1 so that we can make transportation safer in the future. So we
2 definitely will go through that process. With that being said,
3 that will conclude our interview. Appreciate you talking with us
4 today.

5 MR. POPE: No problem. You're welcome.

6 DR. SEVILLIAN: Thank you, everyone.

7 MR. POPE: Thank you all.

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

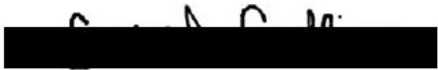
IN THE MATTER OF: FATAL CRASH OF MITSUBISHI MU-2B
AIRPLANE N44MX NEAR SIOUX FALLS,
SOUTH DAKOTA, ON JUNE 7, 2020
Interview of Preston Pope

ACCIDENT NO.: CEN20LA215

PLACE: Via telephone

DATE: August 18, 2020

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.


Sarah Collins
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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FATAL CRASH OF MITSUBISHI MU-2B

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AIRPLANE N44MX NEAR SIOUX FALLS,

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Accident No.: CEN20LA215

SOUTH DAKOTA, ON JUNE 7, 2020

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Interview of: AMOS ZOOK, Pilot-in-Training
McNeely Charter Service, Inc.

Via telephone

Thursday,
July 16, 2020



APPEARANCES:

D. SHAUN WILLIAMS, Operations Investigator
National Transportation Safety Board

COURTNEY LIEDLER, Investigator in Charge
National Transportation Safety Board

DUJUAN SEVILLIAN, PhD, Human Performance Investigator
National Transportation Safety Board

MATT RIGSBY, Investigator
Federal Aviation Administration

TODD OBRITSCH, Investigator in Charge
Federal Aviation Administration

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I N T E R V I E W

(10:00 a.m. CDT)

MR. WILLIAMS: All right. So the recording has started July 16th at 10:00 a.m. Central Time. Amos, thanks for agreeing to talk with us here today. I'll go over just a little bit of background as far as how we do the interviews and things.

Like I told you yesterday on the phone, my name is Shaun Williams. I am the operations investigator assigned to this accident involving 44MX. I am with the NTSB.

So the NTSB, we're an independent, federal agency, charged with determining the probable cause of transportation accidents and promoting transportation safety. We're not a part of the DOT or the FAA. We have no regulatory or enforcement powers.

So I'd like to take a minute, since the way we do our interviews is kind a group format, going to allow everyone who's on here to introduce themselves. I'll start with Courtney.

MS. LIEDLER: Yeah, hi, Amos. My name is Courtney Liedler. I work for the NTSB, and I am the investigator in charge for this accident.

MR. WILLIAMS: Thanks, Courtney.

Dujuan?

DR. SEVILLIAN: Oh, yes, this is Dujan Sevillian, NTSB, human performance investigator.

MR. WILLIAMS: Matt?

MR. RIGSBY: Matt Rigsby with the FAA's Office of Accident

1 Investigation. And I just want to reinforce that this is the
2 safety investigation, that even though the FAA has regulatory
3 authority, nothing that you say here can be used for any
4 enforcement or anything. So we're the white hat guys. Just
5 relax. Don't worry about it. And that's it. Thank you.

6 MR. WILLIAMS: Okay. And, Todd?

7 MR. OBRITSCH: I'm Todd Obritsch with the FAA out of flight
8 standards out of Rapid City and as the IIC on the accident -- the
9 FAA side.

10 MR. WILLIAMS: Okay. Amos, are you okay with talking with
11 all of us on the line here today?

12 MR. ZOOK: Yeah, no problem.

13 MR. WILLIAMS: Okay, perfect. So today I'll be using a tape
14 recorder to record the interview which will be sent for
15 transcription. The transcript, not the audio recording, will be
16 made part of the public docket. That gets opened up as they get
17 closer to completion of the investigation.

18 The purpose of the investigation is safety. It's to
19 determine the probable cause and prevent it from happening again.
20 Our role is not to assign fault, blame, or liability. This
21 interview is just part of the fact-finding phase. You've got the
22 information that can possibly help fill in some gaps for us. On
23 the same token, we cannot, however, offer and guarantee any
24 confidentiality or immunity. Like I said, it'll be part of the
25 public docket later on.

1 The way we run the interviews, each of the group -- or each
2 of the members, everybody who's here that you just talked to,
3 they'll have a chance to ask questions. We'll ask the questions
4 one at a time, and everyone has been instructed not to interrupt
5 the person who's asking questions. There will be an opportunity
6 for each person to ask follow-up questions after each person had a
7 turn. It usually goes about two rounds. I think that's what it
8 did last time.

9 Please answer all questions to the best of your recollection.
10 If you don't understand a question, ask to have it repeated or
11 explained. If you realize you misstated or want to change an
12 answer, please do so. We want the most accurate record as
13 possible.

14 Also, since it is being recorded, please try not to nod or
15 say uh-huh. That can be kind of hard for the transcription.
16 Verbalize your answers. You'll probably catch me doing it. I'm
17 still trying to break that habit.

18 So, like I mentioned to you yesterday, you can have one
19 representative of your choosing with you. Is there someone you'd
20 like to have as your representative?

21 MR. ZOOK: No, it's just me.

22 MR. WILLIAMS: Okay. All right. If that changes at any
23 point, just let us know. Do you have any questions before we get
24 going?

25 MR. ZOOK: No.

1 MR. WILLIAMS: Okay. So we'll go ahead and begin.

2 INTERVIEW OF AMOS ZOOK

3 BY MR. WILLIAMS:

4 Q. So, for the record, can you please spell your name and what
5 is your job title?

6 A. My name is Amos Zook, A-m-o-s, Z-o-o-k. I am a pilot at --
7 actually, a pilot-in-training at McNeely Charter Services.

8 Q. Okay. So give me a little bit of an overview of your
9 background, your certificates and ratings, how you got to where
10 you are.

11 A. I guess I'm not exactly sure what you are looking for here.

12 Q. Well, what certificates do you have and ratings?

13 A. Okay. Yeah. I have my commercial multi-engine and
14 instrument ratings and, yeah, and then I'm currently in training
15 for the Metroliner.

16 Q. Okay. About how much time do you have?

17 A. I think, at this point, I have around 350 hours.

18 Q. Okay. So what is your aviation background?

19 A. (No audible response.)

20 Q. Did you flight instruct? Did you -- how'd you get to 350 and
21 get picked up with McNeely?

22 A. Okay. Yes, yeah. So I did a few -- I did some part-time
23 aerial survey flying, and then I was hired, eventually, by McNeely
24 Charter Services.

25 Q. Okay. So were you hired, then, I'm guessing for a right-seat

1 position?

2 A. Yes.

3 Q. Okay. All right. And how long have you been with McNeely?

4 A. I was hired April 1st.

5 Q. Okay. So you mentioned the Metro. Did you fly or did you
6 ride-along on the MU-2 at all?

7 A. No.

8 Q. Okay. So, in the Metro, you're a pilot-in-training. So did
9 you fly with Reggie, then, just as an observation role? Was that
10 part of training?

11 A. The day I flew with Reggie, there was two legs. One was a
12 part 135 leg from El Paso to Tuscaloosa, which I was just
13 observing on that flight. And then the part 91 leg, from
14 Tuscaloosa to West Memphis, was a training flight.

15 Q. Okay. So tell me about that flight. How did it go?

16 A. It went very smoothly. Yeah, it was -- we took off. It's a
17 typical 4-hour flight. There wasn't a whole lot of weather. And,
18 yeah, I forget. It was a while ago, so I don't really remember
19 exactly all the details. But yeah, it went smoothly as far as I
20 can remember.

21 Q. Okay. Was this your first flight at McNeely?

22 A. It would have been my first training flight. I did fly along
23 on another observation flight once before.

24 Q. Do you remember if Reggie was the captain on that other
25 observation flight?

1 A. No, he was not.

2 Q. Was not, okay. So tell me a little bit about flying with
3 Reggie. Was he very checklist-oriented? Did he have a lot of
4 tricks of the trade he was telling you? What can you remember
5 about that?

6 A. Yeah. So, from what I can remember, he liked to verbalize
7 things a lot, and he did use checklists quite a bit to back that
8 up. You know, he would verbalize the flows, and I'm not sure if
9 it was because it was -- I was observing and then the second leg
10 was a training flight, or if I -- yeah, I'm not sure about that.
11 But he did back -- he did usually back his flows up with a
12 checklist. And that's the way he taught also, do the flow, back
13 it up with a checklist.

14 Q. So did you feel like it was kind of a crew environment, or
15 did you feel like it was still a single-pilot operation?

16 A. Kind of hard to answer that question. I don't -- like I
17 said, it was -- I don't really remember exactly how everything
18 went, but I felt like I got a good picture of what was going on.
19 Keep in mind that this was also me not being very familiar with,
20 you know, the Metroliner still.

21 Q. Right.

22 A. I felt like he was -- he made a point of, you know, helping
23 me understand what was going on and what he was doing. But as far
24 as the crew environment, or as far as me being part of -- I don't
25 know that I can really give a definitive answer on that.

1 Q. Okay. But you felt comfortable with him?

2 A. Yes, definitely.

3 Q. Okay. So when did this flight take place?

4 A. I'd have to look it up. I think it was Thursday -- I believe
5 it was June the 4th.

6 Q. Okay. Okay. Were you -- so did -- let me rephrase this
7 here. Did Reggie, when he was flying with you, did he talk about
8 his -- do you remember talking about his experience in the -- just
9 the overall, I guess, his experience in the company, his
10 experience flying 135? Did he kind of give you a background at
11 all?

12 A. I don't really remember him talking about that on the flight,
13 no.

14 Q. Okay. Do you know, was there any sort of a -- well, in
15 training, I'm guessing you've been going through ground school and
16 things. Is there any sort a risk assessment --

17 A. Yes.

18 Q. -- that's done before any -- before flights?

19 A. Obviously, as the pilot -- are you speaking to like a company
20 and procedure or --

21 Q. Yeah. Is there a company procedure for a pre-flight risk
22 assessment?

23 A. Not that I'm aware of.

24 Q. Okay.

25 A. Not any specific written procedure, but obviously, as a

1 pilot, that's something I do go through personally.

2 Q. Okay. So, as far as being a pilot-in-training, where do you
3 stand with that right now? Are you going through flight training?
4 Are you still in ground school? Where are you in the process?

5 A. I am still going through flight training to get my SOC-type.

6 Q. Okay. So you've completed ground school then?

7 A. Yes.

8 Q. Okay. Were you supposed to be or was there talk of you
9 observing on the accident flight? Like, were you --

10 A. Reggie did mention something to -- go ahead.

11 Q. Oh, I was going to say, yeah, did he ever mention about
12 brining you along on this trip or anything like that?

13 A. He did mention something to me because I was going to -- the
14 airplane we flew into West Memphis was going to be in maintenance
15 for a 100-hour inspection for the next few days. So I was just
16 going to be sitting around, and Reggie did mention that if I -- if
17 he did get a trip in the MU-2, that he would possibly give me a
18 call to see if I wanted to go along, since I had nothing else to
19 do.

20 Q. Did he do that in this case?

21 A. No.

22 Q. Okay. What is your understanding of the role or the
23 interaction between the pilot and the dispatcher?

24 A. I can't speak to that. I am just now starting to, you know,
25 figure a little bit of those things out, how that all works.

1 Obviously, that's more of the captain's role and -- so yeah, I
2 don't really -- I don't think I can speak to that very much.

3 Q. Okay. Do you know, was any of that covered in ground school?

4 A. Yeah, I'm sure it was, but yeah, I don't -- I don't
5 specifically remember. I'd have to look those things up to give
6 you a definitive answer.

7 MR. WILLIAMS: Okay. All right. Okay. I'm going to let
8 Dujuan ask a couple questions here. So, Dujuan?

9 BY DR. SEVILLIAN:

10 Q. Yes. Amos, you noted that you weren't aware of any company
11 procedure on risk assessments, but as a pilot, how do you handle
12 pre-flight risks? What are you thinking about when you are --

13 when you, you know, deal with the risk assessment for yourself?

14 A. Well, definitely, first of all, I'm going to be looking at
15 myself, making sure that, you know, that I'm fit to fly, that I'm
16 rested, that I'll be able to adequately perform the duties that
17 are required of me in flight.

18 Yeah, and then, you know, look at weather, runway lengths at
19 the airport I'm taking off at, the airport I'm landing at. And
20 looking at the weight and balance and runway -- and takeoff and
21 landing distances that are required. Making sure that I have
22 adequate, you know, runway. And briefing the biggest risks,
23 verbalizing it. Verbalizing them to bring special attention to
24 things that could come up.

25 Q. So, in your assessment --

1 A. Go ahead.

2 Q. No, go ahead.

3 A. Yeah, I forget what I was going to say.

4 Q. So you mentioned you think about being -- whether you're
5 rested or not. To your knowledge, does McNeely have any
6 information about pilot rest requirements, or what's the policy on
7 that?

8 A. I, like I said, I can't -- I don't really know exactly. So
9 yeah, I don't know exactly if they have anything specific, like,
10 written down, but I know there's very much an environment of, if
11 you don't feel like you have the rest you need, you can -- there's
12 very much an environment that, if you don't have the rest you
13 need, then you take the time and get the rest that you need to
14 accomplish the flight.

15 Q. Okay. And the -- on the flight, on the training flight that
16 you had with Reggie, did -- what's your impression of his health?
17 Was he -- did he -- was he sick on that flight? You know, did he
18 look -- did he feel good? You know, what was your impression of
19 his health?

20 A. To me, I didn't see anything that would indicate anything
21 other than perfectly healthy and rested. So yeah.

22 Q. And how would you say his personality was as a pilot?

23 A. I'm not exactly -- I'm not -- okay. I didn't know him that
24 long, so I'm not sure I'm the right person to speak to on this.
25 But from what I have been around him, seemed like he was --

1 usually took -- he took flying pretty seriously. And, I mean,
2 just talking to him, I could tell that he wasn't just out there
3 flying the same (indiscernible) a million times. He was out there
4 to learn. So that's one thing that I really appreciated about
5 him.

6 DR. SEVILLIAN: Okay. Thanks, Amos. That's all the
7 questions I have for right now.

8 MR. WILLIAMS: Okay, thanks.

9 Courtney?

10 BY MS. LIEDLER:

11 Q. Sorry, I lost you for a second. I've got a couple questions
12 for you to clarify. You flew with Reggie only one time, one day,
13 and that was on the 4th of June?

14 A. As far as I can remember, I think that was the date, yes.
15 And it was only one flight, yes.

16 Q. Okay. And what is -- so talking a little bit about what you
17 know. You said that you are in training now, and I understand
18 that you haven't had any operational flights. But tell me a
19 little bit about what's your role -- or you understand your role
20 as a co-pilot to be. So you said that it's really -- like we were
21 talking about the conversation, the -- we were talking about the
22 interaction between you, or a pilot, and the dispatchers. Can you
23 tell me a little bit about what (indiscernible) typically the
24 captain would handle? What is your role?

25 A. What is my role with the dispatchers?

1 Q. What is your role -- right. What is your role with the
2 dispatchers? What is your role with the company? What is your
3 role in a flight? Tell me a little bit about what your day-to-day
4 role in the operations would be with McNeely.

5 A. Again, I'm not exactly sure what it looks like on paper. I
6 haven't looked at it since ground school, which was 3 months ago,
7 over 3 months ago. But, as far as I understand it, my role in the
8 company is to pretty much make the captain's life easier. I'm
9 there to help -- let me just start from the beginning of a day.
10 You know, I help load cargo, and I would -- the captain usually
11 gets the weather, does a pre-flight planning, and files the flight
12 plan. And then, me as the copilot, I pick up the IFR clearance
13 once the engines are started.

14 Let me go back a little bit. So, you know, go through the
15 start checklist. I just started. So my job would also be to
16 assist with checklists. Get the -- the copilot usually gets the
17 clearance and -- yeah. So, from there, it's just assisting with
18 checklists, depends if I'm the pilot flying or the pilot
19 monitoring.

20 So if I'm the pilot monitoring, it's going to be do the call
21 outs on take-off and landing. Well, in all phases of flight.
22 Yeah, so it's pretty much I'm there to -- it's obvious -- it's
23 obviously another set of eyes. It helps with awareness of what's
24 going on around you, too. But I'm not exactly sure -- yeah. I
25 guess that's about all I have to say about that. And if there's

1 more questions you have about that, I guess you can ask.

2 Q. Okay. And, on your training flight with Reggie on the 4th,
3 are those the things that you were doing with him? What did your
4 training flight on the 4th look like?

5 A. The training flight, I was pretty much just getting -- the
6 flight from Tuscaloosa to West Memphis was -- I was just
7 getting -- he was just getting me used to how the airplane flies.
8 And obviously, it's the biggest airplane I've flown to date, so it
9 definitely -- it has different handling characteristics to what
10 I'm used to.

11 So I was just getting kind of -- he was just kind of getting
12 me used to that, just hand-flying it. And we did -- my role on
13 that flight, I was pilot flying, pretty much, and yeah. So he
14 slowly -- yeah. I guess that's all I have to say about that.

15 MS. LIEDLER: Give me a second. I'm taking some notes real
16 quick. Okay. Okay. I think that's all the questions I have for
17 right now, at this point.

18 MR. ZOOK: All right.

19 MR. WILLIAMS: Okay. Thanks, Courtney.
20 Matt?

21 MR. RIGSBY: Thanks, Shaun.

22 BY MR. RIGSBY:

23 Q. You know, I'm sorry, was it Damien?

24 A. It's Amos.

25 Q. Amos, oh, I'm sorry. Just let me look really quick. Any

1 time I try to talk to younger pilots, thorough pre-flights and
2 checklists are your friend. Always remember that through your
3 career.

4 A. That is one thing that I forgot to mention is the pre-flight
5 is usually the copilot's job.

6 Q. Okay. Your training program with the company, is it -- were
7 they going to give you a SIC rating, put you in the aircraft, and
8 then you fly with somebody for a while, or do you go straight to a
9 full PIC-type rating and fly single-pilot most of the time?

10 A. No, it's just a SIC rating right now. They usually like
11 their captains to have higher -- more time than usually is
12 required for a PIC-type rating.

13 Q. Do you know --

14 A. Go ahead.

15 Q. Do you know the hours? I'm sorry.

16 A. For 135 operation, it'd be 1,200 hours, I believe, for a PIC.
17 Well, I'm not sure. I think you might be able to get the PIC-type
18 rating before, but you can't act as PIC until 1,200 hours.

19 Q. Okay. On the flight that you took with Reggie, were there
20 any anomalies, or was it a normal flight?

21 A. Yeah, from what I can -- from what I could tell, it was a
22 pretty normal flight.

23 Q. Okay. Were you running late that day or, you know, for the
24 flight itself? Or was it an on-time delivery and all that?

25 A. No. It was -- yeah, from what I can tell, it was -- there

1 was no rush whatsoever. So I didn't get that feeling from Reggie
2 at all.

3 Q. Okay. I know Dujuan covered this a little bit, but there is
4 -- other than just your normal IMSAFE checklist, there's no other
5 company-provided, you know, pre-flight risk assessment form,
6 correct?

7 A. Not that I'm aware of.

8 MR. RIGSBY: Okay. Okay. I'm done. Thank you.

9 MR. WILLIAMS: Okay. And, Todd, do you have any questions?

10 MR. OBRITSCH: You know, I just have a couple, I guess on,
11 kind of touch on Courtney's, your role.

12 BY MR. OBRITSCH:

13 Q. Do you have any concerns, if you see something amiss during
14 your pre-flight, about speaking up? Do you have any concerns
15 about that whatsoever?

16 A. No. There's very much an environment if there's something,
17 especially affecting safety, that the co-pilots are there to bring
18 that up. And I have -- I haven't had anything but, you know, the
19 times that I have said something, I haven't had anything other
20 than just -- yeah. I'm not sure what the word is I'm looking for,
21 but I haven't had anything but an environment of we want to do
22 what the safest thing is to do. So --

23 Q. Okay. You know, obviously, you didn't take that flight with
24 the MU-2. Is there a reason why you didn't go on that flight?

25 A. I don't know specifically, but if I was to speculate, it was

1 probably because it was an overnight flight, and it would have
2 been an extra motel room if I was to go along. So that might have
3 had a factor in it, but I don't know for sure.

4 Q. Okay. And I think Dujuan touched on the health of Reggie.
5 You only flew with him the one time, but did you notice anything?
6 You know, did he eat regularly? Did he -- if he was hungry, did
7 he have any issues? You know how some people kind of get hangry
8 when they haven't eaten or anything. Did you notice anything like
9 that?

10 A. No, not really. He -- on the way to the airport, he had
11 gotten himself a sandwich. So I don't think that was an issue.
12 And no, I didn't notice anything health-wise or attitude-wise that
13 would have indicated anything amiss.

14 MR. OBRITSCH: Okay. I think that's all I have.

15 MR. WILLIAMS: Okay.

16 MR. ZOOK: All right.

17 MR. WILLIAMS: Thanks, Todd.

18 MR. OBRITSCH: Thanks, Amos.

19 BY MR. WILLIAMS:

20 Q. So I wanted to follow-up here from Matt when he was talking
21 about the check rides and things like that. Do you know, as an
22 SIC, was there a plan for you to take a company check ride, what
23 would essentially be a 293-check ride?

24 A. Yeah, that's how they do the SIC check ride. It's a company
25 check ride.

1 Q. Okay. Do you know how many check airmen there are? Is it
2 just Reggie? Do you know, would it be with somebody else?

3 A. Yeah, the -- there's -- I know there's one check airman, the
4 one that I'm probably going to be doing my check ride with. But I
5 think that possibly, I'm not exactly sure. I think Laddie might
6 be a check airman. I can't -- I'm not exactly sure on that
7 though.

8 Q. Okay. And who's your --

9 A. So that would be a second one.

10 Q. Who's currently doing your flight training?

11 A. Brian Peterson.

12 Q. Okay. And, as far as you know, was Reggie the only one who
13 would fly the MU-2s? Or was -- have you heard, is there -- are
14 there any other pilots that fly the MU-2s there?

15 A. I think Reggie was the only one that flew the MU-2s.

16 Q. Okay. All right. Through your training up to this point,
17 have you -- do you know anything about, as far as a company safety
18 program?

19 A. That was a little broken. Can you repeat that please?

20 Q. Yeah. With your training up to this point, as far as company
21 safety program, is there a way for you to report safety concerns?

22 A. Yeah, definitely. I mean, like I said, there's an
23 environment of safety. As far as paper, not that I'm aware of,
24 but the company does have -- from what I've experienced so far is
25 that, you know, the owners and management very much welcome -- if

1 there is a safety concern, that I can talk to them, and it's not a
2 problem. And they welcome concerns. Obviously, they want a safe
3 operation, and that's the environment that I feel is cultivated at
4 McNeely.

5 MR. WILLIAMS: Okay. I think that's all I have.

6 Courtney and Dujuan, just for time, I know Matt has to drop
7 off here. I'm going to see if Matt has any more, and then we'll
8 come back to you.

9 So, Matt, do you have any other questions?

10 (No response.)

11 MR. WILLIAMS: Or Matt already dropped off. Okay. Dujuan,
12 do you have anything?

13 BY DR. SEVILLIAN:

14 Q. Yeah, just one last thing, Amos. The -- you said there's
15 really no paper, you know, way to (indiscernible) via paper. But
16 can you address those concerns via a computer or over the phone?

17 A. Yeah, definitely, you could. And the -- you could send an
18 email or call, definitely.

19 Q. And then that email, do you know who that goes to, if you
20 were to send that?

21 A. It would, I mean, it would probably go to the person that I,
22 you know, sent the email to. I don't think that there's a
23 specific email dedicated to reports or whatever.

24 Q. I mean, if you had a safety concern, would you send it to the
25 director of operations or the chief -- how would you -- is there

1 someone in management that you would send the concern to?

2 A. Yeah. So it would -- I would probably talk with the chief
3 pilot, and if there's something that he would -- if he thinks that
4 it's something that we should take further up management, then
5 that's, you know, I can talk with him about that. But that's
6 probably who I would talk to.

7 Q. And, since you've been in training, have you submitted
8 anything thus far?

9 A. No, I haven't.

10 DR. SEVILLIAN: Okay. All right. That's all the questions I
11 had. Thank you.

12 MR. WILLIAMS: Thanks, Dajuan.

13 Courtney?

14 BY MS. LIEDLER:

15 Q. All right. How are you, Amos? So I've got a couple more
16 questions. So, following on what Dajuan was just asking you, you
17 had mentioned that you don't have any safety concerns -- any
18 concerns raising safety issues. And so far, in your experience,
19 when you have, you know, it's been received openly. Could you
20 tell me, when you -- what kinds, so far, at this point, what kinds
21 of concerns have you discussed with management?

22 A. Okay. As far as, like, discussing concerns with management,
23 not so much. But more just talking with the captain I'm flying
24 with. If I find something in pre-flight, obviously I'm new to the
25 airplane, and I'm not exactly sure how everything, you know,

1 should look necessarily. It's getting -- I mean, I'm to the point
2 now where I understand it a lot more. But if I see something on
3 the airplane that -- so far, it's just been something I -- I've
4 seen something on the airplane I wasn't sure about, I talked to
5 the captain about it. And usually it's -- yeah, it's -- I mean,
6 my experience so far, it hasn't -- I haven't had anything, you
7 know, that would strike me as seeing something unsafe.

8 Q. Okay. And what is the process -- if you, let's say, during
9 your pre-flight, you did see something that was unsafe. What is
10 the process about to report that?

11 A. It would probably be have a chat with the chief pilot. That
12 would probably be the first place I would go. And, like I said
13 before, if there is something that would need to go further or
14 somebody that -- if somebody else needs to have a look at it, then
15 probably take it to the correct person.

16 Q. Okay. And is that -- do you know, is there -- is that
17 written (indiscernible)? Is that like a policy written on how to
18 report a discrepancy if there -- is there anything written about
19 that? Or is it just kind of a verbal understanding of, you know,
20 how that would take place?

21 A. I would have to, like -- yeah, I would have to look a lot --
22 some of this stuff up. But yeah, this is a small company.
23 There's -- you know, everybody knows everybody, so it's easy to
24 just pick up the phone and call somebody. But, as far as
25 something specifically written down, a procedure to do things, I

1 don't -- not that I'm aware of. But I'd have to, obviously, read
2 the company manuals to know for sure.

3 Q. Okay. One second. I'm just scribbling.

4 A. No problem.

5 Q. Okay. And, in your training right now, do you have a
6 training syllabus, or is there a training program that you're
7 following for your training right now?

8 A. There is not necessarily a syllabus, per se, as far as I
9 know. We're pretty much doing the procedures and stuff in the
10 Metroliner training manual. But, as far as like a regimented
11 program, no. I don't think that's the case.

12 Q. Okay. And can you tell me a little bit -- I understand
13 you're fairly new to the company, but can you tell me a little bit
14 about what you know to be Reggie's reputation and standing within
15 the company?

16 A. From what I can tell, definitely -- yeah, definitely, I don't
17 -- I haven't heard anything negative. Let's just put it that way.
18 So I don't know of anything that would -- I haven't heard anything
19 that would indicate, you know, other than being a good --
20 advocating safety and just being -- yeah, a great person all
21 around, I guess. I don't know.

22 Q. Okay. And your -- what was your take on his role within the
23 company? Was he kind of -- was his role as director of operations
24 very defined? Or was he -- did he kind of have an input on all
25 kinds of aspects of the company outside of that, or was -- you

1 know, what was kind of, in a day-to-day operations for his
2 involvement, what was your take on that?

3 A. I am not sure. Okay. Yeah, I didn't know him that long, so
4 I'm not sure how that all worked. So I'm not sure I can speak to
5 that.

6 MS. LIEDLER: Okay. No problem. I think that -- I don't see
7 any more questions in my notes, but I think I'm done for now.
8 Amos, thank you.

9 MR. ZOOK: All right. Thank you, Courtney.

10 MR. WILLIAMS: Okay. And, last but not least, Todd. Do you
11 have any additional questions?

12 MR. OBRITSCH: You know, just one quick question, I guess,
13 for Amos. If -- I know you're new in the company, but do you --
14 have you noticed or listened to other people, is there pressures
15 to take flights?

16 MR. ZOOK: No. As far as, I mean, everything I've heard so
17 far is, if you're not comfortable doing the flight, then you don't
18 need to do the flight. So, obviously, there's going to be a
19 bigger conversation about, you know, yeah -- there's probably
20 going to be a conversation about why. And if, you know, if
21 there's anything, being tired or weather or anything that you're
22 not comfortable with safety related, than there's -- my
23 experience, for what I've heard so far, has been nothing but we
24 want to keep you safe and we want to keep our operations safe.
25 So --

1 MR. OBRITSCH: Okay. Thank you, Amos.

2 MR. WILLIAMS: All right.

3 MR. ZOOK: You're welcome. Thank you.

4 MR. WILLIAMS: I don't have any additional questions.

5 Dujuan, Courtney, either of you guys have any more follow-ups?

6 DR. SEVILLIAN: Nope, I'm good.

7 MS. LIEDLER: I do not have anything further, Amos. Thank
8 you.

9 MR. WILLIAMS: All right. So, Amos, is there anything you'd
10 like to add that we didn't ask you about? Is there anything that,
11 you know, could help us that you want to mention to us? Anything
12 at all.

13 MR. ZOOK: I'm not sure what that would be at this point.
14 Yeah, I think, as far as I can think, we pretty -- I mean, yeah, I
15 don't have anything I'd like to add.

16 MR. WILLIAMS: Okay. Well, you have my email address if
17 something does come up or you think of something later. As you
18 kind of reflect back on whatever questions you were asked today,
19 if something else pops in your mind, please feel free to reach
20 out, shoot me an email. And, once again, thank you very much. So
21 I will stop the recording at 10:55 Central Time.

22 (Whereupon, at 10:55 a.m. CDT, the interview was concluded.)
23
24
25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

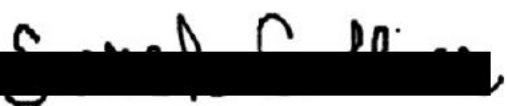
IN THE MATTER OF: FATAL CRASH OF MITSUBISHI MU-2B
AIRPLANE N44MX NEAR SIOUX FALLS,
SOUTH DAKOTA, ON JUNE 7, 2020
Interview of Amos Zook

ACCIDENT NO.: CEN20LA215

PLACE: Via telephone

DATE: July 16, 2020

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.



Sarah Collins
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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FATAL CRASH OF MITSUBISHI MU-2B

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AIRPLANE N44MX NEAR SIOUX FALLS,

*

Accident No.: CEN20LA215

SOUTH DAKOTA, ON JUNE 7, 2020

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Interview of: TERESA EASTER, Dispatcher
McNeely Charter Service, Inc.

Via telephone

Thursday,
July 16, 2020



APPEARANCES:

D. SHAUN WILLIAMS, Operations Investigator
National Transportation Safety Board

COURTNEY LIEDLER, Investigator in Charge
National Transportation Safety Board

DUJUAN SEVILLIAN, PhD, Human Performance Investigator
National Transportation Safety Board

ERIC KINNEY, Deputy National Flight Test Manager
Federal Aviation Administration

MATT RIGSBY, Investigator
Federal Aviation Administration

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I N T E R V I E W

(8:31 a.m. CDT)

MR. WILLIAMS: Okay, so the recorder's going. So it is July 16th, 2020, at 8:31 Central Daylight Time. Teresa, once again, thanks for agreeing to talk to us today.

As I said before, my name is Shaun Williams. I am the operations investigator assigned to the accident that happened in Sioux Falls involving 44MX.

So the NTSB is an independent federal agency. We're charged with determining probable cause of transportation accidents and promoting transportation safety. We're not a part of the DOT or the FAA, and we have no regulatory or enforcement powers.

So I want to go around here and introduce everybody who's on the line and taking part today. We'll start with Courtney.

MS. LIEDLER: Good morning, Teresa. My name is Courtney Liedler. I am the investigator in charge for this accident, and I work with the NTSB. And again, we appreciate your time today. Thank you.

MS. EASTER: All right. Thank you.

MR. WILLIAMS: And, Dajuan?

DR. SEVILLIAN: Yes, this is Dajuan Sevillian, human performance investigator, NTSB.

MR. WILLIAMS: Okay. And, Eric?

MR. KINNEY: Yes, hi. My name is Eric Kinney. I am a test pilot and MU-2, I want to say expert, but I have (indiscernible)

1 MU-2 experience, and I work for the FAA in aircraft certification.

2 MS. EASTER: Okay.

3 MR. WILLIAMS: And who else joined the line?

4 MR. RIGSBY: Hey, Shaun. This is Matt Rigsby.

5 MR. WILLIAMS: Okay. Hey, Matt. You want to just want to go
6 ahead and introduce yourself here?

7 MR. RIGSBY: Sure, sure. I work for the FAA Office of
8 Accident Investigation. And, Teresa, I just want to reiterate
9 that, on the phone here, during the interview, anything that's --
10 we have no enforcement authority on this, and it can't be used for
11 any enforcement. So we're the white hat guys at the FAA.

12 MS. EASTER: Okay.

13 MR. WILLIAMS: And, Teresa, are you okay talking with all of
14 us here today?

15 MS. EASTER: Yes.

16 MR. WILLIAMS: Okay, perfect. So today we'll be using a tape
17 recorder to record the interviews, which will then be sent for
18 transcription. The transcript, not the audio recording, will be
19 made part of the public docket when the investigation is nearing
20 completion.

21 So, like I said before, the purpose of the investigation is
22 safety. It's to determine the probable cause and prevent it from
23 happening again. It's not to assign fault, blame, or liability.
24 This interview and talking with you today, it's just the part of
25 the fact-finding phase of the investigation. You have some

1 information that can really help us out, so we want to dig into
2 that a little bit. We cannot, however, offer any guarantee of
3 confidentiality or immunity. Like I said, it'll be opened up to
4 the public docket later on.

5 So the way we do our interviews, each of the people on the
6 line here today will have a chance to ask questions. We'll ask
7 them one at a time. Everybody knows not to interrupt the person
8 who's asking questions. There'll be an opportunity for everybody
9 to ask follow-up questions after each person's turn. Usually it
10 just goes two rounds, and that's usually about it.

11 Please answer all questions to the best of your recollection.
12 If you don't understand the question, you can have it repeated or
13 explained or, you know, ask questions yourself. If you realize
14 you misstated or need to modify or change an answer, please do so.
15 We want the most accurate record as possible.

16 MS. EASTER: Okay.

17 MR. WILLIAMS: With that in mind, try not -- try to verbalize
18 your answers instead of nodding or uh-huh. You'll catch me doing
19 it a couple of times, I'm sure.

20 So, like I told you -- I think I put in an email yesterday --
21 you're entitled to have one representative of your choosing. Is
22 there someone you'd like to have as a representative with you
23 today?

24 MS. EASTER: No.

25 MR. WILLIAMS: Okay. Okay, and if that changes or something,

1 please just let me know. So do you have any --

2 MS. EASTER: Okay.

3 MR. WILLIAMS: Do you have any questions before we get going?

4 MS. EASTER: No, no questions.

5 MR. WILLIAMS: Okay. So we'll go ahead and begin the
6 interview.

7 INTERVIEW OF TERESA EASTER

8 BY MR. WILLIAMS:

9 Q. All right. So, for the record, can you please state your
10 name and job title?

11 A. Teresa Easter, and I'm the export manager for McNeely
12 Charter.

13 Q. Okay. So you said you're the export manager?

14 A. Yes.

15 Q. Okay.

16 A. And I'm also a dispatcher, but I deal with mostly, you know,
17 setting up the export trips and, you know, regulating or flying
18 the trips at night -- dispatching the trips at night.

19 Q. Okay. Do you have an FAA dispatcher license?

20 A. No.

21 Q. Okay. So how long have you been with the company?

22 A. Twenty-five years.

23 Q. Okay. And how long have you been a dispatcher?

24 A. Twenty-five years.

25 Q. Okay. Was there any training on the dispatching side of it?

1 A. Yes. I mean, we were trained -- when I first came to work at
2 McNeely, I was trained for, you know, with the other dispatchers
3 and Reggie, for approximately, I would say, 6 months before I was
4 allowed to dispatch nights.

5 Q. So was Reggie there the whole time, like from the --

6 A. Yes.

7 Q. -- 25 years ago, I mean?

8 A. Yes. He's the one that hired me 25 years ago.

9 Q. Okay. Is there any sort of a recurrent training that you go
10 through, or is it just, you know, when you've been here 25 years,
11 you probably know it better than anybody?

12 A. Yeah, that's pretty much it. I mean, there were -- there
13 have been changes along when we got busier. You know, we would go
14 through, okay, we need to set up this, you know, keep a daily log
15 in and transfer it to the next dispatcher, you know, things that
16 make it more -- make it better from one shift to another.

17 Q. Okay. So kind of an ongoing improvement?

18 A. Yes.

19 Q. Okay. So there's no, there's no formal recurrent training or
20 anything like that?

21 A. No.

22 Q. Okay.

23 A. No.

24 Q. So what is -- tell me a little bit about you. What's your
25 aviation background? Are you a pilot? How did you get into this?

1 A. No. Well, I had worked for a helicopter company prior to
2 working for McNeely. My sister-in-law worked for -- anyway, she's
3 been there 30 years, and so basically, I need a job. She needed
4 help, and that's where we went.

5 Q. Okay. It's nice when things work out like that.

6 A. Right.

7 Q. So walk me through a normal day. What is a day, you know, a
8 shift in the life of Teresa Easter like?

9 A. Well, before corona and we started working at home, I'd be at
10 the office at 8 o'clock, call Betty or whoever had the night shift
11 and get the dispatch information, set up any trips that we had
12 booked or that, you know, I had booked by email.

13 We have a lot of international, taking trips going to Mexico,
14 Canada -- Mexico and Canada. And so, that was one of my job
15 responsibilities. Answer the phone. Basically, there are only
16 two of us in the office, Betty and me. And I also do the
17 payables, deal with the bills coming in and setting them up to be
18 paid. Mr. Todd and Reggie, you know, are there -- or were there
19 for support and any questions we might have.

20 Reggie, back when I first started working there, Reggie would
21 do the dispatching, also, with us. And, after Mr. Todd bought the
22 company, he does some of the dispatching. And we recently hired a
23 new gentleman that works in the office that we're training to
24 dispatch. So it's just mainly clerical, working the phones,
25 dispatching more troops, calling the pilots, setting up fuel, and

1 whatever else might need to be done.

2 Q. Okay. So you mentioned calling the pilots. What does that
3 call consist of?

4 A. All right. Once the trip is booked, we call the pilots. We
5 give them the routing, the time they're to pick up, what the
6 freight is, how much it weighs, where they're going to be picking
7 up and dropping off, and basically just the details of the trip.

8 Q. Okay, and you mentioned fuel a minute ago. Do you guys do
9 the fuel --

10 A. Um-hum.

11 Q. -- fuel managing, the dispatchers?

12 A. Most time we do. Sometimes, Reggie, being the former owner
13 and the owner of his planes, he would tell us where to set the
14 fuel up, or he might set it up himself depending on how much time
15 he had to do that.

16 Q. So, as far as setting up the fuel, would be the amounts and
17 everything too. You guys -- could you guys figure out the amount
18 of fuel that you'd need?

19 A. That would be what? I'm sorry.

20 Q. As far as --

21 A. The amount of fuel? No. The pilots would tell us how much
22 fuel they wanted or whether it was just to be a captain's
23 responsibility to determine that once he was on the ground.

24 Q. Okay. So how --

25 A. We would call and set up the fuel to be there.

1 Q. Okay, okay.

2 A. To assist him.

3 Q. So how have things changed a little bit with coronavirus,
4 with COVID-19?

5 A. Well, we're just strictly working, dispatching from home now.
6 So a lot of the office -- I take the phones from 1 o'clock until
7 6 o'clock daily and, you know, help out otherwise when needed, if
8 somebody needs to be off. And then we have set up where we take
9 every third weekend. I take a weekend, Betty takes a weekend,
10 Mike takes a weekend. So we work 4 days a week and every third
11 weekend, is when I work.

12 Q. So 1:00 to 6:00, is that 1:00 p.m. to --

13 A. 1:00 p.m. to 6:00 p.m., yes.

14 Q. Okay. So only 6 hours then? Right?

15 A. Right.

16 Q. Or what -- hours, yeah. Okay.

17 A. Right, since COVID. You know, during -- before COVID, we
18 worked an 8-hour day at the office.

19 Q. So then do you also do flight locating? There's flight
20 following. Do you kind of watch the flights once they go?

21 A. Yes. We have where we use FlightAware from home. We do not
22 keep FlightAware up 24 hours a day. I mean, you know, during our
23 full shift, if we have a question where a plane is or what they
24 may be doing, then we'll refer to FlightAware.

25 Q. Okay. Sorry, I'm just pausing because I'm writing here,

1 that's all. So, when you're dispatching, do you have just like
2 one geographic area you just watching -- are you assigned to a
3 flight? Are you kind of over all of them?

4 A. We're over all of them that occur during our time that we're
5 dispatching.

6 Q. Okay. So I want to go through a few other questions here
7 before we get to the events of that day, just kind of
8 background --

9 A. Okay.

10 Q. -- information and things like that. So are you guys, as a
11 dispatcher, are you delegated any operational control?

12 A. As far as -- I'm not really sure what you mean by operational
13 control. I mean, we -- once the trip is booked, Mr. Todd, we
14 refer to him on which crews to assign and which plane to assign,
15 and we go from there. Then we assign, you know, we set up the
16 crew and the plane accordingly.

17 Q. Okay. So do you have the ability as a dispatcher, then, to
18 cancel a flight if you see something you don't like? Do you look
19 at weather, I guess, would be a good question?

20 A. The pilots look at the weather.

21 Q. Okay.

22 A. And they make the determination whether or not they can do
23 the trip. And if they say, no, we cannot do it because of
24 weather, then it's our responsibility to call the customer and,
25 you know, let them know that the pilot does not feel that it's

1 safe so that we need to cancel the trip.

2 Q. So you're not involved in that decision usually, as far as
3 the weather side?

4 A. No.

5 Q. Okay.

6 A. No.

7 Q. Okay. So talk to me a little bit about that day. We have
8 your written call log and things. And one question, you know, you
9 mentioned that you work from 1:00 to 6:00, and it seems like a lot
10 of this happened overnight.

11 A. Well, this was a weekend.

12 Q. Okay.

13 A. So on the weekends, on our third weekend, I mentioned that we
14 work -- we have the phones from 8 o'clock on Saturday morning
15 until 8 o'clock on Monday morning. And so, this happened on
16 Saturday night, I believe, the wee hours of Sunday morning.

17 Q. Right.

18 A. Right.

19 Q. So, I guess, when do you sleep then? If this is happening in
20 the middle of the night --

21 A. Well, that's why -- it's kind of like an on-call. When the
22 plane is in the air, we sleep. And then, you know, we either set
23 our alarm, or we wait for an inbound call. It's not like you're
24 up 24 hours for 3 days.

25 Q. Okay.

1 A. And the trips on the weekend -- actually, I think this was
2 the only trip I had the entire weekend, so -- because Betty had
3 booked it. Betty Moyer, the other dispatcher, had booked it
4 before I came on duty.

5 Q. Okay. So, on this particular flight, it looks like Reggie
6 called, told you, you know, around 9-ish, said he'd be off the
7 ground about 15 minutes, expected to be in Huron about 1:20 a.m.
8 Central Time.

9 A. Right.

10 Q. And then, so were you looking for him between that estimated
11 arrival time and when Active Aero called, or were you --

12 A. No.

13 Q. -- waiting for him to call you?

14 A. At that time, I was asleep. And Active Aero, when they
15 called, they woke me up. And then, from that point, I proceeded
16 to begin to look for him and call him and find out where he was.

17 Q. So would he normally have called on the ground in Huron? Or
18 would you not get a call until he got to Kokomo?

19 A. Oh, no. He called when he was on Huron normally. Of course,
20 at this point, I did not know that he had left his phone. But I
21 was a little frantic when I realized, you know, that he had been
22 on the ground over an hour without, you know, getting in contact.
23 So that's when I started looking for him.

24 Q. Okay. Now, did you see that he had diverted to Sioux Falls
25 based on FlightAware, or was that from Active Aero?

1 A. No. I called Huron to see if he was on the ground there and
2 to see if they could put eyes on him and see -- you know, find out
3 why he hadn't called me when he landed, and they told me that the
4 aircraft had to divert to Sioux Falls.

5 Q. Okay.

6 A. And, at that point, then I started calling Sioux Falls.

7 Q. So I see on here that at -- you wrote that, at 2:52 a.m.,
8 Active Aero had called, and the aircraft was on the ground and --

9 A. Right.

10 Q. -- crew. What's normally the relationship between the
11 McNeely and like Active Aero? Do they normally keep in touch with
12 you guys throughout the trip, or how does that -- like was it --

13 A. Yes.

14 Q. -- out of the ordinary for them to call you?

15 A. Yes. Well, we call -- okay, we get a trip. We book it.
16 When the pilot takes off, we call Active Aero or our customer and
17 give them, okay, my pilot will be off at such and such time, and
18 he has so much en route. And then, when he lands, he'll call us,
19 and we call them, tell them he's landed.

20 When he gets freight, we call -- you know, he'll send us the
21 paperwork, and then we'll send the paperwork to Active Aero,
22 confirm the freight, and they say, okay, he's good to go. Once
23 he's good to go, we call him back, say, okay, Active Aero has
24 approved your freight; you're good to go. And he'll tell us, you
25 know, okay, I'll be off in 15. My 4 hours en route, live leg.

1 And so, then we call Active Aero, give them that information. And
2 usually that's the last point of contact until he lands in, say,
3 on this trip, it would have been Kokomo.

4 Q. Okay. Does Active Aero ever -- they don't -- do they
5 interact with the pilot at all, or do they strictly interact with
6 you?

7 A. Sometimes, they -- well, sometimes, they interact with the
8 pilot. If there's a situation with the freight, Reggie generally
9 some -- during the night, sometimes he would help us out. And
10 then knowing, you know, that it's 3 o'clock in the morning, and he
11 would call, make those calls direct as he has dispatched, you
12 know, basically ever since I've been there for 25 years. So he
13 would sometimes make his own call to Active Aero. But that was
14 not, you know, a regular occasion that he did that.

15 Q. Okay. Do other pilots do that?

16 A. No.

17 MR. WILLIAMS: Okay. All right. So I think I've been
18 talking here for 20 minutes. I'm going to take a breather here.
19 I'm going to pass it off.

20 Dujuan, do you have any questions?

21 DR. SEVILLIAN: Yes, I do. Thanks.

22 BY DR. SEVILLIAN:

23 Q. Teresa, so one of the questions I have is, so if you were a
24 dispatcher, you were tired and could not come into work, is there
25 a policy that the company has that allows you to take time off?

1 A. Yes.

2 Q. And can you just --

3 A. Well, I don't know if this is a policy. If we're feeling
4 bad, we just call in and say we're feeling bad, and there are
5 other dispatchers. We rotate. Our hours, I would come in at 8:00
6 and work till 4:00. Betty Moyer, who is the other dispatcher,
7 would come in at 10:00 and work till 6:00. Doug comes in at 8:00
8 and works till 3:00. And then we rotate.

9 If, for some reason, we're ill -- one of us is ill, or one of
10 us is going on vacation, then the others pick up the slack. Betty
11 works, I think, 3 nights a week. Formerly, I had worked an
12 additional 2 nights a week. But then, you know, I just decided
13 that, you know, I didn't want to work the extra 2 nights a week
14 and -- because it was extra tiring to work at night and then go in
15 during the day.

16 Q. All right. And are you aware of any type of guidance that is
17 provided by the company for pilots? Do pilots get any guidance on
18 time off for being tired?

19 A. I'm not familiar with -- I mean, I know how it works. They
20 put in a written request for time off. And then Mr. Todd grants
21 it or no. But that's about all I know. I mean, I don't -- I'm
22 not involved with the pilot time off.

23 Q. Okay. So, as far as prior to dispatching a flight, is there
24 any type of -- do you perform sort of a safety, a risk assessment
25 before you dispatch a flight? Is there some sort of protocol that

1 you go through to understand whether it's safe to dispatch a
2 flight?

3 A. No. Generally, we dispatch the flight. If there's any
4 problems, like I said, the pilot checks the weather. If he has
5 any other issues involved, as far as looking at the airport and
6 this runway being too short or whatever, that's his discretion,
7 and he calls us back and says, okay, no, this airport looks like
8 it may have a short runway or, you know, whatever the issue is.

9 And then we call the customer and say, we cannot use that
10 runway. We would have to -- or that airport. We would have to
11 use a different airport due to safety concerns. But that, you
12 know, generally is about it. We take -- we go with the pilot has
13 the last word as far as what he considers safely to be able to
14 complete a trip.

15 Q. All right. And then, for example, in the -- for the accident
16 that occurred. If the pilot wanted to -- if the pilot was --
17 let's just say, you said the pilot can cancel a trip due to
18 weather.

19 A. Um-hum.

20 Q. Are you familiar with how often that occurs within like a
21 month? Like how often --

22 A. You know, we're a small company. We only have, at this
23 point, eight planes flying. So that would be an occasion that
24 would happen maybe every 3 to 4 months, mostly in the springtime
25 when there's thunderstorms and things of that sort. But that is

1 not -- that does not happen on a regular basis.

2 DR. SEVILLIAN: Okay. All right. Those are the questions
3 that I have for right now. Thanks, Teresa.

4 MS. EASTER: All right. Thank you.

5 MR. WILLIAMS: Thanks, Dujuan.
6 Courtney?

7 MS. LIEDLER: Yeah, I do have a couple questions for you,
8 Teresa.

9 MS. EASTER: Okay.

10 BY MS. LIEDLER:

11 Q. We're going to jump back into training for a minute here.
12 When you said you just hired a new gentleman to help out with the
13 training -- with the dispatching, I'm sorry -- how is he trained?

14 A. It's basically on-the-job training. He comes -- he's in the
15 office every day, and when we dispatch a trip, we go through the
16 steps with him. And, you know, it's just on-the-job training. We
17 start off letting him answer the phones and get familiar with that
18 process, and then we let him, not set up the trips, but just quote
19 the trips, show him how to go through the process, show him how to
20 go through setting up the trips on a daily basis while we're
21 there. And it's just on-the-job training.

22 Q. Okay. And is there any kind of formal training, whether it's
23 a checklist or some kind of a training manual or something that
24 you would use to kind of guide the training itself? Or you do it
25 based on the day-to-day operations with making -- that that's kind

1 of the checklist?

2 A. Yes. The day-to-day operations.

3 Q. And who -- is there one person? Is it you or Betty
4 responsible for that training, or is it just whoever's there that
5 day?

6 A. It is depending on whoever is there that day and whoever --
7 you know, if she's busy doing something else, well, then I would
8 take over. Or if I was busy doing something else, then she would
9 lend a hand. But it's just, you know, sitting there with him to
10 make sure he has the steps and he has -- you know, we write it all
11 down in a little manual. We have a little sheet that we write
12 down the information he needs to get when the caller calls in, as
13 far as who it is, what the company is, what the freight is, where
14 it's going and where it's dropping off, and things of that sort
15 that, you know, that he's got to know before he can physically
16 dispatch trips.

17 Q. Thank you. Another question I have for you is --

18 A. I'm sorry?

19 Q. Could you walk me through -- a trip comes in, and you booked
20 the trip. What does it look like as far as the notice? So you
21 book that trip, and is there -- how much notice does a pilot get
22 or how much -- how quickly does a trip occur after it's booked?
23 Is it a day or two, or is it -- can it be the same day? Or how
24 does that work?

25 A. No, it's on demand. We have an on-demand charter. Most

1 generally, it's within 1 to 4 hours. Our crews are allowed -- I
2 mean, we give them an hour and a half from the time of call to be
3 at the airport on an on-demand, going out charter. And so they
4 have that hour and a half to prepare for the trip once it's
5 booked, you know, to be at the airport, to be ready to take off or
6 to be in position for the flight, if they're -- if it's already
7 at, say, Laredo where we have planes based, or El Paso.

8 But, and then there's times that we will, if the trip is for,
9 you know, a day out and -- or 2 days out, and the crew needs to
10 reposition, then he goes and he repositions and, you know, it's
11 never basically the same. We do book trips in advance. We have a
12 calendar that any trip is booked in advance is put on the calendar
13 and, you know, then we dispatch them. Of course, you know, they
14 know well in advance of the trip.

15 Q. Okay. You mentioned that you have -- where are your bases?
16 You said Laredo and you mentioned another base as well?

17 A. We have planes that are based out of -- live in Laredo and
18 also El Paso, where he would keep his planes, generally, in El
19 Paso. And he worked out of West Memphis, the home base. And he
20 also had planes at his -- had crews in El Paso that lived there,
21 and then our main home office is in West Memphis, Arkansas, the
22 home base to the office.

23 Q. Okay. And I think I understood -- so, let's say you book a
24 flight. Are your pilots on call? And how are they -- how are the
25 pilots selected for a trip? Is that something that you're aware

1 or --

2 A. The pilots are, when they're on duty, they're on-call. Some
3 of our pilots work 10 days on, 4 off. And others work 2 weeks on
4 and a week off. They just have a certain schedule, and that's
5 determined by them and Mr. Todd when they're hired. But Mr. Todd,
6 or Reggie at the point, being the owner of the planes that were
7 based in El Paso -- and generally, when we book a plane, like I
8 said before, they would determine which plane to use, which crew
9 to use and let us know that information once the trip was booked.

10 Q. And you said that was Reggie and Mr. Todd?

11 A. Yes.

12 Q. Okay.

13 MS. LIEDLER: Okay. I have a couple more questions, but I
14 think I'm going to wait until we get into the events of that day.
15 So I think I'm done for right now. Thank you, Teresa.

16 MS. EASTER: All right. Thank you.

17 MR. WILLIAMS: Okay. Thanks, Courtney.

18 Matt, do you have any questions?

19 MR. RIGSBY: Just one. Teresa, if you're a licensed
20 dispatcher, do you have a license to dispatch --

21 MS. EASTER: No.

22 MR. RIGSBY: Okay. All right. I think that's all for right
23 now.

24 MR. WILLIAMS: Okay, thanks.

25 Eric, do you have any questions?

1 MR. KINNEY: No, nothing for me at this point.

2 MR. WILLIAMS: Okay. So, Teresa, I want to go back to that
3 day. And I understand you knew the pilot, you knew Reggie for a
4 long time. So if it's a little tough and you need a break, please
5 do not hesitate to let me know. Okay?

6 MS. EASTER: Okay.

7 BY MR. WILLIAMS:

8 Q. Kind of run me through what do you remember from, you know,
9 about Reggie's demeanor and everything when you talked to him, you
10 know, when he was first getting ready to leave out of Paine Field
11 there. What -- how did that interaction go? Did they --

12 A. All right.

13 Q. -- quibble? Just start at the beginning for me.

14 A. Okay. Well, basically, the trip was, like I said, already
15 booked when I took over on Saturday morning at 8 o'clock. Betty
16 had booked the trip and assigned and dispatched, and Reggie had
17 prepositioned out to Paine Field the day before because it was a
18 long -- you know, going to be a long flight.

19 So I did not talk to him until he had showed up at the
20 airport to verify his freight at 9 -- 9 and 0-3. And he was, said
21 he had verified the freight with Active Aero and that he would be
22 off in 15 minutes and would be in HON at 1:20. And so, you know,
23 that was the only contact that I had with him prior to the, you
24 know, deviance of not being able to reach him on the ground once
25 he landed.

1 Q. Okay. How did he sound on the phone?

2 A. He just sounded like his normal self, you know, just strictly
3 business.

4 Q. So what about in Huron, when you finally got in touch with
5 him --

6 A. Well, actually, it was Sioux Falls before I actually got in
7 touch with him.

8 Q. Sioux Falls, sorry.

9 A. Right.

10 Q. I was looking at the wrong --

11 A. Okay.

12 Q. -- here on the, on the paper.

13 A. Yes.

14 Q. In Sioux Falls, when you talked with him, how did he sound?
15 How was his demeanor?

16 A. Right. Well, he was a little, I would say, aggravated at
17 himself because he had lost his phone or misplaced his phone. And
18 he told me to tell Active Aero that he apologized. He was going
19 to be late and he apologized. He had lost his phone. And, you
20 know, that the fuel truck was pulling up and that he would be
21 fueled and that he would be off in 20 minutes and, you know, that
22 would be 4:00 a.m. Central and gave me the flight time. So that
23 was the only contact we had.

24 Q. So he was a little more upset at himself there. Did he sound
25 flustered? Did he -- was he still kind of his normal self? Did

1 he say he wasn't feeling well or anything like that?

2 A. No, he didn't say, no, that he was not feeling well at all.
3 He just said that, you know, I lost my damn phone. You know, I
4 couldn't get in contact. And so that was basically about it.

5 Q. Okay. And then how did you find out about the accident?

6 A. Once he said he was going to take off and gave me his time en
7 route and I spoke to the lineman -- or the lineman called me back
8 and told me that Reggie was taxiing out, I went back to bed. And
9 then 5:26, that's when the gentleman on the field there from the
10 tower at Sioux Falls called and asked me what time 44MX had
11 departed and how many souls were on board.

12 Q. Okay.

13 A. So that's -- and then from there on, while I was on the phone
14 with him, he received confirmation from someone else there on the
15 field that it was 44MX that was down.

16 Q. Okay. And so, then what steps did you take after that?

17 A. I called Mr. Todd and told him that 44 was down on the field.
18 I called Signature lineman to verify that he had seen him take
19 off. He said he had not; he just saw his taxiing. I called
20 Signature to see if they had any notification of an aircraft down
21 field. And then I called Laddie, because Mike told me he was
22 going to be out of range, and gave Laddie Hostalek the notice that
23 44 was down.

24 Q. Okay. So you -- did Mike tell you any reason why he was out
25 of range after you told him that an airplane was down?

1 A. He was driving. He was leaving to drive -- when I called him
2 at 5:29, I got him and told him that, you know, that 44 was down.
3 And at that point -- he lived in Jonesboro -- he was headed to, I
4 believe, to the office or to try to get, you know, to where he
5 could make contact and make telephone calls because he lives in
6 Jonesboro. He had a little bit of a drive, and there is a drop
7 zone between his house and the office. So that's when he told me
8 to call Laddie. And so it was just a few minutes that he was
9 going to be out of range.

10 Q. Okay. When you talked to the lineman there in Sioux Falls,
11 did he mention anything about how Reggie was acting or how he
12 sounded or anything about his interactions with him?

13 A. No. He just told me the pilot was there when he made contact
14 with the pilot, with Reggie. I asked him -- he said, the pilot is
15 here, and I said, okay, well, can I talk to him? And he said,
16 yes, I'm going to go get the fuel truck. He handed Reggie his
17 phone, and that's when I had the conversation, the short
18 conversation with Reggie. And he told me that he had the freight
19 and was loaded and with fuel and be off in 20 minutes.

20 Q. Okay. But there was no other discussions, when he called to
21 say he was taxiing out, that -- no concerns or anything were
22 brought up?

23 A. No.

24 Q. Okay.

25 A. No.

1 MR. WILLIAMS: Okay. I think that's all I have. We'll go
2 back around one more time here and see if anybody has any
3 follow-ups.

4 Dujuan?

5 DR. SEVILLIAN: Yes. Teresa, did Reggie ever have -- did you
6 notice any sorts of medical conditions that he had in the past?

7 MS. EASTER: No. No, I don't know that he was ever sick
8 other than just having cold or sinus or something of that sort on
9 a given day. Don't know that he ever had any illnesses that I was
10 aware of.

11 DR. SEVILLIAN: Okay. That's all the questions I had. Thank
12 you.

13 MS. EASTER: Thank you.

14 MR. WILLIAMS: Thanks, Dujuan.

15 Courtney?

16 BY MS. LIEDLER:

17 Q. Do you know if Reggie ever found his phone when you were
18 talking to him? Was he -- yeah, he looked for his phone. Did he
19 ever find his phone?

20 A. No, he did not. He said it was -- he suspected that it was
21 loaded up under the freight in the back of the airplane, that he
22 had laid it down and loaded the freight on top of it. So no, he
23 had not found it.

24 Q. Okay. And can you talk to me a little bit about, if there's
25 a problem during a flight, how is it handled from -- you know,

1 let's say, a pilot calls you and says, you know, there's a problem
2 with fuel or a problem with the airplane or a problem with, you
3 know, they're tired or whatever it may be, don't feel well. How
4 is that handled once you are notified?

5 A. All right. Well, I make the call depending on what the
6 problem is. If it's a maintenance issue, then we call the
7 maintenance director, Kevin Bonner. If it's, you know, a pilot
8 issue, I call either Mike Todd, Jim Speidel -- he's the assistant
9 director of operations -- and give them the information. Mr. Todd
10 generally makes the determination with the pilot. The pilot --
11 well, he'll call the pilot and talk to them about whatever the
12 situation may be. And other than that, we just give it to the
13 next higher up -- maintenance, operations, Mr. Todd or Reggie,
14 whoever it might have been -- and they work with the pilot to
15 resolve the situation.

16 Q. Okay. And that was the same -- that the same process that
17 you would have used for Reggie, being that he was the director of
18 operations? It was the same -- there was no change in that
19 process for him if he was the one flying?

20 A. Well, if it's maintenance-directed, of course, he was the
21 director of operations, he would call Kevin himself. He would
22 notify us about a maintenance problem, and he would call Kevin
23 himself and deal with the maintenance issues. Of course, he would
24 make any determinations as the owner and director of operations as
25 far as his crews were managed, dispatched. But no, other than

1 that, I guess there was a little bit of difference because he was
2 the director of operations. He would determine most of the
3 outcomes for his own planes.

4 Q. Okay, just taking some notes. Give me one second.

5 A. Okay.

6 Q. So Reggie, being the only MU-2 pilot in the company, could
7 you talk to me about, you know, how was there, if -- how was it
8 handled if you booked a -- let's say, you booked a trip perhaps
9 for that day or -- and Reggie was unable to make it. But, you
10 know, obviously being the only MU-2 pilot, if you need the MU-2,
11 how is that handled?

12 A. Well, we also have Metroliners, which is the next plane up,
13 size wise, MU-2 and the Metroliner. And Reggie had two
14 Metroliners other than the MU-2. If something came up that he
15 could not fly the trip in the MU-2, we would substitute the
16 Metroliner, substitute that plane to cover.

17 Q. Okay. And the changes in your job over time, my
18 understanding is that Reggie started the company and you mentioned
19 that Mr. Todd purchased the company a while back. And how -- did
20 your job change? You know, as the company grew, did your job
21 change from when you first started with Reggie to when, you know,
22 to the job position and the duties that you have today?

23 A. Not much. Basically, we've done the same thing for as long
24 as I've been there. Just dispatch the planes, do the day-to-day
25 office work, and answer the phones. And, you know, we got busier,

1 like I said, we hired, you know, other people to help, whether it
2 was with the clerical duties or whether, you know, Betty and I --
3 mostly Betty, I, Reggie, and Mike have done probably 90 percent of
4 the dispatching in all this time.

5 We did have a Jim Speidel at one point, who is the
6 director -- the assistant director or assistant chief pilot. He
7 went on medical leave for a short period of time, and he did some
8 dispatching just in helping us answer the phones and such, you
9 know, while he was on medical leave. But that's it.

10 Q. And so, the night of the accident, you mentioned that you
11 were in bed. He had already taken off from Paine Field and was en
12 route, and you had gone to sleep, and Active Aero called you.
13 What is your role in conjunction with Active Aero? In other
14 words, what are they doing in your understanding of what they're
15 doing, and then how that -- you interact with their job and their
16 function? How does that -- how do you work with Active Aero?

17 A. Well, they're our customer. They have a customer that needs
18 the freight moved. We -- they have a bid board that they post
19 their trips on. We bid on those trips. I had the computer there
20 by my bed, so at night, if a trip goes off, you know, we can hear
21 it; it wakes us up. And we bid on those trips.

22 If we are awarded the trip, then they will call and say,
23 okay, you've gotten this trip. This is our trip number, you know,
24 here are the details. And then that is where we get with Mr. Todd
25 or Reggie at that point, send them a text. We've got this trip

1 booked. Which crew? Which plane? Or if they've, you know, if
2 they told us in advance, so we don't have to wake them up in the
3 middle of the night, which plane they want to use first and which
4 group, then that is what we dispatch. And then, as the trip
5 progresses, as it goes along and my crew is in position, of
6 course, like I say, I give them a call.

7 When they've got freight, I give them a call. We verify the
8 freight. And then, after the freight's loaded, we give them a
9 call saying, okay, my crew's loaded. We'll be off in 15, and it's
10 4 hours en route. At that point, then the next contact I have
11 with them is when the plane is on the ground. The crew calls. I
12 give Active Aero a call saying the plane is on the ground; I'll
13 call you back when I get a POD, Proof of Delivery. And then the
14 crew calls back with the proof of delivery. And then I'll give
15 Active Aero a call. So it's a continual cycle all during the
16 trip, the phone calls.

17 Q. So, for this night, with the Active Aero calling you to
18 determine where Reggie was, where the airplane was, is that
19 abnormal for them to be monitoring or --

20 A. No.

21 Q. They call you?

22 A. They work in eight -- their crews work 8-hour shifts or
23 7-hour shifts. I don't really know how it is, their shifts, but
24 they have continual flight following 24 hours a day. So they
25 flight follow the plane, you know, under the tail number or the

1 flight number.

2 Q. Okay, so there's -- Active Aero, to your knowledge, Active
3 Aero provides a -- they are monitoring, like you said, monitoring
4 the flight from the time they take off to the time they landed.
5 And they call -- and then the pilot would call you. And then you
6 would --

7 A. Yes.

8 Q. Do I have that right? And then you would call Active Aero
9 and tell them you've got verification that they're on the ground
10 and -- or taking off or whatever the next step is?

11 A. Yes. I mean, we do rely some on FlightAware, but FlightAware
12 is not always the most -- or the most -- sometimes it just drops
13 off and you just, you know, you learn not to trust it implicitly.

14 Q. Right. Yeah. Okay. And then, when you got to Reggie, were
15 there -- you had mentioned he was frustrated because he had lost
16 his phone. Was there any conversation about -- you know, do you
17 ever file a flight plan for him, or does he take care of all that?
18 Was there any conversation about filing another flight plan for
19 him? Was it -- when they takeoff or the delay?

20 A. No, they file their own flight plans. All the crews file
21 their own flight plans. They have an iPad in the aircraft that
22 they do all their flight planning on.

23 Q. Okay. And you got that -- so they -- well, do you know, as
24 far as -- yeah, do you know what program they use to file that
25 flight plan?

1 A. I do not.

2 MS. LIEDLER: Okay. No problem. Okay, I don't think I have
3 any more questions. I think I'm done for right now.

4 MR. WILLIAMS: Okay.

5 MS. LIEDLER: Thank you.

6 MR. WILLIAMS: Thank you, Courtney.

7 MS. LIEDLER: Thanks for your time.

8 MR. WILLIAMS: Matt?

9 MR. RIGSBY: Just a couple comments.

10 BY MR. RIGSBY:

11 Q. Teresa, do you -- as far as flight tracking, I know you said
12 you use FlightAware, but does the aircraft have any other, like
13 Spidertracks, or is there a way that you can see the aircraft in
14 flight on a program? Is there any satellite tracking or anything
15 like that?

16 A. No, none other than FlightAware.

17 Q. Okay. Can you communicate with the aircraft in air? Do you
18 have a radio --

19 A. We do flight service if we -- sometimes, if we need to get in
20 contact, we go through the different centers and find out which
21 center he's in, and then we go through that way to get him a
22 message. Say, sometimes a flight will cancel en route. We'll
23 call the appropriate center, get a message to the pilot that
24 flight is canceled and return to base or something of that sort,
25 or if we need to get him a message, that's the way we do it.

1 Q. Okay, that's how you do it? Okay. When you -- is there any
2 penalty from, like for the flight being late or whatever cargo
3 you're shipping --

4 A. Monetary penalty?

5 Q. Yes.

6 A. There's no monetary penalty at all, no.

7 Q. All right.

8 A. No.

9 Q. Is there like a reputation --

10 A. Well, of course.

11 Q. Okay.

12 A. Of course, every company has their reputation, trying to be
13 responsible and, you know, on-time as possible. There are, of
14 course, instances with the weather, but no one can outthink Mother
15 Nature here as far as that goes. But when we have to land in
16 flight due to weather, or when we have to say, okay, we can't take
17 off -- there's a thunderstorm on the field; we can't take off
18 until it clears -- or fog or something of that sort. But those
19 are -- you know, most people understand it in the industry, but --
20 so you try to protect whatever reputation you have as a company,
21 or you won't have a company long.

22 Q. All right. Okay. But that night, there was no -- the
23 customer wasn't calling you and very concerned that he was 3 hours
24 late and that type of thing or anything like that?

25 A. Well, they were calling to find out, and I was returning

1 their calls and trying to tell them, you know, okay, I'm working
2 on it; I'm trying to find out where he is. And that's when I
3 proceeded to start calling your FBOs and the line people and find
4 out, you know, had they set eyes on the plane and then they know,
5 you know, where it was.

6 So they had called, and they were concerned it was late.
7 But, like I said, there is no monetary -- they're in a little
8 grading scale. Active Aero has a small grading scale that they
9 use. The best you can do is 100, just like if you were being
10 graded in school. I don't know that we've ever been below 95 or
11 96 on their grading scale, so -- and that's just -- basically they
12 have gradings as far as communications go and as far as being on
13 time and those things. That's how they grade a trip.

14 Q. Sure. Okay. Who -- is there like a manifest for the cargo?
15 On that night, what was aircraft carrying? Are you aware of --

16 A. Carrying? He was carrying small boxes. I don't have that
17 information in front of me. I mean, yes, we do; it would have
18 been on the paperwork. All that information is at the office.
19 You know, I can't get in with that trip information, so I don't
20 have it here with me.

21 Q. Okay.

22 A. It wasn't a heavy load or anything like that, that would
23 have --

24 Q. Hazardous material or anything like that?

25 A. No, it was not hazardous material. It was auto parts of some

1 sort.

2 MR. RIGSBY: Okay. Well, I think that's it for me, Teresa.
3 Thank you.

4 MS. EASTER: Okay. Thank you.

5 MR. WILLIAMS: Thanks, Matt.

6 And, Eric?

7 MR. KINNEY: Well, the benefit of being the last round is all
8 the good questions are taken. So nothing for me.

9 MR. WILLIAMS: Okay, thanks.

10 MS. EASTER: Thank you.

11 MR. WILLIAMS: And I don't have anything else. Does
12 anybody -- Dajuan and Courtney, you guys have any follow-ups?

13 DR. SEVILLIAN: Just one follow-up.

14 BY DR. SEVILLIAN:

15 Q. Teresa, the -- being an organization that delivers freight,
16 (indiscernible) obviously pretty busy. Is there any -- do you
17 ever have any company meetings to discuss what's going on in the
18 company?

19 A. We do during the day. It's not an official meeting but, you
20 know, we're all there in the same office area. And we will get
21 together and discuss what's going on as far as, you know, what
22 trip is coming up and where it's -- as far as, you know, the
23 requirements, if it's an international trip or no. And, you know,
24 just go over the basic stuff, but not any official what would be
25 called meeting here at a certain time, a certain date.

1 Q. Okay. So no official agenda or anything like that that's
2 recurring?

3 A. Correct.

4 DR. SEVILLIAN: Okay. That's all the questions I had. Thank
5 you.

6 MS. EASTER: Thank you.

7 MR. WILLIAMS: Courtney, are you there?

8 MS. LIEDLER: I have one more for you, Teresa.

9 MS. EASTER: Okay.

10 BY MS. LIEDLER:

11 Q. Is there -- I'm going to put you on the spot now. Is there
12 anything with your job or in various aspects of your job -- it
13 seems like you got quite a few different roles. Is there anything
14 that you feel you have concerns with that you feel you would
15 prefer to be -- would have been different or have it changed? Or
16 you feel that your job is -- you know, that you're very
17 comfortable? Do you feel that you're adequately trained, you've
18 got -- you know, the operation itself is adequate? Is there
19 anything that you have concerns with that you'd like to share with
20 us?

21 A. No. Like I said, we've done the same thing so long, it's
22 just habit. I mean, we just -- you just do it. It's just --
23 there's times, like I said, it's busier than others. But, when
24 that is the case and we make our wishes known, then Mike or
25 Reggie, at the time, would bring in temporary help to help with

1 the office duties or something of that sort. But generally, with
2 the four of us there -- four or five, depending on whether Reggie
3 was in for that day -- there's plenty, there's adequate people to
4 take any pressure off of us as needed.

5 Q. Okay. And you feel that you always had the opportunity for
6 adequate rest when you were doing your dispatch duties?

7 A. Yes.

8 MS. LIEDLER: Okay. Nothing more for me. Thanks, Teresa.

9 MS. EASTER: Okay. Thank you.

10 MR. WILLIAMS: All right. Well, I have one last question,
11 Teresa. Is there anything that we missed? Is there anything you
12 want to add that could help us? Anything that we should have
13 asked but didn't?

14 MS. EASTER: No. You know, this is the first time I've ever
15 been involved in anything like this, so I really don't know what
16 would be a statement of something I should have asked but didn't.
17 So, you know, it's just been a tough time for all of us involved,
18 but I don't have anything else to add.

19 MR. WILLIAMS: Okay. Well, once again, thank you so much for
20 taking the time to talk to us, and if we have anything else, we'll
21 be sure to reach out to you.

22 MS. EASTER: All right. Thank you so much.

23 MR. WILLIAMS: All right. Thank you. And we're going to
24 stop the recording at 9:34 Central.

25 (Whereupon, at 9:34 a.m. CDT, the interview was concluded.)

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL CRASH OF MITSUBISHI MU-2B
AIRPLANE N44MX NEAR SIOUX FALLS,
SOUTH DAKOTA, ON JUNE 7, 2020
Interview of Teresa Easter

ACCIDENT NO.: CEN20LA215

PLACE: Via telephone

DATE: July 16, 2020

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.



Kimberlee S. Kondrat

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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FATAL CRASH OF MITSUBISHI MU-2B

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AIRPLANE N44MX NEAR SIOUX FALLS,

*

SOUTH DAKOTA, ON JUNE 7, 2020

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Accident No.: CEN20LA215

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Interview of: LADDIE HOSTALEK, Former Chief Pilot
McNeely Charter Service, Inc.

Via telephone

Tuesday,
August 18, 2020



APPEARANCES:

D. SHAUN WILLIAMS, Operations Investigator
National Transportation Safety Board

DUJUAN SEVILLIAN, PhD, Human Performance Investigator
National Transportation Safety Board

COURTNEY LIEDLER, Investigator in Charge
National Transportation Safety Board

MATT RIGSBY, Investigator
Federal Aviation Administration

TODD OBRITSCH, Investigator in Charge
Federal Aviation Administration

ERIC KINNEY, Deputy National Flight Test Manager
Federal Aviation Administration



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I N T E R V I E W

(11:00 a.m. CDT)

MR. WILLIAMS: Okay, so the recording is started at 11:00 Central, August 18th. So, Laddie, thanks for joining us, agreeing to speak with us here today. We really do appreciate it. As you know, I'm Shaun Williams. I'm the operations investigator with the NTSB.

NTSB is a federal independent agency charged with determining the probable cause of transportation accidents, promoting transportation safety. We're not a part of the DOT or the FAA. We have no regulatory or enforcement powers.

So, as you're kind of aware, we operate in a group format. How that works, I will let -- go around the room here so we all know who's on the line. We'll start with Dujuan.

DR. SEVILLIAN: Yeah. Dujuan Sevillian, human performance investigator at NTSB.

MR. WILLIAMS: Courtney.

MS. LIEDLER: Good morning, Laddie, or afternoon for you almost. Courtney Liedler, NTSB IIC for this accident.

MR. WILLIAMS: Matt.

MR. RIGSBY: Matt Rigsby with the FAA's Office of Investigations.

MR. WILLIAMS: Todd?

MR. OBRITSCH: Todd Obritsch with the Rapid City Flight Standards. I was the on-scene investigator.

1 MR. WILLIAMS: And, Eric?

2 MR. KINNEY: Eric Kinney. I'm the FAA aircraft certification
3 deputy national flight test manager.

4 MR. WILLIAMS: Okay. So, Laddie, are you okay talking with
5 all of us here today on the line?

6 MR. HOSTALEK: Yeah. And I have -- of course, I'm Laddie,
7 middle initial J, Hostalek's my last name, McNeely Charter
8 Service. At the time of this accident, I was chief pilot. And I
9 have with me Janet Hostalek, same last name, my significant other,
10 in the room. She has no ties with the company or anything
11 whatsoever.

12 MR. WILLIAMS: Okay.

13 MR. HOSTALEK: Well, I shouldn't say anything whatsoever.
14 She has ties with me.

15 MR. WILLIAMS: Okay. So, like we've mentioned before, we're
16 using a tape recorder today to record the interview, and then
17 we'll send it off for transcription. The transcript, not the
18 audio recording, will be made a part of the public docket when the
19 accident's released.

20 The purpose of the investigation is safety. It's to
21 determine the probable cause, prevent it from happening again.
22 Our role is not to assign fault, blame, or liability. This
23 interview is just part of the fact-finding phase of the
24 investigation. So we're here to ask questions, to kind of learn
25 what you know about working at McNeely, being the chief pilot at

1 the time of the event. We cannot, however, offer any guarantee of
2 confidentiality or immunity.

3 Each of the group members will have a chance to ask
4 questions. We'll ask them one at a time. Everyone knows not to
5 interrupt. There'll be an opportunity for each group member to
6 ask follow-up questions, and as previously, they all go about two
7 rounds.

8 So please answer all questions to the best of your
9 recollection. If you don't understand a question, ask to have it
10 repeated or explained. Same token, if you realize you misstated
11 or want to modify a previous answer, please do so. We want the
12 most accurate record as possible.

13 You are entitled to have one representative of your choosing.
14 You've mentioned that you chose Janet. So, Janet, you -- I know
15 this sounds weird, and I know my wife would like to do this to me
16 sometimes, you may direct Laddie not to answer a question or to
17 request a short break to talk to him about it. You just can't
18 answer questions for him. So --

19 MS. HOSTALEK: Okay.

20 MR. WILLIAMS: Laddie, do you have any questions before we
21 get going?

22 MR. HOSTALEK: No, not at all. Go ahead.

23 INTERVIEW OF LADDIE HOSTELEK

24 BY MR. WILLIAMS:

25 Q. All right. So, for the record, can you please spell your

1 first and last name?

2 A. Sure. First name's Laddie, L-a-d-d-i-e. Last name's
3 Hostalek, it's H-o-s-t-a-l-e-k.

4 Q. Okay. And what was your title and position?

5 A. Chief pilot.

6 Q. And you're no longer in that position, correct?

7 A. That's correct.

8 Q. Okay. So can you kind of give me a general overview of your
9 background? How did you get to being the chief pilot at McNeely?

10 A. Well, starting -- I guess I can just sort of start with that
11 part of my career. In the early '90s, I was flying for an
12 operation called Cape Central Airways out of Cape Girardeau,
13 Missouri. And Reggie and his father had been in the business
14 for -- Reggie Hopwood and his father had been in the business for
15 years. They had previously owned Cape Central Airways. I was
16 working there, and Reggie was flying there. I think, at the time,
17 he may have held a management position. And we had Beech 18s,
18 Barons, MU-2s, Metro. I flew Barons, Beech 18s, Metros, 340, all
19 kinds of different stuff working there.

20 In 1994, Reggie bought McNeely Charter Service, which was
21 based in Earle, Arkansas. He asked me to come down and work for
22 him. He and the then-current owner of Cape Central Airways worked
23 out an agreement between them with regard to my employment.
24 Neither one wanted to let go, so I did end up moving down to the
25 Memphis area and becoming employed at McNeely Charter Service in

1 1994, midyear in '94.

2 I flew MU-2s and Metros at McNeely Charter Service. We had a
3 large array of airplanes, but those are the two I flew. And
4 eventually, I became a check airman in both the MU-2 and the
5 Metroliner. I did that for a long time. I'm still a check airman
6 in a Metro. And I held different positions with the company. I
7 was -- previously I was director of operations, and then around
8 mid 2000s, 2005 or '06, I stepped away from the company for a few
9 years and then returned, I believe '08, '09, and have been there
10 since.

11 The previous chief pilot had left to go to the FAA and to
12 work for the FAA, so I was asked if I would pick up that position.
13 I don't know the exact year, because from mid-2000s, for a number
14 of years, I wasn't in management. So I came back as chief pilot
15 and held that position until recently.

16 Q. Okay. What about certificates and ratings?

17 A. Do you -- did you want other career information, or you just
18 wanted that information?

19 Q. No. That works for me. What about --

20 A. Okay.

21 Q. What about certificates and ratings, Laddie?

22 A. I have -- as far as pilot certificates, I have an ATP. I'm
23 typed in the SA227, MU-300, BE-400, C750, the Citation X, and the
24 Challenger 300, 350. I'm a flight instructor, multi-engine
25 instrument. I have my airframe and powerplant mechanic's

1 certificate, and flight engineer and turboprop certificate -- I'm
2 sorry, turbojet certificate.

3 Q. Okay. Sounds like you've been busy.

4 A. It's busy, yeah.

5 Q. So what about the MU-2? What's your experience in the MU-2?

6 A. I started flying the MU-2, I want to say '92, 1992 probably.
7 It was at Cape Central Airways. And actually, Reggie Hopwood had
8 a -- the first airplane he had was a G model, verse MU-2. 999TA
9 was the N number on that airplane. And then he had a short-body,
10 a Solitaire, 555JP. I flew both of those as an SIC. That was my
11 beginning experience.

12 I had flown a Metro, actually Merlin IIIB for La-Z-Boy out of
13 Gary, Indiana. And Reggie knew I had that experience. And that
14 was why, between those two things, he primarily invited me to come
15 to work for him at McNeely Charter in '94, because he knew I had
16 the Metro experience, and that's what he was concentrating on
17 needing pilots for, Metros and MU-2.

18 So I started -- when I went to McNeely Charter, I started
19 flying them in '94. It was probably maybe 2 years later I became
20 a check airman on them. At that time, we kind of had a mixed
21 basket. We flew a little bit of passenger, a little air ambulance
22 at Cape with the MU-2s and other airplanes, and the McNeely
23 Charter, we basically kind of went to all cargo. So all the MU-2
24 operations down there were cargo. They -- that was that. There
25 was no more air ambulance or anything down there.

1 So I did that until -- get my dates right -- until 2002, I
2 was doing the MU-2 work. And then after that, I think I was a
3 check airman still on the MU-2 for a short time before giving up
4 the check airman status and flying the MU-2s. More rules came
5 out, things changed a little bit, and it was real important to
6 stay proficient in order to be fulfilling that kind of position.
7 And without staying proficient, I didn't want to do that, nor
8 would anyone have recommended doing that. So I've kind of been
9 just concentrating on Metros.

10 Q. So when did you stop being a check airman on the MU-2?

11 A. I can try and find a date for you and see when -- I'll make a
12 note and see if I can find the date for you. I'll have to look.

13 Q. Okay. I mean, was it in the last 2 years? Was it in the
14 last year?

15 A. Oh, no, longer than that. Longer than that. It's been a
16 long time. It's probably been -- it's been over 10 years. Do you
17 need a specific date?

18 Q. Yeah. We can get that later. You can always get that to me
19 later.

20 A. Okay. I got a note.

21 Q. Cool. Okay. So, when you became the chief pilot, talk to me
22 about that approval process with the FAA. Were you interviewed?
23 What's -- how did that come about?

24 A. Well, I had previously been the director of operations, so
25 when I -- what happened was, I was the DO, and then there was -- I

1 went to work for Flight Options in 2002. And actually, in 2001, I
2 interviewed at Northwest Airlink. And I had told Reggie that I
3 was looking to do something different. I had kids, a wife,
4 et cetera, and I just wanted to do something different. And I got
5 hired at Northwest Airlink as an off-the-street CRJ captain in
6 '01. My hire date was 9/17, so I think you know what happened
7 there. So I then interviewed with Flight Options later and got
8 hired with Flight Options in April of -- April or May of 2002.

9 So I was previously the DO, okay, the director of operations.
10 So, when the chief pilot -- later on, when that chief pilot got
11 hired by the FAA, they came back to me and asked me if I would
12 fulfill the chief pilot's position because I had all the
13 qualifications. In order to do that, the process is basically
14 sending a resumé, previous experience -- and I don't mean just
15 flight times; I mean how much 135 experience you have as a first
16 officer, as a captain, what your previous experience is to meet
17 all the requirements of Part 119 -- with a request to the flight
18 standards district office. In this case, it was Little Rock.

19 At that time, Reggie would have sent that in, being DO, and
20 made the request. And then it was reviewed by that CHDO, and they
21 approved it. That's the process by which I got chief pilot
22 position.

23 Q. Okay. So let's talk a little bit about McNeely's. How many
24 airplanes, how many pilots -- help give me a, give me an idea of
25 the size of the company.

1 A. Right now or in the past?

2 Q. Time of the accident.

3 A. During the accident, okay. So, at the time of the accident,
4 the company consisted of three different types of aircraft: MU-2s,
5 Shorts -- SD3, specifically, as far as Shorts goes -- and
6 Metroliners. So the MU-2s were the two MU-2s. The Metros
7 consisted of five Metros, and one operating Shorts. There's two
8 other Shorts aircraft that were military aircraft that they
9 acquired a few years ago that they were going through the process
10 of converting over to turn into civilian cargo carriers. Those
11 are both Shorts. They're not operating right now.

12 Q. Okay. About how many pilots?

13 A. It varies. Total pilots, captains and first officers,
14 fluctuates typically between 12 and 14. I've seen it as low as
15 ten or nine, when there was a lot of movement in the airlines.
16 But that's pretty consistent, about that number area -- that area
17 for that number of airplanes.

18 Q. And we know that there's this flight coordinator position.
19 We've spoken with Teresa, but how many coordinators are there?

20 A. There's -- we don't have -- there's just some -- so there's
21 an understanding, there's -- technically they're not flight
22 coordinators. I know they call themselves different things.
23 They're flight followers, is what they are. And there's basically
24 -- you mentioned Teresa, and then there's two others. And then
25 there's, I think Mike Todd occasionally switches off and fills in,

1 in between them when he needs to.

2 Q. Okay. So, when you were chief pilot, Reggie was the DO.
3 Talk to me about the division of duties between you and Reggie.
4 How'd you guys split up who did what, and how'd that kind of work?

5 A. Well, you know, Reggie had been in the business a lot longer
6 than me, because he grew up in it, you know, his father, from when
7 he was real young. And Reggie had previously owned McNeely
8 Charter Service, and he owned the other companies, and he was very
9 involved in kind of all the aspects, you know, whether it was
10 something specific on maintenance or pilot issues or anything.

11 Reggie was the director of operations, and he fulfilled all
12 of that, that responsibility. He delegated a lot of things. You
13 know, he -- for instance, I would keep track of a lot of the data
14 and the manuals and do a lot of the editing. That was something
15 that I would do, he would review, and then I would develop and we
16 would get them out together, you know, or I would get it out.

17 As far as the pilots go, he communicated directly with a lot
18 of pilots. I communicated directly with them. I think he
19 probably -- he dealt with more scheduling and everything with
20 them. He's always done that over the years. Whether a guy wanted
21 time off or stuff like that, he did that.

22 As far as the day-to-day operations, he was involved all the
23 time. He always wanted to be, and he always took that position.
24 He was in the loop on everything that was going on with regard to
25 flights and maintenance and pilots. He was kind of the go-to guy,

1 so he carried a lot of responsibility.

2 Q. So what's kind of the day-to-day with Reggie? Would he work?
3 Was he pretty much working constantly and then would still go in
4 and fly? Would he -- how did that work? Because he was doing
5 kind of both jobs, right? He was line pilot and D0. How did that
6 mesh? Talk to me about that relationship a little bit.

7 A. Well, yeah. You know, over the years, I think that was not
8 unusual. That was -- that's the way it had been for many years.
9 You know, as far as D0 operations, with regard to manuals,
10 updates, coordinating communications with the FAA, keeping up on
11 infos and ACs and notices and exemptions, I did that. And then I
12 would report to Reggie where we are. As far as coming in to the
13 office and checking up on what's going on out in maintenance, or
14 checking in with Betty or Teresa or anybody else, that was his
15 deal. That's what he did.

16 As far as him flying with that, I think that he didn't --
17 see, he had other -- he only flew the MU-2s, primarily. He flew
18 the Metros, too, but his priority was the MU-2s, because no one
19 else flew them. Only he flew them. So, as far as the Metros go,
20 he -- there were times where he didn't fly the Metros that often.
21 He kept current; he'd take his checkrides. But on a day-to-day
22 basis, he wasn't someone that you would have expected to fly the
23 Metros. You would have expected him to fly the MU-2s.

24 I can't tell you specifically, other than when I went back
25 and looked at some of the records from the beginning of the

1 year -- and I don't know if it was related to COVID or it was
2 related to the flux in the business, because business was always
3 changing on what kind of aircraft are in demand and what kind of
4 freight's moving, what's going on internationally -- but he didn't
5 seem like he was really flying that much, up until this accident,
6 from the beginning of the year. I would have expected to see
7 more.

8 So he went between those two things. Primarily, being DO,
9 overseeing the operations, and oversight over all of that. And
10 then, when he needed to, he flew. And he primarily flew the
11 MU-2s. I didn't fly the MU-2s, so it had no effect on me.

12 Q. Okay. Do you know, was he in the office just about every
13 day, or working just about every day?

14 A. I couldn't tell you. But I -- you know, the only thing I can
15 tell you about that was, you know, years ago, if we would be in
16 the office, it was not always necessarily about the company. You
17 know, I mean, it was a close-knit group, and it wouldn't be
18 unusual for back then, you know, years ago, for him or I to come
19 in and not have anything to do with the operation, be talking
20 about farming or, you know, he was big into cattle now. He's got
21 a big place in Missouri, I think it's 7,000 or 8,000 acres, you
22 know.

23 And so, coming into the office, so to say, doesn't
24 necessarily mean he was working for McNeely Charter. That -- it
25 wouldn't be unusual for him to be at home and maybe come out and

1 have stuff in the office that he was doing that wasn't related to
2 work. I cannot tell you if he was on a consistent schedule or
3 anything like that. I don't know. I don't have knowledge of
4 that.

5 Q. Okay. How was operational control delegated when Reggie was
6 flying?

7 A. When he was flying?

8 Q. Yeah. Was he still like the end-all-be-all, or did that get
9 passed to somebody?

10 A. Well, understand something about Reggie. It was very unusual
11 for him to be out of communication. He -- the only times I can
12 think that he necessarily would have been out of communication
13 would be with regard to him being out in a stand, deer hunting,
14 and absolutely could not be communicated with. If he was flying,
15 not only could he be communicated with through the ground where --
16 we did for years where you could contact an FBO or vice versa, or
17 ATC would say, hey, we got a message from your company; please
18 contact them. He also, I believe, had a SAS phone still and would
19 be able to use the SAS phone.

20 So he was -- rarely was he out of contact or communications.
21 If he was, it was for some unusual reason. As far as operational
22 control, you know, the little bit that he was out of touch, then
23 you had me and you had Kevin Bohnert, who's the director of
24 maintenance, who was there all the time.

25 Q. Okay. So describe to me the role of the flight followers.

1 A. So, to kind of give you an idea -- and I -- to help you, is
2 it okay if I tie it in with how like Active Aero works? So you --

3 Q. Yeah, sure.

4 A. Okay. All right. Let me just kind of -- so the flight
5 followers -- okay. Let's say you go into the office. The flight
6 followers are there. The flight followers will do several
7 different tasks. They'll look at trips in the future that are
8 already booked for customers that we have that are scheduled
9 sometimes a month in advance, okay. And they'll work those,
10 whether there's international paperwork, scheduling coordination,
11 and they're planning way out in the future.

12 They're also monitoring different applications, i.e. for
13 example, with Active Aero, as I mentioned, they put it -- they use
14 phraseology. We put trips out for bid. So they have a computer
15 system that you have access to, and you could see upcoming trips
16 that are available to quote, where they're going, what the load
17 is, what the DIMS are, the need time, the time that it's
18 available, all this different data.

19 And between those different freight managers, or whatever you
20 want to call them, they -- the ones that handle all that, that
21 coordinate all that, they'll watch those, and they'll bid them.
22 Now they could bid them through the system, electronically. They
23 can call them. Or sometimes there's a combination of where
24 something comes up, and let's say a company like Active Aero puts
25 it out on the bid board so everybody can see it, and not the

1 public. I mean, you have to have access for this, okay.

2 So the people that are approved vendors that are on there,
3 that have logged in and see it. At the same time it comes up,
4 Active Aero may call you and say -- and the flight follower will
5 answer it -- say, hey, listen, I just put this up. I know you
6 don't got a bid in yet, I just wanted to check with you on the
7 phone. Do you have XYZ aircraft available? Do you know this is
8 what you did last week? And they'll talk to them. And they'll
9 also be able to quote them over the phone.

10 So, on top of that, they'll also just take phone calls where
11 people will call in and kind of describe the same thing that's
12 provided electronically, and they may not have that electronic
13 system. And then they'll quote them. That's what the flight
14 followers do, outside of trips.

15 When there's trips, the flight followers will accept the trip
16 from the company that they bid on, that the company says, hey, we
17 want you to take it. And they'll say, okay, we'll take it. I'll
18 get back with you on positioning, for example.

19 So let's say the aircraft -- you needed to get a crew
20 together, needed to get the aircraft moved to a different airport.
21 The flight follower would let that company know hey, I'll get back
22 with you on the positioning, et cetera. And they would go ahead
23 and coordinate it. And they would advise the -- for instance,
24 Active Aero, when the airplane is either airborne or in position
25 to go, to pick up freight, or at the original location.

1 And then they would handle the trip with regard to on/off
2 times; freight; the data that you heard with Active Aero, like
3 weight, hard numbers if they need it; or they could get direct
4 bill loadings from the pilots electronically and forward that to
5 Active Aero to verify everything. And once everything's verified,
6 then they could proceed.

7 As far as what the flight followers also do internally with
8 the company is Reggie would be notified of what's going on, or he
9 would have already known it, or Kevin or I. And then, once
10 everything is coordinated and the crew's coordinated and the
11 plane's ready to go, the plane goes. And that whole time, the
12 flight followers keep track of the times, like the out/off, on/in.
13 They coordinate with, for example, Active Aero, and give them all
14 the times, out/off, on/in, when they're going to be airborne, the
15 time en route, any delays.

16 And they coordinate everything for that trip until the
17 freight's delivered. When the freight's delivered, they usually
18 get a POD, or a proof of delivery, from the pilot. That's
19 typically who signed for it, who they were with, after they
20 offload, and the time they offloaded. The flight follower then
21 reports that back to, for example, Active Aero. And Active Aero
22 then closes that trip out, and that trip's done.

23 So they follow it all the way through. It's probably the
24 short synopsis of it. Obviously there's a lot involved in doing
25 it. And some are very simple, and some could be complicated if

1 there's differences in part numbers or weight or a change in the
2 delivery location because of time, if there's a delay on departure
3 because of customs in Mexico, or -- so it obviously can require a
4 lot more paperwork and coordination. And that's what the flight
5 followers do. That's what they're in there doing.

6 Q. Okay. So I've reviewed the GOM, and there's a section there
7 I want to ask you about, and it's Section 3.7. It's Deviation
8 from Plan, Verbal Release. And it says, "In the event that a
9 diversion from a planned flight occurs, the captain will notify
10 the company by whatever means are available as soon as possible."
11 Okay?

12 A. Uh-huh.

13 Q. "Furthermore, the flight may not proceed from an intermediate
14 or diversionary airport without the concurrence of the director of
15 operations and the issuance of a new verbal release." So, the way
16 I read that -- and correct me if I'm wrong, Laddie, please -- if
17 you were out doing the flight and you diverted, you would need to
18 talk to Reggie before you departed. Does --

19 A. No.

20 Q. Okay. So you --

21 A. No, that's not what that means.

22 Q. Okay. So what does that mean?

23 A. It says concurrence. It doesn't say you have to talk to
24 Reggie.

25 Q. Okay. So, but Reggie and -- so what do you take it as, then,

1 without the concurrence of the DO? So they can't proceed from
2 that diversionary airport without the concurrence of the DO and
3 the issuance of a new verbal release. So what does that mean to
4 you then?

5 A. Okay, so let's say a -- let's say -- let's just use this
6 flight, for example. Or no, let's -- I don't want to use this
7 flight. That's not right. Let's just say a pilot has diverted,
8 okay. I don't -- it doesn't really matter what it's for. In
9 other words, his intended landing was ABC airport, and instead he
10 went to DEF airport.

11 And he landed there and he called up and he talked to a
12 flight follower. He talked to Betty, okay. And he said, hey,
13 listen, I had to land at DEF airport. She would have immediately
14 said, well, what was your reason? I don't know, weather, the
15 approach over there was too low, I had to come for fuel -- a lot
16 of different reasons, right? Betty could coordinate that with
17 Reggie, right, and say, hey, this guy diverted over there, and
18 this is why he did it.

19 And Reggie might have more questions, why did he do it or why
20 he didn't do it, or it might be okay; yeah, I saw him do that.
21 Because they may have been watching it, or the flight follower may
22 have been watching it. Okay. Yeah, I saw him do that. Okay.
23 Well, we're going to now have him go from DEF airport back to ABC
24 airport once the thunderstorm clears. Okay. Yeah, he can do
25 that.

1 Flight follower coordinates with the crew and says, yeah, you
2 can go ahead and plan that. We'll notify Active Aero that you're
3 at the other airport because there was weather over there, and
4 you'll be over there in an hour, or whatever.

5 Q. Okay. So it's not so much that you would --

6 A. And that's completely acceptable. And that would not be a
7 case where the flight followers or the pilot spoke to the director
8 of operations, but the director of operations concurred, and that
9 was relayed through the flight follower.

10 Q. Okay. But somebody has that talk with Reggie, at least that
11 he knows that there was a divert?

12 A. Yes.

13 Q. Okay.

14 A. Yes.

15 Q. So, in the case of the accident flight, when Reggie diverted,
16 is there anybody else at the company that would be in that
17 concurrence with the flight followers, or was it still Reggie?

18 A. It's Reggie, because Reggie has that authority.

19 MR. WILLIAMS: Okay. Okay. All right, so I've been talking
20 for almost 40 minutes, so I'm going to take a break here, and I'm
21 going to pass it off to Dujuan.

22 DR. SEVILLIAN: Yes, thanks.

23 BY DR. SEVILLIAN:

24 Q. In terms of the flight followers, how are they trained at
25 McNeely?

1 A. Oh, gosh, Dujuan. Betty's been there since the late '80s.
2 Betty's training began probably when she was 19 or 21 years old,
3 back when Gene McNeely owned the company. I can't tell you how
4 they specifically trained her. Teresa, she came on, I want to say
5 mid-'90s. And her, you know, her training was all through Betty
6 and Reggie and OJT.

7 Flight following is a very fluid, hard to put -- and I'm sure
8 you get that from Active -- hard to put on paper, like this guy
9 calls, or this quotes this way. You have to experience it. It's
10 all hands-on, doing it, and oversights with somebody else that's
11 been doing it.

12 Betty and Teresa -- as you know, we're not a huge company --
13 are the two key components to flight following, along with a
14 gentleman named Doug Compton, okay. Doug is a little newer. I
15 can't explain. You'd have to talk to like Mike Todd of what his
16 actual title is and what the plans are for him within the company.
17 I don't know that. I know that he assists them, and he does some
18 flight following. And he's been there a while, and I think that
19 his OJT is ongoing.

20 It takes experience for quite some time with the different
21 intricacies of the different people we fly for, the different
22 language used, the different -- used to be the big three, the
23 different automotive manufacturers, the international operations.
24 It's -- you have to do it and watch it and experience it from
25 those that know in order to become real good at it. And I think

1 that's the best I can explain. Between them, they've got years
2 and years of experience.

3 Q. Okay. And so, when pilots come onboard at McNeely, what
4 source of on-the-job training do pilots receive?

5 A. Well, typically what happens is -- and when they're hired --
6 okay. Once they're hired, so now they're hired. They're hired,
7 they've accepted the position. Typically they go through the
8 normal stuff of alcohol and drug testing, the background, you
9 know, the pre -- all that stuff, and certain points that has to be
10 done before their training even begins.

11 Their training usually begins with basically indoc. While
12 they're doing that basic indoc, which is 24 hours of training --
13 it usually takes longer, but it's, I think a minimum of 24. I'm
14 talking off the top of my head here. They do basic indoc.
15 They're -- they meet the other people in the company with regard
16 to maintenance, the flight followers, all the management
17 personnel, everybody that's involved.

18 They'll continue that training, go through emergency
19 training. They'll go through aircraft-specific training, and then
20 they'll begin flight training. I will tell you that the way
21 Reggie likes to do it, and the way we've done it for years, is not
22 to take a brand new pilot -- and typically, you know, we're
23 talking a first officer that has not -- that doesn't have a lot of
24 experience or a captain that worked somewhere else.

25 We'll begin some of the flight training, but he never liked

1 doing the flight training as, let's say you need 8 hours of flight
2 training, go out and do 8 hours of flight training. Okay, you're
3 qualified. You made all the boxes; we've given you a check ride
4 that the FAA requires. Go fly. He never did that. He would
5 never do that. We never did it.

6 What we did is we would get them through the ground portions
7 of the school, with the exceptions usually of some differences
8 training, that they'd need to see the airplanes, some special
9 segments training, i.e. lowest, then standards, international,
10 would be a real big one. And those, we're not required to finish
11 those before we can start the flight training. We would usually
12 incorporate those.

13 And what Reggie liked to do was bring guys out on the line to
14 actually operate with experienced pilots. So they wouldn't be a
15 crewmember. They would ride, and typically with him. He would
16 take them out, and whether it was a captain or a first officer, he
17 would do the trips, and they would observe. And he would also get
18 an idea of whether they were acceptable or not. He was pretty big
19 on evaluating that stuff. Rarely did other people do it.
20 Sometimes, if he had to send somebody with somebody else, he would
21 then speak to them and then maybe call me, and we would talk about
22 anything that the captain saw. Or he'd call me and he'd talk
23 about what he saw with an individual.

24 And in some cases, very often, in some cases, those pilots
25 didn't continue with the company. If he saw things he didn't like

1 or he wasn't satisfied with their experience or he had safety
2 concerns -- on rare occasion, but he did it -- he wouldn't keep
3 them. He'd let them go. That way, you didn't put them through
4 training and then just turn them loose and you don't know what you
5 have.

6 Even though it's acceptable and you could do that, he didn't
7 do that. He wanted them to go out and fly. He wanted to know
8 that they could handle being with another crewmember, how they
9 related to the customers, how they related to line service
10 personnel, how they related when they talked to company personnel.
11 It was bigger than just hiring a number, qualifying them, and
12 throwing them in an airplane. He didn't do that.

13 So that's kind of how he did it. That's how he did it his
14 whole life, in all of his operations. And that's what he expected
15 at McNeely's.

16 Q. Good. And so, to your knowledge, you know, if -- when he's
17 evaluating, though, is he looking at FAA practical test type
18 standards, or is it just something that he uses for himself in
19 evaluating the pilot?

20 A. I think it's everything. And I know that sounds extreme, but
21 it's not. You know, he was an instructor. He knew the planes
22 real well. So, for example, if he had a captain that he'd hired
23 from some other company that came on, and he flew with him, he
24 knew, from a practical test standard, whether they met the
25 requirements. But it was more than that.

1 He looked at their ADM, their aeronautical decision-making,
2 you know. Was -- you know, the guy didn't do anything that was
3 out of the ordinary. He didn't exceed any limitations. But was
4 his decision to configure that airplane the way he did at that
5 point, did it make sense? And if it didn't to him, why? Why did
6 the guy do that? And he would evaluate them with regard to that
7 type of stuff. And we talked about it all the time.

8 And then he would also evaluate them, evaluate their
9 personalities and their work ethics, because he was never one
10 to -- look, if somebody wanted to come on and get hired, there was
11 no end life. There was no, well, you're here one year and you're
12 gone. Asking somebody to stay a year, verbally, and say, hey,
13 we're putting this into you, will you stay a year, is one thing.

14 But when he looked at somebody, I think he looked at them and
15 thought, well, could they -- if it's a first officer, can he stay
16 here, and will -- can he handle the aeronautical part? Can he
17 handle the personality part? Do I see him progressing to become a
18 captain and staying here long-term? How does he fly? How does he
19 behave? So the answer to your question is yes, and more.

20 Q. All right. So what you're also telling me is that, for the
21 pilots that join McNeely, it's not just flying the aircraft.
22 You've got to have an understanding of the McNeely business model,
23 which is, you know, coordination with other folks, you know, the
24 flight followers, and understanding freight. Is that good enough
25 to say?

1 A. Yeah, it is. And reputation is real important. And, you
2 know, it's not acceptable to have a pilot that's out there that
3 treats, whether it's a customer that he's on the phone with,
4 giving part numbers, or the line guy that's putting fuel in his
5 airplane, disrespectfully or in the wrong way. It's just not
6 acceptable, because that lays on the image of the company.

7 And this company has been around forever and -- you know, not
8 forever, but since the '80s, and the reputation of Reggie Hopwood
9 himself and Gene McNeely and everybody that's been around is
10 important. And, you know, you've got to be part of the operation,
11 not just by checking boxes. You know, it's got to matter. And
12 that's important.

13 Q. All right. And then, you mentioned earlier that you kept
14 track of the manuals and editing as far as some of your day-to-day
15 duties at McNeely's. Which manuals did you keep track of?

16 A. Well, I did -- I primarily did GOM and Op Specs. I did
17 training manual, too, and then I had -- we kind of -- the
18 assistant chief kept an eye on MELs and HAZMAT and 12.5. We kind
19 of divided that up.

20 Q. And, as far as your role, did you have any interface with
21 your principal operations inspector?

22 A. Did I have any -- oh, yeah, all the time. Are you talking
23 about over the years, did I deal with the POI?

24 Q. Yes, yes.

25 A. Oh, yeah, absolutely. Reggie did, too, but when it came to

1 like -- you know, it's been so many years, and so many different
2 POIs and inspectors, and you develop relationships. And yeah, I
3 mean, I would call and speak to them. They would call me
4 sometimes about things, whether it was a particular type of
5 aircraft or our operation.

6 And I have always had really good relationships with
7 everybody in Little Rock, and at the -- the POIs, and known them
8 for years. And Reggie did too. Reggie had conversations with
9 them. I don't know, I don't know what the division was, you know,
10 50/50, 60/40, I couldn't tell you that.

11 Q. And you mentioned earlier that you were -- you said that you
12 would have expected Reggie to be flying a bit more since the
13 beginning of the year. Why do you think he wasn't flying as much?

14 A. You know, I don't know. So here's what's -- and if I could
15 just give you a little idea of what I'm walking about. So, in the
16 '90s, we had DC-3s and Beech 18s. We flew those things like
17 crazy. The size of the freight for the manufacturers, the way
18 they were packing it at the big three, those were the airplanes.
19 Okay.

20 We then started operating MU-2s. We had more MU-2s. The
21 size of the freight, the difference in speed, the agility of the
22 airplane, that became a star set. And then Caravans became -- we
23 had like five Caravans. Then Caravans became a big thing. Then
24 the DC-3s kind of went away. Then the Metros came into play, and
25 the Metros are still in play. They became a big part based upon

1 their design, the type of loads they could carry. And then the
2 Caravans went away. We wouldn't have any business in the
3 Caravans. So the system, the system affect -- and production in
4 these different plants affect the type of freight being moved and
5 the type of equipment needed to move it.

6 And over the years, those change. And you no longer see
7 DC-3s in the company. Why? Because they've moved away from that.
8 You no longer see Caravans. Why? Because we've moved away from
9 that. The MU-2s were real popular, and then they kind of faded
10 off, and I don't know that they ever made a real comeback. And
11 what I meant when I said that was, things may be changing in the
12 industry due to manufacturing, international operations, COVID, to
13 where flying would be down in a certain type of airplane.

14 So when I said that, I didn't mean that Reggie had any
15 difficulties getting trips with regard to his abilities or the
16 money or the airplanes. What I meant was, the demand maybe for
17 that aircraft has gone down. And he would look at that. As an
18 operator, he would look at that and decide whether he needed more
19 or less of a certain type of aircraft. He did that for years. So
20 that's what I'm saying. I think maybe the demand in that type of
21 aircraft might have gone down. I didn't look at the other ones,
22 whether they equally went down and it was because of COVID, or
23 they went up and the MU-2 type product went down.

24 It's similar with the Shorts. The Shorts might be in high
25 demand for months to where you -- people are calling and you can't

1 book it because you don't have crews, or you don't have
2 availability of the plane. And then it might sit for -- the
3 operation might sit for a few weeks, and you go wow, I can't
4 believe we're not booking anything. So the business and the
5 demand on different types of aircraft operations are directly
6 related to what these customers in these factories do.

7 So I didn't mean to put out anything against Reggie or his
8 airplanes. I kind of was saying, something went on with the
9 business there that it kind of slowed down in that particular type
10 of aircraft.

11 Q. Okay. And then, you indicated that Reggie would do, you
12 know, work on other things at this -- at McNeely, not necessarily
13 things for McNeely. But how much time do you think he would spend
14 doing, you know, work that was not work for McNeely?

15 A. Oh, I don't know. I couldn't tell you. I really couldn't.
16 I don't know.

17 Q. And do you consider -- you know, I know we talked about duty
18 time versus flight time some time ago, but would you -- what's
19 your interpretation of if someone's doing work that's not part of
20 McNeely? Is that part of their duty time?

21 A. No. If they're not doing -- if they're not working for
22 McNeely Charter, where they have some responsibility for the
23 company, then it's not duty.

24 Q. Okay. And let's see, one other question for you. How does
25 McNeely deal with -- you know, if I'm a pilot, and I have a safety

1 concern about something, what's my -- how do I communicate that to
2 the management?

3 A. It's very important, and it's very open. When we bring these
4 guys on -- and a lot of times I know before they're ever in class,
5 that's already communicated, that if they have any concerns with
6 regard to -- or anything with the operations, the planes, the
7 personnel, or who they're flying for, like the company they're
8 flying for, or something they see on the road, it's
9 immediately -- it went to at least Reggie and sometimes directly
10 to me and then to Reggie. They would communicate that to, for
11 example, Mike Todd, the owner, if they needed to. He would know
12 anyway.

13 But it's always been, and has been proven well, that if there
14 was a concern, you can call and talk about it. Again, that goes
15 back to who you're hiring, explaining that, them having the
16 understanding, because you wouldn't want to hire somebody that had
17 a safety concern that wasn't going to tell you about it. That
18 wasn't acceptable. You know, I mean, they had to communicate with
19 you, and they had to know, by communicating and expressing their
20 concerns, there wasn't going to be a repercussion for that. There
21 was going to be a way to look at it, evaluate it, and correct it
22 as needed.

23 And Reggie had a fantastic reputation with pilots, not only
24 in the company, but I think pilots that knew him in the industry
25 and had spoke to our pilots about how easily they could get issues

1 resolved. And at some of these other companies, if they would
2 bring something up, it was either shunned off or, you know, their
3 position could be threatened. So it was very open-door, real good
4 communications. Anytime something needed to be conveyed, it was
5 conveyed.

6 Q. Okay. And how often do you get safety concerns that come
7 into your office?

8 A. I don't know. I mean, I guess you'd have to evaluate
9 different -- a safety concern is defined differently by different
10 people. I mean, I don't know. I mean, what do you mean by safety
11 concerns?

12 Q. So does McNeely have a definition of what they, you know,
13 provide pilots as far as -- you know, if you have a concern about
14 flight operations or have a concern about when to take a flight
15 because, you know, you may be over the hours of the flying, those
16 kinds of concerns, you know, related to flight ops. Does --

17 A. No, flight operations things like -- like, for example, you
18 gave the hours, or anything, it's pretty restrictive. So the only
19 thing I could think of with that would be, even if somebody could
20 do a trip, they would often get asked, you know, are you all right
21 with this? That -- you know, it's very common. And that would be
22 a two-way dialogue, right. You're doing this trip, you got
23 so-and-so with you. You guys are good to go, you're rested.
24 That's a safety concern, right. But it's not something that would
25 be extraordinary.

1 Now, on the other hand, if there was a safety concern with an
2 MEL or weather, for example -- here's one that would not be
3 unusual. The flight follower sent out a trip, you know, said this
4 is the trip. Talked to the crew. They're communicating, and the
5 crew gets back with the flight follower and says, hey, listen, I
6 know you've got us going to ABC airport. It's above minimums. We
7 can go there, it's not a problem. We meet all the requirements.
8 However, if something occurs to where the forecast is wrong, where
9 would you like us to go?

10 The flight follower could get back to the customer, which is
11 not unusual, it's like Active Aero, and say, well, Active Aero
12 wants you to go to DEF airport if you can't go to ABC airport
13 because of unforecast conditions happening. And they get back to
14 them, and the crew says, okay, I looked at that. If something --
15 if the weather doesn't do like it's forecast, and I can't get in
16 there, I will go to DEF airport. Okay.

17 That's a safety concern, completely accepted, completely
18 coordinated, and not unusual, right? I mean, and that's not
19 something that's like a day-to-day thing, right. But does that
20 occur? Sure. Is it a safety concern? Sure. The crew said, hey,
21 even though the weather is forecast to be good and I'm legal, if I
22 can't do it, I don't want to be out there orbiting and trying to
23 get -- find out where I'm going or just use my planned alternate.
24 I want to coordinate what's acceptable. And that's not unusual,
25 and that would be an example of one. Does it make sense? Does

1 that answer your question?

2 Q. Yes. And, if a pilot felt that he or she was -- you know,
3 could not take the flight because they were tired and did not want
4 to take the flight, what sort of process does McNeely have, as far
5 as, you know, if a pilot comes in and says that? What does
6 management say about something like that?

7 A. They don't take it. They always have a right to refuse the
8 trip. It doesn't matter if they've been on vacation for a month.
9 If they don't want to take the trip, for whatever reason, they can
10 refuse the trip. And there's no consequence to them other than
11 the fact that they'll probably be asked, why are you refusing the
12 trip, you know.

13 And if they say, well, I'm tired or I didn't sleep last night
14 -- or I have concerns about the weather there; I know it's
15 forecast to be good, but I've only been in the airplane, you know,
16 6 months, and I haven't been in that airport and, you know, I have
17 concerns, and they have a discussion. And, let's say, they're
18 discussing with Reggie; there's no, well, you're going to do it or
19 else. It's never been that way and never will be that way.

20 They make it clear -- it's made clear, rather, not they.
21 It's made clear during when they're initially hired, and probably
22 during the interview process, that that's acceptable, which is --
23 to refuse, which is a pretty big deal because, you know, there's
24 companies out there that they don't want to even talk about that.
25 They don't want to go down that road. But Reggie's never been

1 afraid to do that, and they have a right to refuse.

2 Q. And (indiscernible), have you had anyone come to you and say
3 they couldn't complete a flight because they were -- they'd been
4 (indiscernible) to fly?

5 A. I think there's been occasions where -- and I can't give you
6 a specific date or time. Maybe a flight follower could or Mike
7 could. I know Reggie could tell you yeah, yeah, well, you know, I
8 remember back in February, we assigned a trip to Captain X, and we
9 called him and talked to him, and he was going to the airport, and
10 he called up and said, hey, I don't feel good, and to be honest, I
11 didn't sleep well last night; I'm not going, and I can't do this.
12 And they've had to call Captain Z. I'm sure that's happened. But
13 I can't give you specific times or dates.

14 DR. SEVILLIAN: Okay. Well, that's all the questions that I
15 have. Appreciate it. Thank you.

16 MR. HOSTALEK: No problem.

17 MR. WILLIAMS: All right. Thanks, Dajuan.

18 Does anybody need -- do we want to take about a 5-minute
19 break, since we've been going for about an hour? Any objections
20 to that? Hearing none, okay --

21 MS. LIEDLER: Not with me.

22 MR. WILLIAMS: Okay. We'll take a 5-minute break. It's
23 12:05, and we will pause the recording. So we'll be back in five
24 minutes.

25 (Off the record at 12:05 p.m. CDT.)

1 (On the record at 12:11 p.m. CDT.)

2 MR. WILLIAMS: All right. So we're back on at 12:11 Central.

3 So we just finished up with Dujuan. Courtney, do you have
4 questions?

5 MS. LIEDLER: I do. All right. Where are we? Let me see
6 here. Let me look at my notes.

7 BY MS. LIEDLER:

8 Q. So my first question is you had mentioned -- when we were
9 talking about the flight followers, you had mentioned that
10 sometimes Mike Todd will help fill in when needed. Can you talk
11 to me a little bit about when that -- when would he fill in? When
12 would that be needed?

13 A. Oh, I don't know. I don't know. I just know that I've
14 called before, and he's answered. So I don't know if that's when
15 they're transferring lines or -- I couldn't tell you. I don't
16 know if they have a set schedule or how they do it.

17 Q. Okay. And while we're on the subject of Mike Todd, can you
18 tell me a little bit about what his roles -- obviously, you know,
19 you described a little bit about your roles as chief pilot and as
20 DO and different -- when you were as chief pilot and DO, when --
21 and then Reggie was DO. Can you tell me a little bit about how --
22 what role Mike Todd has in the operations side of McNeely?

23 A. Well, that's probably a better question right to him. My --
24 and I'm just kind of giving you my little bit of my observation of
25 how I could see it, and I could be not hitting the ball right

1 here. But, for instance, let's say they're quoting a trip, and
2 there's a money question, you know, because they're -- they
3 compete, bid and compete sometimes. And sometimes they can see
4 other people's bid, sometimes they can't.

5 It wouldn't be unusual for them talking to the flight
6 followers, like Betty and Teresa discussing a trip and quoting a
7 trip, and then referring to Mike and saying, hey, it's -- I'm
8 quoting this at 8,500. There's another bid up here for 8,200. I
9 think if we bid 8,000, we could get the trip. Do you want to do
10 that?

11 And Mike would -- you know, he'd say, yeah, go ahead and do
12 that. I mean, I think they have some leniency with regard to, you
13 know, the money end and competing. But those final calls, I
14 think, when it comes down to the nitty gritty, down to the
15 pennies, probably go back to Mike. I think that's probably the
16 best way I could describe it. I mean, I don't know, he might have
17 a different involvement, but that's the kind of thing I've
18 observed.

19 Q. Okay. So, during a trip, you would never -- if Reggie was
20 flying and you were flying, or if you couldn't get in touch with
21 Reggie, you would never contact Mike Todd for anything? Or would
22 you -- he be a backup to Reggie?

23 MR. WILLIAMS: Laddie, are you there?

24 MS. LIEDLER: Laddie, I don't hear you. I'm sorry. Are you
25 still on?

1 MR. HOSTALEK: I'm on. I'm on. It's my fault. I did it.

2 MR. WILLIAMS: No worries.

3 MS. LIEDLER: Okay.

4 MR. HOSTALEK: It's Laddie. I dropped myself off. I -- go
5 ahead with your question again with regard -- you started to -- I
6 finished that one question you started, and I don't know how, but
7 I dropped you.

8 BY MS. LIEDLER:

9 Q. Okay, no problem. So, with regards to, if you're flying and
10 Reggie's flying, or Reggie's unavailable, would Mike ever fill in
11 with -- you know, to answer questions or be a resource while a
12 pilot's flying or during a trip or anything like that?

13 A. Probably, on a limited basis, you know. I don't know to what
14 extent. I mean, I -- yeah, you know, it -- I don't know to what
15 extent. But I mean, he's going to be there. He's going to be
16 talking to --

17 Q. But, in your experience, you've never spoken to Mike on a
18 trip or had that experience where Mike would -- you were talking
19 to Mike --

20 A. Well, I don't fly the line. Understand that. I mean, I
21 don't fly -- it's not normal for me to go out and fly trips every
22 week, et cetera. I don't do that. So that's not something I've
23 experienced. Now, does that mean that Mike might be handling a
24 trip and a pilot calls in and says, hey, and Mike answers, and he
25 says, yeah, I need to give you my times, and Mike says, okay, and

1 he -- yeah, that's -- I see that happening. But I don't know what
2 kind of schedule they're on. I don't know that. They coordinate
3 all that in the office. I don't have any part of that. I didn't
4 have any part of that.

5 Q. Okay. So let me make sure I understand this right. So you
6 don't fly operational cargo flights for McNeely. You are -- your
7 day-to-day is in the office and dealing with --

8 A. No.

9 Q. -- as chief pilot?

10 A. Yeah.

11 Q. Okay. Just give me a second, I'm thinking of something else.
12 Okay. Okay. Moving on from Mr. Todd, we'll be speaking to him
13 too. My next question is -- give me a second here. I've got them
14 all written down in my margins, and now I've got to find them.
15 Okay. Well, how often are you in the office? We spoke a little
16 bit about Reggie and how often he would be in the office, but how
17 often were -- are you in the office?

18 A. I'm not in the office that much at all anymore. I mean, I --
19 now with everything that's changed, a few times a month. When I
20 was there before, it was the same thing.

21 Q. And about what time did you -- like how long have you been
22 going in a few times a month versus, you know, like an everyday
23 basis?

24 A. I don't -- a long time.

25 Q. Okay.

1 A. I mean, with today's -- you know, training, checking is not
2 always done there. I mean, I'll do it at other airports, you
3 know, other locations. I've airlined before. So that's not --
4 you know, that's kind of been the norm. I don't -- it's not been
5 unusual, and it's just the way it's been.

6 You know, with the technology and everything, and now going
7 to everything electronically -- well, you know, you're going
8 through it with COVID. So much is done at locations where you're
9 not physically in the place. And that's, I think, a fair
10 statement. Physically being somewhere and fulfilling the
11 obligation remotely are almost synonymous.

12 Q. Right, okay. Thank you. So we talked a little bit about the
13 role of flight followers and -- during a flight. Can you tell me,
14 do they have any operational decision-making power? Like, so --
15 right, so one of the problems that we have and questions that we
16 have for you was, you know, as far as this flight is concerned,
17 you know, Reggie diverted. But he would have -- you know, who
18 would he have spoken to?

19 If, you know, another pilot had done it, it would have gone
20 through flight following and then through Reggie. But with Reggie
21 being himself, and that person that he would have gone through
22 normally, who would that default to? And it sounded like it
23 defaults to Reggie. So, if Reggie, you know, is the one that's
24 making the decision, kind of who is backing him up?

25 Is there any decision that flight followers have? Do they

1 have any (indiscernible) about, or ask the questions about what --
2 you know, is it -- you know, what the best diversion would be or
3 what the best -- not diversion, but the best -- you know, after
4 the diversion is taken, you know, when it's approved or not
5 approved?

6 A. I'm not sure I completely understand what you're asking.

7 Q. Okay. I think I have two questions mixed in there. So my
8 first question -- let's break it down. So first question is,
9 flight followers, do they have any decision-making about the
10 flight itself? Or are they only in a reporting position?

11 A. Well, they make decisions when they coordinate with the, like
12 Active Aero, that it's going to go from X airport to X airport,
13 once it's quoted and, you know, and the trip is built and
14 everything. I mean, I guess that's a decision-making process,
15 when you contact the crew and tell them they're going from here to
16 here. And maybe they make a decision about what facility to use,
17 with regard to like an FBO or fuel -- not fuel load, but who to
18 fuel with. I mean, they do that.

19 They don't -- they're not the authority for a decision when
20 it comes to, you know, what's the weather; can I meet the
21 minimums? They don't do that. They're not licensed dispatchers.
22 Does that answer the question? I'm not sure if I'm answering what
23 you need me to answer.

24 Q. (Indiscernible). I have (indiscernible) --

25 A. Okay.

1 Q. -- (indiscernible) those two. You said that they will --
2 like, in this case, with Reggie diverting to Sioux Falls, and then
3 is there any -- would the dispatchers get involved? In other
4 words, would Reggie call the dispatchers and say, I'm going to
5 divert to Sioux Falls; is there -- are there facilities available
6 there? Would he rely on -- you know, what -- would he rely on
7 dispatch or would he rely on something else to make a decision
8 about where he should divert?

9 A. If he was still in flight?

10 Q. Correct.

11 A. So, in other words, he's in flight. He's flying along, and
12 he's 30 minutes out, and the weather is no good where he's going
13 and he has to divert. And --

14 Q. Correct.

15 A. He does not have to contact flight following to make that
16 diversion, because he has control of that flight at that time, and
17 he can make that diversion on his own. He doesn't have to contact
18 them and tell them. He has a -- he has the authority to divert
19 because of that weather and go land at that airport and go to
20 whatever facility is available to him based upon his own decision.
21 He can do that. So --

22 Q. And is there any discussion with dispatch prior to flight
23 that, if you were to have to divert, where they -- you would
24 divert to?

25 A. If he would have to divert -- well, yeah, like I told you

1 before, for example -- well, for one, you're not going to plan a
2 trip to an airport that you can't get into, right, whether it's
3 weather or whether it's the field length, you know, aircraft
4 performance, pilot on high mins, you know, you're not going to
5 even plan that.

6 So, let's say -- let's start that way. Pilot says, I can't
7 go to ABC airport for XYZ reason. And the flight follower says,
8 okay, well, let me look and see where they want you to go, and
9 contacts Active Aero. Active Aero calls, she calls back and says,
10 well, they would like you to go to DEF airport; can you go there?
11 And the pilot checks everything, and they discuss it, and yes, I
12 can go there. Well, that's not a diversion. That's a planned
13 location where they were going. It may have changed, but they
14 planned it. As long as it was planned and within all the
15 limitations, they can do that.

16 Now, instead, if you're en route, and now you're going to ABC
17 airport, and the weather's below minimums, you can't initiate the
18 approach, and you have to go to DEF airport. You have to fly the
19 airplane and be worried about safety first and make that
20 diversion, land, and then contact the flight follower and say, I
21 couldn't get in here because of this. I've diverted. We need --
22 I need to, you know, let you know what happened. And, you know,
23 they contact Reggie, et cetera.

24 But if they're en route, and they have an hour to go, and
25 they see something, the airport's shut down because there was an

1 incident there or something, or the president's coming in and they
2 didn't know about it, right, and they have time to contact the
3 company -- in other words, they contact an FBO, they three-way,
4 they put the call through, and the flight follower gets with
5 Active Aero and gets with Reggie or whoever and says, well, I
6 understand you can't go there; can you go here instead?

7 That can happen. But that's not the same thing as if the
8 person's already landed, right, you've landed and diverted.
9 That's different. That's en route. But that's the only time I
10 see that coming into play. I mean -- and I'll tell you, it's rare
11 that, that would happen, that you'd be an hour out and know that
12 you couldn't get in. I mean, I can't recall that happening in a
13 long time. It's (indiscernible).

14 Q. So there's no preflight planning, so to speak, of, if I have
15 to divert, this is the airport I'll go to. And so, if I have to
16 divert from Sioux Falls, I can't -- you know, this is where I plan
17 to stop. If I can't get into Sioux Falls, and I need to divert,
18 this is where I'll plan to divert. Otherwise, (indiscernible) is
19 available. There's not -- there's no preflight discussion about
20 like that. Is that what I'm understanding?

21 A. Only to the extent that I just told you.

22 Q. Okay. It's more based on Active -- with Active Aero. Okay.

23 A. Yeah, it's more based on, you know -- you know, I'm just
24 telling you, I've done that. I've looked at forecasts -- okay.
25 For example, Courtney, I've looked at a forecast for an airport

1 and looked at the weather around it and looked at that forecast,
2 and by that forecast and the terminals and the combination of the
3 area forecast, everything says I'm legal to go there. But in my
4 mind and in my experience and my aeronautical decision-making, I'm
5 looking at it and going, even though they're not saying it,
6 there's a remote possibility I may not be able to get in there.

7 And I might call the flight follower and say, look, I'm good
8 to go there. I'm not telling you I can't get in there. But if I
9 can't, where would I go? Where would you want me to go? And they
10 might call Active Aero, and Active Aero says -- and she could say,
11 hey, he's not saying he can't get in there, but if something
12 changed, you know, he's got concerns, where would you want him to
13 go? That's about the example that I could ever think of that
14 happening. That would be the only time that you -- like you used
15 the word preplanned. That's the only time you might preplan that.

16 Q. Okay.

17 A. Make sense?

18 Q. Thank you. Yeah. Thanks for clarifying that.

19 A. Okay.

20 Q. So the second part of my question is let's talk about Reggie
21 for a minute here. If Reggie was flying and, you know, we got the
22 process in place for a diversion that, if a diversion is needed,
23 once they get on the ground, they call -- they would call Reggie,
24 or they would call the flight follower who would then call Reggie.
25 Who was -- to your knowledge, would -- who would he speak to?

1 A. If -- say that again? If Reggie diverted?

2 Q. If Reggie diverted, right. Would he -- you know, everything,
3 diversions and stuff went through Reggie. With Reggie diverted,
4 who would Reggie speak to? As the chief pilot, would he speak to
5 you?

6 A. No.

7 Q. Who would he report that need for diversion, and then that
8 checks and balance that was in place for the pilots to call
9 Reggie, or to call a flight follower so they can call Reggie? Who
10 would Reggie contact? Is there anything in place that you know
11 of? Would he call you or Mike or --

12 A. No. He'd call -- he'd contact the flight follower, to let
13 the flight follower know what occurred. But he's the director of
14 operations, and he's got that authority to permit the diversion.
15 It's not only in -- I think it's not only in his job description,
16 I think it's part of the guidance, the regulatory guidance that
17 he's the director of operations. Ultimately, he makes that
18 decision. And I think it's written that way.

19 I mean, if he's the top of a chain of command, and he's --
20 and I know it's kind of weird because, you know, he's doing his
21 own operation, and he had the authority to make that decision for
22 Pilot A and Pilot B, he certainly has the authority to make the
23 decision for Pilot C, and Pilot C could be Reggie Hopwood. And
24 that's the way it's written. That's the way the guidance is.

25 So he would not have to call me or anyone else to say, I've

1 diverted; will you give me permission to leave? What would he be
2 doing? He'd be delegating his own authority to me to delegate it
3 back to him. So I don't know how it could occur any other way.

4 Q. Okay. How much lead time for a pilot would there be if
5 Active -- if McNeely received a flight from Active Aero, how much
6 lead time would there be? Is it -- are you talking about an hour,
7 2 hours, a day, before a pilot would be notified of a flight, or
8 be asked to take a flight?

9 A. It varies. So like you heard earlier, I think this one was
10 like 24 hours before, you know. I think it varies. I mean, some
11 flights that are scheduled are scheduled 30 days out in advance or
12 45, 60 days in advance. Some are a week in advance. Some of them
13 are an hour and a half, you know. That's probably not uncommon.
14 That's probably more a common one, that the trip is scheduled for
15 -- you know, bid, and based upon the need time and how quickly
16 they need it, it might be an hour and a half show. I don't think
17 they go less than an hour and a half.

18 Q. Okay. And are your pilots, do they operate like an on-call,
19 like on reserve, like an airline, so to speak, or --

20 A. Yes.

21 Q. -- is it just based on where, where the pilots are --

22 A. Yes.

23 Q. -- and what the needs are?

24 A. It's based on needs.

25 Q. So all your pilots, all the pilots at McNeely, are

1 essentially to be ready to take a flight within an hour and a
2 half, if needed?

3 A. No, that's not true.

4 Q. Okay. Can you explain why that's not true?

5 A. Because that's not possible. If you have somebody come back
6 from a trip, they have to have so much rest. And then there's
7 guys that have days off. So no, that's not true that every pilot
8 at McNeely Charter Service has to be ready to fly and on-call.
9 Plus, that wouldn't be a legitimate way to operate.

10 Q. Okay. So then -- okay. Could you explain to me how that
11 works then?

12 A. Yeah. I mean, if you go fly a trip, and Reggie -- Reggie
13 kind of went to the high side. So if, for any reason, you
14 exceeded any number, like on an empty leg or for weather or
15 whatever, you automatically took 16 hours off. That was his
16 thing. He wanted it that way.

17 So, if you did a trip and you had headwinds and you went over
18 8.1 hours, you took 16 hours off. That's what he always told
19 everybody to do, and I think everybody did that. The -- but on a
20 normal trip, if you go fly a normal trip and maybe have, you know,
21 10, 12 hours of duty, and 6 hours of flying, and you land, you
22 determine when your next availability is to meet the rest
23 requirements.

24 And that varies. I mean, you know how that is. You'd have
25 to look at each individual trip. And you let the flight follower

1 know when your availability is. Now, when that happens, the Pilot
2 A says, I'm available at 2000 tonight, you know. And Pilot B
3 says, I'm available at 2100 tonight. And a trip comes up,
4 depending on who they call first, they could call -- let's say
5 it's 10 -- 2200, and they call Pilot A and say, hey, I've got a
6 trip for you departing at midnight, and this is the route; could
7 you do that? The pilot could say, yeah, I accept that trip; I got
8 it. They get the information, and then they're set to go.

9 If Pilot A says, no, I can't do that; I didn't get my rest,
10 and I just can't do it, then they'll move on to Pilot B. And
11 they'll contact Pilot B -- well, first, they'll find out what
12 Pilot A could go, and then they'll contact Pilot B. And they'll
13 say, hey, Pilot B, you know, I got this trip tonight, so and so,
14 on -- chance you could do it? And that's how they do it.

15 Q. Okay. And you said that a pilot can deny a trip with no
16 repercussions. How many times can they do that before there would
17 be repercussions?

18 A. Well, I don't know. I don't know that there's been any --
19 there's never been repercussions for it. I mean, it's how you
20 have -- you have to operate that way. You can't penalize somebody
21 for saying they're -- they can't meet the physiological
22 requirements of the flight.

23 Q. Okay.

24 A. I mean, nobody ever --

25 Q. Well, if that pilot -- go ahead, sir.

1 A. Nobody -- I'm not aware of anybody ever being punished for
2 not physiological -- you know, when they can't physiologically
3 meet the requirements for a trip.

4 Q. Okay. Do you -- how are -- well, how are pilots paid? How
5 is it -- how are pilots paid?

6 A. All right, Courtney. This is one you definitely have to move
7 over to your list for Mike Todd.

8 Q. Okay.

9 A. Because they have a guarantee system that they get paid X
10 amount, and then they have a per mileage wage, and then they have
11 extra mileage wage, and I -- it's not -- it's a complicated
12 system, and it's unique to the different pilots. So I can't
13 answer it.

14 Q. Okay. Not a problem. Thanks for redirecting us to Mike.

15 A. Yeah, it -- and he may need a spreadsheet when he's talking
16 to you on that, because I don't know how they do it.

17 Q. Okay. And as far as duty time, for Reggie, you said he
18 wanted a 16 hours of down time for him or for all pilots?

19 A. No. We had this discussion -- okay. So this is going back
20 years and years, right. So we would talk about, you know -- so
21 under the rule that we operate, you got to have 10 hours of rest
22 before -- in a 24-hour period before the planned completion time,
23 right.

24 And everybody says, well, that's 14 hours. That means the
25 max you could go is 14 hours. But, under the rule, it really

1 doesn't say there's a maximum of duty time, it's just that the
2 limitation is 10 hours of rest before -- in a 24-hour period
3 before the planned completion time. So the question is, well, can
4 you go over 14 hours? Answer is, well, yes.

5 If you've got a weather delay or something, and you have to
6 go over 14 hours, then you can't control that. You get put in a
7 hold because you're going to New York, and you had planned that
8 you were going to be landed and off-duty in 13½ hours, and you're
9 in a hold for 45 minutes, now you're at 14 hours and 15 minutes.
10 You know, is that acceptable?

11 Well, it's acceptable, regulatory-wise, but the question is,
12 what kind of rest do you get? Reggie was always of the mindset
13 that, between that rule and the rule of whether you go over your
14 flight time between 0 and 29, or 31 and 59, or 60 and, you know,
15 how many minutes you go over, and you add the amounts of rest,
16 that it was kind of complex. It became complex. So what he used
17 to say is look, don't make it complicated. If you exceed
18 something, you take 16 hours off. Because if you take 16 hours
19 off, you can't -- you've exceeded all of the rules; you've
20 exceeded all of the rest requirements. And then you know you're
21 good to go.

22 And rather than worrying whether you need to take 10 hours
23 off, 11 hours off, 12 hours off, just take a flat 16 off. Because
24 even if you fly, as a single pilot, exactly 8 hours, after that 16
25 hours off, and that's 24 hours, you can't break any rule. So that

1 was kind of something that he came up with years ago, and he used
2 to just say that. If -- and he used to just tell guys, if you're
3 not certain and, you know, you took that hit for weather or
4 whatever, just take 16 hours off. And that way you know you're
5 good; you're safe. So that's where that comes from.

6 Q. Okay. And who would -- how would that -- how was that time
7 enforced? Or who would ensure the pilot was taking 16 hours off?
8 How was that -- is it all self-reported by the pilot, or did
9 Reggie keep track of those kinds of things?

10 A. No, no. That was -- so, pilot-wise and regulatory-wise, that
11 may not have been a -- you know, that may not have been a
12 regulatory requirement. That was just something that Reggie would
13 tell guys they should do. In other words, if they got done with a
14 trip, and let's say it was just a 6-hour duty day and a 4-hour
15 trip or something, right. Well, really, could they take 10 hours
16 of rest off and come back on and fly another 5 hours? Maybe not.
17 Maybe, if it overlapped the 8 and consecutive 24-hour period, they
18 couldn't do it.

19 So a pilot had to be very careful to make sure that even
20 though he maybe had a short duty day, that he didn't accidentally
21 change his availability, right, and make it wrong. So the amount
22 of time that a pilot says he needs before he's available, right,
23 before he can come out of rest, was determined by the pilot. The
24 pilot looked at it and said, hey, you know, I just did XYZ, and I
25 can be on at, I don't know, 6 o'clock tonight or whatever.

1 Q. Okay. And do you --

2 A. And the flight followers don't --

3 Q. Go ahead.

4 A. The flight followers don't question a guy and say, well, wait
5 a second; that's 12 hours. They don't do that.

6 Q. Okay. Okay, and --

7 A. And for --

8 Q. -- duty time, do you -- what is -- can you refresh my memory?
9 Duty time is what for McNeely?

10 A. Well, duty time, what they do is for preflight planning is 30
11 minutes. So, if they have a trip at 6 o'clock, they're dutying on
12 at 5:30. And even if they're not physically there yet, they'll
13 duty on at 5:30. And then they'll fly their trip, and then
14 they'll post at the end of their trip, their duty will go whatever
15 their post is.

16 If they have an easy post where they just parked and they
17 shut down the airplane, secure it, go in and send in their
18 paperwork in, it could take 15, 20 minutes. So there is not a
19 fixed 30-minute or hour post. It's based upon when they actually
20 complete their duties and then shut everything down, and then
21 that's when their duty ends.

22 Q. Okay. So, in regards to Reggie specifically, his duty time
23 was accounted for based on flight, same as what you just described
24 for the other pilots, and his time in the office was not
25 considered duty time. Is that what I understand?

1 A. No, I didn't say that.

2 Q. Or Reggie was different? Was -- okay.

3 A. No.

4 Q. So what, for Reggie specifically, was duty time?

5 A. I was just referring to a flight, you know, like -- I don't
6 know. I mean, if Reggie was in the office, and he was doing --
7 had responsibilities directly for the company, and he was working
8 in his office directly doing something with the company, then I
9 would have expected him to put it in his duty time as on duty.

10 Q. Okay. So the duty time records that are (indiscernible), but
11 the duty time records for Reggie would -- his duty time would
12 indicate both flight and in-office duty?

13 A. That is true, but I want to -- and I think -- I don't
14 remember if I talked to Shaun about this or you about it or both.
15 Those duty time records that I gave you from back when it was in
16 his handwriting, his duty times in his office, the records that we
17 found, we did not find the records from after you see it in his
18 handwriting. And I don't have them in front of me to tell you the
19 date.

20 What we did was, we went to all of his flight logs, and we
21 checked the flight logs and made those flight and duty -- the
22 flight/rest limitation records for you so you'd have them, so
23 you'd see all of his flights. Now, if he was in the office, like
24 let's say there's a 3-day span where it's showing him off or a
25 week where it's showing him off, and he was in the office on

1 Wednesday from 10 a.m. to 2 p.m., I don't have that record.

2 MR. WILLIAMS: Hey, Laddie.

3 MR. HOSTALEK: Because that would have been his
4 responsibility -- yeah?

5 MR. WILLIAMS: Hey, it's Shaun. Hang on just a second.
6 Who just chimed in?

7 MR. KINNEY: Eric Kinney. I -- somehow I got kicked off, but
8 I'm back.

9 MR. WILLIAMS: No, that's fine. Okay.
10 Go ahead, Laddie. Sorry, I wanted to make sure no one else
11 was jumping on here.

12 MR. HOSTALEK: No worries. So that record, those records
13 that we sent you -- and I think I sent all the manifests, too, to
14 show you where they came from, the source, because I think I had
15 said, the source records for those records are all of the
16 manifests, aircraft and engine manifests, right, the load -- not
17 the load manifests, the aircraft and engine log.

18 So, based on those times, those are where those duty and rest
19 limitations records come from. Now, if you go farther back, you
20 know, I don't know, a year or whatever, I don't know what those
21 records will reflect, you know. But those records -- because, you
22 know, when he passed, we had to go through and -- into his office
23 and look for all the records and go through everything. We were
24 able to find what he had there.

25 And then the other -- the engine records, we had all those,

1 because those get turned in, and we were able to create those
2 records. And, at the time, I think I had said, these are created
3 off the source data. I can't create something for whether he was
4 there, you know, May 26th from 9 a.m. to noon. I can't -- I don't
5 have that source.

6 So the -- whether those days would have been left blank --
7 initially, we left them all blank, not showing rest or duty. And
8 then, we looked at his previous records where he had, like the
9 month before, and he actually marked off rest. So we marked off
10 rest. But that doesn't mean he wasn't in the office, doing
11 company work. He may have been in the office doing something
12 else, too, but I don't have a source record for that.

13 Q. Okay. So there's no -- there was no -- for Reggie, there was
14 no hour, you know, company hours being as he was a pilot and also
15 had ancillary duties to the company --

16 A. Oh, no.

17 Q. -- in his possession as DO, there was no record-keeping for
18 when he was in the office or not in the office?

19 A. No, right. We -- no, not a -- no. He would never have that.
20 He wouldn't have like, Reggie's in from 9 a.m. to 3 p.m. or 5 p.m.
21 No, he never -- no. No such thing. If he was there, you know,
22 and then doing events for the company, he would have recorded it.
23 But, like I said, we had to source all those records, because he
24 passed. I don't know. They could be, they could be in
25 Minneapolis. They could be in that can I told you guys about,

1 so --

2 Q. So just one more question related to this, and this may be a
3 question that we'll have to ask Mike Todd if you don't know, but
4 how was Reggie paid for his -- is there a difference between
5 office time and flight -- like flight time and office time?

6 A. I don't know what -- they have -- they had their own
7 agreement. I have no idea how Reggie was compensated or shared
8 profits. I don't know.

9 MS. LIEDLER: Okay. Okay, Laddie, that is all I have for you
10 right now.

11 MR. HOSTALEK: Okay.

12 MS. LIEDLER: Thank you.

13 MR. HOSTALEK: You're welcome.

14 MR. WILLIAMS: All right. Thanks, Courtney.

15 Matt, I believe, had to drop off. And so --

16 MR. RIGSBY: I'm in. Mine got delayed a little bit, so --
17 but I just have a couple of questions.

18 MR. WILLIAMS: Okay. Go ahead. You're next.

19 BY MR. RIGSBY:

20 Q. Hey, Laddie, thank you for your time. When you were a check
21 airman, are you -- do you have the MU-2 SFAR training?

22 A. When I was check airman -- let me think. So it was so long
23 ago.

24 Q. Okay.

25 A. They first came out with -- oh, what was it called? I could

1 try and find it on my computer. It was a different -- it wasn't
2 the SFAR 108. It was -- I'm going to -- I'll try and find it for
3 you. Give me one second. Give me a moment. I'm going to see if
4 I can find it in here.

5 Q. Okay.

6 A. Because it was a different name of that training back then.
7 And we had to watch the videos and everything, if you recall.
8 Back then we had to go through that. And we had to watch icing
9 videos. All right, so now it's 91.89. Back then was -- see if
10 I've got it in there. I've probably got the certificates and all
11 somewhere too. You know how that is.

12 It was the -- and I don't know if I was covered under this.
13 I think I was covered under some of this. It was the Mitsubishi
14 Heavy Industries MU-2 Training Program, Part Number YET 05301. I
15 believe I shared that manual with the NTSB, because it was one of
16 the manuals, and I think we got approval to send that in. That
17 was the -- before the most recent AC.

18 MR. WILLIAMS: That one's sitting in my office.

19 MR. HOSTALEK: And then there was one before that. There was
20 another one before that, if you recall. So, when I finished my
21 check airman, my training back then, we didn't have what you guys
22 got now. We didn't have this AC and the same extent of the
23 requirements when I was doing it.

24 BY MR. RIGSBY:

25 Q. Okay. Did you coordinate -- like, for the other pilots that

1 were MU-2, did you coordinate the training for them and arrange
2 it? And, if so, who did you use for that training?

3 A. So I can't -- back then, like I said, we did not have the
4 same requirements when I was doing it. And so we used -- when we
5 initially had pilots, we used resources like Flight Safety and
6 Reece Howell. Now, I know that, since then, since these rules
7 came into place, Reggie was sourcing Reece Howell and Air First
8 and Pat Cannon.

9 And so, Reece Howell, of course, I know you guys know, he's a
10 major player in the MU-2 business and training and safety, and so
11 is Pat. And Reggie arranged all of that stuff himself with those
12 guys. I did seek resource inspectors for him, I'd say up until 4
13 years ago, because we were still able to get resource inspectors.
14 And then the last resource inspector was a gentleman, I believe,
15 out of Texas that eventually retired. And that's when these
16 programs changed.

17 And then we went to the contract training under Air First,
18 which was Pat Cannon, and Reece Howell. And Reggie made those
19 arrangements. He was the only one flying that airplane, and he
20 would arrange his training dates and coordinate all that.

21 Q. Okay. Are you still with McNeely, or have you moved on?

22 A. Yes. No, I'm still with them. I'm remaining as a check
23 airman in the Metro.

24 Q. Okay.

25 A. It's a -- as you probably know, it's a difficult resource. I

1 was -- years ago, I was asked if I would be a resource under the
2 old rules, but -- and go out and -- go out to California and make
3 myself available, and I didn't want to do that. And it's very
4 hard to get a resource inspector for -- now, especially with
5 COVID, and I'm remaining on.

6 Q. Are you a DPE? I'm sorry, I missed that earlier.

7 A. No, I am not. I was asked years ago if I would do that, and
8 the problem was having to be held out. They wanted me to hold out
9 to Ameriflight in California. And, at that time, working with
10 Reggie, he didn't want me doing that, so I didn't do it.

11 Q. Okay. So did you by chance have any discussions with Reggie,
12 say, the day of the accident or maybe the day before?

13 A. No. No, I think I might have talked to Reggie on Wednesday
14 or Thursday, I think I talked to him. I can't remember what
15 about, but I think --

16 Q. Okay.

17 A. -- we had a discussion Wednesday or Thursday.

18 Q. Okay. Did he ever mention any health concerns or anything
19 like that that he may have had or been having?

20 A. No. No, Reggie was -- he was healthy. Yeah, he was working
21 out on his farm all the time, and he and I would joke around about
22 carrying weight and stuff. And I was a little heavier back a few
23 months back, and I was losing weight. And he was actually pretty
24 darned in shape, working out on the farm all the time, so --

25 MR. RIGSBY: Okay. Okay. Well, I think I'm good. Thank

1 you.

2 MR. HOSTALEK: Okay.

3 MR. WILLIAMS: All right, thanks.

4 Eric, did you drop off and come back in again?

5 MR. KINNEY: Yeah. I don't know what it is with my
6 connection, but I keep losing it, so -- but I am back. Thank you.

7 MR. WILLIAMS: Okay. Todd, do you have any questions?

8 MR. OBRITSCH: You know, I just have one question, I guess,
9 and it's about dispatch and trying to get ahold of Reggie, and
10 they couldn't get ahold of him because he misplaced his phone.
11 But was that out of character for him to not have his phone on
12 him?

13 MR. HOSTALEK: To misplace stuff? No. I mean, you know, I
14 guess that's -- I'm laughing because I could think of times where
15 I'd be in the office with Reggie and he would misplace something,
16 and I'd come into his office and go, well, what do you expect?
17 Look at your office, you know. He'd be looking for some file or
18 some paper.

19 It's -- he was kind of one of those guys that, if you walked
20 into his office and go, what are you doing here? He had
21 everything in his head. I mean, he was so intelligent. And would
22 he misplace stuff? Would that be out of character? I don't know.
23 Do I find it unusual that he could have lost his phone when he was
24 loading the airplane? No. I kind of find it humorous. I kind of
25 find it -- yeah, sounds like something you would have done,

1 Reggie.

2 Is it something that I would consider common or out of the
3 ordinary? No, he didn't commonly lose stuff or was forgetful.
4 But is it out of the ordinary that, that could have happened and
5 then he finally found his phone later, and he had no way to call
6 it, to get it to ring, to find it, which is what most of us do?
7 That's not out of the ordinary. I think he probably was just
8 having a bad night with his phone, you know. But I don't think
9 it's unusual.

10 MR. OBRITSCH: Okay. Well, thank you for that. And that's
11 all I have.

12 MR. WILLIAMS: Okay, thanks.

13 MR. HOSTALEK: Thanks.

14 MR. WILLIAMS: Eric?

15 MR. KINNEY: Yeah, I just had one question for you. Thanks
16 for your time today. So there's been a lot of discussion about
17 process and training and dispatch processes. Was -- from the
18 company's standpoint, did you guys ever have any conversations
19 about starting up a safety management system, an SMS system, and
20 maybe formalizing some of this? Or --

21 MR. HOSTALEK: So --

22 MR. KINNEY: -- like -- go ahead.

23 MR. HOSTALEK: Yes, we did. So, our previous TOI, Nick
24 Cusamano (ph.), who is fantastic -- he's no longer with the FAA --
25 we had discussions with him about it. And I told him that I knew

1 it was real important, and I thought we should develop it. They
2 had a change in management, which is understandable. Nick moved
3 on. We had some new people come on that were fairly new to the
4 FAA. And I'm not -- they're doing fine. They're helping us out;
5 we're working together. But I think it may have slowed the
6 process down a little bit, because we had so many things on our
7 hands, as far as making adjustments to Op Specs, COVID, the
8 exemptions. And I think it kind of slowed down the process of
9 going to SMS.

10 I have indicated to our POI -- you know, I'm no longer chief
11 pilot or DO, in that position, but I still help with all of that
12 and help with all the writing, et cetera, that it's something we
13 want to do. We want to move forward. We know we need it. It's
14 just -- I don't know, I guess everything going on in the world
15 slowed us all down some. So we know we need it. We want to do
16 it. We know how vital it is, and we're already looking at
17 different options, programs, risk management tools, and not just
18 because of this occurrence. We were already considering it.

19 MR. KINNEY: Got you. Okay. That's the only question I had.
20 Thank you.

21 MR. WILLIAMS: All right, thanks Eric.

22 BY MR. WILLIAMS:

23 Q. I just have a follow-up here, Laddie, just to make sure that
24 I completely understand this. So, when the pilots come on duty,
25 or they're scheduled, and I think you said before, Reggie makes

1 the pilot schedule; was that correct?

2 A. Well, he would tell -- he would coordinate. So would Mike.
3 And Mike probably would be able to answer. You know, like what
4 days they have off, you know, hard days and stuff like that, or
5 vacation, that was Reggie and Mike. I didn't do that.

6 Q. Okay. So, let's say, you know, Pilot A, he's been off for a
7 week, hard off, took vacation, whatever. So he's coming back,
8 say, tomorrow. What time would he be expected to be able to pick
9 up a flight? Because rest is obviously not an issue, right. He's
10 been off for a week. So would the intention be that he's ready to
11 go at 12:01 a.m., or is that something else that's also kind of
12 set up with Mike and Reggie as far as when they're --

13 A. Yeah.

14 Q. -- first available?

15 A. No. They communicate and set that all up. I mean, I suppose
16 if a guy was on vacation, and he came back with his family, you
17 know, and he said, hey, I need a day to get with my family and --
18 but I could be available starting at 6 tonight, I think they
19 worked with him on an individual basis. There was no hard, fast
20 rules.

21 Q. Okay. All right. That's just what I wanted to kind of make
22 sure of. And then, as far as rest and duty, if that same pilot --
23 you know, is it their responsibility to make sure that what's
24 being assigned is legal to them, or does any of that go through a
25 higher level of oversight, I guess?

1 A. It's both. It's their responsibility, and it's the company's
2 responsibility. And a lot of times -- and in saying that,
3 understand that if there's something that comes up on the board,
4 right, and then -- when I say the board, I mean the bid board,
5 like from Active. Let's say something comes up, and they look at
6 it -- a flight follower looks at it, and then she goes hey, I
7 think I'm going to quote that. And she punches it in, and it
8 doesn't meet the requirements. It's done. There's no quote;
9 there's no phone call. The pilot knows nothing about it, because
10 the trip can't happen, right.

11 Q. Right.

12 A. But so they'll never send something out that can't be
13 completed without meeting all the regulatory requirements. They
14 just don't do it. But it's still shared responsibility, right. I
15 mean, the pilot has to know his limitations, not only fixed
16 numbers with regard to flight time, duty time, but also the
17 physiological end of it that I was talking about, you know, the
18 responsibility that there's negligence if you're not capable of
19 operating the plane and you do it. So it's shared.

20 MR. WILLIAMS: Okay. Perfect. All right. I think that's
21 all I have.

22 Dujuan?

23 DR. SEVILLIAN: Yeah. I don't have anything further, thanks.

24 MR. WILLIAMS: Okay. Courtney?

25 MS. LIEDLER: Nothing more for me, thanks.

1 MR. WILLIAMS: And Matt?

2 (No response.)

3 MR. WILLIAMS: I guess Matt's meeting finally decided to
4 start. Todd?

5 MR. OBRITSCH: I have no further questions. Thank you.

6 MR. WILLIAMS: Okay. Eric, anything? Any last comments or
7 questions there?

8 MR. KINNEY: No, sir. I'm set. Thanks for your time.

9 MR. WILLIAMS: Okay. So, Laddie, thanks again for doing
10 this. I know you're still party representative, and I'm sure, you
11 know, as we work through this, you'll be sharing additional
12 information with us, but just not necessarily in the form of a
13 formal interview. But, in this setting, is there anything else
14 you'd like to add, anything that we kind of missed that you want
15 to get out there to kind of get on the record?

16 MR. HOSTALEK: Not right now, other than that, I think,
17 because of what's going on in the world with COVID, et cetera,
18 that I'm not sure that the order that would normally happen is
19 being followed. So not just for myself, but for maybe any other
20 interviews that have occurred or will occur, there -- after we
21 review things like the wreckage, or we -- you discover more things
22 operationally, we might have to consider, or I would -- I guess
23 you would have to consider whether there needs to be follow-up
24 interviews. And I'm available for that, if needed.

25 MR. WILLIAMS: Yeah, and that's definitely something that we

1 always kind of reserve the right to, or the option to go back and
2 do additional interviews. And there's times when we've
3 interviewed the same person multiple times because of additional
4 information that just keeps coming forward. So that's definitely
5 still on the table and things that we'll chat about moving
6 forward. So, as far as this is concerned then, we'll go off the
7 record at 1:09 Central.

8 (Whereupon, at 1:09 p.m. CDT, 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: FATAL CRASH OF MITSUBISHI MU-2B
AIRPLANE N44MX NEAR SIOUX FALLS,
SOUTH DAKOTA, ON JUNE 7, 2020
Interview of Laddie Hostalek

ACCIDENT NO.: CEN20LA215

PLACE: Via telephone

DATE: August 18, 2020

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.


Pamela C. Jacobson
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of:

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FATAL CRASH OF MITSUBISHI MU-2B

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AIRPLANE N44MX NEAR SIOUX FALLS,

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Accident No.: CEN20LA215

SOUTH DAKOTA, ON JUNE 7, 2020

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Interview of: MICHAEL TODD, President/CEO
McNeely Charter Services, Inc.

Via telephone

Tuesday,
October 6, 2020



APPEARANCES:

D. SHAUN WILLIAMS, Senior Aviation Accident Investigator
National Transportation Safety Board

DUJUAN SEVILLIAN, PhD, Human Performance Investigator
National Transportation Safety Board

COURTNEY LIEDLER, Investigator in Charge
National Transportation Safety Board

MATT RIGSBY, Investigator
Federal Aviation Administration

TODD OBRITSCH, Investigator in Charge
Federal Aviation Administration

LADDIE HOSTALEK, Party Representative
McNeely Charter Service, Inc.

NICK BART
(On behalf of Mr. Todd)



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I N T E R V I E W

(2:02 p.m.)

MR. WILLIAMS: All right. The recorder is going. We're on the record October 6, 2020, 1402 Central Daylight Time. So, Mike, thanks for, thanks for talking with us here today. My name is Shaun Williams; I am a senior aviation accident investigator with the NTSB. I'm working the operations side of this investigation.

NTSB is a federal independent agency charged with determining the probable cause of transportation accidents, promoting transportation safety. We are not a part of the DOT or the FAA; we have no regulatory or enforcement powers.

So you kind of heard everybody introduce themselves a minute ago. We'll go around the room here and let everyone introduce themselves and their roles. We'll start with Courtney.

MS. LIEDLER: Good afternoon, Mr. Todd. My name is Courtney Liedler; I am the investigator in charge for this accident with the NTSB.

MR. WILLIAMS: Dajuan.

DR. SEVILLIAN: Dajuan Sevillian, human performance investigator, NTSB.

MR. WILLIAMS: Okay.

Todd?

MR. OBRITSCH: I am from Rapid City Flight Standards; I'm the investigator in charge for the flight standards side of the FAA.

MR. WILLIAMS: And just for the recording, what's your name,

1 sir?

2 MR. OBRITSCH: Todd Obritsch.

3 MR. WILLIAMS: Thanks, Todd.

4 And Laddie?

5 MR. HOSTALEK: Laddie Hostalek, I am a representative of
6 McNeely Charter Service and coordinator for McNeely Charter.

7 MR. WILLIAMS: So, Mike, are you okay talking with all of us
8 on the phone here today?

9 MR. TODD: Yes.

10 MR. WILLIAMS: Perfect.

11 MR. RIGSBY: Hey, Shaun, Matt Rigsby's on.

12 MR. WILLIAMS: Okay. Well, thanks, Matt. Why don't you go
13 ahead and introduce yourself? You're just in time.

14 MR. RIGSBY: Okay. Matt Rigsby with the FAA's Office of
15 Accident Investigation, just here to help Todd out. And just to
16 reiterate the fact that this is -- everything you say here, it's
17 not used for enforcement or anything like that. And thanks for
18 your time.

19 MR. WILLIAMS: All right. So, Mike, today we'll be using a
20 tape recorder to record the interview which will then be sent for
21 transcription. The transcript, not the recording, will be made
22 part of the public docket when the accident is nearing completion.

23 The purpose of the investigation is safety; it's to determine
24 the probable cause to prevent it from happening again. We're not
25 trying to assign fault, blame or liability. This is all part of

1 the fact-finding phase of the investigation.

2 You have the information, and we're just looking to fill in
3 some blanks and things. We're hoping you can help provide that
4 for us. We cannot, however, offer any guarantee of
5 confidentiality or immunity.

6 The way we run the interview is each of the group members
7 will have a chance to ask questions. We'll ask the questions one
8 at a time. Everyone knows not to interrupt. We'll kind of go
9 around the room, it's usually about two rounds, not too bad.

10 There will be an opportunity for each person to ask follow-up
11 questions. So please answer all questions to the best of your
12 recollection. If you don't understand a question, ask to have it
13 repeated or explained. By the same token, if you realize that you
14 misstated or want to modify or correct a previous answer, please
15 do so; we want the most accurate record as possible.

16 Also keep in mind this is a recorded interview. I'm sure
17 you're going to catch me doing it a few times, I'll be sitting
18 over here kind of nodding, but please verbalize the answers.

19 So you're entitled to have one representative of your
20 choosing. Is there someone that you'd have to have as your
21 representative?

22 MR. TODD: Yes.

23 MR. WILLIAMS: And that person's name?

24 MR. TODD: Nick Bart, B-a-r-t.

25 MR. WILLIAMS: Okay.

1 Mr. Bart, you may direct Mike not to answer a question or to
2 request a short break to confer with him. You may not, however,
3 answer any questions for him.

4 MR. BART: Understood.

5 MR. WILLIAMS: Thank you. Are there any questions before we
6 get going?

7 MR. TODD: No.

8 MR. WILLIAMS: Perfect, all right

9 INTERVIEW OF MICHAEL TODD

10 BY MR. WILLIAMS:

11 Q. So, Mike, if you could state your -- and spell your name and
12 what's your title?

13 A. Michael, M-i-c-h-a-e-l, Todd, T-o-d-d, I'm the president and
14 chief executive officer of McNeely Charter Services, Inc.

15 Q. Okay. How long have you had that position?

16 A. 13 years.

17 Q. 13 years, okay. And did you start the company? How did you
18 get -- tell me a little bit about you, how did you get to where
19 you are?

20 A. I bought the company, me and two other gentlemen, in 2007.

21 Q. Okay. Have you had any previous experience in aviation
22 management type of thing?

23 A. No.

24 Q. Okay. I've kind of heard mixed things just back and forth;
25 did you purchase the company from Reggie?

1 A. Yes.

2 Q. You did, okay. All right. So I'm not looking for numbers
3 here, so don't -- I don't want to be prying so much. But as far
4 as Reggie, how he was, how he was compensated, was there a
5 completion -- based upon completing flights? Was it on time
6 performance? What can you tell me about that?

7 A. No, he was director of operations of the company, which is a
8 salaried position.

9 Q. Okay. Hang on one second. Sorry about that; my daughter's
10 in school and, of course, something happened with Zoom. Always
11 does when you do interviews. Okay. So I understood he was
12 salaried there.

13 So if he didn't complete a flight or anything would happen,
14 maintenance diversion, weather, would that affect anything as far
15 as his compensation ratings or anything like that, that you're
16 aware of?

17 A. Not as director of operations, no.

18 Q. Okay. So when he was flying, did you ever have operational
19 control or did he retain that while he was working?

20 A. He retained it.

21 Q. He retained it, okay. Were you ever responsible for
22 operational control?

23 A. No.

24 Q. How often was Reggie in the office, Mike?

25 A. It's kind of hard to answer. He was there quite often.

1 Q. Okay. Were you guys in the same building, like same office
2 space?

3 A. We shared an office for 12 years until we moved to our new
4 hangar; we had separate offices.

5 Q. Okay. I mean, would he sometimes be in every day, would he
6 come in on the days that he flew, the days he didn't fly, -- fly,
7 sorry?

8 A. That's kind of hard to recall. I don't normally -- he, when
9 he was in the office, he wasn't flying.

10 Q. Okay. I guess what I'm trying to figure out is, if he was
11 flying that night, would he usually come in during the day? Just
12 trying to get a picture of it, because we've got some -- sometimes
13 when, you know, family and things are telling us that he went to
14 work and then he flew later that night. So we're just trying to
15 figure out if that was kind of a normal thing for him to do that.

16 A. I wouldn't be aware of that. I have no direct recollection
17 of that ever happening.

18 Q. Okay. Okay. So I want to talk about the day before, day
19 before the accident what you can, what you can remember for me.
20 So on the 6th, when he was out in -- he had landed in Paine south
21 of Everett, that morning, you guys had texted for a while. Do you
22 recall, was that work related? I'm not asking for the details of
23 your personal text, I'm just wondering if it was work related.

24 A. Yeah, kind of I would say.

25 Q. Okay, all right. Did he mention any concerns, did he

1 sound -- well, I mean, it was texting, but did he mention any
2 concerns, things kind of seemed normal or normal conversation,
3 text stuff with him?

4 A. Yeah, yeah, it would be. I mean, we monitor bid boards and
5 he had seen a trip, if I recall right -- I can't recall the exact
6 text, but he was just pointing out a trip for me to quote on.

7 Q. Okay.

8 A. Or that I could, and we had some banter about I think I had
9 forgotten my computer. I was headed out of town, and I texted I
10 think Theresa about the trip. So I really don't think it was work
11 -- he wasn't working, but he was just telling me about a trip he
12 had seen to that extent.

13 Q. Okay. Okay, all right. So how much -- kind of run me
14 through, what are your -- what's a typical day for you, like what
15 are your responsibilities with the company like day-to-day
16 oversight type of things?

17 A. I run the company. I mean, I make sure everybody does their
18 job, and I make sure the bills are paid.

19 Q. Okay. What about the day-to-day as far as the operational
20 side of the house? Are you involved with any of the pilots, any
21 of the record keeping stuff, any of the regulation compliance,
22 that side of things? Or are you mainly just the business side of
23 the house?

24 A. The business side.

25 Q. Okay.

1 A. The chief pilot and director of operations and the director
2 of maintenance would take care of those issues. I don't, I don't
3 step on their toes.

4 Q. Okay.

5 MR. WILLIAMS: All right. I am going to pass it to Courtney
6 now and let her ask a couple questions. Thanks, Mike.

7 MR. TODD: Okay.

8 BY MS. LIEDLER:

9 Q. Hi, Mike. I've got a couple questions for you here. You
10 mentioned that you had purchased the company along with two other
11 owners. Who are the two other owners?

12 A. Larry Shiflet and David Uthe.

13 Q. Larry Shiflet and David who?

14 A. Uthe, U-t-h-e.

15 Q. Okay. So Reggie was not part owner?

16 A. No.

17 Q. Okay. And can you tell me, how did you interact, how did you
18 and Reggie work together, what was your normal interactions like?
19 I mean, as far as, well, obviously, you know, you're the -- like
20 you said, you (indiscernible) but, you know, with Reggie as
21 director of operations, I'm certain there was some, you know,
22 coordination. What did that look like?

23 A. Well, I often referred to Reggie -- first of all, we would
24 not have bought the company if Reggie had not agreed to stay with
25 us. That was critical. And I often referred to him as my best

1 asset. We interacted like friends; we had our disagreements,
2 minor. We managed it perfectly. I deferred to his best
3 knowledge, aircraft, aviation, the operation of this type of
4 business. And there were times that I made good decisions that
5 surprised him. Above all, we're friends.

6 Q. And did Reggie -- you know, you had mentioned prior that you
7 didn't have a lot of experience with aviation, cargo operators or
8 operations prior to buying the company. Who trained you in that,
9 in that business area?

10 A. I've written checks and paid bills all my life, my career. I
11 don't know what training you're talking about.

12 Q. I guess my question is where did -- you know, where did you
13 gain your knowledge -- you know, you were talking about making
14 decisions and things like that for the company. You know, where
15 did you gain your knowledge of the operation?

16 How did you -- when you bought the company with your two
17 other partners, where did you guys -- did your partners have a
18 knowledge base? Did you glean it from Reggie? How did you gain
19 that knowledge of the operation and of the, you know, of the
20 company?

21 A. I just learned it over the period of time. I mean, it's just
22 -- it's not rocket science, as we say. There were two ladies
23 there that had been with the company for 20-plus years, both of
24 them, and I just learned. I have the ability to learn things, but
25 my main function was to make sure the company was profitable and

1 make sure its bills were paid.

2 Q. All right. Give me one second (indiscernible). Okay. And I
3 think Shaun may have touched on this a little bit, but in prior
4 interviews that we've had with other company employees, you know,
5 we've learned that when Reggie was out flying, you know, that you
6 would take over and do some of the operational stuff as far as,
7 you know, working with the dispatchers or taking over phones or
8 things that Reggie -- maybe were under his purview when he wasn't
9 traveling. What kind of things would you do within the company,
10 you know, when Reggie was traveling?

11 A. It was no different when he was traveling than when he was
12 there.

13 Q. Okay. Can you tell me a little bit about what was different?

14 A. I mean, I could quote trips; I can talk with customers to
15 book trips. I can dispatch trips. I actually still, after all
16 these years, I will do night duty one or two nights a week. I
17 think any business man that can't do the functions of the office
18 is asking for trouble, so I tried to make sure I'm doing my part,
19 if you will. But it was no difference if he was flying or not
20 flying.

21 Q. Okay. And what was -- can you explain -- I'm not sure I know
22 what you mean by night duty. Can you explain what night duty
23 means?

24 A. Well, we answer the phones 24 hours a day, 7 days a week, 52
25 weeks a year, somebody answers them. So we take turns, me and the

1 two ladies. As Reggie said, I was just one of the girls.

2 Q. Okay. Okay. And so you had mentioned that Reggie was a
3 salaried employee based on being the director of operations,
4 right, is that -- do I understand that correctly?

5 A. That is correct.

6 Q. Okay. How was he compensated -- was he compensated
7 separately, under a separate, you know -- I guess, could you
8 explain how he was compensated, outside the director of
9 operations, but how he was compensated for his duty time and how
10 it was kept track of on his -- when he was on flights?

11 A. Yes. Pursuant to his original purchase agreement, he kept
12 three airplanes that he leased to our certificate, and so I'm
13 assuming -- he would probably dispute it, but I'm assuming he made
14 money off those lease payments. I don't know how much. I know
15 how much I paid him in leases over the years, but I don't know how
16 much was profit or loss.

17 Q. Okay. So I want to make sure I understand this correctly:
18 Reggie leased -- so you were leasing those airplanes from Reggie,
19 is that correct?

20 A. From River City Aviation.

21 Q. Is River City Aviation Reggie's company (indiscernible)
22 operator?

23 A. Yes, I think he and his wife owned it together I think. I
24 was not involved with River City, so I don't, I don't know their
25 particulars.

1 Q. Okay. That's fine. Okay. So that's the airplane side of
2 it. Can you tell me a little bit about how he, how he -- from the
3 standpoint of Reggie being the pilot, how was that paid for? How
4 was he compensated for being a pilot?

5 A. Again, it was under the lease. We handled all of the -- I
6 mean, it was just like -- I mean, McNeely Charter owned the
7 airplanes, and we paid Reggie lease payments on his planes. Paid
8 it to River City Aviation, not to Reggie, but --

9 Q. So was the lease for both the aircraft and for his -- for him
10 being the pilot, for the time of the pilot --

11 A. No, there was no such --

12 Q. -- operating there?

13 A. No separate pay for him being the pilot. He compensated --
14 he was flying his leased airplanes under a lease arrangement, and
15 I'm assuming he compensated himself or had River City compensate
16 him.

17 Q. Okay. So McNeely leased the airplanes from River City, and
18 then River City would pay Reggie as the employee, if that was --
19 however it worked. But you didn't -- in other words, McNeely
20 didn't pay another paycheck to Reggie to operate the aircraft?

21 A. That is correct.

22 Q. As a pilot, okay. And as director of maintenance, was there
23 any -- was his pilot, was his pilot time included in his duties as
24 director of maintenance or no?

25 A. He was director of operations.

1 Q. I'm sorry. I apologize, that's correct, director of
2 operations.

3 A. Ask the question -- that wasn't very clear.

4 Q. Okay, sure. I'm going to ask it again. I'm sorry; I got
5 director of maintenance and director of operations in my head
6 mixed up. As Reggie's duty as director of operations, did that
7 include his flight time and any pilot time from him, or was that
8 strictly related to his duties in the office as the director of
9 operations?

10 A. If he had any duties to handle as director of operations -- I
11 really don't know how to answer that. It's not very clear. He
12 drew a salary as director of operations. How he merged that in
13 with his flying duties I really, I really don't know. He was --
14 when he was in the office, he was sometimes doing office work.
15 Director of operations is kind of a different animal of itself I
16 guess.

17 Q. Okay. Who did Reggie report to?

18 A. Well, as far as being my employee, he reported to me.

19 Q. Okay. But given he reported to you, what was, what was the
20 interaction? If he was going to take on a flight, how did that
21 interaction -- so he was going to -- you know, he was in the
22 office or he was just director of operations and he was going to
23 take a flight, how did that communication -- how was that
24 communication handled between, hey, Mike, you know, this is what
25 my (indiscernible) going to be, or was there -- can you explain to

1 me how that looked, please?

2 A. Yeah, I don't know that it had any kind of a look. I don't
3 recall that scenario ever really taking place. Give me a specific
4 time, I might can help you.

5 Q. So let's say, let's say the accident flight, let's use that
6 as an example or the accident -- not the accident flight, but the
7 accident trip. So he was going to be taking the -- Reggie
8 (indiscernible) accepted the trip and was going to fly
9 (indiscernible) for that particular cargo operation, right. So
10 how did that -- how was that communicated to you that he was going
11 to be taking that trip? And being that he reported to you, how
12 did that communication occur? What was that (indiscernible)
13 communication?

14 A. He didn't report to me operationally. He would just report
15 it to dispatch, and whoever's dispatching the flight would have
16 that knowledge. He didn't have to call me about trips --
17 personally about any trip that he was taking. I have no
18 operational control.

19 Q. Okay. Did Reggie, did Reggie report to anyone for
20 operational issues, concerns like that? Like you said he didn't
21 report to you operationally; did he report to anyone
22 operationally?

23 A. Well, since he was the director of operations, I would say
24 not necessarily, although he would make sure the director of
25 maintenance generally knew he was going out. But I don't, I don't

1 think our -- I'd have to refer to our GOM. I don't think it
2 places him reporting to anyone about his flights since he is the
3 director of operations. I guess he'd report it to himself.

4 Q. Okay. Okay. Let me go back here. Did you have any
5 operational -- and I understand, I know you said you didn't, but
6 if Reggie was flying, was there ever a time that you took over
7 operational control to (indiscernible) other pilots that are
8 flying various cargo operations for the company, or did Reggie
9 maintain that (indiscernible) himself?

10 A. No. Let's see, I think our GOM provides that either he or
11 his designee -- and so if Reggie was unavailable to notify about a
12 flight, it would fall to the director of maintenance or the chief
13 pilot. They all three have operational control powers.

14 Q. Okay.

15 MS. LIEDLER: Okay. All right, thanks. I appreciate your
16 time. I think I'm done for right now. Actually, I'll have more,
17 but I think those are all the ones I have from my list at this
18 point. Thank you.

19 MR. TODD: Okay.

20 MR. WILLIAMS: Thanks, Courtney.

21 Dujuan?

22 DR. SEVILLIAN: Yes.

23 BY DR. SEVILLIAN:

24 Q. If a pilot had a safety issue -- now, when I say safety
25 issue, I'm talking about an issue with the aircraft or any

1 personnel type safety issues -- could he or she come to you and
2 discuss that issue?

3 A. Sure.

4 Q. Have you ever had any employee come up to you and talk to you
5 about an issue?

6 A. Sure.

7 Q. Can you give me an example of what that issue was?

8 A. I'm just -- I mean, they're employees. They can come -- I
9 have an open door; they can come talk to me anytime. I don't have
10 any specific recollection of an issue (indiscernible).

11 Q. Okay.

12 DR. SEVILLIAN: That's all I have for right now. Thanks.

13 MR. WILLIAMS: Thanks, Dajuan.

14 Matt, do you have anything?

15 MR. RIGSBY: Just real quick.

16 BY MR. RIGSBY:

17 Q. First thing, Mr. Todd, I'm sorry for your loss of Reggie.

18 A. (Indiscernible).

19 Q. Was the lease agreement with McNeely -- between McNeely and
20 Reggie, was that an exclusive use contract or could he use those
21 aircraft to bid on jobs himself and OI (ph.)?

22 A. He could not.

23 Q. He could not, okay.

24 A. And the lease was with McNeely Charter and River City
25 Aviation.

1 Q. Okay.

2 A. I realize Reggie interchangeably, but it's between --

3 Q. Okay. But those aircraft weren't used -- like he didn't
4 lease them to another company. It was kind of an exclusive use
5 contract with your company, correct?

6 A. Correct.

7 Q. Okay. As far as scheduling a pilot, that was all done by the
8 DO or chief pilot. Did you have anything to do with scheduling of
9 pilots or scheduling trips?

10 A. So I dispatched trips -- I mean I booked trips.

11 Q. Okay. Did you ever schedule a pilot as far as, you know,
12 pick a pilot for a trip or was that all done outside of your
13 control?

14 A. No, the dispatchers can do that.

15 Q. Okay.

16 A. Basically we offer the trip to a pilot.

17 Q. And as far as -- like how did you know which pilots were
18 available for a trip? Is there a master schedule or --

19 A. Yeah, there's a master list that we compile each morning,
20 who's available, what aircraft are available, what pilots are
21 available.

22 Q. Okay. McNeely, did they have a formal SMS program?

23 A. I don't know.

24 Q. Okay.

25 MR. RIGSBY: Okay. That's all my questions. The other ones

1 have been asked. So I appreciate your time.

2 MR. TODD: You're welcome.

3 MR. WILLIAMS: Thanks, Matt.

4 Todd?

5 MR. OBRITSCH: Yeah, my questions have been answered on a
6 couple before, so I have no further at this time.

7 MR. WILLIAMS: Okay, thanks.

8 Laddie, do you have any questions?

9 MR. HOSTALEK: No, I don't have any questions, Shaun.

10 MR. WILLIAMS: Okay.

11 BY MR. WILLIAMS:

12 Q. And, Mike, I just have, I just have one follow-up here, and
13 then I'll be done. You said you offer the trip to the pilots when
14 you were -- when you act as dispatcher or dispatch a flight. When
15 you'd call those pilots, was there ever an expectation for them --
16 did you expect them to accept the trip when you offered it to
17 them?

18 A. Meaning do they have a choice?

19 Q. Well --

20 A. What do you mean?

21 Q. Yeah, we can start there. Did they have a choice?

22 A. Sure.

23 Q. Okay. So if you called a pilot and they always turned it
24 down, what would happen?

25 A. I don't know. I've never had that happen before.

1 Q. Okay. All right.

2 A. You say always turn it down?

3 Q. Yes, sir.

4 A. I've never had that happen.

5 Q. Okay. Basically what I'm getting at is, if you call a pilot
6 -- you hired them to do a job, so are they expected to fly since
7 you hired them as a pilot?

8 A. Well, I mean, that's the purpose that you hire a pilot.
9 They're not expected to fly every single trip; they have the
10 option to not fly. We offer them a trip, you know. If they turn
11 it down, I go to the next pilot if there's one available. If
12 there's not a pilot available, I don't take the trip.

13 Q. Okay, all right. I think that's --

14 A. The question in your mind, this goes against the grain, but I
15 hire good people.

16 Q. Okay.

17 A. I don't worry about such things, but it does happen from time
18 to time.

19 Q. Okay.

20 MR. WILLIAMS: All right. I think that's all I had.
21 Courtney, did you have anything else?

22 BY MS. LIEDLER:

23 Q. Just following up on Shaun's last question, has it ever
24 happened where a pilot has turned down a trip?

25 A. Yes. Not very often, but it has happened.

1 Q. Do you recall what the circumstance was -- what was the
2 circumstance of him turning the trip down?

3 A. I remember one that his daughter was playing in a softball
4 tournament and like a championship game or something and had a
5 trip and just asked if he could pass. I actually made the call,
6 and I said, certainly you can. It's your family; you've got to
7 go.

8 That's the only one I really specifically recall. It doesn't
9 happen very often. Like I say, I hire good people. This is a
10 family company, we're all part of it, we all do our part, and I
11 think I hire people that have that attitude.

12 Q. Mike, are you involved in the hiring process for pilots?

13 A. Yes.

14 (Pause.)

15 MR. WILLIAMS: Are you still there, Courtney?

16 MS. LIEDLER: Yeah, I'm sorry; I'm just looking through my
17 notes. Give me one second, I'm sorry.

18 MR. WILLIAMS: Okay.

19 (Pause.)

20 MS. LIEDLER: I don't see any other -- I do not see any other
21 questions, Mike. Thank you.

22 MR. TODD: You're welcome.

23 MR. WILLIAMS: All right. Thanks.

24 Dujuan, did you have anything else?

25 DR. SEVILLIAN: No further questions here.

1 MR. WILLIAMS: Okay.

2 Matt?

3 BY MR. RIGSBY:

4 Q. Just one quick one. Mr. Todd, have you had any interaction
5 with the certificate management office with the FAA?

6 A. No.

7 Q. Okay. Generally, have you had -- did you have a good
8 relationship, a contentious relationship with the certificate, the
9 FAA certificate office?

10 A. I guess we have a good one. I've never heard any -- I've
11 never talked to them or heard anything from them.

12 Q. Okay.

13 MR. RIGSBY: Okay, that's it for me. I appreciate it.

14 MR. WILLIAMS: Thanks.

15 Todd?

16 MR. OBRITSCH: No further questions here.

17 MR. WILLIAMS: Okay.

18 And Laddie, did you have any questions?

19 MR. HOSTALEK: No, sir, I have no questions.

20 MR. WILLIAMS: Okay.

21 Mike, we really do appreciate your time. I know it
22 doesn't -- it may not seem like it's a lot of helpful information,
23 but it really is. Every little bit helps, and it helps us get
24 closer to marking things off that may not have contributed and
25 help line us up with what may have happened here.

1 And is there anything you want to add or anything that we
2 didn't ask you that you feel like we should have?

3 MR. TODD: No.

4 MR. WILLIAMS: Okay. All right. Well, then I'm going to
5 stop the recording. We're off the record, 1544.

6 (Whereupon, at 3:44 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

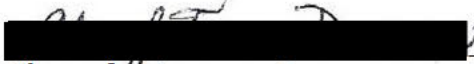
IN THE MATTER OF: FATAL CRASH OF MITSUBISHI MU-2B
AIRPLANE N44MX NEAR SIOUX FALLS,
SOUTH DAKOTA, ON JUNE 7, 2020
Interview of Michael Todd

ACCIDENT NO.: CEN20LA215

PLACE: Via telephone

DATE: October 6, 2020

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.


Cheryl⁰Farner Donovan
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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FATAL CRASH OF MITSUBISHI MU-2B
AIRPLANE N44MX NEAR SIOUX FALLS,
SOUTH DAKOTA, ON JUNE 7, 2020

Accident No.: CEN20LA215

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Interview of: DANIEL CAMERON, Frontline Manager
Little Rock Flight Standards District Office
Federal Aviation Administration

Via telephone

Wednesday,
October 7, 2020



APPEARANCES:

D. SHAUN WILLIAMS, Senior Aviation Accident Investigator
National Transportation Safety Board

DUJUAN SEVILLIAN, PhD, Human Performance Investigator
National Transportation Safety Board

COURTNEY LIEDLER, Investigator in Charge
National Transportation Safety Board

MATT RIGSBY, Investigator
Federal Aviation Administration

TODD OBRITSCH, Investigator in Charge
Federal Aviation Administration

LADDIE HOSTALEK, Party Representative
McNeely Charter Service, Inc.

MARK TOMICICH
(On behalf of Mr. Cameron)

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I N T E R V I E W

(10:30 a.m.)

MR. WILLIAMS: So we are on the record, October 7th, 2020, 10:30 Central Daylight Time. So, Daniel, thanks for, thanks for taking the time to speak with us here today. My name is Shaun Williams. I am a senior aviation accident investigator with the NTSB, and I'm doing the operations portion of this investigation.

MR. CAMERON: All right.

MR. WILLIAMS: So, as you know, you know, we're here to determine what happened, why it happened and keep it from happening again. You've got some information hopefully that can kind of help us out with that and, you know, that's why I want to chat with you.

So the way we do the interview, it's kind of a group format. I'll let everybody go around here in just a minute and introduce themselves, but we'll each ask our list of questions, usually go about two rounds.

MR. CAMERON: Okay.

MR. WILLIAMS: And then we'll be able to, be able to cut you loose there. So introduced myself, and I'll let Courtney go next. And Courtney is muted.

MS. LIEDLER: Hi, sorry, I'm back. Good morning, I'm Courtney Liedler. I'm the investigator in charge of this accident with the NTSB. Thanks for joining us this morning.

MR. WILLIAMS: Thanks, Courtney.

1 Dajuan?

2 DR. SEVILLIAN: Dajuan Sevillian, human performance
3 investigator, NTSB.

4 MR. WILLIAMS: Thanks, Dajuan.

5 Matt?

6 MR. RIGSBY: Hey, Dan, Matt Rigsby out of the FAA Office of
7 Accident Investigation.

8 MR. CAMERON: Hello, Matt.

9 MR. RIGSBY: I'm just helping Todd on this one. Todd's still
10 the FAA IIC of record, so --

11 MR. CAMERON: Okay.

12 MR. WILLIAMS: Todd?

13 MR. OBRITSCH: Yeah, I'm Todd Obritsch from the Rapid City
14 Flight Standards as the IIC for the investigation of the MU-2.

15 MR. WILLIAMS: And Laddie?

16 MS. HOSTALEK: Laddie Hostalek, a party to the investigation
17 from McNeely Charter Service.

18 MR. WILLIAMS: Okay.

19 MR. CAMERON: All right.

20 MR. WILLIAMS: So, Dan, are you good talking with everybody
21 on the phone or on the video here today, all of us?

22 MR. CAMERON: Yeah, absolutely, absolutely.

23 MR. WILLIAMS: Okay, perfect. Thank you. I'm using a tape
24 recorder to record the interview. Once it's done, we'll send that
25 recording off for transcription. The transcription, not the audio

1 recording, will become a part of the public docket when the
2 accident's released.

3 MR. CAMERON: Okay.

4 MR. WILLIAMS: Okay. So please answer all questions to the
5 best of your recollection. If you don't know something, please
6 tell us. By the same token, if you misspeak, want something
7 repeated, please correct it. Think about something later on that
8 you had said and you want to correct that answer, please do so; we
9 want the most accurate record as possible.

10 MR. CAMERON: Yeah.

11 MR. WILLIAMS: Most likely you'll see me nod a couple times
12 because I forget that it's being recorded and the record does not
13 pick up the nods for some reason.

14 MR. CAMERON: Sure.

15 MR. WILLIAMS: So you're entitled to have some representative
16 of your choosing. Is there someone you would like to have on the
17 line with you?

18 MR. CAMERON: Mr. Mark.

19 MR. WILLIAMS: Okay. And Mark, would you like to spell your
20 last name for us?

21 MR. TOMICICH: Sure. For the court reporter or whoever is
22 transcribing this, last name is T-o-m-i-m-i-c-h, Tomicich.

23 MR. WILLIAMS: Okay, thanks. And Mark, as always, you may
24 direct Dan not to answer a question or to request a short break to
25 confer with him; however, you may not answer any questions for

1 him.

2 Are there any questions before we get going?

3 MR. CAMERON: Not from me, sir.

4 MR. WILLIAMS: Okay, perfect.

5 INTERVIEW OF DANIEL CAMERON

6 BY MR. WILLIAMS:

7 Q. So if you could, Dan, please state and spell your name and
8 your title?

9 A. Sure thing. Daniel Cameron, D-a-n-i-e-l, C-a-m-e-r-o-n, and
10 I'm a frontline manager here at the Little Rock FSDO for both
11 maintenance and ops disciplines.

12 Q. Okay. Do you have the maintenance side of McNeely as well?

13 A. I do. So both -- we're split as far as both frontlines kind
14 of split the operations and maintenance inspectors. So we're not
15 assigned to just one discipline; we've got both.

16 Q. Okay. All right. So can you give me kind of a general
17 overview of your background and how you got to where you are?

18 A. Sure. So from my FAA standpoint, I've been with the agency I
19 guess going on 9 years now. I started off on a 121 passenger
20 carrier as a airworthiness ASI, did that for 3, 4 years or so,
21 transitioned over to -- excuse me -- FedEx where I was again an
22 ASI there, airworthiness.

23 I was also a PPM for a couple different fleets, 5-7, 6-7,
24 MB-10 over there. Got selected for the Pell (ph.) Program a while
25 back, which is a program that we have for emerging leaders, and I

1 took a temporary frontline manager role there at the FedEx Office
2 and eventually bid out last December to a permanent frontline
3 position there at the Little Rock FSDO. So I've been kind of air
4 carrier most of my career and then transitioned over to the GA
5 world back in December of 2019.

6 Prior to coming over to the FAA, and still currently, I've
7 been military like almost going on 22 years, maintenance
8 background, heavy aircraft primarily. Had numerous roles. I've
9 been a first sergeant for the maintenance department and over to
10 the wing level and eventually became the superintendent for
11 maintenance. That's the position I'm currently in over there for
12 the National Guard in Tennessee.

13 Q. Okay. And so when you became a frontline -- the mute button,
14 it will get you every time. So when you became a frontline into
15 the GA side you said in December of '19?

16 A. Correct.

17 Q. Is that when -- when did you get oversight of the inspector
18 assigned to McNeely?

19 A. Immediately upon my position there at the FSDO, so in
20 December, I think early December 2019.

21 Q. Okay.

22 A. As soon as I came onboard to the FSDO there.

23 Q. Okay. So you just got them, right, that was one of the
24 initial groups; you got it right away?

25 A. Correct.

1 Q. Okay.

2 A. Yeah, so as soon as I got there, they kind of already had --
3 team kind of split. I'm waiting for whoever the new frontline's
4 going to be, so I kind of just assumed the responsibility of the
5 folks that I've got now underneath me.

6 Q. Okay. So when you came into that role, kind of walk me
7 through, how did you become -- how did you familiarize yourself
8 with the -- with McNeely?

9 A. Well, I guess I had to take a lot of time to really
10 familiarize myself with the GA world in general, the inspectors,
11 the new role and a lot of the other carriers. So I wouldn't say I
12 had a big breadth of knowledge on the certificate holder
13 themselves, I kind of relied more on my principals to kind of get
14 that knowledge and provide me with whatever I needed in that
15 regards.

16 Q. Okay. So how many certificates are assigned to your guys,
17 like that your group is holding?

18 A. As far as 137s or in --

19 Q. 135s.

20 A. I'm sorry, as far as 135s, I'm probably going to say 12 or 13
21 is kind of what I'm guessing.

22 Q. Okay. Okay.

23 A. Give or take some.

24 Q. All right. So what is your understanding of oversight
25 activities that should take place on an operator like McNeely? Is

1 it just the SAS DCTs every 6 months, year? Kind of give me a
2 little bit of information on that.

3 A. Well, I kind of, kind of leave that mostly up to the
4 principals that kind of really make that determination based on
5 what they deem that operator has per risk, past history since
6 they're the ones kind of right there really dealing with the
7 operators and are more intimate with them than I am. And I
8 wouldn't say specifically to McNeely, but I would say they
9 probably treat all the operators with the same level of
10 responsibility in that regards, so --

11 Q. So do you, as a frontline, have any input into the
12 surveillance activities that take place?

13 A. You know, if it's an inspector comes up to us and kind of
14 asks for a question or for input, we will kind of consult as an
15 office or as a management team and kind of see which path we need
16 to take. But for the most part, our principals I think do a
17 pretty good job of making that determination. You know, to me,
18 they're the SMEs with that carrier and that operator, so we kind
19 of leave it up to them to make that determination.

20 Q. Okay. What's your understanding of the relationship between
21 the FAA and McNeely? Are they -- is it a good working
22 relationship, is it pretty confrontational, have you gotten any
23 feedback?

24 A. I have not. No, regarding McNeely I have not.

25 Q. Okay. All right. Have you personally visited them at all?

1 Have you ever gone out to see them?

2 A. No, I have not.

3 Q. Okay. Do you get around to any of the operators?

4 A. Well, before COVID hit, we did have a plan to do so. I did
5 make it to one carrier up northwest of here, northwest of Little
6 Rock before we actually kind of got into the COVID environment,
7 but we did have a plan between me and the other frontline to make
8 it to as many carriers as we can throughout the year. That kind
9 of has been kind of pulled back obviously with all the COVID, and
10 we haven't really reengaged that piece of it to this point.

11 Q. Okay. All right. So are you familiar with any of the
12 operational control or anything kind of in the weeds with McNeely
13 as far as their operation and any specifics?

14 A. Nothing specific just general awareness of kind of what they
15 do and basically more or less since the accident happened, but
16 prior to it, I can't say I have.

17 Q. Okay. So following the accident, what have you learned as
18 far as what's changed? Has anything changed over there? Are you
19 guys asking for specific changes?

20 A. No, so it was kind of discussed with the principal what their
21 game plan was going to be after the accidents. I believe that
22 surveillance and SAS was increased, obviously some of the
23 indicators -- excuse me -- were adjusted due to change in
24 management personnel. The fleet size obviously changed, the
25 accident, so they did make some adjustments in the AITT and Triple

1 A for SAS to increase whatever surveillance needed to be increased
2 until the investigation report came back of actually what happened
3 on a -- crash related to see exactly where areas that need to be
4 focused on.

5 Q. Okay. All right. So you come from the 121 side of the house
6 a little bit, so let's talk --

7 A. I do.

8 Q. -- flight duty times. Flight and duty versus how it compares
9 with 135 here. So the director of operations also flew for the
10 company --

11 A. Right.

12 Q. -- the accident pilot. Working in the office in the morning
13 prior to flying that night, is that, in your view, considered duty
14 time for the purpose of flight and duty for tracking?

15 A. You know, without having the regulation in front of me and
16 really deciphering it, I probably would not be the best person to
17 answer that question.

18 Q. Okay. No, and I appreciate the honesty if you -- like we
19 said before, if you don't know something or you don't feel
20 comfortable, please just speak up.

21 A. Yeah, yeah.

22 Q. Okay. So are you aware of any surveillance changes since the
23 accident? Have you guys increased surveillance?

24 A. Yeah, I think that's where our principals got together and
25 made some adjustments through SAS, Triple A, everything in Triple

1 A and the ITT. And I believe surveillance was increased based on
2 the accidents up until we get further information to adjust it
3 anymore.

4 Q. Okay.

5 MR. WILLIAMS: All right. So I'm going to pause there, I'm
6 going to let Courtney ask a few questions here. Thanks, Dan.

7 MR. CAMERON: Right. Absolutely.

8 BY MS. LIEDLER:

9 Q. All right, Dan, good morning.

10 A. Good morning, Courtney.

11 Q. So can you tell me, so you said the surveillance increased,
12 what areas? Was that the operational side, maintenance side,
13 general overall surveillance?

14 A. I don't know. I didn't ask my principals where they
15 increased it. I just know it was reviewed, and surveillance
16 activities were increased.

17 Q. Okay. And I just want to make sure I understand, so Shaun
18 was asking you about how many certificates your inspectors hold.
19 Did you say 12 or 13 per inspector or was that total between all
20 your inspectors?

21 A. I've got three operations inspectors assigned to me
22 currently. One is still an OJT, doesn't have any, and without
23 looking at the update information, I believe -- because I think we
24 had a couple recent new adds -- one has I think six, I think the
25 other one may have eight.

1 Q. And that's -- so your maintenance guys, you said that's six
2 or eight certificates per inspector, is that right? I'm a little
3 confused.

4 A. So that's 135 certificates for my operations inspectors.

5 Q. Okay. Six or eight per inspector for your ops guys?

6 A. I'm pretty sure one had six and the other one has eight. Now
7 I'd have to go back in there and verify the maintenance side of
8 it.

9 Q. And how often do you meet with your inspectors to go over the
10 status of their certificates?

11 A. As far as how they're operating and performing?

12 Q. Right, yeah, how their certificates are -- if there's a
13 change in certificates or if they're just -- you know, is it like
14 an after annual, after a surveillance trip or how often do you
15 check in with, you know, with your inspectors on certificates?

16 A. Well, I would say we typically -- after they do any kind of
17 inspection, obviously, I have to go in there and verify what took
18 place through SAS. If there was no real negative findings,
19 obviously, I wouldn't really draw conversation, but usually, if my
20 inspectors have something that they found, we (indiscernible).
21 Other than that, I just -- as situations arise and communications
22 have to happen that's really when we have them.

23 Q. Okay. So in chatting with Nathan prior, he had mentioned
24 that in surveillance (indiscernible) surveillance was in December,
25 so you had just come onboard (indiscernible) on your position.

1 Did you guys have any discussions about his inspection of -- his
2 last inspection of McNeely there that was done in December?

3 A. I don't, I don't recall we did.

4 Q. Okay.

5 A. Yeah, so me getting there in December, I was still trying to
6 get my brain wrapped around the office personnel, you know, just
7 kind of how the office works. And so I was still kind of in the
8 transition phase from air care to GA and that kind of whole
9 environment, so I was still kind of soaking everything in at that
10 point.

11 Q. Yeah, understood. And who was -- was there someone acting in
12 your role before or did you -- you know, until you got this
13 (indiscernible), was there someone working in that role?

14 A. Yeah, so my other counterpart, John Lumas, was handling I
15 believe all the personnel until I arrived there in December from
16 the frontline perspective.

17 Q. Okay. And when you took over in December for John, did he
18 brief you on what exactly -- where things stood with each
19 certificate or what he knew of knowledge or issue areas, or how
20 did that handover go?

21 A. Well, yeah, I mean, he gave me a rundown or kind of how
22 everything flowed. Yeah, we had a lot of communication in there.
23 Can I remember specifically what we discussed? No. I had so much
24 information coming at me, that's nothing I remember.

25 Q. Okay. And (indiscernible) was McNeely an issue that John

1 looked up?

2 A. No.

3 Q. Okay. All right. And (indiscernible). Jotting notes while
4 we're doing this, going along here and make sure I got all my
5 questions.

6 MS. LIEDLER: All right. I think, I think that's all I have
7 at the moment, but I might have some more as we go here.
8 (Indiscernible).

9 MR. CAMERON: Absolutely.

10 MR. WILLIAMS: Thanks, Courtney.

11 Dujuan?

12 BY DR. SEVILLIAN:

13 Q. Yes, Dan, do you ever get involved with an operator's safety
14 management system?

15 A. From a frontline perspective, I haven't.

16 Q. Okay. And then another question I had was I understand not
17 having the type of inspection that was increased regarding
18 surveillance from McNeely, but do you know about how many in terms
19 of numbers of inspections that it increased by?

20 A. Can you repeat that again?

21 Q. You talked about the increase in surveillance at McNeely
22 after the accident.

23 A. Right.

24 Q. But not necessarily having exactly, you know, what areas, you
25 know, did you increase it by for the inspectors. I was just

1 curious on how many inspections did it increase by post-accident?

2 A. I couldn't answer that.

3 Q. Okay.

4 DR. SEVILLIAN: All right. Those are all the questions I
5 have for right now. Thanks.

6 MR. WILLIAMS: Okay. Thanks, Dajuan. We should be able to
7 figure that out. We can get -- request a status data prior to and
8 just after the accident to be able to compare the number of
9 inspections there.

10 DR. SEVILLIAN: Okay.

11 MR. WILLIAMS: So, Matt, you're up.

12 MR. RIGSBY: Okay.

13 BY MR. RIGSBY:

14 Q. Hey, Dan, good morning.

15 A. Good morning, Matt.

16 Q. How many inspectors are in the Little Rock FSD0?

17 A. I believe we've got 15.

18 Q. Okay.

19 A. I have eight and John has seven.

20 Q. Okay. And is your office fully staffed? Do you have
21 openings?

22 A. No, we don't have any openings. We are fully staffed.

23 Q. Okay.

24 A. For inspectors.

25 Q. Okay. I know you mentioned 135 certificates, but what other

1 certificates do you have?

2 A. We've got 137s, 141s, 145s, some 133s, a handful of Part 91s,
3 (indiscernible), 147s.

4 Q. How about is your office busy?

5 A. Yes. I mean, let me answer that in the way I know how to
6 answer it coming from an air carrier world to GA and have nothing
7 really to compare it to, yes.

8 Q. Okay. You talked about, after the accident, the surveillance
9 increased. Is that normal for any operator?

10 A. I would imagine so. From a frontline perspective, we kind of
11 leave that for the principals to make that determination, but I
12 feel like our inspectors do a pretty good job of doing their due
13 diligence when any kind of issue like that arises to double check
14 what we've got going on and adjust numbers as needed for
15 increases.

16 MR. RIGSBY: I think that's it for me. Thank you, Dan.

17 MR. CAMERON: Absolutely. You're welcome, Matt.

18 MR. WILLIAMS: All right. Thanks, Matt.

19 Todd?

20 MR. OBRITSCH: You know, I just have one little question I
21 guess, you know, on the advent of COVID, has your principals
22 visited their operators via Zoom at all or anything like that?

23 MR. CAMERON: We have. So our -- from the inspection
24 standpoints, I don't think we really throttled back too much as
25 far as doing what we need to to maintain safety. When COVID first

1 hit, everybody was still trying to figure out how things are done,
2 so we were kind of, I guess, in a little standstill for a little
3 bit. But surveillance never, never decreased, and we just had to
4 find creative ways of, creative ways of doing it.

5 But now we're kind of really back in almost a normal phase.
6 Our inspectors are doing what they normally do with the exception
7 of maybe now they might be doing a little bit more Zoom meetings
8 with the carriers based on the carrier may not want us to come
9 over there based on the fact that -- with the COVID situation or
10 our inspectors who may feel they're at a high risk category, so
11 they may feel they're a little better apt to do the Zoom as far as
12 opposed to going out there. But for the most part, right now,
13 it's kind of just status quo. We're doing surveillance almost as
14 we were before.

15 MR. OBRITSCH: All right. Thank you. That's all I have.

16 MR. WILLIAMS: Is that all for you, Todd?

17 MR. OBRITSCH: Yes, that's it.

18 MR. WILLIAMS: Okay. Sorry about that.

19 Laddie, do you have anything?

20 MR. HOSTALEK: I have no questions.

21 Thanks, Daniel.

22 MR. CAMERON: Okay.

23 MR. WILLIAMS: Thanks. I don't really have any follow-ups.
24 Courtney, did you have anything else?

25 MS. LIEDLER: Nothing else for me, thanks.

1 MR. WILLIAMS: All right.

2 Dajuan?

3 DR. SEVILLIAN: Nothing from me, thank you.

4 MR. WILLIAMS: All right.

5 Matt?

6 MR. RIGSBY: Just real quick, do you know, do inspectors get
7 training for operational control, you know, through Oklahoma City?

8 MR. CAMERON: I don't. I would -- can you get that paused
9 for one second? I'm going to -- I'm staying at an apartment while
10 I transition, and --

11 MR. WILLIAMS: Yeah, if you need to take a quick break, we
12 can take five.

13 MR. CAMERON: Okay.

14 MR. WILLIAMS: Yeah, just put yourself, put us on mute.

15 UNIDENTIFIED SPEAKER: Shaun, quick question. It looks like
16 our next interview is like an hour and a half away. I don't know
17 if you guys are wrapping up soon. Do you want to see if we can
18 try and move that up or do you want to leave it as scheduled?

19 MR. WILLIAMS: We're going to pause the recording here.

20 UNIDENTIFIED SPEAKER: I apologize.

21 MR. WILLIAMS: No, that's okay.

22 (Off the record.)

23 (On the record.)

24 MR. CAMERON: Okay, Matt, you were asking about ops
25 inspectors have operational control training through Oklahoma

1 City?

2 MR. RIGSBY: Yeah.

3 MR. CAMERON: I don't know the answer to that question.

4 MR. RIGSBY: Okay, thanks.

5 MR. CAMERON: I'd have to look at some of the learning plans
6 to see exactly what they get out of OK City without being an ops
7 inspector.

8 MR. RIGSBY: Totally understand, totally understand. Thank
9 you. That's it for me.

10 MR. WILLIAMS: Todd, did you have anything else?

11 MR. OBRITSCH: No, I don't.

12 Thank you for your time, Daniel.

13 MR. WILLIAMS: Okay.

14 MR. OBRITSCH: I appreciate it.

15 MR. CAMERON: Absolutely, you're very welcome.

16 MR. WILLIAMS: Laddie, sorry, Laddie.

17 MR. HOSTALEK: No, I don't have anything.

18 Thanks for your time, Daniel.

19 MR. WILLIAMS: Okay, thanks.

20 MR. CAMERON: You're welcome.

21 MR. WILLIAMS: All right, Daniel, thanks again. We do
22 appreciate you taking the time. I know it doesn't seem like much,
23 but it does help us out a little bit.

24 MR. CAMERON: Right (indiscernible).

25 MR. WILLIAMS: If there's anything else, anything we missed

1 or anything you'd like to add?

2 MR. CAMERON: No, I mean, I wish I could have been a little
3 bit more helpful, it's just with me being in the office a short
4 amount of time, I really don't have too much more to add.

5 MR. WILLIAMS: Okay. All right. Then I will stop the
6 recording. We're off the record at 11:04 Central.

7 (Whereupon, at 11:04 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

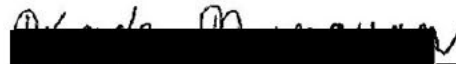
IN THE MATTER OF: FATAL CRASH OF MITSUBISHI MU-2B
AIRPLANE N44MX NEAR SIOUX FALLS,
SOUTH DAKOTA, ON JUNE 7, 2020
Interview of Daniel Cameron

ACCIDENT NO.: CEN20LA215

PLACE: Via telephone

DATE: October 7, 2020

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.



Wade Donovan
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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FATAL CRASH OF MITSUBISHI MU-2B

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AIRPLANE N44MX NEAR SIOUX FALLS,

*

SOUTH DAKOTA, ON JUNE 7, 2020

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Accident No.: CEN20LA215

* * * * *

Interview of: NATHAN, Principal Operations Inspector
Federal Aviation Administration

Via telephone

Wednesday,
October 7, 2020



APPEARANCES:

D. SHAUN WILLIAMS, Senior Aviation Accident Investigator
National Transportation Safety Board

COURTNEY LIEDLER, Investigator in Charge
National Transportation Safety Board

MATT RIGSBY, Investigator
Federal Aviation Administration

TODD OBRITSCH, Investigator in Charge
Federal Aviation Administration

LADDIE HOSTALEK, Party Representative
McNeely Charter Service, Inc.

MARK TOMICICH
(On behalf of the interviewee)



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I N T E R V I E W

(9:06 a.m.)

MR. WILLIAMS: On the record October 7th, 2020, 9:06 Central Time. So, Nathan, once again, thanks for taking the time to talk with us today, we do appreciate it. As I said before, my name is Shaun Williams; I am a senior aviation accident investigator with the NTSB. I'm doing the operations portion of this investigation.

So the way we do our interviews, we kind of go around the room, people kind of use the group format, people ask questions one at a time. No one kind of interrupts each other. At the end we'll kind of loop back around. So basically two rounds and then we'll cut you loose for the day.

As I stated before, we'll be using a tape recorder to record the interviews and then we'll send that off for transcription. The transcription, not the audio recording, will become a part of the public docket when our files and other things are released at the end of the investigation.

So I'll let everyone kind of introduce themselves here. We'll start with Courtney.

MS. LIEDLER: All right. My name is Courtney Liedler. I'm the investigator in charge of this accident with the NTSB.

MR. WILLIAMS: Matt.

MR. RIGSBY: Hi, Nathan, this is Matt Rigsby out of the FAA's Office of Accident Investigation, AVP-100. I'm assisting the Minneapolis FSDO on this one who actually has the FAA primary

1 point of contact on this.

2 MR. WILLIAMS: Okay, thanks.

3 And Laddie.

4 MR. HOSTALEK: Laddie Hostalek, McNeely Charter Service agent
5 to the party, or party representative for McNeely Charter.

6 MR. WILLIAMS: Okay. So, Nathan, you okay with talking to
7 all of us here on the line today?

8 THE INTERVIEWEE: You say am I going to talk to --

9 MR. WILLIAMS: Are you okay speaking with all of us here,
10 like having everybody on?

11 THE INTERVIEWEE: Oh, yeah.

12 MR. WILLIAMS: Okay, perfect. So please answer all questions
13 to the best of your recollection. If you don't know something,
14 that's fine. If you want to have something -- a question
15 repeated, anything, please just let us know.

16 If we move on and you think, you know, you misspoke earlier,
17 please correct it; we want the most accurate record as possible.
18 You are entitled to have one representative of your choosing. Is
19 there someone you'd like on the phone or on the video here with
20 you?

21 THE INTERVIEWEE: No.

22 MR. TOMICICH: Nathan, he's asking if you want me as your
23 representative?

24 THE INTERVIEWEE: Oh, yeah. I assumed you were talking about
25 somebody else other than what we have, yeah. Yeah, just having

1 Mark here, he's good.

2 MR. WILLIAMS: Okay. And that is Mark Tomicich, correct?

3 MR. TOMICICH: Correct.

4 MR. WILLIAMS: Okay, thanks. So, Mark, as always, you may
5 direct Nathan not to answer a question or to request a short break
6 with him; however, you can't answer any questions for him.

7 Are there any questions before we get going?

8 MR. TOMICICH: Shaun, just for the court reporter in
9 transcribing this, let me do my last name. It's T-o-m-i-c-i-c-h.

10 MR. WILLIAMS: Okay, thanks, Mark.

11 INTERVIEW OF NATHAN

12 BY MR. WILLIAMS:

13 Q. So, Nathan, just to start off, can you kind of give me a
14 general overview of your background and how you got to where you
15 are?

16 A. Okay, I guess you're talking getting into the FAA and prior
17 experience?

18 Q. Yes, sir.

19 A. Okay. I started flying back in 2003 at Henderson State
20 University is where I got my aviation degree, and I started flight
21 instructing there. I picked up some other jobs and just kind of
22 in there, I was teaching adjunct at the school.

23 I started teaching some high schoolers aviation over at
24 (indiscernible), it's close by. And I guess I had left there and
25 did air photography. I did some forestry work in the summer.

1 Pretty much all my work is Part 91 and instruction, Part 141 and
2 61 instruction.

3 I managed a flight club at Conway, and I guess that's about
4 it before I came, before I came to the FAA. So I started in FAA
5 about 3 years ago.

6 Q. All right.

7 MR. WILLIAMS: And before we go any further, Todd, you joined
8 us; do you want to introduce yourself for the record and for
9 Nathan?

10 (No response.)

11 MR. WILLIAMS: Okay. That was Todd Obritsch that joined.

12 UNIDENTIFIED SPEAKER: And Todd, if you're on a PC, press
13 your spacebar. That should temporarily unmute you.

14 MR. OBRITSCH: All right, here I am. Can you hear me?

15 UNIDENTIFIED SPEAKER: Yep, loud and clear.

16 MR. OBRITSCH: Okay.

17 MR. WILLIAMS: Okay. Todd, can you just introduce yourself,
18 please?

19 MR. OBRITSCH: I'm Todd Obritsch from the Rapid City Flight
20 Standards; I was the IIC on the accident on the MU-2.

21 MR. WILLIAMS: Okay, thanks.

22 BY MR. WILLIAMS:

23 Q. So circling back, Nathan, you said you started with the FAA
24 about 3 years ago. Do you remember anymore -- so 2017-ish, is
25 that right?

1 A. Pardon?

2 MR. OBRITSCH: Pardon?

3 MR. WILLIAMS: Sorry, I'm asking Nathan when he started.

4 MR. OBRITSCH: Oh.

5 THE INTERVIEWEE: Yeah, I guess it would have been -- I was
6 trying to think if it was '16 or '17. I'm in my, in my third year
7 so --

8 MR. WILLIAMS: Okay.

9 BY MR. WILLIAMS:

10 Q. So when did you become POI for the McNeely certificate?

11 A. I don't know an exact month but it was sometime in the summer
12 of last year. It's been just over a year, about a year and a
13 quarter roughly.

14 Q. Okay. And how many inspectors are assigned to the
15 certificate?

16 A. We have three. We've got, you know, the maintenance
17 inspector, avionics and me as well.

18 Q. Okay. And about how many other certificates are you
19 responsible for?

20 A. Well, if you're talking Part 135, I have five others right
21 now, so six total 135 operators. We've been through a lot of
22 complexity change recently. Part 137, I couldn't give you an
23 exact number. If I need an exact number, I can look it up, but
24 it's somewhere in the 30s range maybe, maybe a little bit more but
25 around 30-ish, in the 30s. I oversee 91 operators just who have

1 LOAs, and I guess we don't do a whole lot with those, but I
2 couldn't give an exact number. Those do change quite a bit since
3 we've had inspectors in and out.

4 Q. Okay. Of the 135s, how would you classify the size of those?
5 Are you looking at large 135s or are you looking at EMS operators?

6 A. They're all smaller. I've got -- and let's see, single
7 pilot, and I mean, I have a couple basic, but the majority are
8 just a couple pilots each, two or three.

9 Q. Okay. All right. So on average, about how much of your time
10 are you able to dedicate to McNeely with -- in combination with
11 all your other duties?

12 A. I would say since the accident we've communicated more. It's
13 hard to put a number to it. I mean, we've been on the phone more
14 lately with UM (ph.) revisions and talking about the accident and
15 had some personnel change and things.

16 But, I don't know, it would be hard to say, hard to put a
17 number to it. And sometimes I -- I mean sometimes we don't do
18 anything, you know, if there's a month that they don't need
19 anything or request anything, nothing happens and, you know, just
20 got surveillance done.

21 And here recently we've spent, you know, multiple hours on
22 the phone or whatnot. As far as seeing them, I've only physically
23 been there one time, and that was last year whenever I did their
24 annual facility inspection.

25 Q. Okay. So you mentioned since the accident. It's been a

1 while, but before the accident, would you say on average it was
2 once a month, once every few months that you'd be working with
3 them?

4 A. Yeah, like I said, it depends on if there's anything going
5 on, and it also depends on how previous surveillance went. So
6 whenever I got their certificate, I believe it was the quarter
7 prior to actually going to see them.

8 So whenever I went to go see them, we had one issue that was
9 corrected on the spot, and it was just paperwork. It really
10 wasn't anything to worry about, but I remember I had documented
11 it. So typically if there's issues that are found, you know,
12 surveillance, the next scheduled one would be a year later. But
13 if we need to do something in between, we would.

14 Q. Okay. Do you remember --

15 A. I'm not sure if I answered your question fully. Can you
16 repeat it?

17 Q. No, you did, you did. So the one on the spot correction, do
18 you remember anything about that, what it pertained to?

19 A. Not exactly, but I remember it was a training record.

20 Q. Okay.

21 A. And it was just something we fixed on the spot. I think they
22 had a training record that was misplaced; it was in a different
23 folder or something. At first, I think I recorded it saying they
24 didn't have a training record, and while we were there, one of
25 them -- there was a couple of personnel there -- had found the

1 record and put it in the file. And so really misplacement of a
2 piece of paper, but other than that, all the training was complete
3 and everything.

4 Q. Okay. All right. So how would you describe the relationship
5 -- your view of the relationship between McNeely and the FAA? And
6 by that, I mean are you having -- is it a contentious type of
7 thing, is it very cordial?

8 A. Yes. I mean I've never, I've never had any problems
9 communicating with them, and I would say, you know, I've had the
10 most communication with Laddie. Here recently Jim, which is James
11 Spidel, he's got up in a management position, and I've emailed
12 with him and talked to him on the phone as well. But I would say
13 they've always been quick to respond and helpful. I've never felt
14 like they've tried to hold anything back or hide anything.

15 Q. Okay. So just so I know, the last time you went there --
16 you've only physically been there the one time, right, last year?

17 A. Yes.

18 Q. Okay. Okay. Do the other members of the CMT go down there
19 more often that you're aware of?

20 A. Not that I'm aware of. I mean they've got the same schedule
21 as, you know, I guess we get. I don't know how many I would say
22 assignments per se that the maintenance personnel get. They have
23 the option of splitting them up and doing at different times.

24 But from what I understand is they typically go once a year
25 unless, you know, if there's complaints or accidents or other

1 incidents or any other reason why they would need to go, you know,
2 they're adding an aircraft or conformity.

3 If there's other reasons to go, then we would go, and we have
4 the option to pop in as well. You know, we spend our time and we
5 try to focus on the risk base, and if there's no risk -- if we
6 have more risk in other operators, then we might focus on other
7 operators.

8 Q. Okay, that makes sense. So are you aware, how does McNeely
9 perform operational control?

10 A. I know the majority of the responsibility is with the
11 director of operations. The majority of the responsibility is
12 with him and I know -- I guess, what part are you trying to get
13 at?

14 Q. So the director of operations also flies, or in this case he
15 did fly, right? So do you know how that would fall when he was
16 out on the road, would he still retain and be the operational
17 control guy then? When he's flying, do you know if that was
18 delegated off?

19 A. From my understanding, he can. And recently, I guess, we
20 talked -- I talked with the operator, and I believe we talked a
21 little bit after the accident about it, and I guess I tried to dig
22 into the GOM more and to really get to know him, you know, at a
23 different level I guess after the accident. But I know that he
24 can and he's got the responsibility. I don't know that day, I
25 can't recall exactly --

1 Q. Okay.

2 A. -- you know, who had operational control, who did that that
3 day. I did speak to, I believe, Laddie and maybe Jim as well
4 about it but --

5 Q. Okay. Do you recall ever doing an operational control
6 inspection or surveillance at McNeely?

7 A. Well, we do -- whenever we do our annual check, there is, I
8 guess we call it a DCT event, and the name of it is operational
9 control.

10 Q. Okay.

11 A. That's when we do go in and there's certain questions that
12 we're required to answer on that operator.

13 Q. Okay. And nothing stands out to you that you recall?

14 A. No. I mean, I usually ask questions. I can't remember
15 exactly which questions I asked that day, but did have Reggie and
16 Laddie both in there. It seems like I remember somebody else
17 popping in at some point. I don't (indiscernible) everybody, but
18 I remember them two in there.

19 And I asked some questions. I typically, you know, look over
20 their flight duty times along with their trip records and see if
21 it meets the regulation and see if they had operational control,
22 see if they had all the documents together.

23 Q. Okay. So since you mentioned kind of the documentation and
24 things, what is your understanding as to when duty time starts?

25 A. Well, I guess it depends on the operator. I guess within

1 their GM I know they -- if they've got something listed in there
2 saying that they need to arrive 30 minutes I believe prior to
3 their flight time starting, then such duty time would start.

4 I don't see any definition, you know, in their GM of when
5 their duty time would end, you know, if it would be right after
6 the flight or exactly when that would be.

7 Q. Okay. So in this case, you know, Reggie was the director of
8 operations and he also flew for the company. So when he would
9 come into the office prior to flying for work-related duties,
10 would that be considered duty time?

11 A. Is duties for the operator.

12 Q. Okay. Okay. Do you know if they had -- if McNeely had set
13 duty times or if they did the 24 hour lookback?

14 A. Set duty, duty times as a schedule?

15 Q. Yeah, scheduled duty times are 24 hours.

16 A. I do not.

17 Q. Okay.

18 A. I don't recall. I remember reading -- I looked at their
19 flight duty log while I was there. I mean, to me, it met the
20 regulations in as far as their hour requirements, the minimum
21 times of their flight times that they could have and their rest
22 time in between. But I do not know if they are on --

23 Q. Okay.

24 A. -- rotating schedule or how that works.

25 Q. Okay. So with the way -- it's my understanding, you know,

1 McNeely, they had a list of pilots that were available to accept
2 flights, so they may say, my availability starts on Tuesday at
3 8:30 in the morning. When a flight comes in, call the first pilot
4 down the list and find out, you know, can you accept this flight,
5 yes or no, if the pilot had the option to decline the flight. But
6 basically your understanding, would they be on duty and kind of
7 this reserve type status availability, when would their duty time
8 start with that? Would it start when they accepted the flight?
9 Would there ever be this availability time that was counted
10 towards duty?

11 A. I mean, I'd say by definition, if you have any obligation to
12 that operator where you don't know if you can travel or you don't
13 know if you can have a drink or if you don't know, you know, if
14 you don't know -- if you've got an obligation to ask him that.
15 I'd say by FAA definition, they would be on duty -- you know, if
16 they don't have an obligation, they can turn it down. If that's
17 true, then I guess they wouldn't be on duty, you know.

18 Q. Okay.

19 A. But in their GOM, I don't know of a set schedule or a set
20 definition of what they would define when their duty starts.

21 Q. Okay.

22 A. So I'm unclear, yes, of their procedure on that. I know I --
23 I don't know.

24 Q. Okay. So let's shift a little bit. I want to talk about
25 check rides and 135 qualifications a little bit. So Reggie was

1 the only pilot on the MU-2. His 135 check rides were signed off
2 by a Mr. Pat Cannon. So do you know, was he a company check
3 airman?

4 A. What was his name again?

5 Q. Pat Cannon.

6 A. Pat Cannon, Patrick Cannon?

7 Q. Yes.

8 A. Yes, he was -- I believe he was one of the contract check
9 airman, I remember the name. I didn't really do anything with him
10 except for I believe he was a contract check airman if I remember
11 correctly.

12 Q. Okay. All right. So since the accident, you said you've
13 been working with the company a little bit, a little bit more
14 since then on DUM changes and personnel and other things like
15 that. Can you kind of give me an overview of what's changed
16 procedurally at the company?

17 A. Well, official changes in the GOM on procedures -- I'm just
18 trying to make sure. I don't think we've had procedures change
19 yet. There was a management personnel that was changed. I'd say
20 that was the first thing, and it happened fairly quickly, and they
21 wanted to fill that spot, the flight line and director of
22 operations.

23 I forget who at the time was the chief pilot. I can go back
24 and look at the (indiscernible), but it was a short period. And
25 then they talked it over and they, you know, kind of dealt with

1 that operation for a little bit. And we decided to -- or they
2 decided to swap and change the director of op and the chief pilot
3 over time. That's where they're at now.

4 I know that they're working on, working on things. I know
5 they're working on a big GM revision right now. But to answer the
6 question, no, I don't know of any procedure changes because GM
7 hasn't reflected that yet.

8 Q. Okay. All right. Have you ever received any concerns about
9 the company from pilots or anyone else, any complaints, concerns?

10 A. No, I have not received any complaints.

11 Q. Okay.

12 MR. WILLIAMS: All right. So I've been talking for half an
13 hour, so I'm going to take a pause here. I'm going to pass it off
14 and let Courtney ask some questions. Thank you, Nathan, I
15 appreciate it.

16 THE INTERVIEWEE: Yeah.

17 BY MS. LIEDLER:

18 Q. Good morning, Nathan. I've got a couple of questions here.
19 Give me a second to find that. (Indiscernible). Let me go back
20 to find them. So, when you -- you had mentioned that when you go,
21 you know, that you'll go in sections at McNeely or any operator
22 for that fact. Can you tell me, when you do an inspection, what
23 items are you looking for? What are you looking for during those
24 inspections?

25 A. I mean, the majority of the 135 operators will be the same

1 but, you know, everybody's operational different. We have, you
2 know, what we call data collection tools. We've got a set of
3 questions that are made by the FAA scoped for that specific
4 operator.

5 And I would say in general we're always going to look at the
6 training records, make sure everybody is checked, make sure check
7 airmen have been observed. We're going to look at their flight
8 duty times; we're going to look at any weight and balance, trip
9 records. Make sure they have current DUM.

10 You know, I guess within those, we'll ask questions to make
11 sure that they're -- not only do they just have it on paper but
12 they're following the regulations with it as much as we can tell.
13 I guess any other manuals that they need to have, and we'll go
14 look in the aircraft to do a rank inspection usually to see if
15 they've got their LOAs in there, a GOM is there and updated. We
16 could check with the pilots to see if they have been distributed
17 to view in current revision, and the list goes on.

18 I mean, typically we have our -- we get in our program and
19 we've got our questions, and we go down line by line and they're
20 kind of vague and kind of overtop questions, and then we try to
21 scope down and look exactly at what we need to.

22 Q. Okay. And you said these data collection tools, they're made
23 by the FAA and they're scoped by the operator. Who scopes those
24 questions? Who defines -- like who sets those types of scope?

25 A. The inspectors over the certificate. So they've got what we

1 call vitals, and we basically go down through those and, you know,
2 if it's -- let's see, if they've got exemptions, and then we'll
3 check a box that says exemptions. And then that might populate
4 questions during that inspection to, you know, see if they're
5 operating within the exemption or something.

6 But it, you know, just depends on how many aircraft they've
7 got and pilots they've got, what training programs they have. And
8 so the more checked boxes you have, the more questions you're
9 going to have and different types of questions.

10 Q. Okay. So is it a computer like automated --

11 A. No.

12 Q. -- system?

13 A. Yeah, so it's a computer automated system that we manage,
14 yeah, and we go through and update the profiles to scope the
15 operator, and that happens on a regular basis. I mean, we'll
16 rescope as needed depending on if they change personnel or add
17 aircraft or change the operation.

18 Q. Okay. And that tool is used every -- when you -- do you
19 do -- when you visit them, do you visit them, you said about once
20 a year, is it like an annual visit -- gosh, most like -- okay, an
21 annual inspection? Okay, we did it in November this year; we're
22 going to do it in November next year? Or is it just in the course
23 of a year?

24 A. Well, so if we do it in the third quarter of this year, it
25 would automatically populate to redo it the third quarter of next

1 year. We have the option to bring it forward and do it every
2 quarter if we feel the need to, if there's a high risk there. We
3 have the option to split it apart and do little pieces of it every
4 month, every quarter, and it's kind of just up to us. But
5 typically, you know, it's automatically put in one year later, and
6 that's when we plan on doing it. So that's how I do it; that's
7 how the majority of the inspectors do it that I'm aware of.

8 Q. Okay. And when you're there and you're doing -- you know,
9 you mentioned that you look at training records, look at flight
10 duty times, look at weight and balance. Can you tell me, what
11 does it look like -- what does that inspection look like when
12 you're looking at records? How do you -- you know, do you ask to
13 see the file or do you go to files and pick out certain pages, or
14 how do you do the records inspection like that?

15 A. I would say it varies at different operators. There's some
16 operators that don't get out anything until you ask for it, and
17 you have to ask specifically for what you need and what you want.
18 And there's other operators that say, here's my office, take what
19 you need, you tell me what I don't have. And, you know, and
20 there's others that just have it out specifically, they know what
21 you need and they've already got it laid out for you. But I'd say
22 it depends on, it depends on the operator kind of how it happens.

23 Q. Okay. And how did that -- what did that look like at
24 McNeely? How did that happen at McNeely when you did your
25 inspection?

1 A. I would say they had, they had most of it out, you know, but
2 they -- we were in a room -- I'm trying to picture it. But we
3 were in a room sitting at a table, and there was, if I remember
4 correctly, a file cabinet and a shelf with binders. And they had
5 a few things out, but I asked for anything I needed, and they'd go
6 grab it, and we'd look through it. Well, I would look through it.

7 Q. Okay. And do you recall what their flight duty records look
8 like?

9 A. I remember it was handwritten and they don't have any
10 digital. I think I remember speaking of, you know, it was kind of
11 hard to tell exactly to the, you know, to the minute of exactly
12 when duty times and things like that started. But it was still
13 legible, it was still -- you could still understand it. It had --
14 I mean, I remember there were some totals that they had kind of
15 from bottom of each segment. It was probably more work on them to
16 keep that.

17 I guess that doesn't pertain to this. I guess that -- I
18 remember talking to them about it and saying it would be easier if
19 it was digital or whatever and that would be easier to read and
20 calculate. But, you know, I mean, they were doing their thing and
21 that's fine. Had it on paper and kind of, I guess, they had the
22 hour blocks and things. I can't remember exactly what the form
23 looked like, but it was in paper form.

24 Q. Okay. And other than advising them to or recommending that
25 they go digitally for ease, were there any other -- did you find

1 any other -- did you have any other comments on that, on the duty
2 records?

3 A. No. I had asked for a couple trip records. I can't recall
4 exactly whose duty logs I looked at. I looked at a couple. We're
5 not required to look at everybody's, but if we see issues with
6 one, then we'll keep asking for more and look for more. I just
7 remember -- and typically what I'll do, too, is just balance a
8 flight duty log off the trip record, you know, and see if that
9 pilot -- and I'll get the training record, too, but I'll see if
10 that pilot was trained and he was off duty prior and, you know, he
11 didn't get over 8 hours in flight time.

12 You know, just go through each one of those and make sure
13 their annual times are good, quarterly times and all that. And
14 just by looking at the paper and, you know, it did appear -- I
15 know you all had mentioned about off duty. You know, it appeared
16 from the paper, I mean, that they had the rest time, but they had
17 it logged of -- I forget their markings, but they had certain
18 areas where it was flight time and duty time.

19 Q. You had mentioned just in (indiscernible) you had mentioned
20 that make sure that they didn't go over 8 hours of flight time.
21 Is that the limit in the regulations that you're aware is 8 hours
22 or how does the duty time -- how do you set duty time limits?

23 A. Well, the flight time was 8 unless you had a two-pilot crew,
24 then that can go to 10. You're saying how do you set duty time?

25 Q. Just when you looked at it you said you were accepting -- you

1 know, they didn't go over their 8 hours; you were accepting their
2 flight time versus, you know, versus trip time. And so I'm just
3 asking how you accept, you know, that flight time, whether or not
4 they are -- looked in their flight time limit? I think you just
5 answered that which is 8 hours for single crew and 10 hours for --
6 A. Yeah, when they had their start time and their end time, and
7 then at the bottom of each segment, like I said, they had, they
8 had some totals. And they've got their form of the GOM, I can put
9 it up to recall some things but, you know, they show when they
10 started and when they stopped.

11 Q. Okay. Okay. You talked about an operational control
12 inspection and you mentioned that Reggie and Laddie were both
13 there for that. Can you tell me -- you said you can't remember
14 exactly what questions you asked, but can you give me like some
15 examples of the questions that you asked for that during that
16 inspection?

17 A. I mean, well, so our questions are vague and then one of them
18 may be, you know, was the operator -- I was trying to think of the
19 exact wording of it. I can pull them up, I mean, I don't know if
20 you want me to do that or not. But I think it was something like
21 ten questions, very vague, and was the management personnel aware
22 of the safety and responsibility they have for operational
23 control. You know, and in that we -- it points to regulations and
24 it asks some of -- I would say some of them have underlying
25 questions, but a lot of them don't.

1 And it's up to us to figure out what to ask and what to look
2 at to make sure they're doing that, that they have operational
3 control of that. And I would say, to me, it was a lot more
4 questions to management personnel than just how they do it. We
5 talked about flight following, and I made sure -- you know, I
6 guess in the GOM, we're supposed to make sure who has operational
7 control, and with them, it's their upper management personnel.
8 Usually just --

9 Q. (Indiscernible) that you said at McNeely it's what?

10 A. Please say that again.

11 Q. You said who had operational control, and you said with
12 McNeely it's who?

13 A. All three management personnel had the authority for
14 operational control.

15 Q. Okay, thank you.

16 MS. LIEDLER: All right, Nathan, I think that's all the
17 scratch I can see in my notes at this point. I may come back to
18 you, but thank you.

19 MR. WILLIAMS: Thanks, Courtney.

20 Matt.

21 BY MR. RIGSBY:

22 Q. Nathan, just a couple of questions. Did you ever give any
23 check rides to Reggie?

24 A. I did not.

25 Q. Okay. Any of the other pilots at McNeely?

1 A. No, I was not authorized to do that. I was not -- I've been
2 in the agency 3 years, but I have not gone through the total prep
3 training center. I always thought I (indiscernible) give him
4 (indiscernible) check rides.

5 Q. Okay. When you took over McNeely, did you get any type of
6 continuity of transfer from the former POI or were you just kind
7 of handed McNeely?

8 A. I've been handed multiple operators from a couple different
9 POIs. From what I remember, whenever he left, he had -- I don't
10 want to misspeak. I think he had emailed a list of kind of items
11 to our management, if I remember correctly. And the biggest thing
12 that would help for transfer is our program that we have that some
13 of our questions are on, so it shows, you know, previous
14 inspections. And I typically tried to -- and within -- I looked
15 back to see at least some history of communication, you know, just
16 what happened with the operator.

17 But I would say, too, I mean, in my first meeting with the
18 operator, which was last year, I usually try to ask more questions
19 and just get to know their operation. But, anyways, to answer the
20 question, I'm not -- I believe he did the email to where it was --
21 it was kind of rundown on operators.

22 Q. Okay. When you were there at McNeely on your visit, did you
23 talk to other pilots, followers or kind of give an overview of
24 what?

25 A. No, so that day, I can't remember if I talked to the director

1 of maintenance. It seems like I did meet him. I usually don't
2 have much interaction with the director of maintenance, it's
3 usually the maintenance inspector, but I feel like I met him
4 though that day in person, I'd talked to him. But no, as far as
5 the other management personnel, Laddie and Reggie, they were
6 there, you know, I spoke with both of them.

7 Q. Okay. Do you have a copy of McNeely's GOM there in the
8 office, a hard copy, or is it an electronic copy?

9 A. I've got -- well, we just have (indiscernible) paper in our
10 electric, electronically.

11 Q. Okay. And they're submitting all their updates and
12 everything electronically to you?

13 A. Yes. I mean, I guess it's COVID that kind of -- before COVID
14 I think that they did all -- you know, they -- I believe they
15 mailed those in, but definitely after COVID I requested electronic
16 copies (indiscernible).

17 Q. Okay. Do you have -- have you done any updates to the GOM
18 since you've been the POI?

19 A. I've done two, but like I said, it was just after the
20 accident with the management personnel. That was the only --
21 that's the only few changes that -- I'm not 100 percent sure I
22 haven't had any prior to that.

23 Q. Okay.

24 A. I'd have to look back at records.

25 Q. Going back to the question on duty time, you said you believe

1 -- was that 30 minutes before the flight or did you say 30 minutes
2 before that they get -- or 30 minutes after they arrive at the
3 airport, I'm sorry, as far as --

4 A. I think I said 30 minutes before their flight.

5 Q. Okay.

6 A. I'd have to look in the GOM, but it says 30 minutes prior to
7 something, and I think it was -- it may be their scheduled
8 departure. I don't recall the exact wording, but I believe it was
9 prior to flight.

10 Q. Okay.

11 MR. RIGSBY: That's it for me. Thank you.

12 THE INTERVIEWEE: Yeah.

13 MR. WILLIAMS: Thanks, Matt.

14 Todd, do you have anything? You're muted, Todd.

15 MR. OBRITSCH: This (indiscernible) wasn't working so --
16 anyway, I've got one -- or a couple question questions I guess.

17 BY MR. OBRITSCH:

18 Q. As far as the operator goes, were they pretty compliant? You
19 know, if you needed something, was it pretty easy to get it from
20 them? If you needed revisions and MELs or whatever it be, were
21 they pretty easy to work with?

22 A. Yeah, definitely easy to work with. They're usually really
23 quick I'm getting things back. I mean, with that said, I mean,
24 right now, we do have two, two MEL revisions that we're working
25 that, I guess that's been back and forth between the operator and

1 the maintenance inspector. I mean, that's been taking a while,
2 but that's not necessarily any -- they have an MEL in place, but
3 they're updating it, and that's taking a little bit of time, but
4 it's not necessarily on their -- isn't their fault. I mean, we're
5 both kind of back -- back and forth, you know. But, everything
6 else, yeah. If I've asked for it, I've gotten it.

7 Q. Okay. And I'm not sure if I heard you correctly before, did
8 you say there was a GOM in the process of being revised?

9 A. I would say not officially because I haven't received it, but
10 yes, they're working on revisions. Like they haven't put in any
11 kind of request or anything. They have not sent it to me yet to
12 revise.

13 Q. Okay. Do you know -- you wouldn't know what the content
14 they're revising by any chance, would you?

15 A. Well, I mean, I spoke to them recently and we talked about
16 it, but I couldn't tell you the all conclusive [sic]. But no,
17 they're looking at offers for the control portion. I don't recall
18 anything else, but it sounded like a bigger revision, so I'm sure
19 there's other things involved.

20 Q. All right.

21 MR. OBRITSCH: Thanks, that's all I have.

22 THE INTERVIEWEE: Yeah.

23 MR. WILLIAMS: Okay, thanks, Tom.

24 And Laddie, last but not least.

25 MR. HOSTALEK: There you go.

1 BY MR. HOSTALEK:

2 Q. Hi, Nathan, how you doing?

3 A. Okay, I'm good.

4 Q. Good, good. And just a couple quick things. Do you think
5 that the COVID restrictions that your office and other offices and
6 government agencies right now, restricting how often you could
7 physically visit your operators -- in other words, how often you
8 can physically go to an operator's location and visit with them,
9 are the COVID restrictions affecting that?

10 A. I would say it depends. So right now, we cannot travel for
11 anything that's unnecessary, but as far as surveillance goes, we
12 kind of have the option of getting out to the operator. If we
13 have any kind of health concerns, you know, where we don't feel
14 safe, then we have been given the opportunity for us not to go and
15 maybe seek out other people that could go.

16 But I would say it's definitely risk-based there. I know
17 there are some of -- you talked about agency wide. There are
18 other FSDOs that are kind of doing it differently where if they
19 can't go then it just doesn't -- you know, I don't know how hard
20 they try to get another resource.

21 I would say, within our office, we've been doing more virtual
22 type of either -- not surveillance virtual but more communication
23 virtual. I would say there are less visits, but we are not
24 restricted to not going.

25 Q. Okay. With regard to the GOM revision you mentioned, do you

1 recall if that had to do with A25 that -- McNeely Charter
2 discussing going to A25 electronic dispatching --

3 A. Yeah.

4 Q. -- moving for electronic records to make it easier for you to
5 look at while you're not even physically at the office?

6 A. Yeah, yeah. That was definitely one of the other items. I
7 had forgotten what all had been talked about, yeah. I guess that
8 was definitely one of the updates going too.

9 Q. All right.

10 MR. HOSTALEK: Okay. Thanks, that's all I have right now,
11 Shaun.

12 MR. WILLIAMS: Thanks, Laddie.

13 So, Nathan, I don't have any additional questions. We'll go
14 around and make sure -- see if anybody else does, and then we
15 should be able to wrap up with you here.

16 Courtney, do you have anything additional?

17 MS. LIEDLER: I do. I have one -- a couple more questions
18 for him.

19 BY MS. LIEDLER:

20 Q. So you had mentioned that, for duty time, their GOM, that
21 starts 30 minutes before the flight. So if -- in going back to
22 when their duty times start, if an operator -- I mean, if a trip
23 is offered to a pilot at 2 p.m. in the afternoon and they don't
24 start -- their trip doesn't start until, you know, 6 p.m. that
25 day, you know, are they -- that period of 4 hours in between, is

1 that considered duty time or are they -- or not until 30 minutes
2 before their flight? Even though they've been offered the trip,
3 they accepted it at 2 p.m., does their duty time clock start at
4 2 p.m. or 30 minutes before the flight? I think I'm not clear on
5 that.

6 A. Okay. I went ahead and looked it up in the GOM real quick
7 because I want to make sure I said this correctly. What it says
8 is report for duty not less than 30 minutes prior to scheduled
9 departure time for the accomplishment of preflight inspection and
10 documentation. So if they had to report 4 hours early for
11 whatever reason then, yes, the duty time -- I mean, if they're --
12 by definition with the FAR is, if they're there and obligated for
13 company duties, then they're on duty.

14 And, you know, pertaining to your question about receiving a
15 phone call to report to duty, I guess -- I've been trying to verse
16 myself on just a phone call and if they get a phone call they can
17 not answer. It doesn't say in the GOM, but if they have the
18 opportunity to not answer it and the opportunity to not go on the
19 flight, I would say they're not on duty. But if -- you know, if
20 they answer the phone and they go in 30 minutes prior, I mean, I
21 would think they're going on duty 30 minutes prior.

22 Q. Okay. So even if they answer the phone at 2 p.m. and say,
23 yeah, I (indiscernible) to begin at 6:00, their duty time doesn't
24 start until 30 minutes prior; is that what I'm understanding?

25 A. I feel like I'd have to dig back in the rules to make sure,

1 but if, if they are required to be available to answer the phone
2 at 2:00 and they do answer the phone at 2:00, then yeah, they were
3 scheduled to have to answer the phone at some time. Honestly I'm
4 not 100 percent sure; I'd have to look back in the rules to make
5 sure.

6 Q. Okay, okay, no problem. Do you recall -- I'm sorry, what --
7 your last inspection you said was the summer before this. Can you
8 tell me when was the last inspection you -- the only inspection
9 that you did face-to-face, when was that? Do you have a date, a
10 month?

11 A. I can look it up, but I know it was four quarters ago. I can
12 get an exact date here in just about 15 seconds.

13 (Pause.)

14 A. All right. The date I closed these out was December the 11th
15 in 2019. It shows a start date of 12/9 of 2019. I believe I
16 probably should have -- I probably would have gone out there on
17 the 9th. I'll look back at the calendar.

18 Q. Okay, December 2019?

19 A. Yeah. I've got a couple day range there, and that was
20 because I had put in some data, and then I was going to finish the
21 report within a day or two. I don't have an exact date on my
22 calendar that I went down there, but it was, it was between
23 December 9th and 11th.

24 Q. Okay, no problem, December '19.

25 A. It's on my calendar for December the 9th.

1 Q. Okay. And then you had mentioned a list of questions that
2 you did for operational control, when you were talking to Reggie
3 and Laddie about operational control. The questions, you know, if
4 you could -- if we could get those, that would be great just so I
5 have an understanding of what kind of questions were asked as far
6 as operational control during your inspection there.

7 A. Okay. I know that surely I can give you all a general idea
8 of the questions. I don't know -- I know that I cannot give these
9 exact questions to operators and such. I would have to
10 determine --

11 THE INTERVIEWEE: I don't know if, Mark, if you can answer on
12 that? I mean, I may be just going --

13 MR. WILLIAMS: I'll put in -- this is Shaun. I'll put in the
14 official request for the SAS documents and the DCTs and things
15 like that, so we'll grab that through the official channels with
16 AVP-100.

17 THE INTERVIEWEE: Okay.

18 MR. TOMICICH: Does that make sense, Courtney? I think what
19 Nathan is saying is we have generated questions, and we can
20 obviously provide those, but any follow-up that are just kind of
21 on the fly, he may not remember those, so what you're getting is
22 kind of what the general generated questions are. Does that make
23 sense?

24 MS. LIEDLER: Got you.

25 MR. TOMICICH: Okay.

1 UNIDENTIFIED SPEAKER: I think what you wanted, correct,
2 Courtney, was what the initial questions are?

3 MS. LIEDLER: Correct.

4 UNIDENTIFIED SPEAKER: Yeah, Shaun, if you can put that
5 request in, we'll work it through that way. That would be the
6 best way. Thank you.

7 MS. LIEDLER: Okay. There's nothing else from me. I
8 appreciate your time. Thank you.

9 THE INTERVIEWEE: Yeah.

10 MR. WILLIAMS: All right. Thanks, Courtney.

11 Matt, do you have any follow-up?

12 MR. RIGSBY: I don't have any additional follow-ups. Thanks
13 for your time, Nathan.

14 THE INTERVIEWEE: Yeah, no problem.

15 MR. WILLIAMS: Thanks.

16 Todd?

17 MR. OBRITSCH: Nothing from me here. Thank you, Nathan.

18 THE INTERVIEWEE: Yeah.

19 MR. WILLIAMS: Thanks, Todd.

20 And Laddie, do you have anything else?

21 BY MR. HOSTALEK:

22 Q. Hi, Nathan, just a couple quick questions. Since you've been
23 POI, have you had any concerns with any pilot flight or duty
24 limitations or seen any problems that you think could affect the
25 safety of the operation?

1 A. No, I mean, nothing. Whenever I was doing the inspection, I
2 mean, I don't recall any questions that I asked that I felt
3 worried or felt like there was an issue. You know, I mean,
4 checked showing that the operation met the regulations and duty
5 limitations and duty time limitations and things like that. No, I
6 haven't had any concerns. I didn't have anything come up to need
7 to be concerned.

8 Q. Great. And in the 35 years plus that McNeely Charter has
9 been working with Little Rock FSDO and multiple POIs, did you get
10 any reports from your predecessors or your managers to have any
11 concerns with regard to flight and/or duty time limitations and
12 McNeely Charter affecting the safety of the operations?

13 A. No.

14 Q. Okay.

15 MR. HOSTALEK: Thank you, that's all I've got, Shaun.

16 MR. WILLIAMS: Okay. Thanks, Laddie.

17 So, Nathan, I think that about does it for us. Is there
18 anything we didn't ask that you'd want to add or anything like
19 that?

20 THE INTERVIEWEE: I can't think of anything, no.

21 MR. WILLIAMS: Okay, all right. I'm going to stop the
22 recording, and we are --

23 (Whereupon, the interview was concluded.)

24

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

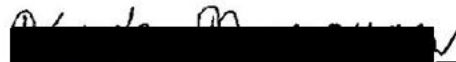
IN THE MATTER OF: FATAL CRASH OF MITSUBISHI MU-2B
AIRPLANE N44MX NEAR SIOUX FALLS,
SOUTH DAKOTA, ON JUNE 7, 2020
Interview of Nathan

ACCIDENT NO.: CEN20LA215

PLACE: Via telephone

DATE: October 7, 2020

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.



Wade Donovan
Transcriber



NTSB RECORD OF CONVERSATION

Investigator name: Shaun Williams
Title: Senior Aviation Accident Investigator
Region: Central

Date: 24 August, 2020
Person Contacted: Laddie Hostalek
NTSB Accident Number: CEN20LA215

Narrative:

Mr. Hostalek called multiple times on Thursday, 8/20/2020 and then again on 8/21/2020, this time leaving a voicemail. I returned his call on 8/21/2020 at 1124 central daylight time and we spoke for about 23 minutes. During this call, Mr. Hostalek stated that he would not answer any of the following questions in writing that were contained in an email to him on 8/19/2020 because they used the term "on call" which is a term they do not use, although this term came from pilot interviews. He did however agree to a follow-up interview to allow for clarification.

1. "When a pilot goes on call on day one at say 0800 and gets a call about a flight at 2100, usually, when does that call come in? Meaning, is it a last minute thing or does it normally happen earlier in the day?"
2. When a pilot is called for a trip that happens later in the day/night, are they specifically put on rest or told that they are now on rest until that time?
3. Are they still expected to answer the phone throughout the day up until their flight?"

He stated that the concern lied with the use of the term "on-call." He said that at McNeely, pilots are never on call and are actually "always on rest." He stated that they do not assign rest periods. He repeated several times that per FAA interpretation, they are allowed to call a pilot one time while on rest without it affecting the rest period. Also, he said that pilots are not required to answer the phone or accept a trip, so therefore there is no expectation of a flight assignment. If a pilot does answer, they are still on rest until they show up to the airport for the flight. Once the flight is complete, they are then back on rest.

END OF CONVERSATION

Williams Shaun

From: Clane Campbell [REDACTED]
Sent: Tuesday, August 25, 2020 5:21 PM
To: Williams Shaun
Cc: Liedler Courtney
Subject: Re: NTSB Follow-Up Question

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Good day,

Before I address the second part(scenario) of your first question I would like to go ahead and explain something because base on how the question is writing I think that the word "On Call" has been miss used by me or misinterpreted. I used the word on call in layman's term however I can see how it could be misinterpreted base on the legal terms. What I meant when I said that I am "on call" is that I am "available" to accept a call at such time. I am not at the airport sitting around waiting for a call I am on my own time could be at home sleeping, walking the dogs even go to the store I just know that I have to be responsible and don't stray too far from home.

To address your questions:

1. Your first question states that "when I come on call the first day at 0800" for clarification it's not that I am on call as in been on duty but I am now available to accept a call for a potential trip.
2. I am told about a trip an hour and a half minimum in advance to a trip.
3. As I explained in the beginning of this email, if the trip is at 2100 and let's say they called me at 08:30 I was never on duty I was available to take the call at that time there is never a need for them to tell me that I am on rest as I never came off rest.

Second email question.

1. I can't speak for the company and their expectations but I would assume that they are expecting me to take the trip as that's how the company makes money, however I have all right to no accept a trip as I see fit without been penalized.

Thanks in advance and I hope I could be of some assistance.

Sent from my iPad

On Aug 25, 2020, at 9:49 AM, Williams Shaun [REDACTED] wrote:

Hi Clane,

I just realized it appears I got your email address incorrect last week when I sent this out. Can you please respond to the questions below in addition to one more?

When you start availability for the company, is there any expectation that you will take a trip once called?

Thanks,

Shaun Williams
Senior Aviation Accident Investigator
National Transportation Safety Board
4760 Oakland Street, Suite 500
Denver, CO 80239
Phone: [REDACTED]

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From: Williams Shaun
Sent: Wednesday, August 19, 2020 8:58 AM
To: [REDACTED]
Cc: Liedler Courtney [REDACTED]
Subject: NTSB Follow-Up Question

Hey Clane,

Thanks again for speaking with us yesterday. I just had one follow-up question:

When you come on call the 1st day, at say 0800 and you are assigned a trip, how far in advance are you told of the trip? Also, let's say it is for a 2100 flight, are you told that you will be on rest for a period of time before that or is it just expected that you are on rest when not at the airport for the flight?

Thanks,

Shaun Williams
Senior Aviation Accident Investigator
National Transportation Safety Board
4760 Oakland Street, Suite 500
Denver, CO 80239
Phone: [REDACTED]

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Williams Shaun

From: [REDACTED]
Sent: Tuesday, September 8, 2020 6:08 PM
To: Williams Shaun
Cc: Liedler Courtney; [REDACTED]
Subject: RE: FW: Follow-up Question

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Shaun,

I apologize for the delay in my response.

To answer your first question.

If my availability begins on the 1st at 0800 as you described, I could be notified at anytime after 0800. For this hypothetical 2100 flight, let's say I was notified at 0900, it would be assumed that I was on rest then, until 2100, when I would report to the airport. I would still be on rest because I never came out of rest, I was simply notified of this upcoming trip.

To answer your second question.

When I begin my availability, I am letting the company know I'm available at that point forward, and would take a trip should they offer it. As far as the companies expectations? To me, It's not unreasonable that the company would hope their pilots accept trips. That is our job, and considering I told them I'm available, that seems fair. But if what you mean is can we refuse said trip? The answer is still yes, and though I've never had to do it, I am confident it would be without reprimand.

I would like to clarify something I've noticed throughout this interview process. There seems to be some confusion about the colloquial differences between "available" and "on call", or rather how our company defines the terms. "Available" means we are around, generally within a hour to an hour and a half of the airport, and could take a trip if we were asked. We do tend to use the terms "on call" and "available" interchangeably. Wether or not that is how you would define tese terms. This does not mean we are on duty, just that we are available and could be called.

Hope this helps.

Thank you,

Preston Pope

----- Original Message -----

Subject: FW: Follow-up Question

From: Williams Shaun <[REDACTED]>

Date: Tue, August 25, 2020 7:54 am

To: [REDACTED]

Cc: Liedler Courtney [REDACTED]

Hi Preston,

I wanted to check in with you and add one question to the ones below for your response.

When you begin your availability for McNeely Air Charter, is there any expectation for you to take a flight once called?

Thanks,

Shaun Williams
Senior Aviation Accident Investigator
National Transportation Safety Board
4760 Oakland Street, Suite 500
Denver, CO 80239
Phone: [REDACTED]

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From: Williams Shaun
Sent: Wednesday, August 19, 2020 8:57 AM
To: [REDACTED]
Cc: Liedler Courtney [REDACTED]
Subject: Follow-up Question

Hey Preston,

Thanks again for speaking with us yesterday. I just had one follow-up question:

When you come on call the 1st day, at say 0800 and you are assigned a trip, how far in advance are you told of the trip? Also, let's say it is for a 2100 flight, are you told that you will be on rest for a period of time before that or is it just expected that you are on rest when not at the airport for the flight?

Thanks,

Shaun Williams
Senior Aviation Accident Investigator
National Transportation Safety Board
4760 Oakland Street, Suite 500
Denver, CO 80239
Phone: [REDACTED]

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Williams Shaun

From: Amos Zook [REDACTED]
Sent: Thursday, September 10, 2020 8:29 PM
To: Williams Shaun
Subject: Re: NTSB Follow-Up Question

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Hello Shaun,

In this scenario my required rest ends at 0800, I'm available but still on rest when not at the airport for the flight. It varies how far in advance we are told about a trip, it could be weeks, days or hours.

I hope this answers your questions

Amos Zook
[REDACTED]

On Aug 19, 2020, at 7:00 AM, Williams Shaun [REDACTED] wrote:

Hey Amos,

Thanks again for speaking with us a few weeks ago. I just had one follow-up question:

When you come on call the 1st day, at say 0800 and you are assigned a trip, how far in advance are you told of the trip? Also, let's say it is for a 2100 flight, are you told that you will be on rest for a period of time before that or is it just expected that you are on rest when not at the airport for the flight?

Thanks,

Shaun Williams
Senior Aviation Accident Investigator
National Transportation Safety Board
4760 Oakland Street, Suite 500
Denver, CO 80239
Phone: [REDACTED]

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system. Any use, distribution, or disclosure of this message by unintended recipients is not authorized and may be unlawful.

Williams Shaun

From: Laddie J. Hostalek [REDACTED]
Sent: Thursday, September 10, 2020 11:01 PM
To: Williams Shaun
Subject: RE: Follow-Up Question

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Shaun,

In response to your follow-up questions:

1. When a pilot goes on call on day one at say 0800 and gets a call about a flight at 2100, usually, when does that call come in? Meaning, is it a last minute thing or does it normally happen earlier in the day?

Answer: The Company does not place pilots "on call" in this context. However, if "a call come(s) in", that time could vary. It may be an hour and a half or days before the flight.

2. When a pilot is called for a trip that happens later in the day/night, are they specifically put on rest or told that they are now on rest until that time?

Answer: They are aware that they are in rest.

3. Are they still expected to answer the phone throughout the day up until their flight?

Answer: No.

Thank you,

Laddie J. Hostalek
Check Airman
McNeely Charter Service, Inc.
[REDACTED]



www.mcneelycharter.com

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From: Williams Shaun [mailto:[REDACTED]]
Sent: Wednesday, August 19, 2020 8:24 AM
To: Laddie J. Hostalek
Subject: Follow-Up Question

Hey Laddie,

I had a couple follow-up questions for you from yesterday.

1. When a pilot goes on call on day one at say 0800 and gets a call about a flight at 2100, usually, when does that call come in? Meaning, is it a last minute thing or does it normally happen earlier in the day?
2. When a pilot is called for a trip that happens later in the day/night, are they specifically put on rest or told that they are now on rest until that time?
3. Are they still expected to answer the phone throughout the day up until their flight?

Thanks,

Shaun Williams
Senior Aviation Accident Investigator
National Transportation Safety Board
4760 Oakland Street, Suite 500
Denver, CO 80239
Phone: [REDACTED]

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