


Exhibit 21.

Party to the Investigation - Representative / Sign-off Documentation¹⁶⁶ –
 Technical Review and Accuracy Acknowledgement of Crashworthiness Factual Report
 (circulated DRAFT document, dated January 23, 2009)

	National Transportation Safety Board Office of Railroad, Pipeline and Hazardous Materials Investigations Human Performance and Survival Factors Division 490 L'Enfant Plaza, SW. Washington, DC 20594
<hr/>	
<u>Investigation Reference</u>	
DCA 08 MR 009	
<i>Collision of SCRRRA ("Metrolink") Train 111 with Union Pacific Train LOF65-12, in the Chatsworth District of the City of Los Angeles, California, on September 12, 2008</i>	
Date:	January 23, 2008 via email (pdf file) delivery, with attached Draft document(s)
Subj:	Transmittal of text content of the Crashworthiness Factual Report of the Investigation – DRAFT - dated January 23, 2008⁹ (type)
To:	Crashworthiness Working Group / Party to the Investigation - Designated Representatives (see Distribution, below)
From:	Richard M. Downs, Jr. <i>RMD 1/23/09</i> Crashworthiness - Working Group Chairperson Office (202) 314-6414 Fax (202) 314-6482
cc:	Workman C. Wayne Investigator in Charge
<p>In reference to the above investigation, attached please find the subject <u>Draft</u> document, as compiled to-date in this Investigation. Please note, because of large [document] file sizes, the Exhibits (as compiled to-date) will be forthcoming in multiple deliveries (in the next business day or so).</p> <p>As the designated Crashworthiness Working Group representative for your organization of the <i>Parties to the Investigation</i>, this Draft document is provided for your detailed technical review and acknowledgment signature (and written commentary / corrections, if any). Your concurrence signature indicates that you, as the designated Party representative of your organization, are in agreement that the attached document is a <u>factually accurate representation</u> of the Crashworthiness information collected, to the extent of your participation in, or contribution to, this Investigation. Please note, this Draft provides the text of the report only; excluded (as nonessential for Draft purposes) are the contents of some associated Exhibits (presently being compiled / awaiting information), and Photographs (which will be provided in a separate Addendum to this Report), etc. Also, this Draft is provided for your confidential review, and is not for public distribution at this time. A copy of final Crashworthiness Factual Report, incorporating updated information or Party comments, as received in this Draft review process, will be available upon Party acknowledgment sign-off, and subsequent placement into the NTSB Public Docket.</p> <p>Accordingly, if you are in agreement, or disagreement, with this enclosed document, it is requested that you please respond your reply signature / comments, by return email, Fax, or mail, by the CoB – of Friday, January 30, 2008, latest. To facilitate your response, you may simply Fax back to me the second page of this document (to the Fax number noted therein) with a signature and a reply indication (check-off, in the box provided), and/or commentary (if brief)¹. Additional comments, and/or supplementary factual information, may be submitted by hand marking-up the Draft document and</p>	
<p>¹ If substantial, or extensively detailed / technical commentary is offered for consideration, Party representatives are requested to please transmit their response content also via e-mail (typed, and ready for potential insertion into the report), to facilitate accurate transmittal of proposed text. Kindly advise this writer in advance, if this is the case.</p>	
1	

¹⁶⁶ note – (a) this documentation is provided as an administrative element of the investigation, which includes page 1 of the Transmittal [as an exemplar] and responded signature pages by the Party representatives, and (b) where also original signatures / fax numbers / personal email addresses, etc., have been obscured [as a security consideration].

Fax sent by :

01-30-09 01:34p Pg: 2/2

returning it to me. If no response is received by the requested response date, the default presumption is that you are in concurrence with the Draft report as provided, and it will be cited in the docket record that no (sign-off / commentary) response was received.

On behalf of the NTSB, thank you for your participation in this investigation, and if there should be any questions, please do not hesitate to contact me via reply email, or at the above telephone / fax numbers.

Distribution: Crashworthiness Group / Party to the Investigation - Designated Representative(s):

- Telis Kakaris
Equipment Engineer
Southern California Regional Rail Authority (SCRRA)
Central Maintenance Facility
1555 San Fernando Road
Los Angeles, CA 90065
kakaris@scrra.net
- Peter P. Lapré
Chief Inspector (MP&E)
Federal Railroad Administration (FRA)
P.O. Box 155
Fishkill, NY 12524
peter.lapre@dot.gov
- Rainey Grenier
Supervisor, Quality Assurance Services,
Bombardier Transportation North America
1555 San Fernando Road
Los Angeles, CA 90065
grenier@scrra.net
- Matthew Thompson
Motive Power and Equipment Inspector
State of California - Public Utilities Commission
Consumer Protection and Safety Division
Rail Operations and Safety Branch
320 West 4th Street, Suite 500
Los Angeles, CA 90013
mt1@cpuc.ca.gov

Please Fax this completed page to: Richard M. Downs, Jr. / NTSB Fax # (202) 314-6482

Response by (name printed) TELIS KAKARIS

Signature [signature obscured] Date JAN. 30, 2009

Organization SCRRA

Subj: Party Representative - Technical Review and Accuracy Acknowledgement of
Crashworthiness Factual Report of the Investigation - DRAFT - dated January 23, 2008 / 9 (typo)

Investigation Reference: Chatsworth, CA, on September 12, 2008 (DCA 08 MR 009)

- I do concur with the content of the subject Report Draft as written.
- I do concur with the content of the subject Report Draft, although please consider my attached, or emailed, commentary (i.e. incidental factual, editorial, and/or typographical errors / corrections).
- I do not concur with the content of the subject Report Draft as written, with an explanation provided of the specific exception(s) taken:
 - comments attached, or
 - comments forwarded to NTSB (separate cover - fax / email)

Feb-09-2009 09:32am From:

T-603 P.001/001 F-776

returning it to me. If no response is received by the requested response date, the default presumption is that you are in concurrence with the Draft report as provided, and it will be cited in the docket record that no (sign-off / commentary) response was received

On behalf of the NTSB, thank you for your participation in this investigation, and if there should be any questions, please do not hesitate to contact me via reply email, or at the above telephone / fax numbers.

Distribution: Crashworthiness Group / Party to the Investigation - Designated Representative(s):

- Telijs Kakaris
Equipment Engineer
Southern California Regional Rail Authority (SCRRA)
Central Maintenance Facility
1555 San Fernando Road
Los Angeles, CA 90065
kakaris@scrra.net
- Rainey Grenier
Supervisor, Quality Assurance Services,
Bombardier Transportation North America
1555 San Fernando Road
Los Angeles, CA 90065
grenier@scrra.net
- Peter P. Lapré
Chief Inspector (MP&E)
Federal Railroad Administration (FRA)
P.O. Box 155
Fishkill, NY 12524
peter.lapre@dot.gov
- Matthew Thompson
Motive Power and Equipment Inspector
State of California - Public Utilities Commission
Consumer Protection and Safety Division
Rail Operations and Safety Branch
320 West 4th Street, Suite 500
Los Angeles, CA 90013
mt1@cpuc.ca.gov

Please Fax this completed page to: Richard M. Down, Jr. / NTSB Fax # (202) 314-6482

Response by (name printed) R. RAINY GRENIER

Signature [signature obscured] Date 2/16/09

Organization BOMBARDIER MASS TRANSIT CORPORATION

Subj: Party Representative - Technical Review and Accuracy Acknowledgement of
Crashworthiness Factual Report of the Investigation – DRAFT - dated January 23, 2008 ^{9 (final)}

Investigation Reference: Chatsworth, CA, on September 12, 2008 (DCA 08 MR 009)

- I do concur with the content of the subject Report Draft as written.
- I do concur with the content of the subject Report Draft, although please consider my attached, or emailed, commentary (i.e. incidental factual, editorial, and/or typographical errors / corrections).
- I do not concur with the content of the subject Report Draft as written, with an explanation provided of the specific exception(s) taken:
 - comments attached, or
 - comments forwarded to NTSB (separate cover - fax / email)

02/06/2009 19:17

fax # obscured

LAPRE

PAGE 01/01

returning it to me. If no response is received by the requested response date, the default presumption is that you are in concurrence with the Draft report as provided, and it will be cited in the docket record that no (sign-off / commentary) response was received.

On behalf of the NTSB, thank you for your participation in this investigation, and if there should be any questions, please do not hesitate to contact me via reply email, or at the above telephone / fax numbers.

Distribution: Crashworthiness Group / Party to the Investigation - Designated Representative(s):

- Telis Kakaris
Equipment Engineer
Southern California Regional Rail Authority (SCRRA)
Central Maintenance Facility
1555 San Fernando Road
Los Angeles, CA 90065
kakaris@scrra.net
- Peter P. Lapré
Chief Inspector (MP&E)
Federal Railroad Administration (FRA)
P.O. Box 155
Fishkill, NY 12524
peter.lapre@dot.gov
- Rainey Grenier
Supervisor, Quality Assurance Services,
Bombardier Transportation North America
1555 San Fernando Road
Los Angeles, CA 90065
grenier@scrra.net
- Matthew Thompson
Motive Power and Equipment Inspector
State of California - Public Utilities Commission
Consumer Protection and Safety Division
Rail Operations and Safety Branch
320 West 4th Street, Suite 500
Los Angeles, CA 90013
mtl@epuc.ca.gov

Please Fax this completed page to: Richard M. Downs, Jr. / NTSB Fax # (202) 314-6482

Response by (designated): Peter P. Lapre
Signature [signature obscured] Date 2/6/08

Organization Federal Railroad Administration

Subj: Party Representative - Technical Review and Accuracy Acknowledgement of
Crashworthiness Factual Report of the Investigation – DRAFT - dated January 23, 2008^{9 (1998)}

Investigation Reference: Chatsworth, CA, on September 12, 2008 (DCA 08 MR 009)

- I do concur with the content of the subject Report Draft as written.
- I do concur with the content of the subject Report Draft, although please consider my attached, or emailed, commentary (i.e. incidental factual, editorial, and/or typographical errors / corrections).
- I do not concur with the content of the subject Report Draft as written, with an explanation provided of the specific exception(s) taken:
 - comments attached, or
 - comments forwarded to NTSB (separate cover - fax / email)

returning it to me. If no response is received by the requested response date, the default presumption is that you are in concurrence with the Draft report as provided, and it will be cited in the docket record that no (sign-off / commentary) response was received.

On behalf of the NTSB, thank you for your participation in this investigation, and if there should be any questions, please do not hesitate to contact me via reply email, or at the above telephone / fax numbers.

Distribution: Crashworthiness Group / Party to the Investigation - Designated Representative(s):

- Telis Kakaris
Equipment Engineer
Southern California Regional Rail Authority (SCRRA)
Central Maintenance Facility
1555 San Fernando Road
Los Angeles, CA 90065
kakaris@scrra.net
- Peter P. Lapré
Chief Inspector (MP&E)
Federal Railroad Administration (FRA)
P.O. Box 155
Fishkill, NY 12524
peter.lapre@dot.gov
- Rainey Grenier
Supervisor, Quality Assurance Services,
Bombardier Transportation North America
1555 San Fernando Road
Los Angeles, CA 90065
grenier@scrra.net
- Matthew Thompson
Motive Power and Equipment Inspector
State of California - Public Utilities Commission
Consumer Protection and Safety Division
Rail Operations and Safety Branch
320 West 4th Street, Suite 500
Los Angeles, CA 90013
mt1@cpuc.ca.gov

Please Fax this completed page to: Richard M. Downs, Jr. / NTSB Fax # (202) 314-6482

Response by (name printed) MATTHEW THOMPSON

Signature [signature obscured] Date 01/26/09

Organization CALIFORNIA PUBLIC UTILITIES COMMISSION

Subj: Party Representative - Technical Review and Accuracy Acknowledgement of
Crashworthiness Factual Report of the Investigation - DRAFT - dated January 23, 2008 ^{9 (typo)}

Investigation Reference: Chatsworth, CA, on September 12, 2008 (DCA 08 MR 009)

- I do concur with the content of the subject Report Draft as written.
- I do concur with the content of the subject Report Draft, although please consider my attached, or emailed, commentary (i.e. incidental factual, editorial, and/or typographical errors / corrections).
- I do not concur with the content of the subject Report Draft as written, with an explanation provided of the specific exception(s) taken:
 - comments attached, or
 - comments forwarded to NTSB (separate cover - fax / email)

-- End of this Exhibit --

and

-- End of Report --

(136 pages, total, in this report)