



National Transportation Safety Board

Memorandum

Date: May 11, 2010

Name: Mr. David Katzman – Mr. Patriick Gallagher – Attorneys-at-Law – Katzman, Lampert, and McClune

Subject: ERA09LA469 – Beech 58, N167TB, Teterboro, NJ

Mssrs. Katzman and Gallagher contacted me on May 11, 2010 on two occasions and spoke with me for 30 minutes, and 8 minutes, respectively. They identified Mr. Gallagher as Mr. Sanil Gopinath's attorney, but the conversation was led by Mr. Katzman. Mr. Katzman provide biographical information on himself as an experienced aviation litigator, and a high-time airline transport pilot.

Mr. Katzman focused the conversation around the "feathering of the propellers" and went on for some time about "how we don't know who feathered the propellers" and was dismissive when I explained that his client spoke to me several times, and spoke only in the first person about flying the airplane. At no time did Mr. Gopinath say that the Captain was flying the airplane, or manipulated any of the controls, until after the perceived loss of power when the Captain joined him on the flight controls.

Mr. Katzman then stated that "We don't know if the Captain feathered the propellers" and I again explained that his client spoke only in the first person about flying the airplane, and never even suggested that the Captain touched the throttle quadrant. Further, I stated that the Captain was deceased, and was unavailable to defend himself.

Mr. Katzman then stated that his client had been under the influence of painkilling drugs on the occasions when he had spoken to me, and that nothing he told me was reliable. The conversation closed with the promise of a written statement from their client, Mr. Gopinath, who was no longer taking pain medication.

On May 12, 2010, I received a written statement by email from Mr. Gallagher. The statement was signed by Mr. Gopinath, and stated that Mr. Gopinath surrendered control of the airplane to the Captain at 1,200 feet, and two miles from the landing runway. According to the statement, "...both the engines were operating normally. I **DID** **NOT** feather the propellers."

Brian C. Rayner
Senior Air Safety Investigator