



RECORD OF E-MAIL CORRESPONDENCE

Eric M. Gutierrez
Aviation Accident Investigator
Eastern Region Area

Date: March 27, 2020
Person Contacted: Keith Fear (Balloon Operator)
NTSB Accident Number:

Narrative:

The following is the information provided by Mr. Keith Fear in an e-mail correspondence.

Thank you for reaching out about the occurrence involving one of my aircraft. I am happy to assist in any way I can. I believe at this point you have already received the office report from Mr. Dillard. I do need to correct 1 item in his report. He reported that the aircraft was being operated by Balloons Over The Rainbow. While the aircraft is owned by Balloons Over The Rainbow, Inc. It was being operated by Orlando Balloon Rides. Orlando Balloon Rides is owned by Buoyant Investments, which is owned by Balloons Over The Rainbow. I hope this clears this item up for you.

Please note that I was NOT onsite when this occurred. I am the owner of Balloons Over The Rainbow, Inc and all of its subsidiaries including Orlando Balloon Rides, LLC. My understanding of what occurred is as follows:

All passengers were met at our location in Claremont, Florida prior to sunrise on December 16th. All passengers were provided with a 2 sided waiver document to read and agree with. The first side is a standard Hot Air Balloon Ride Waiver. The back side is an acknowledgment of our preflight safety briefing. All of our pilots are required to provide a preflight briefing both verbally and in writing prior to flight. This includes a verbal discussion of the landing process and procedure so that passengers know how to position themselves for landing. I have attached a blank copy of the document so you can see what I am referring to. As a part of this process, the pilot has all passengers acknowledge they have no preexisting conditions that make them unfit to fly. All reports from the pilot and crew acknowledge that this was

done and no one reported any. After arriving at the launch site and inflating the balloon, the flight proceeded as normal. When preparing for landing, the pilot instructed passengers again on the portion to be in for landing. All passengers complied. The pilot used the top of a tall tree at the edge of the landing area to bleed off forward airspeed (momentum) as is normal in ballooning. He descended and landed in an appropriate large landing area. The balloon stayed inflated. One passenger reported that her ankle hurt. It should be noted that the passenger was wearing tall lace up boots that we believe in hindsight were to provide support for ankles she had hurt in prior incidents that were not reported to us. Our understanding also after the fact is that she had a prior back injury as well. All of these would have precluded her from flight had they been reported. The guest was immediately escorted to one of our vehicles to sit down and asked if she would like medical attention. She declined. The crew packed the aircraft up and the guest's husband helped our crew pack the balloon and load the equipment into the trailer. Her husband reported that this had happened before and she had fallen down stairs and broken both ankles recently while carrying a ladder and had severely injured her back during that incident as well. Again, she should have reported this. When departing the landing location, the guest was again asked if she wanted medical care as we drove right by a fire station on the way back. She again declined. The post flight festivities completed as normal. The next day our staff contacted her daughter (who we had a phone number for) and she reported that her mom was happy to be at their hotel and didn't go to Disney with them. She said they did go to urgent care who reported it was a sprained ankle and nothing more. We told the daughter if there was anything else we could do, to let us know. Mr. Dillard also provided her his personal phone number to contact if she needed anything. She never reached out. As a result, we assumed there was no issue and it was a non-event. On 1/2/20 the guest contacted our office claiming to have 2 fractures in one ankle, and 1 fracture in the other and her back was hurt as well. We began researching the occurrence and reported it to the insurance company and the NTSB duty officer. Once the insurance company was involved they began their investigation. Their investigator contacted the guest and while she spoke with him, she refused to provide a recorded statement. To date, no medical information has been provided although she did then claim her husband also had a broken leg apparently. We had had no interactions with her since then. All communications has been handled by the insurance companies, and I have not been provided with the detailed notes of their investigator. They are essentially at a standstill as they can't get any medical information from which to make a decision.

Please note that there was no damage to the aircraft, nor did any other guests complain at all about the landing or injuries. All indications are that it was a perfectly normal balloon flight and landing. My belief is that if there are any actual injuries, they are a result of preexisting injuries that would have prevented her from flying had we known. I do not believe there were any injuries as a direct result of the flight itself. This is solely my opinion however as currently there are still no medical information to substantiate any of this.

The above is as much information as I can provide. If there are any questions at all, please let me know. I am happy to assist in any way I can. Should you wish to

contact the representatives of the insurance company who might have more information, please let me know and I will get you their contact info.