

DCA24FA017

OPERATIONAL FACTORS/HUMAN PERFORMANCE

Attachment 3

N269AA Pilot 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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HAWKER 800 COLLIDES WITH CESSNA *

CITATION MUSTANG AT THE WILLIAM P. * Accident No.: DCA24FA0017

HOBBY AIRPORT IN HOUSTON, TEXAS *

ON OCTOBER 24, 2023 *

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Interview of: WILLIAM GARRISON LACY, Pilot Monitoring

DuPage Aerospace

Houston, Texas

Thursday,
October 26, 2023

APPEARANCES:

STARR BLUM, Aviation Accident Investigator
National Transportation Safety Board

KATHERINE WILSON, Human Performance Investigator
National Transportation Safety Board

SHAWN ETCHER, Aviation Operational Factors Investigator
National Transportation Safety Board

TODD GENTRY, Investigator
Federal Aviation Administration

BRENDAN DOHERTY, Esq.
Representing Mr. Lacy

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I N T E R V I E W

(12:18 p.m.)

MS. BLUM: My name is Starr Blum, I'm with the NTSB and I'm an operational person.

Kat.

MS. WILSON: Katherine Wilson, I'm human performance --

MR. LACY: Hi, Kat.

MS. WILSON: -- with NTSB.

MR. ETCHER: Good afternoon, I keep wanting to say good morning because the time just (indiscernible). Shawn Etcher with the NTSB, I'm an operational factors investigator.

MR. LACY: Hi, Shawn.

MR. GENTRY: And I'm Todd Gentry with FAA, I'm in the accident prevention part of the FAA.

MR. LACY: Hi, Todd.

MR. GENTRY: We're just a small group of six people that only concentrate on safety, that's all we do. No enforcement, no compliance. In fact, I can't even talk to those people about any of it.

MR. LACY: Okay.

MR. GENTRY: So I want you to feel free to be open and honest and say whatever you want in this room because our main goal is just to find the truth. That's what we're trying to do. Thank you.

MR. LACY: You bet, Todd. Thank you.

1 MS. BLUM: And again, it's okay if this is recorded and
2 transcribed?

3 MR. LACY: Yes.

4 MS. BLUM: Okay. So you're welcome to have one
5 representative and who is this with you?

6 MR. LACY: This is Brendan Doherty.

7 MS. BLUM: And who --

8 MR. DOHERTY: Brendan Doherty, yes.

9 MS. BLUM: And who do you work for?

10 MR. DOHERTY: I work for a private law firm.

11 MS. BLUM: Okay, thank you. Like I said, this will be
12 transcribed, it will go into the public docket later. And we'll
13 just start with the basics.

14 INTERVIEW OF WILLIAM GARRISON LACY

15 BY MS. BLUM:

16 Q. Can you give us your full legal name?

17 A. William Garrison Lacy (ph.).

18 Q. And your date of birth?

19 A. [REDACTED]

20 Q. And what is your job title?

21 A. I was a captain on 2-6-9 Alpha Alpha.

22 Q. And the company you work for?

23 A. DuPage Aerospace.

24 Q. Have you ever been on a line crew?

25 A. Ma'am?

1 Q. A line pilot, a check airman?

2 A. No, ma'am. I'm a training captain.

3 Q. Okay. And how long have you worked for DuPage?

4 A. Nine years, full years.

5 Q. Okay.

6 A. And I start my tenth year in November.

7 Q. And what airman certificates and type ratings do you have?

8 A. I have an airline transport pilot's license, multi-engine,
9 type rated in the 727, 737, DC-9, Learjet, Citation Jet, Falcon
10 20, Hawker, and a Citation.

11 Q. Nice. That's a lot. What would you say your total flight
12 time is?

13 A. Twenty-eight to 30,000 hours.

14 Q. And how much in the Hawker?

15 A. Probably around 3800, 4,000.

16 Q. And what class medical do you have?

17 A. I have a first class medical.

18 Q. Are there any limitations?

19 A. I have to wear glasses.

20 Q. Is that for distance or for reading?

21 A. For reading.

22 Q. Yeah. So let's see. So why don't you walk us through the
23 event, you can start just with the best recollection from wherever
24 you like and can you walk us through what happened that day?

25 A. We showed up -- and I made a mistake on our flight log, which

1 you all have, I think. I showed us on at 1100, but I think that
2 was local time, it wasn't civilian time, which should've been the
3 time. I apologize for that. We showed up a little bit early
4 because we knew our passenger might show up early. When we got
5 here, he was here, surprisingly, and we had to put fuel on the
6 airplane and we commenced to doing that and getting the coffee,
7 the ice, the papers and all that, get the APU started and I told
8 -- I adjusted our flight plan to get us -- move the departure time
9 up on our flight plan 30 minutes.

10 I did talk to our passenger and he said he would probably be
11 another 30 minutes and I said well, we'll be ready when you get
12 finished. I sat down and was waiting for him, Roger was out
13 taking care of the airplane and the clearance, flight plans and
14 all that that goes on with getting the airplane ready, getting the
15 static -- static covers off, firing the APU up, pulling the pins
16 and all that sort of thing.

17 While I was sitting there, some guy walked by and said hey,
18 what's that coming out of the wing of that airplane and I turned
19 around and looked and I went oh, my God, it's our airplane. So I
20 grabbed the phone as I was trying to get out of the door and I
21 called Roger and I said stop transferring fuel, because it's a
22 typical Hawker issue, especially when you put on fuel here to
23 roughly 8,000 pounds, the airplane holds 8500 in the wings and
24 apparently, the gauges were reading a couple hundred pounds out.
25 Roger decided to get those all equal and in the process was

1 distracted or something, I don't know, but anyways, he overloaded
2 one of the wings, so we got that stopped and we had that little
3 problem going on. They came out to run the wet/dry and all that,
4 I called our company to notify them of the fuel issue, and we
5 moved the airplane out of that local area where it was just so we
6 could board our passenger. It was all nothing exciting, nothing,
7 it just happens, it's something I'm familiar with with the Hawker,
8 it is a common problem.

9 And we had the coffee, the ice and all that, and then we
10 moved the airplane away from that area and re-penned it. Once we
11 got the airplane moved, then we pulled the gear pins back out and
12 came back inside after talking to John, our general manager, and
13 told him what had happened, and we talked about the environmental
14 versus, you know, whether it was a major issue or a minor issue.
15 Well, until they tell us we don't really know, but -- so
16 everything proceeded normally from there.

17 I came back in and told our passenger we'd be ready when he
18 was and probably, I don't know, 15, 20 minutes later he came out
19 and said he was ready to get on the airplane. So we walked on
20 out, we had paid our -- I had already paid our bill and all that
21 here, and walked out, got on the airplane. Roger already had
22 fired up, had the flight plans in, FMSs were up to speed, we were
23 ready to go. So we closed the door, started -- went through our
24 normal before-start checklist, started the right engine first,
25 then left engine, and I selected flaps 15 and he started his -- we

1 called for a taxi clearance, they cleared us to this taxiway,
2 whatever this taxiway is here, I don't recall what the designation
3 is, to go to Runway 2-2. I think our initial clearance was, I
4 don't remember the departure, but it was some departure. We
5 taxied out, completed our before-taxi checks and all that. As we
6 approached the 90-degree turn to the runway, we inadvertently
7 dropped our FMS information out somehow and the V-speeds got
8 deselected; however, him and I had discussed our V-speeds.

9 I quickly put the departure back in and the first couple
10 fixes and I said we'll get the rest of it once we get airborne and
11 get turned in that direction. Reset the V-speeds. As we were --
12 we were still parallel to the runway, getting ready to turn onto
13 the 90-degree taxiway, which would've been the hold short lines of
14 2-2, they cleared us into position and hold and wait, and I heard
15 that.

16 And we finished up our checks, Roger made the turn, we pulled
17 into -- just as we were turning towards the 90-degree taxiway, as
18 we were coming up on the hold short lines, I heard cleared for
19 takeoff. So we pull out on the runway, reached up, turned the
20 igniters on, hit the strobes, and we applied the power and Roger
21 said I feel some right rudder, I said that's the rudder bias, if
22 you'll bring them on up, that will clear itself. I also noticed
23 the elevator-out-of-trim light, which is also a common thing on
24 the Hawker, the -- where the light is, actually it is right at the
25 very aft mark of the trim indicator and it's typically, like move

1 the wheel that far just to get it out of that range and you're
2 still -- you're still close to the takeoff setting, but it's just
3 not -- in eight years of flying the airplane, roll it forward a
4 little bit, get the light out, go. And then Roger said we're
5 cleared for takeoff and I heard that. I don't recall, I'd have to
6 hear the tapes, as to what I replied, I don't know whether -- I
7 would just have to hear the tapes as to how I responded to that.

8 We added power, I called airspeed alive and we're supposed to
9 check the -- my -- he was pilot flying, I was in the right seat
10 even though I was the captain. We normally call airspeed alive
11 and we checked my -- the standby, and he and I always have said
12 airspeed's alive all the way around, saying that they're all -- we
13 got movement on all the indications.

14 I called 80 knots and he moved his hands from the tiller to
15 the yoke or off -- yeah, to the yoke, and we immediately hit V-1.
16 Four or five knots later, it was VR, I called V-1, rotate, and
17 just about as he was starting to rotate, I caught the airplane out
18 of my right, coming from right to left and it was like that, it
19 was just there he was and he was gone. And as soon as he got past
20 us, I felt the thump on the wing, he was already in the rotation,
21 we're going to go flying.

22 (Pause.)

23 MS. BLUM: (Indiscernible).

24 MR. LACY: He rotated, the airplane got off the ground.
25 Obviously, there was a problem. So we didn't change

1 configurations at all and climbed straight out, the airplane did a
2 little bit of wobbling around while we were trying to get
3 everything sorted out. And the tower said climb, runway heading,
4 maintain 3,000, and I said, I responded, we can't do that, we've
5 had a midair or an incident, I don't know what, but we got to come
6 back around, we got an immediate return to the airport. They said
7 why do you have to do that?

8 I said well, we hit -- obviously, I think we hit an airplane.
9 So we made -- closed our traffic, they said do you need an
10 immediate return, I said I'm not -- I got to get on the ground.
11 As we were turning back, they gave us a heading originally, 3-1-0,
12 3-0-0, something like that, and as soon as we leveled off,
13 everything stayed the same, we didn't pull the flaps up, we didn't
14 pull the gear up, we didn't do anything. I knew we were
15 overweight, I did a quick mental calculation, 135-knot rough.

16 I said use 135 knots and they cleared us for an immediate
17 landing on 1-3 Right. We turned base, selected flaps 25, I ran a
18 quick before-landing checklist, which would normally be
19 accomplished as we put the gear down, but it was already down. So
20 when we called flaps 25, I ran that checklist, I had to make sure
21 we had the gear and the flaps, all that, and as we were starting
22 to turn final, he -- he called for flaps, landing flaps. I
23 selected them, I said you're good to go, you know, you can go
24 ahead, let's do it, and came back in, used 135-40 knots on final,
25 landed normally. Pulled off on, I think it's Quebec out there, at

1 high speed, made a right onto November, and that was when the
2 tower told us to stop right there and gave us a ground control
3 frequency, and we stopped the airplane and we just waited until
4 everything -- airport ops came over to us. I opened the door and
5 both engines were still running and I couldn't really hear her, so
6 I ended up outside the airplane and I tapped on the side of the
7 airplane and told Rog to cut the -- that engine so I could hear.

8 And she started asking me all kinds of questions, I'm not
9 saying anything right now and we're just going to wait and see
10 where we're going, and I saw that there was no fuel leaking out of
11 the airplane, there was no imminent fire damage or fire danger or
12 anything like that. So we basically just sat there for a little
13 while and finally, I shut both engines down, the other engine
14 down, went back, talked to my passenger and he said what, what are
15 we doing and I said well, we had a problem and I pointed out the
16 left window and he said oh, my God. And that was it. That was
17 it.

18 BY MS. BLUM:

19 Q. Well, we appreciate you sharing the story. If you don't
20 mind, we'll kind of back up and ask questions going through. Have
21 you and Roger flown a lot together?

22 A. We're comfortable with one another, I would say yes, he is a
23 contractor with us, he doesn't have a lot of time in the airplane
24 relative to what we know how to do, you know, he's at like 300
25 hours or something like that, but he is a contractor. I believe,

1 and I'm not sure, but I may have given him his first month or so
2 of flying with us, I may have been flying with him almost
3 consistently and he's always done a nice job, a good pilot, you
4 know, obviously. And it was very -- it was a normal trip until
5 the incident.

6 Q. When would you say that, before this trip, the last time you
7 flew together was?

8 A. I couldn't -- I can't recall.

9 Q. Okay. Yeah, and "I don't know" --

10 A. I fly, I fly more than anybody at the company, I'm -- last
11 year I flew about 240 days, 220 days, something like that and I
12 fly all the time, I just -- that's what I do.

13 Q. Okay, yeah. How many days a month would you say you fly?

14 A. Twenty.

15 Q. Okay.

16 A. I've got a standing thing with the dispatcher, I said put me
17 on 20 days a month. It's all I know how to do, it's all I've ever
18 wanted to do, and I told my first wife and my second wife, don't
19 ask me to choose between them airplanes and you because you won't
20 like the answer.

21 MR. LACY: My first one is very familiar with that.

22 (Laughter.)

23 BY MS. BLUM:

24 Q. Yeah, I understand. And do you have a lot of experience here
25 at this airport, coming in and out of here?

1 A. Oh, I've been in and out of here, in the last year, probably
2 three or four times.

3 Q. Okay.

4 A. And it's not -- it's another airport, it's got a long strip
5 of concrete with no one next to it, in the building, we kick them
6 off and get them on.

7 Q. And are you based out of DuPage?

8 A. Yes.

9 Q. So about what time did you guys arrive here that morning?

10 A. I want to say it was about 17, it was a 3:45 departure, we
11 left the hotel about 1:30 in the afternoon because I knew that
12 he's -- he can be early and in case he did show up early, I wanted
13 to be ready for him to go. And we had plenty of rest the night
14 before, it wasn't like, you know, duty time was an issue or
15 anything like that.

16 We still can get up and have a good breakfast and all that,
17 that we normally do. So as soon as we got through with all that
18 and we checked, we got a late checkout at the hotel, we got to
19 call these folks to get us a ride over, I don't think we Ubered, I
20 think we had Signature come and get us. And so it was probably
21 1:30 when we got here, 1:45, something like that.

22 Q. Okay. And I'm sorry, did you say what time you guys
23 (indiscernible) and what time you started?

24 A. Ma'am?

25 Q. Taxiing, what time did you get to the taxiway?

1 A. I believe it was around 3:10, 3:15, somewhere in there.

2 Q. Okay.

3 A. I've got it written down on that form for you all, on the
4 flight log, those were -- like those numbers came off of the FMS,
5 so the whole six-minute flight was there.

6 Q. Other than the fuel issue, were there any other mechanical
7 issues or any deferrals?

8 A. No.

9 Q. So on the taxi out, you said you completed your taxi
10 checklist and then you had the V-speeds set in, do you recall what
11 those were?

12 A. I believe they were 113, 118, it may have been as high as
13 121, 138, something like that, 35 for V-2.

14 Q. And VR?

15 A. It was around 118, 120, something like that.

16 Q. And I -- sorry, I should have clarified, you were the pilot
17 monitoring?

18 A. Yes, I was the pilot not flying in this leg.

19 Q. Okay. Did you guys commit to takeoff (indiscernible)?

20 A. Yes.

21 Q. What rate (ph.) was that?

22 A. During the -- during the taxi check, it's in the taxi
23 checklist.

24 Q. At what point did you notice that the V-speeds, there was a
25 problem (indiscernible)?

1 A. Probably just before they cleared us into position and wait,
2 and it didn't -- you know, it didn't -- it only takes 30 seconds
3 to get back, you know, it's not a -- it's not a -- it's not a
4 long, drawn-out thing like it was, would be when you're first
5 setting the FMSs up, just not.

6 Q. So were you able to reprogram it in?

7 A. Yes.

8 Q. Would you say that you had any distractions when you were
9 taxiing out?

10 A. No.

11 Q. So when you approached -- when did you first hear from the
12 tower, what did you hear (indiscernible) your clearance?

13 A. We were probably 50 yards from the turn to the hold short
14 line. So if this is 2-2, we were about right here with the turn
15 right here to go to the hold short lines, so we were probably
16 right about here, this is the turn. As we were making the turn,
17 that's when I heard them say cleared for takeoff.

18 Q. Okay. And what checklist were you -- I mean, is everything
19 complete before you take the runway?

20 A. Except for the actual before-takeoff checklist and that is
21 lights, ignition, and the runway assignment heading, arm the APR
22 and all that. And of course, it's kind of -- arm the APR, well,
23 we can't do that until the engines are -- you're completing the
24 before-takeoff checklist, you're rolling down the runway at that
25 point when you call, you know, before-takeoff checklist is

1 completed, and I would have to hear the tapes in the airplane as
2 to when I said -- because typically, I will say, once you -- once
3 we are in the APR, takeoff checklist complete.

4 Q. Okay. And do you have any procedures or routines that you do
5 with switches when you're cleared for takeoff?

6 A. No. Generally, when they clear me into position and wait,
7 I'll turn on the igniters, strobes, and all that as we're taking
8 the runway and that's standard for, at least in my airplanes, any
9 time we're on an active, we got the -- or any runway for that
10 matter, crossing taxi instruction, any time I go to a runway, I've
11 got the strobes on, so that's typical.

12 Q. So Bill adds power, when did you -- what airspeed were you at
13 when you noticed the nose trim caution?

14 A. Five knots. That trim light would've been -- is linked to
15 the linkage of the throttle, it's not linked to an airspeed, it's
16 not linked to -- my understanding is that it's linked directly to
17 the throttle position.

18 Q. Okay.

19 A. So as soon as you start taking it up out of the idle
20 position, it's going to say hey, you're out of trim or whatever
21 and I've seen it a thousand times, and the trim setting based off
22 the weight and balance and all that is always that far from where
23 that position is to our -- to turn that light on and, you know,
24 most of the airplanes, while we have marks and all that, I know
25 where the trim setting is supposed to be on the airplane. I fly

1 it, you know, I'm flying it 50, 60 hours a month and the light
2 came on, I've seen it before, I reached over and -- that's it,
3 that was the movement right there and the light would not
4 continue.

5 Q. Okay, so is there an audible horn with it?

6 A. No.

7 Q. No, okay. So back to the point that you saw the airplane,
8 you said right to left, what airspeed were you at then?

9 A. I had just called for the rotation.

10 Q. Okay. So was there -- do you think there was any possibility
11 to avoid or --

12 A. Oh, no. We couldn't even spit. If it hadn't have been for
13 the strobe light, we'd have been -- they'd have been out there
14 mopping up fuel right now, still.

15 Because Rog did back off the power a little bit when he --
16 because he -- the rudder bias on the airplane, and what the rudder
17 bias does is when you add power and you get a rollback on one
18 engine or they're not synced quite up, it will add rudder for you
19 left or right because it says hey, you have an engine failure, so
20 it helps you maintain directional control.

21 Well, he got -- not being super familiar or having flown as
22 much -- I get it all the time, I know what it is, and as he
23 brought them up, one of them obviously came up a little bit faster
24 than the other and just enough to kick that rudder bias off and so
25 he had eased the power off just a little bit because he's going

1 hey, I got a rudder deflection, I said it's the rudder bias and it
2 will go away and it did, and the airplane -- so already, like I
3 said, I called the 80 knots, V-1, rotate, and just about the time
4 he was starting to rotate was when I saw the airplane and that's
5 it.

6 Q. Were there any messages or annunciations after the impact,
7 once you guys are climbing up, did you have any warnings?

8 A. No.

9 MS. BLUM: Okay. I think that's going to be it for this
10 round for me, so I'm going to go ahead and pass it off to Shawn.

11 MR. ETCHER: Okay, thanks.

12 MS. BLUM: Yeah.

13 MR. ETCHER: Are you okay for a little bit?

14 MR. LACY: Yeah.

15 MR. ETCHER: You need a break?

16 MR. LACY: No.

17 MR. ETCHER: Okay.

18 BY MR. ETCHER:

19 Q. Thank you for giving Starr all that great information, it
20 made me feel like I was kind of there with you, so I appreciate
21 it. Sorry to have you relive it, I realize it's not an easy thing
22 to do, so I'm trying to minimize that, but it really is helping us
23 and I know I'm going to relive it a little bit with you again just
24 to fill in some gray areas, if you will. We were just talking
25 about the rudder bias and all that, and you've seen it before, is

1 that -- I think you said it's -- we'll call it a Hawker-ism.

2 A. Yes, it is.

3 Q. Is there any -- is there anything that can be done
4 mechanically-wise to minimize that or is it just bring the engines
5 up together and (indiscernible)?

6 A. No, the only -- the only possible thing you can do to
7 eliminate it would be to reach up, open the guarded switches, turn
8 the rudder bias off.

9 Q. Okay.

10 A. Period. That's the only way to disarm them.

11 Q. Okay, all right. And since it's a guarded switch, I assume
12 that is something you guys do not do unless it's an emergency.

13 A. We do it with our rudder bias checks, you know, which we do
14 prior to basically moving the airplane, you know, its first flight
15 of the day, we'll run those checks, but it's just to make sure
16 it's working right and --

17 Q. Okay.

18 A. -- but it's not. Once you get through with the check,
19 they're guarded, I mean, it's all dependent on percentages,
20 differences between what N-1 (ph.) is between the engines.

21 Q. Okay, all right. I just -- I wanted -- because you're just
22 finished with that, I just wanted to make sure -- you got a lot of
23 experience in it, I just --

24 A. Yeah.

25 Q. I appreciate that, helping me understand it. Let's go back

1 just a little, let's talk about you for just a little bit, get to
2 know you a little bit better. You've got a lot of hours and
3 you've got a lot of ratings. Can you kind of give me a
4 CliffsNotes version of your aviation career, if you, help me
5 understand your vast experience.

6 A. Well, my dad was a pilot for United 35 years. We built our
7 first Pitts, I was like 9 years old. Instead of buying a hot car
8 when I was in high school, I bought a third of an Aeronca Champ so
9 we could learn to fly. So on my 16th birthday I got my license;
10 on my 17th birthday, started flying the Pitts and I got my license
11 in February on my birthday, so I started flying a Pitts in the end
12 of March, early April, and started competing in aerobatics
13 immediately and that summer I was a U.S. and Canadian intermediate
14 national aerobatic champion, and just basically never looked back,
15 I kept flying, never went to college, all I've ever done is fly
16 airplanes. That's all I've ever done.

17 Q. And that's a great CliffsNotes version, I appreciate that, I
18 mean, you've definitely flown airplanes for that many hours, so --
19 okay. Do you ever have any time with the airline -- I noticed you
20 said 7-2, 7-3 time? You mentioned that --

21 A. Well, I got hired by US Air, got furloughed, went to work
22 for Air Atlanta, flew 7-2s for them. They went bankrupt, then I
23 went to work for Midway. I told you I was on the 9, didn't I?

24 Q. Um-hum.

25 A. Flew the 9 for them, I was captain with them for five, six

1 years until they went bankrupt, then I bounced around a little
2 bit, ended up going with Nations Air, I was a 7-2 and 7-3 captain
3 for them for six or seven years until they went bankrupt. Took a
4 year or so off and went back to flying, crop dusted, you know,
5 I've done -- towed targets for the Navy, all the stuff pilots do
6 in between while they're looking for airline jobs. That's it.

7 Q. All right, excellent. I appreciate that, I just -- you said
8 7-2, 7-3, I'm like I want to get a little bit onto that, so I
9 appreciate that. On the Hawker, what was your most recent
10 recurrent training?

11 A. I want to say February.

12 Q. Okay. And is that training done in the airplane, is it done
13 in the sim?

14 A. Sim.

15 Q. The sim. And where was that at?

16 A. At Simuflight in Dallas. I've got the card, I can give you
17 an exact date the check ride was.

18 Q. February's a good ballpark, it's -- I just wanted to make
19 sure --

20 A. Yeah.

21 Q. -- we understand when your most recent was, thank you. And
22 we'll probably recap, anyway, just to --

23 A. Right.

24 Q. How would you classify their training, in your opinion, how
25 -- I'm asking for an opinion here, was it good training, was it

1 lacking, was it "it's okay"?

2 A. It's okay.

3 Q. Yeah.

4 A. You know --

5 Q. Everybody chooses that last phrase I give them, so --

6 A. It helps if you know what you're doing when you go in. Let
7 me put it that way.

8 Q. Okay.

9 A. It was good, you know, they were knowledgeable. You get to
10 do things you don't normally see in the airplanes, so that's
11 outstanding. But just typical recurrent training.

12 Q. Okay. These next few questions are always tough questions
13 for me to ask, but we always ask them or at least we try to,
14 sometimes I do forget, but have you ever not had a satisfactory
15 check ride? I mean, you've got lots of hours, so --

16 A. Yes, I have.

17 Q. Take me back to the most recent.

18 A. The Hawker.

19 Q. Okay.

20 A. On the Hawker. I had problems on the initial, and it was
21 primarily due to the FMS, utilizing the FMS, because I was old
22 school, you know, I knew how to use VORs and all that and all of a
23 sudden, there's an FMS, I'm like -- you know. So I had issues
24 with the FMS.

25 Q. And the retraining on that, did it get you up to a

1 comfortable level?

2 A. Oh, yeah.

3 Q. Okay.

4 A. Yeah.

5 Q. All right. Have you ever been involved with an accident, an
6 incident, any FAA actions against you for any reason?

7 A. Yes. In '92 -- well, it was about '02, Nation's Air had gone
8 bankrupt and my father had passed away and I got a couple of DUIs
9 and put myself into treatment, got out, and basically, I had
10 thought that my career was over. And my current wife told me, she
11 said, "You know, airplanes are so important to you, why don't you
12 get a third-class medical backing, you know, go fly little
13 airplanes." I said, "You know, that's a good idea."

14 So I went and talked to Dr. Harper, who was involved with
15 Delta HIMS, they're in Atlanta, and I explained the whole
16 situation to him and he said, "Well, you got to jump through the
17 same hoops to get a third class as you do a first class, so why
18 don't we get you a first class?" I said, "Well, you know, I don't
19 know if anybody's going to hire me after this," and he says,
20 "Well, I've seen a lot of miracles in this program," he says,
21 "let's try it." And about a year later I was back in the air and
22 never looked back, just kept flying, went to work for a slack,
23 pardon me, a -- let's say a Learjet operator that was "eh," was
24 okay, I suppose. And while I was there, I flew somebody to -- on
25 a medical trip and the guy fell in love with Learjets and

1 immediately bought one and hired me to fly for him and I just kept
2 flying. I had -- flew for him for four years, a lot, and when he
3 pulled the plug on his operation, I still could not pass the
4 10-year background check for the felony thing, so I was limited to
5 the 12-5. And so I found a job in Iowa, flying a little freight
6 run in a 4-0-2, going from Kirksville to St. Louis and it was a
7 UPS run.

8 All of a sudden, those guys at UPS said oh, you got to get a
9 site badge, so I couldn't do that. So the people that I was
10 flying for, and I've always told everybody the truth about this,
11 I've never lied to anybody about it since it's happened, they saw
12 the experience level, they knew that I was a valuable member, and
13 they kept me there and I -- for the first year and a half I flew
14 basically parts for them for their ag operation.

15 The guy that ran it taught me how to fly ag and then he -- we
16 sold a couple airplanes to some guys in Minnesota and I ended up
17 flying a brand-new Thrush ag airplane for the next four years
18 flying ag and I had a friend of mine who was working for DuPage
19 Aerospace, you know, I told him, I said 91, Part 91 I can fly
20 whatever, but 135 and all that's out until I can pass the 10-year
21 deal. And they came up with a Part 91 trip out of Miami on the
22 Lear and he called me up and said can you do it and I said yeah, I
23 can, this is great. Well, that introduced me to John Bullock and
24 everybody in upper management at DuPage Aerospace and I flew the
25 airplane home for them and they liked me, I guess, obviously, and

1 about two months later I was "10 years past" and Jeff, my buddy,
2 called me up and says come on down here and go to work. I said I
3 don't know if I can pass the 10-year background and he said come
4 on back, let's try. Went down there and lo and behold, I passed
5 the background check and I've been flying for DuPage Aerospace
6 ever since.

7 I came on board as a Lear 35 captain for them, they
8 immediately put me in the right seat of the Hawker, and a year
9 later they typed me in the Hawker and a couple of years ago they
10 typed me in the G200, and I forgot about -- did I tell you about
11 the G -- I was typed in the G200, too? I don't --

12 Q. You just did, how's that?

13 A. And it's been --

14 Q. Okay.

15 A. -- good up until now.

16 Q. I appreciate you laying that all out for me, it really helps.
17 I know we've been talking for a little bit, do you need a break?

18 A. No.

19 Q. Are you sure?

20 A. I'm okay.

21 Q. I do appreciate giving me the history of you, I mean, with
22 that many hours, I figured you had some great history, I
23 appreciate you sharing it with us. I believe when Starr was
24 asking you questions, you had said you were the captain on the
25 airplane. How do you guys define who the captain is, is it based

1 on seat, is it --

2 A. Who's on the paperwork.

3 Q. Okay.

4 A. I was listed as PIC on the airplane, so therefore it's my
5 responsibility, that's it. If we had -- all of our pilots are
6 captains, we're all PIC rated and we swap seats, left and right,
7 and it just -- you know, I won't say we swap every way, but the
8 reason behind that is in some cases, you're better off not to do
9 all this monkey motion around and swapping seat, you know, fly
10 two-way and you get, you know, three or four hours sitting
11 somewhere and now swap seats.

12 So it's not every other leg like we would in an airline, but
13 you're not -- at an airline, you're still sitting in the same
14 seat, you know, it's not a matter of you just flying every other
15 leg, where in this case we go ahead and we move our headsets over,
16 change the nest over and you know what a nest is, we change our
17 nest over from left to right so it takes a little bit of time so
18 we don't necessarily do that every leg. In this particular case,
19 I had gone -- I flew the airplane from Chicago-DuPage to Waukesha,
20 Waukesha down here, we're overnight, swap seats, and Roger would
21 take the airplane out.

22 Q. Okay. And you said it's listed on the paperwork, is each
23 leg, does it list who they have or is it just --

24 A. No, I am the captain on the whole trip.

25 Q. Okay, all right. And I just want to make sure I understand

1 it, they decide who's the captain on the whole trip --

2 A. Yeah.

3 Q. -- or you? Okay. All righty. I know when you were talking
4 to Starr, you were talking about your fuel, it was kind of leaking
5 just a little bit. A ballpark estimate on your part, if you can,
6 and if you can't, "I don't know" works, but just a ballpark, how
7 much fuel came out?

8 A. I have no idea.

9 Q. Okay.

10 A. I have no idea.

11 Q. That's a perfect answer.

12 A. You know, my Pitts used to have a little drop of oil come out
13 of it and it covered the whole airplane, so I have no idea. I am
14 a very poor judge of that.

15 Q. No, I appreciate the honesty, because that's right, thank
16 you. I know you had also said to Starr that you are a training
17 captain?

18 A. Yes.

19 Q. Did I get that right? Now, does that mean -- I just want to
20 make sure I don't confuse terms in my head, as a training captain,
21 does that mean you're a line check airman also, you do line checks
22 at all or just --

23 A. No, I just -- when we have new guys come on and they get
24 their check ride and all that, they'll assign me to fly with the
25 guy and just make sure he's up to snuff on procedures and the way

1 we do things.

2 Q. Okay.

3 A. It's not a -- it's not like a training captain at an airline
4 where I'm writing reports and it's not like that, it's "hey,
5 here's how we're doing this and here's what we expect," and that's
6 it.

7 Q. And I believe you said you flew with -- you're captain on
8 this one or the PIC on this one, you flew with him as part of his
9 training, did you say that?

10 A. I believe I did.

11 Q. Okay.

12 A. Yeah, just about -- you know, I think we've got 15 pilots and
13 you got one, two, three, four of them are management and so, you
14 know, when a new guy comes on, they'll put him with me, you know,
15 it's just how the dispatch actually wants to put them, but they
16 will put them with somebody that's been here for a while to make
17 sure that the procedures are done the way we want them done and
18 all that.

19 Q. If, heaven forbid, if you ever had to be faced with this, but
20 if you had to fly with me, I was working for the company, as well,
21 or something and you had to fly with me and you decided after that
22 trip you just never want to fly with me again, can you do that?
23 Can you put a request in, "Hey, I'm not flying with that guy
24 anymore"?

25 A. I could put it in. Whether it's honored or not is another

1 story.

2 Q. Okay.

3 A. I don't have that issue because I've been there long, a long,
4 long time and quite frankly, as a captain, I don't really care
5 whether they get along with me or not, I just don't. They have to
6 get along with me. Now, I try not to be a jerk, I try not to be
7 unruly in the cockpit, I want to have fun, because that's what
8 this job is, it's a job, but it's still fun, I love it.

9 MR. ETCHER: You know, if it's okay with you, Starr, I would
10 love to use the restroom. Can we take a break for just a couple
11 of minutes?

12 MS. BLUM: Absolutely.

13 MR. ETCHER: We'll go off the record at 12:51. Five minutes
14 work?

15 (Off the record at 12:51 p.m.)

16 (On the record at 12:57 p.m.)

17 MS. BLUM: Okay, reconvening at 12:57 Central time.

18 MR. ETCHER: Thanks again for giving me the opportunity to
19 give some of my coffee back to Mother Nature, I appreciate that.

20 BY MR. ETCHER:

21 Q. Kind of get back just a little bit here, if we can, like I
22 said, I'm kind of jumping around because you answered a lot for
23 Starr, so I appreciate you walking me through the details here.
24 When you're taxiing out here, you were taxiing out, you were doing
25 your checklist, with all your vast experiences, you've been to

1 lots of towered airports, how did ground control sound, was it
2 busy, was it -- I don't want to use normal, use whatever terms you
3 wish, but how was it compared to what you're used to?

4 A. Normal.

5 Q. Okay. After a certain taxiway, correct me, but you flipped
6 over to tower, flipped the frequency over to the tower.

7 A. Um-hum.

8 Q. How did that sound to you, normal, busy?

9 A. I didn't -- I didn't hear anybody, it didn't sound busy.

10 Q. Okay. And you were doing your checklist as you're going out,
11 as the pilot monitoring, correct?

12 A. Um-hum.

13 Q. And you get out there, and this is where I need you to help
14 me understand -- I want to be that little fly on your shoulder, if
15 you will, help me understand what you're hearing and seeing.
16 You've come to a stop at the hold short line or not yet?

17 A. Not yet. We were -- here again, if this is 2-2, we were on
18 this taxiway and we were right about here, and if this is the
19 90-degree line and here's the hold short, we're about right here
20 when we noticed that it had -- the FMSs had dropped the speeds and
21 I said don't worry about it, I'll get them, popped them back in,
22 and that was about the time that I heard "taxi into position and
23 wait." So Rog -- we still had a little ways to go to make the
24 left turn to get to the hold short line and we continued out and
25 just as we were making the turn is when I heard "take off." And

1 as we pulled onto the runway, I hit the lights, hit the strobes,
2 ignition, and read the list and we went.

3 Q. Okay. And just, again, I want to be that fly, if you will,
4 on your shoulder, so bear with me if I ask weird questions. You
5 heard cleared for takeoff, you hit the lights, you did everything,
6 did you ever respond "cleared to takeoff"?

7 A. I don't know exactly what I said, but yes, I believe I did.

8 Q. Okay, all right. Does the airplane, is it equipped with an
9 intercom?

10 A. Yes.

11 Q. Is it --

12 A. Hot.

13 Q. -- hot all the time?

14 A. Yes.

15 Q. Okay. I know some places, airlines do, but I know some
16 corporates do, as well, when you take an active runway, sometimes
17 you'll say yeah, I see Runway 2-2 and the other guy will confirm
18 yeah, 2-2.

19 A. Yes, we did that.

20 Q. You do that. Do you have anything that's "I heard cleared
21 for takeoff," "Yes, I heard," you guys do that at all?

22 A. No.

23 Q. Okay, all right. So you're on the -- you did your taxi --
24 sorry, you did your full checklist except for armed the APR and
25 whatever.

1 A. Correct.

2 Q. So you're on the radio as the pilot monitoring, did you do
3 anything else besides wait and arm the APR, were you on the
4 control columns at all?

5 A. I'm pulling forward pressure on the control column until we
6 hit -- you know, some guys pull it all the way forward, locked in,
7 some guys let it -- I let it just as the airspeed comes alive and
8 the elevators start getting some airflow over them, I let the yoke
9 come on back to a normal position so when he takes the yoke it's
10 where it should be for him, because if all of a sudden he gets it
11 and it's way up here, he's got to pull it.

12 It's just easier to let go and let the airplane do what it's
13 supposed to do and that's fly. And as you accelerate, that yoke
14 will go ahead and gently come back, and by the time I call 80
15 knots, it's in the normal position and he takes the yoke and now
16 we wait for the rotation call, V-1 and all this other stuff. V-1,
17 of course, he moves his hands from the throttles to the yoke.

18 Q. Is that -- I want to call it ability, if you will, or is that
19 company policy? For you, as the pilot monitoring, to hold forward
20 on the yoke.

21 A. It's a company -- it's a -- the way I learned to fly the
22 airplane when I came on to the airplane, is to hold forward
23 pressure. The Hawker has a Hawker-ism that one of the gears, I
24 believe it's the nose gear, can vibrate horribly, and as we lower
25 the nose on a landing, we do what we call pin the nose gear and

1 that's go full forward, and it helps keep pressure on that nose
2 gear to keep it from that vibration. So that's essentially what
3 we're trying to do, even on a takeoff roll, is to keep that --
4 I've had those vibrations, I actually had one shake the APU panel
5 out of the housing, break the fluorescents in the back, I mean,
6 you couldn't read the instrument panel. If you don't do that.
7 And it's not -- I won't say it's common, but I've been there and I
8 want that nose gear pinned to the ground as much as I can.

9 Q. Okay. While you're holding forward -- and let me back up.
10 That day, the weather, what was it for you?

11 A. Beautiful.

12 Q. Nice and beautiful?

13 A. A nice day.

14 Q. Breezy, windy?

15 A. A little windy, but it was a nice day.

16 Q. Okay. Did you have a crosswind that you --

17 A. I believe we did, it wasn't dramatic, it wasn't anything
18 that, you know, him or I have not seen in the past.

19 Q. Okay. So again -- and I'm just again a fly on the wall here,
20 fly on your shoulder, if you're holding forward pressure and you
21 have a crosswind, do you also put it in the crosswind correction?

22 A. Yes.

23 Q. Okay.

24 A. But there again, I -- the Hawker is set -- the ailerons are
25 very effective on the airplane and I tend to put in what I need to

1 keep the wings level. As the airplane accelerates, you got too
2 much aileron in there, that wing will start coming down, so I do
3 whatever's required to keep the airplane level, and as soon as I
4 see it going one way or the other, I put in the input that's
5 required to keep the nose low, that's it.

6 Q. Okay. When you're the pilot monitoring and you're doing
7 that, do you tell the pilot flying, when he reaches out to grab
8 control, what you got or do you --

9 A. Yes. If I'm flying, I may say I need a little right aileron,
10 I need a little left aileron, I may say it.

11 Q. Okay.

12 A. I may not. I go, you know, you're a freaking professional
13 pilot, you know what's supposed to be done over there. And you
14 expect those things at this level of flying, you know, this is not
15 -- this is not Cessna 150 stuff, this is -- you're a professional
16 airman, you're supposed to be able to know what -- if you need
17 left or right aileron or what's required, you know, and the way I
18 look at it is if the airplane's rolling right, don't put in so
19 much right aileron. I can't do it any smarter than that.

20 Q. Okay, all right. So you're going down the runway, he's
21 setting the power --

22 A. Yes.

23 Q. -- correct? And you notice the trim light come on.

24 A. Yes.

25 Q. And you reached down and then he made the gesture, but the

1 recording can't actually see the gesture, so would you say he
2 moved the wheel like a half a turn --

3 A. Oh, no.

4 Q. -- a quarter of an inch?

5 A. Oh, no, no. We're talking a sixteenth.

6 Q. Okay.

7 A. I mean, a sixteenth of an inch.

8 Q. Okay.

9 A. It's not -- no, this is not roll it. If it were that -- if I
10 were seeing that, I would be talking to our maintenance about
11 where these indications are, you know, what exactly -- how do I
12 exactly set the turn settings for what we've got, it's not -- this
13 is minute.

14 Q. Okay.

15 A. It's not a -- it is, it's minute, is the best way to describe
16 it, it's -- I don't even know if it's a sixteenth, that wheel is
17 this big, you know, a sixteenth of a turn is pretty good -- it's
18 not, this is like -- it's just not, it's minute.

19 Q. Okay, all right. So you wiggle it, it clears the light.
20 Have you talked to maintenance about that Hawker-ism, if you will?

21 A. No. No, because the green band on that thing is -- at a
22 takeoff setting, it's like that wide and I've had that light come
23 on when I was forward of it, I've had it come on forward of the
24 second mark, I've had it come on aft, there's no rhyme nor reason,
25 to a degree, as to when that light will activate. Obviously, if

1 you're way aft, it comes on, you know, and if you got the trim set
2 the way your weight and balance is calling for it, you're going to
3 be aft unless, of course, you got gold bricks in the forward end
4 of it, and then the light obviously won't come on. But in a
5 normal takeoff where you got three people in the back, you know,
6 6,000 pounds of fuel, 7,000 pounds of fuel, you're going to be aft
7 and you look down, you set it, okay, it's set.

8 And if you bring the power up and it's not -- if it's a
9 little bit aft, that light will come on and it's certainly not an
10 abort situation, it's certainly not stop the airplane situation,
11 it's reach over and move that trim wheel that much to kill the
12 light. It would be different, I would look at that light
13 differently were I 10,000 pounds of fuel, full of people, full of
14 bags and all that, I might look at that light a little bit
15 differently on a takeoff deal. But with the airplane loaded like
16 that, I'm going to be well forward of that aft setting and I would
17 never see that light.

18 Q. Okay. And I know you made a gesture, would you say the green
19 band's an inch, a couple inches? I know you just gave a gesture,
20 but for the recordings, we kind of have --

21 A. The band, the trim setting band is probably 2 inches long --

22 Q. Okay.

23 A. -- two and a half inches long, but the normal takeoff setting
24 is in the last sixteenth of an inch of that band, your normal
25 takeoff setting.

1 Q. Perfect, that's -- I just wanted to make sure I understood
2 dimensions here, so thank you. Did you announce that to the PIC
3 on this one that, you know, we got the light on, I'm trimming it
4 out?

5 A. No. I just said I see the light, then I moved the trim wheel
6 and I said go.

7 Q. Okay. All righty. The V-speeds dropping out previous, do
8 you see that often?

9 A. It's not the first time I've seen it. I wouldn't say it's
10 often. Ten percent of the time, maybe, 5 percent of the time.
11 It's not super common, but you see it.

12 Q. Okay. When you guys -- I know you're swapping seats, you
13 know, on a trip. Who calls for the configuration, like taxiing
14 out, who calls flaps 15, taxi check?

15 A. Our taxi check, nobody actually calls for it. If I'm in the
16 left seat, when I finish, what I'll do is it will be start power
17 off, alternators on, screening's on, pitot heat's on, check the
18 amps, reach down and I'll move the flap panel to 15. In our taxi
19 check, it calls for us to verify the flaps and ever since I've
20 been here, it's flaps are 15 and whoever's flying the airplane
21 points at it and says flaps are 15, set and indicate 15, so
22 everybody's aware that you got the right configuration for the
23 airplane.

24 Q. Perfect, that kind of helps fill in some of my blanks, so
25 thank you and I appreciate that. The airplane, is it equipped

1 with TCAS?

2 A. Yes.

3 Q. Is it its own screen, is it on a sub-screen?

4 A. It's in the MFD and PFD.

5 Q. Okay. Is it always on -- displayed on your screens or is it
6 something you have to select?

7 A. You can select it, but all of us typically run with it on.

8 Q. Okay.

9 A. I know the transponder codes, which of course drives the
10 TCAS, on some airplanes, and I think we've only got one or two
11 where it will not activate until the nose comes off the ground and
12 it's tied to weight on wheels, not on nose gear. The rest of the
13 airplanes, we put the code in there, they can track us and all
14 that.

15 Q. So talking about the event, do you remember having the TCAS
16 up, do you look at it, did you look at it?

17 A. Yes. And no, I didn't see any other --

18 Q. No other targets that -- okay. When you're rolling down the
19 runway, you're the pilot monitoring in this case, of course,
20 you're rolling down the runway, I know you're -- you've got your
21 yoke forward, you're verifying the engine instruments and
22 airspeed's alive and all that, an estimate, how much time do you
23 look at inside versus outside?

24 A. Until I call rotate or V-1, I'm inside all the time, I'm not
25 outside. You know, once we hit V-1, I'll look up, make sure we're

1 on the center line and everything's -- you know, I'll cross-check
2 the airspeed indicators, now it's just in my scan, to look at
3 everything and worry about us doing a normal takeoff.

4 Q. Perfect. If you were the pilot flying, same question, how
5 much are you in versus out? Because I know the pilot flying,
6 you're --

7 A. I'm outside.

8 Q. But you're setting your speed, your props, right?

9 A. I take the throttles and I go full forward.

10 Q. Okay.

11 A. When I hit the stops, that's when I stop. It's that simple.

12 Q. Okay.

13 A. I do take a glance at the ITTs, but there again we have MSP
14 on these (indiscernible) and it is what it is.

15 Q. Um-hum.

16 A. I have learned through my years that all the way forward
17 makes you go fast, which is what I'm trying to do. It's just the
18 way I do it --

19 Q. Okay.

20 A. -- and I double check to make sure, you know, if he -- if I'm
21 flying the airplane, he calls 80 knots, I'll take a quick glance
22 to make sure he's correct because I want to know as soon as
23 possible that we've got erroneous crap going on instrument-wise or
24 flight instrument-wise as we break ground, you know. Am I right,
25 is he right, you know, all that stuff has to be decided right then

1 because you're getting ready to go flying, you don't want to be
2 making that decision in the air, you want to know that everybody's
3 in about the same ballgame. It's going to be 5, 10 knots up
4 depending on where the locations are, oh, you're right, your pitot
5 tubes and your static ports and all that, there's going to be
6 some, but you want to be close and so I'll take a quick glance at
7 that, call my hands on the yoke at that point in time, call
8 rotate, I'm already -- I'm outside the airplane, I'm making sure
9 I'm on the center line and rotate and go.

10 Q. Okay, perfect. My last little section of questions, then
11 you're done with me for the first round, so you can go "phew."
12 Your report time you said was -- you reported about 1:30, you left
13 the hotel about 1:30 --

14 A. Yeah.

15 Q. -- give or take, and you were originally scheduled to depart
16 at 15 --

17 A. Fifteen forty-five.

18 Q. So do you guys normally report -- I'm going to do math here,
19 this will be really scary -- about two hours and 15 minutes
20 before?

21 A. At home, on a departure, unless we are empty out, we're
22 required for two. If we're empty, we can show an hour and 30
23 beforehand. On the road, I use an hour and 30 but, you know,
24 there again, my airline career just destroyed me as far as showing
25 up early. An hour is plenty, but in this particular -- I try to

1 show up an hour and 30 to an hour and 45 beforehand even on the
2 road. In this end of the business, passengers, they have no
3 conception of schedule. I don't care what they said, they have no
4 conception of a schedule and I've had them show up two hours early
5 and then they get ticked and raise Cain with the company because
6 we're not ready to go and that's unacceptable to me, you know.

7 I can't control them, but I can control my crew and I do, as
8 far as making sure the airplane's ready and unless there's a duty
9 issue, if there's a duty issue, obviously, you're not going to --
10 I can't do anything about it, and that happens on occasion. In
11 this particular case there wasn't any -- there just wasn't any
12 issues. It's easy enough to get -- you just can't get up at noon
13 for -- go flying, what the hell's wrong with you.

14 Q. Okay. And had you flown this passenger before?

15 A. Yes.

16 Q. And was he -- did you have to wait on him, did he have to
17 wait on you, on the accident flight?

18 A. Actually, we -- he was already here when we got here, he was
19 in there working on his computer and all that, and I was like holy
20 crap, but I also knew that I was way early and I knew that he
21 would not be -- he's still expecting, I know Bill, I know him, and
22 I know he would not -- he would still be planning a 3:45 because
23 that's what he had scheduled. And so I didn't -- did I put a rush
24 on anything? No. But I started moving with more clarity as to
25 hey, I got to get this done, I got to get this done, I got to get

1 this done, you know, this is -- I need my -- I need to print out
2 my flight plans, I need to print out the weather, I need to do my
3 flight risk assessment, I need to get that stuff done. It's not
4 like I was oh, my God, I got to get -- it wasn't like that, and
5 I'm not ever going to be like that.

6 MR. ETCHER: Okay. All right. Again, that was my last
7 little batch of questions, so I appreciate all the answers you've
8 given me so far, so thank you very much, and I'll pass it back to
9 whomever you wish to.

10 MS. BLUM: (Indiscernible) Kat.

11 MS. WILSON: Doing okay, still?

12 MR. LACY: Yeah.

13 MS. WILSON: All right.

14 BY MS. WILSON:

15 Q. V-speeds dropping out, is that -- what causes that?

16 A. Any number of things. If the FMSs are not talking to one
17 another, i.e. independently set up, and one of us notices that, we
18 may reach down and sync them and there's a little procedure you go
19 through to do that, and if you sync them, and in this case one of
20 us synced them to -- I synced them from number 1 to number 2 and I
21 entered it on number 2, then the V-speeds will drop out because
22 it's going hey, what do you mean, we may have these computed
23 wrong, and it will drop them out and then you have to go back and
24 make sure, verify that your temperature is right, the winds are
25 right, and you go and just re-send them, which is what we did, and

1 reach down, reset them, and got the speeds.

2 Q. This airport with its intersecting runways, does that pose
3 any challenge to you, as a pilot?

4 A. Obviously, it's a problem if there's another airplane on that
5 runway. No, it really doesn't, it's -- you know, we run off
6 intersecting runways at lots of airports, it's not -- it's not
7 uncommon. Do we like it? No, we don't. And it's like landing
8 hold short, it's something we do, none of us like it, but that's
9 the nature of our -- what we do for a living and you have to learn
10 to operate in that environment and keep it as safe as you possibly
11 can, that's all you can do.

12 Q. How was the audio in your headset that day?

13 A. Good.

14 Q. No issues?

15 A. No.

16 Q. Hearing volume was okay? During the takeoff roll, did you
17 hear any communication from ATC?

18 A. No.

19 Q. While taxiing, were you working the radios?

20 A. Yes.

21 Q. And who called for the taxi clearance when you were
22 leaving Signature?

23 A. I did.

24 Q. Who did the preflight walk-around?

25 A. Roger.

1 Q. How is it decided who will do that?

2 A. Whoever gets out there first, you know, we're all -- there
3 again, on my trip, it's my trip, it's just like the day of the
4 incident, before I close the door on the airplane, passenger's
5 already on there, Roger's in the left seat, before I close that
6 door on that airplane, I did a walk-around, it's not a -- it's not
7 a preflight walk-around, it's not what it's designed to do, it's
8 designed to make sure that the pins are pulled, all the doors are
9 closed, and the airplane can go flying, that's all it's for.

10 Q. Um-hum.

11 A. It's not a -- you know, I'm not checking oxygen pressures,
12 I'm not checking oil, I'm not looking at the oil, it's already
13 been done. I'm making sure the stuff that can affect that flight
14 is already done and when I close the door, that we can go flying
15 and that's -- so, you know, there again, he's a professional
16 pilot, he knows what to do, I do the quick walk-around to make
17 sure everything's done, close the door, and we go.

18 Q. How would you say the -- in general, crew coordination with
19 Roger?

20 A. Excellent. Yeah, he knows what he's doing, we get along
21 well, we both have gobs of experience, we're comfortable with one
22 another. I like flying with Roger, I do.

23 Q. Any issues with crew coordination on that day?

24 A. No.

25 Q. And how did he seem that day?

1 A. Perfect, just normal. Normal day.

2 Q. Um-hum. How does he compare with other pilots that you've
3 flown with?

4 A. Good. I've flown with hundreds of different pilots and
5 there's -- some of them I just didn't like and they were worthless
6 airmen, pardon me. I've flown with guys who couldn't fly their
7 way out of a paper bag and I have flown with some outstanding
8 pilots. I would put Rog in that outstanding pilot category.

9 Q. The fuel venting issue, how do pilots know that that's a
10 thing in the Hawker?

11 A. Because guys like me tell them absolutely do not transfer
12 fuel at the -- on the ramp or in front of the FBO, do it while
13 you're taxiing. Sorry. But it is -- the transfer on the airplane
14 happens -- you can move a lot of fuel very, very quickly in this
15 airplane and not using the cross-feed, we don't use the transfer
16 valve.

17 And I'm telling you, you can move 200 pounds right now and if
18 you're at 8800 pounds of fuel, well, you're only 500 pounds away,
19 one side or the other, of filling the vents and dumping all that
20 gas out, and if you don't -- you know, if you're not watching it
21 and you're unfamiliar -- I don't know how many times Rog has gone
22 with 8500 pounds of fuel and I'm sure, because I tell everybody,
23 do not, do not transfer fuel in front of the FBO, that is -- you
24 know, do it on -- they're not -- I'm sorry. It's just don't do it
25 where we're going to get in trouble, just don't.

1 Q. Did the fuel venting create any added delay?

2 A. No.

3 Q. No.

4 A. No, as a matter of fact, we were still early.

5 Q. Did it require getting any extra fuel?

6 A. No. No, fuel is inexpensive down here, as a matter of fact,
7 we put on enough to fly all the way to Waukesha and if I needed to
8 put fuel on up there, fine, if I didn't, we could -- we would've
9 gone all the way through to Chicago.

10 Q. Switching gears a little bit away from the incident itself,
11 your activities in the three days before the event, so we can
12 start on Saturday, if you'd like, or we can, you know, start
13 Tuesday, Monday, Sunday, work our way back, whatever's easiest for
14 you, but --

15 A. I flew a two-day trip on -- it may have been a three-day,
16 three or 4-day trip, I don't remember, until Saturday, got off,
17 took a day off, and showed up Monday morning. I cut my grass, you
18 know, on Sunday, which is a requirement. I'm sorry.

19 I fly so much, you know, the neighbors get upset, so I cut
20 the grass, got a good night's sleep the night before, I left on
21 Monday morning. It was an early show Monday morning, we had to be
22 there at like 4:30 or something, and it was a 6:00 or a 6:30
23 departure out of DuPage to go up to Waukesha and pick Bill up, I
24 think it was at 8 o'clock, 8:00 or 8:30, out of Waukesha and down
25 to here, but good night's rest the night before. This is --

1 Q. On Sunday, the night before your early start, do you recall
2 what time you went to bed?

3 A. Probably 9 o'clock.

4 Q. Okay. Any problems falling asleep or staying asleep?

5 A. Are you kidding?

6 Q. No.

7 A. As much as I fly, I didn't have any trouble at all.

8 Q. Okay. What time did you wake up on Monday morning?

9 A. Probably around 2:30, 3:00.

10 Q. Okay. And then -- okay, so you -- you flew, you had 6:30,
11 picked up your passenger, did you fly straight to Hobby?

12 A. Yeah.

13 Q. And then what did you do once you got here?

14 A. Went to the hotel, hung out, we went and had dinner, back in
15 the hotel by 9:00, 8:30, 9:00, went to bed.

16 Q. Okay. Did you take a nap during the day?

17 A. Yeah, I probably did.

18 Q. Okay.

19 A. That afternoon. Because it was so early, it was like -- I
20 think I was up at 2:30 or 3:00 because I had to be at the airport
21 at 4:00 or 4:30, so I leave the house 30 minutes before I got to
22 be there, so I probably leave at 4:00, something like that, to get
23 there at 4:30 and just normal, it was normal.

24 Q. Monday night, any idea what time you went to bed? You said
25 you were back 8:30, 9:00, but --

1 A. Yeah, watched the end of Monday Night Football, then I was
2 done.

3 Q. Um-hum. Any problems falling asleep or staying asleep?

4 A. I'm 67 years old, I don't have a problem falling asleep any
5 time.

6 (Laughter.)

7 MS. WILSON: Well, that's great. I appreciate you
8 entertaining my questions.

9 MR. DOHERTY: Just that you're able to wake up, right?

10 MR. LACY: Yeah.

11 (Laughter.)

12 MR. LACY: I do set my alarm for three alarms, you know, so
13 15, 15, and 15.

14 BY MS. WILSON:

15 Q. Just to make sure, you might turn one off.

16 A. Well, it's happened.

17 Q. Okay, so end of Monday Night Football, went to sleep, any
18 problems staying asleep?

19 A. No, ma'am.

20 Q. How about Tuesday morning, do you recall what time you woke
21 up?

22 A. About 9 o'clock, 8:30, 9 o'clock, went down -- went down to
23 see if -- I didn't want to eat any of that crap or the breakfast
24 they served, decided coffee was the best bet, so I got me a cup of
25 coffee, stopped at the commissary there, got me a banana nut

1 muffin, call that good, went back to the room, hung out, ate the
2 muffin, drank a cup of coffee --

3 Q. All right.

4 A. -- fixed myself another one, said eh, maybe I'll jump in the
5 shower and get dressed, put on the hero (ph.) suit and go to work.

6 Q. Okay.

7 A. Normal.

8 Q. Did you wake up with an alarm or did you just wake on your
9 own?

10 A. A combination. I'm used to getting up early, but I always
11 have the alarm. Woke up to the blues, matter of fact.

12 Q. Okay. What time was your alarm set for?

13 A. You know, I believe it was set for 8:00, 8:15, and 8:30. And
14 Clapton started playing about 8:15.

15 Q. Okay. Did you rest at all prior to coming to the airport?

16 A. No.

17 Q. Okay, all right. And I think you thought Signature picked
18 you up to bring you back here?

19 A. Yeah, I believe. I believe they did.

20 Q. Okay.

21 A. I don't think we Ubered.

22 Q. All right. And how did you feel when you got to the airport?

23 A. Perfect, great, excited, I get to go flying.

24 Q. Okay. How would you characterize your health?

25 A. Good. I got one vice and that's smoking.

1 Q. Well, we all have ours.

2 A. I don't drink, I don't -- it's been 22 years since I've had
3 any alcohol or anything like that. I still smoke, so that's it.

4 Q. Did you smoke before the flight?

5 A. Oh, yeah, I'm sure. Probably had the muffin and coffee.
6 Coffee was outside, so I can't smoke in the hotel room and shoot
7 my day all to hell.

8 (Laughter.)

9 MS. WILSON: All right. We're still on round one?

10 MR. ETCHER: Um-hum.

11 MS. WILSON: Okay. Well, I'll go ahead and pass it back to
12 Starr, I might have some follow-ups for you and I'm going to have
13 a few questions for you off the record, more about your health,
14 but --

15 MR. LACY: Okay.

16 MS. BLUM: Yeah, okay.

17 Todd.

18 BY MR. GENTRY:

19 Q. I just have one question, maybe a follow-up, for you.

20 A. Yeah, Todd.

21 Q. How many aircraft in the fleet have glass? Are they all
22 glass or --

23 A. Two are Pro Lines.

24 Q. Two are Pro Lines?

25 A. Two are Pro Lines.

1 Q. Out of how many?

2 A. Six. We have six Hawkers.

3 Q. Okay. And the other ones?

4 A. I fly both of them. The other ones are Honeywells and
5 they're -- they're -- when I say glass, the Pro Lines are true
6 glass airplanes, where the Honeywells, we do have -- yeah, we got
7 the top and bottom, we still got the FMSs, different -- really,
8 truly different methodologies for both systems. I'm comfortable
9 with both systems because I fly so much.

10 I don't typically -- both of our Pro Line airplanes, we have
11 some issues going on with the way the FMSs are working the
12 autopilot and what the autopilot's doing, so I still like the
13 Scummywells, as they call them, better than the Pro Lines. I do
14 like some of the Pro Line stuff, but I -- there again, old school
15 is old school and I'm more comfortable with the Honeywell than I
16 would be the Pro Line, would be my -- how I would put it.

17 Q. And just to follow up on that, is this aircraft specifically
18 any different than some of the other ones or is this one the same
19 as the other Pro Line airplane? Does it have any avionics
20 differences?

21 A. No. Well, you know, I was just told, because we're -- we
22 were talking about some of these issues that we've got going on
23 between -- we've got a Hawker 900 and this is an 850 --

24 Q. Um-hum.

25 A. -- and apparently, the Pro Lines are two different Pro Lines,

1 they're both Pro Line 21s, but this is a different version than
2 this one. So what exactly those differences are, I'm not sure. I
3 can't answer that.

4 Q. Okay. And --

5 A. They work the same.

6 Q. That's exactly what I wanted to know.

7 A. Yeah.

8 MR. GENTRY: That's all I have, that's it.

9 MS. BLUM: Okay, well, we're finished with Round 1 and
10 typically, Round 2 goes a lot faster, we don't have as many
11 questions, but we'd offer a break, if you need one, or we can
12 continue.

13 MR. LACY: I could get another water, find me one of them
14 waters, that would be --

15 MR. DOHERTY: Let's take five, if you don't mind.

16 MR. LACY: All right.

17 MS. BLUM: Okay, okay. The time is now 1:36.

18 (Off the record at 1:36 p.m.)

19 (On the record at 1:45 p.m.)

20 MS. BLUM: Okay, the interview commenced again at 1:45.

21 BY MS. BLUM:

22 Q. Okay, I only have a few questions for this round. You said
23 you were wearing a headset.

24 A. Yes.

25 Q. Is it noise canceling?

1 A. Yes.

2 Q. The Hawker itself, you know how some cockpits are a lot
3 louder than others, is the Hawker, would you say, in your
4 estimation, quiet?

5 A. It's quiet.

6 Q. It's quiet. I wanted to ask you about your work criteria
7 like before 80 knots and also after.

8 A. Our briefing, I can tell it to you, anything prior to 80
9 knots, we'll abort for anything. After 80 knots, any failure,
10 fire, loss of directional control, runway incursion or some guys
11 will throw in thrust reverser and all that, come on, obviously.
12 But mine is basically that, runway incursion, anything prior to
13 80; after 80, failure, fire, loss of directional control, runway
14 incursion.

15 After V-1, we're going to go flying, we going to climb
16 straight ahead 1500 feet, cleanup speed, I'll call for the
17 appropriate checklist, bring the airplane right back around here,
18 depending on the issue. Take the overweight landing, if that's
19 the case, you know, it's just going to be -- it's going to be an
20 immediate return, period. I'm not -- just like in this case, run
21 all the checklists you want, I want the airplane on the ground. I
22 got the landing gear out, I got the flaps out, I'm bringing the
23 airplane back around. I'm not going to waste -- not waste time,
24 but the airplane needed to be on the ground, I'm sorry. And that
25 was the determination that was made right after the departure,

1 period, coming right back around here to land.

2 Q. Okay. So you were the PIC for the trip, has that ever caused
3 conflict? Like in my background, you know, if you're PIC, you're
4 left seat. Does it ever create a conflict when you're the
5 dedicated PIC, but now -- I mean, either pilot can be or --

6 A. We're all -- if I am assigned as a captain and I'm in the
7 right seat, I don't care whether the guy's a qualified captain, a
8 qualified FO, I don't care. I have made the determination in my
9 inimitable manner as a captain and knowledge and experience as a
10 captain, that this guy can make a good decision, that he's not
11 going to abort for a generator light between 80 and V-1, he's
12 going to go ahead and go flying.

13 I think we all know, as aviators, that we're better off to go
14 flying rather than do a high-speed abort and that's been proven
15 over and over and over again that you're better off to go flying.
16 If I had determined, in my inimitable wisdom, that this guy can
17 make that good decision, then I'm going to put him in the left
18 seat and he can make that decision, that is not mine. I don't
19 want a co-pilot -- he's flying, that guy's in charge. While it
20 may be my trip and I'll take the heat, and I'm more than willing
21 to do that, I got broad shoulders, but I've determined he's going
22 to make the right decision and we are going to operate it as a
23 crew at that point. So if he decides to abort, he aborts. If
24 not, then we're going to go flying.

25 Q. Thanks for that.

1 A. And it just doesn't -- I'm still -- even though I'm listed as
2 a PIC and I'm captain qualified, he's going to -- for my intents
3 and purposes, he is the captain and does that create an issue
4 between egos and all that, no, not in our -- it just doesn't
5 happen in our -- at our company. Everybody's qualified,
6 everybody's typically got a lot of experience.

7 They may be light on experience in the Hawker, but so far, in
8 51 years of flying, I found that if I pull back on one of these
9 things, they go up and if I push forward at them, they go down; if
10 I go right, they go right; if I go left, they go left, we all know
11 that. Now, are there systems differences and all that, as you all
12 know -- if you know systems, airplane systems are -- quite
13 frankly, they're all almost identical, they have different
14 terminologies, different numbers, you can go fly a JT8D at X-Y-Z
15 airline and the number is this, and go over here to X-Y-X airline
16 and that number is two degrees difference, they're essentially the
17 same.

18 The systems are essentially the same. Fuel pumps pump fuel,
19 oil systems pump oil, the pressurization, they have an outflow
20 valve, they have a pressure controller, they work the same, I
21 don't care, airplane to airplane to airplane. So is there going
22 to be deficiencies in aircraft exact knowledge? Sure. It's to be
23 expected. You can't take my experience with 4,000 hours in the
24 Hawker and put them with Roger at 300 hours in the airplane, he
25 doesn't have the extensive knowledge of the Hawker. Does that

1 mean he can't fly? No, it doesn't; of course, he can fly. Now,
2 does he know necessarily that all you got to do is move that turn
3 wheel that far to turn the light off? He may not. But I do.
4 And, you know, that comes when you get a thousand hours in the
5 airplane. So in answer to your question, no, that does not create
6 an issue in the airplane, it just doesn't.

7 MS. BLUM: Thanks for that. That is going to be it for my
8 questions.

9 Shawn, do you have any follow-up?

10 MR. ETCHER: I just have a few, not that many.

11 BY MR. ETCHER:

12 Q. I know as pilots, we always have flown various airplanes and
13 in my experience, I've had airplanes that I thought man, this is a
14 perfect airplane, this thing lands sweet, flies great, it's
15 trimmed, and I've had other airplanes that I think are possessed
16 and hate me and I don't want to fly them again. How would you
17 classify the airplanes at your company?

18 A. The Hawker?

19 Q. Yeah.

20 A. I'll retire on it.

21 Q. Okay.

22 A. I'm very comfortable in the airplane. It's an airplane that
23 you can -- you know, I've always admired the Gulfstreams; however,
24 all I want to do is fly it around the patch a couple times, make a
25 couple takeoffs and landings, shoot a couple of approaches, get

1 out and say you guys can have it, I just want to fly, but that's
2 me, as a pilot. I don't want to retire on it because I don't want
3 to spend 16 hours away monitoring. I want to do takeoffs and
4 land, I like flying, that's not flying, it's being a bus driver,
5 that's being a monitor, I want to fly, that's what I do.

6 And the Hawker has got -- you know, the long leg is a five-
7 hour deal. Do I like those? Not really. But the three-hour leg,
8 yeah, that's great. I like flying the Hawker, the Hawker is a
9 great airplane. It doesn't have a mean bone in its body, it's
10 honest, it's not the fastest airplane out there, but dispatch
11 reliability on it is just absolutely outstanding. I've had one in
12 eight years, nine years now, once where I couldn't go for a
13 maintenance reason, so --

14 Q. Okay.

15 A. -- I love the airplane.

16 Q. All right, perfect. Let's go back to the event just a little
17 bit, right after it, you called V-1, rotate, V-2, you guys are
18 climbing out. Did you notice that the airplane felt, I don't want
19 to say uncontrollable, but felt any controllability issues?

20 A. I didn't -- I didn't feel there were any uncontrollability
21 issues. What I was concerned about more so was looking at a
22 hundred and 50 knots and going let's get this, let's go ahead and
23 accelerate this airplane some, you know, and let's get out of this
24 -- anywhere close to a slow speed regime. I'm not going to change
25 configurations, flap -- you know, flaps and gear are good at 220

1 knots, but I don't want to be flying around out here, messing
2 around at a hundred and 50, either. I want to get -- you know,
3 get a little bit of airspeed up, airplanes fly better with
4 airspeed, they save you, and I wanted to see a hundred and 60, a
5 hundred 70 knots so we could do this quick turn-around and come
6 back and land.

7 Q. Okay. In doing that, I know -- I think it was like a
8 six-minute flight or something, you said, up there. Was there
9 any, I don't want to say concern, because that's just such a bad
10 term, but did you have any thoughts in your mind about when we
11 come for the landing, if we put flaps out are we going to have
12 problems, did that run through your mind at all?

13 A. No. No, it didn't. I already had the flaps out. So worst-
14 case scenario was I select flaps 25 and I don't get them all, I
15 don't get 25, 25 is a -- I can land with 25, that's legal, the
16 airplane, I've done it many times in simulator, I've done it out
17 in, you know, shooting a non-precision approach.

18 You know, I'm not a big proponent of changing aircraft
19 configuration at minimums, I just -- I don't think that's a good
20 idea. A lot of guys go uh-oh, you know, as soon as I get to the
21 runway, I can go to flaps 40, well, that's great. Well, maybe
22 you're going into too short a frigging runway and what are you
23 doing changing configurations because you've got all kinds of crap
24 that goes on. The configuration change from 25 to 40 in this
25 airplane, there's a lot of stuff that happens with the airplane's

1 attitude. It's not a good thing at 500 feet above the ground,
2 it's not a good thing at a thousand feet above the ground, you
3 don't want that. So, you know, I would've been happy at 15, but
4 there was no indication that we had any flight control issues, we
5 already had flaps out.

6 From a configuration issue, my biggest concern would have
7 been, or what I was thinking was they won't go any further than
8 15. They did, and we selected flaps 40. Soon as they went to 25,
9 I go we'll get 40, and it was a normal -- you know, we even went
10 to lift them once we got on the ground, went to lift them and it
11 was just a normal landing.

12 Q. Okay. Jumping around a little bit, so my apologies.
13 Rejected takeoffs, I know you talked about your guys' criteria.
14 When you do a rejected takeoff, do you have to report that to
15 anybody?

16 A. You call the tower right away.

17 Q. That was a horribly worded question, how about -- let me
18 rephrase that, do you have to report to anybody in your company?

19 A. I don't believe so. I don't think it's in our GOM. We do
20 have some criteria, and this is why the 80-knot call is so --
21 really, part of our briefing. Above 90, at 90 knots, there is a
22 brake inspection required, so obviously, at that point, at 90, you
23 have to call somebody because you have a -- you got an inspection
24 that has to be done, you know. If it was a low-speed abort prior
25 to 80, I'm going to give the 15, 20-minute brake cooling and if I

1 get the issue sorted out, I'm going to go fly. Am I required to
2 call anybody about that, notify the tower that I've aborted? No.

3 Q. Okay. All righty. My last question. Maybe. Just kidding.
4 Hopefully, my last question. Who is in your direct chain of
5 command? I know you're a training captain, so maybe you have a
6 different chain of command, so who is in your direct chain of
7 command?

8 A. Mike Toll is our chief pilot. We have "a new" -- I believe
9 he is the assistant chief pilot who is going to end up, when Mike
10 retires, is going to the chief pilot's position. Steve's a good
11 guy, he's got a lot of Hawker time. I like the guy, he'll be a
12 good -- he'll be a good chief pilot.

13 But legally, paperwork-wise, Mike Toll's my immediate
14 supervisor, Scott Southwell is my DO and then it goes to John
15 Bullock, who's our general manager, and that is our three legal
16 calls, who I can call for -- we can still -- we are authorized to
17 self-dispatch, of course, but when I call that we're leaving,
18 we're landing, are the three people I'm supposed to call, is
19 either Joe Tennant our director of maintenance, Mike Toll or Scott
20 Southwell. Or Brian Pillion's in there, too, he's a dispatcher.
21 And those are the legal people I'm supposed to check in with and
22 let them know I've actually completed the mission.

23 MR. ETCHER: Okay, okay. I think you've answered all of my
24 questions, so I really appreciate your time, sorry to make you go
25 through this in detail, but your details have been greatly

1 appreciated, really helped me feel like the fly on your shoulder,
2 so I appreciate that. With that, turn it back to whoever you wish
3 to.

4 MS. BLUM: Well, Kat, do you have some more questions?

5 MS. WILSON: Just a couple.

6 BY MS. WILSON:

7 Q. How was your workload during the taxi out?

8 A. Normal.

9 Q. Normal. Any problems seeing outside the airplane, like is
10 there anything that restricts your view, like window frames or
11 anything like that?

12 A. No. Well, you got a couple posts, of course, normal cockpit
13 stuff. So no, the answer is no.

14 MS. WILSON: I think that's it, thanks.

15 MR. GENTRY: I have no questions. Thank you for talking with
16 us.

17 MS. BLUM: Yeah, we really appreciate it. Is there anything
18 that you think we could've asked or anything you want to share
19 with us?

20 MR. LACY: I am surprised you didn't ask me did I look out
21 the right side of the window to see if there was another airplane
22 on final. And the answer to that would've been no, I didn't,
23 because I couldn't see because of the terminal. Other than that
24 -- other than that, no.

25 MS. BLUM: Okay. Well, we really appreciate your time and

1 that is going to conclude the interview at 2:01.

2 (Whereupon, at 2:01 p.m., the interview concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: HAWKER 800 COLLIDES WITH CESSNA
 CITATION MUSTANG AT THE WILLIAM P.
 HOBBY AIRPORT IN HOUSTON, TEXAS
 ON OCTOBER 24, 2023
 Interview of William Garrison Lacy

ACCIDENT NO.: DCA24FA0017

PLACE: Houston, Texas

DATE: October 26, 2023

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



Karen D. Martini
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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HAWKER 800 COLLIDES WITH CESSNA *

CITATION MUSTANG AT THE WILLIAM P. * Accident No.: DCA24FA0017

HOBBY AIRPORT IN HOUSTON, TEXAS *

ON OCTOBER 24, 2023 *

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Interview of: ROGER FRITZLER, Pilot of Hawker 800

DuPage Aerospace

Houston, Texas

Thursday,
October 26, 2023

APPEARANCES:

KATHERINE WILSON, Human Performance Investigator
National Transportation Safety Board

SHAWN ETCHER, Aviation Operational Factors Investigator
National Transportation Safety Board

STARR BLUM, Aviation Accident Investigator
National Transportation Safety Board

TODD GENTRY, Investigator
Federal Aviation Administration

BRENDAN DOHERTY, Esq.
Representing Mr. Fritzler

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I N T E R V I E W

(9:32 a.m.)

MS. WILSON: Okay, good morning. Today is October 26th, 2023, 9:32 a.m. Central Daylight Time. I'm Katherine Wilson, I am a human performance investigator with the NTSB. I'm going to go around the room and have everyone introduce themselves for the recording and also so that you know who's in the room with us today.

MR. FRITZLER: Thank you.

MS. BLUM: I'm Starr Blum, I'm with the NTSB in operational factors.

MR. FRITZLER: Okay, very good.

MR. GENTRY: My name is Todd Gentry, I'm with the FAA Accident Investigation and Prevention branch at headquarters. And so our job at FAA, my job specifically has nothing to do with enforcement or compliance, nothing you say today could be used against you in enforcement or compliance.

MR. FRITZLER: Okay.

MR. GENTRY: So I want you to feel free to speak openly. Just because there is an FAA person in here, I can't even -- you know, will not use anything you say in any way --

MR. FRITZLER: Um-hum.

MR. GENTRY: -- for enforcement or compliance. In fact, I can't even talk about this, so don't let that stop you from being open and honest and --

1 MR. FRITZLER: Okay.

2 MR. GENTRY: -- you know, saying what you need to, but that's
3 it.

4 MR. FRITZLER: Thank you.

5 MR. GENTRY: Thank you.

6 MR. FRITZLER: Um-hum.

7 MR. ETCHER: Good morning, I'm Shawn Etcher with operational
8 factors, as well. I appreciate you coming in here and talking to
9 us this morning. Thank you.

10 MR. FRITZLER: Okay. And I'm Roger Fritzler, retired Navy
11 and airline -- American Airlines captain, out of it for about
12 three years now and I'm flying corporate for the last two, about
13 34 years flying experience and this is the most traumatic thing
14 that I've had happen in my career and like I said, I'm at your
15 disposal, I hope we can solve this, what -- kind of what went
16 wrong.

17 MS. WILSON: Thank you. And you have a representative with
18 you here today?

19 MR. FRITZLER: Yes, I do.

20 MS. WILSON: Okay.

21 MR. DOHERTY: Good morning. Brendan Doherty for Roger
22 Fritzler.

23 MS. WILSON: Okay. And Brendan, what agency are you with?

24 MR. DOHERTY: A private law firm.

25 MS. WILSON: Just private.

1 MR. DOHERTY: Yeah.

2 MS. WILSON: Okay. All right, so today we're going to be
3 recording this interview, it will be transcribed, is that okay
4 with you?

5 MR. FRITZLER: It is.

6 MS. WILSON: Okay. So at the end of this process, the audio
7 will be transcribed and it will eventually become a part of our
8 public docket.

9 MR. FRITZLER: Um-hum.

10 MS. WILSON: We're here just from the safety side, we don't
11 have any enforcement action, we want to find out what happened so
12 that we can hopefully prevent something like this from happening
13 again. And, you know, you have the firsthand knowledge and --

14 MR. FRITZLER: Sure.

15 MS. WILSON: -- experience of the event, so we just are
16 hoping that you, you know, talk with us about the event, we're
17 going to make this as, you know, comfortable for you as possible.
18 If you need to take any breaks, please let us know. We have
19 water, if you need that. If you have any questions or if we ask
20 you a question that you don't understand, please ask us to
21 clarify.

22 MR. FRITZLER: Okay.

23 MS. WILSON: If you don't have the answer to one of our
24 questions, "I don't know" is perfectly fine, as well. So we'll
25 just take it one person at a time and if you need a break --

1 MR. FRITZLER: Okay.

2 MS. WILSON: -- let me know.

3 INTERVIEW OF ROGER FRITZLER

4 BY MS. WILSON:

5 Q. All right, you've already given us your name and started on
6 your experience. How much total time do you have?

7 A. Twenty-four thousand hours, plus or minus a thousand.

8 Q. What are your type ratings?

9 A. Let's start with Super 80, 727, 737, 757, 767, 787, and
10 Hawker 25B.

11 Q. How much time do you have in the Hawker?

12 A. Over 300 hours.

13 Q. Where did you get your training on the Hawker?

14 A. I started in Morristown, New Jersey, two years ago.

15 Q. Okay. Is that an FBO or did you go to a flight school?

16 A. It's a flight school.

17 Q. Okay. What flight school is that?

18 A. I'm sorry?

19 Q. What flight school is that?

20 A. It's CAE.

21 Q. Okay.

22 A. Canada, whatever they stand for, CAE.

23 Q. And on the day of the accident, were you the pilot flying or
24 the pilot monitoring?

25 A. I was the pilot flying.

1 Q. And you have been with DuPage Aerospace for two years?

2 A. Two years, correct.

3 Q. And what is your title at DuPage?

4 A. My title is contract pilot.

5 Q. Okay.

6 A. I don't have any official functions at DuPage. I'm a part-
7 time pilot.

8 Q. And about how many days a month would you say, or your hours
9 a month you fly with them?

10 A. Eight days a month.

11 Q. So let's talk about the day of the event.

12 A. Okay.

13 Q. Walk me through from the time, you know, you got to the
14 airport and, you know, got to the aircraft.

15 A. Okay. We got to the airport just about 2 o'clock, we were
16 scheduled for a 15:45 local, that's 3:45 civilian time, departure
17 and we got here around 2 o'clock to start our preflight
18 preparation, fuel the airplane and get it ready for our client.
19 As we were doing that, I noticed that the client was in the cubby
20 hole at Signature and he's a fairly busy business guy and he was
21 on his computer talking, so I didn't interrupt him, but I let Bill
22 Lacy know that he was here. So we went out a little bit quicker
23 to try to get the airplane ready to go, refueling and getting it
24 serviced properly. We probably were walking to the airplane
25 closer to 1500, 3 o'clock, and started up and had checks, we got

1 our clearance, so we pretty much had everything ready to go about
2 10 minutes after 3:00 when we called for taxi. Got taxi
3 instructions out to Runway 2-2 and we finished our takeoff checks
4 en route to the runway. Nothing really unusual at that point,
5 except as we get close to the runway, we switch over to tower and
6 there's a little discussion in the cockpit about the frequency for
7 departure.

8 I had put it in the standby on our number 1 radio and Bill
9 was dialing that in, the FO, and we ended up -- as we switched to
10 tower, I -- as we get close to the throat or the turn point of the
11 throat, that's when I noticed we got -- we were given a clearance
12 for takeoff. There is some speculation that that may have been a
13 position and a hold comment, but I -- what I heard was cleared for
14 takeoff and I heard Bill read back 2-6-9 Alpha Alpha, we're
15 cleared for takeoff. We took the runway, we finished up our
16 lineup checks and we took off.

17 As I was adding power to the airplane, I noticed a slight
18 rudder deflection, which is basically a rudder bias system which
19 kicks in. If the throttles don't come up evenly, it will add
20 rudder one way or the other to prevent a yaw situation, and I kind
21 of eased the power back and then I slowly brought them back up
22 slowly together and that rudder deflection went away and our
23 normal takeoff profile commenced. Our profile is that at 80 knots
24 the FO is generally -- he basically controls the yoke up until 80
25 knots. I control the tiller for directional control and

1 basically, we're both confirming our takeoff performances at 80
2 knot, at which time I take control over the airplane and proceed
3 to the V-1 for our decision point for takeoff. That transpired
4 fairly well. I do notice that on the roll, I noticed that Bill
5 Lacy, my FO, he had moved his hand over and rolled the nose trim
6 down a notch, and sometimes we get a nuisance elevator trim light
7 that comes on, which is hard to see, for one, but it's in front of
8 the FO, so I'm pretty sure he saw it and he rolled it down and
9 apparently that solved the issue and I wasn't aware that that
10 light was on.

11 So at 80 knots I take over, everything's normal. As we're
12 approaching V-1, I look -- everything's normal, I look up and the
13 first thing I see is a big airplane, bigger than normal, passing
14 from right to left in my forward wind screen. I realize at that
15 point I didn't -- like I said, I don't want to say this, but I
16 didn't have time even to say a cuss word, it just happened so
17 fast.

18 It was just a blur, and I was already in the rotation and
19 there was nothing I could do to evade that airplane or if I had
20 aborted, in my experience, I thought that we would -- could end up
21 in doing a cartwheel if we tried to evade and stop the -- stop on
22 the runway. So I continued my takeoff profile, a stable takeoff
23 and got airborne comfortably away from the airplane, from the
24 runway and the ground and we climbed up to about a hundred, 200
25 feet, we get a call, as I recollect, from tower saying Hawker

1 2-6-9, climb to 3,000, maintain -- I think it was like 240
2 degrees, heading 240, something of that nature, basically a
3 heading and an altitude, the altitude was definitely 3,000. And
4 I'm not so certain whether it was our initial call to them that
5 we're airborne or something that prompted that, or if it was tower
6 just saying that to us. So in my estimation, I felt that the -- I
7 had no doubt in my mind that we had clearance for takeoff. Now,
8 however, with that crossing aircraft and that, we felt a thud as
9 we lifted off.

10 I knew something wasn't quite right, so we elected to -- we
11 talked about it, we said we -- I looked out my left wind screen, I
12 noticed that half of my winglet is missing and I said this is not
13 -- yeah, this is not good, we need to go back. And the tapes
14 pretty much show, I think they'll show that it became apparent
15 that it did seem like tower was aware that the impact had taken
16 place because it was kind of like conduct as normal until Bill
17 Lacy started -- when they gave us the heading and altitude, Bill
18 Lacy stated we can't do that or words to that effect.

19 And, I guess, he said we had -- we had a mishap, landing or
20 departing aircraft, we had a mishap and we need to return to the
21 airfield ASAP, right away. So right then we kept climbing away
22 from the airplane, we left the airplane in the configuration that
23 it was already in and basically made a right-hand base turn to
24 Runway 1-3 Right and obviously, that was the runway that the
25 mishap -- other mishap aircraft landed on. So we had no idea of

1 the extent of the damages. I looked at my wingtip and I saw just
2 a portion of my wingtip missing, so I thought it was safe to land.
3 I elected to come in and dirty -- not dirty up, but just go full
4 flaps and put a dent on the runway. As we were rolling out at
5 about 60 knots, we're approaching the intersection of Runway 1-3
6 Right and 2-2 and I noticed some debris on the runway and I was
7 able to maneuver to miss any of the debris.

8 We rolled out to -- I forgot the -- I have to look at the
9 chart, but we rolled out to the -- close to the end of the runway
10 and exited, that's where the crash crew was and we asked them, you
11 know, obviously to take a look at us and see if they saw any fuel
12 leaking or any other issues that may be wrong with the airplane.
13 At first, we were going to taxi back to Signature. Air mobile or
14 airport personnel in a mobile car came out behind us and they
15 requested that we stop, we did, and then they -- shortly
16 thereafter, there was talk that we were going to go back to the
17 FBO.

18 And then as we started moving again, she said no, stop, the
19 airport is closed, we have to stop everything and assess the
20 situation and, you know, do the accident investigation. So we
21 went ahead and pulled over. A lady came up alongside of us and
22 wanted to talk to us, so Bill got out of the seat, I shut down the
23 left motor and he went out and talked to the gal and that's when
24 they basically said -- she was asking a lot of questions and Bill
25 didn't feel comfortable answering all the questions except kind

1 of, you know, obviously, we're the mishap aircraft, you know, we
2 obviously have some damage here. Shortly thereafter, we shut
3 down, like I said, both motors. Our passenger, we were trying to
4 get him back to Signature. So eventually, we left the AC running,
5 which is operations and that kept him cool, but after about 30
6 minutes or so we eventually got him a ride back to Signature and
7 we sat with the airplane for at least another hour before we got
8 permission to taxi back, started to taxi back to Signature. We
9 did that and got out and realized that we were very lucky, you
10 know, to be alive. So kind of a sad situation.

11 Q. Thank you for that, that was helpful. I do have some
12 specific questions --

13 A. Um-hum.

14 Q. -- to go back to. So let's go back to when you were on the
15 ramp, when you get into the airplane, any issues with the airplane
16 while it was on the ramp?

17 A. Not really. There was a slight issue with the -- when we
18 fueled the airplane, we had a slight venting and we basically
19 secured the -- we were trying to balance the wings and we stopped
20 that balancing and had to clean that up with airport -- with
21 Signature folks. But other than that, nothing, nothing unusual.

22 Q. What is the process for balancing the wings, what do you do?

23 A. You open a transfer valve and you basically shut down the one
24 engine pump and it transfers to the other, other side.

25 Q. And to know that you have to do that, is there -- what's the

1 indication you're looking at in the cockpit?

2 A. You're watching the fuel gauges, one comes up and one goes
3 down and you make sure that it's the correct one.

4 Q. So you were taxiing out to the runway, you mentioned that
5 there was a discussion between you and Bill about the frequency.

6 A. Um-hum.

7 Q. Can you walk me through that again?

8 A. Yeah. Basically, I picked up the clearance, so I had it
9 written down and Bill was -- we always put it in one radio, on the
10 standby radio, and Bill just had queried me, he was looking at the
11 approach flight and he had dialed in an altitude, top of the --
12 you know, he looked at 17,000, 16,000 and I said no, our clearance
13 is to 5,000 and then shortly after that we'll pick up the SID.

14 And then he was -- he was asking me about the departure
15 frequency, and the plate and the frequency that I wrote down on
16 the clearance was one in the same, but I just wanted to make sure
17 he had it in correctly, because as we switched to tower, the
18 procedure is for him to put that in standby so it's ready to go
19 for takeoff.

20 Q. Do you recall when you switched to tower, did you hear both
21 clearances for arriving and departing aircraft?

22 A. No, because if you look at the location of the -- usually we
23 stay on the ground until we get to the -- past the last exit
24 throat of the runway and then we switch. Sometimes at home plate,
25 at our home base, we may switch a little early so we can monitor,

1 but we didn't switch frequencies until we passed the last throat,
2 which is probably a thousand feet before the end of the runway.
3 So we switched, but we did not hear any clearance to land from
4 another -- another aircraft.

5 Q. Any other distractions that might have been going on in the
6 cockpit or any other discussions around the time that you were
7 getting that clearance?

8 A. Not really, but we had -- we had some V-speeds pop out, we
9 have a -- we have two computers, FMS's, and if they're synced,
10 what you do on one side of the -- you know, the computer, it
11 transfers over to the other side. So apparently, we synced them
12 up and I remember doing this because I had the problem and I asked
13 Bill how we do this and we synced up the FMS's, so when I put the
14 V-speeds in, they automatically transfer.

15 So as I noticed as we -- or about the time we're switching to
16 tower, I noticed my V-speeds are missing and I said, you know, our
17 speeds are this, this, and this, and I go I don't see them and he
18 basically tried to go in to try to fix that, but unless the FMS's
19 are matched up, they're not going to -- they're not going to fall
20 over to my side. So we talked about that and we said we know what
21 the speeds are and we're -- you know, we're good to go.

22 Q. And this is a question that I think we know the answer to,
23 but it's not officially on the record, you were sitting in the
24 left seat?

25 A. Yes, sir. Yes, ma'am. Yes, yes.

1 Q. All right, so you believe that you have your takeoff
2 clearance --

3 A. Um-hum.

4 Q. -- rolling down the runway. At any point did you hear any
5 other communication from air traffic control?

6 A. Not at all.

7 Q. Had you flown into this airport before, in or out of this
8 airport before?

9 A. Yes, ma'am, I flew -- with American, I flew in here quite a
10 few times, at least a dozen times.

11 Q. Um-hum.

12 A. With the corporate, I've flown in here two to three times, so
13 it's been minor.

14 Q. Could you characterize what you thought the traffic
15 congestion was that day, listening to the radio, did you think it
16 was --

17 A. Light.

18 Q. Light?

19 A. Light, light to no traffic, because we were -- we were number
20 one going out, didn't see a lot of activity. On the departure
21 end, I would -- well, really, you can't see the departure end of
22 Runway 1-3 Right because the terminal blocks that view, but I
23 didn't -- I basically didn't have any view of any traffic on the
24 airport from the time we taxied out until the time we took off
25 until the airplane crossed in front of my nose.

1 Q. How did the airplane feel after you took off, did you have
2 any controllability issues?

3 A. No, it felt normal, it felt like -- I was shocked, based on
4 the damage, that we did not get a yaw, yawing motion or a -- you
5 know, veer off to the left, it tracked, pretty much, and maybe
6 it's because at that point the nose wheel is lifted off and so
7 that's not going to be an issue, but hitting that wingtip to the
8 fuselage, the tail cone of the other aircraft, I thought that
9 would've sliced me over, yawed me over quite bit and it did not.
10 So it felt -- it felt normal, it felt comfortable and it was
11 stable as we left the runway.

12 Q. You mentioned a thud.

13 A. Um-hum.

14 Q. Could you describe it, is that the sound? Was there any sort
15 of feeling?

16 A. It's a sound, it's just a feel and it's interesting that you
17 mention this because I definitely felt it. I later asked the
18 passenger, he goes I didn't feel anything. So, you know, it
19 could've -- you know how you go on an airline and you sometimes
20 get some turbulence and, you know, you get a wing rock, I felt
21 more of, you know, a thump. And so it wasn't a real loud noise,
22 it just was a -- you could tell the airplane hit something, so --

23 Q. So you're on the ramp after landing.

24 A. Um-hum.

25 Q. What about the cockpit voice recorder, when did you pull the

1 breaker?

2 A. The breaker was pulled, we got tied up with that -- the gal
3 that was operations, we shut down eventually and didn't even think
4 about the CVR, but the FAA came on board shortly thereafter and
5 requested for us to pull the CVR, so that's what we did and I
6 would say that was probably, I think -- I believe the FAA was
7 there within about 20 to 30 minutes at the latest. I could be
8 wrong, but -- yeah. But the CVR was pulled at that time.

9 Q. Any cockpit alerts after the departure?

10 A. No, none whatsoever.

11 Q. How is it decided who's going to be the pilot flying versus
12 the pilot monitoring?

13 A. Generally, what we do is the -- Bill took the airplane as the
14 pilot in command on the way out and we usually swap seats on the
15 way back or, you know, we try to even out the left seat and right
16 seat responsibilities, I guess, to keep everybody current in both
17 seats. So that's what we had done.

18 Q. So just to clarify, so Bill flew in the left seat --

19 A. Bill flew in the left seat coming in and I flew on the way
20 out.

21 Q. And I believe you said you had an estimated departure time or
22 scheduled departure time at 15:45?

23 A. Fifteen forty-five, correct.

24 Q. And you were a little bit early?

25 A. Yes, we were early because I noticed that the passenger was

1 in Signature by the time we got to the airport and I mentioned
2 that to Bill and we hustled to try to get the airplane ready to go
3 quicker and we departed probably 45 minutes earlier than
4 scheduled.

5 Q. And what was your destination?

6 A. Our destination was Waukesha UES up in southern Wisconsin and
7 then we were supposed to head back to Chicago, to DuPage.

8 Q. The same day?

9 A. The same day, with no passengers.

10 Q. I know you said you were departing a little bit early, but
11 was there any pressure to get out at a certain -- you know, early,
12 just beyond --

13 A. No.

14 Q. -- the passenger --

15 A. Not really, no.

16 Q. What were the winds like on that day?

17 A. The winds were favoring 1-4-0 at about 10 knots gusts to
18 about 19, if I remember correctly. I remember they said nine
19 originally, gusts to 20, and I put in 1-4-0 10 in the box for the
20 FMS. So they were -- they were still a slight, you know,
21 crosswind, you know.

22 Q. Within the limits of the aircraft?

23 A. Yes, uh-huh.

24 Q. Do you recall what your V-speeds were?

25 A. One thirteen, 113 rotate, 132 and around 150-something

1 thereabout, or 163, rather.

2 Q. Any idea of what the speed was about the time of the
3 collision?

4 A. Yes, it was probably closer to, I would say, 120 knots.

5 Q. On board it's just you, Bill, and the passenger?

6 A. One passenger, yes, ma'am.

7 Q. And where was the passenger seated?

8 A. He was in the seat, two, three -- one, two -- four, on the
9 right-hand side of the airplane. Facing forward.

10 Q. Um-hum. And after the accident, were you drug tested?

11 A. Yes.

12 Q. Drug and alcohol tested?

13 A. Um-hum.

14 Q. Urine or blood?

15 A. Both.

16 Q. Flying into this airport, any -- have you ever had any issues
17 with air traffic control before?

18 A. Not to speak of. I mean, there's always little nuances that
19 you notice at times, but this airport's a lot like Midway, which
20 we go into quite a bit, with crossing runways. It's just -- it's
21 just not a pleasant experience, let's just put it that way. This
22 one's not as bad as Midway, but you know, you have to be more
23 alert and more cognizant of your surroundings, where you are, I
24 think, when you have runways crossing like this and you can't see
25 the departing on another runway. So with that said, obviously, it

1 became apparent, there is -- there needs to be better
2 communication or I would say controller-to-pilot interface because
3 I felt that there -- if we read back a clearance for takeoff and
4 they didn't say anything, I would assume we were cleared to go.
5 And it's kind of one of those things where, as a pilot, you've
6 done this so much, it just becomes -- it's muscle memory, it's --
7 you know, I find it hard to believe that we responded to a takeoff
8 clearance without actually getting it, that's what, in my mind,
9 until I hear the tapes, I won't really know for sure.

10 Q. Um-hum.

11 A. But I was -- Bill and I both were a hundred percent sure we
12 had takeoff clearance and that's what's -- that's what's bothering
13 me right now and I hope it's still the case, but I don't know.

14 Q. Have you been involved in any other accidents or incidents?

15 A. I've had one -- I have had a clear record until I was 49 and
16 a half years into the program and I fly with a flight
17 demonstration team, Lima Lima, and our first air show this season,
18 we were coming in for the overhead as a 4-ship and I was number 2
19 and I had a gear malfunction and had a gear-up landing and what
20 maintenance saw on that airplane, everything appeared to be
21 normal. My lead, it was -- generally I fly with, he was behind
22 me, he saw my gear and flaps down. How the handle was up as I'm
23 going down the runway, I will never know, but we had a gear-up
24 landing. So there goes my ride award, I'm not going to get the --
25 and so that's the sad part. But yeah, in that experience, like I

1 said, you have a career that spans a long time and it's been a bad
2 year. Just a bad year.

3 Q. When was that?

4 A. Yeah. What's that?

5 Q. When was that?

6 A. Oh, that was April.

7 Q. Okay.

8 A. At Cross City, Florida.

9 Q. I forgot to ask you earlier, what type medical do you have?

10 A. First class.

11 Q. First class.

12 A. Um-hum.

13 Q. Any limitations?

14 A. No. I have to wear cheaters for reading, yeah, whatever
15 that --

16 Q. But that's not listed on the --

17 A. It is.

18 Q. That's not a limitation or --

19 A. Yeah, it's listed on the limitations.

20 Q. Oh, okay.

21 A. Um-hum. Must have reading glasses or however they phrase
22 that.

23 Q. Were you wearing them at the time?

24 A. No.

25 Q. No?

1 A. No, because I don't have -- I don't have distance issues.

2 Q. Do you all use paper checklists, do you have an EFB?

3 A. We have a paper checklist, we have -- we do use EFBs and we
4 also have charts in the airplane, but yeah, we predominantly use
5 the -- or the plasticized takeoff and landing checklists, it's in
6 the airplane.

7 MS. WILSON: I have some more questions that I'm going to
8 ask, but I'll save that for Round 2, and I should've also
9 mentioned before, typically, what we'll do, we'll go around the
10 room and everyone will have a chance to --

11 MR. FRITZLER: Okay.

12 MS. WILSON: -- ask you some questions, we usually do two
13 rounds --

14 MR. FRITZLER: Um-hum.

15 MS. WILSON: -- and the second round is quicker, but -- and
16 we'll also ask if you need to take a break because I know this can
17 be --

18 MR. FRITZLER: Um-hum.

19 MS. WILSON: -- a long process. Let me go ahead and pass it
20 off to my colleagues and then --

21 MR. FRITZLER: Okay, thank you.

22 MS. WILSON: -- I'll have some questions for you a little
23 later.

24 MR. FRITZLER: All right.

25 MS. WILSON: Thanks, Roger.

1 Shawn.

2 MR. ETCHER: Great. Thank you again so much for educating us
3 so far this morning, I appreciate it.

4 MR. FRITZLER: Not a problem.

5 MR. ETCHER: Kat asked a lot of great questions. I have some
6 follow-ups to it --

7 MR. FRITZLER: Sure.

8 MR. ETCHER: -- and we'll walk through, it might be a little
9 hodgepodged, if you will.

10 MR. FRITZLER: Yeah, yeah, yeah. That's fine.

11 MR. ETCHER: But before we start, and forgive me if she asked
12 you, do you need a break? You doing okay?

13 MR. FRITZLER: I'm doing okay right now.

14 MR. ETCHER: Okay.

15 MR. FRITZLER: Yeah.

16 MR. ETCHER: Well, if you need one, like she said --

17 MR. FRITZLER: Before Round 2, I probably will.

18 MR. ETCHER: Well, we might hold you -- no, just kidding.

19 (Laughter.)

20 MR. ETCHER: All right. Well, again, thank you so very much,
21 I appreciated it, it kind of made me feel kind of in a weird way
22 like I was there with you guys, so --

23 MR. FRITZLER: Oh, yeah.

24 MR. ETCHER: -- I appreciate the detail that you were giving.

25 MR. FRITZLER: Right.

1 BY MR. ETCHER:

2 Q. We'll start back at the beginning, you said you reported at
3 about 2 o'clock, about 1400 --

4 A. Yes.

5 Q. -- for a 15:45 departure.

6 A. Yes, sir.

7 Q. Is that a normal report time for you all or is it an hour and
8 45 minutes or --

9 A. At home, it's about a 2-hour show time and when we -- if we
10 have the airplane serviced, we may, like on the road, we may push
11 that back a little bit. But the normal -- we were here at least
12 an hour and 45, almost 2 hours prior to. That is our normal, you
13 know, report time for being on the road. At home, it's 2 hours
14 and it's one and a half hours if we have no passengers. So --

15 Q. Okay. At home, what airport are you guys actually flying out
16 of?

17 A. DuPage, uh-huh.

18 Q. DuPage?

19 A. Yes, sir.

20 Q. Okay. And I know you said, you know, when you were here,
21 there was fuel venting --

22 A. Yes.

23 Q. -- from transferring.

24 A. Yes.

25 Q. Does that happen often or is it just something's wrong,

1 something stopped?

2 A. No, no.

3 Q. Just kind of help me understand --

4 A. It --

5 MR. DOHERTY: Roger, don't forget the recording, so try not
6 to talk over anybody.

7 MR. FRITZLER: Oh, okay.

8 MR. ETCHER: My apologies, I delayed in some of my part --

9 MR. FRITZLER: Yeah.

10 MR. ETCHER: -- so please go ahead.

11 MR. FRITZLER: No, but it's a situation where I probably
12 should not have done that, I probably should've held off on doing
13 that, yeah, because with the wings almost full there's always that
14 possibility, you know, that it could fill up too fast in both, so
15 that's exactly what happened and -- yeah.

16 BY MR. ETCHER:

17 Q. Is the airplane equipped with just the wing tanks? Do you
18 guys have --

19 A. We also have a ventral.

20 Q. A ventral. And did that have any fuel in it, do you know?

21 A. No.

22 Q. Do you usually put fuel in it? Instead of getting the wings
23 close to full, do you port some back in that?

24 A. You don't fill the ventral unless you have full main wings.

25 Q. Okay.

1 A. Yeah.

2 Q. Thank you very much. I'm going to ask for your opinion or
3 your estimation.

4 A. Um-hum.

5 Q. How much fuel did you -- would you have guessed kind of
6 ported out to the vents? Ballpark.

7 A. Probably about 5 gallons.

8 Q. Okay. I know you guys left early, but did that delay you
9 guys a little bit in everything following?

10 A. A little bit. We went and cleaned up, we brought out the
11 hazmat material, we were out there with them when they were
12 cleaning the ramp up and making sure that it was cleaned up, then
13 we -- once we got that done, then we moved the airplane away from
14 that area, moved it forward toward the FBO a little bit and so
15 that probably cost us 10 to 15 minutes of time.

16 But once again, the passenger was inside doing his business,
17 so I didn't -- we didn't feel rushed because of that, but we
18 definitely wanted to pick up the tempo a little bit just to try to
19 get him, you know, moving a little quicker. So I didn't feel that
20 that put any strain on us or made us feel like we had to rush
21 through things.

22 Q. When the airplane does that and you over-vent fuel or vent
23 over some fuel, does that -- do you guys have a policy or is there
24 a policy for the company that you have to make a write-up of any
25 kind in the logs or --

1 A. There probably -- to my knowledge there is not, but I know
2 that it's serious for the hazmat and for the airport and that it
3 has to be dealt with properly. That's why when the hazmat people
4 or when the line came out with their -- they basically had a cart
5 that had all the material on it and they quickly surrounded the
6 puddle and covered it up and swept it up and then disposed of it
7 in an appropriate manner.

8 So I thought that was -- as far as the procedures here, I
9 thought that was done, done correctly, so I didn't -- you know, as
10 far as having a company policy for that, you know, as far as a
11 write-up, I don't -- I'm not aware of one.

12 Q. Okay. Let me maybe ask it a little differently, and I asked
13 it that way and thank you for that answer, but when you see that
14 over-venting of fuel, do you know exactly what's causing it or do
15 you think ooh, do we have a mechanical issue?

16 A. No, I know what can cause it, yeah. It was mine.

17 Q. Okay.

18 A. Yeah, it was on me.

19 Q. Okay. All right. So you get to the airplane and you get up
20 to the preflight, was there any discrepancies, any MEL items on
21 this airplane at all?

22 A. No, sir.

23 Q. Okay. Is that normal that you don't have MEL items or any
24 discrepancies or is that --

25 A. Yeah, we do have some. Occasionally, we have some MELs that

1 we have to deal with.

2 Q. Okay.

3 A. But this airplane didn't have any, to my knowledge.

4 Q. How many airplanes do you guys have?

5 A. Five to six.

6 Q. Five to six.

7 A. Depending upon if one's in for maintenance, a long-haul
8 maintenance or the paint shop or to -- you know, they have
9 inspections that they have to go through, that take them out of
10 service for a period of time.

11 Q. Okay.

12 A. Like a 96-month.

13 Q. So have you flown the other airplanes -- let me rephrase
14 that, are they all Hawkers or do they have --

15 A. Yes, sir.

16 Q. Okay.

17 A. All Hawkers.

18 Q. Have you flown the other planes, as well?

19 A. Yes.

20 Q. How's this one fly comparably?

21 A. Beautifully.

22 Q. Beautifully?

23 A. Yeah. It's a nice airplane. I think it was Bob Crandall's
24 airplane or American Airlines' airplane at one point, so --

25 Q. So it feels like home for you, then.

1 A. Well, it feels like I got part of Crandall in me, so -- yeah.

2 Q. All righty. Do you fly with your colleague often, as well?

3 Are you guys --

4 A. Yes.

5 Q. -- hooked up together much?

6 A. Yeah, we've flown quite a bit together.

7 Q. Okay.

8 A. Yeah.

9 Q. Thinking back, maybe it's not very far, maybe it's a long
10 time back, when was the last time you flew with him?

11 A. Oh, let's go back, I would say -- I know he was out for about
12 a month with his -- his mom wasn't doing well, so I would say 2
13 months ago.

14 Q. Okay. So advance a little bit here, you got the mess cleaned
15 up.

16 A. Um-hum.

17 Q. You came and you got your passenger and you on-boarded.

18 A. Um-hum.

19 Q. And you go through the preflight checks, you go through the
20 pre-start checks and all that, everything normal.

21 A. Um-hum. Yes.

22 Q. And then you go to taxi out. Do you have call ground to get
23 off the ramp here?

24 A. Yes.

25 Q. So talking with ground, how busy did they sound? To you,

1 just using your own opinion.

2 A. Oh, to my -- not busy, not too busy.

3 Q. Okay.

4 A. I mean, maybe a few transmissions of aircraft movement on the
5 ground, but not too bad.

6 Q. Okay. So do you guys use Jepp charts, NOS charts, in the
7 airplane?

8 A. We have the approach plates printed out on a copy and then we
9 have our iPads.

10 Q. Okay. And is it Jeppesen or is it NOS or is --

11 A. It's Jeppesen, yes.

12 Q. So if I pull up a Jeppesen chart --

13 A. Um-hum.

14 Q. -- and show you, could you walk me through your taxi out?

15 A. Sure.

16 Q. So that way I at least make sure I know --

17 A. Yeah.

18 Q. -- where you were taxiing to.

19 A. Certainly.

20 Q. And it's a touch screen, so if you need to move it, feel
21 free. Oh, you're okay, you can use it, so you can see it.

22 A. Okay. Oh, okay.

23 Q. And just kind of walk me through taxiways and --

24 A. We're sitting in the corner of Signature, actually come out,
25 I had -- from the previous day, I knew that Charlie was under

1 construction or there was several taxiway closures, mostly up by
2 the terminal building on the west side of the airport, so I didn't
3 think that was a factor. But as we came out, I could've sworn
4 they said you can use Kilo or Charlie, but we were pointing toward
5 Kilo, so we -- or Taxiway Papa, or is it -- is it Bastra (ph.)?
6 Well, it's (indiscernible) going out to Kilo, so we went right out
7 to Kilo, Kilo to Runway 2-2.

8 Q. Okay. Now, as you're taxiing out on Kilo to 2-2, kind of
9 walk me through where you switched over to ground, where you think
10 you got your --

11 A. Yeah.

12 Q. You could just point, but you can also -- if you can
13 verbalize it, that would be great, just --

14 A. Okay, yeah. As we're taxiing down Kilo, we're finishing our
15 checks as we approach Kilo 2. At Kilo 2, that's when we had the
16 discussion about the departure frequency and the altitude and then
17 we switched over to tower, passing Kilo 2. As we approach the
18 turn on Kilo toward the runway, that's when I heard a takeoff
19 clearance.

20 Q. Okay.

21 A. And so everything is complete at that point.

22 Q. Okay. And kind of -- and please, never let me put any words
23 in your mouth --

24 A. Sure.

25 Q. -- that's not what I want to do, but I believe you said, when

1 Kat asked, that you heard your FO accept the takeoff clearance.

2 A. Yes.

3 Q. Was that as you were rolling onto the runway, was it prior?

4 Just kind of help me --

5 A. It was prior, I felt it was as we were making the turn, the
6 left-hand turn toward the runway, 90 degrees off is when I heard
7 what I thought was a takeoff clearance and I could've sworn that
8 Bill responded with cleared for takeoff.

9 Q. Okay.

10 A. Runway 2-2.

11 Q. Okay, perfect.

12 A. Yeah.

13 Q. I figured it's easier if you can walk me through that --

14 A. Exactly.

15 Q. -- so I can understand better.

16 A. Exactly. Yeah, exactly.

17 Q. Okay, perfect.

18 A. Yeah.

19 Q. All right. Can I take that back because --

20 A. Yeah.

21 Q. -- the questions are still on here, so --

22 A. Okay.

23 Q. -- my apologies.

24 A. No worries.

25 Q. So you're on with tower.

1 A. Um-hum.

2 Q. You're pulling on the runway, you're adding power.

3 A. Um-hum.

4 Q. And I just want to make sure I understood the sequence
5 correctly. You, as the pilot flying, you're on the tiller.

6 A. Yes, sir.

7 Q. The pilot monitoring is on the yoke.

8 A. Yes, sir.

9 Q. And you bring up the power.

10 A. Um-hum.

11 Q. Just for the record, no auto-throttles, no FADEC?

12 A. No, FADEC.

13 Q. Okay.

14 A. No auto-throttles.

15 Q. All right. So you bring up the power to where you want it
16 set.

17 A. Yes.

18 Q. Does the pilot monitoring fine tune it or do you do that?

19 A. I do that.

20 Q. Okay.

21 A. Yeah, yeah. He looks at it, we have an 80-knot check where
22 he looks for inlands (ph.) or METs at 80 knots and, however, when
23 I added that power, I felt the left-hand rudder, I eased the
24 throttles back, made sure they were aligned, and I advanced the
25 throttles smoothly toward takeoff power and the deflection went

1 away. About this time is when -- I want to say about 20 to 30, 40
2 knots, maybe, that's when I noticed Bill go down and rotate the
3 elevator trim slightly, nose down and I didn't see it, but he said
4 we had an elevator trim light illuminated.

5 Q. Okay.

6 A. So that went away. So we rolled down and now we're looking
7 for, you know, V-1, basically.

8 Q. So a light illuminating, your FO reaches over and rolls down
9 the nose trim. Is there any guidance you guys have for a
10 rejection takeoff for any light illuminating or is it --

11 A. Yeah, any -- below 80 knots you can abort for anything,
12 obviously, but you know, this happened so early and the issue was
13 resolved, there was no need for the abort, in my estimation.

14 Q. Okay.

15 A. So I wish I would have, man.

16 Q. Well, then we wouldn't have had the opportunity to talk.

17 (Laughter.)

18 MR. FRITZLER: It's funny how you say that because this
19 happened to me about a month ago, where the rudder pedal, we --
20 pretty much the same sequence of events, I'm flying right seat on
21 the leg out, the next day I'm flying left seat and the same thing
22 happened and I aborted and I go what's this all about. So in my
23 mind, that's always the best -- you know, best response, get it
24 figured out, but then when you go through it and you know you can
25 solve this problem by going out and doing a static run-up and get

1 everything powered up and then releasing the brakes after the --
2 you know, the rudder bias decides that, you know, you're safe, you
3 know what I'm saying? So it's one of these things where I was
4 experienced with that, so I knew this does happen on occasion, so
5 that's why, like I said -- in retrospect, like I said, I told
6 those guys I wish I would've just aborted, you know, but it was --
7 it went away.

8 MR. ETCHER: Yeah.

9 MR. FRITZLER: The problems went away and we're rolling now
10 about 40 knots and everything's hunky-dory.

11 BY MR. ETCHER:

12 Q. So do you guys have any procedures like always do rolling
13 takeoffs, always do static takeoffs, pilot's discretion?

14 A. Ours are generally normally rolling takeoffs. We do a static
15 if it's runway contamination or if it's slippery or -- you know,
16 but generally, no, we always -- pretty much always do a rolling
17 takeoff.

18 Q. Okay. Now, I believe you said -- and again, don't let me
19 ever put words in your mouth.

20 A. Um-hum.

21 Q. The V-speeds were not on your side?

22 A. Yes.

23 Q. Were they on your side on the takeoff roll or were you just
24 counting on your pilot monitoring to --

25 A. No, no. They had dropped out and they dropped off, because

1 when we changed -- when we took the runway, that's when I -- when
2 I noticed it and we talked about it and I said -- and we talked
3 about the V-speeds, we know what they are, but they had dropped
4 off and now we have -- and that's the only part that I think I
5 felt a little bit rushed at because with takeoff clearance, in my
6 estimation, you don't want to delay too much longer on the runway.

7 You want to either, you know, cancel your takeoff clearance,
8 clear the runway, figure out the problem and then go. But we
9 talked about it between us and we had the speeds, you know, in our
10 mind and we knew exactly what we were doing, so we elected to go.

11 Q. Okay. So there was no speed bug set on any of your -- on
12 visual or (indiscernible) that you're aware of?

13 A. Yes, I'm pretty -- at least on my side.

14 Q. Okay. And that's all I can attest -- you know, have you --

15 A. Yeah.

16 Q. -- attest to is your side.

17 A. My side.

18 Q. I just wanted to make sure I'm getting --

19 A. Yeah.

20 Q. -- a nice picture here.

21 A. Yeah, I don't know what was on his side.

22 Q. Okay. All right, no problem. And you said -- please forgive
23 me, you said that's happened before?

24 A. No.

25 Q. Oh, it never happened, okay.

1 A. That doesn't, no, that part has never -- the FMS syncing
2 situation, that's what caused it, we know what caused it now, but
3 the fact that they weren't, you know, they fell off, I'm going
4 holy -- you know. I almost, like I said, I almost knew the reason
5 why they fell off and I thought we fixed the problem in the
6 tracks, that's why I was surprised to look down and go where are
7 the bugs, you know, and I said -- so that's frustrating, yeah.

8 Q. Okay. I just --

9 A. You know, most airplanes, if you change runways or if you
10 change temperature or if you change the winds in the FMS, those
11 V-speeds go away and it tells you these are deleted, you know,
12 reenter. We didn't get any of those messages, so that's why I was
13 kind of shocked when I took the runway and I'm going hey, where
14 did the V-speeds go, you know?

15 So that's why -- you know, obviously it would've been better
16 to have those up there, but we basically talked about it, we
17 reiterated the V-speeds and said yeah, we know what they are,
18 let's go. But that's the only part where I felt, you know, a
19 little rushed, lit up, okay, yeah, we know what they are, let's
20 go.

21 Q. Okay, perfect. And I just want to reiterate the speeds
22 because I probably wrote them down on there, I seem to do that
23 when I don't have enough coffee in me, but I think you said the
24 V-1 was 113?

25 A. One thirteen, the rotator was 113 and 123.

1 Q. See, I knew I turned one of them around, I just --

2 A. One twenty-three and then the top one was like 143 or --
3 yeah.

4 Q. Okay.

5 A. You know. Obviously, not the most opportune, best situation,
6 but we know -- you know, obviously, we've been flying these
7 airplanes long enough, we know kind of where we should be. And
8 it's funny because when I came over, airlines are totally
9 different, we fly autothrottles, we fly automation a lot, so we're
10 always setting the bug and we always have the bug and we had the
11 bug, the upper bug, set for 250 for our climb-out and when I came
12 here, I am still rotating the master, you know, the big bug, on
13 approach, I'm bringing it down to where it needs to be.

14 And there are a lot of people that fly without doing that
15 because that sets where the throttle -- the throttles are going to
16 manage that, where we put that bug, but the Hawkers kind of do it,
17 so most people don't set that bug. I still set that bug, so you
18 know, it's -- it's just a little difference, you know, but you
19 obviously -- with the experience, you obviously know when the
20 airplane's flying or when it's not and when we -- I asked Bill to
21 do landing checklist and I don't -- and actually, we knew the
22 landing bug was 132, so -- so I don't even know if we got that
23 landing bug in there, to be honest with you. I knew, you know, we
24 basically came around and set a 132 approach, speaking on the main
25 bug, but like I said, you know, it's -- yeah, things could've --

1 things could've been fine tuned is what I'm saying and I see like
2 the error there that I made.

3 Q. Okay. You guys have TCAS, correct?

4 A. Yes.

5 Q. Is it on for your departure and do you ever look at it?

6 A. Yeah.

7 Q. Let me rephrase that, that was terribly asked on my part.

8 A. Yeah. That's all right.

9 Q. Again, coffee, lack of.

10 (Laughter.)

11 BY MR. ETCHER:

12 Q. So do you look at it when you take a runway at all? Or
13 any --

14 A. Yeah, we're looking, we're looking at the screen and so yes,
15 in some regard, yes. But did I notice anything unusual? No.

16 Q. Okay.

17 A. I didn't see any targets --

18 Q. Okay.

19 A. -- on the -- until I had a wind screen full of airplane and
20 that's what was -- what I was questioning and I don't know what --
21 to some degree, what tower has available to them, but I think they
22 have an airport service movement thing and I would think that the
23 alarms would've been going off in the tower if we have two
24 airplanes rolling toward each other. I don't know if that's true
25 or not, but I was -- I was shocked and dismayed that, for one, if

1 we read back a clearance for takeoff, that they did immediately --
2 or if they gave us a clearance for takeoff, it's either immediate
3 takeoff, you have landing traffic 1-3 Right or a hold, you know,
4 if they gave us a hold in position or line up and wait, I missed
5 that completely and that's on me, if that's what happened. But as
6 we're rolling down the runway now, we called cleared for takeoff,
7 Runway 2-2, I am shocked that there wasn't an immediate response
8 like cancel your takeoff clearance, we have landing traffic.

9 So those things, in my mind, tell me that there is some --
10 there's some follow through and I don't want to push it on them,
11 but I just want to say, you know, I know there's always someone, a
12 supervisor, in the tower cab watching over the shoulder and ready
13 to jump in, you know, if he sees something, you know, that's not
14 going well and we didn't -- we didn't have any of that until after
15 we got airborne, so --

16 Q. Okay. Since we're kind of talking about the communications
17 with ATC and everything, do you guys use headsets or do you just
18 put it over the speakers?

19 A. No, headset, a stereo headset, noise-canceling headsets and
20 boom mike.

21 Q. Okay. And it's pretty -- I don't want to say pretty clear,
22 in your opinion, it's clear?

23 A. It's robust, it's robust.

24 Q. Robust?

25 A. Um-hum.

1 Q. That's a big word, so I'll try and look it up by myself.

2 (Laughter.)

3 BY MR. ETCHER:

4 Q. All right, perfect. On your takeoff roll, I know you're on
5 the tiller, the FO was on the control column --

6 A. Um-hum.

7 Q. -- until 80 knots and I know it was a windy day.

8 A. Um-hum.

9 Q. A little bit of wind, I don't want to say hurricane force,
10 but there were some winds.

11 A. Yes.

12 Q. How does it handle that kind of a crosswind, the airplane,
13 does it --

14 A. Fairly well, but a little bit of left wing down in that
15 situation, tracks pretty normally. I didn't have any issue at all
16 tracking the center line up to 80 knots and I didn't -- I didn't
17 feel an excessive amount of rudder, except the initial left rudder
18 deflection, I didn't -- once they steadied up and went to neutral,
19 I didn't feel an excessive amount of rudder to stay on the center
20 line.

21 Q. Okay.

22 A. Yeah.

23 Q. So at 80 knots he gives you the control column.

24 A. Um-hum.

25 Q. You take control and --

1 A. Um-hum.

2 Q. -- positive exchange of control, I assume?

3 A. Yes, sir.

4 Q. If you have a crosswind like that, how is that when it comes
5 to transferring control, does he have to say ooh, I got left
6 aileron entered, do you guys pre-brief that?

7 A. I mean, as we take the runway, we'll -- we may -- if we don't
8 see him putting a left stick in for a left crosswind, we ask him
9 for a more left stick or whatever. I've heard different guys say
10 it differently, but we'll both acknowledge that yeah, left
11 crosswind, left stick, as we head down.

12 If it's 5 knots or less, we don't bother with it. If it's 10
13 knots, we start putting a little bit, if it's 15, maybe a little
14 more, but we are aware of where the control column and the yoke is
15 on -- as we roll down the runway and I'm looking at it, so -- so
16 he had to correct a lot of down -- aileron down into the wind, so
17 it worked.

18 Q. Okay.

19 A. I didn't have any control issues, directional control issues
20 at all.

21 Q. Okay, perfect. So you're rolling down the runway, you see
22 your wind screen full of their airplane, and sorry to have to have
23 you go through this for a little bit, but when you saw that, I
24 know you didn't have even enough time to -- I think your phrase
25 was didn't even have enough time to cuss or swear, but did you put

1 any corrections like to go in behind them or did you just keep
2 going straight and --

3 A. No, didn't have -- didn't have time to even -- I mean, it was
4 -- this was done and gone in a split second and the thump happened
5 right away. So I didn't feel any time, there was any time to do
6 any evasive maneuvering and I -- and then when I thought about it
7 later, I thought maybe an evasive or abort -- at that point, after
8 you've lifted off, I don't know if that would've been smart, so it
9 felt -- it felt stable when I lifted off and I continued.

10 Q. Okay, all right. Do you guys have an abort policy? I know
11 earlier you said you can reject for anything under 80 knots.

12 A. Yeah. For above 80 knots it's engine failure, fire, airplane
13 -- unintentional runway incursion like we just had, or airplane
14 unsafe to fly. It's just basically four major big items and
15 obviously, had this -- had I -- had we seen this at, say, 10
16 o'clock, as -- you know, if I wasn't looking at the instruments
17 and looking at the airspeed and we picked up this gentleman at 10
18 o'clock, that would've been grounds for an abort and we -- it
19 could've prevented this, so --

20 Q. Okay.

21 A. So that's just one of those things where I don't know if --
22 you know, you want to have good lookout doctrine as far as, you
23 know, scanning, but this -- you know, the runway is covered by the
24 terminal, you can't see anything until you almost get to that
25 field, but yeah, it would've been helpful.

1 Q. All right. Since the time of day and the time of year and
2 everything, it sounds a little bit lower, was it a factor to you
3 guys at all?

4 A. Not at all.

5 Q. Okay.

6 A. Not at all. Not that I noticed.

7 Q. Okay. I believe you said, when Kat asked if you -- who
8 determines who's flying PIC --

9 A. Um-hum.

10 Q. -- and you guys swap off, is that -- do you guys do it, is
11 that -- I want to call it your "ism," if you will.

12 A. No, it's the company's.

13 Q. Okay.

14 A. I mean, we try to do that. It doesn't always happen that
15 way. If the guy's brand new, we may keep him in one seat just to
16 get the flow going better, but after you've been with the company
17 for a year or two, you're pretty much swapping whenever you get an
18 opportunity.

19 Q. So is it you guys decide or does the company assign --

20 A. No, it's kind of just the crew.

21 Q. Okay.

22 A. You know, if -- there may be a situation where the passenger
23 wants only a certain person in the left seat, then we'll do that.
24 I mean, we're flexible.

25 Q. Okay, okay. I know you took it in the air --

1 A. Um-hum.

2 Q. -- on this event and you said it handled -- I don't want to
3 say great or whatever, I don't remember your term, but you said --

4 A. It was normal.

5 Q. Okay.

6 A. Stable, normal, felt comfortable, I felt comfortable flying
7 the airplane.

8 Q. And you took off 2-2, but they gave you clearance to come
9 back, I think you said, to 1-3 Right?

10 A. Correct.

11 Q. Not a very -- that's a pretty quick return.

12 A. Yes, sir.

13 Q. But I know you said you went full flaps.

14 A. Um-hum.

15 Q. Did that add any controllability at all, did you feel
16 anything different?

17 A. Nothing unusual.

18 Q. Okay.

19 A. Nothing unusual. That was in the back of my brain as
20 something, if we're lowering flaps and we had an issue, it was in
21 my -- back of my brain, but -- yeah. Looking at the wing, it
22 readily became apparent that it was most -- most of the damage was
23 outboard on the winglet and it looked like, you know, the ailerons
24 were -- looked normal, from my vantage point didn't see any damage
25 to those and I'm assuming at that point that the flaps are in good

1 shape.

2 Q. Okay. My last question for this round, so --

3 A. Oh, good.

4 Q. Then you're done with me, I know you thinking I'm tired of
5 listening to his voice.

6 (Laughter.)

7 BY MR. ETCHER:

8 Q. Did you guys have any weather projected for you guys anywhere
9 that you were worried about?

10 A. There was a little bit of weather up north, by Oklahoma area
11 and it was moving to the east, but it wasn't really going to be a
12 factor for our flight. There was a little bit of weather up
13 north, but it was -- it was scheduled to be -- forecast for to be
14 VFR for our arrival, so it wasn't -- no weather that was --

15 Q. Okay.

16 A. -- of concern.

17 MR. ETCHER: Well, I told you that was my last question for
18 this round, so --

19 MR. FRITZLER: Really?

20 MR. ETCHER: -- I'm going to hold that promise, but only this
21 round, next round's game on.

22 MR. FRITZLER: The next round all the gloves come off.

23 (Laughter.)

24 MR. ETCHER: But I will turn it back to Ms. Kat.

25 MR. FRITZLER: Okay.

1 MS. WILSON: Do you need a break yet?

2 MR. FRITZLER: No, I'm having -- I can go until we get to
3 Round -- is Round 2 --

4 MS. WILSON: Okay.

5 MR. FRITZLER: Everybody get a Round 2?

6 MS. WILSON: Everyone gets a Round 2.

7 MR. FRITZLER: Let's keep going.

8 MS. WILSON: All right. Usually by the time, you know, we
9 get to the next person, their questions are a little fewer and a
10 little fewer.

11 MR. FRITZLER: Oh, they fine tune them?

12 MS. WILSON: Exactly.

13 MR. FRITZLER: Good, good, good.

14 MS. WILSON: So Starr.

15 MS. BLUM: I only have a few questions.

16 MR. FRITZLER: Aww, okay.

17 BY MS. BLUM:

18 Q. Where did you guys brief the takeoff, on the ramp, during the
19 taxi?

20 A. We briefed the takeoff, as I recall, as we're going out,
21 we're talking about the -- we talked a little bit in-ramp, at
22 least I gave him our clearance and I told him this is what our
23 clearance was and basically, we showed him, we went through the
24 route itself and we talked about briefing, but when he set 16 in,
25 going -- taxiing out, I realized that he was under a different

1 impression and that's where I brought him back in and say hey, no,
2 we're only cleared to five, we pick up the rest of the departure
3 airborne.

4 Q. Okay, so that was on the taxi.

5 A. Taxi, yeah.

6 Q. Yeah. So your before-takeoff checklist, do you guys, do you
7 go to the line and then the local line, what's your checklist?

8 A. Oh, that's -- I haven't heard that one in a while.

9 Generally, we get up to the takeoff and we do -- we do our taxi
10 checklist as we're taxiing out, we do our takeoff checklist en
11 route to the runway, and then we do our final runway items as
12 we're basically getting ready to take the runway and make sure
13 that they're done. And we talk about flaps, air brakes, trims,
14 and all of that stuff.

15 Q. So that's after you've gotten the clearance you would take
16 off?

17 A. Usually you're trying to get it done before that happens, but
18 we get down to about two items on the checklist after we get
19 takeoff clearance and we just verify the runway, runway heading,
20 and make sure the lights are on and the ignition is working, so
21 those few items that get done as we're taking the runway and when
22 you say line checks, takeoff checks are complete.

23 Q. And then do you guys have -- like is there SOPs regarding
24 like if he says cleared for takeoff, do you have to repeat and --

25 A. Yes. Well, yes, yeah, we --

1 Q. What are your callouts?

2 A. What's that?

3 Q. What are your callouts?

4 A. We basically say -- he calls cleared for takeoff and I just
5 either roger or I just acknowledge it, but yes, I don't say
6 cleared, I don't say cleared for takeoff again, but I do
7 acknowledge it. In retrospect, I think a verbal, I heard cleared
8 for takeoff and I've done that at times. You know, you say what
9 you've heard, just to confirm what he may have said or
10 acknowledged.

11 Q. Okay. When you (indiscernible), you said it was like before
12 40 knots, was there any discussion on it or did the FO just trim
13 down?

14 A. He just -- yeah, he just reached over and I noticed he
15 trimmed down and he's -- and I was talking about something
16 entirely different, I was talking about the rudder pedal and he
17 went for the trim wheel and whether or not he had a trim
18 mitigation, I don't know.

19 Q. Yeah.

20 A. But I looked down and it was out, so whatever, if there was a
21 problem, it went away.

22 Q. So you guys were talking about it and just --

23 A. Yeah, right.

24 Q. -- decided to --

25 A. Right.

1 (Crosstalk.)

2 MR. FRITZLER: Yeah.

3 MS. BLUM: Okay.

4 MR. FRITZLER: Um-hum.

5 MS. BLUM: That's all my questions.

6 MR. FRITZLER: Oh. God, that was easy.

7 MS. WILSON: Told you.

8 Todd.

9 MR. GENTRY: Just a couple.

10 MR. FRITZLER: Okay.

11 MR. GENTRY: You guys asked most of them, for sure, which is
12 good.

13 BY MR. GENTRY:

14 Q. TCAS, let's talk about that, if you can.

15 A. Yes, sir.

16 Q. In fact, I know you answered that you do have TCAS. Do you
17 have a -- is there an SOP for the scale and where the elevation
18 should be or is there -- is it just --

19 A. You know what?

20 Q. -- the pilot's discretion?

21 A. Good question, because I always, from my airline career, I
22 always scale in and scale out, normal, above; above if I'm taking
23 off and a smaller range scale. So yeah, that's kind of inbred in
24 me. I don't know of a policy that's written at the company, but
25 it's just -- it's just smart, it's smart to do.

1 Q. Was it scaling back to a lower scale on this takeoff?

2 A. I do not -- you know, now that I think about it, I do not
3 know.

4 Q. Okay.

5 A. I'd have to -- I have -- unfortunately I do not know.

6 Q. Okay. That's good. EFBs, you talked about EFBs --

7 A. Yes, sir.

8 Q. -- and you talked about approach plates, you said you guys
9 use Jeppesen, right?

10 A. Um-hum. Yes, sir.

11 Q. Do you guys use electronic on your EFB or is the taxi diagram
12 a paper? Now, I know you said there was some paper --

13 A. There is.

14 Q. -- of the approach plates, but which -- on the taxi, which
15 one are you using?

16 A. Predominantly we're looking at the EFB --

17 Q. Okay.

18 A. -- because we have on-air or on-aircraft or on-windshield,
19 what do you call it?

20 Q. On-ship position.

21 A. On-ship, on-ship. And you could see the blue airplane, you
22 know, you can see where you are and I always -- as I follow, I
23 will always have my EFB handy to show the pilot, you know,
24 taxiing, here's where we are, here's where we need to go and
25 here's the runways that are closed. So we use it quite -- as a

1 tool, we use it quite a bit.

2 Q. Do you know if it has RAS on it? Are you familiar with that?

3 A. You know what, I've heard of that term, I don't know what it
4 means.

5 Q. Okay.

6 A. But I don't know.

7 Q. Okay.

8 A. I really don't know. What does it mean?

9 Q. Runway advisory system.

10 A. Oh, it comes up, like when we're flying, it comes up and it
11 switches over, like when you're landing, it goes over the -- or
12 the airport page.

13 Q. Right.

14 A. But as we're flying, I notice it comes up and gives you --
15 you're entering Class B airspace, your AWOS is this or ATIS is
16 this, it gives you information, so I guess we may have it.

17 Q. Okay.

18 A. But as far as detailed information of other aircraft
19 movement, I noticed that if you go to 3-D view you can see
20 airplanes over, overhead, the airport at altitudes and, you know,
21 call signs and you can see that information. So I'm assuming we
22 have it.

23 Q. Okay. It's just a question, there's no right or wrong --

24 A. Oh, no, I think it's great.

25 Q. When you guys took off, and I know it was very quick, but did

1 you run any emergency checklists on the return at all?

2 A. No, we did not. We're an overweight situation, I know that
3 there -- we knew what we had to do, but it was just -- it just
4 became second nature. I knew we were overweight, so I try to
5 grease it on as best I can. I've done overweight landings in the
6 triple 7 and the 7-8 and I know those can get quite extensive, but
7 obviously, this situation dictated that I thought it was best to
8 get the airplane back on the ground as soon as possible and we
9 elected to do that. We had the -- basically, we knew the speeds
10 and we knew what we had to do.

11 Q. This is my last question.

12 A. Excellent.

13 Q. Is there a memory aid that you guys use or is there an SOP
14 for when you're cleared for takeoff? And I'll give you an
15 example. We used to turn the landing lights on when we were both
16 cleared for takeoff.

17 A. Yes.

18 Q. Do you guys have a memory aid that you use for that?

19 A. Yes. A lot of times we'll turn the logo light on for cleared
20 to land. For cleared to takeoff, we'll turn the -- the strobe is
21 the last thing that comes on for cleared for takeoff, so that's
22 one, but -- but definitely the landing lights go from medium
23 intensity, go into bright and turning the strobes on is the last
24 thing you do as you get clearance for takeoff.

25 Q. And those are used when you both hear the cleared for

1 takeoff?

2 A. Yeah, yeah, I would think so, but I do like -- I like where
3 you're going with this because I think there could be a memory
4 aid. I know the logo light gets used quite a bit for landing
5 clearance. Whether something like that would be prudent to do for
6 takeoff or find something else that would key your -- that we both
7 agree --

8 Q. Um-hum.

9 A. -- that we're cleared for takeoff, but once again, I did hear
10 Bill call the cleared for takeoff.

11 Q. And in this takeoff, did you guys use anything, did you turn
12 -- did Bill turn on the logo light or anything like that?

13 A. I don't think he -- I don't think he did.

14 MR. GENTRY: Okay. That's all, thank you.

15 MR. FRITZLER: Yeah, yeah. That's good. I like that, but
16 that would be helpful. I know we did it in the airlines, so --

17 MS. WILSON: Okay, that's the end of Round 1, ready for your
18 break?

19 MR. FRITZLER: I need a break.

20 MS. WILSON: Okay. We're going to stop the recording.

21 (Off the record at 10:46 a.m.)

22 (On the record.)

23 BY MS. WILSON:

24 Q. Okay. I just have a few follow-ups from the questions that
25 others asked you. Todd's last question, you talked about lights

1 going from medium to bright and the strobe is the last to come on,
2 you said that was not done for this takeoff, is that correct?

3 A. No, it was done.

4 Q. Oh, it was done?

5 A. It was done.

6 Q. Well, I'm glad I clarified that. And who was the one that
7 flipped the switches?

8 A. It would've been Bill --

9 Q. Okay.

10 A. -- who would've flipped them on.

11 Q. Starr was asking you some clarifying questions about the
12 controls and the rudder and you said you were talking about the
13 rudder, were you -- on the takeoff roll, were you actually
14 verbalizing something about --

15 A. Verbalizing it.

16 Q. -- the rudder?

17 A. Verbalizing it, yes.

18 Q. Okay. What would you have said or what --

19 A. I would've said something to the degree that I've got a
20 slight rudder deflection to the left and I'm -- and he obviously
21 felt me bringing the throttles back and -- and then I brought them
22 back up evenly and it went away, and continued with the takeoff.
23 But he was aware, at least I know for a fact that he was aware
24 that I had the deflection and I'm sure he probably felt it, too,
25 if he has his feet anywhere near the rudder pedals.

1 Q. How does that work with him being on the controls, you're on
2 the rudder and the throttles, does that coordination work well --

3 A. Um-hum.

4 Q. -- during a takeoff roll?

5 A. Pretty much. You know, generally, I don't -- I rest my feet
6 on the rudder pedals to know what the airplane's doing, even as
7 I'm -- if I'm not flying the airplane. I try not to over -- put
8 it to you that way, but I do kind of follow through with it. Like
9 the good question about the yoke and everything, we know, I like
10 to monitor that to kind of know -- we'll probably input something
11 like, say, a little bit of the left wing down for the wind.

12 But for the positive control at 80 knots, say, which we would
13 say I've got the yoke and controls and he comes off, but it's all
14 -- it works as best as it can without -- with an airplane without
15 a nose wheel steering, because that's why I'm on the tiller, you
16 know, that long. So it works pretty well.

17 Q. You had said everything happened so fast you didn't even have
18 time to curse. Did Bill say anything just before --

19 A. No, nothing. I think he -- we talked about this, so he
20 noticed it almost identically the same time that I noticed it and
21 it was -- like I said, it's already past my wind screen, like I
22 said, I didn't have time to -- to swear.

23 Q. How long do you think it took you to get back to the airport
24 after takeoff?

25 A. Probably about 5 minutes.

1 Q. Are you doing anything different with your scan because
2 you're departing from an airport with intersecting runways?

3 A. No, but I think that's a really good, good comment. I mean,
4 we try to, I mean, we try to look out. Usually you're focused on
5 instruments and line up and the runway ahead of you, but I can see
6 how adjusting that scan for this situation would be very -- is
7 very important.

8 Q. How would you say, you know, that you sort of divide your
9 attention between looking outside and looking at instruments?

10 A. You know, it's -- at 80 -- below 80 knots, it's pretty much
11 looking at the instruments, looking to make sure everything's
12 normal and then as you -- and you kind of share that time with
13 looking at the runway and make sure your center line's good, but
14 as you get closer toward V-1, it's predominantly, you know, flying
15 the airplane and not looking outside more so than looking inside.
16 So we're kind of focused out to V-1 on what's going on inside the
17 airplane and moving some of that scan out, you know, to other
18 things, but outside, for whatever.

19 Q. What are the callouts for the pilot monitoring on the takeoff
20 roll?

21 A. For the pilot --

22 Q. Um-hum.

23 A. -- monitoring?

24 Q. Yeah.

25 A. Eighty knots, you've got control, V-1, rotate, positive --

1 positive rate, gear up, and then a 400-foot call.

2 Q. One last question related to the accident sequence. The
3 V-speeds, this might be trying to get too specific, but do you
4 recall where -- when you noticed no V-speeds, was it before or
5 after the ATC communication?

6 A. It's right about the same time. I mean, right as you're
7 getting ready to turn the corner, I noticed they weren't there.
8 And it could be -- it could've been if the runway's here, we're
9 getting takeoff clearance right about here, and right about here,
10 as I'm rolling on, I notice, because I'm going through a last-
11 minute check, flaps, air brakes, trims, and that's when I had
12 speeds posted and that's when I looked down and I'm going oh,
13 hell, they're not there.

14 So we quickly talked about it and we talked about the V-1 and
15 rotate and the V-2 speed. So we had it ingrained in our mind what
16 they were, but I could've sworn, like I said, I felt that he may
17 have gone down trying to enter those in, but it's probably not a
18 good thing to do. So his head may have gone down in the cockpit
19 at that point, but I had already confirmed the takeoff with him
20 and that's what I heard, that's what I remember, so we decided to
21 roll.

22 Q. Switching gears --

23 A. Um-hum.

24 Q. -- wracking your brain a little bit, I want to go back to
25 your activities and sleep for the three days --

1 A. Okay.

2 Q. -- leading up to the event. So this event occurred on the
3 24th. Do you recall what time you woke up that morning?

4 A. That morning it was pretty early because it was a 6:30
5 departure out of DuPage. I had come in from a trip the previous
6 day, about 4 o'clock. By the time I got to my crash pad, I was --
7 it was -- it was pushing 6 o'clock, I had time to have dinner and
8 I was in bed probably 8 o'clock to 9 o'clock, somewhere in there,
9 and I was -- I set my alarm for 3:30. So it was an early get-up
10 and -- but I felt well rested that day. We flew out to pick up
11 our passenger and then flew down here, felt fine.

12 When we got to the hotel I took my little 34-minute nap,
13 which ended up being more like an hour, took a nap and went and
14 worked out downstairs at the workout room and then we went to
15 dinner, got a good night's sleep that night and we had a late -- a
16 later sign-in, so we had our room extended, so that wasn't an
17 issue. Got some paperwork and training done that needed to get
18 done and so it was -- I remember having breakfast with Bill,
19 early, and it was a -- I felt rested and ready to fly when we got
20 here. So --

21 Q. Okay, so the 6:30 a.m. departure from DuPage was the day
22 before the incident?

23 A. No, the -- yes. Yes, yes, it was. Thank you.

24 Q. Okay. So then walking back, when you said you came in the
25 previous day about 4:00 p.m., that would've been the 22nd?

1 A. Correct. Um-hum.

2 Q. And did you --

3 A. I'd have to look at -- look at my calendar, but --

4 Q. Sure.

5 A. -- it was Sunday evening and we left Monday morning at 6:30,
6 so whatever Sunday was. Yeah, the 22nd. Yeah.

7 Q. And how did you get to DuPage?

8 A. Car.

9 Q. Oh, drove.

10 A. Drove.

11 Q. About how long of a drive is it for you?

12 A. Thirty minutes.

13 Q. And you were driving from?

14 A. Aurora, which is about -- to DuPage, it makes it a 30-minute
15 drive.

16 Q. Is that where your crash pad is?

17 A. Um-hum.

18 Q. And how did you get to Aurora? So walk me through --

19 A. How did I get -- how did I get to Aurora?

20 Q. -- yeah, your commute to Illinois.

21 A. Oh. I left on the 13th of October, I flew out, had a trip
22 the next day. I flew out the evening -- the afternoon of the 13th
23 and got a good night's sleep and then had been flying for almost
24 seven, eight days. So I was within my normal sleep pattern at
25 that point, so I wasn't -- but yeah, I commuted in the day prior,

1 October 13th, I think it was, or October 12th, whatever it was.

2 Q. Okay. You've been in Illinois for a bit doing --

3 A. Um-hum. Flying.

4 Q. -- small trips?

5 A. Yeah, small trips, some two, some three-day trips. Um-hum.

6 Q. Okay, so any days off in the seven -- during that period from
7 10/13?

8 A. We had the weekend off, yeah, had the weekend off prior to
9 this and then I had one day off in the middle of the sequence. I
10 had three days off in the last 12, 12 days I was flying.

11 Q. What hotel did you stay at here? The night before the
12 accident.

13 A. It wasn't the DoubleTree, that's -- it was the Marriott.

14 Q. Any issues with --

15 A. No.

16 Q. -- the hotel?

17 A. No, it was beautiful, I had a nice facility, a nice workout
18 room, and it was nice.

19 Q. Any issues falling asleep or staying asleep?

20 A. Uh-uh.

21 Q. Ever talk to a doctor about, or have been diagnosed with a
22 sleep disorder?

23 A. No.

24 Q. How would you characterize your health?

25 A. Good health. A little overweight, but working on it.

1 Q. So this schedule that you had this trip, anything unusual
2 about it or fairly routine?

3 A. Routine. You didn't like -- I didn't care for the 6:30
4 takeoff, but that happens occasionally, you get some -- you know.
5 But the trips that I've had and the sequence had been usually late
6 morning or early afternoon trips and easy to roll into and get
7 used to.

8 Q. On the morning, I don't think I got this from you, on the
9 morning of the event --

10 A. Um-hum.

11 Q. -- so Tuesday morning, do you recall what time you might have
12 woken up?

13 A. Yes. It would've been close to 8:30 because we were
14 downstairs for breakfast about 9 o'clock.

15 Q. Did you set an alarm or did you --

16 A. No.

17 Q. -- just wake up at that time?

18 A. I slept in.

19 Q. How did you get to the airport?

20 A. We took -- let me go back on this. We needed an Uber at one
21 point, that was to get to dinner. We got a ride from Signature
22 getting to the airport or getting to the first hotel and we picked
23 up an Uber later on to get to dinner and then the hotel gave us a
24 ride in.

25 Q. After breakfast, what did you do the morning of -- Tuesday

1 morning after you had breakfast until you left --

2 A. Oh, I went back and did some CTS training, I've got a
3 recurrent coming up and we have certain modules that we have to
4 complete, so I was working on CTS training for a few hours, caught
5 up with some e-mails and watched a little bit of the news.

6 Q. Take a nap?

7 A. I think after the second module I may have dozed off. Just
8 saying.

9 Q. Training can do that to you.

10 A. Yes.

11 Q. But you felt rested --

12 A. Yes.

13 Q. -- when you got to the airport?

14 A. Yes, I did.

15 Q. All right. You said you wear readers.

16 A. Uh-huh.

17 Q. Any issues with color vision?

18 A. No.

19 Q. Typically, you know, how much sleep do you need for a night
20 to feel rested?

21 A. I need, on average, seven. I can do -- I can function with
22 six. Sometimes eight is almost too much, but -- if I have had a
23 long sequence, I will sometimes sleep as long as, you know, 10
24 hours.

25 Q. Um-hum.

1 A. When I get -- when I finally get back to San Diego after, I
2 may sleep for 10 hours, but generally, seven is sufficient for me.

3 Q. When were you planning to go back to San Diego?

4 A. Yesterday.

5 Q. That would've been the normal day --

6 A. Yes.

7 Q. -- had this not have occurred? Okay.

8 A. Yes.

9 Q. Any issues with your hearing?

10 A. No.

11 Q. I just have a few questions that I'll ask you off the
12 record --

13 A. Uh-huh.

14 Q. -- more about your health, but we'll turn off the recording
15 for that. How would you characterize your workload the morning of
16 or the afternoon of the event?

17 A. Light. The workload?

18 Q. Yeah.

19 A. Light. Yeah, I mean, nothing -- nothing unusual.

20 Q. How do you like working for DuPage Aerospace?

21 A. I love it.

22 Q. Great. Ever feel any pressure from them to be out early on a
23 flight or take -- do a flight you don't feel comfortable taking?

24 A. Uh-uh. No. I had situations that I've turned down and
25 they're -- they're good with it.

1 Q. Okay.

2 A. Uh-uh.

3 Q. How did Bill seem that afternoon?

4 A. He seemed rested and normal, I mean, he's -- because, like I
5 said, we met for breakfast and he went back to his room, he seemed
6 together when we were together and so nothing -- you know, he
7 talked, but there was nothing seriously going on. I knew that his
8 -- he had a family situation with his mother, but I think that's
9 been somewhat resolved.

10 Q. Okay.

11 A. But no, he seemed like in good health, good spirits and ready
12 to fly.

13 Q. And you all get along?

14 A. Yeah, yeah, we get along.

15 MS. WILSON: Okay. Okay, Shawn.

16 MR. ETCHER: I only have probably 13 pages of questions. I'm
17 just kidding. No, you answered a lot of my questions so far, I
18 just have really a very few.

19 MR. FRITZLER: Okay.

20 BY MR. ETCHER:

21 Q. When was your most recent check ride in this aircraft? And
22 by this aircraft, I mean the aircraft --

23 A. Oh.

24 Q. -- in the simulator of your choice.

25 A. Oh, okay.

1 Q. The most recent.

2 A. The most recent was when I left last month, September, I had
3 an instrument check at the company with our chief pilot, and last
4 recurrent, the last simulator training I had last February.

5 Q. And is that through CAE, is that what you said earlier?

6 A. Yes, but this one was in Dallas.

7 Q. Oh, okay, that's CAE in Dallas. All right. And how was that
8 training?

9 A. It was good.

10 Q. I know you've had airline experience and all that, so you got
11 (indiscernible), so --

12 A. All right.

13 Q. -- my apologies.

14 A. Do you want the --

15 Q. I want the truth.

16 A. Do you want the truth?

17 Q. Absolutely.

18 A. I feel that the corporate world is not as -- I mean, they try
19 to put out a good product, but I noticed that with simulators not
20 being up to par sometimes, you can kind of get short-changed a
21 little bit. I mean, you go through the profiles, you do
22 everything you have to do, but as far as the quality, I don't
23 think you get it as well as you do your own, so let's just leave
24 it at that.

25 Q. Okay.

1 A. You know, it's not -- I don't think it's necessarily bad, I
2 think it could be better.

3 Q. Okay.

4 A. You know, so --

5 Q. That says a lot.

6 A. Yeah.

7 Q. So I appreciate that.

8 A. Yeah.

9 Q. All right. This trip you went on, the accident trip --

10 A. Um-hum.

11 Q. -- you started the day before --

12 A. Um-hum.

13 Q. -- and you paged, was it -- and please correct me where I'm
14 wrong, was it you're paged straight to Hobby, was it paged
15 somewhere else? So then, you know, kind of walk me through the
16 trip assignment.

17 A. Six thirty departure to go up to Waukesha to pick up our
18 passenger, an 8 o'clock departure out of Waukesha to come down
19 here and drop him off and then the next -- the accident day was,
20 like I said, the 15:45 departure, scheduled departure.

21 Q. How far in advance do you get notified of a trip?

22 A. Sometimes it could be as much as a week, sometimes I can get
23 a phone call the night prior, "Are you available?" With me being
24 out in San Diego, they try -- they try hard to make sure I get in
25 the day prior so I don't do any commuting and then flying. But

1 generally, it's about a week notice; sometimes, you know, three to
2 four days, but -- but generally, you have a notice of it a little
3 in advance so you can plan. Because I give them days that I'm
4 available to fly and they try to make that happen.

5 Q. Okay. And this trip, do you remember when you were assigned
6 it? And "I don't know" is fine, too, it's okay.

7 A. I don't know specifically, but it was on my schedule. I was
8 supposed to do -- I was supposed to do another trip and I really
9 wanted to go on this other trip, it was to New Orleans, and they
10 said that the gentleman that was flying that trip was unable to
11 fly it and so they needed me on this trip and that could've
12 happened a day or two prior, so I lost my New Orleans trip, late
13 get-up, to this early morning one and I took one for the team, but
14 it wasn't -- it wasn't that bad.

15 Q. Have you ever flown this passenger before? I know you said
16 you --

17 A. Oh, yes, many times.

18 Q. Okay.

19 A. Yes, nice guy.

20 Q. All right. When you guys were returning back to the airport
21 after the event --

22 A. Um-hum.

23 Q. -- did you tell the passenger anything? I mean, to me, you
24 were airborne, it doesn't sound like --

25 (Crosstalk.)

1 MR. FRITZLER: No, no. We did not, we did not speak to the
2 passenger.

3 MR. ETCHER: Okay

4 MR. FRITZLER: Yeah.

5 BY MR. ETCHER:

6 Q. When did you finally talk to the passenger?

7 A. After we got on the ground safely, we went back and told him
8 what happened and he said, "What? I didn't feel a thing." And
9 then he said it just -- he said, his comment was I felt the --
10 after takeoff it was kind of like a rollercoaster ride, kind of
11 because we were maneuvering, you know, to get turned and then back
12 to base and so he felt -- said it was a little more rough
13 changing, changes in the -- you know, angle of bank and that kind
14 of stuff on the departure.

15 But he didn't know anything about the incident until we told
16 him, and look out the window and he goes "oh." So I was kind of
17 surprised that he didn't feel it, because that thud was just
18 enough to, yeah, something, something happened, but it wasn't --
19 it wasn't a major impact, it was just kind of like a dull noise
20 and then the airplane felt normal right afterwards, so we
21 continued.

22 Q. I know you told me before you've done a rejected takeoff
23 before.

24 A. Um-hum.

25 Q. When you do a rejected takeoff with this company -- you know,

1 every company's a little different, airlines are even different,
2 right?

3 A. Yeah.

4 Q. But when you do an RTO, sometimes you have a lot of paperwork
5 to fill out or --

6 A. Oh.

7 Q. -- you said you had to go do a (indiscernible) or something
8 like that (indiscernible).

9 A. Yes.

10 Q. Going back here, is it -- what's it like here, if you do an
11 RTO?

12 A. It's not -- you got to do an over-speed rejected takeoff
13 inspection, but it's above 80 knots, but it's not -- it's -- I
14 don't even think twice about it.

15 Q. Okay.

16 A. I mean, I've done it. I mean, I've done it, I've done it --
17 I haven't done it with this company, this airplane is pretty
18 reliable, but that -- I did have that one situation with the
19 rudders that I aborted on, but I wanted to find out what was going
20 on. Then we got off the runway and talked about it and realized
21 that that -- you had to be careful on those throttles.

22 Q. Okay. All right. My last little group of questions. I know
23 I told you 13 pages, that might've been a little bit of jest, but
24 my last little two questions here. As you were talking earlier
25 with everybody else, I was kind of running through the takeoff,

1 the way you described it, and there's still a few blank spots in
2 my brain --

3 A. Um-hum.

4 Q. -- so forgive me. You're on the tiller, he's on the control
5 yoke, you're setting power --

6 A. Um-hum.

7 Q. -- you're fine tuning power.

8 A. Um-hum.

9 Q. When you're the pilot monitoring, not on this event flight,
10 but just when you're only the pilot monitoring --

11 A. Um-hum.

12 Q. -- where are you looking during the takeoff roll? I know Kat
13 was asking and you were in and out --

14 (Crosstalk.)

15 MR. FRITZLER: Yeah.

16 BY MR. ETCHER:

17 Q. -- but it seems like it takes a little bit to fine tune.

18 A. Yeah, it takes a little bit to fine tune, so I'm -- I kind of
19 let him set that and I'm kind of looking outside and looking
20 inside and then I'm calling speeds alive, I'm calling 80 knots and
21 so you go from -- you scan and you try to look around, but you try
22 to go from the engine instruments to the flying instruments and
23 then -- and keep him aware of where we are so he has -- he gets
24 the pace and, you know, you kind of have the pace but, you know,
25 you know what it's going to be, but you know when something's

1 wrong, so it helps. But yeah, I do try to take my scan a little
2 bit more outside, but yeah, it's -- these instruments, like I
3 said, you have to -- you know, we do switch between airplanes and
4 some are Honeywells, smaller gauges, steam (ph.) gauges, and here
5 we have this airplane and it has the big glass, but unfortunately
6 everything is in a different position. So you go okay, what am I
7 on today? Where am I looking? So that happens, but you know, you
8 finally get that pretty fast.

9 Q. Okay. Well, that took out two of my questions because I was
10 going to ask the different aircraft --

11 A. Um-hum.

12 Q. -- how many different configurations in the cockpit.

13 A. Yes.

14 Q. I want to ask for your estimation or opinion.

15 A. Um-hum.

16 Q. When you're the pilot monitoring, give me a percentage of
17 outside versus inside, if you can. I know it might be tough, but
18 just --

19 A. I would say 70 percent inside and 30 percent outside.

20 Q. Okay. And is that similar when you're the pilot flying?

21 A. I would think a pilot flying, it's more inside, setting the
22 throttles, because you're trying to set those throttles and you're
23 focused on -- you're looking -- but I say that because you're
24 looking outside for center line so you're -- you know, it may be
25 about the same or even -- because you want to keep that center

1 line and you want -- so it may be 50/50 as pilot flying, so that's
2 a good -- a very good point and -- but I would say, I would say
3 it's about equal. And I don't know if 70 -- I think 70/30 might
4 be bad, a bad number, but I know you focus initially out to V-1,
5 you kind of want to make sure everything's going well. But as far
6 as scanning outside, you know, I don't think it's definitely -- I
7 don't think it's 50/50, I think it's less outside and I think it's
8 maybe, you know, 20 to 30 percent outside --

9 Q. Okay.

10 A. -- initially, so --

11 Q. With your airline experience and everything, how does that
12 compare? You know, with the airline, was that similar, is this
13 entirely different with your scanning inside and outside, pilot
14 flying and pilot monitoring?

15 A. You know, to be honest, I think it was -- because we had
16 auto-throttles we didn't have to focus as heavily and the gauges
17 were bigger in the Boeings, we didn't have to focus, you know, to
18 -- okay, what's that really saying or -- you know. But what I'm
19 saying, the instruments are a little bit smaller here on the
20 Hawker and so you have to -- you have to really kind of hone in.

21 But I would say that because we had auto-throttles, it was a
22 more -- it felt more comfortable because I didn't -- I'm basically
23 just on the yoke and guarding the throttles initially, and then at
24 80 knots I'm coming up on the throttles, an eye on the airplane,
25 whereas this equipment, we are setting the -- trying to set the

1 power and maintain directional control initially and now coming --
2 and when he calls 80 knots, I'm coming off the tiller to the yoke,
3 so there's a transition there that, you know, okay, it takes a
4 little more finesse to get it -- to do it correctly and do it
5 right. I think airline was a lot easier, not -- you know, I mean,
6 this is doable, but I think the way the airlines do their
7 procedures is a little bit more simplified because of the auto-
8 throttles.

9 Q. Okay. That helps. So I just wanted to make sure I was
10 getting --

11 A. Yeah.

12 Q. -- in my brain, kind of what you were looking at. So my last
13 question -- I know, you're surprised, but I think this will be my
14 last question.

15 A. Okay.

16 Q. I know you have the same thing I do, use nice, lovely
17 cheaters. The gauges are smaller in the Hawker.

18 A. Um-hum.

19 Q. Do you have to wear these cheaters? Well, your cheaters, not
20 mine, but do you have to wear them to --

21 A. Yes, I do. I do for takeoff, I do -- I have sunglasses that
22 have the -- you know, little bifocal things in them, so it's nice
23 to have. Yeah, it's almost required, let's put it that way.

24 Q. Okay. And forgive me, I lied to you, I guess, I have a
25 follow-up to that.

1 A. Okay.

2 Q. I think maybe earlier in the interview something was said
3 about were you wearing your glasses at the time.

4 A. I was wearing my sunglasses, which have the bottom part.

5 Q. The cheater part?

6 A. The cheater part.

7 Q. Okay.

8 A. So yes, I did have my glasses on. A good question, though.

9 MR. ETCHER: I appreciate the honesty and thank you very much
10 for --

11 MR. FRITZLER: Yes.

12 MR. ETCHER: -- educating me today.

13 MR. FRITZLER: Yeah.

14 MR. ETCHER: That was my last question, so phew, you're done
15 with me.

16 MR. FRITZLER: Right.

17 MR. ETCHER: You can breathe a sigh of relief.

18 MR. FRITZLER: Okay.

19 MR. ETCHER: And I will turn it back to Kat.

20 MR. FRITZLER: Okay.

21 MS. WILSON: You doing okay?

22 MR. FRITZLER: Doing great.

23 MS. WILSON: All right. Starr?

24 MS. BLUM: No, I don't have any questions.

25 MR. FRITZLER: Starr, thank you.

1 (Laughter.)

2 MS. WILSON: You're his star today.

3 Todd.

4 MR. GENTRY: No questions.

5 MS. WILSON: All right. Okay. Well, this -- Shawn,
6 anything? Last chance.

7 MR. FRITZLER: Last chance.

8 MR. ETCHER: I promised him, I promised him.

9 MS. WILSON: Okay.

10 MR. ETCHER: I'm good, thank you, though.

11 MS. WILSON: I don't have any follow-ups either, so if we
12 want to again pause the recording, you can listen to the ATC tape,
13 if what works for you, and then we'll go back on the record and we
14 can have a discussion.

15 MR. FRITZLER: That's a good --

16 MS. WILSON: How's that?

17 MR. FRITZLER: That's a great idea.

18 MR. DOHERTY: There were some health questions you wanted to
19 ask him?

20 MS. WILSON: Yes.

21 MR. DOHERTY: Okay.

22 (Off the record.)

23 (On the record at 11:39 a.m.)

24 MS. WILSON: Okay, we're back on the recording after
25 listening to the audio and you had some thoughts since then, we'll

1 let you continue.

2 MR. FRITZLER: Correct, yes. For one, if that was a line up
3 and wait call, I did not hear that, I heard a cleared for takeoff.
4 And also, if Bill responded line up and wait, I'm surprised that
5 if I added power, I said we're not cleared for -- I'm surprised he
6 didn't say something, because that's what I -- I thought he said
7 cleared for takeoff. I didn't hear his -- I guess I did hear his
8 initial response, line up and wait, but to -- to get that mixed up
9 with a clearance for takeoff, it just seems absurd to me, it seems
10 like I can't even believe that happened.

11 But what's bothering me more so is the fact that that -- if
12 the controller said 2-6-9 FO, stop or cancel your takeoff
13 clearance, whatever he said, that didn't come over my headset. So
14 the only thing I can think of is that my volume was turned down
15 too low on that radio and I'm not picking up some of those calls.
16 That's what's bothering me.

17 MS. WILSON: Does anyone have any specific questions since
18 this is recording? Shawn?

19 BY MR. ETCHER:

20 Q. Just one. And just for the record, if you would've heard the
21 controller saying stop, whatever, even if he was -- even if he
22 gave the wrong call sign, but you heard stop --

23 A. Yes.

24 Q. -- what would you do? What would you have done?

25 A. I would have RTO'd and I would have aborted. Yeah. I mean,

1 he physically -- I mean, he obviously said 2-6-9 Alpha Alpha,
2 stop, and then he said something else, again, more emphatic and I
3 would've stopped. Now, yeah, that's where I'm bewildered that I
4 didn't pick that up. I really am, so --

5 MR. ETCHER: That's all I had, Kat, thanks.

6 MS. WILSON: Okay. Starr, any questions?

7 (No audible response.)

8 MS. WILSON: Todd?

9 MR. GENTRY: No.

10 MS. WILSON: We've asked you a lot of questions today and we
11 really appreciate --

12 MR. FRITZLER: Um-hum.

13 MS. WILSON: -- your honesty and sharing that information
14 with us, you've given us a new perspective that we -- you know, we
15 didn't have that sort of fly on the wall in the cockpit to know
16 what was happening, so we appreciate that. Is there anything else
17 that you can think of that would be relevant to our investigation,
18 that you'd like to let us know about?

19 MR. FRITZLER: No, because at this point, what I expected to
20 hear, we didn't hear, because we had a line up and wait call, we
21 didn't have a clearance for takeoff and that bothers me more so.
22 But the fact that I did not hear the call to stop or to cancel
23 your takeoff clearance, that bothers me, so -- because that's what
24 I was expecting to hear and I wish I would've heard that and
25 that's, you know -- yeah, that's -- the only thing I can think of

1 is swapping seats, I notice sometimes when I get in that left seat
2 that the intercom and the volumes are turned a certain way and
3 some guys either have -- don't have noise canceling and they turn
4 the radio up real loud and I get in with my noise-canceling
5 headset and turn the volume down. So the only thing that I can
6 take out of this is that I'm going to -- just like when we fly our
7 performance, we keep the tactical radio louder than the backup
8 radio for other issues so we can hear the important calls and
9 that's -- that's something that I just have to -- will have to
10 program into my day-to-day routine. So I'm shocked that those
11 calls were made, you know, and I wish I would've heard them.

12 MS. WILSON: Okay. Well, again, thank you for taking the
13 time to talk to us. We will stop the recording at 11:43.

14 (Whereupon, at 11:43 a.m., the interview concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: HAWKER 800 COLLIDES WITH CESSNA
 CITATION MUSTANG AT THE WILLIAM P.
 HOBBY AIRPORT IN HOUSTON, TEXAS
 ON OCTOBER 24, 2023
 Interview of Roger Fritzler

ACCIDENT NO.: DCA24FA0017

PLACE: Houston, TX

DATE: October 26, 2023

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

A black rectangular redaction box covering the signature of David A. Martini.

David A. Martini
Transcriber