



Vertical Aviation Technologies, Inc.

Helicopter Research, Design and Manufacturing

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National Transportation Safety Board
490 L'Enfant Plaza, S.W.
Washington, DC 20594

July 9, 2024

Dear Mr. Dennis Diaz;

I recently read the final accident report ERA24LA244, about a rollover accident of a Hummingbird helicopter in North Carolina. My company Vertical Aviation Technologies, Inc. manufactures this helicopter as an Amateur Build kit. It is based on an FAA Type Certified Sikorsky design that's been flying for 70 years. I am deeply disturbed by the lack of factual information and misguided statements provided with no investigating. Please read the following factual information.

We've been selling Hummingbird helicopters for 37 years with 370 located around the world. We have an excellent safety record and customer completion of the kits. My company has been an FAA approved Repair Station, owning PMA approvals as well as Type Certificates and many STC's. We are very experienced in helicopter manufacturing, research, and design in the Amateur Build market and commercial helicopter market.

The accident report includes a letter from the investigator from the Greensboro FAA-FSDO, Jerry Toms. In this letter Mr. Toms states that the helicopter had an inherent problem with the rotor system caused by vibration from the dampers, rigging, blade tracking and the manuals lacked the information to correct this. This is not factual and is far from the truth. He got this information from the pilot/owner, Mr. Ruth, and never followed up by contacting me or investigating further. I was never asked to be a party to the investigation. Mr. Toms even went as far to state the factory wasn't assisting Mr. Ruth and had I he would be enjoying his helicopter today. This is absolutely a false statement. I personally worked with Mr. Ruth helping with the problems he created. I re-timed his dampers and they checked perfect. I made him a video to assist him with understanding the written rigging instructions. I explained numerous times how to track the rotor blades. Mr. Toms refers to a video of the cyclic shaking which was actually caused by Mr. Ruth redesigning and changing the cyclic trim system, causing lost motion and stick shake. Again Mr. Toms made these accusations without consulting the manufacturer. Mr. Ruth also highly modified the structure of the airframe with no guidance, he installed a single nose wheel from a quadricycle system with no guidance for handling qualities or ground resonance testing, and he installed a Robinson helicopter hydraulic flight control system with no guidance. I told him not to. With all these changes it is not a Hummingbird 300L helicopter anymore and doesn't conform to the design. Mr. Ruth was a difficult customer, blaming everyone for his problems and Mr. Toms took his statement as the truth with no follow up.

For clarification the build/assembly/maintenance/flight/parts/structures/weight & balance manuals were written 37 years ago for the Hummingbird helicopter. Much of that information was taken from the original Sikorsky manuals approved by the FAA 70 years ago. Over the 37 years, with customer input, we have revised these manuals many times. We are continuously refining to this day as any OEM would. The Hummingbird design is 3D modeled with CAD drawings that we provide to builders as well. I've sold over 370 Hummingbird kits all over the

world and I can assure you there are no issues with these manuals, even with customers who have to translate them from English. Mr. Arlan Euler with the San Antonio FAA-MIDO recently reviewed and reevaluated these manuals and commented, "the level of detail provided by your assembly manuals is impressive".

The real fact not being told is that a bolt fell off the lateral primary flight control rod end causing the accident. The bolt was found missing by Mr. Ruth after the accident. He took a picture of it missing and said to another Hummingbird customer, Vic Syracuse, he must have left the nut off when he installed the hydraulic system. Later he reinstalled the bolt, I am assuming, before Mr. Toms arrived for his investigation. This picture was provided to me by the insurance adjuster, and I saw the bolt reinstalled (see before and after pictures). Vic Syracuse and I had a conference call with Ms. Spencer per my request and explained Mr. Ruth had found the cause of the accident. For some unknown reason she didn't want to hear this. She also stated that no one was blaming the manuals, however by adding Mr. Toms attached letter to the accident report she placed blame on the manuals. I don't understand her reasoning. The missing bolt directly caused the accident, and this is being covered up by Ms. Spencer and Mr. Toms. They were both told of this factual evidence and were sent the pictures and decided to not tell the truth in the final accident report. Fortunately for Mr. Ruth the bolt fell off in a hover otherwise he and possibly someone else on the ground would be dead and we would probably never know how the accident happened.

These accident reports are supposed to be factual findings in order to prevent a reoccurrence as Ms. Spencer stated in her email. This accident was not caused by loss of control or by lack of information in the manuals. It should not be added to "loss of pilot control" statistics but "maintenance error". I can provide all email correspondence with Ms. Spencer if requested.

Another correction to the accident report is the manufacturer is not Vertical Aviation. With all Amateur Build aircraft, the manufacturer is the builder of the kit. John Preston Ruth is listed on the aircraft registration as the manufacturer.

I expect nothing less than the truth and want the accident report corrected. My good reputation and that of the Hummingbird is being jeopardized by untruthful information. I look forward to your response. I do intend to take this as far as needed to get this corrected.

Sincerely,

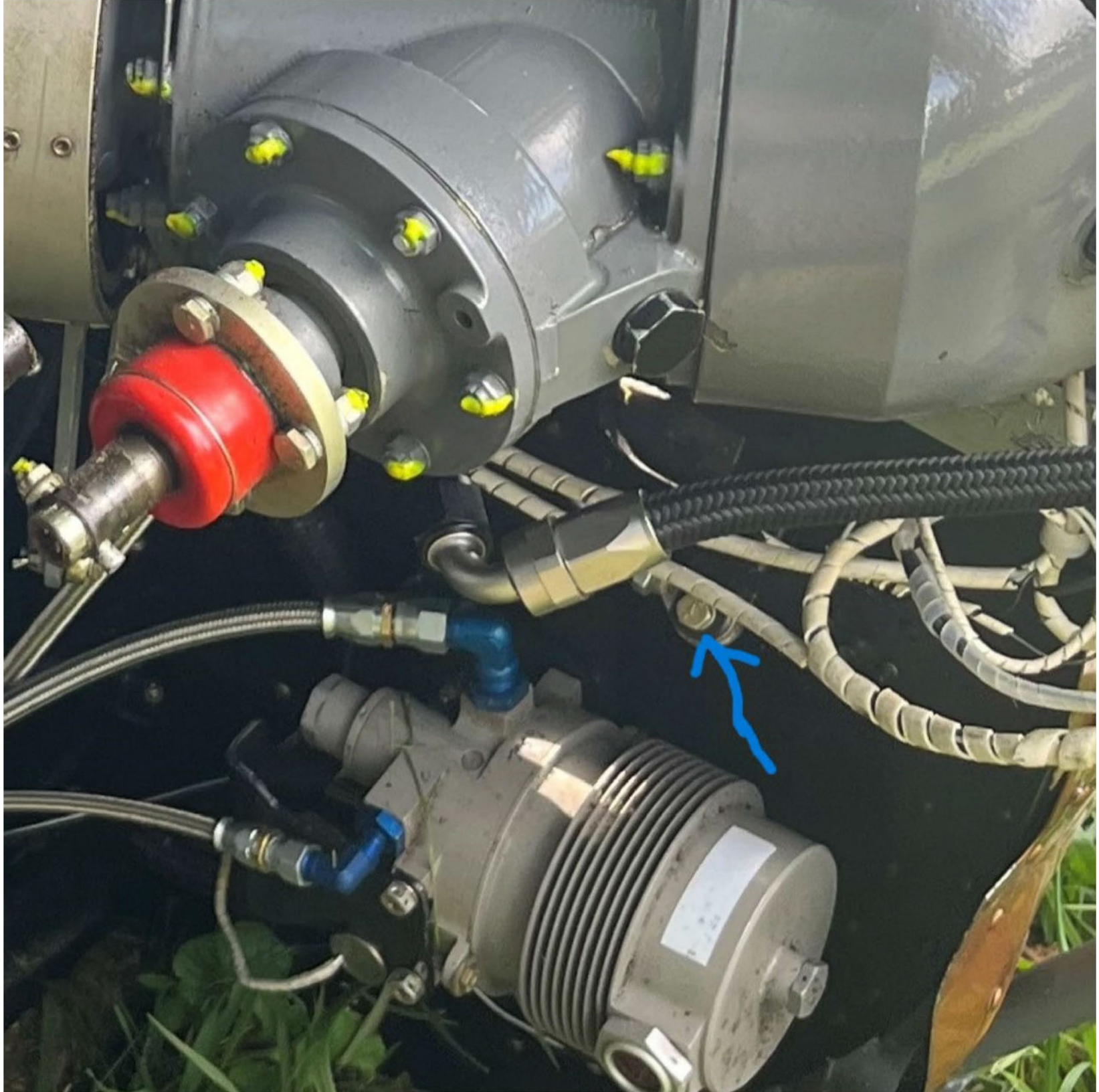
A black rectangular redaction box covering the signature of Bradley G. Clark.

Bradley G. Clark

President

Vertical Aviation Technologies, Inc





From: [Dennis Diaz](#)
To: [Correspondence](#)
Cc: [Luke Schiada](#); [Colette Hurley](#)
Subject: FW: Accident Report ERA24LA244
Date: Thursday, July 11, 2024 10:50:20 AM
Attachments: [NTSB Ruth Letter 2024.pdf](#)

Good morning MD-3,

I received the below and attached correspondence. After review and consult with AS-70, I believe that this correspondence is in the vein of a petition for reconsideration, though it still requires proof of service. I have not responded to this individual's email.

Thanks for your assistance.

Dennis Diaz
Chief - Eastern Region
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Office Tel: +1 (571) 223-3921

From: Bradley Clark [REDACTED]
Sent: Thursday, July 11, 2024 9:30 AM
To: Dennis Diaz <dennis.diaz@ntsb.gov>
Cc: anthony.congelosi@faa.gov
Subject: Accident Report ERA24LA244

[CAUTION] This email originated from outside of the organization. Do not click any links or open attachments unless you recognize the sender and know the content is safe.

Hello Mr. Dennis Diaz,
Please find attached my letter addressing a recent accident report issue by NTSB investigator Lynn Spencer and Greensboro FSDO investigator Jerry Toms. Attached are pictures referenced in the letter. I would appreciate your assistance in this matter.

Sincerely,
Bradley G. Clark
President
Vertical Aviation Technologies, Inc.