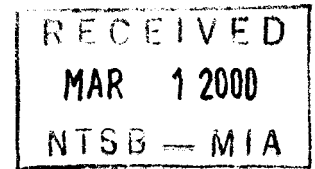




EMBRY-RIDDLE
AERONAUTICAL UNIVERSITY



Flight Department
600 S. Clyde Morris Blvd.
Daytona Beach, Fl 32114-3900
904-226-6800 FAX:904-226-6274

Aviation Safety Office

Friday, February 4, 2000

Mr. Timothy W. Monville
Air Safety Investigator
National Transportation Safety Board
Southeast Regional Office
8405 N.W. 53rd Street, Suite B-103
Miami, Florida 33166-4511

Dear Tim,

This letter is being written to you in reference to NTSB Identification MIA00FA041A. Accident occurred on 12/03/99 at DeLand, Florida and involved a Piper PA-28-161, registration N153ER and a Piper PA-44-180, registration N3038N.

Included in a package of information that you forwarded me to me recently, was a copy of The NTSB Pilot/Operator Aircraft Accident Report (form OMB No. 3147-0001) submitted by Phoenix East Aviation, Inc. The nonfactual contents of the Narrative History of Flight section, contained on page 6, deeply concern me.

Given that we are in the fact-gathering phase of the investigation I would respectfully suggest that the Narrative History of Flight section, referred to above, not be included in the Supporting Documentation File. I would also request that Phoenix East Aviation, Inc., be instructed to resubmit their Narrative History of Flight section in such a way that that it accurately describes N3038Ns final flight. Should you deem my request unwarranted or improper, I would ask for the opportunity to resubmit my report so that others may offer their opinion.

Please feel free to contact me if I can be of further assistance.

Sincerely,

Grant M. Brophy, ASI
Aviation Safety Program Manager &
Chief Air Safety Investigator

Cc. file