

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: \*

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DUKW 34 AND M/V CARIBBEAN SEA \* Docket No.: DCA-10-MM-025

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Interview of: LISA ASHERY

Conference Room  
Sector Delaware Bay  
United States Coast Guard  
Philadelphia, Pennsylvania

Sunday  
July 11, 2010

The above-captioned matter convened, pursuant to  
notice, at 11:58 a.m.

BEFORE: LIAM LARUE  
Accident Investigator

## APPEARANCES:

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LAWRENCE ASHERY

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I N T E R V I E W

(11:58 a.m.)

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2  
3 MR. LARUE: This is Liam Larue from NTSB. It's  
4 11:58, Sunday, July 11th. We're here at Sector Delaware Bay,  
5 and we are going to talk today to Lisa Ashery who was one of  
6 the passengers on the DUKW boat. If I could get everybody else  
7 in the room to just introduce themselves, we'll start with you.

8 MR. GATLEY: My name is Bill Gatley. I represent  
9 Ride the Ducks.

10 MR. ASHERY: I'm Lawrence Ashery. I'm Lisa's  
11 husband.

12 MS. ASHERY: Lisa Ashery, survivor.

13 CAPTAIN LAWRENCE: Captain John Lawrence, K-Sea  
14 Transportation.

15 CWO GLADISH: Chief Warrant Officer Rick Gladish,  
16 U.S. Coast Guard, Sector Delaware Bay, Casualty Investigations  
17 Office.

## INTERVIEW OF LISA ASHERY

18  
19 BY MR. LARUE:

20 Q. Could I just get your age first, please?

21 A. Forty-eight.

22 Q. Great. And if you could just kind of walk us through  
23 the whole event. I think probably what would be good is to  
24 start with what you remember from the safety -- actually, where  
25 were you sitting? Let's start with that.

26 A. I was sitting on the right side of the boat in the

1 first seat.

2 Q. I've got my little diagram here. So you were --

3 A. Actual -- okay.

4 Q. -- we've got the seats numbered.

5 A. My daughter was here.

6 Q. So that's seat -- you're in seat 1, and she was on  
7 the window seat?

8 A. The window seat, and I was on the inside seat.

9 Q. Okay.

10 A. And the captain was here.

11 Q. Okay.

12 A. And there was also a little seat right here so that  
13 when the DUKW boat -- Kyle. I know him by first name. When  
14 Kyle was driving the boat in the water, the captain was able to  
15 sit over here and continue to, you know, give us the tour.

16 Q. Okay.

17 A. Which is where he was at the time when everything --

18 Q. Yeah. Do you remember who was in the seat across  
19 from you, seat 2?

20 A. Yeah -- no. I don't remember exactly who was on  
21 which side in the, you know, right now I mean in -- but there  
22 was a woman and a son.

23 Q. Okay.

24 A. And from what I could understand, originally I  
25 thought it was a family of four. But from the news report, and

1 that's the only thing that I know this from, supposedly it was  
2 like a man and his daughter and --

3 Q. In seat 4?

4 A. -- and friends of theirs, mother and son, and I think  
5 they were all from St. Louis.

6 Q. Okay.

7 A. And I know that -- I know they were interviewed for  
8 something online because I had read part of what somebody  
9 had --

10 Q. So seat 4 was a man?

11 A. It was a man and a daughter.

12 Q. And the man was in the window seat or -- I mean it  
13 doesn't matter if you can't remember.

14 A. You know, it's like it's funny because the only  
15 positioning beyond us that I remember is where the two people  
16 that died were, because I turned to talk to them. The man was  
17 on the outside, and the girl was on the inside, you know, like  
18 by the window. So you know, I'm trying to think. I -- it  
19 could have been that the woman was here, and the boy was there,  
20 if I had to give it my best guess, because we tend to --  
21 parents tend to put their children by the window to be able to  
22 see the best and --

23 Q. Right.

24 A. -- so if I had to give it my best guess, I would say  
25 that they were probably in the window seats, the kids.

1 Q. Okay. Great. So you were in the very front seat.  
2 So you had a, you know, front row seat for everything that  
3 happened?

4 A. Sure did.

5 Q. I guess, if you don't mind, just start with maybe the  
6 safety brief, what you remember from that, and then you can  
7 just tell us what's --

8 A. Oh. In the very beginning when we first -- when we  
9 first started to drive, Gary, who was the captain, went over  
10 the rules with us. I mean he showed us where the lifejackets  
11 were. He showed us that the adult lifejackets were on the  
12 right, and the kids' lifejackets were on the left. And you  
13 know, and despite the fact that he said, you know, well, you  
14 know, despite the fact that you'll never need these, you know,  
15 in the event of an emergency you, you know, you put the  
16 appropriate -- he said if you weigh 99 pounds and under you  
17 want the child's vest, and 99 pounds and over you want the  
18 adult vest, and you put it on, and he described, you know, how  
19 you strap it around yourself and everything, and then you get  
20 out the windows. I mean, you know, we all kind of, you know,  
21 snickered I mean because, you know, none of us really thought  
22 there would ever be a need for it. But he went through all of  
23 that while we were on land.

24 And then we went through the land part of the tour,  
25 and then, you know, we got to the entrance to the water, and we

1 stopped and had a conversation with two people, and one of them  
2 I believe -- I don't know if Kyle was one of those two people,  
3 or if he came onboard just -- at some point Kyle came onboard.  
4 I wasn't paying real carefully as to how and when, but  
5 obviously he got onboard before we got into the water. And we  
6 were driving a little way along in the water when he told Kyle  
7 that he could take the, you know, take the controls. And Kyle  
8 was driving along, and he was sitting in the seat right -- the  
9 captain was sitting in the seat right in front of me and giving  
10 the tour. And at a certain point, he was correcting Kyle's  
11 driving because, you know, he said that's not the correct lane  
12 to be in. So he obviously had some awareness of what lanes or  
13 where the boat should be in terms of the water.

14           And there was a certain point in the tour when you,  
15 when you -- the boat is perpendicular to the land, and I don't  
16 remember if the other DUKW boat got there before or after us,  
17 but there was a point at which we were perpendicular, and the  
18 other DUKW boat was perpendicular, and we were, you know,  
19 quacking at each other. It's like stupid humor here. And  
20 then, and then he went to turn around to take us back, and the  
21 funny thing was when we first went into the water, I smelled  
22 something funny. But I figured it was just trash from the area  
23 or that it was just dirty. You know, I -- because it wasn't  
24 strong. It was very mild. But coming back, the smell was  
25 stronger, and I said out loud what is that, dirty trash or

1 something? And the woman who was sitting in the seat across  
2 from me said yeah, I smelled that before. What is that? You  
3 know, it doesn't -- it smells like something is burning, and he  
4 turned around and there's smoke starting to come. Now  
5 when I looked at it, to me it looked like you know how when a  
6 carburetor overheats, there's like all of this smoke, you know,  
7 that was just coming -- never saw any flames. Never saw any  
8 indication that it was like a fire. It just seemed to me like  
9 a carburetor overheating.

10 But right away, there were a few things that he did.  
11 They -- he -- the captain reached over, turned everything off  
12 and told Kyle to drop the anchor. And Kyle gave me his  
13 sunglasses and his phone and his walkie-talkie and found a  
14 lifejacket, a blue lifejacket, and got out onto the hood of the  
15 boat, which I thought was pretty brave considering it was  
16 probably very hot, and started to lower the anchor. And then  
17 when he did that, he came back, and I remember the captain  
18 talking to him about procedure. Like he was starting to talk  
19 to him about contacting the Coast Guard. Now I didn't actually  
20 pay attention as to whether or not he actually contacted the  
21 Coast Guard, so I can't tell you for sure that part of it, but  
22 I remember him saying to Kyle, you contact the Coast Guard, and  
23 then we contact, you know, headquarters. And I do remember him  
24 talking to headquarters because I remember them having  
25 discussion about the fact that he used the word "fire" when he

1 talked to them. And I'm thinking to myself it was a fire? You  
2 know, because I didn't think it was. You know what I mean?  
3 And it may have just used that to let them know that it was an  
4 emergency. I don't know. That's just -- that part of it's  
5 just surmised, but I heard the word "fire" when he was talking  
6 on the radio.

7           And basically what he said when he got off with them  
8 was that they were sending another boat out for us that would  
9 take -- you know, they were sending another boat out for us  
10 that was going to tow us in, and then we would switch onto the  
11 other boat and go back. And you know, and then he made, you  
12 know, we kind of tried to, you know, keep -- by keeping  
13 everybody calm he made like a joke about how, you know, well,  
14 we may be out here for 7 hours waiting for this boat to show up  
15 or whatever. But you know, he was just trying to keep  
16 everybody calm and -- because you know, and I didn't think  
17 anything of it, because you know, it's just one of those things  
18 where like, you know, something breaks down, and you've  
19 contacted command, and they said they're sending somebody out  
20 for you. Initially it's no big deal, you know. So we were  
21 kind of joking -- making stupid jokes about the situation with  
22 people. And then I asked him if he'd ever been through  
23 anything like that before, and he said no, it was his first  
24 time ever having something like that happen.

25           And then as I was talking to him a little bit, I saw

1 his eyes get really wide, and then he said, oh, my god, a  
2 barge. And I turned around, and I saw this barge. And see  
3 it's -- to me it seemed like it was a bit of a distance off,  
4 and here's my confusion. I saw and maybe I'm -- I don't -- you  
5 know, I keep wondering, you know, I saw a man on the front of  
6 the barge going like this. Okay. Now that's what I saw. All  
7 right.

8 UNIDENTIFIED SPEAKER: On the boat?

9 MS. ASHERY: On the barge. And I, you know, and I --  
10 and right away, the captain grabbed the little radio, you know,  
11 with the squiggly wire attached to it, and he started calling  
12 into it, Mayday, Mayday, Mayday, and he started describing the  
13 circumstances. And he started, you know, explaining that we're  
14 anchored, like all kinds of things. You know, I can't, you  
15 know, give verbatim exactly everything that he said, but he did  
16 the whole Mayday thing more than once, several times. And it  
17 was, it -- all there was on the line was static. There was no  
18 response. And I was so upset because -- and the reason why the  
19 man stands out in my mind is because I saw him doing that, and  
20 I'm thinking, where does he think we're going to go?

21 And so the captain, when he realized that the barge  
22 was going to keep coming, screamed to Kyle cut the anchor, and  
23 Kyle climbed out on the front again to go cut the anchor. But  
24 he didn't have enough time, so the captain turned to us and  
25 like -- because the barge was just about on us, and he screamed

1 at everybody grab a life preserver and get off the boat.

2           Now when I spoke to the woman from Hungary, she said  
3 she didn't hear that. He wasn't on the microphone when he said  
4 it. You know what I mean? Like you know, he had a headset on,  
5 and he had taken the headset off when the steam was coming out  
6 of the thing in the first place. You know, so at that point --  
7 and here's the thing I was saying to my husband in the car.  
8 You know, I had this vague recollection of a loud noise, like a  
9 loud horn, like a loud like a horn from a boat kind of thing.  
10 So I said to my husband, and this is me surmising at this  
11 point, maybe they didn't hear it because of the loud noise, you  
12 know. But the last thing I vaguely remember in the back of my  
13 mind was some kind of loud noise, and then I was reaching up to  
14 get the life preserver.

15           I'm going to back up for just one second, because my  
16 daughter at the time that the -- that all the steam, you know,  
17 stopped because they'd opened up the vents, I pulled out my  
18 cell phone to send my husband a message, and I wrote the title,  
19 "What are the odds?" And she said, can I send Daddy, you know,  
20 the e-mail message? And I said sure, and I handed her the e-  
21 mail, you know, the cell phone, and she was typing in the cell  
22 phone while, you know, the rest of this stuff was going on.

23           So I had reached up to grab life preservers, you  
24 know. A lot of us did. So my guess is we probably released a  
25 lot of them. I don't know how many people were actually

1 wearing them. From some of the interviews I saw, you  
2 know, online or what have you, a couple people said they  
3 actually had the presence of mind to get the heck off the boat  
4 ahead. I wish I had had the same presence of mind. I was  
5 pretty much in shock. I mean because we really thought that  
6 maybe they were going to push the tug, you know, the tug would  
7 maybe push it out of the way, or they would stop. I mean what  
8 do I know about tugs and barges and --

9 But I was standing up, and all of a sudden I felt  
10 pushed forward and up. So I was really surprised when I saw  
11 that picture, you know, because I felt it pushed forward fast  
12 and up, and then we just were like under water immediately.  
13 Just bam, under the water completely. And I felt my body shift  
14 to the right and then really hard to the left, and that's when  
15 it felt like we were, you know, it was a very quick jerk to the  
16 right and then bam, down, way down on the left side is what I  
17 felt. But like I said, I'm trying to think this through. It  
18 was very fast. I mean what I'm describing to you was like not  
19 even seconds. I mean it was just -- we were under the water,  
20 way down, so fast, I didn't even remember going from the life  
21 preserver to being under the water. And what had happened was  
22 I went to grab for my daughter, and all I got was the cell  
23 phone. We were separated instantly.

24 I had got clunked on the head by something. I don't  
25 know what I was clunked on, but it knocked the breath out of

1 me. And when I went to take in a deep breath, all I got was  
2 water, and that's what shocked me because it was -- and all --  
3 everything I'm describing to you happened so like almost  
4 simultaneously. Do you know what I mean? So it was like bam  
5 under the water. You know, my head hurt me. And I'm -- and  
6 you know, I got to, you know, breathe, and I'm breathing in  
7 water. I'm thinking -- the first thing that went through my  
8 head is this is how I'm going to die, you know.

9           And everything was very murky, green, arms and legs  
10 in front of me. My glasses were gone immediately, so seeing  
11 was more difficult than it was before. I didn't have time to  
12 pay attention to what I had and what I didn't have, and all I  
13 knew is I'd grabbed something, but I didn't know what I had  
14 grabbed and I -- and all I could think in my mind was this is  
15 the way -- how I'm going to die. And I started to panic. That  
16 was my first reaction was started to panic. And then something  
17 in my head said get out of the boat. Get out of the boat. Get  
18 out of the boat. And I started to try to figure out where a  
19 window was. I couldn't see anything. And then all of a  
20 sudden, I don't know how I found a window, an opening or what  
21 it was I went out of, but I went out of something, and I just  
22 started swimming, swimming, swimming, swimming. I had no idea  
23 if I was even going the right way. I was just trying to go up.  
24 And next thing I knew I popped to the surface.

25           When I popped to the surface, and caught my breath,

1 and looked all around, there seemed to be a lot of other people  
2 in lifejackets all over the place. And I looked at my hand,  
3 and I was holding a cell phone. And a lot of these  
4 realizations happened very quickly, and I realized that my  
5 daughter wasn't there and that she was probably at the bottom  
6 of the boat. And I think at that moment I lost my mind because  
7 I just started screaming and screaming, screaming my daughter  
8 is down there. My daughter is down there. Help me. She's  
9 going to die. And I just started screaming her name over and  
10 over and over and over and over and turning in different  
11 directions looking for her. Maybe she's somewhere. And as I  
12 was just giving up hope, just like the last mode of her name,  
13 all of a sudden I heard "Mommy," and I turned around, and there  
14 was her face above the water. I don't know how she got there.  
15 I had like five seconds to just say, thank God, and then I just  
16 started swimming towards her like a crazy person. And I  
17 grabbed her, and I hugged her and I kissed her, and I told her  
18 I love her. And neither one of us had a lifejacket, and I  
19 wasn't even thinking about that in the moment, but all I was  
20 thinking about was she's alive, I'm alive. My last breath, I'm  
21 getting her the hell out of this.

22           So I said to her, Lily, I need you to be very brave.  
23 I need you to do everything I tell you to do. I said see that  
24 big group of lifejackets over there with people? We need to  
25 get over there. It was in the direction of Penn's Landing. So

1 we started kicking as hard as we could and swimming. I was  
2 trying to hold her up as best I could.

3 And we got over to the group, and I was very tired at  
4 that point. I think what saved my life is since January I've  
5 been working out and losing weight, but working out really hard  
6 with a trainer, and that day I had done seven miles on an  
7 elliptical machine, worked out with weights.

8 I don't know where I got the energy to come to the  
9 surface. But by that time I was getting really tired, and we  
10 got to the group. And I said to the group, I said, can  
11 somebody please share a lifejacket with us? And that's when  
12 Peter handed me his lifejacket. I had no idea how badly  
13 damaged even he was until I saw later in the hospital. I said  
14 to him -- he said here, take mine. And I was like so out of my  
15 mind at that point with exhaustion, with just stress that I,  
16 you know, took the lifejacket. I wasn't even thinking, you  
17 know, god, he's younger than I am. You know, but I was  
18 thinking about my daughter. That's what I was thinking about.  
19 And he said he'd share with someone else.

20 And then we're all in the water together, and I  
21 looked off in the distance, and I saw another big boat. Now I  
22 don't know if it was the -- I don't know what it was. I just  
23 saw another big boat. And I said ha ha, we got to get the hell  
24 out of here. Pardon my language. Sorry. So I just screamed  
25 at the whole group, because I didn't know who understood

1 English, who didn't understand English. I started to point. I  
2 said there's a boat coming. We need to go to Penn's Landing.  
3 And we just all started in a mad rush in that direction. And  
4 at that point, I lost track of everybody else except for two  
5 girls, two teenage girls. At the time I thought they were from  
6 Hungary. It turns out when I went to the memorial yesterday, I  
7 found out they were from West Chester. They were part of the  
8 church families, I mean the families from the church, and they  
9 were very strong swimmers.

10           And the, you know, the four of us were kicking and  
11 trying to kick in the direction of Penn's Landing, and I was  
12 getting really tired. And we had gotten close to a piling. Is  
13 that what that thing was? Okay. To a piling and I -- my  
14 daughter said to me, Mommy, we're going the wrong way. We were  
15 drifting down, and I was kicking as hard as I could. I was  
16 getting exhausted. And I said to them, I need you to get her  
17 to that piling. So I kind of let them have her, and I was  
18 trying to fight on my own to get there. They got her there  
19 first.

20           When I first told the story to Channel 3, my  
21 recollection was that I went with them, until I heard her tell  
22 the story, and then I remembered that I had let her go. And so  
23 that's the one discrepancy you'll find in this current story  
24 right now.           But they lifted her onto the thing, and I  
25 was having trouble getting there. And I was like within a

1 hand's reach, and I said to one of the girls, if you give me  
2 your hand I think I can get there. And so I grabbed her hand  
3 to kind of propel myself, and we all held on.

4           From that point, from that point, we were just  
5 waiting, you know. And then the rest you've seen on the news.  
6 The police officer jumped in, and he put my daughter on the  
7 boat, and he was supposed to come back for us and take -- I  
8 thought he was going to take all of us on the boat. I didn't  
9 see the Navy Seals pull up alongside until they were there, and  
10 by that time they were taking the other two girls onto the  
11 boat. I didn't want to go on the Navy Seals' boat because I  
12 wanted to be with my daughter, and they kind of didn't give me  
13 much choice and hauled me on, because I had no energy to climb  
14 on at that point. And when I got into the boat, after I  
15 realized that she was safe, I was safe, I screamed at them -- I  
16 started screaming at them there's still people down there. I  
17 think I also screamed at the police officer when I was holding  
18 on. There's still people down there. I know there's still  
19 people down there. Now I didn't know who the people were, but  
20 I knew there to still be people down there. I wasn't thinking  
21 clearly at the time that the odds were if there's people down  
22 there, they're finished.

23           And then we got -- I got out. I was on land first  
24 and I -- and they wanted me to go to the Seaport Museum, and I  
25 wasn't leaving without my daughter at that point. So I was

1 just standing, no shoes, no glasses, no bag, no nothing, just  
2 the clothes on my body, waiting for my daughter to come, and  
3 then they brought my daughter to me, and then we walked to the  
4 Seaport Museum, and the rest is, you know, I don't know if you  
5 need to know the rest about going to the hospital or any of --

6 BY MR. LARUE:

7 Q. Yeah, we'll --

8 A. Okay. I, you know, like I don't know at what point,  
9 you know, how far along. When we first came into the Seaport  
10 Museum, some really nice people, I guess they were museum  
11 workers, were handing out these blue t-shirts. And I didn't  
12 look to see what size they were. I just took one and put it on  
13 her and then took mine and put it on her. And we were sitting,  
14 there's this thing sticking out from the wall. There was a  
15 mother and two girls sitting on the wall, and then we were  
16 sitting perpendicular to them. And then I could see the stairs  
17 where all the other kids were there, and several times they  
18 were taking headcounts to see, you know, how many people were  
19 there, how many people were there. I was really worried about  
20 how many kids were there and how many teenagers were there  
21 once, you know, I had my own daughter and was sitting.

22 But I kept saying, you know, and I kept asking about  
23 the captain and Kyle, because Kyle, he dove off to the right.  
24 When the barge was on us, he dove off the boat to the right.  
25 The captain I think was still on the boat. And I was kind of

1 worried that maybe he had gotten hit by the barge or, you know,  
2 or the captain didn't make it out because I never saw them  
3 again. So I was really happy to hear they were okay. You  
4 know, just trying to get a sense of if I recognized anybody  
5 from the boat, you know, that they were, you know, like my mind  
6 count for who was okay, who was not okay. The teacher, you  
7 know, the headcount, the constant --

8           And so they did that several times, and they moved  
9 us. They, you know, when we were sitting there, I realized  
10 that my head hurt me in the back of my head, and my neck along  
11 the left side was hurting me. I hadn't noticed any of the  
12 bruises that I see now, but you know, I was uncomfortable. And  
13 the medic asked me if I wanted to go the hospital. I had just  
14 borrowed a phone a few minutes prior and called my husband at  
15 the office and said to him look, you know, Lily and I are okay,  
16 but there's been this accident, and I need you to come to the  
17 Seaport Museum and get us. And then I -- so I wanted to give  
18 him time to come. I felt if I went to the hospital, how was he  
19 going to find us. So I said to the medical worker, I said  
20 look, you know, I'm going to wait and go at home to the doctor.  
21 That was my original plan.

22           And then they moved us back into the theater, and  
23 we're sitting in the theater, and over time blankets showed up,  
24 more shirts. You know, they were trying to keep Lily warm. I  
25 never had -- I didn't get a blanket until really close to the

1 end because I was just so numb I didn't care what I had on or  
2 didn't have on. Was mostly worrying about her. And somebody  
3 loaned me a phone again. I called my son, made sure he wrote  
4 some information down, because I was worried that my husband  
5 didn't get all the information at the time. And I'm trying to  
6 think what else.

7           And then after a long while, I finally said to -- my  
8 daughter started to complain of feeling nauseous, like she felt  
9 like she was going to throw up. And I said to them do you have  
10 a bag or something, you know, for in case she throws up? At  
11 that point, I said okay, I think maybe we need to go to the  
12 hospital, because if she's going to throw up, then maybe  
13 there's something really wrong. So I said to the worker, I  
14 said look, there's a good possibility my husband is out there  
15 somewhere in the museum. If you can find him, I'm going to go  
16 to the hospital now.

17           And so they found my husband. They brought him back.  
18 They brought a stretcher for me and insisted that I lay on it  
19 because they said, you know, could be something wrong with your  
20 head or neck, although I suspected I was probably fine because,  
21 you know, I went through all that stuff. If I wasn't okay, I  
22 don't think I'd be able to talk to anybody. But -- so I laid  
23 on the stretcher, and I made sure that my daughter stayed with  
24 my husband. They took me into the ambulance. Before they took  
25 me into the ambulance, they said that the press was outside,

1 and I didn't want to deal with any of that, so I just took the  
2 covers and went like this, just covered my face. They put me  
3 in the stretcher, but I also said to them please do something  
4 with my daughter. I don't want the press to get at my  
5 daughter. They wrapped her in a blanket, put her in a  
6 wheelchair, and they wheeled her into the ambulance and took us  
7 to the hospital.

8           And we got, you know, we got checked out. At the  
9 time, they didn't feel that I had anything broken or damaged or  
10 had any kind of concussion at that point. Then they -- she was  
11 doing a little bit better after a little while as well.

12           So you know, originally they thought there was  
13 someone that we were going to still need to talk to there, the  
14 police or someone they had -- were taking some of the survivors  
15 into a room and questioning them. But by the time I got into  
16 the room with the girls, with Peter and two of the Hungarian  
17 girls and the -- one of the women from the church, they had  
18 told me that the police officer had left, and they were fine  
19 with letting us be released.

20           There was one more thing. When we were in the  
21 theater, a gentleman, his last name was Levinthal (ph.), took a  
22 statement from me about everything that I remembered at the  
23 time. And then he called me again just before I called the  
24 NTSB, because he said to me do you remember another DUKW boat?  
25 And I said well, yeah, there was another DUKW boat in the

1 water. And he said well, do you remember, you know, if they  
2 had any interactions or if they, you know, passed or what was  
3 said or was -- and to be honest, I really wasn't paying  
4 attention, because I was getting a cell phone. My daughter  
5 did. She said to me she remembered they pulled up alongside  
6 and that we quacked at each other, and then there was  
7 conversation between the captains. She didn't say to me  
8 whether it was before or after we stalled out. I suspect it  
9 was after, but I don't know. And then they moved on. That's,  
10 you know, a recollection she has, not mine. You know, I was  
11 clear with the person I spoke to that that, you know, that that  
12 was the case. I was unsure of that piece of it.

13           But the other things, that's what I remember. It  
14 stays in mind and that's -- I called NTSB because as I started  
15 to watch TV, there was all kinds of discrepancies. And I was  
16 kind of bothered by them. So I wanted to say what happened,  
17 you know, because you know, my initial reaction, now that I've  
18 had a few days to think about it, and I'm sure there's mistakes  
19 and errors on everybody's part, you know, because when there's  
20 an accident, there's an accident, and stuff happens, and  
21 despite everybody's best efforts stuff happens. But in the  
22 moment, I felt the captain did the best he could in the  
23 circumstances. Now I know nothing about procedures, law,  
24 maritime rules or, you know, but that's how I felt in the  
25 moment. My biggest question right now and the most anger I

1 have is towards your company because I want to know why the  
2 hell they didn't answer the call.

3 MR. LAWRENCE: That's what we're trying to find out.

4 MS. ASHERY: Okay. And I want to know what happened  
5 to the guy because when I looked at the picture on television,  
6 I didn't see a guy, and I know I saw a guy. So I want to know  
7 what happened. You know, why did they run over us like we were  
8 trash in the water and keep on going? I watched them because  
9 when I came up out of that water, I had to dodge the tugboat.  
10 That I also remember. It was like bizarre like I was dodging  
11 like boats. And just like -- and remembering -- it's crazy.  
12 Remembering from the movie "Titanic" that it sucks you down. I  
13 was like I got to get away from all of this, you know, and  
14 panicked, just going to get away from all, you know, trying to  
15 get away from all of it. But one of the things that stays in  
16 my mind was watching the tugboat and the barge just going under  
17 the Ben Franklin Bridge and just keep right on like we were  
18 garbage. Made me so mad. I was so angry. I still am. And I  
19 want some answers.

20 MR. LAWRENCE: Well, we'll get them for you.

21 MS. ASHERY: I want some answers.

22 BY MR. LARUE:

23 Q. That's what we're, that's what we're trying to do  
24 here. And you remember that with remarkable detail. I just  
25 have -- I just want to kind of walk back through, and I've got

1 a few questions. But I mean you --

2 A. That's fine.

3 Q. -- you hit just about all the high points I could  
4 think of. Starting with the safety briefing, you said you --  
5 you showed you how to do the lifejacket. Did he actually put  
6 it on and strap it?

7 A. No. He didn't actually put it on and strap it, but  
8 he did describe it, and he said, you know, it's the rule --  
9 that the rules for it are a lot like what you have when you're  
10 on an airplane. You know, that it goes around your waist and  
11 it's, you know, like he verbally went through the process. And  
12 he did it, he did it on the mike, you know. The stuff off the  
13 mike wasn't until, you know, we were in the midst of the  
14 emergency. But you know, I felt pretty confident about what to  
15 do, and my daughter, when the girl gave her the life preserver  
16 on the pilings, she knew exactly what to do. She put it on  
17 herself. So you know.

18 Q. Do you also have an opinion about what would have  
19 happened if you were wearing a life vest?

20 A. Yeah, I have a very strong opinion about what would  
21 have happened if we were in life vests. You'd have more dead  
22 people. I'm very convinced of that because the way this boat  
23 went down and the speed it went down, I feel personally, and  
24 like I said, I don't know anything about all this stuff but I  
25 felt -- because that was the thing that bugged me. I kept

1 hearing people complaining why weren't they wearing  
2 lifejackets? If we were wearing lifejackets, those lifejackets  
3 would have risen to the roof, and we would have been stuck.  
4 And to boot, they're big, bulky things. How the heck would we  
5 have gotten out of those windows or holes or whatever as fast  
6 as we did?

7           There were more people on the boat when it went down  
8 than out of the boat. I heard people saying oh, everybody was  
9 thrown from the boat. We weren't thrown from the boat. We  
10 went down. There were a lot of people that went down. So I  
11 don't think those lifejackets would have been better on our  
12 bodies. I think, you know, for the people that jumped out  
13 ahead they're better off on your bodies. But for the people  
14 that were stuck in that boat, I think what saved us was that we  
15 weren't wearing lifejackets. Some people maybe were holding  
16 onto lifejackets on the way out or whatever, but we were all  
17 releasing them. Now that was good because some of them floated  
18 up to the surface, you know, and thank God we had some things  
19 to hold onto.

20           But I really believe more of us would be dead, not  
21 less. And I don't know, you know, anything about physics or,  
22 you know, rules or maritime or what. But I still feel very  
23 strongly about that because we were able to get out fast. You  
24 know what I mean? It was just our bodies, just you know, to  
25 the best of, you know, at least the ones that, you know, I read

1 about that got out faster than me. There were a lot of  
2 people -- I mean that's a lot of people and just a few windows,  
3 you know, getting out as fast as they could. I just don't  
4 think we'd have gotten out as fast with lifejackets on. That's  
5 my personal opinion.

6 Q. You said that you first smelled something funny when  
7 you -- right when you went in the water?

8 A. Yeah, see, but you see, I thought, you know, the  
9 Delaware River is not the cleanest river on the planet, and it  
10 wasn't really strong. You know, I grew up in Philadelphia, so  
11 you know, you know, it was a very faint scent. So I thought it  
12 was as we were hitting, you know, heading toward the water. So  
13 I really thought that maybe it was just trash. You know,  
14 because it was so faint. It was a lot stronger on the way back  
15 when they started to really, you know, when they'd stop sitting  
16 sideways, you know, and just floating and talking to us, and  
17 they started to move in the direction of going back, then we  
18 started to really smell it.

19 Q. So what direction were you going when you started  
20 smelling it again, north again?

21 A. Back -- we were heading north, yeah.

22 Q. Okay.

23 A. Yeah.

24 Q. The radio calls, you said that you saw the captain's  
25 eyes get wide, and he said oh, my god, there's a barge, or

1 something to that effect. How long after you were anchored  
2 until he first noticed the barge?

3 A. Maybe 10 to 15 minutes.

4 Q. Okay.

5 A. I mean because we had some time to kind of horse  
6 around, joke around, talk, whatever. You know.

7 Q. And then I know you said it was hard to remember, but  
8 how many calls do you think he made on the radio?

9 A. I heard Mayday, Mayday, Mayday with descriptions at  
10 least twice, at least.

11 Q. And did he call out to anyone, or did it just say  
12 Mayday? Was it more of a general broadcast, or was it directed  
13 at someone?

14 A. No, he was trying to contact the tug. That I do  
15 know. He was, you know, because I said to him, where in the  
16 hell do they think we're going to go? You know, because I saw  
17 that guy do -- you know, so you know, I thought that he was  
18 trying to get a hold of the tug. I mean that's what came  
19 across to me. Yeah.

20 Q. Now do you remember if he changed the channel on the  
21 radio at all?

22 A. You know, it's a detail that, you know, that just,  
23 you know, I remember watching him with the thing in his hand,  
24 you know. But I don't know if he changed the channel. I --  
25 like I said, I do know he definitely tried the first round of

1 Mayday, and there was static. And then he did another round of  
2 Mayday, and there was static, because I remember saying to him  
3 after the second one why aren't they answering us? And he  
4 didn't answer, and he just kept trying, and then he realized  
5 they were, you know, they were getting closer and closer.  
6 That's when he told Kyle to, you know, go cut the line, you  
7 know. And there just wasn't time. I mean at that -- the  
8 events seemed to unfold really fast after that. And it was --  
9 I think we were all in, you know, when I say all, I'm thinking  
10 myself and the captain, and you know, the people that were in  
11 the very front of the boat were kind of in shock that they  
12 weren't doing anything, that nothing was happening. There was  
13 no reaction. You know, we couldn't believe that nobody was  
14 doing anything. It was just stun. We were just stunned,  
15 completely stunned. So you know, and then you realize we  
16 didn't have any time, so that's when he screamed at us grab  
17 lifejackets and get off the boat.

18 Q. Like were those his exact words?

19 A. That's what I heard, you know.

20 Q. You also mentioned you heard some sort of a loud  
21 noise, maybe a horn. Was that coming from your boat? Did you  
22 see the captain doing anything, or was that coming from outside  
23 the boat?

24 A. You know, I just have this really faint memory of  
25 hearing a loud horn noise just before bam. That's all I

1 remember but that's all I -- and it's just -- it's really just  
2 like kind of like one of those in the back of your head to just  
3 kind of -- it was just loud and then a bang. So I don't know  
4 where that came from.

5 Q. And then you mentioned that after you came up, you  
6 actually saw the tug go by you?

7 A. Yeah, I saw everything go by me.

8 Q. Did you --

9 A. The barge, the tug.

10 Q. Did you see anybody on the tug at all at that point,  
11 do you remember?

12 A. Well, no. I mean I didn't see people. I didn't see  
13 anything. I just, you know, was where was the -- I'm like  
14 trying to take myself through the -- looking up was like the  
15 tug in the back of the barge. Like it was maybe the wall, you  
16 know, and still moving on. Just, you know, so I really  
17 didn't -- and I didn't have glasses on at that point. You  
18 know, I had just been through god knows what, you know, so  
19 people I didn't look for there. I was just looking for people  
20 in the water, one person in particular, so you know, once they  
21 passed, once they passed by, and it was just all of us in the  
22 water, that's when it dawned on me where my daughter was so --

23 Q. And then you said you saw somebody on the tug as they  
24 were approaching you when you were still on the DUKW. That  
25 was --

1           A.    No, they were on the barge.

2           Q.    They were on the barge?

3           A.    In the front of the barge going -- I don't understand  
4 that.  Where the heck did he think we were going to go?  You  
5 know, I mean that's what I said to the captain.  Where do they  
6 think we're going to go?  So you know.

7           Q.    Did the captain see the person on the barge?

8           A.    He didn't say anything to me.  Just -- he picked up  
9 the com and started trying to get their attention.

10          Q.    Do you remember what they were wearing or what they  
11 looked like or anything?

12          A.    Oh, god, no.

13          Q.    I know it's difficult.

14          A.    Yeah.  And I mean at that point they seemed pretty  
15 far away.  It was like the only reason why I could make out  
16 hands was because they were, you know, pointing to the side.  
17 But otherwise it just was like a body and, you know, like just  
18 looked to me like they were trying to wave us out.  It's like,  
19 you know, I'm thinking to myself where the hell, you know, do  
20 they think we're going to go?  I mean that's -- that was just  
21 mind boggling to me.                   And then I didn't, you know, I  
22 didn't turn around again.  I was focused on the captain at that  
23 point.  When he said it's a barge, that's when I turned around.  
24 Then I turned back.  So I wish I had thought to turn around  
25 again and again and again.  I did turn around one more time

1 just before he hit us but turned back like in shock because of  
2 how close he was. But by that time the cap couldn't see up  
3 that high because it was really -- it was on us. That was it.

4 Q. I just have two more quick questions, and then I'll  
5 let the other guys have a chance. What hospital did you go to?

6 A. Hahnemann.

7 Q. Hahnemann. And what's your swimming ability and that  
8 of your daughter's?

9 A. Well, when I was younger I was a very good swimmer.  
10 I haven't done that much swimming in the last I want to say  
11 five years or eight years so my, you know, my swimming ability  
12 was primarily due to my leg and arm strength at this point, you  
13 know, that I had been lifting weights and was -- my trainer  
14 said I have pretty strong arms and legs for, you know. I  
15 pushed with my legs about 100 pounds, so you know, that's not  
16 too bad for a lady.

17 Q. How about your daughter?

18 A. Not so great.

19 Q. Not a great swimmer?

20 A. I mean she had only been swimming for about a year,  
21 and that's why I figured there was no shot. I don't know if  
22 you want to hear what her story was to the best of our ability,  
23 but she was probably the last up. I don't know if she was the  
24 last out, but I know she was the last up. From what she told  
25 me, and you can actually, if you go to CBS, she gave her

1 recollection pretty clearly. It's on their, it's on their  
2 site. And she was very articulate. I was dumbfounded by how  
3 articulate she was.

4 UNIDENTIFIED SPEAKER: CBS3.com.

5 MS. ASHERY: Three, yeah. Yeah, CBS.

6 MR. LARUE: Okay.

7 BY CWO GLADISH:

8 Q. How is she doing? Is she all right? Today? I mean  
9 she --

10 A. You know, she is like the most resilient kid I have  
11 ever seen in my life. I mean, you know, I asked her four times  
12 before we decided to go down the shore, are you sure you want  
13 me to go? You know, because when she -- when we first got  
14 home, she just slept in my arms for two nights and asked me to  
15 please change the paint in her bedroom because it's sea green.  
16 It's getting painted, let me assure you.

17 She was upset the first couple days. She would say  
18 every few hours, I was really scared, Mommy. But by the time  
19 we got to like Thursday, late afternoon, I had a friend -- a  
20 little friend of hers come over, and they were playing and  
21 busy. And I kept trying to get her into like normal things,  
22 watching TV, hanging with her brothers, doing, you know -- she  
23 was really insistent that we should go, because we had planned  
24 this trip, and she's upset at me at this point that we're not  
25 going for four days. So -- and she's planning to go to camp.

1 And like I said to you earlier, we said to her, are you going  
2 in the pool? She said, Mom, after the Delaware River, she said  
3 what's eight feet of water. So I mean that's pretty amazing  
4 for a nine-year-old. But she was -- she went through a lot.  
5 Don't get me wrong. She was scared to death.

6 Q. I mean, has she been doing a follow-on with the media  
7 events with what's been going on?

8 A. No.

9 Q. She's not.

10 A. We've pretty much --

11 Q. You're able to keep that --

12 A. No, I've been doing. Like my boys are doing.

13 Q. Okay.

14 A. But we've pretty much kept her away from all that,  
15 because I just didn't think, you know, she heard us repeat the  
16 story into the phone a few times.

17 Q. Right.

18 A. But we would try to keep her out, away, turn the  
19 television up, you know, just you know, she watched herself on  
20 TV.

21 Q. Right.

22 A. That was about the sum total of it.

23 Q. Is she aware that they did find the two passengers  
24 behind you?

25 A. She does know that.

1 Q. She knows that.

2 A. She was, you know, I said to her do you want to go?  
3 Because I was at the memorial service yesterday.

4 Q. Right.

5 A. And she said, no, I don't think I want to go to that.  
6 So I said that's okay, I wouldn't expect you to. And I was  
7 glad she didn't when I got there so --

8 Q. Right.

9 A. But you have to understand this child has been  
10 through overly bad trauma this year beyond that, because in  
11 March, very dear friends of ours lost their youngest child who  
12 was 13 to a drugged-up driver who was driving too fast and hit  
13 him and killed him in a 25 -- 65 in a 25-mile-an-hour zone.  
14 And he had chased her around from the time she was a little  
15 girl, you know, played with her, you know. So it was -- and  
16 she was at that funeral. So it was a devastating blow. She  
17 knew what dying was about. She had asked a lot of questions  
18 about dying. Had -- she had to talk to grief counselors,  
19 because my entire junior choir was affected by it. And so I  
20 had to deal with a lot of crisis counseling of my own for the,  
21 you know, in addition to having them be close personal family  
22 friends. So that was March. So -- and now she's dealing with  
23 this, and it's a lot for a little nine-year-old.

24 Q. Absolutely. Lisa, did you ever take the DUKW tour  
25 before?

1 A. We did.

2 Q. You did?

3 A. A few years ago my daughter and I --

4 Q. You did?

5 A. -- took the same tour, and it was great. We had a  
6 great time. And that's why we were going because she -- we had  
7 taken the four days off from camp, and we were going to have  
8 Mommy and Lily week. And one of the things she wanted to do  
9 was the DUKW tours.

10 And when I was in the gym that morning, I was talking  
11 with my trainer, and she said to me it's 101 outside. Why are  
12 you going to go do that? Don't do that. And I went home and  
13 said Lily, why don't we do something else, maybe something  
14 indoors? And she was insistent, she really wanted to go. So I  
15 relented and took her. Now it's like hindsight, you know.

16 Q. A couple years ago you said?

17 A. A few years ago, yeah. I have a picture at home from  
18 the tour, that we bought.

19 MR. LARUE: Can you just identify yourself for the  
20 record? Sorry, I meant to tell you that.

21 CWO GLADISH: Oh, I'm sorry. Chief Warrant Officer  
22 Gladish. This is who I am. Can I give them a card?

23 MR. LARUE: Yeah, definitely.

24 BY CWO GLADISH:

25 Q. I'll be here. I work in the investigations office

1 here at Casualty Investigations. So hang onto that. If  
2 anything recollects down the road, feel free to call me,  
3 please, because I'm working for Liam and with Liam, and you  
4 know what, obviously it's horrific. And a lot of times the  
5 mind will -- it will black out things because that's what your  
6 mind does when something bad happens. And if anything does  
7 come along, because NTSB is not going to be here forever,  
8 please call me, and I can forward it along, and Liam can  
9 contact you.

10 Did you get on the dock at Market Street for the  
11 tour? Where did you --

12 A. I went into the visitors' center. See, I had called  
13 ahead and given them my credit card information.

14 Q. Okay.

15 A. And then went in to confirm that, you know, and get  
16 my tickets and all of my information. And I'm laughing because  
17 I'm thinking about what my daughter said. You know, there's  
18 actually -- in the Jewish religion there's a prayer of  
19 thanksgiving for when you survive a life-threatening  
20 circumstance. And we were talking with the rabbi, and she said  
21 to the rabbi at the very end something to the effect of, do you  
22 know there's discounts if you show them the quacker? Because  
23 he had said he had gone with his family a few years ago. This  
24 kid, she's such a piece. Oh, my god. Sorry.

25 We registered with the, you know, with them, got the

1 tickets, came outside to wherever that first docking station  
2 was, and you know, waited --

3 Q. Right.

4 A. -- for the ride. They took our picture.

5 Q. Okay.

6 A. You know, and we were the second group on. The first  
7 family on was the gentleman in the wheelchair with his wife and  
8 son. You didn't know about a gentleman in a wheelchair? There  
9 was a gentleman in a -- do you have that picture of the boat?

10 Q. I do.

11 A. That blew my mind that he made it out alive. Blew my  
12 mind.

13 Q. Was he an older fellow, kind of balding?

14 A. Yeah, like whitish kind of -- real heavysset.

15 Q. A bigger, bigger man. Okay.

16 A. Yeah. Yeah.

17 MR. LARUE: Yeah. Okay. I think we actually have  
18 his seat.

19 MS. ASHERY: Okay. Because he was sitting in one  
20 spot. I think his wife and -- oh, no, and grandchild, I think  
21 he said was his grandchild.

22 BY CWO GLADISH:

23 Q. Was his name Russell?

24 A. The man or the child?

25 MR. LARUE: Was he towards the back on the left side?

1 MS. ASHERY: Yeah, yeah. And then he had a -- then  
2 there was a woman and child with him. But I remember they  
3 interviewed him on the TV, and he said his grandchild. So I  
4 think it's his grandchild. So the husband, at least when we  
5 got on, the husband was sitting on his own, and it seemed like  
6 the wife and child were -- or wife and --

7 MR. LARUE: Okay.

8 BY CWO GLADISH:

9 Q. Did he have an assisting device once he was onboard  
10 the vessel?

11 A. No.

12 Q. A cane or anything to that nature that you can  
13 recall?

14 A. Oh, I don't know.

15 Q. To get -- I mean he relieved himself of the chair  
16 once he was onboard the vessel from what you can recall?

17 A. Yeah.

18 Q. Was he able to make his way to that seat on his own,  
19 or did he have something to assist him to get to that seat?

20 A. I don't know for sure because, you know, we were just  
21 waiting a long time for our turn. It took him a while to get  
22 there. So I --

23 Q. Okay. But he was in a wheelchair when he was at  
24 the --

25 A. He was in a wheelchair waiting. They put the --

1 brought the wheelchair up to the ladder.

2 Q. Okay.

3 A. I thought he got on on his own, but I don't know if  
4 he had something in his hand or --

5 Q. Okay. All right. One more thing with regard to him,  
6 Lisa.

7 A. Yeah.

8 Q. They didn't use any type of elevator device to get  
9 him up to the --

10 A. No, no.

11 Q. Okay. Okay.

12 A. No.

13 Q. Was the trip, the road portion of the trip with the  
14 sightseeing uneventful?

15 A. Yeah.

16 Q. No boat issues?

17 A. No issues. No problems. We were honking and beeping  
18 and making our noises and --

19 Q. Right.

20 A. -- you know, and watching the whole process and, you  
21 know.

22 Q. And the odor that you smelled as you said you were  
23 going down to the water, that started at the water? You didn't  
24 notice that odor anywhere else on the tour that you can  
25 recollect?

1           A.    I don't think so.  No.  No.  We hit the water and  
2 then just -- it was like as we were going down into the water,  
3 I think I thought, you know, I smelled it a little bit.  And I  
4 just really thought maybe it was the Delaware, you know.

5           Q.    Right.

6           A.    So --

7           Q.    I have one more question.  My last question is have  
8 you ever been in an automobile that overheated where the  
9 radiator --

10          A.    Yes.

11          Q.    Have you?

12          A.    Yes.  I mean I wasn't the driver.

13          Q.    But you were there?

14          A.    I'd seen one.  That's why I compared it to that.

15          Q.    You did?

16          A.    That's what it looked like, you know.  And you know,  
17 it was coming out -- the steam was coming out the sides of the  
18 hood.

19          Q.    Right.

20          A.    And then there's these little trap doors, one behind  
21 the captain and one right in front of us.  The one right in  
22 front of us was sealed shut with duct tape.

23          Q.    Right.

24          A.    So they never opened that one, but they opened the  
25 one behind the captain's chair.

1 Q. Okay.

2 A. And so that made more, you know, and so the woman and  
3 son that were across from me had to stand up to kind of get  
4 away from the smell.

5 Q. Right.

6 A. But it dissipated rather, you know, rather reasonably  
7 quick.

8 Q. Right. And the steam --

9 MR. ASHERY: But you told me the color of the smoke I  
10 believe.

11 MS. ASHERY: Was like whitish.

12 BY CWO GLADISH:

13 Q. Okay. That was my next question. Do you recall, was  
14 it light in color, dark in color?

15 A. It was whitish. There might have been a little bit  
16 of gray but mostly white.

17 Q. Right.

18 A. Mostly white.

19 Q. Right. So that -- I mean like I said I --

20 A. That's why I said, I thought more of a carburetor.  
21 That's why I was kind of surprised when he said the word "fire"  
22 into the com. You know, he, I don't know, you know.

23 Q. I noticed you said carburetor in the beginning?

24 A. Yeah, that was the first thing that crossed my mind.

25 Q. Radiator or carburetor?

1           A.    Well, oh, yeah.  I guess, yeah, I guess probably  
2 radiator is more like what I was thinking about.

3           Q.    Right.  I was just curious.

4           A.    Yeah.  I'm not a car genius.

5           Q.    No, that's fine.

6           A.    I'm sorry.  I should have, you know, yeah, but  
7 that's, yeah, that's what I was thinking.  You know, like when  
8 a car overheats.

9           Q.    That's okay.

10          A.    That's what I was, you know, thinking more along the  
11 lines of.

12          Q.    I think, Lisa, that's all I have.  Thank you.

13                   BY MR. LAWRENCE:

14          Q.    Yeah.  John Lawrence from K-Sea, Lisa.  First of all,  
15 let me say, you know, obviously I completely understand your  
16 anger at our company.  Like I said that's -- like Liam said,  
17 that's why we're here is to -- it never should have happened  
18 and, you know, and we're hoping to find out what happened and  
19 to, you know, put things in place to make sure it never happens  
20 again.  So on behalf of the company, I apologize.  Not much  
21 more I can say at this point here for that.

22          A.    Thank you.

23          Q.    A couple questions.  And I -- and some of these may  
24 be repeats.  I may have missed them.  Did you say your daughter  
25 was a swimmer too, also --

1           A.    She does, she does swim.

2           Q.    -- and then you said she isn't a good swimmer?

3           A.    She's not a good swimmer, but she does swim.  She  
4 passed her deep end test, but I can tell you that the camp that  
5 she's at this year is an art camp.  The camp she was at last  
6 year was more of a sporty camp, and it took her longer to try  
7 to pass her deep end water test last year.  She didn't pass it  
8 until almost the end of the summer.  And this year, she said to  
9 me we didn't have to tread water as long, Mommy, and I passed  
10 right away.  So I can tell you she's not the best swimmer on  
11 the planet, but she does swim.

12          Q.    Obviously it helps, having kids ourselves at camp I  
13 just -- I can believe how proud you must be of her through this  
14 whole -- both of you --

15          A.    Well, the first, the first half of the way up was  
16 hanging on somebody's pants.  That's why we were wondering if  
17 maybe, you know, God forbid that, you know, because she was --  
18 when she was in that murky water, she was looking around for  
19 something she could grab.  She didn't know where she was or  
20 what she was doing.  She saw pants and grabbed the pants, and  
21 he started to go up really fast, but then she lost her grip.  
22 She says she saw light at the top, and she said either I'm  
23 dying and that's God's light because, you know, when Natan  
24 (ph.) passed away, you know, we talked a little bit about, you  
25 know, that whole thing.  But she said either that's God's light

1 or that's the top, and either way, that's where I'm going. So  
2 she just swam and swam and swam and swam, and then she popped  
3 up. So that's her deal but --

4 Q. Okay. Thank you. And another question a little bit  
5 further on what you had said, talk about the assistance device  
6 for walking. I mean we found a cane on board, those three-  
7 legged cane. Do you remember anybody at all who had that?

8 A. I would -- my best guess would have been the guy who  
9 was in the wheelchair. If you found a three-legged cane, then  
10 if I had to say who would be most likely to have owned it,  
11 would have been him.

12 Q. Okay. You didn't see anyone else on board that  
13 would -- that had a cane or --

14 A. Not that I, not that I -- like I said, I was the  
15 second one on board, and you know, I was busy talking to my  
16 daughter and not really focusing on everybody else that they  
17 were getting -- that was getting on until much later on so --

18 Q. You said at one point where you saw a person on the  
19 barge right before the collision. You said to the captain  
20 where do they think -- do they want us -- where do they think  
21 we are going to go? Did the captain respond to you at all?

22 A. He wasn't even bothering with me at that point. He  
23 was more worried about trying to make, you know, it was more  
24 kind of like I was thinking out loud, you know.

25 Q. Yeah. Okay. Thank you. And last question, and this

1 is I'm sure difficult too, is do you remember anything about  
2 the passengers who died; just before the collision, what they  
3 happened to be doing? I don't know if you were paying  
4 attention.

5 A. Well, I mean, you know --

6 Q. Or during that whole thing?

7 A. Not just before the collision but when, you know,  
8 when the boat stalled out I, you know, we were joking around  
9 with them, a few very off-color jokes, and they were laughing  
10 and, you know, what they understood of what we were saying, you  
11 know, and talking to each other quietly, you know, where they  
12 were. And -- but I didn't really have contact directly with  
13 them prior to the actual, you know, that was -- my contact with  
14 them happened before he said oh, my God, there's a barge.  
15 So --

16 Q. Okay. That's all I have. Thank you very much.

17 MR. GATLEY: Just a couple things. When you saw the  
18 gentleman --

19 MR. LARUE: Just identify -- thanks.

20 MR. GATLEY: Oh, Bill Gatley, Ride the Ducks.

21 BY MR. GATLEY:

22 Q. When you saw the gentleman on the barge waving you  
23 off, was -- can you tell me which way he was facing and which  
24 way he was waving? Were they trying to wave you --

25 A. Well, he was standing at the very front of the barge.

1 That I do know because I could see him.

2 Q. So you're, you're --

3 A. So if the barge -- what I saw from where I was, the  
4 distance, there was a point, okay. The boat had a point to it.  
5 And you know, and so he was standing in the front, you know,  
6 towards the very front, and all I saw -- I thought that it was  
7 towards sea, but I can't tell where it was because I don't  
8 remember. I just, you know, I move my hands this way, but I'm  
9 a lefty. So who the heck knows if I'm doing that because I'm a  
10 lefty or if that's the way he was going.

11 Q. So you don't know if he was pointing to the shore or  
12 pointing to camp. That's fine.

13 A. I wish I had a better, you know --

14 Q. That's fine.

15 A. -- it's like just, you know, was kind of like waving  
16 us out, you know, like what the heck you doing there kind of  
17 reaction. You know, get out of the way. I mean what I got  
18 from looking at him was he wanted us to get the heck out of the  
19 way. You know, how does he figure we're going to get out of  
20 here? That's why I said that because where do you think we're  
21 going to go? You know, and you know, obviously how is he  
22 supposed to know that. But --

23 Q. I want to just make sure that you know that you got  
24 lots of resources that -- for you or your daughter from today  
25 or in the future. If you need help, make sure you contact --

1 and I don't -- I ran out of cards, I've gave so many out so --

2 Q. Well, I actually have Chris, whatever his name is,  
3 phone number because he --

4 A. Chris Hershend.

5 Q. And --

6 A. -- he called.

7 Q. -- lastly I'm just thrilled that you're here to give  
8 your story about you and your daughter because that's a  
9 miracle.

10 A. Thank you. It is by far a miracle.

11 Q. It is a miracle. So somebody was watching over a lot  
12 folks that day.

13 A. Oh, my God. A miracle that as many people survived  
14 as did survive. It was -- by what I saw, from when I looked at  
15 that picture of the barge bearing down on that boat, I don't  
16 know how many of us survived. I don't.

17 Q. We're all glad. We're all glad you're here.

18 A. Thank you.

19 BY MR. LAWRENCE:

20 Q. I do have -- John Lawrence. I do have one last  
21 question. I'm sorry. A little bit more of what you said when  
22 we talked about the man on the barge. One of the other  
23 survivors had told us that they had seen Kyle when he was on  
24 the bow, right before he dove off, waving off the barge, you  
25 know, trying to contact somebody and just waving his arms at

1 the barge. Is that true --

2 A. Well, I can believe that. Maybe he saw the guy too.  
3 I mean, you know, maybe --

4 Q. Okay. I just wondered if you, I just wondered if you  
5 remembered any -- him doing that, remembered seeing him doing  
6 that? No. Okay.

7 A. I mean, you know, I was -- my attention for the most  
8 part was more focused on the captain. The only time I looked  
9 up to Kyle was when he said, cut us loose. You know what I  
10 mean? And those are not -- that's not his exact words. But I  
11 mean, you know, he said to cut the anchor. So you know.

12 Q. Okay.

13 A. I mean I wish I could remember every little detail  
14 for you. I'm like racking --

15 MR. LARUE: You've done a great job.

16 MR. LAWRENCE: You have. You've been unbelievable.  
17 Great.

18 CWO GLADISH: Did -- I'm sorry to interrupt. Chief  
19 Warrant Officer Gladish once again.

20 BY CWO GLADISH:

21 Q. Did Kyle succeed with doing that? Did he get through  
22 the anchor line? Can you confirm that or not? Did he get his  
23 way through the line?

24 A. I don't think he did. Now I don't know for sure, but  
25 I don't think he did.

1 Q. All right.

2 A. Because you know, like I said, you know, it was -- as  
3 soon as he -- the captain, screamed grab a lifejacket, Kyle --  
4 he was gone.

5 Q. Right.

6 A. You know what I mean. I mean just he --

7 Q. But you remember he gave the command to Kyle and --

8 A. He gave that command, and Kyle attempted to fulfill  
9 that command, and I don't know how far into the command he, you  
10 know, he went, like if he actually even tried to cut, you know,  
11 if he even had gotten, you know, the rope started or whatever.  
12 But you know, he was going out there with intent to do that.

13 That's what -- why he was out on the front of the boat. So --

14 Q. If I draw a picture of the barge and the tug, can you  
15 show me where you saw that man? Would you be able to do that  
16 for me?

17 MR. LARUE: While he's drawing, this is Liam Larue  
18 from NTSB. I just had one last question, and that was did the  
19 captain have --

20 MS. ASHERY: See, now that's not my recollection that  
21 it was shaped like that.

22 CWO GLADISH: This --

23 MS. ASHERY: And I'll tell you something else that  
24 had me really bothered. I was looking at pictures on the news,  
25 and the picture that was taken by the guy who had got the DUKW

1 boat being pushed down, it shows a point, and the barge you see  
2 on TV is shaped like that, and what I saw more matched the  
3 picture that that guy took. And when I looked at the name on  
4 the side of the barge, it looked to me like it said something  
5 like the Resource Sea, and yet I'm looking at the other  
6 picture, and it says the Resource. So I don't, you know,  
7 that's why I'm a little confused. Now maybe I don't --

8 MR. ASHERY: Just to clarify what Lisa just said.  
9 This is Larry Ashery. The news helicopter showed a barge  
10 slightly to the south of the accident scene.

11 MS. ASHERY: Of Penn's Landing.

12 MR. ASHERY: And the news people said, see, Lisa,  
13 there's the barge that hit you.

14 MS. ASHERY: I said that can't be the barge, because  
15 it's 30 minutes after the accident, and it's south of Penn's  
16 Landing. That can't be the barge, because the barge I saw was  
17 going under the Ben Franklin Bridge. So you know, we saw a  
18 point on the barge.

19 BY CWO GLADISH:

20 Q. Okay.

21 A. So now maybe what we were looking at was this. Is  
22 that what we were looking at?

23 Q. This is the barge.

24 A. Yeah. What were we looking at?

25 Q. This is the tug.

1           MR. LARUE: It could have been the, you know, the  
2 corner of it but --

3           BY CWO GLADISH:

4           Q. Yeah, this is the DUKW, and you know, this is  
5 obviously the vessel you were on, Lisa.

6           A. Right.

7           Q. And this is the direction, and you know, you were  
8 stationary which that is one thing, Lisa, I wanted to ask you  
9 that as well. The command was given for Kyle to put out the  
10 anchor. Did it hold immediately, the anchor, once he dropped  
11 that line out and made it off or do you know?

12          A. I would guess it did because we didn't move anywhere.

13          Q. Okay.

14          A. I mean we were just stationary, just sitting there.

15          Q. Right. So it settled into the bottom and --

16          A. Well, I don't know that part.

17          Q. All right. I was --

18          A. You know, to be honest with you, I, you know, I don't  
19 know, you know --

20          Q. I -- how I would base that, would be the fact if you  
21 were looking at a shore point like the piers or the actual  
22 Penn's Landing, the north side there where they had the stage  
23 and all that, once that command was given for him to do that,  
24 if you recall in the period of time while you were stationary,  
25 waiting there during this whole event, if you remember looking

1 and if the vessel moved at all after that point?

2 A. Which vessel, this vessel?

3 Q. Your vessel, yes. Correct.

4 A. I don't think we did. I don't think we did.

5 Q. That's fine. I just wanted to -- that's kind of a  
6 difficult question to ask you because in my --

7 A. Yeah. I mean I wish I had more --

8 Q. Right. Right.

9 A. -- you know, more knowledge, you know, in that  
10 respect, but I don't think we did.

11 Q. Okay.

12 A. You know, and like I said, I guess maybe I never, you  
13 know, I'm confused because I've seen pictures of the barge in  
14 this shape. And yet to me, when I looked out, I saw the barge  
15 from a distance, and it looked more pointy. It looked like  
16 more of a pointy boat.

17 Q. Right.

18 A. And the guy was like right there.

19 Q. Okay. All right.

20 A. Do you know what I mean? So you know, I mean it  
21 was -- I was still looking up --

22 Q. Right. Right.

23 A. -- because it was way bigger, you know.

24 Q. It was up way above.

25 A. So -- right. So the thing is is, you know, I guess

1 if, you know, based on if that's really the shape of the barge  
2 that it was probably over on this side.

3 Q. Right. Okay.

4 MR. LARUE: So when you were looking back, he was  
5 more to your right, which would be the -- a little after  
6 portside of the barge?

7 MS. ASHERY: I'm sitting here. I turned around this  
8 way, and he was more on this side.

9 CWO GLADISH: More --

10 MR. LARUE: So the barge is coming from this way?

11 CWO GLADISH: Right.

12 MS. ASHERY: Right. Because I'm sitting --

13 BY MR. LARUE:

14 Q. So you're sitting here. This would be facing  
15 forward.

16 A. Right. Right.

17 Q. The barge would be coming from this way. So was he  
18 more to your --

19 A. To the -- well, he -- but he wasn't -- it didn't look  
20 like he was behind me. I mean like it didn't look like he was  
21 like far to the right.

22 Q. Okay. So --

23 A. But what I don't understand is like, you know, first  
24 of all, I don't know where the barge impacted us in the end  
25 because --

1 Q. Right.

2 A. -- to me, like I said, it didn't look square. It was  
3 pointy. So -- I'm so sorry. You know --

4 MR. LARUE: No, it's okay. No.

5 CWO GLADISH: No, no, no. Don't apologize --

6 MR. LARUE: That's okay.

7 BY MR. LAWRENCE:

8 Q. This is John Lawrence again. Just for the name  
9 purpose, the name of the barge is Resource. The name of the  
10 tugboat was Caribbean Sea.

11 A. I don't know anything about the tugboat's name --

12 Q. Well, I'm just saying --

13 A. -- because I never saw the tugboat's name.

14 Q. Okay. But I'm saying if you saw Sea somewhere, maybe  
15 you did see, you know --

16 A. No, it was on the barge.

17 Q. Oh, okay.

18 A. I mean because they were showing -- what happened  
19 was, we were sitting at the news station and they had -- they  
20 had frozen this picture that some bystander took like this.  
21 And I'm looking at the name on the side of it and then I'm --  
22 and that one looks pointy. That barge looked pointy. And then  
23 I'm looking at this one and it's rectangular. And I'm going  
24 that's not -- it can't be the same barge, you know. So I don't  
25 know -- so that's why I'm confused.

1 Q. Yeah. Yeah.

2 A. Do you know what I mean? That's --

3 Q. I want to show you this, and I don't mean to, I don't  
4 mean to be --

5 A. No, I've looked at a lot of things many times  
6 already.

7 Q. Right.

8 A. You can't -- the only thing upsets me is when --  
9 that's what I mean by pointy. Exactly.

10 MR. LARUE: Right.

11 CWO GLADISH: No, I know because it overhangs. It  
12 comes down angular.

13 MR. LARUE: If you look at it from the top --

14 MS. ASHERY: And it looked like wherever he was was  
15 like right in here. Do you know what I mean? Would have been  
16 toward the very front. And then I didn't see again, you know.

17 BY CWO GLADISH:

18 Q. Just for your information, Lisa, eventually the whole  
19 barge and tug eventually was I guess ordered to go south and  
20 maintain a location after the whole event took place.

21 A. But it did it very quickly, came back around?

22 Q. That -- and you know what, that's here nor there  
23 because, you know, at that point --

24 A. Right.

25 Q. -- after the event occurred, you know, everybody

1 went -- was rescued --

2 A. See, looking at this picture it's very obvious to me,  
3 yeah, the barge went under the, you know, that's --

4 Q. Oh, yeah. It protrudes on an angle --

5 A. Yeah. And I was kind of blown away by the fact that,  
6 you know, this is obviously further north than Penn's Landing  
7 so we must have really -- the currents must have been going  
8 more than any of us realized. You know, because we just  
9 weren't, I mean weren't focused on the current at the time.  
10 Just surviving so.

11 Q. Through interviews, we were trying to pick out a  
12 point on land that would have been a stationary --

13 A. Thank you for a clear picture. What I saw was so  
14 blurry it was --

15 Q. Right. And some of the witnesses or survivors  
16 recollect with the pedestal, the big, concrete pedestal that  
17 sits on the north end of Penn's Landing, which my understanding  
18 is at some point that years ago was supposed to be the  
19 beginning of some kind of cable trolley that was supposed to  
20 end there --

21 A. Yeah, because he had pointed it out to us on the DUKW  
22 boat ride.

23 Q. Right.

24 A. He -- and that it didn't, you know, it never -- they  
25 didn't stick to code and so they didn't -- I remember them

1 telling us about that.

2 Q. Right. But some of the survivors remember, they  
3 recollect that as a point on land.

4 A. Well, we had passed it.

5 Q. Before the incident.

6 A. Before the incident, we had passed that location.

7 Q. Right.

8 A. We were much closer, we were, you know, what I said  
9 to my husband, I said we were so close to getting back onto  
10 land. You know, because the entrance was right by the bridge.  
11 So we were so close to getting back onto land when it happened.  
12 But you know, if we'd had paddles, we could have maybe paddled  
13 our way -- everybody paddle. I don't know. That's just -- you  
14 know, this is my coping stuff. I do a lot of sick jokes and  
15 stuff just to try to --

16 BY MR. LARUE:

17 Q. It's quite all right.

18 A. Try to cope, so --

19 Q. Liam Larue. Last question. Did the captain make  
20 anybody move back because of the smoke or vapor or whatever it  
21 was that was coming from the engine?

22 A. Uh-uh. No, because the lady and her son stood up,  
23 and they were kind of moving like to the side of the boat more  
24 and back a little bit. But I don't think she ever left her  
25 seat. She was --

1 Q. So those are the ones directly across from you?

2 A. Yeah.

3 MR. LARUE: Okay. That's it. If you guys are good.

4 CWO GLADISH: Yeah.

5 MS. ASHERY: But I don't think, I don't think, you  
6 know --

7 MR. LARUE: Nobody moved back and --

8 MS. ASHERY: -- because I could smell -- yeah, it  
9 wasn't -- most of it -- most of the smoke was coming to the  
10 side, and there was just that little bit that was coming at her  
11 because of that little square, you know, that he had opened up.  
12 So she was kind of, you know, moving to the side away from it.  
13 So she was kind of in between the smoke, you know. We all just  
14 kind of stood up and, you know, backed up a little but --

15 BY CWO GLADISH:

16 Q. Chief Warrant Officer Rick Gladish. Also just to add  
17 that I'm done. But there was an odor associated with that  
18 smoke. Can you -- is that a safe --

19 A. Yes. It was like a dirty, burning trash kind of  
20 smell.

21 Q. Would a pungent odor be --

22 A. Oh, boy. Pungent can mean a lot of things to a lot  
23 of people.

24 Q. I know. It's a very broad stroke I'm painting.

25 A. Yeah. No. Yeah. I mean my daughter said to me that

1 her -- when she was interviewed she could smell like burning  
2 pretzels.

3 Q. Right.

4 A. So that was her take, you know, but she's a little  
5 girl, and she doesn't have that many, you know, things burning  
6 in front of her so --

7 BY MR. LARUE:

8 Q. Liam Larue again. And the smell that you smelled  
9 when you got in the water was the same as --

10 A. Same smell.

11 Q. Okay.

12 A. But it was really -- when I say really faint, so I  
13 really thought it was maybe just trash kind of thing so --

14 Q. Perfect. All right. Well, I really appreciate you  
15 coming and talking to us today, and you've provided us a lot  
16 great detail so thank you -- and I'm just going to -- do you  
17 mind that this was recorded?

18 A. No. That's fine.

19 Q. Okay. Thank you very much. I'm going to shut it  
20 off.

21 (Whereupon, the interview was concluded.)

22

23

24

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:                    DUKW 34 AND M/V CARIBBEAN SEA  
   Interview of Lisa Ashery

DOCKET NUMBER:                    DCA-10-MM-025

PLACE:                                   Philadelphia, Pennsylvania

DATE:                                   July 11, 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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Karen Ehatt  
Transcriber