

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

COLLISION OF LONG ISLAND RAIL ROAD *
(LIRR) TRAIN NO. 2817 WITH THE *
PLATFORM AT ATLANTIC TERMINAL, *
BROOKLYN, NEW YORK, JANUARY 4, 2017 *

* Accident No.: DCA17FR002

* * * * *

Interview of: MICHAEL S. BAKALO

LIRR Facilities
Jamaica, New York

Thursday,
January 5, 2017

APPEARANCES:

TOMAS TORRES, Rail Accident Investigator
National Transportation Safety Board

ANNE GARCIA, Human Performance Investigator
National Transportation Safety Board

STEPHEN JENNER, Ph.D., Human Performance Investigator
National Transportation Safety Board

JOSEPH MEADE, Operating Practice Inspector
Federal Railroad Administration (FRA)

BOB TOMASZEWSKI, Operating Practices Inspector
Federal Railroad Administration

ROBERT MARALDO
Public Transportation Safety Board
New York State Department of Transportation

MARK ELLIOTT, Director of Investigations & Analysis
Long Island Rail Road (LIRR)

BRET BECKER, Superintendent of Engine Service
Long Island Rail Road

KEVIN SEXTON, General Chairman
Brotherhood of Locomotive Engineers and Trainmen (BLET)

DONALD HILL
BLET Safety Task Force

WILLIAM BATES
SMART National Transportation Safety Team

WILLIAM NEARY
SMART National Transportation Safety Team

DOMINIC AMENDOLARE
SMART National Transportation Safety Team
(Observer)

MARC WIETZKE, ESQ.
Flynn Wietzke
(On behalf of Mr. Bakalo)

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I N T E R V I E W

(1:45 p.m.)

1
2
3 MR. TORRES: Okay, guys. I want to get started here. It's
4 1:45 p.m., January 5th, 2017. We're at Long Island Rail Road
5 Facility F&A at Jamaica, Queens, New York.

6 My name is Tomas Torres, T-O-M-A-S, T-O-R-R-E-S. Today's
7 date is January 5th, 2015 [sic], and we're interviewing the
8 engineer in connection with an accident that occurred at Atlantic
9 Terminal in Brooks, New York -- Brooklyn, New York on January 4th,
10 2017. The NTSB accident number is DCA17FR002.

11 The purpose of the investigation is to increase safety, not
12 to assign fault, blame or liability. NTSB cannot offer any
13 guarantee of confidentiality or immunity from legal or certificate
14 actions. A transcript or summary of the interview will go into
15 the public docket. The interviewee can have one representative of
16 the interviewee's choice.

17 Do you have somebody here?

18 MR. BAKALO: Yes. I have Marc.

19 MR. TORRES: Do you understand that this interview is being
20 recorded?

21 MR. BAKALO: Yes.

22 MR. TORRES: Please state your name and spell it.

23 MR. BAKALO: Michael S. Bakalo. That's M-I-C-H-A-E-L, S.,
24 which stands for Steven, my last name is Bakalo, B-A-K-A-L-O.

25 MR. TORRES: Do you mind if we call you Michael?

1 MR. BAKALO: Mike is fine. Michael.

2 MR. TORRES: Mike. Okay. Sounds good.

3 Anne?

4 MS. GARCIA: Anne Garcia, G-A-R-C-I-A, human performance
5 investigator with the National Transportation Safety Board.

6 MR. MEADE: Joseph Meade, M-E-A-D-E, FRA, operating practices
7 inspector.

8 MR. NEARY: William Neary, N-E-A-R-Y, SMART Transportation
9 Safety Team.

10 MR. ELLIOTT: Mark Elliott, Long Island Rail Road, director
11 of investigations and analysis.

12 MR. AMENDOLARE: Dominic Amendolare, SMART Transportation
13 Safety Team, observer.

14 MR. TOMASZEWSKI: Bob Tomaszewski, that's
15 T-O-M-A-S-Z-E-W-S-K-I, operating practices inspector for the FRA.

16 MR. MARALDO: Robert Maraldo with New York State Department
17 of Transportation, Public Transportation Safety Board,
18 M-A-R-A-L-D-O.

19 MR. BATES: William Bates, B-A-T-E-S, SMART National
20 (indiscernible) Transportation Safety Board.

21 MR. HILL: Donald Hill, Safety Task Force, BLET, H-I-L-L.

22 MR. BECKER: Yes. Bret Becker, B-E-C-K-E-R. I'm the
23 superintendent of engine service for the Long Island Rail Road.

24 DR. JENNER: Stephen Jenner, S-T-E-P-H-E-N, J-E-N-N-E-R. I'm
25 a human performance investigator with the NTSB.

1 MR. SEXTON: Kevin Sexton, S-E-X-T-O-N, General Chairman,
2 BLET.

3 MR. WIETZKE: And Marc Wietzke, Flynn Wietzke. First name,
4 M-A-R-C, last name, W-I-E-T-Z-K-E.

5 MR. TORRES: Okay. Tomas Torres with the NTSB.

6 INTERVIEW OF MICHAEL S. BAKALO

7 BY MR. TORRES:

8 Q. Mike, can you please give us your work history with the
9 railroad, date of hire and --

10 A. '99 -- it was 1999. I don't have the exact date. And I was
11 hired as a locomotive engineer.

12 Q. And what territories have you operated?

13 A. Everywhere.

14 Q. Would you describe, you know, or --

15 A. The whole entire railroad system.

16 Q. Yeah -- no. The places you've -- the name of the locations.

17 MR. BECKER: Bret Becker from the Long Island Rail Road. As
18 part of the engineer program, all engineers are required to be
19 familiar and able to operate on the entire system on the Long
20 Island Rail Road, which is all branches and yards.

21 BY MR. TORRES:

22 Q. Okay. Is there like a specific -- Tomas Torres with the
23 NTSB. Is there a specific run or track that you operate?

24 A. As of late?

25 Q. Yes.

1 A. I'm working -- be Job 85.

2 Q. And operates from what locations?

3 A. West Side -- it originates in West Side Yard. It does a
4 round trip to Long Beach to -- Long Beach to Brooklyn, Brooklyn to
5 Far Rock, Far Rock to Brooklyn, and then Brooklyn to Jamaica.

6 Q. So it's a complete round trip or --

7 A. It's four round trips. Two round trips and an express from
8 Brooklyn to Jamaica, last train. It's five trains.

9 Q. Okay. And what are your hours? You know, when do you report
10 to --

11 A. I start at 12:16 a.m., and it ends at 10:15 a.m.

12 Q. How many days a week is that schedule?

13 A. Four. And the fifth day is a weekend portion which is a
14 different schedule.

15 Q. So you work Monday through Thursday or --

16 A. I have Sunday, Monday off, and it's Tuesday through Saturday.

17 Q. So you've been an engineer since 1999; is that correct?

18 A. Minus the training program, yes.

19 Q. So can you describe to us on a -- what it's like for you when
20 you report to work? You know, when you report to the office, what
21 goes on or, you know, what interaction you have with the other
22 employees? And what do you look at and what do you read?

23 A. Well, I have zero interaction with -- it's dark. You show
24 up. You check the board, check your notices, and then you report
25 to your train. And that's probably the first time I'll have

1 interaction then with my crew, on the train as I'm preparing the
2 train.

3 Q. So when you're in the terminal itself, you don't have no
4 interaction with a conductor and assistant conductor?

5 A. I'm not in a terminal. I'm in a yard. I go down to the
6 yard --

7 Q. In a yard?

8 A. -- facility. So a yard is a yard. I mean, it's not, you
9 know.

10 Q. Not until you go to the train do you get to interact?

11 A. Unless I run into somebody in the process of walking over
12 there, yeah.

13 MR. MEADE: Joe Meade, FRA. Oh, I'm sorry.

14 BY MR. TORRES:

15 Q. So on the day of the event, can you describe that day for us?
16 Like from the time you went on duty, you know, and to the time of
17 the incident, can you describe that day?

18 A. Sure. Unfortunately, it was not a normal day meaning like as
19 part of my job schedule. I started at the same time as usual. I
20 reported in Hicksville to deadhead -- there was a train accident
21 on the main line. A car was struck by a train. So me and other
22 deadheading employees were stuck in Hicksville for like 2 hours.

23 So as time went on, speaking to the New York stationmaster,
24 he told me just to report to Jamaica and complete -- pick up my
25 job in Jamaica, and relieve the engineer who's on the job, which

1 was a yard engineer at the time.

2 Q. So you reported at, you said, 12:16 a.m., or what's your
3 reporting hour?

4 A. Well, my report is in West Side Yard at 12:16. I deadhead
5 out of Hicksville, and I got to Hicksville at 10:45, 10:50. And I
6 catch usually an 11:14 out of Hicksville that takes me to West
7 Side Yard.

8 Q. And that's a.m.?

9 A. Well, that's p.m. at that time. At 11:14 would be p.m. at
10 that time.

11 Q. So when you report to duty at 6 -- it's 12:16 a.m. or p.m.?

12 A. That's a.m. After midnight it's a.m.

13 Q. All right. So when you were told to -- when you deadheaded
14 what time was that?

15 A. I catch the 11:14 p.m. out of Hicksville. And I contacted
16 the New York stationmaster because there was no train movement.
17 They shut down the main line, dropped the power. And after
18 communicating with him for a while because no one knew when it was
19 going to be lifted, he notified me again and told me to just
20 report to Jamaica and pick up my train in Jamaica at that time.

21 Q. So you were deadheading at 10:00 in the evening?

22 A. Eleven --

23 MR. BECKER: Bret Becker from the Long Island Rail Road.
24 Part of the job responsibilities is for the engineer to go to a
25 reporting terminal. That's the assignment that he was on.

1 Eighty-five says he -- Job 85 said to report to West Side Yard.
2 In order to do that, he can utilize our trains to get there as a
3 regular passenger. He elected to take this train from -- and it's
4 fully legal for him to do that, to take from Hicksville to get
5 into New York to go down to West Side Yard by his proper report
6 time which is 12:16.

7 As of 12:16, because he reported to Hicksville at that time,
8 there was an incident at -- in the vicinity of the main line which
9 shut down that whole line. So he notified the proper authority,
10 like he's supposed to do, and they advised him your -- obviously
11 he wasn't going to be able to make his original report time at
12 West Side Yard to run his first train. So they said okay, pick up
13 the job at this particular spot which was Jamaica, I believe.

14 MR. BAKALO: Right.

15 BY MR. TORRES:

16 Q. Okay. Then once you reported to your next destination, as
17 you were instructed, you know, what happened then, if you know?

18 A. At 4:28, I picked up the train in Jamaica. I relieved the
19 engineer that was on the train, and he was a YE-14 engineer, which
20 is a yard engineer. He notified me that -- the amount of cars and
21 that the brake test was good, brakes were good, it was certified.
22 All my slips were in order. And I relieved him at that point.

23 Q. So you had a job briefing, and then he told you --

24 A. Not him. I had a job briefing after that with my crew. I
25 just relieved him and got face-to-face that the train was in good

1 condition and what amount of cars were open. And as per
2 supervision, I was to relieve him there and which I did.

3 Q. When you mean cars were open --

4 A. It was a 10-car train. It had six cars open.

5 Q. Oh, I see.

6 A. Different consists of -- I'm sorry -- the amount of doors
7 open.

8 Q. So six cars were open for passengers?

9 A. Yeah. Right.

10 Q. So after you departed that station, how did -- you know, can
11 you describe that trip?

12 A. Sure. Well, before I departed I spoke to my crew because
13 I -- my regular conductor and regular brakeman were off. I knew
14 that previous that they were taking personal days. So I had an
15 extra crew, and I just reached out to them, let them know I was on
16 the train and sort of did a quick job briefing and -- before I
17 took off to make sure everybody knew what everybody else was
18 doing, you know.

19 Then I just proceeded to Brooklyn. We're express to
20 Brooklyn. When I was able to get to 30 miles an hour, I performed
21 a running brake test.

22 Q. For those that don't understand a running air brake test, can
23 you explain it?

24 A. It's just -- when you get to 30 miles an hour, make an
25 application on your brakes to make sure your brakes are in, you

1 know, good condition.

2 Q. Okay. So after you performed the running air brake test, you
3 continued on?

4 A. I continued on my way to Brooklyn, and then when I got to
5 Brooklyn with no problems on track 1 when we went into Brooklyn,
6 and our new equipment was off of track 3 for Train 2806.

7 Q. And what happened after that?

8 A. Went upstairs, got a cup of coffee. I ran -- and then went
9 back downstairs and got my train road ready for 2806, did a brake
10 test, certified the equipment, and then went on to Far Rockaway on
11 2806.

12 Q. And after you left that station, Rockaway?

13 A. Um-hum. Oh. You mean after I got to the station?

14 Q. Yeah, yeah.

15 A. Then we change ends. We keep the same equipment, and we're
16 2817 at that point, an hour later.

17 Q. When you mean change engines, changing ends from the control
18 stand?

19 A. Right. Change ends from the east end to the west end of that
20 equipment.

21 Q. And so after you changed ends, what happened next?

22 A. You mean performance-wise or just in general?

23 Q. Yeah. I mean, yeah, what did you do and then --

24 A. I brake tested the equipment, certified it, and then we went
25 to -- well, then I had downtime for like 40 minutes. And then

1 after the 40 minutes, we went to -- at leaving time we left and
2 went to -- on our way to Brooklyn.

3 Q. So after that station, your next stop was going to be
4 Brooklyn?

5 A. No. We make all local stops to -- all local stops to Valley
6 Stream. Then we make Locust Manor, Jamaica, and then everything
7 local to Brooklyn.

8 Q. Okay. So as you were approaching Brooklyn, can you describe
9 that?

10 A. Sure. From what point?

11 Q. Well, to the point of incident, you know.

12 A. All right. Coming off of Atlantic 1, I had a restricting
13 signal approaching it. I was doing restricted speed. I was
14 crossed over to a restricting on a low home. And it was -- the
15 switch was aligned for me for 6 station.

16 Q. So when you got the restricting signal, you're still at 1?

17 A. I'm on Atlantic 1.

18 Q. Right.

19 A. And then it's broken into six station tracks at that point.

20 Q. So did you change tracks?

21 A. I crossed over -- crossed over means changed. I changed over
22 to -- they had me lined for 6 and then at a low home after that,
23 which protects the switch points there. I had a restricting
24 again.

25 Q. And that restricting the signal, does it have a milepost or

1 do you know or --

2 A. A number on it?

3 Q. Yeah, a number on it?

4 A. It probably does. I couldn't tell you what it -- it's
5 Brook 1E, but I don't know -- Brook -- it has a -- yeah, I know.
6 The low home doesn't have a tag on it, but the -- it's a home
7 signal, so it's the easterly limit of Brook 1, if you want to
8 label it that way.

9 Q. Okay. And that signal, when you're looking at it, what is it
10 conveying? What's the aspect, do you know?

11 A. Restricting.

12 Q. Yeah, I know. But you know, red?

13 A. Red over yellow.

14 Q. Is it red over yellow?

15 A. It's a color light signal, red over yellow.

16 Q. And you call that red over yellow restricting?

17 A. Restricting.

18 Q. And do you know the definition of it, I mean, for us that
19 don't understand restricting?

20 A. Basically you're looking out for everything and you're
21 governed at 15 miles an hour. But at that point, the speed is
22 reduced further. Due to our special instructions it's down to 5
23 miles an hour. So I'm still governed by restricting meaning like
24 looking out for broken rail, crossing protection, everything under
25 the sun, and basically I have to -- but I'm governed by a 5-mile-

1 an-hour speed restriction at that point.

2 Q. Okay. So once you cross over, then you're governed --

3 A. Five miles --

4 Q. Your speed goes to --

5 A. Everything goes down to 5 miles an hour from that point to
6 the station.

7 Q. Is there another signal in there?

8 A. A low home, which I had a restricting on as well.

9 Q. It's low home?

10 A. It's a dwarf signal. It's --

11 Q. A dwarf signal. Okay.

12 A. Dwarf signal they call them, low home.

13 Q. And what's the signal aspect on that?

14 A. Restricting as well.

15 Q. Just red or --

16 A. It's white bulbs. There's one, two, three -- one, two --
17 three bulbs on it, but two were lit. Yeah.

18 Q. So it's a white --

19 A. If you're looking at it in my direction, one would be on the
20 bottom, one would be on the top, and that's a restricting.

21 Q. And they're white.

22 A. And you look at them every day and you're like --

23 Q. And when you cross over, you know, there at the red over
24 yellow one (indiscernible) --

25 A. Um-hum.

1 Q. -- what's the distance that you travel there to the end of
2 the, you know, track 6? I mean, can you give us an estimate?

3 A. That's all it's going to be because I wouldn't know exact.
4 Well, it's six-car platform, eight-car platform. Maybe 20 cars,
5 20 cars a train, 16 cars --

6 Q. So 20 car-lengths, more or less?

7 A. Anywhere from 10 to 20. No, 16 to 20, 16 to 25.

8 Q. Yeah.

9 A. You know, I can't -- that's a hard estimate.

10 Q. So once you pass the red over yellow and you cross over to
11 the track, the next track, do you have another door -- what you
12 call a door signal?

13 A. There's one.

14 Q. One?

15 A. One signal.

16 Q. And it has two white lenses?

17 A. White bulbs. Yeah.

18 Q. White bulbs. How far apart is that from the red over yellow?

19 A. Approximately 8 cars maybe, 10 cars.

20 Q. So it's as soon as you cross over?

21 A. As soon as you cross over that's there, and that's governing
22 the next set of switches which are for the station platforms.

23 Q. And are those the signal indications you always get? Do you
24 have anything other than those signal indications?

25 A. You get stop.

1 Q. Just plain red?

2 A. You get approach. You can get other signal aspects.

3 Q. So once you passed the second signal, the restricting now,
4 which is two white bulbs, what happened after that?

5 A. I started approaching track 6 and when I -- I remember coming
6 into the platform, and then honestly that's all I can recall. And
7 that's it.

8 Q. Do you recall what you were doing with the controls, with the
9 throttle?

10 A. At what point?

11 Q. Well, as you were coming into track 6. I mean, how did you
12 maintain speed or, you know, what --

13 A. When you're coming into Brooklyn, it's on a bit of an incline
14 so you're constantly going back and forth with brake because
15 you're trying to keep it 5 miles an hour. So it's just a lot of
16 back and forth.

17 Q. So it's a slight downhill going into 6?

18 A. I mean, slight, enough to make a train pick up speed.

19 Q. It will roll?

20 A. You know, if you left it in coast, it would just, you know,
21 pick up speed.

22 MR. TORRES: At this point I don't have any more questions.

23 BY MS. GARCIA:

24 Q. Anne Garcia. Mike, I have a few questions following up from
25 his questions.

1 A. Okay.

2 Q. And then just a couple of general questions. And I need some
3 background information is basically it.

4 A. Okay.

5 Q. Okay. So following up on Tomas's questions, you mentioned
6 that you had a different work schedule on the weekends?

7 A. Um-hum.

8 Q. So what was it on this fifth day on the weekend? What's your
9 typical schedule for weekend?

10 A. On the weekend it would start at 12:36 out of West Side Yard.

11 Q. P.M., a.m.?

12 A. A.M.

13 Q. Okay.

14 A. And it's a round trip to Huntington and then one more back to
15 Huntington, and it finishes at Huntington at 6:34 in the morning.
16 The off time of the job is 8:34, because wherever we originate
17 from is where we're -- we terminate from.

18 Q. Okay.

19 A. But operating wise, I'm done at 6:34.

20 Q. Okay. So it's fewer hours on Saturdays?

21 A. Yeah.

22 Q. Nice. Okay. Now you mentioned your times that you work on
23 the weekdays, the 4 days, 12:16 a.m. to 10:15 a.m. What breaks do
24 you have during that? Do you have scheduled lunch breaks,
25 scheduled restroom breaks?

1 A. When you get to -- on the first round trip, like Train 802
2 gets to Long Beach at like 1:40. I don't have to be out with my
3 next train, which is Train 805, I don't have to do anything
4 operationally until like 3:10.

5 Q. Okay.

6 A. And then in Far Rockaway I get a -- maybe like a 30-minute
7 break between trains.

8 Q. About what time would that be during the --

9 A. That would be at -- I get in there at -- probably like 6:15
10 to like 6:45, 6:50.

11 Q. Okay. And what about on the weekends on your Saturday
12 schedule?

13 A. I get about probably like 45 minutes in Huntington after my
14 first train, and then that's pretty much it.

15 Q. About what time would that be?

16 A. 2:30, around 3:00 in the morning.

17 Q. Okay. Thank you.

18 So what time do you normally have your meals on weekdays? Do
19 you eat them during your breaks? Do you have them, you know,
20 while you're in the train or do you have snacks? What kind eating
21 and drinking --

22 A. Yeah. Just kind of water. Like I said, I stop for coffee
23 when I'm in Brooklyn. You can get something to eat there if you
24 want or just bring -- generally bring some snacks, you know, like
25 nuts and just light snacks.

1 Q. Okay. Bring things with you and --

2 A. Yeah. And sometimes I'll get, you know, coffee and a roll if
3 I'm upstairs in Brooklyn, but that's -- you know, there's not a
4 lot of -- you know, like when you go to Far Rock, there's nothing
5 there so, you know, you just generally -- it's either Brooklyn or
6 nothing.

7 Q. Yeah. Okay. You mentioned that it wasn't a normal day, that
8 you deadheaded for the 2 hours in the beginning. Could you just
9 give a short definition of deadheading?

10 A. It would be like you -- a passenger going on a train from
11 point A to B. That's deadheading. For us because we're
12 employees, it's called deadheading.

13 Q. Okay.

14 A. Deadheading is just like you're driving your car here to
15 here, you would be deadheading here.

16 Q. Right.

17 A. Going to work. That would be it.

18 Q. Okay. It's your normal path to work?

19 A. Yep.

20 Q. And you're able to ride the train --

21 A. It's just on a train we call it deadheading.

22 Q. Okay. Good. So on this particular day during the about 2-
23 hour period, what were you doing? You mentioned two other
24 employees were also deadheading. What were you doing during that
25 time?

1 A. Just standing around waiting because we didn't know what was
2 going to be -- you know, we didn't know if the -- when the train
3 was going to leave Hicksville because everybody -- even the crew
4 didn't have any idea, because they took the power out because of
5 there was a car incident on the track. So nobody knew. We just
6 were standing around waiting, you know, for the green light, which
7 took around 2 hours. So that was that.

8 Q. Okay. Just -- I want to fill in just a couple of details
9 that I might not have picked up on. You mentioned that you -- on
10 this particular day you went upstairs for a cup of coffee. Then
11 you went to your train and the train left. About what time did
12 you leave?

13 A. 5:13.

14 You're talking about 2806?

15 Q. Yeah. This particular train.

16 A. This train, no. The train that I had the incident you're
17 talking about?

18 Q. Um-hum.

19 A. That wasn't out of Brooklyn. That was out of Far Rock.

20 Q. Okay. So --

21 A. I don't understand your question then.

22 Q. Right. So this is my confusion.

23 A. No. That's okay. That's all right.

24 Q. So when you said that you went upstairs for a cup of coffee
25 and then went to the train, what time was that and which train was

1 it?

2 A. All right. My first train that I picked up in Jamaica was
3 Train 805.

4 Q. Okay.

5 A. That went from Jamaica to Brooklyn. My next train out of
6 Brooklyn would have been 2806 which leaves Brooklyn at 5:13 a.m.
7 So I get in Brooklyn at around 8:50, and I'm out at -- I mean --
8 I'm sorry. I get in Brooklyn at 4:50, and I'm out at 5:13.

9 Q. Okay.

10 A. It's a quick turn, but you have enough time to run upstairs
11 and get a cup of coffee if you want and which I did. I went
12 upstairs and got a cup of coffee, went back down, and we were in
13 on track 1, off of track 3. And then you have 10 minutes to set
14 up the equipment, brake test it, certify it, and then pretty much
15 you're ready -- it's almost time to go at that point.

16 Q. Okay. Jumping to the train of the incident.

17 A. Yep.

18 Q. You mentioned it was different crew and you knew it was going
19 to be because your regular crew had scheduled leave?

20 A. Right.

21 Q. Had you ever met them before?

22 A. Oh, yeah. I know -- yeah. We worked together before.

23 Q. Okay.

24 A. Not on this job but on the property.

25 Q. Okay. And how were they on this particular day? Since you

1 knew them, were they acting like they normally do? Did you have
2 any concerns? You laugh.

3 A. No. I just -- yeah. I mean, they were -- yeah, they were
4 just normal, regular people, you know.

5 Q. Yeah. Okay.

6 A. You know, worked together enough times where we just did a
7 job briefing and I filled the blanks in. You know, every job has
8 its specifics. And it was all normal, like nothing -- nice
9 people, easy to work with.

10 Q. And you knew them, so you would know if something was a
11 little off?

12 A. Yeah, yeah. No. There were no problems with them.

13 Q. Okay. And how were you feeling on this day when you got
14 aboard this particular train at that point in your workday?

15 A. No different than any other day really.

16 Q. Okay. And how would you characterize your health overall?

17 A. Good. I don't take any medication. I have nothing medically
18 wrong with me, so --

19 Q. Okay.

20 A. I could drop 20 pounds, it would be all right. But other
21 than that I'm good.

22 Q. Okay. Vision is good?

23 A. Well, I use reading glasses just for limited reading.

24 That's --

25 Q. For reading. Okay.

1 A. But other than that my vision is, you know.

2 Q. Hearing is good?

3 A. Yeah.

4 Q. How often do you have a physical?

5 A. Well, with the railroad it's every 2 years.

6 Q. It's a railroad required physical?

7 A. Yeah

8 Q. And do you go to their doctors?

9 A. A medical center in Minneola.

10 Q. Okay. And how was your last physical?

11 A. Came out fine. Yeah. I mean, they said my hearing, tiny bit
12 lower than the previous one but not anything, you know, that's
13 abnormal.

14 Q. Okay. And do you ever see your own private physician?

15 A. I mean, yeah, when I'm not feeling good, I mean, yeah. But
16 very -- not often. I mean, you know.

17 Q. When was the last time that you went to see a doctor?

18 A. Probably a year ago for a sinus infection I think it was.
19 You know, nothing --

20 Q. Okay. Good. Thank you.

21 A. No problem. My pleasure.

22 MS. GARCIA: That's all I have right now.

23 BY MR. MEADE:

24 Q. Joe Meade, FRA.

25 A. Um-hum.

1 Q. You say you worked Job 85?

2 A. Yes, sir.

3 Q. How long were on that -- how long have you been on that
4 assignment?

5 A. Without detail, at least a year.

6 Q. A year?

7 A. I wouldn't have a date for you, but at least a year.

8 Q. Okay. And the day before you were on the same assignment or
9 was that --

10 A. Yes, sir. This incident unfortunately happened on a
11 Wednesday. I worked Tuesday, Wednesday, Thursday, Friday on that
12 assignment.

13 Q. So you had your regular rest days with the holiday was --

14 A. Sunday, Monday.

15 Q. Sunday and Monday?

16 A. Those are my normal days off.

17 Q. Okay. And you slept normally the night before? Do you
18 usually go home and go right to sleep? Do you --

19 A. When I come home from work you're talking about?

20 Q. Yes, sir.

21 A. Yeah. I go right to sleep.

22 Q. Okay. So you usually get home -- you usually deadhead back
23 home again, I'm assuming?

24 A. Yes, sir. I get home approximately 10:15, 10:30.

25 Q. A.M.?

1 A. A.M..

2 Q. Okay.

3 A. And as long as the stars align, I'm sleeping by 11:00. I'll
4 eat something quick, you know, a light snack or something, and
5 then wash up and go lay down.

6 Q. Okay. And what time do you usually arise?

7 A. My wife will usually wake me -- usually the kids coming home
8 from school, that's around 4:00. And then, you know, we'll get
9 ready for whatever is in store for us.

10 Q. Okay. That's all I have. Thank you.

11 A. No problem. Thank you.

12 MR. NEARY: William Neary. I have no questions.

13 MR. BAKALO: Okay. Thank you.

14 BY MR. ELLIOTT:

15 Q. Mark Elliott. When you were in Far Rockaway before your last
16 run, did you rest? In 30 minutes, I mean, what did you do on the
17 downtime? Did (indiscernible) --

18 A. Yeah. I mean, I killed the lights and I was relaxing. Yeah,
19 yeah.

20 BY MR. TOMASZEWSKI:

21 Q. Bob Tom Tomaszewski, FRA. You said that you normally try to
22 get to sleep around 11:00, and then the kids wake you up around
23 4:00?

24 A. Um-hum.

25 Q. What's the rest of your --

1 A. Day like?

2 Q. -- day kind of, you know, like before you come to work?

3 A. I mean, every day is obviously different in every house.

4 Q. Well, just on the average.

5 A. Yeah. No. What I try to do is I'll have dinner with my
6 family, and take care of whatever needs to be taken care of. On
7 Tuesday my daughter had dance. I took her to dance. And then
8 when I came home, I laid back down for a couple hours before I
9 came in.

10 Q. That's all I have.

11 A. Okay. No problem.

12 MR. BATES: William Bates, SMART. No questions.

13 MR. MARALDO: Rob Maraldo. No questions.

14 BY MR. HILL:

15 Q. Donald Hill, BLET Task Force. I just wanted to ask a few
16 questions.

17 A. Sure.

18 Q. You said you were hired in 1999. You hired as a trainee,
19 locomotive engineer trainee?

20 A. Well, yeah. You're a trainee before -- right.

21 Q. And then approximately how long were you a trainee?

22 A. At that point in time they tried to make it a 9-month
23 program, but it got extended to a year.

24 Q. And as far as your normal day goes, you say you've been
25 working at Job 85 for approximately a year?

1 A. Approximately, yeah.

2 Q. When you come to work, do you participate in a formalized job
3 briefing with your conductor?

4 A. Yeah.

5 Q. At the start of your assignment?

6 A. When I'm on the train. Yes.

7 Q. Okay. So you perform the job briefing on the train as
8 opposed to be off the train?

9 A. Well, everybody comes from different directions, so that's
10 the only point in time we're all together.

11 Q. Okay. All right. So there's no scheduled location for you
12 to perform the job briefing other than the train?

13 A. The scheduled job briefing is supposed to be before the job
14 starts. There's not a specific time but, you know -- yeah.

15 Q. Okay. Your train, I believe it was 2017, was that train on
16 time to the best of your recollection?

17 A. It was probably a few minutes late as -- like every day.

18 Q. What is your normal spin time or turn time in Atlantic
19 Terminal?

20 A. At which point?

21 Q. Coming from 2017.

22 A. I'd come in at -- I'm due in at 8:11, and my next train,
23 which is 1402, is out at 8:46.

24 Q. All right. What is the maximum authorized speed on the
25 branch, the fastest the train can go prior -- on the -- on that

1 branch?

2 UNIDENTIFIED SPEAKER: Can you be a little more -- yeah.

3 MR. BAKALO: Yeah. The most speed you can get is just from
4 Jamaica to Valley really.

5 MR. BECKER: Bret Becker from Long Island. It depends.
6 There's two branches that --

7 MS. GARCIA: Excuse me. Can we have him answer?

8 MR. BECKER: Okay.

9 MS. GARCIA: If you don't know the answer, just say you don't
10 know. If you want him to rephrase the question, just ask him to
11 rephrase.

12 BY MR. HILL:

13 Q. I'll try to rephrase it. The train originated from Rockaway,
14 Far Rockaway, correct?

15 A. Yes, sir..

16 Q. So from Far Rockaway to Atlantic Terminal, what is the
17 maximum authorized speed? The fastest --

18 A. Yeah, I know. What he was trying to say, unfortunately, the
19 Far Rock Branch is one speed limit, and then from Valley Stream to
20 Jamaica is another speed limit, and then you have from Jamaica to
21 Brooklyn which is another speed limit. So you know, like the
22 maximum speed limit would be in the tunnel at 70, the east -- the
23 Brooklyn tunnel.

24 Q. Is that the highest speed that you -- that your train would
25 travel?

1 A. Yeah. On any one of those branches, yeah, because Far Rock
2 Branch would be -- you're lucky you can get to 40, you know,
3 between the stops.

4 Q. And what type of rules are in effect on that branch?

5 A. Again, it's broken up into different branches. You have the
6 Far Rock Branch which you have your speed control. You know,
7 you're going by -- you want the exact rules, you're talking about
8 or --

9 Q. Well --

10 A. I'm trying to understand what you're --

11 Q. And I want to let you know we're asking these questions
12 because all of us are going to generate reports and we want to be
13 accurate with regards to what we write. How many branches would
14 you normally operate on 2817? How many branch lines would you go
15 through?

16 A. Well, you have the Far Rock Branch and then you have the
17 Atlantic Branch.

18 Q. Okay. So it's two branches?

19 A. Yeah.

20 Q. Are there different rules in effect on those two branches?

21 A. Yeah. You won't have -- you want the exact rules, I'm
22 saying? Because every branch on our railroad system has different
23 rules. You know, some of them have the same, but they're all
24 within their own right.

25 Q. Well, I'm talking about for that particular trip that you --

1 tour of duty on this particular train, 2817.

2 A. Um-hum.

3 Q. What were the rules in effect that you were governed by on
4 those two branches?

5 A. All right. You want the --

6 MR. SEXTON: I think there's a misunderstanding. My name's
7 Sexton for the record. I just want to help try to clarify.

8 MS. GARCIA: Um-hum.

9 MR. SEXTON: Am I allowed to talk? There's two different
10 communication issues --

11 MR. WIETZKE: Let's go off the record for a second.

12 (Off the record.)

13 (On the record.)

14 MS. GARCIA: Back on the record.

15 MR. TORRES: Okay. 2:30 p.m., and we're back on the record.

16 BY MR. HILL:

17 Q. Donald Hill, BLET Safety Task Force. What type of signal
18 rules are you governed by when you're running your train on these
19 branches?

20 A. Based on our conversation off the record it's -- we have
21 automatic block and we are governed by ASC on the --

22 Q. And what does ASC stand for?

23 A. Automatic speed control.

24 Q. Okay. Thank you. And automatic speed control, just so I can
25 make sure I'm clear on that, that would automatically reduce the

1 speed on the train if it went over the speed that the computer
2 system recognizes that it should not go over. Is that your
3 understanding?

4 A. Correct. That and circuitry in the track which will also
5 further reduce it.

6 Q. And how many crew members are on this train?

7 A. Me and two others.

8 Q. Okay. You don't know their location, do you? The location
9 of the two others at the time of the incident?

10 A. No. I have no idea.

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

12 A. No problem. Thank you.

13 BY MR. BECKER:

14 Q. Okay. Bret Becker from Long Island. Just short questions.
15 On any of the equipment, I know it wasn't mentioned before, but on
16 any of the equipment did you have any -- was there any issues with
17 any of the equipment prior?

18 A. No, none.

19 Q. Okay. You had mentioned the fact that there was a service
20 suspension or there was an accident on the main line. Was there
21 anything else unusual that occurred to you during any of your
22 trips that would be unusual for that particular assignment?

23 A. No. No.

24 Q. Okay. That's all I have.

25 BY DR. JENNER:

1 Q. Okay. This is Steve Jenner with the NTSB. I'm going to
2 bounce around a little, just trying to fill in some gaps.

3 A. Sure.

4 Q. Thanks. You said you worked Job 85 for a year or more.

5 A. Um-hum.

6 Q. I assume that always started about 12:16 a.m.?

7 A. Yeah. It hasn't changed since I've been on that route.

8 Q. Okay. Is that a job that you bid, you prefer that job? How
9 much do you like it?

10 A. I'd prefer to hit the Lotto and not work at all.

11 Q. Get in line.

12 A. It just works for me because of I have kids so, you know, the
13 schedules and -- it just seems to work right now.

14 Q. So that's a job you bid, in a sense?

15 A. Yeah. Not prefer but it's a job that works.

16 Q. Okay. That's a desire, a big picture. Okay.

17 A. I have no desire for --

18 Q. Yeah. I'm trying to find the right word.

19 Okay. When you reported for duty that night, how did you
20 feel overall in terms of, you know, how alert you were?

21 A. No different than any other day. It just seemed like a
22 normal day.

23 Q. Okay. I heard from your description there were a couple
24 things that were different, and one was the incident, you had to
25 go to Jamaica instead. So did that affect anything in terms of,

1 you know, did that put any added stress on you, do you think?

2 A. It just made the day feel longer maybe because when you're
3 working the job it just seems like boom, boom, boom. You know,
4 the day -- you know, it's like painting. You'll look at the
5 watch -- your watch and the clock's not moving, but, you know, if
6 you're doing something different, you look at your clock and it's
7 moving fast. It just seems like the day moves fast when you're
8 doing the job.

9 Q. Sure.

10 A. Standing around doing nothing, waiting for something to
11 happen, you know, it just maybe seemed a little longer. But you
12 know, I mean, I felt the same that I do pretty much -- I mean, I
13 wasn't stressed from it. I just wasn't -- I didn't feel any
14 different really.

15 Q. Okay. So at Jamaica, how did you feel when you arrived at
16 Jamaica there before you departed?

17 A. Just normal business. Just regular, normal. No different
18 than, you know, no different than any other day.

19 Q. Okay. The weather that evening, can you discuss the weather?

20 A. To the best -- it wasn't --

21 Q. In terms of --

22 A. Actually, I think it was kind of on the warm side. I think
23 it -- yeah, it was -- I remember not having my jacket on with a
24 sweatshirt. It wasn't freezing cold or anything by any -- you
25 know, just a nice night.

1 Q. I'm from a different area. Was there any rain or any fog or
2 anything like that?

3 A. Not that I can recall.

4 Q. In general, your workload that evening, how would this have
5 compared to other trips? Was it sort of normal, less workload,
6 greater workload for whatever reason?

7 A. Can you define workload?

8 Q. Yeah. How much effort you had to put into your job. Your
9 effort would increase if there were equipment problems, if there
10 are issues with passengers, if you're running late, you know.

11 A. I mean, once the job started, it was just a normal night.
12 You know, there was no real problems with anything. Just getting
13 to the job and catching up to the job at that point was the only
14 difference than any other night I had, you know, doing that.

15 Q. When you arrive at a station and you have a period of time
16 off, what are some of your activities? You mentioned getting some
17 coffee. What else do you do?

18 A. I mean, you can -- if you have enough time you can, you know,
19 kill the lights and close your eyes for a little bit, you know,
20 get some rest. It depends on how much time you have and how you
21 feel, I guess.

22 Q. Did you do that any time this evening -- that evening -- that
23 night?

24 A. Not really, no. No, I didn't. I mean, I sat in Far Rock
25 when off -- when I got in on 2806 after getting the train ready

1 for the next westbound. I mean, I sat there, but I didn't sleep.
2 I just was just sitting and just relaxing. That was it.

3 Q. Okay. Your best estimate, how many times -- what percentage
4 of times would you try to get some -- take a nap, and what percent
5 of time would you --

6 A. We try every time.

7 Q. Okay.

8 A. I just --

9 Q. Right.

10 A. You know, I just didn't have -- that night I just didn't, you
11 know.

12 Q. Okay. On other nights are you successful about taking a nap?

13 A. I mean, you get like 15 minutes there, I think it is, or
14 something -- I mean, I have to do the math to see what, you know,
15 what the actual time limit is on there.

16 Q. Okay.

17 A. But, I mean, if you can close your eyes for 15, 20 minutes,
18 sure.

19 Q. That helps, the 15, 20 minute nap for you?

20 A. Yeah.

21 Q. Okay. And there was a second break --

22 A. Well, that is the second break. The first break in Long
23 Beach.

24 Q. Yes.

25 A. Yeah. Same thing, you know.

1 Q. So the first one you just sort of relaxed but you didn't nap?

2 A. I wasn't there for the first one because I was -- I picked up
3 the job in Jamaica.

4 Q. I apologize. Yes.

5 A. That's okay.

6 Q. Okay. You were asked a little earlier about your overall
7 health, and you mentioned negative for a lot of things in terms of
8 medications, and I think I recall no -- you're not taking any
9 medications?

10 A. None. Nothing.

11 Q. Nothing over-the-counter or prescription?

12 A. Over-the-counter, I think Friday I was battling a cold and I
13 took like a -- after work I think I took like an over-the-counter
14 like Tylenol Cold or something like that. But that was really --
15 I think Friday and Saturday I might have done that.

16 Q. Okay. Did you get over your cold? Are you still battling --

17 A. Well, I mean, I'm definitely 10 times better than I was, but
18 yeah, I'm getting better.

19 Q. Okay. Was Saturday the last time you took --

20 A. Yes, yes.

21 Q. Okay. So that's over-the-counter. No chronic conditions
22 you've ever been diagnosed with?

23 A. No. I haven't been diagnosed with anything.

24 Q. Ever diagnosed with -- ever been to a sleep clinic or
25 diagnosed with obstructive sleep apnea?

1 A. No, never.

2 Q. Okay. Do you know or has someone ever told you if you snore
3 at night when you sleep?

4 A. I'm married.

5 Q. Okay. So that means --

6 A. Yes.

7 Q. You have been told that?

8 A. Yes. Told, threatened, yes.

9 Q. Okay. When you don't have to work and you can sleep as long
10 as possible, you know, you don't have to get up, how long would
11 your sleep period be?

12 A. Eight to 10 hours.

13 Q. Okay. Most of the time you don't have that luxury --

14 A. During the week?

15 Q. Yeah. During -- when you work.

16 A. I don't.

17 Q. And what I saw earlier -- I think you described maybe falling
18 asleep from 11:00 and waking up -- 11:00 a.m., waking up at 4:00,
19 so that's a 5-hour period.

20 A. Right.

21 Q. That's less than ideal, so tell me about that. How do you
22 feel when you wake up from that period?

23 A. Well, actually I don't -- you know, I feel okay. And then,
24 like I said, after dinner I'll try to lay down for a couple more
25 hours before I come in.

1 Q. Okay.

2 A. You know, but usually, you know, I'll get up for dinner and
3 then some -- one of my kids got something going on, you know, try
4 to do things with the family and -- but I definitely lay down for
5 a couple hours before I come in, too.

6 Q. Okay. I think I'm going to ask you now, changing subjects a
7 little, the most difficult part --

8 A. That's okay.

9 Q. -- I warned you, is -- we bounced around a bit, but I'd like
10 to get a little more organized about your schedule 3 days leading
11 up to this.

12 A. That's fine.

13 Q. So the incident happened Wednesday. If you can, you know,
14 start sometime Saturday, and work us through Sunday, Monday,
15 Tuesday.

16 A. Okay, Saturday. I got home from work at maybe 7:15 a.m. I
17 slept for a few hours. And then Saturday -- what did I do
18 Saturday? Saturday was New Year's Eve, right?

19 Q. Yeah. Okay. Sunday --

20 A. That's just so I know which --

21 UNIDENTIFIED SPEAKER: Was Saturday --

22 UNIDENTIFIED SPEAKER: No. Saturday was the official New
23 Year's Eve.

24 MR. BAKALO: Okay. I just want to make sure I got my dates.

25 UNIDENTIFIED SPEAKER: Not the holiday.

1 UNIDENTIFIED SPEAKER: Yeah, yeah.

2 BY DR. JENNER:

3 Q. So when you slept -- I'm going to ask for pretty good detail
4 here. As best as you can remember, slept from when --

5 A. Yeah. I went to sleep 7:30 in the morning. I probably woke
6 up probably between 11:00 and 12:00.

7 Q. Okay.

8 A. I can't be really specific, you know.

9 Q. Sure. So now it's noon on Saturday.

10 A. Yeah. It's noontime. Spent time with my kids and my wife.
11 I made dinner, and we just -- it was a quiet night. We just hung
12 out at home. And that was really it. Watched the ball drop and
13 then went to sleep.

14 Q. Okay.

15 A. Yeah.

16 Q. So went to sleep Sunday somewhat after midnight?

17 A. Probably like 12:30.

18 Q. Okay. And you woke up about when?

19 A. Sunday I probably woke up around 8:00.

20 Q. Okay. And you had Sunday off?

21 A. I'm off Sunday. Yeah.

22 Q. Okay.

23 A. Sunday was just another just hang around day. It wasn't
24 really -- I mean, hold on, Sunday, Sunday, Sunday.

25 UNIDENTIFIED SPEAKER: It's January 1.

1 BY DR. JENNER:

2 A. Yeah. I probably took my daughter to the store to get her
3 phone turned on that she got for Christmas. And then I know I
4 watched the football game with my son. The Giant game was at
5 4:30, I think, 4:15, 4:30. Had dinner with my family and that was
6 really it. It was an early night. I think we watched a movie all
7 together. I was sleeping probably by 11:00.

8 Q. Okay. So Sunday night, asleep at 11:00 p.m., and you slept
9 to Monday morning --

10 A. I was probably up again like 7:30, 8:00 in the morning. The
11 kids were off from school. It was a lazy day.

12 Q. Okay. That's an off day for you as well?

13 A. Yes, it is.

14 Q. Yes, it is. Okay.

15 A. Had breakfast and lunch with them, and then I took my two
16 girls to the mall for a couple hours, came home, had dinner, and I
17 tried to lay down for a couple hours because I had to go in to
18 work.

19 Q. Okay. Were you able to nap at that point?

20 A. It's difficult like on your Monday, you know, my Monday
21 because --

22 Q. Right.

23 A. -- you know, you're rested from the weekend.

24 Q. Right.

25 A. You know, but I probably did close my eyes and -- I just

1 couldn't tell you how long.

2 Q. Okay.

3 A. And I was watching TV, and I zoned out.

4 Q. Got it. Okay. So we're into Monday evening right now. This
5 is now after dinner?

6 A. Monday, right. Now I got to work on -- that's my Tuesday so
7 I --

8 Q. So what time do you depart the house Monday?

9 A. Oh. I wake up at -- I woke up at 10:15.

10 Q. So from your nap, your zoning-out time --

11 A. 10:15 p.m.

12 Q. Right.

13 A. Got ready to go to work and --

14 Q. And you depart your house at what time?

15 A. Probably leave at like 20 till 11:00. I'm like 10 minutes
16 from Hicksville, so --

17 Q. Okay.

18 A. And then that was -- then I'm at Hicksville.

19 Q. And what time do you arrive at Hicksville?

20 A. Oh. I'm generally at Hicksville -- I try to get there by
21 11:00 so --

22 Q. Oh, you're that close? Okay.

23 A. Yeah. I probably left at like 10:45, and I get there at
24 11:00.

25 Q. Right.

- 1 A. That would be more accurate.
- 2 Q. So it's 11:00 p.m., and you're on duty at 12:16?
- 3 A. 12:16.
- 4 Q. So what's happening for that hour?
- 5 A. Well, I got to deadhead --
- 6 Q. Oh, that's when you deadhead. Okay. Right.
- 7 A. I deadhead from Hicksville.
- 8 Q. Okay. Okay. So now we're into Tuesday just --
- 9 A. Oh, I'm sorry. Right. Tuesday --
- 10 Q. Right, right. Now we're just after midnight Monday into
- 11 Tuesday.
- 12 A. Tuesday was a normal night. Worked the job completely.
- 13 Q. Job 85?
- 14 A. Job 85.
- 15 Q. Yeah.
- 16 A. The beginning to the end.
- 17 Q. Okay.
- 18 A. I don't know -- do you want me to go through the whole job
- 19 again?
- 20 Q. No, no. Not at all. Just you went off duty --
- 21 A. I finished in Jamaica at like 9:30 in the morning.
- 22 Q. Okay.
- 23 A. Yarded my equipment, secured it, and then caught a deadhead
- 24 to -- back to Hicksville.
- 25 Q. And you arrive at Hicksville?

1 A. I get there probably like 10:00.

2 Q. 10:00 a.m. Okay. And arrive home?

3 A. I usually get home between 10:15 and 10:30.

4 Q. Okay. And if you can just discuss your --

5 A. (Indiscernible) stuff every day.

6 Q. So this is when at 11:00 a.m. you've taken -- you sleep until

7 4:00 p.m. and --

8 A. Yep.

9 Q. Okay. And so at home and dinner, and do you try to nap after
10 that?

11 A. Yeah. I'll always lay down after -- before I come in.

12 Q. And do you recall how much you napped that --

13 A. Usually I try to lay down around 7:00 and then, you know,
14 again, up at 10:15.

15 Q. Great. Okay. And you felt sort of normal, I think you
16 described earlier --

17 A. Yeah. Nothing, you know, stood out. I mean regular, you
18 know.

19 Q. Great. That's tremendous. Thank you very much for doing
20 that.

21 A. Okay. No. Thank you.

22 Q. Let me just go back to the last 10 minutes of the incident.
23 Anything different in terms of -- that you recall that day, and
24 you know, before you enter the station, any passengers making
25 noises or conductors trying to contact you?

1 A. No. It's generally -- I'm in a closed environment. You
2 know, my door is closed. It's a crowded train every day. It's a
3 six-car train, and with all those stops it's always -- it's a
4 crowded train. It's a noisy train. You know, you definitely --
5 you know it's a crowded train.

6 Q. Okay.

7 A. You can hear the people. But as far as anything being out of
8 the -- you know, irregular or everything, no. It was no different
9 than any other day.

10 Q. Okay. When the speed restriction is 5 miles per hour or
11 less, what is your strategy for handling -- for train handling or
12 do you -- I think you mentioned earlier that you have to
13 manipulate the throttle quite a bit --

14 A. Well, your throttle is also your brake so --

15 Q. Right.

16 A. -- you would have to go from powers -- power area to the
17 braking zone.

18 Q. Right. How challenging is it to maintain? You know, do you
19 try to maintain 5 miles per hour --

20 A. Right.

21 Q. -- during that period of time, or does the speed sometimes go
22 a little over, a little under?

23 A. Yeah. It always does that. I mean, that's just -- it's not
24 a car or, you know --

25 Q. Right.

1 A. And especially you're on a little bit of an incline, so you
2 know, if you were just to leave it on its own, it would increase
3 the speed. So you need to -- you're just constantly going back
4 from the coast area, which is neutral like in a car, to brake. So
5 you're just constantly bouncing back and forth. And then
6 sometimes it slows down too much and you got to go for power. So
7 it's just -- you know, you're just constantly back and forth.

8 Q. So what is a typical range of speed for --

9 A. Four to 6.

10 Q. Oh. So it's really within a pretty good --

11 A. You try. I mean, you know -- I mean, like in that area, you
12 know, it's not going downhill.

13 Q. Right.

14 A. There's an incline. I mean, you know, it's not much but
15 enough to increase the speed if you left it alone.

16 Q. So on a typical day, you're able to maintain a 4-mile-per-
17 hour to 6-mile-per-hour even with the terrain and things
18 like that?

19 A. Yeah. I mean, you know --

20 Q. Right.

21 A. -- it's not a perfect world, but yeah, you do.

22 Q. Right. How do you think you did on this day of handling the
23 4 to 6 range? Do you recall being successful doing that?

24 A. I mean, from what I remember, I was doing what I would do any
25 other normal day. I mean, there was no -- nothing different about

1 it.

2 Q. Okay.

3 A. Yeah.

4 Q. The equipment responded as you thought --

5 A. I had no issues with the equipment at all.

6 Q. Right.

7 A. Right.

8 Q. And the signals are what you'd expect --

9 A. Signals are signals.

10 Q. Right.

11 A. You know, it's whatever they show you is how you react to
12 them.

13 Q. Right.

14 A. But yeah, it was a normal restricting to a restricting as any
15 normal -- the normal day there.

16 Q. Right. Do you usually enter on track 6 to the station?

17 A. I'll say 90 percent of the time.

18 Q. Okay. Is any one of the tracks more challenging for any
19 different reasons? Some longer, some shorter, some lighting
20 poorer or better than others?

21 A. Well, all of Brooklyn they have shorter -- you know, the
22 zoning off, it's -- that's for the crews really not for me. As
23 far as operational standpoint, 6 would be the worst because you're
24 on the hardest curve. But you know, you're not pushing the train;
25 the train's moving on its own, so it's just a -- visibility wise

1 it would -- 6 would be the worst out of all of them. But again,
2 it's not like you -- not to the point where it's -- you know, it's
3 just -- to answer your question, 6 would be the worst out of all
4 of them.

5 Q. I see. Okay.

6 A. Yeah. Not in a bad way, but just out of all 6 tracks that's
7 the one on the hardest curve.

8 Q. Yeah. And I was going to ask you about that. I saw a
9 pretty --

10 A. Yeah, it's --

11 Q. -- sharp curve right before it gets tangent into the
12 platform. So once you get around that curve, do you have a pretty
13 good line of sight at the platform?

14 A. Yeah. I mean, it's lit up, you know. It's not like a
15 dungeon where the rest of Brooklyn is, you know, over there. It's
16 lit up pretty well.

17 Q. Okay. And it's that period we discussed earlier you just
18 don't recall -- you recall operating normally and then an impact?

19 A. Right. Unfortunately, yeah.

20 Q. Right. But there's a period of time that you would normally
21 probably go from -- at what point would you start reducing from 5
22 miles per hour down to 4, to 3, to 2, to 1, to make the final
23 stop? Would it be before that steep -- that sharp curve?

24 A. No. You just come right up to the bumper block. I mean, 5
25 is, you know, 5. I mean --

1 Q. Right.

2 A. -- the length of this table like would be where I would put
3 the brakes on to stop before a bumper block.

4 Q. If you were going --

5 A. Five miles an hour.

6 Q. -- 5 miles per hour, it's the length of the table, you think

7 --

8 A. Yeah. I mean, it may be a little more approximately but it
9 would be -- huh?

10 UNIDENTIFIED SPEAKER: No, I'm just --

11 BY DR. JENNER:

12 Q. Yeah.

13 A. No. Just, you know, approxim-ish. You know, it's not half a
14 car, you know.

15 Q. Okay.

16 A. Just a tap on the brakes to make sure you're -- you know,
17 it's not -- I don't mean to insult my own craft. It's not brain
18 surgery. It's just like stopping a car --

19 Q. Sure, sure.

20 A. -- at a red light. I mean --

21 Q. Okay. I don't think we asked you too much about like what
22 was going on in the cabin in terms of any type of distractions. I
23 think I asked if like passengers were making noises or --

24 A. Yeah.

25 Q. Do you recall any radio calls coming in? Do you communicate

1 with a dispatcher at any point?

2 A. I remember pretty much being quiet. I don't communicate with
3 anybody generally coming in. Sometimes they do; sometimes they
4 don't. They didn't do it on this day. I didn't speak to anybody.

5 Q. Okay. So no radio calls or cell phone calls or any other --

6 A. Cell phone calls from me?

7 Q. That came in to your phone or something.

8 A. Oh. My phone is shut off and in my bag on the seat next to
9 me, so --

10 Q. Okay.

11 A. Yeah. I don't -- it's against the rules.

12 Q. Fair enough. Do you recall anything on the platform that may
13 have gotten your attention?

14 A. It was just a typical rush-hour day. I mean, nothing --
15 people walking. You know, it's nothing -- yeah. Nothing stands
16 out. No.

17 Q. Okay. So just to summarize, the last -- coming around the
18 curve, from what I'm hearing from you, is that you don't recall
19 anything inside the cab or outside the cab abnormal?

20 A. Abnormal, no. No.

21 Q. Okay. Thanks very much.

22 A. No. My pleasure.

23 BY MR. TORRES:

24 Q. Tomas Torres with the NTSB. I just want to go back to the
25 equipment on the cab.

1 A. Sure.

2 Q. The alerter -- is it equipped with an alerter?

3 A. Yes, it is.

4 Q. Did it work that night, or did you ever --

5 A. Yes.

6 Q. Did you ever had to reset it?

7 A. To reset it?

8 Q. I mean, what do you have to do when it goes off?

9 A. Acknowledge it. Hit it.

10 Q. And you hit what out?

11 A. It's a wiggle -- it's a -- what would you call it, a wobble
12 stick. It's a stick with a little thing on top of it. You just
13 hit it, you know. It's like a joystick to a videogame.

14 Q. Okay. So it's like a toggle or like --

15 A. Just a little toggle. You just move it over a little bit.
16 Once you -- once it moves, it knows you're, you know.

17 Q. You said it went out -- it went off frequently throughout the
18 trip?

19 A. It went off when it was supposed to go off. Frequently -- it
20 goes off --

21 Q. Okay. Oh, yeah. No, it was functioning?

22 A. -- it goes off --

23 Q. So it was working?

24 A. It goes off -- it's supposed to go off every 30 seconds if
25 nothing is moved and any controllers aren't moved.

1 Q. Do you recall the last time it sounded off or --

2 A. No, I don't.

3 Q. You don't recall that if you were going into the station, and
4 the alerter went off?

5 A. It wouldn't have went off in the station.

6 MR. WIETZKE: He's asking if you remember it.

7 MR. BAKALO: No.

8 MR. TORRES: I have no other questions.

9 MS. GARCIA: Okay.

10 MR. TORRES: I'll pass it on.

11 BY MS. GARCIA:

12 Q. Yeah. Anne Garcia. I have a couple of questions. Did you
13 sustain any injuries as a result of the --

14 A. Not -- no. I mean, I banged my shoulder and my face into the
15 side of something. But I mean, I wasn't, you know, injured as far
16 as I could tell, you know, any serious sense. I just felt a
17 little banged up, that's all.

18 Q. Okay. So I just want to know a little bit more about that,
19 what that means to you because it means different things to
20 different people.

21 A. I know. Yeah.

22 Q. Okay. So did you have any cuts?

23 A. No.

24 Q. Okay. Any bruising --

25 A. No.

1 Q. -- that you noticed?

2 A. No.

3 Q. Okay. Trying to just figure out kind of how roughly you
4 impacted something, whatever it was. Do you have headaches? Did
5 you have one right afterwards, right at the time?

6 A. Soreness, you know, just soreness on the side of my face.
7 That was it.

8 Q. Okay. Like the jaw area, the temple area?

9 A. Yeah. Like just the whole side felt -- my jaw and my temple
10 area felt, you know, just like sore.

11 Q. You just made a gesture with your finger, so --

12 A. Pulse like, you know, like in your head. You know, just --

13 Q. Yeah.

14 MR. WIETZKE: If I can, just for the record, he's doing it to
15 the right side of his face because it's not going to show up --

16 MS. GARCIA: Thank you.

17 BY MS. GARCIA:

18 Q. And how long did that -- did you seek medical treatment?

19 They --

20 A. No, I didn't.

21 Q. Okay. How long did that last? Is it still going on?

22 A. No.

23 Q. Okay. Did you take anything for it?

24 A. No, I didn't.

25 Q. Okay. And what about your -- you said your side or your --

1 can you just be specific as to how you felt right at the time?

2 A. Like I got punched, you know, not -- that's, I guess, I --
3 the best I could do for you, so -- yeah.

4 Q. Okay. And with the impact, we would expect that you hit
5 something.

6 A. Yeah.

7 Q. Okay. Just for my clarification, I'm a little confused. You
8 mentioned that the approach, that it's a decline.

9 A. Yes.

10 Q. And so it would -- the train would normally pick up speed?

11 A. If you were in --

12 Q. What I want to know is, is the track going uphill or downhill
13 as you approach --

14 A. Decline. Down.

15 Q. It's going downhill. Okay. Thank you.

16 A. That's okay.

17 Q. That helps. Now going back to your approach to the station,
18 and I know I'm asking you to repeat, but just --

19 A. That's okay.

20 Q. -- to understand, what is your last memory of approaching the
21 station?

22 A. Just at east end of the platform, just approaching the
23 platform, and then unfortunately the next thing I, you know, was
24 being lunged out of my seat and, what I know now was the, you
25 know, impact. At that point I didn't know what the hell was going

1 on. I was just -- you know, unfortunately.

2 Q. So just to clarify, you remember approaching the curve?

3 A. The curve isn't --

4 Q. The curve first?

5 A. Right. The curve is into the platform, and then the
6 platform --

7 Q. And you remember seeing the platform?

8 A. Yeah.

9 Q. Okay. Do you remember being thrown from your seat or you --

10 A. Well, no, just -- I remember just complete -- I remember --
11 well, I remember being thrown from the seat because I was into the
12 dashboard area, and just, you know, screaming and smoke, and
13 people were laying on the floor in front of me, you know. So it
14 was just -- yeah, I remember that, yeah.

15 Q. So there was someone inside your compartment on the floor?

16 A. The cab -- I guess someone was standing in front of the door
17 and from the impact, I'm assuming, that went through the door and
18 was on the floor. So yeah.

19 Q. Okay.

20 A. Yeah.

21 Q. And do you remember what happened right after the impact?

22 What's your memory -- first memory? Do you remember the actual
23 hit? Do you remember afterwards? What's your first memory there?

24 A. Just hearing people screaming.

25 Q. Okay. And could you walk us through what happened then?

1 A. Well, whoever the person was laying on the floor in front of
2 me, a gentleman, I mean, I helped him to his feet to make sure he
3 was okay. I mean, he was -- seemed to be more concerned for me
4 than he was for himself at that point. But, you know, just again,
5 there was people crying and screaming, and I guess the smoke
6 conditions scared people, too. They thought there was going to be
7 a fire or something, you know. Alarms were going off in the
8 station.

9 And people were trying to get the door open, and I tried to
10 assist them to get the door open so they can get off the train.
11 And at that point already, police were on that scene at that
12 point. So it was really -- I mean, it was pretty quick that they
13 were there immediately like -- and then after that, they took over
14 control of the -- in the situation, so --

15 Q. And what did you do then?

16 A. Well, they isolated me and had someone stay with me until
17 they can question me, you know, I guess, so -- I wasn't allowed to
18 do anything at that point. I was pretty much told to stay over
19 there and, you know, sit in this area, and an officer stood with
20 me. The EMS then asked me if, you know, quickly if you're okay,
21 and then they moved on because there was other people in need at
22 that point.

23 Q. And were you asked to give specimens?

24 A. Yeah.

25 Q. Okay. So you were taken to a facility?

1 A. Yes. I was taken to John F. Kennedy Airport, and I don't
2 know the address, but whatever. They gave me blood, urine and a
3 Breathalyzer.

4 Q. Okay. Do you recall about what time that was?

5 A. It was before 12:00.

6 Q. Okay.

7 A. Between 11:30 and 12:00, I'll give you.

8 Q. Okay. Have you had a chance to look at the train since then?

9 A. No.

10 Q. But you got a look at the impact and the damages? Do you
11 recall looking at --

12 A. Honestly, no. No, I didn't. I didn't get a chance to look
13 at it at all.

14 Q. Okay. Did someone tell you, you know, where the train
15 rested, where --

16 A. No.

17 Q. Okay. Because it went through the bumper, you know that, and
18 then impacted the structure beyond it?

19 A. Right.

20 Q. So I'm just -- I'm really curious because I know you've had
21 many hours to think about this. What are your thoughts on what
22 happened?

23 A. You know what, can I take a 5-minute break or just a bathroom
24 break if you don't mind?

25 UNIDENTIFIED SPEAKER: Sure.

1 MS. GARCIA: Yeah. Off the record.

2 MR. TORRES: Off the record here at 3:06 p.m.

3 (Off the record at 3:06 p.m.)

4 (On the record at 3:14 p.m.)

5 MS. GARCIA: I am recording.

6 MR. TORRES: Okay. Back on the record at 3:14 p.m.

7 BY MS. GARCIA:

8 Q. It's Anne Garcia. And we were going through kind of
9 (indiscernible) there. So you've had some time to think about it.
10 What are your thoughts on what happened?

11 A. Just as a general question what happened, you mean?

12 Q. Well, what happened that night?

13 A. I mean, I wish I had an answer for you. I mean, I just don't
14 have one. Unfortunately I don't. I wish I did, because I'd like
15 to know.

16 Q. Yeah. Okay. Thank you. Completely different question.

17 A. Sure.

18 Q. You've mentioned the training that you received initially.
19 It was 9 months, then became 12 months.

20 A. Training you're talking about?

21 Q. Right, training.

22 A. Oh, okay.

23 Q. Is it 9 months or 12 months you had when you first came on
24 the job?

25 A. Well, it was a 9-month program when they first started, but I

1 think they pushed it to a year after that.

2 Q. Okay. It was extended?

3 A. Yeah.

4 Q. Okay. And are you required to have any refresher training?

5 A. Every 2 years we go up to recertify our license.

6 Q. Okay.

7 A. And based on -- you know, you're given an exam and some other
8 educational things as well.

9 Q. There's some training involved, and then you get an exam?

10 A. Yes.

11 Q. How long is the training?

12 A. A week.

13 Q. A week?

14 A. Yep.

15 Q. Okay. And when was your last one, do you recall?

16 A. I can't give you an exact date, but it was probably a month
17 or 2 months ago.

18 Q. Okay. So you're current and it was fairly recent?

19 A. Yeah. That's all part of your licensing.

20 Q. Okay. Good. And then just one final question.

21 A. Um-hum.

22 Q. Does any training -- do you receive -- I'm sorry, two
23 questions. Do you receive any additional training on any other
24 aspect?

25 A. You mean outside of that --

1 Q. Outside of your required refresher training to maintain your
2 certification. For example, sometimes organizations require EEO
3 training or other things. Is there additional training?

4 A. They loop it all into the week. It used to be every 3 years.
5 Now it's every 2 years because they have other programs involved
6 with -- as far as our certification.

7 Q. Okay.

8 A. You know, you do air brake. You do Book of Rules. You do
9 PTEP, emergency awareness. There's a whole litany of training
10 programs that are involved in this week, so --

11 Q. So it's all combined. There's no training that's done --

12 A. It used to be, but now they do it all in this one week.

13 Q. Good. So my final question --

14 A. Sure.

15 Q. -- is do they provide any type of training on work-rest
16 cycles or how to schedule your sleep if you're working different
17 types of shifts?

18 A. Do they offer a class about it, you mean, or --

19 Q. Or is there a module, or do they talk about it in any of the
20 training?

21 A. They sent us -- sent a letter out about it. I'm not aware
22 of --

23 Q. Okay.

24 A. You'd have to ask Mr. Becker.

25 Q. Yeah. That's fine.

1 A. There you go.

2 Q. Do you recall what the content of the letter was or about
3 when it went out?

4 A. When it went out, I couldn't tell you. The content was just
5 how to -- the basis of the letter was something about how to get
6 required rest before, you know, work.

7 Q. Yeah.

8 A. That's basically the gist of it.

9 Q. Okay. And do they -- sorry. One more question. Do they
10 send a number of different letters like that, or is this unusual,
11 or do they send you these types of good information to know? How
12 is it done?

13 A. You know, I really don't -- I'm not 100 percent on that one.
14 I mean, I remember the one letter. I don't remember anything
15 else, but they might have. I'm not too sure.

16 Q. Okay. Good. Thank you.

17 A. No problem.

18 BY MR. MEADE:

19 Q. Joe Meade, FRA again. You mentioned after the incident
20 happened and you assist the gentleman who was on the floor.

21 A. Yes, sir.

22 Q. You proceeded from there to open the doors -- to open the
23 door?

24 A. The first door I tried to open because --

25 Q. Okay. Could you just expound on that a little bit? When you

1 came out, how did you get off the train? Did you notice how the
2 passengers got off the train or anything like that?

3 A. After the gentleman was picked up off the floor, I -- people
4 were screaming to get out because there was -- I'm not going to
5 say -- it wasn't a heavy smoke condition, but it was a smoke
6 condition that was starting to come up from the bottom of the
7 train. And people with that got nervous, and they couldn't get
8 the door open.

9 I was trying to make my way over to the door, but again, as I
10 answered someone's question earlier, the train, it's a very heavy
11 use -- it's wall to wall people on this train. So just to get
12 from my area to the first door, it was taking time because people
13 were still laying on the floor.

14 Q. Sure.

15 A. It wasn't an easy process. By the time I even got to the
16 door, someone from the outside got the door open, and at that
17 point, other doors were opened as well. So I don't know who
18 opened them. I couldn't tell you. I couldn't see at that point.

19 Q. Okay. Were there still lights on the train, did you notice?

20 A. Emergency lights.

21 Q. The emergency lights did come on as far as you --

22 A. You know what, I don't think the lights went off.

23 Q. Okay.

24 A. I think the lights stayed on.

25 Q. Okay. So by the time you got to the door, your intention was

1 to open it, but it appeared somebody opened it from the outside --

2 A. I don't know if it was from the inside or the outside, but I
3 know that at that point --

4 Q. But the door was open?

5 A. -- police were there already, so --

6 Q. Understood. Right.

7 A. Yeah.

8 Q. Thank you. That's all I have.

9 A. No problem.

10 MR. MEADE: Thank you.

11 MR. NEARY: William Neary. I have no further questions.

12 UNIDENTIFIED SPEAKER: No questions.

13 BY MR. HILL:

14 Q. Just one.

15 A. Sure.

16 Q. How long have you been working the graveyard shift? Donald
17 Hill, BLET STF.

18 A. I'm going to say at least 10 to 12 years.

19 Q. Okay. Thanks.

20 A. No problem.

21 BY MR. BECKER:

22 Q. Bret Becker from Long Island. Just a couple quick questions,
23 Mike.

24 A. Sure.

25 Q. You said you had -- there was a new crew, right? This is

1 people that you hadn't worked with --

2 A. Well, they're not new, but yeah, they weren't --

3 Q. For that day --

4 A. -- my regular crew.

5 Q. Yes, it wasn't --

6 A. Yes. An extra crew. Yeah.

7 Q. Okay. Real quick, was there anything that they did
8 differently that you can recognize that was different from what
9 you would normally be used to as a normal routine, that they did,
10 you know, for that particular assignment, and they only picked it
11 up at halfway but just --

12 A. You know, every crew does it different. You know, like I had
13 to ask them to do the brake test right away in Far Rock because
14 that's how I normally do it. You know, it's just nobody knows how
15 you like to do things until you really, you know. But as far
16 as -- it was just, you know, a regular day. I mean, they're just
17 maybe working the doors from different areas and, you know, a
18 couple times the conductor came up on my end to open the doors,
19 but nothing -- my conductor wouldn't do that. He would stay in
20 the second car, you know. But nothing bad. I mean, you know,
21 just --

22 Q. No. Just --

23 A. No, I know. I mean, yeah, just --

24 Q. -- something that was different from what you normally do.

25 A. Yeah, nothing --

1 Q. That's what I was asking.

2 A. -- nothing crazy, you know.

3 Q. Also, I know that you said that you didn't remember, you
4 know, as you hit -- as you were nearing the platform. But before
5 that, did you notice coming in on your approach to Atlantic
6 Terminal, on the track next to you, was there a train already on
7 the track? Was there anybody coming out, a train coming, you
8 know, on the approach going eastbound, do you remember or recall?
9 I may have a follow-up with that.

10 A. Without being 100 percent, I'm pretty sure there was a train
11 sitting there.

12 Q. And as you said there was the train sitting there. Did you
13 notice were any people -- were there customers or commuters on
14 there?

15 A. That I couldn't answer, you know.

16 Q. Okay. That's it. Thank you.

17 A. All right.

18 BY DR. JENNER:

19 Q. Steve Jenner. Just a couple questions.

20 A. Sure.

21 Q. You were asked about the post-accident toxicology. Were
22 there any problems getting specimens from you?

23 A. No.

24 Q. The procedure went okay. Okay. What was the other question?
25 Okay. Usually this is the last -- I think there may be a couple

1 other questions, but --

2 A. That's fine.

3 Q. Just sort of an open-ended type question, can you think of
4 anything in terms of equipment or training or procedures or rules
5 or anything that could make the train operations safer?

6 A. Not really. I mean, no. I mean, I -- safer as far as my
7 job, you mean, or just --

8 Q. Your job, the industry?

9 A. I'm sure they're out there. I just don't know of them. I
10 mean, you know.

11 Q. Okay. Just wanted to give you the opportunity --

12 A. (Inaudible) yeah. I know.

13 Q. -- if you had any thoughts, you know, during your career that
14 -- we'd like to hear from you there. .

15 A. No problem.

16 DR. JENNER: Okay. Those are the only two. Thank you.

17 MS. GARCIA: I think we have another question.

18 MR. BECKER: Yeah.

19 MS. GARCIA: Name?

20 BY MR. BECKER:

21 Q. Yes. Bret Becker from Long Island. Real quickly, you had
22 mentioned before in reference to the drug test that you were
23 transported to JFK?

24 A. Yes.

25 Q. The JFK facility. And I know that there was a delay when we

1 had brought you back to the transportation manager's office, and
2 you were immediately taken from the -- by the MTA PD to --

3 A. Right.

4 Q. You were aware that we were trying to get you to the
5 facility, and I know -- was there at any time that the officer
6 was -- you know, did he tell you exactly that we were going to get
7 you out of there as soon as possible?

8 A. Well, you mentioned to me that time was a factor for the
9 blood test, I think you said.

10 Q. Um-hum.

11 A. When they brought me into a different room, he said I'm only
12 going to be 5 or 10 minutes with the statement and then I'm going
13 to let you go to -- they're going to take you to JFK to -- for the
14 FRA, whatever drug test. For some strange reason, the guy just
15 seemed to take forever to do this, and people were constantly
16 banging on the door, you know, like to get me to get to the
17 facility. And it was like this was going back and forth for like
18 20 minutes. Like every 3 seconds another guy's banging on the
19 door, you know we got to get him out; we got to get him out. So,
20 I mean, you know, it was like kind of chaotic. I mean, it was,
21 you know -- yeah.

22 MR. BECKER: Thank you. I have no further questions.

23 BY MR. TORRES:

24 Q. Tomas Torres with the NTSB. I just got a couple questions.

25 A. Sure.

1 Q. When's the last time a supervisor rode with you or tested
2 you?

3 A. I'd have to look at my license, because it's dated on my
4 license, and it was probably a month ago. I'm not -- yeah.

5 Q. Okay. Did you have a cell phone on your person that day?

6 A. Yeah.

7 Q. Did you use it or -- at any given time throughout the trip?

8 A. During operation of equipment? No. My phone is off in my
9 bag.

10 MR. TORRES: And that's all I have unless somebody else has
11 any follow-ups?

12 (No audible response.)

13 MR. TORRES: Okay. So this will complete the interview at
14 3:28 p.m.

15 MR. BAKALO: Okay.

16 MR. TORRES: Thank you.

17 MR. BAKALO: Thank you.

18 (Whereupon, the interview was concluded.)
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25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: COLLISION OF LONG ISLAND RAIL ROAD
(LIRR) TRAIN NO. 2817 WITH THE
PLATFORM AT ATLANTIC TERMINAL,
BROOKLYN, NEW YORK, JANUARY 4, 2017
Interview of Michael S. Bakalo

ACCIDENT NUMBER: DCA17FR002

PLACE: Jamaica, New York

DATE: January 5, 2017

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

Karen Ehatt
Transcriber