

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of:

\*  
\*  
\*  
\*  
\*  
\*

FIRE ON BOARD THE *ISLAND LADY*  
PORT RICHEY, FLORIDA  
JANUARY 14, 2018

\* ACCIDENT NO.: DCA18FM010

\* \* \* \* \*

Interview of: STACY FALCONE and  
BETH FIFER

Port Richey, Florida

Tuesday,  
October 2, 2018

## APPEARANCES:

BRIAN YOUNG, Senior Marine Engineer  
National Transportation Safety Board

CWO [REDACTED]  
U.S. Coast Guard

JULES MASSEE, Esq.  
Hamilton, Miller & Birthisel  
(Counsel for ABK and Tropical Breeze)

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Stacy Falcone and Beth Fifer:		
By Mr. Young		5
By CWO [REDACTED]		43
By Mr. Masee		46
By CWO [REDACTED]		48
By Mr. Young		49

I N T E R V I E W

(1:13 p.m.)

1  
2  
3 MR. YOUNG: Okay, good afternoon. It's 1:13 on October 2nd.  
4 This is Brian Young with the NTSB. We are here in Port Richey,  
5 Florida conducting an interview of Stacy --

6 MS. FALCONE: Stacy Falcone.

7 MR. YOUNG: -- Falcone and Beth Fifer in the room today.  
8 We'll go around the room for introductions. And we are discussing  
9 the accident aboard the *Island Lady* that occurred on January 14th,  
10 2018.

11 So if we can go around the room and introduce ourselves,  
12 please?

13 CWO [REDACTED] Chief Warrant Officer [REDACTED], U.S. Coast  
14 Guard, Sector St. Petersburg.

15 MS. FIFER: Beth Fifer, corporate representative for Tropical  
16 Breeze.

17 MR. MASSEE: Jules Masee, counsel for ABK and Tropical  
18 Breeze.

19 MS. FALCONE: Stacy Falcone, operations.

20 MR. YOUNG: Thank you. And this is a little bit of a  
21 different interview, where we're going to interview two company  
22 people at the same time because the company people each have  
23 different areas of expertise, that we will be having the person  
24 who knows the information best identify themselves and answer the  
25 question. Okay.

## 1 INTERVIEW OF STACY FALCONE &amp; BETH FIFER

2 MR. YOUNG: So I think we'll start off with the most basic,  
3 about the company history and to kind of clarify the nomenclature,  
4 and then company name of Tropical Breeze versus Port Richey  
5 Casino.

6 MS. FIFER: Okay. Tropical Breeze is the operating company  
7 currently. ABK is the owner of the vessels. When we purchased  
8 the *Tropical Breeze* and we brought it here and had it certified  
9 for the zone with the Coast Guard, when the certificate of  
10 inspection was developed, it was developed with ABK as the owner,  
11 which is correct, and Port Richey Casino stayed in the operator  
12 category on that COI. At that time it should have been changed to  
13 Tropical Breeze Casino, but it was not. Port Richey Casino was  
14 the operator of all of our previous vessels.

15 MR. YOUNG: So prior to obtaining *Tropical Breeze*, the casino  
16 vessel, the name of the company had been Port Richey Casino?

17 MS. FIFER: Correct.

18 MR. YOUNG: But then once the *Tropical Breeze* came under your  
19 possession, then a new company was formed?

20 MS. FIFER: That is correct.

21 MR. YOUNG: Okay. And do you have an idea of the date of as  
22 to when the *Tropical Breeze* casino boat was --

23 MS. FIFER: In 2015.

24 MR. YOUNG: And was that prior to *Island Lady*?

25 MS. FIFER: No. Yes. Yes, it was. November 2015. It was

1 prior.

2 MR. YOUNG: Okay. And then when the *Island Lady* was brought  
3 into your umbrella of vessels, what company was operating it?

4 MS. FIFER: Tropical Breeze.

5 MR. YOUNG: Tropical Breeze Casino?

6 MS. FIFER: Um-hum.

7 MR. YOUNG: Okay. Can you -- you're probably the best person  
8 to answer this, too. Can you talk a little bit about the history  
9 of your company from the on-start? When was Tropical Breeze/Port  
10 Richey Casino/SunCruz established?

11 MS. FIFER: The very first original operation come to Port  
12 Richey in October 1995. Okay. It was operating under, I believe,  
13 Paradise. And then SunCruz came into the picture until 2001, I  
14 believe, somewhere around in that area. And at that time, when we  
15 branched out from the SunCruz vessels, we changed it to Port  
16 Richey Casino and operated under Port Richey Casino until Tropical  
17 Breeze.

18 MR. YOUNG: Okay. And I know it's a lot of different vessels  
19 and everything. Can you talk about some of the shuttle vessels or  
20 casino vessels that you've had throughout your fleet throughout  
21 this career?

22 MS. FIFER: When we first came to Port Richey it was the  
23 *Tropical Breeze* vessel. It wasn't named *Tropical Breeze* at the  
24 time, but it was actually a Tropical Breeze vessel, and it was  
25 only here for a few months. And then we moved on to the *Monte*

1 Carlo, I believe. We had the *Monte Carlo* -- no, we had the *Royal*  
2 *Casino*. What was the second boat?

3 MS. FALCONE: The 2-boat, the 4-boat --

4 MS. FIFER: Well, those were the shuttles.

5 MS. FALCONE: No.

6 MS. FIFER: Oh, yeah. That's right. I'm sorry.

7 MS. FALCONE: *Paradise 1, Paradise 2* --

8 MS. FIFER: We had the 2, 4 -- 2-boat, the 4-boat, the 9-  
9 boat --

10 MS. FALCONE: -- *Paradise 4, Paradise 9*.

11 MS. FIFER: -- SunCruz vessels. SunCruz 2, 4 and 9.

12 MR. YOUNG: What does that mean, 2, 4 and 9?

13 MS. FIFER: SunCruz vessel number 2, 4 and 9. There was like  
14 11 vessels --

15 MS. FALCONE: Yeah.

16 MS. FIFER: -- in the fleet. We had number 2, 4 and 9.

17 MR. YOUNG: And were those casino boats or shuttles?

18 MS. FIFER: Those were casino boats.

19 MS. FALCONE: And we didn't shuttle at the time.

20 MS. FIFER: No. We did not.

21 MS. FALCONE: We ran casino boats.

22 MS. FIFER: And when we started shuttling. We leased the  
23 *Pink Lady* and the *Island Lady* from a guy up in Boothbay, Maine.  
24 We leased those vessels to kind of see how the vessel transfer  
25 would go and how the shuttling went, and it worked out very well.

1 So then we ended up buying the *Royal Express*, the *Royal Express 2*,  
2 4 -- 2 and 4 -- no. Yeah, *Royal Express 2*, 3 and 4. We had three  
3 *Royal Express* shuttle boats. And as far as casino boats, then  
4 there was the *Monte Carlo*. There was the *Royal Casino 1*.

5 And then, when we -- the company turned around a little bit  
6 and the market changed, so we decided to downsize from the large  
7 vessels. And that's when the decision was made to sell the *Royal*  
8 *Casino* and the *Royal* fleet of shuttles and revert back to the  
9 original vessel that we started in 1995, which is the *Tropical*  
10 *Breeze* now. And then we actually bought the *Island Lady* from the  
11 guy we used to lease from. The end. That's where we're at.

12 MR. YOUNG: How frequently would you lease the *Island Lady*?  
13 Was it annually or every winter, or just once?

14 MS. FIFER: We did it one, maybe two seasons. Both of those  
15 vessels worked as whale watchers up north. So when he wasn't  
16 using them up north was a perfect time for us down here when the  
17 snowbirds came.

18 MR. YOUNG: Right.

19 MS. FIFER: So maybe two seasons. I'm not real sure. One,  
20 maybe two seasons, that we leased those before we ended up  
21 purchasing.

22 MR. YOUNG: Purchasing. Okay. Do you know of any other  
23 casino boat operators here in the west coast of Florida, or are  
24 you the only game in town?

25 MS. FIFER: On the west coast, I think that we're it.



1 MR. YOUNG: How about throughout the state of Florida? Are  
2 you aware of any other casino boat companies?

3 MS. FIFER: I think there's a couple over on the east coast,  
4 but I couldn't tell you anything more than that.

5 MR. YOUNG: And as a casino boat operator are you connected  
6 with any other professional vessel operation associations, like  
7 PVA or anybody?

8 MS. FIFER: No, we are not.

9 MR. YOUNG: One of the discrepancies in the -- speaking of  
10 purchasing the vessel and everything, in the purchase receipt it  
11 showed the *Island Lady* was purchased for \$450,000, but on the 2692  
12 it said the value was 750. Is there possibly a mistake on either  
13 one of those?

14 MS. FIFER: I really don't know the answer to that question.

15 MR. YOUNG: Okay. Because originally, the original estimate  
16 for the accident was 450, and that's why it wasn't declared a  
17 major marine casualty at the time.

18 MS. FIFER: It was -- we went by the assessed value when --  
19 on the 2692, it says 750?

20 MR. YOUNG: Yes.

21 MS. FIFER: Okay. Yes, I actually filled that number in. I  
22 went by its assessed value, is 750. Why it was purchased for that  
23 price, I don't know.

24 MR. YOUNG: And who assessed the value? Where did that  
25 number come from, just from --

1 MS. FIFER: It came from a survey.

2 MR. YOUNG: A survey?

3 MS. FIFER: Um-hum.

4 MR. YOUNG: Post-accident survey or --

5 MS. FIFER: No. I think it was a -- the survey that we  
6 obtained when we purchased the vessel.

7 MR. YOUNG: Okay. I know we had requested a survey report.  
8 Does that -- possible that there may have been a survey report  
9 with some of the details of the vessel available? Do you remember  
10 when the --

11 MS. FIFER: Could you repeat the question?

12 MR. YOUNG: When you purchased the vessel, there was -- a  
13 survey was done. Do you know if there was a report?

14 MS. FIFER: No, there was not a survey done when we purchased  
15 the vessel. When we purchased the vessel, he gave us a survey and  
16 it was a very old survey.

17 MR. YOUNG: Okay. And I received that, and that was one of  
18 my questions. Any idea to the date of that survey?

19 MS. FIFER: Not without looking at it, but it was old. It  
20 was an old survey.

21 MR. YOUNG: Okay. So I don't know who's better at answering  
22 this, but can you talk about your position and your  
23 responsibilities within --

24 MS. FIFER: I am mainly clerical. My responsibilities  
25 towards the operation of the boat or the operation of the casino

1 are all administrative, you know, such as the application process,  
2 the payroll process, that type of thing. I have a multitude of  
3 duties. I'm assistant to the owner of the company. So pretty  
4 much whatever that entails for that particular day at that  
5 particular time is what I do.

6 Because I've been with this company for 23 years, I've  
7 stepped into a whole lot of areas, some that I wasn't real  
8 comfortable in, some that, you know, I'm good at. But basically,  
9 it's administrative and legal, that type of thing.

10 MR. YOUNG: Okay. And what's your official title?

11 MS. FIFER: Well, I've been called a lot of things. My  
12 business card, it says assistant to CEO.

13 MR. YOUNG: Assistant to CEO.

14 MS. FIFER: And I also have been told that I'm executive  
15 secretary. So somewhere along in there.

16 MR. YOUNG: And who is the CEO?

17 MS. FIFER: Well, it's a family structure. But the CEO,  
18 which we don't really use titles that much, but -- you know, the  
19 owner of the company is Alexandros Kolokithas and Stacy Falcone  
20 and that. But I have worked directly for Alex Kolokithas for the  
21 last 23 years.

22 MR. YOUNG: Okay. And over the 23 years, what sort of  
23 training or -- yeah, what sort of training have you received for  
24 your position?

25 MS. FIFER: A lot of experience came with me. I've had

1 clerical jobs, you know, all of my life. And so a lot of my  
2 experience came with me, but most of it was on-the-job training  
3 because, you know, there's not a lot of off-shore casinos in this  
4 area. You know, there isn't any specific training that you would  
5 get except, you know, day-to-day going at it with your clerical  
6 experience that you've gotten.

7 MR. YOUNG: Would you say most of your job is clerical, then?

8 MS. FIFER: Um-hum.

9 MR. YOUNG: Who would be the best person to discuss about the  
10 staffing at the time of the accident? Would that be --

11 MS. FALCONE: Probably me.

12 MR. YOUNG: Probably you? Okay. So we'll move into around  
13 the time of the accident. Could you talk about who here in the  
14 office was employed to support the vessels and their positions?  
15 Like did you have a port captain? Or I know your husband --

16 MS. FALCONE: Yes.

17 MR. YOUNG: -- assisted. Like what sort of job functions  
18 were here to support the vessels?

19 MS. FALCONE: You mean from corporate office?

20 MR. YOUNG: Yes. Yes. Like technical support, anything like  
21 that?

22 MS. FALCONE: No.

23 MR. YOUNG: Okay. So when we interviewed your husband, he  
24 said he had been working as a captain.

25 MS. FALCONE: Yes.

1 MR. YOUNG: And then he didn't want to do it anymore so he  
2 was kind of helping out in the office. What were his  
3 responsibilities?

4 MS. FALCONE: Not in the office. Helping out dockside,  
5 acting as port captain.

6 MR. YOUNG: Okay. And that's what I wanted to get at. Is  
7 that his title, if you will, or responsibility?

8 MS. FALCONE: We can say yes, port captain. His  
9 responsibilities are whatever I ask him to do.

10 MR. YOUNG: Okay. And how about to support the vessel? Like  
11 what could the vessels ask him to do so he could help them?

12 MS. FALCONE: The vessels? As in --

13 MR. YOUNG: Like the captains on the boats, the crew. If  
14 they needed any shoreside assistance, how could he help them?

15 MS. FALCONE: If they needed a day off, he would drive. If  
16 they needed anything, they would ask me and ask him, and we'll  
17 take care of it.

18 MR. YOUNG: Was there anybody else other than your husband  
19 that would assist the crews on the vessels when they needed help  
20 from shore?

21 MS. FALCONE: Yes.

22 MR. YOUNG: And who would they have been?

23 MS. FALCONE: William Pintye.

24 MR. YOUNG: And his position?

25 MS. FALCONE: Chief engineer or engineer.

1 MR. YOUNG: Okay. Could we just pause the recording for a  
2 second, please?

3 CWO [REDACTED] Sure.

4 (Off the record.)

5 (On the record.)

6 MR. YOUNG: Okay, we're -- recording is back on.

7 So I'm going to rephrase my question. And I'm asking Stacy  
8 about the amount of shoreside support for the *Tropical Breeze* and  
9 the *Island Lady* at the time of the accident. If you could  
10 identify some of the individuals, their positions and their  
11 responsibilities, that would assist the marine crews when they  
12 needed assistance?

13 MS. FALCONE: Myself; my husband, Mark Falcone.

14 MR. YOUNG: And his position was?

15 MS. FALCONE: Port captain. Owner's husband. Diane is  
16 dockmaster. She's there as well for any supplies needed, any  
17 phone calls made. Dan is dockmaster as well. He is there.  
18 Either one of them are there all day, every day. William Pintye  
19 is our engineer. He was usually dockside at the time. And any  
20 other questions?

21 MR. YOUNG: No, that's great. That's exactly what I was  
22 asking. Around the time of the accident, there were two vessels  
23 operating, the *Tropical Breeze* and the *Island Lady*. How many  
24 captains were working for the company at that time?

25 MS. FALCONE: I believe four.

1 MR. YOUNG: And was there some sort of a set rotation,  
2 whether they would always stay on the *Island Lady* or would they  
3 switch between the two vessels?

4 MS. FALCONE: They both worked -- they all worked both  
5 vessels.

6 MR. YOUNG: The engineer, we understand, after the fire had  
7 resigned. Do you know if he has come back to the company?

8 MS. FALCONE: Yes, he has.

9 MR. YOUNG: He has come back?

10 MS. FALCONE: Part-time.

11 MR. YOUNG: And what's his current position with the company?

12 MS. FALCONE: Engineer.

13 MR. YOUNG: Engineer. Do you -- go ahead.

14 MS. FALCONE: Routine maintenance, he does.

15 MR. YOUNG: Do you have any other engineers on your staff?

16 MS. FALCONE: I do.

17 MR. YOUNG: And what are their functions?

18 MS. FALCONE: Daily maintenance.

19 MR. YOUNG: And currently, after the accident with the *Island*  
20 *Lady*, how many vessels are you running now?

21 MS. FALCONE: One.

22 MR. YOUNG: One. And what is the schedule to that vessel  
23 now?

24 MS. FALCONE: It changes daily due to tides.

25 MR. YOUNG: Does it depart more than once a day?

1 MS. FALCONE: Sometimes. On the weekends, we can get two. I  
2 don't schedule two during the week because it's slow. But if tide  
3 allows us on the weekends, usually once a month we can get two in.

4 MR. YOUNG: And what's a normal run for it, then? Does it  
5 leave in the morning and come back --

6 MS. FALCONE: Six hours.

7 MR. YOUNG: Six hours?

8 MS. FALCONE: Yeah. And it completely varies on tide.

9 MR. YOUNG: What is the limiting factor on the tide? Is  
10 there a certain height that you can go out in?

11 MS. FALCONE: .8.

12 MR. YOUNG: When I reviewed the COI, the COI for the *Island*  
13 *Lady* had two different transfer areas. One was called the Peanut  
14 and one was called the Little Bank. Was there one that was  
15 preferred or used more than the other, or was there any reason to  
16 use --

17 MS. FALCONE: Depending on the time.

18 MR. YOUNG: Time?

19 MS. FALCONE: Yes. If it was the end of the night, we would  
20 meet at Little Bank due to the casino closing, all the paperwork  
21 getting done and completed. And the bar would close and then  
22 everyone would transfer to the shuttle. And the marine crew would  
23 stay on the *Tropical Breeze* and wait for tides, if in fact we were  
24 shuttling due to tides for the evening, the night cruise.

25 During the day, if we leave at 11 a.m. on the *Tropical*



1 Breeze, it will go straight out to the Peanut. The shuttle would  
2 depart at 3:30 with passengers, and that would meet them at the  
3 Peanut, and they would just swap passengers. The passengers from  
4 the *Island Lady* would board the *Tropical Breeze*; the ones from  
5 *Tropical Breeze* would board the shuttle. Then they would come  
6 back. And then they would do that again at 7 o'clock.

7 And then, if the *Tropical Breeze* was capable of tides coming  
8 in at our closing, midnight, then the boat would ride all the way  
9 in by itself without a shuttle. If the tides were delayed, the  
10 shuttle would go out and we would meet at Little Bank, which that  
11 would give the casino enough time to travel from the Peanut to  
12 Little Bank so they can count the money, do all their paperwork,  
13 lock up the safe, close the bar. And then everyone would board  
14 the shuttle and come back in, and the *Tropical Breeze* would stay  
15 out by Little Bank until tide rises to come in.

16 MR. YOUNG: Okay. So they were both -- both of the locations  
17 were being used based on tide and time.

18 MS. FALCONE: Correct.

19 MR. YOUNG: Okay. Did the *Tropical Breeze*, or does the  
20 *Tropical Breeze* ever stay out overnight?

21 MS. FALCONE: No.

22 MR. YOUNG: No. I heard a number of references in interviews  
23 to a location called the Sticks.

24 MS. FALCONE: The Sticks.

25 MR. YOUNG: Can you talk about what that is and what it

1 means?

2 MS. FALCONE: That is the Sticks because all these sticks are  
3 sticking up out of the ground.

4 MR. YOUNG: And what happens at the Sticks?

5 MS. FALCONE: That is where the *Island Lady* was docked.  
6 That's where we would go overnight and park there. And that was  
7 our second dock location.

8 MR. YOUNG: And where was it in relation to --

9 MS. FALCONE: Directly in front of the vessel. I don't know  
10 how many yards you would say. From the *Tropical Breeze* where it  
11 docks, the other dock is probably -- I don't have an idea. Three  
12 lots over.

13 MR. YOUNG: That's okay, (indiscernible). Okay. So a couple  
14 hundred feet, maybe. We're not talking miles and miles away.

15 MS. FALCONE: No, no, no. A couple -- few hundred feet, yes.

16 MR. YOUNG: And at the Sticks, is that the location where you  
17 would -- the vessel would receive fuel?

18 MS. FALCONE: Yes.

19 MR. YOUNG: And would a truck come out to bring fuel or was  
20 there a station on the --

21 MS. FALCONE: Yes. A truck would come out to bring fuel.

22 MR. YOUNG: If I was to try to find the Sticks on a map, what  
23 would I look for? Is it --

24 MS. FALCONE: Right next to Catches. It says, SunCruz  
25 Marina, I believe.

1 MS. FIFER: 5327 Bridge Street.

2 MR. YOUNG: Because I just -- everyone keeps saying, we went  
3 to the Sticks, we went to the Sticks. I just want to  
4 understand --

5 MS. FALCONE: Yes.

6 MR. YOUNG: -- there's nothing there.

7 MS. FALCONE: Because it's all the pilings are sticking up,  
8 the Sticks.

9 MR. YOUNG: So would they be able to load ice and soda and  
10 supplies at the Sticks? Is that what --

11 MS. FALCONE: They could, but they didn't. All that supplies  
12 was kept at the main dock.

13 MR. YOUNG: So typically the Sticks was just for overnight  
14 parking and docking and fuel?

15 MS. FALCONE: Right. Because the fuel truck would come and  
16 both vessels are in their home ports or home docks, so --

17 MR. YOUNG: Okay. So at any given night when both vessels  
18 are running, after midnight till sometime in the morning both  
19 vessels would be docked?

20 MS. FALCONE: Usually. There's been times, though, like the  
21 *Tropical Breeze* wouldn't get in until 2 or 3 because of tides.  
22 There's been times when the *Tropical Breeze* would leave out at  
23 5 a.m. because of tides.

24 MR. YOUNG: Um-hum. Okay. Makes sense.

25 When it comes to crew for the *Tropical Breeze* and the *Island*

1 Lady, who would be, within your corporation, responsible for  
2 hiring people?

3 MS. FALCONE: Me.

4 MR. YOUNG: And what is your position, just so I --

5 MS. FALCONE: Owner/operator.

6 MR. YOUNG: You're owner/operator. Okay. So then Beth would  
7 report to you in the structure?

8 MS. FALCONE: With applications?

9 MR. YOUNG: No, I'm just saying in general. I'm sorry. In  
10 general.

11 MS. FALCONE: Well, it depends. Depends on what it is. But  
12 she usually reports to my dad.

13 MR. YOUNG: Okay. So getting back to hiring, would there  
14 ever be any sort of evaluations of the people who are working for  
15 you on the marine crew side?

16 MS. FALCONE: Yes.

17 MR. YOUNG: And how often would they be completed?

18 MS. FALCONE: Before they got hired, they -- we do a  
19 background check and we also -- they have to do a drug test as  
20 well. And then we train them.

21 MR. YOUNG: And how do you train them?

22 MS. FALCONE: They come aboard and we train them. We go over  
23 the first cruise before they even are hired. Prehire cruise, they  
24 are through -- gone through all of our safety measures: fire  
25 drills, man overboard, abandon ship, security checks. That's on

1 their prehire cruise. And then once they are hired, they come to  
2 the office, they get their drug test, they take their drug test,  
3 they come back. Then they get their badge once it's cleared.  
4 They get their uniform. And then I give them a schedule and they  
5 come on board and they meet with the senior mate. And they are an  
6 extra crew member, and they train until they are well enough to do  
7 the lines, do safety checks on their own, and know the ship.

8 MR. YOUNG: And who conducts the prehire training such as man  
9 overboard and firefighting and abandon ship?

10 MS. FALCONE: The captains.

11 MR. YOUNG: The captain does that. And how is that  
12 documented?

13 MS. FALCONE: In the captain's logbook. There is also a  
14 drill logbook as well. Binder.

15 MR. YOUNG: And would that be safe to say that they are  
16 typically kept aboard the vessel?

17 MS. FALCONE: Yes.

18 MR. YOUNG: Once these crew members are established and  
19 working for a while, are they routinely evaluated for performance?

20 MS. FALCONE: Yes. We do drills regularly, all of them. We  
21 do different scenarios on drills.

22 MR. YOUNG: And how about people's performance? Like how do  
23 you check to make sure your captains are doing the job that you  
24 want them to do? Are they evaluated or reviewed? Like every year  
25 for my job, I'm reviewed. I sit in front of my boss and they tell

1 me the things I'm doing wrong or doing right. Is there any sort  
2 of evaluation for the captains from the company?

3 MS. FALCONE: I can't think of any instance where the  
4 captains -- that I would have to say that they're doing something  
5 wrong. I mean --

6 MR. YOUNG: How about any time where they're doing something  
7 right? Is there a scheduled meeting between the company and the  
8 captains to evaluate their performance?

9 MS. FALCONE: No, but I'm aboard the vessel several times a  
10 week out on the cruise. And I can't think of any time that I  
11 would ever have to say to a captain --

12 MR. YOUNG: When you say there's training for drills, how  
13 frequently do you conduct drills aboard your vessel?

14 MS. FALCONE: At least every 2 months.

15 MR. YOUNG: And beyond the drills, man overboard, abandon  
16 ship, can you talk about any other training that may have been  
17 offered from the company to the marine crew?

18 MS. FALCONE: Security checks, crowd control. They do  
19 whatever needs done. Cleaning.

20 MR. YOUNG: Anything with, say, casualty control, where there  
21 are scenarios where things on board the vessels go bad, such as  
22 running aground or collision? Are there any training modules  
23 that --

24 MS. FALCONE: That's done in our drills.

25 MR. YOUNG: It's done in the drills?

1 MS. FALCONE: Yes.

2 MR. YOUNG: And as the owner, how do you monitor the amount  
3 of drills and the quality of drills? Do you check on the drills?

4 MS. FALCONE: I do.

5 MR. YOUNG: You do. How often do you do that?

6 MS. FALCONE: I'm there usually for all the drills that they  
7 do.

8 MR. YOUNG: Okay. Since the accident on *Island Lady*, we've  
9 already discussed that the *Tropical Breeze* is now the only vessel  
10 running, and then that vessel's schedule is tide dependent. Are  
11 there any plans to get any new shuttle vessels?

12 MS. FALCONE: Couldn't tell you at the moment.

13 MR. YOUNG: Okay. So as of right now, there --

14 MS. FALCONE: If something comes up, we probably would. If  
15 not, we'd probably keep going the way we're going.

16 MR. YOUNG: Have there been any changes to your staffing or  
17 policies since the *Island Lady* fire?

18 MS. FALCONE: No.

19 MR. YOUNG: And this was just a question I had written down  
20 but I think you answered it, about the *Tropical Breeze*'s previous  
21 schedule while a shuttle was running. Typically the *Tropical*  
22 *Breeze* would be the first vessel out; is that right? And then the  
23 *Island Lady* would shuttle passengers to that vessel in the  
24 morning?

25 MS. FALCONE: No. Typically the *Tropical Breeze* would go out

1 at 11 with passengers.

2 MR. YOUNG: With passengers.

3 MS. FALCONE: Typically. When tide allowed us. When tide  
4 did not allow us, the *Tropical Breeze* would go out when it could  
5 before the first cruise, and then it would shuttle.

6 MR. YOUNG: Okay. Got it. And then at the end of the day,  
7 tide dependent --

8 MS. FALCONE: Same thing.

9 MR. YOUNG: -- the *Tropical Breeze* could be the last one in  
10 after the *Island Lady* brought the --

11 MS. FALCONE: Could be. Correct.

12 MR. YOUNG: How long have you been with this company?

13 MS. FALCONE: Since 1993.

14 MR. MASEE: May I, may I just -- just so we're clear, when  
15 you say "this company" --

16 MR. YOUNG: Oh, yeah. Sorry.

17 MR. MASSEE: -- we've already established that there's been a  
18 bunch of them.

19 MR. YOUNG: ABK Enterprises. I'm sorry.

20 MR. MASSEE: Okay.

21 MS. FALCONE: Yes.

22 MR. MASSEE: So how long have you been with ABK?

23 MR. YOUNG: The operation.

24 MS. FALCONE: Oh, actually 1995. But we had the vessel in  
25 Tarpon Springs in 1993.



1 MR. MASSEE: Well, I think there may be a -- the peanut  
2 gallery wants to --

3 MS. FIFER: ABK was not established until we bought our first  
4 shuttle. ABK.

5 MS. FALCONE: Okay.

6 MS. FIFER: ABK was not established until we bought our first  
7 shuttle. I don't have the exact date for you, but ABK was  
8 developed to be vessel owners.

9 MR. MASSEE: And I think that's all public record, when the  
10 corporation formed. So --

11 MR. YOUNG: Sure.

12 MS. FIFER: But Stacy's been a family member for about 40  
13 years now.

14 MS. FALCONE: Forty years, yes.

15 MS. FIFER: So she's been part of this whole business for,  
16 you know --

17 MR. YOUNG: Since the business started. And the business  
18 started in this area in 1995, I think you said?

19 MS. FALCONE: Port Richey.

20 MS. FIFER: October 1995 in Port Richey.

21 MR. YOUNG: And had it operated somewhere else prior to as a  
22 casino?

23 MS. FIFER: No. No.

24 MR. YOUNG: Okay. So this could be a question for both of  
25 you. Is that -- obviously in 2004, there was a fire aboard

1 *Express Shuttle 2*, and our agency gave recommendations to the  
2 company. One of them was about preventive maintenance and one of  
3 them was about firefighting training. Can you talk about how your  
4 company has accepted those recommendations and what you have done  
5 to -- in response to those?

6 MS. FIFER: Stacy, I'm going to speak to that.

7 MS. FALCONE: Okay. Go ahead.

8 MS. FIFER: Okay. In 2004 when that fire happened, there was  
9 a lot of changes and new policies and, you know, things put  
10 together because of the recommendations made by the Coast Guard  
11 and the NTSB. Our port captain at the time, Vince Connor, he  
12 worked directly with the Coast Guard at that time with the  
13 recommendations. There was a lot of different things implemented  
14 such as what you're seeing today, is that handbook. That's why  
15 you see the different Tropical Breeze and Port Richey Casino and  
16 all of that, because that handbook was developed then as a  
17 guideline and a training tool for these people and has been used  
18 ever since then. The only thing that has changed is the vessels  
19 and the vessel names.

20 So when they come to my office, when Stacy chooses to employ  
21 a person and they come to my office, that training book is their  
22 bible for their job. And they walk out of here, they sign for  
23 that training book. They're told to take it on their very first  
24 cruise, when they go on that cruise. That's where she comes into  
25 the picture. So I can say that's one of the strongest guidelines

1 that we developed and the best tool that we developed from that  
2 fire in 2004.

3 MR. YOUNG: Okay.

4 MS. FIFER: Okay? The drill schedules and the things like  
5 that, when Tropical Breeze started up and all through the time  
6 since the 2004 fire, we have practiced everything that -- it  
7 wasn't you all; maybe it was you -- but that we obtained from you,  
8 the recommendations and things like that. So as the years have  
9 evolved, we've continued to practice with that guideline and that  
10 training manual.

11 MR. YOUNG: Okay. So when we look at -- one of the  
12 recommendations was firefighting. Is there some sort of a  
13 schedule or some guidance that you follow so that your crews are  
14 practicing firefighting and training in firefighting? Is there  
15 some sort of a --

16 MS. FIFER: That's vessel operations --

17 MS. FALCONE: Yes.

18 MS. FIFER: -- at that point.

19 MS. FALCONE: We do them in our drills. They're regularly  
20 done in our drills. Firehoses are out. Everything's done.

21 MR. YOUNG: And just to confirm, and what was the frequency  
22 of that? How often did that happen?

23 MS. FALCONE: At least every 2 months.

24 MR. YOUNG: I was not able to physically walk around the  
25 *Island Lady*, but I've been aboard a sister vessel in Miami and a

1 sister vessel in Massachusetts: the *Captain's Lady* in  
2 Massachusetts and the *Island Lady* in Miami. And from what I  
3 understand, the Lydia vessels were all a very similar hull but the  
4 machinery was placed in different locations. Have you ever been  
5 down in the engine room or the lazarette area, that you might be  
6 able to help me understand what is actually down there?

7 MS. FALCONE: No, I have not.

8 MR. YOUNG: Okay. Just because we understand that the vessel  
9 was built with three engines, and then there were -- one of them  
10 was removed prior to you purchasing it. And some of the other  
11 vessels have different machinery in the lazarette. I'm just  
12 trying to establish what might have been in that room.

13 MS. FALCONE: I've never been in there.

14 MR. YOUNG: Okay. Are you aware of hearing or understanding  
15 that anything might have been stored in the lazarette such as --

16 MS. FALCONE: No, not at all.

17 MR. YOUNG: Not aware, or you don't know if that's the case?

18 MS. FALCONE: Not aware.

19 MR. YOUNG: Okay. There was a comment on the technical  
20 report about hour meters for the engines. And I think it may have  
21 been typed up that they were nonexistent. Can you explain a  
22 little about the hour meters on the engines?

23 MS. FALCONE: I believe the hour meters ran to the control  
24 unit in the bridge, where you push the button and you get your  
25 RPMs, you get your oil, you get your temperature and your hours.

1 MR. YOUNG: Okay. And do you know if they were functioning  
2 or are you aware --

3 MS. FALCONE: I believe they were.

4 MR. YOUNG: Okay. Do you know, with your time aboard the  
5 *Island Lady*, if there was a working public address system, a  
6 microphone and speakers?

7 MS. FALCONE: Yes.

8 MR. YOUNG: It was operational?

9 MS. FALCONE: Absolutely, yes.

10 MR. YOUNG: When we talked to the captain he said that he  
11 used a CCTV camera system that had a monitor. What was the reason  
12 for that camera system being installed?

13 MS. FALCONE: We have cameras on everything. Safety  
14 precautions, theft, people falling. If they do, you have, you  
15 know, your cameras.

16 MR. YOUNG: And was that something that this company  
17 installed after purchasing the vessel or were they already --

18 MS. FALCONE: It came with a couple, but we replaced them and  
19 put a whole -- it was 16-camera system, I believe.

20 MR. YOUNG: Sixteen.

21 MS. FALCONE: Yeah.

22 MR. YOUNG: If you can recall when the purchase, the vessel  
23 was purchased -- there were two life rafts above the bridge. Was  
24 that part of the purchase or did your company install life rafts  
25 above the bridge?

1 MS. FALCONE: We bought brand new ones that are cannisters  
2 from -- oh, I forgot the name of the company in Tampa off of 60.  
3 We just purchased those a month before the fire.

4 MR. YOUNG: They were newly purchased?

5 MS. FALCONE: Um-hum.

6 MR. YOUNG: And is there any reason why the previous ones  
7 were replaced?

8 MS. FALCONE: Well, it was service time, and that's who we  
9 sent them to service. And they said, look, you know, we can sell  
10 you two new ones; these are however old they are, and for a few  
11 thousand more you can get two brand new ones and they'll be  
12 serviced -- they'll be good for 2 years; you won't have to service  
13 them the next year. So I'm like, all right, we'll go with that.  
14 And we did. And that was, you know, a nice purchase --

15 MR. YOUNG: And you said a few months before the fire?

16 MS. FALCONE: Yeah. Yeah.

17 MR. YOUNG: Did you ever have any incidents or been made  
18 aware of any problems with people trying to steal or deface the  
19 life jackets?

20 MS. FALCONE: What?

21 MR. YOUNG: So do you ever hear of anybody, any of your  
22 passengers, trying to damage or steal life jackets that would have  
23 required them to be locked up?

24 MS. FALCONE: No.

25 MR. YOUNG: No. Are you aware of any sort of ability to lock

1 the life jacket storage containers?

2 MS. FALCONE: No.

3 MR. YOUNG: Okay. I just have to ask.

4 MS. FALCONE: Okay.

5 MR. YOUNG: We understand that every morning an engineering  
6 daily checklist was completed.

7 MS. FALCONE: Yes.

8 MR. YOUNG: On the *Island Lady*, who was responsible for  
9 filling out that checklist?

10 MS. FALCONE: The daily checklist?

11 MR. YOUNG: Um-hum.

12 MS. FALCONE: The senior mate.

13 MR. YOUNG: The senior mate. Is there a difference between a  
14 senior mate and a senior deckhand?

15 MS. FALCONE: No.

16 MR. YOUNG: No. So they're -- it's an interchangeable term,  
17 right?

18 MS. FALCONE: Yes.

19 MR. YOUNG: So on the day of the fire, would it safe to say  
20 that Tyler was the senior deckhand?

21 MS. FALCONE: Yes.

22 MR. YOUNG: So he was also the senior mate?

23 MS. FALCONE: Jon was senior mate.

24 MR. YOUNG: Senior mate was Jon, and the senior deckhand --

25 MS. FALCONE: Tyler.

1 MR. YOUNG: And what's the difference between a senior  
2 deckhand and a senior mate?

3 MS. FALCONE: A senior mate is going to be the one to make  
4 calls on any emergency situations and anything like that ahead of  
5 -- so you're not having two people saying, you know -- that's --  
6 he's the one that's in charge. The senior mate is over the senior  
7 deckhand.

8 MR. YOUNG: And how would a senior deckhand become a senior  
9 mate?

10 MS. FALCONE: Time. Knowledge.

11 MR. YOUNG: And who assesses that knowledge? Who says, okay,  
12 you are now qualified to become a senior mate?

13 MS. FALCONE: The captains.

14 MR. YOUNG: The captains. So the senior mate would complete  
15 the daily checklist.

16 MS. FALCONE: Yes.

17 MR. YOUNG: What would happen after that with the checklist?

18 MS. FALCONE: It would go in the binder.

19 MR. YOUNG: Okay. And where was the binder kept?

20 MS. FALCONE: The one that the senior mate filled out is in  
21 the engine room.

22 MR. YOUNG: Engine room.

23 MS. FALCONE: There is another daily checklist in the bridge  
24 that the captain would fill out.

25 MR. YOUNG: Would anybody from the shoreside company look at



1 the daily checklists?

2 MS. FALCONE: Yes.

3 MR. YOUNG: And who would that be?

4 MS. FALCONE: William, or Mark.

5 MR. YOUNG: William as the engineer --

6 MS. FALCONE: Yes.

7 MR. YOUNG: -- or Mark as the port captain?

8 MS. FALCONE: Yes.

9 MR. YOUNG: Okay. And if there were any concerns or any  
10 issues with some of the items on the daily checklist, how would  
11 the crew advise anybody at the company that they needed parts or  
12 something was broken? How does that happen?

13 MS. FALCONE: If the senior deckhand --

14 MR. YOUNG: The senior mate. Whoever is completing --

15 MS. FALCONE: Senior mate. Right. I'm sorry. That's right.

16 MR. YOUNG: -- the daily checklist, if he goes in and there's  
17 a problem and it isn't satisfactory, how does that person  
18 communicate that to the company to get assistance?

19 MS. FALCONE: He would write it in the book, unless it was --  
20 you know, it would be written in the book, everything. Then the  
21 next day, William would come in in the morning and go through the  
22 book, and anything that's on the list he would take care of.

23 MR. YOUNG: Okay. And would all the engine daily checklists  
24 from the time that the purchase -- vessel was purchased be kept on  
25 the boat, or would at some point some of them come here ashore?

1 MS. FALCONE: You know, I'm going to have to say that the  
2 binders are kept on the shuttle. Different binders --

3 MR. YOUNG: Kept on the shuttle?

4 MS. FALCONE: Yeah.

5 MR. YOUNG: Okay. So on the *Tropical Breeze*, if you have a  
6 daily checklist, would you have hundreds and hundreds and hundreds  
7 of them --

8 MS. FALCONE: I do.

9 MR. YOUNG: -- on board the vessel?

10 MS. FALCONE: Um-hum.

11 MR. YOUNG: Now we're getting into the monthly engine  
12 maintenance. We saw a single sheet for month -- per month, that  
13 the engineer kept, and they were kept on the computer. Who would  
14 review those?

15 MS. FALCONE: They would be given to me or emailed to me by  
16 William.

17 MR. YOUNG: So William, at the end of each month, would  
18 complete --

19 MS. FALCONE: Would hand me one, mostly, and say, here's this  
20 and it's -- what he needs or whatever it is, whatever was  
21 completed. And that's it.

22 MR. YOUNG: When we reviewed the monthly maintenance sheets,  
23 they started in January of '17 and ended in October of '17. Do  
24 you know if there's any more that might have not been included in  
25 that computer prior to October '17 or beyond October of '17?

1 There were only 10 months of --

2 MS. FALCONE: I'm not sure what paper you have. Can you --  
3 do you have them? Do you --

4 MR. YOUNG: I don't have them with me, but they are -- they  
5 start in January '17. It's a one-page for the month. Then  
6 February, March, April, May, June, July, August, September, and  
7 October '17 is the last one.

8 MS. FALCONE: I believe they went all -- that we had them all  
9 the way up till December, because you found them on the computer  
10 and I didn't know they were on the computer. I didn't have them.  
11 I didn't know where they were. And they were on the computer, and  
12 I believe you got them off the computer, right? Correct?

13 MR. MASSEE: This is Jules Massee talking. We can -- I'm  
14 going to have my office look and see, because I have someone who  
15 can probably pull this up right now.

16 MS. FALCONE: Can we pause that for a moment?

17 MR. YOUNG: Sure. We'll just pause the recording.

18 (Off the record.)

19 (On the record.)

20 MR. YOUNG: Okay, we're back on the record. In order to  
21 clarify, I was -- this is Brian Young. I was requesting the  
22 *Island Lady* engineering monthly maintenance record, and those --  
23 the files that we had were from January '17 to October '17. But I  
24 didn't clarify it, and the *Island Lady* monthly safety checklist  
25 did go on through December, and those records are here.

1           So just to clarify, to be clear, I was looking for the  
2 engineering monthly records, and the last one I had seen was from  
3 October of '17 and the first one I had seen was in January '17.  
4 But nothing from '16 and nothing beyond. So are you aware of any  
5 other sheets that may not have been on that computer?

6           MS. FALCONE: I'm sure they existed. Where they are now, I  
7 do not know.

8           MR. YOUNG: Okay. So during a normal monthly engineering  
9 maintenance sheet, how would you receive that sheet every month?

10          MS. FALCONE: William would give them to me.

11          MR. YOUNG: And would you review them?

12          MS. FALCONE: Yes.

13          MR. YOUNG: And what would you be looking for on these  
14 engineering sheets when you reviewed them?

15          MS. FALCONE: Usually it's completed work that's already been  
16 completed for the month, or it's supplies or anything that he's  
17 suggesting. And we'd discuss it, and if any problems needed to be  
18 repaired or fixed, we'd take care of it.

19          MR. YOUNG: Okay. When we reviewed the engineering monthly  
20 sheets, we saw that in May of 2017 it had mentioned that the  
21 starboard engine was overhauled. Do you know why the decision was  
22 made to overhaul one of the two engines?

23          MS. FALCONE: We actually were at a no-sail due to our COI  
24 expiring, which at the time I thought we had 90 days before  
25 inspection or 90 days after your COI. But we were really up for

1 COI renewal and you don't get the leeway when your COI is  
2 renewing. And we went to make an appointment for inspection and  
3 at that time they notified us that our COI had expired and that we  
4 need to stop sailing. So at that point, when we weren't sailing  
5 -- the next inspection date I believe was like 8 days or  
6 something.

7 MS. FIFER: Yeah, it was going to be about a week.

8 MS. FALCONE: Yeah. So at that point in time we took the  
9 opportunity to, we're not sailing, to make some upgrade -- not  
10 modifications, make some repairs --

11 MS. FIFER: Maintenance.

12 MS. FALCONE: -- maintenance to the starboard motor. So we  
13 did that. We painted, we put new carpet, and we had --  
14 Caterpillar came out. It was all Caterpillar parts. And then  
15 Coast Guard came out, inspected, a complete COI inspection, and we  
16 were cleared to sail. So -- March 21st.

17 MR. YOUNG: And do you know what the reason was that the  
18 starboard engine needed to be overhauled? Like what was the  
19 indication that --

20 MS. FALCONE: It was time. Time, hours. Time. And I mean,  
21 it wasn't -- nothing detrimental that had to be done. So that's  
22 the reason, you know, the starboard motor over port, so we chose  
23 one and we did the starboard motor.

24 MR. YOUNG: Do you have any records from Caterpillar or Ring  
25 Power concerning the overhaul? Some service reports, service

1 records, details?

2 MS. FALCONE: I do not, but Caterpillar should. So  
3 Caterpillar came out, they hooked their computer to it, they said  
4 everything was running, everything's good. After it was all done,  
5 they came out that night before Coast Guard, before our  
6 inspection, when we were all done. And I do not have a receipt.  
7 I do not have a record. But they should have a record. I called  
8 them, and they told me that we would have to -- I don't know; I  
9 couldn't even tell you what they -- I don't remember what they  
10 told me, but I'm sure you guys can get it if you have a way of  
11 getting them.

12 MR. YOUNG: Is it fair to say that the starboard and the port  
13 engines have similar hours on them? Had them?

14 MS. FALCONE: I don't know that.

15 MR. YOUNG: Okay. Was there any consideration to having the  
16 port engine overhauled around that time?

17 MS. FALCONE: No.

18 MR. YOUNG: No.

19 MS. FALCONE: No, we didn't have time. We were just down and  
20 we needed to get back up, and we were waiting for our Coast Guard  
21 COI, so --

22 MR. YOUNG: When we spoke with the engineer previously, he  
23 said that the engines were rolling coal, which means blowing out  
24 black smoke or having blowby, where some of the combustion gasses  
25 go into the crankcase. Would that have possibly been a reason why

1 you may have chosen to overhaul one of the engines?

2 MS. FALCONE: The black smoke was always there. It came that  
3 way. You know, the blowby, and that -- I can't say that I ever  
4 verified that, you know, but maybe that was the reasoning why we  
5 chose the starboard over the port. Maybe. But I can't, you know,  
6 say that for sure.

7 MR. YOUNG: Okay. And can you recall seeing the results of  
8 that overhaul? Say, some pistons had come out, and we saw  
9 pictures of it with heavy scoring on them. Does that -- did you  
10 notice anything or were -- anything brought to your attention as  
11 to what they found in the starboard engine after the overhaul?

12 MS. FALCONE: Brought to my attention? Well, I put them back  
13 in the box and I brought them back to Caterpillar. You know, I  
14 brought -- as far as wear and tear?

15 MR. YOUNG: Right, right. After they take an engine apart,  
16 they may say we found this, we found that.

17 MS. FALCONE: Well, it's not going to look like a new engine.  
18 I mean, it's -- you know, so --

19 MR. YOUNG: Okay. But nothing --

20 MR. MASSEE: I think the answer to that was no, but --

21 MR. YOUNG: Right.

22 MS. FALCONE: Yes.

23 MR. MASSEE: Just trying to cut to the chase here.

24 MR. YOUNG: Okay. Other than the starboard engine overhaul,  
25 are you aware of Ring Power being on board the *Island Lady* any

1 other time?

2 MS. FALCONE: Not right off the top -- not that I can recall.

3 MR. YOUNG: Okay. And we did request fuel receipts. We got  
4 them. But was there a certain quantity of fuel you liked to keep  
5 on board the *Island Lady*? Was there a certain level at this point  
6 you refuel; at this point you keep it --

7 MS. FALCONE: We refuel twice a week.

8 MR. YOUNG: Twice a week?

9 MS. FALCONE: Monday and Fridays.

10 MR. YOUNG: Okay. And it looked like it was somewhere  
11 between 3- and 400 gallons at a time; is that safe to say?

12 MS. FALCONE: Yeah.

13 MR. YOUNG: I don't know if you have the details committed to  
14 memory, but I need some -- your assistance in this one. I have  
15 records from first responders that they transported 15 people from  
16 the *Island Lady* that night of the fire to local hospitals that  
17 said 15 were basic life support, BLS, and 4 were advanced, ALS.  
18 Do you have any idea how many people had to remain in the hospital  
19 for a few days based on this? Do you have the records anywhere  
20 that --

21 MS. FALCONE: No, I do not.

22 MR. YOUNG: A list of the injuries? Is there any way we can  
23 find out how many just required first aid and how many required  
24 more than that?

25 MR. MASSEE: Let me address this, because as you know there



1 is a litigation going on and we have received as part of that  
2 litigation certain medical records. I don't know that I can  
3 disclose people's medical issues. But I would be willing to work  
4 with you to see if we can provide whatever information we can  
5 legitimately provide so that you can answer that question that you  
6 just asked.

7 MR. YOUNG: Because I will be asked that question. You know,  
8 we know 15 people went to the hospital. What was the extent of  
9 the injuries? You know, did people have -- and we understand  
10 there's some smoke inhalation, some bruises, some back pain. But  
11 the people who had more extensive reason for transport --

12 MR. MASSEE: Well, it's -- one is public record that --

13 MR. YOUNG: Right, right. We know that. But some of the  
14 others is -- maybe we can work together on that to --

15 MR. MASSEE: I'm happy to assist with that. I'd have to see  
16 what we've gotten thus far. It would have all been to -- either  
17 given to us by other parties in the litigation or from public  
18 records requests. So to the extent we've already requested them,  
19 I mean, I'm happy to share that information.

20 MR. YOUNG: Okay. Thank you. Appreciate it.

21 Only a few more.

22 MS. FALCONE: Okay.

23 MR. YOUNG: After the accident, when we were looking at the  
24 engines at the sheriff's office, there had been two other  
25 investigators: a fire expert, and someone from a company called

1 SEA. Have their reports been completed?

2 MR. MASSEE: I'm going to weigh in on that.

3 MR. YOUNG: Okay.

4 MR. MASSEE: Okay. They were hired in anticipation of  
5 litigation. That's privileged work product and not part of the  
6 investigation here.

7 MR. YOUNG: Okay. Thank you.

8 MR. MASSEE: They were hired by me, in other words.

9 MR. YOUNG: Got you. Okay.

10 And the last question I have then -- when we were looking  
11 through the maintenance records, we saw that there was a purchase  
12 for exhaust piping in March of '17, which is the piping that goes  
13 from the back of the engine out to the back end. And we had  
14 requested a receipt so that maybe we can understand what the  
15 material was or anything. But just to confirm, is that something  
16 that might not be available?

17 MS. FALCONE: You didn't get the receipt for it?

18 MR. YOUNG: Correct.

19 MS. FALCONE: I can look into it and see if the company can  
20 have a duplicate. I don't know.

21 MR. YOUNG: Okay. But just -- we're interested to see the  
22 material that that was made out of it. If that's something you  
23 could look into, please?

24 MS. FALCONE: Yes.

25 MR. YOUNG: And I'll send an updated request for that.

1 MS. FALCONE: Okay.

2 MR. YOUNG: Okay.

3 MR. MASSEE: I mean, I've got it up here, but --

4 MS. FIFER: What was that? The receipt for --

5 MS. FALCONE: The exhaust piping --

6 MS. FIFER: Exhaust piping.

7 MS. FALCONE: -- 8½ inch, 9 inch.

8 MR. YOUNG: And that was in March of '17. It was 22 feet of  
9 it.

10 MS. FIFER: It was like 1100.

11 MR. YOUNG: Wow.

12 MS. FIFER: Yeah.

13 MR. YOUNG: That's my list of questions. Thank you very much  
14 for taking the time and --

15 MS. FALCONE: Thank you.

16 CWO [REDACTED] I have just two follow-ups. This is [REDACTED] [REDACTED]  
17 with the U.S. Coast Guard.

18 Stacy, so you recognize that there was soot all over the  
19 transom? Did you ever ask your engineers what's going on here?

20 MS. FALCONE: Yes, and --

21 CWO [REDACTED] This looks terrible going out there, you know  
22 what I mean? Did you ask them to explain why the boat was smoking  
23 so much?

24 MS. FALCONE: Actually I did ask Caterpillar, and they said  
25 the fuel may be -- would be dirty. So our fuel guy at that time

1 started adding fuel additives to his fuel tank when he added fuel.  
2 Or fuel cleaner, mold -- whatever it was there.

3 CWO [REDACTED] Did that help?

4 MS. FALCONE: A little bit.

5 CWO [REDACTED] Did your engineers have a reason, or did they  
6 have an understanding of why, you know, the engine exhaust was so  
7 sooty?

8 MS. FALCONE: No. And Caterpillar, they -- we did discuss  
9 that with Caterpillar, and there was not a level of concern of any  
10 damaging or anything of concern with it. It was just exhaust  
11 smoke.

12 CWO [REDACTED] Did your previous Lydia boats, did they soot up  
13 the transom in such a way?

14 MS. FALCONE: I don't remember.

15 CWO [REDACTED] And the Caterpillar -- you said following the  
16 overhaul that Cat came out, hooked up a computer?

17 MS. FALCONE: They did.

18 CWO [REDACTED] But you have no servicing report, no receipt.  
19 Could this have been like a friend of a friend or a --

20 MS. FALCONE: No, it was Caterpillar. It was Caterpillar. I  
21 paid him cash before he walked on the boat. From Caterpillar Ring  
22 Power, from Ring Power. From Tampa's office. I called them.  
23 They sent out someone. It was after hours. We just needed it to  
24 be checked. Everything was good. That's all -- and that's all he  
25 did. Everything was cleared and good.

1 CWO [REDACTED] So with this Cat technician, did he basically  
2 come in and look at the final overhaul of the engine --

3 MS. FALCONE: He did.

4 CWO [REDACTED] -- as it was put together and check the box;  
5 yep, it's overhauled, fine? Appears to be running properly --

6 MS. FALCONE: Oh, yes. That's -- when he came out, he looked  
7 visually, hooked up his computer and everything and said, yeah,  
8 everything seems to be running properly; everything's good.  
9 That's all I wanted. You know, if there was something wrong, then  
10 I'd want him to tell me that. But he didn't. There was nothing  
11 wrong with it at all.

12 CWO [REDACTED] Did the same -- did any Cat tech or the same  
13 Caterpillar technician, did he come out prior to the overhaul  
14 or --

15 MS. FALCONE: No.

16 CWO [REDACTED] -- maybe while the overhaul was going on and  
17 oversee any aspect of it?

18 MS. FALCONE: No.

19 CWO [REDACTED] No. And was his service solely concentrated on  
20 the starboard engine or was it both engines? If you know.

21 MS. FALCONE: I don't know if he hooked up the port motor. I  
22 don't know that. So I don't remember if he did or didn't. I just  
23 wanted a check on the starboard that everything was done properly  
24 and running properly.

25 CWO [REDACTED] Okay. And do you have a single point of contact

1 at Ring Power, or do you just call a main line?

2 MS. FALCONE: I called them. A main line service after  
3 hours, and they sent me someone from Brooksville. So the lady  
4 that I spoke to -- you guys were here that day. I went back  
5 there. I called her. She was not very cooperative. She said  
6 anything after hours or whatever you need to find out, there's no  
7 way she could pull it up. And I said, well -- then she said  
8 something, if you get a subpoena or somewhere, then they could  
9 find it or something to that effect. So that's where I'm at with  
10 that.

11 CWO [REDACTED] Okay. And when you deal with Ring Power or CAT,  
12 do you only -- sometimes it's difficult to search those records  
13 because we could possibly be looking for ABK, we could be looking  
14 for Tropical -- you know, we could be looking for Port Richey  
15 Casino, the boat name. Are all those viable possibilities?

16 MS. FALCONE: Yeah. That's what's the problem, I believe,  
17 was on the phone. You know --

18 CWO [REDACTED] And did the Coast Guard get a servicing report  
19 following the overhaul? Did they get a copy of anything? A tech  
20 report, possibly?

21 MS. FALCONE: I don't know. I imagine they were out the next  
22 day, you know, so I don't -- I don't know.

23 CWO [REDACTED] Okay. That's it, Brian.

24 MR. YOUNG: Anything?

25 MR. MASSEE: Yeah, just a couple of things to clarify. And

1 so I'm going to ask you --

2 MS. FALCONE: Okay.

3 MR. MASSEE: -- a couple questions, okay?

4 One of the things -- just to be clear, in terms of your  
5 communications with Mr. Pintye, your engineer, was it only limited  
6 to getting an email report or a --

7 MS. FALCONE: No.

8 MR. MASSEE: Okay. How often would you talk to Mr. Pintye?  
9 Daily?

10 MS. FALCONE: Multiple times a day, you know --

11 MR. MASSEE: Okay. So if there was a problem, if there was a  
12 problem or a maintenance issue, he could just call you?

13 MS. FALCONE: Um-hum. Yeah.

14 MR. MASSEE: And was in fact a lot of business transacted  
15 that way?

16 MS. FALCONE: Um-hum. Yes.

17 MR. MASSEE: And so the checklists and the papers that we  
18 have on the computer may not actually reflect everything that was  
19 done?

20 MS. FALCONE: No. No, not at all. I mean, we do whatever --  
21 you know, all the maintenance and upkeep. The boat was  
22 immaculate. I mean, it really was. I don't know what happened.  
23 It was a horrible thing. But it was a beautiful boat.

24 MR. MASSEE: And I just want to talk with -- you were asked  
25 questions about the smoking and the black soot on the stern. And

1 only answer this if you actually know the answer, okay? Which is,  
2 was there a discovery made that the thermostats on the engines  
3 were actually set at a lower temperature than what was recommended  
4 by Caterpillar when you bought the boat?

5 MS. FALCONE: Yes.

6 MR. MASSEE: Okay. And were those thermostats changed --

7 MS. FALCONE: Yes.

8 MR. MASSEE: -- to try to tackle that smoke problem?

9 MS. FALCONE: Yes. Yes. Another part on that smoke problem,  
10 which completely slipped my mind, is they were washing the boat  
11 with Dawn. Dawn strips all the gel coat off the back of the boat.  
12 So that black soot got in there, and to repaint it, to buff it  
13 out, took a long time; hours to buff it out, to repaint and -- it  
14 just sucked it right in, into the --

15 CWO [REDACTED] Fiberglass.

16 MS. FALCONE: -- fiberglass.

17 CWO [REDACTED] Yeah. So did -- this is [REDACTED] [REDACTED] with the  
18 U.S. Coast Guard. Did the thermostat replacement alleviate the  
19 smoke?

20 MS. FALCONE: I believe so too.

21 CWO [REDACTED] And do you recall when the thermostat would have  
22 been replaced?

23 MS. FALCONE: No, I don't.

24 CWO [REDACTED] Could you guess within how many months of the  
25 accident?



1 MS. FALCONE: It's going to be months before. There was  
2 nothing done anytime previously of January. It was months before.

3 CWO [REDACTED] Okay.

4 MS. FALCONE: It should be in our records.

5 MR. MASSEE: Don't quote me on this, but I think there is a  
6 notation about the thermostat.

7 MR. YOUNG: I think so too.

8 This is Brian Young with one last question. The captain who  
9 was on the *Island Lady* at the time of the accident, is he still  
10 working here?

11 MS. FALCONE: Yes.

12 MR. YOUNG: And at what point after the *Island Lady* fire did  
13 the engineer come back to work?

14 MS. FALCONE: He actually had another job the week prior to  
15 the fire. So he is working at his other job as well, and he works  
16 for me 2 days a week.

17 MR. YOUNG: Part-time.

18 MS. FALCONE: He comes in one evening, and then on the  
19 weekends he works. It's been a few months. A while.

20 MR. YOUNG: Okay. Okay. I'm all set, if you are. Anything?

21 CWO [REDACTED] Nothing for me.

22 MR. YOUNG: Good. All right. Good. Then we'll secure the  
23 interview. It is 2:19. Thank you very much for your time.

24 (Whereupon, at 2:19 p.m., the interview was concluded.)

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF: FIRE ON BOARD THE *ISLAND LADY*  
PORT RICHEY, FLORIDA  
JANUARY 14, 2018  
Interview of Stacy Falcone and Beth Fifer

ACCIDENT NO.: DCA18FM010

PLACE: Port Richey, Florida

DATE: October 2, 2018

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

  
\_\_\_\_\_  
Eileen Gonzalez  
Transcriber