



## **RECORD OF CONVERSATION**

**Timothy W. Monville**  
**Air Safety Investigator**  
**Eastern Region**

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**Date: July 6, 2011**  
**Person Contacted: Wendy McDivitt**  
**NTSB Accident Number: ERA10FA404**

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### **Narrative:**

Ms. McDivitt and Stephen Yanko were interviewed at the accident site on August 8, 2010, at 1755 EDT. Her cell phone number is (-----). Rose Yanko is her mother and Stephen Yanko (both own the home where the airplane crashed) is her stepfather.

At the time of the accident, Mrs. Yanko was with Wendy at an auction in Export, PA. Her stepfather was downstairs in the basement asleep on a couch. Their dog was with him. He heard a "violent" explosion and jumped up, got his dog and went outside with no shoes. He called 911 on his cell phone.



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**Date: July 6, 2011**  
**Person Contacted: Erin Rivera**  
**NTSB Accident Number: ERA10FA404**

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### **Narrative:**

Mr. Rivera was contacted by phone on August 17, 2010, at 1547 EDT, at (-----). He reported that Mr. Sobota submitted a report to the insurance company in order to have the airplane insured. Mr. Bill Derion is a broker on account and can be reached at (-----), or (-----). The insurance policy was written August 2, 2010.



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**Date: July 6, 2011**  
**Person Contacted: Bill Derion**  
**NTSB Accident Number: ERA10FA404**

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### Narrative:

Mr. Derion was contacted by phone on August 18, 2010, at 1606 EDT. He was called at (----) ----- He provided an e-mail address of -----

He stated that Mr. Sobota owned the accident airplane previously and sold it to Bill Rossi of Westmoreland Mechanical, who in turn changed the airplane registration. Mr. Sobota then bought a Beech 60, which was damaged in a hailstorm while the airplane was on the ground. Mr. Sobota then bought another Beech 60. About 1 year ago, Mr. Sobota bought a Cessna Citation Mustang, then sold it. After selling the Mustang, Mr. Sobota went to Michael Rossi, and asked about purchasing N28MR. It was sold to Mr. Sobota during the week of the accident, either Tuesday, Wednesday, or Thursday.

Mr. Derion stated that the insurance company did not require a check out in the accident airplane but he “suggested” to Mr. Sobota that he get a multi-engine instrument proficiency check ride. Mr. Derion did not know Mr. Kokolis was going to give a check ride. Additionally, he was not sure that Mr. Kokolis was a designated pilot examiner (DPE), nor was he sure of the date of the last annual inspection. Mr. Derion has spoken with Mr. Sobota on the phone but had never met him.

At the end of the phone call Mr. Derion was advised that I would send him an e-mail asking for a statement concerning the requirements of the insurance company before the airplane could be insured with Mr. Sobota. An e-mail was sent to his e-mail address on August 18, 2010, at 1635 EDT. He read the e-mail the same day at 1925 EDT, but did not submit the requested statement.



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**Date: July 6, 2011**  
**Person Contacted: Kevin Campbell**  
**NTSB Accident Number: ERA10FA404**

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### Narrative:

Mr. Campbell was contacted by phone on August 18, 2010, at 1731 EDT, at (-----). He flies for LJ Aviation which is a 135 Operator out of Latrobe, PA. At the present time he is only flying for them when operating under Part 91.

He has known Mr. Sobota since September 2007, which was after Kevin got his type rating in a Cessna Citation Mustang. Mr. Sobota had owned a Beech 60, before purchasing a Cessna Citation Mustang. LJ Aviation managed the Cessna Citation Mustang, and it was their policy to require a pilot to fly with Mr. Sobota in the Cessna Citation Mustang. Mr. Sobota went to Flight Safety and was in training for all of August 2007. Mr. Sobota did 25 hours of cross country flights with a Flight Safety pilot present.

He (Kevin) flew with Mr. Sobota in the Cessna Citation Mustang about 50 percent of the time, and another pilot (Dan Wyatt) who can be reached at (-----) also flew with Mr. Sobota in the Cessna Citation Mustang. At that time he (Kevin) was a line pilot for LJ Aviation. Mr. Sobota was comfortable with Kevin or Dan flying in the Cessna Citation Mustang.

Kevin did simulator flight testing with Mr. Sobota every 6 months; Mr. Sobota went with Kevin whenever he went for training. The training was performed in Wichita, Kansas. He (Kevin) last flew with Mr. Sobota in the Cessna Citation Mustang in January 2010.

Kevin was asked about Mr. Sobota's training at Flight Safety. He reported that to him nothing stood out. Mr. Sobota had his, "fair share of issues here and there, but stuff he was able to work on and get through." Most issues were related to approaches or speed control but Kevin reported that Mr. Sobota knew his procedures.

Kevin reported that Mr. Sobota owned a Beech 60 for about 10 years, and between the time of owning the Cessna Citation Mustang and the time he purchased the accident airplane, he was not aware Mr. Sobota had any flight time in a reciprocating engine airplane. Kevin never flew in the accident airplane.

When asked to describe Mr. Sobota he reported that he was a one man show. Mr. Sobota was a serious pilot who learned things quite well. During the initial training in the Cessna Citation Mustang Mr. Sobota had issues, but once he was through the initial training and had 50 hours, his skill level was, "...average skill level" for a Part 91 owner/operator. He (Mr. Sobota) made common mistakes for a pilot flying a jet aircraft.

Kevin did not know Mr. Kokolis.



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**Date: July 6, 2011**  
**Person Contacted: Michael Rossi**  
**NTSB Accident Number: ERA10FA404**

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### Narrative:

Mr. Michael Rossi was contacted by phone on August 19, 2010 at 0827 EDT. The phone number was not recorded. He provided an e-mail address of -----

He stated that Mr. Sobota previously owned the airplane and in 1988, he and Mr. Sobota made a plane exchange; Michael owned the accident airplane since November 1988. Michael Rossi indicated that Mr. Sobota was familiar with the airplane which was modified by installation of vortex generators, 300 horsepower engines, and four-bladed propellers. Mr. Sobota was interested in buying the accident airplane in the last couple of months. The airplane was equipped with a throw-over control yoke.

Mr. Rossi reported that his company owns another airplane, and the accident airplane was not operated much. The airplane was kept in a heated hangar 4 to 5 months and he reported that the engines "did get run-up occasionally."

On August 2, 2010, Michael Rossi and Dave Austin flew the airplane for about 10 to 15 minutes because they knew the airplane was going to be sold to Mr. Sobota the next day; Mr. Rossi was the pilot-in-command of the flight. A normal engine run-up was performed and during takeoff he performed a simulated engine failure at 80 knots; there were no reported discrepancies. The flight departed and stayed in the traffic pattern where he activated the autopilot. There was no reported discrepancy with the airplane or its systems. He did not recall the hour meter reading at the end of the flight.

Following the flight on August 2<sup>nd</sup>, Mr. Sobota and Michael Rossi went into the cockpit in an effort to re-familiarize Mr. Sobota with the radios (GPS and glideslope) and switch positions. Michael Rossi did not fly with Mr. Sobota that day but did plan to fly with him on August 4, 2010.

On August 4, 2010, Messrs. Rossi and Sobota met and Mr. Sobota asked him about the localizer and how to get the Garmin data onto the HSI. Mr. Sobota told him at that time that he flew the airplane on August 4, 2010. During their meeting Mr. Rossi discussed the throw-over control yoke with Mr. Sobota.

Mr. Rossi advised that with respect to the throw-over control yoke, he tried to move it over during a flight with a certified flight instructor on-board and reported it was difficult doing so. Michael Rossi later learned that Mr. Sobota did three touch-and-go landings during his flight which reportedly was on August 4, 2010.

Mr. Rossi was asked if they kept a log pertaining to engine run-ups while the time the airplane was not utilized and he reported he would check. Mr. Rossi advised he did not know Mr. Kokolis.

When the airplane was sold to Mr. Sobota, there were no pending or open maintenance issues.



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**Date: July 6, 2011**  
**Person Contacted: Don Armitage**  
**NTSB Accident Number: ERA10FA404**

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### Narrative:

Mr. Don Armitage of Vee Neal was contacted by phone on August 11, 2010 at 0921 EDT. The phone number was (-----) .

He stated that the accident airplane was fueled on August 7<sup>th</sup>, by truck No. 2, which is only 100 low lead. The airplane was fueled about 0800. The request was to fill the inboard tanks only. During the fueling, Mr. Sabota was near the airplane and talked about buying a new airplane.

Postaccident, they continued fueling other airplanes with the same fuel truck and there have been no reported problems. Exxon does not require a sample for testing following an aviation accident. Other airplanes (N35377 operated by Chestnut Ridge Flying Club and N52897 operated by Mark Lasco) were fueled by the same truck. Bill Wright of Chestnut Ridge Flying Club can be reached at (-----) ---, and Mark Lasco can be reached at (-----) -----.

He was requested to prepare a written statement and advised it would be ready the same day at 1530.



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**Date: July 7, 2011**  
**Person Contacted: Jeremy Vannoy**  
**NTSB Accident Number: ERA10FA404**

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### **Narrative:**

Mr. Vannoy returned my call to his work (Anglin Aircraft Recovery Services LLC). He called my work number via his cell phone on April 28, 2011, at 1219 EDT. His cell phone number is (-----) .

He stated that he was the person that removed the propeller from the engine and after removing all the nuts, he began beating on the largest remaining propeller blade with a rubber mallet. In doing so, the propeller assembly became cocked. Recognizing this, he rotated the propeller/engine approximately one half (1/2) revolution until either the engine stopped on its own or one propeller blade contacted the ground precluding any further rotation. He then began beating on a blade which was smaller in length and was able to remove the propeller. He was asked if he heard any noise during the rotation he said he did not.

The digest was reviewed with him during the phone call and he agreed with the content.



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**Date: July 7, 2011**  
**Person Contacted: Mike Jones**  
**NTSB Accident Number: ERA10FA404**

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### Narrative:

Mr. Jones was contacted by phone on April 27, 2011, at 1706 EDT, at (-----). He provided an e-mail address of -----

He stated that he bought the Colemill STC in the end of December 2010. The original STC holder was Bill Colbert. He did not put his name on the STC for a couple of months. When asked about his STC and compatibility with other STC's, he reported he did not know of any STC's that were compatible.

He did state that a Piper PA-31 the vortex generator kits approved for the Panther but he does not know if the VG kits is approved for the Foxstar.

The digest was reviewed with him during the phone call and he/she agreed with the content.



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**Date: July 7, 2011**  
**Person Contacted: Mike Jones**  
**NTSB Accident Number: ERA10FA404**

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### **Narrative:**

Mr. Jones was contacted by phone on May 2, 2011, at 1400 EDT, thru the NTSB Communication Center, along with the FAA-IIC (Robert Spahr). The phone call was in reference to STC SA1762SO.

Mike Jones stated that he purchased the STC the last day of December 2010, and recorded the STC in his name in February 2011. It was the first time in his life that he owned a STC.

When asked about compatibility between his STC and other STC's, he reported he does not know. He was informed that the accident airplane had vortex generators (VG's) installed in accordance with (IAW) a STC, and that STC changed the airplane's VMC to 74 knots. He was also told that the accident airplane had his STC installed which changed the VMC to 87 or 88 knots depending on the page of the Flight Manual Supplement.

He was asked whether the STC he purchased took into account specifically the compatibility with the VG installation and he was not sure the original STC owner (Bill Colbert) looked into that, but does not believe his STC took into account the change as a result of the VG installation. The STC approval process was based only to a change to the original type design.

With respect to his STC, item 12 specifies to mark the airspeed indicator IAW with Flight Manual Supplement. He was asked to provide a copy of the instructions for marking the airspeed indicator. He was asked if any of the records associated with the STC were available and he advised there was a flood in 2010 with 13 feet of water, and "almost all records were destroyed."

The current version of the Flight Manual Supplement is February 18, 2000.

He reported that his STC has been around for 26 or 27 years, and has a long great track record. With respect to the Beech Baron, he advised it has been long known to have a spin issue.

He believed the most restrictive VMC number (related to his STC) trumps the VMC number related to the VG's.

The digest was reviewed with him during the phone call and he agreed with the content.