

DCA24FA017

OPERATIONAL FACTORS/HUMAN PERFORMANCE

Attachment 4

DuPage Personnel Interview Transcripts

January 24, 2025

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UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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RUNWAY COLLISION AT THE WILLIAM

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P. HOBBY AIRPORT IN HOUSTON,

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Accident No.: DCA24FA017

TEXAS ON OCTOBER 24, 2023

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Interview of: SCOTT SOUTHWELL, Director of Operations

DuPage Aerospace

Chicago, Illinois

Wednesday,
July 17, 2024

APPEARANCES:

SHAWN ETCHER, Investigator
National Transportation Safety Board

KATHERINE WILSON
National Transportation Safety Board

TODD GENTRY
Federal Aviation Administration

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I N T E R V I E W

(8:12 a.m.)

MR. ETCHER: Good morning, it is July 17th. It's 8:12 local time.

My name is Shawn Etcher. I'm an Operational Factors Investigator with the NTSB. We're here looking at the event that occurred in Houston last week, last year, and we're trying to learn a little bit about your company, the organization, how things run here just so we can have a good understanding of it.

Thankfully, I don't have to be the smartest one, that's why I bring some really smart people with me. I will have them introduce themselves here in just a moment. But for this, we're just going to have a conversation. We just want to learn and, hopefully, you'll be willing to teach us everything you can about your operation.

But, with that being said, let me have the smart people here introduce themselves, and we'll start with Kat.

MS. WILSON: Katherine Wilson. I am a Human Performance Investigator with the NTSB.

MR. SOUTHWELL: Nice to meet you.

MR. GENTRY: And my name is Todd Gentry. I'm with the FAA, Office of Accident and Prevention. So my role with the FAA is to investigate accidents with the NTSB. We work hand in hand on almost all accidents really.

I have zero enforcement abilities. I don't care about

1 enforcement. My job is only safety. So, saying that, I want you
2 to feel comfortable to say whatever you want knowing that it will
3 never come back in any enforcement action against you or the
4 operation. As a matter of fact, nothing you tell me will go to
5 anybody else on the CMT, CMO, your principals or anything. They
6 won't even see or even hear this conversation at all.

7 MR. SOUTHWELL: All right.

8 MR. GENTRY: So please be comfortable. Don't hold back in
9 saying whatever you feel.

10 MR. SOUTHWELL: I will do that.

11 MR. GENTRY: Yeah, thank you.

12 MR. ETCHER: That's everybody that's going to be asking you
13 questions today and everything.

14 MR. SOUTHWELL: Do you want me to introduce myself?

15 MR. ETCHER: I'll let you do that here in just a moment. But
16 before we do that, is there of any of us you don't want here?

17 MR. SOUTHWELL: No.

18 MR. ETCHER: And you can say me, and I can go get me another
19 cup of coffee somewhere, but that's okay, I won't.

20 As you can see, we are recording.

21 MR. SOUTHWELL: Yes.

22 MR. ETCHER: That recording, we will send off to a
23 transcriptionist. They will transcribe it. It takes about two
24 weeks or so to get it back. I'll go through it and make sure
25 there's no misspelled words, but that's the only changes we make

1 to it.

2 Once it's recertified, I'm going to send it to you so you can
3 review it. And if there's anything that you misstated, you know,
4 doesn't come out the way you wanted it to, we can have you write
5 an addendum to it, and we will attach it right to that transcript.
6 So we make sure everything in that transcript and your addendum is
7 100 percent accurate. It doesn't do us any good to have misstated
8 things that make things go a different direction. We'd rather
9 have everything 100 percent correct.

10 But with that, is it okay if we record and have this
11 transcribed?

12 MR. SOUTHWELL: Yes, it is.

13 MR. ETCHER: All righty. And I also need to tell you the
14 transcript itself will become part of our public docket. The
15 audio recording does not, just the transcript.

16 So, when this case opens up to the public, this transcript
17 along with all the other ones we've done will be in that public
18 docket so people, yourself, everybody can read your transcript, if
19 you will.

20 Any time anybody talks with us, they have the right to have a
21 representative present. I see you didn't bring one. Do you wish
22 to have one?

23 MR. SOUTHWELL: No.

24 MR. ETCHER: Okay. If you do need to go confer with somebody
25 or whatever, just say so. We'll hit pause, you can go phone a

1 friend, talk to whomever you need to. This is not a checkride,
2 this is just a conversation and that's it. So if you need to ask
3 somebody a question or if you feel like, ooh, I can't, I'm not
4 sure I can answer that correctly, you need to go confer with
5 somebody, just say so. I'll hit pause, we'll take a break, do
6 whatever we need. All righty?

7 MR. SOUTHWELL: Understood.

8 MR. ETCHER: I always have a few rules. We're government, we
9 got to have rules, right?

10 MR. SOUTHWELL: Uh-huh.

11 MR. ETCHER: But during this interview, I think of questions
12 in my head and they sound really good, but they just, it's just
13 not connected to my mouth so it doesn't come out nearly as what it
14 sounded like in my head.

15 If I ask something that, any of us ask something that you
16 don't quite understand, ask for clarification. It's perfectly
17 fine. I guarantee you give me something I don't understand, and
18 I'm going to ask you to clarify it a little bit.

19 If you need a break for any reason, just say so. We'll hit
20 pause, we're not on a rush, no deadline, we're just learning. So
21 if you need a break, say so, we'll take a break.

22 The most important rule I always have is if you don't know an
23 answer, I don't know works just fine. I mean, if you have an
24 opinion, just let us know it's your opinion because when I'm
25 reading through this in two weeks, or a month, or whenever I'm

1 reading through it, if I see it's your opinion then I know, okay,
2 that's his opinion. And I like to at least be able separate those
3 out as necessary. All righty?

4 MR. SOUTHWELL: Yes.

5 MR. ETCHER: Any questions before we get started?

6 MR. SOUTHWELL: No questions.

7 INTERVIEW OF SCOTT SOUTHWELL

8 BY MR. ETCHER:

9 Q. With that being said, would you please state your full name
10 and spell your last?

11 A. Yes. My name's Scott Southwell, last name spelled
12 S-o-u-t-h-w-e-l-l, and I am the Director of Operations for DuPage
13 Aerospace.

14 Q. Okay. How long have you been the director of operations here?

15 A. Approximately 15 years.

16 Q. All right. Kind of in a nutshell, if you could, tell me what
17 a director of operations does here? What's your day-to-day role,
18 year-to-year role, whatever it might be?

19 A. Director of operations, I oversee, basically, all of the
20 aspects of the 135. I, specifically, work a lot with General
21 Operating Manuals, Op Specs, the MELs, Standard Operating
22 Procedures, just the general clerical of it.

23 I do not fly at the present time, have not for approximately
24 a year.

25 Q. Okay. When you did fly, did you fly in the Hawker or any

1 other aircraft you had?

2 A. No, I did not fly in the Hawker. I flew a G200, and
3 Challenger, and, originally, it was Gulfstream G-IIs, and Falcons.

4 Q. Perfect. Since you flew airplanes, obviously, you have some
5 certificates or two, or three or four?

6 A. Uh-huh.

7 Q. What kind of certificates do you have?

8 A. I have an ATP and a CFI.

9 Q. Okay. And this is going to be the toughest question we always
10 ask everybody, ballpark, what's your total flight time?

11 A. Eleven thousand plus.

12 Q. See, I told you, those are the tough questions, now,
13 everything is --

14 A. It's in our system so if you needed to know exactly, I could
15 look it up.

16 Q. It's all good. Ballparks good enough for me.

17 First, just give us a little CliffsNotes' version of your
18 aviation history, kind of teach us where you started, how you got
19 to here, or why you got to here, all of that.

20 A. All right. I did not start in flying until 1981 with the
21 original Ultralights, where you pick them up and could run with
22 them. They had wheels but commonly called weight shift where you
23 just moved your body side to side. And that was out of
24 frustration of working in rock and roll for 10 years and,
25 basically, tired of it.

1 It very quickly became a business where I was selling them
2 then I moved to the factory in northern Iowa to work there as they
3 went through a very rapid progression. In three years, they went
4 from pick it up and run with it to two places fully enclosed,
5 gull- wing doors, electric start, dual yokes, in-cabin adjustable
6 trim.

7 Moved back to Michigan, ended up with a very small airport
8 that had 11 airplanes on it and one in the actual training fleet.
9 And through whatever good graces, we worked it up to 16 airplanes
10 and did that for about 18 years.

11 And through an associate that I had helped, I shouldn't say
12 helped, he had gotten a lot of hours in a lot of different
13 airplanes through me and did some outside work for us.

14 Was chief pilot here. There was a pilot shortage in 2000 so
15 in February of 2001, he wanted to know if I could some part time.
16 So I came over here, and he pointed at a Gulfstream G-II, and I
17 said oh, and I've been doing that since.

18 Falcon 20 was first type rating and G-II was second type
19 rating.

20 Q. Now I know you said you recently and all grand scheme of
21 things became the director of ops. How did you become into, how
22 did you come into that position? Was it something you wanted to
23 do, or is it just like hey, we need somebody? Kind of walk us
24 through that.

25 A. It was we need somebody. The previous director of ops and I

1 flew together on both the Falcon 20 and the Gulfstream G-II. He
2 had decided to semi-retire and move to Arizona. And I'd been
3 flying with him a lot so I already was somewhat familiar with what
4 his job was, not completely, but at least some. I met the
5 requirements, and I had somewhat of a business background. So
6 they needed it, and I said all right, I'll do it.

7 Q. Now I know you said you haven't flown in a little while.

8 A. It's been a year in February. I was flying, actively flying
9 the G200s and that aircraft left our fleet. And at my age, I
10 mean, I'm 72 right now, it just didn't seem to make fiscal sense
11 to send me off to be typed in something else that we had here. So
12 I figured we will just finish out my career here pushing paper.

13 Q. Okay. Do you feel not having an active flying role, if I can
14 call it, do you feel like that hinders your ability as a director
15 of ops? Do you feel like it's a good thing because it gives you
16 more time to focus? Maybe it doesn't either way, maybe you never
17 even thought of it.

18 A. It certainly doesn't hurt it at all. It's given me to time
19 take care of some, a lot of little things that you'd like to take
20 care of that sometimes you can't. And I'm still in touch with all
21 of the pilots.

22 And I think, from my own personal point of view, from an
23 ability to fly and be aware of the big picture and everything,
24 best thing I could be is a director of ops because you learn from
25 everyone else's mistakes, little screw ups, things that happen.

1 And that consistently made me a better pilot as I flew here
2 because of that experience.

3 Q. You bring up a great point, you know, we all make mistakes.

4 A. Well, John asked me, he said, do you feel like at your age
5 that you're diminishing, would you feel like if you went back into
6 it. And I said, no, not really to be real honest. I felt like I
7 was getting better every year because, again, I was more aware.

8 Q. Okay. Now you becoming more aware of learning from other's
9 mistakes, if you will, is there a mechanism here that you guys can
10 share that information with everybody else so nobody else has to
11 make the same mistake over and over again? Can you, is there a
12 way to do that here?

13 A. Yes. We have a newsletter that goes out to everybody that is
14 just a real good conveyance of, here's what we noticed, okay,
15 here's this, and we're going to, we learn from that. And besides
16 just the standard the chief pilot, you know, flies with people.

17 Q. Okay. Is there a mechanism here that, let's say, we'll just
18 talk about pilots, if a pilot makes a mistake or does something
19 wrong, is there a mechanism here where they can self-disclose it
20 so others can learn from it, or is that something that doesn't
21 work here?

22 A. Yes. We have a regular SMS system that's anonymous. So not
23 only can they report it, but other people who might have observed
24 it can report it.

25 Q. All righty. Do you have an idea, ballpark wise, how many

1 reports you might get a year, or a month, or a quarter, or however
2 you break it down through that program?

3 A. I'd have to ask Kasey, our safety manager. I would guess
4 that because it encompasses anything that they can think of from a
5 trip and fall to somebody showed up late or whatever. I going to
6 guess maybe in the 30 to 40 range a year. I'm guessing, okay, to
7 be honest on that.

8 Q. No worries. Thank you for at least clarifying that, it's a
9 guess, and I don't think that is all, 30 or 40 and stamp it in
10 stone so I appreciate that.

11 If you guys had hired me as a pilot, for a moment, first of
12 all, bad choice on your part, but if you had, and I'm out flying
13 and I have a problem with something, whether it's a problem with
14 an airplane, a problem with a fellow crew member, problem with a
15 passenger, hotel, whatever, what is the mechanism for me to get
16 that information up to who it needs to go? Is it strictly through
17 your SMS program, or is there another means for me to reach out
18 and say, hey, I've got a problem with?

19 A. We've always stressed that we can't fix something if we don't
20 know it's broken. I mean, Mike Toll, being the chief pilot, I've
21 heard him say that, I can't tell you how many different times to
22 people, you have to let us know, there's going to be no
23 repercussions, we can't fix it if we don't know what the issue is.

24 So we've tried to make it to where everybody feels
25 comfortable in coming to us also, besides the SMS.

1 Q. Now would they have to, and I don't mean to put words in your
2 mouth, but do they have to come to you or to the chief pilot, or
3 is there a formal mechanism that they can report?

4 A. No. We use the SMS as the formal mechanism and then they
5 would just ask for a meeting with us.

6 Q. Any idea how often that occurs, a meeting with you or with
7 your chief pilot?

8 A. That's generally Mike would be handling that as a chief
9 pilot. You would have to ask Mike on that.

10 Q. Okay. And we can definitely do that when we talk with him so
11 I appreciate that.

12 If somebody came to Mike with a problem and he's able to fix
13 it or he's working on it, does he bring you into the loop on that
14 too, or is that just something he takes care of himself?

15 A. Without putting words in his mouth, I would think that it
16 would deal with the severity of it, you know, whether it was just
17 a minor issue of, well, okay, catering was screwed up, but
18 somebody didn't do this or they didn't do that, or hey -- I don't
19 know another example here.

20 He will definitely talk with me. I've known Mike since 1985
21 so he would come to me or call me if he was out on the road and
22 say, hey, this is what I just handled, what do you think, or hey,
23 this was minor and I dealt with it, are you okay with it.

24 Q. Okay. Sounds like you two might communicate with each other
25 on a regular basis, is that a true statement?

1 A. Yes. My phone is basically available to everybody 24/7. And
2 I've tried to stress to the pilots that I'm one of those people at
3 3:30 in the morning when the phone goes off, I wake up, I'm
4 coherent and I can handle it. Some people aren't. But, no, it
5 rings twice, I'm up. I sleep light.

6 Q. Better you than me. At that time of the day, I'm a little
7 grumpier because I need coffee.

8 How big is your organization? How many pilots do you have?
9 What's your fleet?

10 A. We have eight airplanes total right now. We have a G7-500
11 that's coming up on two years old in September. We have a G280
12 that's approximately four years old. And I'm going to do a mind
13 blank here. Oh, the G5, sorry, we have a GVSP, is how they call
14 it, that's just coming online. It came here last summer, and it's
15 been down to Gulfstream for a very lengthy, since the end of
16 October, maintenance. Hopefully next week, it'll be coming here.

17 And then right now, we presently have five Hawkers that are
18 divided between, basically, 800XP, 850XP and a 750. We've run
19 Hawkers for probably 12 years, I'm taking a guess at that. And
20 we've had models anywhere from 750, 800, 800XP, 850XP and 900XP,
21 depending on the owners and how long they stay. So we have eight.

22 And pilots, I think I'm at 19, 20 pilots.

23 Q. Over the whole fleet, or in one specific fleet?

24 A. No, in the whole fleet.

25 Q. All righty. Do you know about how many you might have in the

1 Hawker, in the Hawkers, I should say, use plural because you have
2 more than one?

3 A. Again, I'm going to take a very quick guess without going
4 right down through it, either 11 or 12.

5 Q. That's close enough. I just kind of wanted just an idea just
6 so I can picture it in my head.

7 Have you ever had anybody complain about the Hawkers aircraft
8 themselves, that you can think of?

9 A. I don't know that I've ever been around a pilot that hasn't
10 complained about an airplane one way or the other.

11 I'm not going to sit here and look at you and say no. They
12 all grumble and grump, but I can't think of any one particular
13 thing, oh, well, it isn't real fast; or no, it doesn't have enough
14 baggage space; no, it doesn't climb like I wish the GV did, or
15 something like that.

16 But other than that, no, they're fairly, I shouldn't say, a
17 simple jet, but they're a little bit old school and they don't
18 have nearly all of the switches and, you know, you get in the
19 cockpit and it's not glass, which I feel sorry for some of the
20 modern-day guys with the glass. My lord, if you don't fly that
21 every week, how can you remember.

22 Other than that, no major complaints.

23 Q. All right, perfect. Let's start kind of slowly getting down,
24 if you will, into the event itself, the crew and all of that.
25 First of all, how did you become aware of the event that occurred?

1 I know it's been a while so, apologies.

2 A. I think John had just gone into Joe Tennant's office, who is
3 our director of maintenance, and that office is next to mine and I
4 heard something. And I walked in there and that's when I heard
5 it. And this was like probably, I'm guessing, 20 minutes after it
6 happened or 30, or something like that. It was really fairly
7 close to when it happened.

8 Q. I know it's been a while so kind of try to think back a
9 little bit, if you can, to there. When you heard, was there any
10 discussion on what you guys need to do, what the crew needs to do
11 there on scene?

12 A. Oh, yeah, immediately. And we have a regular emergency
13 response manual that leads us right down through who does what,
14 and it worked very well for us.

15 Q. Great. As part of that emergency response, do you guys give
16 the crews any guidance on what to do like shut down the engines or
17 pull the breakers? Do you guys have any guidance like that?

18 A. No. By that time, actually, the airport authority was a
19 little bit of a hinderance on me even getting through to the
20 pilots. I was a little disappointed in the way it was handled
21 down there.

22 They wouldn't let them even taxi in to the ramp. It makes no
23 sense. It took me three or four phone calls to finally get
24 through to somebody in the airport. And this is going to sound
25 terrible, but they spoke in broken English, I couldn't get through

1 to them what I wanted to do because the first thing I wanted to do
2 was get the pilots to drug and alcohol testing.

3 And I struggled with them to release, well, they can't go,
4 they can't go 'til the FAA is here and stuff. And I'm like, yes,
5 they can, I need to do this.

6 So we went from a 3:15 or 3:20 in the afternoon that it
7 happened, and I'm arguing with people now clear to 6:00 p.m. Now
8 this drug site has closed, now I'm trying to find another drug
9 site and I'm trying to find another drug site.

10 Sorry, a little frustration venting there.

11 Q. No, it's what we got to have so we can understand maybe
12 things need to be adjusted and we learn from it.

13 A. I was disappointed that the way that the airport people
14 handled it.

15 Q. When did you guys finally get a talk to the crew?

16 A. Probably an hour and a half or so after, I believe. I didn't
17 speak with anybody until I was trying to deal with them on the
18 drug and alcohol testing.

19 I know that the Vice President John Bullock and Joe Tennant,
20 our director of maintenance, were talking to them. I'm going,
21 again, guess, speculation, relatively soon after, like I said,
22 maybe 20 minutes. But, again, guys --

23 Q. It's been a while, we know, yeah.

24 A. -- it's a guess.

25 Q. No, and I appreciate just the approximation. We're not

1 expecting it to the second or even to the minute. It just gives
2 us an idea of how things moved here after the event.

3 As part of your emergency response and your maintenance folks
4 were talking to the crew or somebody over there was fairly
5 quickly, is there anything that they're required to, at least,
6 explain to the crew, you need to do this, you need to do that, is
7 everybody, you know, kind of walk me through what you guys would
8 typically say to a crew in an event.

9 A. No, not that I know of right off. I mean, we're going to
10 tell them, basically, keep all your paperwork, don't do anything,
11 just get it shut down. I know they made them stay out on the
12 thing for how many minutes with everything running.

13 Yeah, if the airport authority had let them taxi up to the
14 ramp and shut the airplane down like it should have been, but what
15 they sit out there and run for an hour, maybe, out on the taxi
16 way. You'd have to check with people on that. Again, speculation
17 on the time.

18 Q. All right, no worries. Once you found out about the event
19 and you had emergency response plan, and you said it worked great,
20 or at least you --

21 A. We were happy, yes, we were happy with it.

22 Q. Any changes you had to make to that?

23 A. No.

24 Q. Okay, perfect.

25 A. I mean, we all came down here and sat here, pulled it out and

1 said, you know, we know everybody was safe, everything was fine
2 that way. And okay, John you're doing this just as it said I'm
3 doing this, Joe you're doing, you know, we just followed it and
4 that worked well.

5 You write these and you always wonder because we hadn't had
6 any. I've been here 23 years now, and we've never had any
7 situation so it was nice to see that it worked well.

8 Q. Okay. Any changes you guys would make to it now that you've
9 actually put it to the test?

10 A. No.

11 Q. All right, that says enough right there. So, it seems like
12 you're a relatively tight organization, kind of small, on the
13 small side so you probably know everybody. Am I misstating that?

14 A. That is one of the advantageous with a small, yes, you do
15 know everybody by first name.

16 Q. With that said, just for the record, you knew both crew
17 members?

18 A. Yes.

19 Q. Okay. And one of them was a line check airman, is that
20 correct, or a check airman?

21 A. No. Bill Lacy (ph.) was not a check airman, neither were
22 Roger Fritzler. Mike Toll is our Hawker check airman, he's the
23 chief pilot.

24 Q. Is he the only check airman that you guys have for the
25 Hawkers, I should -- let me clarify. For the Hawkers, has he

1 had --

2 A. At that time, yes. And Mike had been a check airman for
3 years in the Hawkers.

4 Q. So, neither crew members were training pilots, training
5 instructors, check airman, nothing like that, I just want to make
6 sure that's correct?

7 A. Yes.

8 Q. All righty. How often do you guys get to go fly? I know you
9 said you don't fly, but is there a scheduled time where you guys,
10 once a year, try and fly with every pilot, or is it just at the --

11 A. Mike Toll, obviously, the chief pilot has to be typed and
12 current, and Mike actively flies in both the G280 and the Hawker.
13 So he generally rotates and flies with anyone that's in those
14 aircraft. Again, you'll have to ask Mike his basic rotation on
15 it.

16 Up until, again February a year ago, I was probably averaging
17 somewhere 130 to 140 days a year that I was flying. So I was
18 actively flying also.

19 Q. I hate the word complaints, was there any reports generated
20 for either one of these two pilots from other crew members having
21 concerns with them, or anything along that lines?

22 A. No.

23 Q. No, okay. How well did you know both of them? Have they
24 been here a while, not so long?

25 A. Bill Lacy had been here, I'm guessing, 10 years so, yes, I

1 knew Bill. He was a full-time pilot for us. He flew a fair
2 amount. Roger Fritzler had only been with us maybe a couple of
3 years, and so I didn't know, I mean, I obviously spoke with Roger,
4 we're on a first-name basis, but I'd never flew with Roger.

5 Q. All righty. Had you flown with --

6 A. Yes, I had flown with Bill in the G200.

7 Q. Can you recall, just an approximate, how long ago that was
8 that you flew with him?

9 A. It would have been probably a year before the accident.

10 Q. Did you have any critiques of him, any criticism, any
11 concerns, anything along that -- when you flew with him, was there
12 anything he needed to do different that you felt?

13 A. No. I mean, every pilot has their differences so you can't
14 say everybody is this, this or exactly the same. But Bill was a
15 seasoned pilot. He's ex airline. He had 30,000 hours. No, I flew
16 with him actively in the G200 and didn't have any problems that
17 stood out.

18 Q. How was his interaction with you? Was it an open cockpit
19 where you guys talked well, like CRM?

20 A. Yes.

21 Q. Was it closed off? It was open?

22 A. Yes.

23 Q. Excellent. We've heard, the crew mentioned that on the day
24 of the event, they taxied down the runway and powered up, and they
25 got the elevator out of trim light. And, Captain Lacy just

1 reached over and rolled some trim in or out, whichever it was, to
2 extinguish the light. Is that part of your guys' SOP? Is that an
3 individual preference?

4 A. Okay. Let me word this correctly because I do not fly the
5 Hawkers. But by our SOPs, they're supposed to have the trim set
6 in the proper position. In discussions with Mike Toll and other
7 people that fly the Hawkers since that, I have been told it's also
8 very easy just to get it right on the edge and have it not there.
9 And it does just take a little quarter of an inch roll of it to
10 put it into place. Now, whether they had it the proper position
11 or not, there's no way for me to answer that for you.

12 But our SOPs would be is that weight and balance will tell
13 them how to set the trim, the Hawkers, what their percent of MAC
14 that will tell you here's where we set the trim.

15 Q. So, again, I'm flying one of your Hawkers and I was taught do
16 my weight and balance, tells me my, where to set my trim. And I
17 do that, and I'll look and yeah, it is. Let's say we're on the
18 aft end or the forward end, your choice, we're on the ends of the
19 envelope, if you will.

20 First of all, do you know is there's a clear mark where the
21 takeoff range is on the wheel?

22 A. Yes.

23 Q. And is that a color-coded mark, band?

24 A. It's a graph. We use a system called American Aeronautics.
25 At that time, we were using American Aeronautics. We've used the

1 American Aeronautics here for well over 20 years and, yeah, it is
2 very defined, here's your graph, here's your BOW, here's where you
3 work up for fuel passengers, baggage and there's your takeoff
4 position.

5 And, again, I don't know the Hawkers that well, but I,
6 basically, have looked at numerous ones of these and I've never
7 seen anybody even close to fore or aft in a Hawker.

8 Q. So, I'm learning how to fly it, the Hawker, and let's just
9 say it's one of those weird days that we're on one end or the
10 other. Let's say we're on the aft end, just the way everything
11 works out. And I get out on the runway and I power up and then I
12 get the light, what do you guys teach? Do I just roll the trim to
13 extinguish the light? Do I stop and taxi up?

14 A. No, they should have stopped.

15 Q. Okay. Is that actually written in the SOPs, or is that just
16 pilot knowledge, pilot passed-on knowledge?

17 A. My initial response to you is going to be that it's
18 definitely in the SOPs. I can't word it for you verbatim.

19 Our SOPs are quite a few pages long, and it's in three
20 different sections of what pilot's responsibilities are to what
21 our standard checklist is versus our standard, okay, here's how
22 you progress from taxi, who calls this, this and this. And I
23 guarantee you they're not taught to fix it on the run.

24 Q. So, with that in mind, again, I'm a new pilot, just learning
25 how to do this and I get the light. So I pull the power back,

1 reject the takeoff, clear at the nearest taxiway, whatever, what
2 am I supposed to do? Kind of walk me through what your
3 expectation is of me as a pilot, what I should be doing then.
4 Should I call maintenance? Should I go back to the ramp? Should
5 I roll more trim out? Just walk me through.

6 A. Again, first off, let ATC of course would have the whole
7 situation that they shouldn't have done on the takeoff roll
8 anyway. But, yes, clear the runway, get across a whole short
9 line, stop, let ground, tower, appropriate people know hey, look,
10 we have a situation we need to address.

11 Then if it's something that's non mechanical, yes, they
12 should sit there and between the two of them describe, okay, what
13 happened, why did this happen, go through, make the adjustment,
14 describe and discuss it between the two of them. And if they're
15 comfortable that we've now taken care of the anomaly now, and from
16 then we're ready to taxi back for a takeoff.

17 Now, what they should do after they get back is actually
18 submit an SMS report on that so that we can deal with it. Because
19 if we start to see that this is something that's popping up more
20 than once, or twice, we can address it as you realize an SMS is to
21 prevent things from happening. Not to lay blame, but to prevent
22 it.

23 Q. So, you know I got to ask, how many SMS reports do you get
24 where there's a trim light?

25 A. I've never had one before.

1 Q. Okay. Never, I mean, I know you're not in the Hawker, but I
2 assume you would be aware of everything that happened in the
3 Hawker as well?

4 A. Yes.

5 Q. All righty. And I know you said earlier you've been flying
6 Hawkers about 12 years?

7 A. The company has.

8 Q. The company, sorry not you. I'm looking at you as the
9 company. My apology.

10 A. And Mike Toll would be the one to ask on the trim situations,
11 if he's run into that before.

12 Q. Now, I know you're, you don't fly the Hawker so you may not
13 know the intricate details. But in the morning when a crew goes
14 to preflight the airplane, first flight of the day, maybe it's
15 every leg, just like every airplane, you're supposed to check the
16 CVR button, make sure it works, right?

17 A. Uh-huh.

18 Q. How would, how do you guys explain to crews to make sure that
19 the CVR is actually working? Is there a mechanism you guys have
20 in your manuals that says, here's what you need to do, whether
21 it's the Hawker or whether it's a Gulfstream, whatever? I assume
22 they're very similar.

23 A. That I can't attest to --

24 Q. I'm just assuming.

25 A. -- at all. I'll defray (verbatim) back or revert back to

1 Mike Toll on that because, again, I don't know the CVRs in there.
2 On a Gulfstream that I flew when I learned it, yes, the manual for
3 the aircraft told us how to do the test and then we would
4 accomplish it that way.

5 Q. So back when you flew the Gulfstream, was it a test you did
6 first flight of every day --

7 A. Yes.

8 Q. -- every flight?

9 A. That one, if I remember right on the checklist, was first
10 flight of the day, I believe. There were a few items that were
11 first flight of the day. I'd have to say probably 96 percent of
12 the G200s were every flight, but there were a few that were first
13 flight of the day.

14 Q. All righty. And I know you deal with the manuals, and you
15 probably are very well versed with the manuals even on the Hawker.

16 A. He set me up.

17 Q. Exactly. No, not the intent.

18 A. I'm having fun with you.

19 Q. Yeah, I know, I appreciate that. But, is the CVR something
20 that can be deferred in the MEL list? And if you don't know, it's
21 okay being to reference it.

22 A. I do not know. I'll have to -- I don't know, I would have to
23 look.

24 Q. As I told you, I don't know is just fine. It's all good. No
25 worries.

1 Let's talk just a little bit, if you can, about training. Do
2 you guys do in-house training, or do you guys send your crews out
3 for training?

4 A. We've been sending them out for training for probably five to
5 six years now to CAE and FlightSafety, exclusively. Where the
6 company prior to that did do some in-house training. And I see
7 pluses and minuses both ways.

8 Q. So, I'm curious, give me some pluses of sending them out, and
9 give me some minuses, if you will.

10 A. The pluses to the schools is they're very regimented and you
11 know everything's going to be going over that's legally required
12 at that time. And they're going to do things in the airplane that
13 we might not do in real life.

14 The negative side is that we don't get, they don't get to
15 spend as much time as I think they should with them.

16 So, then you have a situation where we train in house, we can
17 spend more time with them, we can go through a lot of little
18 nuances of things but, yet, we can go out and do things in real
19 life like V1 cuts. Yeah, so, the combination of the two, I guess,
20 is probably the best way to do things.

21 Q. Okay. Now, taking it out that you said that the schools have
22 a set regimen that they teach, do you guys get input into what
23 they teach your crews, or is it just, for lack of a better phrase,
24 I'm going to say you buy a package and they take care of
25 everything else, or do you get to input what you want your crews

1 to know?

2 A. We get to input what's in there. We will review a training
3 manual and go down through it like the FlightSafety training
4 manual is basically what we've been using for the last two and a
5 half or three years.

6 It's been approved by the FAA, but it's basically their
7 manual that we're utilizing.

8 Q. How often do you or somebody here goes to the school and
9 audit them to make sure that your crews are getting --

10 A. We do that at least once a year.

11 Q. Do you do that, or does somebody else?

12 A. It depends on who's in the area. It maybe me or it maybe
13 Mike. But, yes, we do audit everyone.

14 Q. When you audit it, if you see something you want changed, is
15 there a mechanism for you to get that changed with FlightSafety or
16 CAE or whomever you're with?

17 A. Besides written notice to them that hey, look, this is what
18 we need changed, we obviously would sit and discuss things with
19 their head of training of that department.

20 Again, as to the, especially the Hawkers, talk to Mike on
21 that because he has the direct input with them on that.

22 Q. Okay. Have you guys had to make any changes whether it's in
23 the Hawker or the Gulfstream or anything with either --

24 A. I don't believe so. I'm trying to think through if I think
25 of anything on, I know on the G200, we did not. Again, you have

1 to ask Mike on the Hawker. But my memory right now says no.

2 Q. No, and that's fine. I know you're not directly involved
3 with the Hawker, just trying to look at a global picture so I
4 appreciate that.

5 My last little batch of questions here and then I'll pass it
6 off to Kat. She always asks the really smart questions. She has
7 really good questions and I learn from her every time.

8 A. She's shaking her head over there, oh, these guys are bad.

9 Q. No pressure on her, right.

10 But for this event crew, how did they get paired up? How was
11 those two flying together? Is there who's available? Is there a
12 seniority? Is it, kind of help me understand how you put these
13 two crews together?

14 A. They are not by, well, I shouldn't say they're not by
15 seniority. We are not going to put two, basically, young captains
16 together, all right. Again, Bill Lacy would have been considered
17 a senior Hawker captain here. Roger Fritzler, who is a retired
18 American captain, I believe he'd been with us two years.

19 So you've got a situation where, okay, here's a professional,
20 been a professional pilot all his life. He's going to be good on a
21 lot of the prep and general judgment calls and everything else,
22 but he still doesn't know the aircraft quite as well possibly as
23 somebody who's been flying it for 10 or 15 years.

24 So, we are not going to pair him with somebody young in the
25 aircraft even though he's got two years.

1 Q. And, just for the record, when you say young pilot, young
2 captain, are you talking time in seat, or you're not talking a
3 specific age, right?

4 A. Time in seat. I will say this, I think the youngest pilot we
5 have here is middle to late 30s.

6 Q. I just wanted to make sure that it wasn't an age base versus
7 time in seat.

8 A. No, I don't think we've got anybody. I'd have to go look at
9 resumes and everything. Again, I don't think we've got anybody
10 under 5,000 to 7,000 hours here.

11 Q. And, along that line as well, what do you look for when you
12 hire a pilot here?

13 A. I don't have the chart in front of me, but we've got some
14 basic minimums, generally, in the 3,000 to 3,500 hour total time.
15 Again, I'm sorry, I'd have to pull it up. I think it's at least
16 500 turbine time or maybe 1,000. I could get you that if you're
17 interested in it.

18 Q. Just trying to get an idea of what you all look for when you
19 receive, you know, maybe you have hundreds of resumes come in for
20 one job, or maybe the market's been so tight lately, you don't
21 have a hundred resumes come in.

22 A. No resumes.

23 Q. So, okay, with that, has it been hard to get pilots here, or
24 keep pilots here?

25 A. Not too bad on getting pilots. Two years ago, we did lose a

1 couple that we would have liked to have definitely kept, the
2 airlines came in. But that's part of the reason I got hired in
3 2001 is that one of the, they came into the vice president at the
4 time and said, he's too old to go the airlines, we ought to hire
5 him. That seriously was sad.

6 No, it's not been too bad. Chicago, there's a, we're lucky
7 it's a big pool here.

8 MR. ETCHER: I know we've been talking for a good 40 minutes
9 or so, and you're probably sick and tired of looking at me. And,
10 like I said, Kat always has the really good questions.

11 But before I pass it to her, do you need a break? Does
12 anybody need a break before we continue on?

13 MR. SOUTHWELL: No.

14 MR. ETCHER: All righty, then I will pass it off to Kat.
15 Thank you so much.

16 MR. SOUTHWELL: All right.

17 MS. WILSON: I only have a handful of questions. Shawn
18 actually got, covered a lot of the ones that I had written down.
19 I'll probably jump around a little bit just to fill in some of the
20 gaps that I have.

21 MR. SOUTHWELL: I'll turn a little bit here.

22 MS. WILSON: Okay.

23 BY MS. WILSON:

24 Q. Going back to the training that FlightSafety does, does their
25 training cover Crew Resource Management?

1 A. Yes.

2 Q. How about Human Factors?

3 A. I'm going to say yes. I'm not sure that it's, again, I'm
4 going to say yes, but I want to research that. CRM is also
5 handled through CTS, we also use that for training. You guys are
6 familiar with C -- yeah, I figured you were.

7 Q. And then for your specific SOPs and the GOM and things like
8 that, do you have any in-house training for that? Are pilots just
9 required to review those documents on their own, or is that all
10 incorporated in FlightSafety?

11 A. No, we spend time with them also. Yes, in other words, they
12 can go through the CTS and they get all of these nice hours that
13 meet all of the requirements and then we can send them off to
14 school and they meet all of those nice, and they get trained all
15 of that very well.

16 And then when they come back here, now we start sitting down
17 and spending time with them, okay, let's get the GOM out, let's
18 start going through it together here. Here's our SOPs, let's go
19 through this. Okay, now we're going to take you out into the
20 airplane and sit, and we're going to sit with the GPU on it, and
21 we're going to start programming.

22 Q. Are all of the pilots considered captains?

23 A. Yes. We do not have any SICs and have not ever had an SIC,
24 just an SIC, here in over 15 years.

25 Q. How does that work in terms of crew pairings? Who sits in

1 what seat? Who's the PIC for that flight?

2 A. Initially, the senior captain's going to be left seat.

3 You've got somebody, yeah, again, here's the new hire here, he's
4 come out of school, and he's going to be right seat. And we will
5 progress until, in conversations between the chief pilot and the
6 PIC, all right, this guy is, we're going to start to let him do
7 some right seat.

8 One of the things that I work with here is once they come
9 back from school, we go out in the airplane, and we go out and
10 they do six to 10 takeoff and landings in it before we do anything
11 else just to get used to the airplane. Just because they came out
12 of school doesn't mean that things are the same.

13 Then we, the next progression would be the right seater would
14 be allowed to do flying from the right seat, non-passengers. Like
15 we reposition to Midway a lot. A lot of people fly out of Midway
16 so we position over there. So we would start allowing them to fly
17 legs, non-passengers.

18 Then the next progression would be right seat, takeoff and
19 landings with passengers. Then, and again, this would all be done
20 with conversations between whoever the senior captain was and the
21 chief pilot on that. Then they would progress to left seat, no
22 passengers, and then finally left seat with passengers.

23 And that policy's been here for years.

24 Q. If the right seat --

25 A. Oh, I'm sorry, I started to look at him, I'm so used to that.

1 Q. He was looking at you for so long.

2 A. I know.

3 Q. If the right seat captain is approved to do takeoffs and
4 landings with passengers, is the expectation that they would
5 switch every leg doing a takeoff and landing?

6 A. We do have the option that they can shift legs of who's doing
7 the flying. Once they both become, what I guess you would say,
8 both senior captains, we've left it up to them on whether they're
9 going to swap legs every day or once a day. Okay, I got today's
10 and you've got tomorrow, or hey, I'll fly out to Teterboro and
11 then you'll fly back, which means we landed in Midway, we picked
12 up the people, went to Teterboro, we sat there, okay, now you're
13 going to bring it back.

14 So, yes, we do keep it to where they're, feel comfortable in
15 both seats.

16 Q. You mentioned that you have an SMS?

17 A. Yes.

18 Q. What does that entail?

19 A. Safety Management System?

20 Q. Uh-huh.

21 A. You want a description --

22 Q. Yeah, what is --

23 A. -- of what one is?

24 Q. Well, not -- what is it here? What does it entail?

25 A. Here, the Safety Management System, from my point of view, is

1 a system that starts out like a newborn baby, all right. It knows
2 nothing until you put input into to. It is meant to learn and to
3 grow, again, just like a baby into a child so that it can start to
4 make proper decisions and then finally get to where it can
5 anticipate decisions.

6 And some of things that I've used consistently in the
7 description to everybody who works here, here's my, one the
8 examples I use.

9 We have different sized chawks for outside than we do inside,
10 okay, big rubber ones for the outside for the airplanes, and we
11 have wooden ones for the, inside the hanger, okay. These are the
12 outside, okay, everything goes great, it's taught, we trained
13 everybody, this is how they do it. Three or four months later all
14 of a sudden we're starting to occasionally see that the wooden
15 chawks are out on the ones out there.

16 So we pull everybody in, hey, this has got to, this is wrong,
17 let's fix this. Everything goes good for another three or four
18 months and now they're starting, we're back to it.

19 Now the SMS is supposed to tell us okay, look, here's a
20 recurring situation. Do remedial training at two, two and a half
21 months that will prevent that from happening. That's what an SMS
22 is meant to do from my point of view with it.

23 Now, it needs to be anonymous because if people don't use it,
24 how can, again, just like I said, Mike Toll said if we don't know
25 it's broke, we can't fix it.

1 So we tried to stress on everybody that this is anonymous, it
2 is done through FltPlan.com so it's, and you can go right in there
3 and you hit the anonymous button.

4 Q. Do you have an SMS manual?

5 A. Yes.

6 Q. And who's in charge of that SMS?

7 A. Kasey Johnson is. I used to be up until about two or three
8 years ago, and Kasey has taken over as our safety manager and
9 you're more than welcome to meet him out there. He's pretty
10 sharp.

11 Q. Has the program been approved by the FAA?

12 A. It has not. We do see that that's headed that direction.
13 One thing that helped us advance our SMS in the last couple of
14 years is we added Europe and the Mediterranean to our thing. And
15 TCOs, you guys familiar with that, Third Country Operator permits?

16 I thought once we got Europe and Mediterranean on our 135 Op
17 Specs, okay, away we go. Oh, no, now you've got to work with the
18 EU, and they have a whole new thing for you to apply for and get
19 your permit. And then Britian, of course, is a whole separate
20 sideline from that.

21 We were jumping through all of the hoops, and they kept
22 wanting to know a lot of stuff that sounded like SMS. And we
23 worked for about six or eight weeks trying to get all their
24 questions answered. And once we finally got the approval, the
25 second line in the approval was, well, this is a Safety Management

1 System. And I'm like, okay, if you guys had told us this from the
2 beginning, this would have shortened this whole process up.

3 But we really went through this, again, this was a couple of
4 years ago, went through and revamped. And I think it actually
5 moved us ahead at least two years by having to jump through all of
6 the EASA and that stuff for other there. And then we had to turn
7 right around and do it for Britain, and it's a good thing. Again,
8 progressed us at least two years from where we were.

9 Q. When a safety report comes in through that anonymous system,
10 what is the process? Who gets those reports? How are they --

11 A. Kasey Johnson will pull it up and if it's something that is
12 deemed an immediate threat, we will all be brought in together.

13 Other than that, we have, at a minimum, one safety meeting a
14 month right here where we go through all of these and discuss
15 things. And there's eight of us, I think, that are all involved
16 in that. President, vice president, director of ops, assistant
17 director of ops, chief pilot, assistant chief pilot, director of
18 maintenance, chief inspector, dispatch, well, I'm getting way
19 passed the eight or nine, and Kasey and our chief sales person.
20 So now we're at 11 or 12, aren't we, that are all around here.
21 And then we go through these.

22 Q. Do you all have an ASAP program?

23 A. No. It has been discussed with me, with our POI, and we just
24 haven't gotten to it yet.

25 Q. If a customer had a complaint about a pilot or a concern, how

1 would they report that?

2 A. We don't have any formal written that we would hand out to
3 the owners. My guess is that either the vice president or our main
4 contact person would get, would hear it from them.

5 I do remember many years ago when a catering was accidentally
6 left off the aircraft, that was discussed. I don't remember who
7 they called up, but they definitely called somebody.

8 Q. Even though you're not current flying, do you still go
9 through recurrent training?

10 A. No.

11 Q. After the accident, I know that no formal findings have been,
12 come out, we haven't completed our investigation, but has the
13 company shared with the pilot group any information or sent out
14 any reminders of things to be considering out on the line?

15 A. Directly after that, we had four different training sessions
16 to everybody. Some were manufactured by AOPA, some by the FAA,
17 stuff like this that we had regular, okay, you have to go in and
18 take this course now, this is mandatory for everybody.

19 I've lost names of the programs because that was in October
20 of last year but, yes, that was done within three or four days,
21 everybody, this is mandatory. And then, obviously, newsletters
22 were put out describing the, no rush, no this, no that.

23 Q. If we could get copies of those newsletters, that would be
24 great, that you sent out.

25 A. Okay.

1 Q. And then if you have the names of those programs that they
2 completed.

3 A. Yes, I can get that to you guys.

4 Q. Perfect.

5 MS. WILSON: I think that's all that I have for now, thanks
6 so much.

7 MR. SOUTHWELL: All right.

8 MR. ETCHER: Thanks, Kat. You need a break? You doing okay?

9 MR. SOUTHWELL: No, I'm on a roll here. Go for it.

10 MR. ETCHER: Well, I did forget to tell you there are two
11 rounds so when you get done with Todd, you're still not done so I
12 just wanted to give you heads up.

13 MR. SOUTHWELL: I'm old. If I fall asleep, you know -- no.

14 MR. ETCHER: I would too, but I had too much coffee. Then
15 we'll go with Todd.

16 BY MR. GENTRY:

17 Q. I wanted to go back a couple of questions then that's all I
18 have.

19 A. Sure.

20 Q. But I wanted to talk about the, or at least I wanted to
21 clarify the progression that you spoke of earlier between a new
22 pilot going from the right seat, no passengers, and then right
23 seat, with passengers, and then moving on.

24 Is that written anywhere? Is it in their training program
25 that, hey, this person is now authorized to fly right seat with

1 passengers?

2 A. The basic premise of it is written, and I can get you a copy
3 of that. I can't word it for you verbatim.

4 Q. No, what I'm saying is, if Shawn was a new pilot and I was
5 his, on the road with him, I don't know if you call them
6 instructors or if they are instructors?

7 A. Uh-huh.

8 Q. Would I have to fill out a paper in his training manual
9 saying I have now approved him to fly right seat with passengers?
10 Is that written anywhere where I would do that? It's almost like
11 a logbook endorsement type of thing.

12 A. Yes.

13 Q. You do have those?

14 A. Uh-huh.

15 Q. Okay, so, the SIC or the, I guess, I don't even know what
16 they're -- I don't want to you use their names. The right seat
17 person on this flight was authorized to fly passengers from the
18 left seat and that's written?

19 A. Yes.

20 Q. Okay. And that's at the discretion of the PIC for that trip

21 A. Yes.

22 Q. So they can on their own say you're going to fly left seat on
23 this leg?

24 A. Yes.

25 Q. I'm with you. Even though the guy, there's one PIC?

1 A. That's, yes, correct.

2 Q. For the trip. Gotcha.

3 A. We do not differentiate legs on who's PIC or who isn't.

4 Q. Gotcha, perfect. Thank you for that clarification. You
5 mentioned CTS for training, are you using that for your indoc?

6 A. Yes.

7 Q. And that's the, there is no, is there any -- let me ask you
8 this way. Is there any in-person In Doc training?

9 A. Yes, there is, definitely.

10 Q. And what is that?

11 A. CTS does not cover everything in that. And, again, we have
12 GOM and Ops Specs in there, but then we will personally go over it
13 with them.

14 And then there are some of the general areas of, let's see,
15 emergency, especially emergency stuff where you have to pull the
16 windows out, we have to do the rafts, we have to do all this kind
17 of stuff. That definitely is done in house after they've already
18 received the basics.

19 Q. Okay. And then after they've done the In Doc, after they've
20 gone to the SIM and come back, do they, are they assigned a single
21 instructor to fly with them for a while, or is it just as the
22 schedule is needed?

23 A. No, we will keep them with a senior captain at the time for
24 probably at least their first six to half the, yeah, six to 12
25 flights before we'd even think of moving him.

1 Q. Well, when you say senior, is that an instructor?

2 A. You would commonly call it that, yes.

3 Q. Okay. Are they listed on the Ops Specs as instructors?

4 A. They are not listed in the Ops Specs as instructors.

5 Q. Okay, good enough. Do you guys have a FOQA program?

6 A. Yes, we do for two of the aircraft is all just because
7 they're Hawkers, there isn't -- the G7 has FOQA, the GV has FOQA.
8 They're looking into it for the G280, think it's a possibility
9 for it.

10 Q. And who does those downloads or analysis for you?

11 A. We have hired an outside firm to do that. I can't tell you
12 the name of it right off. John -- Grant Casstevens, who's been in
13 the middle of that, he's our senior sales and also as liaison to
14 the owners, and he's involved in a lot of the purchases and
15 interaction between us and the owners. Grant can tell you the
16 exact name of the people that do that.

17 So it took us out of the mix. I mean, I started, when we
18 first got the G7, we started to get the reports back and there was
19 a lot of little things in there that you said, well, okay I don't
20 understand why that's there. And then we said, okay, we need to
21 find some people that are experts on this.

22 And it also then shows no bias. So, if they have to bring it
23 up to us that, hey, this is an issue with the pilots, it wasn't
24 us, outside did this.

25 Q. So, right now I understand the Hawkers are not on the FOQA

1 program.

2 A. It's not available as far as I know.

3 Q. Yeah. Who gets the FOQA analysis reports? Does it go to
4 your safety manager, or does it go somebody else --

5 A. Yes.

6 Q. -- or does it go to you?

7 A. It does not come to me presently, I can ask for it, I have
8 the ability to access it. But right now it goes to the third
9 party. They disseminate it and then it goes to the safety
10 manager, initially, and then he will distribute it from there.

11 Q. Have you seen any trends lately, in the last year, from the
12 FOQA data?

13 A. No, not really. The big one that we had that was giving us
14 fits was saying that the guys did not do a proper control surface
15 check, and this was showing up consistently. They were showing us
16 that they were doing it right and then it was still popping up.

17 And we just learned that it's, you'd have to get with
18 maintenance, but if something is turned on, in other words,
19 Gulfstream finally figured it out of okay, look, they need to have
20 this turned off or it will cause this to happen. Even though
21 they're doing the control checks with the proper seconds count,
22 this is what's causing it to -- that was, basically, the only one
23 that stood out as a, we were seeing this more than one month.

24 MR. GENTRY: I think that's all I have. Thank you, Shawn.

25 MR. ETCHER: Thanks, Todd. All right. That's Round 1.

1 Round 2 only takes twice as long.

2 MR. SOUTHWELL: Okay.

3 MR. ETCHER: No, just kidding, it's usually a lot quicker.

4 MR. SOUTHWELL: When do I get to complain?

5 MR. ETCHER: Any time. Oh, yeah, you can complain any time
6 when we get --

7 MR. SOUTHWELL: No, I'm semi-serious. Is there a time for me
8 to be allowed just to say a couple brief ideas on this? And it's
9 nothing to do with you guys.

10 MS. WILSON: Yes.

11 MR. ETCHER: Absolutely.

12 MR. SOUTHWELL: Okay.

13 MR. ETCHER: Do you want to do it now? Do you want to wait
14 to the end because I always ask at the end as well.

15 MR. SOUTHWELL: No, whatever you, whatever fits with your
16 normal progression of stuff.

17 MR. ETCHER: Yeah. It's a two-way street. You're helping us,
18 you know, help us more.

19 MR. SOUTHWELL: Okay. A couple of things. And, again, it's
20 not discussion, this is just an opinion on this that I was
21 disappointed in.

22 I've already stated the way the airport handled it, I thought
23 was, needed, could use a lot of improvement, okay. I was
24 frustrated. I couldn't get anybody to answer the phone, first.
25 It took three or four tries just to the airport authority before

1 somebody finally answered the phone to say, I got to get ahold of
2 these guys, you know.

3 The second thing is, is I thought the way the press releases
4 were handled were atrocious, okay. And it might have been you
5 that I spoke to the day of it where you said look, this was
6 Tuesday, I think it was at 3:15 or 3:20 in the afternoon, hey,
7 look, we're not even going to be there tomorrow. Tell them, look,
8 we'll probably get with them on Thursday morning, just relax, I
9 don't want them to feel any pressure, I don't want this, just
10 chill out, everybody, this is just a discussion.

11 Within an hour and a half or two hours, the FAA had released,
12 these guys took off without clearance, it's all over the news
13 media. How is this going to affect these pilots? That was really
14 bad.

15 And then the NTSB announced it also, a short while after
16 that, by 7:00 or 8:00 that night, it was all over everything that
17 these guys -- now, that's not saying they weren't at fault or they
18 were at fault. Handling sucked, okay, of it. And I will stand
19 behind that and look everybody in the eye on it.

20 You want these pilots to feel relaxed. I realize there was
21 pressure and I truly believe there was political pressure at the
22 time. You had a brand-new administrator, what, one day before,
23 Monday he was signed in.

24 You got situations where the FAA, the runway incursions have
25 been increasing each year and it started to get into the news

1 media. I feel there was pressure to put this one under the table
2 fast, hard and fast. Just an opinion. That does not excuse the
3 pilots for anything that happened, okay. Two totally separate --
4 I don't have a, maybe okay. No, they're two separate items.

5 We still do not have any report on what happened with the
6 Cockpit Voice Recorder. We've asked, and we've not gotten
7 anything. Did it work? Did it not work? It seems strange that
8 they took it and went back to the airplane and put it in. So we
9 don't know, did it work.

10 And then the other situation we had as most Cockpit Voice
11 Recorders are within 30 or 45 minutes, you know, they erase.
12 These guys were stuck down there on the taxiway, got to keep the
13 APU running, they just had a situation here. I realize maybe they
14 should have had the thought process of pulling the circuit breaker
15 on it.

16 But I'm here also to tell you that that's, yeah, we can look
17 and say this is a perfect world. But the reality of them
18 remembering and under that circumstance is pretty slim.

19 And then the third, the last thing and then I'm done with my
20 ranting is, and I've run into this in other airports. If you have
21 a known radio interference area, fix it, okay. There's no excuse
22 in this day and age. I've tried to taxi out of Signature over at
23 O'Hare, and I can't get ahold of ground. Oh, it says it's a known
24 radio interference area. And I have to keep inching, inching out,
25 going, oh okay, are we're going to get in trouble, I can't raise

1 anybody, and now we call them on a cell phone and, hopefully, if
2 the they'll answer it. Again, I'm sorry in this day and age,
3 there's no excuse for that.

4 There, I'm done.

5 MR. ETCHER: Now, and I'm glad you bring up some great points
6 because just like with any process, if you don't know there's a
7 problem, you can't fix it, first of all. And some of the problems
8 we already know, but we can't fix them either. So we got to, you
9 know, it takes outside as well so it helps.

10 MR. SOUTHWELL: Because we got a situation, all right, where
11 we've got a 30,000 hour ex airline, and we've got a 25,000 hour ex
12 airline, whether they're trying to cover their butts or whether
13 they thought this, or they heard this, or whatever, they both
14 stand and say we heard cleared for takeoff.

15 Okay. You go to the tapes and the tower and we know that they
16 were not cleared for takeoff. But that is only recording from
17 this end, nobody has any idea what really happened down at this
18 end. And you're never, ever going to be able to fix that unless
19 they get rid of these things.

20 And, again, I just can't believe in this day and age that we
21 can't have a repeater or something, maybe there's a reason that
22 there's -- so, there that's my frustrations.

23 MR. ETCHER: And, sadly, I'd love to say that's rare for you,
24 but you're preaching to the choir on some of these because we see
25 them to.

1 MR. SOUTHWELL: Okay. Well, I know you guys make
2 recommendations to the FAA and they go, oh yeah, and out the door
3 and it's forgotten.

4 MR. GENTRY: We can talk about that after the interview.

5 MR. SOUTHWELL: Okay.

6 MR. ETCHER: Yeah, we can definitely do that. No, and I
7 appreciate your candor and you're willing to at least explain some
8 of the concerns you have because those are the things that help us
9 improve not just what we do, but also maybe you come up with
10 something that maybe we didn't see yet or think of. And, you
11 know, I'd rather create this, I'd rather fix everything we can so
12 we can prevent anything like this from ever happening again or
13 something worse.

14 That's our job and I appreciate your willingness to at
15 least --

16 MR. SOUTHWELL: It's just because I have experienced the
17 radio interference situation and it is frustrating, all right.
18 Now, whether that caused it or not, I'm not going to voice that
19 opinion on it.

20 MR. ETCHER: And I won't either yet. I want to look into it
21 a little further before I even try to voice an opinion, or at
22 least talk to smarter people, kind of like Kat. We have other
23 smart people too.

24 MS. WILSON: I don't know what he wants from me today. He's
25 buttering me up for something.

1 MR. ETCHER: I know -- coffee.

2 MR. GENTRY: More coffee.

3 MR. SOUTHWELL: Originally, we're supposed to go with Mike
4 Toll. I think you're going to FAA after this, aren't you, and
5 then where do you guys head to?

6 MR. ETCHER: Home tomorrow, I believe.

7 MR. SOUTHWELL: Oh, okay, hopefully.

8 MR. ETCHER: And what we figured, we're going to compare our
9 schedules so we can get Captain Toll and do it virtually at some
10 point convenient for his schedule and ours.

11 MR. SOUTHWELL: Again, I apologize for that. That was just,
12 yeah.

13 MR. GENTRY: We understand.

14 MR. SOUTHWELL: We had this --

15 MR. ETCHER: You guys have a business to run, and it's, I'm
16 glad you guys are flying because that's a good sign.

17 MR. SOUTHWELL: Yeah, but we would maneuver as much as we
18 could to accommodate you. And this one just didn't allow it.

19 MR. ETCHER: No, and it's, it happens so don't stress about
20 it. We have ways of working with it as well. So, don't even
21 think twice. We'll fix this, it's all good.

22 But before I get going on Round 2, do you need a break?

23 MR. SOUTHWELL: No.

24 MR. ETCHER: Does anybody need a break? Everybody good? All
25 righty, then we'll continue on. I know you've given me an

1 education, and I appreciate it; my brain hurts already trying to
2 absorb everything. They've asked some great questions and then,
3 of course, that made me have other questions. So, I apologize if
4 some of my questions are really hodgepodge around, but I just
5 figured it's better to get them answered if I can.

6 BY MR. ETCHER:

7 Q. Since the event, have you guys looked at all the information
8 you know so far and identified any specific safety issues and, if
9 so, how do you guys go about fixing those here?

10 A. We've addressed being rushed which, again, we don't know what
11 they heard and what they didn't hear. But if we look back to the
12 chain of things, there was being rushed, we felt was one of the
13 contributing, possible contributing factors. And we have
14 definitely schooled everybody on that. And then, again, in one of
15 the latest newsletters it was, you are never to feel rushed, you
16 are to do this.

17 I mean, we have a, our basic company policy is if they have
18 passengers, it's a two-hour show. If there are non-passengers,
19 it's an hour and a half show.

20 So let's go to passengers which is where you're going to feel
21 the most pressure.

22 The company policy on this, and I've been adamant on this
23 with people and it's written right up in their checklists that is
24 for the flight of that day, that they go down through. I've
25 developed by own checklist, and I probably sent it to you, where,

1 okay, I've done, I've checked weather, I've done NOTAMs, I've done
2 this, I've done that, and it goes on down through.

3 The basic schedule is that an hour prior to published
4 departure time, they push for fuel, let's give them 15 minutes for
5 that, so now we're 45 minutes before published departure time.
6 Fire the APU up, however they're handling this, they start to go
7 through all of the normal cockpit checks that you would do, FMSs,
8 clearance, ATIS, all of those things, with the idea of that 30
9 minutes prior to published dispatch, they are ready to go.

10 If the passenger walks in 29 minutes before published, hi,
11 we're ready to go. If they walk in 31 minutes before, you'll just
12 have to sit here for a little bit, we've still got some work to
13 do.

14 That's been the company policy for years and years and years.
15 Q. So on the event date, your crew showed up approximately two
16 hours prior because they had a passenger, but the passenger was
17 already there. How can you as a company help the crews to just do
18 what you got to do, don't be rushed? How do you guys, you know, I
19 don't want to say enforce it, but how do you instill it into them
20 to just take your time, or can you guys, is there --

21 A. It's been, it was discussed prior to that incident with
22 people. And it has been discussed at, I'll have to ask Mike,
23 again, on how many times it's been written into the newsletter
24 since then of, guys, again, the last one was just last month,
25 don't be rushed.

1 It's been discussed in the safety meetings, guys, this is it,
2 dispatch, do not tell somebody that they can be there. And this
3 would especially be in a, let's say we had, somebody called us
4 with a mechanical, not us. But somebody at Palwaukee with another
5 charter operator and the aircraft is broke, hey, can you guys do
6 the flight for us.

7 If it's going to take us three hours to get there, do not
8 tell them it's going to take us two hours to get there because
9 that's what they want to here. This is from sales or anybody
10 else. Tell them three and a half hours and then everybody's
11 happy.

12 Q. Okay. You just mentioned dispatch. Do you guys have
13 dispatchers, you know, like certified licensed --

14 A. I have one licensed dispatcher here.

15 Q. And are they the ones that file the flight plans and do
16 everything? That's still on the crew?

17 A. No, that's all of the crew. Crew is responsible for weather,
18 NOTAMs, flight plans, all of those types of things.

19 Dispatch, if you want to call it, is dispatch. It's going to
20 generate their actual sheets of paper that they're utilizing that
21 says here's the date, here's the airplane, here's the passengers,
22 here's the time, here's this, here's fuel, here's all of these
23 things. But the crew totally controls how much fuel they put on,
24 they control weight and balances.

25 Q. Do your, does your dispatcher or dispatchers, I know you said

1 had one, but it sounds like you have a few in that area there.

2 A. We have some that assist in the paperwork.

3 Q. Do they ever look over the weather, the NOTAMs, things like
4 that just as second set of eyes?

5 A. Yes.

6 Q. And in doing so, how do they communicate that to the crews?
7 When you were flying, how would they communicate that to you?

8 A. Well, a couple of ways. You could either, obviously, in this
9 day and age, text, emails come directly to the phones. Generally,
10 it would be a phone call.

11 On some of the aircraft, we can receive, well, nowadays with
12 the wi-fi, it's gotten to where, and I can't tell you which
13 aircraft for sure, but we are able to receive texts and emails and
14 a lot of phone calls through the wi-fi. Just in the last couple
15 of years here, especially in last year.

16 Q. Do you guys use Electronic Flight Bags?

17 A. Yes.

18 Q. How's that work for you guys?

19 A. It's something relatively new for us in that we've used iPads
20 and everything. Part of this was that the FAA has been so back
21 logged that it took us a couple of years to move it through to
22 where we finally got electronic recordkeeping.

23 But we've been using JetInsight, which you probably heard
24 that name, and ForeFlight and FltPlan.com for multiple years here
25 for our general information, and utilizing JetInsight to generate

1 the duty sheets and all of the general information.

2 It's also the way that we forward GOM revisions, anything
3 like that goes out through JetInsight.

4 Q. Now I know you had said that the crew if they want to file an
5 SMS report, they can hit a button on FltPlan.com, I believe?

6 A. Yes, and they each have their own individual log in.

7 Q. They can do that from their EFB from the airplane, or do they
8 have to be at a regular work station?

9 A. I would say a regular work station. I'm not sure if through,
10 that they might be able to do it through their phones. You'd have
11 to talk to Brian Pillion on that; he's more of our IT guy here.

12 Q. You also said several times now that you guys have published
13 newsletters to crews requiring them to read, I assume. How do you
14 know they read it?

15 A. We have a reply that they have to do on JetInsight.

16 Q. Okay. Do you have a 100 percent response rate on that?

17 A. As far as I know, I've not heard that -- I am not involved in
18 the actual sending it out. Again, our guy who's the closest to an
19 IT guy here who handles the JetInsight, the original
20 implementation of it, would have to answer that for you. But I've
21 not heard any complaints.

22 Q. Perfect. Implementation, yeah, see, I can't even say it so
23 I'm glad you at least attempted it.

24 A. Well, I was trying to imply instead of implementation.

25 Q. Walk me through a little bit, as I said, I'm a new pilot here

1 and, sorry for you guys, but for a moment, I'm a new pilot here.
2 Kind of walk me through timeframe wise, what's my progression from
3 sitting in the right seat watching, sitting in the right seat
4 flying without passengers, sitting in the right seat flying with
5 passengers, transition to the left, and doing all those
6 progressions, if you can in a nutshell, or just general speaking?

7 A. I don't have an actual written time schedule for you because
8 pilots are so different.

9 We could get somebody in here who has previous Hawker time,
10 he's got 4,000 hours of previous Hawker time. That's whole
11 different than somebody who just retired from the airlines, has
12 only flown a 737 his entire life and now we're moving him into a
13 small jet.

14 So, again, Mike Toll can probably answer that for you a
15 little bit better because he works with the guys a little closer.

16 Q. I wasn't sure if you guys had some, they've got to at least
17 hit these 12 markers first before we can move them to the next
18 progression, or they've got to have X number of hours?

19 A. I don't have a written thing for you.

20 Q. No worries, I appreciate that.

21 A. But that's not a bad idea.

22 Q. Again, I'm new here, what's it take for me to become a senior
23 pilot? I understand by the term it's somebody that's been here a
24 bit, but is there a, in your mind, if somebody came to you and
25 said oh, we want Shawn to become a senior pilot, is there

1 something in your brain, and you're like well, this is what I want
2 to look for in my senior pilots?

3 A. Yeah, I'm looking for a minimum of 200 to 300 hours in that
4 aircraft at a minimum before, and then it would be an individual
5 basis. Again, everybody is different.

6 Q. Before you would promote me to senior pilot, would you reach
7 out to those that I flew with before, or would Captain Toll reach
8 out to people I flew with and get input?

9 A. Yes. Mike would, yes.

10 Q. Perfect. I know you said after the event, three to four days
11 after, you guys had, you sent out four mandatory event training
12 events or sent out training events of --

13 A. Yes and, again, I'm not 100 percent sure on the exact time
14 frame, but it was --

15 Q. After --

16 A. -- it wasn't two or three months down the road, I'll
17 guarantee you that.

18 Q. Shortly after the event, how about I word it that way.

19 A. Yes, better.

20 Q. Did you take that mandatory training?

21 A. Yes.

22 Q. What did you think of it?

23 A. I'm the one who located these and did them first. It was
24 good, I thought it was good. I had no real complaints with it,
25 noticed there were some things, especially on runway markings and

1 stuff that you hardly, you know, sometimes you don't deal with for
2 five or six years, it refreshed my memory on stuff.

3 We have a basic company policy here when we taxi, clear on
4 the right, clear on the left, that's just the way it's been for
5 all these years. You're crossing, cleared to cross, cleared to
6 cross, strobes on. Bill Lacy, the PIC in this, it didn't matter
7 whether it was 12:00 Noon, taxi light on, you know, for the basic
8 procedures on how to do things.

9 We -- and how did I head in that direction? What was your
10 question again?

11 Q. Well, I was just asking what you thought of that training,
12 and you said it was good which always gives me pause, but we'll go
13 with that in a minute.

14 A. Yeah, I thought it was meaningful. How's that for a word for
15 you?

16 Q. It's not about the words. It's like when I hear people say
17 it was good, it's kind of like, well, it checked a box but it
18 lacked X, Y and Z.

19 A. I did not see anything lacking in it. How's that?

20 Q. And it's always when people say good, it always --

21 A. Well, I shouldn't have asked the question either.

22 Q. No, you're good, it's all good. How do you define who the
23 PIC is for a trip, or how is it, does the company have a procedure
24 in place to say here's how we define who's going to be PIC for
25 that trip, that day, however you guys break it down?

1 A. I don't know that we have an exact set written rule on that.
2 I would say as a general rule, the senior guy is probably going to
3 be listed as PIC.

4 Now, as we have people who are moving into, as you would say,
5 a more senior captain position, we want to make sure that, you
6 know, PIC makes a lot of different decisions than an SIC does, and
7 this guy's already type rated, he's already got a couple of
8 hundred hours in the airplane, but we will name him as PIC with a
9 discussion to the more senior guy, look, he's named as PIC so now
10 he's responsible, we want you to monitor him on this. You guys
11 are a crew, you're doing this together.

12 And just like my one check sheet that I spoke about earlier
13 when they first come in, that was written so that both parties can
14 do the work. In other words, it was specifically written for, it
15 would be perfect if everybody walks in the door at the exact same
16 time, we come down here, we get our trip sheets, we read through
17 it, we discuss it, we do this, okay, you're going to do this, I'm
18 doing this and away we go. It doesn't happen.

19 Junior guy comes in the door, senior captain isn't here, what
20 do I do. Well, coffee and ice. Now, come on. They don't have to
21 be done in these orders, but here's the first step so he can do
22 this, he can do this, and then he signs it.

23 So let's say the captain was stuck in traffic some place, and
24 he's going to be 30 minutes late. Okay, when he walks in the
25 door, if the other guy is out fueling, he can look at the sheet,

1 okay, he's done this, this and this and now I've got to do that.

2 So, what I'm saying is, is that they can intersperse on this
3 and even though we named somebody as a PIC, they're designed to
4 share the load on this.

5 If we're moving somebody into a PIC that's not, we're going
6 to have one of his most experienced monitoring him and then once
7 he says, he's got it down.

8 And then a lot of times when they're here, see, I stay right
9 here in the building, all right. I mean, I sleep here. So I'm up
10 a lot of times and I'll just mosey on through when I see the crews
11 getting ready and ask general questions just like you guys are
12 doing here, and get the feel of the land.

13 Q. Again, I'm new here --

14 A. No.

15 Q. -- so I'm wanting to be that senior pilot someday. Do you
16 have a mentoring program so you can put certain pilots that follow
17 the letter of the SOP and everything with the more junior ones to
18 kind of help them understand this is your responsibility?

19 A. Yes. We have a couple, again, I'm going to use it as a
20 generic term, senior captains that work with the newest people
21 here for that exact reason.

22 Q. So it's not every senior captain?

23 A. No.

24 Q. It's just a select few?

25 A. No, a select few.

1 Q. And is that a select few like a select few in the Gulfstream
2 and a select few in the Hawker?

3 A. Yes.

4 Q. I just wanted to make sure I understood that. Generally
5 speaking, I'm coming through the door, you hired me, how long is
6 my training going to be? And I know, everybody's different,
7 everything could flex a little, but there's still a baseline or a
8 skill --

9 A. All told, three to four weeks.

10 Q. Okay. So three to four weeks of, is that ground school and
11 SIM training, or is that --

12 A. Ground school --

13 Q. -- three to four weeks, I'm out there flying?

14 A. No, that's ground school, SIM, our in house, getting you
15 ready for it. So from the day that we send you off for school,
16 three to four weeks would be an average.

17 Q. All righty. How do you all maintain or verify that a
18 standardization is being maintained out there on the line, that,
19 you know, I go fly with Pilot A and they do something entirely
20 different than Pilot B? How do you guys maintain that
21 standardization? Or can you?

22 A. We generally do. On the Hawkers it's easy to answer that
23 question more so than the G7 because I only have my pilots on
24 that. But in the Hawkers, Mike Toll as chief pilot and Steve
25 Crawford as assistant chief pilot, who both have many, many hours

1 in Hawkers, will fly with all of the, you know, over a time frame,
2 will fly with every pilot that we have here.

3 And we also do the, generally, the mid-year 297 checks,
4 almost a 100 percent of the time are done in house with our own
5 check airmen, and the 299s. So that gives us the viewing of the
6 guys to see how they're doing from Mike Toll's point of view.

7 And the other, and the assistant DO is Steve Crawford who has
8 just been named as a check airman also in the Hawkers for us.

9 Q. How many check airmen do you have in the Hawkers? I should
10 have asked that earlier.

11 A. Two.

12 Q. So your chief pilot and now your assistant --

13 A. Assistant DO. And Steve's background, he flew for IFR,
14 across the road, in Hawkers, that's how we knew him, and he was
15 chief pilot over there prior to coming here.

16 Q. Okay. I'll ask for your opinion. Considering you have five
17 Hawkers, or I'm sorry.

18 A. Yes, five.

19 Q. Five Hawkers. Is two check airmen acceptable for that? Is
20 that an adequate amount?

21 A. Yes.

22 Q. There's no delays getting people their 299s or anything like
23 that?

24 A. No.

25 Q. All righty. My last --

1 A. I have more issues with check airmen at the flight, at the
2 training centers. But that has loosened up considerably now.
3 It's much easier for us to get somebody a FlightSafety or CAE and
4 LOA. It used to be tough.

5 Q. What used to be tough about it?

6 A. The training centers, if you want to back eight or 10 years
7 ago when they first started to tighten up on the legal
8 requirements, didn't have the paperwork for the backing. But the
9 last three or four years, that's pretty much been eliminated as an
10 issue.

11 Q. Perfect. My last little batch of questions and then you'll
12 be all done with me so you can --

13 A. Uh-oh.

14 Q. -- but then you have to deal with Kat and Tom. Again, they
15 have the big questions.

16 How's your interaction with your POI with the FAA?

17 A. Excellent. And I'm not saying that just to butter him up.
18 I've gone through numerous POIs and one of them that was
19 considered the toughest nut, we had for about eight years. It's
20 just, you'd work them and this is what they need, and you deal
21 with it. But Scott Lambrecht, we've had now for two and a half
22 years, and, excellent.

23 Q. How often do you --

24 A. Not good, excellent.

25 Q. You're getting all my words now, okay. How often do you

1 interact with him face to face?

2 A. Face to face probably, let's say, four or five times a year.
3 Email, every other day maybe, or twice a week. Phone
4 conversations, numerous times; he will call me, I will call him.
5 I'm not saying we'll immediately answer either one of us, but the
6 communication, again, is excellent. As you can tell, I'm very
7 happy.

8 Q. I wasn't getting that clearly. No, just kidding. No, and
9 that's good to hear because sometimes it's not always what we
10 hear. So I appreciate the --

11 A. No, the one I had previous, I got along with okay even though
12 I sometimes thought he was going to the Nth degree on things, but
13 there are some other operators that just hated him. Not Scott
14 Lambrecht, this was a different gentleman who's retired.

15 Q. All righty. How quick is, I know you email, you communicate
16 back and forth, but if you have a manual change or a procedure
17 change that you need FAA's approval on, how long does it take,
18 that process, or maybe you haven't had to do that?

19 A. Oh, yes. I mean, they're supposed to handle us within 30
20 days. I'll have to say probably 90 percent of the time, it's
21 dealt with in 90 days.

22 Q. How about that other 10 percent of time, is that longer?

23 A. It depends on what the priority list is at the time. There
24 have been a couple of manuals that have drug out, but it wasn't
25 the FAA's fault exclusively because maybe we had something else

1 that we came in and said okay, look, I need this so push that,
2 that one needs to be pushed down three levels, I need this dealt
3 with. So this one ended up taking longer than originally it would
4 have been if that was the sole item we had on their agenda.

5 MR. ETCHER: Well, I think you've answered all my questions.
6 I would say I'll hold it in reserve, but I'll make a promise, I
7 think you've answered all of my questions. But I appreciate it.
8 I will pass it off to Ms. Kat.

9 MS. WILSON: I don't have any follow ups, thanks so much.

10 MR. ETCHER: Thanks Kat. Todd?

11 MR. GENTRY: I just have one, and it's pretty simple.

12 BY MR. GENTRY:

13 Q. Is there a written procedure in your SOPs for when you are
14 cleared for takeoff? For example, I'll give you an example. When
15 you hear the words cleared for takeoff and the crew, we used to
16 turn on all the landing lights, not just the taxi lights, but
17 every light on the airplane. Flipping that switch would tell the
18 crew, we both heard yes, we are cleared for takeoff?

19 A. No, they do a call back to each other, cleared for takeoff,
20 we're cleared for takeoff, back and forth. But there's --

21 Q. Okay. There's no physical movement of anything or any kind
22 of --

23 A. Well --

24 Q. Some guys will put a checklist between the throttles and
25 they'll move the checklist out when they heard the word, cleared

1 for takeoff.

2 A. No, we do not do that. I will say this in the aircraft that
3 I've flown, generally, the landing light come on is one of those
4 things that as you're taxiing, yeah, you've got a, depending on
5 how it's worded, just before you takeoff, takeoff roll, whatever
6 kind of name you want to give the checklist, here are one or two
7 things you do. And the landing lights is one of those things.

8 Q. But it's not written?

9 A. It's in the checklist, but it's not written that that's,
10 technically, that we're cleared for takeoff.

11 MR. GENTRY: Okay. That was my question.

12 MR. ETCHER: Okay.

13 MR. GENTRY: Thank you.

14 MR. ETCHER: Thank you. We've asked you a lot of questions,
15 but I know there's always that scare in my brain that I can ask
16 you a thousand questions, but it's that thousand and oneth
17 (verbatim) question that would have helped me.

18 Do you think of anything we should have asked that we didn't,
19 and I'm not saying oh, self-disclose yourself?

20 MR. SOUTHWELL: Not really. You guys, or I thought were very
21 thorough on it. No, I can't think of anything right off.

22 MR. ETCHER: I know you have my contact information so if you
23 think of something --

24 MR. SOUTHWELL: Well, you guys can call me, obviously, on
25 anything here.

1 MR. ETCHER: You know I've been very hesitant to reach out
2 and email you so, you know, but no, I appreciate that and your
3 response to everything.

4 But I just I'm always fearful after we interview somebody and
5 talk with somebody, we've learned a lot, but we might have missed
6 something that might have been a light bulb in all our heads and
7 you would be like, why didn't they ask that. So I just, I always
8 like to ask to make sure.

9 MR. SOUTHWELL: No, I think both sides brought up, I brought
10 up my concerns that as you could tell, I'm very comfortable in
11 voicing those concerns. It's not like, well, I'm just trying to
12 cover somebody's heinie with this, no. These are things that
13 bothered me from the get go.

14 Who do we go to, to find out what was on with the Cockpit
15 Voice Recorder? Sometimes we are kept totally out of the loop on
16 stuff.

17 And I'm supposed to be making decisions on what to do with
18 the crew and that, okay, there's my fourth item is communication
19 with us on what you guys are finding because you guys have control
20 of things like the Cockpit Voice Recorder.

21 I had the FAA calling me saying, have you heard anything?
22 No. Well, do you know anything about this? No, I haven't. And
23 then we put in a request, and I don't know who it goes to.

24 So, the quicker I have information back, the quicker I can
25 make an intelligent judgment call on what we need to do to correct

1 the situation.

2 MR. ETCHER: From your standpoint, from our viewpoint, your
3 best point of contact is always reach out to the Investigator In
4 Charge because, you know, I deal with operations, Kat deals with
5 human performance. We may not always know everything that went on
6 with the CVR, if it worked, if it didn't. The IIC, they had that
7 overall global picture. So they're the ones that I would reach
8 out to and ask.

9 If they don't know, they can at least reach out to that
10 specialist and say oh, the CVR was good, we got it; or oh, no,
11 there was a problem with it and here's what it was. They're the
12 ones that'll be able to get those questions answered and get you
13 the right answer.

14 I could guess and speculate all day long, but that does us
15 absolutely no good. So that would be my best suggestion to you is
16 to reach to the IIC and, you know, they'll work with that. All
17 right?

18 MR. SOUTHWELL: I didn't deal with that personally. It was
19 maintenance, was dealing with it. But I just, before you guys
20 came this morning, I talked to Joe, did we ever get a
21 determination, I know I talked to you a couple of months ago. He
22 says, no.

23 MR. ETCHER: So, yeah, reach out to the Investigator In
24 Charge. He can at least, there's some things that he can't
25 disclose until the case becomes public. But there are some things

1 they can and they know, they're to keep their pulse on all of us
2 and kind of manage it. So that's the best thing to do. All
3 right? Anything else?

4 MR. SOUTHWELL: No, I'm done.

5 MR. ETCHER: Well, with that, I'll call this concluded at
6 9:49 local. Thank you.

7 (Whereupon, at 9:49 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: RUNWAY COLLISION AT THE WILLIAM
 P. HOBBY AIRPORT IN HOUSTON, TEXAS
 ON OCTOBER 24, 2023
 Interview of Scott Southwell

ACCIDENT NO.: DCA24FA017

PLACE: Chicago, Illinois

DATE: July 17, 2024

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.



Christina H. Neilson
Transcriber

UNITED STATES OF AMERICA

FREE STATE REPORTING, INC.
Court Reporting Transcription

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of:

RUNWAY COLLISION AT THE WILLIAM

P. HOBBY AIRPORT IN HOUSTON,

TEXAS ON OCTOBER 24, 2023

Accident No.: DCA24FA017

* * * * *

Interview of: MICHAEL TOLL, Chief Pilot

DuPage Aerospace Corporation

via Zoom

APPEARANCES:

DR. KATHERINE WILSON
Senior Human Performance Investigator
National Transportation Safety Board

SHAWN ETCHER, Operational Factors Investigation
National Transportation Safety Board

TODD GENTRY, Air Safety Investigator
Federal Aviation Administration

I N D E X

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I N T E R V I E W

(10:52 a.m. EDT)

DR. WILSON: All right. Good morning, Mike. As I mentioned, I'm Katherine Wilson. I'm a human performance investigator working the case that occurred in Houston. On the phone, I'll have Shawn introduce himself as well.

MR. ETCHER: Good morning, sir. My name is Shawn Etcher. I'm in operational factors with the NTSB. I appreciate you coming on to educate me a little bit.

CHIEF TOLL: Thank you.

DR. WILSON: And if you're unfamiliar with NTSB investigations, our process is to examine the facts of an accident that occurs and then to determine the probably cause of the accident, make any safety recommendations that we feel could prevent something like this from happening again. We're strictly here from the safety side. We don't place blame or fault, but we really do just want to prevent an accident like this from happening again. So we were very lucky that the flight crew was able to talk to us after that night. We don't always have that opportunity. So this was something that we understand could have been much worse, and we really want to understand it and make any changes that we can to prevent a future occurrence.

Shawn and I will each take turns asking questions. If you don't understand a question, just stop us and ask us to clarify. If you don't know the answer to a question or you need to get back

1 to us, just let us know that as well.

2 We discussed before we went on the recording, are you okay
3 that we're recording this interview and will be creating a
4 transcript that will go into our public docket down the road?

5 CHIEF TOLL: Yes, I am.

6 DR. WILSON: Okay. And, did you want to have a
7 representative with your today? You are entitled to have
8 representatives on this call with you?

9 CHIEF TOLL: It's not necessary. Thank you.

10 DR. WILSON: Great. Okay. So for the record, let's get
11 started. Do you have any questions before we get started?

12 CHIEF TOLL: Yeah, I just have one quick question. Are
13 either of you a pilot?

14 MR. ETCHER: I am, yes.

15 CHIEF TOLL: Okay. I just, you know, I've read through the
16 other guys' transcripts and I just wondered if some of the
17 terminology and stuff that we're using, that somebody will
18 understand. So perfect.

19 MR. ETCHER: I won't always guarantee it, but I'll sure try.
20 How's that?

21 CHIEF TOLL: All right. Great. Thanks.

22 DR. WILSON: Yes. And I'm also a private pilot, and Shawn
23 and I have been doing this for over 15 years. So we're very
24 familiar with the lingo and the terminology, but if we don't
25 understand something, we may ask you to clarify something if

1 you're using some kind of acronym that we're not familiar with.

2 CHIEF TOLL: Okay.

3 INTERVIEW OF MIKE TOLL

4 BY DR. WILSON:

5 Q. All right. So, Mike, if you could state for the record
6 please your full name.

7 A. Michael Lewis Toll.

8 Q. And your title in the company you work for?

9 A. I'm the chief pilot of DuPage Aerospace Corporation.

10 Q. And how long have you been in that position?

11 A. I believe since March 2013.

12 Q. Okay. Could you walk me through just a brief history of your
13 aviation background?

14 A. Sure. I took a class in high school that was supposed to
15 prep you for your private pilot written. I was smitten with
16 aviation, but never wanted to be a commercial pilot. I earned my
17 pilot's certificate in 1983. I worked for my family's business,
18 and I believe by the time I had 125 hours, I had a brand new 152
19 Aerobat that I bought and didn't fit in it too well. I'm a big
20 guy. I traded that and had bought a 231 Mooney. I spent a lot of
21 time doing personal flying. The family sold the family business,
22 and so I moved to Michigan with my wife where her family was from.
23 And I started a paint and upholstery business for aircraft. So, I
24 have a lot of background in refinishing and reupholstering of
25 aircraft, and we did stuff up to like 421 size aircraft.

1 I took on a business partner, built a big new facility at the
2 Battle Creek Airport, and you know what they say. Don't ever go
3 into business with friends, and that kind of fell apart. And at
4 the same time I got divorced, moved back to the Chicago area which
5 is where I'm born and raised in suburban Chicago.

6 I did take on a position of helping restore World War II
7 fighter planes for a museum in Chicago. And, I bumped into a guy
8 that wanted me to paint his T-6 Texan, and he was a Citation pilot
9 for a local company. And, he took me on some flights, maintenance
10 flights and stuff and, you know, all of a sudden it turned into,
11 well, this is kind of fun, and it pays pretty good, and it does
12 this. And eventually about 1996, I would say, I got my CE501 type
13 rating and started flying professionally.

14 I currently hold nine type ratings. I'm the certificate
15 holder in question today. I went to work in 1997. I became their
16 chief pilot in 1999. I left their employment just after 911 and
17 took a Part 91 position flying an Astrojet. I left that position
18 in '03 and took the position as director of operations for a large
19 135 operation in Rockford, Illinois, that -- I think they were an
20 eight or a nine plane operation. They eventually ended up own
21 Ryan International Airlines, same company, same parent company.
22 And, they just dissolved their 135 and decided to go all 121.

23 And, I wandered back as a contract pilot back to DuPage
24 Airport and was helping Scott Southwell who I'm sure you guys both
25 know. That's my DO. And I was doing some contract work at a

1 company right across the street called Integrated Flight
2 Resources. And, one day the FAA stepped in to -- I guess it's
3 kind of a funny story because Scott was wearing both hats, chief
4 pilot and director of ops at DuPage Aerospace in early 2013. And
5 another operator in Chicago called up and said, I want to wear
6 both hats, and they said, oh, absolutely not. That's not allowed.
7 And they go, oh, so you have special rules for DuPage Aerospace.
8 Because at the time, Scott was wearing both hats. They only had
9 two airplanes and all of a sudden, a couple more came on the
10 certificate, and it caused a big upset between the manager of the
11 POIs at the airport and they told Scott, well, they told the
12 ownership of DuPage Aerospace, you got to get a chief pilot and
13 get him on the certificate like tomorrow. And I was already
14 helping Scott do the work. They were paying me to help him with
15 the work, and I was qualified in a Hawker for them. So out I
16 went. And the rest is history.

17 I still fly a Hawker for them. I'm the check airman in the
18 Hawker for them. I flew the G200 and was a check airman in the
19 G200. All the G200s have left our certificate. I currently am
20 current in the Hawker and the G280. I'm a check airman in the
21 Hawker. The application has been applied for me to be a line
22 check pilot in the 280. And, I'm planning on retiring hopefully
23 within 12 to 24 months.

24 Q. You're not spilling the beans during this conversation, are
25 you?

1 A. No, they know. And, you know --

2 Q. Okay.

3 A. -- at DuPage Aerospace, retirement means you go off salary
4 and onto day rate and you fly -- they have a really nice setup
5 there. If they pay for your training, and you don't accept the
6 benefits package, you guarantee them you'll fly 100 days a year
7 which is not bad. And, it's at a rate which, you know, it floats
8 for different aircraft types. But, if you're a full-time pilot
9 like myself, all I'm guaranteeing them is I'll fly 150 days a
10 year. But they pay a base salary which is comfortable for some
11 people's lifestyle, and then a day rate to fly, and I guarantee
12 150 days but I've been averaging, you know, 160, 170 days and you
13 just make more money if you fly more. That's the basis for the
14 pay scale being put that.

15 So very happy with the people. They -- the ownership is --
16 when I was the chief pilot for -- it was called Scott Aviation
17 back in the late '90s and early 2000s. The father of the current
18 owner owned it back then, and very good people. Very family
19 oriented, very loyalty oriented, you know, they take care of their
20 people. I hate to elaborate, but I think three of our core
21 maintenance personnel have been working for that family for a
22 cumulative 150 years. I mean it's just -- they followed them from
23 one certificate to another and since the early '90s, you know.
24 It's quite an accomplishment, you know. So they treat us well.

25 Q. That sounds great. You answered some of my other questions

1 in that really elaborate description. That was great. Thank you.

2 How much travel time do you have about?

3 A. Well, you -- this will be easy. I went for my -- or I'm
4 going for my medical certificate tomorrow, and it's says 13,000
5 some -- oh, 14,270 hours.

6 Q. All right. Awesome. And about how much time do you think
7 you have in the Hawker?

8 A. I mean if you want an exact number, I can look it up on my
9 computer, but it's in excess of 4,000 hours.

10 Q. Okay. Awesome. How many Hawkers does DuPage have?

11 A. That's a moving target.

12 Q. Okay.

13 A. Today it's five. It's been as high as seven over the years
14 that I've been there.

15 Q. All right. And about how many Hawker pilots do you have?

16 A. At least 13.

17 DR. WILSON: Okay. I'm going to pause for just one second.
18 Shawn, you said Todd is in the waiting room?

19 MR. ETCHER: He is. I'll pause the recording, and we can let
20 him in and then he can introduce himself as well if that works.

21 DR. WILSON: Okay.

22 (Off the record.)

23 (On the record.)

24 DR. WILSON: All right. We're back on the record. It is now
25 11:06 a.m. Eastern Standard Time.

1 Todd Gentry from the FAA has joined the call. I'll allow him
2 to introduce himself and his role with the FAA.

3 MR. GENTRY: Okay. Good morning. My name is Todd Gentry.
4 I'm an AVP 100 which is accident investigation and prevention.
5 Our role is to look at all major accidents or incidents in the
6 National Airspace System and see if there's anything the FAA can
7 do to prevent that in the future. That's my role. And I think
8 Kat did say, I don't have any enforcement responsibilities at all.
9 I'm strictly in safety so that anything that we discuss here will
10 be, you know, held in confidence between us. And my job again is
11 only to see if there's something that the FAA can better. So feel
12 free to speak as you want.

13 CHIEF TOLL: Good morning.

14 DR. WILSON: Welcome, Todd.

15 BY DR. WILSON:

16 Q. Okay. All right. We've got five current Hawkers. It's been
17 up to 7 Hawker at DuPage, 13 pilots. How often are you flying,
18 Mike?

19 A. Well, I've been assigned an assistant chief pilot that's
20 supposed to take over for me when I retire. So -- and since I
21 took on the 280, I've been flying more. How about more than I
22 want to?

23 Q. Okay.

24 A. But, I think I'm averaging about 17 days a month.

25 Q. Okay. And is that splitting your time between the Hawker and

1 the 280?

2 A. I would say a third in the Hawker, two-thirds in the 280.

3 Q. All right. And how often when you're flying is that
4 checkrides versus just line flying or are you only doing
5 checkrides?

6 A. The company prefers to -- we do a lot of one way. Our
7 clientele are happy to pay for dead legs. So, we have one client
8 that goes from Ely, Minnesota to Carbondale, Illinois all the
9 time, and most of my checkrides I try to run out of Rockford. So,
10 this Friday, I have that loop coming in. I have a new pilot that
11 just needs his 299 route check. So one of those legs -- one of
12 the empty legs, I'll let him fly that leg and sign him off for his
13 299 route check. We try to incorporate it into a trip that has
14 dead legs.

15 Q. Okay. Have you flown with the accident crew, either Roger or
16 Bill?

17 A. I've been flying with Bill since he started with the company,
18 and I flew with Roger -- I can get you the exact dates, but he --
19 I printed it out. It's sitting on the printer in the other room.
20 I believe I gave him a checkride, 297-299 check within 40 days of
21 the accident. But I had flown with Roger repetitively. It was
22 always just the luck of the draw, you know, when they needed me
23 for a trip. I was always last to be called out. So.

24 Q. Okay. Are there any other check airmen for the Hawker?

25 A. There is, but he was not -- oh, he may have been a check

1 airman but only for about a month or two. He's the gentleman,
2 Steve Crawford. I don't know If you heard his name but he was
3 being trained to replace me, and Scott Southwell decided he wanted
4 to retire also. And so we moved Steve into the assistant DO
5 position, and -- but he is Hawker and 280 qualified and was a
6 Hawker check airman at another operator. So he is now currently a
7 Hawker check airman for us.

8 Q. Okay. And, the checkride that you did with Roger, anything
9 stand out as unusual, either good or bad?

10 A. No. In fact, that's why I asked you if you were pilots.
11 Nobody wants to fly with the chief pilot. Okay. Everybody is on
12 their utmost best behavior. When I got back from -- when I get
13 back from all my checkrides, I go into the owners of the
14 companies, you did a great job. Okay. You know, both of those
15 guys were exceptionally good airmen. They were always willing to
16 fly when we asked them to, and again, I'll clarify. Our company
17 does not have a schedule. You ask for the days off that you want,
18 and we give them to you. And, it doesn't mean we won't call you
19 on your day off, but you have all the right in the world to just
20 give us the 150 or the 100 days a year and we're happy. So, you
21 know, they -- both of those guys were always on their best
22 behavior when they got in the airplane with me, or I should say
23 had their best skill sets forward. So.

24 Q. Okay. Great. One of the things when we were talking with
25 the crew, they mentioned that on the departure, they got an alert

1 that trim was not trimmed properly. Have you ever experienced
2 that, the airplane being out of trim on the take up roll?

3 A. I'm going to give you a little bit of an explanation here. I
4 believe the trim -- the green arc in -- which is the takeoff band
5 in a Hawker goes from 15 to 30 would be your percent M.A.C., and
6 the needle that you set to point is probably three numbers wide.
7 Okay. It's unfortunate in this particular case. I did a weight
8 and balance and found that their trim settings should have been
9 about 21 for this takeoff, and the bottom of the green arch is 15.
10 If they had set 17 or 18, it's hard to tell whether -- again
11 everything about a Hawker is old and clunky. I call it -- none of
12 it's precise like the new airplanes. You want to trim it so it
13 gets 5.6 and it comes up digitally on the screens.

14 So I believe that they had misset the trim, okay. We require
15 a weight and balance for every trip. Everybody's trained to know
16 that your takeoff trim setting gives you V2 single engine. It's
17 very important to set the proper trim setting prior to takeoff,
18 and that trim setting was misset if they got the takeoff warning,
19 okay. So I believe that I had a crew, a highly trained and
20 qualified crew that had a mishap or an oversight.

21 Q. Have you ever had that happen to you?

22 A. No.

23 Q. Okay. So what would you have expected a crew to do if they
24 got that warning on the takeoff roll?

25 A. Abort.

1 Q. Okay.

2 A. I've just read through their transcripts, and it said we did
3 a full takeoff briefing. And our company briefing is -- the first
4 line of it is below 80 knots, we'll abort for any fault or failure
5 called from either seat. Okay. So, you know, my newest thing
6 with my crews, my emails and I send out a monthly newsletter.
7 Don't hear the briefing. Listen to it. Because after, you know,
8 we become complacent. You almost say it like a robot, below 80,
9 for anything 80, to be one, fire failure, loss of direction
10 control, runway incursion, after V1, in flight emergency hold
11 checklist to 1500. You know, you hear this but -- so they said
12 they briefed. Okay. Both pilots always briefed when they flew
13 with me, okay. I insisted on it. All of our pilots, you do a
14 good takeoff briefing. Even if it is as previously briefed 40
15 minutes ago, you know.

16 Q. Right.

17 A. But we briefed. So, again my opinion is that when they
18 showed up at the airport and saw their passenger there, that it
19 upset the whole normal flow of how they did things. But the
20 answer to your question is abort.

21 Q. Okay. All right. Well, you answered my question about who
22 writes the newsletters. How often does the newsletter go out?
23 Did you say monthly?

24 A. Monthly, correct.

25 Q. Okay. And how is that distributed?

1 A. Via email and then I print hard copies and put it in their
2 mailboxes at work.

3 Q. Is the newsletter something that's considered required
4 reading?

5 A. It is not --

6 Q. Okay.

7 A. -- require reading. If something comes up at the company
8 that can't wait for 20 days, I send an email out to all pilots
9 with a read receipt.

10 Q. Okay. In addition to the newsletter, does the company hold
11 any monthly or quarterly safety meetings with pilots?

12 A. The company holds a monthly SMS safety meeting. We have a
13 SMS program, and at that meeting is myself, the DO, the owner, the
14 vice president, the head of dispatch, the head of maintenance, the
15 head of inspection, and it is our job that anything that's been
16 brought up or any type of SMS reports that have been brought up in
17 the previous month, to take those to your minus (ph.) flight ops.
18 So either Scott or I would handle how the root cause and how we're
19 not going to let this happen again, you know. I actually wrote
20 the SMS report up for this incident.

21 Q. Okay.

22 A. But it's healthy.

23 Q. Okay. All right. And the information that's in there, does
24 that feed into the newsletter? Are those connected?

25 A. Almost always half of my data points for the newsletter come

1 out of the safety meeting. It typically happens on the second
2 Wednesday of every month, but schedule permitting. They may shift
3 it a week one way or another.

4 Q. And if a pilot wanted to report a safety concern, how do they
5 go about doing that?

6 A. Each pilot -- our SMS system is through flightplan.com, and
7 every pilot has a unique login, and it's fully anonymous -- I'm
8 sorry, I'm searching for the word -- if they want it to be. And,
9 so that is probably one of the portions of my newsletter that, you
10 know, that just stays on every month and it says, we have a SMS
11 system. If you don't have your login, go to our head safety
12 officer and get your login and you can report anything you want
13 anonymously or not. So everybody's aware of the system and
14 everybody has a login for it.

15 Q. Okay. What's the process once a safety report comes in
16 through the SMS?

17 A. Again, the person that has access to the reports when they
18 come in, his name is Casey Johnson, and he's one of the people in
19 the dispatch department, but we wanted somebody outside of flight
20 ops to be in control of this SMS. And if it's something
21 egregious, you know, we all get phone calls. This just came up,
22 but they get printed out, and in the monthly safety meeting, you
23 know, typically we end up with -- I don't know what a really
24 active SMS program would do, but we end up with 5 to 10 SMS
25 reports a month, you know. There was a puddle of TKS fluid on the

1 floor of the hangar. So, so and so didn't do the checklist or
2 something, you know. That's not one, but that was an example.

3 Q. Okay.

4 A. And those are all printed out, and then at the SMS meeting,
5 somebody on the safety committee gets handed the report. If it's
6 in the maintenance department, they hand it to a maintenance guy.
7 If it's a flight ops one, it goes to Scott or I. And, you go
8 figure out the root cause of this and give us, you know, a
9 corrective action. And that's just how we handle it. We are a --
10 I would consider us a fledgling SMS program. It's been active for
11 about a year and a half. I understand it takes a long time to get
12 a really strong SMS program in place, but we're definitely trying.

13 Q. CRM training, is that something that is taught in house? Is
14 that something that's taught at CAE. Where do pilots receive
15 training on CRM?

16 A. So, our training manual requires a certain amount of time of
17 CRM. We use CTS. You know what CTS is.

18 Q. Um-hum.

19 A. And so CTS has a CRM module. Of course, every pilot either
20 goes to Flight Safety or CAE once a year. So CRM is -- if you
21 actually dig out their records and find out how much, but some
22 portion of the time is at CAE. Some is CTS. And if there's ever
23 an indication that something should be changed, then we do
24 additional training in house.

25 Q. What about human factors training? Is that covered anywhere

1 where we talk maybe distractions or situation awareness?

2 A. And again, if you ask me to define human factors training, I
3 can't. Okay. But if you're talking about how somebody's personal
4 life might affect their performance at their job, we don't have
5 that as far as I know. We don't have any module called human
6 factors training.

7 Q. Okay. And I'm -- and I don't want to make assumptions. So,
8 if, for instance, you know, you in your newsletter, I saw your
9 June and July monthly newsletters, and you talked about pilots
10 being in one of the safety actions or safety issues, a pilot being
11 distracted because there was a new passenger, you know, that maybe
12 wasn't on the list, and they didn't take the time to go through
13 the proper procedure. Or, in this case, with this crew, you
14 mentioned that you thought maybe they rushed because they had the
15 passenger waiting when they arrived. So is there any training
16 that covers scenarios like that beyond the newsletter? Do you
17 ever walk through any scenarios of pilots about, you know, what
18 you should do in those situations or cover that in training?

19 A. Again, in that particular case, with the 12.5 and the TSA
20 stuff that's been implemented, you know, for the last 20 years,
21 it's extremely important for the certificate holder to make
22 certain that everybody's been vetted when they get on the
23 airplane. So, it's, you know, in my particular case, if somebody
24 shows up with extra passengers, it's just like, hey, everybody,
25 just relax for a minute and get me the driver's licenses for the

1 new passengers that we're adding, and I have to run them through
2 the no fly and selectee list. And that's just -- if -- you know,
3 we're also supposed to inform our dispatcher if somebody shows up
4 with less passengers than was on the list, at least so that we can
5 make sure that our dispatch paperwork is correct. So, typically
6 the reason that was in the newsletter was not about human factors,
7 but more about, look, you're risking the company getting a slap on
8 the wrist if we don't follow this procedure.

9 And it's pretty clearly spelled out in everything we do is
10 like you can only put the people that are on your dispatch
11 paperwork on the airplane. So, you know, when that stuff is
12 overlooked, and again if you -- I don't know. You may have a
13 better idea how many flights per year we fly, but this issue comes
14 about three times a year because somebody puts somebody on the
15 airplane and took off, and when they got through 10,000 feet, they
16 texted the office and said, oh, by the way, I have an extra
17 passenger. Can you make sure that my dispatch paperwork's correct
18 by the time I get to where we're going. And, so it's my job to
19 tell them the regulation reads you can't let them on the airplane
20 until you know who they are, not make sure they're on the
21 paperwork when you land in case somebody checks. So that's what
22 we're -- that's why that was in the newsletter is --

23 Q. Okay.

24 A. -- more for company protection than it was for, you know, we
25 sit in the safety meeting and say, this is 135 101. This

1 shouldn't be missed. So.

2 Q. And I'll ask the last question about this because again I
3 don't want to put words into your mouth or make an assumption, but
4 in the sense of some type of scenario where there's a self-induced
5 pressure to depart, that isn't necessarily something that would be
6 covered in training though?

7 A. No, and that's why you see it in the newsletter.

8 Q. Okay.

9 A. Okay. It's been, it's been -- no pilots like to be rushed,
10 and sometimes guys may rush themselves, and it's my job to make
11 them understand that it doesn't matter at this company. If we're
12 late, it doesn't matter. If we don't want weather, we've got to
13 go to miss this thunderstorm. We don't let our clients push us to
14 go fast or, you know, to get going. We just -- we'll get
15 different clients. Okay. So, typically when I cross this bridge
16 it's because a crewmember tells me that they're being forced to
17 get going, and we address it with either a client or a dispatcher
18 or a copilot or whatever, but very rarely has it come up that a
19 pilot is rushing himself. And unfortunately -- I'll stop right
20 there.

21 Q. Okay. And one last question before I hand it off the Shawn.
22 You mentioned at the beginning that when you do the checkrides or
23 when somebody's riding with the check airman, right, they're going
24 to mind their Ps and Qs. They're going to make sure that they're
25 flying exactly the way that they should be flying. Did the

1 company have any way of knowing if a pilot, when somebody like
2 yourself is not flying with them, that they're following Standard
3 operating procedures? Is there any -- do you have a FOQA program
4 or anything, some kind of data monitoring program --

5 A. We -- I'm sorry for talking over. Our G500 has a FOQA
6 program in it. Other than that, we are relying upon the SMS
7 program, and I'll elaborate on that as prior to SMS, I was, you
8 know, pleading with -- well, here's a non-safety related issue.
9 But a pilot would come back and say, I don't want to fly with him.
10 Do not schedule me with that guy. And I'm like, okay. Why? I
11 don't want to say. We're a small company. You know, if you
12 complain about a pilot at United, you may never see that guy ever
13 again and they have a do not pair list.

14 But, in this particular case, I kept poking and poking and
15 poking, and finally the guy said, he smokes in the rental car. I
16 got, you're kidding me. He goes, no. I quit smoking 10 years
17 ago. I don't want to be around it, and he just -- he smoke in the
18 rental car. And I go, okay, I can fix that one really easy. And
19 I called the other crewmember up, and I said, the next time I hear
20 that you smoked in a crew car or a rental car, I'm going to call
21 the rental car company and tell them you smoked and to charge the
22 \$250 cleaning fee, and I'm going to keep doing it until you are
23 nice enough to not do this to the people you're working with if
24 they don't choose to want it.

25 So now we have a SMS program in place. So somebody can come

1 in and say what they want anonymously and everybody's worried
2 about tattling on another pilot, and then having to be recrewed
3 with them. So, you know, my thing for years if I don't know about
4 it, I can't fix it. So I have, I have to figure out a way of
5 getting the information somewhere.

6 Q. Well, thank you so much, Mike. I apologize that I have to
7 jump off the call, but you're in good hands with Shawn and Todd.

8 DR. WILSON: Shawn, I actually don't have any questions. So
9 that was perfect timing, and I look forward to reading the
10 transcript for the remainder of the interview.

11 CHIEF TOLL: Thank you.

12 DR. WILSON: Thanks.

13 MR. ETCHER: Thanks, Kat.

14 BY MR. ETCHER:

15 Q. Sir, before we get started, do you want me to call you, sir,
16 Captain, Mike, what would you prefer?

17 A. Mike.

18 Q. I always figure I better ask because with my luck, I'll call
19 somebody by the wrong name, and then it will add more confusion to
20 me later. Mike, I appreciate all you've given me so far. Before
21 we get started, do you need a break, to get coffee, water.

22 A. I have a bottle of water if you see me drinking it. I
23 apologize for doing it on screen --

24 Q. Oh, no, you'll see me do it. So feel free, drink away all
25 you want because stay hydrated and, you know, we only rent water.

1 So, at some point, you'll have to return it back to nature. So if
2 you need to do that, just say so.

3 A. All right.

4 Q. It will not bother me a bit because probably by that point
5 I'll have to as well. But anyway, I appreciate everything you've
6 given. You answered a lot of my questions and, you know, I have a
7 few follow-on questions in there. So my questions might seem a
8 little scattered. I apologize for that. It's just as I was
9 writing down, I don't want to miss anything.

10 You mentioned several times dispatch. You guys actually have
11 dispatch that dispatches your flights or is it like somebody that
12 just tracks the flights. Kind of help me understand what you mean
13 by dispatch.

14 A. Well, we have -- what our company describes as dispatch is in
15 a group of offices, and we have people that call pilots to
16 schedule them for flights. We have people that call and make
17 hotel and rental car reservations, reservations for fuel, stuff
18 like that. We have one gentleman that is a licensed dispatcher at
19 the company, and he runs a lot of the IT stuff for us also. And
20 then we have the two head sales people of the company, one being
21 the vice president and the other being a gentleman named Grant
22 Casstevens. And that as a group we call dispatch.

23 Within that group, I don't want to make -- there are certain
24 names of the six people that are on our ops specs that have
25 operational control that are allowed to dispatch the aircraft.

1 Okay. But what we call dispatch, is our communication between
2 flight crews, whether they're at home or on the road and the
3 office.

4 Q. Okay. Perfect. That's what I thought, but that's what he
5 kept calling them. So I just wanted to make sure because when I'm
6 reading this in a month from now, I might be like, wait, they have
7 licensed dispatchers or they don't. So I appreciate that
8 clarification.

9 A. We have one.

10 Q. Right.

11 A. We have one licensed dispatcher, but he does not do -- he's
12 there -- he understands the functions but he is not choosing fuel
13 loads or anything like that for the crews. So.

14 Q. Okay. Perfect. So, I could ask a lot of questions here, but
15 I'd rather you just kind of walk me through, if you will. For a
16 moment, pretend you were crazy enough to hire me as a pilot and,
17 you know, I went through CAE or Flight Safety which ever you guys
18 sent me to, did all the training. Freshly out of the sim, ready
19 to go fly. Walk me through as a new pilot. I assume you do the
20 training when I would come online or do you pair me up with
21 somebody else?

22 A. Well, we have a number, and I believe the number for the
23 Hawker program is myself, Steve, Scott Southwell and one other
24 senior captain are instructors. They're trained as instructors.
25 Their records are kept current as instructors, and so I tend to, I

1 tend to try and stay away from that, the new guys coming on
2 because I'm pretty much the one that has to -- I have to audit
3 through checkrides the training that they got.

4 So -- but, this is an interesting story because we just have
5 a guy that just got hired. He -- we do not hire low time pilots.
6 I think our lowest time pilot that we ever hired had over 4,000
7 hours. Oh, I did hire one guy that was a F-18 pilot in the Navy,
8 and he came to us with 1700 hours or something, but it was mostly
9 in F-18s. So, I just hired a new guy. He was a Lear 60 and Lear
10 45 type rated guy. His airplane got sold. He was looking for a
11 job. We sent him to CAE for an initial training event. He did
12 his initial CTS training. He did the initial GOS training that's
13 required by our manual, the operator's subjects. And he shows up
14 back from school with a fresh 293-297 check, having never flown a
15 Hawker.

16 So the first thing we do with him is -- and I should back up
17 a bit. Prior to sending somebody to school, the school dates are
18 so hard to come by, we typically are hiring somebody and they have
19 a month or two before we have an available school slot for them.
20 And during that month or two, one of the Hawker instructors will
21 have them come in, and they'll sit and run checklists and go
22 through procedures with the airplane on a power cart in the
23 hangar. Typically, we like them to get like 10 hours of sitting
24 in the airplane just poking buttons, running the checklists, you
25 know, seeing how DuPage Aerospace fills their paperwork out, where

1 to go make a pot of coffee at, so that when they do come back,
2 they're in relatively good shape with paperwork, company policies
3 and again all of this is very difficult to give a guy through a
4 fire hose in a couple of days.

5 But the person that comes back from school, this gentleman
6 that just came back, we needed him to get as many takeoffs and
7 landings in the airplane as he'd like to feel comfortable. So we
8 get a training captain, an instructor, whether it be myself or
9 Steve or Howard. Scott Southwell is not Hawker type rated. And
10 send him out, and we just go around the patch as many times as
11 they want. If they want six landings, they can have six landings.
12 If they -- most of the guys want three takeoffs and landings.
13 Okay. Now, they've had three from the left seat. Now, we
14 consider him legal to fly as a SIC, okay.

15 The gentleman that just came back from school, we had a
16 relatively nice, easy trip, but it was the Ely, Minnesota,
17 Carbondale, Illinois back home, live leg in the middle. So, we
18 scheduled him with one of my -- one of the captains that I'm most
19 happy with, okay. And, at that point, I will call the captain and
20 basically say, do you remember when you just got out of school,
21 and you didn't know anything about a Hawker and, you know,
22 somebody took you under their wing and showed you how to, you
23 know, how the procedures work for the company and blah, blah,
24 blah. And they eventually let you fly some dead legs in the
25 airplane. Yeah, I remember that. Good. Because the guy you're

1 flying with tomorrow is like that. He's a good pilot, had no bad
2 reports from school. Whether or not he flies the airplane on this
3 entire trip is completely your call. If I was flying the trip. He
4 would be sitting in the right seat, talking on the radio, putting
5 the gear up and down and reading the checklist for all three legs,
6 and let him get used to, you know -- are you type rated in
7 anything?

8 Q. I am but not the Hawker.

9 A. Okay. So, you know as well as I do that a type rating only
10 gives you the right to get in the left seat of the airplane. It
11 doesn't teach you how to operate the airplane. It teaches you
12 enough to legally fly it. So what we tend to do with our new guys
13 is bring them in and teach them how to operate the aircraft, okay.

14 And, so now this new guy has been on two trips. All the
15 reports have been he's doing just fine, and on Friday, I fly that
16 same Ely, Minnesota thing with him, and the dead leg, Carbondale
17 back to Chicago, I'm going to throw him in the left seat and give
18 him his 299 ride check. Now, he is as full captain, and which
19 allows him to build his PIC time and type up.

20 Depending on the gentleman or woman, it can be a year before
21 they're dispatched as a captain. It could be 6 months, okay.
22 This is not -- we do not have a seniority system at this company.
23 It is totally and completely merit based,

24 And, I will tell you that one of my pilots was systemwide
25 number 1 seniority at United for 8 months prior to his retirement.

1 If I had 10 more like him, I would feel like, you know, if the guy
2 follows every procedure, when you tell him what the procedure is,
3 he writes it down if it's not in a manual or the policy, and he is
4 just awesome. Okay. He was being dispatched as a captain within
5 6 months of his earning his type rating, okay.

6 I've had others that have taken a year. I've got a gentleman
7 right now that he's -- I don't want to call them contract pilots
8 any more because of the change in the employment law, but -- so we
9 call them part-time pilots, and I have one that's just so
10 unavailable to me, he's type rated. He has time in the airplane.
11 He was a 787 pilot for American, but he spends so much time at his
12 cabin in northern Wisconsin is that we choose not to dispatch him
13 as a captain. He just isn't getting the reps (ph.). It doesn't
14 mean we won't send him to PIC school, but when his 297 check comes
15 up, sometimes we just aren't real concerned about renewing it,
16 okay. And he's the only one I have right now, and it's not
17 because he's not a good pilot. It's because he's not willing to
18 put enough time in to make himself available as we would need.

19 But again, you're a new guy out of school. Come out of
20 school, make sure all the boxes are checked, all the drug stuff is
21 done. We get you the number of takeoffs and landings that will
22 make you comfortable in the airplane, and then we start
23 dispatching you on gentle trips with quality long-time captains
24 with the company. And, then I expect a report back or I make the
25 phone call at the end of every trip to that captain and say,

1 what's going on? How did it work out? So that's pretty much how
2 we handle it.

3 Q. Okay.

4 A. So your basic -- if you're wondering what the IOE period is,
5 it could be months. It could be a year, you know, but everybody's
6 a captain at our company. It just depends on who gets dispatched
7 in that position on the paperwork. But all pilots are type rated.
8 All pilots we try to keep current as a captain with that one small
9 exception that I brought up.

10 Q. Okay. So, with everybody being a captain, I made it through,
11 you know, you decided Shawn's okay as a pilot, you know. I'm
12 going to go ahead and give him his, you know, his ride. We can
13 dispatch him as a captain now. How do you decided on a trip if
14 you have two captains up front? How is it decided who is the PIC?
15 Or is that something the company does? Is there, you know, kind
16 of help me understand that.

17 A. So, our -- what we call our dispatch paperwork package lists
18 a PIC. That person with no questions whatsoever is the person
19 that's in charge of this flight. This -- I'll call it a trip.
20 It's not a lag. It's a trip. If the trip paperwork number 16202
21 has five legs on it, he's in charge for those five legs. It's his
22 choice to let the other senior captain sit in the -- we want our
23 guys to fly the airplane from the left seat. There's too much
24 stuff that we don't practice for having guys fly from the right
25 seat including the transference of the tiller. Most of it's while

1 the airplane's on the ground, okay.

2 So the PIC of the trip is the one when they file the flight
3 plans, his name goes first as PIC. The other guy goes as an SIC.
4 And the paperwork calls the other guy the SIC. Our tracking
5 program, JetInSight calls the other pilot the SIC. You can make
6 the SIC the flying pilot, but it doesn't change who's in charge of
7 the trip, okay. That's -- if that clarifies it for you. And it's
8 always been that way with this company, and there's never been any
9 other discussions with guys. This guy's in charge. You're a
10 team. You're a CRM team. But for this group of trips, or this
11 group of legs, he's the PIC.

12 And we just try -- especially if you have -- I mean most of
13 my guys now have been flying for the company for multiple years,
14 okay. So, you know, they know all the nuances of the paperwork
15 and the policies and everything. So if a guy feels like he's not
16 getting dispatched as a captain enough, he'll say something to
17 somebody, but typically we try to just alternate, you know. If
18 you were a SIC on the last trip, you can be the PIC on this one,
19 you know. And again, this is pending our guys that are released
20 to be any seat to the dispatch department.

21 Q. So with that in mind, a year down the road from now. Let's
22 say I'm fully qualified, everything, and I got the honor to fly
23 with you. I was SIC on my last trip. Would they automatically
24 still put me as the PIC then or would they make you the PIC
25 because you are, you know, you have that status as chief pilot,

1 check airman, that kind of stuff?

2 A. So, typically at our company, the PIC is the one that's in
3 charge of the paperwork, all of the paperwork, the expense
4 reports, everything from the trip. And so our dispatch department
5 in a Hawker will never dispatch me as anything but the PIC, okay,
6 because for years I've been having to clobber guys with, can't you
7 add 3.1 and 4.6 together and come up with the right number, and
8 it's mostly been paperwork errors, and I just tell them, always
9 put me as.

10 Also in our company, the PIC, when we get -- we have rental
11 cars when we're on an overnight, and they put -- the company
12 policy is just to put the rental car in the PIC's name, okay. And
13 so I am not a good passenger. So I prefer to drive the car. Some
14 guys are good and some guys are not. So, I prefer to be the
15 captain in a Hawker. The G-280 guys, there's only three of us,
16 and we don't care. I don't care. We're all, you know, 400 plus
17 hours in the airplane PIC, and it doesn't who they put in the PIC
18 position.

19 So if you are flying with me, I'm probably going to be the
20 PIC, and I'm probably going to say, hey, if you're comfortable,
21 get in the seat and let's go flying today and I'll just sit back
22 and watch. And, you know, that's me. You know, we all want to
23 fly. We're all pilots. Moving the controls is the fun part, but
24 if -- so, in your scenario that you just pointed out, my -- I
25 would be on the paperwork as the PIC. I'd probably let you fly

1 the whole thing.

2 Q. Okay.

3 A. I've got lots of Hawker hours. So.

4 Q. Now, I was just trying to make sure I had it figured out. As
5 PIC versus SIC, is that the same -- pilots are all about money,
6 right. Money and flying, that's all we care about. Well, other
7 things, but I'm not going to say that on the recording. Is there
8 a difference in pay if there's a PIC --

9 A. No.

10 Q. You get paid the same rate whether you're right seat, left
11 seat, it doesn't matter?

12 A. Yeah, and I can't, I can't -- I tell everybody I'm the chief
13 pilot. I don't do money, okay. I'll be your advocate if I want,
14 but my deal with the company to fly the 280 and a Hawker is
15 different than a guy that flies the 280 and 500, okay. Everybody
16 kind of negotiates their -- we have this base. When you come in
17 to work for us, and we have a very generous pay scale.

18 This new hire if he performs the 150 days we're requiring of
19 him, he'll make \$194,000 which is not bad for a Hawker, 135 pilot,
20 that's only working 150 days a year. And if he works 200 days a
21 year, he's going to go well over I think it's 7 or \$800 a day
22 after, you know, he can put another 40,000 on, you know, for 50
23 hours or 50 days. So -- but it makes no difference of what seat
24 you're dispatched in. Your pay scale is your pay scale. Whatever
25 you've negotiated with the company, you get paid by the day and

1 that's what you make regardless of what your title is on that
2 flight.

3 Q. Okay. Perfect. All righty. Now, let's go back to my little
4 scenario where I'm new to the company, and I'm flying my first
5 trip. And, you know, I'm not paired with you. I'm paired with
6 one of your other instructor pilots because you're going to have
7 the joy of checking me out in this airplane to make sure I
8 actually know what I'm doing at some point. But how do -- I'll
9 say you, and collectively you all as the instructor pilots, how do
10 you teach me not to rush? I mean, pilots, we're very -- well,
11 maybe not -- I shouldn't lump us all the same. I'm very task
12 oriented. It's like, well, I've got to get from Point A to Point
13 B, that's my job. I'm going to do it. I'm going to do it
14 efficiently. But how do you get me not -- to just slow down, take
15 a breath, you know, not be in a rush? Oh, the passenger's here.
16 Oh, we got go. We got go. How do you guys instill that in all
17 your pilots, not just your new ones?

18 A. I have a statement that I'm pretty sure if you ask any of our
19 pilots, how does Mike feel about checklists? And they're going to
20 tell you back, we are going to do every line of every checklists
21 on every flight, okay. And if you take your thumb and put it on
22 our laminated checklist card, and you go down the 35 items that
23 are on the pre=start checklist in a Hawker, and don't move your
24 thumb off of the line item you're on until it's complete, it's
25 very difficult to rush unless you skip items, okay.

1 I don't want to elaborate about that particular crew for that
2 day, but my policy is you will do every line of every checklist on
3 every flight. And some of those are challenge and response. Some
4 of them are go get the cockpit set up. You can get it ready to
5 go. And some of them are you've called for the after takeoff
6 checklist, and I'm going to verbalize both sides of the checklist
7 while the other guy is hand flying the airplane. But, it gets
8 done. Every line of every checklist on every flight is what I
9 demand and it's what happens when I'm in the airplane.

10 Q. All right.

11 A. So that in my mind has to keep you -- that's the only thing
12 that's metering your time, okay. So -- but again, how do you
13 instill don't rush. And I kind of feel where you're going is
14 nobody wants to be rushed by somebody else but they have the
15 propensity at times to rush themselves unnecessarily. So, again
16 it's just take your time. The only thing we can do as a company
17 say it doesn't matter. It doesn't matter if you're late. It
18 doesn't matter if you have to take a ground hold because weather
19 moved in, and if you had been ready to go 5 minutes earlier, you
20 would have made it out. It doesn't matter, okay. Our concern is
21 the safe operation of the airplane from Point A to Point B, you
22 know. It's never been described by this company in anything other
23 than that. So there's no you're in trouble because this client
24 got mad or, you know, that we didn't get there on time. You know
25 what? Clients we can get. We can't fix if somebody gets hurt,

1 you know. So, that's kind of what -- the way I treat this, and
2 that's the way the company allows me to demand that it be done.

3 Q. Okay. And you kind of bring it up a little bit there. Have
4 you had clients complain that, oh, my word, I was sitting at the
5 FBO for 45 minutes waiting for the crew to get going, and they
6 just took their time, they were slow. I mean does that happen?

7 A. We haven't had that particular complaint because our policy
8 is that if the crew is not ready to go, or if the aircraft is not
9 ready to go, but the clients are onsite, that one of the pilots
10 should be in with the passengers, keeping them informed of what
11 we're doing and why we're doing it.

12 And I'll give you just an example. This is from many years
13 ago when people didn't pay as much attention to the safety stuff
14 as we do today. But, I had a political campaign I was flying
15 around the State of Illinois, a governor candidate. And, there
16 was like a Champaign to Peoria flight. And there was this giant
17 line of thunderstorms that went from St. Louis to Milwaukee, solid
18 squall line in between us, and he's sitting there say, I have to
19 get there. I have to. You don't get it. There's a TV and this.
20 I have to get there. And I look, listen, I can fly you there
21 right now. We will go out to the middle of Lake Michigan, curve
22 us up around Green Bay and come back down around the other side,
23 and it's going to take me 2 plus hours to get you where you're
24 going instead of 30 minutes if we wait an hour and a half for this
25 storm to move through Champaign. One way or another, I'll get you

1 there, but there's no getting you there right now.

2 And it was -- I had never felt so uncomfortable with
3 somebody. I finally started using the joke with other pilots. Do
4 you really want to force somebody to take you someplace that the
5 pilot is uncomfortable going, you know? So -- but that was a long
6 time ago and a different operator, and I, you know, I always used
7 it for an example as to not allow the client -- and, you know, as
8 it turned out, the guy lost the election. If he had won, you
9 would never fly him again because the state had the airplanes, and
10 it's like, who cares? What difference does it make? Keep
11 everybody safe.

12 So, you know, we just, we just don't allow it, okay. And I
13 -- it's probably one of the things I address regularly, you know.
14 I had a crew trying to get out of Midway back to DuPage empty
15 before -- I think it was back when Obama was President, and Obama
16 was going to land in Midway and they closed the airport. And
17 these guys were at the end of a 10 hour duty day, and they just
18 wanted to go home, and they're screaming at the FBO to move that
19 airplane out of the way. I've got to get out of here. And
20 they're like, well, there's a TFR that's going to start. And it
21 became an issue between the FBO and the company, okay. But, you
22 know, the FBO called up and said your guys were being jerks, okay.
23 And, you know, I told them, I see your side. If you want to get
24 off duty, leave the airplane, get a rental car and drive back to
25 DuPage, but don't hamper the reputation of this company over your

1 in a big yank to get to fly 15 minutes away.

2 So, I just -- it's one of those things, and I don't know if
3 you've been looking at my newsletter or not, but when something
4 comes up that's important, it ends up in the newsletter in a
5 different fashion in multiple months, in a different way of
6 explaining it, okay. And, you know, we just -- and I'm not going
7 to go back, and I know why you're asking the questions. I'm not
8 going to go back and comment about that other crew. They're a
9 good crew, and they screwed up, okay, that day. But they were
10 well trained. They knew what they were supposed to be doing, and
11 they didn't do it right. So, they didn't do it how I would have
12 expected them to do it. So.

13 Q. No, I appreciate that honesty. I do. I don't want you to
14 judge what the crew did. I mean we're looking at that. I want to
15 know generally what's expected of you, you know, what you expect
16 of me as a pilot. That's why I always use me. What would you
17 expect of me, and that's what I want to know. So, I appreciate
18 your honesty and all that. So I do appreciate it.

19 We'll change gears just a little bit if you will. Again, I'm
20 still your new pilot here. It's my first day in the Hawker.
21 Never flown it before. So, I've got to go out, and I'm learning
22 inside the cockpit, pre-flight checks or pre-startup checks or
23 whatever you guys would call it. Walk me through more
24 particularly the CVR. Is that something you guys check daily or
25 first flight of the day, every leg? Kind of help me understand

1 that if you will first of all.

2 A. Okay.

3 Q. I know I'm jumping all over the map. So my apologies.

4 A. No, no, no. I'm going to chose my words carefully here.

5 Q. And take your time.

6 A. It is an item that's on the checklist. It is not -- our
7 checklist has some blue boxes that says first flight of the day.
8 The CVR check is not included in that. It is to be checked on
9 every flight as part of my -- every line of every checklist on
10 every flight, okay. So, when you go to school at CAE, they're
11 going to brush over the cockpit voice. It's over there, okay.
12 It's become infinitely important that you do more that push the
13 test button, okay --

14 Q. Um-hum.

15 A. -- which I'm sure everybody pushes the test button and moves
16 onto the next thing. But there's a series of lights that flash,
17 and the last light would say, red fail, green pass, okay. And, so
18 I am personally stressing at this point that that check be
19 completed until you get the pass light, okay. I personally had
20 the maintenance department go trip the G switch in a Hawker, and
21 if you press the test button, nothing lights up. It doesn't stop
22 you from pushing the button down and moving onto the next thing.
23 So it's very -- do you know what was on our cockpit voice
24 recorder?

25 Q. I haven't listened to it yet, but I heard it wasn't this

1 flight. That's all I've heard.

2 Q. And I very, very much want to know what was there because
3 that's going to allow me to go backwards through our flight logs,
4 find out where the trip happened, and retrain every crewmember
5 that flew that airplane between Houston and when it tripped, and
6 find out why they were not waiting -- why they were not testing
7 properly the cockpit voice recorder. There's -- it's on our
8 checklist. There is an expanded normal in the training manual, in
9 the CAE manual, press and hold the button for 2 seconds, wait for
10 the lights to start flashing. The cycle takes 4 seconds. Pass,
11 fail, pass, fail will flash back and forth, and then one of those
12 lights will stay lit at the end of the test. And, that will give
13 you a good or a bad cockpit voice recorder. When I fly a Hawker,
14 you get -- that button gets pushed prior to every engine start --

15 Q. Okay.

16 A. -- in the pre-start checklist.

17 Q. Okay.

18 A. And it should be by every other pilot in this company policy.
19 So.

20 Q. Is the CVR a MEL-able -- MEL item? Can you defer it or is
21 that something that you guys -- and if you don't know off the top
22 of your head, that's okay. I wouldn't expect you to have your MEL
23 memorized. I'm just more curious.

24 A. If I had my guess, I would say it's MEL-able. I mean I could
25 take the time to look it up right now if you want me to, but if I

1 was guessing, I would say it's probably a 3 day item or it may
2 even have something like, you know, two flight legs or three
3 flight legs, but my guess would be that it's MEL-able.

4 Q. Okay. And you don't have to look it up right now. I'll
5 probably put a request in to Scott just to get a copy of it just
6 to make sure because I know, you know, it's one of those things we
7 like to know to see if we can, you know, if there's something that
8 needs to be done different or whatnot. But, I was just -- I was
9 curious.

10 A. I'm very interested to know whether -- you know, it's my
11 understanding that that G switch, if you put a hard landing on the
12 airplane, you know, nothing to structurally affect the airplane,
13 but you can trip that switch, okay.

14 Q. Yeah.

15 A. It's also my understanding that it's in the rear bay to reset
16 it. So it's nothing that would show in the cockpit except for the
17 CVR doesn't light up. So I'm very interested as the chief pilot,
18 as a safety officer for the company, I'm very interested to know
19 what the last recorded thing on the tape was, okay. And if it's
20 the cleaners cleaning the airplane, but I find it very difficult
21 that the cleaners tripped the G switch. So, I just want to know
22 where they was so that -- it's not that I want to get anybody in
23 trouble. It's just so that I can make sure that everybody that
24 didn't do the test properly knows how to do the test properly.
25 And I brought it up in the -- I believe in an email. This

1 incident has created many -- hey, make sure you do this. You
2 know, again, the taxi chart, you know.

3 When I talked to this crew within a couple hours of the
4 incident, I said did you read your taxi chart? Well, no. Did you
5 read the notes? No. Okay. Well, get your taxi charts out, and
6 Bill Lacey gets it out and he says, oh, God, I never saw that
7 note. You know, the note I'm talking about.

8 Q. Yep.

9 A. To make this even more interesting, Roger Fritzler is a --
10 one of the owners of the airplanes in the Lima Lima Squadron. Do
11 you know who they are? The yellow T-34 aerobatic team.

12 Q. I didn't know the color but, yes, the T-34 team, yeah.

13 A. And they use NOS, and we use ForeFlight and ForeFlight offers
14 you NOS and Jepp charts and we pay for the Jepps to be there.
15 Most guys prefer them. When I was on the phone with Roger I said,
16 get your taxi map out. And he goes, I got it. And I go, upper
17 right corner, read me the note, and he goes, there's no note
18 there. I got it's right -- you're looking at the airport diagram,
19 right? Yes. It's right in the upper right corner. There's no
20 note there. Are you looking at Jepp Chart 10- -- no, I'm looking
21 at a NOS chart. And that same note does not exist on the NOS
22 chart which is also somewhat confusing. So, yeah, it's
23 unfortunate. I listened to the tape through our POI and they told
24 those guys to stop twice, and they never even acknowledged it.
25 And I fear they didn't hear it. So.

1 Q. No. We're still looking into that part. So I was just --
2 I'm trying to walk through so I understand how things -- what you
3 expect and how things can be done differently, but I appreciate
4 you explaining the CVR and the test because that's a question we
5 had to make sure we understood it. And, you know, it's nice --
6 you want to know who has flown that airplane from -- prior to the
7 event until the trip or until the G trigger switch had tripped
8 but, you know, I'm kind of curious if by some chance we figure out
9 who that was, let's say there was six pilots that flew that
10 airplane, is it -- and you're the chief pilot. So I'm just trying
11 to understand the positions you get put in sometimes and how you
12 make decisions. Is it important to train just those six or would
13 it be more important to not necessarily train those six, but all
14 pilots? Not just in an email or a newsletter, but specific
15 training.

16 A. You can back up. Everybody has been trained --

17 Q. Okay.

18 A. -- and been told the test of the CVR is you push the button
19 and you wait until the lights stop flashing before you move on.
20 It's -- I mean we're not doing brain surgery here. That's about
21 the amount of training I can give them. You must push the button.
22 It must light up. It must flash for 4 seconds, and it must say
23 pass, okay, before you go to the next item on the checklist.
24 That's been accomplished. Okay.

25 Q. Okay.

1 A. I'm more interested in my perception of who is the -- I have
2 a perception of certain pilots like this guy I can send anywhere,
3 any time, and I know that he will follow the procedures and follow
4 the policies and get the trip done safely. And I want to know
5 just -- I'm -- I want to know who was on those flights because it
6 helps me form my opinions of who's been rushing through things and
7 who hasn't. Okay. And again, if you didn't push the button on
8 the CVR, it's not because you don't understand how the test works.
9 We all know how the test works. We've all done it a thousand
10 times. It's because they were rushing, okay, and you know it and
11 I know it. And, I just want to know, again the issue is not do
12 you understand how to test the CVR here. The issue is were you in
13 a hurry on that flight. Did you push the button and go right onto
14 something else. Okay. And just because it always works, you
15 know. You know what the two worst words in aviation are? Always
16 and never, okay. It doesn't always work.

17 So, anyway, I'm probably saying too much anyway, but the
18 issue has been addressed. There's not a Hawker crew that works for
19 us that won't check the CVR from this point forward. Why did this
20 group of crews not do it right is my concern, and it should be
21 telling you that the company wants to know how to address that and
22 make sure it never happens again for whatever reason caused it.
23 And, it wasn't because they don't know how to do the test, in my
24 opinion.

25 Q. Okay. Since you learned of that issue with the CVR on this

1 event, did you go out and check any of your other Hawkers to make
2 sure that they weren't -- the G meter wasn't tripped either?

3 A. Yes, immediately.

4 Q. Did you find any other ones?

5 A. No.

6 Q. Okay.

7 A. In fact, to figure this out, I had to have the maintenance
8 department go into the rear bay and physically trip a switch so
9 that I could see if do the lights still light up and does it say
10 fail, and nothing lights up with the switch tripped. So, but to
11 get to that point, I actually had to have them trip it.

12 Q. Okay. Perfect. I have just a few more questions and then
13 I'll pass it over to Todd here because he always has the really
14 good questions. So --

15 A. Oh, boy.

16 Q. -- I expect nothing less of him. When you were talking with
17 Kat, you talked about how -- the green band for the takeoff trim
18 setting on the Hawker. It's I think you said 15 to 30 is the
19 green band, give or take.

20 A. That's a memory.

21 Q. Yeah.

22 A. Yeah.

23 Q. And you did a weight and balance, and it was around 21. Do
24 crews -- I want to word this right because I don't want to make it
25 sound accusatory at all. When I used to fly, I always knew that,

1 okay, the trim setting is this, but maybe I like a little nose up
2 trim or a little nose down trim, makes the takeoff nice and smooth
3 and easy, whatever reasons pilots have. Do you know if crews have
4 a tendency of -- have you heard of or seen crews have a tendency
5 to maybe set the trim, it tells me 21, but I know this airplane,
6 19 works better or something other than what was calculated. Have
7 you ever seen, heard or had that impression?

8 A. So many years ago I asked one of my pilots, the percent
9 M.A.C. that you get off your weight and balance graph, do you know
10 what that's for? And he looked at me and said, no. And I go
11 that's going to make the airplane in its current configuration
12 pitch to V2 single engine. You're kidding me. I always like the
13 heavier feel on takeoff. So I would set a little nose down trim,
14 and I go, you're going to kill yourself if you continue to do
15 that. And it's always been just set the trim where it's supposed
16 to be for safety. It's been that way for this company. I
17 probably heard that guy tell me that 8 years ago, and so everybody
18 -- and without fail, I start the conversation with my pilots, do
19 you know what the trim setting, the proper trim setting is
20 supposed to do to the airplane? And without fail, that's the only
21 guy that ever said that he didn't know. All the airline guys, all
22 -- everybody knows. Yeah, it pitches the airplane to V2 single
23 engine. Well, would you ever sit it to anything different than
24 that? No.

25 Q. Okay. I just wanted to make sure that it wasn't a pilot

1 technique or something. I just wanted to make sure I had an
2 understanding.

3 A. Yeah, they better not show that technique to me because it's
4 not, it's not -- it's outside of what the flight manual says to
5 do.

6 Q. Okay. You also were talking with Kat that when a crew got
7 the trim light on takeoff or the trim warning, sorry, that they
8 were -- you expected them to reject the takeoff, abort it, all of
9 that. Is that an audible or is that just a visual warning?

10 A. That is, in that particular aircraft, is a CAS message, and I
11 believe it's amber.

12 Q. Okay. So there's no chime to it or anything.

13 A. In fact, it's not even a CAS message. The Hawker Pro Line
14 still has an annunciator panel. So it's a proximity switch, and
15 it's -- no, there's no audible warning.

16 Q. So I know you expect them to abort the takeoff. Kind of walk
17 me through that. In my mind I visual the left-seat guy because
18 he's the guy flying, looking outside, looking down the runway at
19 all times, but if it's not an audible, is the right-seat pilot
20 trained to announce the project or problem and call abort or is
21 that something he just announces and then the left seater has to
22 make that decision?

23 A. The training is and the briefing is, below 80 knots, we'll
24 abort for any fault or failure, called from either seat. That is
25 the briefing. And, you know, in my particular case, if somebody

1 says, well, it was just a little out. I go, how did you know? By
2 the time you look down and decided to re-trim the airplane, you
3 could have been stopped, you know. Again, if we're going to brief
4 that we're going to abort for a fault or failure, and a fault pops
5 up on the annunciator panel, then you should be aborting, and they
6 would have been aborting at 10 knots, okay. It would have no
7 brake cooling. There would have been no they would have had to
8 announce that they needed to clear the runway, and we'll call you
9 when we're ready again.

10 Q. And you got into my next batch of questions. So I appreciate
11 that. The only other one, if they would have aborted at 10 knots
12 or whatever speed below 80, is there anything other than just, oh,
13 let me reset the trim. The light goes out or do they have to call
14 maintenance, you know. Everybody -- somebody may be paged and
15 say, hey, we got this. Can we just reset the trim? Is there
16 anything like that?

17 A. It depends what the fault or failure is. If they look down
18 and see elevator trim and it's actually dead center of the green
19 arc, I'd be all concerned myself. If they see it way at the
20 bottom or way at the top of the green arc, although it may appear
21 to be in the green arc, it's not there, by the little micro switch
22 or whatever that's in the pedestal, I would re-trim the airplane.
23 I would move the throttles up and back into the takeoff position
24 and make sure the light doesn't come on. If it came on again,
25 even though the airplane was re-trimmed, I wouldn't go.

1 Q. Okay.

2 A. Because you never know. It might be actually out of trim and
3 the indicator broken. It could have lost a push rod to the trim
4 tab. Who knows what it could be. But -- so, yes, the answer to
5 your question is, if you re-trim and it tests okay, then I would
6 taxi back and go. If you re-trim and it doesn't test okay, then
7 I'd be taxiing back to the ramp and calling management.

8 Q. Okay. Perfect. And my last questions, and then I'll pass it
9 over to Todd for a moment or for his questions. If the crew would
10 have rejected the takeoff, did the trim test, and it tests fine
11 and then took off uneventfully 5 minutes later or whatever it took
12 to get them back into the sequence, do they need to report that to
13 you as the chief pilot or somebody at the company that, hey, on
14 this takeoff with this passenger in the back, we had to abort the
15 takeoff for a trim setting or something. Would they have to
16 report that or is it just, you know?

17 A. We have a -- I'm going to call it a policy that if you do
18 anything abnormal or out -- that's not normal, you need to inform
19 us. You know, they had already called the office and said, we
20 spilled fuel on the ground, okay, which is an out of the normal
21 situation. Okay. They had already called the office and said we
22 spilled fuel. So, yes, they would have to -- it's our policy to
23 have them report that to us. You know, with WiFi nowadays, they
24 could do it en route. They could do it, but if it was anything
25 that was really aggressive, aborting is at 75 knots, you know, I'm

1 sure that our company would hear about it from the passenger. So,
2 all of our pilots know that if they do something out of the norm,
3 and our passenger calls us to say, what the hell's going on,
4 before we know about it, it's bad. It's bad for business, you
5 know.

6 Q. Yeah.

7 A. It leaves our sales and dispatch department in a bad spot if,
8 you know, if they could say, yeah, the guy's -- they got an
9 erroneous light and they pulled off the runway in the interest of
10 safety, and made a few checks, and everything checked out okay,
11 and decided to proceed with the flight is a lot better answer
12 than, I didn't know they did that. So, yes, we have a policy that
13 if something goes abnormally in the flight, that they notify chief
14 pilot, director of ops, dispatcher, something --

15 Q. Okay.

16 A. -- so that the information is in the office for when the
17 inevitable phone call is going to come.

18 Q. All right. Like I said, you pretty much answered a lot of my
19 questions. I might have a few more. We do two rounds in case
20 nobody told you that. I don't remember if we said that early on.
21 We normally do two rounds. So you've answered a lot of my
22 questions. I may have a few follow ups just as my brain chews on
23 this a little bit. Before I pass you over to Todd, do you need a
24 break or anything? You've been going about an hour and a half.

25 A. Yeah, I could take a break.

1 MR. ETCHER: Sure. Let me go off the recording at 12:28
2 Eastern. Maybe I can go off the recording at 12:28 Eastern.

3 (Off the record at 12:28 p.m.)

4 (On the record at 12:32 p.m.)

5 MR. ETCHER: And back on the record at 12:32 Eastern. Again,
6 thank you so much for all your help. I want to go ahead and turn
7 this over to Todd, and he'll ask all the great questions.

8 MR. GENTRY: Thanks, Mike. Thank you, Shawn. Appreciate the
9 time.

10 BY MR. GENTRY:

11 Q. I just have a couple of real quick questions, and they're
12 really yes or no answers if you want. You said -- you described
13 your company as having a fledgling SMS program which I understand.
14 We all start there for sure. Have you ever in your knowledge
15 anybody write up about a trim light activation during takeoff from
16 any aircraft? It doesn't matter if it's a Hawker or not.

17 A. No.

18 Q. Okay. Has anybody ever mentioned that they had that light
19 come on on any aircraft before to you --

20 A. Yes.

21 Q. -- not the SMS program?

22 A. Yes.

23 Q. Okay. So, during that time, was there any corrective actions
24 that you or the management took during that when you were notified
25 of that happening before?

1 A. Not that I'm aware of.

2 Q. Okay. That's perfect. And I'll be honest with you, a little
3 bit of self-disclosure. I've had lights come on -- trim lights
4 come on, on me a lot in my career during the takeoff roll. And so
5 I totally understand.

6 A. Again, like I was explaining earlier, the needle is about an
7 1/8 inch wide, and as you move it through -- from 20 to 25 is
8 about 3/8 of an inch on the scale. So -- and all of that stuff is
9 done with micro switches and lever angle positions, you know.
10 This is a very cable, you know, there's no electronic anything in
11 this about a Hawker, you know. And, so you say was there any
12 corrective action? I'm sure that it was reported to maintenance
13 and they went in the pedestal, adjusted the switch that says the
14 trim is in the takeoff band and called it good. But I have, I
15 have heard of it. I've never seen it. So, and it hasn't been
16 repetitive.

17 Q. Thanks. As far as after this accident happened, what --
18 other than your newsletter that you write monthly or so, what
19 other corrective actions have you established or done to try to
20 make this -- and I know you don't have all the information. So
21 but have you implemented any corrective actions to the company
22 about this particular accident?

23 A. Absolutely, yes.

24 Q. I mean if you can tell us what that is, that would be
25 awesome.

1 A. Again, so you're catching this company in this period of --
2 maybe I can soften the blow here. We went to put the G500 on our
3 certificate and our training manual was drafted in 1992 or
4 something, and it was very vague, okay. The fact that -- I've had
5 four POIs say, you know, you're going to have to rewrite that
6 training manual. And, but it was ours instead of a CAE or Flight
7 Safety one. So when I went to CAE or Flight Safety, I was able to
8 just say, no, no, you'll do it this way, okay, so our training
9 manual fits. Well, the POI came in and said, you're not going to
10 get that airplane on your certificate unless you get the training
11 manual redone. Well, I'll tell you what. I'll approve all the
12 check airmen. I'll approve all the instructors. I'll approve the
13 training centers, if you just adopt CAE or Flight Safety's 135
14 training manual. Okay. So that's what we did.

15 They take one big deep breath, and they said, okay. About
16 the GOM. The GOM was written in the early '90s. It's had eight
17 revisions since the early '90s. It's very -- you know, the POIs
18 have been talking about a complete rewrite, and they will -- it's
19 gotten to the point now they will not accept any revision of the
20 current manual. So Scott Southwell is in the process, and he's
21 about three-quarters of the way through the process of a complete
22 GOM rewrite. So items that are going into the GOM are, you know,
23 there will be a place in there that says you will not be rushed.
24 There's a place in there that says you will complete every line of
25 every checklist for every flight. There's a place in there that's

1 going to say that it's the responsibility of the PIC to brief the
2 taxi chart prior to departing the ramp. All of these things have
3 gone out either in my newsletter or via email to people, and
4 they're all prefaced with, in our GOM rewrite, you will find these
5 items. We are instituting them as policy immediately but they're
6 not written in the manual yet because the manual is under rewrite.
7 Does that help you?

8 We've had numerous things. If there is -- if the FMSes are
9 not loaded properly, you will not accept the takeoff clearance
10 until they are loaded properly. Checklist procedures are an
11 absolute must. And especially don't let the company, the other
12 pilot, the passenger, the environment or ATC rush you. You just
13 make sure you're ready to fly. You're the last -- as the PIC, you
14 are the last line of defense. You'll go when you're ready to go.
15 So that's -- there's been numerous items. I probably could come
16 up with other ones, but -- oh, the number 1 policy of the company,
17 and it's been this way for 10 years, is you will not transfer fuel
18 in a Hawker unless both pilots are sitting in the cockpit and one
19 of those pilot's sole responsibility is to monitor the fuel
20 transfer, okay. And that's been -- you don't fly a Hawker, do
21 you?

22 Q. No, I don't.

23 A. Okay. So, there's an old statement, there are those Hawker
24 pilots that have spilled fuel on the ground and those that will,
25 but there are none that retire and have never done it. Okay. And

1 it's just the way the system is. If you're moving fuel from one
2 wing to the other, when the other wing gets full, it's telling the
3 truck to stop pumping, but there's nothing to stop the airplane
4 from pumping. So they'll just pump the fuel overboard until the
5 other wing is empty.

6 Q. Yeah, I'm familiar with it.

7 A. Yeah. Okay. You're familiar with it.

8 Q. I am.

9 A. So when I asked the question, I go everybody in this room
10 that has spilled fuel in a Hawker, raise your hand. Mine goes up
11 right away because I have spilled fuel out of a Hawker.

12 Q. Sure.

13 A. So it will be in our manual for all aircraft, not just a
14 Hawker. The Hawker's the one that's the worst, but rather than
15 try and put it to a specific aircraft, no transferring of fuel on
16 the ground unless both pilots are sitting in the cockpit, and one
17 of them is in charge of transferring the fuel.

18 Q. Awesome. Did you guys have a safety stand down after this
19 accident?

20 A. After this accident?

21 Q. Yeah.

22 A. To the best of my knowledge, no.

23 Q. Okay.

24 A. I mean it was, it was such a unique event for us, we followed
25 all the procedures of the, you know, drug testing and

1 notifications and so forth of the crew. Of course, they were
2 stood down immediately, but --

3 Q. Of course, yeah.

4 A. -- not companywide as far as I know.

5 Q. Okay. Your brought of FMSes, and that was my last question
6 any way. So I'm glad you brought that up. The FMS training that
7 they get, is that all from CAE or do you guys supplement that in
8 any way?

9 A. So -- and again, I'm choosing my words carefully here. CAE
10 trains you enough to get through the checkride and pass. They're
11 in the business of -- they're a for profit company that makes type
12 rated pilots. That's what they do. And they have "X" number of
13 hours to get you from point A to a type rating. There are
14 numerous, outside of regular class hours, resources available,
15 task books and electronic, you know, tasks, loading tasks into
16 phony FMSes, you know, that are available to guys. We do our
17 very, very best. We have two separate avionics packages in our
18 Hawker, in our Hawker fleet, Honeywell and Collins. When a guy
19 goes to school, if he happens to go to Honeywell School, then we
20 try to keep him only flying a Honeywell airplane until he's had
21 thorough differences training and understands the Collins FMS.

22 So, yes, we do a lot of it in house, but it's ancillary to
23 what's actually required. We just -- we want the guy to
24 understand how to manipulate the box. So, the question is -- the
25 answer is most of the training -- you were there when I said we

1 like to have a guy sitting in the cockpit, you know, 5, 10 hours
2 prior to leaving for school. Well, at that point we know what
3 school he's going to, and he's been sitting in a Honeywell cockpit
4 or a Pro Line cockpit. And a lot of that is, let's move the
5 flight time to Vegas. Let's erase that one and load one up to
6 Seattle so that they know the nuances of the box.

7 Then they get what they get at school, and for a Hawker
8 training, it's not like these new -- the newer jets. There's a
9 whole week of avionics training, you know, for these plain view
10 and, you know, synthetic vision cockpits and stuff like the 280
11 has. There is no such training like that for any Hawker HS-125
12 model. So we do our best to make sure that everybody understands
13 what they're doing.

14 Q. So I don't want to put words in your mouth, but it's not a
15 formal program but you do have some kind of, you know, I guess
16 informative training with one of your instructors in the airplane
17 before they go to school?

18 A. And after.

19 Q. They're flying the airplane.

20 A. Yeah, and -- yes. That is, that is a fact and again when you
21 say it's not a formal -- the way the training manual reads,
22 they're getting every hour that's required. You know as well I
23 do, that there are some things that you may have to go through
24 training and you've got it in an hour, and it requires 4 and you
25 sit there banging your head on the counter, and there are other

1 pilots that it requires 4, and they don't get it after 6. So, we
2 have to figure that out and make sure everybody is training
3 appropriately. But there is definite differences training between
4 -- prescribed in our training manual between Honeywell and Pro
5 Line. So, my new pilot that I'm flying with on Friday has not had
6 his differences training in Pro Line yet. So he is only
7 authorized to fly a Honeywell airplane for us.

8 Q. Excellent. So, I told you that was my last question, but I
9 do have one. It's a follow up, but it's on the same line. This
10 -- on this flight, Mr. Lacey was in the right seat I believe.

11 A. Correct.

12 Q. Yes. So whose responsibility is it to program the FMS? Do
13 you guys divide that up by seat or no? How do you work that?

14 A. From talking with these gentlemen and reading their
15 transcripts, I don't know. Were you involved in their post-
16 accident interviews?

17 Q. Yes.

18 A. In reading this, it sounds to me like Bill Lacey who was the
19 PIC for the flight sent Roger out to set -- prepare the cockpit,
20 okay. And the -- from pulling the pins out and do the pre-flight
21 walk around to we're ready to start engines, line item 33 out of
22 35 or something down there says, FMS is programmed and performance
23 V speed's set. Okay. That's in that checklist. So it would be
24 the responsibility of -- well, if you were to read our current
25 duties and responsibilities manual, the SIC is responsibility is

1 to show up fit for duty in a uniform with a current medical and
2 qualified to fly the airplane. Okay. That's it. And the SI --
3 or the PIC has four freaking pages of stuff. So it was Bill
4 Lacey's responsibility, and he delegated it and didn't notice that
5 it wasn't done right until after they started to taxi. So,
6 that's, that's all I can tell you is it's always the PIC's
7 responsibility. If he chooses to delegate it, and that's the way
8 our manual reads, is that here's your responsibilities. You may
9 choose to delegate these responsibilities elsewhere, but you do
10 not delegate away the responsibility to make sure they're done
11 correctly.

12 Q. Sure. No, no, that's -- and I understand that. That's not
13 really what I was asking. What I was asking if you divide that up
14 between right seat versus left seat, not PIC versus SIC? Do you
15 know what I'm saying. I didn't know if the right seater usually
16 or would almost always program the FMS for the --

17 A. No, because our right seater just happens to be the person
18 sitting in the right seat. It could be the actual PIC for the
19 flight.

20 Q. Absolutely. Yep.

21 A. So, you know, personally, I'm talking about myself, I prefer
22 to set the cockpit up and leave my co-crewmember to deal with
23 paying the bill and greeting the passengers and, you know, making
24 sure the catering's on board and filling the ice jar, and that's
25 just the way I prefer to do it. We do not have a steadfast rule

1 who does what. We have a manual that states the PIC's in charge
2 of making sure it all gets done --

3 Q. Right.

4 A. -- and delegate what portion of it you want to. So.

5 Q. And I'm in the same boat. I prefer to go set the cockpit up
6 and make my nest and get comfortable and then let the other person
7 handle it the other stuff, passengers, other stuff like you
8 mentioned. Thank you. Mike, that's all I have.

9 MR. GENTRY: I appreciate the time, Shawn.

10 CHIEF TOLL: All right. Thank you.

11 MR. ETCHER: Thanks, Todd. I appreciate it.

12 BY MR. ETCHER:

13 Q. Well, Mike, we made it through round 1. Round 2 is always
14 whole lot quicker. I have just a few follow-up questions if you
15 will.

16 A. Sure.

17 Q. It shouldn't take more than 2 or 3 hours. No, I'm just
18 kidding. I know you have a medical or a doctor's appointment
19 coming up soon. So I definitely want to get you out for that.
20 You were just talking about training just a minute ago, and so
21 we'll kind of continue on with that. In Mike's opinion, how is
22 the training at CAE, Flight Safety, in your opinion? Is it great,
23 grand, wonderful? We always have to tweak it a little bit.
24 They're not open to our communications. Kind of help me
25 understand in your opinion, how is training there at both those

1 facilities?

2 A. My opinion is that the facility's wonderful. The media that
3 they have is outstanding and helping understand the systems of the
4 aircraft. The simulators are outstanding to simulate things that
5 we don't want to simulate in the real aircraft, okay. I'm sure
6 Todd being with the FAA, if he wanted to observe me giving a
7 checkride, I would ask him, how close to the ground do you want me
8 to pull engine back on this airplane? And I've never had a FAA
9 person tell me that I'm allowed to do it less than 400 feet into
10 the air. Okay. They just don't want to be there when you do
11 things like that.

12 So, we -- I think that what you -- the training you get at
13 school is amazing for don the mask, do an emergency descent, V1
14 cuts, you're on fire. It's wonderful for that. It teaches you
15 very, very little on how to operate a Hawker aircraft day-to-day
16 when everything is running perfectly, okay, because they just
17 don't have the time for it. So, you know, they tell you you're
18 going to do steep turns, set your fuel flow at this number. Well,
19 the sim always weighs the same when you're doing it, and that
20 number gives you 220 knots, but what's the fuel flow that makes a
21 Hawker fly 220 at 27,000 pounds? I don't know. You push the
22 levers until you get 220, you know what I'm saying. They don't
23 teach you that. They're just teaching you how to pass a
24 checkride.

25 And one of the biggest gouges is they're required to give a

1 circling approach, and some of the newer sims are having some
2 better attempts at it, but I can tell you, I can describe an RNAV
3 4 left at Kennedy, circle the 3-1 right, okay, which is an
4 approach you would never do, okay. Why would you even do that?
5 Okay. And, because the Hawker sims, you know, Hawker has been out
6 of production for so many years, the visuals are not big enough to
7 actually do the whole maneuver visually. So the way you do it is
8 when you break out, you say airport's in sight. You say I'm
9 circling to the north, and you have your heading bug set and you
10 push the heading bug or push the heading on the mode selector and
11 you start timing the leg because there's nothing in the visuals
12 over there. Okay. And they say after 25 seconds, turn left to
13 the base leg, and as soon as you turn back to the left, you'll see
14 the lead in lights for 3-1 left, just keep going. You know, so
15 all they're doing is they're prompting you into this procedure
16 that allows you to get through the circling approach without
17 busting it, and what's the regs for a circling approach? Keep the
18 airport in sight. Here's your speed. Here's your altitude.
19 Don't -- just keep looking. Keep looking and circle into
20 position. But all they're doing to us there, and I've been to
21 Hawker school, my first training, my type rating was in '97 I
22 believe, and I've gone to Hawker school at least once and
23 sometimes twice a year and it's been the same stupid profile year
24 after year after year after year.

25 And did they start adding RNAV approaches instead of VOR

1 approaches? Yes. Did they get rid of ADF approaches? Yes. But
2 the profile, the airports, they're all the same, and I could go to
3 CAE right now, sit down pass the oral, get in the sim with no
4 practice and pass a 135 checkride because I know it. I know --
5 I've done it so many times, it's like memory. And as soon as they
6 say, you know what, we're going to circle at Truckee today. Oh,
7 gees. Okay. How am I going to do that? You know, now I'm going
8 to have to look at the chart, and I'm going to have to make a plan
9 and brief with the guy, the copilot.

10 So my feeling is that I've never been a 121 pilot but I know
11 a lot of them. If you go to 121 training, and you're not cutting
12 the mustard, they get ride of you and they grab the next resume on
13 the list. They have thousands of them. When you go to CAE, and
14 you're not able to pass the checkride, they call me on the phone
15 and say, hey, this guy's struggling a little bit with this. We
16 think he'll be fine with two more sim sessions. Okay. Well,
17 what's he struggling with? The procedure of how to manipulate
18 that machine to do a circling approach or does he not know what
19 he's doing at all, you know. And they're in the business of
20 passing you. It's bad for business if Flight Safety and CAE, for
21 them to send people home without a type rating after you've spent
22 40 grand.

23 So when you say how do I feel about the training, I -- it's a
24 huge supplement to our own training because it allows the guys to
25 see. You know, this company, we used to dry lease sims at either

1 SIMCOM or CAE, and they would send me down there with three Hawker
2 pilots, and I'd have the sim for the whole day. And I would just
3 pound these guys. They'd do 10 V1 cuts, you know, and I would
4 just pound them through this training over and over and over, and
5 we would pick up the airplane and move it back here, and they
6 would shoot approach, after approach, after approach, and under
7 142, they're bound by different rules with the FAA. And, they're
8 not allowed to reposition, and they're not allowed to do a lot of
9 this, a lot of this stuff that would make the training more -- it
10 would allow you to get more events into a time block.

11 And without fail -- I would do 6 pilots in 2 days. And
12 without fail, they all came out and said, that was the best sim
13 training I ever had. Okay. But, I did the classroom in our own
14 classroom with all the multimedia, and what they found out when
15 they saw me popping 6 guys through in 2 days and they were
16 charging us 1,000 bucks an hour for the sim. So we had, you know,
17 \$16,000 a sim, and they saw 6 pilots get qualified, they pulled
18 that away from us. They said, we're not doing that any more
19 because too much money was going out the door by doing that.

20 So I'm just -- we do all of our 297 checks in the aircraft.
21 I shouldn't say that. Any pilot that flies only a Hawker for this
22 company takes their 297 check in the aircraft, okay. And, I check
23 all the boxes. I'm as thorough as I can be, and I use the FSIMS,
24 the guidance to waive what I can especially things that are more
25 risky, how about that, in the actual aircraft, and I'm comfortable

1 with that because our guys all go to sim training once a year.
2 And, anybody that flies at Gulfstream for us goes twice a year.
3 So, once in the Gulfstream. I go to Hawker recurrent and 6 months
4 later, I go to 280 recurrent. So that's how my 297s end up 6
5 months apart from each other.

6 So I think we try to do a really, really nice job in
7 combining both, but I've been to operators where they send you off
8 to school, and they think when you come back that you're ready to
9 go captain, and it's not the case as far as I'm concerned.

10 Q. Okay. Do you audit CAE or Flight Safety, you know, when it's
11 not your turn to take a checkride, but do you ever go out with
12 them at all?

13 A. Yes.

14 Q. And any complaints on those audits that have come out that
15 they haven't addressed or --

16 A. The audit is -- when you say, do I audit them, it's a
17 requirement. I'm sure -- I don't know. Maybe you're not aware,
18 but under Part 135 I'm required to audit each training center once
19 a year. And the audit is you have a current training manual. Do
20 you have a current ops specs. Do you have our current checklist
21 that we use in house? Do you, you know, do you have current LOAs
22 for the -- is the bathrooms clean? Is the lunchroom appropriate?
23 You know what I mean. It's not how good is the training.

24 What I consider my true audit is fill out your comment card
25 at the end of your training and I always write, the instructors

1 are awesome. The sim was wonderful, worked perfect, and the
2 training scenarios are horrible. And they are because -- and they
3 come right back and the training center guys, they tell me, the
4 FAA is the one who approves the actual, the actual profiles for,
5 you know. So it's not like I can ask them, hey, we fly out of
6 DuPage. Can we load up DuPage and can we do all the approaches at
7 DuPage and can we fly some legs, you know, over to Midway which,
8 you know. We could -- by the way, we circle at Midway all the
9 time or we used to, you know. Can we do some of that stuff? No,
10 we're not allowed to do that.

11 So, you know, that's, that's where my gripe with them comes,
12 not that they're, not that they're not trying to do a really good
13 job. It's that they're -- they do two things. One is that they
14 have to comply with the FAA regulations, and the second is that
15 they are -- they're trying to pass people. I've had some sim
16 partners that don't work for my company, that would never work for
17 my company, if you know what -- there's people that are flying
18 around in the sky that scare me. So -- but again, my opinion is
19 they provided a great resource for me, not the end all of end all
20 for training.

21 Q. Okay. All right. Perfect. Have they picked up the phone
22 and said, hey, Mike. You sent Shawn here for training and, you
23 know, he's picking it up, but it's going to take a couple more sim
24 sessions before he even, you know.

25 A. Yes.

1 Q. Does that happen often, every once in a blue moon, just for
2 me, because it's me, but --

3 A. In the 10 years that I've been the chief pilot, I think it's
4 been twice.

5 Q. Okay.

6 A. Okay. And, where it goes with me is, the pilot, what's going
7 to happen because they said, we'll give him too more sim sessions
8 but we'll -- you don't have to pay for it, okay. If he gets two
9 sim sessions under his belt and passes his checkride, I'm happier
10 than having them say, we're out of time, we're out of schedule,
11 and he didn't -- he's not going to make it, and he's recommended
12 for his checkride. That's a problem. That's a problem that's
13 going to need to be addressed, right up the ladder at the company.
14 What are we going to do here, you know.

15 Q. Okay.

16 A. So, you know, it's only happened twice. Neither of those two
17 pilots work for us any more. Both of them passed, one with one
18 extra session and one with two extra sessions but, you know.

19 Q. Okay. Perfect. Nope, nope, I hear you and I appreciate it.
20 I know you don't have -- you're not like a big 121 airline with
21 hundreds and hundreds of pilots. I get that. But do you guys
22 have, for lack of a better phrase, a mentor program, you know,
23 where a more senior, seasoned captain might take on a -- I don't
24 want to say take on, but help a newer hire kind of figure it out
25 or is that just once they do their training with you all and they

1 pass their checkrides, that they're just good to go as a new
2 captain or a new pilot here?

3 A. No. We -- I have a retired American guy that just relishes
4 the passing out of information, and he's been flying a Hawker for
5 me for maybe 6 or 7 years since his retirement. And he's the guy
6 that is helping prior to going to school, after going to school.
7 He's also one of the current line captains that would be on the
8 list of it's okay to send the new guy with him, you know. All new
9 pilots, we have three or four guys, myself and Steve, and this guy
10 named Howard and another one named Dan, the United guy, these
11 senior guys are all allowed to fly with a new guy. It's my
12 requirement to call that senior captain and say, you're getting a
13 new guy tomorrow, okay. But again, like I say, a new guy for us
14 is not a kid that's been training somebody in Seminole, and this
15 is his first jet job. We do not hire low time pilots.

16 And, you know, 6, 8 months into this, multiple responses from
17 these pilots, they'll come back to me. Hey, I've got a trip and I
18 want to pair these two guys together now. Can I do it? And my
19 response is, where's it going? Okay. Where's it going? Oh, it's
20 just down to Indianapolis International and back to DuPage. Let
21 me call the other captain. Are you comfortable with this guy?
22 Yeah, sure. And then I say, yep, go ahead and do it. But, if
23 they say they're going to Aspen and the PIC's only been there once
24 and the SIC has never been there, no. So, like -- so a mentor
25 program, no. We -- and our senior guys, you know, that's like a

1 moving target. They retire, whatever, and guys that were hired 4
2 years ago become the senior guys and, you know. So do we have an
3 actual mentor program? No. We have the retired American guy that
4 actually has a paid deal with the company to come in and ground
5 train the pilots from everything from how to make a pot of coffee
6 at this company. Where's the commissary. How we set the snack
7 basket up, and then they sit for hours in the cockpit with ground
8 power to understand the nuances of the FMSes and how to program
9 the airplane and where the switches are.

10 Q. Okay. And just for the record, were either one of the two
11 pilots, Lacey and Fritzler, were either one of them, one of those
12 that you could pair up with a new pilot?

13 A. Roger Fritzler was not, okay. And again, he was a part-time
14 pilot and just barely making his 100 flight days per year that we
15 require. So, he was a good high quality SIC, could pass a PIC
16 checkride without issue.

17 Our program had changed over the years. We used to not have
18 to send people to school. So what we would do is train them in
19 house using Part 91 flights and so I had a lot more Hawker
20 instructors back then, and Bill Lacey was a Hawker instructor for
21 years for us. You know, he was a very, very high time guy and he
22 was a very high -- he lived close to the airport and he was always
23 ready to go. So he was putting in sometimes 225 days a year,
24 okay, which, of course, made him very senior and very astute with
25 the airplane. Okay. So, yes, he would be considered one of the

1 guys. I had no problem pairing him and Roger together, okay. If
2 I had been asked the day before this flight, is this pairing okay?
3 I would have been like, why are you even calling me? These guys
4 have been flying together for years. Hindsight, you know, is
5 20/20.

6 But, Roger never was a senior captain. Again, he only had
7 300 hours I think in the Hawker. I think that's what his
8 paperwork said, but it was spread out over 3 years. So, he was
9 not high repetition time. Bill Lacey, he had that high rep time
10 and always seemed to be on top of his game when I flew with him,
11 talked with him in the hangar or whatever. So.

12 Q. Okay. But for Captain Lacey, let's say you had hired me. I
13 went through all the checkrides. I'm new here. My ink is still
14 wet on my certificate here. Would you pair me up with him as a
15 new guy with Captain Lacey? I know Fritzler was not in that
16 realm.

17 A. Today?

18 Q. Before the event.

19 A. Yes.

20 Q. Okay.

21 A. Yes, I would.

22 Q. Okay.

23 A. I believe in his, in his interview he said that he was a
24 training captain. That's -- his, his instructor qualifications
25 with us had expired because we weren't using -- we weren't needing

1 Hawker instructors as much as we were needing high time guys to --
2 well, what he stated in his interview that he was a training
3 captain, what that meant was is that we would put the new guys
4 with him.

5 Q. Okay. And that's why I was asking because he did mention
6 that. I just wanted to make sure I was on the same page, and I
7 understood. So I appreciate the clarification for me. How were
8 you informed about the event that occurred?

9 A. Well, I was in the office. We were in the midst of a base
10 inspection. Our POI was there. And, the vice president grabbed
11 me in my office and took me out to the side and said, I just got a
12 phone call and these guys dumped fuel on the ground in Houston.
13 And I'm like, it's -- this always -- any time a fuel dump happens
14 in a Hawker it's because one guy set the transfer and then got
15 distracted, okay. Well, here's your bag of ice. Oh, I have to go
16 to the bathroom or whatever. And, we're -- I was there sitting in
17 the conference room and Scott Southwell just came in and said he
18 or maybe it was John Bullock, our vice president, I need to tell
19 you that -- what the crew did in Houston, and I jumped up and I
20 said, John, you don't need to talk about a fuel spill in front of
21 our POI, and he goes, it's not that, okay. And so I was at the
22 office. We were all right there. So we got, you know, the
23 emergency response plan came out, and we immediately went into get
24 the crew sequester so they could go for their drug test, get them
25 on the phone, don't talk to anybody, don't say anything, you know,

1 you know the drill, okay. So that's what went into -- but we were
2 all there, Scott, myself, the POI was there just by chance. So.

3 Q. Okay.

4 A. The phone call came from the crew to the company phone line
5 which went to John.

6 Q. Okay. Perfect. And just out of curiosity, you guys had a
7 plan in place for events like this or similar. Did that plan work
8 as you anticipated? Were there tweaks that you thought, where
9 should be use this plan, and here's a few things we'd like to do a
10 little different?

11 A. The emergency response plan worked wonderfully. And, what we
12 were a little disappointed about was how the news media came to
13 say, you know, this is who's at fault, and this is -- and this was
14 before you guys even interviewed the pilots. I had called both
15 pilots and both of them were in a hotel room. They were still
16 probably quite stressed, and they both swore to me up and down
17 they had takeoff clearance. They swore. Yes, we had it. Yes.
18 Yes, we had it. And I go, well, the cockpit voice recorder will
19 tell, and -- but, as far as, you know, our emergency response plan
20 is basically don't talk to anybody about the incident until you
21 talk to the company. And they will provide you with
22 representation and you should have their representation prior to
23 speaking about what happened to the FAA or NTSB or whomever.
24 You're going to have to go for blood and alcohol tests or drug
25 tests. I believe they drew blood instead of urine tests.

1 Thrilled to death that both guys -- I'm assuming both guys passed
2 those tests. I haven't heard anything different than that.

3 And I just, you know, seeing all over the news that here's
4 what happened, and the FAA reports that the pilot did this and we
5 were a little bit taken aback because that's what we're always
6 trying to avoid is, you know, people saying things that we don't
7 know whether they're true or not, you know. And, we do have a
8 much better look at it at this point but, you know, those were
9 beyond our control.

10 Our emergency response plan, it was fortunate that almost
11 everybody that needed to be notified was sitting in the conference
12 room at that time. If they hadn't been, the response plan said
13 call this person, call this person, call this person, call this
14 person. So -- but, yeah, I'm happy with what we had in place.

15 Q. That's good to hear. I'm glad you guys -- it worked out well
16 and hopefully you never have to enact that emergency response plan
17 again, but it's nice to know that it did work. So I appreciate
18 that honesty.

19 My last little batch of questions, and you'll be all done
20 with me. I know I talked about if you guys were crazy enough and
21 hired me on and I went through training and came online and
22 everything, and I finished my checkride with you. I'm out flying
23 with anybody else that you approve for me to fly with. Will I
24 ever get the opportunity to fly with you or another check airman
25 again during the year or just every time my checkride comes up?

1 A. No, in fact, the company after this incident in Houston said
2 that we're pulling you off the 280, and you are going to fly with
3 every Hawker pilot multiple days, multiple legs, with every Hawker
4 pilot in the company, and you're not going to get back into the
5 280 until that task is complete. And it took me 2 months to, you
6 know, well because it's 4 days here and 3 days here, and -- but --
7 and I flew with every pilot in the company. And, at that point is
8 when we're like anything that I had seen as a possible deficiency,
9 that I was making sure that me, that I was doing it, and showing
10 my crew and verbalizing the, you know, it's very important that we
11 do this. It's very important when the checklist says to do this,
12 that it gets done.

13 So -- and I do fly just regular trips in a Hawker. It's just
14 the case that -- and I get paid the same whether I fly the 280 or
15 a Hawker. So it makes no difference to me. It's just that we
16 only have three 280 pilots, and we have coverage for the entire
17 fleet of Hawker pilots. So it tends that they put me on trips
18 that I could conduct a checkride on the return Part 91 leg and
19 just divert over to Rockford to shoot some approaches. But other
20 -- if they need me to fly a trip tomorrow, I'm going in Hawker
21 tomorrow. So.

22 Q. Okay.

23 A. And, you know, if guys want to fly with me -- as far as I
24 know, nobody said they don't want to fly with me, okay. But, if
25 they want to fly with me they'll call me on the phone and say, I

1 hope we get on a trip sometime soon. So, you know, and that
2 occurs. So.

3 Q. When you did a write up to the event, and you went and flew
4 with every Hawker pilot out there, in the grand scheme of things,
5 was everything that you were seeing being done as anticipated as
6 standard or were there areas that you had to draw attention to
7 whether it's on one pilot or a group of pilots?

8 A. I will tell you as a complete group, and again I'm going back
9 to -- nobody wants to be my friend. Nobody wants to be my buddy.
10 They just -- when you go fly with the chief pilot, they're either
11 trying to show me how they can do they can do their job or they're
12 sweating bullets that they hope they do their job perfect, okay,
13 but -- so without fail, everything was as I would have done it
14 myself. And in that answer, how I would have done it myself would
15 have been within the policies, procedures and regulations of how
16 the flight should have been operated, okay.

17 Q. Okay.

18 A. So, it was -- I had nobody but again, everybody was on pins
19 and needles about what had occurred, you know, and we had been
20 seeing emails and newsletters and, you know. So.

21 Q. Understood, and I get that. So, no. I appreciate that. I
22 told you that was my last question, and I'll hold true to it. So,
23 let me see.

24 MR. ETCHER: Todd, do you have any questions?

25 MR. GENTRY: No. Thank you, Shawn. Appreciate it.

1 CHIEF TOLL: Thank you.

2 BY MR. ETCHER:

3 Q. You know, I appreciate everything. You've educated me. I
4 feel like, you know, I feel like I was flying with your company.
5 I kind of know everything that goes on there and how it all works.
6 So I appreciate the education you gave me. I'm always fearful
7 (ph.). We ask a lot of questions. You gave us a lot of answers,
8 but I'm always fearful that we didn't as a question that you
9 thought, oh, they're going to ask, and we didn't do it because we
10 just didn't know. Is there any questions that, man, I can't
11 believe you guys didn't ask me that?

12 A. No, I asked Scott what you asked him, and he says, they
13 didn't ask me anything about the guys or the airplane, but I
14 figured you asked DO questions to him and asked chief pilot
15 questions to me. So, no, you've been very thorough, pretty much
16 what I expected.

17 Q. I'm going to have to change up my questions. I like to be
18 the unexpected. No, I'm just kidding, but -- well --

19 A. I would like the last statement on the record to be is that I
20 feel really bad for this flight crew because they were well
21 trained and good pilots, you know, that blundered. They had an
22 oversight, and it's unfortunate, you know. But, I'm glad nobody
23 got hurt. So.

24 Q. Well, and we are glad, too. We're glad. We're so happy to
25 be able to talk to the crew. So, we're glad that nobody got hurt.

1 MR. ETCHER: So with that statement, we will call this ended
2 -- this interview ending at 1324 Eastern.

3 CHIEF TOLL: All right. Thank you very much.

4 (Whereupon, at 1:24 p.m. EDT, 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: RUNWAY COLLISION AT THE WILLIAM
 P. HOBBY AIRPORT IN HOUSTON,
 TEXAS ON OCTOBER 19, 2023
 Interview of Mike Toll

ACCIDENT NO.: DCA24FA017

PLACE: via Microsoft Teams

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

A large black rectangular redaction box covering the signature area of the transcriber.

Kathryn A. Mirfin
Transcriber