



NTSB PARTY FORMS

Grade Crossing Accident

Midland, TX

November 15, 2012

HWY-13-MH-003

(10 Pages)



NTSB Investigation No. HWY-13-MH-003

Date of Accident: 11/15/12

Accident Location: MIDLAND, TX

CERTIFICATION OF PARTY REPRESENTATIVE¹

I acknowledge that I am participating in the above-referenced accident or incident investigation, on behalf of my employer who has been named a party to the National Transportation Safety Board (NTSB) safety investigation, for the purpose of providing technical assistance to the NTSB's evidence documentation and fact-finding activities. I understand that as a party participant, I and my organization shall be responsive to the direction of NTSB personnel and may lose party status for conduct that is prejudicial to the investigation or inconsistent with NTSB policies or instructions. No information pertaining to the accident, or in any manner relevant to the investigation, may be withheld from the NTSB by any party or party participant.

I further acknowledge that I have familiarized myself with the attached copies of the NTSB Accident/Incident Investigation Procedures (49 C.F.R. Part 831) and "Information and Guidance for Parties to NTSB Accident and Incident Investigations," and will comply, and, as the party coordinator for my party, take all reasonable steps to ensure that the employees and participants of my organization comply, with these requirements. This includes, but is not limited to, the provisions of 49 C.F.R. §§ 831.11 and 831.13, which, respectively, specify certain criteria for participation in NTSB investigations and limitations on the dissemination of investigation information.

No party coordinator or representative may occupy a legal position or be a person who also represents claimants or insurers. I certify that my participation is not on behalf of either claimants or insurers, and that, although factual information obtained as a result of participating in the NTSB investigation may ultimately be used in litigation (at the appropriate time, and in a manner that is not inconsistent with the provisions of 49 C.F.R. § 831.13 and 49 U.S.C. § 1154), my participation is to assist the NTSB safety investigation and not for the purposes of preparing for litigation. I also certify that, after the NTSB Investigator-in-Charge (IIC) releases the parties and party participants from the restrictions on dissemination of investigative information specified in 49 C.F.R. § 831.13, neither I nor my party's organization will in any way assert in civil litigation arising out of the accident any claim of privilege for information or records received as a result of my participation in the NTSB investigation.

Signature

Date

Gary Saunders Transportation Manager

Name & Title

City of Midland

Party Organization/Employer

¹ In aviation investigations this form may also be referred to as "Statement of Party Representatives to NTSB Investigation."



NTSB Investigation No. HWY-13-MH-003

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Accident Location: MIDLAND, TX

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Signature

Date

KELLY M SEACHORD GENERAL DIRECTOR OF REGIONAL OPERATIONS

UNION PACIFIC RAIL ROAD

Party Organization/Employer

¹ In aviation investigations this form may also be referred to as "Statement of Party Representatives to NTSB Investigation."



NTSB Investigation No. HWY-13-M4-003

Date of Accident: 11/15/12

Accident Location: M. PLANO, TX

CERTIFICATION OF PARTY REPRESENTATIVE¹

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Signature [Handwritten Signature] Date 11-21-2012

Name & Title Ty Hartley / General Manager

Party Organization/Employer Smith Industries Inc.

¹ In aviation investigations this form may also be referred to as "Statement of Party Representatives to NTSB Investigation."



NTSB Investigation No. HWY-13-MH-003

Date of Accident: 11/15/12

Accident Location: MIDLAND, TX

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Signature

Date

Jerry D. Bullard

Name & Title

11/16/12

Brotherhood of Locomotive Engineers & Trainmen STC

Party Organization/Employer

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NTSB Investigation No. HWY-13-MH-003

Date of Accident: 11/15/12

Accident Location: MIDLAND, TX

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Signature

Date

11-16-2012

Name & Title

Mark J. Ciurej Vice President West

Party Organization/Employer

Brotherhood of Railroad Signalmen

¹ In aviation investigations this form may also be referred to as "Statement of Party Representatives to NTSB Investigation."



NTSB Investigation No. 14WY-13 MH-003

Date of Accident: 11/15/12

Accident Location: MIDLAND, TX

CERTIFICATION OF PARTY REPRESENTATIVE¹

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Signature

Date

Name & Title

Party Organization/Employer

11/16/2012

JOHN A. DUNN UTU SAFETY TEAM

UNITED TRANSPORTATION UNION, U.P.R.R.

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NTSB Investigation No. 14WY-13-MH-003

Date of Accident: 11/15/12

Accident Location: M. OLAND, TX

CERTIFICATION OF PARTY REPRESENTATIVE¹

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Signature 11-16-12
Date

William T. Smith FRA - IIC Region V
Name & Title

FRA / DOT
Party Organization/Employer

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NTSB Investigation No. HWY-13-MH-003 _____

Date of Accident: _____ November 15, 2012 _____

Accident Location: _____ S. Garfield St., Midland, Texas _____

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Signature

1-24-13

Date

Darin Kosmak, Rail-Highway Section Director, Rail Division

Name & Title

Texas Department of Transportation

Party Organization/Employer

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NTSB Investigation No: **HWY-13-MH-003**
Date of Accident: **November 15, 2012**
Accident Location: **Midland, Texas**

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I further acknowledge my responsibility to ensure that the NTSB is informed in writing, immediately and with specificity, when information or records provided to the NTSB, in any format, or other investigative activities, are subject to United States export controls, classification or licensing requirements, or sanctions restrictions. Similarly, commercially sensitive and/or proprietary material provided to the NTSB investigation should be clearly marked in accordance with the provisions of 49 C.F.R. Part 831.6.

Signature 2/19/13
Date

Alan Korn - Director
Name & Title

Meritor WABCO
Party Organization/Employer

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