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3 APPEARANCES:

4 Appearing on behalf of the National Transportation

5 Safety Board:

6 ROBERT BENZON, Investigator-in-Charge

7 RON SCHLEEDE, Deputy Director

8 FRANK MCGILL, Maintenance Air Safety Investigator

9 DAVID J. IVEY, Air Safety Investigator

10 National Transportation Safety Board

11 490 L'Enfant Plaza S.W.

12 Washington, D.C. 20554-2000

13 Appearing on behalf of Fine Airlines:

14 JOHN ZAPPPIA, Director of Operations

15 4600 N.W. 36th Street

16 Miami, Florida

17 Appearing on behalf of the Federal Aviation Administration:

18 JOSEPH F. MANNO, Air Safety Investigator

19 FAA Headquarters

20 800 Independence Avenue, S.W.

21 Washington, D.C. 20591

22 Appearing on behalf of Aeromar, Inc.

23 MR. RAYMUNDO POLANCO, Vice President

24 2460 N.W. 66th Avenue

1 Building 701
2 Miami, Florida

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6

I N D E X

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8 WITNESS PAGE

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10 CHARLES SOUTH

11 By Capt. Ivey 4

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18 E X H I B I T S

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20 NUMBER FOR IDENTIFICATION IN EVIDENCE

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22 (None)

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P R O C E E D I N G S

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(Time Noted: 1:00 p.m.)

9

MR. BENZON: Sir, would you raise your right

10 hand?

11 Whereupon,

12

CHARLES SOUTH,

13 was called as a witness and, having been first duly

14 sworn, was examined and testified on his oath, as

15 follows:

16

MR. BENZON: Please have a seat.

17

THE WITNESS: Thank you.

18

MR. BENZON: Dave.

19

EXAMINATION

20

BY CAPTAIN IVEY:

21

Q. Good afternoon, Captain South.

22

A. Good afternoon, Captain Ivey.

23

Q. We'll start by giving us for the record your

24

name and your position and your place of business?

1 A. My name is Charles South. I'm the Director
2 of Operations for Fine Airlines. Our office is at 4600
3 N.W. 36th Street, Miami, Florida.

4 Q. And as the Director of Operations, what are
5 your specific duties and responsibilities?

6 A. My duties and responsibilities are to report
7 to the Vice President of -- the Vice President and the
8 COO any deficiencies in the efficient operation of the
9 aircraft that we have, plus any safety related issues.

10 I basically accomplish that by having
11 oversight with my crew members through the Training
12 Department, the Flight Safety Director and the manager
13 of Crew Scheduling, and the manager of Flight Control.

14 And with all those departments available to
15 me, it gives me an opportunity to initiate and continue
16 or divert or terminate any flights.

17 Q. And as far as your personal qualificatris,
18 including aeronautical ratings and such, could you give
19 us a brief background?

20 A. I've been flying aircraft for over thirty
21 years. I hate to admit that, but I have, approaching
22 over 25,000 hours in heavy transport airplanes.

23 I hold type ratings in an L-188, BAC 111,
24 737, 727 and presently I'm current on a DC8, and I am a

1 check airman on the DC8, and also a turbo jet flight
2 engineer.

3 Q. As far as DC8 time, how much total time?

4 A. I was typed in that airplane in '89. Round
5 figures, probably about 4,500 hours.

6 Q. Is that all PIC time?

7 A. Yes, all PIC time.

8 Q. How many pilots do you have in your airline
9 currently?

10 A. Seventy-five.

11 Q. Seventy-five? That includes the flight
12 engineers or just --

13 A. That includes all of them, yes.

14 Q. Has your work force from the pilot group
15 been a fairly stable group?

16 A. Yes, it has been.

17 Q. And could you describe for me the experience
18 level of your pilots that fly for Fine Air?

19 A. The experience group, if I could start with
20 the Captains, I would say that they're highly
21 experienced.

22 Right now I'm looking at the seniority list,
23 and starting from the top to the bottom, of course,
24 I've already stated I have generally about 25,000

1 hours.

2 The top, say, fifty percent of our captains
3 are probably close to 10,000 hours or better. The
4 lower part of the captains' list, they've been with us
5 for a couple of years and flown other aircraft, heavy
6 transport type airplanes. I would put them at hourly
7 requirements somewhat less than that.

8 Our First Officers, I would say, a little
9 bit less experienced, but they have grown up through
10 the engineer's ranks, so they are qualified and know
11 all aspects of the DC8, and are flying right now as
12 First Officers.

13 I would put them in probably between two and
14 3,000 hours of experience as First Officers.

15 And looking at the Flight Engineers,
16 obviously it has to start for most of these guys, and I
17 would rank them to be about twelve to 1,300 hours of
18 total time in the aircraft.

19 Q. There's a seniority system where generally
20 you start out as a flight engineer and progress up to a
21 First Officer, or do you actually hire captains into
22 the Captain position?

23 A. It's desirable for the company to do what I
24 refer to as straight line seniority. I would like to

1 see our employees progress from the Flight Engineer's
2 position to the First Officer's position, and from
3 there to the Captain's position, provided they meet the
4 qualifications and have the abilities to do so.

5 Q. I imagine that you're a current line pilot
6 on the DC8.

7 Do you as well fly out of the country from
8 time to time?

9 A. Me personally?

10 Q. Yes.

11 A. Yes, I do.

12 Q. And in cargo operations?

13 A. That's correct.

14 Q. With your airline?

15 A. Yes.

16 Q. Could you describe for us how cargo loading
17 operations start from the pilot's perspective at home
18 base?

19 A. Well, when they show up, we like to have our
20 crew members on the premises at least an hour before
21 departure time.

22 The Flight Engineers, we like to have them
23 here an hour and a half to two hours prior to. And
24 what happens there is that as the crew members

1 assemble, they will approach Flight Control.

2 And they will discuss all the paperwork, and
3 all the weight and balance data and determine what kind
4 of cargo that they have on the airplane.

5 The flight engineer generally, at that
6 point, will go through the weight and balance to
7 determine his portion of responsibility, as far as how
8 much fuel he's going to be uplifting and he will
9 proceed out to the aircraft.

10 The First Officer will show up, hopefully,
11 before the Captain does, and he will go through that
12 same process.

13 He will recompute and go over the data that
14 was given to him by Flight Control and make sure that
15 the accuracy is there, and then present that to the
16 Captain.

17 The Captain looks at it and he reviews it,
18 and if he's satisfied with what he has, then he will
19 sign off on the documentation and proceed out to the
20 aircraft.

21 Q. Upon arrival at the aircraft, are there any
22 specific duties related to any one of the three crew
23 members as to the load itself? Any responsibilities
24 there?

1 A. No. In Miami specifically, there really is
2 not. In the course of the Flight Engineer's
3 responsibilities in going through his walk around,
4 there is in our expanded section of our manuals,
5 there's certain things that he looks for.

6 And part of it is to look at his cargo and
7 the condition of his cargo, and he will do that.

8 As far as the First Officer is concerned,
9 generally that is -- his functions are to prepare the
10 cockpit for departure, so he's relying on the Flight
11 Engineer to carry out his duties, and that report is
12 given to the Captain.

13 Q. To compare that to an out station, for
14 example, how does that change?

15 A. Well, I think not having the same kind of
16 support working at out stations, what we like to have
17 done is as we get to a facility destination, there's
18 obviously downloading and uplifting of cargo.

19 And the facility destination manager will
20 come up to us and give us what he has for us to move,
21 either through station or what he wants to verify that
22 -- the cargo that we're going to leave there.

23 And at that point, a distribution sheet is
24 given to the Captain for his review and recommendation

1 on how he would like to distribute the cargo.

2 After he looks at that, then he will assign
3 that duty to the First Officer and the First Officer
4 will go through his calculation procedures through the
5 weight and balance and, ultimately, come up with the
6 distribution that's desirable for that flight.

7 At that point, that distribution will be
8 given to the station manager and he will go about his
9 routine of loading the aircraft in accordance with
10 that.

11 And the Flight Engineer or First Officer
12 will observe that, while they're at the facility
13 destination, and report back to the Captain, prior to
14 departure.

15 Q. So basically, the flight crew members are
16 taking the place of the flight following, in terms of
17 weight distribution of the way stations compared to
18 home base --

19 A. That's correct, yes.

20 Q. In terms of the home base here in Miami, if
21 there is a load that is a Fine Air load, who loads that
22 aircraft?

23 A. Fine Air does.

24 Q. They do? In the case of a freight forwarded

1 such as Aeromar, who loads an Aeromar flight?

2 A. Aeromar will.

3 Q. And all this, I would like to address it pre
4 accident, if you will.

5 A. Okay, yes.

6 Q. And then we can talk about any changes
7 later.

8 A. Thank you.

9 Q. Can you describe for me how the paperwork is
10 initiated from a freight forwarder, and let's use
11 Aeromar as an example.

12 A. Okay.

13 Q. Tell me how the entire process begins for a
14 freight shipment to be ultimately on the ramp and
15 loaded.

16 A. The communication starts between Aeromar and
17 Flight Operations. Obviously, in the real world, the
18 actual load may not be there within the timetable and
19 the strengths that we're using to depart.

20 So there is continuous communication between
21 Flight Operations and Aeromar. And if there is any
22 change, there will be faxes sent back and forth from
23 their facility to Flight Operations.

24 And somewhere along there, the final

1 determination is made that this is going to be our
2 final load and this is how much we're going to carry.
3 These are our pallets.

4 Well, once we have that information, that
5 communication done, well then that's when our flight
6 followers spring into action, if you will, and do the
7 final preparation for distribution in the weight and
8 balance forms.

9 Q. So you get an original communication from
10 Aeromar, in this case, with the amount of freight that
11 they want to send.

12 A. That's correct.

13 Q. Is it already broken down into division at
14 that point, or is that just a request for a shipment
15 with X number of pounds?

16 A. It's generally broken down into pallets and
17 the weight of those pallets. As they're being made up,
18 that information is being fed to Flight Operations.

19 Q. I see. And from there, the flight follower
20 would get this information and I guess in consultation
21 with the -- does he do it individually, unilaterally,
22 or does he work in consultation with the chief of
23 flight followers or is he --

24 A. Well, there is -- our flight followers in

1 the way our Flight Operations is set up, there is a
2 coordinator that is overseeing their activities.

3 Q. Coordinator. Thank you.

4 A. You're welcome.

5 Q. And then the information is passed back to
6 Aeromar, in this case, as to the pallets that you have
7 available will be distributed in this manner --

8 A. That's correct.

9 Q. -- on the aircraft.

10 A. That's correct.

11 Q. And then that is reflected on the load sheet
12 which is provided to the flight crew?

13 A. That's correct.

14 Q. And that load sheet is signed by the flight
15 follower, who has developed the load sheet.

16 A. Yes, that is correct.

17 Q. In the case of a load that has now been
18 delivered, and let's use a typical load that's come
19 from Aeromar, once it's on the ramp and an aircraft has
20 arrived or is there and is scheduled to take the
21 freight, what happens at that point?

22 How does the airplane get loaded?

23 A. Well, they have loaders, if you will, there
24 and do the process of what I refer to as cherry pickers

1 or forklifts, or place on to a K loader.

2 And there is a supervisor there that will
3 distinguish the position of each one of these pallets.

4 And he generally is pointing out the ones that need to
5 be lifted on to the aircraft first and in that order.

6 Q. Now, you mentioned a supervisor and
7 generally pointing out.

8 Would you explain first who the supervisor
9 is or would be?

10 A. I don't know the gentleman's name. He would
11 be a representative from Aeromar, but I don't know the
12 gentleman's name.

13 Q. But it would be an Aeromar representative?

14 A. Yes.

15 Q. And he would be the one directing --

16 A. To supervise the loading of, yes, and
17 distribution on the up side.

18 Q. I see. Is there ever a Fine Air employee
19 that is there monitoring the loading?

20 A. Specifically, he's not there for that
21 purpose. I would like to say that there are other
22 aircraft in the vicinity being loaded or coming in or
23 etcetera.

24 And he is available if he is asked to go and

1 assist and help. Not that he's assigned to it, but if
2 he's asked, he would help.

3 Q. And that Fine Air representative would be
4 called a what, a loading supervisor or would it be a
5 Fine Air employee of some sort?

6 A. He would be a Fine Air employee that is
7 assigned to loading duties, and he could be a
8 supervisor, yes.

9 Q. But not necessarily?

10 A. Not necessarily.

11 Q. He could be one of the other loaders,
12 perhaps?

13 A. Yes, yes, he could be.

14 Q. But Fine Air does not have to sit there and
15 watch the way Aeromar loads that airplane?

16 A. That is correct.

17 Q. After the airplane is loaded and before the
18 door is closed, is there any responsibility for Fine
19 Air to look or to verify what's in there or for the
20 crew to look and verify?

21 A. I would have to go back to the beginning
22 when I was describing the duties of the Flight
23 Engineer.

24 It would be his responsibility, since he is

1 going to be on that flight, regardless of who we're
2 doing work for, whether it happens to be Aeromar, in
3 this case, as we're talking, or for ourselves, it would
4 be one of his responsibilities to make sure that
5 everything has been placed and loaded properly.

6 Q. And how, typically, on a day-to-day line
7 operation once an airplane's loaded, irrespective of
8 who loaded it at that point, how does the Flight
9 Engineer in this case verify the load?

10 Is there a procedure that the Flight
11 Engineer would normally go through?

12 A. No, there's not a defined procedure.

13 Q. Is there anything that he looks for
14 specifically to verify the load?

15 A. In the cases where, as I described earlier,
16 where he goes by and picks up his fuel load for this
17 particular flight, they will get a general idea on the
18 type of cargo, the position of the pallets, and so on.

19 And in the duties of his walk around, he
20 will look to make sure that it's done that way. Not
21 that he's assigned to do that completely, but just in
22 the task of walking around an airplane, he would do
23 this.

24 Q. Would it suffice to say that rarely a crew

1 member would crawl over pallets going back into an
2 airplane for verification or to compare pallet loading
3 to a flight sheet -- a load sheet? Pardon.

4 A. It would be unusual for that to happen, yes.

5 Q. There are responsibilities for a crew member
6 to at least ensure that the cargo door is closed?

7 A. Absolutely.

8 Q. And so you can see the cargo door locks from
9 the inside?

10 A. Yes.

11 Q. And in the case of a vacancy where, to use
12 the accident flight as an example, the Number 2 pallet
13 position, which is located at the cargo door, was
14 vacant, is there any responsibility for a crew member
15 to verify locks up on the back side of Pallet Number 1?

16 A. If he can see it, the responsibility is
17 there, yes, sir.

18 Q. Again pre accident, was there ever any
19 requirement for a loading supervisor, be it Fine or
20 contract, to come to the Captain or one of the crew
21 members and present paperwork or some notification that
22 the cargo was loaded in accordance with the load sheet,
23 save HAZMAT?

24 A. Prior to, no, sir.

1 Q. And as you said, in the case of an out
2 station, then the crew is actually there monitoring the
3 load and they have more of a direct participation in an
4 out station loading?

5 A. Yes, sir, that's correct.

6 Q. The training of the loaders and the load
7 supervisors, is that conducted in Fine Air's
8 facilities?

9 A. Prior to?

10 Q. Yes, sir.

11 A. It's not conducted in the facilities, but it
12 is conducted, yes.

13 Q. And as far as out station personnel, if
14 there's a -- to pick a -- well, any place out of the
15 country, do you rely on the manager of that facility or
16 the loading supervisor to have understanding and/or
17 training of Fine Air operations, or is he just an
18 individual that is used under direction of flight crew
19 members to facilitate loading?

20 A. In -- there's several items in what you just
21 said there. I think the understanding is part of it,
22 but they're definitely under the direction of our
23 flight crew members.

24 Q. But they never really receive Fine Air

1 training in many of your out stations as to --

2 A. That is correct.

3 Q. -- Fine Air aircraft and operations. A.

4 That's correct?

5 Q. Is it your understanding pre accident that
6 operational control as perhaps explained or stated in
7 the wet lease or in operational control as defined in
8 the FARs and in your company manuals, was to include
9 supervision of freight forwarding loading?

10 A. Prior to?

11 Q. Yes.

12 A. Would you say that -- the airplane flew over
13 and I lost part of that.

14 Q. In terms of the wet lease definition of
15 operational control, or the statement made in the wet
16 lease regarding operational control, or in the FARs
17 regarding operational control, or in your company
18 manuals as it relates to operational control, any of
19 those three right there, were you of the opinion that
20 that included having to supervise or monitor the
21 loading by freight forwarders on the aircraft?

22 A. Prior to, no, that was not part of it, but
23 if you would allow me here, just the operational
24 control from a pilot and crew members' point of view

1 would be to make sure that all these things did happen
2 in reference to the weight and balance and checking the
3 numbers and etcetera.

4 That is part of what we would consider to be
5 operational control, excluding that cargo.

6 Q. In fact, I believe your manual so states
7 that, that they verify and sign on the load sheet, the
8 Captain would.

9 A. Absolutely.

10 Q. As to the verification. The load sheet, at
11 least as within the CG parameters of the aircraft and
12 that, in fact, the load is as advertised.

13 A. Yes.

14 Q. But again, I think we would agree that in a
15 loaded aircraft in this case, would it be fair to say
16 that there is very little chance for the Captain, who
17 might be signing, or one of the other two crew members,
18 to have literally crawled through the cargo to verify
19 that every one of these are as they say they are in the
20 load sheet?

21 A. That's fair.

22 Q. We touched on this back in our interview
23 right after the accident, but that was a different
24 carrier who had a 707, who had departed to the east.

1 And it was a freight operator on a Boeing 707, I
2 believe, and it maintained a very low altitude until it
3 --

4 A. I can't remember that.

5 Q. -- escaped the surly --

6 A. Bonds.

7 Q. -- bonds and flew on off.

8 And although the chronological order may or
9 may not be quite the same, there was a flight that had
10 been recognized by the FAA that might have had an
11 excessive pitch up attitude by one of your crews.

12 And then the RASIP even made a statement
13 regarding a Captain Velux, I believe, who also had some
14 sort of a trim problem.

15 In those three instances, granted there was
16 an accident in between two of those, but starting back
17 with the low altitude departure of another carrier, and
18 then the fact that there had been perhaps comments made
19 to you regarding Captain Ditter's flight, --

20 A. Okay.

21 Q. -- was there every anything discussed among
22 the management and with the pilots regarding the
23 potential for balance, trim, pitch up problems after
24 departure?

1 A. I --

2 Q. Pre accident.

3 A. Pre accident. I personally did not speak
4 with any of the crew members in relation to Captain
5 Ditter's situation.

6 But I ultimately did speak with Captain
7 Ditter a couple of days after the incident. That was
8 the extent of that part of it.

9 Q. What was your conclusion after the
10 discussion with Captain Ditter?

11 A. In speaking with Captain Ditter, in
12 conversation with him which, by the way, was in my
13 office after a couple of things had transpired prior to
14 that, I did not get any sense of urgency at all on his
15 part.

16 We discussed it in a very relaxed manner,
17 but he did cite that he had to use some forward trim on
18 departure, and basically, at that point, I queried him
19 a little bit.

20 And I said well, Captain, was it a serious
21 nature, was it -- describe to me how it was? And he
22 said well, as I rotated I had to use forward trim, and
23 that was it.

24 And I said well, fine. And he said, I

1 continued on to destination, and that was the end of
2 that.

3 So I didn't get a sense of any alarming
4 situation with that at all.

5 Q. And in the case of the RASIP discussion
6 concerning Captain Veliz?

7 A. Hugo Veliz?

8 Q. Veliz, my apology. Could you discuss that
9 particular incident?

10 A. I interviewed Captain Veliz shortly after
11 the flight, and I don't remember if it was in the
12 morning or late in the evening.

13 But he did come by and we discussed it, and
14 he said that when he was running down the runway, that
15 he had to use back pressure to get the airplane to lift
16 off the ground and get into the unstick position, and
17 he didn't unstick until he was like at V2 plus 25, was
18 my recall on that one.

19 And I asked him then if -- was the pressure
20 excessive, and he said no, it wasn't excessive, but it
21 was a little more than normal.

22 And I delayed slightly because I was
23 expecting to rotate it at three degrees per second, and
24 the normal pressures do not allow that. And he said by

1 the time I realized I was in that position, I had to
2 increase to V2 plus 25.

3 And again I asked him was it a situation
4 where you considered it to be serious and he said no,
5 we just continued on to destination, so it was the same
6 situation again.

7 Again, I got the sense that under rotation
8 there could have been a problem there, and we left it
9 at that, and we were both satisfied at the end of the
10 interview.

11 Q. Just for the record, this is Finding 1.08.01
12 we're discussing. It's in the RASIP completed after
13 the accident.

14 And this particular flight we're talking
15 about actually occurred on August the 18th, which would
16 be eleven days after the accident, according to the
17 report.

18 With your experience as a Captain with the
19 amount of hours you have in the aircraft, could you
20 relate to me the kinds of inputs that you have seen
21 over the years in terms of variations of loads in the
22 case, the ultimate, which was the accident, a pitch up
23 to the description provided by Captain Ditter relating
24 to his pitch up, to in this case Captain Veliz and his

1 particular rotational problem?

2 From your experience, do you find that every
3 time you roll down the runway in a DC8 that you
4 typically get something that you may not quite have had
5 on a previous takeoff?

6 A. Well, in a perfect world, if I could start
7 there, in all the different kinds of airplanes that
8 I've flown, passenger airplanes, if I could include
9 those for twenty years, cargo airplanes since actually
10 '89 until present, we all go through the process of
11 coming up with the ultimate balance field condition.

12 We take a lot of factors into consideration,
13 as you well know, pressure, wind, slope, all those
14 facts, and hopefully that when we run down that runway
15 that we have an absolutely perfect situation, so when
16 we apply pressure to an aircraft that we're going to
17 get the desirable three degrees per second and as we
18 said earlier, fly into the surly bonds.

19 It has been my experience that getting that
20 perfect world is not always there, and I don't find it
21 unusual to have to make an adjustment just by system
22 design and ship's design.

23 It's put in there so you have those
24 allowable factors. Rotating the aircraft and having to

1 put a little extra trim on rotation either back or
2 forward is not really an unusual situation for me.

3 In rotating, having to go one or two clicks
4 to get the airplane stabilized in a desired attitude is
5 a very normal thing for me.

6 Q. With the DC8 and then particularly the
7 stretch model --

8 A. Yes.

9 Q. -- I think you'll agree that the difference
10 in either balance or trim or rotation can be
11 significant due to the length of that airplane. And
12 so, it's perhaps --

13 A. Absolutely.

14 Q. -- much more demonstrated in a stretch
15 aircraft than as in a shorter version.

16 A. Absolutely.

17 Q. And in the 61 series that was involved in
18 the accident, that is the longer series aircraft in
19 length, correct?

20 A. That is correct.

21 Q. I've got lots of wet lease tags, but I think
22 we can get that pretty dog gone hard. If it's all
23 right with you, I'll be --

24 A. That's fine with me. I've been educated by

1 listening.

2 Q. Regarding the ops specs, and we've touched
3 on that in previous testimony in regards to the ABX
4 aircraft, they are listed in the ops specs and they're
5 in the section that I guess really doesn't pertain
6 directly to the operational aspects, but I'd like to
7 ask you any way.

8 Under the ABX listings, those are DC8
9 aircraft in which Fine Air crew members have or have
10 not flown them?

11 A. They have not flown them.

12 Q. Are Fine Air crew members allowed to fly
13 those aircraft?

14 A. If I could ask you the question we're
15 getting to, are they capable of flying them?

16 Q. No, I was thinking more in terms of the
17 interchange agreement between Fine Air and ABX.

18 Would ABX allow Fine Air crews to fly those
19 aircraft?

20 A. As far as the interchange is concerned, that
21 basically is a little bit out of my area on how that
22 works.

23 If I was going to make an assumption, I
24 would have to defer that to the COO to see if, in fact,

1 we had that capability.

2 Q. And as far as those airplanes are concerned,
3 even though they're DC8s of a different dash number,
4 are they Efic cockpits or are they steam gauge, if you
5 will, the older variety?

6 A. They're Efic cockpits.

7 Q. So it would require a training program in
8 place for Fine Air pilots to have differences in order
9 to fly those aircraft, is that correct?

10 A. That's correct.

11 Q. Is that training program established?

12 A. Yes, it is.

13 Q. Have Fine Air pilots attended that training
14 program?

15 A. Yes, they have.

16 Q. And that, of course, was approved by the
17 FAA.

18 A. Yes, it was.

19 Q. We talked about some areas pre accident.
20 Let's return for a moment to post accident.

21 In terms of the oversight of loading, what
22 has changed since the accident from Fine Air's
23 perspective?

24 A. Well, I think that there has been several

1 things that obviously have changed since the accident.

2 We were discussing it about supervision from our
3 carrier to using Aeromar as an example.

4 We immediately, when that happened, prior to
5 making any changes at all, immediately put our own
6 people there on the premises to make sure that we had
7 some oversight on what was happening with Aeromar.

8 Additionally, I was given direction by the
9 COO to see if there was ways that we could enhance our
10 cargo handling and loading procedures, which is in the
11 FOM Section 14.

12 And with myself and the Training Director,
13 the Chief Pilot, the Director of Flight Standards,
14 people that are involved in cargo, we all put our heads
15 together to see what we could do to make this better.

16 And the first thing that popped into our
17 minds was having better oversight and accountability
18 from Fine Airlines to make sure that any ACMI would
19 have more control in that area.

20 But before we would do that, we would have
21 to get a program in place, have our employees trained
22 to that standard, have it approved by the FAA, and all
23 that happened.

24 So we did enhance our cargo handling and

1 loading procedures. We put training programs out there
2 for the people that were responsible for being there,
3 whether they be loaders or moving up the ladder,
4 supervisory level, and every one of them were trained
5 to this new standard.

6 So the accountability of having somebody
7 there and within 14, there's documentation in there
8 that would require signatures to make sure these tasks
9 were done.

10 Q. Regarding that training, was that self
11 initiated or was it jointly initiated or was it FAA
12 mandated?

13 A. It was at the beginning -- it was initiated
14 by us at the beginning because, obviously, we were in a
15 situation that we needed to correct so we, as the
16 certificate, decided that we would go in this area.

17 Later on, as time went by and events
18 occurred, we were in a situation where we had to
19 improve that area, and this is where we got into the
20 actual approval of the 14 Section of the F11.

21 Q. Yes. Now, in terms of your freight
22 forwarders, and Aeromar is the case again, has there
23 been any change in the way you have the working
24 relationship loading the aircraft, how you approach a

1 freight forwarder now as it comes on to your doorstep?

2 A. Well, actually, we need to -- as far as a
3 freight forwarder is concerned, we want to make sure
4 that their capabilities are equal to our standards.

5 And whatever it takes to get that to happen,
6 we will do, whether we have to either request their
7 training programs and compare them to ours, or if they
8 don't have that type of training program, well then our
9 people will be there to make sure that that gets
10 accomplished.

11 Q. And has anything changed on out stations
12 since the accident?

13 A. The training of the people that I was
14 speaking of earlier we, if I can use the term,
15 paved the way.

16 We would not go to a facility destination
17 unless the people there were trained to our standards.
18 And we brought a lump sum of people from all areas that
19 we frequent and ran them through our new approved
20 training program.

21 Q. How many people did that amount to, do you
22 recall?

23 A. The exact number escapes me. It was within
24 our crew members and client operations and out

1 stations. More than 150, something like that.

2 Q. So a lot of out stations are represented?

3 A. Yes.

4 Q. As you say, if you're global in nature, you
5 can't bring in the whole world to --

6 A. That's correct.

7 Q. But at a hundred dollars a pop, it might be
8 worthwhile, you know.

9 From your perspective as Director of
10 Operations, do you agree with the consent agreement in
11 the way it has been written up?

12 A. I -- you know, it's difficult for me to
13 answer that question, Captain. Do I agree with all the
14 issues that are there, do I disagree with them all or
15 parts of them?

16 It's difficult. If I could put it in the
17 context that it's accepted by, it's accepted and it's
18 something that we have to abide by, it is here. I
19 definitely embrace it and follow it.

20 Q. Since the accident has the term operational
21 control taken a greater and more broader significance?

22 A. Great significance, yes, sir.

23 Q. But I would say that that is probably
24 spelled out not any differently in the FARs or in your

1 company manuals, but that significance has been
2 expanded based upon what?

3 A. Awareness.

4 Q. I'd like turn now to the weight and balance
5 forms that were established or in place prior to the
6 accident. The load sheets, if you will.

7 Do you know who or where those forms came
8 from and how they were derived?

9 A. The answer to that question is no, I do not.
10 They were in place when I took over as the Director of
11 Operations.

12 Q. And so that's been the existing form up
13 until the accident.

14 Since the accident, what has transpired?

15 A. There has been some changes. Specifically,
16 if I could go here with this for a moment, the COO came
17 to me and told me that there was an area of concern by
18 Douglas in computing particular weight and balance.

19 And when he alerted me to that situation, I
20 got the Director of Flight Standards and Chief Pilot
21 and the manager of Flight Control to look into the
22 problem.

23 And a determination was made that there was,
24 in the fuel graft, a slight -- there was a necessity of

1 change there that needed to be done, and that was
2 accomplished.

3 Q. That was working in concert with McDonald
4 Boeing?

5 A. McDonald Boeing, yes.

6 Q. Or Douglas Aircraft Corporation, a Division
7 of Boeing.

8 A. Bouglas.

9 Q. Bouglas. I haven't heard that one.

10 A. Bouglas, Douglas.

11 MR. BENZON: All right, all right.

12 It's by the word, I think.

13 THE WITNESS: By the word? I'll be more
14 than happy to stop talking, sir.

15 (Laughter.)

16 BY CAPTAIN IVEY:

17 Q. I had the new forms here for quite some
18 time. You mentioned the change in the fuel nomograph.

19 Was that a significant change compared to
20 what was on the form before?

21 A. I don't think it was a significant change,
22 no, sir.

23 Q. And I did notice that on the weight and
24 balance, the nomograph itself, whereas the old form

1 went up to a value of 400,000 pounds at the top of the
2 graph, that the new graph has been brought down to
3 somewhere in the neighborhood of 350,000 pounds, which
4 is perhaps more in alignment with the maximum takeoff
5 gross weight of your DC8.

6 A. That's correct.

7 Q. The maximum weight of which is 320,000?

8 A. Depending on the balance field, 325 max.

9 Q. 325 max. One other discrepancy that I noted
10 from the old form to the new form is a significant
11 change in the amount and limitation of the Pallet
12 Number 18 position, compared to the old cargo sheet.

13 Were you aware of that or could you comment
14 on that?

15 A. Well, I am aware of that. In the process
16 where the Chief Pilot and the manager of Flight Control
17 are going through their exercise to determine if there
18 was anything wrong with this, that also was brought up,
19 yes, sir, and that change was made by them.

20 Q. We were talking earlier about the
21 significant differences on a very long DC8 and just to
22 compare the new load sheet that Fine Air has devised,
23 it has been revised on 10/3/97, the maximum rear
24 weighted Pallet Position 18 is 3,780 compared to the

1 previous form, which had a maximum weight of 6,088
2 pounds.

3 At the most extreme location, in your view
4 and in your experience in flying an airplane, would you
5 consider that a significant change?

6 A. Around 3,000 pounds? Yes, I would.

7 Q. In Position 18.

8 A. Yes, I would.

9 Q. Do you know upon consultation with Douglas,
10 what the overall zero fuel weight variation was on the
11 old form to the new form?

12 A. No, I don't, I haven't had that.

13 Q. Do you have any idea why that maximum weight
14 category in Position 18 was changed from the 6,088
15 pounds down to 3,780 pounds?

16 A. I would have to surmise that it was a
17 structural problem.

18 Q. But it was not an imposed Fine Air
19 limitation on Position 18?

20 A. That's correct.

21 Q. Do you get pilot reports, the crew report
22 forms?

23 Are they very often turned to you or given
24 to you by pilots, line pilot?

1 A. Yes, we have a suggestion box, if you will,
2 and we also have a crew report form. They're at
3 liberty to -- anything that's in their burr, if you
4 will, they can write things down and put it in the
5 suggestion box or give them to me personally.

6 Q. Had you had very many of those before the
7 accident?

8 A. Well, I do get a lot of those because I
9 encourage my crew members, whether they have a problem
10 or not, at the completion of a flight to tell me how it
11 went. A good flight, no flight, whatever it was, tell
12 me what's happening out there.

13 So I do get a lot of those reports and a lot
14 of them are good.

15 Q. I received a copy of a crew report form, the
16 Fine Air crew report form, and this one's dated 8/2/97.
17 And the accident First Officer was on the aircraft.

18 The Captain was Donato, if I pronounced that
19 correctly. And if I may read to you runway analysis
20 manual on aircraft, and it is November 30 UA, was
21 missing.

22 And this was SAP. I presume that was San
23 Paulo?

24 A. No, San Pedro.

1 Q. San Pedro, thank you. San Pedro takeoff
2 data, San Pedro landing data, was for the old runway,
3 not 22 right and 4 left, flaps 25.

4 "We had to take copies with us from Miami
5 Ops. On arrival in SAP, told it would be two hours.
6 We left five hours later.

7 "The children, five, ages 15 through 17, and
8 one adult, Rafael Nodarse, are who unloaded and loaded
9 the aircraft. Is this right? No.

10 "The K loader was only usable for Position 1
11 and it will not raise to adjust with different floor
12 heights. The aircraft was loaded with a forklift and
13 Miami Ops was advised of this and aware.

14 "The forklift was raised on an angle
15 pressing against the ball mat to allow the pallet to
16 slide into the aircraft. It has been like this for
17 some time, probably damage a lot of ball mats." Two
18 dollar signs.

19 "The air conditioning cart is broken and
20 always is when it is requested. Inspecting cargo
21 before departure, miscellaneous cargo was bulk loaded
22 between pallets and empty positions on the rollers.
23 Boxes were broken up because of this abuse.

24 "When communicating between the office and

1 Miami about the extensive delay, she..." -- and then
2 parenthesis -- "... (MMGR) walked outside laughing.
3 They obviously think it's a joke and not a serious and
4 profitable airline.

5 "Reference the pilot's meeting, Felix
6 advised flaps 35 should be used on dash 61s over
7 240,000 pounds. RAM does not reflect this."

8 Did you receive that from Captain Donato?

9 A. No, I did not. I remember speaking to him
10 about it, but I did not receive that.

11 Q. Have you had reports in the past of Ops
12 stations having children loading airplanes or is this a
13 first?

14 A. No, that's the first one. Yes.

15 Q. If you received a report like that, how
16 would that be handled through your --

17 A. Well, a situation like that, obviously I'd
18 go right to the COO with it, and tell him I was having
19 some problems with one of our facility destinations in
20 site San Pedro, and read that document to him.

21 Q. Back in the 1996 DOD survey, a letter was
22 addressed to you from Wayne Drayer, who is a POI for
23 FSDO 19, and it was referencing the DOD survey report.

24 And under one paragraph entitled Operational

1 Control Load Manifests, and I read it as:

2 "Load sheets for 50 and 60 series aircraft
3 are different with more reference lines on the 60
4 series form.

5 "The company reportedly proposed redesign of
6 this form until automation of weight and balance. Has
7 this action been taken?" Date April 8th, 1996.

8 Do you remember that letter?

9 A. I remember the letter, and also I remember
10 the comment. I think it's important to cite here that
11 there really isn't anything wrong with the format
12 between the 50 and the 60 series at that point it was
13 plotting.

14 The DOD's comment on that was that the 60
15 series was a little busy, and wouldn't it be nice if
16 they would both look the same.

17 Q. The reference lines, in other words, on the
18 50 series form, it looks busier, your reference line,
19 than it does on the 60s form?

20 A. No, I think it is in reverse. The 60 series
21 was more busy to them.

22 Q. I see. All right.

23 And he was asking about automation of weight
24 and balance. According to the letter, there was a

1 proposed redesign back in '66, and was that to be based
2 upon automation of weight and balance?

3 A. Yes. And that is being -- it is on the
4 property now and it is being -- or it's on a trial run
5 right now where the automation is being compared to the
6 manual version at this point.

7 It has not yet been presented to the POI.

8 Q. Immediately after the accident, there were
9 loading supervisor certification forms, I think --

10 A. Yes.

11 Q. There was a sample that I've received --

12 A. Yes, sir.

13 Q. -- from you all when I was visiting.

14 And prior to the accident, I think you just
15 testified that there was never a requirement for a load
16 supervisor to sign off on anything attesting to the
17 loading or to the rollers or to the interior, but now
18 there is.

19 A. Yes, sir.

20 Q. And this form was developed, I believe,
21 right after the accident.

22 A. Yes, it was.

23 Q. Has this, in your opinion, been a help to
24 tighten down on loading procedures, and is this still

1 in place, this form?

2 A. Yes, it is. And the answer is yes, it's
3 helped tremendously.

4 Q. The experience level that you've described
5 that your captains in particular have, I think they're
6 high time and quite capable individuals flying into
7 very remote destinations and using equipment out of
8 country that's anywhere near as powerful as in our
9 country.

10 A. Right.

11 Q. And so I think these men and women are
12 probably very capable individuals. They have to do an
13 awful lot on their own to ensure that they are flying
14 an aircraft in a safe, safe manner.

15 Would you feel that these instances of
16 rotational problems were more pilot error, or do you
17 think they were more loading error, the ones we've just
18 cited before?

19 A. Well, I'm a pilot, so I'm opposed to the
20 pilot error. I hope that answers your question.

21 Q. It certainly does

22 Are you familiar with this Company Report
23 90-1 that I referred to with Mr. McCallman, as it
24 relates to weight and balance?

1 A. Somewhat. Yes, somewhat.

2 Q. Could you explain to me what that report is
3 about?

4 A. With the limited knowledge that I have in
5 this area, I would say that the 90-1 was something,
6 again, that was in place when I inherited the manuals.

7 It is a birthplace or a starting point for
8 calculations for the VRN. And my understanding was,
9 that there was a question as to the -- I say the word -
10 - where it started from, where's the starting point or
11 the authorization is what I'm looking for.

12 When that was brought up, again I talked to
13 the Director of Flight Standards and also the Chief
14 Inspector and brought in Jeff Millsen to investigate
15 this problem.

16 Calls were made to Douglas and the
17 substantiation of 90-1 could not be done. So I gave
18 him a task of trying to figure out a way to do this,
19 and they came up with a way of applying that formula.

20 When that was done, a revision~~w~~ made and
21 it was given to the FAA, and they approved it. That's
22 the only knowledge I have on that.

23 Q. When I look at the new form, and I presume
24 that's the original size now or has this been expanded?

1 A. Well, I like it. I'd like for it to be
2 bigger, but it's fine.

3 Q. This is the true size?

4 A. Yes, that is the true size.

5 Q. This looks to be about an eight and a half
6 by seventeen, slightly larger than eight and a half by
7 eleven. It may actually be larger than that, perhaps
8 twenty inches.

9 The changes in fuel, the changes in the load
10 construction of the inverted Christmas tree, if you
11 will, for weight or the balance in the moment
12 summation, did Mr. Millsen develop this himself in
13 concert with Douglas, --

14 A. Yes.

15 Q. -- or were there other people --

16 A. Yes, in concert with Douglas and there were
17 other people. Specifically, the Director of Flight
18 Standards and Chief Pilot.

19 Q. I guess my concern is, is that with the old
20 form and the discrepancies that have been built into
21 that form, and the good news was that it went into
22 proper direction, it had built into it an error --

23 A. Yes.

24 Q. -- as I understand it of about three and a

1 half degrees, but in the good direction as opposed to
2 the bad.

3 A. Exactly.

4 Q. Are you confident that this new chart that
5 has been developed is exact, and accurately reflects
6 the aircraft for which they are designed?

7 A. Yes, I am.

8 Q. I guess it begs a question then.

9 Had this problem been created either
10 knowingly or unknowingly, and my question would be
11 unknowingly in the old revision, is there any safeguard
12 there to preclude this from occurring in the new
13 revision?

14 A. Safeguard other than training and awareness
15 and working the problem.

16 Q. Does the FAA have to approve this form?

17 A. It's submitted for revision. It's accepted.

18 Q. So this form is accepted?

19 A. Yes.

20 MR. ZAPPIA: I believe it's part of the AOM.
21 Is it not?

22 What manual does it live in?

23 THE WITNESS: Specifically, it's in the AOM
24 1, Section 2.

1 MR. ZAPPIA: And the AOM is approved? For
2 clarification.

3 THE WITNESS: Yes. Yes, sir. Thank you.

4 BY CAPTAIN IVEY:

5 Q. So has the FAA -- that's kind of really
6 where I was heading, is because being that this is
7 approved and not accepted as part of the performance
8 data, would the FAA have a responsibility to either
9 have consultants, advisers, experts within their own
10 FSDO, Region, Headquarters, that would have a team that
11 could evaluate this form for its correctness, that's to
12 help you and to help them?

13 A. I would assume so.

14 Q. But you have never had any reflection back
15 from the FAA as to oh, this looks good, this is not so
16 good, there should be corrections, additions, changes
17 of any sort?

18 A. No. Obviously, there was communication with
19 the POI when this was happening, and he was aware of
20 it, and he reviewed it and allowed us to use it.

21 CAPTAIN IVEY: Now, we've gone over a lot of
22 plowed ground.

23 THE WITNESS: Thank you.

24 CAPTAIN IVEY: Both in this visit and the

1 other, and that concludes my questions right now.

2 THE WITNESS: Thank you very much, sir.

3 Thank you.

4 EXAMINATION

5 BY MR. MCGILL:

6 Q. Just a couple of things here, Mr. South.

7 A. Yes, sir.

8 Q. Do you all have a policies and procedures

9 manual for your flight crew members?

10 A. Yes, we have.

11 Q. Has there ever been a -- you're un-

12 unionized, right?

13 A. Yes.

14 Q. Has there ever at any time a union come in

15 that required some sort of a vote or anything?

16 A. Well, where we are right now, since we're

17 getting into this area, is that there has been

18 Teamsters voted into the company, and they are --

19 they're here.

20 Q. Who does the Director of Safety report to in

21 your company organization?

22 A. The Director of Safety reports to the

23 President of the company.

24 Q. Is there a procedure for crew members -- do

1 you have some sort of forum or hotline, do you have
2 communications to the Director of Safety for any
3 concerns that they may have?

4 A. Well, there is not a hotline. You know,
5 we're not of that size and magnitude.

6 Any crew member that comes through the
7 hallways, knocks on his door and discusses these type
8 of issues, so there's telephone communication, not
9 hotline. There's eye-to-eye contact there.

10 Q. Has there ever been any feedback from the
11 President back to you in the way it would, I guess,
12 originate?

13 A. No, not really.

14 Q. Do you get involved in the helping of the
15 design of the MEL?

16 A. No, I do not.

17 Q. So with the different -- another several
18 instances where you had different types of Omegas,
19 Marconi, Tracon --

20 A. Yes.

21 Q. -- it's still a single status and so forth -
22 -

23 A. Right.

24 Q. It wasn't addressed very well in the MEL.

1 Do you have a program that trains specific
2 pilots for functional maintenance tests --

3 A. No, we don't.

4 Q. -- coming out of C checks or D checks?

5 A. No, we don't.

6 Q. I did notice there was a new summary here
7 about a three engine ferry boat.

8 A. Yes, there was. If I could expand on that
9 just a little bit?

10 The concerns were the Level B simulator that
11 we were using, they wanted to challenge the simulator
12 team's certification on that, to see if the airplane
13 would maintain lateral control below a B1 number.

14 And that was there, we did find that, so
15 that was the only area of concern.

16 Q. So right now you don't have specific crews
17 trained for a three engine ferry?

18 All of the crews would be effectively
19 trained?

20 A. No, sir, that's not a -- I beg your
21 indulgence. That's an incorrect statement. The check
22 airmen, which we consider to be the best of the best,
23 that's why they're in that capacity, are the ones that
24 do three engine ferries, and one or two of our

1 experienced captains.

2 Q. Okay. Is that defined anywhere in your
3 manuals specifically?

4 A. That only check airmen would do it? No,
5 sir.

6 Q. It's not. When an aircraft comes out of a
7 heavy check, a C or D check, have a lot of work done on
8 it, how is the crew selected for that?

9 A. I generally do that myself, sir.

10 Q. Do you have a company check ~~if~~ that you go
11 through, that you follow?

12 A. Yes, sir, we do.

13 Q. I kind of bring this up because I was on the
14 Airborne flight and it seemed like that this is very
15 relevant, the crews retrain in place, and only certain
16 crews do this.

17 A. Yes. It's very important to me also.

18 Q. The engine monitoring is done by the flight
19 crew. It is reported. That is turned over.

20 Has there been any problems with the way
21 they turn it in, in the analysis of the trend
22 monitoring?

23 A. Not to my knowledge, sir.

24 Q. We've had some discussions on maintenance

1 write-ups all being in the Miami -- coming back to the
2 Miami base on the last leg.

3 What is the company policy for writing
4 problems up in a logbook?

5 A. All our crew members going through the
6 initial training or recurrent training have to comply
7 with regulatory requirements.

8 If they find a deficiency in the aircraft,
9 to write it up at the end of that flight. They're
10 trained to do so. We want them to do that.

11 We even have company meetings, pilot
12 meetings, if you will, on the first and third Monday of
13 every month. We're going to crank that up again in
14 January, and these issues of this nature are discussed.

15

16 Q. So that whenever there is a discrepancy,
17 they would call back to maintenance control to see if
18 there is some way that they could MEL it --

19 A. If they continue --

20 Q. -- MEL, GMM or SRM procedure?

21 A. Right. And I beg your indulgence here.

22 We're getting into the maintenance area, which I'm not
23 really versed in that much.

24 But from a pilot's point of view, if there's

1 something that can be deferred, we will make contact
2 and go through those proper procedures, and defer it
3 based on those procedures, and tag the item and
4 continue, if it's allowed.

5 Q. How many different types of flight directors
6 do you have in the different models of aircraft?

7 A. Flight directors? We have them on board.
8 The answer to your question is, I don't know how many
9 different kinds of flight directors we have.

10 We're not authorized to use them, so I don't
11 get into that area.

12 Q. The simulators that the pilots are trained
13 on, I notice there was some discrepancies about
14 different types or areas.

15 A. Well, in discussing this with the Chief
16 Pilot -- well, of course, both of us being check
17 airmen, we researched that.

18 And we were satisfied that the kind of
19 flight director was not really an issue. But not
20 having that capability to do that, we just don't use
21 it.

22 Q. When you bring in a different type or
23 another aircraft into your airline, there is a check
24 list of conformities and so forth that has to -- before

1 you put it on their D85.

2 The 62 series of ABX and everything, do you
3 have in your operating manuals the differences that you
4 say the pilots are trained.

5 A. Yes, we do have it, yes, sir.

6 Q. Is that in there right now --

7 A. Yes.

8 Q. -- if I were to take one of those manuals
9 and look in there?

10 A. Yes. Specifically, it's in the ground
11 flight training manual that we have, and it should be
12 in Appendix E.

13 Q. Are those pilots kept current just like the
14 Appendix --

15 A. Yes. Every year we sent them back to ABX to
16 go through their recurrent training.

17 Q. I notice on the RASIP inspection, we got
18 into some areas on the B50 and the B35s where dual
19 Omegas were required.

20 Could you explain how that could have
21 occurred like that?

22 A. No, I can't. I can make a comment that
23 September '97, a request to the operations specs is
24 done because we're not authorized to use Omegas any

1 more.

2 As far as myself and the PQI that's pretty
3 much of a dead issue once the road map was cleaned up.

4 Q. On Findings 1.03.01, they showed several
5 problems here in the wing slot light, where I guess it
6 required some landing penalties.

7 How could that have occurred if the crew
8 members are aware of this?

9 A. Specifically where would you like me to go
10 with that, sir?

11 Q. Well, I was just trying to determine if
12 there -- does this show up in the MEL, that
13 specifically reminds the pilot that there will be
14 penalties occurring?

15 A. Right. There is an MEL revision to the
16 introductory section plus SP 27 and 28 that outlines
17 the procedures for that problem.

18 Q. And they just didn't follow it?

19 A. No, it wasn't there at that point.

20 Q. It wasn't there?

21 A. Yes, sir.

22 MR. MCGILL: Well, thank you very much, Mr.
23 South.

24 THE WITNESS: Thank you very much.

1 MR. MCGILL: I don't have any more
2 questions.

3 THE WITNESS: Thank you, sir.

4 MR. BENZON: I just have a couple of quick
5 ones.

6 EXAMINATION

7 BY MR. BENZON:

8 Q. Sir, you said that your Flight Engineers
9 usually arrive at the airplane, was it two hours prior
10 to the rest of the crew?

11 A. No, they're required to be there an hour
12 prior to departure time.

13 Q. An hour. Does that bite you sometimes when
14 it comes to crew rests then, because they're on duty
15 longer than the rest of the crew?

16 A. No. Our trip segments and structure is set
17 up that it does not affect it.

18 Q. Okay. You've had time to review, probably,
19 our factual reports we put out and we've sat here for
20 two days.

21 What's your opinion of what happened on
22 August 7th?

23 A. That's a very broad question and without
24 having the information supplied to me by the NTSB, I

1 wouldn't even speculate, sir.

2 MR. BENZON: Okay. Ron doesn't have any.

3 I'll go around to the parties.

4 Do you have a question?

5 MR. MANNO: No.

6 MR. POLANCO: No.

7 MR. ZAPPIA: I have one just to try to

8 clarify something.

9 EXAMINATION

10 BY MR. ZAPPIA:

11 Q. You know, Mr. Ivey referenced the few
12 rotational problems that occurred, one before and one
13 after the accident.

14 And, you know, did you conclude that a
15 loading problem existed in either case? I mean you
16 kind of -- that question was answered well, you know,
17 you are a pilot?

18 A. I would not really -- that's a general
19 thing. I don't want to put the blame in that area. I
20 don't know, in fact, what the problem is.

21 MR. ZAPPIA: Okay. Thank you.

22 MR. BENZON: Well, thanks very much.

23 It was very informative.

24 THE WITNESS: Thank you, sir.

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(Whereupon, at 2:15 p.m., the deposition was concluded.)

CERTIFICATE OF REPORTER

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) SS.:
COUNTY OF BROWARD)

I, EDNA HOLLANDER, Court Reporter/Notary Public in and for the State of Florida at Large, do hereby certify that I was authorized to and did report the

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foregoing deposition of CHARLES SOUTH, a witness herein; that the foregoing pages numbered 1 through 56, inclusive, constitute a true and accurate record thereof.

I further certify that I am not of counsel; I am not related to nor employed by an attorney to this action; I am not financially interested in the outcome thereof.

Witness my hand and seal this 29th day of November, 1997, in the City of Boca Raton, County of Palm Beach, State of Florida.

Edna Hollander