


January 6, 2006

Mr. David Norgard, Vice President of Human Resources
Quest Diagnostics Inc.


Lyndhurst, NJ 07071

Dear Mr. Norgard:

On Wednesday, December 7, 2005, I called Carolyn Cox to inform her I felt as if I was being discriminated against and subjected to retaliation by Mr. Albert Murrer, and also by Mr. Scott Borton as well as Mr. Rich Wilber, albeit to a lesser extent and possibly at the direction of Mr. Murrer.

It is my understanding that Mr. Murrer discussed me with you on at least one previous occasion. He told me that he informed you of an on-going medical condition that I have, and that he assigned me to fly with a co-pilot at all times to limit, as he has explained it to me, any 'liability' concerning my medical issue. Assigning a copilot is normal procedure for pilots who are coming back from various medical conditions, and was warranted for a week or two after surgery I had in late January of 2005. However, my return to flying status was fully cleared by my Aviation Medical Examiner, and also by the surgical team that performed the operation at the Hershey Medical Center (please reference the return to work note dated March 3, 2005, included at the end of this letter, and labeled exhibit 'A'.)

I am not sure exactly what Mr. Murrer said or how he portrayed my medical condition to you, but I do know he was presented with a copy of the return to work letter (which is also in my personnel file in the flight department), and was/is aware that my Aviation Medical Examiner had cleared me following surgery with a FAA 1st Class Medical. Whether I have a co-pilot onboard or not, I cannot perform my pilot duties without having that medical. It appears to me that Mr. Murrer is using my perceived medical issue against me in a discriminatory fashion, even though I am fully able to perform any and all work related duties.

On numerous occasions over the last nine months, I have attempted to get clearance to fly without a co-pilot, which would allow me to be rotated through the schedule as the rest of the pilots are. If I were allowed to fly without a co-pilot, I would be able to fly some of the shorter duty-time runs. Instead, I am forced to fly runs, which, due to their longer duty times, necessitate a co-pilot. Please reference the enclosed exhibit 'B', Quest Diagnostics Flight Operations run schedules, and note the highlighted runs (921 (which is also referred to as the 922, depending on which aircraft is assigned), 968) that require a copilot and their associated duty times. Also, take note of some of the shorter runs, such as runs 910 and 901, neither of which has been assigned to me in many months. Throughout this period of time, I have attempted to work with Rich Wilber, Scott Borton, and Nic Pagerly to convince Mr. Murrer to clear me to fly without a co-pilot. Mr. Murrer continues to say I am a potential 'liability', and I need a co-pilot 'in case something

happens.' He also said that if anything should happen and a co-pilot wasn't aboard, the lawyers would take Quest to task for having set a 'precedent' with me flying with a co-pilot, and then later releasing me to fly without one while still having what Mr. Murrer perceives as a medical issue.

If Mr. Murrer truly believes that I am indeed a liability, and that perhaps something may happen to me while airborne (even though I have a current 1st Class FAA medical clearance, just like any other Quest pilot), perhaps I should be removed from flying status completely, since none of the co-pilots in the flight operations department are cleared to fly without a qualified captain onboard. If something happens to a captain, the co-pilot cannot continue that evening's run without him to get the specimens where they need to go. In other words, there is nothing that differentiates me, from a medical qualification standpoint or otherwise, from any other captain in flight operations. I am a similar liability as all the other pilots (or perhaps less of a risk than some junior pilots from an insurance aspect with respect to my overall experience), and if any other captain were out flying a run with a co-pilot, and happened to break an ankle stepping down from the airplane, that aircraft would have to stay where it was until another captain was flown in to continue on.

Mr. Norgard, I hope it is quite apparent to you that I am fully capable to fly any run, with or without a co-pilot, in either of the aircraft I am qualified in for the Quest Diagnostics Flight Operations Department. I have been capable, and cleared to do so by my Aviation Medical Examiner, for over nine months now. I don't know what Mr. Murrer has told you in the past, but the only reason I can see for his forcing me to fly with a copilot is his continued discrimination against me for a perceived medical issue. Additionally, I believe he is continuing to retaliate against me in a vindictive manner for other issues that occurred earlier in the year.

You may or may not have heard that I posted a message on an Internet site searching for a job on or about April 4, 2005. Please reference the enclosed exhibit 'C', my two-page Internet posting. I believe the posting speaks for itself, but I will give you a brief synopsis of why I posted it. One of our contracted co-pilots, Paul DeSanctis, brought safety concerns with some potential solutions to the attention of the flight operations management, including Rich Wilber and Scott Borton. Paul was due to be hired as a full-time co-pilot, but after the meeting in which he raised issues about the schedule, fatigue, and other safety issues, he felt as though he was looked at and treated differently by management. Shortly thereafter, he and another candidate interviewed for the full-time position, and he was not selected for it. This was the first time there has ever been a formal interview for a co-pilot position in the flight department; all previous hiring had been purely at the discretion of flight operations management based on merit and experience. Even though Paul was an excellent pilot who would have had the experience to upgrade to captain by May or June of 2005, and a diligent worker who always gave 110%, he was not retained even in his previous contract co-pilot position. It became evident to me, as well as some other pilots, that the non-reprisal policy regarding safety issues outlined in our Flight Operations Manual came with potentially serious consequences in our department. I was upset that a fellow pilot had attempted to make an

effort to improve our work environment, even offering some possible solutions to the problems, and he was summarily terminated. It was then that I realized my personal integrity; dedication to safety, and business ethics did not mesh with the management in the aviation department. I decided to post a message on a website I knew was frequented by other corporate flight department personnel in an attempt to find a job where I would fit in better. As you can see from my posting, I wanted it to be clear that I was only interested in working for an employer that put safety first – and at no time did I mention Quest Diagnostics, or anyone by name.

Someone saw the aircraft experience and picture listed with the posting, and alerted Mr. Murrer about the message. The following evening, Tuesday, April 5, 2005, I received a phone call from him at 10:18 pm. I was performing military duty, and the call went to my voice mail. I retrieved the message at approximately 10:30 pm, and called him back. His remarks:

- Stabbed him in the back
- Would give me a recommendation to go somewhere else
- Didn't need me around
- He'd find me a job
- Asked me if I knew why people hadn't come to my housewarming party (insinuating I was not well liked by the pilot group)
- Airline pilots use safety as an excuse not to fly
- **Said he stuck up for me with HR regarding 'medical issues'**
 - **I told him that I appreciated that, but I was cleared by my Aviation Medical Examiner and surgeon for all duties and he had a letter to that regard**
- Asked why I would post that on the internet
 - I said I was concerned about issues and wanted any prospective employers to know where I was coming from and what I was looking for. I told Albert I was particularly troubled by an incident in which another pilot, Mike Rutolo, had been instructed to 'take it all the way down to the runway' on an ILS approach during his captain upgrade check ride with Scott Borton. This is not normal procedure, and in the equipment we fly at Quest, we must transition from instrument flying and proceed visually from altitude no lower than 200 feet above the ground.

I was quite taken aback by the conversation, which lasted for almost an hour and can be best described as a verbal tirade. I found it very unprofessional, and it set the tone for the hostile work environment that ensued thereafter. I asked Mr. Murrer if he would be in his office the following Friday so that I could speak with him in person. He said yes, and the conversation ended.

The following morning, Wednesday, April 6, 2005, I printed off a copy of the Internet posting, then removed it from the website. I was so concerned that I had done something wrong that the following day, Thursday, April 7, 2005, I called Carolyn Cox and then faxed her a copy of the posting. I didn't hear anything further from Human Resources,

and on Friday, April 8, 2005, at approximately 5:00 pm I met with Mr. Murrer in his office to apologize for the posting. My apology:

- I attempted to explain that I hadn't meant for the post to be taken as personally as it had by Albert and that perhaps I was wrong for going about it the way that I did. I told him I took the post off the Internet the very next morning (Wed, Apr 6, 2005 approx. 0830 hours) after I talked with him on the phone.

Albert's response/comments:

- I don't think an apology cuts it this time
- Said that I lied to him twice during the phone conversation on Tuesday, April 5, 2005 (he felt that when he asked me twice at the very beginning of the conversation if 'everything was alright' and since I said 'yes,' both times, but had posted on the internet looking for a job, that everything was not alright, and therefore I lied to him)
- Safety is secondary to the company mission
- Pilots use safety as an excuse
- How many years experience do you have? (I told him about 10 years as a professional) I have three times the experience you do.
- In one of the old departments I worked for, we wouldn't be having this conversation...you would have been fired.
- I don't know how they let you fly in the military, I wouldn't want you as my wingman
- Out of anybody, you should understand working hard and fatigue, since military pilots fly 20 hour missions sometimes (military pilots go through special medical monitoring and training and are approved to use 'go pills' (uppers) and 'stop pills' (downers) when undertaking missions of that duration)
- The mechanics think you're going to be the next smoking hole in the ground.
- Greatest trait among pilots is humility (implying that I am cocky and not humble?)
- This incident shows your lack of character
- I don't even want you flying my airplanes right now
- I used to respect you, but I don't respect you anymore

During the conversation when I attempted to interject or ask him something, he told me to, "Hold on, let me finish." I did not get another word in until my watch alarm went off at 1728 hours, and I had to go fly my run. I was quite disturbed by the Mr. Murrer's berating, but as a professional pilot, I put that aside and continued with my flight duties and responsibilities.

The following Monday, April 25, 2005, I was called to a meeting with Scott Borton, with Mike Rutolo in attendance, to discuss the issue about 'taking it (the airplane) all the way down to the runway' that I had mentioned to Mr. Murrer during our phone conversation on April 5, 2005. Scott Borton asked Mike Rutolo a few questions about his check ride, including if he had felt any pressure to do certain things, or had been uncomfortable with anything that had been said. Mr. Rutolo replied no to

everything, except he found it odd that Mr. Borton had wanted him to execute an ILS and fly the aircraft all the way down to the runway solely by reference to instruments. Mr. Borton then explained that he felt it was good to know that it could be done if need be, in an emergency, and that it helped develop better piloting skills (an ILS increases in sensitivity the closer the aircraft is to the runway, and therefore requires finer piloting technique closer in). He also went on to say that he did not condone going below the minimum descent altitude/decision altitude on an instrument approach procedure. However, the two previous sentences are in complete contradiction to each other. Throughout my professional flying career, whether it was flying for an airline, the military, or in training, you do not go below the minimum altitude dictated for the approach without having the required visual references. To do so while flying an aircraft in actual instrument meteorological conditions (i.e. – in the clouds, flying solely reference to instruments) is in violation of the Federal Aviation Regulations. To do so in a training environment, as was the case with Mr. Rutolo, is negative training at best. When the FAA flight checks an instrument approach, they only check it to the minimum altitude/missed approach point that is published, since a pilot is expected to take over visually at that point, and execute a missed approach if the required visual references are not in sight.

Later that same afternoon, at approximately 5:30 pm, Mr. Murrer confronted me in the parking lot, as I was on my way in to fly. He brought up two incidents that had happened quite a few months prior.

- An 'eyewitness' (a line person according to Albert) allegedly saw Paul DeSanctis and I pull onto the ramp and 'whip' the airplane around, causing the nose wheel tire to roll off the rim. This took place at approximately 0120 hours on 3 March 2005, the only other person there was Ken Oister, the courier we were meeting, and there were no line service personnel (or anyone else) around. I know this because we went in the hanger to look for help immediately after Ken left, and there was no one to be found anywhere on the airport. According to Albert, this 'eyewitness' also said there was a skid mark from the nose wheel tire. We physically moved the aircraft from where it had been sitting when the tire popped off to get it out from in front of the hanger, so how would anyone know if our aircraft had caused a skid mark? This would also be very difficult to determine since there was NO EYEWITNESS (as Mr. Murrer had told me) to the event, other than Ken Oister, the courier, who happens to be a student pilot and mentioned to us that he was surprised that the tire had come off. (After talking with a mechanic who worked on the aircraft afterwards, he seemed to think that the tire may have been slightly low on air pressure, and that the extreme cold exacerbated the lower pressure and caused the bead of the tire to pop off the rim).
- Al brought up another incident where I 'scalped' a tire on landing at Philly, an incident that occurred in the beginning of January and had been handled by my direct supervisor, Rich Wilber, the day after. I also talked with the safety officer, Nick Pagerly, and looked at the tire with him.

It seemed to me that this conversation in the parking lot was Mr. Murrer's attempt to intimidate me. Besides being unprofessional in discussing these incidents outside the

office while I was literally half way out of my vehicle, the appropriate personnel in the flight department had already dealt with both incidents. I considered the conversation a veiled threat, and from that point on I felt as though it was most certainly a hostile work environment. I believe Mr. Murrer went digging for information, perhaps in an attempt to write me up and document things so that he could terminate me in the future, but found only those two incidents.

An interesting point to all of this is that the week prior to my posting on the Internet and the ensuing conversations with Mr. Murrer, I flew two flights without a copilot. Rich Wilber was also fully aware that I was medically cleared, and so after having flown consistently with co-pilots throughout February and March of 2005, on Friday, April 1, 2005, I flew the 940 run solo, and on Monday, April 4, 2005, I flew the 910 run solo. Upon learning of my Internet posting, Mr. Murrer reassigned a co-pilot to fly with me, using my perceived medical problem as an excuse, and thereby discriminated against me.

I flew with a co-pilot for all flights until July 7, 2005, when I reported for duty and was informed that I would be flying Mr. Murrer to Altoona, Pennsylvania, and dropping him off there. After many months of flying with a co-pilot, and being given the explanation that I was a potential liability and that a 'precedent' had been set that required having me fly with a co-pilot, I found this quite disturbing. It became obvious that Mr. Murrer could clear me to fly without a co-pilot at his convenience, including this instance when he utilized a company aircraft for personal use to get to his weekend getaway at Raystown Lake, Pennsylvania. After dropping off Mr. Murrer, I then flew on to Huntington, West Virginia; Cincinnati, Ohio; Columbus, Ohio; and then to Pittsburgh, Pennsylvania, without a co-pilot. A co-pilot got off another flight I met in Pittsburgh to help finish out the rest of the night, since I was flying the 921/922 run that requires two pilots due to the amount of total duty time.

After that evening, I had hoped the discrimination would stop and I would be returned to a normal schedule rotation. This was not the case. For the rest of the summer when Mr. Murrer needed to fly to Altoona and be dropped off for the weekend, I would be assigned the 920 run with a co-pilot, meet my 'normal' 921/922 run in Pittsburgh, and swap into it there with my co-pilot. The discrimination continues, as I haven't flown a Quest Diagnostics airplane without a co-pilot since July 7, 2005, even though I am just as qualified as any other pilot.

Early in the morning on September 2, 2005, the second shift dispatcher paged me and asked why I had swapped aircraft in Pittsburgh, with the 921 run pilot taking my aircraft and continuing on the 920 run, and my co-pilot and I swapping into the 921 and completing it. I sent a very sarcastic message in response, due to my intense frustration with the lack of action taken about safety issues that had been raised, the continued discrimination against me, and various other issues. Please reference exhibit 'D', a copy of the response I emailed to the dispatcher. On September 6, 2005, I was awakened at 11:30 a.m. by a phone call from Al Murrer and told to report to his office for a meeting as soon as possible. When I showed up for the meeting, I was brought in to Mr. Murrer's office with Scott Borton and Rich Wilber, and was once again subject to veiled threats

and intimidation. I was given a copy of the email by Mr. Murrer and asked to explain myself. I said it was a joke, and before explaining myself further, Mr. Murrer told me it wasn't a joke and that they had received complaints that I had spoken badly about the company. When I asked who and where the complaints were from, I was told that, 'We don't want to sink to your level, but just know the complaints have been made.' Rich Wilber and Scott Borton both made comments regarding how good the pilots have it at Quest, and if I wasn't happy, that maybe flying at Quest wasn't for me. Mr. Murrer brought up the fact that he had become aware I had been given a job offer at FlightSafety International as an instructor, and asked when I would be leaving. I told him that I had turned down the position due to my wife's medical condition, as well as having a two-month old baby.

Most recently, Rich Wilber has subjected me to continued intimidation tactics. On Monday, December 5, 2005, Mr. Wilber had a closed-door meeting with me in which he told me I was going to be written-up for failing to complete Ambassador II training. A week or so prior, when Mr. Wilber initially told me I had not completed the training, I told him that I thought I had completed it with Mr. Norgard in the hanger some months ago. He said that training was something different (compliance training), and that I had missed three opportunities to attend the Ambassador training. He did not seem to care that as a new employee, I didn't realize the difference between the two programs, even when I told him all the postings around the office and messages sent to our pagers never stated specifically which individuals needed the training. I also asked him why I was being singled out, since there were quite a few individuals (myself included) who would be attending the Ambassador training session on Monday, December 12, 2005. His comment was that 'they' are really coming down hard on us for not getting all the training done sooner. I commented that the first time I realized I hadn't attended the training was when he brought it to my attention after the three initial training periods had already passed, and when a list of the individuals who still needed to complete the Ambassador and Compliance training was put in my mailbox (please reference exhibit 'E', memo for mandatory ambassador and compliance training). Mr. Wilber then continued on and said I would be written-up for an incident the week prior in which I failed to confirm the total number of specimen bags that the courier had given to my co-pilot and I in Columbus, Ohio, and two of the bags had remained on his van. While I fully accept that it is also my responsibility to ensure the proper number of specimen bags get on the aircraft, I find it interesting that most of the other pilots have at some point either forgotten a specimen bag, miscounted, or allowed a specimen bag to depart the aircraft while it was being taxied, and none of them have ever been written up for it. After I called human resources on December 7, 2005, I have not heard or seen the write-ups that Mr. Wilber said he was going to make against me.

Mr. Wilber also ensured that I flew three weekend 968 runs in a row, to include Christmas Eve and New Year's Eve (please reference exhibit 'F', December 5 – January 1 schedule, and note highlighted runs). This is further retribution, since very rarely is a pilot assigned to fly the Saturday 968 run more than once a month, let alone three times, especially over multiple holidays. I asked the pilot in charge of scheduling, Jesse Grayek, why I had been scheduled in such a way, and he said that he brought it to the

attention of Rich Wilber, but Mr. Wilber did nothing to attempt to rectify the situation. Mr. Grayek had mentioned that I hadn't flown any 968 runs in 2005, so I was assigned them in December. However, as you can see from my included flight time report, I flew two 968 runs prior to the month of December.

I would also like to mention that I have written up some Aviation Safety Report (ASR) forms throughout my time working as a Captain for Quest, and that many of the most important ones with a direct impact on safety have not been addressed adequately. I would ask you to reference exhibit 'G', several ASRs that I submitted that have not been addressed. In the one dated 9/13/05, I specifically mention the overweight bags that had become commonplace on the 921/922 run, including the hazard associated with dry ice in the cockpit. Several pilots, myself included, have experienced hypoxia symptoms due to the sublimation of dry ice into carbon dioxide. Regulations for the airlines state that 5.07 pounds of dry ice can be in each separate container aboard an aircraft. I have had couriers tell me that they weighed the dry ice separate from the specimens and containers, and that there has been as much as 20 pounds of dry ice per bag. Compliance in this regard, as well as the effects of dry ice on crews in small airplanes and in close proximity to the sublimating dry ice, need to be addressed before a pilot or pilots become incapacitated. Additionally, the supplemental oxygen supplied to the crews of the Beech Baron is medical oxygen, not aviation oxygen. Medical oxygen contains water vapor, is cheaper than aviation oxygen, and can freeze due to its water content. There is only one mask supplied to the oxygen bottle, which means a co-pilot would be without supplemental oxygen if both pilots began to feel hypoxic or if oxygen was required in the event of smoke contamination of the cockpit in an emergency. Further, communication with Air Traffic Control would be severely hindered, since no provision for communicating with ATC is provided while wearing the oxygen mask currently supplied. In another ASR, I address the utilization of part-time contract crewmembers after they have already put in a full workday at their full-time job. The only reason this practice does not currently occur with one of our contract co-pilots is he no longer works for his full-time employer, however, at least one contract captain still is scheduled to fly after working a full shift at another job. Recently, I have stopped submitting ASR forms, since I feel it is a wasted effort and safety is paid lip service.

Mr. Norgard, I hope I have made it evidently clear that there is a severely hostile work environment in the Quest Flight Department, that I have been discriminated against for over nine months, attempted to improve my fellow pilot's work environment through submitting ASRs, and have been retaliated against for doing so. I have never seen such an unprofessional display as I have by the Quest Diagnostic's Flight Department management since April of 2005. I attempted to reconcile the problems I mentioned within the department on many occasions, and was rebuked for doing so. The non-retaliatory policy for safety concerns listed by Mr. Ken Freeman on the second page of our Flight Operations Manual does not hold true. I do not trust Mr. Wilber, Mr. Borton, or Mr. Murrer, and only out of desperation do I go outside the normal chain of command and broach these subjects with you. I have yet to hear anything from my initial phone call to Carolyn Cox on December 7, 2005, regarding what I have presented to you. As I understand it, other pilots have brought issues to Human Resources, and when word gets

back to Mr. Murrer, those pilots are subjected to retribution for doing so. As such, pilots and flight department personnel I have spoken with are extremely cautious to bring any concerns up to the management, to include human resources. If you are to find out what is going on in the Flight Department, I would highly recommend an outside third party interview the pilots and other personnel, so that they may be honest and forthright without the fear of retribution being sought against them. No one should have to live with the constant threat of being fired for doing the right thing, or discriminated against for a perceived problem.

I am a professional, and as such, do my job at all times to the best of my ability, with safety taking precedence over the company mission. As a current officer in the Pennsylvania Air National Guard, I am duty-bound to uphold the moral codes and conduct expected of any military officer. Integrity, service before self, and excellence in all I do are not only the Air Force core values, but also the very manner in which I live my life. I simply cannot allow these things to continue unabated without bringing them to your attention.

Please let me know if I can provide any further details regarding these or other incidents that may be brought to your attention.

Sincerely,



Christopher M. Andreychik
Captain, Quest Flight Department

Bernville, PA 19506

Cc: Michael Prevoznik, Senior Vice President and General Counsel

Cc: EEOC

1/17/06

Conversation between Scott Borton, Kristin Eaton, and Chris Andreychik regarding operating within confines of Minimum Equipment List for Quest Beech Baron 58s, specifically MEL 28-1 – Fuel Quantity Indicators. On 1/16/06, Kristin Eaton and I had to operate an aircraft with one inoperative fuel gauge, and in doing so, had to comply with an MEL provision. The following evening, we were instructed to call Scott Borton before departing Reading. Conversation is as close as I can recall, and is as follows:

Scott Borton: Hello?
Chris Andreychik: Scott?
Scott Borton: Yes?
Chris Andreychik: Hey, it's Chris and Kristin here.
Scott Borton: Hey, Chris, hey Kristin, how's it going?
Kristin: Hi...
Chris: Okay...
Scott: Alright, hey, ummm. I wanted to uh, of course talk to you about last night, uh, what was your decision making process?
Chris: I regards to what Scott?
Scott: Uh, well, in regards to the flight last night.
Chris: Ah, well, the MEL states that you can have an inoperative fuel quantity indicator, it says, "One may be inoperative provided a reliable means is established to determine that fuel onboard is sufficient to meet the regulatory requirements for the intended flight."
Scott: Okay...
Chris: The other step says, "Pilot In Command will ensure that each flight begins with a full tank of fuel and that the fuel burn is calculated to ensure that the quantity onboard meets the regulatory requirements for the intended flight."
Scott: Okay...
Chris: Or, you can, it says, "The fuel tank with the inoperative gauge will have the tank defueled and fueled with a known quantity of fuel. Fuel burn will still be calculated to assure quantity remaining."
Scott: Okay. What does all of that mean?
Chris: Pretty much what that means to me is in order to operate within the guidelines of this MEL, ah, every leg you go on you have to top the tank off so that you have a known quantity of fuel onboard.
Scott: Okay.
Chris: And as a result of that I was trying to figure out in the POH (Pilot Operating Handbook) with the fuel limitations, if there was any way, 'cause I know we're normally heavy coming out of Cincinnati and out of Columbus, I was trying to figure out if there was a way that we could take less gas in the left tank because we have the fuel quantity indicator operating on that side, thereby maybe saving us 120 pounds of gas so we could have converted that into cargo. When we got to Cincinnati last night though we picked up 20, and, ah, I had talked with Jess (the dispatcher on duty that night) about having the lab weigh the bags, so that we could get an exact amount (of weight), 'cause, ya know, I wanted to be sure that we didn't go over gross (maximum gross weight of the

aircraft), and having that much gas on board, ya know, and then going into Columbus to pick that stuff up, I think that, uh, we would've been pushing it.

Scott: Yeah, yeah...I agree...

Chris: So...

Scott: With full fuel and everything, it would've been, yeah...

Chris: Well, I just said, ah, we (Kristin and I) talked it over and, um, I made the decision that if they couldn't weigh the bags individually, in Cincinnati, and uh...the driver that came out (at Cincinnati), Charles, said that they do have a scale there but I guess Jess (the dispatcher) couldn't get in touch with the lab manager or anybody, so when they came out, we didn't have a good idea (on an exact weight). And then I asked the FBO (fixed base operator) if they had a scale, and he said that they didn't. So then I went to our standard 12 pounds per bag, and then after running weight numbers with full gas, and our gear, and everything else, we came up with roughly 300 pounds which dividing 12 into that you come up with 25 bags.

Scott: Uh huh...

Chris: So, then when we went with that number, between Huntington (West Virginia) with their 3 (specimen bags) and Lunken (Cincinnati, Ohio) and their 20, we were at 23 already so then I asked Jess (the dispatcher), "Hey, do you want us to stop and pick up what we can in Columbus?" I said it's probably going to be only 2 bags or whatever, and so she worked it on her side and said, "Well, no, I'll just have the 920, Rutolo, go out to Columbus and pick those up. You guys will go up to Niagara and then back to Allegheny County and then straight on out to Pottstown." Well, it would have been Pottstown, but we couldn't get gas there. So, we wound up going into Reading.

Scott: Alright.

Chris: And then I drove the stuff (specimens) over (to meet the Pottstown courier) and met Ken.

Scott: Yeah, well, the uh, umm, did you talk to anybody? Collaborate with maintenance even? Anybody?

Chris: Well, ah, you know Jeff (one of the mechanics) was still here, but it (the inoperative fuel gauge) was written up in the MEL already, and ah, I asked Jess if there was a spare (aircraft), but I don't think there was one.

Scott: Yeah, but with regard as to how you interpreted this MEL...do you feel that you're...that you did it right?

Chris: Yes! Yeah, I mean, there's two paragraphs, uh, actually three, and, ah, it's an operator listed item, so that means that we can do it...and actually, initially I didn't realize it had already been MEL'd. Ah, but when we came back in (from the airplane to the hanger/flight operations) I looked up the MEL, and, you know, I said hey we have the one that may be inoperative provided that we have reliable means to determine fuel on board is sufficient, so what that means is I'm going to go ahead and take a look at the fuel flows (fuel flow gauges), calculate the amount of gas we have from start-up, starting with 83 usable (gallons per tank) and then go from there. The other paragraph says that the PIC (Pilot On Command) will ensure that each FLIGHT begins with a full tank of fuel and that the fuel burn is calculated to ensure that the fuel quantity on board meets the regulatory requirements. So I realize that we're a 91 operator (operating under FAR 91) but in using (in my past experience) this same type of MEL at Part 121 (scheduled air carriers) and 135 (non-scheduled charter operators) operators that

I've worked at, you have to comply with all this stuff (that is listed within the MEL Remarks and Exceptions column).

Scott: But when you went out to the airplane, was it full of fuel?
Chris: Was it full of fuel? Yes it was. I visually confirmed that it was.
Scott: Okay, you started the flight, full of fuel.
Chris: Right.
Scott: You calculated your fuel burn.
Chris: Right.
Scott: Right. So you go to your next stop.
Chris: Right.
Scott: So you should know how much fuel ya got.
Chris: True, but it says right here that EACH FLIGHT BEGINS WITH A FULL TANK OF FUEL.
Scott: Wa, wa, wait...go to the next paragraph. Why do you think they give you the next paragraph, too? Read that one.
Chris: It says, "The fuel tank with the inoperative gauge will have the tank defueled and fueled with a known quantity of fuel."
Scott: So you go out to the airplane, okay, and you're starting with the airplane, you don't know how much full is in there. And what they're saying is if you need to operate with less than full fuel, then they're telling you that you need to defuel and fuel with that known quantity that you need.
Chris: Right.
Scott: Okay. So that's not full fuel.
Chris: Yeah, but there's an OR immediately before that paragraph, Scott. Let me read it to you one more time.
Scott: I'm reading it, you don't have to read it to me.
Chris: Oh, okay, well then you have the second paragraph that says, "PIC will ensure each flight begins with a full tank of fuel," and then it says (immediately below that paragraph) OR, "The fuel tank with the inoperative gauge will have the tank defueled and fueled with a known quantity of fuel."
Scott: Yeah, I'm not gonna argue with you over *your interpretation*, the only thing is ah, why you didn't collaborate with anybody. Get maintenance, find out what the true interpretation of this is, you know, and uh, go from there. That's all I'm getting at, you know, we need to work together.
Chris: I agree wholeheartedly, but again Scott, you have three paragraphs. You can do the first one and the second one, or the first one and the third one.
Scott: Uh huh.
Chris: Okay?
Scott: What do you truly think, what do you think it really meant?
Chris: What do I think it means? It means that you can have one fuel gauge inoperative, and then you gotta calculate your fuel burn, and then you also have to begin each flight with a full tank of gas, and then make sure that meets the regulatory requirements, OR, you can have one (fuel gauge) inoperative and calculate your fuel burn, and the tank with the inoperative gauge can be defueled and then fueled with a known quantity. I think what the intent of this is, hey, you have an inoperative fuel gauge, you gotta know how much gas is in that tank, because what happens if you

develop a leak or something along the way? Then you start calculating off of 83 gallons usable fuel (per tank), and that's why you have the first two paragraphs that you have to use together, or the first and the third. So that's where I'm coming from. That's how they taught us when I was flying for the freight operator (FAR Part 135) and Allegheny Airlines (FAR Part 121). You have to take all this (the entire MEL procedure) into account and abide by it.

Scott: You gotta follow the rules, but ah...you know

Chris: As far as talking it over with somebody I thought it was pretty clear here in the MEL once I looked it over and I said well, (to my co-pilot, Kristin Eaton) we have to comply with it.

Scott: Yeah. What's the most critical time for the labs? Do you know that?

Chris: What's the most critical time?

Kristin: Doesn't it have to be in by 3? (3:00 a.m.)

Scott: Yep. Between two and three o'clock. Right?

Chris: Sure.

Scott: Alright. So what's 40 minutes to that lab mean right around that time?

Chris: I understand that Scott, but you know, we had to love the one we were with (stuck with the broken airplane), and I had to err on the side of safety.

Scott: Here's my question, here's my question. Why didn't you just take it (the airplane) to Pottstown and leave it there? It saves 40 minutes to the lab. If that's the way you interpreted it (the MEL), and I'm okay with that.

Chris: I'll tell you what, Scott, I would have loved to have done that, but I was communicating with Jess (the dispatcher), I figured that she would bring someone into the loop if she felt need be, we came up with a plan together...

Scott: You told her you couldn't go to Pottstown. (There would have been no fuel services available at that time of the morning, and in order to continue back to Reading (home base), and comply with the regulatory requirements of the MEL, we would have needed to top the fuel tank off.)

Chris: I didn't say that we could just leave the airplane there, but I didn't think you'd want to leave the airplane there from a logistical aspect, unless you wanted to have it wait until the next morning when it could get topped off. I didn't know if the airplane was going to be going out on another run or what. Maybe I could have brought you into the loop, but I thought that she (Jess the dispatcher) was either communicating with you or Rich (Wilber).

Scott: Yeah. Well, that's our job, do the best we can given the circumstances, I mean, I know you had certain circumstances that *you thought you were in* (emphasis added), but still at the same time, umm, we gotta be thinking about the lab. ***That's the most important thing*** (emphasis added). We gotta do it by the rules, and we gotta do it safe and everything else, but at the same time we gotta be thinking about that, and that's our job.

Chris: When it comes down to whether we went into Pottstown, I would have done it without thinking twice and left the airplane there, but I laid it all out for Jess as best I could, said we can't go into Blue Ash (near Cincinnati, OH) because we won't be able to get gas there, and that's when I also told her about Pottstown.

Scott: What kind of means would you determine if you have sufficient fuel?

Chris: Well, as far as what I did last night, I calculated per the performance book (in the aircraft operating handbook) start, taxi, run-up, takeoff, climb to cruise altitude, then how long we're going to cruise for, approach and landing, and also make sure we have our 45 minutes of reserve onboard. So that's how I came up with how much gas we would need.

Scott: What about the wing gauge (fuel gauge located on the outside of the wing)

Chris: I'm sorry?

Scott: How did it (my fuel calculations) match up with the wing gauge? The gauge on the wing – how did it match up once you got on the ground?

Chris: Well actually, I find some of the wing gauges work, and some of them don't. But we got gas every leg, and it was (our total fuel to fill the tank up) within a half a gallon to a gallon or so to what the calculation was.

Scott: **Listen, just keep in focus why we're flying every night. I mean, it's for the specimens, moving that stuff, and any little thing we can do to help with that, even if it inconveniences ourselves, we need to do.** (emphasis added)

Chris: Believe me, I didn't want to land here and have to drive the specimens over to the lab (from Reading to meet the Pottstown courier), but I did it because that's what we do. It had to get there, but between Jess and I we didn't come up with the idea of leaving the airplane there. I thought that she was talking to you about it. We did the best that we could. Next time I definitely bring you into the loop, but I was also thinking that maybe Rich would have his finger in the pulse of this thing, because he knew we came in, looked up the MEL, and said to Jess we're going to have to look at going places where we can get gas, I thought he would have been watching the situation a little more closely. I thought that Rich might have been in the process of making decisions. In the future, I'll Cc: to your guys' pagers and that way you can be in the loop without me thinking that dispatch is contacting you.

Scott: Well, I know we had the discussion about the bags being left in Columbus, when you're doing something out of the ordinary you need to get someone in the loop. When you're operating under an MEL, you need to contact someone and make sure you're reading it correct, you know. **You know yourself that when you read through the regulations, you can get five different interpretations...it's just a matter of what are they trying to get at here.** (my emphasis added)

Chris: I understand that, but from my perspective, looking at this MEL and the way they taught us at the airline, you gotta comply with everything that is in the remarks and exceptions, and so you have to comply with paragraph one and paragraph two, or paragraph one and paragraph three, and use that all together. I'll put it to you this way: my decision wouldn't have changed in how I handled it if I had to take that airplane last night and I had to talk to you or Rich or any other pilot. Personally, that's exactly how I would have operated. That's the way I was trained everywhere else in the operation and use of an MEL.

Scott: Uh huh. Well, keep in mind, the focus is the specimens, we gotta move those things the best way we can. Well, that's it, I just needed to get a feel for that. Anything else you guys want to add, or?

Kristin: No.

Chris: No, I guess not. In the future, I'll be sure to keep you in the loop if an abnormality like this comes up.

Scott: People were in the loop, but you also have a lot of people doing a lot of work around it, so, Jessica was running her but off. She did an exceptional job...there's a lot of work being done. Alright, that's all. I appreciate it.

END OF CONVERSATION

February 6, 2006

Mr. David Norgard, Vice President of Human Resources
Quest Diagnostics Inc.

Lyndhurst, NJ 07071

Dear Mr. Norgard:

One month ago I sent you a letter and substantiating documentation detailing what I feel to be discrimination, harassment, and intimidation tactics from members of the Flight Operations Management to include Mr. Albert Murrer, Mr. Scott Borton, and Mr. Rich Wilber.

It was my most sincere hope that these actions would have curtailed by now, but they have not. Instead, the situation has worsened, and I have been subject to a 'witch hunt'. In addition to what I described to you, Mr. Prevoznik, and the EEOC in my letter dated January 6, 2006, the Flight Operations Management is clearly attempting to force me out of the flight department. I believe they have tried to make me so miserable for the last ten or eleven months that I would leave on my own. Now I am suspended with pay, and I believe this is the Flight Operation Management's latest attempt to get rid of a 'thorn in their side'. In their vindictive nature, they are taking an incident and blowing it out of proportion to try and corrupt my good name, thereby making my chances of follow-on employment within aviation very difficult, if not impossible.

I would like to detail two additional incidents that I forgot to mention in my previous letter, as well as describe the latest occurrence of harassment, intimidation, and threat that I have had to deal with.

On Tuesday, December 6, 2005, my copilot and I were forced to leave a specimen bag behind in Columbus, Ohio. Please review exhibit 'A', a copy of my letter to Mr. Scott Borton, Director of Aviation, detailing this incident. I faxed this letter on December 8, 2005, because Mr. Borton had left me a voicemail requesting more information, but at the time I was committed to duty at my Air National Guard unit. Sometime the following week, Mr. Borton called me into his office to discuss the incident. He made it evidently clear that the specimens are the reason our flight department exists, and I agreed with him. He chastised me for not bringing his attention to the matter sooner so that he could have given his input into the problem, and thereby avoided leaving the specimen bag behind. When I told him there wasn't any more room in the aircraft, he asked if I had thought to leave the two deice bottles we carry in the nose compartment behind in Columbus, and load the bag in that space. I reminded him that there was still a large fixed container for the deice bottles, and that the bags coming out of Cincinnati and Columbus on that run were so heavy and oversized that no bag would fit within the empty deice bottle container. Mr. Borton then said that I could have left the copilot behind, and strapped the specimen in the copilot seat. This disturbed me greatly, and the only comment I made was that according to Mr. Murrer, I was required to fly with a copilot at all times. I don't think it is very safe to have Biohazard riding up front with the pilot, especially when it is extremely bulky and could possibly hinder free and full control movement. In the event of an incident or accident, not only would there be an increased chance of contamination from some sort of Biohazard, but the bag would

be in the way of the only exit the pilot of a Beech Baron could use to escape the aircraft. With the back of the aircraft fully loaded as it was on that night, the two emergency escape exits are inaccessible because they are covered with specimen bags. I would never fly with a specimen bag in the copilot seat as Mr. Borton had suggested, even if I was ordered to do so by him or any other Flight Department Management. I also believe this shows the pressure that is put on the pilots in Flight Operations to get the mission done without regard to safety. It is this type of pressure that forces pilots to make irrational decisions and do things they ordinarily would not do.

In another incident that recently occurred, Albert Murrer told Scott Ross in a closed-door meeting that I wrote an anonymous letter to the FAA describing various problems within the Quest Flight Operations Department. This letter resulted in a visit to Flight Operations by the FAA on December 20, 2005. I had no part in writing the letter, and Mr. Murrer continuing to blame me for the ills of the flight department is further harassment and quite troubling to me.


Lastly, there is an ongoing investigation into an issue that occurred at the Baltimore-Washington International airport with my co-pilot, Adam Mogel, and I on Friday, January 31, 2006. In a meeting with Rich Wilber, Scott Borton, and Nicholas Pagerly on Wednesday, February 1, 2006, I felt as if Mr. Wilber and Mr. Borton (Mr. Pagerly listened, but did not say much) were more interested in incriminating me than finding out what actually happened. I am being singled out, and if a similar issue had happened with other more favored pilots, the issue would be dead already. I have been suspended with pay as of Thursday, February 2, 2006, and have yet to hear any details of my suspension or be presented with written notification.

Mr. Norgard, the continued discrimination, harassment, intimidation, and threats that have been going on in Flight Operations are totally unacceptable. I thought I made this clear in my last letter. I have done my job to the best of my ability, all the while working one of the longest duty-time runs while this nonsense has been going on. What more do you expect of me, or the other personnel in Flight Operations who have had similar actions taken against them? Why do we have to continue to suffer?


Sincerely,



Christopher M. Andreychik
Captain, Quest Flight Department




Bernville, PA 19506



Cc: Michael Prevoznik, Senior Vice President and General Counsel
Cc: EEOC

March 20, 2006

Jon Pushinsky
Law and Finance Bldg.


Pittsburgh, PA 15219

Push:

My apologies for the late arrival of this paperwork. Things have been hectic with selling the house, looking for a new job, etc., but here it is – and there is a lot of it. I didn't want to leave something out that may help our case.

You can get a feel for the timeline by looking through the various letters I wrote, and the details of conversations I had. I would like to draw up a timeline to try and help you understand some things that were going on that may not be so apparent, or aren't covered at all in, in the enclosed documentation:

- I was hired at Quest Diagnostics August 9, 2004.
- I had no problems at all with any training, and on my captain upgrade ride (November 10, 2004), Al Murrer told Bill Welch, training manager, that he, "Hates to fly with people who can fly better than he can."
- Things were pretty much status quo until the departure of Paul DeSanctis under less-than-normal circumstances. My eyes were opened at this time to many things that I was previously unaware of, including safety and regulatory violations. I then posted on the internet looking for a new job, and it was found by someone who worked in the flight department and brought to Albert's attention. That was the beginning of when they started to actively pursue getting rid of me, around April of 2005.
- While I had always written up Aviation Safety Reports, after the diatribe in Albert's office as detailed in my January 6, 2006 letter to Dave Norgard, I increased the number of reports in an attempt to make changes from within the department that would better the working environment, especially from a safety aspect. This brought more heat on me.
- On July 7, 2005, I flew Albert to Altoona, Pennsylvania, and then flew another four legs solo. This was contrary his previous restriction on me that I always had to fly with a copilot. It became evident that he was discriminating against me. This incident is not mentioned in the EEOC charge or discrimination, but it did occur and proved to me that the copilot restriction was a matter of Albert's convenience.
- The other incidents that occurred are also detailed in the January 6, 2006 letter to Mr. Norgard. One incident that was not detailed is the December 8, 2005 letter to Scott Borton detailing why my copilot and I had to leave a specimen bag in Columbus, Ohio. This incident created huge waves in the department, even though the pilots had been warning Scott Borton and Rich Wilber for months that the load were getting heavier and that we might have to use a larger aircraft on the run. Ironically, the copilot who was

with me that night was the same one who was with me in Baltimore when the incident took place that I was eventually let go for. He was also terminated for that incident.

- On January 16, 2006, I operated an aircraft with one fuel gauge inoperative. This is legal within the confines of the Minimum Equipment List, HOWEVER, the procedure in place at the time required that we get fuel at each stop. This made us heavier than normal as our run progressed, and we couldn't carry as much weight and therefore had to skip one city entirely and have another aircraft pick up that work. I detail my conversation with Scott Borton and Kristin Eaton (my copilot on that night) in one of the enclosures. Interestingly enough, once I had this conversation, Scott consulted with our maintenance lead and changed the MEL so that multiple legs could be flown with one gauge inoperative, which is contrary to the original MEL. Additionally, when they changed the MEL, they did not note a new revision or revision date to the top right corner of the MEL page. **I WAS THE ONLY PILOT WHO FLEW THAT PARTICULAR AIRCRAFT WHO COMPLIED FULLY WITH THE REGULATORY REQUIREMENT LAID OUT IN THE REMARKS OR EXCEPTIONS COLUMN OF THE MEL. By Scott changing the MEL to read what it does now, he is in effect admitting that all the other pilots DID NOT abide by the MEL as it was originally written.** In other words, the company had full knowledge that a regulation had been broken by all the other pilots who flew the airplane, yet did not punish them, give them appropriate re-training to ensure proper understanding, **OR TERMINATE THEM FOR BREAKING A REGULATION AS THEY DID WITH ME AT BALTIMORE.** Additionally, Jesse Grayek violated restricted airspace in the vicinity of the Pottstown, Pennsylvania, Nuclear Plant, and he was not let go either.
- The incident at Baltimore occurred on January 28th into the early morning of January 29th, 2006. If you refer to the e-mail between Amanda Baker and Rich Wilber, you will see one as early as Monday, January 30, 2006. It shows Rich had communicated with her via telephone about the incident earlier in the day. Later that evening, I flew my regular 921/922 flight through, and NOTHING was ever mentioned to me before I left about what had happened the previous Friday in Baltimore, even though my supervisor had knowledge about an incident occurring.
- When I was brought in for the meeting on Wednesday, February 1, 2006, I was blindsided by what Scott, Rich, and Nic brought up. Please see my detailed recollection enclosed in this package. It is my belief that they were setting me up, and had knowledge of a videotape of the incident even though they did not tell me about it during that meeting. Even after talking with me about the incident, and the fact that I may have forced a door open, they still allowed me to fly the 921/922 run that took me through Baltimore again.
- I had several conversations with Amanda Baker, and she said that the Maryland Aviation Administration only wanted to educate our pilot group, and their intent was not to get anyone fired. I believe Johnny Moore, a manager at Signature Flight Support BWI, was fully aware that his personnel were either not in the FBO or behind the counter, or were sleeping on the job, and was attempting to take some of the heat off himself by implicating us. In his report to Rich Wilber, he or his personnel outright lied in saying that someone told us to stop when we were leaving the FBO that evening – of that much I am sure.

- I called Dave Meinhard on or about February 6, 2006, and asked him why the investigation was progressing when the Maryland Aviation Administration was not – and could not – take any action against the company. He asked who I spoke to, and I told him Amanda Baker. From that point on, I was not able to communicate with Amanda Baker, though she had told a close friend of mine who works with her that it seemed as if the company was ‘trying to push Chris out’. Most recently, I was referred to her legal department, specifically Louisa Goldstein, who can be reached at [REDACTED]
- Also on February 6, 2006, Debbie Ketner who works in the Quest Flight Department office overheard Mike Debkowski, a pilot, talking with Jessica Hannigan, a dispatcher, about my situation. He asked if Chris had been fired yet, and she said no. Mike said, “Well, you mean no, not yet.” He commented that this was their way of pushing me out. He then commented that **he didn’t think it was fair that Adam Mogel** (my copilot from that night) **was also suspended for lying**. Mike made the comment that they had videotape of the incident, and that Adam’s story didn’t match up exactly with what he had told them. **HOW DOES A REGULAR LINE PILOT KNOW WHAT IS GOING ON IN A SUPPOSEDLY CONFIDENTIAL INVESTIGATION, AND THAT THERE WAS VIDEOTAPE OF US?** Mike Debkowski amazingly knew that they weren’t going to bring Adam back on February 6, 2006, when they didn’t officially tell Adam until February 17, 2006. Mike Debkowski also knew about the videotape, even though I was not informed of it until my phone call with John Lavin on February 9, 2006.

This details some points that are not in the other enclosed paperwork. As always, if you have any questions, please don’t hesitate to contact me. I look forward to working with you on this, and hope we can get a settlement that is fair and equitable.

I am in the process of filing the additional retaliation EEOC charge, and will fax you a copy of it before I submit it to ensure it includes all necessary details.

Thanks for your help, and there will be a check in the amount of \$2500.00 on the way to you soon.

Please note my updated mailing address below.

Sincerely,


[REDACTED]
Chris Andreychik

[REDACTED]
Philipsburg, PA 16866
[REDACTED]