

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: \*

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ANDREW J. BARBERI \* Docket No.: DCA-10-MM-017

STATEN ISLAND, NEW YORK \*

\*

\* \* \* \* \*

Interview of: MAQBOOL AHMED

Staten Island Ferry Facility  
Staten Island, New York

Monday,  
May 10, 2010

The above-captioned matter convened, pursuant to notice.

BEFORE: LARRY D. BOWLING  
Marine Investigator

## APPEARANCES:

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I N D E X

<u>ITEM</u>	<u>PAGE</u>
Interview of Captain Maqbool Ahmed:	
By Mr. Bowling	7
By Mr. Gillette	45
By Mr. Furukawa	52
By Mr. Walsh	65
By Mr. Bowling	67

1 I N T E R V I E W

2 MR. BOWLING: We'll go on the record here, gentlemen.  
3 Okay, it is recording.

4 This is Larry Bowling with the National Transportation  
5 Safety Board and we are on location at the New York City  
6 Department of Transportation facility, Staten Island. We're going  
7 to be performing the interview on Mr. Maqbool Ahmed.

8 CAPT. AHMED: Yes.

9 MR. BOWLING: And we might be using -- we might be  
10 calling him Maq during the interview, just to simplify the names.  
11 But we're going to try and go with Mr. Ahmed or Maqbool.

12 CAPT. AHMED: Yeah, go with Maq.

13 MR. BOWLING: Maq is okay?

14 CAPT. AHMED: Maq is okay.

15 MR. BOWLING: So we'll go with Maq. And we'll start  
16 with the introductions to the other parties present at my table,  
17 going to my right, which will be Mr. Jon Furukawa.

18 MR. FURUKAWA: Jon Furukawa, Marine Accident  
19 Investigator with the NTSB and I'm the Group Chairman for Deck  
20 Operations.

21 MR. WALSH: Brian Walsh, Safety Manager, Staten Island  
22 Ferry.

23 MR. ORAVETS: Dave Oravets, Senior Port Captain, Staten  
24 Island Ferry.

25 CWO GILLETTE: Chief Warrant Officer Jim Gillette,

1 United States Coast Guard.

2 MR. MEEHAN: I'm Wayne Meehan of Freehill, Hogan and  
3 Mahar.

4 CAPT. AHMED: Maqbool Ahmed, Assistant Captain.

5 MR. BOWLING: Okay, thank you all.

6 Maqbool, what I'm going to do is, as we get -- go  
7 through the interview, if at any time any of the persons  
8 conducting the interview ask you a question and you don't know the  
9 answer, that's okay, you don't know the answer. You're a fact  
10 witness and that's what we're looking for.

11 I'm going to cover some things with the NTSB.  
12 Basically, our organization is a fact-finding body and we have no  
13 regulatory authority. What we do is we make recommendations to  
14 the Coast Guard or companies such as --

15 UNIDENTIFIED SPEAKER: Excuse me, Larry.

16 MR. BOWLING: Yes?

17 UNIDENTIFIED SPEAKER: I just need to interrupt one  
18 second.

19 MR. BOWLING: Sure.

20 UNIDENTIFIED SPEAKER 1: I have Hunter Hild outside, the  
21 marine engineer. Apparently engineering wants to interview him  
22 now, but I don't know if some of the people in this group need to  
23 interview him also.

24 MR. BOWLING: We do not, no.

25 UNIDENTIFIED SPEAKER 1: Okay, I just wanted to make

1 sure.

2 MR. BOWLING: Yeah, we're good to go. Thank you.

3 UNIDENTIFIED SPEAKER 1: Did you need to be there for  
4 him?

5 UNIDENTIFIED SPEAKER 2: I was supposed to be.

6 UNIDENTIFIED SPEAKER 1: Then we're going to have to  
7 postpone him until we can get you over there, so --

8 UNIDENTIFIED SPEAKER 2: I didn't know it was going to  
9 go parallel.

10 UNIDENTIFIED SPEAKER 1: I didn't know. Nobody advised  
11 me of what time and I've set up all the interviews for today that  
12 I know of, so -- sorry to interrupt.

13 MR. BOWLING: That's no problem.

14 UNIDENTIFIED SPEAKER 1: I'll tell them to postpone it  
15 for an hour?

16 UNIDENTIFIED SPEAKER 2: Yeah.

17 MR. BOWLING: Probably an hour and a half.

18 UNIDENTIFIED SPEAKER 1: An hour and a half. Okay, I'll  
19 tell them. Thank you.

20 UNIDENTIFIED SPEAKER 3: Thank you, John.

21 MR. BOWLING: But -- sorry, Mr. Ahmed. The NTSB, we are  
22 a safety organization and what we're going to do is we're going to  
23 look at this incident and if anything develops from it, where we  
24 can make a recommendation to either New York City DOT, the Coast  
25 Guard, ourselves, whoever, that will make a difference, we'll make

1 that recommendation. And that's predominantly why we're here. We  
2 don't assign liability and so forth. We're strictly looking at  
3 the facts and we're going to take that back. We generate a report  
4 -- unfortunately, it's about a year down the road, but that's just  
5 the government wheels in motion -- and it'll come out and it will  
6 have the facts, it'll have analysis, and it'll have conclusions  
7 and then recommendations.

8           So again, I want you to be at ease and, again, if you're  
9 uncomfortable at any time, temperature related or even answering a  
10 question, just, you know, let me know that, okay?

11           CAPT. AHMED: Sure.

12           MR. BOWLING: And if you don't understand me, if I talk  
13 too fast, let me know that, as well.

14           CAPT. AHMED: Sure.

15                           INTERVIEW OF MAQBOOL AHMED

16           BY MR. BOWLING:

17           Q. For the record, can you give me your full name and spell  
18 that for me on the record?

19           A. M-a-q-b-o-o-l, Maqbool. The last name is Ahmed,  
20 A-h-m-e-d.

21           Q. Okay. What is your present address?

22           A. [REDACTED]  
23 Flushing, New York 11358.

24           Q. Okay. And what is your preferred telephone contact  
25 number?

1 A. My house number [REDACTED]

2 UNIDENTIFIED SPEAKER: Could you say that again?

3 CAPT. AHMED: [REDACTED]

4 BY MR. BOWLING:

5 Q. Okay, thank you.

6 A. You're welcome.

7 Q. Before we get into the incident on Saturday, I want to  
8 get a little background on you.

9 A. Sure.

10 Q. I want to just get your sleep cycle. We need 72 hours  
11 preceding the incident; the Coast Guard needs 96. So rather than  
12 having to answer the questions twice --

13 A. Sure.

14 Q. -- can you tell me what you were doing basically in the  
15 96 hours preceding the incident?

16 A. Sure.

17 Q. Including rest, play, work.

18 A. Sure. Our shift, it start Friday to Monday.

19 Q. Um-hum.

20 A. Friday was our first day to work and prior to that I was  
21 off Tuesday, Wednesday, Thursday.

22 Q. Okay.

23 A. And mainly I stay home, stay with my family, my kids,  
24 and did my routine, regular routine, not anything out of routine.  
25 Didn't stay late during those --



1 Q. Okay.

2 A. -- three days. Didn't go to a movie or stuff, anything.  
3 Didn't watch TV late night or something. Just my regular stuff.  
4 And when I feel like sleeping, I went to bed and I slept good,  
5 wake up in the morning, do my things. I stayed with my kids and  
6 stuff and my wife and I --

7 Q. Okay.

8 A. -- do whatever I got to do in the house. And basically,  
9 in those three days I mainly just did regular stuff, nothing out  
10 of ordinary.

11 Q. Okay. But an ordinary day for that -- I don't know what  
12 your ordinary day is. Mine may be different from you. Your  
13 ordinary day, Tuesday through Wednesday or Tuesday through  
14 Thursday --

15 A. Tuesday through Thursday.

16 Q. -- just kind of give me that 24-hour cycle on your  
17 ordinary day.

18 A. On my off day?

19 Q. On your off day.

20 A. Off day, yeah. Monday night we stayed until 2:00.  
21 That's when our shift finished. And then from 2:00 it's like no  
22 traffic in the night at that time. It takes me an hour or a  
23 little less than an hour to get home. So around 3:00 I'm home. I  
24 change my clothes, change my uniform and stuff, wash myself and  
25 sometimes I take showers. Sometimes I feel sleepy and just wash

1 my feet and face and arms and just change myself, change clothes  
2 and go to bed.

3 Q. Okay.

4 A. And I sleep, I sleep good. I don't have to wake up for  
5 any reason early to do any kind of business Tuesday morning,  
6 because my kids are big enough; they go to school, they have the  
7 door keys and stuff and they get up, they wake up and they do  
8 whatever they got to do and they -- if I'm -- Tuesday morning I'm  
9 sleeping, they don't bother me and just carry on on their other  
10 stuff.

11 Q. Okay.

12 A. And I wake up whenever my sleep is -- my body is fully  
13 rested, I wake up, say, 11:00, 12:00 in afternoon, after 12:00, in  
14 the morning, in the afternoon, in between that time.

15 Q. Okay. Friday.

16 A. Friday.

17 Q. Start me out with Friday. That was your first workday  
18 after the couple days off?

19 A. Friday is the first, yes. Our shift starts 6:00.  
20 That's where we're supposed to be on the boat, 6:00. And I get up  
21 around 3:30, get myself ready, change, take a shower. I have  
22 to -- if I didn't take a shower prior to, I take a shower and  
23 stuff. And eat cereal sometimes. Some I don't feel like it that  
24 early morning to eat something, I don't eat. And get ready and  
25 drive down here. And before 6:00 I punch in and 6:00 I'm on the

1 boat.

2 Q. Okay. Now is that a.m. or p.m.?

3 A. A.M.

4 Q. A.M., okay. All right. And so you started your shift  
5 Friday at 6:00 a.m.?

6 A. 6:00 a.m.

7 Q. Okay.

8 A. The crew come in 6:30 and we make first trip 7:00.

9 Q. Okay. How was Friday? Was Friday uneventful?

10 A. It was everything normal.

11 Q. Okay.

12 A. And Friday is our first day. We come in, we do our SMS,  
13 startup and stuff and every Friday is our routine. We do our  
14 steering verification drill with the engine room crew. We call  
15 them. Whenever they're ready they go on one end. We do the -- on  
16 a page control and on wheels.

17 Q. Okay.

18 A. We go from zero to hard port, back from zero-zero to  
19 hard starboard on a boat. Stern propulsion and forward  
20 propulsion. The same way on the pitch, full ahead, zero, full  
21 astern. And we coincide with our reading with the engine room  
22 reading.

23 Q. Got you.

24 A. And everything works fine. Friday everything was well.  
25 We didn't find any problem.

1 Q. Okay. What vessel were you on Friday?

2 A. Barberi.

3 Q. Okay. And you were acting as assistant captain?

4 A. As assistant captain.

5 Q. Okay. So what time did you get off work Friday?

6 A. Friday we got off -- Friday we get (indiscernible) leave  
7 3:00 and we (indiscernible) out 3:30.

8 Q. Okay. And still not related to the accident, I'm just  
9 trying to get your schedule. So what time did you start work  
10 Saturday, then?

11 A. Okay, Saturday we come in -- usually we come in early  
12 than the regular start time because we usually do drill.

13 Q. Um-hum.

14 A. And 6:00 -- we make 6:30 trip and I come in -- Friday I  
15 come in -- I mean Saturday I come in -- let's see, we did drill  
16 Saturday. Let me figure. Yes, we did drill Saturday. Yes, we  
17 did fire-on-boat drill we did Saturday.

18 Q. Okay.

19 A. Crew came in 5:30. I came in 5:00.

20 Q. Okay. Did you -- how was your rest Friday night, back  
21 at the house, between shifts?

22 A. Oh, no, I'm sorry, crew come in 5:00. I came in 5:00,  
23 too.

24 Q. In the morning?

25 A. In the morning.

1 Q. Okay. So Friday night when you were at home, what time  
2 did you go to bed Friday night and what time did you get up  
3 Saturday morning?

4 A. Friday night, I left at 1530 from here. 1530. It took  
5 me a little more than an hour because it was a lot of  
6 traffic --

7 Q. Right.

8 A. -- on the way home. I was there by quarter to 5:00.

9 Q. Okay.

10 A. Yeah, a little before 1700, I was there.

11 Q. Okay.

12 A. And I went there, changed my clothes, washed myself and  
13 stuff and had a lunch with my wife and kids. And I went home, I  
14 went to bed early because it was a long day and I came in early  
15 and it was a whole day and then I went home and I went to bed. I  
16 would say, approximately, I went to bed earlier than everybody  
17 else went to bed. I would say I went to bed like 7:00, 7:30.

18 Q. Okay.

19 A. Yes. And then I slept and for Saturday I woke up a  
20 little after 3:00.

21 Q. Okay. Do you take any prescription medications?

22 A. No, sir.

23 Q. Okay. What about nonprescription medications?

24 A. Absolutely, no.

25 Q. Anything over the counter?

1 A. Nothing. No vitamins, no nothing. Absolutely none.

2 Q. How about recreational alcohol use? Do you drink  
3 recreationally?

4 A. I do not drink and do not smoke at all.

5 Q. Okay.

6 A. I never in my life.

7 Q. Okay. From the standpoint of -- I've got a good idea  
8 from your -- thus far, what your personal schedule was. Now I  
9 want to talk to you about just some fundamental background  
10 information on you as a mariner.

11 A. Sure.

12 Q. Can you tell me how you got from being a 14-year-old  
13 young man to the assistant captain on the A.J. Barberi? Walk me  
14 through that development that got you on the vessel Saturday.

15 A. Basically, I'm from Pakistan.

16 Q. Okay.

17 A. My nationality. I'm a citizen of United States now.

18 Q. Okay.

19 A. And I love to be here. Back in Pakistan, after my  
20 twelfth grade, I joined maritime college, a Pakistan marine  
21 college, Karachi.

22 Q. In Karachi?

23 A. In Karachi.

24 Q. Okay.

25 A. And did my two years deck cadet training. During my

1 two-year deck cadet training we went on ships to visit on ships  
2 and just -- with instructor, to get familiar with ships and other  
3 related routine and study-wise. And after two years in Pakistan  
4 marine academy, they have a direct contact with the PNSC, Pakistan  
5 National Shipping Corporation.

6 Q. Okay.

7 A. And once you pass out -- I mean, pass out means, once  
8 you finish the academy, pass out from the academy, I don't have to  
9 look for the job. I have to report to the PNSC and PNSC -- I go  
10 with the paperwork and stuff. They send me to shipping office and  
11 whatever the ship is available at the time, they put me as a deck  
12 cadet on that ship.

13 Q. Okay.

14 A. And I had to complete my sea time, like third mate and a  
15 second mate, during that period and that period will go well from  
16 three years to three and a half years. It depends how many days,  
17 how many months I took off during that period and stuff. And from  
18 academy I get nine months sea time, from the academy, for the  
19 third mate unlimited and second mate.

20 Q. Okay. Now, do you currently hold any licenses or other  
21 merchant mariner's documents issued by Pakistan?

22 A. No. I do have academy certificate with me, but I never  
23 brought third mate license with me --

24 Q. Okay.

25 A. -- because I didn't want to go deep sea anymore. At

1 that time I changed my mind. I go to -- maybe go for higher  
2 education and whatnot. But my resources were limited. I couldn't  
3 go for -- during that period I came to United States and then  
4 start everything marine-related like from here --

5 Q. Okay.

6 A. -- because I came to New York. Now, I came to New York  
7 and there's a good opportunity over here to be working on boats,  
8 tug boats, and -- like I worked with the Miller Marine Services  
9 out in Port Jeff. I enjoy it and it was a great time with Miller.  
10 And then I was fortunate to come to Staten Island. I put my  
11 resume in. I had no difficulty. They call me in. They sent me  
12 for the interview, sent me for medical; with no problem, I got  
13 hired.

14 Q. When was this? When did you get hired here?

15 A. I left May 30th from Miller and on June 1st I started  
16 right here.

17 Q. Of this year, or last year, I mean, 2009?

18 A. 2004.

19 Q. 2004. Okay.

20 A. It was 2004.

21 Q. Okay.

22 A. 2004, right. June 2004.

23 Q. Take a step back. I want to talk -- I want you to tell  
24 me about your Coast Guard licensing experience. When you came to  
25 America you didn't use any of your former credentials to --



1           A.    No, I didn't use -- basically I, you know, did some  
2 shore work, shore job on the shore and stuff. Not really kind of  
3 good jobs and stuff.

4           Q.    Right.

5           A.    And then I was -- still, I was interested to go find  
6 some -- my own career job related, marine-related job, and one day  
7 I find a Miller ad in the newspaper and I call Miller and say, you  
8 know, I'm looking for a job and stuff, and he call me in. He  
9 said, Maqbool, come in. He just checked, like I explained to you,  
10 my background from the marine academy and stuff. He was very  
11 happy and he called me in and he took the interview. He said,  
12 Maqbool, you're in. You can start -- you can join in and you can  
13 start working with -- I mean, I started as a deckhand with Miller  
14 and while I was with Miller, my -- I worked for the 100-ton near  
15 coastal captain license.

16          Q.    Okay.

17          A.    And he very well appreciated me. He said a lot of guys  
18 come here and they work here 10, 15 years; they're never  
19 interested, never talk to me. I'm glad you're interested. I help  
20 you any way you want it. And do it. I'd be glad to rehire you as  
21 a captain. And that's where I went to Baldwin Sea School.

22          Q.    Okay.

23          A.    And I joined that one and did my 100-ton license, near  
24 coastal.

25          Q.    Okay.

1 A. And that's where I started in the United States.

2 Q. In the U.S. Merchant Marine? Okay.

3 A. (indiscernible) my career.

4 Q. What license do you hold now? What is your current  
5 credentials?

6 A. I have a 100-ton coastal, near coastal license. I have  
7 unlimited radar and basic and advanced firefighting and related  
8 (indiscernible), those STCW courses, when I joined Staten Island  
9 Ferry. It was a program, go to Kings Point and get it done and  
10 got done that one, too.

11 Q. Okay. Now, are there any other endorsements on your  
12 license for inland waters, made of a certain tonnage vessel?

13 A. I went -- when I went for my assistant captain test -- I  
14 forgot who was the officer in the Coast Guard. I can't recall his  
15 name. But I went to him and I say -- I took time and everything  
16 from here and I went there. I said I have time on the Staten  
17 Island Ferry and this is the time I had prior to ferry with Miller  
18 Marine Services out Port Jeff. And every single boat, I had it on  
19 paper, time on a boat, hours.

20 Q. Your sea time?

21 A. Sea time, everything. And the officer told me you're  
22 good to go. But before you're good to go, you're holding a 100-  
23 ton license, near coastal, you have to go for the four modules  
24 before you can go for this assistant captain test for the chart,  
25 plotting the chart. I say no problem. I didn't know that but,

1 well, now I know. So I took my time to study for at least two and  
2 a half months and I took my four modules, which were chart work,  
3 nav journal, deck journal, rules of the road, and I took that. It  
4 was no problem. I bagged that one.

5           And then I put my paperwork in for assistant -- I mean  
6 for the pilotage. I did my upper bay first and I was in. I  
7 practiced. I practiced, well, like I would say like two and a  
8 half months or three months to prepare for the upper bay. And  
9 went in the Coast Guard, got it done with one shot. And that's  
10 how I started my -- I did my pilotage. But I did ask Coast Guard  
11 officer why I need it. He practically said that these modules you  
12 have to take, these are going to be equaling to mate. But as you  
13 applied for the assistant captain, that goes in your assistant  
14 captain record.

15           Q.    Okay.    Okay.

16           UNIDENTIFIED SPEAKER:    Larry?

17           MR. BOWLING:    Yeah.

18           UNIDENTIFIED SPEAKER:    First class pilot, that's  
19 unlimited tonnage?

20           CAPT. AHMED:    First class pilot, unlimited tonnage,  
21 inland.

22           UNIDENTIFIED SPEAKER:    Okay.

23           BY MR. BOWLING:

24           Q.    And from your perspective, when you're operating the  
25 vessel, what are you operating under? Do you operate under the

1 pilot endorsement or the 100-ton?

2 A. Under my pilot endorsement.

3 Q. Pilot endorsement. Okay. I've got a fairly good handle  
4 on it, I think, for myself, with regard to where you're at with  
5 your merchant mariner's credentials. So what I'd like to do now  
6 is to kind of move you forward to Saturday. Can you walk me  
7 through the day's events leading up to the incident? I don't want  
8 -- we're going to focus on that particular incident. But kind of  
9 just walk me through from the first time you interacted with --  
10 from the time you walked in the door here.

11 A. Oh, like when I started out my shift --

12 Q. Yes.

13 A. -- Saturday?

14 Q. Um-hum.

15 A. Yes. I came in. I palm in before 6:00. So 6:00 is our  
16 start time. I came in before 6:00, palm in, before 6:00. I went  
17 right on the boat. Captain Don Russell was there. Friday, it was  
18 Captain John Pulaski (ph.), and Saturday I came in and I find out  
19 it's not John Pulaski, there is a -- that Captain Russell is with  
20 us today.

21 Q. Okay.

22 A. So I went to the pilothouse. I started my -- I did my  
23 SMS, the startup and stuff, take care of my logbook, take care of  
24 my crew, make sure the full crew is on board, make sure how much  
25 fuel we got. And we have certain things to fill in the logbook,

1 which I took care of. That's my job, to take care of it,  
2 including that K-9 came on board, check the K-9, boat is clear,  
3 and SMS, startup completed, mates on board. They check off all  
4 three decks. Everything is fine. Nobody came to me that such and  
5 such, any kind of problem is there, anything was missing.  
6 Everything is in working order.

7           And then the crew come in after a half hour and the  
8 whole crew was on board on time. They sign in. They check in.  
9 They have their IDs and everything. I call down in the engine  
10 room, say, we got full crew down there, what's the fuel reading  
11 and stuff? They gave me the fuel reading. I called up the dock  
12 office. The dock office, I gave the fuel reading, this much fuel  
13 we have.

14           And then we call for line handlers. After doing our  
15 drill and stuff, we call line handlers. We need the line handlers  
16 to move up to the bridge and line handlers came on. And we got  
17 the power from the engine room. Whatever the time we get the  
18 power from the engine room, we test it that we got it. We got it,  
19 we ring them back that we got the power. We got the power. Move  
20 to -- the line handlers came in to get the lines off from the  
21 racks and move to the bridge and get them unhooked. And I checked  
22 with the mate, the boat is clear. The mate said boat is all  
23 clear. I called the dock office, the boat is clear for the trip  
24 and we were ready for the trip.

25           Q. So off you go? You get underway on your trip; you take

1 the trip? You had passengers on board at the time, right?

2 A. 6:30, we took the passengers. Our departure checklist  
3 conducted, arrival and departure, we do our routine. Every trip  
4 we do follow that routine, that checklist, and we depart. We  
5 depart.

6 I stay in-shore pilothouse and the captain stay in off-  
7 shore pilothouse during departure from St. George. And during  
8 that time he got a lookout guy on his side and one navigation mate  
9 on that side, because that's going to be the -- once I leave the  
10 slip, that's the operation of the pilothouse.

11 Q. Okay.

12 A. So downstairs, I got okay from mate, off the hook, clear  
13 to go, pull back from the bridge, pull back to zero, transfer the  
14 power, unlock the power, give bell to operating pilothouse. He  
15 rang me back, gave him the power, and he took the power.

16 Q. Okay.

17 A. I secured my pilothouse. As soon ferry is clear of the  
18 rack, I walk to the other side pilothouse and assisted, whatever  
19 captain wanted me to do, and stay in the other side pilothouse,  
20 operating pilothouse.

21 Q. Okay.

22 A. We went to Whitehall, normal approach, dock, did  
23 everything we're supposed to do. I walk back to my -- the Staten  
24 Island end, which is from Whitehall. I take the boat out from  
25 Whitehall and bring to St. George.

1 Q. Okay.

2 A. And there was no time delay. There was no -- everything  
3 on time, and we left on time from the other side, 7:00, 7:02, like  
4 by the time the hooks comes off and stuff and the mate give us a  
5 clearance. Not me, to the captain and the captain transferred the  
6 power to me and we left. Came back to St. George, our regular  
7 approach.

8 At the KV, before the KV, we call dock office, they give  
9 us -- assign the slip and we do our -- from Whitehall, like normal  
10 routine. I mean, from Whitehall, before departure, we call the  
11 Coast Guard on channel 14 and tell them that we're leaving from  
12 St. George, bound for -- leaving from Whitehall, bound for St.  
13 George. And if any concern traffic there, they let us know is any  
14 traffic there. And on channel 13 I make security call and come  
15 out of the slip.

16 Q. And you're saying you call the Coast Guard; you're  
17 calling Vessel Traffic Services?

18 A. VTS services. And make a security call on channel 13  
19 and come out of the slip.

20 Q. Okay.

21 A. And that's how -- yes, that's where I make approach at  
22 the KV, call dock office; they give us the slip. The same thing,  
23 I cut back on the RPMs from 700 or plus -- 705, 702, back to 600.  
24 That's our routine, to check on that one. I cut that back. The  
25 next second, cut the RPMs 75 (indiscernible), okay, 50, 25. And

1 it's well in a margin of five or a little less than five knots.

2           Before approaching the slip, I cut back. If I like to,  
3 I cut back on the one forward or starboard port on a zero and keep  
4 it on a stern propulsion in case I need forward and a back  
5 momentum. I mean, if I feel like it's like the wind is strong or  
6 the tide is strong, I keep both throttles on the 25 or so, but  
7 keep my speed in the limit and that's how we make approach. By  
8 the time we come inside the knuckle and the stuff, we reduce more  
9 speed, zero-zero to stern, back to zero. If need a little more  
10 speed to come a little more forward, come ahead a little bit, like  
11 to adjust our speed and our momentum before we touch to the  
12 bridge. And just then gently come to the bridge, touch the  
13 bridge.

14           Mate, the one side, the Jersey side mate takes care of  
15 the hook and this side man take care of the hooks. They put the  
16 hooks on. They have the safety line. They take out the safety  
17 line and they tell me "Boat is on hook. Clear to go." And  
18 meantime the captain's on salon deck and mate and deckhands, they  
19 take care of the salon deck and they open up the safety line and  
20 they let the passengers go.

21           Q.    Okay.

22           A.    And we did very fine, very regular way, without any  
23 problem, two trips. The third trip, we left from St. George; we  
24 went to Whitehall, made our journey, no problem with the same  
25 routine and everything. Came out from Whitehall perfectly, no



1 problem, any indication of a problem or anything, and came in the  
2 same I explained before. While I make approach, what I do, I did  
3 the same thing.

4           The KV called in and we were coming to 5 slip. By the  
5 time I reduced on the RPM, at the time approaching at the KV, I  
6 reduced on the pitch, 75, and then I reduced back to 50 and I was  
7 not getting any -- like on the Barberi class is some humming  
8 noise. Once we reduce the speed (makes noise) we can hear that  
9 that it's grabbing it, is grabbing. And the captain was behind  
10 me. My attention was forward. The captain was behind me and he  
11 said, "Maqbool, we're going fast." I said, "Captain, yes, we are  
12 going a little fast," I realize too. But I'm constantly cutting  
13 back and he right away told me, "Put it on zero, Maq; put a zero."  
14 I put it on zero. And he realized it's still not getting  
15 anything. He goes, "Full astern." I said, "Yes, Captain, full  
16 astern." And whatever captain was commanding me, I followed the  
17 captain orders. And meantime we were like kind of close to the  
18 slip.

19           Q.    If you need more water, too, let us know and we'll get  
20 you some more.

21           A.    Yeah. Close to the slip. The captain thought that if  
22 we increase the (indiscernible) we crash something. We're not  
23 hitting anything, absolutely nothing, and boat is like going, boat  
24 is just going. And my intention was like, at that moment, to keep  
25 the boat straight, at least not to kind of come in kind of with an

1 awkward angle to hit in such a way that we have no control at all  
2 on the boat at that moment. So I pretty much hold my boat angled  
3 into the slip. And as we came into the slip, we touched the rack  
4 a couple of time and then -- it's still my throttle was full  
5 astern and did not grab a bit of it for astern propulsion.

6 Q. Okay.

7 A. And, unfortunately, we came on our bridge and hit on the  
8 bridge, and in the meantime the captain blow the whistle. Captain  
9 inform on -- our navigational mate was there. He made the  
10 announcement on the PA well before coming into the slip that we  
11 have no control now. We came -- so he made the announcement and  
12 blast and blast and blast for the impact and did the whistle, then  
13 the signal, five short blasts, and we did whatever we could do to  
14 -- our best to handle in that situation and that's exactly we went  
15 through.

16 Q. Okay. I want to go back. I got the four days, or the  
17 four trips. I want to pick up on that fourth trip at the KV buoy.

18 A. Fourth trip?

19 Q. Coming back from Whitehall into St. George's.

20 A. Oh, second trip?

21 Q. That was your second trip. I'm sorry, yeah.

22 A. One, two and a third part of -- you mean like on the  
23 second trip but --

24 Q. The second trip back --

25 A. Back to?

1 Q. Yeah, back to St. George's.

2 A. Got it.

3 Q. Okay. At the KV buoy --

4 A. Right.

5 Q. -- you indicated that you hadn't noticed anything  
6 unusual or you said it was kind of operations normal.

7 A. Operation normal.

8 Q. So you were getting throttle response? The RPMs were  
9 okay?

10 A. RPMs are okay. Throttle response was okay.

11 Q. And then your pitch control was responsive?

12 A. Pitch control was responsive, responded.

13 Q. Okay. So at least in my mind, I'm going to ask you  
14 these questions, the vessel is just passing that KV buoy.

15 A. Right.

16 Q. You're at the helm, as I seen in the video.

17 A. Right.

18 Q. That's where I want to start questions. Now, at that  
19 point, what I'm seeing here --

20 A. But that's not the second one.

21 Q. It's farther in?

22 A. No, I'm talking about the second one, we're talking  
23 about the second trip. This was the third trip.

24 Q. On the third trip.

25 A. On the third trip.

1 Q. On the third trip. Okay.

2 A. Right.

3 Q. My misunderstanding. I thought it was the fourth trip  
4 of the day.

5 A. 6:30, 7:30, we were on the 8:30 trip, coming back for  
6 9:30.

7 Q. Okay. Okay. So it was actually the third trip this  
8 direction?

9 A. Yes, third trip --

10 Q. Okay.

11 A. -- this direction. 6:30; we did the 7:30; and -- yes,  
12 8:30 coming back. 6:30, 7:30, 8:30 -- 8:30, 9:00. We were coming  
13 for 9:30 trip.

14 Q. Okay.

15 A. We were coming back for 9:30 trip.

16 Q. So the number of trips on your shift from New York back  
17 to Staten Island.

18 A. Number of trips from St. George.

19 Q. Okay.

20 A. St. George back -- from Whitehall back to St. George is  
21 one trip, one roundtrip.

22 Q. Okay. All right. We're counting them differently.

23 A. Yes.

24 Q. All right. On the last trip, at the KV buoy --

25 A. Okay.

1 Q. -- inbound, prior to the accident, when did you first  
2 notice that the throttle or the pitch control was not responding  
3 to your input?

4 A. Okay. Yes, passed the KV, I did my routine as I do. I  
5 pull back on the RPMs. RPM responded properly. It cut back from  
6 700 to 600-plus, 620 or 6-some.

7 Q. Okay.

8 A. And at the same time I cut back 75 on the pitch and I  
9 didn't leave it there. Usually, I don't leave my hand from there  
10 and I pull back to 50. And that's where I realized I'm not  
11 getting it, boat is moving with a constant speed; there's no  
12 response. And the same moment Captain Don Russell say, "Maq,  
13 we're going with good speed." I said, "Captain, I'm not getting  
14 it. I'm constantly reducing the speed." He commanded me to put  
15 it on zero. I said, "Captain, pitch is on zero." He realized  
16 it's nothing; it's not respond, no response. Immediately he  
17 ordered me to full astern and I made a full astern and I kept it  
18 on a full astern before even get up to the rack. And in meantime  
19 it was not responding at all and Captain Don Russell increased the  
20 rev this way. If we get something, we get quicker.

21 Q. Right.

22 A. But unfortunately we didn't get anything.

23 Q. Okay.

24 A. If you don't mind, I want a break, take a little walk.

25 MR. BOWLING: Yeah, take a break. We'll pause and we'll

1 pick up here, take a quick restroom break and let Maq get some  
2 water and we'll pick back up.

3 MR. AHMED: Thank you.

4 (Off the record.)

5 (On the record.)

6 BY MR. BOWLING:

7 Q. All right, we're back on the record with Captain Ahmed  
8 and we were talking about the master -- last thing I wrote down  
9 was you talked about the master had increased RPMs.

10 A. RPMs, yes.

11 Q. And you were explaining, in your opinion, why he did  
12 that. So can you pick it up here?

13 A. In my opinion, is to get -- might get with the high rev,  
14 might get some response on the full astern pitch. So it might --  
15 if we get it, we get it quicker. In my opinion, that's the reason  
16 he did that.

17 Q. All right. You've seen the -- Captain, you've seen the  
18 video that we've captured from the bridge? Did you have a chance  
19 to look at that earlier?

20 A. Yes, I saw it that early, yes.

21 Q. What I'm going to do is I'm going to bring this up again  
22 and I want you to kind of walk us through that --

23 A. Sure.

24 Q. -- in your own words and tell me what's going on, okay?

25 A. Sure.

1 Q. All right. Make sure we don't spill this water  
2 anywhere. You stay right there.

3 A. Okay, okay.

4 Q. I'm going to turn this to you. You're the guest of  
5 honor today.

6 UNIDENTIFIED SPEAKER: Light off or light on or --

7 CAPT. AHMED: Light's fine.

8 UNIDENTIFIED SPEAKER: Good?

9 CAPT. AHMED: Yeah.

10 BY MR. BOWLING:

11 Q. Can you see it?

12 A. Yes.

13 Q. All right. And keep in mind, what I want you to do, I  
14 want you to just tell me your words what's going on, okay?

15 A. Okay.

16 Q. And keep in mind, we're taping this so that people who  
17 have not seen this, we're not --

18 A. All right.

19 Q. Describe it as you see what's going on.

20 A. All right.

21 (Videotape played.)

22 MR. AHMED: Right, this is past the KV. Like even when  
23 we started it, when you started this film, it's already past the  
24 KV because I don't see mate was making any call with the dock  
25 office or anything. That means he made the calls already for --

1 to get which slip we go into.

2 BY MR. BOWLING:

3 Q. Okay.

4 A. So mate was finished with the call and he called down  
5 engine room to tell them for the standby. So he done with that  
6 one, that function.

7 And my one hand is on a pitch and one hand is on a wheel  
8 and I was constantly bringing back, and that's where I felt that  
9 I'm not getting anything and that's where Don Russell felt that --  
10 he mentioned to -- "Maq, we're not cutting back on the speed." I  
11 said, "Yes, Cap, we're not cutting back on the speed." And I was  
12 already reducing more to get something and then that's where  
13 captain told me bring it to zero, immediately to zero. From zero  
14 to -- he ordered me to full astern, and that's where I can see --

15 Q. Okay.

16 A. -- that it came to full astern. My hands is on those  
17 controls, and is right here, those controls are right here on the  
18 -- full astern right here.

19 Q. Okay.

20 A. So that's where Don Russell is standing. That's the  
21 mate and that's Don Russell.

22 Q. Okay. You're referring to Don Russell as the individual  
23 at frame 25, or I've paused the video at -- on my indicator at  
24 00.25. And the individual to the left, with a three-striped  
25 shoulder board --



1 A. Shoulder board, three stripes, that's the captain.

2 Q. -- is the -- Captain Russell and --

3 A. Captain Russell.

4 Q. -- then the mate with the two?

5 A. With the two.

6 Q. Okay.

7 A. Yes, Aldean Codling.

8 Q. Before we go anywhere, Captain --

9 A. And on this side is a lookout guy.

10 Q. Your lookout. What was the lookout's name?

11 A. Lookout named Dan Russell. Oh, no, no. I'm sorry, I'm

12 sorry. Danny Sylvester.

13 Q. Okay. In this particular frame where I have it frozen,

14 you have your left hand on the control.

15 A. On the astern propulsion.

16 Q. Stern propulsion.

17 A. It's stern -- stern propulsion mean steering, on astern,

18 astern steering control. This is the forward one.

19 Q. All right.

20 A. This the (indiscernible) right underneath and forward

21 section and this is done -- it's done on the New York end.

22 Q. Okay.

23 A. My hand is New York end. And it's still my direction is

24 to R5 slip.

25 Q. Okay.

1 A. Yes.

2 Q. And then your right hand is on --

3 A. Right is on the throttle with the full astern.

4 Q. Okay. And which throttle is that?

5 A. With the captain command, because he asked me to do  
6 that.

7 Q. Okay. I'm going to start the video now.

8 A. Sure.

9 Q. Start this back up.

10 A. And now he realize that we not getting anything,  
11 anything here, is not coming. Is not coming, is not coming, is  
12 not coming. And we were kind of getting very close within --  
13 yeah, that's where he reach. So I reach -- I jolted that way to  
14 reach on a forward wheel at that time.

15 Q. Okay.

16 A. Yeah. That was -- my intention was not to reach on a  
17 control. That was the captain approach on RPM levels.

18 Q. Okay. I'm going to bring it back; I'm going to pause it  
19 right in an area I want to ask you a couple questions.

20 A. Sure. That's where this right -- oh, this one here.  
21 But that's where it was like 50 percent astern at that time --

22 Q. Okay.

23 A. -- where you saw my hand was from zero to 50 percent  
24 astern and Dan [sic] Russell eyes is right on that control and  
25 then that's where, I think -- that's where it was a full astern,

1 that time.

2 Q. Okay.

3 A. And Don Russell is like not getting anything. Boat is  
4 just going. It's flying, flying in the slip.

5 Q. Okay. Now, I want to look at your hand position.

6 A. Yes.

7 Q. Where's your right hand? I'm going to call it Frame  
8 031. I actually think it's a time indicator.

9 A. Yes. Yes.

10 Q. But where is your right hand? What are you doing there  
11 with your right hand?

12 A. Just have my hands on the throttles, on the pitch  
13 throttles.

14 Q. Okay. On the pitch --

15 A. On the boat. Neither one on a boat. Both together.

16 Q. Both together?

17 A. Both together.

18 Q. Okay.

19 A. Both together, right with full 100 percent astern.  
20 Supposed to get some kind of --

21 Q. Okay.

22 A. -- (indiscernible) from astern.

23 Q. And your left hand?

24 A. My left hand was on the right wheel because of the slip.  
25 I mean, right propulsion. So I made a turn. I made a turn to

1 avoid the knuckle and come towards the rack, towards the left  
2 rack.

3 Q. Okay.

4 A. And at that time was the last hour of current and a  
5 current was there, too. That's why it was -- approach was towards  
6 the knuckle and just right back in. And I made a turn. I made it  
7 just maybe like a half and because of the speed, because of the  
8 speed, boat is like -- I mean, with -- just touch, it's just give  
9 a response for the steering-wise.

10 Q. Okay. All right. Let me -- I'm going to jump back in.  
11 I'm going to pause it at another section and ask you a few more  
12 questions.

13 A. You saw on that wheel, I just gave like a not even a  
14 half.

15 Q. Right.

16 A. Not even -- like, not a full circle, not even a half  
17 circle on -- when my hand come back to the stern on an aft wheel.

18 Q. Okay. We're -- okay. What was the master -- what's up  
19 here on the console? What's he --

20 A. These are the RPMs. These are the RPMs controls.

21 Q. Okay. Okay.

22 A. And I pull back that time. He knew that I pull back on  
23 the RPMs. So he is giving -- he's increasing the RPMs right now.  
24 He's increasing the RPMs, so if we get it, we get it pretty quick,  
25 and even in that moment, we get it faster than the usual.

1 Q. Okay. And we've got the video paused at 3-9, I believe.  
2 All right. And so let's bring this up. At this point right here,  
3 did you notice anything that -- any real unusual noises on the  
4 bridge or anything other than -- I mean, obviously the vessel  
5 wasn't responding, but was there anything else that was unusual at  
6 the time?

7 A. On the bridge, nothing.

8 Q. Not on the bridge?

9 A. Nothing.

10 Q. Okay. And had any interaction gone on with the engine  
11 room prior to this?

12 A. No.

13 Q. No? Okay, okay.

14 (Pause.)

15 BY MR. BOWLING:

16 Q. Okay, right there.

17 A. I cut back to zero RPMs right away.

18 Q. Okay.

19 A. I cut -- that's where the RPMs were. And I stand up and  
20 boom, I bring it back to zero, like a full back.

21 Q. I think that's where I want to be. No, it needs to come  
22 back. Okay.

23 A. That's where it hit. I duck down and here I reach,  
24 bring it full back.

25 Q. Okay. So we've paused at Timeline 52 or Frame 52 on

1 there.

2 A. Right.

3 Q. And this is where you're basically disengaging the RPMs?

4 A. Bringing to zero.

5 Q. Okay.

6 A. Zero means still we get 400 -- 450, 475. Bring it fully  
7 back to, fully back to zero. That's where they stop.

8 Q. Okay.

9 A. 450, 475.

10 Q. Okay.

11 A. We usually keep it 520, 530.

12 Q. Okay.

13 A. To come out from the bridge. When we --

14 Q. Okay.

15 A. -- on a normal routine, keep it on that. So I just  
16 slowly take astern, to astern command, and boat move. As boat  
17 move from the bridge, I pull back to zero and that's where I  
18 disengage the power from here, is a red light here.

19 Q. Okay.

20 A. Is one green and one red light. I disengage the power  
21 from my end and come back to here and I give two buzz on this one,  
22 boom, boom, and I hear one buzz back from the captain. And then  
23 there is a switch in the middle. I push it and power to get  
24 transferred to the other side of the pilothouse.

25 Q. And that's what those functions were?

1 A. Those functions are.

2 Q. Okay. When you first turned around and were way down  
3 the line here -- or not way, but a few seconds down the line.  
4 When you first turned around after the collision --

5 A. Right.

6 Q. -- what did you say or ask the captain? You turn around  
7 and look --

8 A. I turn around because I duck down. I turn around, how  
9 is everybody else is doing next to me.

10 Q. Okay.

11 A. And that's what my -- I just immediate reaction, that  
12 I'm okay, that everybody else is okay or not. That was my natural  
13 response, I guess.

14 Q. Okay.

15 A. That's I can recall it.

16 Q. What was the captain's response back to you?

17 A. Captain response was -- towards me, was -- no, he -- it  
18 hit and immediately I think he made the calls. He made the calls  
19 to dock office. He made the calls to Captain Garvey and stuff.  
20 And this call, then, went back there. That's where he is -- you  
21 have the danger signal, call the man back there to make more  
22 announcement.

23 Q. Okay.

24 A. And that's where the PA system is located, right there.

25 Q. Okay. So basically, when you turn around there, you're

1 asking if everyone's okay?

2 A. Everyone is okay. Turn around and see everybody else is  
3 okay.

4 Q. Okay. We're at Frame 50 there.

5 I think that'll be all, at least from my use of the  
6 video, gentlemen. We'll kill that right there so you won't have  
7 to look at that.

8 (Video playback ends.)

9 BY MR. BOWLING:

10 Q. After the collision with the dock, tell me what happened  
11 post-collision. And what I'm looking for is I want to know what  
12 you did to ensure -- I saw what you did to ensure your -- at least  
13 the fellow members of the bridge were okay. What I want to know  
14 is what role you played and what actions you had in ensuring the  
15 rest of the crew members were okay, the passengers were okay, and  
16 then just all the events that happened afterward.

17 A. Happen afterward.

18 Q. Right.

19 A. And my immediately, when I turn around, I look my crew,  
20 everybody is doing fine, plus you probably notice that I pick up  
21 the phone and call engine room right away --

22 Q. Right.

23 A. -- to find out how they're doing in the engine room.  
24 And I spoke to chief and chief said they're doing fine. They're  
25 doing fine and they lost two New York and mains at that time, he



1 mentioned to me.

2 Q. Okay.

3 A. That he lost the power on two engines on the main  
4 engines on the New York end.

5 Q. Okay. What about the rest of the crew?

6 A. Rest of the crew, Pedro was on -- our mate,  
7 Pedro Ramirez, he was on a deck. He immediately came to the  
8 pilothouse. I mean, once we hit, the (indiscernible) came through  
9 the upper -- (indiscernible) landed right next to the ring area in  
10 the front. So captain right away came in to secure the  
11 pilothouse. He said you guys okay and this and that and -- you  
12 guys okay, you guys fine; just stay here, everything is under  
13 control. That's the cap's words were.

14 And the next minute, next moment, Pedro came on. I  
15 asked Pedro, "Pedro, how is the situation on the deck? How is,  
16 generally, how did" -- He goes, not a major casualty he saw, but  
17 he saw with that impact, people, you know, on the deck, they  
18 bounce up on the seats and towards the door and whatnot.

19 Q. Okay.

20 A. And that's where I peek through the window and everybody  
21 is rushing and the whole dock office crew and all -- whoever was  
22 available over there. I saw captain, night boat captain, he came  
23 around to help and other officials. Whoever were present there,  
24 they came rushing to --

25 Q. Okay.

1           A.    -- bring the gangway and right away, and they put the  
2 gangway meantime. All the rescue people came in and they start  
3 taking care of -- people, those were okay, they were taking them  
4 off. People, those were injured, they were taking care and taking  
5 them off, off the boat.

6           Q.    Okay.

7           A.    Right away.

8           Q.    All right. So the shore-side rescue, the shore-side  
9 response, was very quick is what I've heard from you and other  
10 witnesses.

11          A.    Yes. The deck crew did excellent job in that case.  
12 They told the passengers that some mechanical difficulty is there  
13 and the boat is going fast in the dock and just -- probably they  
14 heard the announcement, too. And, fortunately, there was no  
15 one -- I've been told there was nobody standing outside at that  
16 moment.

17          Q.    Okay.

18          A.    Thanks to God there was nobody standing outside.  
19 Everybody was inside the door. But it happened so quick, some  
20 people made it to the seats, some people didn't make to the seat  
21 and grab something to get -- and one, my other mate, Mulgrew --  
22 what's the name of the --

23                   UNIDENTIFIED SPEAKER: Kaitlin.

24                   CAPT. AHMED: Kaitlin.

25                   BY MR. BOWLING:

1 Q. That's fine.

2 A. Kaitlin. Kaitlin, she was standing with a woman, a  
3 woman had a baby in her hand. And she bring back, she -- that's  
4 her word. She bring back -- she was inside, but bring back,  
5 towards the back, whatever she could. And she grab her and she  
6 sat with the lady with the kid, and she said when we hit, we just  
7 got jolted and baby was safe, woman was safe without a scratch.  
8 And which in that situation, I was amazed at the job she did. And  
9 rest of the crew did their part and they did very well.

10 Q. Okay. Talk about communications between you and the  
11 captain, you and the master.

12 A. Yes.

13 Q. On the date of the incident, were there any  
14 communication issues? Were you two communicating frequently?

15 A. Frequently. None whatsoever any kind of problem or any  
16 kind of tension or any kind of -- nothing.

17 Q. Okay. My impression of your English is that you speak  
18 English very well. It's not your native tongue, obviously.

19 A. Yes.

20 Q. But do you have any issues from a standpoint of  
21 understanding English?

22 A. No, not at all.

23 Q. You're very fluent, in my opinion.

24 A. Not at all.

25 Q. Okay. So you were understanding the captain --

1 A. Absolutely.

2 Q. -- and he was speaking English?

3 A. Absolutely.

4 Q. Okay. And is that the working language of the ship,  
5 English?

6 A. English working language of the ship, yes.

7 Q. Okay. I'm still talking about communications. Just  
8 prior to the impact, the captain was giving you direction?

9 A. Captain was giving me direction.

10 Q. So you understood those directions?

11 A. I understood those directions.

12 Q. Okay. And how did you act upon those directions?

13 A. "Yes, Cap."

14 Q. Okay.

15 A. Whatever the command. He said bring it to zero. Zero,  
16 Cap. Full astern. Full astern, Cap.

17 Q. Okay.

18 A. And after full astern, captain didn't tell me to bring  
19 it back or nothing, keep it on -- I kept it on full astern until,  
20 unfortunately, we hit the bridge.

21 Q. Okay.

22 A. Yes.

23 MR. BOWLING: I think I'm getting close to wrapping up  
24 with my questions here. Let me just check one thing and then I'll  
25 turn it over to Jim with the Coast Guard. Actually, Jim, to

1 facilitate things, because the attorney's got to get to another  
2 meeting, why don't you go ahead and pick it up?

3 CWO GILLETTE: Okay.

4 BY CWO GILLETTE:

5 Q. Hello, Maq.

6 A. Hi.

7 Q. It's Chief Officer Gillette, for the record there. At  
8 any time did you notice the speed off of an indicator or anything  
9 when you were coming in past the KV buoy?

10 A. Past the KV when I cut back and -- it's my routine.

11 Q. Uh-huh.

12 A. I look back, I look on the radar screen. That was 13  
13 knot.

14 Q. And when you say you cut back, after the KV?

15 A. On the RPMs.

16 Q. On the RPMs?

17 A. On the RPMs.

18 Q. And that was from what?

19 A. From 700, 705, to 610, -20.

20 Q. Okay. So just past the KV buoy?

21 A. Just past the KV.

22 Q. You moved the RPM.

23 A. Immediately, my --

24 Q. Okay.

25 A. -- look was on the radar screen, 13 knots.

1 Q. And at that time were you still at 100 percent pitch?

2 A. No. I cut back to 75, cut back to 50, and like  
3 regularly I kept -- probably you gentlemen saw on the video that I  
4 never lift my hand from the control. And that's exactly that's  
5 where that time Captain Russell came in, took over, like -- I  
6 mean, he started commanding me what next to do.

7 Q. Okay.

8 A. Because he realize, cap, boat is not slowing down. And  
9 I realized -- immediately, I realize and hear it right away, too,  
10 that the boat is not responding. So that's where we started that  
11 function --

12 Q. Okay.

13 A. -- on the command of captain.

14 Q. When you brought it down to 75 percent pitch --

15 A. Right.

16 Q. -- also, did you look at the speed each time you brought  
17 it down on pitch?

18 A. I do look on the speed, but like, the momentum of the  
19 boat, once we cut back, immediately we realize boat is --  
20 definitely boat isn't responding and the boat is cutting on the  
21 speed and we constantly -- as we approach, we check on the speed.  
22 But in this particular case, like when we cut back, the  
23 (indiscernible) boat is not responding. Boat is not responding  
24 and getting kind of close to the rack. And I just follow the  
25 captain's order at that moment.

1 Q. Was the last -- then 13 knots would be the last reading  
2 you actually --

3 A. Actually, I saw on -- by the KV.

4 Q. What was that again?

5 A. At the KV buoy.

6 Q. Yeah.

7 A. KV.

8 Q. It was 13 knots?

9 A. Yes, 13 knots.

10 Q. And that was the last time you actually saw --

11 A. That was the last time I --

12 Q. Okay.

13 A. -- saw (indiscernible).

14 Q. Also, on your pitch handles --

15 A. Pitch handles, right.

16 Q. -- there's a pitch indicator there, as well, right?

17 A. Right.

18 Q. When you bring down the handles --

19 A. Right.

20 Q. -- do you match up and make sure that the pitch handles  
21 and the indicators are the same?

22 A. Yes, we do that. Yes, we do that.

23 Q. Did you do it that day?

24 A. Every trip we do it and we do it bring to 75. And from  
25 75, and I realize it's not responding anymore, we cut back to 50

1 and whatnot, it's just -- captain start -- that's where the  
2 captain start commanding whatever it was, captain was ordering me.  
3 Then I was paying attention to -- directly to his orders, what  
4 kind of command he want from me.

5 Q. Okay. Just so I understand, because I'm a little  
6 confused --

7 A. Right.

8 Q. -- when -- I know you said that you do check it.

9 A. Right.

10 Q. But I want to know if you checked it at that time. When  
11 you brought back to 75 percent --

12 A. Seventy-five percent, right.

13 Q. -- did you look at the pitch indicator and make sure  
14 that it was reading 75, as well?

15 A. I don't recall it at this moment. Like this my routine.  
16 I look at all the time and I cut back and boat is responding.  
17 That means boat is responding right there.

18 But as I cut on -- I don't recall it whether I directly  
19 look on that one whether boat responded or not, but as I was kind  
20 of cutting back, I sense that boat is not responding at all in  
21 this case. And that's where Captain Russell immediately come in  
22 and he note that the boat is not doing anything that is command,  
23 whatever we're doing. So --

24 Q. Okay.

25 A. -- that's what it is.



1 Q. So at this -- at that current time when you were making  
2 pitch movements with the handles --

3 A. With the handles, yes.

4 Q. -- you didn't match the indicators? You didn't -- let  
5 me rephrase that. When you were doing it -- I know you said  
6 that's something that you generally do --

7 A. Right.

8 Q. -- however, this situation on Saturday --

9 A. Generally, actually, boat responds. Just give a touch  
10 on this, this boat like vroom, like the rev goes up and comes  
11 down. That's the boat response, natural response, from the  
12 control --

13 Q. Um-hum.

14 A. -- that boat is -- I mean, whatever the control we  
15 operating with on a pitch, that's exactly boat is respond.

16 Q. Okay. So I understand that you feel -- you got a feel  
17 for the boat.

18 A. Feel for the boat, yes.

19 Q. I understand you got a great feel for the boat.

20 A. Right.

21 Q. What I'm trying to understand is if you, during that  
22 situation, recognized that when you moved the pitch handles --

23 A. Pitch handle, right.

24 Q. -- that that command was matched by the pitch indicator  
25 itself or you just pulled the handles and had the feeling for it.

1 That's what I'm trying to see the difference.

2 A. No, I pull back. I pull back and I didn't -- on like  
3 when I pull back, I didn't recall that that indicator moved back  
4 with my action.

5 Q. Okay.

6 A. Yes, it did not. It stayed in a forward motion. Like,  
7 it just did not jam back with my throttle action.

8 Q. So the pitch indicator --

9 A. Pitch indicator --

10 Q. -- stayed --

11 A. -- stayed there.

12 Q. Stayed at what position?

13 A. Stayed -- pitch indicator on -- with a full ahead don't  
14 go all the way to 100 percent.

15 Q. Okay.

16 A. Yes, it's there a little before 100 percent. And when  
17 we cut back, it does come back as we control the pitch. But it's  
18 this particular moment, didn't come back.

19 Q. Okay. So when you brought it back --

20 A. Brought it back, it didn't come back.

21 Q. Which one didn't come back, the New York side or the --

22 A. Oh, the both sides.

23 Q. Both sides?

24 A. Both sides, both sides.

25 Q. So both sides stayed at --

1           A.    It stayed in a forward -- I would say in a forward  
2 momentum.

3           Q.    And which number on the indicator would that be?

4           A.    Number, I can't recall what number exactly in that  
5 situation.  It was happening so quick that I can't recall number.

6           Q.    Okay.  I know the communication, what you were saying  
7 with the communication with the captain.

8           A.    Captain, right.

9           Q.    Did you tell the captain that the response -- you were  
10 getting no response?

11          A.    No response at all.  I was saying, "Cap, I'm not getting  
12 any response."  That's where he reach on -- to rev up the RPMs.

13          Q.    Okay.  Did you --

14          A.    To at least get something.  And I kept it on a full  
15 astern.  I said, "Cap, I'm not getting anything."

16          Q.    Did you tell the captain that you were not getting  
17 response first or did the captain tell you to slow down?

18          A.    No, no.  As I was going, I said, "Captain, I don't  
19 get -- I'm not getting any response," and like that's where, like,  
20 full astern.  That's where captain told me to go to full astern.

21          Q.    Do you remember --

22          A.    Like -- and I was telling him that, "Cap, I'm not  
23 getting anything."

24          Q.    Okay.  Do you remember --

25          A.    I'm not getting anything and that's -- yeah.

1 Q. Do you remember at which pitch on the handles?

2 A. Both. Both together.

3 Q. Both together. Do you remember when you told him that  
4 you were not getting it, which percentage it was at?

5 A. It was -- I believe at that moment was 50 percent. I  
6 had it on 50 percent because I was constantly -- had my hand and I  
7 constantly was bringing it back.

8 Q. And do you remember where the boat was physically --

9 A. Physically --

10 Q. -- as far as maybe boat lanes, were you inside, were you  
11 by the slip? Were you a boat lane back, two boat lanes back?

12 A. It's boat -- little -- well, boat length off the racks,  
13 before the racks. That's where captain told me to zero and a full  
14 astern and I kept it on a full astern. I would say little bit  
15 more than a boat length, our boat length.

16 Q. The boat length of the Barberi?

17 A. Boat length is 310 feet, yes.

18 Q. Okay.

19 A. Barberi.

20 Q. Okay, thank you. Thank you.

21 A. You're welcome.

22 MR. BOWLING: Jon?

23 BY MR. FURUKAWA:

24 Q. Yes, Captain. Hi.

25 A. Hi.

1 Q. Jon Furukawa, NTSB. So, prior to the KV buoy, you're at  
2 100 percent pitch, was about 13 knots.

3 A. Right. No, it was 100 -- with that 100 percent, it  
4 probably was more than 13 knot. When I cut it on the RPM, when I  
5 cut on the RPM, that's where I notice it was 13 knot.

6 Q. Okay. And when you cut the RPM, that was at 75?

7 A. It was --

8 Q. Seventy-five percent.

9 A. -- 700.

10 Q. Pitch?

11 A. No, it's RPMs.

12 Q. Okay.

13 A. Revs.

14 Q. Okay. Well, you cut the revs, not the pitch?

15 A. Not the pitch -- pitch as well as -- soon I cut that  
16 one, as I cut the pitch, too.

17 Q. Okay. And the pitch went to what percentage?

18 A. Seventy-five.

19 Q. Seventy-five.

20 A. And then like -- 75 I don't -- we don't keep it to 75;  
21 bring it to 50. That's where our -- the standard to bring it to  
22 50.

23 Q. Okay. And so when you brought it to 75 --

24 A. Right.

25 Q. -- was that where it did respond or it did not respond?

1           A.    Did not respond.  That's where I bring back to 50 to  
2 let's see maybe -- I mean, it's my illusion that something is not  
3 responding and bring it to 50, and that's where captain is stand  
4 or captain say, "Maqbool, we're going fast."  I said, "Yes, Cap,  
5 we're going fast," but I'm bringing it back all the time and I'm  
6 not getting anything.  And that's where put zero and zero to full  
7 astern.

8           Q.    Okay.  So is it a correct statement that -- let's see.  
9 At the KV buoy --

10          A.    Yes, sir.

11          Q.    -- that you -- did you have control of -- did the  
12 pilothouse have control?

13          A.    Pilot has the control, pilothouse has control.  There  
14 was no kind of indication, no kind of any alarm I heard or  
15 anything --

16          Q.    Okay.

17          A.    -- that sort of.

18          Q.    So when would the engines have been non-responsive from  
19 the pilothouse?  At the KV buoy or --

20          A.    Well, we really wanted to -- that's our routine when we  
21 really want to reduce the RPM and the speed and the pitch.

22          Q.    Okay.

23          A.    That's where we notice that the engine's not responding.

24          Q.    Okay.  So at the KV buoy, that's --

25          A.    Yes, like past -- because we're moving, it's not -- like

1 we're moving with a good speed coming in. I mean, inside the KV  
2 already.

3 Q. Okay. Okay. So you said at zero RPM, the indicator,  
4 it's actually really doing about 450 to 475 RPM; is that what --

5 A. That's where -- my understanding is that's where it just  
6 stays if I just bring it back all the way to zero, that's where --  
7 when engine room engage their shafts, that's where those RPMs, it  
8 stays on those numbers.

9 Q. Okay. Let's see, for background, how old are you, sir?

10 A. I'm 47, sir.

11 Q. Forty-seven, okay. And how long did you work for  
12 Miller?

13 A. Miller, I --

14 Q. Miller Marine.

15 A. Miller Marine, I work for five years.

16 Q. Five years. And what kind of vessels did they operate?

17 A. They have work vessels, utility vessels, landing crafts.  
18 They do Coast Guard boarding parties. They provide crew service  
19 from offshore platform to -- like, one is on North Fork in the  
20 Long Island Sound and one is at Tosco (ph.) Riverhead. That's  
21 where Miller has the contract, I guess. That's where he provides  
22 services.

23 Q. Okay.

24 A. And he also have the boat service in New Haven. But New  
25 Haven, there's a separate captain take care of that business. We

1 seldom go over there and help them out for any --

2 Q. So you're working at Fort Jefferson?

3 A. Working out in the Long Island Sound, basically the  
4 three brothers. Mark Miller, over here, he basically handle all  
5 kind of boat service and spill things and other boating parties  
6 and stuff in New York Harbor to the Throgs Neck Bridge and City  
7 Island, and from there to Riverhead is a Miller Marine Services  
8 out in the Port Jeff. He does that.

9 Q. Okay. And when you were working for Miller, that's when  
10 you got your license.

11 A. Right.

12 Q. How many -- of those five years, how many years were you  
13 working as operator of a vessel for Miller?

14 A. I believe was two years.

15 Q. Two years?

16 A. Yes. Or close to two years.

17 Q. Okay.

18 A. That's where I work as captain.

19 Q. Okay. What's your hometown?

20 A. Flushing, New York.

21 Q. Or --

22 A. Oh, back from Pakistan?

23 Q. Um-hum.

24 A. Is Karachi.

25 Q. Okay. And for nautical training was the Pakistan



1 Maritime College or Marine College?

2 A. It was a Merchant Marine Academy. Pakistan Merchant  
3 Marine Academy Karachi.

4 Q. Okay. And what year did you graduate?

5 A. '82. Long time.

6 Q. Okay. Did you come out with a bachelor of science  
7 degree or --

8 A. At that time they were working on it, but we didn't get  
9 from that. But whoever came afterward, they got that bachelor of  
10 science --

11 Q. Okay.

12 A. -- degree with a marine degree.

13 Q. Okay.

14 A. But at that time they were working on that process.

15 Q. Okay. So from --

16 A. The Board of Education.

17 Q. So from '82, you were working for the Pakistani National  
18 Shipping Company?

19 A. PNSC, yes.

20 Q. And how many years were you employed by them? Was that  
21 just for cadet?

22 A. I complete -- just a cadet. I complete my sea time  
23 and --

24 Q. Okay.

25 A. -- I did my third mate unlimited over there.

1 Q. Okay. So that would be about 1984 then, the two years.

2 So what did you --

3 A. Five, '85.

4 Q. '85?

5 A. Yeah.

6 Q. So what did you do between '85 and when you started  
7 working for Miller?

8 A. Oh, when I came, I work on odd jobs like in a  
9 restaurant, some gas stations and whatnot. And meantime I was  
10 constantly looking for the job which I had interest for and that's  
11 where I saw Miller advertise in the newspaper --

12 Q. Okay.

13 A. -- and I called him. I called a couple of places  
14 before, prior to that, but didn't get a job.

15 Q. So what year did you start working at Miller?

16 A. Deckhand.

17 Q. What?

18 A. Deckhand.

19 Q. No, no. What year?

20 A. '98, '99.

21 Q. Okay. So do you have any other sea service other than  
22 as a cadet for Pakistani National Shipping Company?

23 A. No. I all use the sea time, whatever the sea time I had  
24 over here with the Coast Guard.

25 Q. Okay.

1           A.    Yes.  I didn't use any sea time -- I was even not sure  
2 whether the Coast Guard going to accept that, whatever my  
3 credential was back from there, accept or not.  So whatever I  
4 started, I started from the scratch.

5           Q.    Okay.  But for your license for Pakistan would be a  
6 fourth officer, which is --

7           A.    Right.

8           Q.    -- a third mate equivalent.

9           A.    But I believe it's not acceptable in the United States  
10 Coast Guard.

11          Q.    Well, no, your sea service is.

12          A.    Sea -- yes.  But for --

13          Q.    They make you retake your exam.

14               MR. BOWLING:  What was the question, Jon?

15               BY MR. FURUKAWA:

16          Q.    So there's no sea service after, as a deck cadet --

17          A.    Right.

18          Q.    -- from -- but so from '85 to 1998, where are you?  Are  
19 you --

20          A.    I came to United States in between there, during that  
21 period because of my sister-in-law live long before that live over  
22 here, and I came over here on, you know --

23          Q.    Okay.

24          A.    -- and that's where I -- like I mention, I work in the  
25 restaurants, gas stations, and at one time I did drive a cab, too.

- 1 I don't have to (indiscernible) for that one because --
- 2 Q. Okay.
- 3 A. -- that's --
- 4 Q. Okay.
- 5 A. -- whatever I could, I did.
- 6 Q. Okay. So no sea service between 1985 and 1998?
- 7 A. No.
- 8 Q. Okay.
- 9 A. No sea service.
- 10 Q. Okay. And let's see. We heard about the knuckle. So
- 11 there was concern about the knuckle, that you had to steer, make
- 12 sure you didn't have to steer away from it?
- 13 A. Oh, that's where we make the approach.
- 14 Q. Right.
- 15 A. There's a knuckle I mention is like my approach.
- 16 Q. Right. But was --
- 17 A. To the pier.
- 18 Q. -- that a concern?
- 19 A. To the slip.
- 20 Q. Okay. Was that a concern of yours as you were
- 21 approaching the slip?
- 22 A. No, no, no. It's no concern with the knuckle.
- 23 Q. Okay. For this, during this --
- 24 A. During this.
- 25 Q. Okay. And when was the last time you know for sure that

1 the bridge had positive engine control? That would've been before  
2 the KV buoys?

3 A. Exactly. That's where I was in perfect 100 percent that  
4 we got the control and boat is doing fine.

5 Q. When did you go to 100 percent?

6 A. Like, before we made the call to dock to find out which  
7 slip we're going to.

8 Q. So on the transit from New York to Staten Island --

9 A. Staten Island.

10 Q. -- was that all -- that was 100 percent?

11 A. That's 100 percent from Whitehall up to KV, before KV  
12 before we made the calls.

13 Q. Okay. So you put it at 100 percent at Whitehall or --

14 A. Like, when we come out from Whitehall.

15 Q. Okay. That's --

16 A. And then 100 percent in-between and --

17 Q. Okay.

18 A. -- that's --

19 Q. So when you put to 100 percent, is that the last time  
20 that you know for sure that the bridge had positive control of --

21 A. Positive control.

22 Q. -- the engines?

23 A. Yes, sir. Yes, sir.

24 Q. Sorry. And you put it a 100 percent when you were  
25 abeam of Whitehall? Is that when you go to full speed?

1 A. No. No, no, no. No, no. Once we come out --

2 MR. BOWLING: What's the question?

3 CAPT. AHMED: We do not come out 100 percent from the  
4 slip.

5 BY MR. FURUKAWA:

6 Q. When did he put it into 100 percent. Because when you  
7 put it at 100 -- the way I understand it, when the captain put it  
8 at 100 percent, that's the last time we know for sure that --

9 A. I can --

10 Q. -- the engine --

11 A. I can -- you want me to draw?

12 Q. Yeah.

13 A. I can draw that one.

14 Q. Yeah, yeah, yeah. That's fine.

15 A. Like --

16 MR. BOWLING: And what Jon's looking for is basically --

17 CAPT. AHMED: Right.

18 MR. BOWLING: -- when are you confident that you had no  
19 control from the pilothouse?

20 CAPT. AHMED: Here's Whitehall. Whitehall --

21 BY MR. FURUKAWA:

22 Q. That he had control of --

23 A. No, I put it to 100 percent.

24 Q. So you put it --

25 A. That's what is the question, maybe. I'm not -- if I'm

1 not wrong.

2 Q. You put it at 100 percent on the New York side when you  
3 start doing your transit.

4 A. Right.

5 Q. And is that the last time that we know for sure that the  
6 bridge had positive engine control? Because when you pass --  
7 you're at 100 percent from there all the way to the KV buoy --

8 A. Yes.

9 Q. -- and when you put it to 75 percent --

10 A. Right.

11 Q. -- what I understand now is that it didn't go to 75  
12 percent. So the last time that you -- you know, engine order was  
13 made was at Whitehall?

14 A. Whitehall, right.

15 Q. Okay.

16 A. Like, Whitehall is our -- I just give you a hand what we  
17 do.

18 Q. Sure.

19 A. Whitehall, when captain back off on the bridge and send  
20 me the control, I take it over. I increase the RPMs. I don't  
21 increase all the way, maybe in-between 5- and 600 RPMs, and then I  
22 increase the pitch, pitch of 25, 25 to 50, and the boat is start  
23 coming out. And here is the 35 buoy. Aim towards the 35 buoy and  
24 if no concern, traffic or anything, that's our -- aim towards the  
25 35 buoy. When we like a quarter mile from the 35 buoy, we make

1 our turn and at this spot, like we put our RPMs to normal,  
2 whatever the operating RPMs, and 100 percent pitch.

3 Q. And that's before the 35 buoy or when you're passing the  
4 35 buoy?

5 A. Passing 35, when we make our turn -- when we straighten  
6 our -- straight our boat towards the St. George.

7 Q. Okay.

8 A. So that's the 35 buoy right there, before -- it's like  
9 north of the statue.

10 Q. Okay. So you went up to 100 percent for pitch.

11 A. Right. Thanks.

12 Q. What were the RPMs at that time?

13 A. 700.

14 Q. 700?

15 A. 700.

16 Q. And you had increased it -- when you went to 100 percent  
17 pitch, you also went to 700 RPMs?

18 A. 700 RPMs.

19 Q. Okay. So for -- and this transit from New York to here,  
20 did you -- you didn't change the pitch. Did you change the RPMs?

21 A. No. No, sir.

22 Q. No? Okay. So, and now, as you're going past the KV  
23 buoys, that's when you went to 75?

24 A. That's where our check -- that's where we follow our  
25 checklist.



1 Q. And that's where you don't know, you know, if the  
2 engines responded?

3 A. RPM responded. That's for sure, 100 percent I'm sure.  
4 RPM responded but pitch did not respond.

5 Q. Okay. But you didn't change the RPMs; it was still at  
6 700?

7 A. No, I did change the RPMs at the KV.

8 Q. At KV to what?

9 A. Yeah, I cut back. Cut back to 600, from 700 to 600,  
10 600-some.

11 Q. Okay. The pitch didn't respond. Okay, thank you.

12 A. You're welcome, sir.

13 MR. BOWLING: Okay. Brian? Where did you go?

14 BY MR. WALSH:

15 Q. Brian Walsh, Staten Island Ferry.

16 A. I'm Magbool Ahmed, Assistant Captain.

17 Q. On Saturday morning before the watch, you said you  
18 performed a drill?

19 A. Saturday morning we perform the drill.

20 Q. And what type of drill was that?

21 A. It was a fire on board drill, fire and MOB. According  
22 to our monthly regime.

23 Q. And upon impact with the bridge at St. George, you said  
24 you lost the two engines on the --

25 A. That's what chief -- when I call down, he said everybody

1 is doing fine, everybody is okay, and he said everybody is fine  
2 and look like we lost two engines, New York end.

3 Q. Was there any type of indication, alarm indication in  
4 the pilothouse to signal it?

5 A. General alarm ring when we hit. General alarm  
6 immediately rang. And those RPMs went down (makes noise) to zero  
7 on two engines and he restarted later on.

8 Q. What is the normal operating speed of the vessel?

9 A. Normal operating speed is -- varies upon wind and  
10 current condition. If we got following current, we get more  
11 speed. If we get bucking current, opposite current, we reduce  
12 good, I would say, like good five knots with the good current,  
13 opposing current.

14 Q. So on the path that you cross, when you left Whitehall,  
15 when you went to 100 percent pitch --

16 A. Right.

17 Q. -- and you had your RPMs up to 700 --

18 A. Right.

19 Q. -- did you ever see what the speed was at that time?

20 A. That time, roughly, I would say -- roughly I would say  
21 15, 16 knots.

22 Q. And then when you were passing at the KV buoy --

23 A. KV buoy.

24 Q. -- and you reduced --

25 A. Reduced RPMs.

1 Q. -- RPMS and you reduced pitch?

2 A. And -- no, RPM I reduced. With the pitch, I don't  
3 recall that made any difference on that speed, but that time was  
4 13 knots.

5 Q. Okay, thank you.

6 A. You're welcome.

7 MR. BOWLING: Okay. Dave?

8 MR. ORAVETS: I don't have anything.

9 MR. BOWLING: Jim?

10 CWO GILLETTE: No more questions, no.

11 BY MR. BOWLING:

12 Q. Okay. We'll wrap it up fairly quick. I do want to ask  
13 you -- and we may have to come back to talk to you more about  
14 safety management --

15 A. Sure.

16 Q. -- but it's been a long day --

17 A. Okay.

18 Q. -- so I don't want to get into that at this point, but  
19 just tell me, in your own words, what's your understanding of the  
20 safety management system here and any procedures that you used on  
21 that day, basically as your normal ops, normal operations, normal  
22 duties, and then any procedures that may have come into play after  
23 the incident. In your own words. What is it -- what's your  
24 concept of safety management?

25 A. I am directly under the captain's command. I follow the

1 captain's order at that situation, whatever captain -- captain --  
2 I personally think the captain is more capable in that situation  
3 and whatever the captain action is, is my action. I have to  
4 follow captain's orders.

5 Q. Okay. From the company's safety management system, how  
6 familiar are you with the company's safety management system and  
7 your role in that system, in the role you play as an assistant  
8 captain in that --

9 A. Yes, we do -- in our normal routine we have the start-up  
10 thing. We come in and start up according to SMS. That's what we  
11 log in the logbook: SMS start-up completed. That's where we  
12 check our equipment. We check our radio. We get the fuel  
13 reading. We check with the engine crew. We check with the deck  
14 crew, and we fill up the logbook and everything. That is our part  
15 of a checklist prior to making a trip.

16 And when we do make the trip with our SMS departure,  
17 check our list and then -- I will check our list that we follow  
18 that one. And along the way, we follow other SMS-related stuff,  
19 like, with the drill. They give us a monthly drill sheet --

20 Q. Okay.

21 A. -- with -- every week scenarios with the drills. We  
22 follow that one and we conduct accordingly with that drill  
23 sheet --

24 Q. Okay.

25 A. -- whatever the port office provide us, is a monthly --

1 on a monthly basis.

2 Q. As the assistant captain --

3 A. I want to excuse on that one. I get a little water?

4 Q. Yeah. Do that and we'll wrap it up here in about five  
5 minutes, so --

6 A. Oh, okay. I just get a little water. Thank you.

7 MR. BOWLING: We'll wrap it up, gentlemen. How are we  
8 doing on time, by the way?

9 UNIDENTIFIED SPEAKER: It's 4:30.

10 UNIDENTIFIED SPEAKER: She was supposed to be over there  
11 at 4:00.

12 MR. BOWLING: I'm more worried about counsel being able  
13 to get --

14 UNIDENTIFIED SPEAKER: Oh, yeah. You got one more,  
15 right?

16 MR. BOWLING: Yeah, he's having to bounce from one to  
17 the next and then --

18 CAPT. AHMED: Thank you very much.

19 MR. BOWLING: -- he got other work to do.

20 BY MR. BOWLING:

21 Q. No problem at all. Thank you for putting up with us.

22 As the -- again, as an assistant captain, what  
23 responsibilities do you have under that safety management system,  
24 and then, secondarily, if you notice something on the vessel --

25 A. Right.

1 Q. -- that let's just say needs to be corrected, say  
2 there's a step --

3 A. Right.

4 Q. -- that has some damage and it needs to be corrected,  
5 how would you ensure that is reported and properly addressed?

6 A. We have the reporting forms. We have -- we fill out  
7 those forms and captain sign it, and we mention whatever the  
8 things needed to be repaired or needed to be taken care of it.

9 And we have a folder -- if we don't know the number, we  
10 have the folder in the pilothouse. I check -- I can check with  
11 the captain or directly consult in the folder what particular form  
12 do I need and I fill it out.

13 And if it's concern to me, I fill it out. If it's  
14 concern to mates, mates -- most of the time, mates fill out the  
15 repair or any kind of things needed to be done on the boat and  
16 stuff. There's -- mates usually take care of that, those things.

17 Q. In your position as the assistant captain, do you have  
18 the ability to voice concerns up the management chain with the New  
19 York City DOT? In other words, if something's not being taken  
20 care of and you feel you've brought it to management's attention,  
21 are you empowered to bring that to higher management?

22 A. Yes. I can bring it -- I can bring it to captain  
23 directly that this thing -- and if it's not corrected or somehow  
24 is neglected, if captain didn't care of it or nobody listened,  
25 didn't listen, captain --

1 Q. Whatever, all right.

2 A. -- made a request and not be listen and stuff,  
3 Brian Walsh is a safety management representative. I come to  
4 Brian Walsh and Brian Walsh take care of whatever my concern is.  
5 And Brian Walsh from his power to -- if he need to consult some  
6 other higher management people, that's Brian Walsh take care of  
7 that.

8 MR. BOWLING: Okay. Thank you. That's exactly what --  
9 you exactly answered my next-to-the-last question there, too. So  
10 I was going to ask who the DP was. I have nothing further.

11 Jim?

12 CWO GILLETTE: No more for me.

13 MR. BOWLING: Okay. Captain, thank you.

14 CAPT. AHMED: Thank you very much.

15 MR. BOWLING: We'll go off the record real quick. We  
16 appreciate your time to come in and talk to us.

17 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:           ANDREW J. BARBERI  
                                  STATEN ISLAND, NEW YORK  
                                  Interview of Captain Maqbool Ahmed

DOCKET NUMBER:           DCA-10-MM-017

PLACE:                    Staten Island, New York

DATE:                     May 10, 2010

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been compared to  
the recording accomplished at the hearing.

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David Martini  
Transcriber