



**Survival Factors Attachment- Passenger Interviews**

**Biloxi, Mississippi**

**HWY17MH010**

(690 pages)

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: \*

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FATAL COLLISION OF CSX FREIGHT \*

TRAIN AND TEXAS TOUR BUS \* Accident No.: HWY17MH010

BILOXI, MISSISSIPPI \*

ON MARCH 7, 2017 \*

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\* \* \* \* \*

Interview of: DONNA BARTSCH

3000 South IH-35  
Suite 150  
Austin, Texas

Monday,  
April 10, 2017

## APPEARANCES:

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National Transportation Safety Board

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I N T E R V I E W

(11:00 a.m.)

1  
2  
3 MR. LaPONTE: So let me just give you a brief outline of the  
4 NTSB. I don't know what -- most folks have never -- first of all,  
5 don't know who we are, and secondly, have never worked with us.

6 So what the NTSB is, we're an independent federal agency and  
7 we are tasked by Congress to investigate every civilian or civil  
8 aviation accident in the United States and overseas if they are  
9 U.S. built aircraft or components. But, in addition, we also  
10 investigate accidents in highway, marine, rail and then pipeline  
11 and hazardous materials.

12 And the purpose of our investigation of an accident is to  
13 come up with a probable cause, not a liability cause, but a  
14 probable cause of the sequence of events the led up to the  
15 tragedy. And then we look at that and we try to determine if  
16 there's systematic flaws in the system. So you know, did the  
17 company do all it was supposed to do when it vetted the driver?  
18 Did -- was the vehicle maintenance everything it should have been  
19 by regulation or otherwise?

20 And then we come up with hopefully a recommendation that we  
21 give to various people. We give them to the FMCSA, to the  
22 Department of Transportation, federal highway, motor carriers,  
23 manufacturers, and we say, our investigation indicated X. And if  
24 you were to do Y, you know, this may not happen in the future.

25 And so that's what we do and that's why we are investigating

1 this. We are not doing this to --

2 MR. STEWART: About saving lives.

3 MR. LaPONTE: It's about making transportation safer for  
4 everyone who's out being, you know, out in the public there.

5 So that being said, what we are interested in basically,  
6 Donna, from you is, you know, your impressions of what happened  
7 from the time you were picked up in Bastrop on Sunday and told  
8 even the day of the accident.

9 And then Sheryl is a survivability specialist. So what she  
10 does is she's trying to determine where people were sitting on the  
11 motor coach.

12 MS. BARTSCH: Okay.

13 MR. LaPONTE: So that when they finally do -- we get done  
14 doing all the examination of the motor coach, we can say, well,  
15 the people that were in these seven seats that were on the impact  
16 side of the coach had -- the coach had more reinforcement, you  
17 know, this may have changed something or whatever. So that's what  
18 she does.

19 I specialize in motor carriers. So I look into their  
20 operations to see if they are operating according to the rules and  
21 regulations, if they are operating according to common sense. I  
22 was in the trucking business for 4 years, then I worked for FMCSA  
23 for 6 years as an investigator. And then I retired the second  
24 time and flunked. So now I do this.

25 So anyway, that's the purpose. So we are not here to, you

1 know, cast any blame or dispersion or anything. We are just  
2 trying to figure out, you know, what happened that day and because  
3 there were, you know, 48 or 49 people on that coach, you know,  
4 it's a bigger task than sometimes it is when there's only a few  
5 folks involved.

6 MS. BARTSCH: Yes.

7 MR. LaPONTE: So we do appreciate you taking the time and  
8 coming to meet with us. I know it's, you know, it's difficult to  
9 think about some of that stuff and we do appreciate you doing  
10 that.

11 MS. BARTSCH: I'll do my best.

12 MR. LaPONTE: Okay. Do you want any rules of the road for  
13 you here, Counselor?

14 MR. STEWART: No. Go right ahead.

15 MR. LaPONTE: I always ask.

16 MR. STEWART: I appreciate that. She's here to tell you what  
17 she knows.

18 INTERVIEW OF DONNA BARTSCH

19 BY MR. LaPONTE:

20 Q. Okay. So why don't we just -- Donna, why don't you just  
21 start, if you would, from the day you were picked up, Sunday,  
22 until you got to Tuesday morning in Bay St. Louis. You know, tell  
23 us what kind of went on and what the tour was like and --

24 A. Well, we boarded the bus and departed the First National Bank  
25 at 8:00. Drove to our first bathroom break. I think it's the Big

1 Bucky's in Bay Town because it has lots of potties. So, and then  
2 from there we went on to -- I'm not sure of the little town, but  
3 we stopped for lunch somewhere in Louisiana.

4 Q. Okay.

5 A. Had a Dollar Tree and fabric store.

6 Q. Yeah. I have your itinerary.

7 A. Okay.

8 Q. So it looks like you stayed -- it doesn't say where you  
9 stopped for lunch. It just says, lunch on your own.

10 A. No. Lunch is on your own, is so -- normally what they try  
11 and do is find a little shopping center that has three to five  
12 eateries.

13 Q. Oh, yeah.

14 A. So we can all go different places and not 40 whatever of us  
15 go to --

16 Q. Okay.

17 A. So we did that, ate lunch. And then, of course, I say we get  
18 on the bus, we ride. We stop. We pee. We get back on the bus.  
19 We ride, we eat and then we pee. Anyway.

20 Q. You got to have priorities.

21 A. Exactly. And then I'm thinking somewhere about 4:30 or so in  
22 the afternoon we got to the hotel in Lafayette.

23 Q. Okay.

24 A. We got settled in there for a while and then we all boarded  
25 the bus and went down the road a little bit, and they took us to a

1 little place that had a Chili's and a I think it was a Waffle  
2 House. So that was our eating for the evening.

3 Q. Okay.

4 A. And then they usually give us about an hour, hour and 40  
5 minutes or so for everybody to get fed and whatever and back to  
6 the hotel.

7 Q. Okay.

8 A. Got up Monday morning and left. After breakfast, we left and  
9 went on towards Bay St. Louis. Of course, again, with every 2½  
10 hour or so it's the bathroom again, and the lunch on our own  
11 again. And I'm thinking it was maybe 3-ish or so in the  
12 afternoon --

13 Q. Uh-huh.

14 A. I didn't pay a lot of attention to the time because I'm on  
15 vacation.

16 Q. You left your watch at home.

17 A. Well, I don't wear them. So we got to the Bay St. Louis  
18 hotel. Got checked in. Went down, gambled a little bit. Went  
19 back to our room. Met Joyce and Helen in the buffet, cafeteria,  
20 and has supper with them. And then we went back to the room, went  
21 to bed.

22 The next morning, we got up. They had a special place for  
23 the Diamond Tour people to eat in a different room.

24 Q. Uh-huh.

25 A. So we all had breakfast down there. And then went gambled a

1 little bit. We knew that we had to be on the bus by 1:15. So we  
2 gambled a little bit then stayed in the room until it was about  
3 time to go down. And then we pulled out about 1:30.

4 Q. Okay. Was -- did you notice anything peculiar or anything  
5 out of the ordinary with the driver or the trip, or how the bus  
6 was being operated or?

7 A. Just seemed like all the ones we had been on before.

8 Q. Okay.

9 A. I mean, he was nice. He helped us on. Helped us off.

10 Q. Uh-huh. Okay. all right. Okay. And were you on this?

11 MR. MARK BARTSCH: No. I stayed home.

12 MR. LaPONTE: How did you get out of this trip?

13 MR. MARK BARTSCH: Somebody has got to earn money for her to  
14 go on these trips.

15 MS. BARTSCH: Actually he --

16 MR. MARK BARTSCH: I can't gamble for 4 days in a row. It's  
17 not good for me.

18 MR. LaPONTE: Okay. All right.

19 MR. MARK BARTSCH: They were going to stay at this Hollywood  
20 Casino --

21 MS. BARTSCH: Bay St. Louis for 4 nights, for 4 days.

22 MR. MARK BARTSCH: For 4 nights. And if I would have went, I  
23 would have come back with no money. I would have been broke. I  
24 would have had to borrow money to come back.

25 MS. BARTSCH: It was my -- it was our -- we called it a

1 sister trip. So it was my sister and I.

2 MR. MARK BARTSCH: Yeah.

3 BY MR. LaPONTE:

4 Q. Okay. And your sister is whom?

5 A. Starr Waneck.

6 Q. Oh, okay.

7 MS. HARLEY: Starr, okay.

8 MS. BARTSCH: It's with two Rs, W-a-n-e-c-k.

9 MR. MARK BARTSCH: But I had been on these trips before, you  
10 know, and it's a lot of fun. I went to Canada for like 11 days.  
11 It was great.

12 MR. LaPONTE: Did you go up to Ontario, that part of --  
13 Eastern?

14 MS. BARTSCH: Uh-huh.

15 MR. MARK BARTSCH: I think we did, yes.

16 MR. LaPONTE: Okay.

17 MR. MARK BARTSCH: We went to Toronto one time.

18 MR. LaPONTE: Yeah.

19 MS. BARTSCH: Niagara Falls.

20 MR. MARK BARTSCH: That's a big old place.

21 BY MR. LaPONTE:

22 Q. Does the senior center arrange several of these a year? How  
23 does that work? I mean, they obviously are not a travel agent,  
24 but this is --

25 A. No. Normally there's one in the fall usually. And we went

1 to Branson. No problems; good trip up, good trip back. We had a  
2 blast. They also normally do two trips a year just to Coushatta  
3 and back for, like an overnight trip.

4 Q. Oh, okay.

5 A. They didn't do that this February because they were fixing to  
6 do the big gambling one in March. So they didn't do that one this  
7 year.

8 Q. Okay. All right. And so, obviously, the senior center --  
9 help me understand this. The senior center just gets -- do they  
10 get input from the members of the senior center and say, what do  
11 you folks want to do, or --

12 A. There's --

13 Q. -- you know, what would you like to see offered or --

14 A. I guess there's a -- the travel ladies that do it. Many  
15 years ago, it was his mother that did this and they did it through  
16 First National Bank. And then the bank got out of it and then the  
17 senior center kind of took it over.

18 Q. Okay.

19 A. There's three ladies that are, I guess, the travel  
20 committee --

21 Q. Uh-huh.

22 A. -- Carol Wright, Betty Robles, and Mary Lucas. Those are  
23 usually the three ladies that are in charge and, you know, tell us  
24 we're going to be doing this, this and this. And those are the  
25 ladies that normally pick out the trips and then set everything

1 up. And, you know, normally it's all a nice wonderful trip. And  
2 they, you know, they've been doing this for years. They go up and  
3 see the leaves changing in the fall and --

4 Q. Uh-huh.

5 A. -- they had already had on the books a trip for Colorado in  
6 September. My daughter and I were already signed up for that. It  
7 has since been cancelled.

8 Q. They cancelled all the trips for the rest of the year or?

9 A. That's the only one I knew about.

10 Q. Oh, okay.

11 A. Some of them had some trips going to Costa Rica. They have  
12 an Alaskan cruise coming up May and June. I wasn't involved in  
13 those, weren't going on any of those.

14 Q. Okay.

15 A. So --

16 Q. So they offered more than just one or two gambling trips a  
17 year, so --

18 A. Exactly. And it's just ---

19 Q. -- you have a lot of choices?

20 A. Yeah. And I think it's just something they set up through  
21 the center and it helps, I guess, the senior citizens.

22 Q. Uh-huh.

23 A. They get better rates or whatever. So --

24 Q. Well, yeah, when you do a group generally you get a better  
25 rate. So, okay. So the morning of the -- this Tuesday morning?

1 A. Tuesday morning, like I said, we had the breakfast and stayed  
2 around the casino. And we were to load the bus at 1:15.

3 Q. Okay.

4 A. And we pulled out around 12:30.

5 Q. Okay.

6 A. And we pretty much almost all of us sat in our regular seats  
7 except for Louisa. She normally sat behind us with her sister  
8 Janie, but she wanted to ride by the window. So the lady over  
9 here traded spots. So Louisa was over here to my right. That's  
10 the only thing I know that was different than where anyone else  
11 had been sitting the previous day. It was just --

12 Q. So were these seats assigned by the driver --

13 A. No. We picked and choose.

14 Q. -- or you guys just kind of picked them when you first got  
15 on?

16 A. Uh-huh. We pick and choose where --

17 Q. Okay. Then after that you put a little sticker on it and  
18 said this is my seat?

19 A. No. We all kind of know where we sit and who's in front of  
20 us and who's in back of us.

21 MR. MARK BARTSCH: Kind of like church.

22 MR. LaPONTE: Kind of like church, yeah.

23 MS. BARTSCH: That's our pew. Don't sit there.

24 MR. LaPONTE: That's right.

25 BY MR. LaPONTE:

1 Q. So I thought maybe you were --

2 A. And pretty much like your coat or your blanket or your neck  
3 pillow it's there in your seat. So --

4 Q. So you leave that on the coach when you --

5 A. And pretty much, yeah.

6 Q. Overnight?

7 A. Yeah.

8 Q. All right.

9 A. So nothing has ever been taken.

10 Q. No, I just --

11 A. I mean, just he locks the bus at night and --

12 Q. Yeah. I was just curious, you know, if they were that  
13 structured that they would say, oh, okay, you know, you sit here,  
14 you sit there.

15 A. No. In the past they do say that they want to -- like  
16 everybody move up a seat on the next day. But we don't like that.  
17 So we don't play that game. We like the seats we picked out and  
18 the people we were sitting by. So we're just kind of --

19 Q. Okay. That make sense.

20 A. -- I guess old and stuck in our ways. That's where we want.

21 Q. You're the customer. So you get --

22 A. Yeah, we want to be happy.

23 Q. -- those are the kind of choices you get to make, absolutely.

24 A. We want to be happy. So pulling out of the hotel we just  
25 venture down the road. Of course, everyone's talking, taking

1 pictures and doing what have you.

2 Q. When you pulled out of the hotel, which way were you going?  
3 Do you remember? Were you going towards the freeway or were you  
4 already going to take the quote/unquote --

5 A. We were going --

6 Q. -- scenic route?

7 A. No, we were -- when we got on the bus we were headed to  
8 whatever the itinerary said --

9 Q. Yes.

10 A. -- we don't pay -- once we get there, I don't pay any  
11 attention to that. Just the times of when we are going the get  
12 there and not get there.

13 Q. Okay.

14 A. So we pulled out of the parking lot and went back down  
15 towards the main road --

16 Q. Uh-huh.

17 A. I guess it was a main road. And he pulled out, then he  
18 pulled right back into a little -- I think what kind of store it  
19 was or even it might have been a shutdown business. But I didn't  
20 see a sign. And then Carol got on the radio and said, "Louis,  
21 would like to take us the scenic route? Is everybody okay with  
22 that?" And, of course, everybody was like, yeah, they wanted to  
23 go down by the water.

24 Q. Right.

25 A. So we went that way. It was a four-lane highway.

1 Q. Uh-huh.

2 A. Just, you know, I didn't see any problems. I got lots of  
3 pictures of the ships and the lighthouse and the birds on the sand  
4 and --

5 Q. Uh-huh.

6 A. -- you know, the last picture I took was of a Slap Your Mama  
7 Barbecue place. It was a big --

8 MS. HARLEY: I saw that place.

9 BY MR. LaPONTE:

10 Q. Someone else took a picture of that I heard rumored.

11 A. Because -- well, because my great nieces all show pigs. So I  
12 took it for them, just so I could show them when we got back.

13 And then I don't know, I think it took us about an hour.

14 Like I said, we're on there to have fun and enjoy the fellowship  
15 and talk and visit and see stuff, you know. Tons of houses for  
16 sale along that beach road.

17 Q. Uh-huh.

18 A. I did notice that. So I guess it took maybe an hour to get  
19 over there. I don't, you know, don't specifically know. I can't  
20 quote -- don't quote me on that time.

21 Q. Yeah. No, that's fine.

22 A. But then I do remember we turned down what seemed to be like  
23 a smaller road, maybe it was two roads. And on the right was the  
24 Hard Rock Casino with a big tall guitar.

25 Q. Yeah. Uh-huh.

1 A. And then it seems like right after that we took a left down a  
2 much smaller road. Looked to me like a very small road. That it  
3 wouldn't house like too much traffic going both ways.

4 Q. Uh-huh.

5 A. Like I said, I wasn't paying that much attention because I  
6 didn't think I'd ever have to, you know, go back through and dig  
7 all that and try and figure out where I was. And then we didn't  
8 go very far on that road, I don't think and then that's when we  
9 encountered the railroad track.

10 Q. Okay. So when you -- do you remember when you pulled up to  
11 the railroad tracks, did the driver stop and, you know --

12 A. I'm going tell you, honestly, if he did, I wasn't paying a  
13 bit of attention.

14 Q. Okay.

15 A. I mean, I just -- we were just talking and --

16 Q. Yeah, sure. Okay.

17 A. So I can only answer truthfully.

18 Q. No, I understand.

19 A. I couldn't tell you yea or nay.

20 Q. And, you know, we have many -- several people like yourself  
21 that said I don't remember. Several are very adamant that he did.  
22 The driver was adamant. They are trained to stop.

23 A. Yes.

24 Q. They are supposed to stop before they start over railroad  
25 tracks.

1 A. Yes. Like school buses. I've been on field trips with kids  
2 and it's like the bus, school bus would always stop, open their  
3 door and look and --

4 Q. Uh-huh.

5 A. But truthfully, I cannot tell you whether he stopped or not.

6 Q. Okay.

7 A. After turning down that then the next thing I realize is it's  
8 stuck on the track. And it seems like he tried to go back and  
9 forth and then -- then we looked out the window and then that's  
10 when we saw the train. That's when I saw the train.

11 Q. Uh-huh. Which side of the coach were you sitting on?

12 A. I was on the driver's side.

13 Q. Okay. Were you at the window on the driver's side?

14 A. My sister was at the window.

15 Q. The window, okay.

16 MR. LaPONTE: Sheryl, do you have where Donna was sitting on  
17 the coach?

18 MS. HARLEY: Sure.

19 BY MS. HARLEY:

20 Q. Okay. You said that people had their seats they liked.

21 A. Uh-huh.

22 Q. Okay. So what I have here is actually a diagram of the bus.  
23 And I guess to make it easier -- let's start from the beginning.  
24 You were sitting with your sister, Starr?

25 A. Uh-huh.

1 Q. Okay. Do you remember who was sitting in front of you?

2 A. Helen and Joyce.

3 Q. Helen and Joyce was sitting in front of you. Which one was  
4 at the window?

5 A. Helen.

6 Q. Helen was at the window so Joyce would be on the aisle.

7 A. Was on the aisle.

8 Q. Was on the aisle. That's Joyce Hoffman?

9 A. Uh-huh.

10 Q. Okay. Was she related to Kenneth and Peggy?

11 A. No, ma'am.

12 Q. No? Okay.

13 A. No. And we discussed that because the first night at  
14 Lafayette what they do is they get the room keys, then they call  
15 people out and they called the Hoffmans and she was like I don't  
16 think I know them. So you know, she referenced that that she did  
17 not know who they were.

18 Q. Were there two different groups on this one bus

19 A. Well, we picked up eight passengers in Sealy. Every --  
20 anybody can go on these trips, if they have a friend of a friend.  
21 We've had people come from Tobrian, you know, they just -- so, but  
22 then we made the stop in Sealy and picked up the eight people.  
23 None of us knew those people.

24 Q. So you didn't know the eight that were picked up at Sealy?

25 A. I didn't know the eight people. No.

1 Q. Okay.

2 A. That first night when, that first night, Sunday night when we  
3 ate at the Waffle House they did seat us with two people from  
4 Sealy. My sister and I sat with a man and his wife.

5 Q. Okay.

6 A. But I don't -- I couldn't remember their names.

7 Q. Okay.

8 MR. LaPONTE: So Joyce Hoffman --

9 MS. BARTSCH: Was sitting in the seat right directly in front  
10 of me.

11 MR. LaPONTE: But she's not related to the other --

12 MS. BARTSCH: She's not related to the deceased Hoffmans.

13 BY MS. HARLEY:

14 Q. Okay. So let's go on. So you have Helen and Joyce in front  
15 of you. Okay. Who was across the aisle from you?

16 A. Rachel and her partner. I think Rachel is from Lockhart.

17 MR. LaPONTE: Is that Rachel Martinez?

18 MS. BARTSCH: I believe so.

19 BY MS. HARLEY:

20 Q. And do you know who the -- her partner?

21 A. Huh-uh, I don't remember her name.

22 Q. Okay. Do you know who was sitting on the aisle?

23 A. Rachel was sitting next to me.

24 Q. So Rachel was on the aisle?

25 A. Uh-huh.

1 Q. Okay. Do you know who was seated behind you?

2 A. I believe that was -- it was Janie and Louisa originally.

3 Q. Okay.

4 A. And when we boarded at 1:15 Rachel's partner and Louisa had  
5 traded seats. So that meant Louisa was at the window with Rachel  
6 at the accident.

7 Q. Okay. I got it. So Louisa changed seats with Rachel's  
8 partner?

9 A. Yes, ma'am.

10 Q. Okay. All right.

11 A. And as far as I know that's the only changes that I knew. I  
12 mean if somebody changed further in the back.

13 Q. Okay. So the three trip organizers you had Carol.

14 A. Carol.

15 Q. You had Mary Lucas?

16 A. Lucas. Uh-huh.

17 Q. And the other one was?

18 A. Betty Robles.

19 Q. Was Betty, okay. Where was Carol seated?

20 A. In the front, I guess passenger side.

21 Q. Okay.

22 A. Her and Kaye were in the front seats.

23 Q. Okay.

24 A. That was her partner.

25 Q. So Kaye is Mary Kaye Kieke, right?

1 A. Yes.

2 Q. Okay. And where was Mary Lucas?

3 A. She was sitting directly behind the driver with -- I think  
4 that was her -- they said that was her cousin. Is her name Yvonne  
5 maybe? I've never met her before.

6 MR. LaPONTE: She stated when we spoke -- I spoke with her  
7 briefly that week and she stated she was sitting with her cousin.  
8 I came away with the impression that she was sitting on the  
9 passenger side of the coach.

10 MS. HARLEY: That's okay.

11 MS. BARTSCH: No, Mary Lucas and her cousin were directly  
12 behind the driver.

13 BY MS. HARLEY:

14 Q. Okay. So behind Carol and Mary Kaye -- or you call her Kaye?

15 A. We call her Kaye.

16 Q. Okay. Behind Kaye.

17 A. Didn't know anything about Mary.

18 Q. Yeah.

19 A. Behind Kaye was J.C. and Betty Roble.

20 Q. J.C. and Betty. Do you know who was sitting on the aisle?

21 A. Betty sits on the aisle in case she has to, you know, talk on  
22 the microphone or -- I've always seen her sit on the aisle.

23 Q. Okay. All right. Do you know who was seated behind them?

24 A. I think that was the lady from Smithfield, Betty -- I don't  
25 know how you say her last name -- Hijack, Hiyack, or I'm probably

1 saying it totally wrong.

2 Q. Okay. Let's see.

3 A. But I believe Betty was behind her.

4 Q. Okay. Betty from Smithfield, let me see if I can -- Kahanic  
5 (ph.)?

6 A. Kahanic, yeah.

7 Q. Okay. So you had Betty. Do you know who Betty was seated  
8 next to?

9 A. Betty lost her partner in Lafayette due to illness.

10 Q. Okay.

11 A. So she stayed behind in Lafayette.

12 Q. Okay.

13 A. And when back home, I guess. But she got sick.

14 Q. Okay. All right. So was Betty seated by herself?

15 A. As far as I know.

16 Q. Okay. Do you know if she was sitting at the window or the  
17 aisle?

18 A. No.

19 Q. Okay. All right. So behind Betty I'm really -- it's going  
20 to get tougher I'm telling you.

21 A. It is because it's like I'm not sure.

22 Q. Okay.

23 A. Can we go from Rachel up?

24 Q. Sure.

25 A. And I can go as far to see how many seats that is?

1 Q. That's absolutely fine.

2 A. Okay. So in front of Rachel was Sharon Nokes and her  
3 partner. Sharon is by the aisle.

4 Q. Sharon is at the aisle.

5 A. And then in front of them were the two youngest sisters on  
6 the bus and I don't recall their names.

7 Q. Does the name Lisa mean anything to you?

8 A. I can't truthfully say.

9 Q. Okay.

10 A. I just don't remember their names.

11 Q. Okay. So the two --

12 A. There was an Yvonne somewhere on that bus. I remember  
13 someone calling someone Yvonne.

14 Q. Okay. As a matter of fact, I think I know exactly who you're  
15 talking about. Right. Yvonne Kyle and Lisa Smith. So they were  
16 the two --

17 A. They, I bet those are sisters.

18 Q. Yes, they are.

19 A. And one was 50 and one was 60.

20 Q. Yes, that's correct.

21 A. We all discussed who's the youngest on the bus.

22 Q. Who's the youngest, okay. So we have Lisa and Yvonne, great.

23 A. Okay.

24 Q. Okay.

25 A. Now, I believe in front of them was Cathy and Mike Turner.

- 1 Q. Cathy and Mike Turner.
- 2 A. So what seat are we getting to?
- 3 Q. Well, I'm not worried about seats yet.
- 4 A. Oh, okay.
- 5 Q. Okay. I just want you to place people.
- 6 A. Cathy was aisle seat.
- 7 Q. Cathy was at the aisle.
- 8 A. And the younger sister that we just spoke about --
- 9 Q. Yeah.
- 10 A. -- being 50 --
- 11 Q. Yes.
- 12 A. -- she was on the aisle.
- 13 Q. So Lisa was on the aisle. Okay.
- 14 A. And then I'm not sure who was in front of Cathy.
- 15 Q. Okay.
- 16 A. I mean I guess they got too far up. I guess because I know
- 17 Mike and Cathy from the senior center.
- 18 Q. Okay.
- 19 A. So if it was a couple that are on the bus that I didn't know
- 20 then --
- 21 Q. Okay. So let's see. We have in front of you, right --
- 22 A. Uh-huh.
- 23 Q. -- let's go back.
- 24 A. Helen and Joyce.
- 25 Q. You have Helen and Joyce in front of you. Do you know who

1 was in front of them?

2 A. Marie and Darwin --

3 Q. Okay.

4 A. -- Hanna, and Marie was by the window.

5 Q. Marie was by the window and Darwin was at the aisle. Okay.  
6 And in front of them?

7 A. I'm not a hundred percent sure.

8 Q. Okay.

9 A. I don't know if -- I don't know if Tim and Debbie were in  
10 that one or the one in front of that one.

11 Q. But Tim and Debbie were in front of you?

12 A. Yes, ma'am.

13 Q. Okay. So let's start -- maybe let's make this easy. Mary  
14 Lucas was directly behind the driver with her partner.

15 A. Uh-huh.

16 Q. Do you remember who was seated behind them?

17 A. Probably a couple I didn't know.

18 Q. Okay. All right. So all right, so you've got Helen and  
19 Joyce in front of you. Behind you is?

20 A. Janie and Louisa.

21 Q. Is Janie and Louisa and we know that Louisa switched with --  
22 seats?

23 A. Switch seats.

24 Q. Okay. And then you don't know who was behind them?

25 A. No.

1 Q. Okay.

2 A. I know Debbie, was she listed as Debbie Gurtz or Debbie King?

3 Q. King.

4 A. Okay. She was I think the second seat from the back on the  
5 driver's side.

6 Q. Okay.

7 A. I do remember that.

8 Q. Second seat from the back. She was on the driver's side.

9 A. Uh-huh.

10 Q. Do you know if she was seated on the aisle or at the window?

11 A. No. I just remember --

12 Q. No? Okay. All right. So now we are going to really get  
13 tough. Do you know what seat number you were in?

14 A. Well, I'm going to say maybe because when the guy sent our  
15 stuff back, we received our blankets, we took little lightweight  
16 blankets and they were folded and put inside this baggie, clear  
17 baggie, and it stated on there 187. I'm assuming that's articles  
18 number 187 dash 19. Maybe that's the seat?

19 Q. Okay. All right.

20 BY MS. HARLEY:

21 Q. When the police inventoried the coach, they made a list of  
22 everything. In fact, before we leave I have some pictures to show  
23 you because we still have some articles that are --

24 A. Yes, two of them are mine.

25 Q. Well, we don't give up.

1 A. I hope so.

2 MR. MARK BARTSCH: She's still missing a cup like that that  
3 cost us a lot of money.

4 MR. LaPONTE: Oh, I don't know about that.

5 BY MS. HARLEY:

6 Q. Okay. So now we are going to do this picture-wise. So  
7 here's where the driver is. This is the driver's seat.

8 A. Uh-huh. Okay.

9 Q. So just to be sure I understand this. Here at the window  
10 first --

11 A. Okay. Uh-huh.

12 Q. -- first seat on the passenger side was?

13 A. Kaye.

14 Q. Was Kaye. Okay. and that means that Carol was sitting on  
15 the aisle?

16 A. Was sitting in the aisle. Uh-huh.

17 Q. Okay. Directly behind the driver you had?

18 A. Mary.

19 Q. Okay. And then we have her --

20 A. And her cousin.

21 Q. And her cousin. Okay. And so, on the passenger side behind  
22 Kaye and Carol we had?

23 A. J.C.

24 Q. J.C.

25 A. And Betty.

- 1 Q. And Betty and Betty was at the aisle?
- 2 A. Uh-huh.
- 3 Q. Okay. Great. And then behind them?
- 4 A. I believe was Betty Kahanic.
- 5 Q. Was Betty Kahanic.
- 6 A. She was a sole person.
- 7 Q. A sole person on the seat. Okay.
- 8 A. So I don't know where she sat.
- 9 Q. Okay. That's all right. So I don't mix up my Bettys here.
- 10 A. Okay. Sorry.
- 11 Q. No, no, no. There are a couple Betty's here. I just want to  
12 make sure I don't mix them up. Okay. And do you remember who was  
13 sitting behind her?
- 14 A. Could that be where Cathy and Mike were sitting?
- 15 Q. Okay.
- 16 A. I don't know how many seats.
- 17 Q. Okay.
- 18 A. If I knew where like we were --
- 19 Q. Okay. You said that you had looked out the window.
- 20 A. Uh-huh.
- 21 Q. When you looked out the window, what was your position  
22 relative to the track; do you remember?
- 23 A. (No response.)
- 24 Q. When you saw the train, was it slightly in front of you?
- 25 A. (No response.)

1 Q. Was it behind you?

2 A. It was, it was like we were directly -- seemed like we were  
3 directly over the track --

4 Q. Okay.

5 A. -- and the train is like right straight, straight line at us.

6 Q. Okay. So your seat was, basically, in the center of the  
7 track?

8 A. I don't know so.

9 Q. Okay. All right. All right. So all right. So let's see.  
10 So behind Cathy and Mike we have the two youngest sisters?

11 A. Sisters. Uh-huh.

12 Q. Which was Lisa and Yvonne?

13 A. Uh-huh.

14 Q. And then behind them we had Sharon --

15 A. Sharon Nokes and her partner and I don't know her name.

16 Q. Okay. And behind Sharon was?

17 A. Should be Rachel and then Louisa was sitting with her.

18 Q. Okay. And then Louisa was sitting with her.

19 A. Uh-huh. She was by the window.

20 Q. Okay. So this is Louisa and this is Rachel. Okay.

21 A. And then that means I would have been right across from her.

22 Q. And so, you were?

23 A. I would have been here.

24 Q. Okay. So you're here.

25 A. And sister was by the window.

1 Q. And Starr was by the window.

2 A. Uh-huh.

3 Q. Okay. All right. Okay. So and you remember that Debbie  
4 King was --

5 A. She was -- after the train stopped, she was standing in that  
6 second seat from the back right there.

7 Q. She was standing right here?

8 A. Uh-huh.

9 Q. Okay.

10 A. And if I'm not mistaken Ms. Mollie was either in this second  
11 seat in front of the bathroom.

12 Q. Uh-huh.

13 A. I think she was in that second seat. I think she was closer  
14 to the restroom. And she would have been sitting. She had been  
15 sitting throughout the rest of the trip in the aisle.

16 Q. So --

17 A. That would have been Ms. Mollie.

18 Q. Ms. Mollie. So she would have been this seat closest to the  
19 bathroom or the one up?

20 A. The second seat.

21 Q. The second one up. Okay.

22 A. I don't know who was -- and then I think this is where the  
23 Sealy people were. See we did not know them.

24 Q. Okay.

25 A. Because they had -- Carol had put reserve on these eight

1 seats.

2 Q. Oh, I see.

3 A. So nobody -- so they could all sit together.

4 Q. Okay.

5 A. Once we stopped at Sealy to pick them up.

6 Q. Okay.

7 A. Those were the four Sealy people.

8 Q. Right. These would have been the Sealy. Four on this side  
9 and four on that one.

10 A. Yes, ma'am.

11 Q. Okay. All right. Is there anyone else you can think of that  
12 we didn't talk about that you know where they were seated?

13 A. (No response.)

14 Q. Let me ask you a question. Do you know Mary Ellen?

15 A. Ms. Hall?

16 Q. Yes.

17 A. She would have been -- she was Debbie's partner.

18 Q. Uh-huh.

19 A. But for some reason I'm thinking she was sitting in a seat in  
20 front of Debbie on the aisle.

21 Q. Okay.

22 A. that's where I remember her sitting.

23 Q. Okay. All right. So we are going to put Mary Ellen here at  
24 the aisle. All right. So you okay? Need a break?

25 A. Uh-huh. No. I'm fine.

1 Q. You sure?

2 A. I'm just hoping I'm remembering this because I'm trying to  
3 figure out now where the Hoffman's were. The married Hoffmans.

4 Q. The married Hoffmans. Okay. And you did say that somewhere  
5 up here was --

6 A. Debbie, Tim and Debbie.

7 Q. -- Debbie and Tim.

8 A. I'm not sure if they were directly in front of Marie and  
9 Darwin or one seat in front.

10 Q. Okay.

11 A. And then the Hoffmans might have been there in some of those  
12 front seats. I'm trying to think because she had pretty white  
13 hair. Just a pretty lady.

14 Q. All right. So let's see. This is where you were and in  
15 front of you was Helen and Joyce.

16 A. Joyce.

17 Q. Okay. And in front of them?

18 A. Marie and Darwin.

19 Q. That's where Marie and Darwin was. And at that particular  
20 point either the next seat or the seat up in front of that is  
21 where Debbie and Time.

22 A. Would have been Debbie and Tim.

23 Q. Okay.

24 A. And then the Hoffmans were similar up in this vicinity, I  
25 believe, as well.

1 Q. Do you know if the Hoffmans were seated in front of Debbie  
2 and Tim or behind them?

3 A. I'm thinking they were in front.

4 Q. You think they were in front?

5 A. Debbie always had her hat on. So she's pretty much known,  
6 you know where she's sitting.

7 MR. MARK BARTSCH: She was a hat lady. Everywhere we went  
8 she bought a new hat.

9 MS. HARLEY: Awesome.

10 MR. MARK BARTSCH: Don't matter where we stopped, she bought  
11 her hat.

12 MS. HARLEY: As a matter of fact, even on the senior center's  
13 website she's wearing a hat.

14 MS. BARTSCH: Always has a hat on.

15 MS. HARLEY: Yes, she always has a hat on.

16 MS. BARTSCH: Can you imagine the hats she bought 11 days to  
17 Canada?

18 BY MS. HARLEY:

19 Q. Okay.

20 A. So I'm thinking in those four seats that's -- because I  
21 remember Debbie standing up. I don't know if she was reaching for  
22 her purse or what before I guess she exited.

23 Q. Okay. The -- all right. Do you remember who got off the  
24 bus?

25 A. I know now. I mean I know who got off.

1 Q. Who got off the bus?

2 A. Mary and her Cousin, J.C. and Betty, Betty Kahanic, and  
3 Rachel next to me. Those are the six that got off.

4 Q. Okay. All right. So Mary Lucas and her cousin, J.C. and  
5 Betty, Betty Kahanic and then Rachel.

6 A. Rachel.

7 Q. That was -- it was on the aisle on the other side of you?

8 A. Uh-huh.

9 Q. Okay.

10 MR. LaPONTE: And these folks do you remember, Donna, did  
11 they move away from the coach, they got off and --

12 MS. BARTSCH: I'm assuming they did. I saw something where  
13 somebody was quoted as they ran down. I don't know what down  
14 means. So I don't --

15 BY MS. HARLEY:

16 Q. That's okay if you don't know. Since you --

17 A. I mean I don't --

18 Q. -- yeah, you were still on the bus.

19 A. Okay.

20 Q. After the train hit, where did you end up?

21 A. Well, it's kind like I'm not a hundred percent sure. The  
22 impact and then I felt like I was just being tumble dried and it  
23 was just black. And then the next thing I know I'm looking and  
24 I'm standing in the aisle and I can't find my sister at that  
25 point.

1 Q. Okay.

2 A. I am in the aisle and right to my left was Marie sitting in  
3 her same seat that she was and her husband Darwin was sitting on  
4 her lap.

5 Q. Okay.

6 A. His head was pressed against the metal bar of the bus. There  
7 was no window glass left. He just -- he just sat there and  
8 stared. I still couldn't find my sister. And then Ms. Helen was  
9 kind of laid in a seat right in that same vicinity and she was  
10 just moaning and groaning, it hurts, it hurts. I still couldn't  
11 see my sister but she was -- says she was entangled, her feet were  
12 entangled with Marie and Darwin and she was somewhere laying in  
13 that seat.

14 Then I looked down and I had no shoes on. They were gone.  
15 And at that point I didn't think I was hurt and I just started  
16 hopping over the seats trying to find people and help. And at  
17 that time Joyce was laying in I guess three seats in front of --  
18 two seats in front of Marie and Darwin. She was laid out like  
19 that on her back and she was hurting pretty bad. And then I  
20 stepped over and got to the front area and that's when I saw  
21 Ms. Kaye laying on the floor, the middle of the aisle and Carol  
22 was on top of her. I don't know the timeline for all this. But  
23 there was a man in like a fireman coat in the stairwell helping  
24 Carol. We couldn't get off.

25 So I went back to see if I could find my sister and help.

1 And at that time is when I saw blood on my hand. My face was  
2 bleeding. I had some I guess glass cuts on it. And then there  
3 was a lady here right by me laying on the ground and her head was  
4 back on the seat resting where Rachel had been sitting. So I  
5 picked up my neck pillow and was going to put it under her to rest  
6 and she was like no, no, no. Don't touch me I hurt. I don't know  
7 who that was. Was there a second Joyce on the bus? I don't know  
8 her name. I don't know that lady's name.

9 But Louisa was sitting with her hand caught in between the  
10 seat and the bus. And, like I said, this time to me now has just,  
11 I have no clue on the time, 10 minutes, 30 minutes. But then  
12 there was another fireman I guess in the seat in front of Louisa  
13 and there were guys yelling from the outside to like cover us  
14 because they were fixing to break the glass by Louisa. So I took  
15 my shirt and I covered the lady laying on the floor. I had a big  
16 tent like blouse on. So I covered her and then the firemen or  
17 whoever took his jacket and covered me. And then they busted out  
18 the window because they had to do Jaws-of-Life to get Louisa's  
19 hand unstuck.

20 And then I'm not sure how long it was. The aisle started  
21 clearing and then I went to the front of the bus and that's where  
22 I found my purse. My purse had broken off of my shoulder. I had  
23 a cross-body purse. So the straps still here, but the purse was  
24 gone. I found it up under the gas pedal and the brake. It was up  
25 under there. So I picked it up and I took it with me. And when I

1 got out there that's when I finally found my sister. She was on  
2 the second blue tarp.

3 Q. Okay. So I'm going to ask you do you know Eugene and Janice  
4 GasKamp?

5 A. Huh-uh.

6 Q. No, okay. All right. Do you know Annie and Clint Havran?

7 A. Huh-uh.

8 Q. Okay. All right.

9 A. I think that's the man that died?

10 Q. Yes, ma'am. You need to stop?

11 A. No.

12 Q. All right. We are almost done. I promise.

13 A. That's okay.

14 Q. Okay. Do you know Audrey and Karen Landrum?

15 A. (No audible response.)

16 Q. Okay. Just prior to the bus being hit, do you remember  
17 anybody telling people to get off the bus?

18 A. Louis did.

19 Q. The bus driver told everybody to get off the bus?

20 A. Uh-huh. He said get off, get off.

21 Q. Okay. And as people were getting off the bus, was there a  
22 lot of people in the aisle way?

23 A. Yes, ma'am. We were already -- when he said get off, we all  
24 stood up like to get in the aisle to, you know, file out I guess  
25 in as orderly a fashion as we could.

1 Q. Right.

2 A. But I mean at that point I know I was standing. My sister  
3 would have been right behind me. And then I get the train light  
4 was right there.

5 Q. So you stood up and you were standing in the aisle. Did you  
6 -- were you able to move at all or were you just still standing  
7 there; do you remember?

8 A. We had moved from I guess just maybe one seat, two seats up  
9 because when it stopped I'm right there at -- in Darwin's seat.

10 Q. Okay. All right. So you were standing when it hit and Starr  
11 was behind you and she was also standing?

12 A. Uh-huh.

13 Q. Okay. Do you remember Marie and Darwin were they still  
14 seated prior to that? You don't --

15 A. I don't know think they -- I don't think they had gotten up.  
16 I don't -- I just don't remember.

17 Q. Okay. Do you remember who was standing in front of you in  
18 the aisle?

19 A. No. I remember seeing Debbie but there was someone in  
20 between us. Maybe it would have been Joyce. I don't -- I just  
21 don't remember.

22 Q. Okay. That's fine.

23 A. I remember Rachel pushing and shoving and going that way.

24 Q. Okay. Do you know or do you have any sense of how long you  
25 guys were there before the train struck the bus? From the time

1 that bus was stopped.

2 A. From the time it got stuck, in my mind it didn't seem like it  
3 was no more than 5 minutes or so. I guess you're not thinking  
4 about time --

5 Q. Sure.

6 A. -- when you -- because when we -- when I realized that we  
7 were stuck, you know, I look up and, of course, you see that train  
8 light. It had to have been 5, 6 blocks away. I don't know. But  
9 you could see the train and the light.

10 Q. Okay. Did you hear the train horn at all?

11 A. I never heard -- I never heard any horn. I didn't hear  
12 anybody scream or --

13 Q. Okay. All right. I tell you what, we're done.

14 So let me explain. One of the things I'm going to look at  
15 is, not only what happened but ultimately the people that were in  
16 the bus how they were injured, how they died and hopefully we can  
17 figure out what we can do to either prevent someone from being  
18 hurt again, at least lessen the severity of their injuries or  
19 prevent someone from being killed. And that's what I do.

20 If later on you think of something, no matter even if it's  
21 something small and you think it's not important, you have my card  
22 or you can -- you have a good guy sitting right here that you  
23 can --

24 A. I do remember Mike Turner.

25 Q. Mike Turner.

1 A. He had a cut like right here on his head.

2 Q. Uh-huh.

3 A. And it was like it was raised a little.

4 Q. Yeah. Do you remember if Mike was standing up?

5 A. He was -- when I saw him he was still seated. Him and Cathy  
6 both were still seated as far as I can remember.

7 Q. And who did you say was sitting on the aisle?

8 A. Cathy.

9 Q. Cathy was on the aisle.

10 A. And then Mike was sitting over here. So I don't know if it  
11 was the light vent, air condition, whatever he hit. I don't know  
12 what he could have hit to make a -- it was just like a perfect  
13 half circle cut in his head.

14 Q. Okay. Well, we'll take a look inside the bus to see if we  
15 can kind of sort of match people's injuries. Okay. But, again,  
16 there's a cell number on that card.

17 A. Okay.

18 Q. It's a 24-hour number. I won't call you in the middle of the  
19 night I promise. But you can call me.

20 A. I'll probably be awake.

21 Q. You can call me at any time.

22 A. Okay.

23 Q. And if there's something you think you remember feel free.

24 If you want to talk about the weather feel free. Okay. Not  
25 particular. I'll talk about anything to anybody.

1 A. Okay.

2 Q. Mike will tell you over there. Thank you very very much for  
3 coming in okay.

4 A. I hope it helped.

5 Q. I think it did, okay. And you get better and don't forget  
6 you need to talk to somebody and keep talking.

7 A. I already am.

8 MS. HARLEY: Okay. There you go.

9 MS. BARTSCH: I already am.

10 MS. HARLEY: All right.

11 BY MR. LaPONTE:

12 Q. I just got a couple of pictures. Do you know this was found  
13 in the motor coach and we are trying to determine who's pill  
14 keeper it might have been?

15 A. I don't know. But I'll take two.

16 Q. Well, I mean the -- you know, we don't even know what the  
17 medication are.

18 A. I would have no idea.

19 Q. Okay.

20 A. Probably supplements or --

21 Q. Yeah. A lot of them appear to be supplements, flex seed oil.

22 A. If that one was round it would be Lisinopril. I know that  
23 one. But, no, my sister doesn't take that many either. So I know  
24 it's not hers.

25 Q. We found that in the motor coach and we were trying to

1 determine, you know, someone who may have -- whose it may be. So  
2 this is the first -- this is a black jacket. It's in a plastic  
3 case.

4 A. Mine is blue jean.

5 Q. Okay.

6 A. My blue jean jacket more than likely was on the nose of the  
7 train covered in glass.

8 Q. Okay. So that's the black jacket. This is a green jacket.  
9 This is -- and I don't think it's the same black jacket, but it  
10 certainly could be, -- and I don't know that. And this is  
11 somebody's looks like a necklace.

12 A. Huh-uh.

13 Q. And this is just miscellaneous. We have an umbrella. We  
14 have a hat. We have a pair of shoes. Another I think umbrella  
15 and then a couple of odd shoes.

16 A. Now, those shoes are mine, but they gave them back to me  
17 already.

18 Q. Really?

19 A. Uh-huh.

20 Q. I just got this last Friday. I don't doubt you at all, but I  
21 just got this from Chris last Friday.

22 A. They are in my car.

23 Q. Unless this is an old photo he had.

24 A. Yeah. Because sister and I have a matching pair of shoes.

25 Q. Okay. Did she get hers back?

1 A. Yeah. She didn't have hers on that day, but, yes, she had  
2 hers on Saturday night.

3 Q. Okay.

4 A. When we went to eat.

5 MR. MARK BARTSCH: That's the moccasins?

6 MS. BARTSCH: Uh-huh. We got those. Mr. Charlie got them  
7 for me.

8 BY MR. LaPONTE:

9 Q. Okay. All right. and those are the only things that now,  
10 when I talked to Chris Jarret who owns the bus company.

11 A. Now, I will tell you what I'm missing.

12 Q. Okay.

13 A. A glass just like this.

14 Q. Okay.

15 A. It's an Artic Trail or whatever.

16 Q. Okay.

17 A. And it's been powder coated with the Texas flag. It was  
18 laying on the floor in front of where Louisa was sitting.

19 Q. Okay.

20 A. There's a big thick memory foam neck pillow that would have  
21 been out of the bag that I had my hands on because I was going to  
22 put under that lady's head. And then she didn't want to be  
23 touched --

24 Q. Right.

25 A. -- so I laid it down. So there was no -- they told us if

1 there was blood and stuff on it that we wouldn't get it back. But  
2 it was intact when I saw it last.

3 Q. Okay.

4 A. Of course, my blue jean jacket I believe is the one that was  
5 out where the train is like that. That flat part.

6 Q. Right.

7 A. The blue jean jacket was laying out there and glass was just  
8 everywhere out there.

9 Q. Uh-huh.

10 A. And then the other thing it was hanging on Sister's chair by  
11 the window. I call it a hippie bag just because it looks like  
12 something maybe they would have done, whatever. It's a big cross-  
13 body bag. It's kind of irreplaceable because we bought it in  
14 Santa Fe on our first sister trip we ever took.

15 Q. Okay.

16 A. So can't just go and buy --

17 Q. Right.

18 A. it had nothing in it because it was just a bag to carry in  
19 case you go shopping and you put stuff in it.

20 Q. Right. Yeah. Right. Right.

21 A. But it's a pretty, you know --

22 Q. Was there any advertising on it or did it say Santé Fe New  
23 Mexico?

24 A. It just I call it a hippie bag.

25 Q. -- Georgia O'Keefe Museum or anything?

1 A. No. It was just we found it in a little shop off the beaten  
2 path and I liked it and --.

3 Q. Okay. I don't know if I'll be going back to Biloxi. I know  
4 Sheryl will be to do some more work.

5 A. Well, I think somebody in Mississippi just wanted to be a  
6 Texan for the day.

7 Q. That's possible.

8 MS. HARLEY: What he'll do is he'll write up everything and  
9 then when I go back and go back to the bus again, I will check to  
10 see.

11 MS. BARTSCH: Okay.

12 MS. HARLEY: I know there's some stuff that was still on the  
13 bus.

14 MS. BARTSCH: Yeah. I mean, I can visually --

15 MR. MARK BARTSCH: You all still got it in the impound over  
16 there?

17 MS. HARLEY: Yes, the place of security.

18 MR. LaPONTE: The bus -- until we're done.

19 MS. BARTSCH: That bag was hanging just like this on Sister's  
20 seat. It was by the window on the seat wherever we were like  
21 that.

22 MS. HARLEY: Okay. All right.

23 MS. BARTSCH: I don't know maybe my memory is just too good.

24 MR. LaPONTE: We take control of -- in fact, Sheryl went up  
25 and inspected the engine that was involved, the train engine.

1 MR. MARK BARTSCH: Yeah.

2 MR. LaPONTE: And then when we are all done with it we will  
3 notify the motor coach and then they can do what they do with it  
4 through their insurance carrier and so forth. But it's still --

5 MR. MARK BARTSCH: We got her phone. The assistant fire  
6 chief found her phone inside a shoe. My daughter was calling and  
7 it lit. She had her phone on silent. It lit up and he saw it and  
8 answered it.

9 MR. LaPONTE: Good. Good.

10 MR. MARK BARTSCH: And I went -- we went to Biloxi right  
11 before we picked her up and met him and he gave her her phone  
12 back.

13 MR. LaPONTE: Yeah. I got a bunch of stuff out that Friday.  
14 Because by that time the Biloxi Police Department had decided that  
15 their criminal investigation was over. They weren't going to be  
16 pressing any charges. So they released -- at that point in time  
17 they released just about everything. And we got a bunch more  
18 stuff and a couple of phones and glasses and a watch --

19 MR. MARK BARTSCH: Did you come to Bastrop?

20 MS. BARTSCH: No, he wasn't one of the gentlemen that came to  
21 the center that night. Those were, no offense, but those were two  
22 younger guys. No offense. I'm just --

23 MR. MARK BARTSCH: There you go, Mike.

24 MS. BARTSCH: When you get my age, you describe people either  
25 young or older.

1 MR. LaPONTE: Everybody is a younger guy that I am. You  
2 know, what I'm saying. That's what I said I flunked term reports.

3 MS. BARTSCH: No, his dad was older than you. So that's  
4 okay.

5 MR. STEWART: Donna, just right quick. Before -- I know you  
6 guys are about wrapped up. But I want Donna to tell you just a  
7 little bit about her injuries. She's got some, you know,  
8 orthopedic spinal issues, and why don't you tell Ms. Sheryl just a  
9 little bit, Ms. Donna, about your injuries that you have been  
10 diagnosed with post-crash.

11 MS. BARTSCH: I have four transvers process bones severed at  
12 L1, 3, 4, and 5. I had, of course, I'm assuming tons of bruised  
13 ribs. They never told me any were broken, but that's still one of  
14 the most painful things. And I had MRIs and Dr. Josie determined  
15 that I have a bulging disc at L5 and a possible small fracture.  
16 And that's what's causing the right leg and knee and all that to  
17 go numb and hurt.

18 MR. STEWART: Then your neck?

19 MS. BARTSCH: My neck is messed up and there's it did look  
20 like I was just one big messed up thing looking at the MRI, but I  
21 don't know what MRIs say, but anyway I have this part from here,  
22 it goes up behind my ear, at times it's just very very painful. I  
23 don't know why, but anyway that hadn't been determined yet.

24 BY MS. HARLEY:

25 Q. The other question if you don't mind if I ask, did you have

1 any injuries either on your left or your right side, like you  
2 might have impacted something?

3 A. All this here was bruised.

4 Q. Uh-huh.

5 A. The back, my back there was a bruise about that size directly  
6 on my back.

7 MR. MARK BARTSCH: You want to see a picture of it?

8 MS. HARLEY: Yeah.

9 BY MS. HARLEY:

10 Q. How tall are you, Donna?

11 A. 5'3".

12 Q. You're 5'3". So you're saying it's about -- right about  
13 there?

14 A. It was right here.

15 Q. Okay.

16 A. Then there was bruising down here in the L3, 4, and 5 area.

17 Q. Uh-huh.

18 A. That was all bruised. There was one big bruise right here on  
19 my stomach.

20 Q. All right. All right.

21 A. And for about the first probably 10 days I looked like I was  
22 about 8 months pregnant. And, of course, we all know I'm not.  
23 But anyway, my stomach was very --

24 Q. Distended out?

25 A. -- distended. They did a sonogram in Mississippi but I know

1 nothing about whatever. So whatever that was.

2 Q. Okay. Do you remember what hospital you went to?

3 A. Garden Park in Gulf Port.

4 Q. You went to Garden Park. Okay. Yeah. Okay. I just want to  
5 verify that that's the hospital I have for you.

6 A. Sister and I were both there.

7 Q. Okay.

8 A. We rode in a -- they put me in the front seat of the  
9 ambulance.

10 Q. Okay.

11 MR. LaPONTE: You didn't get to ride in a gurney?

12 MS. BARTSCH: No. They took me off the gurney because they  
13 already had Sharon and my sister going. And --

14 MR. MARK BARTSCH: They still charged her though.

15 MS. BARTSCH: They still charged me. I got charged the same  
16 thing they did.

17 BY MS. HARLEY:

18 Q. You didn't get a discounted rate for that?

19 A. Nope. They just split three ways. Can you all help me on  
20 that? No, I'm just kidding. I just rode in the seat.

21 MR. LaPONTE: Did they run the siren for you anyway?

22 MR. MARK BARTSCH: Yeah, they did because she called me while  
23 she was in there.

24 MS. HARLEY: He says it was going because --

25 MR. MARK BARTSCH: We couldn't hear each other so I said you

1 call when you get to the hospital.

2 MS. BARTSCH: I called from the --

3 MS. HARLEY: At least you had a little fun.

4 MS. BARTSCH: -- little girl, the young lady driving she let  
5 me use her phone so I could call him.

6 BY MS. HARLEY:

7 Q. Okay. Just one thing. Is there anything else you think I  
8 should have asked and I didn't ask you?

9 A. I don't know what it would be.

10 Q. Okay. Well, think about it. If there's something later on  
11 that you think I missed or I might have forgotten please feel free  
12 to give me call let me know.

13 A. Okay.

14 Q. okay?

15 A. I will.

16 MS. HARLEY: All right. Thank you.

17 MR. LaPONTE: Donna, thank you. You did great.

18 MS. HARLEY: Mark, do you have any questions for me?

19 MR. MARK BARTSCH: No.

20 MS. BARTSCH: No. We'll be here all day and we have another  
21 -- no, don't want to show you all, but we have a 11:45 --

22 MS. HARLEY: Okay. Then we need to -- then let's let you go.  
23 Thank you very much.

24 MR. LaPONTE: Donna, thank you. You did very well.

25 MS. HARLEY: You did phenomenal. Thank you.

1 MR. LaPONTE: Thank you.

2 MS. BARTSCH: Some days I think I remember way too much.

3 MS. HARLEY: Yeah.

4 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL COLLISION OF CSX FREIGHT  
TRAIN AND TEXAS TOUR BUS  
BILOXI, MISSISSIPPI  
ON MARCH 7, 2017  
Interview of: Donna Bartsch

ACCIDENT NO.: HWY17MH010

PLACE: Austin, Texas

DATE: April 10, 2017

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

  
Letha J. Wheeler  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

FATAL COLLISION OF CSX FREIGHT \*

TRAIN AND TEXAS TOUR BUS \* Accident No.: HWY17MH010

BILOXI, MISSISSIPPI \*

ON MARCH 7, 2017 \*

\* \* \* \* \*

Interview of: LOUISA CRUZ

Merit Health Medical Center  
 Biloxi, Mississippi

Wednesday,  
 March 8, 2017

APPEARANCES:

DETECTIVE STEVE KELLY  
Biloxi Police Department

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1  
2 DET. KELLY: I found you. How do you spell your first name,  
3 Ms. Louisa?

4 MS. CRUZ: L-o-u-i-s-a.

5 DET. KELLY: C-r-u-z?

6 MS. CRUZ: Uh-huh.

## INTERVIEW OF LOUISA CRUZ

7  
8 BY DET. KELLY:

9 Q. Okay. What is your address?

10 A. [REDACTED]

11 Q. Spell your street for me?

12 A. [REDACTED]

13 Q. And phone number for you?

14 A. Area code [REDACTED]

15 Q. And what is your birthday?

16 A. [REDACTED]

17 Q. Do they have your height and weight up there on the little  
18 board?

19 A. [REDACTED]

20 Q. Would you agree with that?

21 A. No, but she's right.

22 Q. What is your social Ms. Louisa?

23 A. [REDACTED]

24 Q. What kind of injuries did you get?

25 A. A broken thumb and my skin, the doctor said, was peeled back.

1 Q. I only want to bug you for a minute. I don't want to bug you  
2 too long. Do you remember what seat number you were at on the  
3 bus?

4 A. 32 or 31, one of those.

5 Q. And can you just basically tell me what happened; what you  
6 remember?

7 A. Well, when we were coming, Louis tried to cross the railroad  
8 track and it started rubbing at the bottom.

9 Q. Could you hear it rubbing?

10 A. Yes. Uh-huh. We could hear it rubbing. And then he tried  
11 to move it back and front and couldn't do it. And then we could,  
12 we could see the train coming. The arms weren't down yet. We  
13 could see the train coming and everybody was just trying to get  
14 out, trying to get out. And I wasn't able to get out. I was  
15 sitting on the left-hand side facing the train. When everybody  
16 started running, I moved over to the right side and I huddled onto  
17 the seat and kind of covered myself, and that's where I put my  
18 hand between the seat and the bus. And when the impact, the bus  
19 bulge -- well, not bulge -- oh, God, what am I trying to say.  
20 Well, it -- the bus was cracked in half whenever the impact.

21 Q. Uh-huh.

22 A. And me and another lady, another lady was on the floor. My  
23 leg was holding her back, but my hand was the only thing that got  
24 damaged.

25 Q. Right.

1 A. And other than that, I don't know. You know, a lot of people  
2 did get out, a lot of people did get out.

3 Q. When the bus actually struck, you weren't standing up. You  
4 were out of your seat, but you were on the other side --

5 A. I was on the other side.

6 Q. -- kind of huddled down trying to --

7 A. Yes. Um-hum, um-hum.

8 Q. Do you remember if you saw the crossing arms for the train?

9 A. Yes. When he was trying to back up, back and forth, we saw  
10 the arms. Then is when everybody started screaming, let's get  
11 out, let's get out. And that's when everybody started running.  
12 But the train was far away before the arms were --

13 Q. Did you see the train first or those arms coming down?

14 A. We saw the train. We saw the train. When he was there he  
15 was -- see, he was rubbing at the bottom. And we saw the train  
16 coming, then the arms fell.

17 DET. KELLY: Okay. Anything else you can think of?

18 All right. Ms. Cruz, we're not going to bug you too much.  
19 We'll get out your hair. We're just trying to put this, all  
20 this --

21 (Whereupon, the interview was concluded.)

22

23

24

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL COLLISION OF CSX FREIGHT  
TRAIN AND TEXAS TOUR BUS  
BILOXI, MISSISSIPPI  
ON MARCH 7, 2017  
Interview of: Louisa Cruz

ACCIDENT NO.: HWY17MH010

PLACE: Biloxi, Mississippi

DATE: March 8, 2017

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

  
Letha J. Wheeler  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

FATAL COLLISION OF CSX FREIGHT \*

TRAIN AND TEXAS TOUR BUS \*

BILOXI, MISSISSIPPI \*

ON MARCH 7, 2017 \*

Accident No.: HWY17MH010

\* \* \* \* \*

Interview of: HELEN DAILEY

Merit Health Medical Center  
Biloxi, Mississippi

Wednesday,  
March 8, 2017

## APPEARANCES:

DETECTIVE STEVE KELLY  
Biloxi Police Department

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3 DET. KELLY: This will be Helen Dailey.

4

## INTERVIEW OF HELEN DAILEY

5

BY DET. KELLY:

6

Q. Ms. Helen, this is just going to be a little information  
7 sheet real quick I'm going to start off with, okay?

8

A. Okay.

9

Q. Can you give me your address first?

10

A. [REDACTED]

11

And that's Dailey -- did you have Dailey?

12

Q. Uh-huh.

13

UNIDENTIFIED SPEAKER: It's D-a-i-l-e-y?

14

MS. DAILEY: Uh-huh.

15

BY DET. KELLY:

16

Q. What is your phone number, Ms. Helen?

17

A. [REDACTED]

18

Q. Okay. What is your birthday, please, ma'am?

19

A. [REDACTED]

20

Q. Do you know about your height and weight?

21

A. Yeah. [REDACTED]

22

Q. [REDACTED] That made it easy. Your social please  
23 ma'am?

24

A. Let's see, [REDACTED] oh, gosh, they took my purse.

25

Q. You're okay.

1 A. [REDACTED]

2 Q. [REDACTED]

3 A. I can't remember, [REDACTED] I believe.

4 Q. [REDACTED]

5 A. Uh-huh. I believe that's correct.

6 Q. Did they tell you what kind of injuries you have?

7 A. Yes. I've got a -- this shoulder he told me is fractured.

8 Q. Okay.

9 A. And I've got four fractured ribs, bruised lungs. Let's see.  
10 What else did they tell me? They put some kind of a tube in here  
11 I've forgot what they told me it was for. And they are giving me  
12 blood transfusions right now.

13 I tell you when I looked up and saw that train headed for my  
14 window, I thought that was the end for me. I grabbed my little  
15 roommate -- I think they have taken her to another hospital.

16 UNIDENTIFIED SPEAKER: Who was that?

17 BY DET. KELLY:

18 Q. Who was that?

19 A. Joyce Hoffman.

20 Q. Joyce, okay.

21 UNIDENTIFIED SPEAKER: Who was that?

22 MS. DAILEY: She was with me.

23 DET. KELLY: The Hoffmans.

24 UNIDENTIFIED SPEAKER: Oh, okay. She was traveling with you?

25 MS. DAILEY: No, there were two Hoffmans that were killed.

1 UNIDENTIFIED SPEAKER: Yeah, the husband and the wife.

2 MS. DAILEY: Different, yeah.

3 BY DET. KELLY:

4 Q. Okay. This is a different Hoffman?

5 A. This is a different Hoffman.

6 UNIDENTIFIED SPEAKER: That's what I said, there's a Joyce.

7 MS. DAILEY: And my sister and her husband were sitting in  
8 front of me and I don't -- I think someone told me they took them  
9 to Alabama.

10 UNIDENTIFIED SPEAKER: Okay. Joyce Hoffman is at Memorial  
11 Hospital Gulf Port, the city next to us.

12 MS. DAILEY: Gulf Port, okay.

13 BY DET. KELLY:

14 Q. She's not far away. She's just a couple miles.

15 A. Okay. Her husband is driving up today as well.

16 Q. Ms. Helen, do you remember what seat you were sitting in?

17 A. I was dead center, right in the middle, and I don't know --

18 Q. Right in the middle. Were you on the driver's side or the  
19 passenger side?

20 A. Driver's side.

21 Q. So, about the middle of the bus?

22 A. Middle of the bus, yes. I didn't even realize we were stuck.

23 Q. You said you were on the driver's side?

24 A. Uh-huh. On the driver's side.

25 Q. Okay. Can you tell me what happened at all the best that you

1 remember?

2 A. The best I remember there was an incline on the railroad  
3 track that kind of went up --

4 Q. Uh-huh.

5 A. -- and it went way down. And as he went up there I guess the  
6 wheels didn't touch the ground.

7 Q. Okay.

8 A. because he was trying to get it to leave the track and he  
9 tried and tried but it wouldn't leave the track.

10 Q. Okay.

11 A. Then I heard all the whistles blowing and I looked up and the  
12 train was right there.

13 Q. Okay. Did you see the crossing arms or anything from the  
14 train crossing?

15 A. I didn't see any crossing arms.

16 Q. Okay.

17 A. I did not see any crossing arms.

18 Q. Did the driver make any type of announcements to you guys?  
19 Did he say anything to you?

20 A. No. He was -- yeah, said, let's get off now. Come on, let's  
21 get off. And he was trying to hurry the people in the front of  
22 the bus. I think they got off probably with no injuries. But  
23 then once that thing hit us there were people under my feet, you  
24 know, on top of the seats.

25 Q. Uh-huh.

1 A. It was terrible.

2 UNIDENTIFIED SPEAKER: So, were you standing up or sitting  
3 down when the train hit?

4 MS. DAILEY: I was standing up because he told us to see if  
5 we could get off. And by that time they started pushing and there  
6 was no place for us to go.

7 BY DET. KELLY:

8 Q. Everybody trying to get up at one time?

9 A. They were trying to get up at one time. And, of course, you  
10 know, a lot of them that were on there were a lot older than I am,  
11 so they were not in the best of health to try to get down.

12 Q. So, the sounds that you heard was the train actually coming?

13 A. Yeah, the train whistle blowing. And it kept blowing and  
14 blowing. In fact, I keep hearing it every 15 minutes over here.

15 UNIDENTIFIED SPEAKER: Yeah, you're not far from the track.

16 MS. DAILEY: That's what I thought.

17 UNIDENTIFIED SPEAKER: Or the scene actually is really close  
18 to us.

19 MS. DAILEY: They said they were trying to work on it to get  
20 the -- someone said to get the train off. I don't know.

21 BY DET. KELLY:

22 Q. No, it's gone.

23 A. It's gone?

24 Q. Uh-huh.

25 A. That's all I remember is hearing all of that. And then pow.

1 Q. Okay. All right.

2 A. The driver was trying his best to get all those people off.

3 Bless his heart.

4 Q. Okay. Well, that's all we have then. We don't have anything  
5 else. I mean, I know you probably don't like talking about this  
6 stuff. You say you've already talked to your family and  
7 everything? So your family is on the way?

8 A. My family, yeah. They were out here looking for --

9 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the  
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:           FATAL COLLISION OF CSX FREIGHT  
                                  TRAIN AND TEXAS TOUR BUS  
                                  BILOXI, MISSISSIPPI  
                                  ON MARCH 7, 2017  
                                  Interview of: Helen Dailey

ACCIDENT NO.:               HWY17MH010

PLACE:                        Biloxi, Mississippi

DATE:                         March 8, 2017

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

  
Letha J. Wheeler  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL COLLISION OF CSX FREIGHT \*

TRAIN AND TEXAS TOUR BUS \*

Accident No.: HWY17MH010

BILOXI, MISSISSIPPI \*

ON MARCH 7, 2017 \*

\*

\* \* \* \* \*

Interview of: HELEN DAILEY



Thursday,  
June 15, 2017

## APPEARANCES:

MICHAEL LaPONTE, Highway Accident Investigator  
National Transportation Safety Board

SHERYL HARLEY, Survival Factors Investigator  
National Transportation Safety Board

MELVIN DAILEY  
(Husband)

KAREN DAILEY  
(Daughter)

GREGORY EVANS, Esq.  
(On behalf of Ms. Dailey)

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I N T E R V I E W

(10:33 a.m.)

1  
2  
3 MR. LaPONTE: We also investigate the effect of our  
4 accidents, rail accidents, marine accidents. And so we are with  
5 the office of Highway Safety and -- the tragedy you were involved  
6 in. So we don't regulate. We don't enforce. What we do is we  
7 will get to the bottom of what caused this or what series of  
8 events caused this, or weather, and then we will make  
9 recommendations to people that may have oversight in those areas  
10 and say, listen, well, you need to change this and you need to do  
11 something different here, and the goal is to avoid it happening in  
12 the future.

13 MS. DAILEY: Exactly.

14 MR. LaPONTE: So that's why we are here and we want to thank  
15 you for agreeing to meet with us.

16 MS. DAILEY: Sure.

17 MR. LaPONTE: I know it's somewhat stressful and I know that,  
18 you know, it's a couple of hours out of your day. So, again, we  
19 want to thank you for agreeing to see us.

20 MR. EVANS: I told her he's the most amenable agreeable  
21 adjuster. I've told her it's those things -- that's she's  
22 prepared to answer your questions.

23 MR. LaPONTE: Good.

24 MS. HALEY: By the way, please forgive me; I'm getting over a  
25 cold.

1 MR. MELVIN DAILEY: Is this going to be recorded?

2 MS. HALEY: Yes, sir.

3 MR. LaPONTE: With your permission.

4 MS. HALEY: If you have a problem with it --

5 MS. DAILEY: No, no problem.

6 MS. HALEY: I just want it so I can get some information.

7 INTERVIEW OF HELEN DAILEY

8 BY MS. HARLEY:

9 Q. So, let me explain what I do. I'm what they call a survival  
10 factor specialist. My job is to look at what happened. What led  
11 up to the crash. What happened after the crash and determine if  
12 there is anything that we can recommend that could either prevent  
13 it from happening lessen the severity of the injuries that people  
14 suffered or perhaps prevent someone from dying as a result of it.

15 So one of the things that I'm going to do is I'm going to ask  
16 you to kind of walk me through from the time you got on the bus to  
17 what went on on the bus all the way up to the crash. And then I'm  
18 going to ask you some questions about where people were and what  
19 you were doing at the time of the impact. Okay. So that's how it  
20 works.

21 So, first off let's start at the first day of the trip. You  
22 got on the bus where?

23 A. In Bastrop.

24 Q. You got on the bus at Bastrop?

25 A. Uh-huh. At the First National Bank.

1 Q. Okay.

2 A. That's where we always get on.

3 Q. Okay. So, all right. So, once the bus was loaded did the  
4 bus driver talk to the passengers on the bus?

5 A. Yes.

6 Q. Okay. Do you remember what he talked about?

7 A. Oh, gosh. What did he talk about? He told us who he was and  
8 his little background and how much fun we were going to have on  
9 this trip and I can't remember what all he said.

10 Q. Okay.

11 A. I really can't. He just --

12 Q. Did he talk to you about you should wear your seat belts and  
13 where the emergency windows were, that kind of thing?

14 A. I think the little emergency window was right there by me.

15 Q. Uh-huh.

16 A. He did.

17 Q. Okay. Were you wearing your seat belt during this trip?

18 A. I was not.

19 Q. Okay. All right. Okay. So, the bus leaves Bastrop and then  
20 it goes to Sealy. Is that correct? It picks up a group from  
21 Sealy.

22 A. Yes.

23 Q. Did you know the group from Sealy?

24 A. I did not know the group from Sealy.

25 Q. All right.

1 A. Did not know them.

2 Q. All right. So what's the next thing that happened after the  
3 bus picked everybody up at Sealy; what was the next thing that  
4 happened?

5 A. Well, we just took off down the highway and, of course, we  
6 stop every two hours for a bathroom breaks and everything. And we  
7 -- I remember having lunch along the way. And then we got to --  
8 I'm thinking I got to New Orleans first. And that's where we  
9 checked in and got all of our stuff. Spent the first night there.  
10 And had a nice breakfast the next morning. I didn't know the  
11 other couple from Lockhart either but I realized later that they  
12 are the ones that had breakfast with me that morning. They were  
13 the couple that got killed. I did not know them but -- And then  
14 we took off for Biloxi.

15 I remember everybody taking about, you know, looking forward  
16 to where we were going. And they had a big party I think planned  
17 that night for us.

18 We drove down the beach. I remember driving down the beach  
19 side where we could see all the pretty homes and everything. And  
20 then someone said well, we're going to go on this scenic drive,  
21 which we did. And I guess for oh, just that much I didn't even  
22 realize that we weren't moving. I mean I didn't know the bus was  
23 stopped on that railroad track. I was thinking wonder why I'm not  
24 -- and I kept looking around. Then I could hear the train whistle  
25 blowing. I thought that's -- so I looked out to my -- I saw way

1 around the bend this train. And I turned around to my partner,  
2 roommate and I said: Joyce, are we going to get off this track?  
3 And she said, I don't know. And about that time that's when  
4 everybody kind of knew that we are not getting off this track.

5 And the next time I turned around the train was just right  
6 there at my window. And I grabbed her and I said, Joyce, I don't  
7 think we are going to make it. And she just held me. And then  
8 bam.

9 After that I remember going forward and backward and forward  
10 and backward. And then we saw like a blur in my head. I could  
11 see my brother-in-law in front of me and he looked like he was  
12 just in a fog. His eyes were just fixed and he was bleeding all  
13 over his head. But I couldn't see my sister. She was in front of  
14 me and I couldn't see her.

15 Then I remember the next time I looked up I was setting in  
16 the seat, people were pushing, you know, and so I ended up in this  
17 seat and I'm sitting there. I kept telling them I can't breathe.  
18 I was just gasping. But they kept telling me Helen, someone is  
19 coming to get you. And he did. I remember the nice man that  
20 after that I remember him laying me on a red tent. He put a tag  
21 on my arm that says [REDACTED] That was me.

22 Q. That was you.

23 A. And I don't remember anything much after that.

24 Q. Okay. So, I'm just going to back up a little bit.

25 A. Uh-huh.

1 Q. When you guys decided to go on the scenic route, you guys  
2 were already on the bus at the time?

3 A. Oh, yes.

4 Q. Okay. All right.

5 A. Yes, we were all on the bus.

6 Q. Okay. You were sitting next to Joyce Hoffman?

7 A. Hoffman.

8 Q. Okay. Who was sitting at the window?

9 A. Me.

10 Q. You were sitting at the window?

11 A. Uh-huh.

12 Q. So Joyce was on the aisle?

13 A. Uh-huh.

14 Q. Okay. So, the first thing you noticed is you suddenly  
15 realized the bus wasn't moving; is that correct?

16 A. (No audible response.)

17 Q. Okay. What drew your attention to the train? Did you just  
18 happen to look at it at first --

19 A. No. The whistle was really blowing.

20 Q. Okay.

21 A. Blowing and blowing. It just kept on.

22 Q. All right. Okay. So, there's a short conversation between  
23 you and Joyce. And then do you two get up or do you stay seated?

24 A. When I saw the train I stood up and she stood up because I  
25 was holding on to her. And the people I think across from us were

1 also -- I don't know if they were standing or sitting. But I  
2 remember I was standing up.

3 Q. You were standing?

4 A. Yes.

5 Q. Were you standing when the train hit the --

6 A. Yes.

7 Q. Okay.

8 A. I was standing.

9 Q. All right. Then the next thing that you remember after that,  
10 after the impact was?

11 A. I'm just looking around and seeing these people and one of my  
12 real good friends was on the floor and I'm thinking: Why doesn't  
13 somebody get her up. And her husband was calling her name and it  
14 just sort of everybody was sort of just, you know, don't know what  
15 to do. They wanted to get off.

16 I do remember the bus driver before the impact he announced  
17 on there, he said, we're going to open the doors and let's in a  
18 mannerly order file out the bus now. And when he said that, you  
19 know, everybody just -- a few of them up front I think did get off  
20 the bus. I never did get up by the door.

21 Q. Okay.

22 A. But he was trying to get everybody as quickly as he could off  
23 the bus.

24 Q. Was Joyce still standing next to you after the impact?

25 A. I don't know what happened to Joyce after that.

1 Q. Okay.

2 A. She ended up in a seat and I ended up in another seat. I  
3 don't know how I got to the seat.

4 MR. LaPONTE: You were sitting next to Joyce Hoffman?

5 MS. DAILEY: Yes. Yes. She was my --

6 MR. LaPONTE: Who were you traveling with? Who was your  
7 traveling partner?

8 MS. DAILEY: Joyce Hoffman.

9 MS. HALEY: Joyce.

10 MR. LaPONTE: Oh, that was Joyce?

11 MS. DAILEY: Yes, Joyce. For the last 30 years --

12 MR. LaPONTE: I thought maybe you were spreading your worth  
13 around the coast there.

14 MS. DAILEY: No. For the last 30 years I have been riding  
15 that bus out of Bastrop with her on all the trips. And this is  
16 the first time anything ever ever went wrong.

17 BY MS. HARLEY:

18 Q. Okay. You said your brother-in-law was in front of you.  
19 Who's your brother-in-law?

20 A. Darwin Hanna.

21 Q. Darwin?

22 A. Uh-huh.

23 Q. Okay.

24 A. And my sister is Marie.

25 Q. Okay. All right. Do you remember who was sitting at the

1 window? Was it Darwin or was it Marie?

2 A. Marie.

3 Q. Marie was at the window?

4 A. Uh-huh.

5 Q. Okay. Do you remember who was sitting across from you?

6 A. Yeah, that was little Sharon Nokes and I don't know the lady  
7 that was with her because she came at the last minute when  
8 somebody else didn't come.

9 Q. Okay.

10 A. Sharon.

11 Q. Okay.

12 A. Yes, I do remember Sharon there.

13 Q. Do you remember who was sitting behind you?

14 A. Oh, yeah, my good friend from -- that was Donna Bartsch and  
15 her sister Starr. I don't know Starr's last name but they were  
16 behind me.

17 Q. Okay. All right. You said that there was a good friend of  
18 yours that was on the floor. Who was that?

19 A. That was Kathy Turner.

20 Q. Kathy Turner?

21 A. Kathy Turner. They were sitting two seats up on the right  
22 hand side. No, they were on the same side with us or were they?  
23 See, I'm confused. I think Debbie and Tim were in front of Marie  
24 and then on the other side was Cathy and Mike.

25 Q. Okay.

1 A. I believe.

2 Q. Okay. So I tell you what to make this easy --

3 A. Okay.

4 Q. -- I've got a picture of the bus.

5 A. Oh, a picture of the bus.

6 Q. Yes. Everything goes well with visual aids.

7 A. Yeah.

8 Q. Oh, okay. So here is kind of a diagram of a bus. Okay?

9 A. Uh-huh.

10 Q. And this is where the driver would normally sit.

11 A. Right.

12 Q. And this is where the bathroom would be.

13 A. Right.

14 Q. So, what I'm going to ask you to do if you can remember who

15 was sitting where. In the -- do you remember who was in the front

16 in the first rows?

17 A. Yeah. That was Wright. What's her name? Carol Wright.

18 Q. Carol.

19 A. And Kaye Kieke.

20 Q. Okay. So Carol and Kieke.

21 A. Carol, uh-huh, she's our leader.

22 Q. Okay. And Kaye Kieke.

23 A. Uh-huh.

24 Q. Do you remember who was sitting across from them?

25 A. That was Mary Lucas and her sister Justine. She's -- Mary

- 1 Luca is the other leader.
- 2 Q. Okay. Do you remember who was sitting behind them?
- 3 A. No. I don't.
- 4 Q. Okay. There was a couple that actually did not get on the  
5 bus at Bay St. Louis. Did you know them?
- 6 A. I did not.
- 7 Q. Okay. So, do you remember what seat you were in?
- 8 A. Let's see, I'm thinking I was right almost in the middle  
9 where that emergency window was.
- 10 Q. Okay.
- 11 A. I don't remember how far back I was.
- 12 Q. Okay. So you were at the emergency window?
- 13 A. Yeah.
- 14 Q. Okay.
- 15 A. Because I remember I always tell Joyce, Joyce we are at this  
16 window. Do you know how to open it if something happens?
- 17 Q. Okay. All right. So, you were sitting at the window and  
18 Joyce was sitting on the aisle.
- 19 A. Uh-huh.
- 20 Q. And in front of you was Darwin and Marie?
- 21 A. Uh-huh.
- 22 Q. Marie was at the window?
- 23 A. Uh-huh.
- 24 Q. Darwin was on the aisle?
- 25 A. Uh-huh.

- 1 Q. Do you remember if they were sitting down or standing up?
- 2 A. I don't remember.
- 3 Q. Okay. That's fine.
- 4 A. I don't.
- 5 Q. And then in front of them was Tim and Debbie?
- 6 A. Uh-huh.
- 7 Q. Do you remember who was sitting on the aisle?
- 8 A. No. No, I don't because when I got -- ended up in the seat  
9 with Tim he was sitting by the window.
- 10 Q. Okay.
- 11 A. I don't know if that's where he was.
- 12 Q. Okay. So, when you saw them initially Tim was by the window?
- 13 A. Yeah. Yeah.
- 14 Q. Okay. So, and so -- and Debbie was initially at the aisle.
- 15 A. Yeah.
- 16 Q. Okay. So directly across from you was Sharon Nokes --
- 17 A. Uh-huh.
- 18 Q. -- and her partner.
- 19 A. And her partner.
- 20 Q. Okay.
- 21 A. I know who was in front of Sharon.
- 22 Q. Who was in front of Sharon?
- 23 A. Yvonne and her sister, but I don't know her sister.
- 24 Q. Okay.
- 25 A. Can't even think of Yvonne's last name.

1 Q. All right. So, in front of Sharon was Yvonne, --  
2 A. Uh-huh. She was by her window.  
3 Q. -- who was at the window.  
4 A. Uh-huh. And her sister was in the aisle.  
5 Q. And her sister on the aisle.  
6 A. Yeah.  
7 Q. Do you remember who was sitting in front of them?  
8 A. No. Unless that was Kathy and Mike. They were pretty close  
9 to me Kathy and Mike were. I don't know.  
10 Q. Okay. So, that's possibly the Turners?  
11 A. Uh-huh. Possibly the Turners.  
12 Q. Okay. Great. Okay.  
13 A. And then going back further I don't -- I know I had a lot of  
14 friends back there, but I don't know where they were sitting.  
15 Q. You don't know where they were sitting?  
16 A. No.  
17 Q. Okay. All right. So, let's see. And directly behind you  
18 was Donna and her sister Starr?  
19 A. Yes.  
20 Q. Okay. Do you remember who was sitting at the window?  
21 A. Starr was.  
22 Q. Okay. And Donna was at the aisle?  
23 A. Yeah.  
24 Q. All right. Okay. Great. So, after the crash you were  
25 evacuated by the fire department?

1 A. I believe he was -- uh-huh. I believe it was the fire  
2 department he was in uniform.

3 Q. Uh-huh.

4 A. Because I was begging him not to touch me. Don't make me  
5 move. He says, I have to get you off, ma'am.

6 MS. KAREN DAILEY: He was a firemen.

7 MS. HALEY: Fireman?

8 MS. DAILEY: Yeah.

9 BY MS. HARLEY:

10 Q. Okay. Did they take you out the front door or did they --

11 A. Yes. They took me out the front door.

12 Q. Okay. All right. I know this is kind of a silly question  
13 but from the time that you heard the train whistle to the impact,  
14 do you know how -- do you have some sense of how long it was?

15 A. I don't know. It was five minutes -- I don't think it was  
16 any longer than five or 10 minutes when I heard that.

17 Q. Okay.

18 A. You know we were all busy jabbering to one another.

19 Q. So, there was no warning that you remember before you  
20 realized the bus had stopped?

21 A. Not to me. I was busy talking to Joyce, you know.

22 Q. Okay. All right.

23 A. I knew it went up a little embankment, but I was expecting to  
24 come off the other side.

25 Q. All right. One of the things that we are also looking at is

1 how people were injured. Can I ask you what kind of injuries you  
2 sustained?

3 A. Yes.

4 Q. Okay.

5 A. Well, I have eight broken ribs. I had a punctured --  
6 everything is on my left side.

7 Q. Left side.

8 A. A punctured lung. I had a collapsed vocal cord. I had a big  
9 cut above my -- that's funny. It's on my right eye. The cut is  
10 right up here.

11 Q. Uh-huh.

12 A. Let's see my left side from my legs all the way up my back  
13 was black and blue, with big blood things. And then I had a  
14 fractured clavicle and scapula, which has not been repaired yet  
15 and I'm hoping that -- I don't want to go through anymore surgery.  
16 I'm letting it see if it will heal.

17 Q. Oh, I understand. And all this is on your left side?

18 A. All on my left side. That's where I took the blow.

19 Q. All right.

20 A. And let's see what else. I think that's enough.

21 Q. That's enough, okay. I got it. Thank you very much. Yes.

22 UNIDENTIFIED SPEAKER: More than enough.

23 BY MS. HARLEY:

24 Q. Right. Yes, it's beyond --

25 A. I was just worried about my knees and my hip because I've had

1 them replaced and I'm thinking: oh, that's just going to fly apart  
2 and it didn't. So they did a good job there.

3 Q. Okay. And let's see.

4 MR. EVANS: Are you just interested in physical injuries or  
5 are you -- I mean, she's had anxiety but it's sort of irrelevant  
6 to what you're doing?

7 MS. DAILEY: Oh, yeah, I forgot about that.

8 MS. HALEY: Yes, I'm looking at the actual injuries that were  
9 caused --

10 MR. EVANS: By. Okay.

11 MS. HALEY: Right.

12 MS. DAILEY: But I have had a lot of --

13 MR. EVANS: She's had shortness of breath.

14 MS. DAILEY: Yeah, trying to catch my breath and not able to  
15 sleep at night, I mean I was just -- they had people come in and  
16 talk to me and help.

17 BY MS. HARLEY:

18 Q. And that's the most important thing.

19 A. Yeah, just trying to get it out. And I still -- and the lady  
20 finally asked me one day, She says, what time are you waking up  
21 at night and I said between, I don't know, 2:00, 2:30. And she  
22 said, when was your accident? What time was the accident? And I  
23 told her I guess the same time. And she said, I think that's what  
24 it is. It's what you're reliving is when that train was coming.

25 Q. Right.

1 MS. DAILEY: Yeah.

2 MS. KAREN DAILEY: You had a chest tube, I don't know if  
3 that's important enough --

4 MS. DAILEY: Oh, yeah, I forgot about that.

5 MS. KAREN DAILEY: What do you call that thing?

6 MS. DAILEY: A chest?

7 BY MS. HARLEY:

8 Q. Had a what?

9 A. A chest --

10 Q. Oh, they had to put a chest tube in to re-inflate your lung?

11 A. Uh-huh.

12 Q. Yeah, yeah, I figured as much. Okay.

13 A. Yeah.

14 MS. HALEY: All right. Mike, you have any questions?

15 BY MR. LaPONTE:

16 Q. Do you remember, Ms. Dailey, when the driver came, do you  
17 remember him approaching the railroad track do you remember  
18 anything in that sequence of coming up that street or is your  
19 first memory when the bus wasn't moving?

20 A. My first memory was I was busy talking that we weren't  
21 moving. I do remember going up the little incline --

22 Q. Yes.

23 A. -- and, you know, it went up and then it went down and I was  
24 expecting to come down and somebody said, we're not moving.

25 Q. Okay.

1 A. And that's the first time I really --

2 Q. Okay. Did you hear any scraping or any unusual noises from  
3 the bus itself before you realized you were -- your trip had  
4 halted there?

5 A. No. I heard somebody in behind me say seemed like the wheels  
6 were spinning but we weren't getting any traction.

7 Q. Okay.

8 A. I do remember somebody saying that but I don't even know who  
9 said it. And that's all I remember of that.

10 Q. Okay. All right. And you had mentioned earlier that you had  
11 taken -- been taking trips with Joyce for many years. About how  
12 often a year do you go on a bus trip? Not with this company  
13 necessarily, but a similar type trip.

14 A. About every six months to a year.

15 Q. Okay.

16 A. In fact, we had one scheduled coming up in November to  
17 Colorado, but due to all this they elected to cancel that one for  
18 the people that suffered all this. So, we all canceled out.

19 Q. Okay.

20 A. Last year we went to Niagara Falls and it was wonderful.

21 Q. Yeah. What time of year did you go?

22 A. When did I go? Do you remember Karen?

23 MS. KAREN DAILEY: When you all went to Niagara Falls it was  
24 May wasn't it?

25 UNIDENTIFIED SPEAKER: What was that?

1 MS. DAILEY: Niagara Falls.

2 MS. KAREN DAILEY: When she went to Niagara Falls.

3 MS. DAILEY: I want to say it was May.

4 BY MR. LaPONTE:

5 Q. I was just curious if you got there at the leaf time, you  
6 know, when it's supposed to be real pretty up there, the fall  
7 colors.

8 A. It was either May or October.

9 UNIDENTIFIED SPEAKER: I would say probably about there  
10 middle of the year.

11 MS. KAREN DAILEY: Yeah, it wasn't in --

12 BY MR. LaPONTE:

13 Q. That has absolutely nothing to do with this at all.

14 A. Okay. Then how pretty it was.

15 Q. Okay. Yes.

16 A. And everything was gorgeous. Then we went to Canada too  
17 while we were there. We did do that.

18 Q. So you have ridden motor coaches quite a bit. Was there  
19 anything abnormal about this trip up until the point where you got  
20 stuck on the tracks?

21 A. I did not notice anything abnormal.

22 Q. The driver was driving normally?

23 A. Oh, yes.

24 Q. And was courteous?

25 A. He was very a very courteous man. Yeah.

1 Q. All right. What I do for the Safety Board is motor carrier  
2 operations. So that's -- I was with the Federal Motor Carrier  
3 Safety Administration prior to this. And I was in the industry  
4 for many years. So, I look at the motor carrier and all aspects  
5 of what they do and to make sure that they were in compliance with  
6 regulations and so forth.

7 A. Yes.

8 MR. LaPONTE: So, anyway, that's about it. That's all I  
9 have. Like I said, my questions are pretty light. I'm not the  
10 leader of the pack.

11 MS. DAILEY: You were easy on me.

12 (Crosstalk.)

13 MR. EVANS: I want to ask, have you found a home for all the  
14 lost and found?

15 MR. LaPONTE: No. We found actually a couple more on the  
16 lost and found. We still have not found the owner of this.

17 MR. EVANS: The pill case?

18 BY MR. LaPONTE:

19 Q. Yes, the pill case. So, we found this pill keeper on the  
20 coach towards, you know, about the middle of the coach and we are  
21 trying -- we hope somebody can identify it as to who it may have  
22 belonged to only because we thought it was odd that because you  
23 folks had stayed the night before at Bay St. Louis that someone  
24 would bring his 55 pounds worth of --

25 A. The only thing I haven't found was my camera and my house

1 keys.

2 Q. Okay.

3 A. I had a little bag, a little Texas bag and it had my little  
4 snacks in it and my keys and my camera. And I've looked --

5 BY MS. HARLEY:

6 Q. Now, we found the Texas bag, but the problem with the bag is  
7 that because of how the train hit the bus, the bag is actually  
8 folded into the metal of the bus.

9 A. Oh.

10 Q. So, now, my understanding was that they pulled as much of the  
11 stuff out of the bag as they could. So, probably, you may be able  
12 to find independent the items in the bag. You're not going to be  
13 able to find the Texas bag because they could not get it out of  
14 the metal.

15 A. Well, I've been out twice and what they have there is nothing  
16 that belongs to me.

17 Q. It's not -- okay.

18 BY MR. LaPONTE:

19 Q. That may still be -- I was working with the Biloxi P.D. when  
20 we took the stuff back to Bay St. Louis on that Thursday to return  
21 as much of the personal effects as we could.

22 A. Uh-huh.

23 Q. And Sheryl has actually been down to Biloxi a couple of times  
24 to inspect the bus again and found more items.

25 A. Oh.

1 Q. And we've given most of that stuff could still with the  
2 Biloxi Police Department and the motor carrier would have some of  
3 the stuff that we found and couldn't identify. So, we gave it to  
4 them to hold --

5 A. Okay.

6 Q. -- until they can hopefully identify it. So I would maybe  
7 check with the Biloxi Police Department and see if they have a  
8 camera. They may well have some stuff because they had quite a  
9 bit of personal effects, you know, from the crash scene. And they  
10 gave us a lot of it. We returned everything we could. They  
11 returned some but there's certainly a possibility that some --  
12 particularly like a little, you know, set of keys or something  
13 could have been --

14 A. Yes.

15 Q. -- another officer picked it up and didn't know what it went  
16 to.

17 A. It's go a Texas Longhorn -- my Texas Longhorn house key.  
18 They can't miss that.

19 (Crosstalk.)

20 MR. MELVIN DAILEY: We went by the scene, let's see we were  
21 over there, we went Wednesday afternoon over there and the  
22 railroad was already out there. They were digging and covering  
23 and leveling and so, I just figured well, if it was there, it's  
24 covered up buried, they don't know where it's at.

25 MR. LaPONTE: Well, the Biloxi Police Department did a good

1 -- real good job of doing -- of trying to secure as much of that  
2 stuff as they could.

3 MS. DAILEY: That's what they told me. Yeah.

4 MR. LaPONTE: Because after they towed the motor coach away  
5 and put it in the impound yard, they went in the next day with  
6 several of our people and they literally catalogued everything  
7 they found and tied to a, you know, a seat position. So they  
8 actually took pictures of every seat in the bus and if there was  
9 an item there they catalogued, found, you know, reading glasses at  
10 seat 23 that sort of thing. So they may have it. There's a  
11 possibility.

12 MS. HALEY: Yeah, I do know. I remember seeing your bag and  
13 I remember they are pulling some things out of it because they  
14 could not actually get the bag --

15 MS. DAILEY: Yeah.

16 MS. HALEY: -- because of the metal.

17 MS. DAILEY: Oh, okay.

18 MS. HALEY: The metal was folded on to the bag, but I thought  
19 they were able to get things out --

20 MS. DAILEY: I guess I was lucky to have been standing up  
21 then, huh?

22 MS. HALEY: Yeah.

23 MS. DAILEY: Might have been in the metal.

24 BY MS. HARLEY:

25 Q. One of the questions I had to ask: When the driver was giving

1 his pre-trip safety briefing, did he tell you that there was a  
2 rear door on the bus?

3 A. In the bus. Uh-huh. That and then the emergency exit.

4 Q. Okay.

5 A. Explained where the exits were.

6 Q. Okay. Had he told you about the other door?

7 A. In the back?

8 Q. Yes.

9 A. I believe I -- he did say there was a door in the back.

10 Q. Okay.

11 A. Yeah, he --

12 MR. LaPONTE: Did you know the person who got sick at your  
13 first layover point --

14 MS. DAILEY: I did not know her. I heard them talking about  
15 it and saying that she would not continue with us. She was going  
16 -- she elected to go on home I believe that's what they told us.

17 MR. LaPONTE: Yeah, one person that after the first night  
18 returned to Bastrop.

19 BY MS. HARLEY:

20 Q. Right, right. She was with Betty Kahanic, right?

21 A. Betty Kahanic, I believe she was. I believe so.

22 Q. Yes, okay.

23 A. I did not know her. I didn't know her.

24 Q. Okay. So, let me make sure I've got everything here.

25 BY MR. LaPONTE:

1 Q. And so, how did you skate out of this adventure, that's what  
2 I want --

3 A. He doesn't like to travel.

4 Q. He doesn't like to travel?

5 A. And his health is not that good. So, he elects to stay home.

6 MR. MELVIN DAILEY: I see a lot of mental anguish in it.

7 MS. HALEY: Okay.

8 MR. MELVIN DAILEY: And in my opinion there's a lot of -- I'm  
9 always at a loss for words, the people that have the jurisdiction  
10 over that track. But it's the track, whether it be --

11 MS. DAILEY: Get on him, Greg.

12 MR. MELVIN DAILEY: -- side guards -- why in 41 years have  
13 they not done anything with that particular crossing?

14 MR. LaPONTE: That's one of the things we are looking at.

15 MS. DAILEY: That's what he's looking into.

16 MS. HALEY: That is --

17 MR. LaPONTE: Part of what we are looking into.

18 MS. HALEY: That is being looked into.

19 MR. MELVIN DAILEY: Because most of the accidents that have  
20 occurred have been fatality --

21 MS. DAILEY: He can't hear us.

22 MR. MELVIN DAILEY: -- since in the late '80s to current  
23 date.

24 MS. DAILEY: That's why he stays home too. He can't hear.

25 MR. MELVIN DAILEY: But why, you know, somebody ought to be

1 have their jurisdiction to enforce these cities, these railroads  
2 to get these crossings fixed --

3 MR. LaPONTE: That's one of the areas that we are looking at.

4 MS. DAILEY: Yeah.

5 MR. MELVIN DAILEY: Now, I do understand that the city of  
6 Biloxi --

7 MS. DAILEY: I lost my shoes. My shoes were gone. I don't  
8 know what happened to my shoes they weren't on my feet.

9 MR. MELVIN DAILEY: -- voted money to look at six other  
10 crossings along that area. But it hasn't been implemented until  
11 this one here happened.

12 MS. DAILEY: I gave him a lesson before we sat down to meet  
13 that he was to keep quiet.

14 MR. MELVIN DAILEY: You know, that's just like locking the  
15 gate after the fox has been in there, you know.

16 MR. LaPONTE: That is one of the area we are looking into is  
17 jurisdiction.

18 MR. MELVIN DAILEY: Well, somebody. I don't know whether it  
19 would be your organization or the federal organization they really  
20 have the power to tell these people this is what you need to do  
21 and we asking you to do it. And then follow-up with it.

22 MR. LaPONTE: Uh-huh.

23 MR. MELVIN DAILEY: Because that's what they need along the  
24 front wheels were when it high centered they couldn't -- they're  
25 not turning in the first place. The back one are but that bus is

1 tilted and you can't tell me that 49 people are going to be moved  
2 to the back of that bus is going to tilt that heavy bus. Ain't no  
3 way.

4 BY MS. HARLEY:

5 Q. One of the questions I wanted to ask you is: did it seem like  
6 the fire department was there fairly quickly?

7 A. They did. They really did. And there was some people I  
8 remember across the street at the church, a big Catholic church  
9 was having something and I remember those people coming over they  
10 were all just so helpful.

11 MS. DAILEY: Karen, tell your dad to be quiet.

12 MS. KAREN DAILEY:

13 MR. MELVIN DAILEY: The only way he's going to do that is get  
14 that crane out there and move it with a crane.

15 MR. LaPONTE: Yes.

16 MR. MELVIN DAILEY: Because that bus is not no light.

17 MS. DAILEY: Okay. We are moving forward if you'll just be  
18 quiet and let us get through.

19 BY MS. HARLEY:

20 Q. Okay. So this is the part where I always say to people, is  
21 there anything that you think I should have asked you and I didn't  
22 ask you?

23 A. I wouldn't now, hon, no.

24 Q. Okay. So the other thing is; do you have any other questions  
25 for us?

1 A. No. I really don't.

2 Q. Okay.

3 A. I'm just anxious to get back upon the road and get in my  
4 walks like I used to do.

5 Q. Oh.

6 A. She walked with me every morning, two miles every morning and  
7 I'm --

8 Q. Awesome.

9 A. -- missing my walk.

10 Q. Oh, no.

11 MR. LaPONTE: You have a lot of miles to make up.

12 MS. DAILEY: I know.

13 MS. HALEY: That's been three-and-a-half months.

14 MS. DAILEY: I get around my cul-de-sac there and I can't  
15 wait to get to my front door to sit down.

16 MS. HALEY: I understand. So, if in the next day or two or  
17 whatever you happen to think of something --

18 MS. DAILEY: Okay.

19 MS. HALEY: -- even if you think it's unimportant, please  
20 tell this gentleman right here and he'll pass it along to us.

21 MS. DAILEY: Okay. I will, yeah.

22 MS. HALEY: And, again, I'm glad to at least see you up and  
23 around a little bit.

24 MS. DAILEY: Thank you, yeah. Yeah, like Greg said, the last  
25 time they saw me I didn't quite look like the same person.

1 MR. EVANS: I didn't mean to pick on her. She looks much  
2 better today.

3 MS. HALEY: Wonderful.

4 (Crosstalk.)

5 MR. LaPONTE: Well, we talked about that. Just so you know  
6 this report is a public document when it comes out. It'll be  
7 coming out probably about March/April of next year. We don't move  
8 fast. We are thorough though.

9 MS. DAILEY: Okay. All right.

10 MR. LaPONTE: So, you will be getting letters from the NTSB  
11 keeping you apprised of, you know, the investigation as it goes  
12 forward.

13 MS. DAILEY: Okay.

14 MR. LaPONTE: You're entitled, sir, it's a public document  
15 you can get a copy of the full report, which will be about 120  
16 pages, which would be enough to put you asleep for at least 119  
17 nights as you read a page a day before you dozed off there.

18 MR. EVANS: Well, I have requested that they NTSB let me  
19 know --

20 MR. LaPONTE: Yes, they will.

21 MR. EVANS: I have done that.

22 MR. LaPONTE: Good.

23 MR. EVANS: So far I haven't gotten anything.

24 MR. LaPONTE: Well, we have -- the entire investigation is  
25 sealed as it were until about two months before the hearing and

1 then we make the docket, what we call the docket, which is  
2 supporting documents to the investigation, we make that public.  
3 Now, it's public in the sense that there are records there that  
4 any personal information in those records is redacted. So, I  
5 mean, if someone were, you know, wanting to see the passenger  
6 list, they are going to get a piece of paper with 52 spaces on it  
7 and that's about it because the names and addresses and all of  
8 that information will be taken out.

9       So, the docket isn't real -- generally does not have a lot of  
10 information in it that is made public simply because of the  
11 concerns for personal privacy of folks. But the report itself is  
12 ready without, you know, referencing that sort of thing. So the  
13 report itself is, like I said, it is a public document. You're  
14 more than welcome to copies of it. They will invite you to the  
15 meeting when the actual report is presented to the National  
16 Transportation Safety Board. It's a regular open meeting. It's  
17 kind of like being in Congress you know we will present all of our  
18 findings to the Board. The Board then votes on it and says we  
19 agree with what you folks have determined, you know, X to be and  
20 then it becomes, you know, an official record for the National  
21 Transportation Safety Board.

22       But they will if you filled out the information to keep  
23 informed they will keep you abreast of that ask it goes forward.

24       MR. EVANS: Well, I just hope that piece of paper didn't go  
25 in the trash when they got it.

1 MS. HALEY: All right. Well, thank you very very much.

2 MS. DAILEY: Thank you, hon.

3 MR. LaPONTE: Thank you, Ms. Dailey, we appreciate it.

4 MS. DAILEY: Yeah, thank you. You all made it easy on me.

5 MR. LaPONTE: Well, we try not to make it too --

6 MS. HALEY: Too hard. Yeah.

7 (Whereupon, at 11:05 a.m., the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL COLLISION OF CSX FREIGHT  
TRAIN AND TEXAS TOUR BUS  
BILOXI, MISSISSIPPI  
ON MARCH 7, 2017  
Interview of: Helen Dailey

ACCIDENT NO.: HWY17MH010

PLACE:



DATE: June 15, 2017

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.



Letha J. Wheeler  
Transcriber

Interviewed Hazel Dancy

6/15/17  
10:33A.M.

**CX-45**

**AUTOCAR**  
**CHASSIS: V.H.**  
**TYPE: CX45**  
**W.B.: 7735+1300**  
**56 SEATS+DRIVER**

**USA**

VERSE	WALZINGEN	GET	VEGEM	DAARM
1 S O SYMBOOL	NAAM	DATUM	WETZEL	LASVERBODEN EN TOEGEGANGEN EN VERBODEN INZIJN
GET	Julius Van Maanen	27-11-2012	1/50	WETZEL, WETZEL EN VERBODEN INZIJN
VEGEM	E.V.W.	-	PSNR / TREFW	VOLGENS VAN HOOK NEDERLAND
STANDARD SEAT LAY-OUT		CODE	VM NUMMER	FORM GS MS
CX-45 USA		-	CX-45003/R/	-

**AANTAL ROLSTOELEN\***  
LENGTE TRAILS VOOR SCHUIFSTOELLEN  
ZIE BESCHRIJVING  
Plannr 9.210.4594

**VERSTERKINGEN IN VLOER**  
ZIE 11.336.550

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*Handwritten notes:*  
 Middle window window  
 56 SEATS+DRIVER  
 USA  
 Jim Winslow  
 Debbie Arlio  
 Shawn Nollie  
 Industry Affairs  
 Interview of Shawn  
 Yonnie @ Brad  
 Wal S. Kistan Co  
 Hsieh  
 Rossouw & Co  
 7 Miller  
 7000000

## APPEARANCES:

DETECTIVE STEVE KELLY  
Biloxi Police Department

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Mollie Dubois:		
By Det. Kelly		4

I N T E R V I E W

1  
2 DET. KELLY: Recording is on. This is going to be Mollie  
3 Dubois.

4 MS. DUBOIS: Do they have my name spelled right?

5 UNIDENTIFIED SPEAKER: Yes, ma'am. We've got your name  
6 spelled right. It's okay. It's just going to be a few questions,  
7 okay? You don't have to worry. I'm going to stand right here.

8 INTERVIEW OF MOLLIE DUBOIS

9 BY DET. KELLY:

10 Q. Hi, Mollie?

11 A. Hi.

12 Q. Do you remember what happened?

13 A. All I can remember was that I was setting on the very front  
14 seat on the, I guess the right-hand side of the driver, back at  
15 the very back, and we came up to a stop light with a railroad  
16 track. I guess it was at the light. But the things come down and  
17 there was a train right there on us. And that's all I remember is  
18 that train hit, and I coming to and man on top of me. And I don't  
19 know but he was unconscious, and I lost my hearing aids and they  
20 evidently were knocked out, and I don't know. I can't hear  
21 without them.

22 Q. Do you remember if you were standing up or sitting down?

23 A. I was sitting down. And the people up further down the aisle  
24 started running back there and I wasn't able to get up. And we  
25 were right in front of the toilet.

1 Q. Do you have a phone number?

2 A. Yes. [REDACTED] My son is on the way here. He left  
3 last night and so --

4 Q. What is your address?

5 A. [REDACTED] I taken  
6 out insurance with the travel agency.

7 UNIDENTIFIED SPEAKER: All right. Ms. Mollie, that's it.  
8 Okay? You did good.

9 MS. DUBOIS: Okay. Could they get me some hearing aids?

10 UNIDENTIFIED SPEAKER: We're going to try our best to get you  
11 what you need, okay?

12 MS. DUBOIS: Okay.

13 UNIDENTIFIED SPEAKER: All right. Are you wanting to eat  
14 this banana, or are you just holding on to it?

15 MS. DUBOIS: I can't get it open.

16 UNIDENTIFIED SPEAKER: I can help you with that.

17 DET. KELLY: Okay.

18 UNIDENTIFIED SPEAKER: All right.

19 DET. KELLY: That will conclude the interview with Mollie  
20 Dubois.

21 (Whereupon, the interview was concluded.)  
22  
23  
24  
25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL COLLISION OF CSX FREIGHT  
TRAIN AND TEXAS TOUR BUS  
BILOXI, MISSISSIPPI  
ON MARCH 7, 2017  
Interview of: Mollie Dubois

ACCIDENT NO.: HWY17MH010

PLACE: Biloxi, Mississippi

DATE: March 8, 2017

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

  
Letha J. Wheeler  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of:

\*

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FATAL COLLISION OF FREIGHT

\*

TRAIN AND TEXAS TOUR BUS

\*

Accident No.: HWY17MH010

BILOXI, MISSISSIPPI

\*

ON MARCH 7, 2017

\*

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\* \* \* \* \*

Interview of: FRANCIS FITE

Thursday,  
March 11, 2017

## APPEARANCES:

MICHELE BECKJORD, Highway Accident Investigator  
National Transportation Safety Board

DENNIS COLLINS, Senior Accident Investigator  
National Transportation Safety Board

TARA LACOSTE  
Federal Motor Carrier Safety Administration (FMCSA)

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
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By Mr. Collins		24
By Ms. Beckjord		25
By Mr. Collins		27
By Ms. Beckjord		29

I N T E R V I E W

1  
2 MS. BECKJORD: -- understand. We've been doing this for a  
3 long time. So when we talk to people we just try to fit it all  
4 together with what everybody else has said.

5 MS. FITE: Yeah.

6 MS. BECKJORD: If you don't mind, can we tape record it so  
7 that I can concentrate on what you're saying instead of trying to  
8 take all these notes? Is that fine with you?

9 MS. FITE: That's fine.

10 MS. BECKJORD: Okay. Great.

11 MS. FITE: Because if I'm not going to answer, I'll say, you  
12 know, I'd rather not or talk to my daughter.

13 MS. BECKJORD: That's absolutely fine.

14 MS. FITE: Yeah.

15 MS. BECKJORD: No, we appreciate you even taking the time to  
16 sit down and talk to us.

17 MS. FITE: Okay.

## INTERVIEW OF FRANCIS FITE

18  
19 BY MS. BECKJORD:

20 Q. So I just wanted to start off with just a few questions, then  
21 I'll just ask you to take us through what you recall. And I know  
22 most of the folks that you were with on this trip got on in  
23 Bastrop; is that where you --

24 A. We all loaded on Bastrop. We did pick up eight people -- I  
25 do not even remember where we picked them up. We stopped and

1 picked them up and I couldn't tell you, but I do know that then  
2 that filled the bus.

3 Q. Okay. And so for most of the folks that got picked up, they  
4 kind of picked a seat and then from there they sort of sat in the  
5 same seat all the time?

6 A. We sat -- I know they wanted us to rotate seats and people  
7 thought that's a big hassle. Move everything you leave on -- you  
8 know.

9 Q. Yeah.

10 A. So, we stayed in the same -- it might have been better if we  
11 moved because that's where the -- you know, we got impacted. But  
12 I'm glad -- I got a gimpy leg and three cracked ribs.

13 Q. So that's your injuries?

14 A. Yeah. I had no upper respiratory or chest problems.

15 Q. Was it your left leg or your right leg?

16 A. It's this leg.

17 Q. The left. Okay.

18 A. People have been coming in because I've got gross blisters  
19 and they say, can we take a picture of that?

20 Q. Oh.

21 A. I know. They said, ooh, that's ugly. And I said, well, then  
22 don't look at it.

23 Q. Then don't take a picture, right. Okay.

24 A. What's the problem?

25 Q. Yeah, exactly. It's pretty easy.

1           So where do you recall that you were sitting?

2   A.    The plane [sic] hit in the middle.

3   Q.    Okay.  In the middle.

4   A.    And that's where -- I think.  I say pretty much the middle  
5 because that was the impact on this side and we were in the two  
6 seats this side.

7   Q.    Okay.  So, you were kind of sitting on the door side of the  
8 bus, right, the door that you would get in and out of?

9   A.    Yes.

10  Q.    That side?

11  A.    Yeah.

12  Q.    Okay.  So you sat in the middle on the passenger side.  Okay.  
13 And you were saying it was kind of right opposite of you is where  
14 the train came in?

15  A.    Oh, yeah, because when I looked and I said, oh, Sharon in  
16 about 6 seconds I think a train's going to hit us.  I didn't hear  
17 anything.  You know, and I know -- because a bus full of senior  
18 citizens, we don't shut up much.  And I was looking out this way  
19 at the countryside.  And I was just sort of -- you know, I watched  
20 it on the news and I had no recollection of any of that.  So I  
21 can't repeat what I saw on the news because I don't know.

22  Q.    Right.

23  A.    You know, being on the plane -- being on the plane.  Being on  
24 the bus.

25  Q.    Uh-huh.

1 A. You know, I just thought, oh, we're getting hit by a train.  
2 You know, big deal. You don't have time to panic, which was the  
3 best thing in the world.

4 Q. Yeah. Absolutely. Yeah. So when you said that you looked  
5 out and you said we are going to get hit by --

6 A. I had turned to say something to my friend.

7 Q. Ah, okay.

8 A. And all I saw was this big yellow engine.

9 Q. Yeah.

10 A. And then I heard -- and, you know, people told you, well,  
11 they thought this and this. I don't repeat because I don't know.

12 Q. Okay.

13 A. And I'm -- I don't repeat hearsay.

14 Q. Yeah, that's great.

15 A. Yeah.

16 Q. That's great. So you were sitting then at the window and  
17 your friend was on the aisle?

18 A. I was on the window and she said the window seat was  
19 bothering her, so we had shortly switched seats.

20 Q. Okay. And who was your friend you were sitting next to?

21 A. Sharon Nokes (ph.).

22 Q. Sharon Nokes.

23 A. She's at Garden Park.

24 Q. That's what we had heard. I haven't had a chance to go over  
25 and talk to her yet.

1 A. Okay.

2 Q. Uh-huh.

3 A. It's kind of hard when you're far away from home and no place  
4 to go --

5 Q. Right.

6 A. -- and no transportation, you know. But it's all working  
7 out.

8 Q. Yeah. Well, if you need any assistance, you let us know  
9 because one of the gentlemen that came by, we have a family  
10 assistance part of our agency. That's what he's here for is to  
11 help you with anything that you might need. We can get it through  
12 the Red Cross, Salvation Army, figure out how to get you  
13 transportation, work with your daughter. So if you need  
14 something --

15 A. Oh, yeah, because she's the one -- and she remembers and  
16 she's more knowledgeable about all this than I am. And she says,  
17 you don't think you need any help, Mom, and she says, you do.

18 Q. Yeah.

19 A. You know, it's time to let somebody else take care of you.

20 Q. Yeah. It's all times, we all do.

21 A. Well, when I tried to get up and walk and nothing worked --  
22 this leg didn't work, I said, okay.

23 Q. Yeah, that's fine. So if you -- so you were sitting next to  
24 your friend Sharon and you looked to say something to her and you  
25 saw the train coming?

1 A. Yeah, because I was watching out the window and she was  
2 turned this way. I don't remember exactly, but I think she was  
3 talking to somebody across. You know, you don't recall.

4 Q. Right.

5 A. And the things you forget are the immediate things that were  
6 happening, you know, right before the impact.

7 Q. Right.

8 A. And so, I can't swear to anything. So, I don't want to say  
9 anything that I don't know for sure is true.

10 Q. That's understandable.

11 A. Yeah.

12 Q. So do you happen to remember if you wore your seatbelt?

13 A. We didn't -- we had been wearing our -- I mean, I think  
14 Sharon and I were the only ones that were wearing seatbelts at the  
15 time, but not at that time. I was thinking, I said, we probably  
16 should -- we forgot to put our seatbelts on, but then it was too  
17 late.

18 Q. Right.

19 A. So, no, I was not wearing a seatbelt.

20 Q. Okay.

21 A. I know it came off in my hand because I got a hold of it.  
22 You know, I think I was probably trying to close it and then just  
23 -- I didn't even know anything else was going to happen. I just  
24 was doing that because I'm more comfortable with my seatbelt on  
25 and I just hadn't gotten to it.

1 Q. Oh, okay.

2 A. I had it in my hand, so I must have had some kind of  
3 intension. I don't know.

4 Q. Okay.

5 A. I'm not going to second guess.

6 Q. Right. No, no. Everything you're telling me, just whatever  
7 you remember is absolutely fine.

8 A. Well, sometimes what we think we would remember isn't what we  
9 really remember.

10 Q. Or what happened.

11 A. I know, because shock takes it all out of your head. It  
12 really does. I didn't think I was injured. I got up -- and  
13 that's the nurse in me, which is stupid, and tried to help people.  
14 I found cell phones everywhere and was getting them back to  
15 people. I was helping people get up so they could get off the --  
16 you know, and I didn't feel anything until the fireman said, what  
17 are you doing? Have you seen your leg? I said, well, it feels a  
18 little sore; it's not hurting. He said, you're not walking on it.  
19 I thought -- he just got under my arms behind me and said, hold  
20 your legs up, and just carried me off the bus. I thought -- I  
21 said, well, it's a good thing you work out.

22 Q. So --

23 A. But I really don't -- you don't remember -- I don't remember  
24 anything about the impact, even the noise.

25 Q. Right.

1 A. But after that, all I thought was no way am I leaving this  
2 world, you know. I mean everybody thinks that.

3 Q. Uh-huh.

4 A. And I just tried to protect my face and that's about the last  
5 thing I do remember.

6 Q. Okay.

7 A. Yeah. I do know when I woke up I was -- my head was down  
8 behind the seat in front of me. So I wasn't sitting up. I was --  
9 evidently had -- I ended up on the floor. So I guess maybe that's  
10 what happened.

11 Q. Okay.

12 A. But I don't -- I can't say I was not in the seat or anything.  
13 But my seat kind of was thrown back a little bit, I think. Most  
14 of the seats, the train pushed them all backwards or pushed them  
15 forward depending on where you were sitting, I guess, where the  
16 impact. I don't remember much when they carried me off the bus.

17 Q. Okay.

18 A. I really -- I saw more on the news than I ever thought I'd  
19 see.

20 Q. Right.

21 A. Don't ask me to take a bus any time soon.

22 Q. No. I don't blame you.

23 A. Maybe not a train either. You know, I just thought -- I  
24 remember thinking -- well, I know one thing I did think was we  
25 were on such a nice vacation to see the casinos, and I had 1 day

1 vacation and that's all it was.

2 Q. That's it, huh.

3 A. No more vacation. Well, yeah, here. But -- and I'm here.

4 Q. That's the fortunate part.

5 A. Yeah.

6 Q. So for the trip in Bastrop was the senior center the one that  
7 set that up for you?

8 A. Yeah, it's the Bastrop Senior Center, and my friend is a  
9 member. I am not. But her grandson was going -- he's probably  
10 glad he didn't -- and she asked me to fill in because it had been  
11 paid for and she couldn't get it back at that late date. And I  
12 said, okay, I'll go.

13 Q. Okay.

14 A. I can pack in 3 days. I'll go.

15 Q. That was nice of her.

16 A. Yeah.

17 Q. I love that spontaneity. So that's a good --

18 A. Well, I'm retired. I live alone. She's retired and lives  
19 alone, and we -- you know, she travels all over. I've done it for  
20 years in the military so I don't need to see the world again as  
21 much as she does.

22 Q. Okay. So when you kind of came to after the train had hit,  
23 you said you were down on the floor, your head was sort of under  
24 the seat in front of you?

25 A. Well, it was not under. I remember opening my eyes and I was

1 looking at my wall, the seat and the wall.

2 Q. Okay.

3 A. Something metal flew past but didn't hit my head. Because  
4 that's the first thing I started doing was feeling my head, you  
5 know. And my eyes were open. I did not lose consciousness, at  
6 least I don't -- I don't know if I did or not. But I was alert  
7 through it all.

8 Q. Through the whole crash?

9 A. Yeah.

10 Q. Okay.

11 A. But it happened so -- I don't remember it. I mean, all I  
12 wanted to do was try to reach my friend, which I -- you know, and  
13 when I did, that's when I didn't realize this was jammed and I  
14 pulled it loose.

15 Q. Oh, okay, so your leg was jammed underneath?

16 A. It was -- well, between the two seats, you know, there's a  
17 little space and you have those metal things that come up for your  
18 feet.

19 Q. Uh-huh.

20 A. And I remember -- you know, I remember my knee hitting  
21 something. And you're welcome to look if you don't mind gross.  
22 But I don't remember how it got there. I didn't feel the impact  
23 and you're not -- the shock and the adrenalin totally keeps you  
24 numb.

25 Q. Oh, yeah,

1 A. Which is a good thing in the long run.

2 Q. Absolutely.

3 A. But not when you get up and think you can walk all over the  
4 place on it.

5 Q. Yeah, that adrenalin was just like I'm going to save the day.

6 A. It kept me numb. I didn't see the bleeding. I just was --  
7 wanted to help people get off that bus.

8 Q. No, that's -- and that's the nurse in you.

9 A. That's what you do as a nurse.

10 Q. Yeah, my mom's a nurse, yeah.

11 A. After 47 years, even if you're not active, that's what you  
12 do. You're going to help people.

13 Q. That's my mom for you.

14 A. And Kathy said, mom, why don't you just let them take care of  
15 you. I said, but I could help people first, you know. And I  
16 helped them find who was right around me, who was wedged and  
17 couldn't move so the firefighters knew where to get the jaws of  
18 life thing. Because those seats were jammed. There was no way  
19 anybody was just going to pick them up.

20 Q. Right.

21 A. And, you know, and I saw people's glasses. I got cell phones  
22 back to three of the people and they were very thankful for that.

23 Q. Well, that was very nice.

24 A. I said, I've got cell phones, you know, and about that time  
25 they said -- picked me up and took me off the bus.

1 Q. Yeah. So where did Sharon end up?

2 A. You know, where is she now?

3 Q. No. When you kind of looked around for your friend?

4 A. Well, she was there. I can't tell exact -- well, all I know  
5 was where her butt was because that's what my head hit. And I  
6 thought, thank -- I said, it's a good thing you were -- she was  
7 padded. But that's all I remember because she was, you know,  
8 talking to people across the aisle.

9 Q. Okay.

10 A. And I have no -- you know, just turned and talking to them.  
11 And when it hit, I went down this way and I did not see where -- I  
12 mean, she was there, but I didn't see how she got her -- you know,  
13 I didn't know anything about her except she was breathing. That's  
14 all I knew.

15 Q. Was she down on the floor?

16 A. Yeah, when I -- I remember she was down, conscious.

17 Q. Okay.

18 A. I don't know if that was momentary. I don't know if she  
19 passed out afterwards or anything because about that time  
20 everything -- people were trying to get off it, out of the crash,  
21 and we were, you know, the ones getting walked on by a bunch of  
22 people, you know. And panic makes people do things they wouldn't  
23 normally do, so --

24 Q. Did somebody actually end up stepping on you?

25 A. They must have. I felt something, but it wasn't heavy. It

1 was just like and over.

2 Q. Okay.

3 A. And I can't swear to it. I don't know if something fell off.

4 Q. Right.

5 A. I can't. I don't know. I mean -- and then my daughter said,  
6 don't say things you don't know. That's why I'm saying I don't  
7 know.

8 Q. And that's okay.

9 A. I don't have that kind of recollection, because your brain  
10 makes you forget those things.

11 Q. Sure.

12 A. And it's is a safety measure for you. And you remember them  
13 after, but are you remembering them accurately.

14 Q. Right.

15 A. And I'm trying to be. What I really know for a fact --

16 Q. Right.

17 A. -- and that was I never lost consciousness.

18 Q. Well, that's the nurse in you saying that too.

19 So do you remember anything -- we'll kind of back away from  
20 that for a bit. But can you tell us anything about the driver  
21 that was of interest to you, or I can ask you some questions, but  
22 I don't want to lead you. I just want to see what your general  
23 impression was.

24 A. Well, you don't interact much. But I know he was extremely  
25 helpful, you know, when we would have to get off and on the bus.

1 He was right there, because there's a lot of the seniors that  
2 needed help up steps and down steps, and he always had your arm  
3 and helped you there and helped, you know. And if there was  
4 something we needed to know there was somebody on the bus, I mean,  
5 there that was on a microphone -- you know, the two people that  
6 were kind of in charge of the, you know, or he would say  
7 something. He was very good with the passengers.

8 Q. Okay. Do you recall just before -- you said you were kind of  
9 chatting and stuff like that. Do you remember approaching the  
10 railroad tracks in any way before you kind of --

11 A. Well, you know, the news said we had been stalled for 10  
12 minutes. I had no idea. I knew we slowed down.

13 Q. Okay.

14 A. And that there was going up a little bit. Yeah, and I saw --  
15 I remember seeing, I guess the flashing lights was the thing  
16 coming down. But I thought it was like 2 minutes. I wasn't  
17 paying attention. And then, you know, on the news and different  
18 people said like 10 minutes. But I couldn't tell you that.

19 Q. Okay.

20 A. Because I had no recollection of that.

21 Q. So, to you, it was more like 2 or 3 minutes not 10?

22 A. Yeah.

23 Q. Okay.

24 A. To me it was but I was having a good time. I didn't care  
25 about those things. If we had to sit, we sat.

1 Q. Right.

2 A. You know, it was --

3 Q. Uh-huh. Okay. And then in general about the driver, did you  
4 ever see him at the Hollywood Casino --

5 A. No.

6 Q. -- kind of off or on breaks or anything like that?

7 A. No. He stayed there. The only time I saw him was at  
8 breakfast.

9 Q. Okay.

10 A. You know, and he was just -- and very friendly and, you know,  
11 completely with it or anything. He said he was -- you know, he  
12 said I like these stops because I can get a good 8-hour sleep.

13 Q. Oh, he said that to you?

14 A. Yeah.

15 Q. Oh, okay.

16 A. It was something like that and I thought, that was good. I  
17 wanted him alert. But I mean he was very helpful with any  
18 questions or -- I just thought he was very polite and -- to the  
19 people on the bus. Very patient with us.

20 Q. And that's always very nice.

21 A. Uh-huh.

22 Q. Okay. All right. So then you don't really remember you kind  
23 of slowing down and then you were up on -- and then going up as if  
24 you were going up in the front --

25 A. Well, it seemed like we started, but like I said, I was not

1 paying attention.

2 Q. Okay.

3 A. It seemed like no time to me.

4 Q. Right.

5 A. But everybody said I was wrong there. And I said that's what  
6 it seemed to me.

7 Q. Right.

8 A. So, you know, whatever it was, I can't verify it because I  
9 don't know.

10 Q. Okay.

11 A. I didn't think we were there long at all.

12 Q. Yeah, some other folks have said it felt very very short.  
13 So, you're not the only person who has felt that way.

14 A. Maybe on the bus we thought that and I don't know if people  
15 watching, because, you know, there were people along -- when I was  
16 looking at the people, the residents and stuff going through this  
17 -- whatever that place was, the place, you know, looking --  
18 watching the train and everything. And I'm sure they probably had  
19 more accurate what happened than we do because they stood there  
20 and watched the whole thing.

21 Q. Right. Right. So do you remember kind of a detour, if the  
22 travel person told you that you guys were going a different way;  
23 do you remember anything about that?

24 A. I didn't -- not a detour. When we were leaving to go to the  
25 next place, he said he thought we would enjoy driving the beach

1 road 90.

2 Q. Okay. Yeah, Highway 90?

3 A. Yeah. And that was a gorgeous drive. He said I just thought  
4 that's more interesting. And we all -- of course, everybody  
5 cheered. They were glad to do that rather than go through stop  
6 lights or whatever else you had to go through.

7 Q. Right.

8 A. So -- and he was not -- to me he was not a speed demon.

9 Q. Okay.

10 A. He was a very good driver. I can't fault that at all.

11 Q. Okay. That's good. So you said that, you know, you didn't  
12 hear anything before it happened? You didn't hear --

13 A. I didn't. And people said how could you not? And I said, I  
14 don't remember any of that and I'm not going to say I did if I  
15 didn't. I heard sort of the last -- right before impact when the  
16 horn was -- well, whatever the train has. I heard some kind of a  
17 noise and that's what made me look, I'm sure. And that was just a  
18 second. But I never heard it. I know people said it did or  
19 whatever and I said, well, I'm sorry, I didn't hear it.

20 Q. Okay. So after when the firefighter took you off the bus,  
21 did you go and sit on a tarp or did they put you on a school  
22 bus or --

23 A. No. They put me on a tarp. They assessed my injury and put  
24 a tag color-coded on my arm.

25 Q. Okay.

1 A. And they checked on me and my vitals and everything. People  
2 were passing out water and wet towels and things like that and --  
3 because they said they were trying to get the critical ones on  
4 down off first. And they had us -- that's why I was toward the  
5 end of the tarp.

6 Q. Okay.

7 A. You know, and others, and they were talking and everything.  
8 And some of them, you know, some of them -- there's the first  
9 group that did, he was trying to get everybody off the bus. I  
10 know they were all off because I saw them all walking by. But it  
11 still didn't register. You know, he tried.

12 Q. Yeah.

13 A. You know, and so -- and I saw them and I said, thought,  
14 people are getting off the bus? Is that from the bus? I had no  
15 idea. I just saw -- and I thought -- I recognized some of them,  
16 and that was it.

17 Q. Okay. So right before the train hit the bus, were people  
18 standing in the aisle kind of where Sharon was? Did you see  
19 anybody standing there?

20 A. No. Because I know when she was leaning across the aisle  
21 talking to a friend of hers, no, there was nobody in the aisle at  
22 the time that I could see. Now, I don't know whether they were  
23 coming up or anything. I didn't pay attention.

24 Q. Okay. Is there anything in particular that you wanted to  
25 tell us about your experience or about what you feel would be

1 important for us for our investigation? Is there anything that  
2 you really want to convey?

3 A. I can't think of anything. I just -- I do remember the  
4 rescue and everything, it was fast and very effective. I mean,  
5 and I was looking at it on a nurse's standpoint.

6 Q. Right.

7 A. I mean, they were there and it was just -- everything just  
8 went boom, boom, and paramedics from every place. Ambulances were  
9 pulling up from little towns, you know, and coming and I was -- I  
10 actually -- well, to say fascinated is probably a wrong word. But  
11 I was. I thought I've never been this close to anything, you  
12 know. Well, I did Red Cross when I was in Vietnam but that's  
13 different. That's not even anything like this.

14 But just to see everybody -- and everybody was so methodical.  
15 There was no you (indiscernible) this. It was just boom, boom,  
16 boom, boom, they moved us. You know, that was a fantastic.

17 Q. They did do a good job.

18 A. That's the part I would notice, yes.

19 Q. Yes. Yes.

20 A. Because, you know, and that's what people said, were they on  
21 their toes? Did they -- were they rough? Were they -- I said,  
22 all I can say is they're fantastic. I'd want them on my team any  
23 day.

24 Q. That's good news. Okay.

25 A. And that may not be what you want to hear, but --

1 Q. Oh, no, I think it's great.

2 A. Kathy says I'm too honest, but that's what -- I'm trying  
3 to --

4 Q. It's good. Well, and you know, just like everybody, they  
5 feel the effects of having been there and seeing what happened to  
6 everybody. And so when you -- and particularly myself when I meet  
7 with them and I can tell them that the patients felt that they  
8 were coordinated, that they were calm. Some folks have said, you  
9 know, other words and you used fantastic. That really makes them  
10 feel good and it reinforces that they continue to train so that  
11 they respond the way that you were responded to, and that's  
12 important. So giving them feedback is great. I like that. So  
13 that's not a problem.

14 A. I have to. Because I told one firefighter, I said, when I'm  
15 well and remember things, I would love to come back and hug  
16 everybody in the fire department. I said you're nice and buff,  
17 but I would just like to say -- I know. Kathy says, mom, you just  
18 -- I said, yes, I do; that's me. I'm going to tell it.

19 I would just love to say thank you. I told him I was going  
20 to come -- Kathy and I were going to come down here when I'm  
21 better so we can enjoy the coast and everything. And I said  
22 there's not going to be a person here that I'm not going to hug  
23 because it's been a fantastic care from everybody.

24 Q. That is so good to hear. I will pass that along to them.

25 A. I wish you would, because I've worked in hospitals and a lot

1 of -- so I know when I'm getting good care and that I'm getting  
2 somebody who cares. The big hospitals, they're too quick in and  
3 out people. But these people, they take all the time you need  
4 with them. They answer call bells super-fast.

5 Q. Oh, that's good.

6 A. You don't wait and have to do it more than once. They are on  
7 top of it, and that impresses me.

8 Q. That's good. That's good to know.

9 A. Yeah. I mean, I'm -- I'm probably going to write a long  
10 letter because I really -- when you go through this experience and  
11 you get the kind of treatment you get, that's what I'm  
12 remembering.

13 Q. Yeah. Well, that's good.

14 A. The crash that's over with. But the care and the follow-up  
15 has been fantastic.

16 Q. Well, I am so glad to hear that.

17 A. Yeah.

18 MS. BECKJORD: Do you guys want to go ahead and ask any  
19 questions?

20 MS. LACOSTE: I had a couple things but you hit them all.

21 MS. BECKJORD: Okay.

22 MR. COLLINS: I have a couple follow-ups.

23 BY MR. COLLINS:

24 Q. Just to make sure I'm understanding correctly, you were --  
25 you said you were on the bus and you were looking out the window,

1 and you did notice people moving by and recognized some of them  
2 and you mentally --

3 A. Then that's when I looked up front and saw the front part,  
4 you know, and he was very calmly, he was having them just get off  
5 the bus.

6 Q. Okay.

7 A. And that's all I remember because then I saw -- I saw we  
8 couldn't get out because the people from the back were pushing to  
9 get out. So the people that were kind of in the middle, there was  
10 nothing we could do. And when -- I know when the train hit, the  
11 people that were standing were falling on top of the people that  
12 were -- not me, but people in front of me, that where they were  
13 sitting. I remember that, because they couldn't get off. And I'm  
14 glad I was sitting down.

15 BY MS. BECKJORD:

16 Q. Okay. Yes, that was a good thing.

17 A. I was surprised there wasn't as many dead people. Because  
18 seniors, and their bones are fragile and everything and health  
19 issues and might have heart attacks, whatever. You know, it was  
20 really lucky we did pretty good.

21 Q. So you think the driver was having them get off?

22 A. Oh, yeah, he was -- yeah. He had them stand up. He was  
23 doing it not taking it a section, you know, a front section at a  
24 time and he was down helping them get off, because elderly people  
25 can't just hop down those stairs.

1 Q. Right.

2 A. He made sure they got off intact. And he told them which way  
3 to -- you know, direction to walk.

4 Q. And this was after the crash or before?

5 A. No. It was -- I can't swear to it. I think, because I  
6 didn't hear -- other people heard multiple, other people heard  
7 multiple whistles and everything. And he did -- well, according  
8 to the news, and that's repeating what I heard on the news because  
9 I had no idea. I mean, I had about 5 seconds, that's all. But I  
10 mean, afterwards they said that he had slowed down and he kept  
11 tooting, because it was a ways back. And that it was -- the  
12 impact was 19 miles an hour.

13 Q. Okay.

14 A. But that's news.

15 Q. Right.

16 A. And, I mean, you might have all heard that too. I don't know  
17 if you saw it on the news.

18 Q. I've been (indiscernible).

19 A. People were calling me from Austin saying, were you in that?

20 Q. So you're saying that after -- right before the crash  
21 happened, you actually saw the driver getting people off?

22 A. He was trying -- yeah.

23 Q. Okay.

24 A. Because, I mean, I guess if we were stalled is because we  
25 couldn't get out of the way. I mean, I assume that. That's not

1 what I -- you know, anybody telling me. Because I wouldn't have  
2 thought we were sitting -- had sat there 10 minutes. I would  
3 never have dreamed that.

4 Q. Uh-huh.

5 A. But when they showed it on the news and the position of the  
6 wheel and everything, I could see why there was no hope. And  
7 immediately he started -- because a lot more people would not have  
8 made it that were able to get off the bus.

9 Q. Okay.

10 A. So --

11 BY MR. COLLINS:

12 Q. And the only other question I had was, you said you  
13 remembered that when they got you off the bus they took your  
14 vitals and they gave you a band?

15 A. They put a -- it wasn't a band. It was a, you know, like a  
16 tag you might put on a box or a suitcase or something, and the  
17 bottom was color coded for people immediate, intermediate type  
18 thing. And I know when they -- I could see while I was waiting  
19 because I was, you know, one of the last because he -- they were  
20 setting them -- they had critical in one section or people  
21 unconscious, that type of thing, or maybe some that didn't make it  
22 and so on. I know when my friend got off, she wasn't put near me.

23 All I know is she was sitting for more quicker recovery,  
24 wherever she was going. I didn't get to talk to her or -- I said  
25 just don't move. That's all I could tell her. I said you're

1 hurt, don't move. She was leaning over, hanging on to the --  
2 across the aisle, and she -- where she got knocked, and she was  
3 holding on because it hurt to breathe. And I said just stay  
4 there. When I get up farther, I'll get a fireman to come back and  
5 get you off. Don't try yourself.

6 MS. BECKJORD: Oh, okay.

7 MS. FITE: Yeah. And she was, she said (whispering). She  
8 couldn't -- yeah, she -- yeah, she wasn't going to move.

9 BY MR. COLLINS:

10 Q. Do you remember what color your tag was?

11 A. Green. I'm pretty sure it was green.

12 And the way they were placing us, I was at the far end. and  
13 they had to wait because the ambulances were filling up pretty  
14 fast, and they either had to wait for more were trying to come,  
15 but they were coming from farther out. And I was fine. I was  
16 sitting talking to people, and some that were ambulatory they were  
17 sitting there too. I mean, they weren't not injured, but they  
18 were able to walk. So we were the last to be loaded into  
19 ambulances and we were brought to the farthest out hospitals  
20 because we wouldn't need emergency.

21 Q. And how long would you estimate you were sitting on the tarp  
22 before you got loaded into an ambulance and brought here?

23 A. I have no idea. Time meant nothing. It didn't seem long. I  
24 mean, people came by with bottles of water and everything and  
25 everything was moving so smoothly. But time was no concept to me.

1 I'm sorry. I just know everybody was there so fast and we moved.  
2 I would not say an extraordinarily long period of time.

3 BY MS. BECKJORD:

4 Q. Surprisingly, from the debriefing that we did with the  
5 firefighters, they had everybody off the bus and transported  
6 within 64 minutes of the crash.

7 A. Yeah. I would say that because they had to use the jaws of  
8 life and -- you know, I kept petting one girl's -- girl -- lady's  
9 hand because I could see her fingers moving and the legs. But I  
10 mean, when the seats -- when it hit, the bus seats flattened, the  
11 metal -- you know, they weren't up where you had a lot of room  
12 under there. You were -- that was pressing right down on it. But  
13 she -- and she couldn't answer, but she had a pretty good pulse,  
14 because that was what I would check first in her arm.

15 But the other one next to her says, I'm hurt. I said, well,  
16 just don't move, stay still; that's important.

17 MS. BECKJORD: All right. Well, thank you very much.

18 MS. FITE: Well, you're welcome.

19 MS. BECKJORD: I don't have any more questions. I really  
20 appreciate it. This is my card.

21 MS. FITE: Okay.

22 MS. BECKJORD: And if you have any other things that you  
23 would like to tell --

24 (Whereupon, the interview was concluded.)

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL COLLISION OF FREIGHT TRAIN  
TRAIN AND TEXAS TOUR BUS  
BILOXI, MISSISSIPPI,  
ON MARCH 7, 2017  
Interview of Francis Fite

ACCIDENT NUMBER: HWY17MH010

PLACE:

DATE: March 11, 2017

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

  
Metha J. Wheeler  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL COLLISION OF CSX FREIGHT \*

TRAIN AND TEXAS TOUR BUS \*

Accident No.: HWY17MH010

BILOXI, MISSISSIPPI \*

ON MARCH 7, 2017 \*

\*

\* \* \* \* \*

Interview of: JANICE GASKAMP

Ocean Springs Hospital  
Room 3010  
Biloxi, Mississippi

Thursday,  
March 9, 2017

## APPEARANCES:

MICHELE BECKJORD, Survival Factors Investigator  
Office of Highway Safety  
National Transportation Safety Board

MICHAEL SHAW  
Biloxi Police Department

TARA  
Federal Motor Carrier Safety Administration (FMCSA)

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I N T E R V I E W

(12:28 p.m.)

1  
2  
3 MR. SHAW: Investigator Shaw, todays date is 9 March. The  
4 current time is 12:28, Ocean Springs Hospital going into Room 2326  
5 to interview Ms. Janice GasKamp.

6 How you all doing?

7 MS. GASKAMP: Hello.

8 MR. SHAW: I know this is the worst thing in the world being  
9 in here and you're trying to get rest, and they tell you to get  
10 rest and everybody and their sister comes in here aggravating you.

11 I don't know if you remember me. I spoke to you briefly in  
12 the emergency room.

13 MS. GASKAMP: No.

14 MR. SHAW: Mike Shaw.

15 MS. GASKAMP: No.

16 MR. SHAW: I spoke to you very briefly the day of the  
17 incident. I mean. it was very briefly.

18 MS. GASKAMP: Who are you?

19 MR. SHAW: Mike Shaw with Biloxi P.D.

20 MS. GASKAMP: Okay.

21 UNIDENTIFIED SPEAKER: Can you just give us one second  
22 because it takes forever to get anything.

23 MR. SHAW: Yes.

24 (Pause.)

25 MR. SHAW: Here you go, Ms. Janice. I didn't get a chance to

1 give you my card the other day.

2 MS. GASKAMP: Okay.

3 MR. SHAW: Understand I'm with the Biloxi P.D. You have got  
4 Tara and Michele here --

5 MS. GASKAMP: Okay.

6 MR. SHAW: The National Transportation Safety Board and  
7 Department of Transportation.

8 MS. GASKAMP: Okay.

9 MR. SHAW: Correct?

10 MS. BECKJORD: Correct. Do you mind if we ask you just a  
11 couple of questions to help with our investigation?

12 MS. GASKAMP: That's fine.

13 INTERVIEW OF JANICE GASKAMP

14 BY MS. BECKJORD:

15 Q. Elias Kontanis from -- he's one of my co-workers came by and  
16 talked to you.

17 A. He came by earlier.

18 Q. Yes. And so, his role is more of a family assistance role,  
19 get you what you need, make sure you have information that you can  
20 contact us if you want to know how the investigation is going. My  
21 role in the investigation is to kind of look at what happened to  
22 you folks inside the bus and ask you a couple of safety-related  
23 questions. And Tara is with the Safety Motor Carrier Safety  
24 Administration they oversee these motor carriers and drivers. So,  
25 she has a few questions --

1 MS. BECKJORD: Did you want to lead off?

2 MS. TARA: No, go ahead.

3 BY MS. BECKJORD:

4 Q. So, if you don't mind I'm going to ask you to tell me the  
5 things that you specifically remember -- and I'm just going to  
6 follow up if that works for you.

7 (Papers rustling; inaudible.)

8 BY MS. BECKJORD:

9 Q. So where were you picked up Ms. GasKamp -- am I pronouncing  
10 it?

11 A. GasKamp. Uh-huh.

12 Q. Ms. GasKamp, where were you picked up?

13 A. At the hotel.

14 UNIDENTIFIED SPEAKER: Hollywood Casino.

15 MS. GASKAMP: Hollywood, yeah, in Bay St. Louis Casino.

16 BY MS. BECKJORD:

17 Q. Hollywood Casino. Okay. Did you have a whole lot of  
18 interaction with the driver in particular?

19 A. Each day he was on our floor at the hotel, I saw him. And he  
20 was very pleasant. He was very helpful each time. My husband has  
21 a hard time getting -- to move, to get up and down, and he uses a  
22 cane and things.

23 Q. Okay.

24 A. And he was always very helpful and conscientious of helping  
25 him get on and off the bus, and me, too. I mean, he was a very

1 kind fellow, very helpful.

2 Q. Okay. When you say he was on your floor at the hotel, did  
3 you ever see him at odd hours or maybe in the casino or anything  
4 like that?

5 A. No. We were scheduled to leave the hotel at 1:30 and about  
6 12:00 -- at 1:30 in the afternoon. And we were told to be at the  
7 bus stop at 1:15. And so my husband and I went to the room about  
8 11:30 or 12. Around 12, and as we were getting to our room, he  
9 was packed and he was leaving to go get the bus ready and  
10 everything like that. He was fine.

11 Q. Okay. Do you remember, did he wear glasses?

12 A. I don't remember.

13 Q. Okay.

14 A. And I wear glasses and I don't -- I don't have any now. And  
15 so I'm like I'm in a fog the whole time because I can't --

16 Q. I understand.

17 A. You know, they write notes up there for me, but I can't read  
18 them, so --

19 Q. Right.

20 A. So I apologize for that. I just can't see anything.

21 Q. Right. No, I understand.

22 A. I understand it's going to be a while before I get my  
23 glasses.

24 MR. SHAW: I'm not sure about your prescription, but one of  
25 the other people we spoke to had somebody go down to the gift

1 shop. I'm not sure -- and got just --

2 MS. GASKAMP: Oh, I need prescription glasses.

3 MR. SHAW: You need prescription. Okay. I know they helped  
4 a little bit on them.

5 BY MS. BECKJORD:

6 Q. Well, we can find out. Elias would be a good person to talk  
7 to because I know they are going to try to get some personal  
8 effects.

9 UNIDENTIFIED SPEAKER: Yeah, he's working on that.

10 MS. GASKAMP: Yeah, he said -- they gave us information about  
11 that.

12 BY MS. BECKJORD:

13 Q. So maybe they'll find your glasses -- hopefully.

14 A. I had them on my head -- well, when the train stopped -- when  
15 the bus stopped moving after we were hit. I realized that they  
16 weren't on my face and I was reaching around and they were tangled  
17 in my hair. And I put them on as much as I could. But this left  
18 stem was bent or something. I couldn't get them on secure. But  
19 they were better than nothing. So I put them on and they stayed  
20 on until they hoisted me out of the bus --

21 Q. Oh, okay.

22 A. -- and through that. That was an ordeal to get me out. And  
23 so I was taken by like a tarp or something underneath me. And  
24 they -- kind of like the rock concerts where people jump in and  
25 they --

1 MS. TARA: Crowd surf.

2 BY MS. BECKJORD:

3 Q. Right. Right.

4 A. That's what I did.

5 Q. So you can add that to your resume. You have gone crowd  
6 surfing.

7 A. She's holding --

8 MR. SHAW: Bucket list check.

9 MS. BECKJORD: Yeah.

10 MS. GASKAMP: I could do without that, I tell you.

11 MS. TARA: That's a heck of a way to get it done, but --

12 BY MS. BECKJORD:

13 Q. Okay. So I'll just walk you through just a little bit. Do  
14 you -- you said that, you know, the driver felt -- you know, he  
15 seemed fine. You saw him leaving his room about noon.

16 A. Uh-huh.

17 Q. And I've already asked Mike about kind of your seat location  
18 and things like that. Is there anything that you can tell me kind  
19 of leading up to when the bus came sort of near the crossing; do  
20 you remember? Can you kind of walk me through the progression, if  
21 that's all right with you?

22 A. Uh-huh. As we neared the intersection for the bus, for the  
23 train intersection, we saw a train extremely far down the track,  
24 really far. And I remember looking at the signal lights to see if  
25 the arms were down or the lights were on. And it was so far back

1 that they weren't even working at that point. And I even thought  
2 to myself, oh, they might be even switching tracks down there.  
3 Because all I could see was the light and it didn't look like it  
4 was moving.

5 Q. Uh-huh.

6 A. It was that far away. Okay. So there was ample time for him  
7 to get across the tracks. If I were driving, I would have  
8 definitely gone across the tracks at that point.

9 BY MR. SHAW:

10 Q. Well, you indicated with your left hand, and you're facing  
11 forward, so you're saying back toward the -- coming from the west?

12 A. To my --

13 Q. Your left facing north?

14 A. We were sitting on the driver's side in seats 34 and 35, I  
15 believe. And everybody on the bus was very calm. They really  
16 were, considering. And, you know, we drove over the tracks and  
17 all of a sudden it stopped. The bus stopped and we were dead  
18 center of the track then. I mean, my husband and I we were right  
19 there. And so, I still wasn't alarmed because it was so far back  
20 and it didn't even look like the train was moving.

21 And then all of a sudden, we realized, hey, the train is  
22 moving and we are not moving, you know. And then someone called  
23 we need to get off the bus; we need to get off the bus. But they  
24 were calm about it. And so everyone started standing up and  
25 moving forward, but you understand I probably was one of the

1 younger ones on the bus. So it takes more time to get everybody  
2 off the bus.

3 And my husband uses a cane and has a very difficult time  
4 getting on and off anyway. And he was sitting next to the window.  
5 I was sitting on the interior seat. So I stood up, giving him  
6 room to scoot over to the aisle so that he -- he would usually  
7 twist his legs around and then use the seats to push himself up,  
8 and a cane.

9 Q. Uh-huh.

10 A. When I looked back -- and I was a little bit, a few steps in  
11 front of him. When I looked back he still hadn't made it up,  
12 which was not unusual because he has to rock several times and  
13 really work to get up. He had not made it up.

14 And then, you know, I looked back this direction. I saw the  
15 train again. And then I looked and I thought, oh, my gosh, this  
16 train is actually going to hit us. It's not stopping. It wasn't  
17 going real fast but -- and then I -- let's see. Somewhere in  
18 there I looked up to see if the lights, the signal lights were  
19 working, and they were working and the arms -- at that point the  
20 arms started coming down. And then people got a little more  
21 panicky. We need to get off. We need to get off. Because the  
22 arms were coming down and they were going to, I guess, hit the  
23 bus.

24 And so, everyone started trying to get off the bus a little  
25 more quickly. And then I realized there's no way I'm going to get

1 off the bus because the train was from me to that wall from me at  
2 that point. I mean, just, you know, it was very close. As I  
3 said, its horns were working and the arms were down and the lights  
4 were working on the signal.

5 And so -- you all don't remember, but I went to school and we  
6 had to go through fallout shelter raids when I was a kid. So I  
7 thought that's all I can do is try to protect myself. So I  
8 squatted down. I'm in the aisle. And, you know, your seats are  
9 like this; there's a front seat and the backs of this front seat  
10 in here. So, I squatted down in the center of the aisle right in  
11 that area and I turned with my back to the train, put my hand and  
12 arms and stuff over my head and just sat there in a huddled  
13 position.

14 And then the train hit, you know, and it just -- it was kind  
15 of like slow motion. It just -- and it didn't feel like we  
16 traveled very far. I've been hearing on the news we traveled  
17 quite a distance, but it didn't feel like that to me at that  
18 point. But it stopped.

19 When it stopped moving, the bus stopped moving, then I was  
20 laying with my rump down on the floor of the bus. My left leg was  
21 -- ankle was bent underneath my leg, you know, it was an  
22 uncomfortable position. My right one was extended forward, so I  
23 -- that was no problem. So I worked and I pulled up on this  
24 armrest that was in here. The seatbacks in front of me were just,  
25 you know, pushed together like an accordion, and I don't know what

1 happened to the seats between back here necessarily.

2 But I start pulling myself up and my back was resting on the  
3 one seat, the passenger side of the aisle of the bus. Does that  
4 make sense?

5 Q. Uh-huh.

6 A. Okay. I was pulling myself up there and I kept feeling like  
7 I couldn't breathe. And then I realized that my head was on  
8 another lady's lap on her left side. And she was very kind. I'd  
9 never met her before, but I think her name was Lisa and I really  
10 would like to know what happened to her. I don't know what  
11 happened to her, because I asked her what is your name. And she  
12 was rubbing my face and she said, honey, are you okay? And I  
13 said, I think I'm okay; I just can't breathe. And then I finally  
14 realized that the driver's side seat cushion, seat that, you know,  
15 you would have sat in it, was pushed up here against my chest and  
16 my ribs and things. So I figure I had broken ribs or something.  
17 I felt like I couldn't fill my lungs with air.

18 And so, I was holding onto that, that thing, and my back was  
19 hurting a lot. And there was a lady on the bus named Donna and  
20 she had cuts all over her face and she had been sitting up a few  
21 seats in front of us. I looked back and the seat number right  
22 next to my face then was 24 and 25. So I must have gone like five  
23 seats --

24 Q. That's what you told me.

25 A. So Donna was walking over the seats checking to see if we

1 were okay. She was coming back to check on us. And she had cuts  
2 on her face, but other than that I don't know what injuries she's  
3 had. And she checked that we were okay. Yeah, we are going to be  
4 okay, you know. At that point we didn't know that we were  
5 trapped. And so, Lisa just kept sitting there calmly stroking my  
6 head.

7 And finally, the officers came and started asking if we  
8 could --

9 (Pause.)

10 I was laying there waiting. And then the officers came and  
11 asked if we were trapped and if I could get up, if they could help  
12 me stand up and get out. And I said, no, I can't move, my back --  
13 and that's when I realized I couldn't pull my leg, my left leg up  
14 at all. I could move my right leg, but my left leg was not  
15 trapped but -- I could tell my brain to move it, but it wasn't  
16 moving.

17 BY MS. BECKJORD:

18 Q. It wasn't reacting?

19 A. It wasn't reacting.

20 Q. Okay.

21 A. But my right leg was doing fine. And the seat was still over  
22 here in this area. And then they got to her, Louise, and asked  
23 her if she could get up and she said, oh, I think I can. And then  
24 she went, oh, no, I can't; my hand is caught. It's trapped  
25 between the seat and the door or the side of the bus.

1 Q. Uh-huh.

2 A. So she tried to pull it out, but she couldn't pull it out.  
3 So they were working then with the Jaws of Life and all kind of  
4 plungers or whatever they were. All kinds of things to, you know,  
5 well, it was a --

6 Q. Okay.

7 A. -- you know, and they were very -- whoever the officers or  
8 people that were helping us they were very conscientious. They  
9 covered our faces up and things so that we wouldn't get glass all  
10 over our face and we didn't have any cuts or things like that.  
11 And they were very good about that.

12 I'm still trying to breathe, you know, and they finally got  
13 some oxygen to me. I told them -- I'm hanging on like this. And  
14 they had to work a long time to -- it felt like a long time. I  
15 don't know how long it was to get her hand out. And finally, I  
16 know -- they were just frustrated on how to do all this because it  
17 was -- everything they tried seemed to move things. At one point  
18 when they were moving one thing then the front seat started coming  
19 down on me and it was pushing down. No, no, no, don't do that.  
20 So they stopped and they didn't do that.

21 And eventually she was able to extract her hand and they  
22 thought that they could get her out. Then she realized her foot,  
23 her left foot was somehow underneath a seat, that, you know, I'm  
24 laying on her leg.

25 Q. Uh-huh.

1 A. So I don't know how it was -- I couldn't see down there to  
2 see how it was laying, but anyway -- I don't know how tight it  
3 was. So then they realized they had to get me out before they  
4 could get her out. And they tried to get a back brace in there  
5 for me, but there was no room for a back brace. I mean, there's  
6 -- I'm just hanging there and it's just no room.

7 Q. Right.

8 A. And so, they finally got some kind of I think it was a tarp  
9 or something. I kept my eyes closed a lot because I didn't want  
10 to get glass in them.

11 Q. Uh-huh.

12 A. And at that point I had my glasses on because, like I said,  
13 when I was laying there I reached back and they were mangled in my  
14 hair. And so, I pulled them on and I could see things. And as I  
15 put that tarp under me or something, and they said all we can do  
16 is hoist you out and then we'll slide you across the seat backs to  
17 get you out. I don't know if I went out to the back side. I  
18 don't know how they got me out. But they put something underneath  
19 me, hoisted me up and then, like I said, did the surfing kind of  
20 thing. Extremely painful. I mean, and I know they -- I know the  
21 officer said, ma'am, you are so calm compared to what I would be.  
22 And I said, you know, I know it doesn't help to get anxious when  
23 you all are trying your best. I realize that.

24 So, they finally got me out and got me into an ambulance.  
25 The ambulance has no room in there, and it was a big guy and so

1 all of his equipment kept hitting me in the head and face and  
2 whatever, you know, but I know he was trying. And then there was  
3 another lady in there and they asked her her name and she said  
4 Mary something Kieke. And I only remember that is because I have  
5 a dear friend in Texas, her name is Mary Kieke.

6 Q. Really?

7 A. And she even spelled it K-i-e-k-e. And I went, oh, that's  
8 just how Mary spells her name. Isn't that weird, you know.

9 Q. That is interesting.

10 A. How unusual.

11 Q. Yeah.

12 A. And so -- and then we got to the hospital eventually.  
13 Ambulance ride is not a comfy ride, I tell you. But anyway, I  
14 guess --

15 UNIDENTIFIED SPEAKER: For the price, you'd think it'd be a  
16 little --

17 MS. GASKAMP: I'm sorry?

18 UNIDENTIFIED SPEAKER: For the price, you'd think it'd be a  
19 little more plush, huh?

20 MS. GASKAMP: Right. It's pretty rough. And I'm not  
21 complaining about the guy, hitting his tools. I mean, I  
22 understand he was doing the best he could.

23 BY MS. BECKJORD:

24 Q. Yeah. No, I understand. So do you happen to -- I know this  
25 is kind of a difficult question because I know you're here, and is

1 your husband at another hospital?

2 A. Yes, he is.

3 Q. How is he doing?

4 A. The doctor had told me originally that his humus had a clean  
5 break. The doctor here told me. But when she was -- she went  
6 over to the hospital there, and when that ortho looked at him, he  
7 said, no, it wasn't a clean break, that there were four breaks in  
8 the shoulder. It was completely shattered. Then they did surgery  
9 last night at 5, and when they did the surgery they found out that  
10 all of the tendons and the muscles and everything were --

11 UNIDENTIFIED SPEAKER: All the tendons and ligaments were --  
12 his shoulder was just shattered. He said it was just in pieces.

13 MS. BECKJORD: Oh.

14 UNIDENTIFIED SPEAKER: Many pieces. More than four, many  
15 pieces. And then all of the ligaments and tendons that would  
16 attach your muscles to that, you know, to do this --

17 MS. BECKJORD: Uh-huh.

18 UNIDENTIFIED SPEAKER: -- were all just -- there was nothing  
19 that they could repair because there's nothing there.

20 MS. BECKJORD: Okay.

21 MS. GASKAMP: So they did a total shoulder replacement.

22 BY MS. BECKJORD:

23 Q. Oh, really. Okay. Is he doing okay other than that?

24 A. He's so medicated that when I try to talk to him he doesn't  
25 make sense.

1 Q. Okay.

2 A. So, I can understand, you know --

3 Q. Right.

4 A. -- and he's got a lot of health -- he has Type I diabetes,  
5 insulin dependent diabetes --

6 Q. Right.

7 A. -- for 44 years. That's amazing he's still alive, and the  
8 fact that that -- he's got lots of complications as a result prior  
9 to this.

10 Q. Okay.

11 A. So (indiscernible) --

12 Q. I'm sorry the hear that. Do you remember anything else in  
13 particular that you think would be important for us to know?  
14 Things like when you said that when you guys pulled up to the  
15 intersection that it seemed like the train was way far off.

16 A. Oh, it did.

17 Q. Do you know if the driver seemed to recognize that the --

18 A. I was too far back to see.

19 Q. Okay.

20 A. I don't know.

21 Q. Okay.

22 A. But I remember thinking, you know, it's so far back the  
23 train, like I said, you know, I thought that it might have even  
24 been stopped and switching tracks or something, because it was so  
25 far back it didn't appear to be moving at all at that point. So

1 if I were driving, I would have easily said I've got plenty of  
2 time to make it across these tracks.

3 Q. Sure. Right.

4 A. And like I said, I know the signal lights were not working at  
5 that point. So it wasn't close enough for them to operate.

6 Q. Right.

7 A. And the arms were not down, but they were later, you know,  
8 when it got within -- for them to work.

9 Q. Right.

10 A. And that's when I guess I really realized that it actually is  
11 moving, the train.

12 Q. Right. Do you -- were you -- before you got up and moved  
13 into the aisle, were you wearing your seat belt?

14 A. No, I was not.

15 Q. All right. Did you know whether or not the motor coach had a  
16 seat belt on it?

17 A. Yes. It did have seat belts. And to be honest, I am glad my  
18 husband and I were not wearing them because he would have never  
19 been able to scoot over and bend over to get -- I mean, they would  
20 have just impeded his getting up. But anyway, no, we did not have  
21 the seat belts on, but they were on the bus.

22 Q. Okay. Did the driver when you left Texas make any kind of a  
23 pre-trip briefing to you about things like here is where the  
24 emergency exits are, and your seat belt and things like that?

25 A. Uh-huh.

1 Q. You do remember that?

2 A. Uh-huh.

3 MS. BECKJORD: Tara, do you have any questions?

4 MS. TARA: Oh, I have just one.

5 BY TARA:

6 Q. Do you remember as you were making that approach and you  
7 could see the train, do you know if you guys stopped, did the bus  
8 stop there or did you just kind of ease up?

9 A. We eased -- well, I think we stopped and then we eased over.

10 Q. Okay.

11 A. And then when it stopped initially, we were on the middle of  
12 the track --

13 Q. Right.

14 A. -- I thought I could not see because it was too far back,  
15 there must be another intersection on the other side. And so  
16 that's why we were stopped.

17 Q. Okay.

18 A. Like he was stopping at a stop sign.

19 Q. Right.

20 A. But then I realized we weren't going anymore. So, I don't  
21 even know if there was an intersection or a light on the other  
22 side. I have no idea. But he did stop before he went over the  
23 tracks and looked. I imagine he looked. I know he stopped.

24 Q. Okay.

25 A. And then he eased over the tracks.

1 Q. That was it? Was he attempting to apparently trying to make  
2 it back up or --

3 A. I think so. Yes. Because the engine -- that was another  
4 thing, the engine was still running for a long time while they  
5 were trying to get me out. It was still -- the engine was not cut  
6 off. I don't know what happened to him, the driver. As a matter  
7 of fact, I'd like to know if he's okay or -- I did hear last night  
8 who the fatalities were and he wasn't among them. But I don't  
9 know if he was injured or not or if he got off the bus. I have no  
10 earthly idea about any of that.

11 BY MS. BECKJORD:

12 Q. So where were you picked up for the trip in general on  
13 Sunday?

14 A. In Sealy, Texas.

15 Q. In Sealy.

16 A. Uh-huh.

17 Q. Okay. How did you learn about the trip?

18 A. Oh, there's a group of us that play cards, play a game, it's  
19 kind of like Rummy. We play cards every Sunday afternoon, and  
20 Dorothy Milberger and -- which is a good friend and she has gone  
21 with this the Bastrop senior group many times on trips. And so,  
22 she was telling me this trip was coming up and she told us -- the  
23 rest of the group, and so all six of us decided to go including  
24 her. And then she told her neighbors -- they go out to eat on  
25 Friday nights together every Friday night, and she told them about

1 the trip and so they decided to go along as well. He was one of  
2 the fatalities, her husband, that man.

3 Q. Uh-huh.

4 A. I did not know him before the trip but they did.

5 Q. Oh, okay. Have you ever been on a motor coach before?

6 A. Uh-huh.

7 Q. Okay. Do you do a lot of trips?

8 A. Once a month.

9 UNIDENTIFIED SPEAKER: Once a month.

10 BY MS. BECKJORD:

11 Q. So I would go with 12 a year. That's pretty good.

12 Did you feel anything was different on this particular trip  
13 or, you know, since you probably have a lot to compare it to?

14 A. No. I was just impressed that he was so conscientious of  
15 trying to help. And there were places where the bus was -- he  
16 would pull the bus closer so that he could get the bus down close  
17 enough to give us a big step for people to get out, you know.

18 Q. Okay.

19 A. He was very attentive about all that.

20 MS. BECKJORD: Mike, do you have any follow-up questions?

21 BY MR. SHAW:

22 Q. No, I just want the confirm with you, Ms. Janice -- I got  
23 your home phone number as area code [REDACTED]; is that  
24 correct?

25 A. Uh-huh.

1 Q. And I've got your cell phone number as area code [REDACTED]

2 [REDACTED]

3 A. Correct.

4 Q. That's all I have.

5 A. And that's not going to be released to the media or somebody?

6 Q. No, no. That's in case we have additional questions, we'll  
7 call.

8 A. I don't, I don't want my (indiscernible) --

9 MS. BECKJORD: Okay. Yeah. And then -- and can I have your  
10 address; is that all right with you?

11 MS. GASKAMP: Uh-huh.

12 MS. BECKJORD: If I needed to send you some follow-up  
13 information.

14 BY MR. SHAW:

15 Q. That was the [REDACTED] right?

16 A. Correct.

17 Q. The [REDACTED]

18 A. Correct.

19 Q. Bellville, Texas?

20 A. Uh-huh. Get Yaupon right? Did you get that?

21 Q. It's a plant. It's a plant. Hey, if it helps you, I was  
22 born in Texas, okay?

23 Q. Okay.

24 A. That's how you knew.

25 (Crosstalk)

1 BY MS. BECKJORD:

2 Q. Do you mind if I ask how you spell that?

3 A. [REDACTED]

4 Q. [REDACTED]

5 A. -- [REDACTED]

6 Q. [REDACTED] Okay.

7 A. There's a [REDACTED]

8 UNIDENTIFIED SPEAKER: Street, that's in town. We're out of  
9 town.

10 MS. BECKJORD: Ah, got you. Okay. So now I know I can  
11 pronounce that correctly.

12 MR. SHAW: And that ZIP is 77418?

13 MS. BECKJORD: Correct.

14 BY MS. BECKJORD:

15 Q. Thank you very much for letting us interview you. It is  
16 incredibly helpful for us. I know at the beginning it seems like  
17 I'm asking all these random questions but when we put everything  
18 together it gives us a really good picture of what happened. And  
19 we truly appreciate your cooperation in helping us. So, I don't  
20 have anything else. But I might ask if I can send you things in  
21 the future.

22 A. Yes. I will tell you that one of the thoughts that crossed  
23 my mind also was when we weren't moving, the bus was not moving  
24 across the track. There's a train intersection at Bellville that  
25 many trucks have -- and I think there was a bus even; I don't know

1 -- but I know trucks have gotten high-centered on it. They get up  
2 there and they can't get over. And so there have been many times  
3 we've had to -- you know, our little town only has two signal  
4 lights. That's at one. And so they stop at the light and then  
5 they have to make it up over that embankment to go over the tracks  
6 and they get up to the top and then they are stuck.

7       So then that closes down the city because that's the whole  
8 intersection. So then you have to have all these wreckers out  
9 there to get the truck to where it can go on again.

10 Q.    Right.

11 A.    And I thought, oh, man. And that's when I was realizing the  
12 train is moving. You know, it is really coming. That flashed in  
13 my mind. I think they are stuck on here.

14       (Whereupon, at 1:00 p.m., the interview was concluded.)

15  
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CERTIFICATE

This is to certify that the attached proceeding before the  
NATIONAL TRANSPORTATION SAFETY BOARD

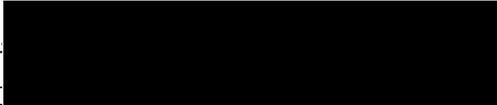
IN THE MATTER OF: FATAL COLLISION OF CSX FREIGHT  
TRAIN AND TEXAS TOUR BUS  
BILOXI, MISSISSIPPI  
ON MARCH 7, 2017  
Interview of: Janice GasKamp

ACCIDENT NO.: HWY17MH010

PLACE: Biloxi, Mississippi

DATE: March 9, 2017

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

  
Letha J. Wheeler  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL COLLISION OF CSX FREIGHT \*

TRAIN AND TEXAS TOUR BUS \* Accident No.: HWY17MH010

BILOXI, MISSISSIPPI \*

ON MARCH 7, 2017 \*

\*

\* \* \* \* \*

Interview of: MARY ELLEN HALL

Merit Health Medical Center  
Biloxi, Mississippi

Wednesday,  
March 8, 2017

## APPEARANCES:

DETECTIVE STEVE KELLY  
Biloxi Police Department

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Interview of Mary Ellen Hall:		
By Unidentified Speaker		4
By Det. Kelly		

I N T E R V I E W

1  
2 MS. HALL: [REDACTED]

3 DET. KELLY: And you're Mary Ellen Hall; is that correct?

4 MS. HALL: Uh-huh. Bastrop, Texas.

## INTERVIEW OF MARY ELLEN HALL

5  
6 BY UNIDENTIFIED SPEAKER:

7 Q. A phone number for you?

8 A. [REDACTED]

9 (Phone ringing.)

10 MS. HALL: I'm just going to see who this is.

11 DET. KELLY: Sure.

12 (Ms. Hall has a brief phone conversation.)

13 UNIDENTIFIED SPEAKER: Family checking on you already?

14 MS. HALL: Oh, been.

15 DET. KELLY: That's because everybody cares about you.

16 MS. HALL: And whenever they heard, my God. There were  
17 people knowing that I'm on the Bastrop senior bus all the time.

18 UNIDENTIFIED SPEAKER: Goodness gracious.

19 MS. HALL: Okay. What do you need? You got my phone number.

20 BY UNIDENTIFIED SPEAKER:

21 Q. Your birthday?

22 A. [REDACTED]

23 Q. And social?

24 A. You know I better look at it just in case. I'm --

25 Q. While you look for that, may I have -- what's your height and

1 weight?

2 DET. KELLY: Well, if he can get your driver's license number  
3 that's just as fine. It's going to be a [REDACTED]

4 MS. HALL: [REDACTED]

5 DET. KELLY: [REDACTED]

6 [REDACTED]

7 BY UNIDENTIFIED SPEAKER:

8 Q. How tall are you, Ms. Mary?

9 A. [REDACTED]

10 Q. And do you know about how much you weigh?

11 A. [REDACTED]

12 Q. Did you come here by ambulance; do you remember?

13 A. Yeah.

14 Q. What kind of injuries do you have?

15 A. Well, I had an injury on top of my head. I've got four  
16 staples in there.

17 Q. Okay.

18 A. A thing on my forehead where they said was -- they took the  
19 CT scan last night and they said it was a hematoma or a bruise or  
20 something but it had not penetrated the brain. It was outside the  
21 brain. So, therefore, it wasn't serious.

22 Q. Nothing anywhere else?

23 A. Well, just bruises and scrapes and --

24 DET. KELLY: Cuts and bruises, arms.

25 MS. HALL: Now, I did, my ribs are not -- they x-rayed them.

1 They're not fractured, but they are terribly bruised.

2 DET. KELLY: They're bruised probably, and that -- sometimes  
3 a bruise is worse than a break.

4 MS. HALL: And then I got a thing on here.

5 BY DET. KELLY:

6 Q. Okay.

7 A. And then some, you know, around, but -- I take Coumadin,  
8 blood thinner and I bled like a, you know, so --

9 Q. Now, do you remember what your seat number was on the bus?

10 A. It was just the far back one. The last seat on the bus.

11 Q. Okay. Was it behind the driver seat or behind the other  
12 seat?

13 A. It was behind the driver's side. On the driver's -- the side  
14 that was hit.

15 UNIDENTIFIED SPEAKER: Last seat.

16 DET. KELLY: Last seat driver's side.

17 BY DET. KELLY:

18 Q. Now, do you know if you were standing up or sitting down when  
19 the train hit the bus?

20 A. Oh, I was sitting I'm pretty sure. I think.

21 Q. Okay. Did you hear the train whistles?

22 A. Oh, God, yeah. I mean, we were all just -- that's the worse  
23 feeling to be sitting in a trapped -- not being able to get out  
24 and the bus couldn't move.

25 Q. And it couldn't move. Stuck on the tracks.

1 A. And everything went through my mind. Why don't you get out  
2 of here? Back up. We were saying back up, because the thing came  
3 down.

4 Q. The arms?

5 A. Yeah.

6 Q. The arms came down.

7 A. But that didn't come down till that silly train was almost to  
8 us.

9 Q. Yeah. The --

10 A. They got a problem there.

11 Q. Well, what they do is, as the train goes it hits a marker, a  
12 sensor which pushes them down. And, you know, as it comes, that's  
13 when it starts to close them. So they close in front of them.

14 Do you know where you on the bus -- when you got off the bus,  
15 did you get off on your own?

16 A. Oh, no.

17 Q. So they helped you off the bus?

18 A. Yeah.

19 Q. Okay. First responders?

20 A. Because I was in the back and they had to cut the side out  
21 and just let us get off like from the floor on.

22 Q. Okay.

23 A. And, yeah, and I was terrified because -- but those four guys  
24 back down there waiting for me to get in their arms.

25 Q. Yeah, they'll get you. Yeah, trained for it.

1 A. Yeah, you know, I don't know how to say it. It was like you  
2 think, why don't you move? Why don't we get out of here? And  
3 then all we can do is wait. And then I remember me just setting  
4 there thinking, well, it might miss us. Stupid me. It might go  
5 in front; it might miss us.

6 Q. Yeah. Well, you just never know. You're just in that time.

7 A. Yeah. Your mind -- and I told them I didn't black out, but I  
8 think I do, because I don't remember some of the stuff. But I  
9 remember I was on the floor and my roommate she did not get hurt  
10 at all. She said she stepped back. She was in the one -- but she  
11 got up and stepped back and that's when it hit and she said she  
12 fell and I fell on her. She said I saved her from getting  
13 anything, you know. I don't know. But --

14 Q. It's very unfortunate accident but I'm glad that you are able  
15 to get discharged from the hospital.

16 A. I know. It feels like -- I felt like everything was black.  
17 I don't know if my eyes were closed or not. But I kept bouncing  
18 and hitting things, it felt like it.

19 Q. Right.

20 A. And then the next thing I knew I was laying on the floor. I  
21 was down here on the floor out of the seat and this guy's head was  
22 almost in my lap and he was unconscious. And he got blue before  
23 they got us out.

24 DET. KELLY: Well, we do appreciate your time.

25 (Whereupon, the interview was concluded.)

CERTIFICATE

This is to certify that the attached proceeding before the  
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL COLLISION OF CSX FREIGHT  
TRAIN AND TEXAS TOUR BUS  
BILOXI, MISSISSIPPI  
ON MARCH 7, 2017  
Interview of: Mary Ellen Hall

ACCIDENT NUMBER: HWY17MH010

PLACE: Biloxi, Mississippi

DATE: March 8, 2017

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

  
Letha J. Wheeler  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of:

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FATAL COLLISION OF CSX FREIGHT  
TRAIN AND TEXAS TOUR BUS  
BILOXI, MISSISSIPPI  
ON MARCH 7, 2017

Accident No.: HWY17MH010

\* \* \* \* \*

Interview of: ANNA MAE HAVRAN

Merit Health Medical Center  
Biloxi, Mississippi

Wednesday,  
March 8, 2017

## APPEARANCES:

DETECTIVE STEVE KELLY  
Biloxi Police Department

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I N T E R V I E W

1  
2 DET. KELLY: You're Ms. Anna Mae Havran?

3 MS. HAVRAN: Uh-huh.

4 DET. KELLY: Is it H-a-v-r-a-n?

5 MS. HAVRAN: H-a-v-r-a-n.

6 DET. KELLY: Havran, okay.

## INTERVIEW OF ANNA MAE HAVRAN

7  
8 BY DET. KELLY:

9 Q. Do you remember what seat number you were sitting on by any  
10 chance?

11 A. No. I would say it was maybe four from the back.

12 Q. Were you on the driver's side of the bus; do you remember?

13 A. No. I was on the right.

14 Q. And that's the fourth seat from the back is what you're  
15 saying?

16 A. Yeah. I think it was about four from the back.

17 UNIDENTIFIED SPEAKER: So you were on the right facing the  
18 door, the driver would have been on the left?

19 DET. KELLY: Okay. So, she's on what's considered the  
20 passenger side then, right.

21 UNIDENTIFIED SPEAKER: Passenger. You could have left/right  
22 as you're walking on the bus.

23 BY DET. KELLY:

24 Q. Okay. Did you hear the train's horn or siren?

25 A. Yes.

1 Q. You did hear it. Okay. Can you tell me what happened,  
2 anything that you remember?

3 A. All I know when the train was coming we was hollering and  
4 screaming and, you know, telling him back backwards and go forward  
5 or anything; couldn't get off the tracks.

6 Q. Okay. Were you sitting down or standing up when the train  
7 hit the bus?

8 A. I was -- we got up and went to the back.

9 Q. Okay. So, you stood up and walked to the back?

10 A. Yes. Got out of our seats and there's no doors or nothing to  
11 get out in the back.

12 DET. KELLY: You are her daughter, you are?

13 UNIDENTIFIED SPEAKER: (No audible response.)

14 DET. KELLY: Okay.

15 BY DET. KELLY:

16 Q. Ms. Havran, what's a good address for you?

17 A. [REDACTED]

18 Q. Uh-huh.

19 A. [REDACTED]

20 Q. What's your date of birth?

21 A. [REDACTED]

22 Q. And how tall are you?

23 A. [REDACTED]

24 Q. Do you know about how much you weigh, approximately?

25 A. [REDACTED] I guess.

1 Q. Okay. And what is your social?

2 A. [REDACTED]

3 Q. And did the doctors say what kind of injuries you had? Was  
4 it just mainly head injuries and your -- I see your right arm is  
5 in a cast?

6 UNIDENTIFIED SPEAKER: Your arm had surgery.

7 MS. HAVRAN: And they took all kind of x-rays.

8 DET. KELLY: Elbow?

9 UNIDENTIFIED SPEAKER: Surgery on her elbow. Can't leave it  
10 open (indiscernible) she had some gashes and broken bones.

11 BY DET. KELLY:

12 Q. Okay.

13 A. And I had a CT done on the head and neck. I have to see the  
14 doctor to get the results.

15 Q. What about your legs? Everything is okay with your legs?

16 A. They're fine.

17 Q. They're fine. All right. Oh, what is a -- what's a good  
18 phone number for you ma'am?

19 A. [REDACTED]

20 Q. Uh-huh.

21 A. [REDACTED]

22 Q. Uh-huh.

23 A. [REDACTED]

24 Q. Okay. All right.

25 (Whereupon, the interview was concluded.)

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ACCIDENT NO.: HWY17MH010

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Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL COLLISION OF CSX FREIGHT \*

TRAIN AND TEXAS TOUR BUS \* Accident No.: HWY17MH010

BILOXI, MISSISSIPPI \*

ON MARCH 7, 2017 \*

\*

\* \* \* \* \*

Interview of: DEBRA KING

## APPEARANCES:

SHERYL HARLEY, Survival Factors Investigator  
National Transportation Safety Board

MICHAEL LaPONTE, Highway Accident Investigator  
National Transportation Safety Board

I N D E X

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I N T E R V I E W

1 MR. LaPONTE: This is a big accident.

2 MS. KING: Uh-huh.

3 MR. LaPONTE: But hopefully, by getting a thorough  
4 investigation, we could can come up with a probable cause and then  
5 hopefully if there are problems, you know, intrinsic problems,  
6 with either the way, you know, the road was built, the railway  
7 operated or the motor carrier was operating or whatever --

8 MS. KING: Yeah.

9 MR. LaPONTE: -- we make recommendations to the people who  
10 oversee them.

11 MS. KING: Really.

12 MR. LaPONTE: And hopefully we'll correct that and so it  
13 doesn't happen in the future. So when we do these investigations,  
14 there's five specialty areas, and my specialty is motor carrier  
15 operations. So I look at all of the bus companies' operations and  
16 driver licensing and the training and all that sort of thing.

17 Sheryl is a survivor factors specialist, and she will tell  
18 you what all that entails because it's way more than I do. So --

19 MS. KING: Okay.

20 MR. LaPONTE: And then we have a highway person. We have a  
21 vehicle person.

22 MS. KING: Yeah.

23 MR. LaPONTE: Then we have a something else -- a human  
24 performance person. And so they -- you know, we look at all those  
25

1 areas again to get a complete overview of what occurred.

2 MS. KING: Okay.

3 MS. HARLEY: First of all, I want to give you my business  
4 card so you know who you're talking to.

5 MS. KING: Okay.

6 MS. HARLEY: And then second of all, as Mike said, I'm the  
7 survivor factors specialist. What that means is that I look at  
8 the events that lead up to the crash, what happened during the  
9 crash and then after the crash to determine if there was anything  
10 that we see -- anything that we can recommend that, later on in  
11 the future in order to prevent something like this from happening  
12 again, either lessening the severity of the injuries that the  
13 victims have suffered or prevent someone from actually being  
14 killed.

15 MS. KING: Right.

16 INTERVIEW OF DEBRA KING

17 BY MS. HARLEY:

18 Q. So with that said, one of the things that I need to do is  
19 kind of get you to tell me, starting from when you boarded the  
20 bus, essentially what happened and just go through your trip --

21 A. Okay.

22 Q. -- until you get to the crash, okay?

23 A. I've got -- my allergies are bad.

24 Q. Okay.

25 A. I've got water and a cough drop in case I start coughing.

1 Q. No problem. You need some coffee?

2 A. No, I don't drink coffee.

3 Q. Okay. Great.

4 A. But, yeah, as soon as I start talking. It's drainage. I  
5 just runs down my throat.

6 Okay. I got on the bus that morning and I was sitting  
7 towards the back of the bus, the driver's side. The back, the  
8 back seat is the long seat.

9 Q. Okay.

10 A. My roommate, she's -- then was 82 and she needed to sit there  
11 to prop her legs up. So I sat in the seat right in front of her.

12 Q. Okay.

13 A. So that's where I was, on the back left side. And, you know,  
14 as we're leaving, I remember we're leaving the parking lot, is  
15 when our bus guide or whatever, she said, oh, the bus driver's  
16 going to take us on the scenic route today and everybody cheered,  
17 clapped their hands and said okay.

18 So anyway, we went on our way. Now I like to work these word  
19 search puzzles just to kill time, and so I had already started  
20 pulling mine out because I didn't know how long it was going to  
21 be, the drive. And so we're going down the highway and stuff and  
22 I'd be working one and look up every once in a while. We were on  
23 the scenic route apparently because on the right side there was  
24 the ocean and the left side is these beautiful homes, you know, on  
25 stilts and stuff. So I'd admire them for a while and then I'd go

1 work on my book again.

2 Then it kept on going like that off and on, and I remember we  
3 got to this one light and we turned left. So I didn't recognize  
4 the street names. I'm not good at that. So then we went a ways  
5 and I don't -- since I was working my puzzle and stuff, I don't  
6 know how we got over to where the accident took place because I  
7 was focusing on my book.

8 So then as we got close to the railroad track, I remember I  
9 was doing the book or whatever, and we went over the track and I  
10 heard like a grinding, like metal grinding, and I thought to  
11 myself, oh, that didn't sound good, you know. And then -- so  
12 thinking we were going over, I looked up and, you know, didn't see  
13 we were going but thought maybe there was a car in front of us or  
14 something, you know. Didn't know why the bus driver wasn't  
15 moving.

16 And then, you know, I had looked to the left, and I could see  
17 a train coming but it was way off yet and it looked like it was  
18 moving slow, but it was way off. And so we were -- you know, sat  
19 there for a little while, and then I heard, I heard somebody, I  
20 don't know who it was up towards the front says, okay, this isn't  
21 funny; let's get moving. You know, I said, that's weird to say.  
22 And then I noticed that we weren't moving at that point, you know,  
23 and I could hear -- well, I couldn't tell if he was shifting or  
24 not, but it felt like the bus was moving, okay, a little bit,  
25 trying to move.

1           And so at that point, you know, the train's getting a little  
2 closer but still I could tell it was moving slow, and then  
3 whenever I saw the front -- what do you call it? The train --

4           MR. LaPONTE: Crossing, crossing --

5           MS. KING: -- crossing arm thing, when I saw that coming  
6 down, I said, okay, this is weird. I said -- then I looked again  
7 because the train was getting closer. I said, okay, well, I'm  
8 going to -- you know, it's getting closer. I said, well, I'm  
9 going to get up and go sit with my roommate because she, you know,  
10 an elderly person, just wanted to help her if I needed to.

11           So I got up. As I was going around my seat to get to her,  
12 the train hit. So I didn't have much chance. I got around there  
13 and went -- let's see. And then I don't remember actually seeing  
14 the train hit because I was -- my back was turned to it, I guess,  
15 when I was turning to go to her. But when I got to her, it hit  
16 and she flew out of her seat and landed on me and I was still  
17 standing. And I was leaning up towards the back of the bus, kind  
18 of like that because she had fallen on my legs. And then I could  
19 feel the train pushing us for a little ways and then it stopped.  
20 And I had -- kind of where the bathroom comes out towards the  
21 back, I was kind of leaned up against the bathroom wall.

22           And so it stopped and then I, you know, looked around. She  
23 was down on the floor and she was hysterical. So I was trying to  
24 calm her down and she, you know, she got up. She leaned off of  
25 me, and then I could -- you know, it looked like there was blood

1 on my jeans. I didn't know if it was from me or what. So I kind  
2 of moved a little bit, and I wasn't hurting or anything. So then  
3 I looked at her and then she had a gash on the side of her head,  
4 on this side of her head. It was bleeding. So I figured that's  
5 where the blood's coming from. So I reached over -- I could  
6 stand. I reached over and my purse was still in my seat where I  
7 was. So I grabbed some Kleenex and stuff out of my purse and put  
8 pressure on her head and it eventually stopped bleeding.

9 Well, in the meantime I was -- you know, since I was the only  
10 one standing at the time and I was trying to see over people and I  
11 couldn't see what was going on up front, and the people that was  
12 next to me, in front of me it was a man that was on the ground,  
13 and where I had been sitting, there was a woman that had been  
14 tossed in between the seat and the back of the other seat. She  
15 was down on the floor.

16 And so I looked around, too, and said -- you know, seeing if  
17 I could help anybody. And since I wasn't hurt physically -- I'm  
18 surprised that I wasn't hurt. I went ahead and helped my roommate  
19 and then the other lady that was fallen between the seats. She  
20 was -- had a couple of deep gashes on her. She was bleeding, so I  
21 gave her some more -- gave her some of the other Kleenex I had. I  
22 said I don't know if you're bleeding; put this on your head. So  
23 she did that.

24 And the man on the floor, I looked at him and he wasn't -- I  
25 didn't see any blood or anything on him, but I said, okay, he's

1 knocked unconscious. And I tried to check his pulse but I wasn't  
2 very good at that.

3 So then the next thing I knew, there was a guy there in a red  
4 shirt. I don't know where he came from, but what I heard from the  
5 news he was the good Samaritan that had pulled his car apparently  
6 next to the bus and had climbed in. I don't know -- like I said,  
7 I don't know where he came from but he was there. So he was  
8 checking on everybody, seeing if he could help. I said, well,  
9 this man's unconscious. I says, and they've got some cuts; I seem  
10 to be fine. And then he said, okay, well, maybe I can help him  
11 move him or something like that. Well, he was trying to pick him  
12 up. He was -- he wasn't a really big man. Kind of like your  
13 build, you know, and then --

14 MR. LaPONTE: I'm a fat boy.

15 MS. KING: I wouldn't say that. But anyway, but anyway, so  
16 he was trying to pick him up, and as he was pulling him up, I  
17 could see there was somebody had been under that guy, you know. I  
18 said, wait, wait, you know, there's someone underneath there. And  
19 it was -- I think her name was Mollie. It was an elderly woman.  
20 She had apparently fallen out of her seat and had landed and then  
21 he somehow fell on top of her.

22 And so the guy quit because he was trying to pull the guy  
23 out, was backing up. I said, no, wait, there's a lady on the  
24 floor behind you, stop. So he stopped and he sat the man back  
25 down. Of course, the man was still unconscious. And let's see,

1 we -- let's see. I think -- I'm trying to think again if he was  
2 checking on anybody else to see if he could help anybody else, and  
3 then I don't remember the time frame, but then there was an EMS  
4 person got in, and then I think the guy with the red shift left.  
5 And so he was in there trying to help and stuff like that, too.

6 So -- and again, since I was standing, the only one standing,  
7 I could -- I was wondering. I knew of two ladies that I knew real  
8 well, and I couldn't see them, and I said, oh, geez, where are  
9 they? And so like I was getting worried about them wondering  
10 where they were. Well, after we finally got off the bus, I saw  
11 they were out there.

12 So -- but anyway, then -- let's see. The EMS was, was  
13 checking, you know, people with wounds and stuff like that. And  
14 then he really didn't work with that guy yet until, I guess, he  
15 checked everybody else. And then they were trying -- one guy was  
16 telling me, I can't remember if it was the EMS guy or the guy in  
17 the red shift. One of them was saying, see if you could open that  
18 door. And I looked at him, I said, what door? You know, he said,  
19 the door over there. So I went around, looked to see if there was  
20 a back door. I said there's no back door. And so I don't know if  
21 he was looking at the bathroom door or what, but I said there's no  
22 door back here.

23 He said, well, see if you can, if you can open the window or  
24 something. Well, I looked and there was like the knob, looked  
25 like it was down on the ground. I said, no, I don't think we can

1 open this window. So then that's when he -- that was I guess the  
2 EMS guy, he started kicking at the window to knock it out and it  
3 finally busted. But, you know, I guess he was thinking he could  
4 get us out there but then we still couldn't go over that window.  
5 So then, I don't know how many, two or three firemen or whatever,  
6 I could hear -- what do you call it -- locks of jaws or the  
7 saws like --

8 MR. LaPONTE: Jaws of Life.

9 MS. KING: Yeah, was cutting, and then they were cutting that  
10 and peeling it back, and -- but that guy -- by that time, the EMS  
11 started working on that man, was trying to get him into -- what do  
12 you call it, the girdle?

13 MR. LaPONTE: Backboard.

14 MS. HARLEY: Backboard.

15 MS. KING: Backboard. Was trying to put -- but it was so  
16 small back there and he was turned, so it was awkward to do. So  
17 they had to kind of -- first thing they had to first get that  
18 elderly woman out of the walkway. And so they got her out. They  
19 finally put her on a board and got her out first, and then got  
20 this guy on the board. It took them a while because being such a  
21 narrow space, you know, between the seats they had to turn him  
22 sideways to get him up, and at that time they were checking his  
23 pulse and I had noticed earlier when I -- when this first happened  
24 that I could see he was still breathing because I could see his  
25 shirt going. But then at that point, I couldn't see that his

1 shirt was moving and he started looking kind of real pale. I  
2 said, ooh, this isn't good.

3 So then when they finally got him on the board and was  
4 picking him up, this other EMS was checking his pulse as they were  
5 lifting him to take him out, I guess, to the front window or some  
6 window because they hadn't cut ours out yet or something, I heard  
7 him say, the second you get him out, do CPR. Well, I knew then  
8 that wasn't a good sign. And so they finally got him out. They  
9 got the bus panel peeled back.

10 Okay. Then -- let's see. The lady that was down on the  
11 floor, with the bad cuts, they got her out. I thought she went  
12 through the thing, but she said she went down a ladder. There was  
13 a ladder there. And then my roommate, we got her out. She kept  
14 wanting to get up, and I said, no, you sit still. You could be  
15 hurt, you know. And so finally when they got that wall cut out,  
16 they got her and, of course, she was real wobbly in her legs, and  
17 she said I can't get out, I can't get out. And I just said, Mary,  
18 it's okay; just do what they tell you, because she was just  
19 hysterical. And so they got her out, the firemen got her out.

20 Then I went back and grabbed my purse and a bag I had there,  
21 and I went out through the back and then I, you know -- I told the  
22 fireman, I'm not hurt. He said, okay, fine. So I just stayed --  
23 he grabbed me and he helped me, put me on the ground. So then I  
24 got out and then I started looking for my roommate, see where she  
25 was.

1           By that time, I think -- I don't know if I was the last one  
2 -- I might have been the last one off the bus. I'm not sure of  
3 that, but then I went and walked over, found her. They had all  
4 these tarps all over the ground and went looking for her and I  
5 talked to her and I said, are you okay? She said, yeah, I think  
6 it's just this cut. I said, okay. And I noticed a knot on her  
7 head. I said, well, you've got a knot on your head, just sit  
8 still.

9           And so then I went looking for those two ladies I was talking  
10 about, found them, and then I start -- let's see. Then I noticed  
11 next to my roommate, like from here, like 5, 6 feet away, the  
12 woman with the deep cuts was there, and they just put the cover  
13 over her husband. So he didn't make it. And so then I said, oh,  
14 geez, you know, I was upset about that. But kept my calm.

15           And then I walked around to see if I could help anybody else  
16 that I knew. I didn't know a lot of people. That was the first  
17 time I was with some of those people and so I didn't know by names  
18 or something, but I recognized some of the faces. So I'd go up to  
19 the ones I knew and asked if they were okay, you know, was looking  
20 around. And one lady that was from my church came up to me and  
21 she says -- I said, how are you, you know, and she says, I'm  
22 looking for Debbie; I'm looking for Debbie. And I looked at her  
23 and I thought maybe she's confused. I said, well, I'm Debbie.  
24 And she just smiled, she said, no, not you, hon, not you, not you,  
25 and she gave me a hug; I'm looking for the other Debbie. Well, I

1 didn't know who she was talking about or I would have helped her  
2 find her. So she went back to her husband, and I talked to him.

3 There was some other people I talked to and there was people  
4 -- I don't know, I can't remember where they were from. They  
5 would come around and checking your name tags and writing down  
6 your name and seeing what condition you were. I guess they were  
7 kind of labeling us, I guess is what they do. But -- and so I saw  
8 that one going around, a couple of ministers or priests walking  
9 around, firemen everywhere and a lot of, a lot of help. A lot of  
10 -- it was, it was great. There was a lot of help there.

11 And I noticed, one of the two ladies that I knew, one was  
12 laying down and I said, well, how's your sister? She said, well,  
13 I don't know, but she's complaining about her neck hurting, and I  
14 noticed she didn't have a brace yet, you know. So I went to one  
15 of the firemen and said, you all might want to check that lady  
16 over there; she says her neck is hurting. And they said, okay, we  
17 will. Within 5 minutes or so, I turned around and there was  
18 someone there putting a brace on her neck. So they were real good  
19 at helping, you know, wherever they could.

20 I saw one helicopter land. I don't know who they took, and  
21 there was, like I say, people everywhere helping, trying to help  
22 one way or the other. And then I think there were several  
23 ambulances. They were starting to load people up and my roommate,  
24 they were helping her to one. And, of course, she wanted me to go  
25 with her, and I said, well, I'll try, but I don't think they'll

1 have room for me there, you know, they've got other patients. So  
2 I tried to explain that to her. So two men helped, because her  
3 legs were still real weak, helped her to the ambulance and I  
4 followed them and waited around, thinking they would put somebody  
5 else in there, and so I just still waited around.

6 But then I saw on the -- I don't know if it was on this side  
7 of the track or the other side, I saw about five or six people  
8 walking and I saw a school bus over there and they were walking  
9 that way and, of course, apparently they weren't injured. Okay.  
10 They were walking real good and everything. I said I wonder if  
11 I'm supposed to be with them. So then I told Mary, I said, Mary,  
12 I said I'm going to have to leave; you're going to be fine with  
13 these people. I said I'll talk to you later. I said -- she said,  
14 okay, I understand; I understand.

15 So I went over there real quick to that group to see what was  
16 going on, and I said, where are you all headed? He said, well,  
17 they told us to come over here in this air conditioned bus. Since  
18 we're not hurt, we'll stay out of the way. And I said, oh, okay,  
19 I'll join you all. So I went ahead and went with them. We got on  
20 the school bus, sat there for a little while, and then I think an  
21 EMS or somebody came in to check us to make sure there wasn't  
22 anybody hurt.

23 And I think one lady was complaining about a bruise -- her  
24 ribs hurting, and so they said, well, why don't you just -- and  
25 her husband kept saying, come on, let's just go; let's go have it

1 checked, you know, and she didn't want to. They finally convinced  
2 her to go, and I think they convinced somebody else to go, too.  
3 Ad all I -- again, I could feel like the tightness of the neck and  
4 shoulders, something like that, but other than that, I didn't feel  
5 hurt anywhere. And so we sat there for a little while, and then  
6 one lady says, is there any chance we can go to a restroom  
7 somewhere? Some lady, you know, had to go or something, you know,  
8 and so he said, okay, we'll check on that. So a few minutes  
9 later, I don't know whether it was a priest, minister or what, but  
10 he came on the bus and said, look, if any of you ladies or men  
11 need to go, there's a woman across the railroad track, she's  
12 volunteered to let you all come into her house. And we said,  
13 okay. So we all just went. We just went even if we didn't have  
14 to. So that was nice of the lady.

15 So then after that, we got back on the bus, sat there for a  
16 few minutes and then they said, okay, we're going to take you all  
17 to the hotel you were going to and then we'll get you all some  
18 transportation back to your other hotel. And we said, okay,  
19 that's fine with us. And so that's what they did. They took us  
20 over there and they got us a SUV or whatever it was, but they got  
21 us and took us back over to the hotel and we -- because we were  
22 all concerned; we didn't want to talk to the press or anything  
23 like that.

24 And so they -- the lady on the bus said, the lady on the bus  
25 said, we've got -- we're going to have somebody, a security guard

1 there to help you get to your rooms and keep off the press. And  
2 we said, well, thank you so much, and then everybody was just so  
3 helpful. And so we get into the room -- or we get to the desk  
4 and they all gave us extra keys in case we had lost ours, told us  
5 there will be food in the conference room, you know, or any kind  
6 of food we want, just call; there's no charge. And so we started  
7 in towards our room, and there was only one guy that stopped us  
8 and he was not dressed like a reporter, you know. But he went  
9 off, and so we asked, who's that guy, because he caught the last  
10 person.

11 MS. HARLEY: Yeah.

12 MS. KING: Who was that guy? Some reporter. I said, well,  
13 did he bother you? No, he's real nice; he was real nice, he said,  
14 but if anybody wants to talk to him, he'll be in so and so room.  
15 So -- but none of us wanted to. So we all just went to our rooms.  
16 And it wasn't until I got back to the room and then I saw that I  
17 had like two bruises. That's all. I had a bruise on my left  
18 wrist and -- or breast, excuse me, and down by my -- right below  
19 my left knee. And I'm assuming that's from where my roommate ran  
20 into me, fell into me. She was tossed into me somehow.

21 MR. LaPONTE: Who was your roommate?

22 MS. KING: Mary Ellen Paul.

23 MR. LaPONTE: And you got on at Bastrop; is that correct?

24 MS. HARLEY: Yes.

25 BY MS. HARLEY:

1 Q. So let me ask you a question.

2 A. Yes.

3 Q. When you got on at Bastrop, did the driver say anything to  
4 the passengers on the bus?

5 A. About what? Anything --

6 Q. Anything like what -- this bus had seatbelts. Did he tell  
7 you that? That in case of an emergency, how to get off the bus.

8 A. I don't remember. No, I don't think so.

9 Q. All right.

10 A. I don't think so.

11 Q. Okay. Did he tell you at any time that there was a rear door  
12 on the bus?

13 A. No.

14 Q. Okay. All right. So you went from Bastrop, you stopped and  
15 then they picked up a group at Sealy. Did you know any of the  
16 Sealy people?

17 A. No.

18 Q. No.

19 A. No.

20 Q. Okay. So the conversation about going on the scenic route,  
21 did that take place before you guys got on the bus or when you  
22 were on the bus?

23 A. The first I heard, heard of it was when we were on the bus.

24 Q. Okay. Okay. All right. And so the first time that you were  
25 aware of where you were, was right about the time that the bus was

1 going over the railroad track and you heard the --

2 A. Yeah.

3 Q. -- scraping sound?

4 A. Um-hum.

5 Q. Okay. How long can you estimate -- it doesn't have to be  
6 exact. Can you estimate how long the scraping sound occurred  
7 before the bus actually stopped?

8 A. Oh, not long at all. A couple of seconds. It wasn't long at  
9 all. Because I just -- I don't know if anybody else heard it but  
10 I just -- maybe because it -- maybe it was towards the back, but I  
11 heard metal grinding, but it only lasted a couple of seconds. It  
12 didn't last long at all.

13 MR. LaPONTE: We're talking about the metal grinding.

14 MS. KING: Yes.

15 MS. HARLEY: Yeah.

16 MS. KING: Yeah.

17 MS. HARLEY: Okay.

18 MS. KING: It wasn't like it went on for minutes, no.

19 BY MS. HARLEY:

20 Q. Okay. And at that time, the bus had stopped?

21 A. Yes.

22 Q. Okay. And at that point you really weren't concerned you --

23 A. Not yet, no.

24 Q. Okay.

25 A. Because I could see the -- the train was way off still and it

1 was -- it looked like it was going slow. So, no, I wasn't  
2 concerned yet.

3 Q. Okay. Did the bus driver attempt to get the bus moving  
4 again? Did you feel like he was trying to move the bus off?

5 A. See, that's -- I don't know. Some people said that they  
6 could feel it, but I don't know if I really felt it. Maybe I,  
7 maybe I heard like gear changing or something, but I don't recall  
8 the bus like going like that.

9 Q. Like back and forth?

10 A. No, uh-uh.

11 Q. Okay. All right. So I know you said that at that particular  
12 point -- sometime later you actually saw the crossing arms coming  
13 down.

14 A. Um-hum.

15 Q. Okay. And was that at the point where you got up out of your  
16 seat?

17 A. It was shortly after that. I can't tell you exactly.

18 Q. All right.

19 A. When I saw them come down then, of course, I looked again and  
20 saw the train was getting closer and so -- I can't tell you if it  
21 was within a couple of minutes or what.

22 Q. Okay.

23 A. But I hadn't moved before the crossing thing came down. I  
24 hadn't moved yet.

25 Q. Okay. So you got up and now you're walking towards the back

1 of the bus.

2 A. Um-hum.

3 Q. So your back is to the front of the bus.

4 A. Yes.

5 Q. And you're walking towards the back to where Mary Ellen is.

6 A. Um-hum.

7 Q. Is Mary Ellen by the window or is she at the aisle by this  
8 time?

9 A. You know, I couldn't tell you. I don't know.

10 Q. Okay.

11 A. Because like I say, within one short time, the train hit. So  
12 I don't -- when I got around, I don't remember where she was  
13 sitting exactly.

14 Q. Okay. And you said that when the train hit, you fell against  
15 the bathroom?

16 A. Well, I think I -- from what I -- everything happened so  
17 fast. I just remember going something like this because she had  
18 fell against me pushing to my right.

19 Q. Okay.

20 A. And so when, when the train was pushing us, and I could feel  
21 that, that we were being pushed, and then it stopped real quick  
22 and then I noticed my shoulders leaning against the bathroom, the  
23 wall of the bathroom that sticks out.

24 Q. Was the bathroom door open or closed at that time? Do you  
25 remember?

1 A. I want to say closed.

2 Q. Okay. Okay. So then Mary Ellen is on the floor.

3 A. Um-hum.

4 Q. And you say at that particular point there were -- were there  
5 a lot of other people on the floor? I know you said there was one  
6 gentleman and there was Mollie.

7 A. I just saw the gentleman and I at first didn't even see her  
8 because he was so much on top of her. It wasn't until they were  
9 moving, and then I could see there was somebody underneath him.  
10 That's when I told him to stop, wait, there's somebody underneath  
11 there.

12 Q. Okay.

13 A. Now, now I talked to other people. They said they could see  
14 her down there. But where I was at, I didn't see her right away.

15 Q. Okay. So I'll tell you what I'm going to do. Here is --

16 MR. LaPONTE: Was that Mary Ellen that was underneath this  
17 gentleman or --

18 MS. HARLEY: No, Mollie.

19 MS. KING: No, Mollie.

20 MR. LaPONTE: Mollie.

21 MS. KING: An elderly woman, yes.

22 BY MS. HARLEY:

23 Q. So I'm going to show you a drawing of the bus.

24 A. Um-hum.

25 Q. Okay. This is -- that's the driver's seat, and here's where

1 the bathroom is.

2 A. Okay.

3 Q. So Mary Ellen was back here; is that correct?

4 A. Yes.

5 Q. All right. So this is where Mary Ellen is. All right. And  
6 you were initially sitting here?

7 A. Yes, I was up against the window, yes.

8 Q. Up against the window. Okay. And then at that particular  
9 point, you got up and you were walking towards Mary Ellen --

10 A. Right.

11 Q. -- when the crash occurred. Do you remember who was sitting  
12 in front of you?

13 A. Name-wise, I'm terrible with names. I know -- I mean, I  
14 recognize the couple, yes. I can't remember what their names are.

15 Q. Are they from Bastrop, do you know?

16 A. I don't know.

17 Q. Okay.

18 A. I don't think so. I don't know for sure.

19 Q. Okay. Do you know who was sitting in front of them?

20 A. Off the top of my head, no. But, you know, through different  
21 conversations, hear people say -- because I was doing the same  
22 thing, well, where were you; where were you? And -- no, uh-uh, I  
23 can't think who was there.

24 Q. Before the crash, where was Mollie sitting?

25 A. Okay. That's the bathroom there?

1 Q. That's the bathroom.

2 A. Right here.

3 Q. Okay. So Mollie --

4 A. She was in there on the aisle.

5 Q. Mollie was on the aisle.

6 A. Yes.

7 Q. Was somebody sitting next to Mollie?

8 A. Yes, yes. Her roommate.

9 Q. Her roommate.

10 A. Um-hum.

11 Q. Was that, was that Linda Cox or --

12 A. Let me think again. No, I can't -- did they show roommates  
13 there?

14 Q. No.

15 A. No, they don't.

16 Q. No.

17 A. I'm sorry. I'm terrible with names.

18 Q. No problem.

19 A. The only thing I do know, after we found out that on the  
20 other -- like leaving from Bastrop and traveling there, stuff like  
21 that, Mollie always sat by the window.

22 Q. Um-hum.

23 A. That was the first morning they had switched.

24 Q. They had switched?

25 A. Um-hum.

1 Q. Yeah.

2 A. So poor Mollie. But anyway -- yeah, yeah.

3 Q. Okay.

4 MR. LaPONTE: Is that Mollie Dubois?

5 MS. HARLEY: Dubois.

6 MR. LaPONTE: Dubois.

7 MS. HARLEY: Yes.

8 MR. LaPONTE: Unfortunately this list was from the Biloxi PD  
9 and it is not -- doesn't give much of anything other than the  
10 names.

11 MS. KING: And like I said, to me, a lot of these people were  
12 new to me. I knew my roommate and maybe two or three other  
13 people. The rest of them I didn't know.

14 BY MS. HARLEY:

15 Q. Do you know who was sitting in front of Mollie?

16 A. No.

17 Q. No.

18 A. I don't know who was sitting in front of Mollie.

19 Q. Okay.

20 A. And see, I don't know -- the couple that came back here, I  
21 found out later they -- I don't know where they were sitting, but  
22 they were headed towards the back of the bus when it hit and  
23 that's when he fell on Mollie, and then his wife was thrown into  
24 where I was seated -- where I had been seated. But I don't know  
25 where they were heading back.

1 Q. Okay. So I'll tell you what. Do you remember where anyone  
2 else on this bus was seated?

3 A. Okay. A little bit I remember. The two ladies that were  
4 running it, I think Carol and Mary Lucas, I think they were  
5 sitting up in here somewhere.

6 Q. Okay. All right. So Carol --

7 A. And then the two -- two ladies that I knew, I don't know the  
8 exact seat, but I know they were somewhere in the center.

9 Q. Okay.

10 A. On this side over here somewhere.

11 Q. And who were they?

12 A. That was Donna Bartsch and Starr -- I don't know her last  
13 name.

14 Q. Okay. Donna Bartsch and Star Waneck.

15 MR. LaPONTE: Star Waneck.

16 MS. KING: Okay. They were sisters, yes.

17 BY MS. HARLEY:

18 Q. Donna and Starr.

19 A. Because that's when I -- when I was standing, I was looking  
20 for them and I couldn't see them. Well, I guess apparently they  
21 were knocked down on the floor, from what I heard later, but --  
22 that's why I couldn't see them.

23 Q. Were you the only one standing up after the bus was hit?

24 A. As far as I know, yes.

25 Q. Okay. Let me ask you a question. Do you know a couple by

1 the name of Jim and Josie Dela Cruz?

2 A. Dela Cruz? No.

3 Q. No. Okay. Do you know Duane and Kim Kervey -- McKervey?

4 A. Doesn't sound familiar.

5 Q. Okay.

6 A. The couple here -- do you have that list? I can maybe tell  
7 you the name.

8 MR. LaPONTE: Well, I --

9 MS. KING: The one -- okay, the man that passed away.

10 MS. HARLEY: Yeah, Clint.

11 MR. LaPONTE: Clint Havran.

12 MS. HARLEY: Clint and --

13 MS. KING: Clint and his wife --

14 MS. HARLEY: -- Mae.

15 MR. LaPONTE: And Mae.

16 MS. KING: Mae. Okay. Yup, that's who was here. I don't  
17 know exactly where they were sitting.

18 BY MS. HARLEY:

19 Q. Okay.

20 A. It couldn't have been -- I don't think they could have been  
21 up front because they would have more then likely gone that way.  
22 So I'm thinking they were here back somewhere; they were heading  
23 towards the back.

24 MR. LaPONTE: That could have been --

25 BY MS. HARLEY:

1 Q. Do you know a Charles and Mary Ellen McKeathley?

2 A. Uh-uh.

3 Q. No? Okay.

4 MR. LaPONTE: How about Karen and Audrey Landrum?

5 MS. KING: No.

6 BY MS. HARLEY:

7 Q. Okay.

8 A. The only other two people I know are from my church, is Mike  
9 and Cathy --

10 Q. Turner?

11 A. Turner.

12 Q. Yeah. Do you know where the Turners were seated?

13 A. From talking to them, they -- I think they were somewhere in  
14 here.

15 Q. Okay.

16 A. I think.

17 Q. Okay.

18 A. But I can't tell you exact. I don't remember.

19 Q. Okay. All right.

20 MR. LaPONTE: You didn't know the two -- the couple that came  
21 back to the rear of the bus?

22 MS. KING: I -- okay, here's what I remember. That -- let's  
23 see. When we -- okay. The first hotel we spent the night. Okay,  
24 Sunday night. That Monday morning my roommate and I came down and  
25 they had a buffet breakfast and we got our food and we were

1 looking for a place to sit. I think we sat with them and ate  
2 breakfast with them. I'm not positive. I think. Because I was  
3 racking my brain and I said, okay -- and I asked Mary Ellen and  
4 she couldn't remember. I said, don't you remember the people we  
5 sat and ate breakfast with? Wasn't that them from Sealy? And she  
6 said, I don't remember. So I'm thinking that's who it was but  
7 really that's -- and we got to talking a little bit. So that's  
8 the only ones that I knew a little bit.

9 BY MS. HARLEY:

10 Q. Okay. The -- you said there was a gentleman who, who  
11 apparently came into --

12 A. Um-hum.

13 Q. -- a good Samaritan that came into the bus and was helping  
14 out.

15 A. Um-hum.

16 Q. Was he the one who told you to open the back door?

17 A. I'm thinking it was.

18 Q. Okay. All right. And did he point to a door?

19 A. He just said, you know, in that direction, just somewhere  
20 back there, and I kept looking and I said there's not a door back  
21 here. I don't see one. I even looked behind me, and I said, no,  
22 there's not a -- I don't see a door.

23 Q. Okay. Okay. And then at that particular point, who was  
24 trying to kick out the window? Was that when the fire department  
25 had gotten on the scene?

1 A. Yeah.

2 Q. Okay.

3 A. He was the one, he was kicking -- I guess maybe he was trying  
4 to make room for us because they were still like -- I'm assuming,  
5 because I couldn't see what was going on at the front, but I'm  
6 assuming they were still trying to get people out this way. And  
7 so maybe thought we could get out quicker this way. So, yeah, he  
8 was kicking and finally the glass like cracked, shattered, you  
9 know.

10 Q. Okay. And you said that the handle of the window was --

11 A. I saw something down on the floor.

12 Q. Okay.

13 A. It looks like a handle of some kind but I don't know what it  
14 was to. I don't know if it was to the window or what.

15 Q. Do you know what color it was?

16 A. Silver maybe.

17 Q. Okay. All right. Okay, so then the fire department cut this  
18 part of the bus out, and that's how they got Mary Ellen out?

19 A. Yeah, and that's how I got out.

20 Q. And you got out that way as well?

21 A. Um-hum. And see, some of the other ones I had talked to, I  
22 said, did you all follow me behind? They said, no, no, we went  
23 through -- we went towards the front and got on the ladder and  
24 came down the ladder. I said, oh, okay, I didn't know how you all  
25 got out. So some of them -- as far as I'm -- it might have just

1 been me and Mary Ellen that went out that way.

2 Q. Okay.

3 A. I'm not sure.

4 Q. Of the --

5 A. You all were asking another person. The only other person  
6 that knows is Joyce Hoffman?

7 Q. Joyce?

8 A. Is that right?

9 Q. Yeah.

10 MR. LaPONTE: Yeah.

11 BY MS. HARLEY:

12 Q. And do you know where Joyce was sitting?

13 A. From what she's telling me, it sounded like she was right in  
14 the area of where the bus was hit.

15 Q. Okay.

16 A. And again, the two ladies I knew, I think they were right in  
17 that area, too. Close to the spot.

18 Q. Okay.

19 A. Because she was telling me she had been injured quite a bit  
20 and her roommate was injured quite a bit, and she said she just  
21 remembers looking up at the last second and there was the train.  
22 So I'm thinking she was sitting right there where the train hit.

23 Q. Okay. All right. At any time did you hear anyone tell  
24 anyone to get off the bus?

25 A. I didn't, no.

1 Q. Okay. Okay.

2 A. Now I heard later that the bus driver did tell them to get  
3 off the bus, but I never heard it.

4 Q. Okay.

5 MR. LaPONTE: You were still way in the back.

6 MS. KING: Yeah, way in the back. So that's probably why I  
7 didn't hear it.

8 MS. HARLEY: Right.

9 MS. KING: I'm assuming.

10 BY MS. HARLEY:

11 Q. Okay. All right. Okay. All right. We're done with that.  
12 Let me just go over some little quick things. Do you know how  
13 long you were on the track before that arm came down?

14 A. It didn't seem too long. Five minutes. I'm not real sure.  
15 I'm not real sure.

16 Q. Okay. Let's see. Did you hear the bell at that crossing go  
17 off, the warning bell go off?

18 A. No, I don't remember any bell.

19 Q. Did you hear the train whistle, by any chance?

20 A. No, that's odd, too. I didn't hear that either.

21 Q. Okay.

22 A. I know some people heard it, but I didn't hear it.

23 Q. Okay. All right. Okay. Out of curiosity, the handle that  
24 you found, do you know what happened to it?

25 A. Uh-uh. No.

1 Q. Okay. Did you give it to the fireman?

2 A. Uh-uh.

3 Q. Okay.

4 MR. LaPONTE: You just saw it there?

5 MS. KING: I just saw it laying there.

6 BY MS. HARLEY:

7 Q. Just saw it there. Okay.

8 A. You know, and I said, well, it's no use; it's down on the  
9 ground, you know. I don't know what it was attached to, but no, I  
10 just left it there.

11 MS. HARLEY: Okay. All right. I don't have any --  
12 Mike, do you have anything else?

13 MR. LaPONTE: I just have my standards.

14 MS. HARLEY: Um-hum. All right.

15 MR. LaPONTE: Like they say, she is the leader of the pack  
16 here.

17 BY MR. LaPONTE:

18 Q. Okay. So we found on the bus the next day, this pill keeper.  
19 It was up towards the front of the bus, and we've been trying to  
20 -- we're asking everyone if they can tell us who that belongs to.

21 A. Who it belongs to?

22 Q. Because we thought it was kind of strange that because you --  
23 you know, the tour had stayed the night before at Bay Saint Louis  
24 and people had obviously moved into their room --

25 A. Right. Right.

1 Q. -- for 4 days, why would, you know, bring the pill keeper  
2 with you on the trip. And so we were just curious if --

3 A. That's a good question, yeah.

4 Q. -- if, you know, that if somebody could recognize it in terms  
5 of who it might have belonged to?

6 A. Uh-uh, no. I have a pillbox, too, but it's just one, and  
7 it's back at the hotel.

8 Q. Yeah, there were several folks that we talked to that said,  
9 oh, that looks just like mine but I still have mine.

10 A. Yeah, and that's a double. See, I don't have a double, so --

11 Q. Yeah. Okay, well --

12 A. No. No, I don't recognize that.

13 Q. Then it couldn't be yours if you still have yours.

14 A. Nope. Yep, um-hum.

15 Q. And then -- how many trips had you taken previous to this  
16 one? I mean these type of trips.

17 A. With this company or --

18 Q. No, not with the company so much, just, you know, tours in  
19 general, that kind of thing.

20 A. Well, since I retired, I wanted to travel some. Okay. The  
21 first big trip I took was last year in October through my church.  
22 It was like a pilgrimage type of trip.

23 Q. Um-hum.

24 A. And we went to Spain, Portugal, and places like that.

25 Q. Overseas.

1 A. Overseas, right. It was overseas, yeah. And, of course,  
2 touring Vatican City, you right a bus and stuff like that, and  
3 that's -- I know I started thinking -- as I was telling Rogers or  
4 somebody something, and they said, you mean it didn't have a back  
5 door? I said, I didn't see a back door; it wasn't back there.  
6 She said, well, aren't they supposed to have one? I said, well, I  
7 don't know, I said, but I know these tours I go overseas with,  
8 they have a front door, a middle door, but they don't have a  
9 bathroom. So I said, well, maybe that's what the difference is,  
10 the space difference. I said, but yeah, any of those buses that  
11 we go overseas, they have two doors.

12 Q. Okay. That's standard in Europe.

13 A. Yeah, okay. But -- and I'm trying to think, prior to that,  
14 oh, it's been several years ago, but I used to -- a group of us  
15 would go on a bus tour to -- oh, what was the name -- to Louisiana  
16 for gambling at the Coshatta Inn, but that was -- it was a  
17 private bus driver, yeah. We never had any accidents with him or  
18 anything. We went with him like 5, 6 years before he retired.

19 Q. And that was just to the casino?

20 A. Yeah, it was to the casino.

21 Q. From -- and would that pick you up in Bastrop --

22 A. Um-hum.

23 Q. -- or did you have to drive somewhere to meet him?

24 A. No, they picked some people up in Austin, then in Bastrop,  
25 and then the last pick up was in La Grange. You know, we would

1 usually go down on a Saturday morning early, stay the night, and  
2 then come back 12, 1:00 on Sunday.

3 Q. And that was just in the casino and back?

4 A. Um-hum. Um-hum. That was --

5 Q. There was some other folks that we've spoken with that had  
6 taken that same trip.

7 A. Yeah. I think some of my cousins -- or one of them asked me,  
8 says, would you get on a bus if we were to go to Coushatta again?  
9 I said, yeah, I probably would. You know, like, oh, okay, we just  
10 didn't want you to be upset. I said, no, I'm fine, I'm fine. So  
11 but -- so I may be in the future be going to -- going over there  
12 again, if my cousins can get somebody to take us.

13 BY MS. HARLEY:

14 Q. Well, as I usually do when I do an interview, I always ask  
15 the people, is there something that you think I should have asked  
16 you and I did not ask you about?

17 A. Well -- okay. You may not know the answer. Anyway, but  
18 what's, what -- I'm wondering sometimes about the protocol of  
19 something like this, to tell us to get off the bus. Is that the  
20 normal protocol?

21 MR. LaPONTE: Um-hum.

22 MS. KING: Is it? Okay. You know --

23 BY MR. LaPONTE:

24 Q. So there is official training. So there are regulations that  
25 require the bus driver and anchor drivers, and so forth, to stop

1 before the tracks and check for a train coming.

2 A. Okay.

3 Q. So, you know, your bus driver did. And then part of that  
4 training goes on and says if your bus gets high centered or if  
5 your vehicle gets stalled on the tracks, you know, regardless of  
6 there's a train coming or not, get everyone off the bus --

7 A. Okay.

8 Q. -- and get them as far away from the bus as you can.

9 A. Okay.

10 Q. And then call the authorities to say, hey, there's a vehicle  
11 stuck on the tracks.

12 A. Okay. Okay.

13 Q. That's part of -- there's an actual training protocol.

14 A. Okay. That's good because, you know -- of course, I was in  
15 the back of the bus. We didn't hear get off. You know, and if we  
16 had time, yeah, we might could have gotten off, but it hit too  
17 soon. But I kept -- you know, you think in your mind, well, it  
18 would have been safer if those people would have stayed on the  
19 bus. You know, we don't -- you don't know with stuff like that.  
20 So I thought, well, hopefully he told them the right thing, to get  
21 off the bus, you know. It's unfortunate for those that didn't  
22 make it, and -- but that's always been kind of in my mind, just  
23 worrying.

24 Q. Yeah, that is the protocol.

25 A. Okay. Good.

1 Q. If the vehicle gets stuck is to evacuate the vehicle.

2 A. Okay. Okay.

3 Q. And get as far away from the vehicle as possible.

4 A. Um-hum.

5 Q. In fact, you're supposed to get off and then run in the  
6 direction that the train is coming from --

7 A. Okay.

8 Q. -- because the theory is it's going -- it's moving. You  
9 know, whatever it's going to hit that way --

10 A. Move past.

11 Q. -- and you're going to be behind it then.

12 A. Yeah. Well, I know I talked to, like I say -- and then with  
13 me being towards the back of the bus, we didn't know all that was  
14 going on towards the front. It wasn't until later, you know,  
15 after we had gotten off the bus and was checking a few people,  
16 still did not know that there were some fatalities on the other  
17 side.

18 Q. Um-hum.

19 A. You know, because we didn't know if anybody even got off the  
20 bus. We hadn't heard anything until later on, you know, and so --  
21 and then those that weren't hurt, I said, well, were you all on  
22 the bus? He said, oh, we got off the bus. Oh, I said, there's  
23 some people that got off the bus? And he said, yeah, me and two  
24 others and this other lady, we got off the bus and then  
25 unfortunately the last two that got off didn't make it. I said,

1 what do you mean they didn't make it? He said they were killed.  
2 I said, oh, God, you know, like that. But we didn't -- I didn't  
3 know any of that when we first got off the bus because we couldn't  
4 see anything that was going on towards the front because -- and I  
5 was concentrating on the people that was back there with me. And  
6 so I didn't know.

7 BY MS. HARLEY:

8 Q. When you got up to go to Mary Ellen, was there a lot of  
9 people standing in the aisle?

10 A. Geez, I really don't know. On first thought, I would say no  
11 because I know -- of course, I was surprised -- I think the only  
12 reason why was still standing was because she fell on me. If she  
13 hadn't fallen on me, I probably would have been down on the floor  
14 somewhere, is what I'm thinking in my mind. But, no, because I  
15 know -- because if there was a lot of people standing, I probably  
16 wouldn't have been seeing over. Because I could see over the  
17 seats and I was looking for those two ladies, because I knew they  
18 were where the -- I saw where the train hit the bus.

19 Q. Right.

20 A. And I knew they were somewhere in that general area because I  
21 had passed them going back. I know they were sitting in the area,  
22 so that's why I was -- I could see that they weren't in their  
23 seats. Well, not knowing, they were probably down on the  
24 ground and I couldn't see them. So I -- if there was anybody  
25 standing, I don't think there was many.

1 Q. Okay.

2 A. If any. Because even -- let's see, I'm thinking next to  
3 Mollie, she was still sitting there. And then the couple that  
4 originally was in the seat in front of me, they were still  
5 sitting. Yeah, they were still sitting. But then from then on, I  
6 can't tell you if they were sitting or if they were down on the  
7 floor or what.

8 Q. Okay.

9 A. Just the ones that were close to me.

10 Q. So what I'm going to say is, if later on you think of  
11 something --

12 A. Okay.

13 Q. -- please feel free to give me a call.

14 A. Okay.

15 Q. And it doesn't matter whatever time.

16 A. All right.

17 Q. Thank you very much for taking the time to come in and see  
18 us.

19 A. Sure.

20 MR. LaPONTE: Yeah, we greatly appreciate it.

21 MS. KING: Well, I have to apologize for something. I  
22 thought it was you or somebody had called my house. Was that you?  
23 Okay.

24 MR. LaPONTE: The first time.

25 MS. KING: The first time, okay. Left a message. Of course,

1 I was hesitant on talking to anybody, you know.

2 MR. LaPONTE: Yeah, I -- we understand.

3 MS. KING: And I said, well, if he calls back again, I'll  
4 talk to him, you know. And I -- you know, and then a letter was  
5 sent to me with information. I was still kind of hesitant sending  
6 that in, you know. And then when I started talking to other  
7 people, they said, yeah, somebody's contacted us from so and so.  
8 And I said, really? I said, uh-oh, I should call him back. And  
9 then, then you had called just right then. I said, okay, I'm  
10 going to call her back. I said she sounds like she's the same  
11 company that tried before. So I said, okay. So I apologize I  
12 didn't call you back right away.

13 MR. LaPONTE: No, that's no problem.

14 BY MS. HARLEY:

15 Q. Well, we understand. There was a lot of people who were  
16 getting harassed by the media and everything.

17 A. Yeah, yeah, stuff like that and everything. And there was --  
18 you know, they were all -- we were the ones that came back on that  
19 bus the next night, okay, and everybody again was real nice and  
20 stuff and -- but we were told ahead of time there was going to be  
21 press there and stuff, and we all automatically turned negative  
22 and said, no, we don't want to talk to anybody. And but -- so  
23 it's, you know, everywhere. And then it was a few days after I  
24 was home and stuff, there was a lady from Bastrop Advertiser or  
25 something, wanted to talk to me, said if you want to give me a

1 call and gave her phone -- I never returned her call, and she  
2 didn't try again. I think she got the hint. But, you know, just  
3 -- you want to be left alone for a little while --

4 Q. Right. Yeah.

5 MR. LaPONTE: Absolutely.

6 MS. KING: -- and you don't ask stuff like that.

7 And the Bastrop sheriff, he was real nice. He got on the bus  
8 with us and he said, now there's reporters out there; we've tried  
9 to -- made you all a pathway to get out, you know, so you don't  
10 have to talk to them. And he said does anybody want to talk to  
11 them? We all said, no. It was like unanimous, just everybody,  
12 no. He said, okay; all right, then we will keep them away from  
13 you. And then some of you have family members out there or not,  
14 but if not, we will escort your to a car, and stuff like that.

15 BY MS. HARLEY:

16 Q. That's nice.

17 A. So they were just all just super nice to us.

18 Q. Well, that's good.

19 A. You know, like I say, and that helps a lot and stuff.

20 Because I -- like I said, I was fortunate not to be hurt so bad  
21 but I know the other ones that were hurt bad, you know, I feel so  
22 horrible for them. I had to leave my roommate. I didn't want to  
23 leave her, and -- because she went to the hospital. And so I  
24 didn't want to have to leave her, but I knew I had to get home  
25 because my kids were going to drive all the way up there and get

1 me. I said, no, no don't -- unless I have no other way to get  
2 home. But I said, no, I'm coming home on the bus. And, of  
3 course, they were shocked. They said, you're coming home on a  
4 bus? I said, well, yeah. They said, well, Momma, isn't that a  
5 little too soon? I said I'm fine, I'm fine. I said I'll be okay.  
6 So I got home and stuff like that.

7 But then, you know -- but like I said, I talked to my  
8 roommate the next day and -- I said, are you still in the  
9 hospital? And she said, yes, but they charged up my cell phone.  
10 I said, well, good, at least you can talk some. You know, I was  
11 checking on her to make sure she was okay. But she had calmed  
12 down, but, yeah, I felt so sorry for her.

13 Q. How long did she stay in the hospital for? Do you know?

14 A. Okay. Let's see. Okay, that happened -- let's see. I think  
15 -- okay, I talked to her Wednesday. See, I'm losing track of  
16 time. Okay, the accident was on Monday. No --

17 MR. LaPONTE: Tuesday.

18 BY MS. HARLEY:

19 Q. Tuesday.

20 A. There you go, Tuesday. Okay. And we left Wednesday, okay,  
21 and I talked to her I think before I left. So I think she came  
22 home Friday. Either Thursday or Friday, they released her. And  
23 she didn't have a way to get home either, but then they got a SUV  
24 or something from Toyota there in Bastrop and somebody drove up  
25 there and got her and another lady and brought them home, and

1 stuff like that. And then all the rest were still up there, you  
2 know, and I don't -- some of them came home on the weekend. Some  
3 of them came home a week later, or something like that. So I  
4 don't know all the --

5 Q. Yeah, I think we talked to her on Wednesday, the day after,  
6 so --

7 A. Okay. Okay.

8 Q. Yeah, and she was still there.

9 A. Uh-huh.

10 Q. And they had no idea when they were going to release her.

11 A. Well, that's what she kept saying, too.

12 Q. Yeah.

13 A. And then after I talked to her again that Thursday, and then  
14 she said, yeah -- she was like, they're trying to make  
15 transportation either through Toyota to get us back and stuff. I  
16 said, okay, well, I'll get back with you later. And then I think  
17 I called her Friday and she was home. I said, okay, good. So,  
18 you know, I knew she was okay, at least got home. It wasn't okay.  
19 She had a lot -- some medical problems. But other than that,  
20 so --

21 Q. Okay. Well, thank you very much for coming.

22 A. You're welcome.

23 Q. I appreciate it.

24 MR. LaPONTE: Thank you again.

25 MS. KING: And again, too, you all, have my phone number. If

1 you all got any more questions, I won't ignore you this time.

2 MS. HARLEY: Yes, ma'am. Thank you very, very much. I  
3 appreciate it.

4 MR. LaPONTE: Thank you very much for coming and speaking  
5 with us. We certainly appreciate it.

6 MS. HARLEY: Absolutely.

7 MS. KING: The whole thing's, the whole thing's been --

8 MS. HARLEY: Do you want some more water before you leave?

9 MS. KING: Oh, no.

10 MS. HARLEY: Are you sure?

11 MS. KING: I'm going to -- in town to meet my daughter for  
12 lunch and stuff like that.

13 MS. HARLEY: Oh, okay. All right.

14 MS. KING: So we'll have plenty to eat there and drink and  
15 stuff like that. But you all -- I hope the final outcome,  
16 something gets resolved, you know.

17 MR. LaPONTE: Well, you will get a letter as this  
18 investigation progresses.

19 MS. KING: Okay. Okay.

20 MR. LaPONTE: And you will --

21 MS. KING: Yeah, I got that first letter you all had the very  
22 first report.

23 MR. LaPONTE: You'll get another one -- yeah, the first  
24 incident report. As this -- the way the process works is that we  
25 do this investigation, it takes 8, 9 months by the time we get it

1 all put together --

2 MS. KING: Sure.

3 MR. LaPONTE: -- you know, because there's five of us and  
4 then we make sure that other parties to the investigation have a  
5 chance to read it to make sure it's accurate --

6 MS. KING: Right.

7 MR. LaPONTE: -- to make sure there's no factual errors. And  
8 then we put it together, all those reports together into a big  
9 report.

10 MS. KING: Okay.

11 MR. LaPONTE: And then that's again checked for facts and  
12 it's just a process. Then as this gets closer to the actual Board  
13 meeting -- so the National Transportation Board will have a  
14 meeting that will discuss this crash. As that gets closer, you'll  
15 get a letter saying if you are interested in, you know, the  
16 report, the final report --

17 MS. KING: Um-hum.

18 MR. LaPONTE: -- which will be about 100-plus pages, if you  
19 want to come to the meeting, it's going to give you all of that  
20 detail.

21 MS. KING: Oh, okay.

22 MR. LaPONTE: But these are -- the report itself is a public  
23 document.

24 MS. KING: Okay.

25 MR. LaPONTE: So once everything is released, it'll all be in

1 there without names and addresses and all that.

2 MS. KING: Sure.

3 MR. LaPONTE: We sanitize -- you know, we redact any personal  
4 information from anybody involved in the accident. But that's,  
5 you know, you will be getting more correspondence as time goes on.

6 MS. KING: Good, good.

7 MR. LaPONTE: And if you are interested, respond and --

8 MS. KING: Okay.

9 MR. LaPONTE: -- you know, if you have any questions, give  
10 Sheryl a call or myself.

11 MS. KING: All right.

12 MR. LaPONTE: You know, we're always available to speak with  
13 you.

14 MS. KING: All right.

15 MR. LaPONTE: And, you know, if you get hassled by, you know,  
16 lawyers or reporters or whatever -- I think you'll probably do all  
17 right on your own --

18 MS. KING: Yeah.

19 MR. LaPONTE: -- but just -- you never know. I mean,  
20 sometimes they come up with things that sound --

21 MS. KING: Yeah.

22 MR. LaPONTE: -- sound, well, you know, do I need to do this  
23 or is this really part of the process, because people haven't gone  
24 through this before.

25 MS. KING: No, no.

1 MR. LaPONTE: I mean, this is not, you know, today I think  
2 I'll go out and get in a bus wreck.

3 MS. KING: Yeah.

4 MR. LaPONTE: So anyways, but if you have any questions or  
5 concerns going forward --

6 MS. KING: No, that one from Bastrop Advertiser, that's the  
7 only one I really got a phone call from, per se.

8 MS. HARLEY: Okay.

9 MS. KING: No one else has -- no lawyers or anybody else has  
10 contacted me.

11 MS. HARLEY: Well, that's wonderful.

12 MS. KING: Yeah.

13 MR. LaPONTE: And we won't give them your name.

14 MS. HARLEY: Yeah.

15 MS. KING: Good. Even if they do, I'll say, hey, I'm not  
16 suing, so, you know. If it had been a different circumstance, if  
17 I had been hurt or something like that, it'd be different. But  
18 since I was one of the fortunate ones --

19 MS. HARLEY: Well, I'm glad you were.

20 MS. KING: So, you know, I didn't want to file a suit. I  
21 don't like a lot of these suits that are going on in the world  
22 that aren't necessary.

23 MS. HARLEY: I understand.

24 MS. KING: So I didn't want to do that.

25 Do you still have quite a few of people on the bus to

1 interview?

2 MR. LaPONTE: Well, we have two tomorrow, three on Friday,  
3 and I think -- I don't know if there's any on --

4 MS. HARLEY: That's it, isn't it?

5 MR. LaPONTE: I think that's it, isn't it?

6 MS. HARLEY: That's it, five more.

7 MS. KING: Oh, that's good. That's good.

8 MR. LaPONTE: So we -- you know, Sheryl and her group were  
9 fortunate enough to see a lot of folks when they were still in  
10 Biloxi or Gulfport. But the folks that got off the but like  
11 yourself that weren't injured, I mean, most folks scooted the next  
12 day and --

13 MS. KING: Yeah.

14 MR. LaPONTE: -- we didn't have a chance to catch them.

15 MS. KING: That's true, yeah.

16 MR. LaPONTE: And there were a fair amount that were, you  
17 know, were treated and then released and they left the next day.

18 MS. KING: Yeah. That's what -- yeah, I heard that, yeah.

19 MR. LaPONTE: So anyone that wasn't spending a day or two in  
20 the area, the Biloxi area, we didn't have a chance to see. So  
21 this is our second trip down here?

22 MS. KING: Second?

23 MS. HARLEY: Yes, second trip.

24 MS. KING: Okay. Well, that's good. Well, I wish you luck  
25 on the other ones.

1 MS. HARLEY: All righty.

2 MS. KING: Thank you again.

3 MS. HARLEY: Well, have a wonderful time at lunch.

4 MS. KING: Okay. Yeah.

5 MR. LaPONTE: And thank you again for taking the time to  
6 speak with us.

7 MS. HARLEY: Thank you.

8 MS. KING: Sure. No problem.

9 MS. HARLEY: We appreciate it.

10 MR. LaPONTE: Thanks, ma'am.

11 MS. KING: Bye-bye.

12 MS. HARLEY: Bye-bye.

13 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:            FATAL COLLISION OF CSX FREIGHT  
                                     TRAIN AND TEXAS TOUR BUS  
                                     BILOXI, MISSISSIPPI  
                                     ON MARCH 7, 2017  
                                     Interview of Debra King

ACCIDENT NO.:                HWY17MH010

PLACE:

DATE:

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.



Kathryn A. Mirfin  
Transcriber



UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL COLLISION OF CSX FREIGHT \*

TRAIN AND TEXAS TOUR BUS \* Accident No.: HWY17MH010

BILOXI, MISSISSIPPI \*

ON MARCH 7, 2017 \*

\*

\* \* \* \* \*

Interview of: CHARLES McKEATHLEY

Merit Health Medical Center  
Biloxi, Mississippi

Wednesday,  
March 8, 2017

## APPEARANCES:

DETECTIVE STEVE KELLY  
Biloxi Police Department

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By Det. Kelly

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I N T E R V I E W

INTERVIEW OF CHARLES McKEATHLEY

BY DET. KELLY:

1 Q. All right. And your name is Charles McKeathley?

2 A. Yes, sir.

3 Q. Okay. What's your date of birth, sir?

4 A. [REDACTED]

5 Q. And where in that bus were you sitting?

6 A. I was on the right side three seats from the rear.

7 Q. All right. Three seats from the rear on the right?

8 A. Yes.

9 Q. Okay.

10 DET. KELLY: I'm going to go back to the data, if you want to  
11 flip it over. I'm sorry. I didn't mean to jump ahead.

12 BY DET. KELLY:

13 Q. We already have your address. Are you currently retired?

14 A. Yes.

15 Q. Okay. What's a good phone number for you, sir?

16 A. [REDACTED]

17 Q. Okay. And how tall are you?

18 A. [REDACTED]

19 Q. How much do you think you weigh?

20 A. [REDACTED]

21 Q. Okay. What is your social?

22 A. [REDACTED]

1 Q. Okay. And you came here by ambulance; is that correct?

2 A. Correct.

3 Q. Do you know if you were standing up or sitting down when the  
4 train hit the bus?

5 A. I was standing up. We seen it was going to happen. So, I  
6 told her, I said, let's move towards the back of the bus. So, I  
7 was standing in front of the rest room door and I'm not sure how  
8 far she -- she might have been two seats away from me.

9 Q. And after the incident happened, did -- the first responders  
10 did they take you off the bus or did you walk off on your own?

11 A. I climbed down a ladder.

12 Q. Climbed down a ladder. Okay. And what type of injuries did  
13 you suffer?

14 A. I got a fractured breast bone.

15 Q. Fractured breast bone.

16 A. And top of my head.

17 Q. Head trauma?

18 A. Yeah. I got cut a little bit. No stiches or anything but it  
19 was cut.

20 Q. Okay. Well, you just relax Okay.

21 A. Okay.

22 Q. Just take it easy.

23 DET. KELLY: Do you have any questions? Am I missing  
24 anything?

25 UNIDENTIFIED SPEAKER: No. (Indiscernible.)

1 DET. KELLY: All right. That will conclude that --  
2 (Whereupon, the interview was concluded.)  
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CERTIFICATE

This is to certify that the attached proceeding before the  
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:

Interview of: Charles McKeathley

ACCIDENT NUMBER:

HWY17MH010

PLACE:

Biloxi, Mississippi

DATE:

March 8, 2017

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

---

Letha J. Wheeler  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

FATAL COLLISION OF CSX FREIGHT \*

TRAIN AND TEXAS TOUR BUS \*

BILOXI, MISSISSIPPI \*

ON MARCH 7, 2017 \*

Accident No.: HWY17MH010

\* \* \* \* \*

Interview of: DUANE MCKERVEY

Merit Health Medical Center  
Biloxi, Mississippi

Wednesday,  
March 8, 2017

## APPEARANCES:

DETECTIVE STEVE KELLY  
Biloxi Police Department

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I N T E R V I E W

1  
2 MR. MCKERVEY: [REDACTED] -- do you want the home or the  
3 cell?

4 DET. KELLY: It doesn't matter.

5 UNIDENTIFIED SPEAKER: You never answer the phone.

6 MR. MCKERVEY: Yeah. [REDACTED]

7 UNIDENTIFIED SPEAKER: He never answers the phone.

8 MR. MCKERVEY: It goes to voice mail.

## INTERVIEW OF DUANE MCKERVEY

9  
10 BY DET. KELLY:

11 Q. You all were initially taken to Merit Health, right?

12 A. Yes.

13 Q. All right. Did you all first ride in the ambulance together?

14 A. No. She rode in the ambulance. I was fine. So I rode with  
15 my sister. She met us at the accident.

16 Q. All right.

17 A. Once they put her on the ambulance and found out where they  
18 were taking her, her sister and I got in the vehicle and went to  
19 that hospital, Merit.

20 Q. Were you all wearing your seat belts or anything?

21 A. (No audible response.)

22 BY UNIDENTIFIED SPEAKER:

23 Q. Did you have any injuries? I know you got your arm wrapped  
24 up?

25 A. I called it a rug burn. I think I scrapped across a seat

1 cushion. It's about the size of a quarter.

2 Q. Okay.

3 A. And that was it. I think I'm one of the more fortunate.

4 DET. KELLY: Yes.

5 BY UNIDENTIFIED SPEAKER:

6 Q. Where were you all at? Where were you all sitting at on the  
7 bus?

8 A. I would say about two-thirds or even three-quarters of the  
9 way to the back.

10 Q. Do you remember your seat number at all?

11 A. No. I don't know that there were seat numbers actually, to  
12 tell you the truth.

13 DET. KELLY: Okay. Were you sitting behind the driver of the  
14 vehicle or the passenger side?

15 MR. MCKERVEY: On the driver side.

16 DET. KELLY: Driver's side about three-quarters of the way  
17 back?

18 MR. MCKERVEY: Uh-huh. We were about two to three seats  
19 behind where the engine actually made contact.

20 BY UNIDENTIFIED SPEAKER:

21 Q. Okay. So, you were about two to three seats behind the  
22 impact?

23 A. Yeah. Now, I know it went five or six seats worth of impact,  
24 but we were just behind it.

25 Q. When the train was approaching were you all still in your

1 seats or did you all get up out of your seats at all?

2 A. No. We were in our seats. You couldn't get out of your  
3 seats, there were so many people in the aisles trying to get to  
4 the front door to get out. I don't think anybody even thought to  
5 use the emergency exit in the back.

6 Q. Right.

7 A. Everybody was trying to get up and go to the front. Keep in  
8 mind this is a senior center. It takes 2 minutes for the people  
9 to get up out of their seats. It takes them 5 minutes to get out  
10 of the bus.

11 Q. I understand.

12 A. So there weren't a whole lot of people made it out.

13 Q. When the train impacted were you still in your seats? Had  
14 you all ever gotten out?

15 A. Uh-huh. Yeah, I think that's what saved us the most actually.  
16 We weren't tossed around like ragdolls.

17 BY DET. KELLY:

18 Q. And you heard the train's horns?

19 A. Oh, yeah.

20 Q. Okay.

21 A. And it just kept getting louder and louder. I didn't really  
22 notice the train until I would say it was probably a block-and-a-  
23 half, maybe two blocks before. I don't think that the lights were  
24 even flashing. I know the gates hadn't come down until I did  
25 notice the train. And at that point seems like it was only half a

1 minute before it hit us. But time flies when you're looking at an  
2 engine coming at you.

3 Q. And your wife -- that is your wife, correct?

4 A. Uh-huh.

5 Q. She was sitting next to you the whole time she was with you?

6 A. She was at the window side, yes.

7 Q. Okay. She was at the window.

8 A. I was on the aisle.

9 UNIDENTIFIED SPEAKER: Was it two seats on each side?

10 MR. MCKERVEY: Uh-huh.

11 UNIDENTIFIED SPEAKER: So she had the window seat?

12 MR. MCKERVEY: And I had the aisle seat. And she will  
13 probably never sit in the window seat again.

14 DET. KELLY: Yeah. I can only imagine. Very traumatic.  
15 Very traumatic.

16 MR. MCKERVEY: She may never get on a bus again either, so --

17 DET. KELLY: Anything else you can think of?

18 UNIDENTIFIED SPEAKER: That's pretty much it. Just the  
19 information sheet.

20 MR. MCKERVEY: Just a little side bar here, and I don't know  
21 what it's worth, a grain of salt, whatever.

22 DET. KELLY: Uh-huh.

23 MR. MCKERVEY: I truly believe that that bus high centered on  
24 the tracks.

25 DET. KELLY: It did. It did.

1 MR. McKERVEY: It couldn't go forward or back.

2 DET. KELLY: It did. That's what happened.

3 MR. McKERVEY: I mean, it's --

4 DET. KELLY: It's very steep, and when --

5 UNIDENTIFIED SPEAKER: Did you ever hear it or anything  
6 whenever it bottomed out?

7 MR. McKERVEY: Didn't notice it. But, again, he had stopped  
8 for the railroad tracks and then when it hit, I really believe if  
9 we hadn't of stopped we'd have made it over the tracks. He may  
10 have lost a muffler, but --

11 UNIDENTIFIED SPEAKER: I think most busses like that are  
12 required to stop --

13 MR. McKERVEY: Yeah. Yeah.

14 UNIDENTIFIED SPEAKER: -- at the railroad crossings initially  
15 anyway.

16 MR. McKERVEY: Yeah.

17 (Whereupon, the interview was concluded.)

18

19

20

21

22

23

24

25

CERTIFICATE

This is to certify that the attached proceeding before the  
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL COLLISION OF CSX FREIGHT  
TRAIN AND TEXAS TOUR BUS  
BILOXI, MISSISSIPPI  
ON MARCH 7, 2017  
Interview of: Duane McKervey

ACCIDENT NUMBER: HWY17MH010

PLACE: Biloxi, Mississippi

DATE: March 8, 2017

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

  
Letha J. Wheeler  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

FATAL COLLISION OF CSX FREIGHT \*

TRAIN AND TEXAS TOUR BUS \*

BILOXI, MISSISSIPPI \*

ON MARCH 7, 2017 \*

Accident No.: HWY17MH010

\* \* \* \* \*

Interview of: DUANE MCKERVEY

Keesler Medical Center  
Room 427  
Biloxi, Mississippi

Thursday,  
March 9, 2017

## APPEARANCES:

MICHELE BECKJORD, Survival Factors Investigator  
Office of Highway Safety  
National Transportation Safety Board

MICHAEL SHAW  
Biloxi Police Department

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I N T E R V I E W

(3:43 p.m.)

1  
2  
3 MR. SHAW: 1543 hours, Keesler Medical Center, patient room  
4 4217.

5 UNIDENTIFIED SPEAKER: She's going to be a little bit,  
6 though.

7 MS. BECKJORD: That's fine. If you don't mind, we'll just  
8 ask you a couple questions because you were on the bus, right?

9 MR. MCKERVEY: I was right next to her.

10 MS. BECKJORD: We'll let's do that? We'll start, if that's  
11 all right.

12 MR. MCKERVEY: That works.

13 UNIDENTIFIED SPEAKER: I'm just going to go back in and see  
14 if they need any help.

## INTERVIEW OF DUANE MCKERVEY

15  
16 BY MS. BECKJORD:

17 Q. I'll just give you a brief run down. Have you met anybody  
18 with the NTSB yet?

19 A. No.

20 Q. Has anybody -- so you're familiar --

21 A. Mostly some detectives from the sheriff's department, I think  
22 it was, come by and got statements.

23 UNIDENTIFIED SPEAKER: That will be Gus. Okay. We can go.

24 UNIDENTIFIED SPEAKER: That was the Biloxi P.D. I'm with the  
25 sheriff's department.

1 MS. BECKJORD: Would you like to sit? Can we take a few  
2 minutes and sit?

3 MR. MCKERVEY: Wherever you want to go.

4 MS. BECKJORD: Okay. Let's do that.

5 BY MS. BECKJORD:

6 Q. Are you familiar with the NTSB?

7 A. Yes.

8 Q. What I do (indiscernible) survival factors investigations.

9 A. Okay.

10 Q. So, what I do is kind of take a look at where is everybody  
11 sitting, what safety features could help protect them in a  
12 situation, what exactly happened to you, and that kind of stuff.  
13 We look at the survival of the folks inside the vehicle.

14 A. Okay.

15 Q. So I wanted to ask you some questions kind of along those  
16 lines. I might veer out of my lane a little bit and ask some  
17 questions about the driver and some other things just because it  
18 helps out my other co-workers who are off during a bunch of other  
19 stuff.

20 A. Some other -- yeah, understand.

21 Q. Right. So we try not to pepper you with too many interviews  
22 that way. So would you mind spelling your last name for me?

23 A. M-c-K-e-r-v-e-y.

24 Q. Thank you.

25 A. And that's not correct. D-u-a-n-e.

1 Q. D-u-a-n-e.

2 A. Right.

3 Q. Got you. I think I might have picked that up from the  
4 newspaper or something and I wanted to make sure. And your date  
5 of birth, if you don't mind?

6 A. [REDACTED]

7 Q. And home address?

8 A. [REDACTED]

9 Q. Okay. Do you have a phone number that I could reach you at  
10 if we had any follow-up?

11 A. Typically, I don't use the cell phone, but I'm going to give  
12 you both.

13 Q. Okay.

14 A. But if you -- use the home phone first because if I'm at home  
15 the cell phone is sitting in the book shelf. Okay?

16 Q. Okay.

17 A. [REDACTED]

18 Q. Okay.

19 A. [REDACTED]

20 Q. Okay.

21 A. And I'll be answering that one until we get back home anyway.  
22 I don't know how long that'll be.

23 Q. Okay. So I guess let's kind of start with where were you  
24 guys sitting on the bus?

25 A. Driver's side, about two-thirds, three-fourths of the way in

1 the back. I think there was three or four seats behind us. Okay.  
2 I'm not real positive.

3 Q. That's all right.

4 A. Don't get me wrong, it's just a guesstimation. She was on  
5 the window side. I was on the aisle seat.

6 Q. Okay. Normally I type, so you'll have to forgive my  
7 handwriting here.

8 A. Oh, you haven't seen mine. I always type because you  
9 wouldn't read mine.

10 Q. This is not the quickest thing for me. Okay.

11 So can you walk me through sort of what you recall and then  
12 we'll follow up with some specific questions about the driver.  
13 But sort of as you're maybe leaving the Hollywood Casino -- I'm  
14 not sure about the distance and time, but we want to kind of get a  
15 little bit before you get to the intersection where the crossing  
16 was.

17 A. Before the incident, okay. Yeah, we left I think it was  
18 about 1:30 in the afternoon, I believe it was. Initially we were  
19 going to leave the hotel and come out to I-10 and run I-10 down.  
20 But I don't know if it was one of the group leaders that was with  
21 the nursing home or the senior center home -- there were three of  
22 them that were actually like group leaders. I don't know if it  
23 was one of them that made a suggestion or something, but it turned  
24 out to where we decided that instead of going interstate we'd go  
25 down Highway 90 and view some of the coastline.

1 Q. Sure.

2 A. So we ended up going down Highway 90. So I'm assuming he was  
3 following GPS.

4 Q. Okay.

5 A. Because it was -- I'm guessing it was an alternate route than  
6 what he was initially intending to do.

7 Q. Okay.

8 A. Nothing out of the ordinary as we were going down there, you  
9 know, I-90 or 90 has got multiple traffic lights, you know, and no  
10 issues there. And come off of 90 and that's when we went into the  
11 intersection. You know, everything kind of gets put into a blur  
12 but that's the best I can recall in my mind.

13 Q. Okay.

14 A. We come up to the intersection; being a railroad crossing he  
15 stops.

16 Q. Okay.

17 A. And then proceeded, proceeds to go across. And truthfully, I  
18 know there's a reason they stop at the railroad crossings just for  
19 this reason, but I really feel if he hadn't stopped and gunned it,  
20 we would have ramped over that thing and wouldn't have gotten --  
21 he may have lost a muffler or something, but we would have gotten  
22 across.

23 Q. Right.

24 A. But, yeah, so he's taking off from a stop. We get up on the  
25 tracks and -- I said high centered; the wheels weren't touching.

1 You know, he couldn't go forward; he couldn't go backward. At  
2 that point I didn't notice any lights on the railroad crossing or  
3 there definitely weren't any crossing bars coming down at that  
4 point.

5 Q. Uh-huh.

6 A. And, you know, it all seemed like it happened in a minute.  
7 But I would assume we were probably on the tracks for about a  
8 minute and folks started to notice there was a train coming. And  
9 just hearsay I heard people said that the driver, you know,  
10 hollering out get off the bus, get off the bus. I was more toward  
11 the back. All I heard was there's a train coming. I didn't hear  
12 the driver.

13 Q. Okay.

14 A. I think the most fortunate thing for us, my wife and I, is as  
15 people noticed the train coming they're trying to get up in the  
16 aisle trying to head to the front to get off the bus. Well, we  
17 couldn't get up. There were people in the aisle and they weren't  
18 moving. This an old folk or senior citizens. It takes them two  
19 minutes to get up off the seat, you know.

20 Q. Right.

21 A. It takes them five minutes to get off the bus. So, it wasn't  
22 moving very fast. So, we're sitting back there and, again, I  
23 think that's what probably saved us from more serious injuries is  
24 that we were sitting down. Couldn't get up and into the aisle.

25 Q. Okay.

1 A. And, again, it all seemed like it was within a minute from  
2 when we got stuck to when we got hit. But I'm sure whether it was  
3 a longer timeframe there, but it seems like it took less than a  
4 minute.

5 Q. Okay.

6 A. And I don't know how far you want to go but we got hit.

7 Q. Okay. Were you wearing your seat belt at the time?

8 A. No.

9 Q. No?

10 A. I would doubt the majority of them were.

11 Q. Okay.

12 A. I would say most of them were not truthfully.

13 Q. And how about your wife?

14 A. No.

15 Q. Okay. And then did you know that the motor coach had seat  
16 belts on it?

17 A. Yes.

18 Q. Yeah?

19 A. Yeah, we were aware.

20 Q. Okay. I know it comes across as a question like, oh, but  
21 it's not always that motor coaches have seat belts. This is kind  
22 of relatively new for folks. And so, it's not like that's  
23 something that's typical.

24 Okay. So then after the bus got hit, do you remember, you  
25 know, did you stay in your seat? Did you end up being pushed out

1 of your seat? What happened to you?

2 A. You know, we got the jar, but we ended -- we stayed in the  
3 seat, and I don't know if it was because there were too many  
4 people in the aisle that, you know, pushed us back into the seats  
5 or not. But, no, we stayed in the seats.

6 After hearing, you know, "You all right? You all right,"  
7 whatever, she mentioned she was all right, but she couldn't catch  
8 her breath. Well, okay. And I was finding I had a little rug  
9 burn on the cushion, I guess. But that was the only thing I had.  
10 But I turned around to the aisle and there was like three people  
11 on top of each other laying in the aisle and behind them was the  
12 same thing, two or three people. In front of them the same thing.  
13 Everybody was just tangled up in the aisle.

14 One couldn't get up because another one was on top of them  
15 and, you know, the other one couldn't get up because the person in  
16 front was on top of him. And, yeah, it was just -- and, of  
17 course, there was a lot of people bleeding and, you know, just  
18 kind of freaking out.

19 Q. Right.

20 A. So, I'm like, okay, you all right? I'm freaking out.

21 So everybody is trying to -- the ones that are able are  
22 trying to pick people up off the aisle, put them in the seats,  
23 whatever. And about the time we got the one or two -- I don't  
24 know, the couple right behind us, he was the same situation. It  
25 didn't appear he had gotten hurt or anything. So, between him and

1 I, we were trying to get people up off the aisle.

2 There was one or two right in between our seats. Our seat  
3 and the one behind us, there were one or two people in the aisle,  
4 and we kind of got them up and then noticed behind them there was  
5 a guy that I don't think he was going to make it. He wasn't  
6 moving, wasn't moaning or anything. So I'm assuming he was the  
7 one that didn't make it.

8 Q. Okay.

9 A. From there -- and, again, like I say, it all seemed like it  
10 happened in a minute. There's a car that's parked right next to  
11 the bus. How it got there I have no idea. But people from  
12 outside are jumping on the car trying to get inside the bus  
13 through the windows.

14 Q. Uh-huh.

15 A. Well, the windows are pretty much shattered but the frames  
16 are all twisted and everything. So you can't really push them out  
17 because they come right back at you, and when they do, the glass  
18 is going everywhere, you know.

19 Q. Uh-huh.

20 A. So it was -- as the people were trying to come in, it takes  
21 two of them: one to hold the window frame up and the other one to  
22 try and get in. While they're trying to get in -- and there's  
23 people everywhere. They can't move. They can't get in. They  
24 can't move.

25 Q. Right.

1 A. So eventually the ones that -- on the bus that were able got  
2 out to make room for the first responders to come in, you know.  
3 That's about it.

4 Q. Okay. And so, what -- you've got a laceration or you said  
5 kind of an abrasion?

6 A. Rug burn type thing.

7 Q. Okay.

8 A. I think that's from grabbing my wife and telling her to hold  
9 on.

10 Q. Oh, did you grab her when --

11 A. When the train hit, oh, yeah. Oh, yeah.

12 Q. Okay.

13 A. Like I say, she was on the window. So I kind of grabbed her  
14 and turned her toward me so she wasn't seeing the train coming in.

15 Q. Right. Right. And what are your wife's injuries?

16 A. Four broke ribs on the left side, which would have been the  
17 impact side. And she had a nicked spleen. It wasn't perforated  
18 or anything, but they said apparently it got scratched or  
19 something to where there was blood in the sack around the spleen,  
20 I guess.

21 Q. Okay.

22 A. But apparently that's being reabsorbed to the body. It's not  
23 bleeding out into the abdomen, and that's sounding good.

24 Q. That's fortunate. Yeah. Yeah. Okay.

25 A. So it's just the four broke ribs. She can't sneeze, she

1 can't pee, she can't do anything without it hurting. Oh, yeah,  
2 that's been an issue too. She doesn't want to breath deep and  
3 they are concerned about pneumonia. You have to breathe deep and  
4 exercise your lungs. So that's one of the big issues we're facing  
5 right now.

6 Q. All right.

7 A. But other than that -- any other questions? Where are we  
8 going?

9 Q. So let's kind of back up and talk about the driver.

10 A. Okay.

11 Q. Where did you get picked up to start the trip on Sunday?

12 A. In Bastrop.

13 Q. Okay.

14 A. This is about the third trip we've gone on with this company  
15 Diamond Tours.

16 Q. Uh-huh.

17 A. It originates out of the senior center in Bastrop. One of  
18 the local business people there runs the bank, has a big parking  
19 lot out there and he just tells us people going on the tours park  
20 in the parking lot. Just don't put in the first two rows, you  
21 know, let my customers get in, but the rest of the parking lot,  
22 park there. Leave your vehicles, you know, whatever. So we  
23 started there.

24 Q. Okay.

25 A. There were empty seats, which really seemed odd to me in the

1 fact that when we initially tried to book the tour we were told it  
2 was sold out, that we were on a call list, if anybody cancelled  
3 out we would get called.

4 Q. Okay.

5 A. So they called us about a week later and said there had been  
6 some cancellations and were we still interested, and yeah. But  
7 when we got on the bus there's empty seats. And I'm thinking well  
8 that seems odd; they said it was sold out.

9 Q. Uh-huh.

10 A. But there's half a dozen or more empty seats. What was the  
11 issue, you know?

12 Q. Right.

13 A. Come the find out there were some folks in Sealy, Texas on  
14 the way for our trip and we stopped -- I think there were like  
15 eight of them, seven or eight of them that we picked up there.

16 Q. Okay. Uh-huh. How did you feel -- I'm sorry go ahead.

17 A. From there it was a short hop to Lafayette. We spent the  
18 night in Lafayette. Left there Monday, early Monday afternoon.  
19 Got into Bay St. Louis Monday afternoon, and spent the night  
20 there. And Tuesday we were using Lafayette or Bay St. Louis like  
21 a home base. And from there we'd go out on day excursions to  
22 Biloxi, to New Orleans, whatever.

23 Q. Okay.

24 A. Yeah, it was early afternoon Tuesday when we left to come to  
25 Biloxi.

1 Q. Okay. How long was this trip expected to be?

2 A. We left Sunday morning, we were supposed to be back Saturday  
3 late afternoon, 5, 6:00 in the afternoon.

4 Q. Okay. So you might have stayed in Lafayette again on the way  
5 home, you think?

6 A. Yes.

7 Q. Okay.

8 A. Or some other place. But once we left Bay St. Louis heading  
9 back, there was one night stop somewhere else and I'm not sure if  
10 it was Lafayette or where, but there was going to be an overnight  
11 stop somewhere else.

12 Q. Okay. How did you -- how do you feel or want to give me sort  
13 general feelings about the driver from when you first experienced  
14 it?

15 A. I thought he was quite professional.

16 Q. Okay.

17 A. You know, like I say, every railroad crossing we'd come to he  
18 would come to a stop and proceed across. He did hit a few curbs  
19 as we were in parking lots, you know, trying to maneuver into  
20 dropping us off at the front of the hotel or at the restaurant or  
21 whatever. But, you know, it was just trying to get into tight  
22 quarters, I believe.

23 Q. Okay.

24 A. Other than that, yeah, meet us at the doors as we were coming  
25 out. Helped the old folks get off the bus.

1 Q. Right. Right. So how did you find out about the tour,  
2 because you said you've done a couple trips with Diamond Tours?

3 A. Through the Bastrop Senior Center.

4 Q. Okay.

5 A. We -- the wife and I just recently retired.

6 UNIDENTIFIED SPEAKER: Congratulations on that.

7 MR. MCKERVEY: So, kind of got a little bored sitting around  
8 the house. And she said, well, we're not doing anything else.  
9 Let's go take a tour. I said okay.

10 BY MS. BECKJORD:

11 Q. Yeah. Do you remember if the driver wore glasses?

12 A. I don't believe so.

13 Q. Okay. Do you remember if the driver did a pre-trip safety  
14 briefing when you guys got on in Bastrop?

15 A. No.

16 Q. Okay.

17 A. And I'm not trying to point fingers or anything here, just  
18 giving you what I -- my understanding after the accident there was  
19 a rear emergency exit door and we didn't realize that, or I didn't  
20 anyway. And didn't even know it was there, if there was. I'm not  
21 even sure there was, but somebody said there was.

22 Q. There was a restroom but there's no --

23 A. No door. Okay.

24 Q. Not unless you guys saw one, but it's not typical. They do  
25 in Europe but it's not typical -- there's one sometimes halfway

1 down in the bus, but it's not --

2 A. You know we got on the bus and the first thing I was noticing  
3 sitting down was the emergency exits for the windows. Pull the  
4 latch, push it out type thing. And then I noticed there were a  
5 couple on the roof and I'm thinking I hope we never have to use  
6 those.

7 Q. True. So you don't recall a safety briefing of any type from  
8 the driver?

9 A. (No audible response.)

10 Q. Okay.

11 A. No.

12 Q. I was going -- did you have an assigned seat?

13 A. No.

14 Q. Okay.

15 A. One of the deals with senior citizens putting on the tour  
16 even the itinerary for the trip it says that we are going to  
17 change seats every day. So, that you know, you didn't get in your  
18 own click and not meet anybody else.

19 Q. True, okay.

20 A. So that was kind of the intent, but truthfully everybody got  
21 on the seat first day and that ended up being their seat, you  
22 know, what I mean.

23 Q. It's habit. It's habit. I bet we do that in our own  
24 meetings all the time. We just don't even realize it.

25 A. Uh-huh.

1 Q. Okay. I have one other question -- oh, how many tour group  
2 leaders were on the bus with you?

3 A. There were three.

4 Q. Three Diamond Tours personnel?

5 A. No. Diamond Tour? No, there was no Diamond Tour. There  
6 were three group leaders from the senior center.

7 Q. Ah, okay. So, there's a group leader from the senior center.  
8 But no Diamond Tours representative.

9 A. The only time we would see a Diamond Tour representative is  
10 when we reached our destination. Like when we pulled into the  
11 Hollywood Casinos there in Bay St. Louis --

12 Q. Uh-huh.

13 A. -- the representative would meet us at the casino. And she  
14 was supposed to meet us at the one in Boomtown here in Biloxi. But  
15 actually, riding the bus, no.

16 Q. Okay. So, three group leaders from the senior center, okay.  
17 It's interesting whenever somebody says a group leader or tour  
18 leader. We were getting them mixed up a little bit there. So,  
19 okay, that clarifies it for me.

20 Have you ever been on an Echo tour through senior center,  
21 this actual bus type thing?

22 A. Not an Echo tour. This was the first one. No, and I was  
23 just under the impression it was through Diamond Tour, that's who  
24 we book them with, I guess. And whoever they book for the bus,  
25 crap shoot, whoever will do it for the least amount of money, I

1 guess.

2 Q. Okay.

3 MS. BECKJORD: You guys have some questions?

4 BY UNIDENTIFIED SPEAKER:

5 Q. Did you -- when you guys were in Bay St. Louis, did you see  
6 the driver in the casino hanging out anywhere?

7 A. No. No.

8 Q. You guys didn't see him at all?

9 A. And that was odd as well. Even when we stop to go get  
10 something to eat -- whenever we would stop to get something to eat  
11 they were trying to find like a shopping center and there would be  
12 numerous places, two or different places, take your pick.

13 Q. Right.

14 A. So I don't know if he just didn't go to the same place I did,  
15 but I never saw him in any of the restaurants or anything.

16 Q. Do you recall any comments that any other passengers may have  
17 made about the driver in general?

18 A. No.

19 Q. Okay.

20 A. I had talked with him. I'm a smoker, one of the few that was  
21 on the bus that's a smoker, and I think he smoked. Well, I know  
22 he smoked as well because when we come out of -- where was it --  
23 the first day we stopped to get something to eat at a Bucky's, a  
24 roadside gas station type thing. And when we'd stop the group  
25 leaders would say, hey, we're going to stop; we're taking just a

1 half-hour break or we're going to stop for lunch; you got an hour,  
2 whatever, you know and be back at the bus at this time. So we  
3 come out of Bucky's and it was raining. So being a smoker, before  
4 I get on the bus I go around the side where there's a little  
5 overhang and light one up, and the bus driver comes over. So I  
6 started talking to him. He's very cordial. But I was asking him,  
7 he said he's been doing this for, I think he said 9 years, 8/9  
8 years.

9 Q. Okay.

10 A. So that's about the only interaction I had with him.

11 Q. Okay.

12 A. And come to find out the reason he was over there having a  
13 smoke is because they were waiting on one person to get back on  
14 the bus, and that was me.

15 Q. Oh.

16 A. I said, well, we still got 5 minutes.

17 MS. BECKJORD: That's funny.

18 BY UNIDENTIFIED SPEAKER:

19 Q. Did he have any kind of medications when you guys were making  
20 those stops or breaks?

21 A. Not that I noticed.

22 Q. Sure.

23 A. When we reached our first, yeah, first stop in Lafayette  
24 there was an issue of -- confusion of room keys. We didn't have  
25 enough. And I'm assuming it was -- I guess the manifest was off

1 or something, but there were like three of us, three couples that  
2 didn't have room keys plus the driver. So at that point we were  
3 just waiting around to get our room keys to go to our rooms. I  
4 never even seen him -- figure out where he went for his room.

5 Q. Okay.

6 A. But other than that, no. Just a little cordial, hey, how you  
7 doing, as we were getting on getting off.

8 Q. That was in Lafayette?

9 A. When we had the issue with the room keys, yeah. Again, that  
10 was like the first day.

11 BY MS. BECKJORD:

12 Q. So do you feel as if your wife -- I'm sure you guys have  
13 talked a little bit. Do you feel like she has anything additional  
14 that she would like to add, because, you know, I don't want to  
15 bother her if she's in pain and she's short of breath. I don't  
16 want to interview her if she's having a little bit of difficulty.  
17 But I also want to make sure she feels like she's represented kind  
18 of her thoughts and input and feelings about this. Is there  
19 something you think she might want to add?

20 A. I wouldn't think so. But before you go, I'll stop in there  
21 and ask her if she's comfortable with what she figures I would  
22 have said. Okay?

23 Q. Right. Okay. Because, you know, mostly what we're looking  
24 for is did you get the pre-trip; where were you sitting; what  
25 happened to you after; what were your injuries, and you have

1 provided so much of that. I figure it kind of gives her a relief  
2 not having to talk to us, to be honest. It's like the feds show  
3 up --

4 A. Well, this is my sister that come out when you first showed  
5 up here, okay. Yesterday I think it was deputies come out to get  
6 statements and we were in the ICU. You have to have an escort to  
7 get in. Well, they had tried to get in. Well, they're not going  
8 to let them in until they talked to us first: Hey, we got some  
9 people up here and they are from the sheriff's department -- and I  
10 forget where it was -- but they want to come and ask you a few  
11 questions; you up for it? And the first thing that she says was,  
12 I don't know, should we talk to legal or anything about it first?

13 Q. Right.

14 A. So the head nurse there called the legal department for the  
15 hospital and they said, no, these are the good guys. So, yeah.

16 UNIDENTIFIED SPEAKER: Good to hear.

17 MS. BECKJORD: So I think I'm pretty good on the questions  
18 that I had. You guys feel the same way?

19 UNIDENTIFIED SPEAKER: Yes.

20 MR. MCKERVEY: If you give me a second, I'll ask her if she's  
21 comfortable with going with what I have said.

22 MS. BECKJORD: Sure. Absolutely.

23 BY MS. BECKJORD:

24 Q. You know, I will ask you one more thing. Did you happen to  
25 see the train down -- you were on the driver's side, correct?

1 A. Oh, yeah.

2 Q. When you looked down --

3 A. As soon as -- like I said, when it stopped I wasn't paying  
4 much attention until the folks on the other side of us screamed  
5 out there's a train coming. So, yeah, you look, you see a train.

6 Q. Yeah, okay.

7 A. And it was I'd say a block and a half, 2 blocks down.

8 Q. At that point?

9 A. At that point.

10 Q. And you feel like that was pretty much when he got stuck?

11 A. Oh, no, I think we were there a little before that.

12 Q. Okay.

13 A. But, again, like I say, this whole thing seems like it  
14 happened in a minute, you know, it just wham, wham, wham.

15 Q. Okay. Because we do have one lady who says as you were kind  
16 of going up onto --

17 A. The train --

18 Q. -- the crossing, that she could see way, way far away, she  
19 could see the train down there. And we're just --

20 A. It's possible.

21 Q. -- trying to see if anybody else had seen that. But you --

22 A. Yeah, I have to say the first I noticed it, I would say 2  
23 blocks.

24 Q. Okay.

25 A. And that late, and the front of that engine looked like the

1 biggest thing I had ever seen.

2 Q. Yes.

3 A. And what I couldn't understand was why the hell is he still  
4 laying on that horn; he knows we see him coming.

5 Q. Okay.

6 UNIDENTIFIED SPEAKER: And he's probably thinking why the  
7 hell are they still sitting on the train track; I know they hear  
8 my horn.

9 MR. MCKERVEY: Yeah, but when you're right there and that  
10 horn is going, I mean, it's ear splitting. It's loud.

11 MS. BECKJORD: Yeah.

12 MR. MCKERVEY: Let me go and holler at her.

13 MS. BECKJORD: Okay. Thanks.

14 UNIDENTIFIED SPEAKER: Thank you.

15 (Pause.)

16 MR. MCKERVEY: Yeah, she says he's as big of a storyteller as  
17 I am. If you haven't gotten it, there's nothing she's going to  
18 add.

19 MS. BECKJORD: I like your wife and I haven't even met her.

20 UNIDENTIFIED SPEAKER: I knew that was going to happen. That  
21 would have been me.

22 MS. BECKJORD: Thank you so much for your time.

23 MR. SHAW: This concludes the interview at 1615 hours.

24 (Whereupon, at 4:15 p.m., the interview was concluded.)

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL COLLISION OF CSX FREIGHT  
TRAIN AND TEXAS TOUR BUS  
BILOXI, MISSISSIPPI  
ON MARCH 7, 2017  
Interview of: Duane McKerverey

ACCIDENT NUMBER: HWY17MH010

PLACE: Biloxi, Mississippi

DATE: March 9, 2017

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

  
\_\_\_\_\_  
Letha J. Wheeler  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL COLLISION OF CSX FREIGHT \*

TRAIN AND TEXAS TOUR BUS \* Accident No.: HWY17MH010

BILOXI, MISSISSIPPI \*

ON MARCH 7, 2017 \*

\*

\* \* \* \* \*

Interview of: DEBRA KING

## APPEARANCES:

SHERYL HARLEY, Survival Factors Investigator  
National Transportation Safety Board

MICHAEL LaPONTE, Highway Accident Investigator  
National Transportation Safety Board

I N D E X

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I N T E R V I E W

1 MR. LaPONTE: This is a big accident.

2 MS. KING: Uh-huh.

3 MR. LaPONTE: But hopefully, by getting a thorough  
4 investigation, we could can come up with a probable cause and then  
5 hopefully if there are problems, you know, intrinsic problems,  
6 with either the way, you know, the road was built, the railway  
7 operated or the motor carrier was operating or whatever --

8 MS. KING: Yeah.

9 MR. LaPONTE: -- we make recommendations to the people who  
10 oversee them.

11 MS. KING: Really.

12 MR. LaPONTE: And hopefully we'll correct that and so it  
13 doesn't happen in the future. So when we do these investigations,  
14 there's five specialty areas, and my specialty is motor carrier  
15 operations. So I look at all of the bus companies' operations and  
16 driver licensing and the training and all that sort of thing.

17 Sheryl is a survivor factors specialist, and she will tell  
18 you what all that entails because it's way more than I do. So --

19 MS. KING: Okay.

20 MR. LaPONTE: And then we have a highway person. We have a  
21 vehicle person.

22 MS. KING: Yeah.

23 MR. LaPONTE: Then we have a something else -- a human  
24 performance person. And so they -- you know, we look at all those  
25

1 areas again to get a complete overview of what occurred.

2 MS. KING: Okay.

3 MS. HARLEY: First of all, I want to give you my business  
4 card so you know who you're talking to.

5 MS. KING: Okay.

6 MS. HARLEY: And then second of all, as Mike said, I'm the  
7 survivor factors specialist. What that means is that I look at  
8 the events that lead up to the crash, what happened during the  
9 crash and then after the crash to determine if there was anything  
10 that we see -- anything that we can recommend that, later on in  
11 the future in order to prevent something like this from happening  
12 again, either lessening the severity of the injuries that the  
13 victims have suffered or prevent someone from actually being  
14 killed.

15 MS. KING: Right.

16 INTERVIEW OF DEBRA KING

17 BY MS. HARLEY:

18 Q. So with that said, one of the things that I need to do is  
19 kind of get you to tell me, starting from when you boarded the  
20 bus, essentially what happened and just go through your trip --

21 A. Okay.

22 Q. -- until you get to the crash, okay?

23 A. I've got -- my allergies are bad.

24 Q. Okay.

25 A. I've got water and a cough drop in case I start coughing.

1 Q. No problem. You need some coffee?

2 A. No, I don't drink coffee.

3 Q. Okay. Great.

4 A. But, yeah, as soon as I start talking. It's drainage. I  
5 just runs down my throat.

6 Okay. I got on the bus that morning and I was sitting  
7 towards the back of the bus, the driver's side. The back, the  
8 back seat is the long seat.

9 Q. Okay.

10 A. My roommate, she's -- then was 82 and she needed to sit there  
11 to prop her legs up. So I sat in the seat right in front of her.

12 Q. Okay.

13 A. So that's where I was, on the back left side. And, you know,  
14 as we're leaving, I remember we're leaving the parking lot, is  
15 when our bus guide or whatever, she said, oh, the bus driver's  
16 going to take us on the scenic route today and everybody cheered,  
17 clapped their hands and said okay.

18 So anyway, we went on our way. Now I like to work these word  
19 search puzzles just to kill time, and so I had already started  
20 pulling mine out because I didn't know how long it was going to  
21 be, the drive. And so we're going down the highway and stuff and  
22 I'd be working one and look up every once in a while. We were on  
23 the scenic route apparently because on the right side there was  
24 the ocean and the left side is these beautiful homes, you know, on  
25 stilts and stuff. So I'd admire them for a while and then I'd go

1 work on my book again.

2 Then it kept on going like that off and on, and I remember we  
3 got to this one light and we turned left. So I didn't recognize  
4 the street names. I'm not good at that. So then we went a ways  
5 and I don't -- since I was working my puzzle and stuff, I don't  
6 know how we got over to where the accident took place because I  
7 was focusing on my book.

8 So then as we got close to the railroad track, I remember I  
9 was doing the book or whatever, and we went over the track and I  
10 heard like a grinding, like metal grinding, and I thought to  
11 myself, oh, that didn't sound good, you know. And then -- so  
12 thinking we were going over, I looked up and, you know, didn't see  
13 we were going but thought maybe there was a car in front of us or  
14 something, you know. Didn't know why the bus driver wasn't  
15 moving.

16 And then, you know, I had looked to the left, and I could see  
17 a train coming but it was way off yet and it looked like it was  
18 moving slow, but it was way off. And so we were -- you know, sat  
19 there for a little while, and then I heard, I heard somebody, I  
20 don't know who it was up towards the front says, okay, this isn't  
21 funny; let's get moving. You know, I said, that's weird to say.  
22 And then I noticed that we weren't moving at that point, you know,  
23 and I could hear -- well, I couldn't tell if he was shifting or  
24 not, but it felt like the bus was moving, okay, a little bit,  
25 trying to move.

1           And so at that point, you know, the train's getting a little  
2 closer but still I could tell it was moving slow, and then  
3 whenever I saw the front -- what do you call it? The train --

4           MR. LaPONTE: Crossing, crossing --

5           MS. KING: -- crossing arm thing, when I saw that coming  
6 down, I said, okay, this is weird. I said -- then I looked again  
7 because the train was getting closer. I said, okay, well, I'm  
8 going to -- you know, it's getting closer. I said, well, I'm  
9 going to get up and go sit with my roommate because she, you know,  
10 an elderly person, just wanted to help her if I needed to.

11           So I got up. As I was going around my seat to get to her,  
12 the train hit. So I didn't have much chance. I got around there  
13 and went -- let's see. And then I don't remember actually seeing  
14 the train hit because I was -- my back was turned to it, I guess,  
15 when I was turning to go to her. But when I got to her, it hit  
16 and she flew out of her seat and landed on me and I was still  
17 standing. And I was leaning up towards the back of the bus, kind  
18 of like that because she had fallen on my legs. And then I could  
19 feel the train pushing us for a little ways and then it stopped.  
20 And I had -- kind of where the bathroom comes out towards the  
21 back, I was kind of leaned up against the bathroom wall.

22           And so it stopped and then I, you know, looked around. She  
23 was down on the floor and she was hysterical. So I was trying to  
24 calm her down and she, you know, she got up. She leaned off of  
25 me, and then I could -- you know, it looked like there was blood

1 on my jeans. I didn't know if it was from me or what. So I kind  
2 of moved a little bit, and I wasn't hurting or anything. So then  
3 I looked at her and then she had a gash on the side of her head,  
4 on this side of her head. It was bleeding. So I figured that's  
5 where the blood's coming from. So I reached over -- I could  
6 stand. I reached over and my purse was still in my seat where I  
7 was. So I grabbed some Kleenex and stuff out of my purse and put  
8 pressure on her head and it eventually stopped bleeding.

9 Well, in the meantime I was -- you know, since I was the only  
10 one standing at the time and I was trying to see over people and I  
11 couldn't see what was going on up front, and the people that was  
12 next to me, in front of me it was a man that was on the ground,  
13 and where I had been sitting, there was a woman that had been  
14 tossed in between the seat and the back of the other seat. She  
15 was down on the floor.

16 And so I looked around, too, and said -- you know, seeing if  
17 I could help anybody. And since I wasn't hurt physically -- I'm  
18 surprised that I wasn't hurt. I went ahead and helped my roommate  
19 and then the other lady that was fallen between the seats. She  
20 was -- had a couple of deep gashes on her. She was bleeding, so I  
21 gave her some more -- gave her some of the other Kleenex I had. I  
22 said I don't know if you're bleeding; put this on your head. So  
23 she did that.

24 And the man on the floor, I looked at him and he wasn't -- I  
25 didn't see any blood or anything on him, but I said, okay, he's

1 knocked unconscious. And I tried to check his pulse but I wasn't  
2 very good at that.

3 So then the next thing I knew, there was a guy there in a red  
4 shirt. I don't know where he came from, but what I heard from the  
5 news he was the good Samaritan that had pulled his car apparently  
6 next to the bus and had climbed in. I don't know -- like I said,  
7 I don't know where he came from but he was there. So he was  
8 checking on everybody, seeing if he could help. I said, well,  
9 this man's unconscious. I says, and they've got some cuts; I seem  
10 to be fine. And then he said, okay, well, maybe I can help him  
11 move him or something like that. Well, he was trying to pick him  
12 up. He was -- he wasn't a really big man. Kind of like your  
13 build, you know, and then --

14 MR. LaPONTE: I'm a fat boy.

15 MS. KING: I wouldn't say that. But anyway, but anyway, so  
16 he was trying to pick him up, and as he was pulling him up, I  
17 could see there was somebody had been under that guy, you know. I  
18 said, wait, wait, you know, there's someone underneath there. And  
19 it was -- I think her name was Mollie. It was an elderly woman.  
20 She had apparently fallen out of her seat and had landed and then  
21 he somehow fell on top of her.

22 And so the guy quit because he was trying to pull the guy  
23 out, was backing up. I said, no, wait, there's a lady on the  
24 floor behind you, stop. So he stopped and he sat the man back  
25 down. Of course, the man was still unconscious. And let's see,

1 we -- let's see. I think -- I'm trying to think again if he was  
2 checking on anybody else to see if he could help anybody else, and  
3 then I don't remember the time frame, but then there was an EMS  
4 person got in, and then I think the guy with the red shift left.  
5 And so he was in there trying to help and stuff like that, too.

6 So -- and again, since I was standing, the only one standing,  
7 I could -- I was wondering. I knew of two ladies that I knew real  
8 well, and I couldn't see them, and I said, oh, geez, where are  
9 they? And so like I was getting worried about them wondering  
10 where they were. Well, after we finally got off the bus, I saw  
11 they were out there.

12 So -- but anyway, then -- let's see. The EMS was, was  
13 checking, you know, people with wounds and stuff like that. And  
14 then he really didn't work with that guy yet until, I guess, he  
15 checked everybody else. And then they were trying -- one guy was  
16 telling me, I can't remember if it was the EMS guy or the guy in  
17 the red shift. One of them was saying, see if you could open that  
18 door. And I looked at him, I said, what door? You know, he said,  
19 the door over there. So I went around, looked to see if there was  
20 a back door. I said there's no back door. And so I don't know if  
21 he was looking at the bathroom door or what, but I said there's no  
22 door back here.

23 He said, well, see if you can, if you can open the window or  
24 something. Well, I looked and there was like the knob, looked  
25 like it was down on the ground. I said, no, I don't think we can

1 open this window. So then that's when he -- that was I guess the  
2 EMS guy, he started kicking at the window to knock it out and it  
3 finally busted. But, you know, I guess he was thinking he could  
4 get us out there but then we still couldn't go over that window.  
5 So then, I don't know how many, two or three firemen or whatever,  
6 I could hear -- what do you call it -- locks of jaws or the  
7 saws like --

8 MR. LaPONTE: Jaws of Life.

9 MS. KING: Yeah, was cutting, and then they were cutting that  
10 and peeling it back, and -- but that guy -- by that time, the EMS  
11 started working on that man, was trying to get him into -- what do  
12 you call it, the girdle?

13 MR. LaPONTE: Backboard.

14 MS. HARLEY: Backboard.

15 MS. KING: Backboard. Was trying to put -- but it was so  
16 small back there and he was turned, so it was awkward to do. So  
17 they had to kind of -- first thing they had to first get that  
18 elderly woman out of the walkway. And so they got her out. They  
19 finally put her on a board and got her out first, and then got  
20 this guy on the board. It took them a while because being such a  
21 narrow space, you know, between the seats they had to turn him  
22 sideways to get him up, and at that time they were checking his  
23 pulse and I had noticed earlier when I -- when this first happened  
24 that I could see he was still breathing because I could see his  
25 shirt going. But then at that point, I couldn't see that his

1 shirt was moving and he started looking kind of real pale. I  
2 said, ooh, this isn't good.

3 So then when they finally got him on the board and was  
4 picking him up, this other EMS was checking his pulse as they were  
5 lifting him to take him out, I guess, to the front window or some  
6 window because they hadn't cut ours out yet or something, I heard  
7 him say, the second you get him out, do CPR. Well, I knew then  
8 that wasn't a good sign. And so they finally got him out. They  
9 got the bus panel peeled back.

10 Okay. Then -- let's see. The lady that was down on the  
11 floor, with the bad cuts, they got her out. I thought she went  
12 through the thing, but she said she went down a ladder. There was  
13 a ladder there. And then my roommate, we got her out. She kept  
14 wanting to get up, and I said, no, you sit still. You could be  
15 hurt, you know. And so finally when they got that wall cut out,  
16 they got her and, of course, she was real wobbly in her legs, and  
17 she said I can't get out, I can't get out. And I just said, Mary,  
18 it's okay; just do what they tell you, because she was just  
19 hysterical. And so they got her out, the firemen got her out.

20 Then I went back and grabbed my purse and a bag I had there,  
21 and I went out through the back and then I, you know -- I told the  
22 fireman, I'm not hurt. He said, okay, fine. So I just stayed --  
23 he grabbed me and he helped me, put me on the ground. So then I  
24 got out and then I started looking for my roommate, see where she  
25 was.

1           By that time, I think -- I don't know if I was the last one  
2 -- I might have been the last one off the bus. I'm not sure of  
3 that, but then I went and walked over, found her. They had all  
4 these tarps all over the ground and went looking for her and I  
5 talked to her and I said, are you okay? She said, yeah, I think  
6 it's just this cut. I said, okay. And I noticed a knot on her  
7 head. I said, well, you've got a knot on your head, just sit  
8 still.

9           And so then I went looking for those two ladies I was talking  
10 about, found them, and then I start -- let's see. Then I noticed  
11 next to my roommate, like from here, like 5, 6 feet away, the  
12 woman with the deep cuts was there, and they just put the cover  
13 over her husband. So he didn't make it. And so then I said, oh,  
14 geez, you know, I was upset about that. But kept my calm.

15           And then I walked around to see if I could help anybody else  
16 that I knew. I didn't know a lot of people. That was the first  
17 time I was with some of those people and so I didn't know by names  
18 or something, but I recognized some of the faces. So I'd go up to  
19 the ones I knew and asked if they were okay, you know, was looking  
20 around. And one lady that was from my church came up to me and  
21 she says -- I said, how are you, you know, and she says, I'm  
22 looking for Debbie; I'm looking for Debbie. And I looked at her  
23 and I thought maybe she's confused. I said, well, I'm Debbie.  
24 And she just smiled, she said, no, not you, hon, not you, not you,  
25 and she gave me a hug; I'm looking for the other Debbie. Well, I

1 didn't know who she was talking about or I would have helped her  
2 find her. So she went back to her husband, and I talked to him.

3       There was some other people I talked to and there was people  
4 -- I don't know, I can't remember where they were from. They  
5 would come around and checking your name tags and writing down  
6 your name and seeing what condition you were. I guess they were  
7 kind of labeling us, I guess is what they do. But -- and so I saw  
8 that one going around, a couple of ministers or priests walking  
9 around, firemen everywhere and a lot of, a lot of help. A lot of  
10 -- it was, it was great. There was a lot of help there.

11       And I noticed, one of the two ladies that I knew, one was  
12 laying down and I said, well, how's your sister? She said, well,  
13 I don't know, but she's complaining about her neck hurting, and I  
14 noticed she didn't have a brace yet, you know. So I went to one  
15 of the firemen and said, you all might want to check that lady  
16 over there; she says her neck is hurting. And they said, okay, we  
17 will. Within 5 minutes or so, I turned around and there was  
18 someone there putting a brace on her neck. So they were real good  
19 at helping, you know, wherever they could.

20       I saw one helicopter land. I don't know who they took, and  
21 there was, like I say, people everywhere helping, trying to help  
22 one way or the other. And then I think there were several  
23 ambulances. They were starting to load people up and my roommate,  
24 they were helping her to one. And, of course, she wanted me to go  
25 with her, and I said, well, I'll try, but I don't think they'll

1 have room for me there, you know, they've got other patients. So  
2 I tried to explain that to her. So two men helped, because her  
3 legs were still real weak, helped her to the ambulance and I  
4 followed them and waited around, thinking they would put somebody  
5 else in there, and so I just still waited around.

6 But then I saw on the -- I don't know if it was on this side  
7 of the track or the other side, I saw about five or six people  
8 walking and I saw a school bus over there and they were walking  
9 that way and, of course, apparently they weren't injured. Okay.  
10 They were walking real good and everything. I said I wonder if  
11 I'm supposed to be with them. So then I told Mary, I said, Mary,  
12 I said I'm going to have to leave; you're going to be fine with  
13 these people. I said I'll talk to you later. I said -- she said,  
14 okay, I understand; I understand.

15 So I went over there real quick to that group to see what was  
16 going on, and I said, where are you all headed? He said, well,  
17 they told us to come over here in this air conditioned bus. Since  
18 we're not hurt, we'll stay out of the way. And I said, oh, okay,  
19 I'll join you all. So I went ahead and went with them. We got on  
20 the school bus, sat there for a little while, and then I think an  
21 EMS or somebody came in to check us to make sure there wasn't  
22 anybody hurt.

23 And I think one lady was complaining about a bruise -- her  
24 ribs hurting, and so they said, well, why don't you just -- and  
25 her husband kept saying, come on, let's just go; let's go have it

1 checked, you know, and she didn't want to. They finally convinced  
2 her to go, and I think they convinced somebody else to go, too.  
3 Ad all I -- again, I could feel like the tightness of the neck and  
4 shoulders, something like that, but other than that, I didn't feel  
5 hurt anywhere. And so we sat there for a little while, and then  
6 one lady says, is there any chance we can go to a restroom  
7 somewhere? Some lady, you know, had to go or something, you know,  
8 and so he said, okay, we'll check on that. So a few minutes  
9 later, I don't know whether it was a priest, minister or what, but  
10 he came on the bus and said, look, if any of you ladies or men  
11 need to go, there's a woman across the railroad track, she's  
12 volunteered to let you all come into her house. And we said,  
13 okay. So we all just went. We just went even if we didn't have  
14 to. So that was nice of the lady.

15 So then after that, we got back on the bus, sat there for a  
16 few minutes and then they said, okay, we're going to take you all  
17 to the hotel you were going to and then we'll get you all some  
18 transportation back to your other hotel. And we said, okay,  
19 that's fine with us. And so that's what they did. They took us  
20 over there and they got us a SUV or whatever it was, but they got  
21 us and took us back over to the hotel and we -- because we were  
22 all concerned; we didn't want to talk to the press or anything  
23 like that.

24 And so they -- the lady on the bus said, the lady on the bus  
25 said, we've got -- we're going to have somebody, a security guard

1 there to help you get to your rooms and keep off the press. And  
2 we said, well, thank you so much, and then everybody was just so  
3 helpful. And so we get into the room -- or we get to the desk  
4 and they all gave us extra keys in case we had lost ours, told us  
5 there will be food in the conference room, you know, or any kind  
6 of food we want, just call; there's no charge. And so we started  
7 in towards our room, and there was only one guy that stopped us  
8 and he was not dressed like a reporter, you know. But he went  
9 off, and so we asked, who's that guy, because he caught the last  
10 person.

11 MS. HARLEY: Yeah.

12 MS. KING: Who was that guy? Some reporter. I said, well,  
13 did he bother you? No, he's real nice; he was real nice, he said,  
14 but if anybody wants to talk to him, he'll be in so and so room.  
15 So -- but none of us wanted to. So we all just went to our rooms.  
16 And it wasn't until I got back to the room and then I saw that I  
17 had like two bruises. That's all. I had a bruise on my left  
18 wrist and -- or breast, excuse me, and down by my -- right below  
19 my left knee. And I'm assuming that's from where my roommate ran  
20 into me, fell into me. She was tossed into me somehow.

21 MR. LaPONTE: Who was your roommate?

22 MS. KING: Mary Ellen Paul.

23 MR. LaPONTE: And you got on at Bastrop; is that correct?

24 MS. HARLEY: Yes.

25 BY MS. HARLEY:

1 Q. So let me ask you a question.

2 A. Yes.

3 Q. When you got on at Bastrop, did the driver say anything to  
4 the passengers on the bus?

5 A. About what? Anything --

6 Q. Anything like what -- this bus had seatbelts. Did he tell  
7 you that? That in case of an emergency, how to get off the bus.

8 A. I don't remember. No, I don't think so.

9 Q. All right.

10 A. I don't think so.

11 Q. Okay. Did he tell you at any time that there was a rear door  
12 on the bus?

13 A. No.

14 Q. Okay. All right. So you went from Bastrop, you stopped and  
15 then they picked up a group at Sealy. Did you know any of the  
16 Sealy people?

17 A. No.

18 Q. No.

19 A. No.

20 Q. Okay. So the conversation about going on the scenic route,  
21 did that take place before you guys got on the bus or when you  
22 were on the bus?

23 A. The first I heard, heard of it was when we were on the bus.

24 Q. Okay. Okay. All right. And so the first time that you were  
25 aware of where you were, was right about the time that the bus was

1 going over the railroad track and you heard the --

2 A. Yeah.

3 Q. -- scraping sound?

4 A. Um-hum.

5 Q. Okay. How long can you estimate -- it doesn't have to be  
6 exact. Can you estimate how long the scraping sound occurred  
7 before the bus actually stopped?

8 A. Oh, not long at all. A couple of seconds. It wasn't long at  
9 all. Because I just -- I don't know if anybody else heard it but  
10 I just -- maybe because it -- maybe it was towards the back, but I  
11 heard metal grinding, but it only lasted a couple of seconds. It  
12 didn't last long at all.

13 MR. LaPONTE: We're talking about the metal grinding.

14 MS. KING: Yes.

15 MS. HARLEY: Yeah.

16 MS. KING: Yeah.

17 MS. HARLEY: Okay.

18 MS. KING: It wasn't like it went on for minutes, no.

19 BY MS. HARLEY:

20 Q. Okay. And at that time, the bus had stopped?

21 A. Yes.

22 Q. Okay. And at that point you really weren't concerned you --

23 A. Not yet, no.

24 Q. Okay.

25 A. Because I could see the -- the train was way off still and it

1 was -- it looked like it was going slow. So, no, I wasn't  
2 concerned yet.

3 Q. Okay. Did the bus driver attempt to get the bus moving  
4 again? Did you feel like he was trying to move the bus off?

5 A. See, that's -- I don't know. Some people said that they  
6 could feel it, but I don't know if I really felt it. Maybe I,  
7 maybe I heard like gear changing or something, but I don't recall  
8 the bus like going like that.

9 Q. Like back and forth?

10 A. No, uh-uh.

11 Q. Okay. All right. So I know you said that at that particular  
12 point -- sometime later you actually saw the crossing arms coming  
13 down.

14 A. Um-hum.

15 Q. Okay. And was that at the point where you got up out of your  
16 seat?

17 A. It was shortly after that. I can't tell you exactly.

18 Q. All right.

19 A. When I saw them come down then, of course, I looked again and  
20 saw the train was getting closer and so -- I can't tell you if it  
21 was within a couple of minutes or what.

22 Q. Okay.

23 A. But I hadn't moved before the crossing thing came down. I  
24 hadn't moved yet.

25 Q. Okay. So you got up and now you're walking towards the back

1 of the bus.

2 A. Um-hum.

3 Q. So your back is to the front of the bus.

4 A. Yes.

5 Q. And you're walking towards the back to where Mary Ellen is.

6 A. Um-hum.

7 Q. Is Mary Ellen by the window or is she at the aisle by this  
8 time?

9 A. You know, I couldn't tell you. I don't know.

10 Q. Okay.

11 A. Because like I say, within one short time, the train hit. So  
12 I don't -- when I got around, I don't remember where she was  
13 sitting exactly.

14 Q. Okay. And you said that when the train hit, you fell against  
15 the bathroom?

16 A. Well, I think I -- from what I -- everything happened so  
17 fast. I just remember going something like this because she had  
18 fell against me pushing to my right.

19 Q. Okay.

20 A. And so when, when the train was pushing us, and I could feel  
21 that, that we were being pushed, and then it stopped real quick  
22 and then I noticed my shoulders leaning against the bathroom, the  
23 wall of the bathroom that sticks out.

24 Q. Was the bathroom door open or closed at that time? Do you  
25 remember?

1 A. I want to say closed.

2 Q. Okay. Okay. So then Mary Ellen is on the floor.

3 A. Um-hum.

4 Q. And you say at that particular point there were -- were there  
5 a lot of other people on the floor? I know you said there was one  
6 gentleman and there was Mollie.

7 A. I just saw the gentleman and I at first didn't even see her  
8 because he was so much on top of her. It wasn't until they were  
9 moving, and then I could see there was somebody underneath him.  
10 That's when I told him to stop, wait, there's somebody underneath  
11 there.

12 Q. Okay.

13 A. Now, now I talked to other people. They said they could see  
14 her down there. But where I was at, I didn't see her right away.

15 Q. Okay. So I'll tell you what I'm going to do. Here is --

16 MR. LaPONTE: Was that Mary Ellen that was underneath this  
17 gentleman or --

18 MS. HARLEY: No, Mollie.

19 MS. KING: No, Mollie.

20 MR. LaPONTE: Mollie.

21 MS. KING: An elderly woman, yes.

22 BY MS. HARLEY:

23 Q. So I'm going to show you a drawing of the bus.

24 A. Um-hum.

25 Q. Okay. This is -- that's the driver's seat, and here's where

1 the bathroom is.

2 A. Okay.

3 Q. So Mary Ellen was back here; is that correct?

4 A. Yes.

5 Q. All right. So this is where Mary Ellen is. All right. And  
6 you were initially sitting here?

7 A. Yes, I was up against the window, yes.

8 Q. Up against the window. Okay. And then at that particular  
9 point, you got up and you were walking towards Mary Ellen --

10 A. Right.

11 Q. -- when the crash occurred. Do you remember who was sitting  
12 in front of you?

13 A. Name-wise, I'm terrible with names. I know -- I mean, I  
14 recognize the couple, yes. I can't remember what their names are.

15 Q. Are they from Bastrop, do you know?

16 A. I don't know.

17 Q. Okay.

18 A. I don't think so. I don't know for sure.

19 Q. Okay. Do you know who was sitting in front of them?

20 A. Off the top of my head, no. But, you know, through different  
21 conversations, hear people say -- because I was doing the same  
22 thing, well, where were you; where were you? And -- no, uh-uh, I  
23 can't think who was there.

24 Q. Before the crash, where was Mollie sitting?

25 A. Okay. That's the bathroom there?

1 Q. That's the bathroom.

2 A. Right here.

3 Q. Okay. So Mollie --

4 A. She was in there on the aisle.

5 Q. Mollie was on the aisle.

6 A. Yes.

7 Q. Was somebody sitting next to Mollie?

8 A. Yes, yes. Her roommate.

9 Q. Her roommate.

10 A. Um-hum.

11 Q. Was that, was that Linda Cox or --

12 A. Let me think again. No, I can't -- did they show roommates  
13 there?

14 Q. No.

15 A. No, they don't.

16 Q. No.

17 A. I'm sorry. I'm terrible with names.

18 Q. No problem.

19 A. The only thing I do know, after we found out that on the  
20 other -- like leaving from Bastrop and traveling there, stuff like  
21 that, Mollie always sat by the window.

22 Q. Um-hum.

23 A. That was the first morning they had switched.

24 Q. They had switched?

25 A. Um-hum.

1 Q. Yeah.

2 A. So poor Mollie. But anyway -- yeah, yeah.

3 Q. Okay.

4 MR. LaPONTE: Is that Mollie Dubois?

5 MS. HARLEY: Dubois.

6 MR. LaPONTE: Dubois.

7 MS. HARLEY: Yes.

8 MR. LaPONTE: Unfortunately this list was from the Biloxi PD  
9 and it is not -- doesn't give much of anything other than the  
10 names.

11 MS. KING: And like I said, to me, a lot of these people were  
12 new to me. I knew my roommate and maybe two or three other  
13 people. The rest of them I didn't know.

14 BY MS. HARLEY:

15 Q. Do you know who was sitting in front of Mollie?

16 A. No.

17 Q. No.

18 A. I don't know who was sitting in front of Mollie.

19 Q. Okay.

20 A. And see, I don't know -- the couple that came back here, I  
21 found out later they -- I don't know where they were sitting, but  
22 they were headed towards the back of the bus when it hit and  
23 that's when he fell on Mollie, and then his wife was thrown into  
24 where I was seated -- where I had been seated. But I don't know  
25 where they were heading back.

1 Q. Okay. So I'll tell you what. Do you remember where anyone  
2 else on this bus was seated?

3 A. Okay. A little bit I remember. The two ladies that were  
4 running it, I think Carol and Mary Lucas, I think they were  
5 sitting up in here somewhere.

6 Q. Okay. All right. So Carol --

7 A. And then the two -- two ladies that I knew, I don't know the  
8 exact seat, but I know they were somewhere in the center.

9 Q. Okay.

10 A. On this side over here somewhere.

11 Q. And who were they?

12 A. That was Donna Bartsch and Starr -- I don't know her last  
13 name.

14 Q. Okay. Donna Bartsch and Star Waneck.

15 MR. LaPONTE: Star Waneck.

16 MS. KING: Okay. They were sisters, yes.

17 BY MS. HARLEY:

18 Q. Donna and Starr.

19 A. Because that's when I -- when I was standing, I was looking  
20 for them and I couldn't see them. Well, I guess apparently they  
21 were knocked down on the floor, from what I heard later, but --  
22 that's why I couldn't see them.

23 Q. Were you the only one standing up after the bus was hit?

24 A. As far as I know, yes.

25 Q. Okay. Let me ask you a question. Do you know a couple by

1 the name of Jim and Josie Dela Cruz?

2 A. Dela Cruz? No.

3 Q. No. Okay. Do you know Duane and Kim Kervey -- McKervey?

4 A. Doesn't sound familiar.

5 Q. Okay.

6 A. The couple here -- do you have that list? I can maybe tell  
7 you the name.

8 MR. LaPONTE: Well, I --

9 MS. KING: The one -- okay, the man that passed away.

10 MS. HARLEY: Yeah, Clint.

11 MR. LaPONTE: Clint Havran.

12 MS. HARLEY: Clint and --

13 MS. KING: Clint and his wife --

14 MS. HARLEY: -- Mae.

15 MR. LaPONTE: And Mae.

16 MS. KING: Mae. Okay. Yup, that's who was here. I don't  
17 know exactly where they were sitting.

18 BY MS. HARLEY:

19 Q. Okay.

20 A. It couldn't have been -- I don't think they could have been  
21 up front because they would have more then likely gone that way.  
22 So I'm thinking they were here back somewhere; they were heading  
23 towards the back.

24 MR. LaPONTE: That could have been --

25 BY MS. HARLEY:

1 Q. Do you know a Charles and Mary Ellen McKeathley?

2 A. Uh-uh.

3 Q. No? Okay.

4 MR. LaPONTE: How about Karen and Audrey Landrum?

5 MS. KING: No.

6 BY MS. HARLEY:

7 Q. Okay.

8 A. The only other two people I know are from my church, is Mike  
9 and Cathy --

10 Q. Turner?

11 A. Turner.

12 Q. Yeah. Do you know where the Turners were seated?

13 A. From talking to them, they -- I think they were somewhere in  
14 here.

15 Q. Okay.

16 A. I think.

17 Q. Okay.

18 A. But I can't tell you exact. I don't remember.

19 Q. Okay. All right.

20 MR. LaPONTE: You didn't know the two -- the couple that came  
21 back to the rear of the bus?

22 MS. KING: I -- okay, here's what I remember. That -- let's  
23 see. When we -- okay. The first hotel we spent the night. Okay,  
24 Sunday night. That Monday morning my roommate and I came down and  
25 they had a buffet breakfast and we got our food and we were

1 looking for a place to sit. I think we sat with them and ate  
2 breakfast with them. I'm not positive. I think. Because I was  
3 racking my brain and I said, okay -- and I asked Mary Ellen and  
4 she couldn't remember. I said, don't you remember the people we  
5 sat and ate breakfast with? Wasn't that them from Sealy? And she  
6 said, I don't remember. So I'm thinking that's who it was but  
7 really that's -- and we got to talking a little bit. So that's  
8 the only ones that I knew a little bit.

9 BY MS. HARLEY:

10 Q. Okay. The -- you said there was a gentleman who, who  
11 apparently came into --

12 A. Um-hum.

13 Q. -- a good Samaritan that came into the bus and was helping  
14 out.

15 A. Um-hum.

16 Q. Was he the one who told you to open the back door?

17 A. I'm thinking it was.

18 Q. Okay. All right. And did he point to a door?

19 A. He just said, you know, in that direction, just somewhere  
20 back there, and I kept looking and I said there's not a door back  
21 here. I don't see one. I even looked behind me, and I said, no,  
22 there's not a -- I don't see a door.

23 Q. Okay. Okay. And then at that particular point, who was  
24 trying to kick out the window? Was that when the fire department  
25 had gotten on the scene?

1 A. Yeah.

2 Q. Okay.

3 A. He was the one, he was kicking -- I guess maybe he was trying  
4 to make room for us because they were still like -- I'm assuming,  
5 because I couldn't see what was going on at the front, but I'm  
6 assuming they were still trying to get people out this way. And  
7 so maybe thought we could get out quicker this way. So, yeah, he  
8 was kicking and finally the glass like cracked, shattered, you  
9 know.

10 Q. Okay. And you said that the handle of the window was --

11 A. I saw something down on the floor.

12 Q. Okay.

13 A. It looks like a handle of some kind but I don't know what it  
14 was to. I don't know if it was to the window or what.

15 Q. Do you know what color it was?

16 A. Silver maybe.

17 Q. Okay. All right. Okay, so then the fire department cut this  
18 part of the bus out, and that's how they got Mary Ellen out?

19 A. Yeah, and that's how I got out.

20 Q. And you got out that way as well?

21 A. Um-hum. And see, some of the other ones I had talked to, I  
22 said, did you all follow me behind? They said, no, no, we went  
23 through -- we went towards the front and got on the ladder and  
24 came down the ladder. I said, oh, okay, I didn't know how you all  
25 got out. So some of them -- as far as I'm -- it might have just

1 been me and Mary Ellen that went out that way.

2 Q. Okay.

3 A. I'm not sure.

4 Q. Of the --

5 A. You all were asking another person. The only other person  
6 that knows is Joyce Hoffman?

7 Q. Joyce?

8 A. Is that right?

9 Q. Yeah.

10 MR. LaPONTE: Yeah.

11 BY MS. HARLEY:

12 Q. And do you know where Joyce was sitting?

13 A. From what she's telling me, it sounded like she was right in  
14 the area of where the bus was hit.

15 Q. Okay.

16 A. And again, the two ladies I knew, I think they were right in  
17 that area, too. Close to the spot.

18 Q. Okay.

19 A. Because she was telling me she had been injured quite a bit  
20 and her roommate was injured quite a bit, and she said she just  
21 remembers looking up at the last second and there was the train.  
22 So I'm thinking she was sitting right there where the train hit.

23 Q. Okay. All right. At any time did you hear anyone tell  
24 anyone to get off the bus?

25 A. I didn't, no.

1 Q. Okay. Okay.

2 A. Now I heard later that the bus driver did tell them to get  
3 off the bus, but I never heard it.

4 Q. Okay.

5 MR. LaPONTE: You were still way in the back.

6 MS. KING: Yeah, way in the back. So that's probably why I  
7 didn't hear it.

8 MS. HARLEY: Right.

9 MS. KING: I'm assuming.

10 BY MS. HARLEY:

11 Q. Okay. All right. Okay. All right. We're done with that.  
12 Let me just go over some little quick things. Do you know how  
13 long you were on the track before that arm came down?

14 A. It didn't seem too long. Five minutes. I'm not real sure.  
15 I'm not real sure.

16 Q. Okay. Let's see. Did you hear the bell at that crossing go  
17 off, the warning bell go off?

18 A. No, I don't remember any bell.

19 Q. Did you hear the train whistle, by any chance?

20 A. No, that's odd, too. I didn't hear that either.

21 Q. Okay.

22 A. I know some people heard it, but I didn't hear it.

23 Q. Okay. All right. Okay. Out of curiosity, the handle that  
24 you found, do you know what happened to it?

25 A. Uh-uh. No.

1 Q. Okay. Did you give it to the fireman?

2 A. Uh-uh.

3 Q. Okay.

4 MR. LaPONTE: You just saw it there?

5 MS. KING: I just saw it laying there.

6 BY MS. HARLEY:

7 Q. Just saw it there. Okay.

8 A. You know, and I said, well, it's no use; it's down on the  
9 ground, you know. I don't know what it was attached to, but no, I  
10 just left it there.

11 MS. HARLEY: Okay. All right. I don't have any --  
12 Mike, do you have anything else?

13 MR. LaPONTE: I just have my standards.

14 MS. HARLEY: Um-hum. All right.

15 MR. LaPONTE: Like they say, she is the leader of the pack  
16 here.

17 BY MR. LaPONTE:

18 Q. Okay. So we found on the bus the next day, this pill keeper.  
19 It was up towards the front of the bus, and we've been trying to  
20 -- we're asking everyone if they can tell us who that belongs to.

21 A. Who it belongs to?

22 Q. Because we thought it was kind of strange that because you --  
23 you know, the tour had stayed the night before at Bay Saint Louis  
24 and people had obviously moved into their room --

25 A. Right. Right.

1 Q. -- for 4 days, why would, you know, bring the pill keeper  
2 with you on the trip. And so we were just curious if --

3 A. That's a good question, yeah.

4 Q. -- if, you know, that if somebody could recognize it in terms  
5 of who it might have belonged to?

6 A. Uh-uh, no. I have a pillbox, too, but it's just one, and  
7 it's back at the hotel.

8 Q. Yeah, there were several folks that we talked to that said,  
9 oh, that looks just like mine but I still have mine.

10 A. Yeah, and that's a double. See, I don't have a double, so --

11 Q. Yeah. Okay, well --

12 A. No. No, I don't recognize that.

13 Q. Then it couldn't be yours if you still have yours.

14 A. Nope. Yep, um-hum.

15 Q. And then -- how many trips had you taken previous to this  
16 one? I mean these type of trips.

17 A. With this company or --

18 Q. No, not with the company so much, just, you know, tours in  
19 general, that kind of thing.

20 A. Well, since I retired, I wanted to travel some. Okay. The  
21 first big trip I took was last year in October through my church.  
22 It was like a pilgrimage type of trip.

23 Q. Um-hum.

24 A. And we went to Spain, Portugal, and places like that.

25 Q. Overseas.

1 A. Overseas, right. It was overseas, yeah. And, of course,  
2 touring Vatican City, you right a bus and stuff like that, and  
3 that's -- I know I started thinking -- as I was telling Rogers or  
4 somebody something, and they said, you mean it didn't have a back  
5 door? I said, I didn't see a back door; it wasn't back there.  
6 She said, well, aren't they supposed to have one? I said, well, I  
7 don't know, I said, but I know these tours I go overseas with,  
8 they have a front door, a middle door, but they don't have a  
9 bathroom. So I said, well, maybe that's what the difference is,  
10 the space difference. I said, but yeah, any of those buses that  
11 we go overseas, they have two doors.

12 Q. Okay. That's standard in Europe.

13 A. Yeah, okay. But -- and I'm trying to think, prior to that,  
14 oh, it's been several years ago, but I used to -- a group of us  
15 would go on a bus tour to -- oh, what was the name -- to Louisiana  
16 for gambling at the Coushatta Inn, but that was -- it was a  
17 private bus driver, yeah. We never had any accidents with him or  
18 anything. We went with him like 5, 6 years before he retired.

19 Q. And that was just to the casino?

20 A. Yeah, it was to the casino.

21 Q. From -- and would that pick you up in Bastrop --

22 A. Um-hum.

23 Q. -- or did you have to drive somewhere to meet him?

24 A. No, they picked some people up in Austin, then in Bastrop,  
25 and then the last pick up was in La Grange. You know, we would

1 usually go down on a Saturday morning early, stay the night, and  
2 then come back 12, 1:00 on Sunday.

3 Q. And that was just in the casino and back?

4 A. Um-hum. Um-hum. That was --

5 Q. There was some other folks that we've spoken with that had  
6 taken that same trip.

7 A. Yeah. I think some of my cousins -- or one of them asked me,  
8 says, would you get on a bus if we were to go to Coushatta again?  
9 I said, yeah, I probably would. You know, like, oh, okay, we just  
10 didn't want you to be upset. I said, no, I'm fine, I'm fine. So  
11 but -- so I may be in the future be going to -- going over there  
12 again, if my cousins can get somebody to take us.

13 BY MS. HARLEY:

14 Q. Well, as I usually do when I do an interview, I always ask  
15 the people, is there something that you think I should have asked  
16 you and I did not ask you about?

17 A. Well -- okay. You may not know the answer. Anyway, but  
18 what's, what -- I'm wondering sometimes about the protocol of  
19 something like this, to tell us to get off the bus. Is that the  
20 normal protocol?

21 MR. LaPONTE: Um-hum.

22 MS. KING: Is it? Okay. You know --

23 BY MR. LaPONTE:

24 Q. So there is official training. So there are regulations that  
25 require the bus driver and anchor drivers, and so forth, to stop

1 before the tracks and check for a train coming.

2 A. Okay.

3 Q. So, you know, your bus driver did. And then part of that  
4 training goes on and says if your bus gets high centered or if  
5 your vehicle gets stalled on the tracks, you know, regardless of  
6 there's a train coming or not, get everyone off the bus --

7 A. Okay.

8 Q. -- and get them as far away from the bus as you can.

9 A. Okay.

10 Q. And then call the authorities to say, hey, there's a vehicle  
11 stuck on the tracks.

12 A. Okay. Okay.

13 Q. That's part of -- there's an actual training protocol.

14 A. Okay. That's good because, you know -- of course, I was in  
15 the back of the bus. We didn't hear get off. You know, and if we  
16 had time, yeah, we might could have gotten off, but it hit too  
17 soon. But I kept -- you know, you think in your mind, well, it  
18 would have been safer if those people would have stayed on the  
19 bus. You know, we don't -- you don't know with stuff like that.  
20 So I thought, well, hopefully he told them the right thing, to get  
21 off the bus, you know. It's unfortunate for those that didn't  
22 make it, and -- but that's always been kind of in my mind, just  
23 worrying.

24 Q. Yeah, that is the protocol.

25 A. Okay. Good.

1 Q. If the vehicle gets stuck is to evacuate the vehicle.

2 A. Okay. Okay.

3 Q. And get as far away from the vehicle as possible.

4 A. Um-hum.

5 Q. In fact, you're supposed to get off and then run in the  
6 direction that the train is coming from --

7 A. Okay.

8 Q. -- because the theory is it's going -- it's moving. You  
9 know, whatever it's going to hit that way --

10 A. Move past.

11 Q. -- and you're going to be behind it then.

12 A. Yeah. Well, I know I talked to, like I say -- and then with  
13 me being towards the back of the bus, we didn't know all that was  
14 going on towards the front. It wasn't until later, you know,  
15 after we had gotten off the bus and was checking a few people,  
16 still did not know that there were some fatalities on the other  
17 side.

18 Q. Um-hum.

19 A. You know, because we didn't know if anybody even got off the  
20 bus. We hadn't heard anything until later on, you know, and so --  
21 and then those that weren't hurt, I said, well, were you all on  
22 the bus? He said, oh, we got off the bus. Oh, I said, there's  
23 some people that got off the bus? And he said, yeah, me and two  
24 others and this other lady, we got off the bus and then  
25 unfortunately the last two that got off didn't make it. I said,

1 what do you mean they didn't make it? He said they were killed.  
2 I said, oh, God, you know, like that. But we didn't -- I didn't  
3 know any of that when we first got off the bus because we couldn't  
4 see anything that was going on towards the front because -- and I  
5 was concentrating on the people that was back there with me. And  
6 so I didn't know.

7 BY MS. HARLEY:

8 Q. When you got up to go to Mary Ellen, was there a lot of  
9 people standing in the aisle?

10 A. Geez, I really don't know. On first thought, I would say no  
11 because I know -- of course, I was surprised -- I think the only  
12 reason why was still standing was because she fell on me. If she  
13 hadn't fallen on me, I probably would have been down on the floor  
14 somewhere, is what I'm thinking in my mind. But, no, because I  
15 know -- because if there was a lot of people standing, I probably  
16 wouldn't have been seeing over. Because I could see over the  
17 seats and I was looking for those two ladies, because I knew they  
18 were where the -- I saw where the train hit the bus.

19 Q. Right.

20 A. And I knew they were somewhere in that general area because I  
21 had passed them going back. I know they were sitting in the area,  
22 so that's why I was -- I could see that they weren't in their  
23 seats. Well, not knowing, they were probably down on the  
24 ground and I couldn't see them. So I -- if there was anybody  
25 standing, I don't think there was many.

1 Q. Okay.

2 A. If any. Because even -- let's see, I'm thinking next to  
3 Mollie, she was still sitting there. And then the couple that  
4 originally was in the seat in front of me, they were still  
5 sitting. Yeah, they were still sitting. But then from then on, I  
6 can't tell you if they were sitting or if they were down on the  
7 floor or what.

8 Q. Okay.

9 A. Just the ones that were close to me.

10 Q. So what I'm going to say is, if later on you think of  
11 something --

12 A. Okay.

13 Q. -- please feel free to give me a call.

14 A. Okay.

15 Q. And it doesn't matter whatever time.

16 A. All right.

17 Q. Thank you very much for taking the time to come in and see  
18 us.

19 A. Sure.

20 MR. LaPONTE: Yeah, we greatly appreciate it.

21 MS. KING: Well, I have to apologize for something. I  
22 thought it was you or somebody had called my house. Was that you?  
23 Okay.

24 MR. LaPONTE: The first time.

25 MS. KING: The first time, okay. Left a message. Of course,

1 I was hesitant on talking to anybody, you know.

2 MR. LaPONTE: Yeah, I -- we understand.

3 MS. KING: And I said, well, if he calls back again, I'll  
4 talk to him, you know. And I -- you know, and then a letter was  
5 sent to me with information. I was still kind of hesitant sending  
6 that in, you know. And then when I started talking to other  
7 people, they said, yeah, somebody's contacted us from so and so.  
8 And I said, really? I said, uh-oh, I should call him back. And  
9 then, then you had called just right then. I said, okay, I'm  
10 going to call her back. I said she sounds like she's the same  
11 company that tried before. So I said, okay. So I apologize I  
12 didn't call you back right away.

13 MR. LaPONTE: No, that's no problem.

14 BY MS. HARLEY:

15 Q. Well, we understand. There was a lot of people who were  
16 getting harassed by the media and everything.

17 A. Yeah, yeah, stuff like that and everything. And there was --  
18 you know, they were all -- we were the ones that came back on that  
19 bus the next night, okay, and everybody again was real nice and  
20 stuff and -- but we were told ahead of time there was going to be  
21 press there and stuff, and we all automatically turned negative  
22 and said, no, we don't want to talk to anybody. And but -- so  
23 it's, you know, everywhere. And then it was a few days after I  
24 was home and stuff, there was a lady from Bastrop Advertiser or  
25 something, wanted to talk to me, said if you want to give me a

1 call and gave her phone -- I never returned her call, and she  
2 didn't try again. I think she got the hint. But, you know, just  
3 -- you want to be left alone for a little while --

4 Q. Right. Yeah.

5 MR. LaPONTE: Absolutely.

6 MS. KING: -- and you don't ask stuff like that.

7 And the Bastrop sheriff, he was real nice. He got on the bus  
8 with us and he said, now there's reporters out there; we've tried  
9 to -- made you all a pathway to get out, you know, so you don't  
10 have to talk to them. And he said does anybody want to talk to  
11 them? We all said, no. It was like unanimous, just everybody,  
12 no. He said, okay; all right, then we will keep them away from  
13 you. And then some of you have family members out there or not,  
14 but if not, we will escort your to a car, and stuff like that.

15 BY MS. HARLEY:

16 Q. That's nice.

17 A. So they were just all just super nice to us.

18 Q. Well, that's good.

19 A. You know, like I say, and that helps a lot and stuff.

20 Because I -- like I said, I was fortunate not to be hurt so bad  
21 but I know the other ones that were hurt bad, you know, I feel so  
22 horrible for them. I had to leave my roommate. I didn't want to  
23 leave her, and -- because she went to the hospital. And so I  
24 didn't want to have to leave her, but I knew I had to get home  
25 because my kids were going to drive all the way up there and get

1 me. I said, no, no don't -- unless I have no other way to get  
2 home. But I said, no, I'm coming home on the bus. And, of  
3 course, they were shocked. They said, you're coming home on a  
4 bus? I said, well, yeah. They said, well, Momma, isn't that a  
5 little too soon? I said I'm fine, I'm fine. I said I'll be okay.  
6 So I got home and stuff like that.

7 But then, you know -- but like I said, I talked to my  
8 roommate the next day and -- I said, are you still in the  
9 hospital? And she said, yes, but they charged up my cell phone.  
10 I said, well, good, at least you can talk some. You know, I was  
11 checking on her to make sure she was okay. But she had calmed  
12 down, but, yeah, I felt so sorry for her.

13 Q. How long did she stay in the hospital for? Do you know?

14 A. Okay. Let's see. Okay, that happened -- let's see. I think  
15 -- okay, I talked to her Wednesday. See, I'm losing track of  
16 time. Okay, the accident was on Monday. No --

17 MR. LaPONTE: Tuesday.

18 BY MS. HARLEY:

19 Q. Tuesday.

20 A. There you go, Tuesday. Okay. And we left Wednesday, okay,  
21 and I talked to her I think before I left. So I think she came  
22 home Friday. Either Thursday or Friday, they released her. And  
23 she didn't have a way to get home either, but then they got a SUV  
24 or something from Toyota there in Bastrop and somebody drove up  
25 there and got her and another lady and brought them home, and

1 stuff like that. And then all the rest were still up there, you  
2 know, and I don't -- some of them came home on the weekend. Some  
3 of them came home a week later, or something like that. So I  
4 don't know all the --

5 Q. Yeah, I think we talked to her on Wednesday, the day after,  
6 so --

7 A. Okay. Okay.

8 Q. Yeah, and she was still there.

9 A. Uh-huh.

10 Q. And they had no idea when they were going to release her.

11 A. Well, that's what she kept saying, too.

12 Q. Yeah.

13 A. And then after I talked to her again that Thursday, and then  
14 she said, yeah -- she was like, they're trying to make  
15 transportation either through Toyota to get us back and stuff. I  
16 said, okay, well, I'll get back with you later. And then I think  
17 I called her Friday and she was home. I said, okay, good. So,  
18 you know, I knew she was okay, at least got home. It wasn't okay.  
19 She had a lot -- some medical problems. But other than that,  
20 so --

21 Q. Okay. Well, thank you very much for coming.

22 A. You're welcome.

23 Q. I appreciate it.

24 MR. LaPONTE: Thank you again.

25 MS. KING: And again, too, you all, have my phone number. If

1 you all got any more questions, I won't ignore you this time.

2 MS. HARLEY: Yes, ma'am. Thank you very, very much. I  
3 appreciate it.

4 MR. LaPONTE: Thank you very much for coming and speaking  
5 with us. We certainly appreciate it.

6 MS. HARLEY: Absolutely.

7 MS. KING: The whole thing's, the whole thing's been --

8 MS. HARLEY: Do you want some more water before you leave?

9 MS. KING: Oh, no.

10 MS. HARLEY: Are you sure?

11 MS. KING: I'm going to -- in town to meet my daughter for  
12 lunch and stuff like that.

13 MS. HARLEY: Oh, okay. All right.

14 MS. KING: So we'll have plenty to eat there and drink and  
15 stuff like that. But you all -- I hope the final outcome,  
16 something gets resolved, you know.

17 MR. LaPONTE: Well, you will get a letter as this  
18 investigation progresses.

19 MS. KING: Okay. Okay.

20 MR. LaPONTE: And you will --

21 MS. KING: Yeah, I got that first letter you all had the very  
22 first report.

23 MR. LaPONTE: You'll get another one -- yeah, the first  
24 incident report. As this -- the way the process works is that we  
25 do this investigation, it takes 8, 9 months by the time we get it

1 all put together --

2 MS. KING: Sure.

3 MR. LaPONTE: -- you know, because there's five of us and  
4 then we make sure that other parties to the investigation have a  
5 chance to read it to make sure it's accurate --

6 MS. KING: Right.

7 MR. LaPONTE: -- to make sure there's no factual errors. And  
8 then we put it together, all those reports together into a big  
9 report.

10 MS. KING: Okay.

11 MR. LaPONTE: And then that's again checked for facts and  
12 it's just a process. Then as this gets closer to the actual Board  
13 meeting -- so the National Transportation Board will have a  
14 meeting that will discuss this crash. As that gets closer, you'll  
15 get a letter saying if you are interested in, you know, the  
16 report, the final report --

17 MS. KING: Um-hum.

18 MR. LaPONTE: -- which will be about 100-plus pages, if you  
19 want to come to the meeting, it's going to give you all of that  
20 detail.

21 MS. KING: Oh, okay.

22 MR. LaPONTE: But these are -- the report itself is a public  
23 document.

24 MS. KING: Okay.

25 MR. LaPONTE: So once everything is released, it'll all be in

1 there without names and addresses and all that.

2 MS. KING: Sure.

3 MR. LaPONTE: We sanitize -- you know, we redact any personal  
4 information from anybody involved in the accident. But that's,  
5 you know, you will be getting more correspondence as time goes on.

6 MS. KING: Good, good.

7 MR. LaPONTE: And if you are interested, respond and --

8 MS. KING: Okay.

9 MR. LaPONTE: -- you know, if you have any questions, give  
10 Sheryl a call or myself.

11 MS. KING: All right.

12 MR. LaPONTE: You know, we're always available to speak with  
13 you.

14 MS. KING: All right.

15 MR. LaPONTE: And, you know, if you get hassled by, you know,  
16 lawyers or reporters or whatever -- I think you'll probably do all  
17 right on your own --

18 MS. KING: Yeah.

19 MR. LaPONTE: -- but just -- you never know. I mean,  
20 sometimes they come up with things that sound --

21 MS. KING: Yeah.

22 MR. LaPONTE: -- sound, well, you know, do I need to do this  
23 or is this really part of the process, because people haven't gone  
24 through this before.

25 MS. KING: No, no.

1 MR. LaPONTE: I mean, this is not, you know, today I think  
2 I'll go out and get in a bus wreck.

3 MS. KING: Yeah.

4 MR. LaPONTE: So anyways, but if you have any questions or  
5 concerns going forward --

6 MS. KING: No, that one from Bastrop Advertiser, that's the  
7 only one I really got a phone call from, per se.

8 MS. HARLEY: Okay.

9 MS. KING: No one else has -- no lawyers or anybody else has  
10 contacted me.

11 MS. HARLEY: Well, that's wonderful.

12 MS. KING: Yeah.

13 MR. LaPONTE: And we won't give them your name.

14 MS. HARLEY: Yeah.

15 MS. KING: Good. Even if they do, I'll say, hey, I'm not  
16 suing, so, you know. If it had been a different circumstance, if  
17 I had been hurt or something like that, it'd be different. But  
18 since I was one of the fortunate ones --

19 MS. HARLEY: Well, I'm glad you were.

20 MS. KING: So, you know, I didn't want to file a suit. I  
21 don't like a lot of these suits that are going on in the world  
22 that aren't necessary.

23 MS. HARLEY: I understand.

24 MS. KING: So I didn't want to do that.

25 Do you still have quite a few of people on the bus to

1 interview?

2 MR. LaPONTE: Well, we have two tomorrow, three on Friday,  
3 and I think -- I don't know if there's any on --

4 MS. HARLEY: That's it, isn't it?

5 MR. LaPONTE: I think that's it, isn't it?

6 MS. HARLEY: That's it, five more.

7 MS. KING: Oh, that's good. That's good.

8 MR. LaPONTE: So we -- you know, Sheryl and her group were  
9 fortunate enough to see a lot of folks when they were still in  
10 Biloxi or Gulfport. But the folks that got off the but like  
11 yourself that weren't injured, I mean, most folks scooted the next  
12 day and --

13 MS. KING: Yeah.

14 MR. LaPONTE: -- we didn't have a chance to catch them.

15 MS. KING: That's true, yeah.

16 MR. LaPONTE: And there were a fair amount that were, you  
17 know, were treated and then released and they left the next day.

18 MS. KING: Yeah. That's what -- yeah, I heard that, yeah.

19 MR. LaPONTE: So anyone that wasn't spending a day or two in  
20 the area, the Biloxi area, we didn't have a chance to see. So  
21 this is our second trip down here?

22 MS. KING: Second?

23 MS. HARLEY: Yes, second trip.

24 MS. KING: Okay. Well, that's good. Well, I wish you luck  
25 on the other ones.

1 MS. HARLEY: All righty.

2 MS. KING: Thank you again.

3 MS. HARLEY: Well, have a wonderful time at lunch.

4 MS. KING: Okay. Yeah.

5 MR. LaPONTE: And thank you again for taking the time to  
6 speak with us.

7 MS. HARLEY: Thank you.

8 MS. KING: Sure. No problem.

9 MS. HARLEY: We appreciate it.

10 MR. LaPONTE: Thanks, ma'am.

11 MS. KING: Bye-bye.

12 MS. HARLEY: Bye-bye.

13 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:            FATAL COLLISION OF CSX FREIGHT  
                                     TRAIN AND TEXAS TOUR BUS  
                                     BILOXI, MISSISSIPPI  
                                     ON MARCH 7, 2017  
                                     Interview of Debra King

ACCIDENT NO.:                HWY17MH010

PLACE:

DATE:

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.



Kathryn A. Mirfin  
Transcriber



UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL COLLISION OF CSX FREIGHT \*

TRAIN AND TEXAS TOUR BUS \* Accident No.: HWY17MH010

BILOXI, MISSISSIPPI \*

ON MARCH 7, 2017 \*

\*

\* \* \* \* \*

Interview of: CHARLES McKEATHLEY

Merit Health Medical Center  
Biloxi, Mississippi

Wednesday,  
March 8, 2017

## APPEARANCES:

DETECTIVE STEVE KELLY  
Biloxi Police Department

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By Det. Kelly

4

I N T E R V I E W

INTERVIEW OF CHARLES McKEATHLEY

BY DET. KELLY:

1 Q. All right. And your name is Charles McKeathley?

2 A. Yes, sir.

3 Q. Okay. What's your date of birth, sir?

4 A. [REDACTED]

5 Q. And where in that bus were you sitting?

6 A. I was on the right side three seats from the rear.

7 Q. All right. Three seats from the rear on the right?

8 A. Yes.

9 Q. Okay.

10 DET. KELLY: I'm going to go back to the data, if you want to  
11 flip it over. I'm sorry. I didn't mean to jump ahead.

12 BY DET. KELLY:

13 Q. We already have your address. Are you currently retired?

14 A. Yes.

15 Q. Okay. What's a good phone number for you, sir?

16 A. [REDACTED]

17 Q. Okay. And how tall are you?

18 A. [REDACTED]

19 Q. How much do you think you weigh?

20 A. [REDACTED]

21 Q. Okay. What is your social?

22 A. [REDACTED]

1 Q. Okay. And you came here by ambulance; is that correct?

2 A. Correct.

3 Q. Do you know if you were standing up or sitting down when the  
4 train hit the bus?

5 A. I was standing up. We seen it was going to happen. So, I  
6 told her, I said, let's move towards the back of the bus. So, I  
7 was standing in front of the rest room door and I'm not sure how  
8 far she -- she might have been two seats away from me.

9 Q. And after the incident happened, did -- the first responders  
10 did they take you off the bus or did you walk off on your own?

11 A. I climbed down a ladder.

12 Q. Climbed down a ladder. Okay. And what type of injuries did  
13 you suffer?

14 A. I got a fractured breast bone.

15 Q. Fractured breast bone.

16 A. And top of my head.

17 Q. Head trauma?

18 A. Yeah. I got cut a little bit. No stiches or anything but it  
19 was cut.

20 Q. Okay. Well, you just relax Okay.

21 A. Okay.

22 Q. Just take it easy.

23 DET. KELLY: Do you have any questions? Am I missing  
24 anything?

25 UNIDENTIFIED SPEAKER: No. (Indiscernible.)

1 DET. KELLY: All right. That will conclude that --  
2 (Whereupon, the interview was concluded.)  
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CERTIFICATE

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IN THE MATTER OF:

Interview of: Charles McKeathley

ACCIDENT NUMBER:

HWY17MH010

PLACE:

Biloxi, Mississippi

DATE:

March 8, 2017

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

---

Letha J. Wheeler  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

FATAL COLLISION OF CSX FREIGHT \*

TRAIN AND TEXAS TOUR BUS \*

BILOXI, MISSISSIPPI \*

ON MARCH 7, 2017 \*

Accident No.: HWY17MH010

\* \* \* \* \*

Interview of: DUANE MCKERVEY

Merit Health Medical Center  
Biloxi, Mississippi

Wednesday,  
March 8, 2017

## APPEARANCES:

DETECTIVE STEVE KELLY  
Biloxi Police Department

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I N T E R V I E W

1  
2 MR. MCKERVEY: [REDACTED] -- do you want the home or the  
3 cell?

4 DET. KELLY: It doesn't matter.

5 UNIDENTIFIED SPEAKER: You never answer the phone.

6 MR. MCKERVEY: Yeah. [REDACTED]

7 UNIDENTIFIED SPEAKER: He never answers the phone.

8 MR. MCKERVEY: It goes to voice mail.

## INTERVIEW OF DUANE MCKERVEY

9  
10 BY DET. KELLY:

11 Q. You all were initially taken to Merit Health, right?

12 A. Yes.

13 Q. All right. Did you all first ride in the ambulance together?

14 A. No. She rode in the ambulance. I was fine. So I rode with  
15 my sister. She met us at the accident.

16 Q. All right.

17 A. Once they put her on the ambulance and found out where they  
18 were taking her, her sister and I got in the vehicle and went to  
19 that hospital, Merit.

20 Q. Were you all wearing your seat belts or anything?

21 A. (No audible response.)

22 BY UNIDENTIFIED SPEAKER:

23 Q. Did you have any injuries? I know you got your arm wrapped  
24 up?

25 A. I called it a rug burn. I think I scrapped across a seat

1 cushion. It's about the size of a quarter.

2 Q. Okay.

3 A. And that was it. I think I'm one of the more fortunate.

4 DET. KELLY: Yes.

5 BY UNIDENTIFIED SPEAKER:

6 Q. Where were you all at? Where were you all sitting at on the  
7 bus?

8 A. I would say about two-thirds or even three-quarters of the  
9 way to the back.

10 Q. Do you remember your seat number at all?

11 A. No. I don't know that there were seat numbers actually, to  
12 tell you the truth.

13 DET. KELLY: Okay. Were you sitting behind the driver of the  
14 vehicle or the passenger side?

15 MR. MCKERVEY: On the driver side.

16 DET. KELLY: Driver's side about three-quarters of the way  
17 back?

18 MR. MCKERVEY: Uh-huh. We were about two to three seats  
19 behind where the engine actually made contact.

20 BY UNIDENTIFIED SPEAKER:

21 Q. Okay. So, you were about two to three seats behind the  
22 impact?

23 A. Yeah. Now, I know it went five or six seats worth of impact,  
24 but we were just behind it.

25 Q. When the train was approaching were you all still in your

1 seats or did you all get up out of your seats at all?

2 A. No. We were in our seats. You couldn't get out of your  
3 seats, there were so many people in the aisles trying to get to  
4 the front door to get out. I don't think anybody even thought to  
5 use the emergency exit in the back.

6 Q. Right.

7 A. Everybody was trying to get up and go to the front. Keep in  
8 mind this is a senior center. It takes 2 minutes for the people  
9 to get up out of their seats. It takes them 5 minutes to get out  
10 of the bus.

11 Q. I understand.

12 A. So there weren't a whole lot of people made it out.

13 Q. When the train impacted were you still in your seats? Had  
14 you all ever gotten out?

15 A. Uh-huh. Yeah, I think that's what saved us the most actually.  
16 We weren't tossed around like ragdolls.

17 BY DET. KELLY:

18 Q. And you heard the train's horns?

19 A. Oh, yeah.

20 Q. Okay.

21 A. And it just kept getting louder and louder. I didn't really  
22 notice the train until I would say it was probably a block-and-a-  
23 half, maybe two blocks before. I don't think that the lights were  
24 even flashing. I know the gates hadn't come down until I did  
25 notice the train. And at that point seems like it was only half a

1 minute before it hit us. But time flies when you're looking at an  
2 engine coming at you.

3 Q. And your wife -- that is your wife, correct?

4 A. Uh-huh.

5 Q. She was sitting next to you the whole time she was with you?

6 A. She was at the window side, yes.

7 Q. Okay. She was at the window.

8 A. I was on the aisle.

9 UNIDENTIFIED SPEAKER: Was it two seats on each side?

10 MR. MCKERVEY: Uh-huh.

11 UNIDENTIFIED SPEAKER: So she had the window seat?

12 MR. MCKERVEY: And I had the aisle seat. And she will  
13 probably never sit in the window seat again.

14 DET. KELLY: Yeah. I can only imagine. Very traumatic.  
15 Very traumatic.

16 MR. MCKERVEY: She may never get on a bus again either, so --

17 DET. KELLY: Anything else you can think of?

18 UNIDENTIFIED SPEAKER: That's pretty much it. Just the  
19 information sheet.

20 MR. MCKERVEY: Just a little side bar here, and I don't know  
21 what it's worth, a grain of salt, whatever.

22 DET. KELLY: Uh-huh.

23 MR. MCKERVEY: I truly believe that that bus high centered on  
24 the tracks.

25 DET. KELLY: It did. It did.

1 MR. McKERVEY: It couldn't go forward or back.

2 DET. KELLY: It did. That's what happened.

3 MR. McKERVEY: I mean, it's --

4 DET. KELLY: It's very steep, and when --

5 UNIDENTIFIED SPEAKER: Did you ever hear it or anything  
6 whenever it bottomed out?

7 MR. McKERVEY: Didn't notice it. But, again, he had stopped  
8 for the railroad tracks and then when it hit, I really believe if  
9 we hadn't of stopped we'd have made it over the tracks. He may  
10 have lost a muffler, but --

11 UNIDENTIFIED SPEAKER: I think most busses like that are  
12 required to stop --

13 MR. McKERVEY: Yeah. Yeah.

14 UNIDENTIFIED SPEAKER: -- at the railroad crossings initially  
15 anyway.

16 MR. McKERVEY: Yeah.

17 (Whereupon, the interview was concluded.)

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IN THE MATTER OF: FATAL COLLISION OF CSX FREIGHT  
TRAIN AND TEXAS TOUR BUS  
BILOXI, MISSISSIPPI  
ON MARCH 7, 2017  
Interview of: Duane McKervey

ACCIDENT NUMBER: HWY17MH010

PLACE: Biloxi, Mississippi

DATE: March 8, 2017

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\_\_\_\_\_  
Letha J. Wheeler  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL COLLISION OF CSX FREIGHT \*

TRAIN AND TEXAS TOUR BUS \*

Accident No.: HWY17MH010

BILOXI, MISSISSIPPI \*

ON MARCH 7, 2017 \*

\*

\* \* \* \* \*

Interview of: DUANE MCKERVEY

Keesler Medical Center  
Room 427  
Biloxi, Mississippi

Thursday,  
March 9, 2017

## APPEARANCES:

MICHELE BECKJORD, Survival Factors Investigator  
Office of Highway Safety  
National Transportation Safety Board

MICHAEL SHAW  
Biloxi Police Department

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I N T E R V I E W

(3:43 p.m.)

1  
2  
3 MR. SHAW: 1543 hours, Keesler Medical Center, patient room  
4 4217.

5 UNIDENTIFIED SPEAKER: She's going to be a little bit,  
6 though.

7 MS. BECKJORD: That's fine. If you don't mind, we'll just  
8 ask you a couple questions because you were on the bus, right?

9 MR. MCKERVEY: I was right next to her.

10 MS. BECKJORD: We'll let's do that? We'll start, if that's  
11 all right.

12 MR. MCKERVEY: That works.

13 UNIDENTIFIED SPEAKER: I'm just going to go back in and see  
14 if they need any help.

## INTERVIEW OF DUANE MCKERVEY

15  
16 BY MS. BECKJORD:

17 Q. I'll just give you a brief run down. Have you met anybody  
18 with the NTSB yet?

19 A. No.

20 Q. Has anybody -- so you're familiar --

21 A. Mostly some detectives from the sheriff's department, I think  
22 it was, come by and got statements.

23 UNIDENTIFIED SPEAKER: That will be Gus. Okay. We can go.

24 UNIDENTIFIED SPEAKER: That was the Biloxi P.D. I'm with the  
25 sheriff's department.

1 MS. BECKJORD: Would you like to sit? Can we take a few  
2 minutes and sit?

3 MR. MCKERVEY: Wherever you want to go.

4 MS. BECKJORD: Okay. Let's do that.

5 BY MS. BECKJORD:

6 Q. Are you familiar with the NTSB?

7 A. Yes.

8 Q. What I do (indiscernible) survival factors investigations.

9 A. Okay.

10 Q. So, what I do is kind of take a look at where is everybody  
11 sitting, what safety features could help protect them in a  
12 situation, what exactly happened to you, and that kind of stuff.  
13 We look at the survival of the folks inside the vehicle.

14 A. Okay.

15 Q. So I wanted to ask you some questions kind of along those  
16 lines. I might veer out of my lane a little bit and ask some  
17 questions about the driver and some other things just because it  
18 helps out my other co-workers who are off during a bunch of other  
19 stuff.

20 A. Some other -- yeah, understand.

21 Q. Right. So we try not to pepper you with too many interviews  
22 that way. So would you mind spelling your last name for me?

23 A. M-c-K-e-r-v-e-y.

24 Q. Thank you.

25 A. And that's not correct. D-u-a-n-e.

1 Q. D-u-a-n-e.

2 A. Right.

3 Q. Got you. I think I might have picked that up from the  
4 newspaper or something and I wanted to make sure. And your date  
5 of birth, if you don't mind?

6 A. [REDACTED]

7 Q. And home address?

8 A. [REDACTED]

9 Q. Okay. Do you have a phone number that I could reach you at  
10 if we had any follow-up?

11 A. Typically, I don't use the cell phone, but I'm going to give  
12 you both.

13 Q. Okay.

14 A. But if you -- use the home phone first because if I'm at home  
15 the cell phone is sitting in the book shelf. Okay?

16 Q. Okay.

17 A. [REDACTED]

18 Q. Okay.

19 A. [REDACTED]

20 Q. Okay.

21 A. And I'll be answering that one until we get back home anyway.  
22 I don't know how long that'll be.

23 Q. Okay. So I guess let's kind of start with where were you  
24 guys sitting on the bus?

25 A. Driver's side, about two-thirds, three-fourths of the way in

1 the back. I think there was three or four seats behind us. Okay.  
2 I'm not real positive.

3 Q. That's all right.

4 A. Don't get me wrong, it's just a guesstimation. She was on  
5 the window side. I was on the aisle seat.

6 Q. Okay. Normally I type, so you'll have to forgive my  
7 handwriting here.

8 A. Oh, you haven't seen mine. I always type because you  
9 wouldn't read mine.

10 Q. This is not the quickest thing for me. Okay.

11 So can you walk me through sort of what you recall and then  
12 we'll follow up with some specific questions about the driver.  
13 But sort of as you're maybe leaving the Hollywood Casino -- I'm  
14 not sure about the distance and time, but we want to kind of get a  
15 little bit before you get to the intersection where the crossing  
16 was.

17 A. Before the incident, okay. Yeah, we left I think it was  
18 about 1:30 in the afternoon, I believe it was. Initially we were  
19 going to leave the hotel and come out to I-10 and run I-10 down.  
20 But I don't know if it was one of the group leaders that was with  
21 the nursing home or the senior center home -- there were three of  
22 them that were actually like group leaders. I don't know if it  
23 was one of them that made a suggestion or something, but it turned  
24 out to where we decided that instead of going interstate we'd go  
25 down Highway 90 and view some of the coastline.

1 Q. Sure.

2 A. So we ended up going down Highway 90. So I'm assuming he was  
3 following GPS.

4 Q. Okay.

5 A. Because it was -- I'm guessing it was an alternate route than  
6 what he was initially intending to do.

7 Q. Okay.

8 A. Nothing out of the ordinary as we were going down there, you  
9 know, I-90 or 90 has got multiple traffic lights, you know, and no  
10 issues there. And come off of 90 and that's when we went into the  
11 intersection. You know, everything kind of gets put into a blur  
12 but that's the best I can recall in my mind.

13 Q. Okay.

14 A. We come up to the intersection; being a railroad crossing he  
15 stops.

16 Q. Okay.

17 A. And then proceeded, proceeds to go across. And truthfully, I  
18 know there's a reason they stop at the railroad crossings just for  
19 this reason, but I really feel if he hadn't stopped and gunned it,  
20 we would have ramped over that thing and wouldn't have gotten --  
21 he may have lost a muffler or something, but we would have gotten  
22 across.

23 Q. Right.

24 A. But, yeah, so he's taking off from a stop. We get up on the  
25 tracks and -- I said high centered; the wheels weren't touching.

1 You know, he couldn't go forward; he couldn't go backward. At  
2 that point I didn't notice any lights on the railroad crossing or  
3 there definitely weren't any crossing bars coming down at that  
4 point.

5 Q. Uh-huh.

6 A. And, you know, it all seemed like it happened in a minute.  
7 But I would assume we were probably on the tracks for about a  
8 minute and folks started to notice there was a train coming. And  
9 just hearsay I heard people said that the driver, you know,  
10 hollering out get off the bus, get off the bus. I was more toward  
11 the back. All I heard was there's a train coming. I didn't hear  
12 the driver.

13 Q. Okay.

14 A. I think the most fortunate thing for us, my wife and I, is as  
15 people noticed the train coming they're trying to get up in the  
16 aisle trying to head to the front to get off the bus. Well, we  
17 couldn't get up. There were people in the aisle and they weren't  
18 moving. This an old folk or senior citizens. It takes them two  
19 minutes to get up off the seat, you know.

20 Q. Right.

21 A. It takes them five minutes to get off the bus. So, it wasn't  
22 moving very fast. So, we're sitting back there and, again, I  
23 think that's what probably saved us from more serious injuries is  
24 that we were sitting down. Couldn't get up and into the aisle.

25 Q. Okay.

1 A. And, again, it all seemed like it was within a minute from  
2 when we got stuck to when we got hit. But I'm sure whether it was  
3 a longer timeframe there, but it seems like it took less than a  
4 minute.

5 Q. Okay.

6 A. And I don't know how far you want to go but we got hit.

7 Q. Okay. Were you wearing your seat belt at the time?

8 A. No.

9 Q. No?

10 A. I would doubt the majority of them were.

11 Q. Okay.

12 A. I would say most of them were not truthfully.

13 Q. And how about your wife?

14 A. No.

15 Q. Okay. And then did you know that the motor coach had seat  
16 belts on it?

17 A. Yes.

18 Q. Yeah?

19 A. Yeah, we were aware.

20 Q. Okay. I know it comes across as a question like, oh, but  
21 it's not always that motor coaches have seat belts. This is kind  
22 of relatively new for folks. And so, it's not like that's  
23 something that's typical.

24 Okay. So then after the bus got hit, do you remember, you  
25 know, did you stay in your seat? Did you end up being pushed out

1 of your seat? What happened to you?

2 A. You know, we got the jar, but we ended -- we stayed in the  
3 seat, and I don't know if it was because there were too many  
4 people in the aisle that, you know, pushed us back into the seats  
5 or not. But, no, we stayed in the seats.

6 After hearing, you know, "You all right? You all right,"  
7 whatever, she mentioned she was all right, but she couldn't catch  
8 her breath. Well, okay. And I was finding I had a little rug  
9 burn on the cushion, I guess. But that was the only thing I had.  
10 But I turned around to the aisle and there was like three people  
11 on top of each other laying in the aisle and behind them was the  
12 same thing, two or three people. In front of them the same thing.  
13 Everybody was just tangled up in the aisle.

14 One couldn't get up because another one was on top of them  
15 and, you know, the other one couldn't get up because the person in  
16 front was on top of him. And, yeah, it was just -- and, of  
17 course, there was a lot of people bleeding and, you know, just  
18 kind of freaking out.

19 Q. Right.

20 A. So, I'm like, okay, you all right? I'm freaking out.

21 So everybody is trying to -- the ones that are able are  
22 trying to pick people up off the aisle, put them in the seats,  
23 whatever. And about the time we got the one or two -- I don't  
24 know, the couple right behind us, he was the same situation. It  
25 didn't appear he had gotten hurt or anything. So, between him and

1 I, we were trying to get people up off the aisle.

2 There was one or two right in between our seats. Our seat  
3 and the one behind us, there were one or two people in the aisle,  
4 and we kind of got them up and then noticed behind them there was  
5 a guy that I don't think he was going to make it. He wasn't  
6 moving, wasn't moaning or anything. So I'm assuming he was the  
7 one that didn't make it.

8 Q. Okay.

9 A. From there -- and, again, like I say, it all seemed like it  
10 happened in a minute. There's a car that's parked right next to  
11 the bus. How it got there I have no idea. But people from  
12 outside are jumping on the car trying to get inside the bus  
13 through the windows.

14 Q. Uh-huh.

15 A. Well, the windows are pretty much shattered but the frames  
16 are all twisted and everything. So you can't really push them out  
17 because they come right back at you, and when they do, the glass  
18 is going everywhere, you know.

19 Q. Uh-huh.

20 A. So it was -- as the people were trying to come in, it takes  
21 two of them: one to hold the window frame up and the other one to  
22 try and get in. While they're trying to get in -- and there's  
23 people everywhere. They can't move. They can't get in. They  
24 can't move.

25 Q. Right.

1 A. So eventually the ones that -- on the bus that were able got  
2 out to make room for the first responders to come in, you know.  
3 That's about it.

4 Q. Okay. And so, what -- you've got a laceration or you said  
5 kind of an abrasion?

6 A. Rug burn type thing.

7 Q. Okay.

8 A. I think that's from grabbing my wife and telling her to hold  
9 on.

10 Q. Oh, did you grab her when --

11 A. When the train hit, oh, yeah. Oh, yeah.

12 Q. Okay.

13 A. Like I say, she was on the window. So I kind of grabbed her  
14 and turned her toward me so she wasn't seeing the train coming in.

15 Q. Right. Right. And what are your wife's injuries?

16 A. Four broke ribs on the left side, which would have been the  
17 impact side. And she had a nicked spleen. It wasn't perforated  
18 or anything, but they said apparently it got scratched or  
19 something to where there was blood in the sack around the spleen,  
20 I guess.

21 Q. Okay.

22 A. But apparently that's being reabsorbed to the body. It's not  
23 bleeding out into the abdomen, and that's sounding good.

24 Q. That's fortunate. Yeah. Yeah. Okay.

25 A. So it's just the four broke ribs. She can't sneeze, she

1 can't pee, she can't do anything without it hurting. Oh, yeah,  
2 that's been an issue too. She doesn't want to breath deep and  
3 they are concerned about pneumonia. You have to breathe deep and  
4 exercise your lungs. So that's one of the big issues we're facing  
5 right now.

6 Q. All right.

7 A. But other than that -- any other questions? Where are we  
8 going?

9 Q. So let's kind of back up and talk about the driver.

10 A. Okay.

11 Q. Where did you get picked up to start the trip on Sunday?

12 A. In Bastrop.

13 Q. Okay.

14 A. This is about the third trip we've gone on with this company  
15 Diamond Tours.

16 Q. Uh-huh.

17 A. It originates out of the senior center in Bastrop. One of  
18 the local business people there runs the bank, has a big parking  
19 lot out there and he just tells us people going on the tours park  
20 in the parking lot. Just don't put in the first two rows, you  
21 know, let my customers get in, but the rest of the parking lot,  
22 park there. Leave your vehicles, you know, whatever. So we  
23 started there.

24 Q. Okay.

25 A. There were empty seats, which really seemed odd to me in the

1 fact that when we initially tried to book the tour we were told it  
2 was sold out, that we were on a call list, if anybody cancelled  
3 out we would get called.

4 Q. Okay.

5 A. So they called us about a week later and said there had been  
6 some cancellations and were we still interested, and yeah. But  
7 when we got on the bus there's empty seats. And I'm thinking well  
8 that seems odd; they said it was sold out.

9 Q. Uh-huh.

10 A. But there's half a dozen or more empty seats. What was the  
11 issue, you know?

12 Q. Right.

13 A. Come the find out there were some folks in Sealy, Texas on  
14 the way for our trip and we stopped -- I think there were like  
15 eight of them, seven or eight of them that we picked up there.

16 Q. Okay. Uh-huh. How did you feel -- I'm sorry go ahead.

17 A. From there it was a short hop to Lafayette. We spent the  
18 night in Lafayette. Left there Monday, early Monday afternoon.  
19 Got into Bay St. Louis Monday afternoon, and spent the night  
20 there. And Tuesday we were using Lafayette or Bay St. Louis like  
21 a home base. And from there we'd go out on day excursions to  
22 Biloxi, to New Orleans, whatever.

23 Q. Okay.

24 A. Yeah, it was early afternoon Tuesday when we left to come to  
25 Biloxi.

1 Q. Okay. How long was this trip expected to be?

2 A. We left Sunday morning, we were supposed to be back Saturday  
3 late afternoon, 5, 6:00 in the afternoon.

4 Q. Okay. So you might have stayed in Lafayette again on the way  
5 home, you think?

6 A. Yes.

7 Q. Okay.

8 A. Or some other place. But once we left Bay St. Louis heading  
9 back, there was one night stop somewhere else and I'm not sure if  
10 it was Lafayette or where, but there was going to be an overnight  
11 stop somewhere else.

12 Q. Okay. How did you -- how do you feel or want to give me sort  
13 general feelings about the driver from when you first experienced  
14 it?

15 A. I thought he was quite professional.

16 Q. Okay.

17 A. You know, like I say, every railroad crossing we'd come to he  
18 would come to a stop and proceed across. He did hit a few curbs  
19 as we were in parking lots, you know, trying to maneuver into  
20 dropping us off at the front of the hotel or at the restaurant or  
21 whatever. But, you know, it was just trying to get into tight  
22 quarters, I believe.

23 Q. Okay.

24 A. Other than that, yeah, meet us at the doors as we were coming  
25 out. Helped the old folks get off the bus.

1 Q. Right. Right. So how did you find out about the tour,  
2 because you said you've done a couple trips with Diamond Tours?

3 A. Through the Bastrop Senior Center.

4 Q. Okay.

5 A. We -- the wife and I just recently retired.

6 UNIDENTIFIED SPEAKER: Congratulations on that.

7 MR. MCKERVEY: So, kind of got a little bored sitting around  
8 the house. And she said, well, we're not doing anything else.  
9 Let's go take a tour. I said okay.

10 BY MS. BECKJORD:

11 Q. Yeah. Do you remember if the driver wore glasses?

12 A. I don't believe so.

13 Q. Okay. Do you remember if the driver did a pre-trip safety  
14 briefing when you guys got on in Bastrop?

15 A. No.

16 Q. Okay.

17 A. And I'm not trying to point fingers or anything here, just  
18 giving you what I -- my understanding after the accident there was  
19 a rear emergency exit door and we didn't realize that, or I didn't  
20 anyway. And didn't even know it was there, if there was. I'm not  
21 even sure there was, but somebody said there was.

22 Q. There was a restroom but there's no --

23 A. No door. Okay.

24 Q. Not unless you guys saw one, but it's not typical. They do  
25 in Europe but it's not typical -- there's one sometimes halfway

1 down in the bus, but it's not --

2 A. You know we got on the bus and the first thing I was noticing  
3 sitting down was the emergency exits for the windows. Pull the  
4 latch, push it out type thing. And then I noticed there were a  
5 couple on the roof and I'm thinking I hope we never have to use  
6 those.

7 Q. True. So you don't recall a safety briefing of any type from  
8 the driver?

9 A. (No audible response.)

10 Q. Okay.

11 A. No.

12 Q. I was going -- did you have an assigned seat?

13 A. No.

14 Q. Okay.

15 A. One of the deals with senior citizens putting on the tour  
16 even the itinerary for the trip it says that we are going to  
17 change seats every day. So, that you know, you didn't get in your  
18 own click and not meet anybody else.

19 Q. True, okay.

20 A. So that was kind of the intent, but truthfully everybody got  
21 on the seat first day and that ended up being their seat, you  
22 know, what I mean.

23 Q. It's habit. It's habit. I bet we do that in our own  
24 meetings all the time. We just don't even realize it.

25 A. Uh-huh.

1 Q. Okay. I have one other question -- oh, how many tour group  
2 leaders were on the bus with you?

3 A. There were three.

4 Q. Three Diamond Tours personnel?

5 A. No. Diamond Tour? No, there was no Diamond Tour. There  
6 were three group leaders from the senior center.

7 Q. Ah, okay. So, there's a group leader from the senior center.  
8 But no Diamond Tours representative.

9 A. The only time we would see a Diamond Tour representative is  
10 when we reached our destination. Like when we pulled into the  
11 Hollywood Casinos there in Bay St. Louis --

12 Q. Uh-huh.

13 A. -- the representative would meet us at the casino. And she  
14 was supposed to meet us at the one in Boomtown here in Biloxi. But  
15 actually, riding the bus, no.

16 Q. Okay. So, three group leaders from the senior center, okay.  
17 It's interesting whenever somebody says a group leader or tour  
18 leader. We were getting them mixed up a little bit there. So,  
19 okay, that clarifies it for me.

20 Have you ever been on an Echo tour through senior center,  
21 this actual bus type thing?

22 A. Not an Echo tour. This was the first one. No, and I was  
23 just under the impression it was through Diamond Tour, that's who  
24 we book them with, I guess. And whoever they book for the bus,  
25 crap shoot, whoever will do it for the least amount of money, I

1 guess.

2 Q. Okay.

3 MS. BECKJORD: You guys have some questions?

4 BY UNIDENTIFIED SPEAKER:

5 Q. Did you -- when you guys were in Bay St. Louis, did you see  
6 the driver in the casino hanging out anywhere?

7 A. No. No.

8 Q. You guys didn't see him at all?

9 A. And that was odd as well. Even when we stop to go get  
10 something to eat -- whenever we would stop to get something to eat  
11 they were trying to find like a shopping center and there would be  
12 numerous places, two or different places, take your pick.

13 Q. Right.

14 A. So I don't know if he just didn't go to the same place I did,  
15 but I never saw him in any of the restaurants or anything.

16 Q. Do you recall any comments that any other passengers may have  
17 made about the driver in general?

18 A. No.

19 Q. Okay.

20 A. I had talked with him. I'm a smoker, one of the few that was  
21 on the bus that's a smoker, and I think he smoked. Well, I know  
22 he smoked as well because when we come out of -- where was it --  
23 the first day we stopped to get something to eat at a Bucky's, a  
24 roadside gas station type thing. And when we'd stop the group  
25 leaders would say, hey, we're going to stop; we're taking just a

1 half-hour break or we're going to stop for lunch; you got an hour,  
2 whatever, you know and be back at the bus at this time. So we  
3 come out of Bucky's and it was raining. So being a smoker, before  
4 I get on the bus I go around the side where there's a little  
5 overhang and light one up, and the bus driver comes over. So I  
6 started talking to him. He's very cordial. But I was asking him,  
7 he said he's been doing this for, I think he said 9 years, 8/9  
8 years.

9 Q. Okay.

10 A. So that's about the only interaction I had with him.

11 Q. Okay.

12 A. And come to find out the reason he was over there having a  
13 smoke is because they were waiting on one person to get back on  
14 the bus, and that was me.

15 Q. Oh.

16 A. I said, well, we still got 5 minutes.

17 MS. BECKJORD: That's funny.

18 BY UNIDENTIFIED SPEAKER:

19 Q. Did he have any kind of medications when you guys were making  
20 those stops or breaks?

21 A. Not that I noticed.

22 Q. Sure.

23 A. When we reached our first, yeah, first stop in Lafayette  
24 there was an issue of -- confusion of room keys. We didn't have  
25 enough. And I'm assuming it was -- I guess the manifest was off

1 or something, but there were like three of us, three couples that  
2 didn't have room keys plus the driver. So at that point we were  
3 just waiting around to get our room keys to go to our rooms. I  
4 never even seen him -- figure out where he went for his room.

5 Q. Okay.

6 A. But other than that, no. Just a little cordial, hey, how you  
7 doing, as we were getting on getting off.

8 Q. That was in Lafayette?

9 A. When we had the issue with the room keys, yeah. Again, that  
10 was like the first day.

11 BY MS. BECKJORD:

12 Q. So do you feel as if your wife -- I'm sure you guys have  
13 talked a little bit. Do you feel like she has anything additional  
14 that she would like to add, because, you know, I don't want to  
15 bother her if she's in pain and she's short of breath. I don't  
16 want to interview her if she's having a little bit of difficulty.  
17 But I also want to make sure she feels like she's represented kind  
18 of her thoughts and input and feelings about this. Is there  
19 something you think she might want to add?

20 A. I wouldn't think so. But before you go, I'll stop in there  
21 and ask her if she's comfortable with what she figures I would  
22 have said. Okay?

23 Q. Right. Okay. Because, you know, mostly what we're looking  
24 for is did you get the pre-trip; where were you sitting; what  
25 happened to you after; what were your injuries, and you have

1 provided so much of that. I figure it kind of gives her a relief  
2 not having to talk to us, to be honest. It's like the feds show  
3 up --

4 A. Well, this is my sister that come out when you first showed  
5 up here, okay. Yesterday I think it was deputies come out to get  
6 statements and we were in the ICU. You have to have an escort to  
7 get in. Well, they had tried to get in. Well, they're not going  
8 to let them in until they talked to us first: Hey, we got some  
9 people up here and they are from the sheriff's department -- and I  
10 forget where it was -- but they want to come and ask you a few  
11 questions; you up for it? And the first thing that she says was,  
12 I don't know, should we talk to legal or anything about it first?

13 Q. Right.

14 A. So the head nurse there called the legal department for the  
15 hospital and they said, no, these are the good guys. So, yeah.

16 UNIDENTIFIED SPEAKER: Good to hear.

17 MS. BECKJORD: So I think I'm pretty good on the questions  
18 that I had. You guys feel the same way?

19 UNIDENTIFIED SPEAKER: Yes.

20 MR. MCKERVEY: If you give me a second, I'll ask her if she's  
21 comfortable with going with what I have said.

22 MS. BECKJORD: Sure. Absolutely.

23 BY MS. BECKJORD:

24 Q. You know, I will ask you one more thing. Did you happen to  
25 see the train down -- you were on the driver's side, correct?

1 A. Oh, yeah.

2 Q. When you looked down --

3 A. As soon as -- like I said, when it stopped I wasn't paying  
4 much attention until the folks on the other side of us screamed  
5 out there's a train coming. So, yeah, you look, you see a train.

6 Q. Yeah, okay.

7 A. And it was I'd say a block and a half, 2 blocks down.

8 Q. At that point?

9 A. At that point.

10 Q. And you feel like that was pretty much when he got stuck?

11 A. Oh, no, I think we were there a little before that.

12 Q. Okay.

13 A. But, again, like I say, this whole thing seems like it  
14 happened in a minute, you know, it just wham, wham, wham.

15 Q. Okay. Because we do have one lady who says as you were kind  
16 of going up onto --

17 A. The train --

18 Q. -- the crossing, that she could see way, way far away, she  
19 could see the train down there. And we're just --

20 A. It's possible.

21 Q. -- trying to see if anybody else had seen that. But you --

22 A. Yeah, I have to say the first I noticed it, I would say 2  
23 blocks.

24 Q. Okay.

25 A. And that late, and the front of that engine looked like the

1 biggest thing I had ever seen.

2 Q. Yes.

3 A. And what I couldn't understand was why the hell is he still  
4 laying on that horn; he knows we see him coming.

5 Q. Okay.

6 UNIDENTIFIED SPEAKER: And he's probably thinking why the  
7 hell are they still sitting on the train track; I know they hear  
8 my horn.

9 MR. MCKERVEY: Yeah, but when you're right there and that  
10 horn is going, I mean, it's ear splitting. It's loud.

11 MS. BECKJORD: Yeah.

12 MR. MCKERVEY: Let me go and holler at her.

13 MS. BECKJORD: Okay. Thanks.

14 UNIDENTIFIED SPEAKER: Thank you.

15 (Pause.)

16 MR. MCKERVEY: Yeah, she says he's as big of a storyteller as  
17 I am. If you haven't gotten it, there's nothing she's going to  
18 add.

19 MS. BECKJORD: I like your wife and I haven't even met her.

20 UNIDENTIFIED SPEAKER: I knew that was going to happen. That  
21 would have been me.

22 MS. BECKJORD: Thank you so much for your time.

23 MR. SHAW: This concludes the interview at 1615 hours.

24 (Whereupon, at 4:15 p.m., the interview was concluded.)

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:            FATAL COLLISION OF CSX FREIGHT  
                                 TRAIN AND TEXAS TOUR BUS  
                                 BILOXI, MISSISSIPPI  
                                 ON MARCH 7, 2017  
                                 Interview of: Duane McKervery

ACCIDENT NUMBER:            HWY17MH010

PLACE:                        Biloxi, Mississippi

DATE:                         March 9, 2017

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.



Letha J. Wheeler  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of:

\*

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FATAL COLLISION OF CSX FREIGHT

\*

TRAIN AND TEXAS TOUR BUS

\*

Accident No.: HWY17MH010

BILOXI, MISSISSIPPI

\*

ON MARCH 7, 2017

\*

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\* \* \* \* \*

Interview of: JOYCE HOFFMAN

3000 Hi-35  
Suite 150  
Austin, Texas

Thursday,  
June 15, 2017

## APPEARANCES:

MICHAEL LaPONTE, Highway Accident Investigator  
National Transportation Safety Board

SHERYL HARLEY, Survival Factors Investigator  
National Transportation Safety Board

STEPHEN STEWART, Esq.  
The Stewart Law Firm, PLLC  
(On behalf of Ms. Hoffman)

JANA HOFFMAN  
(Daughter)

I N D E X

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I N T E R V I E W

(1:33 p.m.)

1  
2  
3 MR. LaPONTE: We are a federal agency that is charged with  
4 investigating transportation accidents. So by law we have to  
5 investigate all aviation accidents in the United States to include  
6 -- and overseas if it is a U.S. built aircraft. We do select  
7 accidents in highway, rail, marine, pipeline, hazardous materials.  
8 Obviously, there's so many in those categories we can't possibly  
9 do all of them. So they are selected, you know, for various and  
10 as sundry reasons.

11 What we do is a very thorough investigation. At the end of  
12 the investigation we prepare a report that is a public document  
13 and then hopefully that report will have the probable cause of the  
14 accident. Certainly, it doesn't have any liability discussions  
15 such as the cause, and in that if there are recommendations we can  
16 make to avoid it happening again, we do that, whether it be to the  
17 industry, to the railroad, to whomever.

18 So the purpose is to thoroughly understand what happened, why  
19 it happened, and then to make recommendations so it hopefully  
20 doesn't happen in the future. So that's why we're here, and we  
21 want to thank you both for taking time to come visit and chat with  
22 us. I know it's stressful to do that and it's obviously taking  
23 time out of your schedule, so we do appreciate it.

24 Anyway, Ms. Sheryl is going to do, probably is going the do  
25 the lion share of it because the biggest portion of why we are

1 interviewing all the passengers relates to her area of expertise,  
2 which I will let her explain because I never get it right.

3 INTERVIEW OF JOYCE HOFFMAN

4 BY MS. HARLEY:

5 Q. So, hey, good afternoon. So, I am the survival factor  
6 specialist, which means that I look at the crash. I look at all  
7 the events that led up to it and the actual crash. And one of the  
8 things that I'm looking at is that is there any recommendation  
9 that we can make that can either prevent it from happening, lessen  
10 the severity of the injuries that people suffered, or even prevent  
11 people from dying. And that's what I'm looking at.

12 So to do that, what I end up doing is I'm going to ask you  
13 to start from when you boarded the bus and explain to me kind of  
14 the procedure, what happened. You board the bus, what went on,  
15 what you remember about the trip, where you went, the people that  
16 were around you. And then we are just going to kind of lead you  
17 up to the crash.

18 Then I'm going to kind of go back and see if -- I'm going to  
19 show you a diagram of the bus, actually, and see if I can put  
20 people around you where people were seated. Because one of the  
21 things we also look at is that the crash occurred and people were  
22 injured, what injured them in the crash, okay, and that's kind of  
23 important.

24 So what I'm going to do is I'm going to ask you to start when  
25 you boarded the bus on Sunday. You boarded in Bastrop?

1 A. Yes.

2 Q. Okay. All right. So why don't we start there. So, you  
3 boarded the bus in Bastrop. You were with Helen?

4 A. Right.

5 Q. Okay. By the way, Helen says hello. We just came from  
6 Helen.

7 A. Oh, okay.

8 UNIDENTIFIED SPEAKER: We just came from Helen's.

9 BY MS. HARLEY:

10 Q. All right. So why don't you start from there. As soon as  
11 you boarded the bus, what happened?

12 A. Oh, we got in a seat and sat down waiting to take off.

13 Q. Okay. Did the bus driver talk to you after you folks loaded  
14 on the bus?

15 A. I don't remember but I think he told us who he was and that.

16 Q. Okay. All right.

17 A. I don't really remember that.

18 Q. Okay. So, then the bus went to Sealy; is that correct?

19 A. Yes. And picked up some more people.

20 Q. Did you know any of the people that boarded the bus at Sealy?

21 A. No.

22 Q. Okay. All right. So after that, what happened? Where did  
23 you go?

24 A. Where did we spend the night? I don't remember the name of  
25 the town we spent the night in.

1 Q. Okay. All right. So, let's -- now, that was, that first  
2 night was the night that the -- one of the passengers got sick and  
3 went home; is that correct?

4 A. I think somebody did get sick.

5 Q. Okay. Do you know Betty Kahanic, by any chance?

6 A. (No verbal response.)

7 Q. You don't know Betty?

8 A. Uh-uh.

9 Q. Okay. All right. That's fine. Tell you what, why don't you  
10 tell me what's the first thing you do remember?

11 A. Okay. Well, we got to the casino. You know, we left out the  
12 next morning and we arrived at the casino and had a nice time  
13 there that night and went to bed. Got up the next morning had  
14 breakfast, boarded the bus again to go to Biloxi to go to another  
15 casino. On the way there, of course, you know, we are just  
16 talking. And the bus goes down the coast. And we are just -- you  
17 know, Helen and I, we are commenting on the water and the beach  
18 and the stuff there and the pretty houses on the other side, that  
19 kind of stuff. Just going down the road.

20 Then, I guess, we were -- I knew that we were kind of going  
21 into more of the town. So I guess we had almost made it to Biloxi  
22 or something. And we turned -- I know we turned off a -- we had  
23 been going straight and we turned off on a road. And then, that's  
24 when the accident happened then.

25 Q. Okay. What was the first thing that alerted you that

1 something was wrong?

2 A. When I felt the bus get caught on the track.

3 Q. Okay.

4 A. That's when I quit talking and looked up to see where we were  
5 and -- because I kind of knew what that was.

6 Q. Okay. And when you looked up, what did you see?

7 A. Okay. I saw that we were on the train track and then the bus  
8 driver, it was like he put it in reverse because I felt it go  
9 back, but it didn't go anywhere. You know, it was just kind of a  
10 -- but it didn't move. And then he went forward, tried to go  
11 forward and it didn't move again. And so, I knew we were stuck on  
12 a train track.

13 And so, about that time I'm looking out the front and I saw  
14 the bar, the signal bar came down and hit the bus, and I knew then  
15 that a train was coming. And that's when -- I was sitting on the  
16 side of the -- on this side of the bus and I said -- I looked out  
17 the window and I could see the train way down the track. I mean,  
18 it was -- I could see it coming. So I knew we were going to be  
19 hit because the track was coming right kind of where we were  
20 sitting. And so, I told Helen, you know, we need to get off.  
21 Well, that was when I heard somebody say, get off the bus or  
22 something. I heard somebody say that. I don't know if it was the  
23 driver or somebody else.

24 And so, I got my purse and we got up, but we only got a  
25 couple of steps because we couldn't go any further, you know. And

1 I looked out and the train was just almost at us already.

2 Q. Okay.

3 A. And then I saw it and I thought I better hold on because I  
4 was standing in the aisle. And so, I just grabbed the seat, and  
5 about that time it hit and it was just like I -- it just feel like  
6 it threw me up, you know, and then it threw me this way. And I  
7 remember feeling like I was going that way, and I can remember  
8 just kind of making a gasping sound. And I looked and my hand was  
9 just almost touching the train. It's like it was just right in  
10 the bus almost.

11 Q. So --

12 A. And then I got knocked out. Then I didn't know what happened  
13 for a little bit.

14 Q. Okay. When you came to, were you still in the bus or were  
15 you out of it?

16 A. No, I was in the bus.

17 Q. Okay. Okay. Was there anybody around you when you regained  
18 your consciousness?

19 A. Yes, because my leg was hung and I looked down and this woman  
20 was laying in the aisle. And so, I guess she got thrown out of  
21 her seat and that's probably what hit my leg. I figured that's  
22 what hit my leg and caused the damage to it.

23 Q. Which leg was that?

24 A. My right leg.

25 Q. You're right leg. Okay. Do you know where Helen was at this

1 time?

2 A. She was behind me, but, you know, I don't know if she was  
3 right behind me or she was a step or two behind me. I don't know.  
4 But she got up when I did and she was going, she was going to  
5 follow me out, but I didn't look around to see. I mean, I was  
6 focusing on going out.

7 Q. Okay. All right. Did you -- where did you come to a stop?  
8 Where did you come to rest? Were you actually in an aisle or were  
9 you in the seat? Do you know?

10 A. When I came to?

11 Q. Yeah.

12 A. I think I was kind of over a seat. But I don't really know  
13 where I was.

14 Q. Okay. All right.

15 A. That part is still foggy about -- because I remember trying  
16 to get my leg, that it was hung, and I remember seeing the woman  
17 on the floor by me. But where I was, if I was in a seat, over a  
18 seat, I don't know.

19 Q. Okay. All right.

20 A. I know what other people told me, but I don't know.

21 Q. You don't know. That's good because I want to know what you  
22 remember. Do you know who the woman was that was laying on the  
23 floor?

24 A. On the floor? Kay Kieke.

25 Q. It was Kay on the floor?

1 A. Uh-huh.

2 Q. Okay. Okay. All right. So I'm just going to go back for  
3 one second.

4 A. Uh-huh.

5 Q. The casino that you remember that you stayed overnight, and  
6 then this was the casino you left from to go to Biloxi --

7 A. Uh-huh.

8 Q. -- that's the one -- I just want to make sure -- that's the  
9 one in Bay St. Louis, right?

10 A. Right.

11 Q. Okay. Good enough. So you get on the bus. While you were  
12 on the bus or before you got on the bus, was there any discussion  
13 about how you guys were going to get to the casino in Biloxi? Did  
14 anybody say anything about taking a scenic route that you were  
15 aware of?

16 A. I think somebody said something that we were going to go the  
17 scenic route or something. I don't know if it was just some  
18 people talking on the bus or --

19 Q. Okay. Okay. So then the bus turns off this main road that  
20 you were on --

21 A. Uh-huh.

22 Q. -- and the first thing that you knew was that you felt the  
23 bus get stuck; you felt it stop?

24 A. Yes.

25 Q. Okay. And you said you looked up.

1 A. Uh-huh.

2 Q. So, when you looked up -- let me back up for that for a  
3 second. So you looked up and you looked -- you looked down the  
4 track and that's when you first saw the train?

5 A. No. I looked out the front first.

6 Q. You looked out the front. Okay.

7 A. And that's when I saw the bar come down.

8 Q. Okay.

9 A. That's when in my mind I knew a train was coming and I looked  
10 out my window, and that's where the train was coming from.

11 Q. Okay. Did you hear the bell go off at the crossing gates, or  
12 any of the lights that were flashing at that time?

13 A. Honestly, I can't say that I heard or saw that.

14 Q. Okay.

15 A. I saw the bar come down and then I saw the train and I don't  
16 know if I just -- I don't remember hearing it though.

17 Q. Okay. Did you hear a horn or --

18 A. And I didn't hear that.

19 Q. Didn't, okay. All right. So at this particular point you  
20 tell Helen that you need to get off bus.

21 A. Uh-huh.

22 Q. The two of you get up.

23 A. Uh-huh.

24 Q. And you step into the aisle.

25 A. Right.

1 Q. You say you got a couple of steps into the aisle.

2 A. Uh-huh.

3 Q. Do you know who was in front of you in the aisle? Were there  
4 other people standing in the aisle?

5 A. You know, I don't know. I guess -- I don't know.

6 Q. Okay.

7 A. I don't know why I didn't get any further than that.

8 Q. Okay.

9 A. But I know that I did, so there must have been somebody  
10 there.

11 Q. Okay. All right.

12 A. It was just so much confusion. Everybody was pushing and  
13 shoving and --

14 UNIDENTIFIED SPEAKER: I'm sure it was hectic.

15 BY MS. HARLEY:

16 Q. All right.

17 A. And I guess I was looking out the window to see where the  
18 train was more than I was who was in front of me or what was in  
19 front of me.

20 Q. All right. So the first time you saw the train, you saw the  
21 train far off?

22 A. Far off.

23 Q. Okay. And then -- did you look a second time at the train?

24 A. I did.

25 Q. And at that time --

1 A. It was getting pretty close.

2 Q. Okay.

3 A. And I knew then that I wasn't going to get any further than  
4 what I was and I stopped.

5 Q. Okay.

6 A. And that's when I just asked God to stay with me and I  
7 grabbed the seat.

8 Q. Okay.

9 A. And I looked, and when I looked again it hit.

10 Q. Okay.

11 A. And that's when it just like -- I just flew up. I kind of  
12 felt like I was flying back and then for some reason then I felt  
13 like I was flying the other way, forward.

14 Q. Okay. This may be an unfair question, so if you can't answer  
15 it, you can't answer it. I know at some point you lost  
16 consciousness --

17 A. Uh-huh.

18 Q. -- for -- so would you be able to say how quickly the fire  
19 department or the rescuers had gotten on to the scene?

20 A. I couldn't say.

21 Q. Okay.

22 A. Because I don't know how long I really -- but when I came to  
23 they were -- I mean, there was people everywhere out on the grassy  
24 part and all. And just, I mean, EMS people and police and fire  
25 trucks and everything. And the EMS guys were, you know, coming on

1 the bus saying we got to get you out of the bus.

2 Q. Okay. All right. The -- okay. So, Kaye was the woman that  
3 was lying on the floor.

4 A. Uh-huh.

5 Q. She was on top of your leg. Did you see anybody else that  
6 you recognized?

7 A. Yeah. Carol was laying in the -- where you -- the stairs  
8 where you walk up in the bus.

9 Q. Okay.

10 A. She was laying there. She was laying there. Then Kaye was  
11 laying here.

12 Q. Okay.

13 A. And then I was there.

14 Q. All right. Okay. All right. By any chance did you lose  
15 your glasses?

16 A. Yeah.

17 Q. Were you looking for your glasses?

18 A. (No audible response.)

19 Q. Okay.

20 A. Well, I couldn't -- first when I got ready -- when I knew the  
21 train was going to hit, I thought I have to have my purse, because  
22 I have had open-heart surgery.

23 Q. Okay.

24 A. I have stents and I've had like three different heart  
25 procedures. So I had my cards in my purse and I knew, I knew that

1 I was going to need them if the train hit us, so I knew I had to  
2 have my purse. So I got it. And then after the crash, I didn't  
3 have my purse. So, I said, where's my purse? I've got to find my  
4 purse. I remember that because that was the main thing that was  
5 on my mind was, I have to have those cards.

6 Q. Right.

7 A. And I couldn't find it, you know, because I looked around and  
8 it wasn't there. And then what I did, I just turned around to  
9 check on Helen and my other friends that were behind me. And I  
10 didn't realize right away that I didn't have my glasses on. And  
11 then I realized I don't have my glasses. I guess the force had  
12 thrown them off too. Well, then somebody said, there's some over  
13 there. And I looked and they were flat as a pancake. I don't  
14 know how they got flattened out, but they were destroyed.

15 Q. When you said you turned around to look, could you see Helen?

16 A. Yes.

17 Q. Okay.

18 A. Yeah, she was sitting in a seat with Tim at that time, which  
19 would have been two seats up from where we were.

20 Q. So she ended up with Tim Orr; is that correct?

21 A. Uh-huh.

22 Q. Okay. All right. So what I'm going to do, this is a -- it's  
23 actually a drawing, diagram of the bus. Okay. And I want you, if  
24 you can, to help me kind of place where people were. This is  
25 where the driver of the bus would be and this is the back, this is

1 where the bathroom is, and these are the front-loading stairs.

2 A. Uh-huh.

3 Q. Do you remember who was sitting in the front row?

4 A. Carol.

5 Q. Carol?

6 A. Uh-huh.

7 Q. Where was she?

8 A. She was in this front seat.

9 Q. Okay.

10 A. And Kaye may have been sitting with her. I'm not sure if

11 they were both sitting in that seat or not.

12 Q. Okay.

13 A. They were both upfront. But I know Carol was in this seat.

14 Q. Okay. All right. Do you know who was sitting across from

15 them?

16 A. No. I really don't remember that.

17 Q. Okay. Do you remember who was sitting behind Carol?

18 A. I'm thinking that's where Mary Lucas (ph.) was.

19 Q. Okay.

20 A. Then I think Betty and J.C. Roble (ph.) were behind them.

21 Q. Okay. Betty and J.C.?

22 A. Uh-huh.

23 Q. Okay.

24 A. And then I'm not real sure; there was two women. I think --

25 no, the -- let me get their names. Turners, Cathy and Tim, were

1 in one of these seats.

2 Q. Okay.

3 A. Because they were just kind of a couple up on this side from  
4 where we were.

5 Q. So they were a couple up from where you were?

6 A. Yeah, I think so. They weren't right across because there  
7 were two women.

8 Q. Okay.

9 A. And then I think it was them because on our side --

10 Q. Uh-huh.

11 A. -- okay, it was Helen and I, and I can't really show you  
12 exactly which seat, but --

13 Q. Okay. Do you know if you were in the fourth row, the fifth  
14 row closer to the front --

15 A. See, that's what I'm saying.

16 Q. Right.

17 A. We were pretty close because I think that older couple, the  
18 Hoffmans --

19 Q. Uh-huh.

20 A. -- no kin to me; I didn't know them -- but I know they were  
21 sitting up here.

22 Q. Okay.

23 A. Because they were more fragile. It took them longer to get  
24 off the bus in front of us. So they were up here somewhere.

25 Q. Okay. So, Ken and Kaye Hoffman.

1 A. But I can't tell you exactly if they were first, second,  
2 third seat.

3 Q. Okay. No problem. So, first, second or third seat. Okay.

4 A. And then, let's see, then I think somewhere right in there  
5 then right across from the Turners was Cathy and Tim.

6 Q. Okay. Tim and Cathy?

7 A. Uh-huh. And then I think behind them was Marie and Darwin  
8 Hanna. Okay. Marie and Darwin was behind them. Then it was  
9 Helen and I. And then Donna and --

10 Q. Who was sitting at the window? You and Helen?

11 A. Helen was at the window.

12 Q. Okay.

13 A. And I was on the aisle seat.

14 Q. And then you said Donna?

15 A. Uh-huh. And Starr were behind us.

16 Q. Do you know who was seated at the window?

17 A. I think Starr was.

18 Q. Okay. All right. Starr is at the window. And you said you  
19 don't remember anyone after that?

20 A. Huh-uh.

21 Q. Do you remember anyone after the Turners on this side?

22 A. I think it was two women, but --

23 Q. Two women. Okay. That's --

24 A. I didn't know them.

25 Q. Okay.

1 A. I mean, there could have been somebody else in between there  
2 that I missed, but I don't know. That's, like I say, on this  
3 side. I don't really know. We had only been on the bus 1 day and  
4 so I really hadn't paid that much attention to the people that I  
5 didn't know at the time because I hadn't had a chance to meet them  
6 yet. Because you usually do that at night, you know, you meet the  
7 other ones or at break, and we'd only had that one break.

8 Q. Okay.

9 A. And that night everybody was tired so we really -- it was  
10 nobody out in the lobby to talk to, so --

11 Q. Okay. When you were on the bus, do you remember if the  
12 driver spoke to any of the passengers in regards to things like  
13 seat belts or the emergency windows?

14 A. I couldn't tell you.

15 Q. Okay. Do you remember if the driver mentioned anything about  
16 a rear door?

17 A. A rear door? No, I didn't know the bus had a rear door.

18 Q. Okay. Were you wearing your seat belt?

19 A. I didn't -- the bus didn't have -- if it had seat belts, I  
20 didn't know it.

21 Q. Okay. All right.

22 A. Did the bus have seat belts?

23 UNIDENTIFIED SPEAKER: It did.

24 BY MS. HARLEY:

25 Q. Yes, it did.

1 A. I didn't know it did. Okay.

2 Q. That's not relative to the crash. It's just we just check to  
3 see if people actually wear seat belts on these large buses or  
4 not. That's why I asked.

5 A. I didn't even know it had it.

6 MS. HARLEY: Okay. All right.

7 Okay. Mr. Mike.

8 MR. LaPONTE: Okay.

9 BY MR. LaPONTE:

10 Q. Do you have a -- you said you were looking out the front and  
11 you saw the arms come down.

12 A. Uh-huh.

13 Q. Do you have a rough idea of the time between you saw the arms  
14 come down and the impact of the train when it hit?

15 A. A few minutes. I don't --

16 Q. A few minutes. I know you're --

17 A. I'm not good on estimating time anyway, but it was just a few  
18 minutes. It wasn't --

19 Q. Okay. And I was looking, we -- was that all you were missing  
20 from the coach, was your glasses that were destroyed?

21 A. No. I had bag that had items in it but they didn't find it.  
22 They said there was blood --

23 Wasn't that what they told you, there was blood on the bags  
24 and they threw them away?

25 UNIDENTIFIED SPEAKER: They told me there was blood and they

1 threw them away.

2 BY MR. LaPONTE:

3 Q. Okay. So we found this on this bus and we are hoping someone  
4 can identify it because we thought it was --

5 A. It's not mine.

6 Q. Okay. We thought it was strange that somebody would bring 50  
7 pounds of pharmaceuticals there with them for the day trip.

8 A. I know, because I put mine -- I have a week one, but I leave  
9 it and I just take, you know, a pill bottle what I need for the  
10 day.

11 Q. And that's why we thought it was unique that someone would  
12 bring their entire pill keeper with them on the day trip.

13 A. Yeah.

14 Q. Because you had stayed that previous evening --

15 A. That looks like 3 days' worth.

16 Q. Well, it's actually a week, a.m. and p.m., is the way it's  
17 broken out. So -- okay. Nobody has claimed our pills yet. I  
18 only got two more choices. Okay.

19 When you were -- do you know how many folks on the bus needed  
20 a walker to get about?

21 A. That needed a walker?

22 Q. Walkers or canes or --

23 A. No. I didn't count them.

24 Q. -- had issues with mobility?

25 A. I never did count them.

1 Q. Okay.

2 A. But I know that it was a slower group than usually travel  
3 with us on the other trips.

4 BY MS. HARLEY:

5 Q. I'm sorry. You said that Peggy and Ken --

6 A. Who?

7 Q. Peggy and Ken Hoffman, you said they were a little slow  
8 moving?

9 A. Yeah, they didn't move as fast as -- but, you know --

10 Q. Okay.

11 A. I mean, when you're in your 70s and 80s you don't move as  
12 fast as the 50 and 60-year-olds.

13 Q. Right. I understand.

14 A. You know, I mean, that's just --

15 MR. LaPONTE: You're on vacation. You're not supposed to  
16 move fast.

17 BY MS. HARLEY:

18 Q. That's what I'm saying, you're not supposed to move fast  
19 anyway.

20 A. Yeah.

21 Q. So one of the things I would like to ask you about are your  
22 injuries that you received --

23 A. Uh-huh.

24 Q. -- because one of the things that we look at is how you were  
25 injured and possibly try to figure out what actually caused those

1 injuries --

2 A. Okay.

3 Q. -- what inside the bus might have caused those injuries.

4 A. Okay.

5 Q. So what kind of injuries did you suffer?

6 A. I had broken ribs on the left-hand side.

7 Q. All right.

8 A. And then I had internal bleeding from that, but, I mean, that  
9 was related to the broken ribs.

10 Q. Okay.

11 A. And my hip was -- it wasn't broke or fractured or anything,  
12 but it was hurt.

13 Q. Okay.

14 A. And my left ankle was hurt on that side.

15 Q. Okay.

16 A. And then on the right side, it was my leg had the big  
17 hematoma in the calf.

18 Q. Okay. Hematoma in the calf. Okay.

19 MS. HOFFMAN: Is that all my injuries?

20 MS. JANA HOFFMAN: She was pretty purple from here down.

21 MR. STEWART: She was black from head to toe. We've got some  
22 pictures.

23 MS. JANA HOFFMAN: I'm not sure there was much that wasn't  
24 purple.

25 MS. HOFFMAN: Yeah, because my arm, I mean, up here was hurt

1 and I was just black. And my hip was black, and my leg was black  
2 and this leg was black.

3 BY MS. HARLEY:

4 Q. Okay. Was that on both the front and the back that you had  
5 the bruising, that severe bruising?

6 A. Yes. All the way around.

7 Q. Okay.

8 MR. STEWART: And I might also mention, Ms. Hoffman, is also,  
9 you know, kind of being seen for concussive TBI issues as well.

10 MS. HARLEY: Okay.

11 MR. STEWART: You know, it's probably related to her head  
12 strike with whatever it struck.

13 MS. HARLEY: Okay.

14 MR. LaPONTE: It's a very traumatic incident so it's  
15 understandable.

16 BY MS. HARLEY:

17 Q. Okay. So this is the part where I ask you, is there anything  
18 that you think I should have asked you and I didn't?

19 A. I can't think of anything.

20 Q. Okay. So what I always tell people is if you think of  
21 something, no matter how minor it is, in a day or two, please let  
22 your attorney know and he'll pass it on to us.

23 Do you have any questions for me or for Mr. Mike over there?

24 A. No, other than I understand that there had been so many  
25 wrecks at that same or collisions at that same intersection, why

1 wasn't something done before?

2 Q. Well, that's one of the things that we are actually looking  
3 into. Okay. Part of our investigation will deal with that as  
4 well. So we don't have an answer for that right now.

5 And before I forget, I do want you to have my card so you  
6 know who you were talking to. There you are.

7 MS. JANA HOFFMAN: We met one of you all's colleagues. He  
8 came to the hospital and we were in there.

9 MS. HARLEY: Oh, is that Elias?

10 MS. JANA HOFFMAN: A tall guy, first name starts with a K, I  
11 think?

12 MS. HARLEY: Yes. Yes. He's part of our transportation  
13 disaster assistance. So, okay.

14 All right. Thank you very very much for talking to us. I  
15 know this was -- I know it took a lot to talk about it. Again, if  
16 you think of anything, please feel free to call. All right.

17 MS. HOFFMAN: Okay.

18 MS. HARLEY: Do you have any questions, ma'am?

19 MS. JANA HOFFMAN: (No verbal response.)

20 MS. HARLEY: No, okay.

21 MR. LaPONTE: Thank you. We want to thank Mr. Stewart as  
22 well because he -- when we were here the first time I was speaking  
23 with him and he -- telling him that there were some folks that we  
24 hadn't been able to locate or contact. And he reached out to us  
25 and told us that you had retained him. So he was kind enough to

1 share that information with us so we could arrange this.

2 I want to thank all of you for your time and I hope you get  
3 better as time goes on and, like I say, the report -- the  
4 investigation takes about 10 to 12 months. We are thorough but we  
5 are not fast. And -- what are you laughing at, huh?

6 MR. STEWART: I have been waiting on those NTSB reports in  
7 other matters.

8 MS. JANA HOFFMAN: I work for the government so I know how --

9 MS. HARLEY: See there you go.

10 MR. LaPONTE: We thorough but we are not fast. So, anyway,  
11 the report -- I don't know if NTSB has sent you a letter yet, they  
12 should have, that --

13 MS. HOFFMAN: They did initially. Yeah.

14 MS. HARLEY: Okay.

15 MR. LaPONTE: And if you return it -- you know, it's saying  
16 keep me informed of the progress of the investigation. The report  
17 itself will be made public. Then it goes in front of the whole  
18 National Transportation Safety Board, it's presented to them and  
19 they adopt the recommendations and the causes and the findings and  
20 so forth. That's an open meeting. It will be held in April of  
21 2018. If you wish to come, you're certainly -- everyone is  
22 invited to come, but the report itself is a public document. You  
23 can get it off -- once it's made public, you can get it off of the  
24 website and download it and whatever.

25 The information in the report is not personal specific.

1 That's all redacted out. So if there's anything in there that  
2 would have mentioned your name or whatever, all that information  
3 is redacted. But the reports are written generically in that, you  
4 know, actually the passengers will be given numbers. So, let's  
5 say, passenger number 21 or passenger number 32 or whatever,  
6 because obviously there's -- in any of these types of  
7 investigations there's a lot of personal information that is, you  
8 know, is processed, you know, names, addresses, phone numbers,  
9 ages, and none of that stuff is made public, obviously. That's  
10 all protected.

11 But the report itself when it's done will list all of the  
12 specialties. It'll list the five specialties from the highway  
13 group, which we are part of. It'll list the specialties from the  
14 railroad group, which they -- there was a joint -- it's a joint  
15 investigation. So they have three rail investigators working on  
16 this as well, you know, what the train was doing and how it was  
17 doing and all that sort of thing.

18 And that report's then put together into a really big report.  
19 So it will be about 120 or 130 pages. So if you have insomnia,  
20 you can get about 119 nights of sleep reading a page a day as you  
21 go through it. But it is a public document and you're welcome --  
22 you know, you certainly can follow-up if you wish and get that  
23 information.

24 I mean, yeah, we want to thank you for your time.

25 MS. HARLEY: Thank you, appreciate you --

1 MR. STEWART: Good bet. Thank you for being here. It's good  
2 to see you all again.

3 (Whereupon, at 2:08 p.m., the interview was concluded.)  
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CERTIFICATE

This is to certify that the attached proceeding before the  
NATIONAL TRANSPORTATION SAFETY BOARD

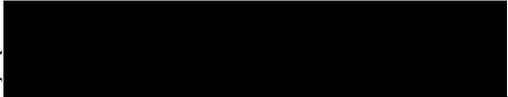
IN THE MATTER OF: FATAL COLLISION OF CSX FREIGHT  
TRAIN AND TEXAS TOUR BUS  
BILOXI, MISSISSIPPI  
ON MARCH 7, 2017  
Interview of: Joyce Hoffman

ACCIDENT NO.: HWY17MH010

PLACE: Austin, Texas

DATE: June 15, 2017

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

  
Letha J. Wheeler  
Transcriber



UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL COLLISION OF FREIGHT \*

TRAIN AND TEXAS TOUR BUS \* Accident No.: HWY17MH010

BILOXI, MISSISSIPPI \*

ON MARCH 7, 2017 \*

\*

\* \* \* \* \*

Interview of: YVONNE KILE and LISA SMITH

Saturday,  
March 11, 2017

## APPEARANCES:

MICHELLE BECKJORD, Highway Accident Investigator  
National Transportation Safety Board

I N D E XITEMPAGE

Interview of Yvonne Kile and Lisa Smith:

By Ms. Beckjord

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I N T E R V I E W

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MS. SMITH: -- guy over here (indiscernible).

MS. BECKJORD: He's kind of taller and skinner with a --

MS. SMITH: Yeah, we got his card.

MS. BECKJORD: Yeah, Elias. He's a family assistance gentleman.

MS. KILE: No, he's from the National --

MS. SMITH: No, he was from NTSB. He had his jacket on and everything.

MS. KILE: Yeah.

MS. BECKJORD: Yeah, he's from the family assistance part of our agency. So what he does is kind of he provides help to you guys, through Red Cross or --

MS. SMITH: No, he came and explained the process to us and told us what the --

## INTERVIEW OF YVONNE KILE AND MS. SMITH

MS. BECKJORD: Okay. So what I just wanted is to ask you a couple of questions about the actual (indiscernible) to help our investigation. So it would be things like where you were sitting, what you remember, what you can tell me about the driver, that kind of stuff.

MS. SMITH: Did you finally remember something, Yvonne, or do you want me to talk to her?

MS. KILE: (Indiscernible) I mean, I know we were in the fifth row back on the left.

1 MR. CRAWFORD: On the right.

2 MS. KILE: On the right. We were on the non-driver's side.  
3 We were the fifth row back.

4 MS. BECKJORD: Were you in window seat or aisle seat?

5 MS. KILE: I was in the window. She (indiscernible).

6 MS. BECKJORD: Okay. And you said you were -- is your last  
7 name also Kile.

8 MS. SMITH: No, it's Smith. She was in the window. I was  
9 in the aisle.

10 MS. BECKJORD: Let's do it this way instead of me peppering  
11 you with questions. Kind of walk me through when you left the  
12 Hollywood Casino all the way up until about the crash --

13 MS. SMITH: Sure.

14 MS. BECKJORD: -- what you (indiscernible).

15 MS. SMITH: Sure. We got in the bus and she sat next to the  
16 window. I sat in the aisle, and we were going -- the two ladies  
17 who were -- are head of people, whatever their names. What were  
18 their names that were the head, leaders of the group.

19 MS. KILE: (Indiscernible) Carol --

20 MS. SMITH: As we were driving the -- they were talking about  
21 changing routes because they wanted to go the scenic view. So we  
22 -- they said -- they said let's go the coast way and talk to the  
23 bus driver and --

24 MS. KILE: Everybody on the bus wanted to do that.

25 MS. SMITH: Yeah, everybody said, yeah.

1 MS. KILE: Why are we going the highway when we can see the  
2 coast.

3 MS. SMITH: So the two ladies asked the bus driver and he  
4 said, yeah. So then we were just driving up the coast and as we  
5 turned down I guess it's Main Street, or I don't know what street,  
6 I know now, we turned and got ready -- I was sitting there talking  
7 to my sister, and as I was talking to her, I could see out the  
8 window and we passed the sign that said, you know, it's a high  
9 risk for getting high centered, and about that time, off in the  
10 distance, I saw these people running out of the house waving their  
11 arms and so as my head was turning, then the little hand thingies  
12 (ph.) came down with the railroad and I looked over, and there's  
13 the train coming.

14 So at that point I stood up and, you know, we all kind of  
15 froze for a couple of seconds. Everybody's like, oh, my gosh,  
16 what's going on? Is it going to stop? No, it's not. So she  
17 started to get up, I got up, I grabbed her hand and we started  
18 heading towards the front of the bus but the people in front of us  
19 had already started standing up.

20 And so I kept screaming at the bus driver to open the door,  
21 and I'm sure other people did, too. I just know what I did. I  
22 screamed at him to open the door and he wasn't opening the door.  
23 He was trying to -- at first he tried to goose it to go forward  
24 and then I think that's when we started to kind of -- because he  
25 tried to go back and the wheels weren't connecting at all. So he

1 kept trying to go front and back and wasn't worried about the  
2 door.

3         And I'm not sure, like I was telling these guys, I'm not sure  
4 if it eventually got opened because I didn't see that. I'm  
5 assuming that it did because people got off, but -- and then about  
6 that time, I saw that that was full and we were going to try to  
7 get out faster so I could help people get off, because they're  
8 elderly. So I started crawling up on the seat to get over and  
9 about that time, it hit, and I saw the train hit and then I got  
10 flung up against the window which shattered on impact and I was  
11 kind of hanging half in the window, half out.

12         She went -- she'll tell you about where she went, and then  
13 the bus skidded for a ways and then it stopped and it was quiet  
14 for about two seconds and then chaos erupted and -- did you want  
15 to know what happened after that or you got that part?

16         MS. BECKJORD: Well, I will ask you about that, but if you  
17 don't mind (indiscernible) at this point.

18         MS. SMITH: Okay.

19         MS. BECKJORD: So when you said that you were kind of thrown  
20 into the wind, behind the driver.

21         MS. SMITH: I think I was probably about -- at that time, I  
22 think I made it over like maybe two seats or kind of -- so I think  
23 I was about the fourth row up now around --

24         MS. KILE: And it was still on the right side because you  
25 were sitting in (indiscernible) seat when I was holding onto you.

1 MS. SMITH: I jumped over there when the -- when the train  
2 stopped. I wanted to get away from -- I just started jumping. So  
3 I moved over a seat and I jumped in that front seat after the  
4 fact. After I was thrown, I got up and brushed the glass off and  
5 crossed over, tried to get out of the way because there were  
6 people draped over where I was at. So I wanted to get out of the  
7 way. I knew there would be people coming in to get people out of  
8 there. So I was trying to get out of the way.

9 MS. BECKJORD: So which window do you think you hit, the one  
10 on the right side or the left side?

11 MS. SMITH: I hit the left side I'm sure.

12 MS. BECKJORD: And what do you recall?

13 MS. KILE: You hit the right side.

14 MS. SMITH: I'm right here. This is all I know. I'm --  
15 here's where I hit.

16 MR. CRAWFORD: So you hit where the train was.

17 MS. SMITH: Yeah, I hit where the train was. Yeah, that's  
18 what I said.

19 MR. CRAWFORD: (Indiscernible) happened.

20 MS. SMITH: Oh, yeah, sorry.

21 UNIDENTIFIED SPEAKER: We thought you got thrown to the other  
22 side. That's why we were --

23 MS. SMITH: I jumped over after the fact and got on this  
24 side.

25 MS. KILE: Yeah, because when I --

1 MS. SMITH: I got hit right-- I saw the train right here.

2 MS. KILE: When they were trying to get us out, you were in  
3 the front seat and I was in the second row.

4 MS. BECKJORD: So when (indiscernible)?

5 MS. KILE: I would assume I was holding on (indiscernible).

6 MS. BECKJORD: And then where did you find yourself after the  
7 fact? Did you kind of wake up and realize you were on the floor  
8 (indiscernible)?

9 MS. KILE: No, I was (indiscernible).

10 MS. SMITH: She's with the train company or the bus company.

11 UNIDENTIFIED SPEAKER: We're trying to get some  
12 (indiscernible) real important to know where --

13 MS. SMITH: You can get the information from her and then --

14 MR. CRAWFORD: (Indiscernible).

15 UNIDENTIFIED SPEAKER: (Indiscernible).

16 MS. BECKJORD: Okay. So then after, do you recall anything  
17 (indiscernible).

18 MS. SMITH: (Indiscernible) it settled down and everybody was  
19 -- there was a lot of people screaming and kind of starting to  
20 stir a little and the bus driver was yelling on his intercom,  
21 we've been in an accident, a train hit us. The train hit us, and  
22 he was yelling at somebody over the intercom or --

23 MS. KILE: Over his phone.

24 MS. SMITH: -- over the phone, whatever it was, yeah.

25 MS. KILE: Because he kept saying the bus (indiscernible).

1 MS. SMITH: And it wasn't very long at all. I mean I'm not  
2 going to tell you how long because I don't know, but it was not  
3 very long at all when fire -- people started getting on. There  
4 was a civilian came over and he's like, it's all right. Help's  
5 coming, and he was really helpful in telling people, calm down,  
6 and then -- and then the emergency medical, all the EMTs and the  
7 police, fire department, they just swarmed from that part on and  
8 they -- they came in and they just was -- it was an amazing  
9 response actually.

10 They got people, you know, out really super quick. I -- she  
11 got out right away, pretty right away because she was very  
12 injured. I, you know, I thought I had a broken leg. So I kind of  
13 sat there and was waiting for everybody to get off. So they were  
14 taking people, you know, as quickly as possible and I know the bus  
15 driver -- if I remember correctly, he was like one of the first  
16 people off. He started screaming, my neck, my neck, get me off  
17 the bus, my neck and he was one of the first people off.

18 And then they -- the fire department guys carried me off and  
19 we sat on the ground getting evaluated. A whole bunch of people  
20 came and made sure we had blankets and they looked at our wounds.  
21 They assessed everything, very well taken care of, very good  
22 response, you know, people -- other people, you know, nurses,  
23 doctors. We were checked over several times. They stayed with  
24 her, you know, pretty much the whole entire time and then they  
25 carried me -- one firefighter carried me to the ambulance and got

1 me in one ambulance with a couple other people and she was taken  
2 before that. She was taken before that. She was taken in another  
3 different hospital.

4 MS. BECKJORD: (Indiscernible).

5 MS. SMITH: Sutton Springs.

6 MR. CRAWFORD: Ocean Springs.

7 MS. SMITH: Ocean Springs, 023. I don't know why I can't  
8 remember that. It's not like it's a hard name to remember.

9 MS. BECKJORD: When were you discharged?

10 MS. SMITH: Tuesday, I think it was about 10:30, one of the  
11 nurses in the emergency room then drove me over here after her  
12 shift which was really sweet.

13 MS. BECKJORD: Okay.

14 MS. SMITH: Yeah, because my -- I heard my sister was in ICU  
15 and I did not want to go back anywhere. So I came here right  
16 away.

17 MS. BECKJORD: And what happened to your leg?

18 MS. SMITH: Well, they said it's -- it's got some torn  
19 tendons and, you know, basically it's a really super bad sprain.  
20 I've got -- I have to wear this boot and go check up with an  
21 orthopedic surgeon. I have -- under this whole arm, I have a  
22 whole bunch of staples and stitches from where I was on the  
23 window. So I'm pretty roughed up. A cheese grater over here and  
24 just some bumps and scrapes here and there.

25 MS. BECKJORD: (Indiscernible).

1 MS. KILE: (Indiscernible) I just couldn't breathe  
2 (indiscernible) out and they laid me down right in the grass and  
3 they got me oxygen and they called her because she's the first  
4 number in my phone and I told them to call my mom first because  
5 she didn't answer and I called her, I just said tell everybody  
6 we'll be on the news but we're alive at this point, and hung up  
7 and (indiscernible).

8 MS. BECKJORD: Were both of you guys picked up in Bastrop  
9 or --

10 MS. KILE: Yeah.

11 MS. BECKJORD: How did you guys (indiscernible)?

12 MS. SMITH: It was my sister's birthday on Wednesday. So she  
13 made me do it because she (indiscernible).

14 MR. CRAWFORD: Coming up.

15 MS. KILE: It's coming up.

16 MS. SMITH: [REDACTED]

17 MS. KILE: The senior center does those trips all the time  
18 (indiscernible) trips, and it doesn't have to be seniors only.  
19 It's just --

20 MS. SMITH: That's why I was there.

21 MS. KILE: It can be anybody (indiscernible) if you want to  
22 drive (indiscernible) then you can (indiscernible) cars and stuff  
23 at the parking lot where we do (indiscernible) can go. If you pay  
24 the money, you can go.

25 UNIDENTIFIED SPEAKER: [REDACTED]

1 MS. KILE: [REDACTED]

2 UNIDENTIFIED SPEAKER: [REDACTED]

3 MS. KILE: [REDACTED]

4 [REDACTED]

5 UNIDENTIFIED SPEAKER: [REDACTED]

6 MS. BECKJORD: [REDACTED]

7 MR. CRAWFORD: Really the bigger issue is the screwed over  
8 husbands and dads buy presents for everybody all month long.

9 UNIDENTIFIED SPEAKER: Yeah, the whole month is busy.

10 MR. CRAWFORD: Twenty-seven cards (indiscernible).

11 MS. BECKJORD: (Indiscernible) about -- right before you  
12 (indiscernible).

13 MS. SMITH: He did not stop. In fact, I asked --

14 MR. KILE: I don't know if he did.

15 MS. SMITH: I know he didn't. I asked about -- I asked if  
16 the bus driver's supposed to stop over train crossings and he did  
17 not stop.

18 MS. KILE: But I don't -- I don't know because even if he's  
19 not supposed to, some do, some don't, but I (indiscernible)  
20 because there are a lot of them do even though they're not  
21 required to.

22 MS. BECKJORD: Do you remember when you first got on the bus  
23 (indiscernible)?

24 MS. KILE: He did not. All the trips that I've been on  
25 (indiscernible).

1 MS. BECKJORD: So did the driver, did he (indiscernible)  
2 window?

3 MS. KILE: No, all of the trips (indiscernible).

4 MS. BECKJORD: Do you recall seeing the driver  
5 (indiscernible)?

6 MS. SMITH: Oh, yeah, we got to be friendly with him, yeah,  
7 quite a bit. We have a selfie with him and everything.

8 MS. BECKJORD: Do you recall seeing him (indiscernible)?

9 MS. KILE: Well, we watched him walk to his room  
10 (indiscernible).

11 MS. SMITH: I'm thinking about when we were at the casino and  
12 I'm trying to remember, Yvonne, he came up -- I mean he came up to  
13 me and talked to me several times because she was playing the  
14 slots and I'm not really a big slot player. So I sat up and just  
15 kind of read my book for a while at the bar or at the lounge, or  
16 whatever, wherever there was a seat available. He came up and  
17 talked to me several times. In fact, I talked to him right before  
18 the trip. In fact, Yvonne, you saw him, didn't you, and you  
19 remember when you asked if he was going to play games or anything?  
20 That was the night before, wasn't it?

21 MS. KILE: That's when he was sitting at the slot machine.

22 MS. SMITH: Is it? Okay. I'm just -- that's what -- I don't  
23 remember that one right there because I (indiscernible).

24 MS. KILE: Yeah, he was playing a slot machine.

25 MS. SMITH: Was that the night before or the day of?

1 MS. KILE: (Indiscernible) I think it was the night before.

2 MS. SMITH: I'm pretty sure it was the night before and then  
3 the day of, he came over and talked to us because I remember  
4 saying, I'll see you in a little while. All right. Thank you.  
5 Keep me posted and let me know.

6 MS. KILE: Did you tell them where to return it as well?

7 UNIDENTIFIED SPEAKER: Yeah, we got it all.

8 MS. KILE: It's not in Timbuktu. It's in Austin.

9 MS. SMITH: It's okay. I know Austin. It's all right.

10 MR. CRAWFORD: I'll be there, too. We'll be there, too.

11 MS. SMITH: It'll be fine. Thank you.

12 MR. CRAWFORD: It's not like she has to take it back tomorrow  
13 or anything.

14 MS. KILE: Okay.

15 UNIDENTIFIED SPEAKER: I think he's (indiscernible).

16 MR. CRAWFORD: Thank you.

17 UNIDENTIFIED SPEAKER: Thank you.

18 MS. SMITH: Yeah, you've got a couple days.

19 MR. CRAWFORD: Between Haley (indiscernible) --

20 MS. SMITH: Don't worry about it.

21 MR. CRAWFORD: -- everybody, we'll get it.

22 MS. SMITH: Okay. Go ahead.

23 MS. BECKJORD: Is there anything (indiscernible)?

24 MR. CRAWFORD: I have a couple of questions for you when you  
25 get done.

1 MS. BECKJORD: Okay. So you're saying (indiscernible).

2 MS. KILE: Yeah, even Monday night he was eating over at  
3 Chili's and took his food and went back to the bus and when we got  
4 on, because we got done eating first on Monday night, him and us  
5 and another couple were watching a movie on the bus because  
6 everybody else was at someplace it took longer.

7 MS. SMITH: We didn't see any irresponsible behavior. Let's  
8 put it that way. We didn't see him drinking. He wasn't out late,  
9 late at night, you know, we didn't see him incapacitated at any  
10 point.

11 MS. KILE: We watched him walk into his room on Monday night.

12 MS. SMITH: He was a personable guy and (indiscernible).

13 MS. KILE: (Indiscernible).

14 UNIDENTIFIED SPEAKER: (Indiscernible) driver of  
15 (indiscernible).

16 MS. SMITH: And (indiscernible) him and what his state of  
17 mind is, and I talked to him before we went. So he seemed -- he  
18 seemed fine and I mean personally I think he panicked once it all  
19 happened. I mean I don't know what I would do in that situation  
20 but I mean I think panic --

21 MS. KILE: (Indiscernible).

22 MS. SMITH: -- was a little issue, yeah. I mean I'm sure he  
23 (indiscernible).

24 MS. BECKJORD: Well, I'm not sure beyond that.

25 (Indiscernible). I really -- part of the thing that we do is

1 (indiscernible) survival factors. So we want to be -- what can we  
2 do to help protect you in the event there is a crash?

3 MS. SMITH: Right.

4 MS. BECKJORD: There's other folks that do it to prevent the  
5 crash in the first place, and what I look into is (indiscernible)  
6 try to get off.

7 MS. SMITH: Yeah.

8 MS. BECKJORD: And some of those that were still sitting  
9 (indiscernible). Those are things (indiscernible).

10 MS. SMITH: Sure.

11 MS. BECKJORD: We want to make sure that we follow through  
12 (indiscernible).

13 MS. SMITH: That's interesting though that you say that about  
14 the briefing. I never thought about that beforehand, and somebody  
15 downstairs in the ER asked, one of the doctors had asked me,  
16 because I went back down to the ER last night, and asked me, she  
17 said, well, you know, I know there's a lot of rumors going around.  
18 She goes, you know, the rumor is that you guys were there for 20  
19 minutes and didn't get off the bus, you know, the bus driver  
20 opened the front and the back door. I don't recall seeing a back  
21 door. Is there a back door on the bus?

22 MS. BECKJORD: There's actually (indiscernible).

23 UNIDENTIFIED SPEAKER: There's trapdoors, too.

24 MS. SMITH: I know there's trapdoors but I didn't know that  
25 there was actually a back door in the back of the bus.

1 MS. BECKJORD: The problem with the door in the back is meant  
2 to be a wheelchair lift.

3 MS. SMITH: Okay.

4 MS. BECKJORD: So the difficulty is (indiscernible).

5 MS. SMITH: Okay.

6 MS. BECKJORD: And so (indiscernible) issues.

7 MS. SMITH: Yeah.

8 MS. BECKJORD: (Indiscernible).

9 MS. SMITH: Right.

10 MS. BECKJORD: I mean you're talking about (indiscernible).

11 MR. CRAWFORD: Because the motor is in the back of the bus.

12 MS. SMITH: Sure. Sure. Yeah, I just didn't recall seeing a  
13 door at all there.

14 MS. BECKJORD: They don't use it for loading.

15 MS. SMITH: Yeah.

16 MS. BECKJORD: It's just for (indiscernible).

17 MS. KILE: Since I've been on more of them than she has  
18 (indiscernible) --

19 MS. SMITH: Yeah, you knew that.

20 MS. KILE: -- where the windows are and trap doors.

21 MS. SMITH: I do know we were at the emergency exit window.  
22 So I wish that would have registered. Well, I was a little  
23 panicked.

24 UNIDENTIFIED SPEAKER: (Indiscernible).

25 MR. CRAWFORD: The guy that (indiscernible) pulled his car up

1 next to it, he was standing on the roof of his car and he was  
2 barely reaching it.

3 MS. SMITH: Oh, really.

4 MS. BECKJORD: Yeah, it's (indiscernible).

5 MS. SMITH: Yeah.

6 MS. BECKJORD: I'll be happy to answer questions you have.

7 MR. CRAWFORD: First I see you're from Denver.

8 MS. BECKJORD: I am.

9 MR. CRAWFORD: We're from -- we live in (indiscernible).

10 MS. BECKJORD: Oh, do you really?

11 UNIDENTIFIED SPEAKER: Yeah, I (indiscernible) Springs.

12 MS. BECKJORD: Oh, wow. Yeah, small world. My husband just  
13 left (indiscernible).

14 MR. CRAWFORD: Oh, nice.

15 MS. BECKJORD: (Indiscernible).

16 MR. CRAWFORD: (Indiscernible) Springs.

17 MS. BECKJORD: (Indiscernible) Springs. I'm sorry.

18 MR. CRAWFORD: Yeah, we live (indiscernible). Is there any  
19 -- is a report number that -- for this -- for your guy's report  
20 that's going to be generated at all?

21 MS. BECKJORD: There is. I don't know if off the top of my  
22 head but if you give me your e-mail or your phone, I'll text it to  
23 you tonight?

24 MR. CRAWFORD: Sure. And then your report is going to be  
25 based off of all (indiscernible) driver and the (indiscernible)

1 officer (indiscernible) and the train company?

2 MS. BECKJORD: Yeah. So what we'll do is I'll give you  
3 another rundown. We have a human performance investigator,  
4 survival factors investigator.

5 MR. CRAWFORD: Right.

6 MS. BECKJORD: We have motor carrier who actually go down to  
7 Echo Transportation and do a thorough review of everything in  
8 their offices, and then we have an Investigator-in-Charge  
9 (indiscernible) of the whole entire thing. We also have a vehicle  
10 investigator who has gone through the vehicle front to back.

11 MR. CRAWFORD: Do those have transponder on them like the  
12 planes do, a black box kind of thing?

13 MS. BECKJORD: There's what you call -- there's multiple --

14 MR. CRAWFORD: Same kind of thing.

15 MS. BECKJORD: -- there's an engine control module --

16 MR. CRAWFORD: Right.

17 MS. BECKJORD: -- animal.

18 MR. CRAWFORD: Yeah.

19 MS. BECKJORD: Some of the other things -- that gives us a  
20 general -- it's like a black box but (indiscernible).

21 MR. CRAWFORD: Okay.

22 MS. BECKJORD: There are lane departure warning systems.  
23 This is one of the best buses (indiscernible).

24 MS. KILE: It even had electricity for phones.

25 MS. SMITH: And Wi-Fi.

1 MR. CRAWFORD: Yeah, and that's what all the planes do now,  
2 too. But --

3 MS. BECKJORD: A lot of safety systems have modules that we  
4 can download and that's what we're going to do.

5 MR. CRAWFORD: Okay. Good.

6 MS. BECKJORD: One of the important ones is there's actually  
7 what's called a drive cam which is a camera in the bus --

8 MR. CRAWFORD: Right.

9 MS. BECKJORD: -- and it looks at the driver and it looks out  
10 front (indiscernible). You download it and you image it and you  
11 watch the CD and there's also one like a locomotive. And there is  
12 what's essentially considered a black box in the locomotive that  
13 we pull, and there's also one in the gates.

14 MR. CRAWFORD: Yeah.

15 MS. BECKJORD: So we can see exactly, and that one is  
16 triggered by algorithms. It looks to see how far's the crossing,  
17 how fast is the train (indiscernible).

18 MR. CRAWFORD: Okay.

19 MS. BECKJORD: So those are all the things we're gathering  
20 and all of that is going to be made public.

21 MR. CRAWFORD: Right.

22 MS. BECKJORD: Once I give you that information, you can go  
23 on the web and once we put it in there, it'll take a while --

24 MR. CRAWFORD: Right.

25 MS. BECKJORD: -- to get all of it.

1 MR. CRAWFORD: Because the investigation and everything has  
2 to be closed before it's --

3 MS. BECKJORD: No, it's not so much closed. It just has to  
4 progress to a certain point.

5 MR. CRAWFORD: Okay.

6 MS. BECKJORD: So for us, you know, this will probably be  
7 completely done in about 16 months, 13 to 16 months.

8 MR. CRAWFORD: Right.

9 MS. BECKJORD: We only have 20 investigators for the entire  
10 nation.

11 MR. CRAWFORD: Yeah.

12 MS. BECKJORD: So we do a lot of crashes but we also -- it  
13 takes us a while and we dig (indiscernible).

14 MR. CRAWFORD: Right.

15 MS. BECKJORD: So it takes time. So that's why I know people  
16 are like, huh, the police are done in six months but, you know,  
17 there's a certain level you go.

18 MR. CRAWFORD: Yeah, we only go --

19 MS. BECKJORD: I mean if you're not charging somebody, you're  
20 not -- you don't --

21 MR. CRAWFORD: You just know who's at fault and the damage.

22 MS. BECKJORD: Exactly.

23 MR. CRAWFORD: Okay. I think that's basically all the  
24 questions I had. I will write down my (indiscernible).

25 MS. KILE: Here's a pad.

1 MS. BECKJORD: Well, here, just go ahead and tell me. What's  
2 your first name?

3 MR. CRAWFORD: Logann, L-o-g-a-n-n.

4 MS. BECKJORD: Okay. Last name?

5 MR. CRAWFORD: Crawford, C-r-a-w-f-o-r-d.

6 MS. BECKJORD: Okay.

7 MR. CRAWFORD: And my cell phone number is area code [REDACTED]

8 [REDACTED]

9 MS. BECKJORD: [REDACTED]

10 MR. CRAWFORD: Yep, and my e-mail, the easiest one is  
11 probably 1, as in [REDACTED]

12 [REDACTED]

13 MS. BECKJORD: It's funny to see another (indiscernible).

14 MR. CRAWFORD: I know.

15 MS. BECKJORD: Well, I was just interviewing another woman  
16 that was on the bus, White (ph.), Ms. White.

17 MS. SMITH: I thought so. She was in ICU. We were up there  
18 next to her.

19 MS. BECKJORD: Yeah, she's doing well.

20 MS. SMITH: We don't know her.

21 MS. BECKJORD: She's a pistol.

22 MS. SMITH: Is she?

23 MS. BECKJORD: But anyway, her daughter is Kathy Estes. And  
24 so I said, oh, [REDACTED]

25 MR. CRAWFORD: Yeah.

1 MS. BECKJORD: Yeah, yeah, (indiscernible). So she had --

2 MR. CRAWFORD: Can I get a hunting stamp from your area for  
3 Estes Park?

4 MS. BECKJORD: Yeah. So anyway, small world.

5 MR. CRAWFORD: Yeah.

6 MS. BECKJORD: So you're related to --

7 MR. CRAWFORD: I'm her son --

8 MS. BECKJORD: Your son.

9 MR. CRAWFORD: -- and her nephew.

10 MS. BECKJORD: Got you. I'm sorry. You do not look like  
11 you're in your 60s.

12 MS. SMITH: Right, I know.

13 MS. BECKJORD: It's unbelievable.

14 MS. SMITH: I know.

15 MS. BECKJORD: Okay. And then do you guys mind, I'd like to  
16 take addresses, just in case I need to send you any follow-up  
17 questions.

18 MS. SMITH: Well, that will be easy because we're both living  
19 at the same address right now. We're taking care of my mom, and

20 [REDACTED]

21 [REDACTED]

22 MS. BECKJORD: [REDACTED]

23 MS. SMITH: Yeah.

24 UNIDENTIFIED SPEAKER: It's one word, [REDACTED]

25 MS. BECKJORD: [REDACTED] Got you. Well, thank you very

1 much for taking the time to talk to me. I really appreciate it.

2 MS. SMITH: Is there anything though that you can tell us  
3 briefly what -- just give us an outline of what happened. I mean  
4 not telling you, hey, can you tell us any information but there's  
5 so many rumors, you know, and I know a train hit a bus but, you  
6 know, is there anything that you can share with us right now that  
7 we -- that would be, you know, some knowledge for us about what  
8 happened because we're kind of still a little bit in the dark.

9 MS. BECKJORD: Right.

10 MS. SMITH: We kind of had it from the victims' perspective,  
11 and we keep hearing stuff on the news but it kind of would settle  
12 us a little bit if we kind of know what happened from an  
13 outsider's perspective.

14 MS. BECKJORD: Well, I can give you some of the stuff we  
15 released publicly.

16 MS. SMITH: Okay. That's what I mean.

17 MS. BECKJORD: So from what we understand, the carrier  
18 (indiscernible).

19 MS. SMITH: Okay.

20 MS. BECKJORD: So that's good. In July (indiscernible) but I  
21 can't go beyond that.

22 MS. SMITH: Right.

23 MS. BECKJORD: I'm trying to think what -- because I've been  
24 so busy (indiscernible) I haven't actually watched the news.

25 MS. SMITH: Yeah.

1 MS. BECKJORD: So I'm trying to think about what we can talk  
2 about. Most folks were off the bus and on their way to  
3 (indiscernible).

4 MS. SMITH: Okay. Good.

5 MS. BECKJORD: So we feel that the emergency response was  
6 phenomenal.

7 MS. SMITH: It was phenomenal is exactly, but we just want to  
8 commend them again. It was unreal. Even the hospital, the  
9 hospital staff and at the one I was in, especially the one that's  
10 been here, has been amazing.

11 MS. BECKJORD: Yeah, they done a great job.

12 MS. SMITH: Okay.

13 MS. BECKJORD: They had -- they did a mutual aid response  
14 practice drill a month before this happened.

15 MS. SMITH: Yeah, that's what they were saying.

16 MS. BECKJORD: So in that case they were prepared.

17 MS. SMITH: Sure.

18 MS. BECKJORD: And so (indiscernible) firefighter  
19 (indiscernible) what was right, what was wrong, and they -- they  
20 really -- they have (indiscernible).

21 MS. SMITH: So like seven people I think got off the bus  
22 before it hit?

23 MS. BECKJORD: My understanding is it was (indiscernible).

24 MS. SMITH: Yes.

25 MS. BECKJORD: One gentleman did expire inside the bus

1 (indiscernible), and so this (indiscernible).

2 MS. SMITH: Seventeen.

3 UNIDENTIFIED SPEAKER: One count I heard.

4 MS. SMITH: Yeah. Eighteen. I don't know. The news said  
5 something like 17 and --

6 MR. CRAWFORD: And two (indiscernible).

7 MS. BECKJORD: Three actually.

8 MR. CRAWFORD: Three.

9 MS. BECKJORD: Yeah.

10 MS. SMITH: Okay.

11 MS. BECKJORD: So it's been quite an issue. That's one of  
12 the things we're (indiscernible) to. The difficulty is railroads  
13 have a certain (indiscernible).

14 MS. SMITH: Right.

15 MS. BECKJORD: And then (indiscernible).

16 MS. SMITH: Right.

17 MS. BECKJORD: It varies (indiscernible) throughout the  
18 United States. We've gone to some, in Texas as a matter of fact,  
19 that, you know, they have a lot more jurisdiction (indiscernible).

20 MS. SMITH: Right.

21 MS. BECKJORD: We (indiscernible).

22 MS. SMITH: Right.

23 MS. BECKJORD: -- signage is there because he has already  
24 made (indiscernible) signage.

25 MS. SMITH: Well, I saw the sign and I'm sitting -- I'm

1 sitting in the back of the seat. --

2 MS. BECKJORD: The sign is right at the railroad track.

3 MS. SMITH: But I get it, but I thought --

4 MR. CRAWFORD: If you have a low clearance on a bridge it's  
5 miles before hand and every 20 feet up to it. If you have a sharp  
6 grade or a low clearance grade, it's like one sign 10 feet  
7 beforehand, it's not accurate or acceptable, and it shouldn't take  
8 -- it shouldn't take something like this for the city to get on it  
9 and be putting markers --

10 MS. SMITH: (Indiscernible).

11 MR. CRAWFORD: -- 17 accidents since 1973.

12 UNIDENTIFIED SPEAKER: There should be a clear sign that say  
13 no buses, no --

14 MR. CRAWFORD: No semi loads, low trailers, semi loads, no  
15 multiple axle vehicles.

16 MS. BECKJORD: That is the sign that's up there now.

17 MR. CRAWFORD: Now.

18 UNIDENTIFIED SPEAKER: I mean like (indiscernible).

19 MR. CRAWFORD: It does usually. It does.

20 UNIDENTIFIED SPEAKER: Yeah, but --

21 MS. BECKJORD: I know and that would be something  
22 (indiscernible).

23 MR. CRAWFORD: I mean there's -- I guess -- I guess it's not  
24 -- the blame and the responsibility and the after actions aren't  
25 exclusively one person. It's all three here. It's the city, it's

1 the bus company and it's the railroad. I mean all three, you  
2 know, and they all share the responsibility in my (indiscernible).  
3 You can't narrow it down to just one.

4 MS. BECKJORD: Right.

5 MR. CRAWFORD: Right, but the city, even though they did a  
6 great response and things like that, they're still -- they still  
7 (indiscernible).

8 MS. BECKJORD: I will not say anything.

9 MR. CRAWFORD: I know you can't. I understand. I  
10 understand. And I just -- I'm kind of (indiscernible) more than  
11 anything because it's -- you get the lady in here that's giving us  
12 a rental car so they can get home, and she's from the bus company,  
13 working on their behalf anyway. So, you know, I'm sure she's  
14 calling them with what was said while she was here.

15 MS. BECKJORD: Yeah.

16 MS. SMITH: Yeah, they asked if we wanted to wait but then --

17 MR. CRAWFORD: It's all going to come out anyway.

18 MS. BECKJORD: Well, the thing is I'm not asking you anything  
19 that's (indiscernible) written up (indiscernible).

20 MS. SMITH: Yeah.

21 MS. BECKJORD: We work with what's called the party system.

22 MS. SMITH: Um-hum.

23 MS. BECKJORD: I'm not sure -- I'm going to turn the tape  
24 recorder off. I meant to ask you, are --

25 (Whereupon, the interview was concluded.)

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL COLLISION OF FREIGHT TRAIN  
TRAIN AND TEXAS TOUR BUS  
BILOXI, MISSISSIPPI,  
ON MARCH 7, 2017  
Interview of Yvonne Kile and Lisa Smith

ACCIDENT NUMBER: HWY17MH010

PLACE:

DATE: March 11, 2017

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.



Kathryn A. Mirfin  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of:

FATAL COLLISION OF CSX FREIGHT  
TRAIN AND TEXAS TOUR BUS  
BILOXI, MISSISSIPPI  
ON MARCH 7, 2017

Accident No.: HWY17MH010

\* \* \* \* \*

Interview of: MARY KAYE KIEKE

Room 3010  
Ocean Springs Hospital  
Biloxi, Mississippi

Thursday,  
March 9, 2017

## APPEARANCES:

MICHELE BECKJORD, Survival Factors Investigator  
Office of Highway Safety  
National Transportation Safety Board

MICHAEL SHAW  
Biloxi Police Department

TARA  
Federal Motor Carrier Safety Administration (FMCSA)

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I N T E R V I E W

(10:58 a.m.)

1 MS. KIEKE: -- a little earlier.

2  
3 MS. BECKJORD: Yeah. I want to give you my card because I do  
4 something a little bit different than that gentleman.  
5

6 MS. KIEKE: He was just making contacts, I think.

7 MS. BECKJORD: Yeah.

8 MS. KIEKE: Let's see which one is that one. Gleason was  
9 here. Let's see. This was Elias Kontanis.

10 MS. BECKJORD: Yes, Elias Kontanis. Yeah, he is my co-  
11 worker.

12 MS. KIEKE: Yes, he said some other people would be coming.

13 MS. BECKJORD: Yep. I'd be the one he was referring to. So,  
14 I'll give you my card just so you know who you're talking to.

15 MS. KIEKE: Okay.

16 MS. BECKJORD: We just wanted to ask you a couple of  
17 questions.

18 MS. KIEKE: Sure.

19 MS. BECKJORD: And this is Tara. Tara is with the Federal  
20 Motor Carrier Safety Administration another government agency.

21 MS. KIEKE: Oh, okay.

22 MS. TARA: How you feeling?

23 MS. KIEKE: (No audible response.)

24 MS. TARA: Could be better, huh?

25 MS. KIEKE: Yeah, I'm starting to improve some ways, but they

1 gave me another pint of blood because I had so many bruises and  
2 everything that they think I've lost blood. And not internal  
3 bleeding from anything but I've gotten very anemic. So they were  
4 going to give me some more blood today.

5 MR. SHAW: I told them what you told me too, because you were  
6 the first one spoke to in reference to -- you know, you a former  
7 EMT and everything.

8 MS. KIEKE: Right.

9 MR. SHAW: Leave my card too.

10 MS. KIEKE: Former EMTs are the worst the persons, like a  
11 doctor, you know, you assess yourself and --

12 MS. BECKJORD: That's what my mom says. She's a nurse. She  
13 says we're our own worst patient.

14 MS. KIEKE: Yes.

15 MS. BECKJORD: So, if you don't mind we'd like to ask you  
16 just a couple questions.

17 MS. KIEKE: Okay.

18 MS. BECKJORD: Assuming you're up for it. If not, we can  
19 come back.

20 MS. KIEKE: No, yeah. No, come on, because they'll be  
21 bringing lunch pretty soon.

22 MS. BECKJORD: Okay. So I guess -- do you want to lead off  
23 and ask anything extra that you needed to --

24 INTERVIEW OF MARY K. KIEKE

25 BY MR. SHAW:

1 Q. No, I think I've got everything. I was just going over --  
2 maybe we can correct as we get started here. When I spoke to you  
3 the other day, of course, it was down in the emergency room.

4 A. Yeah.

5 Q. You had stated, you know, you gave me your name. I just want  
6 to confirm everything is correct. It's Mary K. Kieke, K-i-e-k-e,  
7 correct?

8 A. Correct. Uh-huh.

9 Q. And your date of birth is [REDACTED]

10 A. Correct.

11 Q. [REDACTED]

12 [REDACTED]

13 A. Correct.

14 Q. Okay. I think I to all that. According to -- what I recall  
15 in my notes, I took you were in the passenger side front seat?

16 A. Yes.

17 Q. Okay. You all were heading to Boomtown from Hollywood?

18 A. Right.

19 Q. Okay. Let's go into what you recall from that point.  
20 Exactly what you recall, where you were at and --

21 A. Well, being right up front with the driver and all, I could  
22 see the GPS and the GPS told us to go down Main Street. And on  
23 this side of Main Street from 90 it's, you know, it's a little  
24 rise, but it's gradual. And right -- I didn't see it. Nobody saw  
25 it. But I saw on TV that that little sign they have there you're

1 right on the tracks. Where that sign is, is you're right on the  
2 tracks. And being a long bus, he bottomed out right away. He  
3 realized -- when we got to the top, he realized he couldn't get  
4 over it. And so, he was going to try to back out and he was  
5 working on, you know, trying to get back out and it just seemed  
6 like almost immediately the lights came on, the bars came down  
7 and, of course, we could see the train coming at us.

8       Anyway, a few of them managed to get off apparently and since  
9 the lady I was with -- my roommate was one of the group leaders,  
10 you know, she was staying on the bus and get people off. But  
11 apparently the ones that were killed were still trying to get off  
12 and didn't clear the tracks. Of course, everyone else was still  
13 on the bus when the train hit us. And some people were standing  
14 up trying to get to the front. So, you know, I don't know what  
15 position they were in because when -- all I remember is the  
16 hitting. And the next thing I remember I was on the floor with my  
17 seatmate on top of me and my leg was back behind me. So I was  
18 kind of pinned for a while until they got her off.

19 Q.   Who was your seatmate?

20 A.   Carol, I don't know if she used Bronn-Wright or just Carol  
21 Wright. She probably used Bronn-Wright for insurance. B-r-o-n-n-  
22 hyphen-Wright. But she often only goes by Carol Wright.

23       She's in one of these hospitals. I don't know which one.  
24 They had to do surgery on her. She had a punctured lung and some  
25 rib stuff and, you know, I don't know. That's not verifiable at

1 least not by me.

2 Q. All right.

3 A. Anyway, after they got her off then they were able to get my  
4 leg out and then, you know, took me off.

5 Q. Well, let's back up to the point where you remember  
6 approaching the tracks.

7 A. Uh-huh.

8 Q. Once you got on -- you got to the tracks. You indicated that  
9 -- what happened at that point?

10 A. Well, like I said, I never saw that yellow sign. It was on  
11 my side too and I never saw it. But we went up to the top of the  
12 track, and just as we went up he could see that it was waist deep  
13 on the other side. And he was like -- we said, well, you're not  
14 going to be able to make that. And he -- and so he started trying  
15 to back out and you could hear it scraping on the tracks, the  
16 bottom of the bus.

17 So, I don't know if he had had time he could have gotten off  
18 or not. But I know there was no indication of a train coming at  
19 that time. I mean, we didn't see anything or hear anything. But  
20 we weren't there but just -- I couldn't tell you that exact time,  
21 but just for a few seconds, minutes maybe, when the bells and  
22 whistles came, and then we looked out and we could see the train  
23 coming and the bars came down and hit the top of the bus. And  
24 then within seconds, you know, they were there and --

25 Q. Do you recall what the -- anybody saying anything?

1 A. No, except there was one gentleman in the middle of the bus  
2 -- we had several seniors that had mobility problems, and he was  
3 having trouble getting out. And, of course, everyone was behind  
4 him; we're saying move, move. I guess it's better he didn't move  
5 because, like I said, the last few that -- I thought it was around  
6 six to eight, like I told you, but of that six to eight, four of  
7 them didn't make. So it was only about four or five that actually  
8 cleared the, you know, bus and tracks.

9 Q. Do you remember how many people passed you right there at the  
10 door?

11 A. Well, that's what I was thinking. I was thinking between six  
12 and eight. I just don't remember for sure. But I remember I  
13 heard them say four, you know, got off and I'm sure it was more  
14 than that. Then I found out that the four that were killed  
15 apparently were almost off but didn't clear the track and so the  
16 train pushed the bus over on them.

17 Q. Do you remember who opened the door? Do you remember how --

18 A. The driver opened the door.

19 Q. Oh, did he open the door?

20 A. Yeah. He was trying to get people off and we were hoping  
21 that -- I guess we were all hoping that the train would be able to  
22 stop in time, you know. But --

23 Q. Do you remember anybody being on a cell phone or anything,  
24 calling anybody?

25 A. I have no idea. No, because I was -- like I said, I was in

1 front and I didn't know what was going on behind me, except people  
2 were trying to, you know, come to the front to get off.

3 Q. Well, you said there was people in the back that had to have  
4 assistance. Were they wheelchaired or --

5 A. No. They were ambulatory but they had canes and stuff and  
6 they, you know, they couldn't get off fast, you know, get out of  
7 the seat fast. You know, this one guy it took forever to get  
8 himself off the seat and out.

9 Q. What about anybody -- anybody have any walking assistance  
10 such as a walker --

11 A. They had walkers, but they were underneath the bus. You  
12 know, the ones that --

13 Q. People had used them on --

14 A. Yeah. When they got off the bus they would be using them,  
15 you know, in the --

16 Q. Got you.

17 A. But on the bus, there was two gentlemen -- no, one gentleman  
18 that had his cane with him all the time. The other person that  
19 used his cane all the time was the one that stayed, Mr. Lutrell,  
20 stayed back that day.

21 Q. And that was him and his wife, if I remember correctly?

22 A. Yeah, Joyce and Lowell Lutrell were the ones that stayed back  
23 at the hotel because he had fallen off his bed the night before  
24 and he wasn't feeling well.

25 Q. Got you.

1 A. So, they had stayed back.

2 Q. Right.

3 A. And the one lady got sick and left us back in Lafayette. She  
4 never even got to Bay St. Louis.

5 Q. Never got that far, huh. That was your first stop; is that  
6 correct?

7 A. We stopped in Lafayette, you know, overnight.

8 Q. All right.

9 A. Then came over to Bay St. Louis by about 1:30. I think we  
10 got to Bay St. Louis about 1:30.

11 Q. Did -- that Lafayette stop was the first stop from Texas?

12 A. Right. Uh-huh.

13 Q. Now, your bus that you was on --

14 A. Uh-huh.

15 Q. -- pretty much everybody from Texas, correct?

16 A. From Texas. Well, I think so. Now, if they had brought a,  
17 you know, a relative from someplace else --

18 Q. Got you.

19 A. We all got on in Bastrop, Texas, except for eight people that  
20 go on in Sealy. And I think one of the gentlemen that died, from  
21 what I saw on TV, was from Sealy.

22 Q. Okay.

23 A. And I think my next-door neighbor over here is another lady  
24 from Sealy, but it's a different last name from what I saw on TV.

25 So --

1 Q. Okay.

2 A. I don't know, you know, they were friends, the whole, you  
3 know, eight of them that got on at Sealy.

4 Q. Do you know how many buses were in you all's group?

5 A. Oh, you mean Diamond Tours itself?

6 Q. Right.

7 A. I think Diamond Tour lady said there was three Diamond Tour  
8 buses, but we were the only ones -- you know, they weren't with  
9 us.

10 Q. Did you all leave -- did they leave before you, after you or,  
11 do you know?

12 A. I have no idea.

13 Q. No idea.

14 A. I have no idea.

15 Q. Just you all's group.

16 A. But our group was the only bus that was, you know, in the --

17 Q. Do you have any idea when the other possible buses, where  
18 they were from, if they were from Texas?

19 A. Let's see, the Diamond Tour lady said one was from Tennessee  
20 and one was from Ohio, I think.

21 Q. One from Tennessee and one from Ohio?

22 A. I think that's what she said. But like I said, you'll have  
23 to verify it because I don't want to say absolutely. I remember  
24 her saying though, yeah, I've got a bus coming in from Tennessee  
25 and one from Ohio.

1 Q. Okay.

2 A. Of course, they use different bus companies. They don't use  
3 the same bus company.

4 BY MS. BECKJORD:

5 Q. Different bus companies, but it was all kind of set up by  
6 Diamond Tours?

7 A. Diamond Tours was the tour, you know, people.

8 Q. So, for your -- the whole thing was Diamond Tours was hired  
9 by the location where you live in Bastrop?

10 A. Yeah. Our senior center uses them quite a bit for tours. We  
11 go on bus trips like twice a year.

12 Q. Okay.

13 A. Seven days to 11 days depending. And we use Diamond Tours  
14 quite a bit for that.

15 Q. Okay. Have you ever ridden with this bus company before?

16 A. Not this Echo, no.

17 Q. Not with Echo. Okay.

18 A. I haven't, no. Excuse me, I'm getting ahead of myself here.  
19 Quite often we use Cowtown out Ft. Worth, but this is the first  
20 time I was on an Echo bus.

21 Q. Okay.

22 A. That I'm aware of. I go almost every trip.

23 Q. Okay. So, if you don't mind, can I back you up just a little  
24 bit. So you thought that six to eight people had gotten off the  
25 bus?

1 A. That was just my impression that --

2 Q. Right.

3 A. -- from the empty seats, you know, because there was this big  
4 space where that guy was trying to get off --

5 Q. Okay.

6 A. -- in the middle of the bus. But there were several empty  
7 seats.

8 Q. Right.

9 A. And my impression was six to eight got off.

10 Q. Right.

11 A. And then I found out that the four that got off --

12 Q. Right. So ---

13 A. -- and so, it was just a few of them that actually cleared  
14 the track.

15 Q. Okay. Were you considering getting off the bus yourself?

16 A. I couldn't. My seatmate, who was one of the tour leaders,  
17 you know, Bastrop tour leaders was staying on. You know, the  
18 other -- the other lady got off to start helping people off. And  
19 then she stayed on, you know, she was going to be the last one  
20 off. She's always the last one -- you know, whenever we stop or  
21 go anywhere to do anything, she's always making sure everybody is,  
22 you know, on or off or whatever.

23 Q. Okay.

24 A. And so she was on the aisle and I was sitting next to her by  
25 the window. And we had this little, what do you call it, table

1 like thing, you know, so I couldn't just get over it.

2 Q. Okay. So you knew that she was going to stay on and so you  
3 were just kind of --

4 A. Yeah.

5 Q. Okay.

6 A. Yeah, I was trying to hold on to the thing on the front, you  
7 know, try to brace myself. I don't know what happened but within,  
8 you know --

9 Q. So were you -- happen to be wearing your seat belt at the  
10 time?

11 A. No. I don't think anybody was wearing seat belts, but again,  
12 I won't swear to it.

13 Q. Right.

14 A. But I know I wasn't and Carol wasn't.

15 Q. Okay. Did you know that there were seat belts on the bus?  
16 Were you aware of it?

17 A. I think they had seat belts on the bus.

18 Q. Okay.

19 A. But I don't remember.

20 Q. Okay. Did the driver give a pre-trip briefing to you guys  
21 before you took off, saying, here's where the exits are, here's  
22 what the bus has, kind of a safety briefing?

23 A. I don't remember.

24 Q. Okay.

25 A. They usually do. But I just don't -- I'm not for sure that

1 he did or not.

2 Q. Okay. So for the driver, did you observe him from the get-  
3 go, were you always kind of sitting up there with your friend?

4 A. Yeah. I was always up in that seat.

5 Q. Okay.

6 A. He was a good driver.

7 Q. Okay. You felt he was a good driver at the time --

8 A. Yeah, we had come through a lot of rain and stuff the first  
9 day and he, you know, did an excellent job.

10 Q. Okay. Did he wear glasses?

11 A. Yeah, I think he did.

12 Q. Okay.

13 A. I'm trying to think. Yeah, I'm pretty sure he had glasses.

14 Q. Did he kind of wear them all the time?

15 A. Yeah. I'm just trying -- I remember him not having them on  
16 as the train and bus stopped. He, you know, turned himself around  
17 in the seat -- I'm having a little problem here. I hiccup and it  
18 hurts.

19 Q. Do you need a moment?

20 A. I don't know what's causing the hiccups.

21 And he turned around and he told everybody if you could just  
22 sit down, be still, you know, until he could come get you out. He  
23 didn't want anybody else trying to, you know, crawl over people  
24 and get out. And then by that time one of the -- somebody came  
25 on. I didn't know if it was a first responder because I heard

1 some of the local people say they got on the bus and I don't  
2 remember who they were or, you know, who it was. There was  
3 somebody got on the bus and took the driver off and, like I said,  
4 he was ambulatory. They told him to get off. And then they had  
5 to get my friend off of me before they could get me out. We were  
6 the next two out on the front side.

7 But apparently some people were hurt in the middle where it  
8 hit. And so, I'm assuming, you know, while I was sitting there  
9 waiting triage they were, you know, busting the windows and  
10 putting the ladders up. And another friend of mine was in the  
11 very back of the bus and she did fine. She wasn't hurt at all.

12 Q. Okay. So, you're saying --

13 A. So a couple of people on the back of the bus just had, you  
14 know, they just had to get them out, but like I say, beyond that I  
15 don't know because I was on the floor with that lady on top of me.  
16 So I have no idea what was going on behind me.

17 Q. Right. Right. So you recall that -- believe he wore his  
18 glasses?

19 A. Yes. Because I wear glasses too and I went down the shop and  
20 got me little reading glasses. And that's the only thing I lost  
21 on the bus was my glasses.

22 Q. Your glasses, okay.

23 A. Yeah. Fortunately, I was -- we were getting close to the  
24 casinos so I took my purse, the sling, and had it over my  
25 shoulder. And I was lucky it stayed with me when I slid out --

1 flew out of the seat, I guess.

2 Q. Right. Right.

3 A. Because I think I was one of the very few that actually had  
4 the, you know, stuff with them.

5 Q. Okay. So you think he wore his glasses. Do you recall where  
6 -- because if that was your normal seat, do you recall where he  
7 put his personal effects? Did he have a bag or --

8 A. I have no idea.

9 Q. You don't recall?

10 A. I don't know where he had his stuff. Because they usually  
11 have a little, you know, space up on the thing up there that they  
12 put their personal stuff usually.

13 Q. Uh-huh.

14 A. And I don't know which side it was on or anything. I never  
15 saw him with a bag right next to him that I can remember.

16 Q. Okay. I know you said he was a good driver and things like  
17 that.

18 A. Yes.

19 Q. Did you have any interactions with him outside of the bus, at  
20 the hotel, any other time?

21 A. Not really. I mean, he, you know, he was very kind, helped  
22 us down, like that. And he -- like one time we stopped to have a  
23 potty break, he went and filled the bus up and everything like  
24 that. But nothing that a normal bus driver does on our trips.  
25 Because like I said, we use that company all the time, that

1 Diamond Tours, and we always have a 2½-hour requirement to get off  
2 and let people go to the bathroom --

3 Q. Right.

4 A. -- and those who want to smoke, smoke. But I didn't have any  
5 interaction with him, you know, like eating in the same room where  
6 I was at.

7 Q. Okay. Did you happen to see him at the casino at any point  
8 or did he --

9 A. I never saw him at -- you know, when we got off the bus and  
10 he pulled, you know, the stuff out, suitcases, because we had to  
11 carry our own little small suitcases.

12 Q. Uh-huh.

13 A. But after that, after we got off the bus I didn't see him  
14 until it was time to get back on the bus, you know.

15 Q. Uh-huh.

16 A. So I don't know what he did during the time that we were, you  
17 know --

18 Q. Right.

19 A. -- not traveling, actually traveling.

20 Q. Okay.

21 MS. BECKJORD: Tara, do you have any questions?

22 MS. TARA: I actually do, if you don't mind.

23 MS. BECKJORD: Yeah, sure, go ahead.

24 BY TARA:

25 Q. So, you guys left out on Sunday, right?

1 A. We left out Sunday morning, yeah.

2 Q. Okay.

3 A. And we stopped at Lafayette, Louisiana.

4 Q. Okay. And you spent one night there?

5 A. Yeah.

6 Q. So was this particular driver your driver from the point at  
7 which you started in Texas?

8 A. Oh, yeah, yeah.

9 Q. So, he --

10 A. The drivers always, you know, going to stay with the buses.  
11 Yeah.

12 Q. Okay. Do you recall at any time seeing him take any kind of  
13 meds?

14 A. No. I never even saw him drink.

15 Q. Okay.

16 A. He was -- almost the whole time both hands were on the wheel,  
17 you know. Like I said, I felt like he was a good driver.

18 Q. Sure, yeah.

19 A. My impression was.

20 Q. But not during any stops or anything like that, or when you  
21 had meals?

22 A. Yeah. Like, you know, we had the little meals on the way.  
23 We always go where people can spread out --

24 Q. Right.

25 A. -- because, you know, 50 -- well, it was 51. He would be 51,

1 it's 50 people.

2 Q. Okay.

3 A. No, 52 people. I'm trying to think. I believe it was 52  
4 people and he was the extra person. I'm not real clear on that  
5 exactly how many, but I do know that it was three that had been on  
6 the bus and were not there on that -- you know, yesterday.

7 Q. Okay.

8 A. And I thought -- my impression of him was he was a good  
9 driver. He was following, you know, the rules of the road --

10 Q. Right.

11 A. -- driving sensibly and everything. It's just that I don't  
12 know if he even saw that little sign.

13 Q. Right.

14 A. But well, you have been out there so you know probably --

15 Q. Sure.

16 A. -- but where that is and by the time he -- and it was a big  
17 bus. So he got up there and realized he couldn't go all the way,  
18 so he tried to get back and we heard the scraping --

19 Q. Right.

20 A. -- where he bottomed out.

21 Q. So do you recall about what time you guys left -- or you left  
22 Lafayette Tuesday morning, right?

23 A. Yeah. We got into Bay St. Louis at 1:30 Tuesday.

24 Q. Okay.

25 A. No, no, wait. Monday, Monday, because we left on Sunday. We

1 stayed Lafayette that night and then we got to Bay St. Louis at  
2 1:30 on Tuesday. I keep saying that wrong. Monday.

3 Q. On Monday, okay.

4 A. Because yesterday, Tuesday was the accident and we left about  
5 1:15 from Bay St. Louis to come over here to Boomtown.

6 Q. Okay. Do you remember at all kind of what route you guys  
7 took? Did you get on the interstate? Did you come down 90, the  
8 beach front?

9 A. We came down 90 for the scenic view.

10 Q. Okay.

11 A. Yeah. And so, of course, when we originally came in, we came  
12 in, you know, 10 and down 607.

13 Q. Okay.

14 A. I've been in this area before but I don't know all the roads,  
15 but I do know a few of the roads. But anyway, and it gave him a  
16 choice of going back up to 10 or, you know, coming down 90. And  
17 everybody wanted to see the Gulf Coast, of course, because a few  
18 people there hadn't ever seen it.

19 Q. Oh, so there was kind of a point at which he said, which way  
20 do you guys want to do this?

21 A. No. Yeah, actually he didn't initiate it. One of the troop  
22 leaders said, do you think we can go down 90?

23 Q. Got you, okay.

24 A. And asked the people on the bus would they mind taking the  
25 scenic route. Of course, everybody was real excited about that.

- 1 Q. Sure. Absolutely.
- 2 A. But, I mean, he didn't initiate going that way.
- 3 Q. Okay. So you all -- somebody requested --
- 4 A. Yeah.
- 5 Q. -- I want to go down the beach front and not the interstate.
- 6 I myself can understand that.
- 7 A. Yeah. So, like I said, he put the information in the GPS and
- 8 the GPS was telling us to go down Main Street.
- 9 Q. Okay.
- 10 A. Because that was -- you know, I could see the GPS and hear it
- 11 talking.
- 12 Q. Got you. And I know we may have covered this at some point,
- 13 but do you recall after everything settled, did he make any phone
- 14 calls or he immediately started trying to get everybody situated
- 15 in the bus?
- 16 A. I think he -- yeah, he made phone calls after he asked people
- 17 to sit down, that, you know, the EMS was coming or help was
- 18 coming.
- 19 Q. Right.
- 20 A. And I think I heard him talking because he gave his name and
- 21 said, I have had an accident here in Biloxi.
- 22 Q. Okay.
- 23 A. I remember him saying his name. I don't know who he was
- 24 talking to. Probably the bus people.
- 25 Q. Okay.

1 A. But that I don't know, but I do remember him making some sort  
2 of report.

3 Q. Right. And that was after the impact?

4 A. Right. Yeah.

5 Q. Okay. And so, at the point that you guys became stranded on  
6 the tracks, he didn't make any phone calls at that point --

7 A. No. He was concerned about trying to get us off the track.

8 Q. Got you. Okay. Great.

9 MS. TARA: All right. That's all I have. I appreciate you.

10 MS. KIEKE: Okay.

11 MS. BECKJORD: Very much so.

12 BY MS. BECKJORD:

13 Q. Do you have anything that you want to add for us? Anything  
14 you want to kind of tell us at this point that's important to you  
15 that you think we should know?

16 A. Well, no, I don't think so because everything I've told you I  
17 think I've told most of it to you that night. So I haven't -- my  
18 story hasn't changed in my mind anyway.

19 Q. Right.

20 A. Like I said, it's just one of those things that happened.  
21 Usually a big train like that you hear it several -- you know, a  
22 mile or so away, but I did not hear a thing until those whistle --  
23 bells and whistles came on and the arms came down and hit the top  
24 of the bus.

25 Q. Okay.

1 A. And by then the train was right on -- you know, you could see  
2 it coming.

3 Q. Did you have a bunch of cars in front of you that you could  
4 see since you were the front passenger as --

5 A. No. We --

6 Q. -- because I know you came to a stop, right?

7 A. Yeah. There was nobody in front of us when we were coming  
8 down Main Street. Maybe some behind, I don't know. But there was  
9 nobody in front of us. And so, we didn't see any cars, you know,  
10 dipping. Nobody had a clue that it was going to dip like it did.  
11 And like I said, I did not see that little yellow sign until they  
12 showed it on TV. And then I saw it was right there at the tracks.  
13 I can see why several people, you know, got stuck on that track.  
14 Just that we were unfortunate that the train was coming at that  
15 time. You know, if it had been even a half hour we would all have  
16 been off the bus, you know.

17 Q. Right. So you said that he was -- and this is my last  
18 question for you.

19 A. Sure.

20 Q. I know that you're getting uncomfortable and I recognize  
21 that. When you said that he was trying to get folks off the bus,  
22 did he spend a whole lot of time trying to move the bus or was it  
23 almost an immediate reaction?

24 A. No, no. He was trying to move the bus a few minutes. And as  
25 soon as we realized that train was coming he said, get off the

1 bus, get off the bus.

2 Q. Oh, okay.

3 A. He was trying to get enough people off that, you know, but  
4 like I said, I know the train was slowing down. That's what they  
5 said anyway.

6 Q. Right.

7 A. But it looked like it was coming awful fast, you know.

8 Q. Oh, I bet it did.

9 A. The train was honking its horn and everything. I thought  
10 that's not doing anybody any good. That's what my thought was.  
11 You know, you're honking your horn but you know we can't get off  
12 the track.

13 Q. Right. right.

14 MS. BECKJORD: Well, Mary, I really really appreciate you  
15 taking the time to talk to us.

16 MS. KIEKE: Okay.

17 MS. BECKJORD: I know that you have given quite a few  
18 interviews or, you know --

19 MS. KIEKE: Yeah, I know but you have to investigate it. you  
20 have to find out all the angles.

21 MS. BECKJORD: Yeah. We appreciate it. If you don't mind we  
22 may very well send you some stuff in the mail as some follow-up.

23 MS. KIEKE: Uh-huh.

24 MS. BECKJORD: You'll know that it's coming from us because  
25 we will put all of our initials all over it just like my shirt.

1 MS. KIEKE: Yeah.

2 MS. BECKJORD: So you'll know, but we might ask you some of  
3 the same questions but this way we at least have it in a  
4 questionnaire. Try not to do that unless we wanted to really  
5 follow-up with you.

6 MS. KIEKE: Okay.

7 MS. BECKJORD: You know, the gentlemen that really kind of  
8 focuses on the driver, just because you happen to be sitting at  
9 that area, may want to reach out and ask a few more questions.

10 MS. KIEKE: Uh-huh.

11 MS. BECKJORD: Would that be all right with you?

12 MS. KIEKE: Well, sure, I'm willing to cooperate. That's not  
13 a problem.

14 MS. BECKJORD: Okay. Thank you. I appreciate that. Do you  
15 have a contact number that you could give me?

16 MS. KIEKE: I have this little cell phone --

17 MR. SHAW: Is this it that you gave me? Is the area code

18 

19 MS. KIEKE: Yeah, that's my cell phone.

20 MR. SHAW: Okay.

21 MS. KIEKE: The kids brought my charger. I wasn't able to  
22 use it until yesterday. They brought the charger and charged it  
23 up.

24 MR. SHAW: And also, can I confirm your home phone?

25 MS. KIEKE: 

1 MR. SHAW: Yes, ma'am. That's what I have.

2 MS. BECKJORD: Well, thank you, Mary, I appreciate it very  
3 much. And I hope you get better very very quickly.

4 MS. KIEKE: I do too. I'd like to get back home, but it's a  
5 long drive. So they won't release me until I, you know, they  
6 think I can make it. Now that he's going to give me some blood,  
7 he wants to make sure my --

8 MS. TARA: Is there anything you need that we can get for  
9 you?

10 MS. KIEKE: No, I'm fine. This is a wonderful hospital.  
11 They have been, you know, more than --

12 MS. TARA: Good. Glad to hear that.

13 MS. KIEKE: -- doing everything.

14 MS. BECKJORD: Well, just as an intermediary, Elias who gave  
15 you his card already --

16 MS. KIEKE: Uh-huh.

17 MS. BECKJORD: -- he is the person that really works with the  
18 families and those folks that are involved to get you whatever you  
19 need.

20 MS. KIEKE: Right.

21 MS. BECKJORD: Transportation, Red Cross assistance. So,  
22 don't -- if you have any questions, reach out to Elias.

23 MS. KIEKE: Well, he was here, like I said, a little while  
24 ago and my son called while he was here --

25 MS. BECKJORD: Okay.

1 MS. KIEKE: -- and he's the one that told me that they were  
2 having that meeting up at Bay St. Louis at 1:00. So, I told my  
3 kids don't come. Go back to the hotel and wait and get, you know,  
4 get more information, and I said you come this afternoon. I'm not  
5 going anywhere.

6 MS. BECKJORD: Right. Right. Well, again, you know, have  
7 your son reach out to Elias. That's what -- that is what he's  
8 there for.

9 MS. KIEKE: Yeah. I have the --

10 MS. BECKJORD: So, you know, don't hesitate if you need  
11 anything.

12 MS. KIEKE: I will.

13 MS. BECKJORD: So thank you so much. I really, really  
14 appreciate it.

15 MS. KIEKE: You're welcome.

16 MR. SHAW: This concludes the interview at Ocean Springs  
17 Hospital. The current time is 11:24 on 9 March 2017.

18 (Whereupon, at 11:24 a.m., the interview was concluded.)  
19  
20  
21  
22  
23  
24  
25

CERTIFICATE

This is to certify that the attached proceeding before the  
NATIONAL TRANSPORTATION SAFETY BOARD

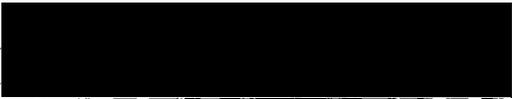
IN THE MATTER OF: FATAL COLLISION OF CSX FREIGHT  
TRAIN AND TEXAS TOUR BUS  
BILOXI, MISSISSIPPI  
ON MARCH 7, 2017  
Interview of: Mary Kaye Kieke

ACCIDENT NO.: HWY17MH010

PLACE: Biloxi, Mississippi

DATE: March 9, 2017

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

  
Letha J. Wheeler  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL COLLISION OF CSX FREIGHT \*

TRAIN AND TEXAS TOUR BUS \*

Accident No.: HWY17MH010

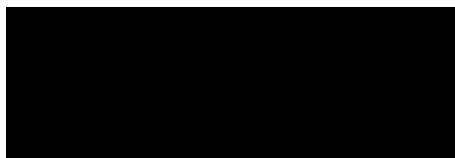
BILOXI, MISSISSIPPI \*

ON MARCH 7, 2017 \*

\*

\* \* \* \* \*

Interview of: MARY KAYE KIEKE



Tuesday,  
April 11, 2017

## APPEARANCES:

MICHAEL LaPONTE, Highway Accident Investigator  
National Transportation Safety Board

SHERYL HARLEY, Survival Factors Investigator  
National Transportation Safety Board

JEFFREY MUNDY, Esq.  
(On behalf of Ms. Kieke)

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I N T E R V I E W

(1:35 p.m.)

1  
2  
3 MR. LaPONTE: So, I'll give you a little background briefly  
4 of who we are and what we do. A lot of people don't know what the  
5 NTSB does or who we are. And so this is just kind of a little  
6 background of the Agency.

7 MS. KIEKE: Uh-huh.

8 MR. LaPONTE: The NTSB is an independent federal agency that  
9 is detailed with investigating transportation accidents. So they,  
10 by law, have to investigate every aviation accident that occurs in  
11 the United States, civilian aviation accident and aviation  
12 accidents overseas if they involve a U.S. manufactured aircraft,  
13 say, Boeing or U.S. manufactured engine, say, General Electric.  
14 So if any of those things happen overseas we have people that are  
15 sent to investigate that accident.

16 So we also investigate accidents on rail, marine, pipeline,  
17 hazardous material, and then this is the highway group, which is  
18 what we do.

19 MS. KIEKE: Well, you know we recently had a very serious  
20 accident not too far from here where 13 people in a bus got --

21 MR. LaPONTE: Yes. I was on-call until 1:00 in the morning  
22 that night ready to go and then got called off.

23 MS. KIEKE: Yeah, so NTSB is investigating that. So, I knew  
24 something about what's going on.

25 MR. LaPONTE: Yeah. So we -- by law they have to investigate

1 the aviation accidents. Rail they get to pick and choose a little  
2 bit. Marine they have to investigate any accident over \$500,000  
3 of monetary damage and they are second in line to the U.S. Coast  
4 Guard. Highway we get to kind of pick and choose.

5 And what we try to do is look at crashes that we can find  
6 something -- we are going to do a thorough investigation. We are  
7 going to come up with hopefully a probable cause. Part of that is  
8 to look at the intrinsic nature of the transportation. Somewhere  
9 along the line could have something have been done differently  
10 that would have avoided this. And that's what we're -- that's our  
11 goal is to try to figure out (a) what happened, and then (b) look  
12 at the total picture and say, well, if this would have changed or  
13 if this would have been done differently or whatever, could this  
14 tragedy have been avoided? And that's what we try to do.

15 So the purpose of our interview with you today -- and we want  
16 to thank you again and Jeff for allowing us to do this --

17 MS. KIEKE: Uh-huh.

18 MR. LaPONTE: -- is to, you know, just get your statement as  
19 a witness, if you will, of what transpired from the time you  
20 started on the trip until the time of the crash.

21 MR. MUNDY: And since we are being recorded, you know, just  
22 to identify myself for the record. I'm Jeff Mundy. I'm the  
23 attorney for Mary Kaye Kieke who is here and she goes by Kaye her  
24 middle name. We certainly are happy to cooperate with you all and  
25 have no pre-conditions or boundaries with one exception. As I've

1 told them before we went on the record, and that would be just  
2 asking her to opine about fault or concepts of fault, which  
3 obviously we are in the same boat you all are. We are all just  
4 exploring, you know -- we still don't know the whys, you know. So  
5 I have no problem with asking her what she saw, heard, you know,  
6 totally happy to cooperate. So that's my only, my only condition  
7 is just no expressions or seeking opinion about fault.

8 MR. LaPONTE: Yeah, no problem. That won't even be broached.

9 MR. MUNDY: Yeah.

10 MR. LaPONTE: And, actually, the lion share of why we are  
11 here, other than to get your witness statement, is to help us  
12 complete the seating chart on the motor coach at the time of the  
13 crash.

14 MR. MUNDY: And I told her I thought that'd be part of it for  
15 sure.

16 MR. LaPONTE: So, and hopefully, you know --

17 MS. KIEKE: I don't tell you very much because --

18 MR. LaPONTE: Well, tell us what you know, what you have.

19 MR. MUNDY: Tell -- stick to what you know, heard, saw.

20 MS. KIEKE: All right.

21 MR. LaPONTE: What you know and where you were and what  
22 happened, and that's all we're here --

23 MR. MUNDY: I told her, said, a lot of the answers, truthful  
24 answers can be "I don't know" or "I don't remember," and they --

25 MR. LaPONTE: Absolutely.

1 MR. MUNDY: -- believe me, they've been hearing that a lot, I  
2 promise you. But that's --

3 MR. LaPONTE: You know, like any traumatic experience, you  
4 know, people are all different and they all remember different  
5 things, you know. So we interviewed, and Sheryl and her associate  
6 interviewed a lot of folks in Biloxi, but some of the folks were  
7 hospitalized and couldn't -- you know, were either --

8 MS. KIEKE: The only person I saw in Biloxi I think was  
9 Elias.

10 MR. LaPONTE: Elias is from our -- yes.

11 MS. KIEKE: He came in and gave me his card. I have his  
12 card.

13 MS. HARLEY: Right.

14 MS. KIEKE: He's with the assistance part.

15 MS. HARLEY: Yes.

16 MR. LaPONTE: GBA group.

17 MR. MUNDY: I guess you all got your -- I say if you want to  
18 start, the seating chart might be helpful. She was on the very  
19 front row, right side immediately adjacent to the door. So --

20 MR. LaPONTE: Okay. And that's all that -- you want to do  
21 the seating chart first?

22 MS. HARLEY: Sure.

23 INTERVIEW OF MARY KAYE KIEKE

24 BY MS. HARLEY:

25 Q. I tell you what, let's do it the easy way. A lot of times

1 people don't know what seat they are in or what row they're in.  
2 So the easiest way is for you to tell me who was around you that  
3 you knew. First of all, you knew most of the people from the  
4 senior center?

5 A. Not most of them. We had quite a few new people on this  
6 trip.

7 Q. Okay.

8 A. I knew some of them because they travel with us on a regular  
9 basis.

10 Q. Okay.

11 A. But I cannot tell you who sat beyond the one -- I was in the  
12 front seat with a little tray like thing in front by the door.

13 Q. Okay.

14 A. My friend and the group leader was sitting next to me. I was  
15 her roommate. That's why I was up front. Normally, I'm in the  
16 back of the bus. But this is the first time I sat in the front of  
17 the bus in all the trips we've taken. And she was sitting next to  
18 me. And across the aisle was the other tour leader Mary Lucas.  
19 And next to her was her cousin Justine.

20 Immediately behind Carol and I were Mr. and Ms. Roble (ph.)  
21 and they were, Ms. Roble was trained to be another tour group  
22 leader. Not a tour guide but, you know, group leader for our  
23 group and her husband. They were right behind us.

24 I don't remember who was directly behind them and I have no  
25 clue from there on who was where. I know some people were at the

1 very back of the bus that normally sit back there, but I don't  
2 know, you know, exactly what seat they were in. I just heard that  
3 one person was laying on the very back seat and --

4 MR. MUNDY: Do you all have a chart or graph she can fill in  
5 with --

6 MS. HARLEY: Yeah, right. So, we're going to do that.

7 BY MS. HARLEY:

8 Q. But, first of all, you were by the window?

9 A. Yes. On the window side.

10 Q. You were in the front and by the window?

11 A. Right.

12 Q. And you were on the passenger side of the bus, right?

13 A. Right.

14 Q. And next to you was Carol. Is that Carol Bron-Wright?

15 A. Yes.

16 Q. Okay. I just want to make sure I guess the right Carol.

17 A. Yeah.

18 Q. Then across the aisle from you was Mary Lucas. Was she on  
19 the aisle seat or at the window?

20 A. She was on the aisle seat. Justine was in window seat.

21 MR. LaPONTE: Who?

22 MS. HARLEY: Justine.

23 MS. KIEKE: Justine is her --

24 MR. MUNDY: Do you know her last name?

25 MS. KIEKE: Nigrin (ph.).

1 MR. LaPONTE: Nigrin. We might have that too.

2 MR. MUNDY: Okay.

3 BY MS. HARLEY:

4 Q. So behind you were the Robles.

5 A. Uh-huh.

6 Q. That's Betty and J.C., right?

7 A. Right, yes.

8 Q. Okay. Where was Betty seated?

9 A. I think she was in the aisle seat but I don't know whether

10 they changed seats off and on or not, you know, but I just

11 remember them both being behind me. I think she was on the aisle

12 seat at that particular time, but I wouldn't swear to it.

13 Q. Okay. All right. So this is the -- well, let me turn it

14 around so you can actually see it right. This is actually the

15 driver's seat.

16 A. Right.

17 Q. And this is the door --

18 A. Right.

19 Q. -- coming up, so this is the front-loading door.

20 A. Uh-huh.

21 Q. So you were here at this window.

22 A. Right.

23 Q. Carol Bron was here.

24 A. Right.

25 Q. Mary Lucas was here.

1 A. Right.

2 Q. And this was Justine.

3 A. Right.

4 Q. Okay. And then --

5 A. The Robles were behind us.

6 Q. The Robles were behind them. Do you remember seeing Debbie,  
7 Debbie and Tim Orr come in?

8 A. They were somewhere in the middle. I have no idea. They  
9 were somewhere in this area here.

10 Q. Okay. They were on --

11 A. But I don't know exactly where.

12 Q. So you think that --

13 A. I don't know which side they were on. I really don't know.

14 Q. Okay.

15 A. Because they were, they were with friends. There's four of  
16 them that are very close. They do a lot of things together. And  
17 I don't know whether they were sitting in the aisle across from  
18 each other or whether they were, you know, one behind the other.

19 Q. Who were their friends that they were with a lot?

20 A. Cathy and Mike Turner.

21 Q. Okay.

22 A. They would have been close to them, but I don't know were  
23 they right across the aisle. Like I said, I had no idea -- they  
24 were high seats and I had no idea who all were sitting back here  
25 because every once in a while, they'll change seats and they'll

1 sit with other people and stuff. And we had a few empty seats, I  
2 think, because a couple of people didn't come on the bus and  
3 people were spread out.

4 MR. LaPONTE: Now, are these -- I'm sorry. I didn't mean to  
5 interrupt you. Are these assigned seats or you folks just get to  
6 pick your seats when you come on the coach?

7 MS. KIEKE: No. When you first get on the bus --

8 MR. LaPONTE: You pick a seat and --

9 MS. KIEKE: -- like I said, I usually sit in the back, but  
10 this time since I was Carol's roommate I sat in front with her.  
11 Normally, I'm sitting --

12 BY MS. HARLEY:

13 Q. Do people normally --

14 A. Most people have favorite seats.

15 Q. -- seat -- and they have their favorite seats?

16 A. Most people -- most of them that travel regularly, have their  
17 favorite seats and they go right to them, you know.

18 Q. Okay. The group that got on from Sealy, do you know them?

19 A. I did not know them at all.

20 Q. Okay.

21 A. I just know we picked them up in Sealy.

22 Q. Okay. And how many people got on; do you know?

23 A. I believe it was eight of them.

24 Q. Okay.

25 A. It was four couples, I think they were.

1 Q. Okay. All right. Okay.

2 A. And, of course, by the time they got on, there was probably  
3 only some seats right in here, you know, toward the --

4 Q. Okay. Who --

5 MR. LaPONTE: Did they -- I'm sorry. Go ahead.

6 BY MS. HARLEY:

7 Q. I was going to say who arranges for them, because they are  
8 not part of the senior center? How do they get notified about  
9 these events?

10 A. Well, there's a -- our senior center has a website. We do  
11 these on a regular basis. So a lot of people, you know, word of  
12 mouth spreads around. And most people come that are not in the  
13 city of Bastrop or nearby would, you know, drive to Bastrop and  
14 get on the bus. But because we were going right, pass through  
15 Sealy, they decided that why come all the way up from Sealy to  
16 Bastrop then back down again. So we said we would pick them up,  
17 you know, in Sealy. And so that's what happened. We don't often  
18 do that.

19 Occasionally, we have some people to come out of Austin on  
20 these tours and we go into the Randall's in Austin pick up three  
21 or four people. But this time everybody was on the bus except the  
22 eight from Sealy, as far as I know.

23 Q. So who arranged to make sure they got picked up? Was that  
24 Carol's job?

25 A. Yes.

1 Q. Okay.

2 A. Carol is the head of the travel committee. She and Mary work  
3 closer together.

4 Q. Okay.

5 BY MR. LaPONTE:

6 Q. Okay. So who are on the travel committee? Carol, Mary --

7 A. Carol -- Well, Bron is her maiden name and sometimes she uses  
8 Bron-Wright and other times she just uses Carol Wright. So you  
9 won't see it, you know, just plain Carol Wright. Carol and Mary  
10 and they were training Betty Roble because their other -- and, of  
11 course, Carol's husband Cliff who was not with us on this trip.  
12 Those three and Betty was being trained to be a group leader. She  
13 had just -- she's traveled with us before but they were training  
14 her to be a group leader because the original one had passed away  
15 a year or so ago.

16 But she had been on -- they go on trips with us all the time.  
17 But now she was in training to be a group leader.

18 Q. So, what does a group leader do that, I mean, you know,  
19 officially or unofficially?

20 A. The travel committee at the senior center, and we have been  
21 using Diamond Tours for a long time, calls Diamond Tours, says  
22 what kind of tours do you have for 7 days or whatever. Sometimes  
23 they are 11 days. What do you have available and, you know, cost  
24 and that kind of stuff.

25 So, Carol makes the arrangements with Diamond Tours. Diamond

1 Tours does all the itinerary and the excursions, what we are going  
2 to do. And Carol is just the person that is the contact person.  
3 Carol and Mary both are basically are the contact people if  
4 Diamond Tours has to make a change or something like this happens,  
5 you know, they would be the contact people. And they get the list  
6 of all the emergency contacts and have them available and they,  
7 you know, get the tags to give to everybody and make sure  
8 everybody gets a copy of the itinerary about a week or so before.

9 Q. Okay.

10 A. But that's their job.

11 MR. MUNDY: Mike, do you mind if I ask a question?

12 MR. LaPONTE: Sure. By all means.

13 BY MR. MUNDY:

14 Q. Kaye, you said Betty was being trained to be a group leader.

15 A. Uh-huh.

16 Q. Who was training her?

17 A. Carol and Mary. Yeah, it was the senior center group leader.  
18 Not the tour guide or Diamond Tours guide. It was just she was  
19 another member of the senior center --

20 Q. Okay.

21 A. -- that it's all volunteer and nobody gets paid.

22 Q. Diamond Tours wasn't doing it?

23 A. Oh, no, no, no, Diamond Tours had nothing --

24 Q. All right.

25 BY MR. LaPONTE:

1 Q. So they are there just to make sure that everything goes  
2 smoothly?

3 A. Right. And they are the main contacts; you know, Diamond  
4 Tours doesn't have to contact everybody for every little thing.

5 Q. Right.

6 A. So if we had a problem like somebody didn't like the hotel  
7 rooms, something like that, they would go to Carol and then Carol  
8 would make arrangements with --

9 Q. Would --

10 A. -- well, I can say Diamond, but it would be the hotel if they  
11 needed to change the room if something was not right with the  
12 room.

13 Q. Okay.

14 A. Then Carol is the one that did, you know, talking to the  
15 hotel people to change it if it had to be changed or something.

16 Q. Uh-huh. Okay.

17 A. And if we had a person that got sick on the very first day  
18 and went back before we --

19 Q. Yeah, someone said that.

20 A. -- got in Lafayette. She never went beyond Lafayette,  
21 Louisiana.

22 Q. Okay.

23 A. But she made arrangements, you know, made arrangements for  
24 her to go back.

25 Q. So at that point in time it went from 50 folks to 49; is that

1 correct? Do you remember?

2 A. I don't remember exactly how many total we had to be honest  
3 with you.

4 BY MR. MUNDY:

5 Q. You say there were a couple empty seats, how many?

6 A. Well, the bus holds -- the bus has a numbering system and it  
7 has 56 seats in those big buses. And it seems like invariably in  
8 every one of these trips there's always somebody who cancels out  
9 at the last minute and it's too late to even fill them. But I was  
10 thinking -- I thought I heard her say it was 52 people. And we  
11 lost one. That made it down to 51. And then another couple, an  
12 older gentleman has a lot of problems and he fell out of his bed  
13 the night before at the hotel in Bay St. Louis.

14 Q. Oh, okay.

15 A. And so he and his wife did not get on the bus.

16 Q. Get on the bus.

17 A. They stayed at the hotel Bay St. Louis and that dropped it  
18 down two more.

19 BY MR. LaPONTE:

20 Q. All right. So you had -- you started with 52.

21 A. I think. No, no --

22 Q. And then one person got sick in and stayed in Lafayette and  
23 returned to Texas.

24 A. Home, yeah.

25 Q. And then a couple didn't go on the bus that day. That's part

1 of the problem is we got conflicting --

2 MR. MUNDY: The numbers.

3 BY MR. LaPONTE:

4 Q. -- numbers of folks that were on the coach at the time of the  
5 crash.

6 A. Well, I know the total number three were not on the bus that  
7 were passengers.

8 Q. Okay.

9 A. That much I can tell you. And if I'm off on the 50 or 52 --

10 MR. MUNDY: But the man and wife did not board that morning?

11 MS. KIEKE: No. No. They stayed at the hotel Bay St. Louis,  
12 the Lutrells.

13 MR. LaPONTE: Okay. Because the list we have -- this is from  
14 Biloxi P.D.; is it not?

15 MS. HALEY: Uh-huh.

16 BY MS. HARLEY:

17 Q. So one of the things I need your help with is kind of  
18 identifying some of these people and just trying to associate  
19 whether they are with the senior center or whether they were part  
20 of the Sealy group.

21 A. Uh-huh.

22 Q. Now, Donna is part of the senior center?

23 A. Yeah, Donna Bartsch and her sister Starr --

24 Q. Starr Waneck?

25 A. Yeah. It's her sister. They were roommates.

1 Q. Do you know a Linda Cox?

2 A. Yes.

3 Q. Okay. Is she part of the senior center?

4 A. Yes. She lives in -- Austin but she's still a member of our  
5 senior center and she goes on all our trips with us.

6 Q. Okay.

7 A. She goes gambling with me occasionally.

8 Q. Okay.

9 A. And she stays here.

10 Q. And --

11 MR. LaPONTE: They have casinos here?

12 MS. KIEKE: No. No.

13 MR. LaPONTE: Or you guys just sneak into the church bingos?

14 MS. KIEKE: No.

15 BY MS. HARLEY:

16 Q. Okay. Janie Cruz?

17 A. I think she's from Austin. She and her sister I think?

18 Q. Louisa?

19 A. Louisa, yeah, they were together.

20 Q. Oh, okay, all right.

21 A. But this time they drove down to Bastrop to get on the bus.

22 We did not pick them up in Austin.

23 Q. Oh, okay.

24 A. But they go with us quite often.

25 Q. All right.

1 A. And they are outside guests. They are not members of the  
2 senior center.

3 Q. Okay. All right.

4 A. But they are regular on -- like I said, you're not required  
5 to be a member of the senior center to take a tour.

6 MR. LaPONTE: To do these tours?

7 MS. KIEKE: Yeah.

8 BY MS. HARLEY:

9 Q. Yeah, right. Okay. Helen Dailey?

10 A. Yeah, I know her.

11 Q. Okay. Did you see Helen on the bus?

12 A. Yes. She was on the bus.

13 Q. She was on the bus. Do you know where she was on the bus  
14 when you saw her?

15 A. Somewhere in the middle. I have no idea.

16 Q. Okay.

17 A. Helen is -- was roommate with Joyce Hoffman, I believe.

18 Q. Okay.

19 A. Helen is a member of the senior center. Joyce wasn't. But  
20 they were friends.

21 Q. Okay. Jim DeLacruz and Josie DeLacruz?

22 A. I don't know them very well at all.

23 Q. Okay. Do they normally -- are they normally up in this area  
24 or did they --

25 A. I don't think -- they are not members of the senior center to

1 my knowledge --

2 Q. Okay.

3 A. -- but they often travel with us. I just don't know them  
4 very well.

5 Q. Okay. Mollie Dubois, Dubois?

6 A. Dubois, yes.

7 Q. Dubois, I'm sorry.

8 A. Yes.

9 Q. Mollie, so --

10 A. She was admitted -- on this particular trip she was Linda  
11 Cox's roommate and she was in the back of the bus. I know that  
12 much, but I don't know which seat back there.

13 Q. Oh, okay. So she was Linda Cox's roommate. She was in the  
14 rear of the bus. Okay. All right. Francis Fife?

15 A. Don't know her.

16 Q. Don't know --

17 MR. MUNDY: She's one of my clients.

18 MS. KIEKE: Oh, is that Skip?

19 MR. MUNDY: Uh-huh.

20 MS. KIEKE: Yeah. I knew -- I didn't know Sharon's roommate,  
21 but I knew -- okay.

22 MR. LaPONTE: Have you spoken to her?

23 MS. HALEY: No.

24 MR. MUNDY: Somebody interviewed her in the hospital.

25 MS. HALEY: Right.

1 MR. MUNDY: Michele, I believe.

2 MS. HALEY: Yeah.

3 MR. LaPONTE: Michele Beckjord.

4 MS. HALEY: Yeah.

5 MR. MUNDY: And I have asked for a copy, but I haven't gotten  
6 a copy of that.

7 MS. HALEY: I tell you what, I'll make sure when I get back  
8 to Washington --

9 MR. MUNDY: That will be great. That and then Sharon Nokes  
10 is my other client. They were traveling together.

11 MS. HALEY: Oh, okay.

12 MR. MUNDY: Sharon is a member of the senior group. Skip is  
13 not. Skip -- they are friends and how Sharon just got Skip to go  
14 along on the trip.

15 MS. HALEY: So, Frances is called Skip?

16 MR. MUNDY: Yes.

17 MS. HALEY: Okay, all right.

18 MS. KIEKE: Yeah, I didn't know.

19 MR. MUNDY: I know that's why you just said Frances like,  
20 who? Everybody would know her as Skip.

21 MS. HALEY: Okay.

22 MR. MUNDY: But she was interviewed by Michele and then a day  
23 or two after --

24 MS. HALEY: Right. I remember Frances was.

25 MR. MUNDY: She was in ICU and then Sharon has been

1 interviewed also the same, you know, within a day or two, I  
2 believe also by Michele. So if I could get copies of those I  
3 would appreciate it.

4 MS. HALEY: Okay. All right.

5 MR. MUNDY: They were seated on the passenger, you know, the  
6 door side about halfway back.

7 MS. KIEKE: Right.

8 MR. MUNDY: They were pretty close to the, you know, center  
9 of their area buckled up.

10 MS. HALEY: Were they together?

11 MR. MUNDY: Yes.

12 BY MS. HALEY:

13 Q. Were they seated together?

14 A. Most of the people sit with their roommates.

15 Q. Oh, okay.

16 A. Like I say, occasionally, like we had a few extra seats  
17 because, especially because the other couple didn't come.  
18 Sometimes one will get one seat, one get one in front of it or  
19 something like that. You know, they will spread out a little bit.

20 MR. LaPONTE: So they can go to the strip mall together?

21 MR. KIEKE: But when we start out almost everybody -- yeah.

22 BY MS. HARLEY:

23 Q. Gladys Frank?

24 A. Don't know her.

25 Q. Okay. How about Eugene and Janice GasKamp?

1 A. I believe -- I can't swear to it, but I believe they were  
2 from Sealy.

3 Q. Okay. Let's see, Mary Ellen Hall?

4 A. I know her. And I'm not sure who her roommate was, but I  
5 know she was in the back of the bus. But that's all I know.

6 Q. Oh, okay. So Mary Ellen was in the rear.

7 A. I'm not sure who's her roommate. Obviously, if I see a name  
8 further down I might recognize it.

9 Q. Darwin and Marie Hanna?

10 A. Yes. They are members of the senior center.

11 Q. Okay. All right. Let's see, we have Annie May and Clint  
12 Havran?

13 A. Is he the man that died?

14 Q. Yes.

15 A. Yeah, well, they were -- I know they were from Sealy.

16 Q. They were from Sealy.

17 A. Yeah.

18 Q. Okay. So then we have Joyce Hoffman?

19 A. And Joyce was with Helen Dailey.

20 Q. And Joyce was with Helen.

21 A. Yes.

22 Q. Okay. And then Kenneth and Peggy Hoffman?

23 A. They were the ones I think out of Lockhart, weren't they?

24 Q. Yes.

25 A. Weren't they the ones killed out of Lockhart?

1 Q. Yeah.

2 A. Yeah. I didn't know them personally, but they drove in from  
3 Lockhart. See, the banks in that area allow us to use that big  
4 parking lot they have up there --

5 MR. LaPONTE: Oh, in Bastrop?

6 MS. KIEKE: -- in Bastrop to leave the cars for a week, you  
7 know. So a lot of people drive in and just leave their cars  
8 there.

9 BY MS. HARLEY:

10 Q. Did you by any chance see them on the bus?

11 A. No. I have no idea who they were.

12 Q. Oh, okay. Betty Kahanic?

13 A. I know her. I think she was maybe she was the one that was  
14 right behind the Robles because they did get off, Betty and her  
15 roommate whoever she was with. I can't remember the name now.

16 Q. Was it Betty's roommate that actually went back home?

17 A. I have no idea.

18 Q. Okay.

19 A. I was in the hospital and getting blood. I have no idea what  
20 -- you know, who went home first and all that kind of stuff.

21 Q. Oh, no, no. I was -- the lady who got sick in Lafayette; was  
22 that Betty's --

23 A. You know, I think it was. Because she had someone else  
24 sitting with her. I remember that. I don't know who it was.

25 Q. Okay. All right. Charles and Mary Ellen McKeathley?

1 A. McKeathley, yeah, they are --

2 Q. They are --

3 A. They are not members of -- see, originally, these tours were  
4 also in connection with the First National Bank --

5 Q. Oh, okay.

6 A. -- which has a thing in Smithfield, Elgin, and as well as  
7 Bastrop branches, and they used to be sponsoring it. But they  
8 don't do it anymore.

9 Q. Okay.

10 A. So a lot of times, you know, the people who knew about our  
11 tours through the --

12 MR. MUNDY: Through the bank. But did the bank sponsor this  
13 one?

14 MS. KIEKE: No.

15 MS. HALEY: No.

16 MS. KIEKE: They stopped sponsoring it last year because the  
17 lady who used to do it for them retired.

18 MS. HALEY: Okay.

19 MS. KIEKE: Anyway, yeah, they were husband and wife and they  
20 were somewhere in the middle.

21 BY MS. HARLEY:

22 Q. So, let's see, and Yvonne Kyle?

23 A. Yvonne is a member of the senior center and her sister, and  
24 I'm trying to remember her sister's name. She and her sister were  
25 roommates.

1 Q. Oh, okay.

2 MR. MUNDY: They have it on their list.

3 MS. HALEY: Yeah. That would be --

4 MR. LaPONTE: We don't have the roommate.

5 MS. KIEKE: They don't know who's whose.

6 MS. HALEY: Right.

7 BY MS. HARLEY:

8 Q. So, I think Yvonne's sister is Lisa.

9 A. Yeah, this one is right. Yeah.

10 Q. All right. So, Debra King?

11 A. Don't know her.

12 Q. Okay. I'm also having a hard time locating Ms. King. Okay.

13 Aubrey and Karen Landrum?

14 A. Don't know them. They might have been Sealy people, but I

15 don't know.

16 Q. Okay.

17 MR. LaPONTE: Right. I think they are.

18 MS. HALEY: All right.

19 MR. LaPONTE: I think those are the folks I'm seeing Thursday

20 in Cat's Meow or Cats Springs or Cats Whisker.

21 MS. KIEKE: Yeah, that would be them, close to Sealy.

22 MR. LaPONTE: Some place down there.

23 BY MS. HARLEY:

24 Q. Okay. Let's see. Rachel Martinez.

25 A. Don't know her.

1 Q. Don't know Rachel. Jill McCain, McCann?  
2 A. McCann -- Cain, yeah, I think it's Cain. I know who she is.  
3 I'm not sure exactly who her roommate was or where she was  
4 sitting.  
5 Q. Okay. All right. Duane and Kim McKervey.  
6 A. Don't know them.  
7 Q. Okay. Gloria Medina.  
8 A. Don't know her.  
9 Q. Okay. Dorothy Milberger.  
10 A. Don't know her, but I think she was a Sealy person, but I  
11 won't swear to it.  
12 Q. Okay.  
13 A. They not a member of the senior center.  
14 Q. Okay. So you said Sharon Nokes was actually sitting with  
15 Skip.  
16 A. Right.  
17 Q. Okay. All right. And then Justine was sitting with Mary,  
18 which is her cousin.  
19 A. Right, yeah.  
20 Q. Okay. We already talked about Debbie and Tim. And we've got  
21 Betty and Joseph Roble. Mary Martinez.  
22 A. Not sure who she is.  
23 Q. I'm sorry, if I pronounce her name right, you may be able to  
24 recognize. Mary Ramirez.  
25 A. Oh, no, I'm not sure. Still don't know who it is.

1 Q. Okay. Phyllis Torres, or is it Pricilla Torres?

2 A. It may be Pricilla, but I'm not sure.

3 Q. Pricilla.

4 A. I don't know her very well. But I remember the name  
5 Pricilla.

6 Q. Okay. So you say Kathy and Mike Turner were friends with Tim  
7 and Debbie?

8 A. Yeah.

9 Q. Okay. How about --

10 A. And they were sitting close together. Whether they were back  
11 in front of each other or whether they were across the aisle, I'm  
12 not sure.

13 Q. Okay.

14 A. But they do everything together.

15 Q. Okay.

16 A. The two couples.

17 Q. Don't know Fanny Orr and then we have Evelyn Viot.

18 A. Don't know who that is.

19 Q. Okay. All right. So, if you don't mind, I'm going to ask  
20 you to start from the morning of the crash and tell me where you  
21 were and then just move forward through time until you get to the  
22 crash, if you can.

23 A. Let's see. We slept in because we didn't have to get up on  
24 -- until when I call her. So Karen and I both are not morning  
25 people so we slept in. It was about 10 o'clock before we ever got

1 out of the room. And then we went down to the little grill they  
2 have downstairs and had some lunch. And then we just sat around  
3 talking waiting for the, you know, to get on the bus.

4 Q. What time did you get on the bus?

5 A. I think we were supposed to leave at 1:30, so I think we got  
6 on the bus 1:15. We try to get on the bus 15 minutes ahead of  
7 time, get everybody on. So I think we were supposed to leave at  
8 1:30.

9 Q. Okay. All right. So after you got on -- after you were on  
10 the bus, what happened then?

11 A. Well, we just waited for everybody else to get down there and  
12 get on the bus and then took off to go toward Biloxi.

13 Q. Okay. All right. While you are en route to Biloxi did  
14 anything different, did anything change?

15 A. Well, everybody asked to -- or several people asked to go on  
16 the scenic route. And so Carol got on, you know, the thing and  
17 said how many want to go the scenic route rather than go back up  
18 to I-10? And everybody raised their hand. So, at least everybody  
19 I could see raised their hand. And so the bus driver took us down  
20 90 down along the, you know, the coast.

21 Q. Okay.

22 BY MR. LaPONTE:

23 Q. He was already en route to go to US-10 at this point when  
24 she --

25 A. No, we had just gotten out of the -- the casino is back a

1 little bit way off of the road.

2 Q. Uh-huh.

3 A. And then you got to come off the road to get to 90. And we  
4 were up there getting close to 90 and that's when they decided  
5 they wanted to go. Instead of going right to 10, we went left,  
6 continuing on down 90 along the coast.

7 Q. Oh, okay. How did the folks hear about the scenic route?

8 A. Most of them knew about it.

9 Q. Of course.

10 A. I mean, everybody wants to go along the Gulf Coast, you know.

11 Q. Yes.

12 A. And there are some trees along the way getting close into  
13 Biloxi that somebody had carved them and made birds and dolphins  
14 and it's really pretty to see.

15 Q. Okay.

16 A. And so Carol was telling the people, you know, we have this  
17 neat little thing. So we were all anxious to see that, which we  
18 did on the way down. And, you know, that's -- so when we got into  
19 Biloxi I heard the GPS said he turned down Main Street. I could  
20 hear that.

21 Q. Okay. That was going to be one of my questions.

22 MR. MUNDY: It was audible?

23 MS. KIEKE: It was audible for those right there in the  
24 front. Yeah.

25 BY MS. HARLEY:

1 Q. All right.

2 A. And so he was following, apparently following the GPS because  
3 we turned down Main Street off of 90.

4 Q. Out of curiosity, did you see the GPS before that? Was the  
5 driver actually --

6 A. It was sitting up on the, you know, the glass, sit right like  
7 -- if he's here, then it's right here. And, yeah, I can see it.

8 Q. Oh, okay.

9 MR. MUNDY: So, on the dashboard?

10 MS. KIEKE: Yeah, well, just above the dashboard. I don't  
11 know whether it was on the glass itself or whether it was sitting  
12 on the dashboard. But it was like right here. He was here and --

13 MR. MUNDY: In front of the steering wheel?

14 MS. KIEKE: No, not in front of the steering wheel. It was  
15 over to the side.

16 MR. MUNDY: What side; right or left?

17 MS. KIEKE: Left.

18 MR. MUNDY: Okay.

19 MS. KIEKE: You know, I'm the driver and it's sitting right  
20 here, I can --

21 MR. LaPONTE: Did he use that from the time he picked you  
22 folks up in Bastrop; do you remember, all the way to --

23 MS. KIEKE: I have no idea. I mean, you know, I didn't pay  
24 attention. I mean, most of those drivers do use their GPSes  
25 rather than, you know, other things because sometimes the --

1 anyway, I'm assuming he did but I can't tell you for sure.

2 BY MS. HALEY:

3 Q. All right.

4 A. But I do know it was on when we got into Biloxi because I  
5 heard it say, you know, turn left on Main Street. It definitely  
6 said Main Street.

7 Q. Okay. So after he turns left on Main Street, what is the  
8 next thing that you remember?

9 A. Well, we saw the railroad tracks ahead and he got up to it.  
10 He stopped at just before he got on, opened the door and then  
11 closed the doors, and started going up the incline. And when he  
12 got to the top, he stopped. Well, as he got to the top all of us  
13 in the front could see that it was really steep on the other side  
14 and he stopped.

15 And at that point Carol blocked my view because she was --  
16 she's probably at least as big as I am, if not a little bigger.  
17 So she completely blocked my view and she was leaning over towards  
18 the driver and they were talking. So I have no -- from that point  
19 on I can't tell you what they said or anything, or I didn't see  
20 what other actions were being done at that point.

21 Q. Okay. So when did you realize the bus was in trouble?

22 A. Mostly when I heard the thing scrap on the bottom and that  
23 was --

24 BY MR. LaPONTE:

25 Q. So you could hear the bus scrapping as it crossed the tracks?

1 A. No, not going up. When we got up it was --

2 Q. It was fine.

3 A. -- it was fine. It seemed to be fine anyway.

4 Q. Uh-huh.

5 A. And then he stopped. He and Carol were conversing because  
6 she was leaning way over toward him, and then all we heard -- then  
7 I heard the scraping. I assume it's when we were backing up, but  
8 I don't know for sure. You know, we heard the scraping, and  
9 within a short period of time the lights went on and the bar came  
10 down.

11 Q. Did you get off the coach?

12 A. No. Carol had me pinned -- pretty well stuck where I was.

13 Q. Did Carol get off --

14 A. No, Carol was like, you know, the captain of the ship. She  
15 was not going to get off until everybody else got off. And so --

16 MR. MUNDY: Okay. Now, you say a short time the lights came  
17 down -- I guess we'll get more of this, but from when you all --  
18 from when you heard the scrape, how long was it until the train  
19 actually hit the bus?

20 MS. KIEKE: That I couldn't tell you.

21 MR. MUNDY: Was it minutes or --

22 MS. KIEKE: Well, it wasn't seconds, but it was just a few  
23 minutes. I never saw the train. She was blocking my view. I  
24 heard the whistle.

25 MR. MUNDY: Okay.

1 MS. KIEKE: But I never saw the train.

2 MR. MUNDY: But from the time you hear the scrape till the  
3 impact is some number of minutes?

4 MS. KIEKE: Again, I don't know if I would say that in court  
5 or not, but I would assume not more than 5 minutes, somewhere in  
6 that -- a few minutes in that area.

7 MR. MUNDY: Okay. But it's minutes, not seconds?

8 MS. KIEKE: No, no. It was just a few minutes.

9 MR. MUNDY: All right. I was just --

10 MS. KIEKE: I'm not sure.

11 BY MS. HARLEY:

12 Q. Okay. Then you heard the train whistle?

13 A. I heard that after, you know, he had opened the doors and  
14 told people to get off, then I heard the train whistle.

15 Q. So the driver told people to get off?

16 A. Yes.

17 Q. All right. Do you know who got off the bus?

18 A. And there were six people that got off the bus and got away.

19 And there was Mary and Justine, the Robles, Betty Kahanic and  
20 whoever she was with. Those are the six that, you know, got off  
21 and ran down the path or whatever that was, that little incline.

22 The other three people that apparently got off didn't get either  
23 off the tracks or just getting off or whatever. I don't know.

24 But they are the ones that got, you know, swept under.

25 Q. Okay.

1 A. Yeah, they were off the bus when they got swept under. Then  
2 I found out later that the fourth person died, actually had a  
3 heart attack on the bus.

4 Q. Okay. When the driver told the passengers to get off the  
5 bus --

6 A. Uh-huh.

7 Q. -- did you -- how do I explain this -- was the aisle-way  
8 blocked with people trying to get off the bus?

9 A. Behind me probably. I don't --

10 Q. Okay.

11 A. Of course, it was clear right there because the first few  
12 seats had gotten off.

13 Q. Okay.

14 A. And I know the high backs and I was looking, you know, more  
15 toward -- actually I was looking at Carol's back, is what I was  
16 looking at because I didn't want to see that train. I could hear  
17 it. I didn't want to see it.

18 Q. Okay.

19 A. But I don't know how many people were in each other's ways in  
20 the back. I just remember hearing one person; I couldn't tell you  
21 if it was a man or woman saying hurry up, you're blocking us. And  
22 I heard this gentleman say, I'm going as fast as I can.

23 But we had several people on that bus that had canes and were  
24 slow, you know, so I don't know, you know, where the people were.  
25 I guess, you know, I have no idea. I really couldn't tell you.

1 MR. MUNDY: Well, just what you heard --

2 MS. KIEKE: That's what I heard, the two things, and  
3 everything else is quite. And, of course, when the train hit I  
4 was holding onto this little handle-like thing and I had this  
5 metal -- not metal but a plastic, you know, tray like in front of  
6 me. And I was holding onto that and I felt the impact, the glass  
7 shattering and I closed my eyes. I didn't want to get glass in my  
8 eyes. As soon as I felt the impact, I close my eyes and then when  
9 I opened them again, I was flat on my back on the floor. So I  
10 must have passed out -- I must have hit something and passed out  
11 for a few seconds.

12 MR. LaPONTE: Where was Carol?

13 MS. KIEKE: Carol was on top of me.

14 MR. LaPONTE: Okay.

15 MR. MUNDY: So you wake up and she's laying on you?

16 MS. KIEKE: Well, I can't say I'm waking up. I don't  
17 remember waking up. I just remember I opened my eyes and --

18 MR. MUNDY: She's on top of you?

19 MS. KIEKE: She's on top of me and my leg is caught, you  
20 know, like this, and I couldn't, you know, move because her weight  
21 was on top of me.

22 BY MS. HARLEY:

23 Q. And you were, if you look at this --

24 A. I was in this aisle-way here.

25 Q. -- you were in the aisle-way right here?

1 A. Right here. My legs were where our seats were and my head  
2 was probably right behind, not quite behind the seat but right,  
3 you know, toward the back.

4 MR. MUNDY: Pointed towards the back of the bus feet towards  
5 the front?

6 MS. KIEKE: Yeah, my head was toward the back of bus, my feet  
7 was here.

8 BY MS. HARLEY:

9 Q. Your feet was towards the front?

10 A. Yeah. One leg was out, but the other one was bent and Carol  
11 was kind of at this angle partly on the aisle and partly --

12 Q. I tell you what, why don't you mark it the best you can to  
13 show how you guys were --

14 A. Okay. My head --

15 MR. MUNDY: Make little stick figure.

16 BY MS. HARLEY:

17 Q. Yeah.

18 A. My head was there. My arms were free. And this leg was bent  
19 back like this.

20 Q. Oh, okay.

21 A. And this leg was sticking out like this. And she was -- her  
22 head was here.

23 Q. Okay.

24 A. The bulk of her body was over me and I'm not sure whether her  
25 legs were down here. I think -- I don't get the impression that

1 she was up here because she was -- her full weight was on me. So  
2 her legs, her knees must have been right on the, you know, on the  
3 floor. You know, this is where her legs were. What position they  
4 were in I couldn't tell you.

5 Q. Oh, okay.

6 A. And all she said was I can't breathe, and I said, slow down,  
7 they are coming, you know, and they'll get us out and that's --  
8 you know. And then, the bus driver, I don't know where he landed.  
9 But he must have been somewhere in here because I do remember when  
10 they got the doors open, they took him out. Then they got Carol  
11 up and got her out, and then they got me out. And after that I'm  
12 sitting in the triage area.

13 Q. Okay. So I'm just going to put this down here and this is  
14 going to be to -- say Carol, okay?

15 A. Uh-huh.

16 Q. And this is you, Kaye.

17 A. Kaye, K-a-y-e.

18 Q. All right. Okay. The passengers on the bus, you said some  
19 of them were using canes. Was anybody -- did anybody use a  
20 walker, anybody have a wheelchair?

21 A. There's a couple that used a walker but they were under the  
22 bus. They were not in the bus. The walkers were under the bus.

23 Q. Okay. Okay.

24 MR. MUNDY: They were in the luggage area of the bus?

25 MS. KIEKE: Luggage area of the bus. Yeah. And then, of

1 course, when he gets out, he goes out and opens it up and brings  
2 those out and sits them by the end of the stairs so the people  
3 when they come down --

4 MR. LaPONTE: We recovered at least one walker that I  
5 returned.

6 MS. KIEKE: Mary Ellen Hall I know had a walker. One  
7 gentleman somewhere in the middle had one of those bigger walking  
8 canes that had, you know, legs on the bottom and all kind of  
9 stuff. I did not have -- this is recent.

10 MR. MUNDY: This is new.

11 MS. KIEKE: I didn't have it on the bus.

12 MR. MUNDY: A new accrument.

13 MS. KIEKE: Yeah, you know, because I'm still having a little  
14 trouble with this knee here. And I know Lowell used a cane but  
15 Lowell wasn't on the bus at the time of the accident. He was the  
16 one that stayed back.

17 MS. HALEY: Oh, stayed back.

18 MS. KIEKE: Yeah, and he had a cane. He was very slow but he  
19 was not on the bus at the time. So maybe it was just that one  
20 gentleman, and then Mary Ellen had the walker underneath in the  
21 luggage.

22 BY MS. HARLEY:

23 Q. Okay. Now, the gentleman that had the walker was he from  
24 basically, your church group or was he part of the Sealy group?

25 A. I have no idea.

1 Q. Okay.

2 A. I didn't recognize him.

3 Q. Okay.

4 A. And I can't remember if he got on with them in Sealy or not.

5 Q. Okay.

6 A. You know I don't remember. Anyway, he was not one of our  
7 regular senior center members.

8 Q. Okay. Is there anything else that you can tell me about  
9 this, about where other people were laying or if you remember  
10 anyone else that was within your sight at the time?

11 A. Well, there was one lady and I don't know how, I guess, let's  
12 see. If I was here she must have got -- somehow ever she was  
13 either here or here. And she said my glasses, get my glasses.  
14 And another lady named Donna was jumping over seats trying to  
15 check people. She's one of those kind, you know, can't sit still  
16 anyway and she had a bad back to start with. And I said, Donna,  
17 sit down; you're going to hurt yourself worse. And I don't know  
18 if she did or not.

19 But I do know that when she raised her foot up here some lady  
20 back here -- I guess it was this seat, said there's my glasses.  
21 Can you get them for me? And I was able to reach back and  
22 alongside the aisle and I picked them up and I gave them to her.  
23 I could not tell you who the lady was.

24 Q. Okay.

25 MR. MUNDY: This is while you're laying on the floor?

1 MS. KIEKE: Yeah, I'm laying on my back like this. I reached  
2 back and got those glasses and gave them to her, but I could not  
3 tell you who it was I gave it to.

4 And I don't know when Donna got off the bus. I don't know,  
5 you know, how she did it but she really did hurt her back worse by  
6 jumping around like she did, but, you know, I don't know how much.

7 BY MS. HARLEY:

8 Q. Okay.

9 A. And I haven't seen -- Donna did visit me over at the rehabs.  
10 So I saw her and she was wearing this big brace and everything and  
11 was going to get MRIs the next day.

12 MR. MUNDY: Well, they asked you where people are. So let's  
13 stay on that.

14 MS. KIEKE: Well, that's where -- Donna was bouncing around  
15 these seats here.

16 BY MS. HARLEY:

17 Q. Oh, okay.

18 A. Now, where she landed I don't know. But she was crawling,  
19 actually, crawling over the seats. But I don't remember that --  
20 like I said, that one lady I gave her her glasses, and that's all  
21 I remember. I have no idea what was going on in the rest of the  
22 bus because I couldn't see anything.

23 Q. That other lady you are speaking about, could you see her?  
24 Did you know who she was or --

25 A. Which lady, the one I gave the glasses to?

1 Q. Glasses to, yeah.

2 A. No, I have no idea who she was.

3 Q. You didn't know.

4 A. I just heard somebody saying my glasses and I saw them there.  
5 So I picked them up and I handed them back like this.

6 Q. Oh, okay.

7 A. And she took them, whoever it was. I don't know which person  
8 it was.

9 Q. Okay.

10 A. Because I didn't even realize my own glasses were not on my  
11 face until I got to the ER and the doctor looked at me, he said,  
12 you had glasses on; didn't you? And I went yeah, I did. I had  
13 raccoon eyes.

14 Q. Oh, where they came --

15 A. These are my second pair.

16 MR. LaPONTE: Did you get those back from --

17 MS. KIEKE: No. No. I never did find the glasses that I had  
18 on the bus.

19 MR. LaPONTE: Okay.

20 MS. KIEKE: I don't know whether they got broken or --  
21 because like I said, I didn't even realize I had lost them because  
22 I had cataract surgery and I had intermediate lenses. So I can  
23 see fairly good, but in a 15-foot radius. I can't see to read or,  
24 you know, long distance, but like, you know, I can see all around  
25 here and tell you what color these cars are and like that without

1 my glasses. So I didn't even realize I didn't have them on until  
2 I got to the ER and the doctor said you must have had glasses on,  
3 because I had the -- and my nose was all swollen up in here.

4 BY MS. HARLEY:

5 Q. Okay. Well, pretty much that's about all the questions I  
6 had. A couple things: Is there anything you think I should have  
7 asked you and I didn't?

8 MR. MUNDY: I'm going to object to that.

9 MS. HALEY: Okay.

10 BY MS. HARLEY:

11 Q. As far as, what I'm talking about as far as --

12 A. Well, this is what I remember.

13 Q. Right. As far as the crash, as far as where people were and  
14 where people ended up after the crash?

15 A. And that I couldn't tell you except that I did see Donna  
16 crawling over some seats and, of course, Carol was on top of me  
17 and whoever that lady was got her glasses back.

18 Q. Oh, okay.

19 A. And that's all I can tell you as far as, you know, after the  
20 impact.

21 Q. Okay. All right.

22 MR. MUNDY: I can tell you all one thing, and it's hard to  
23 parse it out, but, you know, in investigate her she's told me, you  
24 know, a few times that, you know, from that I used as reference  
25 points for time the scraping, hearing the scraping versus, you

1 know, actual impact time. And she's put that at, you know, 5  
2 minutes give or take a little bit, and then I've tried to break  
3 that down into the -- it's you hear the scraping, how long is it  
4 before you hear the clanging of the arm warning bells versus after  
5 that till impact, you know. And it's -- she had, you know, as far  
6 as she didn't have a clock running or anything, but, you know,  
7 she's -- what she's told me a couple of times is there's like a,  
8 say, a 1 or 2-minute window from the scraping till the warning  
9 bells go off.

10 MS. HALEY: Right.

11 MR. MUNDY: And then --

12 MS. KIEKE: Right. It was a very short period of time.

13 MR. MUNDY: Well, let's not say whether it's short or long.  
14 Short means one thing to you. It means something different to an  
15 airline pilot or a bus driver. But, you know, trying to parse it  
16 out from time of scraping till hearing the warning bells on the  
17 crossing, you know, a minute or two and then, you know, an  
18 extended period from that until time of impact.

19 MS. KIEKE: A few more minutes you could, you know, hear the  
20 horn.

21 MR. MUNDY: Yeah. And if the driver -- the driver stood up  
22 to come to tell them to get off after the point of when the bells  
23 started going off on the crossing arms.

24 MR. LaPONTE: Okay.

25 MR. MUNDY: So that's, you know, how you parse it down is 5

1 minutes total, you know, is it 2 or 3 on either, you know,  
2 whatever. But the driver, from what she's told me in interviews,  
3 is the driver says get off after the warning bells start going off  
4 and that's, you know, a minute or two from after the scraping  
5 starts.

6 MR. LaPONTE: Okay.

7 MR. MUNDY: You know. 5 from scrape till impact time roughly.

8 MR. LaPONTE: Uh-huh.

9 MR. MUNDY: And we get the -- you probably got the data, you  
10 know, also engine so you know --

11 MR. LaPONTE: You know we have some rough data from the  
12 railroad and that's what we are working on in terms of line of  
13 sight and timing.

14 MR. MUNDY: Yeah, so that's what --

15 MR. LaPONTE: When the signals would have activated and so  
16 forth.

17 MR. MUNDY: You know, Ms. Harley, to me, that's the one thing  
18 and, you know, the one piece of puzzle that, you know, anecdotal  
19 observation.

20 MS. HALEY: Okay.

21 BY MR. LaPONTE:

22 Q. I've got just a couple of questions and they are general and  
23 then remind me I've got some photos to show you --

24 A. Uh-huh.

25 Q. -- of stuff that was left that they haven't found the owners

1 of.

2 A. Okay.

3 Q. And hopefully you maybe can recognize it.

4 A. Yes, because I never found my white jacket.

5 Q. Well, I have some jackets.

6 A. Yeah, I know but they told me it was only green and black.

7 Q. No. I've got --

8 MR. MUNDY: Well, let's see what Mr. LaPonte has got.

9 MS. KIEKE: Maybe you have more.

10 MR. LaPONTE: I've got photos.

11 MR. MUNDY: Oh, okay. We'll see what -- help him with his  
12 questions.

13 MS. KIEKE: Oh, good, yeah.

14 BY MR. LaPONTE:

15 Q. So this is -- what Sheryl does is survivability factors.

16 What I do is motor carrier. So my specialty is, you know,  
17 investigating the motor carrier in terms of their compliance with  
18 regulation and so forth.

19 A. Right.

20 Q. And so these are just kind of general. Did you notice  
21 anything -- you have taken you said earlier quite a few of these  
22 trips. Did you notice anything abnormal in the trip from the time  
23 you were picked up until the crash occurred?

24 A. No. It was a very nice bus. It was one of the newer ones,  
25 very nice.

1 Q. Yeah, it was brand new.

2 A. Yeah, and I'm sorry, I made him feel bad too. And it was a  
3 very good driver. He was an excellent driver.

4 MR. MUNDY: Well, I object to that. You don't know -- you're  
5 not a bus driver expert. So you don't know.

6 MS. KIEKE: Well, I was sitting in the front seat.

7 MR. MUNDY: Stop, Stop. You don't know. Just stop. Okay.

8 MR. LaPONTE: That's fine.

9 MS. KIEKE: Well, when I was in the bus --

10 MR. MUNDY: Stop. Stop. Just stop. We don't know, so let's  
11 stop.

12 MS. HALEY: Can I ask one question?

13 MR. LaPONTE: Sure.

14 BY MS. HARLEY:

15 Q. When you sat down on the bus in that front seat, do you know  
16 who taped the buckle on the front seat?

17 A. Donna.

18 Q. Donna taped it? Okay.

19 A. Yeah. It was exposed and Carol was saying it bothered her  
20 when she tried to get a nap.

21 Q. It kept rubbing up against her?

22 A. Yeah. It was a little metal exposure and so Donna -- Donna  
23 carries everything on the bus. She had tape.

24 Q. Okay.

25 A. You know, and anyway she taped it up so it would be --

1 Q. Okay.

2 A. John had nothing to do with it.

3 Q. I was just wondering. Okay. Thank you.

4 A. Yeah.

5 MR. LaPONTE: Getting back, you didn't notice anything out of  
6 the norm for a bus trip?

7 MS. KIEKE: No, no.

8 MR. LaPONTE: Is that fair, counselor?

9 MR. MUNDY: I have no problem.

10 MR. LaPONTE: All right. Okay.

11 MR. LaPONTE: That's about all I have. Let me show you these  
12 pictures, if I can find them.

13 MR. MUNDY: And, Mike, I don't know if it's important, she  
14 did tell me of all the trips that they had a different driver on  
15 almost every trip.

16 MR. LaPONTE: Yeah, this is the first trip this driver had  
17 ever performed.

18 MR. MUNDY: But I am also making the point though, every trip  
19 is a different driver. There's not a continuity --

20 MR. LaPONTE: Yes.

21 MR. MUNDY: -- among them all.

22 MR. LaPONTE: Other than the motor carriers?

23 MR. MUNDY: Yeah.

24 MR. LaPONTE: So Echo had performed several other trips for  
25 Diamond Tours.

1 MS. KIEKE: But that's the first time we used them.

2 MR. LaPONTE: Right.

3 MR. MUNDY: But I'm saying, you know, it's not like there's  
4 the same driver with the same group.

5 MR. LaPONTE: No, it's not like a regular route type of  
6 situation,

7 MS. KIEKE: No.

8 MR. LaPONTE: Like a Greyhound, you know, a driver that if  
9 you're on the 9:00 from St. Louis it's the same guy for that tour.

10 MR. MUNDY: Yeah, exactly.

11 MR. LaPONTE: Yeah, I know. They're all different.

12 MR. MUNDY: Yeah.

13 MR. LaPONTE: But the operation of motor coaches, you know,  
14 most people can tell this doesn't look right, this doesn't feel  
15 right.

16 MR. MUNDY: Yeah.

17 MR. LaPONTE: You know, something is not what I've  
18 experienced in the past when I've been on a motor coach.

19 MR. MUNDY: Right, right.

20 MR. LaPONTE: And that's what I was trying to see if there  
21 was anything that jumped out that said, you know, there's  
22 something not right here. That's the only place I was going with  
23 that.

24 BY MR. LaPONTE:

25 Q. Okay. So this is the first one I have, and I apologize for

1 the size. This is a black jacket.

2 A. No, that's not mine.

3 Q. Okay. Then we have a green jacket.

4 A. No, that's not mine.

5 Q. Okay.

6 A. Mine was like a sweater jacket.

7 Q. And then we have a black -- another black jacket but I don't  
8 know if it's the same one that was wrapped up in the plastic.

9 A. No.

10 Q. And then we, set of -- a necklace.

11 A. No, that's not mine.

12 Q. Okay. And then we have some miscellaneous items. So we have  
13 a hat and a couple of umbrellas and a pair of shoes and two half  
14 pair of shoes?

15 A. No. None of them are mine.

16 Q. None of those are yours, okay. And there's one other picture  
17 I'm going to show you and we are trying to determine, if I can  
18 find it --

19 MR. MUNDY: I tell you what. If you tell me what you are  
20 missing, I do have to go back to the bus and I'll see if I can  
21 find it.

22 MR. LaPONTE: But -- and she's going to be sending some  
23 things.

24 MS. KIEKE: Well, it wasn't a brilliant white. It's an older  
25 jacket. It was my husband's and it's got a sentimental value.

1 MS. HALEY: Okay.

2 MS. KIEKE: But it's a man's. It's like a sweater jacket.  
3 It's soft material. It had buttons not a zipper; it had buttons.  
4 And it had a hood and was sort of an off-white.

5 MS. HALEY: Okay.

6 MR. LaPONTE: Because Sheryl is going to be going back and,  
7 you know, the police gathered up as much as they could and  
8 inventoried as much as they could. And they really --

9 MR. MUNDY: Do you remember a brand name or anything for them  
10 or does it have initials on it or anything?

11 MS. KIEKE: No. It had Italian but I couldn't tell you what  
12 it was. But it was on the seat next to me right in the front of  
13 the bus.

14 MR. LaPONTE: We will certainly look for that. Like I say,  
15 the police department gathered up much of that stuff. Then they  
16 released it and actually that Thursday they brought -- I was with  
17 them when we took it back to Bay St. Louis and then Mary was there  
18 trying, you know, to match it up with people.

19 MS. KIEKE: Tell everybody, yeah.

20 MR. LaPONTE: And so forth. So we will see if that -- and  
21 the last thing I have. This was found in the bus and this is a  
22 pill keeper with medications. Do you recognize who that may have  
23 belonged to?

24 MS. KIEKE: I have one just like it, but mine -- boy, it's  
25 almost the same kind of materials too. That's interesting.

1 MR. LaPONTE: Well, this was found towards the front of the  
2 bus and there's no name on it, but we --

3 MS. KIEKE: But mine was at the hotel because I brought it  
4 home with me. I've got mine.

5 MR. LaPONTE: All right. We are trying to determine whose it  
6 may have been.

7 MS. KIEKE: I've got one -- yeah. I have no idea. But most  
8 of the pills look like some, a lot of the pills that I -- some are  
9 different. But most of them look like the same pills I take.  
10 But, no, I have no idea whose that could be.

11 MR. LaPONTE: All right. That's it.

12 MS. HARLEY: So what I'm going to ask you to do, if you don't  
13 mind, do you mind signing this and I'm just going to let this  
14 gentleman next to me sign as well showing that that's your  
15 drawing.

16 MR. MUNDY: What's today 11?

17 MS. HALEY: Yeah.

18 MS. HALEY: So what I always tell people is, is that later on  
19 if you're thinking about something and something comes to your  
20 mind, please get in touch with this gentleman here and Jeff will  
21 give us a call and just -- even if it's something small and you  
22 think it may not be important. It may be important as far as what  
23 I'm doing. And, again, what I am looking at is, is there some  
24 suggestion I can make that, God forbid, something like this should  
25 happen again, that we could make it so it's more survivable or the

1 injuries are less severe. That's what I'm looking at, okay?

2 MR. MUNDY: Ms. Harley, I can say this doesn't pertain to  
3 her, but my other two clients who were seated back approximately  
4 in the middle, you know, and across from the impact point. Both  
5 of them had injuries from the buckling of the floor and/or seat  
6 frames. And there was a hole -- you know, the floor actually  
7 buckled and created a hole. In Michele's interview one of them --  
8 before they hired me. But that to me is something that,  
9 especially the hole in the floor strikes me as very odd.

10 MS. HALEY: Out of curiosity, did both Skip and Sharon say  
11 the same thing?

12 MR. MUNDY: About the buckle?

13 MS. HALEY: The buckling of the floor.

14 MR. MUNDY: Well, it's not even just -- the short answer is  
15 yes, but it's not a say.

16 MS. HALEY: Right.

17 MR. MUNDY: I mean, their injuries -- they have these odd  
18 compression of leg kind of injuries, which I have been doing  
19 personal injury for 29 years. I'll just take the very atypical  
20 odd injury and get these kind of weird compressions. You know,  
21 and that to me, for what you're doing, strikes me as something  
22 that bears some looking into because it strikes me as very odd.

23 MR. LaPONTE: Well, that's one reason that we have the bus  
24 now and we will continue to have the bus --

25 MR. MUNDY: Yeah. Yeah,

1 MR. LaPONTE: -- until we are done with what we are doing.

2 MR. MUNDY: So that's -- that to me is sort of within your  
3 zone for sure, you know, merits some looking into. It's just very  
4 atypical.

5 MR. LaPONTE: Who are the other folks that you're  
6 representing so that -- just so that if something comes up we know  
7 who to contact.

8 MR. MUNDY: Sharon Nokes and Frances Skip Fife. You have her  
9 on the manifest as Frances, but goes -- she really -- the people  
10 would know her as Skip.

11 MS. HALEY: Skip.

12 MR. MUNDY: And that's what she goes by. And like I said, I  
13 know they --

14 MR. LaPONTE: How do you pronounce -- Sharon --

15 MR. MUNDY: Nokes, N-o-k-e-s.

16 MS. HALEY: Sharon Nokes.

17 MR. LaPONTE: Oh, okay.

18 MR. MUNDY: Nokes, you know, they were both interviewed by  
19 Michele, and I've asked for a copy of them, but both of them were  
20 in ICU pretty heavily medicated at the time. So the quality of  
21 the interview is unknown.

22 MR. LaPONTE: And we may, and we may when we -- particularly  
23 these folks start going through that they, you know, they sit down  
24 and we certainly look at these interviews --

25 MR. MUNDY: Yeah.

1 MR. LaPONTE: -- and, you know, if we think there's more  
2 information that we need to do, what we are doing, you know --

3 MR. MUNDY: Yeah.

4 MR. LaPONTE: -- there, certainly we will reach out.

5 MR. MUNDY: Yeah.

6 MR. LaPONTE: That's part of the reason I ask to find out who  
7 they are being represented by.

8 MR. MUNDY: Absolutely. And that's why I put it out because  
9 it poured from litigation; obviously, everybody wants to see  
10 improvements in this stuff.

11 MR. LaPONTE: Yeah. And we don't want to fight.

12 MR. MUNDY: I know they both were standing at the time and,  
13 you know, they could probably answer this who's blocking aisles  
14 that kind of stuff, but they were standing trying to move.

15 BY MS. HARLEY:

16 Q. Kaye, were you standing or were you seated?

17 A. I was sitting.

18 Q. You were still seated?

19 A. I was sitting and, yeah, because Carol had me blocked in.

20 Q. Was your seat belt working?

21 A. I didn't even realize I had a seat belt, to be honest with  
22 you.

23 Q. Oh, okay. When you got on the bus did you get any kind of a  
24 safety briefing at all, you know where they tell you --

25 A. I can't remember.

1 MR. MUNDY: Like Southwest Airlines.

2 BY MS. HARLEY:

3 Q. Yeah.

4 A. Who pays attention to those? Yeah, I don't remember. I  
5 honestly don't remember if he --

6 Q. Oh, okay.

7 A. I know that a lot of the times the drivers do, do that but --  
8 right away, but I don't remember if we got one this on this on or  
9 not to be honest with you.

10 Q. Yeah, okay.

11 MR. LaPONTE: Jeff, because we, you know, certainly don't  
12 want to interfere with your relationship with your client --

13 MR. MUNDY: No, no.

14 MR. LaPONTE: And there's why we try and --

15 MR. MUNDY: I mean, your call.

16 MR. LaPONTE: Part of what I was trying to do when I  
17 contacted you was find out who was representing whom so we could  
18 do that -- it appropriately.

19 MR. MUNDY: Yeah, yeah, Oh happy, totally happy to help.  
20 You know, like I said, you know, the fault is the only question,  
21 just because we are still in the same boat as you all. We still  
22 are all sorting through what's going on and why.

23 MR. LaPONTE: Yeah, absolutely.

24 MS. HALEY: But, again, mine is just simply about the  
25 survival issues,

1 MR. MUNDY: Yeah, that's why I mentioned about the other two  
2 because they do have very odd, you know, very atypical -- I'll say  
3 it that way, very atypical kind of injuries.

4 MS. HALEY: Yeah. We'll go over again. I'll locate their  
5 interviews.

6 MR. MUNDY: Yeah.

7 MS. HALEY: I don't see any problem of you actually getting a  
8 copy of your client's interviews.

9 MR. MUNDY: I can't remember which one was sitting on aisle  
10 versus window. I'll sort that out and pop you an email if it's  
11 important or if you want to follow up or holler at me, they --

12 MS. HALEY: Yes.

13 MR. MUNDY: Everybody is now -- I take back. Sharon is still  
14 in a skilled nursing facility. She had a punctured lung. She had  
15 major blunt force trauma to one side with a -- both of them had  
16 similar injuries, you know, blunt force trauma to the chest and  
17 side. But Sharon Nokes, one of the ribs actually punctured the  
18 lung. I can't remember which side it was. And she's, last I  
19 checked, was still in the nursing facility and still having some  
20 issues.

21 MR. LaPONTE: Is she in Mississippi or --

22 MR. MUNDY: They are both here.

23 MR. LaPONTE: They are back home?

24 MR. MUNDY: Yeah, Skip went home this week but Sharon is  
25 still in-patient.

1 MR. LaPONTE: Thank you. Oh, I do have one more question.

2 MS. HALEY: Okay. Great.

3 MS. KIEKE: Yeah, I got beat up pretty good and I lost blood  
4 through all the hematomas and, you know, severe bruises and they  
5 had to give two pints of blood in the hospital, the reason I  
6 stayed there for a little while.

7 BY MR. LaPONTE:

8 Q. Debra King, you stated earlier you don't know her?

9 A. No.

10 Q. And you don't know, obviously, then if she's being  
11 represented by anyone?

12 A. I have no idea.

13 MR. MUNDY: I can call and find out for you.

14 BY MR. LaPONTE:

15 Q. And Joyce Hoffman?

16 A. Joyce was with Helen Dailey and I don't know if Helen has  
17 representation or not.

18 Q. Okay. I could not get a hold of either of those folks in any  
19 way shape or form. Now, some of --

20 A. Helen is in a rehab. I'm not sure where -- oh, no. Where is  
21 she at? St. David's Rehab in Austin.

22 Q. Oh, okay.

23 A. That's where Helen is.

24 MS. HARLEY: St. David?

25 MR. KIEKE: St. David Rehabilitation, 32nd Street.

1 MS. HARLEY: Okay.

2 BY MR. LaPONTE:

3 Q. And actually Helen --

4 A. I think Joyce is, you know, didn't have as bad injuries and I  
5 think she's home.

6 Q. Yeah, Helen I believe I'm seeing somebody with her lawyer  
7 Thursday morning.

8 A. Okay.

9 Q. I'm seeing Gloria Medina who is represented by the same  
10 attorney as Helen Dailey.

11 A. Okay.

12 Q. Thursday morning.

13 MS. HARLEY: So this is a time where you get to ask me any  
14 questions. Is there anything you want to ask me?

15 MS. KIEKE: I don't know what to ask.

16 MR. MUNDY: We will say no for now.

17 MS. HALEY: Okay.

18 MS. KIEKE: Yeah.

19 MR. MUNDY: I've got a lot of questions but --

20 MS. KIEKE: Yeah, I'm glad that you are totally investigating  
21 it because, you know, it's the only way, like you say, we are  
22 going to improve the conditions of either the buses or, you know,  
23 whatever --

24 MS. HALEY: Well, we hope so.

25 MR. LaPONTE: Yeah, like I say, when it is all done we will

1 make recommendations that hopefully will prevent --

2 MR. MUNDY: And I've asked for updates on the reports. I've  
3 got the preliminary report now.

4 MR. LaPONTE: Yeah, the preliminary is out. The next one  
5 probably won't be out to the public until -- the process we go  
6 through is very thorough. So we do our reports and then we turn  
7 them in and then they are gone over again for not only the factual  
8 but also for -- they are reviewed by other people that are party  
9 to the investigation for technical factuality if you will. And  
10 then they, you know they are reviewed many more times before they  
11 finally get put into our master report.

12 So she has a report that'll be 20, 25 pages. Mine will be  
13 about the same. And there's six, seven people involved, actually  
14 eight with the rail folks. So each of us will be preparing a  
15 report like that that then becomes combined into a big report that  
16 will be 100 to 150 pages.

17 MR. MUNDY: Okay. Have you all been allowed to interview the  
18 engineer and bus driver?

19 MR. LaPONTE: Yes. We've interviewed both the bus driver and  
20 the engineer.

21 MR. MUNDY: Okay.

22 MR. LaPONTE: The bus driver is still having traumatic issues  
23 every time he hears a train horn as you can imagine.

24 MR. MUNDY: Yeah, no surprise.

25 MS. KIEKE: The first time I heard the train here I was in

1 rehab and I heard the train, the wind was blowing just right and I  
2 heard the train, you know, going through and I got goose bumps.

3 MR. LaPONTE: We have interviewed them.

4 MS. KIEKE: But I have gone over railroad tracks since then  
5 and I'm okay I think. I hope.

6 MR. LaPONTE: Just don't stop.

7 MS. HALEY: Just don't stop.

8 MS. KIEKE: Someone else was driving and I actually closed my  
9 eyes. No, I didn't do that either.

10 MR. LaPONTE: You know the reports are very detailed and when  
11 they come out, you know, they look at those and then we make  
12 recommendations to either improve, you know, the bus construction  
13 or the regulatory oversight of the motor carrier or whatever, and  
14 then, hopefully, you know, those things will be adopted by the  
15 people that the recommendations are made to and then, you know,  
16 hopefully, something like this won't happen again. But that's the  
17 goal.

18 MS. HALEY: Thank you very much for talking to us. Okay.

19 MR. LaPONTE: Yeah, thank you.

20 MS. KIEKE: Thank you for talking to us.

21 MR. MUNDY: You all need anything, feel free to call.

22 MR. LaPONTE: Yeah, we've got your card. Questions, we will  
23 certainly answer what we can. Some things, obviously, that you  
24 know --

25 MR. MUNDY: Understood.

1 MR. LaPONTE: Yeah.

2 MR. MUNDY: You have your own boundaries.

3 MR. LaPONTE: Just like you. Kind of like what you do; what  
4 we can share, we will.

5 MR. MUNDY: Understood.

6 MS. HALEY: Thank you.

7 MS. KIEKE: You're welcome.

8 (Whereupon, the interview was concluded.)

9

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL COLLISION OF CSX FREIGHT  
TRAIN AND TEXAS TOUR BUS  
BILOXI, MISSISSIPPI  
ON MARCH 7, 2017  
Interview of: Mary Kaye Kieke

ACCIDENT NUMBER: HWY17MH010

PLACE: Bastrop, Texas

DATE: April 11, 2017

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

  
Letha J. Wheeler  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

FATAL COLLISION OF CSX FREIGHT \*

TRAIN AND TEXAS TOUR BUS \*

BILOXI, MISSISSIPPI \*

ON MARCH 7, 2017 \*

Accident No.: HWY17MH010

\* \* \* \* \*

Interview of: DOROTHY MILBERGER

Ocean Springs Hospital  
Room 3011  
Biloxi, Mississippi

Thursday,  
March 9, 2017

## APPEARANCES:

MICHELE BECKJORD, Survival Factors Investigator  
Office of Highway Safety  
National Transportation Safety Board

MICHAEL SHAW  
Biloxi Police Department

TARA  
Federal Motor Carrier Safety Administration (FMCSA)

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I N T E R V I E W

(11:31 a.m.)

1  
2  
3 MR. SHAW: Investigator Shaw. Today's date is 9 March 2017,  
4 current time is 11:31 hours. We are at Ocean Springs Hospital  
5 going into Room 3011 to interview Ms. Milberger. Also present is  
6 going to be Michele from NTSB.

7 Hey, how you all doing.

8 Ms. Dorothy, I don't know if you remember me or not, Mike  
9 Shaw from the emergency room?

10 MS. MILBERGER: I do.

11 MR. SHAW: There's not that many people look as ugly. I  
12 mean, it's hard to forget.

13 MS. MILBERGER: No, no, no. Maybe it's a little bit  
14 (indiscernible) --

15 MR. SHAW: That's exactly right. Mike Shaw.

16 MR. HOOKER: Tommy Hooker.

17 MR. SHAW: I'm from Biloxi P.D. NTSB representative, she has  
18 some questions. I know they just left. And that was a my  
19 misunderstanding. Well, we have different people do different  
20 things, and I understand the first one should have been in here  
21 with one of our investigators Short, Carl Short.

22 UNIDENTIFIED SPEAKER: Yes, he came by. He, and so did --  
23 well, that's him --

24 MS. BECKJORD: Elias -- Mr. Elias Kontanis?

25 UNIDENTIFIED SPEAKER: Yeah, Elias.

1 MR. SHAW: Right.

2 MS. BECKJORD: Yeah, Elias would be our family  
3 representative. So he does no investigative stuff. His is all:  
4 What can we get for you? How can we help you coordinate getting  
5 any personal effects back; getting you transportation back home?  
6 How do you interact with the NTSB to figure out what's going on  
7 with our investigation? So, Elias doesn't do -- he's mandated by  
8 Congress just to do family assistance stuff, which is fantastic.  
9 But then on the other side we also have the investigative side and  
10 so that's kind of the job that I'm doing. So I'm here to just ask  
11 a few questions if you're up for it.

12 MS. MILBERGER: Sure.

13 MS. BECKJORD: I'll leave you my card. My name is Michele  
14 Beckjord and I do survival factors investigation. So, I would ask  
15 you things like: Did you receive a pre-trip briefing when the  
16 trip started? Did the driver tell you, hey, here's the  
17 (indiscernible), here's some other information?

18 MS. MILBERGER: No, when I think about that, no, that was  
19 never done.

20 MS. BECKJORD: Okay.

21 MS. MILBERGER: At least I do not remember being told where,  
22 and I think I would remember that.

23 MS. BECKJORD: Okay.

24 MS. MILBERGER: But, again, you know I'm not -- it's  
25 something that I don't remember being done, but I'm not going to

1 say it wasn't done. But I don't remember it.

2 MS. BECKJORD: Okay. Well, and this is just all the things  
3 that you're comfortable telling us.

4 MS. MILBERGER: Yes.

5 MS. BECKJORD: So, if -- would it be all right if I asked you  
6 some of these questions?

7 MS. MILBERGER: Sure. I mean, anything that can help with  
8 any of this, absolutely.

9 MS. BECKJORD: And we greatly appreciate it.

10 MS. MILBERGER: Yeah, I mean, this is not going to be on the  
11 news media or anything --

12 MS. BECKJORD: No, ma'am.

13 MS. MILBERGER: -- so I'm okay with that.

14 INTERVIEW OF DOROTHY MILBERGER

15 BY MS. BECKJORD:

16 Q. So maybe I'll back it up just a little bit and ask you. So  
17 where were you picked up for the trip?

18 A. At the hotel, Hollywood Casino.

19 Q. You were picked up at the Hollywood?

20 A. Yeah, for -- but you mean at the beginning of the trip?

21 Q. Yes, ma'am.

22 A. At the beginning of the trip they made a stop. They actually  
23 left Bastrop, Texas, but they made a stop in Sealy, Texas at the  
24 Park-N-Ride and picked up the eight of us there.

25 Q. Okay.

1 A. And that was probably just a little bit after 9, 9 a.m. on  
2 Sunday morning.

3 Q. How did you end up being involved with this particular trip?  
4 Was it through --

5 A. Originally, a real close friend of mine had done a trip with  
6 this group to Niagara Falls about a year ago.

7 Q. Okay.

8 A. And she was telling me about the group, and then I went with  
9 this same group on a bus trip, no gambling or anything, but it was  
10 to Branson, Missouri in October.

11 Q. Okay.

12 A. I mean, and it was a good trip. And then Carol was passing  
13 out the information on other trips that they had scheduled and I  
14 thought, hey, you know, this looks interesting. And so, then I  
15 proceeded -- and I guess I was the one who got even our neighbors  
16 and some more friends. So it was eight of us.

17 Q. So this is through Diamond Tours that you had done this  
18 Branson Missouri trip with?

19 A. Yes.

20 Q. And everything went well on that trip?

21 A. Oh, yes, absolutely.

22 Q. Okay. Okay. So, for the driver, if you don't mind. I'll  
23 just ask you a couple of questions about the driver.

24 A. Uh-huh.

25 Q. Do you remember what your thoughts were about him in general?

1 Did you have any interactions with him?

2 A. I had no interactions with him except, you know, just kind of  
3 getting on and off the bus.

4 Q. Okay.

5 A. And I have to say he was there. He was helpful --

6 Q. Okay.

7 A. -- you know, getting us on and off. But that was about my  
8 only interaction with him.

9 Q. Okay. So you didn't happen to see him at any times kind of  
10 off the bus like at the hotel or during breaks or anything else  
11 like that? Did you observe him in any way?

12 A. No. I can't -- I know I guess -- that would have been I guess  
13 Sunday night, Monday night. I know I heard someone say, I guess  
14 they met him and whatever. There was a little bit of conversation  
15 there. And are you winning, or something like that. But, again,  
16 I really didn't have any interaction with him. So, no.

17 Q. Okay. Okay. In general, did you always kind of sit sort of  
18 in the same area, so you had a good feeling for how the bus was  
19 driving, like speed --

20 A. Uh-huh.

21 Q. -- or things like that? Okay.

22 A. Uh-huh.

23 Q. So you feel like he was -- I mean, if you had to use a  
24 description for him, how would you feel?

25 A. I would say good. Yeah.

1 Q. Okay. And did you happen to notice if he wore glasses or had  
2 a personal bag on the bus that you could see?

3 A. No.

4 Q. Okay. Okay. So, and this is the part where it will probably  
5 get a little bit difficult, so if you want to stop at any time you  
6 tell me. Do you remember hearing the train before is approached  
7 the crossing?

8 A. (No audible response.)

9 Q. You do? Okay. Can you give me a little bit of description  
10 about that, just up until you're comfortable with it?

11 A. I guess I was, I don't know, really not paying a whole lot of  
12 attention to what was going on, and I don't even know what alerted  
13 me. But it was like -- I remember I looked up to the front and I  
14 could see whether -- like the arms. They were not completely  
15 down, but they were flashing. And I remember looking to the left  
16 and I could see the lights of the train, and it just kept coming  
17 and coming.

18 Q. Do you remember hearing the driver at any point at this time  
19 where you see the flashing going on?

20 A. No.

21 Q. Okay. Is there any chance that you recall while you have  
22 been riding on this motor coach anything like you wore your seat  
23 belt, you didn't wear your seat belt, you chose the aisle or the  
24 window seat for a particular reason? Was there anything like  
25 that?

1 A. It was -- okay. Since we got on the bus later, Carol, the  
2 director, had said she would reserve eight seats for us, four  
3 rows. She said they'd be from the middle to the back. And it was  
4 raining Sunday morning when we got on the bus and just trying to  
5 get on and get settled. And anyway, we had those, I guess, four  
6 seats were reserved there. Why the Havrans ended up being like  
7 two or three rows behind us, I don't know, unless there was an  
8 empty seat there. I don't know why that happened.

9 So my roommate, Gladys and I, just because of just trying to  
10 get on the bus, getting out of the aisle, we each got into our  
11 seats, and she ended up sitting across from me. Well, one row up  
12 but across and so she had the two seats to herself. And I had the  
13 two seats to myself, and we figured, hey, we're pretty lucky here,  
14 you know.

15 Q. Pretty good setup.

16 A. Because I know they had even said that they'd be willing, you  
17 know, to change seats. And Gladys and I both said, no, we like  
18 our seats. So, anyway.

19 BY UNIDENTIFIED SPEAKER:

20 Q. You all moved further back?

21 A. Huh?

22 Q. Did you all move further back?

23 A. Uh-uh.

24 Q. Oh, you didn't? I didn't catch that.

25 A. No. No. We didn't move further back.

1 Q. You didn't move seats at all?

2 A. No. Uh-uh.

3 Q. Okay.

4 A. No. And, again, I'm pretty adamant about wearing the seat  
5 belt. I did not have my seat belt on.

6 BY MS. BECKJORD:

7 Q. Okay.

8 A. I did, I guess, maybe when we were coming from Lafayette to  
9 the casino. I know I did then. But why I didn't have my seat  
10 belt on, I can't answer that. But I know I did not have my seat  
11 belt on because as this was approaching I remember I was standing  
12 up.

13 Q. Okay.

14 A. I don't know why I was standing up, but I was.

15 Q. So you were standing up right about when the train came?

16 A. Uh-huh.

17 Q. Okay. Do you remember where you ended up?

18 A. Huh?

19 Q. Do you remember where you ended up?

20 A. I think still in my seat.

21 Q. So you were standing at the time that the bus was hit and  
22 then you ended up in your seat?

23 A. Uh-huh.

24 Q. Okay. But you were standing in front of your seat, right?

25 A. Yes.

1 Q. Not in the aisle?

2 A. Right. I was in my seat.

3 Q. Okay.

4 A. I think I was standing up, but --

5 Q. Okay. Do you mind if I ask you kind of what your injuries  
6 are? What they have told you?

7 A. Well, I know right at first it was like, oh, my head. And I  
8 felt a little bump. And, oh, I'm bleeding. And then my upper  
9 thigh had, what, a hematoma. A pretty good --

10 UNIDENTIFIED SPEAKER: A very large swelling, and then she  
11 has some staples in the back of her head from the laceration.

12 BY MS. BECKJORD:

13 Q. Okay. Were you at the window seat or the aisle?

14 A. The window.

15 UNIDENTIFIED SPEAKER: I would be too, if I had the --

16 MS. MILBERGER: Yeah, right. Because I was taking pictures.

17 UNIDENTIFIED SPEAKER: And speaking of pictures, we just  
18 discovered this just now --

19 UNIDENTIFIED SPEAKER: She has three really good pictures.

20 UNIDENTIFIED SPEAKER: -- she took pictures while still on  
21 the bus like, it looks like maybe right before it happened. Or  
22 not --

23 MS. BECKJORD: Okay.

24 UNIDENTIFIED SPEAKER: It gives a time reference.

25 UNIDENTIFIED SPEAKER: It has a time that you can scroll

1 through and see. So she sent me a couple of pictures.

2 UNIDENTIFIED SPEAKER: This is where they make the turn down  
3 the town green. This is main street going up north and south.

4 MS. BECKJORD: Okay.

5 UNIDENTIFIED SPEAKER: I think those three of the locomotive  
6 are key because that shows in proximity as far back as she was  
7 where it hit.

8 UNIDENTIFIED SPEAKER: Are you talking about out on the  
9 scene? Which ones are you specifically talking about?

10 UNIDENTIFIED SPEAKER: These three.

11 MS. MILBERGER: I know when I was looking at them this  
12 morning, it's like this is an AC. And I say --

13 UNIDENTIFIED SPEAKER: Yeah, that's out of her window. And  
14 that looks like the seat in front of her.

15 UNIDENTIFIED SPEAKER: Yeah, we just looked at it just after  
16 that investigator left. We didn't even know --

17 UNIDENTIFIED SPEAKER: And those are all time-stamped too.  
18 So those just had happened --

19 UNIDENTIFIED SPEAKER: That's the view out the window of the  
20 locomotive.

21 MS. BECKJORD: That's the locomotive?

22 MS. MILBERGER: Yes.

23 UNIDENTIFIED SPEAKER: Through the window.

24 UNIDENTIFIED SPEAKER: If I'm correct, you were on the  
25 driver's side, correct?

1 MS. MILBERGER: Yes.

2 MS. BECKJORD: Oh, my. Okay.

3 UNIDENTIFIED SPEAKER: So that's another, these two.

4 UNIDENTIFIED SPEAKER: Interesting thing the gentleman that's  
5 deceased that's her neighbor was behind her. So --

6 MS. MILBERGER: Further back.

7 UNIDENTIFIED SPEAKER: All we can figure is the impact must  
8 have gotten him, because he wasn't like up where --

9 MS. MILBERGER: Uh-uh.

10 MS. BECKJORD: Okay. Do you -- would you mind -- can you  
11 email that to me?

12 UNIDENTIFIED SPEAKER: Uh-huh. We've had to send those to --  
13 yeah, we can text -- can we text those to you?

14 MS. BECKJORD: Absolutely. That would be fantastic.

15 UNIDENTIFIED SPEAKER: Like I said, we just -- just  
16 (indiscernible) everything she sent me --

17 (Crosstalk)

18 MS. MILBERGER: And like I said, I didn't even realize how I  
19 -- didn't even take that, you know.

20 UNIDENTIFIED SPEAKER: She sent me pictures like after it  
21 happened, and I guess she was just in shock and she sent me a  
22 message that they got hit by a train and (indiscernible) --

23 MS. BECKJORD: Well, I can't imagine being able to remember  
24 anything.

25 (Crosstalk)

1 UNIDENTIFIED SPEAKER: We're like where are these? This is  
2 just -- it must be the inside of the bus.

3 UNIDENTIFIED SPEAKER: We're like what, what's going on? And  
4 I called her immediately and --

5 UNIDENTIFIED SPEAKER: It says locomotive piping on there or  
6 something. I think that's the train.

7 UNIDENTIFIED SPEAKER: I just assumed those were the only two  
8 pictures she took. And then she said, no, I think I actually did  
9 take more pictures. So -- yeah, they're --

10 MS. MILBERGER: That was pretty quick thinking in that  
11 moment.

12 UNIDENTIFIED SPEAKER: Absolutely. And they're clear.

13 MS. MILBERGER: Yeah.

14 MS. MILBERGER: I guess the Lord just did it for me.

15 UNIDENTIFIED SPEAKER: Yeah, it sounds that way.

16 BY MS. BECKJORD:

17 Q. Well, so I don't want to press you too much. I don't have --

18 A. No, that's okay. I'm fine.

19 Q. -- too many other questions for you, but --

20 A. I'm fine.

21 Q. -- are there things that you would want to let us know about?  
22 Things that you've remembered maybe over the past couple of hours,  
23 things that you feel would be important for us to know for our  
24 investigation?

25 A. I really can't think of anything, you know, that would have

1 been, say, out of the ordinary that I would have thought, hey,  
2 this doesn't look safe or, you know, anything like that. And I, I  
3 guess and this is probably irrelevant. But anyway, sitting next  
4 to the window and, I guess, you know, just kind of watching the  
5 traffic, I know there was one car as he was passing -- and I don't  
6 know if he -- anyway, I thought, oh, my gosh, you know, that is  
7 very close. You know that -- but, I guess, you know, that just  
8 happens. And that's the only thing that -- but other than that,  
9 no, I'd say he was a very, very good driver and I felt safe and --

10 Q. Right. Okay. So have you ever ridden with this particular  
11 company before? Not Diamond Tours but the Echo bus company that  
12 was --

13 A. I don't know if Echo -- who did -- I don't think it was Echo  
14 that did the trip that we went to Branson on.

15 Q. Okay.

16 A. But, again, I don't know.

17 Q. Okay.

18 MS. BECKJORD: Tara, do you have any questions you've to ask  
19 Ms. Milberger?

20 BY TARA:

21 Q. Just one if you don't mind.

22 A. Uh-huh.

23 Q. Do you remember when you guys were approaching the train  
24 track, do you remember if you stopped before you started to make  
25 that approach?

1 Q. I have no idea.

2 TARA: Okay. All right.

3 UNIDENTIFIED SPEAKER: I know schools -- I'm a superintendent  
4 of a school and we push a lot of bus safety, and I know school  
5 buses are required. So passenger buses are required the same  
6 protocol to stop, look both ways, all of that.

7 BY MS. BECKJORD:

8 Q. So speaking of the crossing, I think there was a thought that  
9 maybe going on a detour to take you folks down along the beach to  
10 look at the water and things like that.

11 A. Uh-huh.

12 Q. Did you have any interaction with the tour guide, or did you  
13 know of the route that you were going to take or have any input in  
14 that?

15 A. I really can't -- I know we headed out and then he made a U-  
16 turn and said we're taking a different route; we are going to take  
17 the scenic route. And we all just, yay. And we did. We rode  
18 along the beach and just enjoyed and just took all of that in.

19 UNIDENTIFIED SPEAKER: That's the way I would want to go.

20 MS. MILBERGER: Yes, right.

21 UNIDENTIFIED SPEAKER: Two comments I'll just throw out there  
22 and make, and it shouldn't matter, but of all the good ways there  
23 are to get -- as we noticed this morning driving back through  
24 there going to Boomtown, he definitely didn't pick a good path. I  
25 know there's much better roads they could have picked. But I will

1 also say from the approach on that side of the track, it looks  
2 like -- you know, if I were driving a school bus, I wouldn't see  
3 too much concern. But then I noticed how quickly once you get  
4 over that hump it's like the big surprise. So -- but my --so  
5 that's just a comment I'm making.

6 I would really like just for the sake of the future and my  
7 experience with what we deal with from the school side with  
8 trains, and especially the attitude by the different rail lines  
9 that we deal with, really we would like to press to see that, not  
10 only here, but in the future, that there's some implication that  
11 these locomotive engineers, whatever they're referred to as, that  
12 they take the notion that when they see that there's idiots like  
13 us driving these cars and getting in their way or big buses, that  
14 they start shutting things down immediately. Because I don't know  
15 and I really -- it's far gone on this one, but we just see and we  
16 embrace from the safety side that, you know, the locomotives --  
17 it's a stereotyping, but there's this attitude that we're bigger  
18 and get out of our way. And they should be hitting brakes.

19 I realize it takes a lot to turn that thing back up and get  
20 that -- the load going. But, you know, it's got to be safety just  
21 like everything else we do. And that's my concern, a big one  
22 here. If he did everything he could or she, whoever it was,  
23 that's great. But if they didn't, there needs to be a change in  
24 mindset across the nation. Because we have back at home an Amtrak  
25 that comes through town 60 to 70 miles an hour. And we see near

1 hitting every time that thing comes through town.

2 And I know this wasn't 60 or 70, but I'm just saying there  
3 needs to be a change in attitude by the, in my opinion, by the  
4 people working for the trains too. Because they are much bigger.  
5 They block off emergency cutoffs for us, and we deal with it. And  
6 they basically say, call my boss, and if they tell us to move,  
7 that's the only way you're moving this train. And we deal with a  
8 lot of that.

9 And so, would hope here that -- I know that's going to be  
10 part of the investigation, Michele, that you all are going to do.

11 MS. BECKJORD: It is, and we have some groups here that are  
12 focused just on the federal railroad side, that they do a lot of  
13 that work just on -- I mean, they'll be taking a look at the  
14 recorders for the engine, engineer, for him particularly, what he  
15 was doing when he had some issues, things like that. We also have  
16 recorders that are in the little metal sheds that look to see when  
17 did the gates come down? Did they come down on time? Were they  
18 timed for the speed of the train? So we'll be looking into all of  
19 those things.

20 And, of course, our investigation -- I'm not sure how much  
21 Elias explained, but probably quite a bit, but it takes about 14,  
22 at least 14 to 16 months because we really dig in. So all of that  
23 information is going to be public -- not our analysis until we are  
24 done, but our docket is wide open. So you will be able to see  
25 everything that we see on the railroad side, everything that we

1 gather on the highway side, which is where I work. So all of that  
2 will be open to you.

3 MS. MILBERGER: I guess, you know, just trying to process all  
4 of this, and I guess I'm thinking, again, as I say I wasn't paying  
5 any attention, but, you know, in my mind now I'm thinking, okay,  
6 had those arms gone down I know the bus wouldn't have gone through  
7 that. So I just wonder what you're saying, was there enough time  
8 allowed when the arms were scheduled to go down to have prevented  
9 the bus from getting on the track? Does that make sense; what I'm  
10 saying?

11 MS. BECKJORD: Oh, absolutely. And that's a lot of what we  
12 look at. So we will be looking at the timing. I believe -- you  
13 know, I'm not going to speak out of turn, but in the past, they  
14 didn't used to have the timing quite correct. But in the future,  
15 they have done quite a bit to change those kinds of things. But  
16 we are going to look at it, because they have essentially what you  
17 would call a black box. They have those for inside the train  
18 engine, you know, in the main, and they also have them for the  
19 gates and they also have them in this bus. So we'll be looking at  
20 every recorder we can. We'll be looking -- there's a drive cam  
21 video that's inside of the motor coach. We are going to looking  
22 at all of that. So we will be digging in as deep as we can to  
23 figure out who knew what when.

24 MS. MILBERGER: Yeah. And I guess, I think living in a  
25 railroad town, because we've got them this way coming that way,

1 and, in fact, even trying to catch the bus on Sunday morning it's  
2 like, oh, my gosh, there's a train coming. And I know so often  
3 I'll, you know, see those flashing things come down and it's like  
4 -- but, you know, now, I'll respect that a whole lot more.

5 MS. BECKJORD: Yes.

6 UNIDENTIFIED SPEAKER: Well, on a side note on that, chief,  
7 the thing that -- and I'm just thinking now from school because we  
8 watched this morning, I think two buses came over there while we  
9 were standing there. And, of course, they got to the crossover  
10 and they went down one -- I know they are trained and -- but you  
11 could get that new driver who gets inserted and they just -- you  
12 know, the one thing that just concerns me immediately -- I know  
13 you all have a long investigation going on. If you go to the next  
14 crossover, it's fairly flat. So it would seem like the place for  
15 busses to cross.

16 The other crossing, I would never even attempt to put a bus  
17 over it, but it looks like you go straight over and -- I know it's  
18 not straight, but it's the same on both sides. The thing that  
19 concerns me on this one is just for the safety of your local kids  
20 is that it does appear to be kind of flat on one side, but you  
21 don't see what's on the other side of that track. Unless you're  
22 looking a couple hundred yards ahead, you don't see that it drops.

23 So, whereas, I don't think a bus driver in their right mind  
24 would try to cross that next crossing because they would get hung  
25 up -- they can see it from both sides -- this one is flat and then

1 it goes at an angle on the other side. So that's a major concern  
2 that I would just have if it were in my school district.

3 MS. BECKJORD: And that's definitely one of the things we'll  
4 look at. We'll look at the signage. Was there appropriate  
5 signage for the crossing? What did the driver know about signage?  
6 Was he taught appropriately like, okay, you know, did he happen to  
7 see it? You know, that kind of stuff. You know, that's where the  
8 drive camera will come into play. We'll look to see what he was  
9 looking at at the time.

10 UNIDENTIFIED SPEAKER: Sure.

11 MS. BECKJORD: You know, some of those other things, I think  
12 one of the things -- and it's more of a local issue that I'm not  
13 quite sure, but we will be looking into is the idea of some of the  
14 crossings being too steep. And so, we are looking in -- there has  
15 been some things said on the news and some things said at city  
16 councils about those crossings that they're considering in this  
17 area. So we'll look into all of that kind of stuff because that's  
18 part of the reason it takes us 14 to 16 months is we dig and dig  
19 and dig. So we will definitely look at that.

20 But I have written down what you were mentioning here,  
21 because I really do want to look into it some more, so -- and I  
22 appreciate that.

23 UNIDENTIFIED SPEAKER: His -- made the comment, one, it's so  
24 steep it's worse than -- well, I know, but it's obvious that it  
25 is. You wouldn't even try to cross it if you're a trained bus

1 driver.

2 MS. BECKJORD: Right.

3 UNIDENTIFIED SPEAKER: It's just this one's a little -- I  
4 could see, you know, where it's just -- both sides are totally  
5 different grades and that's -- you know, I can see maybe that's  
6 where other, not just buses, even the truck hanging up. Maybe  
7 they think they can get across there and it's maybe more in the  
8 deception that -- although it's marked. I know it says --

9 UNIDENTIFIED SPEAKER: Right. But when you initially drive  
10 up, you can almost -- like what's wrong with this?

11 UNIDENTIFIED SPEAKER: Pay attention to the sign. It just  
12 looks so flat, I know.

13 UNIDENTIFIED SPEAKER: Then you get over it --

14 MS. BECKJORD: It's completely different?

15 UNIDENTIFIED SPEAKER: Uh-huh.

16 UNIDENTIFIED SPEAKER: It is significantly different on the  
17 approach than the descent on the other side.

18 MS. BECKJORD: Yeah. And that's one of the things we'll  
19 definitely look at is what he was -- if he'll give us an  
20 interview, that is one thing we'll talk to him about, so -- the  
21 driver.

22 But I did want to say thank you very much.

23 MS. MILBERGER: Thank you.

24 MS. BECKJORD: You have our cards, obviously. Elias is a  
25 good contact for any updates on the investigation or anything

1 else. Any services you guys might need, call him.

2 MS. MILBERGER: Okay. You have their cards?

3 UNIDENTIFIED SPEAKER: Yes.

4 MS. BECKJORD: For me, you know, I may very well, if it's  
5 appropriate and you're okay with it, follow up if we have any  
6 questions --

7 MS. MILBERGER: Sure.

8 MS. BECKJORD: -- to ask you, if that's all right with you?

9 MS. MILBERGER: Absolutely.

10 MS. BECKJORD: So, I've given you my card. Feel free to call  
11 me if you have anything you want to add, if you think of something  
12 later on that you think is important, or just want to talk, give  
13 me a call. That's fine.

14 So thank you very much for your time. I appreciate it.

15 MS. MILBERGER: You're welcome. And I'm sending you these  
16 pictures now.

17 MS. BECKJORD: Thank you. I greatly appreciate that. And  
18 then if you, you know, want to email me some of the emergency  
19 response ones or text those too, we could always use those as  
20 well, if that's all right.

21 MS. MILBERGER: Okay.

22 MS. BECKJORD: So thank you we appreciate it.

23 MS. MILBERGER: Thank you.

24 MS. BECKJORD: Have a good rest of your afternoon as best you  
25 can.

1 UNIDENTIFIED SPEAKER: One positive I want to pass along  
2 really on all this, it seems like the EMT, the firemen, everyone  
3 who were the first responders, I mean, she just keeps saying about  
4 how quickly and how organized they were.

5 MS. MILBERGER: Yeah. And it just seems like as tragic that,  
6 there was this kind of calm. There was a peace about it, you  
7 know, and it's not like it was utter chaos. Maybe I've just  
8 blocked that out of my mind. I don't know. But it's not like it  
9 was just chaos. It was all done with so much working together.

10 UNIDENTIFIED SPEAKER: We had a lot of teams. We had fire  
11 departments from Gulfport coming over to carry -- to cover areas  
12 in Biloxi. We had people from Keesler Air Force Base coming out  
13 there. We had people from -- helicopters from New Orleans, Mobile  
14 areas, all responding to the scene. And it was quick, and I have  
15 to agree with you a hundred percent, everybody was working as a,  
16 you know, team. Like, you know, I know we work together  
17 sometimes, you know, once about every 6 months. Others we work  
18 maybe once every other year together. But, I mean, when it comes  
19 time to get things done, we got to get things done.

20 MS. MILBERGER: And I have to say from what I see, I mean, it  
21 was done very quickly and it just doesn't seem like there was any  
22 time lapse from when this happened that I heard sirens coming.  
23 And even them getting us out of that bus, it was --

24 UNIDENTIFIED SPEAKER: Probably with all the negative stuff  
25 going on, that's a positive we'd certainly like for you to share

1 with your --

2 UNIDENTIFIED SPEAKER: Will do.

3 UNIDENTIFIED SPEAKER: Because that's --

4 MS. BECKJORD: And I will. We'll be meeting with the  
5 firefighters and things like that later in the week and I'll  
6 absolutely pass that on, because I know that makes them feel good  
7 because it's hard for them. They also need a little bit of  
8 calming down after something like this once they've processed it  
9 for a few days and that will make a big impact. And so, I'll be  
10 sure to let them know.

11 UNIDENTIFIED SPEAKER: And her hospital experience has been  
12 phenomenal, too.

13 UNIDENTIFIED SPEAKER: Yeah, this is a great hospital. I had  
14 two of my three children born here.

15 MS. MILBERGER: I am very impressed. Very impressed with  
16 this area too.

17 UNIDENTIFIED SPEAKER: You all have a beautiful town,  
18 beautiful community.

19 UNIDENTIFIED SPEAKER: Thanks.

20 MS. BECKJORD: I cannot imagine how difficult that situation  
21 was, but I'm glad you're okay.

22 MS. MILBERGER: I have truly been blessed.

23 (Whereupon, at 12:00 p.m., the interview was concluded.)  
24  
25

CERTIFICATE

This is to certify that the attached proceeding before the  
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:            FATAL COLLISION OF CSX FREIGHT  
                                 TRAIN AND TEXAS TOUR BUS  
                                 BILOXI, MISSISSIPPI  
                                 ON MARCH 7, 2017  
                                 Interview of: Dorothy Milberger

ACCIDENT NO.:                HWY17MH010

PLACE:                        Biloxi, Mississippi

DATE:                         March 9, 2017

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.



Letha J. Wheeler  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

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FATAL COLLISION OF CSX FREIGHT \*

TRAIN AND TEXAS TOUR BUS \*

Accident No.: HWY17MH010

BILOXI, MISSISSIPPI \*

ON MARCH 7, 2017 \*

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\* \* \* \* \*

Interview of: TIMOTHY ORR

Merit Health Medical Center  
Biloxi, Mississippi

Wednesday,  
March 8, 2017

## APPEARANCES:

DETECTIVE STEVE KELLY  
Biloxi Police Department

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I N T E R V I E W

1  
2 DET. KELLY: Timothy Orr, what is your middle name?

3 MR. ORR: Michael, M-i-c-h-a-e-l.

## INTERVIEW OF TIMOTHY ORR

4  
5 BY DET. KELLY:

6 Q. Okay. So when you saw the train coming, were you standing up  
7 or were you sitting down?

8 A. Sitting down because my wife was on the aisle seat and so I  
9 was in between her and the --

10 UNIDENTIFIED SPEAKER: Window.

11 BY DET. KELLY:

12 Q. Was she sitting down when the train hit or was she up?

13 A. No. She -- everybody started to yell get off the bus.

14 Q. Okay.

15 A. And so everybody ran down the aisle, but -- so she was on the  
16 outside. She jumped up and ran, but I couldn't get off because  
17 everybody was packed in the aisle trying to get down the aisle.  
18 There was no room for me to --

19 Q. I got you.

20 A. -- insert myself. So I was right there when it hit. In  
21 fact, so most likely she was off the bus or getting off the bus on  
22 impact. I'm guessing.

23 Q. Okay.

24 A. I think if she would have stayed on the bus she would have  
25 got by. I think she got off the bus and when the train hit the

1 bus, the bus ran over her.

2 Q. Yes, sir.

3 A. But if she would have stayed on the bus she would have been  
4 as far forward as she could have got. And the train hit in the  
5 middle of the bus.

6 Q. Okay.

7 UNIDENTIFIED SPEAKER: That's what happened, the train hit --  
8 the bus hit her from the impact of the train?

9 DET. KELLY: Yeah. I'll talk to you about that.

10 UNIDENTIFIED SPEAKER: Okay. I'm sorry.

11 DET. KELLY: Yeah. That's fine.

12 BY DET. KELLY:

13 Q. Are you working anywhere? Are you retired?

14 A. I'm retired. I'm 70.

15 Q. Okay. What's a good address for you, sir?

16 A. [REDACTED]

17 Q. Could you spell that?

18 A. [REDACTED]

19 Q. [REDACTED]

20 A. [REDACTED]

21 Q. Okay.

22 A. [REDACTED]

23 Q. [REDACTED]

24 A. Yeah.

25 Q. Did they tell you what type of injuries you're suffering?

1 A. What's that?

2 Q. Where were you hurting? Where are you hurting the most? Or  
3 what kind of --

4 A. Pelvic bone.

5 Q. Pelvic. Is it the right or left or both?

6 UNIDENTIFIED SPEAKER: He said he broke his pelvis.

7 BY DET. KELLY:

8 Q. On the right side?

9 A. The left side.

10 Q. Oh, your left side.

11 A. And my left hip and my right --

12 UNIDENTIFIED SPEAKER: Clavicle. And then you got stabbed on  
13 his left side through the muscle and it nicked the top of his hip  
14 bone.

15 UNIDENTIFIED SPEAKER: And then there was a laceration on his  
16 arm.

17 UNIDENTIFIED SPEAKER: Laceration on his arm.

18 MR. ORR: I think that was going out the window.

19 UNIDENTIFIED SPEAKER: Probably, dad, yeah. Which might have  
20 been what impaled you too. Might have been a piece of glass or  
21 something.

22 BY DET. KELLY:

23 Q. Were you on the bus the whole time and the medical staff  
24 pulled you off the bus, or did you get off on your own?

25 A. No. They made me walk off the bus.

1 Q. Okay.

2 A. Which was rather painful. And then --

3 UNIDENTIFIED SPEAKER: He said he couldn't get down the last  
4 step.

5 MR. ORR: And then I couldn't get down the last steps. They  
6 were too steep. So four guys carried me.

7 BY DET. KELLY:

8 Q. Uh-huh. Were there any seat belts or anything on the bus?

9 A. There were.

10 Q. Okay. Were you wearing your seat belt?

11 A. No. No --

12 Q. Well, you took it off to get out the bus, right?

13 A. Yeah.

14 Q. Okay.

15 A. Everybody just (indiscernible) right out the back.

16 UNIDENTIFIED SPEAKER: Want a little more juice, Dad?

17 MR. ORR: Yeah. Thanks. I don't know why I'm so thirsty.

18 UNIDENTIFIED SPEAKER: Yeah, you look really like dehydrated.  
19 Let me go get you some more.

20 MR. ORR: Thank you. My whole lips dry and chapped.

21 UNIDENTIFIED SPEAKER: Yeah, I can see that.

22 MR. ORR: I don't know why.

23 UNIDENTIFIED SPEAKER: It must be uncomfortable.

24 MR. ORR: Huh?

25 UNIDENTIFIED SPEAKER: It must be very uncomfortable.

1           DET. KELLY:  Okay.  It's Timothy Orr at the hospital, Merit  
2 Health.  That will conclude the interview.

3           (Whereupon, the interview was concluded.)  
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

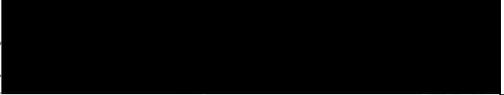
IN THE MATTER OF:            FATAL COLLISION OF CSX FREIGHT  
                                 TRAIN AND TEXAS TOUR BUS  
                                 BILOXI, MISSISSIPPI  
                                 ON MARCH 7, 2017  
                                 Interview of: Timothy Orr

ACCIDENT NO.:                HWY17MH010

PLACE:                        Biloxi, Mississippi

DATE:                         March 8, 2017

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\_\_\_\_\_  
Letha J. Wheeler  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: \*

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FATAL COLLISION OF CSX FREIGHT \*

TRAIN AND TEXAS TOUR BUS \*

Accident No.: HWY17MH010

BILOXI, MISSISSIPPI \*

ON MARCH 7, 2017 \*

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\* \* \* \* \*

Interview of: RODNEY TURNER and  
CATHERINE TURNER

Merit Health Medical Center  
Biloxi, Mississippi

Wednesday,  
March 8, 2017

## APPEARANCES:

DETECTIVE STEVE KELLY  
Biloxi Police Department

I N D E X

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Interview of Rodney Turner and Catherine Turner:

By Det. Kelly

4

I N T E R V I E W

1  
2 DET. KELLY: All right. In the room is Rodney Turner and  
3 Catherine Turner.

4 Catherine, right?

5 MR. TURNER: Yes.

6 MS. TURNER: Yes.

## INTERVIEW OF RODNEY TURNER AND CATHERINE TURNER

7  
8 DET. KELLY: Okay. And you all were sitting about five rows  
9 from the front?

10 MR. TURNER: About five rows from the front.

11 DET. KELLY: On the passenger side of the bus?

12 MR. TURNER: On the passenger side of the bus, yes.

13 DET. KELLY: Did you hear the train horns or the train  
14 whistles?

15 MR. TURNER: Oh, yeah.

16 MS. TURNER: I never heard the train whistles.

17 MR. TURNER: I heard the train. I mean, it's kind of hard --  
18 you know, it's kind of other things to think of at the time, but I  
19 heard it. Well, I could see it coming. I mean, I knew it was  
20 coming.

21 MS. TURNER: We could see the train before the lights started  
22 blinking.

23 MR. TURNER: Yeah, the train was actually there before the  
24 lights came on.

25 UNIDENTIFIED SPEAKER: The crossing arms and everything?

1 MS. TURNER: Yes.

2 DET. KELLY: You are taking notes on her statement and I'm  
3 going to take notes on his; is that right? Or do you want me to  
4 take notes on both?

5 UNIDENTIFIED SPEAKER: Well, it's up to you.

6 DET. KELLY: I'll do both. Okay.

7 UNIDENTIFIED SPEAKER: Were you all wearing your seat belts?

8 MR. TURNER: Actually, I was wearing them up until that point  
9 in time when we needed to get out of the bus, and then I  
10 unbuckled --

11 MS. TURNER: Somebody started yelling, "Get off the bus. Get  
12 off the bus."

13 MR. TURNER: Yeah. And when it was apparent that the train  
14 was continuing to come, then we tried to get out. When they tried  
15 to get out, they took off the belt. It probably would have been  
16 better off to leave the seat belts on, I imagine. But she did  
17 well by being on the floor. I was standing up trying to get her  
18 up --

19 UNIDENTIFIED SPEAKER: So you were actually up and out of the  
20 seat at the point of impact? You were up out of the seat trying  
21 to get off the bus?

22 MR. TURNER: I was, yes.

23 UNIDENTIFIED SPEAKER: And Catherine, where were you at? You  
24 were on the --

25 MS. TURNER: I was sitting, and I don't know how I got on the

1 floor. I was in the seat.

2 UNIDENTIFIED SPEAKER: You were still in your seat?

3 MS. TURNER: I was in the seat.

4 UNIDENTIFIED SPEAKER: Did you have your seat belt on at the  
5 time?

6 MS. TURNER: Yes. And then the next thing I knew he was  
7 yelling, "Where are you? Where are you?" And I'm on the floor.  
8 So how I got from there --

9 UNIDENTIFIED SPEAKER: You don't remember how you got on the  
10 floor?

11 MS. TURNER: I don't know. I don't know. And the lady in  
12 front of me was sitting on me.

13 UNIDENTIFIED SPEAKER: So you all heard somebody yelling the  
14 train was coming --

15 MS. TURNER: Get off the bus.

16 MR. TURNER: They were saying get off the bus.

17 UNIDENTIFIED SPEAKER: -- a moment later you all heard "Get  
18 off the bus"?

19 MS. TURNER: Get off the bus.

20 UNIDENTIFIED SPEAKER: Then you all heard the crossing arms  
21 and the sounds for the railroad crossing and people were trying to  
22 get off the bus.

23 MR. TURNER: Yes.

24 UNIDENTIFIED SPEAKER: Is there anything else you can  
25 remember?

1 MS. TURNER: Well, once we were hit, we tried to get off but  
2 we couldn't because there was -- Kay Kieke was one of the people  
3 sitting in the front and she was on the floor on her back. So we  
4 couldn't -- we'd have to walk over her to get --

5 And then Carol Wright, she was in the front. Kay was on --  
6 well, I don't know where Kay was. Carol was sitting on -- Carol  
7 was in the front seat on the passenger side. She was our team  
8 leader. And she must have been on the stairwell because nobody  
9 could get past. And then they finally came and took her out --  
10 she was a large lady so it took many people to take her out, and  
11 she was crying and screaming. I don't know. She was pretty badly  
12 hurt. But once the impact occurred, then the fire department  
13 people started coming in and taking us out.

14 MR. TURNER: She was in pain, yeah. Tim was right in front  
15 of me. He was really in bad shape. I could see that. But the  
16 fireman carried him out.

17 DET. KELLY: Which one was that, Tim?

18 MR. TURNER: Tim Orr.

19 MS. TURNER: Tim Orr. He was sitting across the aisle.

20 UNIDENTIFIED SPEAKER: He's doing good. He's right here on  
21 this floor?

22 MR. TURNER: He's right there, right down the --

23 MS. TURNER: Yeah, we're waiting to go see him.

24 MR. TURNER: We're waiting to go see him. We've been friends  
25 for years.

1 MS. TURNER: We've been friends forever.

2 DET. KELLY: All right.

3 (Whereupon, the interview was concluded.)

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CERTIFICATE

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NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL COLLISION OF CSX FREIGHT  
TRAIN AND TEXAS TOUR BUS  
BILOXI, MISSISSIPPI  
ON MARCH 7, 2017  
Interview of: Rodney Turner and  
Catherine Turner

ACCIDENT NUMBER: HWY17MH010

PLACE: Biloxi, Mississippi

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Investigation of: \*

FATAL COLLISION OF CSX FREIGHT \*

TRAIN AND TEXAS TOUR BUS \*

BILOXI, MISSISSIPPI \*

ON MARCH 7, 2017 \*

\* \* \* \* \*

Accident No.: HWY17MH010

Interview of: EVELYN VIOT

Merit Health Medical Center  
Biloxi, Mississippi

Wednesday,  
March 8, 2017

## APPEARANCES:

DETECTIVE STEVE KELLY  
Biloxi Police Department

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I N T E R V I E W

## INTERVIEW OF EVELYN VIOT

1  
2  
3 BY DET. KELLY:

4 Q. All right. And your name is?

5 A. Evelyn.

6 Q. E-v-e --

7 A. E-v-e-l-y-n, Viot.

8 Q. Viot, V-i-o-t?

9 A. V-i-o-t, actually it's French. It's Viot.

10 Q. Viot. Oh, okay.

11 A. Americans --

12 Q. We change it around.

13 UNIDENTIFIED SPEAKER: That's all right. We've heard it  
14 pronounced at least 10 different ways since we've been here.

15 BY DET. KELLY:

16 Q. What's your address, Ms. Evelyn?

17 A. [REDACTED]

18 Q. [REDACTED]

19 A. [REDACTED]

20 Q. Uh-huh.

21 A. [REDACTED]

22 Q. Got you.

23 A. And that's [REDACTED]

24 Q. What is your phone number, please, ma'am?

25 A. [REDACTED]

1 Q. What's your birthday, Ms. Evelyn?

2 A. [REDACTED]

3 Q. Does she have your high and weigh on the board?

4 A. No.

5 Q. How tall are you?

6 A. [REDACTED]

7 Q. And how much do you think you weigh?

8 A. [REDACTED]

9 Q. What's your social?

10 A. Is that necessary? I guess it is. [REDACTED] You are  
11 going to leave me your card, right?

12 Q. When you came here -- Yes, ma'am. I've got it right here.

13 And you came here by the ambulance, right?

14 A. Yes.

15 Q. Do you know where your seat number was? Did you have a seat  
16 number on the bus?

17 A. I don't know what the number was. I know pretty much where I  
18 was, but --

19 Q. Okay. Were you sitting behind the driver's side or on the  
20 passenger's side of the bus?

21 A. Driver's side.

22 Q. The driver's side. Were you closer to the front or closer to  
23 the back or the middle?

24 A. Closer to the back.

25 Q. Closer to the back.

1 A. Probably three-fourths of the way back.

2 Q. Okay. When the train hit the bus were you standing up or  
3 were you sitting down?

4 A. I was sitting in my seat.

5 Q. You were sitting down. Did you have a seat belt on?

6 A. There were no seat belts.

7 Q. No seat belts, okay. Did you hear the train horn at all?

8 A. No.

9 Q. You didn't hear a horn. Did you see any flashing lights or  
10 anything from the train?

11 A. No. Just the front of the train getting bigger and bigger.

12 Q. Yeah. Did you see the train coming toward the bus?

13 A. Yes, because I was sitting on that side of the bus.

14 Q. Okay.

15 A. But I was not next to the window. Another lady was next to  
16 the window. I was on the aisle.

17 Q. Got it. What happened when the bus got stuck on the tracks;  
18 did anybody tell you to get off the bus, stay on the bus or a  
19 train was coming or what happened?

20 A. It was all kind of very quick. Suddenly I realized we were  
21 on the tracks. I don't know if the bar came down behind the bus  
22 because I couldn't see behind me. But even though I was back  
23 three quarters of the way I saw the bar come down in front of the  
24 bus.

25 Q. Okay.

1 A. That would be on the other side of the track.

2 Q. Yes, ma'am.

3 A. So, I imagine we were pretty well stuck between. I don't  
4 know. I know the bus tried to go back, tried to go forward,  
5 couldn't.

6 Q. Okay.

7 A. The tracks -- it felt like on the bus that maybe the tracks  
8 were higher than the ground or something. And --

9 Q. Yeah, it's very steep right there.

10 A. Yes.

11 Q. That's what it is. So, when the bus went over it got teeter  
12 tottered --

13 A. Yes.

14 Q. -- stuck on top.

15 A. There was no traction. No way he could drive it.

16 Q. Right. After the incident, were you still on the bus did the  
17 medical person help you off the bus or did you get off the bus on  
18 your own?

19 A. A fireman helped me off.

20 Q. A fireman helped you off the bus?

21 A. Uh-huh.

22 UNIDENTIFIED SPEAKER: You took a ladder, right?

23 MS. VIOT: Yes. We had some very seriously injured people in  
24 the very back of the bus. They were all piled on top of each  
25 other. And there was a man that was unconscious and he was on top

1 of a lady. And all I could see of her was her hand --

2 BY DET. KELLY:

3 Q. Ms. Cruz.

4 A. -- you know Groping out. The fireman -- a man came, a black  
5 man came and he was not an emergency person because it was very  
6 soon. I mean, there was silence on the bus after. Everybody was  
7 screaming before the train hit but then it was silence. I guess  
8 everybody if they were alive they were in shock.

9 Q. They were in shock, yes, ma'am.

10 A. I don't know it was silent. And then, you know, I could hear  
11 people groaning and sobbing. Behind me I had gone -- the lady  
12 from -- somehow from the window was a fairly big lady, but  
13 somehow, she ended up over me and almost under the seats and on  
14 the floor. And I was on top of her, which is weird. I don't know  
15 how that happened. But, I mean, it was all so quick. And the  
16 grinding and the noise and the smashing of the windows and  
17 everything was so bad.

18 Q. It was very loud.

19 A. I was kind of hurled over. But --

20 Q. What kind of injuries did you suffer?

21 A. Just some fractured ribs and my leg was huge then, but the  
22 swelling has gone down.

23 Q. Swelling has gone down. Which leg is it?

24 A. Right leg.

25 Q. Your right leg.

1 A. Yeah, it's bruised.

2 Q. And you broke some ribs?

3 A. Uh-huh. But like I said, they were very badly injured inside  
4 and this black man came and drove his car I guess up to the bus --

5 Q. Uh-huh. Yes.

6 A. -- and climbed into the window. And he was trying to -- he  
7 went to the bathroom trying to get a back-door open or something  
8 because we were all trapped in the bus.

9 Q. Right. He couldn't open it because when the train hit the  
10 bus it twisted the bus causing that door to be pinched and he  
11 couldn't open it.

12 A. And could not -- the front door couldn't be opened either, I  
13 guess.

14 Q. He was actually on his way to pick up his children from  
15 school when he saw the accident happen. So, he drove his car up  
16 alongside the bus --

17 A. Oh, great.

18 Q. --- and climbed on top of his car to break the window to help  
19 people.

20 A. I mean, he was so brave and he broke out the window behind  
21 where we had been sitting. He broke that one out, but that would  
22 be the one nearest the tracks. He got that one out, twisted it  
23 and got it out. But the one -- the firemen then came up to the  
24 window and, you know, all the glass was on the edge of the window  
25 and he -- we had hollered out there to the people that were trying

1 to rescue us that there was a lot of people in the back of the bus  
2 that needed, really needed help now.

3 Q. Right.

4 A. You know, so the firemen came up and looked in the window.  
5 And he said we have to get in to those people. And he got on the  
6 seat and got by me and got back there, but then he couldn't get --  
7 he got -- they got the man but they couldn't get him down the  
8 aisle because we were all piled under and over and everything.  
9 And he said we need to clear the aisle.

10 If there's anybody who can will you get out of this window on  
11 to the ladder so we can get some space here. And since I'm pretty  
12 small and a lot of older people, you know, spread some, like the  
13 lady that was sitting next to me probably saved me from getting  
14 more injured because I landed on top of her. But I said, I'll go  
15 out that way and they helped me turn backwards and go out down the  
16 ladder. So, I don't really know what went on in the bus after  
17 that point.

18 Q. Sure. Absolutely.

19 A. All I know was the fireman was saying we got to clear the  
20 aisle to get this gentleman out of here and there was no space  
21 because everybody was over, under; I mean, it was a mess.

22 Q. All right.

23 A. And I'll never forget the sound of that, you know, the metal  
24 and the grinding and glass breaking and --

25 (Whereupon, the interview was concluded.)

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Interview of: Evelyn Viot

ACCIDENT NO.: HWY17MH010

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TRAIN AND TEXAS TOUR BUS \*

Accident No.: HWY17MH010

BILOXI, MISSISSIPPI \*

ON MARCH 7, 2017 \*

\*

\* \* \* \* \*

Interview of: STARR WANECK

1220 Colorado Street  
Suite 320  
Austin, Texas

Friday,  
June 16, 2017

## APPEARANCES:

MICHAEL LaPONTE, Highway Accident Investigator  
National Transportation Safety Board

SHERYL HARLEY, Survival Factors Investigator  
National Transportation Safety Board

JONATHAN CLARK, Esq.  
(On behalf of Ms. Waneck)

ROBERT POTROFF, Esq.  
(On behalf of Ms. Waneck)

JAMES PERRIN, Esq.  
(On behalf of Ms. Waneck)

JAMES WANECK  
(Husband)

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I N T E R V I E W

(9:52 a.m.)

1  
2  
3 MR. LaPONTE: So, the NTSB is an independent federal agency  
4 and we are charged by Congress to investigate transportation  
5 accidents. We are required by law to investigate all aviation  
6 accidents in the United States and overseas if it involves a U.S.  
7 built aircraft or components, and the other modes of accident --  
8 highway, rail, marine, pipeline and so forth, obviously we can't  
9 investigate all because there's just so numerous, but we  
10 investigate accidents in hopes of finding the probable cause and  
11 then, if there are deficiencies in the systems that, you know, in  
12 terms of oversight, regulation, whatever that allowed the accident  
13 to occur, we can make recommendations to the various agencies  
14 hopefully to avoid it in the future.

15 So we don't regulate anything. We don't enforce anything.  
16 We just do a lot of chatting, a lot of talking. We have a huge  
17 soap box. And we spend an inordinate amount of time on it trying  
18 to get improvements in transportation regulations for  
19 transportation safety.

20 James.

21 MR. PERRIN: The only thing I wanted to add as we were  
22 getting started, Starr is right in the middle of a lot of medical  
23 treatment --

24 MR. LaPONTE: Uh-huh.

25 MR. PERRIN: -- and so, if you get an answer that she doesn't

1 know or doesn't remember, she is not being evasive.

2 MR. LaPONTE: No.

3 MR. PERRIN: She is under the care of a neuropsychologist and  
4 a neurologist and has some brain injury issues and cognitive. Had  
5 an orbital fracture, a jaw fracture that she's had surgery for  
6 both of those, and so, I just don't want you all to think she is  
7 being evasive about anything. She does have memory and cognitive  
8 issues that manifests itself in some question and answer type  
9 settings. And so, I just wanted to note -- you all to know that  
10 in advance.

11 MR. LaPONTE: No problem.

12 MS. HALEY: Thank you, sir.

13 MR. LaPONTE: We -- like I said, this is not a hostile  
14 interrogatory; these gentlemen know what that is. But, you know,  
15 we are just trying to get a sense of what you experienced from the  
16 beginning of the trip until the time of the accident. And then  
17 the biggest thing -- actually, one of the biggest reasons we are  
18 doing this is so we can formalize the seating chart so we know  
19 where people were sitting in the motor coach at the time of the  
20 crash. And with that, I'll let Ms. Harley carry on with what she  
21 does.

22 INTERVIEW OF STARR WANECK

23 BY MS. HARLEY:

24 Q. Okay. Good morning. Again, I'm Sheryl Harley. I am the  
25 survival factors specialist on the team. My job is to look at the

1 crash, everything that kind of lead up to it, through the crash  
2 sequence, and then afterwards. One of the things that we are  
3 looking at is if we can possibly make a recommendation in order to  
4 prevent something from happening, to lessen the severity of the  
5 injuries that were suffered in the event something like this  
6 happens again or to prevent any more deaths from this. Okay.

7 So to start off with, what I'm going to ask you to do, if you  
8 can, as much as you can -- if you don't remember that's absolutely  
9 fine. I want you to tell me about the trip. Let's start from  
10 when you got on the bus.

11 A. Okay. We left Bastrop and we drove, I don't know, I-10, I  
12 guess we ended up on I-10 to go. And I think we spent the night  
13 in Louisiana somewhere. I don't know for sure.

14 Q. Okay. I tell you what, when you got on the -- you boarded  
15 the bus at Bastrop, did the driver talk to the passengers on the  
16 bus?

17 A. He introduced himself as we got on, if I remember correctly.

18 Q. Okay. Did he talk about anything else, about the safety  
19 features of the bus, how to get off the bus if there was an  
20 emergency, anything like that?

21 A. No.

22 Q. Okay. You were on this trip with your sister; is that  
23 correct?

24 A. Yes.

25 Q. And that's Donna Bartsch?

1 A. Bartsch.

2 Q. Okay. All right. So the bus left Bastrop. The bus then  
3 stops at Sealy?

4 A. Yes. It picked up people.

5 Q. Okay. Did you know any of the people from Sealy that got on  
6 the bus with you?

7 A. No.

8 Q. Okay. All right. So then you said the bus stopped overnight  
9 in Louisiana?

10 A. I think so.

11 Q. Okay. Do you remember the woman who left the trip in  
12 Louisiana, who got sick and left the group?

13 A. I don't remember her name, no.

14 Q. No. All right. So the following day you leave Louisiana and  
15 where do you go?

16 A. We go to Mississippi.

17 Q. And where is that? Where did you go?

18 A. We went to the casino there where we were going to stay.

19 Q. Okay.

20 A. And I can't remember the name.

21 Q. Okay. All right. So you were there all day; you stayed  
22 overnight?

23 A. Uh-huh.

24 Q. And then try to walk me through the events that happened the  
25 morning of the crash, if you can.

1 A. I got up and had breakfast and then we loaded to go to the  
2 casino we were going to.

3 Q. Okay. All right.

4 A. And on that way we had the accident.

5 Q. Okay. When you were on the bus, on the way to this new  
6 casino, was there a discussion about how you were going to get  
7 there, about a change in route?

8 A. We were asked if we would like to go the scenic route and  
9 everyone on the bus said yes.

10 Q. Okay. Do you remember anything about that route?

11 A. No. Other than we got to see the ocean or whatever it's  
12 called.

13 Q. Okay. All right. What was your first indication that there  
14 was a problem with the bus?

15 A. Well, we stopped at the railroad track and then it kept going  
16 back and forth on the railroad track. And then there was the lady  
17 from our tour group stood up and said let's start unloading. And,  
18 of course, everybody started getting up and getting their things  
19 out of the hood. So we were all like stuck there. We are  
20 standing in the aisle some.

21 Q. Okay. So the lady that actually stood up and told everybody  
22 to start unloading, who was she?

23 A. She was the lady that was head of the tour group.

24 Q. And who was that?

25 A. I can't remember her name.

1 Q. Okay.

2 A. I've only done like three of these trips, so I don't really  
3 know everybody.

4 Q. Okay. But she is the head lady that --

5 A. Uh-huh.

6 Q. Okay. All right. So you stood up; is that correct?

7 A. Yes. They told us to start getting out of our seats. So I  
8 was sitting on the outside of the seat, my sister was sitting on  
9 the inside, and we stood up. I stood up and stepped back so she  
10 could go ahead of me.

11 Q. Okay.

12 A. And then we were in the aisle and we just stood there. I  
13 moved over two seats and we just stood there, and I was standing  
14 there looking straight at the train coming at me.

15 Q. Okay. So you were sitting on the aisle?

16 A. Uh-huh.

17 Q. And Donna was sitting at the window?

18 A. Yes.

19 Q. Okay. So you stood up.

20 A. Uh-huh.

21 Q. You stepped back and let Donna go in front of you?

22 A. Uh-huh. I guess that's part of manners.

23 Q. So you said you moved up, was that two rows of seats?

24 A. Yeah, about two seats, yeah.

25 Q. Okay. What made you look at the train?

1 A. Because we were talking to the people that were still sitting  
2 in the seats. They were friends of ours.

3 Q. And who were they?

4 A. Well, Ms. Hoffman was Joyce Hoffman, and I can't remember the  
5 other lady's -- but she's Marie's sister.

6 Q. Okay.

7 A. I don't remember her first name.

8 Q. All right.

9 A. And I was standing at Darwin and Marie's seat.

10 Q. Okay.

11 A. And somebody, somebody was standing between me and Donna.  
12 They must have got out between us.

13 Q. Okay. So while you were standing there you just looked up  
14 and saw the train?

15 A. I saw the train coming. Yes, ma'am.

16 Q. Okay. When you saw the train, how far back do you think it  
17 was?

18 A. I don't remember. I don't know.

19 Q. Okay.

20 A. Seemed like it came forever.

21 Q. Could you tell if it was moving fast or slow?

22 A. No.

23 Q. Okay. Did you by any chance see the lights flashing at the  
24 crossing or the crossing arm come down?

25 A. No.

1 Q. Okay. Did you hear the bell at the crossing gate, at the  
2 crossing, the warning bell?

3 A. I don't remember.

4 Q. Okay. Do you remember hearing the train whistle?

5 A. No, ma'am.

6 Q. Okay. Okay. Were you still at that spot when the train hit  
7 the bus?

8 A. Yes, ma'am.

9 Q. Okay. After the impact, where did you end up?

10 A. I ended up in the lap of Marie and Darwin, and there was  
11 another lady under me. I don't know how she got there or  
12 anything. And I don't remember her name.

13 Q. Do you remember who was sitting at the window, whether it was  
14 Marie or Darwin?

15 A. No.

16 Q. Okay. Okay. All right. Do you remember how you got off the  
17 bus?

18 A. The EMT guys got me off.

19 Q. Okay. Do you know how long it seemed for them to arrive?

20 A. It seemed?

21 Q. Yeah.

22 A. I don't know because when they came I was kind of in and out.

23 Q. Okay.

24 A. I don't remember none of that.

25 Q. Do you think you lost consciousness?

1 A. Oh, I think so. Yes, ma'am.

2 Q. Okay. Okay. I know your attorney had said giving us a basic  
3 overview of some of your injuries.

4 A. Uh-huh.

5 Q. So I'm going to ask you if you could go through them with me.  
6 One of the things that we are looking at is how people got  
7 injured --

8 A. Uh-huh.

9 Q. -- and what possibly caused the injury, if it was something  
10 in the bus or something else. So can you go through how you were  
11 injured?

12 A. Well, I don't know what I hit or anything like that. But --

13 Q. Okay.

14 A. -- this was all broke up in here. They had to replace it.  
15 I've had to have hearing aids and I'm all mixed up. I can't  
16 remember anything lots of times.

17 Q. Okay. Was this all on the left side?

18 A. It's on both sides. I've got hearing aids in both sides.

19 Q. Okay.

20 A. But most of the facial damage was right here.

21 Q. Okay.

22 A. And the right part of my brain -- what did they call it --  
23 right lobal something is injured.

24 Q. Okay. Do you remember seeing Donna either just before or  
25 just after the collision?

1 A. No. They were two people in front of us. So, I mean, I'm  
2 kind of short. I usually can't see over the top of anyone.

3 Q. Okay. All right. After the collision did you see anyone  
4 else that you recognized that was also injured there?

5 A. There were several. Kaye Kieke, she was laying in the aisle,  
6 part of the aisle, and -- oh, I can't think of her name. Anyway I  
7 can't remember.

8 Q. Okay. All right. Do you remember anyone -- do you remember  
9 a discussion about people complaining about not being able to get  
10 through other people when the lady who was in charge of the tour  
11 told everyone to evacuate the bus?

12 A. I remember people reaching up and grabbing their things and  
13 we were just hung there. We couldn't move.

14 Q. Uh-huh. Okay. All right. So what I'm going to ask you to  
15 do for me, if you don't mind, this is just simply a drawing of a  
16 bus.

17 A. Okay.

18 Q. And what I want to do is to see if I can kind of locate where  
19 people were. This is the driver and this is where the bathroom is  
20 in the back.

21 A. Uh-huh.

22 Q. Do you remember approximately where you were seated?

23 A. About midway.

24 Q. Okay. On the passenger side or driver's side?

25 A. On the driver's side.

1 Q. Okay. So you're about midway.

2 A. Uh-huh.

3 Q. So, it was you and Donna.

4 A. Uh-huh.

5 Q. Who was sitting at the window?

6 A. Donna was at the window.

7 Q. Okay. All right. And you on the aisle.

8 A. Uh-huh.

9 Q. And who was in front of you?

10 A. Ms. Joyce Hoffman.

11 Q. Joyce?

12 A. Uh-huh.

13 Q. Okay.

14 A. And I don't remember the lady.

15 Q. And you said that was Marie's sister?

16 A. Marie's sister, yeah.

17 Q. Okay. Do you remember if Joyce was sitting at the aisle or  
18 on the window?

19 A. I think Joyce was at the aisle. I don't remember.

20 Q. Okay. So there's Marie's sister. And who was in front of  
21 Joyce and Marie's sister?

22 A. Darwin and Marie.

23 Q. Okay. Darwin and Marie. And I know you say you don't  
24 remember where they were sitting.

25 A. Uh-huh.

1 Q. Do you remember if someone was sitting in front of them?

2 A. Yeah, there was, but I don't know who they were, what were --  
3 their names, no, I don't remember.

4 Q. Okay. Were they two females, two males, a male and a female?

5 A. I can't remember.

6 Q. Okay. That's fine. I tell you what, who was sitting across  
7 from you and Donna?

8 A. Two Hispanic ladies. I don't know their names.

9 Q. Okay. That's fine. All right. Do you know who was seated  
10 in front of them?

11 A. No.

12 Q. Okay. Do you know where anyone else that you're familiar  
13 with was seated on this bus? Do you know, for example, who was  
14 sitting in the first row?

15 A. I think that was Kaye Kieke and I don't know the other lady's  
16 name.

17 Q. Was that the lady you say was in charge of the group?

18 A. Uh-huh.

19 Q. Okay. Were they sitting in -- on the passenger side or on  
20 the driver's side?

21 A. I don't remember.

22 Q. Okay. That's fine. Do you remember anyone else?

23 A. No.

24 Q. Okay. All right. Okay. Is there anyone else that you were  
25 familiar with that you have some idea where they were on the bus?

1 A. No.

2 Q. No? Okay. All right. Do you remember if the driver had  
3 said anything about there being a rear door on the bus?

4 A. No.

5 Q. You don't remember or he didn't say it?

6 A. I don't remember.

7 Q. Okay. Do you know how long approximately, if you can say,  
8 from the time that you first saw the train to the time the train  
9 hit the bus?

10 A. Uh-uh.

11 Q. No? And it's your recollection that you just happened to  
12 look up and see the train --

13 A. Uh-huh.

14 Q. -- it wasn't that you heard a horn or something that drew  
15 your attention to it?

16 A. Oh, yeah.

17 Q. Okay.

18 BY MR. LaPONTE:

19 Q. Ms. Waneck, you said earlier that the EMTs got you off the  
20 bus. Do you remember did they take you out the windows, out the  
21 front door? Do you remember how they got you out?

22 A. We went out the door. They hadn't gotten the window open yet  
23 when they took me off.

24 Q. Okay. Did they put you on a back board or they just kind of  
25 escorted you off?

1 A. No, they just -- they escorted me off and then they laid me  
2 on a blue tarp out there.

3 Q. Okay. All right. And when you were evacuated from the crash  
4 site, was that by ambulance?

5 A. By ambulance.

6 Q. Okay. Because some people were airlifted and we are still  
7 trying to figure out who those folks were.

8 A. Uh-huh.

9 Q. So I have one other thing to ask because she has all the  
10 heavy lifting. They just brought me along to rent the car and  
11 make sure that there was someone here to buy dinner.

12 So we found this pill keeper in the motor coach, and we are  
13 trying to determine to whom it may belong, because we thought it  
14 was odd, a little odd that someone would bring all of their daily  
15 medications with them when folks had stayed the day -- you know,  
16 are staying that night in the hotel and had checked in and so  
17 forth.

18 A. No. Never seen it before.

19 MR. LaPONTE: Okay. And that does it for me. Like I say,  
20 the lion share of what we are trying to do is to get a seating  
21 chart. And I think we've accomplished that.

22 MS. WANECK: Uh-huh.

23 BY MS. HARLEY:

24 Q. All right. So this is where I always ask people is there  
25 something that you think I should have asked you and I didn't?

1 A. No. I guess not.

2 Q. Are there any questions that you have for me?

3 A. No.

4 Q. Okay. All right. So what I also tell people is, if a day or  
5 two from now or a week from now you remember something, even if  
6 you don't think it's important, please let your attorney know.

7 A. Okay.

8 Q. And he'll pass it on to us.

9 A. Okay.

10 MR. LaPONTE: Also, just so you know, I think the NTSB may  
11 have sent you a letter already explaining kind of the process, but  
12 I'll go over it quickly. The investigation will go on for about  
13 10, 11 months. We are very thorough but we are not very fast.  
14 And then they will have -- a report will be made. This will be  
15 presented to the actual -- the entire Transportation Board. And  
16 that meeting is open to the public. All the records are open to  
17 the public.

18 The records themselves will be redacted so there's no  
19 personal information on them. So, for instance, the seating chart  
20 will just refer to Passenger 1 and Passenger 7 and Passenger 9 or  
21 whatever.

22 MS. WANECK: Uh-huh.

23 MR. LaPONTE: So there's no personal information that is made  
24 public to anybody, but the report itself will end up being about  
25 120 pages or so. And so, if you think you're going to have

1 trouble getting to sleep, you have about 119 nights where you can  
2 read one page and promptly rest. But it is open to the public.  
3 You're certainly welcome; they will send you a copy of it. It  
4 will be on our website once all of this is made public, and that's  
5 usually about a month before the meeting.

6 Right now, the meeting is tentatively scheduled to be in next  
7 April, April of 2018.

8 MS. WANECK: April?

9 MR. LaPONTE: Yes. And you're certainly -- they will invite  
10 you to come. I don't know, did our transportation assistance  
11 folks reach out to you? Elias?

12 MS. WANECK: (No verbal response.)

13 MR. LaPONTE: Okay. We have a transportation assistance  
14 group that in these types of accident deal with the victims,  
15 certainly victims, but the folks that were involved, to give them  
16 an idea of what their options are and where to get, you know,  
17 guidance and seek information and so forth. So they are there all  
18 the time as well if you need to reach out to them for any reason.  
19 And, of course, you got your counsel so -- you got two. You got  
20 all kinds of counsel, many counsels. And you have head counsel  
21 there.

22 MS. WANECK: Oh, yeah.

23 MR. JAMES WANECK: That's the one she doesn't pay any mind  
24 to.

25 MR. LaPONTE: Well, you'd be surprised.

1 MR. JAMES WANECK: I know one thing you brought up, if  
2 somebody had contacted her, NTSB did send us a bid out like a  
3 preliminary report, isn't it?

4 MR. LaPONTE: Yes.

5 MR. JAMES WANECK: Okay. Then they sent us another letter I  
6 think we told you about it, wanting to know if we wanted to keep  
7 receiving information.

8 MR. LaPONTE: Yes.

9 MR. JAMES WANECK: And James said it was okay for us to send  
10 it back to you to say, yes, send us reports as they become  
11 available.

12 MR. LaPONTE: Yes. So what happens is, as this report  
13 progresses or as the investigation progresses they will at various  
14 times release a little more information. And it's not, you know,  
15 it's not going to be a great deal more than that initial account  
16 of the crash itself. But, you know, that mailing list, they keep  
17 that up and the people are interested -- you know, they send it  
18 out and, you know, you can certainly give it to counsel and so  
19 forth. It's just an attempt to keep everybody in the loop of  
20 what's going on and what's transpiring.

21 All the meetings are open to the public. You know, this is  
22 not -- there's no behind closed door testimony going on. So it's  
23 a pretty open-type situation.

24 I want to thank both of you for -- and your daughters  
25 apparently too, as well, for the whole family to speak with us

1 today. I know it's difficult to recount this and I know it's, you  
2 know, obviously it's time out of your schedule as well. So we do  
3 appreciate it.

4 MS. HALEY: Thank you, ma'am.

5 MR. LaPONTE: And to your counsel as well, especially if he  
6 had to come from wherever he came from.

7 (Whereupon, at 10:18 a.m., the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the  
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL COLLISION OF CSX FREIGHT  
TRAIN AND TEXAS TOUR BUS  
BILOXI, MISSISSIPPI  
ON MARCH 7, 2017  
Interview of: Starr Waneck

ACCIDENT NO.: HWY17MH010

PLACE: Austin, Texas

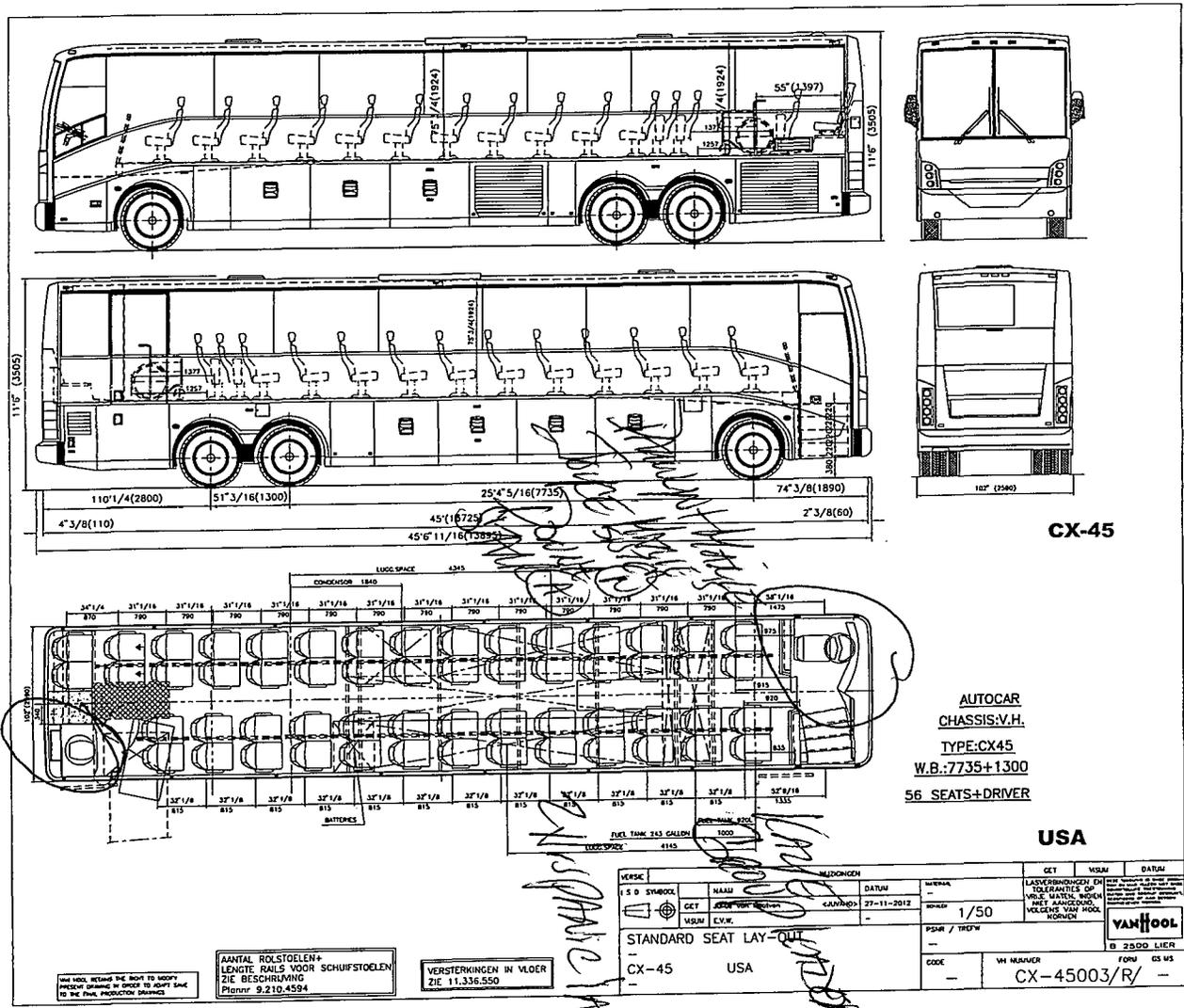
DATE: June 16, 2017

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

  
Letha J. Wheeler  
Transcriber

# INTERVIEWED Mrs STARR WANECK

6/16/17  
9:52 A.M.  
10:18 A.M.



UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL COLLISION OF CSX FREIGHT \*

TRAIN AND TEXAS TOUR BUS \* Accident No.: HWY17MH010

BILOXI, MISSISSIPPI \*

ON MARCH 7, 2017 \*

\*

\* \* \* \* \*

Interview of: CAROL BRON-WRIGHT

1220 Colorado Street  
Suite 320  
Austin, Texas

Friday,  
June 16, 2017

## APPEARANCES:

MICHAEL LaPONTE, Highway Accident Investigator  
National Transportation Safety Board

SHERYL HARLEY, Survival Factors Investigator  
National Transportation Safety Board

JONATHAN CLARK, Esq.  
(On behalf of Ms. Bron-Wright)

ROBERT POTROFF, Esq.  
(On behalf of Ms. Bron-Wright)

CLIFF WRIGHT  
(Husband)

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I N T E R V I E W

(10:50 a.m.)

1  
2  
3 MR. LaPONTE: Well, I'm going to give you a little background  
4 of why we interrupted your Friday and what we are and who we are  
5 and what we do.

6 The National Transportation Safety Board is an independent  
7 federal agency that is charged by Congress to investigate  
8 transportation accidents. We are required by law to investigate  
9 all aviation accidents in the U.S. and overseas if it includes a  
10 U.S. aircraft or components. And that's where most people have  
11 that association with the NTSB. I hope you didn't see the film  
12 Sully because if you did, this is nothing like that.

13 MS. BRON-WRIGHT: I didn't see it.

14 MS. HALEY: It wasn't us.

15 MS. BRON-WRIGHT: That's -- was not you?

16 MR. LaPONTE: No.

17 MS. BRON-WRIGHT: Well, if I see it then I'll know it wasn't.

18 UNIDENTIFIED SPEAKER: There you go.

19 MR. LaPONTE: That was the mean aviation guys.

20 MS. BRON-WRIGHT: Oh, okay.

21 MS. HALEY: We are cooler.

22 MR. LaPONTE: Yeah. We are smaller. Well, we actually in  
23 our interviews we did have one person say I saw that film. You're  
24 not going to do that to me.

25 UNIDENTIFIED SPEAKER: That's what I said, we can tell this

1 was --

2 MR. LaPONTE: So, anyway, what we do is an in-depth  
3 investigation of this crash. And then we will come up with the  
4 probable cause. And then hopefully after we make analysis of all  
5 of that, we can come up with recommendations to avoid it ever  
6 happening in the future whether it be to the railroad, to the  
7 city, to the bus company, to the regulators that oversee those  
8 industries, whatever.

9 So, what we are here today to do is to, first of all, one of  
10 the biggest things for Sheryl, who is a survivor specialist, is  
11 the seating chart and so forth. But I have some other issues I  
12 need to discuss with you because you are the leader of the pack.  
13 You were the leader of the group there. So I am trying to get  
14 some clarification on what that is and what -- you know, how that  
15 transpired during the course of this trip.

16 MS. BRON-WRIGHT: Okay.

17 INTERVIEW OF CAROL BRON-WRIGHT

18 BY MR. LaPONTE:

19 Q. So why don't you just start when the trip started and what  
20 you did and so forth, and we'll just kind of go from there?

21 A. Well, everybody came to Bastrop.

22 Q. Okay.

23 A. We checked them. We had their names and we just checked them  
24 off.

25 Q. Uh-huh.

1 A. They got on the bus and we stayed overnight in Lafayette and  
2 one lady was ill so she stayed there and went home.

3 Q. Okay.

4 A. We stopped along the way for lunches and dinners.

5 Q. Uh-huh.

6 A. And we arrived at the Hollywood Casino. And then the next  
7 day was when we went -- we were on the way to the Boomtown Casino.

8 Q. Okay. So as the group leader, what are kind of your daily  
9 duties? What do you do?

10 A. Count the people, make sure they are on the bus.

11 Q. Okay. And that's it? Is that kind of the extent?

12 A. In Lafayette One of us goes in and gets the keys and hands  
13 out the room keys.

14 Q. Okay.

15 A. And usually we just make an announcement and tell everybody  
16 this is the time to be back on bus. Like for lunch you have an  
17 hour, please be back at this time.

18 Q. Okay. So you're just like herding calves there kind of?

19 A. Yeah, I mean, it's really as a volunteer for the senior  
20 center they need a group leader, and so me and my friend just  
21 volunteered to do that.

22 Q. Have you done quite a few of these in the past?

23 A. We've done some, yes.

24 Q. Okay. So there's been a lot of talk about the scenic route.  
25 How did all that come about? So what process evolved to have

1 the --

2 A. We left the Hollywood Casino and we got out to where we would  
3 turn to get on the interstate.

4 Q. Uh-huh.

5 A. And Louis said, oh, they are taking us the same way that we  
6 came in. And somebody, I don't know who, somebody from the back  
7 or the middle or somewhere said, oh, why don't we drive along the  
8 water? And somebody else said, yeah, that would be great; we can  
9 drive along the water. And I asked Louis, I said, well, is that  
10 okay? And he said if it's okay with everybody else. So we said  
11 is it okay with everybody? And everybody goes yeah, yeah. And  
12 that was how that decision was made.

13 Q. Did they have any advance notice of this route or this is  
14 just they were talking among themselves and said --

15 A. It was kind of spur of the moment when we got there to make  
16 the turn.

17 Q. Okay. So the driver had already started to go --

18 A. On Interstate 10 I think it was. I'm not so sure about --

19 Q. Okay. Interstate 10 and 110 there. So then he turned around  
20 and went the scenic route?

21 A. Yeah, whichever that -- I can't remember the name of the  
22 highway, but whatever the highway was that went along the water  
23 into Biloxi.

24 Q. All right. Okay. And then where on the motor coach were you  
25 sitting?

1 A. I was sitting in the front seat on the door side.

2 Q. Okay.

3 A. And I was sitting on the aisle.

4 Q. Okay. So you were passenger side aisle --

5 A. Yes.

6 Q. -- front row?

7 A. Yeah.

8 Q. Did you ever get any communication from Diamond Tours about  
9 the scenic route thing, about, you know, if we are going to change  
10 out today's activities and do something different than the printed  
11 itinerary --

12 A. No.

13 Q. Okay. So you didn't get the text message, nothing?

14 A. No.

15 Q. Okay. Now, did you have much interface with the Diamond Tour  
16 lady that was there in Biloxi that I think they call her the tour  
17 manager?

18 A. She met us when we got to the Hollywood and introduced  
19 herself. And then she was there when, I can't remember exactly if  
20 she was there when we boarded the bus and told us she'd meet us at  
21 the Boomtown --

22 Q. Uh-huh.

23 A. -- or if she told us that when we first arrived that she'd  
24 see us at Boomtown the next day.

25 Q. Okay.

1 A. I don't quite remember which way it was. But she did tell us  
2 she would see us when we got to Boomtown,

3 Q. Okay. And so what was her function there, I mean, other than  
4 to make sure everything went smoothly and I mean, well, you tell  
5 me?

6 A. I think that's her function as far as I know is to make sure  
7 if there is a problem. I did tell her that we had one person that  
8 was ill that was not on the -- not with the tour because she  
9 stayed in Lafayette.

10 Q. Okay. And did you know the person that got sick in  
11 Lafayette?

12 A. Yes.

13 Q. Okay. And then there was also a couple of folks that didn't  
14 get on the bus that day to go to Biloxi; is that correct?

15 A. That's correct.

16 Q. Okay. And did you know those folks as well?

17 A. Yes.

18 Q. Okay. Did you know pretty much everyone on the tour at some  
19 level?

20 A. Just about everyone. I knew all their names and I knew who  
21 they were. Of course, I knew the ones from Bastrop better than the  
22 other ones.

23 Q. Yeah. So you got -- you had stopped after you left Bastrop.  
24 How many people got on at Sealy?

25 A. I believe it was six. To the best of my recollection, it was

1 six.

2 Q. Okay. And did you know any of those folks?

3 A. I knew one of them. She had been on a prior trip at some  
4 point in time and I knew her.

5 Q. But generally the folks from Sealy were just another -- just  
6 a group that had purchased passage on this tour through the senior  
7 center?

8 A. Yes.

9 Q. Through your senior center?

10 A. Yes.

11 Q. Okay. And so you were sitting in front. Do you know if the  
12 driver had -- did he have a GPS unit that he was using for this  
13 tour?

14 A. I saw a GPS on the side of the -- where he was sitting at was  
15 off to the side. I could see a GPS unit.

16 Q. Was it one that talked to you that, you know, said in a  
17 strange voice that sounds like a computer, turn left here?

18 A. I honestly do not remember if it was talking or if it just  
19 put the road --

20 Q. Showed something.

21 A. Showed something, because, I mean, we were all talking too,  
22 so I really wasn't paying that close of attention.

23 Q. Not always pay attention to the driver?

24 A. No, I pay attention to the driver, but I wasn't paying  
25 attention to his GPS.

1 Q. Okay. Okay. So when did you first realize that the bus was  
2 not doing what the bus was normally supposed to be doing when you  
3 got into the -- into Biloxi at the rail crossing?

4 A. Well, when we got -- we approached --

5 Q. Uh-huh.

6 A. -- the, I don't know, where you go over the tracks --

7 Q. Uh-huh.

8 A. -- and it just wouldn't move anymore.

9 Q. So he had already started and did you hear any noises or any,  
10 you know, feel a lurch when it quit moving forward?

11 A. No. I just, you know, we just started up the I don't know  
12 what you call the approach --

13 Q. The incline.

14 A. -- the incline --

15 Q. Uh-huh.

16 A. And then we weren't moving.

17 Q. Okay. What did the driver do when he realized the bus had  
18 quit moving?

19 A. I don't know exactly what he was doing. I couldn't see what  
20 his hands and feet were doing because I was, you know, back far  
21 enough. So I couldn't see what all he was doing.

22 Q. Okay. Did you -- at what point did you folks decide to get  
23 off the coach? How did that process transpire?

24 A. The driver said everybody off.

25 Q. Okay.

1 A. And so the two of us Mary from this side and me from this  
2 side, we turned around and we just yelled as loud as we could  
3 everybody off. And I said, Mary, get off. And then people got up  
4 and were coming slowly, very very slowly.

5 Q. Right.

6 A. At one point, you know, it was just a very slow process.

7 Q. Yeah. Do you know or have an idea of how many folks that  
8 were on the coach that had mobility issues? I mean, were there  
9 folks that required walkers or canes?

10 A. Yes. We had -- I don't -- I would hate to estimate but there  
11 was a substantial amount because we are all 60s, 70s, 80s.

12 Q. Yeah.

13 A. We had walkers and wheelchairs that we loaded that morning in  
14 Bastrop.

15 Q. Okay. So there was a wheelchair?

16 A. I think there was one wheelchair.

17 Q. Okay.

18 A. I'm not a hundred percent on the, but I think there was one,

19 Q. Okay. I knew there was at least one walker because I found  
20 one and returned it to the motor carrier.

21 A. I think there was more than one walker.

22 Q. Well, that's the only one I saw. Okay. All right. So you  
23 were helping people get off the bus --

24 A. No. I was not helping. I was sitting in my seat turned to  
25 the side waiting for people to come up through the aisle.

1 Q. Okay. All right. Do you have an idea of the time line from  
2 when the bus quit moving till the door opened to the train struck  
3 the motor coach?

4 A. No.

5 Q. All right. Did you boy I'm stealing some of Sheryl's  
6 thunder. So I'm going to -- I got what I needed.

7 A. Okay.

8 MR. LaPONTE: I'm going to let my esteemed associate do what  
9 she does better than I was doing.

10 MS. BRON-WRIGHT: Okay.

11 BY MS. HARLEY:

12 Q. Okay. So I'm just going to go back a little bit if you don't  
13 mind. Okay. So you knew the -- what is it -- the Lutrells that  
14 was the couple that did not continue on?

15 A. Yes. They stayed at the hotel.

16 Q. Okay. All right.

17 A. They were still part of the tour, but he had fallen the night  
18 before and she called me that morning and said: We don't think  
19 he's able to go.

20 Q. Okay. All right. Okay. So the bus started up the incline  
21 and then suddenly wasn't moving anymore. Did the driver say  
22 anything to you at that particular point that there was a problem?

23 A. No. The first thing I remember the driver saying is get off  
24 the bus.

25 Q. Okay. Did you have any conversation with the driver prior to

1 that as he was traveling towards the railroad crossing?

2 A. Was I talking to him when we were going up --

3 Q. As he was approaching the crossing before he got stuck.

4 A. No. I was not.

5 Q. Okay. All right. Okay. The driver said everyone get off.

6 Then you and Mary, is this Mary Lucas?

7 A. Mary Lucas.

8 Q. Okay.

9 A. She was sitting across from me.

10 Q. Okay. And you told everyone to get off. And you said people  
11 were moving very very slowly. Was that because people were  
12 stopping to try to gather their belongings or was it because that  
13 they were having mobility issues?

14 A. I really cannot say for certain --

15 Q. Uh-huh.

16 A. -- because I did not get up and physically look around. I  
17 was just waiting for people to come by so they could get off.

18 Q. Okay. Do you remember who got off the bus?

19 A. I know Mary Lucas and Justine Nigrin got off. And I know  
20 J.C. and Betty Rabble got off. And honestly I do not know who  
21 else got off. I know there was others but I don't know who else.

22 Q. Okay. You said that several of the people had mobility  
23 issues.

24 A. Yes.

25 Q. And there were some people who needed walkers and were

1 walking with canes and possibly one wheelchair. Do you remember  
2 off hand who some of these people were?

3 A. Well, the Lutrells for one, Mr. Lutrell.

4 Q. Uh-huh.

5 A. Mary Ellen Hall. I know there was more but to tell you the  
6 truth, I just can't remember.

7 Q. Okay. All right. I'm going to go back when you first  
8 boarded the bus at Bastrop. When you guys got on the bus, did the  
9 bus driver speak to the passengers on the bus?

10 A. Yes.

11 Q. What did the bus driver tell the passengers?

12 A. As best as I can remember, he just told them his name. He  
13 pointed out the safety features.

14 Q. And what safety features did he point out; do you remember?

15 A. No.

16 Q. Okay. All right. Do you remember if at any time he said  
17 anything about there being a rear door on the bus?

18 A. No. I don't remember.

19 Q. Do you remember if he mentioned anything about the seat belts  
20 on the bus?

21 A. He did say the bus was equipped with seat belts, yes.

22 Q. Okay. Were you wearing your seat belt?

23 A. I was not.

24 Q. Okay. Now, your seat belt was the one that Donna taped up;  
25 is that correct?

1 A. Yes.

2 Q. When did Donna tape up that seat belt?

3 A. I think it was when we were -- after we left Lafayette. I'm  
4 not a hundred percent on that. But I think that's when she taped  
5 it up.

6 Q. Okay. All right. Did you ask her to tape it up?

7 A. No. I just -- we were talking about that there was a little  
8 piece of metal that was hitting my side and I think she said, I've  
9 got some duct tape and so she came and put a little piece of duct  
10 tape over the metal part.

11 Q. Okay. Were you aware of anyone else having issues with the  
12 seat belts like that?

13 A. No. Nobody said anything to me.

14 Q. Okay. All right. Was your decision not to wear a seat belt  
15 because of that?

16 A. No. Actually, I don't -- I didn't wear it because we usually  
17 have to get up a lot and count and turn around and when people are  
18 talking and I can't do that when I'm belted in.

19 Q. Belted in, got you. Okay. After the collision, do you  
20 remember where you ended up?

21 A. I was on the floor partway I think -- best as I remember my  
22 feet were kind of going down the stairs a little bit. But the  
23 rest of me was on the floor in front of my seat.

24 Q. Okay. All right. Do you remember where anyone else ended  
25 up?

1 A. I know the lady that was sitting with me Kaye Kieke --

2 Q. Uh-huh.

3 A. -- I was on top of her legs and I could see her one leg was  
4 bent very strangely to the side.

5 Q. Okay. All right.

6 A. As far as anybody else, I couldn't see because I couldn't  
7 move.

8 Q. Okay. At any time were you aware of the approaching train?

9 A. Yes.

10 Q. Okay. How were you aware of the train?

11 A. I heard the whistle.

12 Q. You heard the whistle. Okay. Did you by any chance see the  
13 lights or the crossing arm come down?

14 A. Yes.

15 Q. Okay. Did you hear the bell at the crossing?

16 A. Yes.

17 Q. Okay. All right. Okay. Did you see the train approaching?

18 A. Yes.

19 Q. Okay. When you saw the train can you estimate how far back  
20 it was, was it a long way away or was it close to the motor coach?

21 A. I really couldn't give you an accurate estimate.

22 Q. Would it be fair to say that it was not very close to the  
23 train, I mean, very close to where the bus was? Was it off? Was  
24 it a great distance?

25 A. It was off in the distance.

1 Q. Okay. We'll just say in the distance. Okay. All right.  
2 From the time that you saw the train and you heard the whistle to  
3 the impact; can you estimate how long that was?

4 A. No.

5 Q. Okay. Did it seem fairly quick to you?

6 A. I don't know how to explain that to you. It just seemed like  
7 everything happened at once.

8 Q. Okay. I understand. All right. Let's go back. Okay.  
9 After the collision what was the -- who was the first person to  
10 board the bus that you are aware of to render assistance?

11 A. I don't know who he was. It was a man with very short hair  
12 and he came on the bus and I guess he just looked around. I don't  
13 know, he didn't have a uniform on. He just had on street clothes.  
14 So I don't know who he was, but he is the first person I saw and I  
15 remember him telling me to pull my shirt around because I guess my  
16 clothes were half off of me.

17 Q. Okay. Did he come through the front door?

18 A. Yes.

19 Q. Okay. Can you estimate how quickly the first arriving EMT,  
20 firefighter had arrived on the scene?

21 A. No.

22 Q. Okay. Okay. Do you know where the driver was at this time?

23 A. Sitting in his seat.

24 Q. Okay. What did he do after the collision? Did he assist the  
25 passengers on the bus?

1 A. No. I heard him like trying to breathe or gasp or something  
2 and him, you know, just like (indicating), you know, like he was  
3 injured.

4 Q. Okay. Okay. You were transported from the scene by  
5 helicopter?

6 A. Yes.

7 Q. Okay. So what I'm going to do right now, I'm going to show  
8 you, this is kind of a little drawing of the bus.

9 A. Uh-huh.

10 Q. This actually is schematic.

11 A. Okay.

12 Q. I'm going to ask you to kind of help me put people on the bus  
13 if you can. This is the driver's seat --

14 A. Uh-huh.

15 Q. -- this is the front loading door, and this is the bathroom.

16 A. Okay.

17 Q. Where were you sitting?

18 A. Right here.

19 Q. Okay. Where was Kaye Kieke?

20 A. She was right next to me.

21 Q. Okay. Where was Mary Lucas?

22 A. Mary Lucas was right there.

23 Q. And --

24 A. Justine Nigrin was right there.

25 Q. Okay. Do you know who was behind you?

1 A. I'm not totally sure if it was this seat or this seat but it  
2 was the Rabbles somewhere in there.

3 Q. Somewhere between the second and third was the Rabbles.

4 A. Betty and J.C. Rabble.

5 Q. Okay. Do you remember who was sitting on the aisle and who  
6 was at the window?

7 A. No.

8 Q. Okay. All right. Do you know who was seated behind the  
9 Rabbles?

10 A. No. I don't -- I do not -- the only other person I know for  
11 certain was Mary Ellen Hall was in the back.

12 Q. Mary Ellen. Okay.

13 A. And these other people I don't know.

14 Q. Okay.

15 A. I couldn't tell you where they were seated.

16 Q. Okay. You don't remember where Tim and Debbie Orr were  
17 seated?

18 A. No. They were in the mid-section somewhere.

19 Q. Okay.

20 A. But that's as close as I can get.

21 Q. That's fine. Okay. Do you know Betty Kahanic?

22 A. Yes. I know who she is.

23 Q. Okay. Now, it was Betty's partner that actually got sick in  
24 Lafayette?

25 A. Yes. Karen Webb.

1 Q. Okay. All right. And you don't know where Betty was?

2 A. She was towards the front somewhere, but I'm not sure which  
3 seat she was in.

4 Q. That's fine. Towards the front. All right. Do you know the  
5 Hoffmans; Peggy and Ken?

6 A. I think -- I'm not sure, but I think that was the first time  
7 I had met them.

8 Q. Okay. All right. Do you know if either of the Hoffmans had  
9 difficulty walking or needed assistance?

10 A. I don't think so, but I'm not a hundred percent sure, but I  
11 don't believe they were anybody that had a walker.

12 Q. Okay. Did you hear any discussion from any of the passengers  
13 about not being able to get out of the bus?

14 A. When?

15 Q. When you and Mary told everyone to evacuate the bus, did you  
16 hear anything --

17 A. No.

18 Q. -- from any passengers -- okay. Just a moment. I just want  
19 to make sure if I have -- okay. So when people were evacuating  
20 the bus you were actually at your seat --

21 A. Yes.

22 Q. -- but you were swiveled around so you were facing --

23 A. I was kind of sideways.

24 Q. -- sideways?

25 A. I was facing -- kind of facing Mary's seat.

1 Q. Okay.

2 A. But she was already off the bus by that time.

3 Q. Got you. Okay. One of the things that we also look at is  
4 the injuries you sustained. Because one of the things we try to  
5 figure out is how you actually got injured -and if there's  
6 something that we can do later on to lessen the severity of that.  
7 So if you don't mind, can you tell me what injuries you sustained  
8 in the crash?

9 A. Some of this is not -- this is just what I was told that I  
10 sustained.

11 Q. Okay.

12 A. I know I had eight broken ribs. I had a hematoma from almost  
13 my groin area down past my knee on the right side. I remember  
14 being in ICU and not being able to move this arm at all. I was  
15 told I had damage to my spleen, slight damage to my spleen. And  
16 then later on I was told that I have some sort of nodules on my  
17 thyroid that they are not sure if they happened in the accident or  
18 not. And I also had two well; they are probably still there, two  
19 blood clots on my lungs.

20 Q. All right.

21 A. And that's all I can remember right now. I mean, there are -  
22 - I'm sure -- well, I had bruises everywhere.

23 Q. Okay. Do you actually remember hitting anything when you  
24 fell?

25 A. I remember when the driver yelled for us to brace and I was

1 yelling for everybody to brace, I grabbed the front of the seat to  
2 brace myself. I remember losing my grip when the train hit. I  
3 remember being thrown around. I don't remember what hit me or  
4 what I hit. The next recollection I do have is on the floor and  
5 not being able to breathe and not being able to move, because I  
6 was -- I thought I could raise myself up and get off of Kaye's  
7 legs but I couldn't move and I couldn't breathe. And I just kept  
8 screaming I can't breathe, I can't breathe.

9       And then I -- when the first responders came on they said:  
10 Can you get up? And I said, no, I can't get up. I said I can't  
11 move and I can't breathe. And I said, I can feel blood bubbling  
12 in my side. I said: I'm bleeding inside. I can feel it bubbling.  
13 And that's about all I remember. I know I had glass all over me.  
14 You know, those little round pellets of glass --

15 Q. Yes.

16 A. -- but to tell you what hit me, I don't know.

17 Q. All right. Was there anything in the front of the bus that  
18 was loose that you know of, like boxes --

19 A. No.

20 Q. -- or packages or anything?

21 A. No. No.

22 Q. Okay. Okay.

23 MS. HALEY: I think that's it.

24 BY MR. LaPONTE:

25 Q. When the EMT people showed up, did they evacuate you through

1 the front door?

2 A. Yes, they -- there was several of them. I couldn't tell you  
3 how many. They put me on a board.

4 Q. That was going to be my next question if they put you on a  
5 back board.

6 A. To carry me and they carried me out.

7 Q. Okay.

8 A. Because I couldn't stand up. I couldn't sit up. I couldn't  
9 stand up. They shoved a board under me and carried me out.

10 Q. Okay. And then about how long from the time you were taken  
11 off the coach until you were evacuated; do you have an idea?

12 A. That I don't -- no. All I know is I -- they sat the board  
13 down outside somewhere. I don't even know where. All I know is  
14 when the helicopter came they told me to shut my eyes and, you  
15 know, because there would be sand there's all I remember.

16 Q. Uh-huh. Was that a military helicopter?

17 A. I couldn't tell you. I don't even remember what it looked  
18 like.

19 Q. You got a free helicopter ride and you don't remember what it  
20 looked like?

21 MS. HALEY: They let you fly. Come on.

22 MS. BRON-WRIGHT: I'm sorry, I don't remember it. I just  
23 remember taking and lifting me on there and I think it was this  
24 hand where he put an IV in.

25 BY MR. LaPONTE:

1 Q. Okay.

2 A. And I know he was talking to me, but what he said on the  
3 route I couldn't tell you. I just don't remember any more. I can  
4 remember him saying things to me, but what it was I don't know.

5 Q. Yeah, that's understandable. So Diamond Tours, how much  
6 interaction do you as a group leader normally have with the  
7 destination tour folks?

8 A. (No audible response.)

9 Q. I mean, not necessarily in this situation but, you know, I  
10 understand you have been on these before.

11 A. We usually talk I don't know maybe half a dozen times. We  
12 call them and tell them where we want. They give us a price.  
13 They send us a booklet that has them listed and, you know, we say  
14 we would like to do this one. They give us the price and then  
15 they -- we collect checks. We mail them the checks. We don't  
16 necessarily talk. We talk to them because they need to know how  
17 many people we have. So we tell them that. And then they tell us  
18 who the bus driver and the motor coach company is. And then they  
19 say, we've mailed your itineraries.

20 Q. Does each passenger get an itinerary of the trip?

21 A. Yes. Yes.

22 Q. Okay. All right. So on the itinerary, it lists everything  
23 you are going to do day to day, where you are going to stay, so  
24 forth.

25 A. Yes.

1 Q. So I'm still a little fuzzy on how the scenic route, how all  
2 that came about. I mean, how did anyone know to take this route?

3 A. I guess they had been to Biloxi before on their own somehow.

4 Q. Okay. So they just said we are going to take the scenic  
5 route?

6 A. Well, they asked: can we?

7 Q. Ohm okay.

8 A. It was not we will. They said, can we take the scenic route  
9 it goes by the water and it's really pretty.

10 Q. And then the driver said, sure, with the group's permission  
11 as it were?

12 A. Yeah.

13 Q. Okay. All right. Did he know what that was or he just -- I  
14 mean, how did he know where to go I guess?

15 A. I don't know. I guess he knew. I really couldn't say.

16 Q. Okay. All right.

17 MR. LaPONTE: Okay. I think that's all I got. Oh, I do have  
18 one more thing.

19 BY MR. LaPONTE:

20 Q. Okay. One more thing. I almost forgot. The mystery pill  
21 box.

22 A. Oh.

23 Q. So we found this in the front of -- towards the front of the  
24 motor coach.

25 A. Uh-huh.

1 Q. And when you know, when we went -- started recovering  
2 personal effects and so forth and we are trying to determine who's  
3 that might be, because we thought it was kind of strange that  
4 someone would take all of their medications with them for the day  
5 trip because you folks had already been in the hotel the night  
6 before. So we were trying to determine who might own that array  
7 of medications there.

8 A. I think half of the people on the bus had medication with  
9 them.

10 Q. On the trip; the day trip?

11 A. I couldn't tell you, but I know a lot were seniors and, I  
12 mean, even I have stuff that I take with me.

13 Q. Oh, okay. Well, like I say, we just thought it was kind of  
14 unique in that, you know, because you had spent the night before  
15 and you were spending that time in the same hotel and had already  
16 unpacked and so forth.

17 A. Right. I just couldn't I don't want to speculate because I  
18 don't know why.

19 Q. But you don't --

20 A. Some people I guess feel better with their medication with  
21 them.

22 Q. Security. But you don't recognize this as to whom it may  
23 have belonged?

24 A. No. It looks like a generic pill bottle. I think I have one  
25 almost the same thing. It's not mine.

1 Q. Yeah.

2 A. Because I don't take quite that many.

3 Q. That's what George and Marie said, too. George thought it  
4 was his and then Marie reminded him he already had his, so it  
5 couldn't have been his.

6 MR. LaPONTE: All right. I think, Carol, that's all I've  
7 got.

8 Sheryl?

9 MS. HALEY: I don't have anything else.

10 BY MS. HARLEY:

11 Q. So this is where I always ask people: Is there anything you  
12 think I should have asked you and I didn't?

13 A. I'm sure when I get home I'll think of something. But right  
14 this second I can't think of anything.

15 Q. Okay. Do you have any questions for me?

16 A. No.

17 Q. Okay. So what I always tell people also is, is that in the  
18 next day or two as you're thinking this over and if you think of  
19 something, no matter how small you think it is, please let your  
20 attorney know and he'll pass it along. Okay?

21 A. Okay.

22 MS. HALEY: All right. And thank you very very much for  
23 being here and helping out.

24 MR. LaPONTE: Just so you know what the process looks like  
25 going forward, the investigation will take about 10, 12 months.

1 We are thorough but we are not fast. And then you may have  
2 already gotten a letter at your residence from the NTSB asking you  
3 if you wanted to be kept informed of the progress of the  
4 investigation.

5 MS. BRON-WRIGHT: I think I answered that.

6 MR. LaPONTE: Okay. You know, the report itself will be out  
7 probably around the first of the year in 2018.

8 MS. BRON-WRIGHT: Okay.

9 MR. LaPONTE: The hearing will be in April of 2018. When  
10 that report -- when they make the docket, what we call the docket  
11 public, and the docket is all the supporting documents that we  
12 various folks collect, shortly thereafter this will be a big  
13 report that comes out. You're certainly, you know, welcome to a  
14 copy of it. They will send you a copy of it. You're going to be  
15 invited to the hearing, if you wish. Just so you know that any  
16 information in that report is all redacted in terms of personal  
17 information. It's not going to have your name in there, address  
18 or phone numbers or anything else.

19 MS. BRON-WRIGHT: Good.

20 MR. LaPONTE: I mean, because all of that is personal  
21 information that we protect. So that will all be redacted out of  
22 what is made public. And the report itself is pretty generic. I  
23 mean, the passengers will be numbered and I don't know what number  
24 you're going to have yet. But we don't refer to people in the  
25 report by name or so forth.

1 MR. WRIGHT: Where is that going to be at?

2 MR. LaPONTE: Well, the report it takes about 10 months for  
3 the investigation part. Then it's written and then re-written and  
4 then proofed and then we have -- it goes through several peer  
5 reviews to make sure that it is accurate, nothing that we have put  
6 in there is not factual. And then it is prepared for the board  
7 meeting. And then it's presented to the National Transportation  
8 Safety Board, the five folks that are appointed by the President  
9 there, and they either accept or don't accept the findings of the  
10 report and the recommendations that will come out of the report,  
11 whatever those are going to be. And it's too early to even begin  
12 to think what those are at this juncture.

13 MR. WRIGHT: I'm saying the docket, you said --

14 MR. LaPONTE: Oh, the docket will probably be made public in  
15 February, portions of it. And then there will be another report  
16 similar to the one you got but a shorter version and then the full  
17 report will be made public after the Board meeting because they  
18 have to accept its findings and then it becomes the report of the  
19 Board.

20 MS. HALEY: It will be on the website is where you can get  
21 all this from.

22 MR. LaPONTE: But they will also -- if you, you know,  
23 depending on how you answered that letter, they will also keep you  
24 appraised of the progress as it goes forward, as I'm sure your  
25 counsel will as well. So you like the way I gave you another job?

1 MR. CLARK: Yeah.

2 MR. LaPONTE: I knew you would.

3 So again, we want to thank you for coming to speak with us  
4 today, and if you do think of anything, by all means let Jon know  
5 and he will pass it on. And, again, I hope you can get back to  
6 wherever you have to go without getting stuck in traffic this  
7 afternoon.

8 MS. BRON-WRIGHT: Hope so.

9 MS. HALEY: All right. Thank you.

10 MR. LaPONTE: Thank you.

11 (Whereupon, at 11:32 a.m., the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the  
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL COLLISION OF CSX FREIGHT  
TRAIN AND TEXAS TOUR BUS  
BILOXI, MISSISSIPPI  
ON MARCH 7, 2017  
Interview of: Carol Bron-Wright

ACCIDENT NO.: HWY17MH010

PLACE: Austin, Texas

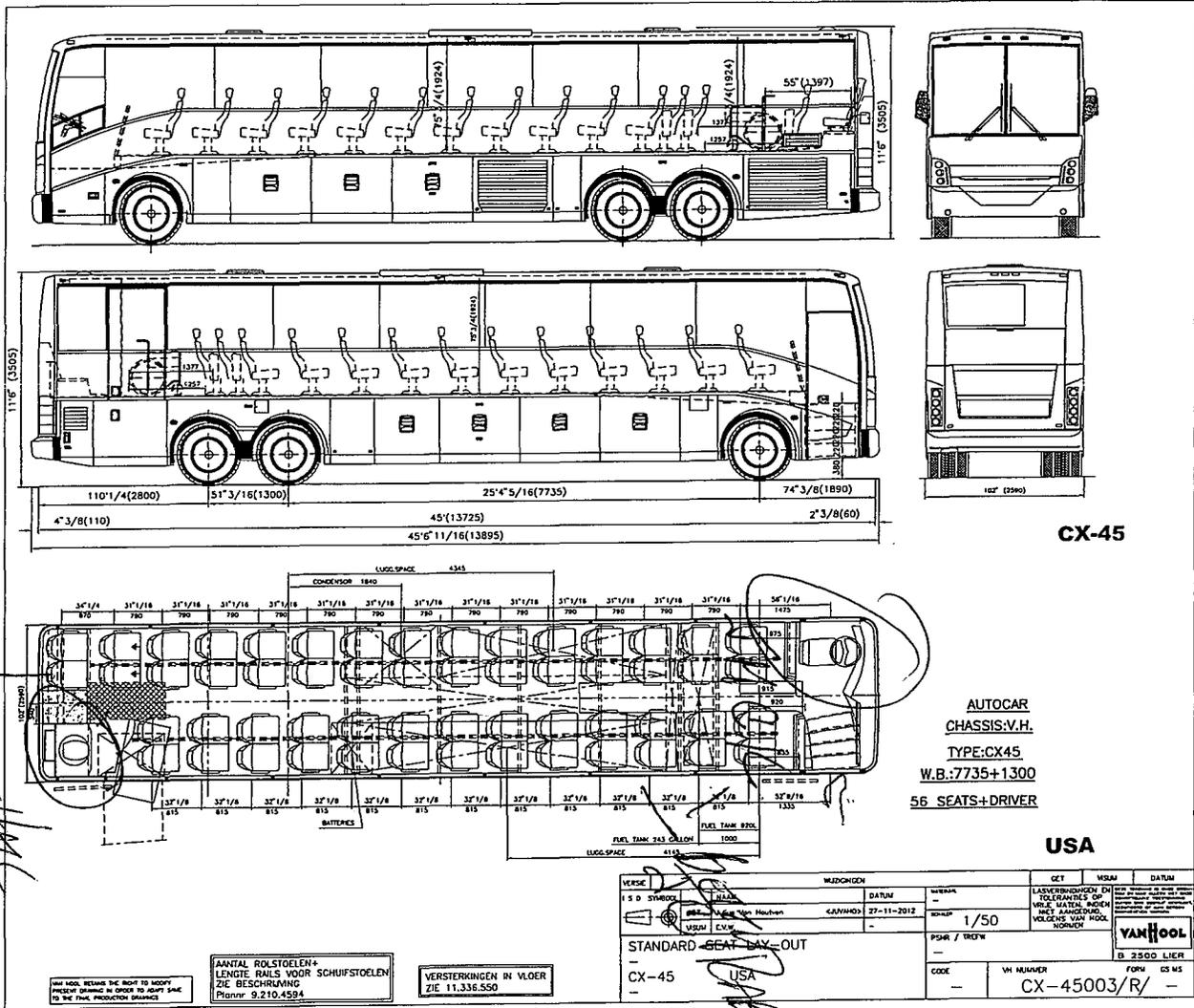
DATE: June 16, 2017

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

  
Letha J. Wheeler  
Transcriber

# INTERVIEWED MRS CAROL-BRON WRIGHT

6/16/17  
10:50 A.M.



*Handwritten note:* Vraag Busontwerp

*Handwritten notes:*  
 Richards  
 Perry  
 Vraag het truck.  
 Vraag het truck.

Date: 06-12-17

Start Time: 12:47 p.m.

End Time: 1:40 p.m.

Location: Hampton Inn and Suites

7712 East Riverside Drive

Austin, Texas, 78744

Interviewee: **Ms. Mary Lucas**

Present: Mr. Chris Leavitt-Attorney

Investigator Michael LaPonte NTSB

Investigator Sheryl Harley NTSB

Ms. Lucas stated that she believed that there were originally 53 persons signed up to go on the trip. After leaving Bastrop, Texas, the first stop for the motorcoach was in Lafayette, Louisiana. Ms. Karen Webb, who had been on the trip up to that point, became ill and went home from that location.

On the second day, the group stopped at Bay St. Louis and stayed over-night. On Tuesday, the group left Bay St. Louis for Boomtown. The group was scheduled to arrive for lunch. The group was originally scheduled to leave Bay St. Louis at 9:00 a.m. but did not.

Ms. Lucas recalled the driver of the bus turning onto I-10. At that time, someone on the bus requested that the group go "the scenic route". Ms. Lucas reported that the driver was using his GPS during the trip. The motorcoach turned onto Main Street and she observed it approach the grade crossing. Ms. Lucas commented that the grade crossing didn't look "too bad" on approach. It appeared, to her, to be "fairly even". The driver of the motorcoach stopped before the crossing, looked both ways before processing forward. Ms. Lucas remarked that it was after you were "on top" that you could see how bad it was. The driver opened the front door when the lights at the crossing began to flash. Ms. Lucas advised that that was when she knew that the train was coming. Ms. Lucas advised that the driver ordered everyone off the bus. The train was approximately 4-5 blocks back. Ms. Lucas exited the bus first. Her cousin, Justine was behind her. She remembered that Betty Kahanek, Betty and J.C. Rabel also got off the bus, along with Rachel Martinez but couldn't remember the order in which they evacuated the motorcoach. After exiting the bus, Ms. Lucas advised that she ran across the street, away from the motorcoach. After the train struck the motorcoach, it turned it (the motorcoach) around before pushing it a ½ block away. She called 911 but was told that someone else had already called and first responders were "already on the scene".

***(Note: Ms. Lucas was asked to clarify some of the information in her statement)***

Ms. Lucas confirmed that she believed that the 911 call-taker had advised her that first responders were "already on the scene" but she had not observed any of the first responders at that point.

Ms. Lucas again advised that she believed that 53 individuals had been on board the motorcoach.

The driver had given the passengers a pre-trip safety briefing when the group boarded in Bastrop, Texas. The pre-trip briefing also included information about the location of the fire extinguishers and the emergency exit windows.

***(After consulting her notes on the trip)***

Ms. Lucas revised her statement and indicated that 52 individuals were on the trip. She did not know the group that boarded in Sealey, Texas but remembered Ms. Dorothy Milberger from previous trips. Ms. Lucas advised that she has no recollection of the driver providing a pre-trip safety briefing to group that boarded in Sealey, Texas.

Ms. Lucas advised that the LaTrells, Joyce and Lowell (aka Shedrake and Velma) had been the couple that stayed behind at the hotel in Bay St. Louis. She remembered that during the night, Mr. LaTrell had fallen and cut his head. Only 49 passengers boarded the bus in Bay St. Louis to travel to Boomtown.

Regarding the "scenic route"; Ms. Lucas advised that the group had been talking at breakfast with members of two other tour groups who were there at the same time. One of the passengers from the other group had told the Bastrop group about the "scenic route". The passenger had indicated that the other buses would be traveling to Boomtown via that scenic route.

***(Note: Ms. Lucas consulted her notes again.)***

Ms. Lucas corrected the time the group left the hotel in Bay St. Louis. She believed that they were scheduled to leave at 1:30 p.m. but left the hotel at 1:15 p.m.

Ms. Lucas advised that the driver's GPS unit was clearly visible to her on the bus. The unit was mounted on the dash, just to the left of the driver.

After stopping before the tracks, the driver had been able to move the motorcoach forward approximately 4-5 feet (no more) before she heard a "clunk" and the motorcoach came to a stop. She thought the sound came from the front wheel. She doesn't recall how long the motorcoach was stopped at that location or how long the lights and the bells (crossing warnings) were activated. She remembered seeing the crossing arms come down and strike the motorcoach. She remembered seeing the Rabels (Betty and J.C.) leave the bus as well as Betty Kahanek. She did not physically see Rachel exit the bus. She discovered later that Rachel had been able to exit the motorcoach prior to the collision.

Ms. Lucas provided her cellphone number, [REDACTED] to check against known 911 callers.

***(Note: Ms. Lucas assisted with the seating chart and locating passengers prior to the collision).***

She reported that on the driver's side, the second and third rows were empty. The Latrells had occupied the second row on that side of the bus the day before. She noted that they stayed in Bay St. Louis and did not accompany the rest of the group to Biloxi.

Ms. Lucas advised that she was not wearing her seatbelt at any time during the trip.

***Per the request of the interviewee's attorney, the interview was not recorded. Only hand-written notes could be taken.***

***Notes of interview transcribed by Investigator Sheryl Harley NTSB***



Date: 06-12-17

Start time: 1:53 p.m.

End time: 2:44 p.m.

Location: Hampton Inn and Suites  
7712 East Riverside Drive  
Austin, Texas, 78744

Interviewee: **Mr. Santiago (James) Delacruz**

Present: Mr. Chris Leavitt-Attorney

Investigator Michael LaPonte NTSB

Investigator Sheryl Harley NTSB

Mr. Delacruz reported that he and his wife boarded the bus in Bastrop, Texas. The couple sat in the rear of the bus. 6-8 passengers got on the bus in Sealey, Texas. Their seats had been reserved by place cards on the bus. On the first day, Mr. Delacruz reports that the group stopped in Lake Charles. The second day they traveled to the Hollywood Casino in Western Mississippi just west of Biloxi, arriving on Monday afternoon. The group was scheduled to leave the next day at 1:45 p.m. and met in the lobby at 1:15 p.m. There were two other bus tour groups there. Mr. Delacruz advised that one bus was from Tennessee and the other from Ohio. They were participating in the same tour as the group from Bastrop. On the day of the crash, Mr. Delacruz and his wife boarded the bus at 1:30 p.m. There were 6-7 men on the tour and the rest were women. It had been "the ladies" who wanted to go "the scenic route".

Mr. Delacruz advised that he became aware of a problem after the bus had come to a stop. He felt the driver trying to reverse the bus off the track but the bus was not moving. When he looked up, he saw the train. It was some distance away and around a "little" curve. The train was traveling "very slowly". After some time, Mr. Delacruz looked out the window for the second time and observed that the train was only 1-2 crossings away. He could see the light on the locomotive, perhaps 100 yards away. He told his wife that they needed to get off the bus. His wife observed that the aisle-way was blocked and told him "where are we going to go". Mr. Delacruz reported that the passengers that had been sitting on the right side of the aisle got up and moved forward, only to be blocked. Another group of passengers on the left side walked to the rear of the bus and were just standing there. There was no door and the windows were 6-7 feet off the ground, "too high to jump". He didn't see anyone get off the bus. He told his wife "we are trapped, brace yourself". He also told her to turn her head away from the window to avoid the glass. He remembered getting himself set by using his legs to help brace his body and shutting his eyes before the impact. Mr. Delacruz advised that he and his wife sustained only minor injuries. They were covered with glass but suffered no other significant injury. He believed that that was because they remained in their seats during the impact and were in the rear of the bus.

Mr. DelaCruz advised that for those passengers in the rear of the bus, there was “no escape”. He remembered a younger man and his wife seated in front of him. The husband was retired from the Air Force. They remained in their seats as well. He and this retired Air Force officer assisted the injured passengers after the collision.

Mr. DelaCruz reported that the first responders arrived quickly. Once they were evacuated from the bus, the passengers were arranged on different colored tarps.

***(Note: Mr. DelaCruz was asked to assist in completing a seating chart. The chart is attached to this statement.)***

***Mr. DelaCruz was asked to clarify some information regarding the events of the crash.***

Mr. DelaCruz noted that several of the passengers required canes and walkers.

When he observed the train, for the first time, it appeared to be going so slowly that it seemed at times to be stopped. He glanced up several times and observe the train prior to the collision. He believed he observed the train at least 5 times prior to the collision. The bus had been stopped on the track for at least 10 seconds before he saw the train come around the curve and into view. He didn’t see the lights or hear the bell at the crossing.

After the collision, he observed several people lying in the aisle. One elderly male, approximately 80 years old, was lying face down on top of two other women. Someone broke a window and climbed into the bus to help. The unidentified male turned the elderly male over. Police officers and first responders (fire department personnel) quickly entered the bus and began evacuating passengers. Passengers were being assisted out the windows and down ladders which was very slow going but the fire department did “a great job”. Several people were still trapped on the bus and the fire department cut a hole in the side of the bus to extricate them.

When asked about the start of the trip, Mr. DelaCruz advised that when they boarded the bus in Bastrop, the driver introduced himself before Carol got on the microphone and began going over the trip’s itinerary. Mr. DelaCruz advised that the driver did not perform a pre-trip safety briefing. He advised that he had been told by someone about the emergency exit windows but couldn’t remember who or when. Neither he nor his wife utilized the seatbelts during (any portion of) the trip.

Mr. DelaCruz believed that the other two tour buses (the group from Ohio and Tennessee) had followed them from the hotel. He wasn’t sure where the two buses went and did not see them after the collision on the scene. When he returned to the Hollywood Casino (after being treated and released from the hospital), the “Ohio” bus was back at the hotel.

Mr. DelaCruz advised that he was transported to the Singing River hospital for evaluation. His trauma name (name provided for trauma admission) was “Egg Plant”.

***Mr. DelaCruz was asked to provide his last thoughts regarding the crash.***

Mr. DelaCruz advised that he didn’t believe that the train would hit the bus. The train was going so slow, he believed that enough time existed to allow the train to stop prior to the bus or for the driver (of the motorcoach) to get the bus off the tracks.

He believed that other passengers must have shared the same opinion since no one rushed to get up or get off the bus. No one, in the bus, appeared to be in a panic.

***Per the request of the interviewee's attorney, the interview was not recorded. Only hand-written notes were allowed.***

***Interview notes were transcribed by Investigator Sheryl Harley-NTSB.***



Date: 06-12-17

Start Time: 2:55 p.m.

End Time: 3:42 p.m.

Location: Hampton Inn and Suites

7712 East Riverside Drive

Austin, Texas, 78744

Interviewee: **Mrs. Mary (Josie) Delacruz**

Present: Mr. Chris Leavitt- Attorney

Investigator Michael LaPonte NTSB

Investigator Sheryl Harley NTSB

Mrs. Delacruz advised that she and her husband boarded the bus in Bastrop and sat in the back of the bus. The bus arrived early in Lafayette. 10-11 people on the bus were from Lockhart (Texas). Peggy and Ken Hoffman were having difficulties in walking. Peggy had broken her leg approximately a year before and used a cane periodically. Ken suffered from blood clots and had the most difficulty in walking. The two (Peg and Ken Hoffman) sat up front because of Ken's mobility issues.

On the morning of the crash, Mrs. Delacruz advised that she and her husband had breakfast with a tour group from Tennessee. That group had wanted to go to the beach, which was not part of the tour. On the bus, Mrs. Delacruz advised that she fell asleep and was awoken by the lack of motion of the motorcoach. When she looked up, she realized that the bus was not moving. They were there for some time before her husband announced that they had to get off the bus. Once she saw that the aisle-way was blocked by the other passengers and she told her husband "how do we get off. We can't get off". That was when the crossing gate arm came down and Mrs. Delacruz saw the train coming. It seemed to take a while before it reached the bus. Mrs. Delacruz advised that she bent down and then felt the impact. She felt glass flying everywhere.

***(note: Mrs. Delacruz assisted with the motorcoach seating chart. Her chart is attached to this statement.)***

Mrs. Delacruz noted that across from her and her husband were two ladies. She remembered that prior to the crash, the two ladies changed seats. The woman originally seated at the aisle was now seated at the window and vice versa. After the crash, the woman that had been sitting on the aisle was now on the floor. A male subject was lying on top of her. The man was not moving but the woman beneath him was. The woman, however, was trapped beneath him and could not get up. Mrs. Delacruz advised that a man jumped into the bus from the outside to help. He attempted to move the "unmoving" man off the woman but could not. The first responders arrived and put a ladder up to the window.

Mrs. Delacruz advised that when it was time to leave the bus, Mrs. Mary Turner went first.

Mrs. DelaCruz had difficulty getting out of the window but the fire department had been “very helpful” and “very patient” with her as she climbed out. The ladder was at a steep angle due to the window. Mrs. DelaCruz noted that she stepped on the hand of a firefighter trying to get out of the bus and the man did not react or try to move his hand; instead he continued to assist her down the ladder.

Mrs. DelaCruz advised that the gentleman that had been lying on the floor was from Sealey (Texas) and was dead. She remembered that prior to the crash, another couple had gotten out of their seats. An elderly woman with white hair had gotten up and was standing in the aisle when the crash occurred.

***(Note: Mrs. DelaCruz was asked about the rear exit door)***

Mrs. DelaCruz advised that at one point she thought there had been a rear door but was told that she was wrong and that there hadn't been a door. She recalled the fire department cutting a large portion of the bus to extricate Mary Ellen and her partner.

Mrs. DelaCruz advised that she was not wearing her seatbelt during the trip.

***(Mrs. DelaCruz was asked if she wanted to add any last thoughts about the incident)***

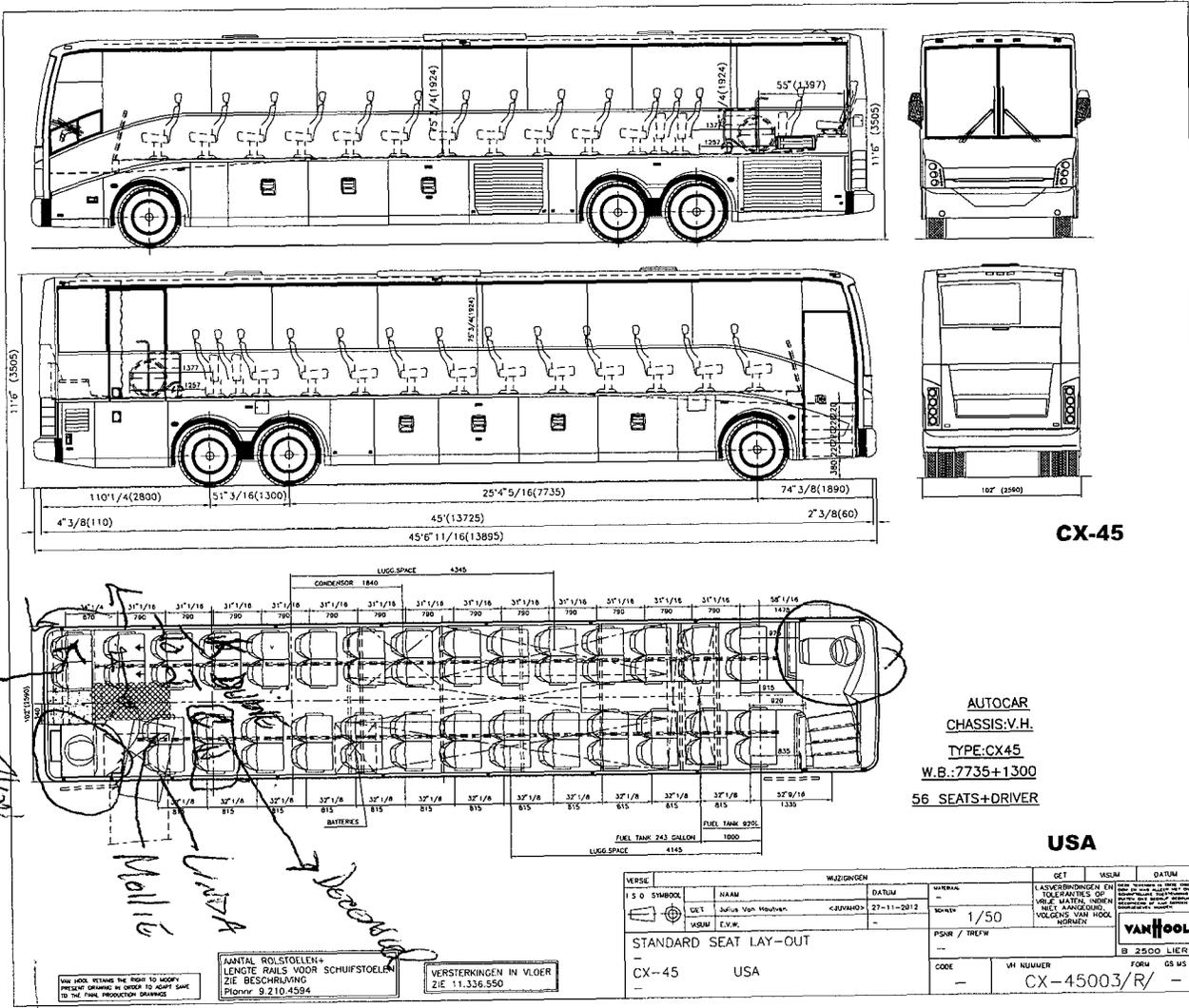
Mrs. DelaCruz advised that she felt that she had not been adequately examined at the hospital. She noted that the first responders had done well assessing her injuries and found the injuries to her ribs. However, at the hospital, the doctor failed to do a thorough examination and missed the injury to her ribs that she sustained.

***Per the request of the interviewee's attorney, the interview was not recorded. Only hand-written notes were allowed.***

***Interview notes transcribed by Sheryl Harley-NTSB.***

# Interview with Mrs Josie DeLaCruz

6/12/17  
2:55pm



*Handwritten notes in blue ink:*

Mrs Josie DeLaCruz

Mollie

Linda A

Deborah

See in low Superintendent of TNM 153 of Tommy

Whisper played trap for Jerry Soap

Date: 06-12-17

Start time: 3:49 p.m.

End Time: 4: 38 p.m.

Location: Hampton Inn and Suites

7712 East Riverside Drive

Austin, Texas, 78744

Interviewee: **Ms. Juanita (Janie) Cruz**

Present: Mr. Chris Leavitt-Attorney

Investigator Michael LaPonte NTSB

Investigator Sheryl Harley NTSB

Ms. Cruz advised that she boarded the bus in Bastrop. She has no recollection of the driver giving a pre-trip safety briefing. The group arrived in Lafayette that evening and traveled to Bay St. Louis, Mississippi the following day. On Tuesday, the group was scheduled to leave at 1:15 p.m. to travel to another casino. She believed that the group was due to arrive at this new casino at 2:30 p.m. Ms. Cruz reports that it was the bus driver who proposed taking the group on "the scenic route" which was along the ocean.

Ms. Cruz reports that the first sign that something was wrong was when she heard metal scrapping underneath the bus. She remembered the driver putting the bus in reverse but the bus only went 1-1 1/2 inches before it stopped. She remembered hearing someone yell "get off the bus" but doesn't know who gave the order. She got up and stepped into the aisle-way. She was approximately 3-4 rows from the front of the bus. She remembered that Starr was in front of her but doesn't recall who was behind her.

After the crash, Ms. Cruz advised that she found herself in a seat, in a row with two other individuals. The two people in the row were George and Marie Hanna. Starr was lying on top of the three of them. Ms. Cruz doesn't remember how she ended up in the seat row and believed that she must have "blacked out". A fireman had come on board the bus and escorted her off through the front door. She was moved directly to a tarp.

***(Ms. Cruz assisted with the seating chart and the position of passengers. Ms. Cruz's seating chart is attached to this statement.)***

Ms. Cruz advised that initially she was seated next to Priscilla Torres. She observed the crossing arms come down and advised that it seemed like "forever" before the train arrived at their location. When she first saw the train, it appeared to be approximately ¼ mile away and moving very slowly, almost not moving at all. She got up to get off the bus and Priscilla stayed behind.

***(Ms. Cruz provided a list of her injuries sustained in the crash.)***

Ms. Cruz reported that she sustained a broken ankle, a pelvic injury, a deep laceration to her head which required 8 staples to close, a “degloving” injury of her right hand and bruises from her hip to her toes. She also sustained a large blood blister on her leg that became infected and required additional medical intervention at a specialty clinic.

Ms. Cruz also advised that her sister Louisa, who’s hand had been trapped between the seat and the sidewall of the motorcoach during the crash, had her thumb amputated along with a portion of her hand. Ms. Louisa Cruz also had to undergo skin-grafting resulting from the damage to her hand.

***Per the request of the interviewee’s attorney, this interview was not recorded. Only hand-written notes were allowed.***

***Interview notes were transcribed by Investigator Sheryl Harley-NTSB***



Date: 06-13-17

Start time: 9:14 a.m.

End time: 9:44 a.m.

Location: Hampton Inn and Suites

7712 East Riverside Drive

Austin, Texas, 78744

Interviewee: **Ms. Priscilla Torres**

Present: Mr. Chris Leavitt-Attorney

Investigator Michael LaPonte NTSB

Investigator Sheryl Harley NTSB

Ms. Torres reports that she began her trip in Bastrop. She advised that she sat at the window. Behind her, a group of passengers from Sealey, Texas were seated. The bus stopped in LaFayette and then in Bay St. Louis.

On the day of the crash, Ms. Torres advised that the group left the hotel to go to the next casino and everyone on the bus was cheering and very excited. The first indication that she had that there was a problem was when the bus stopped. Ms. Torres heard someone remark, "we're stuck". Then she heard someone say, "the train's coming". She heard Louisa say to the driver, "Louis back up!". Ms. Torres then look out and saw the train in the distance. It appeared to be far away and moving slowly.

When the decision was made to evacuate the bus, Ms. Torres stood up. She had been seated next to Janie Cruz and both women rose together. Ms. Torres advised that she had been right behind Janie in the aisle-way. She spoke to Louisa Cruz. The train still appeared to be a long way off. It was "tiny" (in appearance).

She didn't see the crossing warning, either lights or bells. She observed the oncoming train at least twice prior to the collision. She didn't recall hearing any of the passengers complaining about not being able to get off the bus. Because of the impact, Ms. Torres reported that she lost consciousness. When she regained consciousness, she was lying on the ground outside of the bus on the driver's side. She could see the bus had buckled in the crash and she was lying near the tires. Janie was positioned near her and she could see that she was bleeding from the head and the skin was peeling off her hand.

Ms. Torres advised that she was transferred to the trauma center in Mobile, Alabama; USA Medical Center and admitted in critical condition.

Ms. Torres advised that she observed the seatbelt at her seating position and wore it. She did this by her own initiative and not because of any pre-trip safety briefing or anyone else reminding her to wear the seatbelt.

Ms. Torres reported that she suffered a crushed pelvis that was broken in 3 places, a broken right hip, cerebral hemorrhaging (associated hematoma) and a fractured left ankle.

***As per the request of the interviewee's attorney, the interview was not recorded. Only hand-written notes were allowed.***

***The interview notes were transcribed by Investigator Sheryl Harley-NTSB***



Date: 06-13-17

Start time: 9:46 a.m.

End time: 10:17 a.m.

Location: Hampton Inn and Suites

7712 East Riverside Drive

Austin, Texas, 78744

Interviewee: **Ms. Justine Nygren**

Present: Mr. Chris Leavitt-attorney

Investigator Michael LaPonte NTSB

Investigator Sheryl Harley NTSB

Ms. Nygren reported that she doesn't remember the driver giving a pre-trip safety briefing to the passengers. She remembered that the first stop was in Lafayette. She was not acquainted with the passenger that became ill and left the tour group. On the second day, the group stopped in Bay St. Louis. Ms. Nygren reported that Mary (Lucas) had received a call that night from a couple (on the tour). The husband had fallen (Mr. Latrell) and Mary went to attend to them.

Ms. Nygren reported that the group boarded the bus to travel to the Boomtown Casino. The group decided that they wanted to go the "scenic route" which was in the Katrina (hurricane) area. The discussion about this occurred on the bus. The group agreed and they changed their route. Ms. Nygren reported that both she and Mary (Lucas) noticed a sign pointing to the left indicating the direction of travel for the "Boomtown Casino". Ms. Nygren noticed that the driver was using a GPS unit which was to the left of him, on the dash. She doesn't remember hearing any audible instructions coming from the GPS unit.

***(Question asked about directional sign to casino)***

Ms. Nygren advised that the sign wasn't too far away from the location of the crash. The sign had been posted on the right side of the road, some point after the bus had made the left turn from the highway.

Ms. Nygren advised that she had been on another tour bus that had become stuck. That occurred in Branson, Missouri in November. The bus was trapped on a "humped" road but dislodged itself. Before this bus became stuck, Ms. Nygren remembered feeling something dragging underneath the bus. Then the bus stopped. After the bus came to halt, the driver tried to get it to move. Ms. Nygren advised that she looked to the left and saw the train. The bus driver yelled "Get off the bus" twice and she and Mary (Lucas) got off the bus. Mary got off first, followed by her (Ms. Nygren). After she exited the bus, Mr. and Mrs. Rabel exited. Carol (Bron-Wright) and her roommate stayed onboard the bus.

Ms. Nygren advised that Betty Kahane and Rachel Martinez also got off the bus. Ms. Nygren thought three others had gotten off the bus for a total of nine persons that exited the bus prior to the collision. She didn't see the train after she got off the bus. She heard the impact. Betty Kahane slipped after exiting the bus and was lying on the ground. Ms. Nygren and Mr. J.C. Rabel helped Ms. Kahane up off the ground. After the crash, the train pushed the motorcoach past the group standing outside. That was when Ms. Nygren saw that the couple from Lockhart had been killed. She observed "a body part" by the bus.

***(Follow up questions regarding the trip and the evacuation)***

Ms. Nygren reported that when she exited the bus, no one was immediately behind her. She had not seen the Rabels leave the motorcoach. She believed that she heard the crossing gate "bells" ringing.

Ms. Nygren doesn't remember if the bus had picked up the group from Sealey there or if the group drove up to meet the bus in Bastrop. She had no recollection of a pre-trip safety briefing. She advised that several members of the group had mobility issues to include the gentleman that fell the night before but he stayed behind (in Bay St. Louis). Ms. Nygren remembers wearing her seatbelt. She saw it at her seat and put it on without instruction.

***Per the request of the interviewee's attorney, the interview was not recorded. Only hand-written notes were allowed.***

***Interview notes were transcribed by Investigator Sheryl Harley-NTSB***



Date: 06-13-17

Time started: 10:19 a.m.

Time ended: 10:41 a.m.

Location: Hampton Inn and Suites

7712 East Riverside Drive

Austin, Texas, 78744

Interviewee: **Mrs. Betty Rabel**

Present: Mr. Chris Leavitt-attorney

Investigator Michael LaPonte NTSB

Investigator Sheryl Harley NTSB

Mrs. Rabel stated that she and her husband boarded the bus in Bastrop, Texas. The bus stopped in Sealey, Texas. The group stopped overnight in LaFayette. One of the women on the bus became ill and left the trip in LaFayette. The next day, the group arrived at Bay St. Louis. Mrs. Rabel advised that a couple who sat across from her and her husband did not continue (on) the trip from Bay St. Louis.

***(Questions regarding the bus route and the events leading up to the collision)***

Mrs. Rabel didn't remember any discussion about the bus route. She advised that she didn't hear or feel anything prior to the bus stopping. The bus driver attempted to dislodge the bus. After being unable to move the bus, he opened the door and yelled "get off". Mrs. Rabel said she looked and saw a light off in the distance. She had seen the light before the driver had ordered the passengers off the bus. She could not estimate the time the bus was stuck on the track. It seemed like "forever" to her. She saw the crossing warning lights activate (flashing) and heard the bell. She observed the crossing arm coming down. The activation of the crossing warning was the reason she knew that the train "was moving and not standing still". Mrs. Rabel reported that she heard the train whistle blowing and told her husband "let's go". At that time, the aisle-way was clear. She observed someone from the back of the bus run past her seat. It had been a significant amount of time between Mary and Justine leaving the bus and her and her husband's decision to get off the bus. Mrs. Rabel didn't see anyone else leave the bus. The last step from the bus to the ground was very high. Mrs. Rabel stated that she slid on the surface (rocks) when she jumped from the step. She caught herself before she fell. She remembered hearing her husband call her name. When she turned around, she saw Betty (Kahanek) on the ground. She had exited the bus behind her husband and slipped. Her husband and another woman were rendering assistance to Betty. By that time, Mrs. Rabel thought that the train had come to a stop.

***(Mrs. Rabel was asked about passenger mobility)***

Mrs. Rabel advised that several passengers required assistance in walking. Mrs. Rabel advised that the driver of the motorcoach loaded 4 walkers into the bus but she couldn't remember who owned them.

***(Questioned about pre-trip safety briefing and seatbelt)***

Mrs. Rabel advised that she was not wearing her seatbelt. Mrs. Rabel reported that the driver provided no pre-trip safety briefing regarding emergency exits or use of seatbelts. Mrs. Rabel advised that she knew about the emergency windows and roof hatches from previous trips.

***(Mrs. Rabel provided assistance with the seating chart for the bus.)***

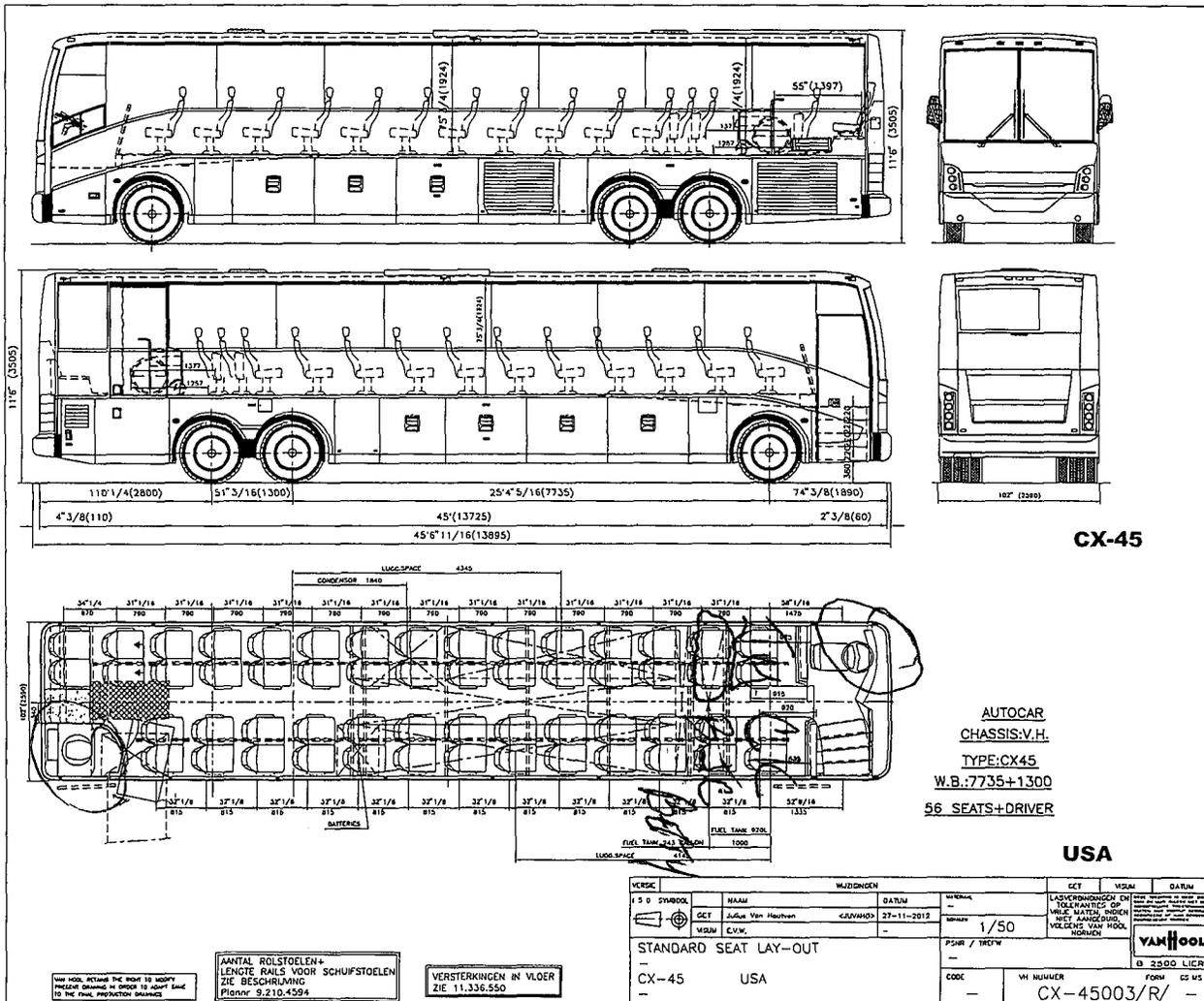
***Per the interviewee's attorney, the interview was not recorded. Only hand-written notes were allowed.***

***Interview notes were transcribed by Investigator Sheryl Harley-NTSB.***

***(Note: Mrs. Rabel advised that her husband is hard of hearing and unlikely to admit to the fact. Mr. Rabel was interviewed next)***

# INTERVIEWED Mrs Betty Rabel

6/13/17



Date: 06-13-17

Start time: 10:43 a.m.

End time: 11:02 a.m.

Location: Hampton Inn and Suites

7712 East Riverside Drive

Austin, Texas, 78744

Interviewee: **Mr. J.C. Rabel**

Present: Mr. Chris Leavitt-attorney

Investigator Michael LaPonte NTSB

Investigator Sheryl Harley NTSB

Mr. Rabel advised that he doesn't remember a lot about the trip. It could not recall the stops made by the bus during the trip. He was not familiar with the group from Sealey, Texas. He did not know the woman who became ill the first night. He advised that he knew the couple that sat across from him and his wife only because they sat near them. He was not personally acquainted with them.

***(Mr. Rabel was asked about the route taken by the bus driver to the Biloxi casino)***

Mr. Rabel advised that he did not know about the scenic route and didn't know who suggested it. He believed that perhaps the driver had but doesn't recall any conversation about it.

Mr. Rabel advised that he realized that the bus wasn't moving. He did not see the train and wasn't looking for it. The driver opened the front door and yelled "get off the bus". Mr. Rabel advised that he didn't know the train was coming. He saw the crossing gate arms come down and thought the gate arm was going to "hit me on the head". He looked and saw a "little light a way down the track". It took a long time for the train to arrive at the crossing, perhaps 5-6 minutes. He heard the train's horn sounding from a way off. It was at that time that his wife told him to get off the bus. He remembered seeing a woman from behind his wife and his seat, get off the bus before them. Betty (Kahanek) got off the bus behind him. When he turned around, he saw that she had fallen.

***(Mr. Rabel was asked about the evacuation from the bus and the pre-trip safety briefing)***

Mr. Rabel advised that there **wasn't** a line of people in the aisle when he went to get off the bus. Mr. Rabel advised that he was not wearing his seatbelt. Mr. Rabel has no recollection of a pre-trip safety briefing or notice that the bus was equipped with seatbelts.

***(Mr. Rabel assisted with a seating chart for the passengers on the motorcoach. See attached)***

***Per the interviewee's attorney, the interview was not recorded. Only hand-written notes were allowed.***

***Interview notes were transcribed by Investigator Sheryl Harley-NTSB***



Date: 06-13-17

Start time: 11:16 a.m.

End time: 11:41 a.m.

Location: Hampton Inn and Suites  
7712 East Riverside Drive  
Austin, Texas, 78744

Interviewee: **Ms. Jill McCann**

Present: Mr. Chris Leavitt-attorney

Investigator Michael LaPonte NTSB

Investigator Sheryl Harley NTSB

Ms. McCann advised that she boarded the bus in Bastrop, Texas. She was the last to arrive. Though she remembered that the bus had traveled to LaFayette and Bay St Louis; she has no recollection of the specifics of the trip.

Ms. McCann recalls sitting and talking on the bus when she heard the bus driver yell "get off the bus". People were crowded in the aisle as though they could get off the bus. She observed the train coming around a curve. It was just a "small light" and was going slowly. Ms. McCann advised that she was still seated when the lights began to flash at the crossing and the crossing arms began to lower. She remembered a lot of noise, a lot of screeching and then she recalls finding herself on the floor. She was lying on top of another woman and a second woman was lying on top of her.

***(Ms. McCann assisted with the bus passenger seating chart.)***

***(Ms. McCann was asked specifics about the pre-crash and post-crash events.)***

Ms. McCann advised that her roommate Evelyn Viot was already on the bus when she boarded and seated in the back. Ms. McCann knew one of the women from Sealey, Ms. Dorothy Milberger, who sat in front of her. Ms. McCann advised that she knew that "someone" was left behind in LaFayette but didn't know who. She remembered that the bus changed direction and turned back after leaving the hotel in Bay St. Louis.

Ms. McCann advised that the bus appeared to have been stopped on the track for a long period of time and the train appeared not to be moving. She got up and move one row of seats towards the back of the bus. She was standing in the aisle, facing rearward and close to the rear lavatory when the impact occurred. She hadn't been standing long before the impact. Evelyn Viot was the woman that ended up on top of Ms. McCann. Both women were on top of another woman that neither of them knew. Ms. McCann confirmed that several of the passengers required the use of canes and walkers but most could navigate the aisle-way of the bus without difficulty.

Ms. McCan advised that she had not been wearing a seatbelt during any part of the trip and was unaware that the bus was equipped with them. She was also unaware of the presence of the rear door.

Ms. McCan advised that she sustained several bruised ribs and a bruised hip.

***Per request by interviewee's attorney, the interview was not recorded. Only hand-written notes were allowed.***

***Interview notes transcribed by Investigator Sheryl Harley-NTSB.***



Date: 06-14-17

Start time: 11:01 a.m.

End time: 11:59 a.m.

Location: Hampton Inn and Suites

7712 East Riverside Drive

Austin, Texas, 78744

Interviewee: **Ms. Debra King**

Present: Investigator Michael LaPonte NTSB

Investigator Sheryl Harley NTSB

Interview was recorded. Ms. King completed a seating chart. ***See Attached.***

Date: 06-15-17

Start time: 10:33 a.m.

End time: 11:05 a.m.

Location: 1508 Mentee Road

Bastrop, Texas

Interviewee: **Mrs. Helen Dailey**

Present: Mr. Greg Evans-attorney

Mr. Melvin Dailey (husband)

Ms. Karen Dailey (daughter)

Interview was recorded. Mrs. Dailey completed a seating chart. ***See Attached.***

Date: 06-15-17

Start time: 1:33 p.m.

End time: 2:08 p.m.

Location: Stewart Law Offices

3000 H I-35 Suite #

Austin, Texas

Interviewee: **Ms. Joyce Hoffman**

Present: Mr. Stephen Stewart-attorney

Ms. Jana Hoffman (daughter)

Investigator Michael LaPonte NTSB

Investigator Sheryl Harley NTSB

Interview was recorded. Seating chart completed by interviewee. ***See attached.***

Date: 06-16-17

Start time: 9:52 a.m.

End time: 10:18 a.m.

Location: Law Office of Johnathan Clark

1220 Colorado Avenue Suite 320

Austin, Texas

Interviewee: **Mrs. Starr Waneck**

Present: Mr. Johnathan Clark-attorney

Mr. Robert Potroff-attorney

Mr. James Perrin-attorney

Mr. James Waneck (husband)

Investigator Michael LaPonte NTSB

Investigator Sheryl Harley NTSB

Interview was recorded. Seating chart completed. ***See attached.***

Date: 06-16-17

Start time: 10:50 a.m.

End time: 11:32 a.m.

Location: Law Office of Johnathan Clark

1220 Colorado Avenue

Austin, Texas

Interviewee: **Mrs. Carol Bron-Wright**

Present: Mr. Johnathan Clark-attorney

Mr. Robert Potroff-attorney

Mr. Cliff Wright (husband)

Investigator Michael LaPonte NTSB

Investigator Sheryl Harley NTSB

Interview was recorded. Seating chart completed. ***See attached.***

<b>Oral Interview Form</b>	<b>Type of Contact</b> <input type="checkbox"/> Telephone <input checked="" type="checkbox"/> Personal	<b>Date</b> 04/12/2017
<b>Place of Interview</b> North Austin, Texas		
<b>Interviewee's Name</b> Darwyn (George) Hanna	<b>Interview's Address</b>	
<b>Name and Title of Person Interviewed</b>		
<b>Narrative</b>  <p>The bus tour was very good until the trip to Biloxi and the crash. Mr. Hanna was standing up but could not get out of his seat as the aisle was blocked by other passengers.</p> <p>Do not remember the crash, He came to in the ambulance on way to hospital. The next thing he remembers is being air lifted to hospital in Alabama.</p> <p>He did not remember the rail signal crossing bells.</p> <p>He and Marie were sitting approximately 5 or 6 rows back on the driver's side. Mr. Hanna was on the aisle.</p>		
I, Michael L LaPonte declare, under penalty of perjury, that the information contained in this statement is a true and accurate summary of all relevant matters discussed with the witness on _____ [Date.]		
<b>Accident Investigator's Signature:</b> 	<b>Date</b> 04/12/2017	

DATE 4/12/17

PURPOSE

Gerge (Darwyn) Hanna

CUE COLUMN

NOTES

Town was on point till  
Crosch

- Standing up -

Isle was blocked

air filter to A.L.

- das Rumber SR -

- not Rally -

"did not Rumber SB"

"Poem Windmill" HS

"Rumber Church" addit 2 later

hill Keeper (no)

"Knot & Belt"

Green Wind  
Hanna

SUMMARY

DATE

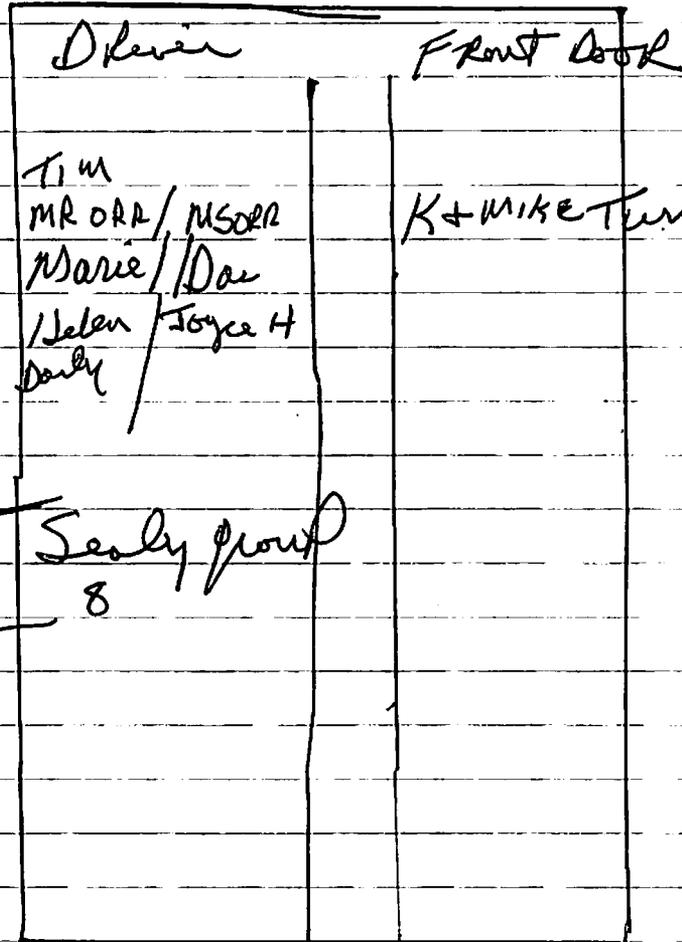
PURPOSE

George (Darwin) Hanna

CUE COLUMN

NOTES

5 or 6 Seats  
from Front



SUMMARY

<b>Oral Interview Form</b>	<b>Type of Contact</b> <input type="checkbox"/> Telephone <input checked="" type="checkbox"/> Personal	<b>Date</b> 04/12/2017
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**Place of Interview**  
North Austin, Texas

<b>Interviewee's Name</b> Marie Hanna	<b>Interview's Address</b>
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**Name and Title of Person Interviewed**

**Narrative**

The trip was normal until the RR crossing. The driver told everyone to get off the bus. She was standing when the Collison occurred. When she stood up she saw the train. Starr Waneck fell on her when the bus was hit.  
The next thing she remembers is being in the ambulance with Joyce Hoffman

She was sitting 5 or 6 rows behind the driver on the window seat. Mr. and Mrs. Orr were seated right in front of the Hanna's  
Helen Dailey and Joyce Hoffman were seated behind the Hanna's  
(Window) ( Aisle)

I, Michael L LaPonte \_\_\_\_\_ declare, under penalty of perjury, that the information contained in this statement is a true and accurate summary of all relevant matters discussed with the witness on \_\_\_\_\_ [Date.]

<b>Accident Investigator's Signature</b> 	<b>Date</b> 04/12/2017
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4/12/17

" Maria Hanna "

DATE

PURPOSE

CUE COLUMN

NOTES

Duvic

~~Ador~~ OR

Anger wind

MRS ORR / TIM ORR  
Marie / Joe  
Helen Joyce H

Kath + Mike Turner

Standing —  
Saw train

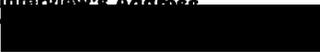
Does not  
Remember  
"SB"

"Star Wanne"  
"fell on Maria"

Joyce Hoffman  
was in Automobile  
so Ho

Did not know "Bill Keper"

SUMMARY

<b>Oral Interview Form</b>	<b>Type of Contact</b> <input type="checkbox"/> Telephone <input checked="" type="checkbox"/> Personal	<b>Date</b> 04/13/2017
<b>Place of Interview</b> 		
<b>Interviewee's Name</b> Karen Landrum	<b>Interview's Address</b> 	
<b>Name and Title of Person Interviewed</b>		
<b>Narrative</b> <p>The bus picked the group from Sealy, Texas at 0900 to 0930 on Sunday 03/05/2017. It was raining at the time of pick-up. Karen remembers Carol the group leader giving a safety briefing when the eight folks from Sealy got on the bus. The folks that got on in Sealy, Texas were as follows:  Eugene and Janice Gaskamp  Gladys Frank  Clint and Annie Mae Havran  Aubrey and Karen Landrum  Dorothy Milburger.</p> <p>The Sealy group had found out about the tour through Dorothy Milburger who knew folks from the Bastrop Senior Center. Karen remembers the tour was going fine and when the bus left the casino for Biloxi Carol asked if the group wanted to go along the beach route to the Biloxi casino, the group said yes and the driver turned the bus around. Karen and Aubrey take another trip often to the Paragon Casino in Louisiana. When the driver told people to get off the bus the folks seated toward the rear got up and moved to the rear of the bus and were standing when the train hit the coach. Karen stated they could see the train and wanted to be as far from the impact point as possible and because the aisle was blocked they went to the rear. Karen remembers that the windows of the coach were shattered and that the EMS responders broke the windows to get people off the bus. Karen was transported to Singing River Hospital in Pascagoula, MS.</p>		
I, Michael L LaPonte _____ declare, under penalty of perjury, that the information contained in this statement is a true and accurate summary of all relevant matters discussed with the witness on _____ [Date.]		
<b>Accident Investigator's Signature:</b> 	<b>Date</b> 4/13/2017	

<b>Oral Interview Form</b>	<b>Type of Contact</b> <input type="checkbox"/> Telephone <input checked="" type="checkbox"/> Personal	<b>Date</b> 04/13/2017
<b>Place of Interview</b> 		
<b>Interviewee's Name</b> Aubrey Landrum	<b>Interview's Address</b> 	
<b>Name and Title of Person Interviewed</b>		
<p><b>Narrative</b>  <b>Aubrey's narrative was the same as Karen's</b>  <b>The bus picked the group from Sealy, Texas at 0900 to 0930 on Sunday 03/05/2017. It was raining at the time of pick-up. Karen remembers Carol the group leader giving a safety briefing when the eight folks from Sealy got on the bus.</b>  <b>The folks that got on in Sealy, Texas were as follows:</b>  <b>Eugene and Janice Gaskamp</b>  <b>Gladys Frank</b>  <b>Clint and Annie Mae Havran</b>  <b>Aubrey and Karen Landrum</b>  <b>Dorothy Milburger.</b>  <b>The Sealy group had found out about the tour through Dorothy Milburger who knew folks from the Bastrop Senior Center.</b></p> <p><b>Aubrey remembers the seating as follows: Approximately 8 rows from the rear of the bus on the driver's side was Eugene and Janice Gaskamp, Gene on the window and Janice on the aisle. Behind them was Dorothy Millberger</b>  <b>On the other side was Gladys Frank and behind her was the Landrum's Aubrey on the aisle and Karen on the window.</b>  <b>A couple of rows back were Clint and Annie Mae Havran</b></p> <p><b>Aubrey was standing when the train hit the coach.</b>  <b>Aubrey was transported to Singing River Hospital in Pascagoula, MS.</b></p>		
<p>I, Michael L LaPonte _____ declare, under penalty of perjury, that the information contained in this statement is a true and accurate summary of all relevant matters discussed with the witness on _____ [Date.]</p>		
<b>Accident Investigator's Signature</b> 	<b>Date</b> 4/13/2017	



<b>Oral Interview Form</b>	<b>Type of Contact</b> <input type="checkbox"/> Telephone <input checked="" type="checkbox"/> Personal	<b>Date</b> 4/13/17
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[Redacted]

<b>Interviewee's Name</b> Karen Landrum	<b>Interview's Address</b> [Redacted]
--	--

**Name and Title of Person Interviewed**  
[Redacted]

**Narrative**  
Picked up Seely group at 9: - 9:30  
Leaving at time of kick of  
Carol gave Safety Brief -  
Safety window glass was shattered  
EMS - Broke window  
Went every way - to Paragon Casino  
- Carol - asked about beach -  
group on soil yes  
This was normal -

I, Michael L LaPonte declare, under penalty of perjury, that the information contained in this statement is a true and accurate summary of all relevant matters discussed with the witness on April 13<sup>th</sup> 2017 [Date.]

<b>Accident Investigator's Signature:</b>	<b>Date</b>

<b>Oral Interview Form</b>	<b>Type of Contact</b> <input type="checkbox"/> Telephone <input checked="" type="checkbox"/> Personal	<b>Date</b> 04/14/2017
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**Place of Interview**  
Bee Cave, Texas

<b>Interviewee's Name</b> Rachel Martinez	<b>Interview's Address</b> [REDACTED]
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**Name and Title of Person Interviewed**

**Narrative**  
This interview with Ms. Martinez was done with [REDACTED] her son who was in attendance. The interview was done in the offices of Mr. David Wenzholz who is counsel to Ms. Martinez.  
Ms. Martinez was traveling with Mary Ramirez.  
Ms. Martinez stated the trip was going "good" until the bus got stuck on the tracks. When the driver told everyone to get off the bus, she heard the horn. Ms. Martinez made it up the aisle to the front. She was not sure how she got out but she ran to an open area on the left side of the tracks. She stated she saw the train hit the bus and her only thoughts were her friends that were dead. She stated that Mary Lucas helped her to the EMS area to be looked at. She stated the glass where she had been sitting were cracked.  
  
Ms. Martinez stated she was sitting about 4 rows behind the front door on the aisle and Mary Ramirez was sitting on the window. Behind them were Gloria Medina and Pricilla Torres on the window. Across from her was Donna Bartsch. Behind her was Juanita (Janie) Cruz on the aisle and Louisa Cruz at the window.  
  
Ms. Martinez was treated at Singing River Hospital in Pascagoula.

I, Michael L LaPonte \_\_\_\_\_ declare, under penalty of perjury, that the information contained in this statement is a true and accurate summary of all relevant matters discussed with the witness on \_\_\_\_\_ [Date.]

<b>Accident Investigator's Signature:</b> [Signature] [REDACTED]	<b>Date</b>
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<b>Oral Interview Form</b>	<b>Type of Contact</b>	<b>Date</b>
	<input type="checkbox"/> Telephone <input checked="" type="checkbox"/> Personal	

**Place of Interview**

<b>Interviewee's Name</b>	<b>Interview's Address</b>
---------------------------	----------------------------

**Name and Title of Person Interviewed**

**Narrative**

good bus ride  
 bus is stuck - loaded to left  
 made it to front 1 second from  
 not sure how got out  
 saw train hit bus  
 was on left side of tracks  
 only thought wood pieces were dead  
 started running w/train

I, Michael L LaPonte declare, under penalty of perjury, that the information contained in this statement is a true and accurate summary of all relevant matters discussed with the witness on \_\_\_\_\_ [Date.]

<b>Accident Investigator's Signature:</b>	<b>Date</b>
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( [REDACTED] - son)

DATE 4/14/17 10AM

Rachel Martinez - 3<sup>rd</sup> Tour -

CUE COLUMN

NOTES

Travel Attr  
Seats  
Tour Inf  
Picl Keeper  
NO

Mary Ramirez

Driver

Book

Donna Donna  
SISTER  
Lousin Jimenez

Rachel Mary R  
Priscilla Gloria

Windows were cracked/broken -  
where Rachel  
was sitting  
Mary Lucas helped Rachel to  
arms -

SUMMARY

DATE \_\_\_\_\_

PURPOSE \_\_\_\_\_

CUE COLUMN

NOTES

Some were Taken out  
front door — Rest through  
Window

SUMMARY

<b>Oral Interview Form</b>	<b>Type of Contact</b> <input type="checkbox"/> Telephone <input checked="" type="checkbox"/> Personal	<b>Date</b> 04/13/2017
<b>Place of Interview</b> Houston, Texas		
<b>Interviewee's Name</b> Gloria Medina	<b>Interview's Address</b> [REDACTED]	
<b>Name and Title of Person Interviewed</b>		
<p><b>Narrative</b></p> <p>Ms. Medina was accompanied by her son Albert Medina at the interview which took place in the law offices of Mr. Greg Evans counsel to Ms. Medina and others.</p> <p>Ms. Torres was traveling with Pricilla Torres. Juanita (Janie) Cruz and Louisa Cruz are nieces to Ms. Medina. Ms. Medina found out about the tour through her nieces. Ms. Medina got on the tour in Bastrop, Texas even though she lives in the Houston, Texas area.</p> <p>Ms. Medina was seated in seat 33. She was sitting on the window Louisa Cruz was sitting on the aisle. Across the aisle, Juanita (Janie) Cruz and Pricilla Torres on the window.</p> <p>In the row in front of Cruz and Torres was Rachel Martinez and Mary Ramirez.</p> <p>Ms. Medina thought Jim and Mary Dela Cruz was in the row either the row in front or behind.</p> <p>Ms. Medina thought the trip was not unusual from the three trips she had taken before. The driver had started toward the casino using the freeway and stopped and turned around to take the Gulf route.</p> <p>Ms. Medina was wearing her seat belt until she saw the train. She saw the train before the bus got stuck on the tracks. When she saw the train, she stated she was focused on the light of the train. She was standing when the train struck the bus. Her next memory she was on the grass next to Juanita Cruz.</p> <p>She did not remember the driver giving a safety briefing but Carol the group leader would tell everyone to buckle-up and take a head count after each stop.</p>		
<p>I, Michael L LaPonte _____ declare, under penalty of perjury, that the information contained in this statement is a true and accurate summary of all relevant matters discussed with the witness on _____ [Date.]</p>		
<b>Accident Investigator's Signature:</b> [REDACTED]	<b>Date</b> 04/13/2017	

DATE \_\_\_\_\_

PURPOSE \_\_\_\_\_

CUE COLUMN

NOTES

Gloria Medina - Niece Cruz <sup>Juante</sup> Lousia  
Traveling w/ Priscilla Torres  
got on at Bastrop  
on Bus by 1330  
Driver Passenger  
Seat 33  
Gloria Lousia  
Seat Belt till Train  
Saw train b/c bus got stuck  
on crossing -  
Was focused on light  
Was standing w/ train hit bus  
Left memory on grass out  
side next to Juante Cruz  
Was 3<sup>rd</sup> trip - found out  
about trip - with cousins

Witness

SUMMARY

DATE \_\_\_\_\_

PURPOSE \_\_\_\_\_

CUE COLUMN

NOTES

Truck was headed and turned  
around to go along Gulf of  
Mexico

- bus trip was not-unsual -

does not remember Safety brief  
and many

Carol would tell to Buckel up  
do a head count. at each stop

XXX

Black jacket (not in bag)  
is Prillia Torres

Send  
E-mail

SUMMARY



<b>Oral Interview Form</b>		<b>Type of Contact</b> <input type="checkbox"/> Telephone <input checked="" type="checkbox"/> Personal		<b>Date</b> 4/13/17	
<b>Place of Interview</b> Houston, TX					
<b>Interviewee's Name</b> Gloria Medina			<b>Interview's Address</b>		
<b>Name and Title of Person Interviewed</b>					
<b>Narrative</b>					
Driver		Rear			
Seat 33 gloria Lousin		Rachel <sup>matrices</sup> Mary Kewitz Juonte - Texilla			
may Be Delv Any In front or Behind					
I, Michael L LaPonte _____ declare, under penalty of perjury, that the information contained in this statement is a true and accurate summary of all relevant matters discussed with the witness on <u>April 13<sup>th</sup> 2017</u> [Date.]					
<b>Accident Investigator's Signature:</b>				<b>Date</b>	