

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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JANUARY 10, 2014

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CESSNA 310R, N3829G,

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* Docket No.: CEN14FA110

ROYAL AIR FLIGHT 907

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PONTIAC, MICHIGAN

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Interview of: ADAM FLIEGEL

Purdue University

Thursday,

January 30, 2014

The above-captioned matter convened, pursuant to notice.

BEFORE: Mitchell Gallo
 Accident Investigator

APPEARANCES:

MITCHELL GALLO, Accident Investigator
Office of Aviation Safety
National Transportation Safety Board (NTSB)

E. BARRY ROGERS, Air Carrier Inspector
East Michigan Flight Standards District Office
Federal Aviation Administration (FAA)

TIMOTHY JOHNSON
(Representative on behalf of Adam Fliegel)

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MR. GALLO: All right. We're on the record with Adam Fliegel, and he's being represented by Tim Johnson. Also on the line is Barry Rogers. And this is an interview with Adam Fliegel regarding the accident CEN14FA110 in Pontiac, Michigan. So let me just start out, Adam, Mr. Fliegel, do I have your permission to record this conversation?

INTERVIEW OF ADAM FLIEGEL

Q. All right. Just to start out with, can you discuss your aviation background?

1 Q. Okay. And when you began or just prior to beginning
2 your employment at Royal Air, how much flight experience did you
3 have?

4 A. I had 355 hours.

5 Q. Total time?

6 A. Total time.

7 Q. And can you break that down as far as single/multi-
8 instrument, roughly?

9 A. Give or take, I had approximately 50 to 60 hours of
10 multi and then -- all the rest of it was all single.

11 Q. And did you apply to any other --

12 A. I had applied to a couple regional airlines at the time,
13 and I had first been somewhat given a job with Piedmont Airlines,
14 but then it was revoked when the whole new laws came out with ATP
15 minimums. I had applied for a bunch of flight instructing
16 positions also in -- all over the Midwest and the South and a
17 little bit in the Northeast as well.

18 Q. Okay. And going back, kind of just get some chronology
19 and what your experiences were, how did you first contact Royal
20 Air, and then what occurred after that?

21 A. Sure. It's kind of a long story, but my -- one of my
22 family member's second cousin was one of the brokers for another
23 company on the field in Pontiac -- Aerodynamics, Incorporated, ADI
24 -- who no longer is at the field there. But I came in contact
25 with their CEO and chief pilot trying to get a job with them.

1 Unfortunately, I didn't meet their time requirements. So the
2 chief pilot was -- used to fly at Royal, and he referred me to the
3 chief pilot at Royal Air. I was actually staying with my
4 fiancée's -- actually at her house just for a couple months after
5 graduation looking for jobs, and drove out to Royal to meet with
6 Ron Birnie (ph.), who is the chief pilot at Royal. That was my
7 initial contact.

8 Q. And that was -- the initial contact, was that in June of
9 2012?

10 A. I believe it was the very beginning of June.

11 Q. And who did you meet other than Ron Birnie during the
12 interview?

13 A. That was the only person I met during the interview,
14 actually. It was late in the afternoon. So he was -- it was him
15 and a dispatcher who was in the building.

16 Q. And how long was that interview?

17 A. It was about -- not very long; 30, 30 minutes to an
18 hour.

19 Q. And what transpired during the interview, such as what
20 kind of questions was asked, and did you get to fly an airplane
21 during the interview?

22 A. As far as questions asked, he -- I brought my logbook
23 with me, so he did look in my logbook. I had -- we kind of
24 discussed my flight experience and my low amount of flight time.
25 I know that typically -- I believe that he told me that they

1 typically will hire people with less time in the plane because
2 it's kind of a learning position also in the right seat of the
3 Bandit, at least during visual flight time. So they -- I was a
4 little bit lower than the normal, but because he was friendly with
5 the guy who referred me, I think that he was a little more
6 interested in me.

7 Q. And did he tell you what the preferred flight time was
8 that he'd like to see?

9 A. He wanted -- he didn't give me any time-wise, but he
10 wanted more multi-engine time. Because I only had about 50 hours
11 or so.

12 Q. And did you fly an airplane during that interview?

13 A. I did not. I went inside a couple of the airplanes, but
14 I did not actually fly any of them.

15 Q. Do you recall what time the interview started and what
16 time it ended?

17 A. I'm trying to remember the time. I believe I got there
18 somewhere between -- I can give you a range. Probably sometime
19 between 4 and 6 p.m. in the afternoon. I was there for about an
20 hour or so.

21 Q. And what kind of questions did he ask you?

22 A. Some about my background, my flying background. We
23 talked a little bit about our mutual -- or mutual, his contact,
24 his friend and person who I had come to know. We -- just trying
25 to think a little bit more. He -- well, he explained to me a lot

1 about their operation, how it works. If I had any knowledge of
2 135 operations, which I did not at that time since we didn't
3 really focus on that in school. A little bit, but not too much.
4 I had a working knowledge of it. And that was pretty much it.

5 Q. And you mentioned that you met a dispatcher. Do you
6 remember who the dispatcher was?

7 A. I do not remember which one was there. I know all the
8 dispatchers who work there now, and I -- it was one of them. I
9 just can't remember which one it was that day, looking back at it.

10 Q. And what was the conversation you had with the
11 dispatcher?

12 A. It was most just introducing myself and saying hi. That
13 was more all it was. It wasn't really any -- it really wasn't any
14 more extent than that.

15 Q. All right. And then after the interview, let me just go
16 back.

17 A. Um-hum.

18 Q. Did they -- did Mr. Ron Birnie mention how many pilots
19 he was going to hire or he was in need of a pilot? Did he
20 mention anything like that?

21 A. He said that they were in need of a pilot because they
22 had, they had one pilot. I'm trying to think. They had one full-
23 time first officer in the Bandit -- the Embraer 110, and they were
24 looking for another full-time. Because it was their busy time of
25 year, June typically, is -- it's all on-demand basis, but June was

1 typically their busiest time so they knew they needed another
2 pilot.

3 Q. Did he describe the training program to you?

4 A. He did not at the time, no.

5 Q. So when the interview ended, when did they contact you
6 and who contacted you about coming to work?

7 A. We talked probably two more times after that. He told
8 me that he was going to talk with Kirt Kostich, who is the CEO of
9 the company, about when they would need a new pilot and if they,
10 you know, if they actually do need it. And then he called me a
11 few days after that again saying that he -- that they would like
12 to have me come on. I never really got -- I was told to come out
13 pretty much. It was almost like a, was like -- I don't want to
14 say tryout, but it was more like go out there, do some training
15 with them for about a week or so, and then see where it goes from
16 there. But from my understanding, once I got out there, I got an
17 offer letter so I could rent an apartment and things like that as
18 well.

19 Q. In the offer letter, who did the offer letter come --
20 who signed the offer letter? Do you remember?

21 A. It would either have been Kirt Kostich or her name is
22 Julie. I know she typed it up, and I believe it was Kirt who
23 signed it. And I can't remember what Julie's last name is.

24 Q. Now prior to this interview, did you have any other
25 pilot interviews that you attended?

1 A. Not for a 135 position. I went to, let's see, I think
2 one or two interviews for flight instructing: one in Gulf Shores,
3 Alabama, and I did one -- that might have actually been the only
4 one I actually went to. I had tried contacting a bunch of
5 companies, but that was the one I actually went down to.

6 Q. And how would you describe the interview at Royal Air
7 versus the other interviews as far as -- was one or the other more
8 formal or informal?

9 A. I'd say the one in Gulf Shores was a little more formal,
10 but it was also a 141 flight school, so it's a very structured
11 program. So they gave me a lot of the documents that I'd be
12 teaching. That school is actually more of a training -- it was
13 near Pensacola, so they do a lot of training for the Navy
14 students. They get -- basically the way that company works is the
15 instructors teach the students up until they're solo, sign them
16 off for their solo, and then they go back to Pensacola to continue
17 flight training. So that was -- it was a little bit more
18 structured. I knew what that job would entail. I knew -- and I
19 knew what the pay would be like. It was an hourly position there.

20 Q. Okay. And then you got the letter from Royal Air that
21 you're being offered employment there. Can you then go over like
22 when you first started working, and then what the training was
23 like?

24 A. Yeah. A lot of the training was I'd show up in the
25 morning, sometime between 8 and 10 in the morning. They had a --

1 I guess where they keep actually their flight record type stuff.
2 There's a little conference room type thing upstairs, and I would
3 -- they gave me a manual to go through. Basically I'd sit up
4 there. I went through the entire book myself, took my own notes.
5 And then every couple hours or so Kirt would come in and ask me if
6 I had any questions or he'd talk about a couple of the systems
7 with me, but it wasn't -- it was probably 4 to 7 -- well, 4 to 8
8 hours, depending on the day, about how long I was there for
9 actually going through some stuff. But a lot of it was self-
10 teaching for me.

11 Q. So just to go back, you arrived about 8:30 or so and how
12 long did you spend upstairs?

13 A. It would depend on the day. It probably was -- you
14 know, I'm saying 4 hours. It probably was longer than that. I
15 probably would be there as a total probably 8 hours and with maybe
16 an hour lunch somewhere during the day. So maybe, of actual study
17 time for me, probably 6 to 8 hours in a day, give or take.

18 Q. And how often would Mr. Ron Beany [sic] come in?

19 A. He did not -- he was not one of the instructor pilots in
20 the Bandit. That was actually the only plane that he did not fly
21 for Royal. Kirt was the check airman and the instructor pilot for
22 the Bandit. So Ron would come in and say hi to me every once in a
23 while and ask me how things are going. But as far as training and
24 things like that, he was not a part of that training.

25 Q. Okay. But going to the ground training aspect where

1 you're studying these manuals, who was the instructor that would
2 come in?

3 A. It would be Kirt Kostich.

4 Q. And can you just go back and kind of go and say how many
5 hours he spent with you actually lecturing you?

6 A. I have to think about that. Let me take one quick look
7 at -- I don't want to give a wrong number. So I want to try to
8 give -- get some idea of -- July -- it looks like June 25th was my
9 first day. That was my first -- so June 25th was my first -- June
10 25th, 2012 was my first day there. I was there that entire week.
11 Probably -- I was gone for that week and I was back here -- I'm
12 sorry. I just want to make sure that I'm --

13 Q. Take your time.

14 A. I can give you kind of a ballpark number. I wish I had
15 kept a better record of myself of how much time I sat in there. I
16 know what days I was in there. So I started on the 25th, which
17 was the Monday. On the 25th, during that day I actually had one
18 of the pilots that I was actually learning with, he was a Cessna
19 310 and 402 pilot, and I actually -- he got a call for a trip
20 later in that day like early afternoon. And to kind of show me
21 the operations, they let me just tag along just to sit and see how
22 their operation works. We went out to -- where did we go? We
23 went to Ypsilanti and then to Kansas City and back, just to kind
24 of see the operation. Later, we -- I was there for probably 6
25 hours or so before we went on to that trip. So during that time

1 Kirt probably spent probably 2 hours or so with us on that day,
2 the 25th. The 26th, he probably spent 2 to 3 hours, and that was
3 probably just with me, I believe.

4 Q. And is this on the ground?

5 A. On the ground, yes. The 27th actually looks like I did
6 -- and, again, I don't know what their, what their rules were. I
7 did a trip with one of the captains on the 27th, which I believe
8 counted as training because it was all during day VFR. And that
9 was 7.5 hours of flying. I don't remember what time of day that
10 trip was. I think that was an afternoon trip. So I was there in
11 the morning and then did that trip in the afternoon. Yeah, it was
12 afternoon. I don't think I probably -- I don't think I spent any
13 time with Kirt that day. If anything, it was less than an hour.

14 Then on the 28th, which was the Thursday, I flew another
15 trip with another pilot. Or actually it was the same pilot as the
16 day on the 27th. On the 29th, I actually flew a trip with Kirt.
17 We went to, let's see, Holland, Michigan, down to Georgetown,
18 Kentucky, and then back to Pontiac. And that was 3.8 hours of
19 flying. And that was the 29th.

20 And then that next week was Fourth of July, which is a
21 turnaround for freight, I guess. There was no -- there were no
22 trips that week and they let me go. I went back to Illinois for
23 that one week, and then I came back on the 9th where I did a trip
24 to Rockford and back, not with Kirt, with another pilot. And then
25 2 days later I had my ride. I went on a like 135 Sprite C ride

1 with Kirt.

2 So probably overall, I don't know if -- were you writing
3 down that -- how much time I told you I was sitting with Kirt. It
4 probably was 10 to 12 hours maybe.

5 Q. So you spent --

6 A. With Kirt.

7 Q. -- about 10 to 12 hours on the ground?

8 A. With Kirt. But I --

9 Q. With Kirt.

10 A. -- did a lot of it -- a lot of it was self. I mean, I
11 spent a lot more time on my own going through it.

12 Q. Okay. So going back to the manuals that you were
13 given --

14 A. Um-hum.

15 Q. -- what -- can you describe what those manuals were?

16 A. They were the actual, the systems book of the Bandit. I
17 believe the POH. Mostly, mostly it was just a systems book of the
18 Bandit I went through. It was a binder kind of like this, and it
19 was just full of all the Embraer stuff.

20 Q. Were you given the 135 ops manual to study?

21 A. I was not, no.

22 Q. Okay. When you sat down with Mr. Kirt Kostich, what was
23 discussed during those hours?

24 A. We went through a lot of the systems. He drew out a lot
25 of systems for me. So the time I spent with him, for me, was very

1 valuable because I was learning -- you know, systems for me was
2 always my weakest point. So, you know, him explaining to me how
3 the hydraulic system of the plane worked, how all the -- really
4 all the systems of the plane worked was really helpful to me.

5 A lot of the stuff as far as like engines and things
6 like that, I kind of did on my own. I mean, I had gone through a
7 turbine class at school. So I kind of, kind of self-taught that
8 to me. We discussed, you know, type of engines, how much
9 horsepower, you know, some of the limitations, things like that of
10 the engine. But we really kind of hit the hydraulics, the
11 electric. Let me see what else we might have talked about. We
12 may have discussed, like I said, a little bit of the powerplant
13 stuff, just more limitations.

14 Q. Did you talk about meteorology?

15 A. No, we did not.

16 Q. So how many total hours on the ground did you spend with
17 Mr. Kirt Kostich for ground training?

18 A. Based on that, probably -- probably 10 to 12 hours would
19 be my guess, somewhere in that range.

20 Q. Okay. Now, I have a document here. It's called "New
21 Hire Training."

22 A. Okay.

23 Q. And it says, "Adam Fliegel has completed a New Hire
24 Training curriculum for the EMB-110 aircraft, completing the
25 appropriate curriculum segments on the dates listed below. Crew

1 position is second in command." And here this document says basic
2 indoc on 6/26/12, instructor is Kirt Kostich, 24 hours. Then the
3 second line is aircraft ground 7/9/12, Kirt Kostich. It says 16
4 hours. So do you think you spent that much time?

5 A. I do not think I spent that much time, no.

6 Q. Then there's a line here for emergency, 7/10/12 with
7 Kirt Kostich, and that was spent 4 hours.

8 A. I did not spend 4 hours on emergency.

9 Q. Okay. And then there's an instructor here, a signature.
10 I don't know if you can read what that says. I'm not familiar
11 with the signature, but --

12 A. I'm not sure of that.

13 Q. -- it's dated 7/11/12.

14 A. Which was a day that I did do my right seat.

15 Q. There's another company document that we obtained that
16 was "Certificate of Ground Training" that says, "This is to
17 certify that Adam Fliegel has received the ground training as
18 described below prior to serving or continuing to serve as SIC
19 under Air Carrier Certificate Number BUHA637C. This training
20 included, but was not necessarily limited to, epical areas
21 indicated." And it says ground training hours 24 hours, date
22 6/26/12. There's an instructor's signature, but the student's
23 signature line is blank. Did you ever see this document before?

24 A. I did not ever see that document, no.

25 Q. So you've -- you believe that you've never signed any

1 such document?

2 A. I do not think that I -- no. I've not.

3 Q. Then there's another document we obtained, "Certificate
4 of Aircraft Training," at -- for the aircraft EMB-110, and it is
5 dated 7/9/12, and there's again an instructor's signature and the
6 student's signature line is left blank. Have you ever seen this
7 document before?

8 A. I have not, no.

9 Q. Okay. And some of the type -- it says type of training,
10 initials, and what's checked is wing balance procedures;
11 determination of runway limitations for takeoff and landing;
12 aircraft general description; performance characteristics; engine
13 propellers; major components; procedures for recognizing and
14 avoiding severe weather situations; procedures for operating in or
15 near thunderstorms, turbulent air, icing, hail or potentially
16 hazardous meteorological conditions; operating speeds and
17 limitations; fuel consumption and control -- I'm sorry -- fuel
18 consumption and cruise control; flight planning; each normal
19 emergency procedure; approved aircraft flight manual or
20 equivalent; ground training necessary to ensure specific
21 qualifications in new equipment, procedures or techniques; and
22 ground deicing, anti-icing program. Can you go through that and
23 tell me which ones were covered?

24 A. Yes. Weight and balance we did talk about. We looked
25 through that in the book that -- or the POH and the systems book.

1 I guess it was in there as well. I think the actual book might
2 have actually had been combined with both the POH and the systems.
3 I can't 100 percent remember that. But we did look through the
4 weight and balance stuff.

5 I do not remember if we talked about runway limitations.
6 I know that I know -- I knew them. I don't want to say yes or no
7 because I just cannot remember if we talked about that.

8 The aircraft general description we did talk about.
9 Performance characteristics, we did. Engines and propellers, we
10 talked -- we did talk about it, like I said, with the limitations
11 and some of that kind of stuff, but that was kind of to the
12 extent.

13 Do you know what would be involved with major
14 components? Just all the system -- I don't know. So that's -- I
15 don't know what, what would be involved with major components.

16 Procedures for recognizing and avoiding severe weather
17 situations, we may have discussed a little bit because it's a non-
18 pressurized aircraft so avoidance was kind of more important for
19 us. We couldn't really go through a lot of the weather, and it
20 would be even tough to go around some of the weather as well.

21 We didn't really -- operating in or near thunderstorms
22 -- the one with the hail and all that kind of stuff would kind of
23 coincide with the one above that. Again, it was -- the amount of
24 time we -- if we did talk about it, it was not for very long.

25 Operating speeds limitations, we did talk about. Fuel

1 consumption and cruise control. As far as cruise control, I mean
2 I knew that he explained the power settings we'd use at cruise.
3 We talked a little bit about the different fuel consumption, but
4 we were -- to the extent that I knew, it was pretty much the plane
5 burnt about 100 gallons an hour. That's how -- that's what I was
6 told, and that's -- I mean, it worked. That number worked pretty
7 well, but it wasn't a real calculation.

8 Flight planning, as far as flight planning is done, it
9 was more just from flightplan.com, and that was -- there was not
10 too much to that.

11 Each normal emergency procedure. I do not think I went
12 over any emergency procedure, just engine failure and that's it.
13 And that's just to the extent identify, verify, feather, was
14 really the only thing for engine failure we talked about and then
15 did in the check ride.

16 Approved aircraft flight manual -- he showed me where
17 the flight manuals were in the plane, where SOPs were in the
18 airplane as well.

19 Ground training necessary to ensure qualifications in
20 new equipment, procedures and techniques. We did -- well, this is
21 -- we did walk -- I mean, we did a walk around the airplane. He
22 showed me where everything was in there, how I do a preflight on
23 the airplane, if that's what that one's talking about. Ensure
24 qualifications in new equipment -- techniques. How to check for
25 certain things.

1 And then ground deicing and anti-icing program. We
2 talked a little bit about the boots on the airplane. That was
3 kind of covered when we talked about systems, but we didn't really
4 talk too much about it, not for very long. When I was there it
5 was in the summer, so -- and then when winter came around, I kind
6 of just learned from some of the other pilots there.

7 So that covers all of those.

8 Q. Okay. In your ground training when you were covering
9 specific subjects, were you given a written examination?

10 A. No.

11 Q. Were you given an oral examination?

12 A. Not really, no. We were -- we kind of -- it was more of
13 open discussion. He'd ask me some questions, but nothing
14 official. At least that I felt was official.

15 Q. Were the questions asked at the end of a subject being
16 taught or was it incorporated while he was teaching?

17 A. It was kind of incorporated while he was teaching.

18 Q. Did you talk about previous aircraft accidents and
19 incidents?

20 A. We had talked -- well, actually, that's the talk that I
21 -- with Ron was actually involved. We kind of talked a little bit
22 about the Lear accident that had happened with Royal a couple
23 years before. You know, they -- obviously everyone has their
24 opinions. I don't think any official report has come out. I
25 remember when I was doing research on the company, I looked and I

1 saw that as well. But I do not believe that -- we did not talk
2 too much about it. Just more of a talk more than anything, not
3 really any true discussion.

4 Q. Okay. Going back to additional documents that we
5 obtained, there's one titled "Certificate of Emergency Training"
6 with your name on it for the aircraft EMB-110. It has an
7 instructor signature. It's dated 7/10/12, and there's a student
8 signature line that's left blank. Have you ever seen this
9 document before?

10 A. I have not, no.

11 Q. Have you ever signed a document like this?

12 A. No.

13 Q. Then there's another document called "Certificate of
14 Flight Training," again which certifies that Adam Fliegel has
15 received the training as described below for the EMB-110, and the
16 flight training says 8.1 hours. Date is 7/9/12. There's an
17 instructor's signature, but the student signature is left blank.
18 Have you ever seen this before?

19 A. I have not.

20 Q. How much flight training did you get in which you were
21 flying with Kirt Kostich?

22 A. Amount of flying that I did with Kirt Kostich was -- as
23 far as my records go was about 4.6 hours.

24 Q. Before your 135 check ride?

25 A. Not -- sorry. Only 3.8 hours before my 135 check ride.

1 So 3.8. And that was a trip on June 29th, 2012.

2 Q. In your logbook entry it says that on 7/12 --

3 A. 7/11.

4 Q. I'm sorry. 7/11 in November-34-Alpha, the flight number
5 is 101, and it says 135 check and it lists 0.8 hours. How did you
6 come up with 0.8 hours?

7 A. I -- that was somewhat of an estimate for me because I
8 actually didn't even see that log. Because they were doing --
9 that flight actually involved, there was another a captain that
10 was being checked out also or being given some training. So what
11 happened during that flight is I -- let me think if I can remember
12 this correctly. I took off out of Pontiac. We did a couple of
13 maneuvers. We did a couple approaches into Flint, and then we
14 landed at Flint to a full stop. So actually this flight was
15 probably just Pontiac to Flint. Because I -- then I went back and
16 the other captain finished that, the rest of the flight, just a
17 little bit of his training. So those approaches, I actually -- it
18 really was just Pontiac to Flint.

19 Q. Was the other captain that was going to get checked out,
20 he was on the airplane during your check ride?

21 A. Correct. He was sitting in the back or in a chair in
22 the back.

23 Q. All right. I'm sorry, I'm skipping around a little bit.

24 A. No, that's fine. I understand.

25 Q. Going back to when you were flying on the 27th, you said

1 you were flying with a captain for 7½ hours.

2 A. Correct.

3 Q. Can you talk about that trip? What was going on; what
4 was discussed?

5 A. Yeah.

6 Q. And the same thing for the 28th, because you said it was
7 the same captain.

8 A. Correct.

9 Q. And if you could identify that captain?

10 A. Okay. So that trip the captain I flew with on that one
11 was -- that would be David Gandy. We did -- it was a trip we
12 picked up freight in Holland, Michigan, and then flew down to
13 Jackson, Mississippi -- it was Hawkins Field -- and then back to
14 Pontiac.

15 We kind of discussed -- he kind of taught me actually
16 really the takeoffs and landings of the airplane. He performed
17 the landing at Holland and I did the landing in Jackson,
18 Mississippi and back in Pontiac. So he flew the first leg and I
19 flew the next two legs during that trip.

20 We kind of talked a little bit about the operations.
21 You know, he explained to me how to tie down the freight in the
22 airplane, how to go through all the paperwork, how to verify the
23 paperwork, and it matches what we were told we would get. He
24 taught me how to do the weight and balance before we would leave,
25 which is on the paperwork. I shouldn't say -- well, that was

1 probably my first time seeing -- the 27th -- that probably was my
2 first time seeing weight and balance, and then I went over some of
3 that stuff, I believe, with -- some ground stuff as well
4 afterwards. The plane kind of, in the books that we had, kind of
5 laid out how it works, how the weight and balance works.

6 Do you have another question or -- okay.

7 So then we got back that day and then the next day was
8 another trip as well. We went to Goshen, Indiana, and then
9 Greenville, South Carolina.

10 Q. Okay.

11 A. I'm sorry, yeah.

12 Q. Just going back to the 26th, where was Mr. Gandy sitting
13 at during the flight and where were you sitting at?

14 A. You mean the 27th?

15 Q. Well, you --

16 A. I had the 27th and the 28th.

17 Q. Okay, 27 and 28. I'm sorry.

18 A. Yes. That's fine. The 27th, he was sitting in the left
19 seat as captain.

20 Q. And where were you?

21 A. I was in the right seat.

22 Q. And the same thing on the 28th?

23 A. Correct.

24 Q. Okay. So why were you told -- what was the reason given
25 to you to go on the flight on the 27th and on the 28th?

1 A. I was told just that it was -- gosh, I don't even know.
2 I, honestly I don't remember the reason. It was a freight pickup.
3 I don't think they had another first officer for it. They both
4 were in day VFR conditions. That was really it.

5 Q. So on the 27th, you departed from Pontiac to go pick up
6 freight?

7 A. Yes.

8 Q. And there was no other pilot aboard, just you two?

9 A. Correct.

10 Q. Do you know if the EMB-110, the way it was being
11 operated by Royal Air, was a single pilot or a two-pilot airplane?

12 A. My understanding, afterwards, it's a two-pilot. I know
13 that the Embraer 110 legally can be operated without an autopilot,
14 single pilot during day VFR. But I do know for sure -- I do not
15 know what their -- what they were allowed to do. That's just what
16 I had been told.

17 Q. Okay. And on the 27th -- when were you notified to show
18 up for the flight on the 27th?

19 A. The 27th. I actually was probably already at the
20 airport. Because we left in the afternoon, early afternoon. So I
21 was told probably within an hour before. Usually that's how much
22 time we were given before we needed to depart.

23 Q. And why were you at the airport on the 27th?

24 A. I was doing -- I was training, doing some of the self-
25 training, I guess, in the study room. Because that was on a -- I

1 want to make sure that was a Wednesday. I have to look on my
2 calendar. Sorry. June 27th, that was a Wednesday. Yeah, I would
3 have been at the airport doing some training, just almost -- like
4 I said, just a lot of the self-study stuff.

5 Q. Okay. And then on the 28th, you flew with Mr. Gandy
6 again.

7 A. I did.

8 Q. And can you talk about what you did on that flight?

9 A. Same thing pretty much. We picked up freight in Goshen,
10 Indiana, flew it to Greenville, South Carolina -- or GSP was the
11 identifier. And then we hopped over to an airport that's 10 miles
12 away to fuel because it was cheaper fuel for us to fly back, and
13 that was pretty typical what we would do, (indiscernible) 91
14 there, and then flew home.

15 Q. And when were you told to fly on the 28th?

16 A. Probably an hour prior to that flight as well.

17 Q. And you were -- what were you doing before that?

18 A. I was at the airport, as far as I know.

19 Q. And so who told you to go on this flight?

20 A. It was either Kirt or it was the dispatcher. It was one
21 of those two, and I can't remember who came up to me then.

22 Q. Did they come upstairs to you to tell you?

23 A. I believe so.

24 Q. Do you need a break?

25 A. Would that be all right?

1 Q. All right, off the record.

2 A. Yes.

3 (Off the record.)

4 (On the record.)

5 MR. GALLO: We're back on the record with Mr. Adam
6 Fliegel.

7 All right. Mr. Barry Rogers, would you like to ask any
8 questions of Mr. Fliegel?

9 BY MR. ROGERS:

10 Q. Yes, Mr. Fliegel, Barry Rogers for the FAA up in Pontiac
11 or I should say Detroit office.

12 Just reviewing the notes here that I took about the
13 training program, a couple comments were made and I just want to
14 be sure I got the right impression. You said it was mainly self-
15 study; is that correct?

16 A. Most of my training was, yes. But there were -- like I
17 said before, a lot of the systems, main systems were discussed
18 with me and diagrams were drawn out and things like that.

19 Q. And during the time that you -- prior to your 135 check
20 ride, you were proffered some trips to go and learn, I guess,
21 on-hands training?

22 A. Correct.

23 Q. With other pilots?

24 A. Correct.

25 Q. Were either of the pilots that did that Kirt -- or Kirt

1 Kostich or Ron Birnie?

2 A. No, they were not.

3 Q. Okay. Let's see here. Now, the day of your check ride,
4 you said that Mr. Gandy, was it, was in the back?

5 A. No. It was actually a different pilot was in the back.

6 Q. Okay. And he was in a chair in the back. What type of
7 chair was that?

8 A. I'm trying to think right now. I can't remember if it
9 was -- there was one of the airplanes had a -- I can't remember if
10 this is the plane or not that had it. It was either their -- they
11 had a little jump seat type of thing that faces backwards.

12 Q. Okay.

13 A. Or it could have been the chair that actually latches
14 into a seat or latches into the floor.

15 Q. Okay.

16 A. I, to be honest, I cannot remember which one it was.

17 Q. All right. So that was -- caught my attention when you
18 said a chair.

19 A. Yeah. It was something that was -- it wasn't just like
20 a free sitting chair in the airplane.

21 Q. Okay. All right. Let me go back through. So you
22 didn't get any formal tests or oral exams at the end of each
23 little module?

24 A. No. They might have asked me a couple of questions
25 during it, but it was no -- nothing formal.

1 Q. Right. Okay. And you were there for 13 months?

2 A. Correct.

3 Q. Did you start or do you remember doing any recurrent
4 training at all?

5 A. I was -- you know what, I was actually due for my
6 recurrent, I guess it would have been -- I guess you get 1 month
7 extra. I forget what the right word for that would be. Because
8 my check ride was in July. I left -- I started there, I guess I
9 should say, at the very end of June. Like the day -- I think the
10 day I said was June 25th. And I left in the middle of July of
11 2013. So I did not -- it was not necessary for me at that time to
12 go through the recurrent training.

13 Q. Okay. Let me look at my computer here and look at the
14 course materials. The question I would have on the new hire
15 training, which there's a document there with Mr. Gallo. It seems
16 that they say that you've got 24 hours of basic indoc. Do you
17 think you got 24 hours of indoc training at any time?

18 A. I do not think so, no.

19 Q. Okay. Then say with the aircraft ground it lists 16
20 hours.

21 A. I mean, if you want to count the hours that I sat there
22 in the office, yes, but what the -- I don't believe that I spent
23 16 hours with Kirt, no.

24 Q. Okay.

25 A. I was definitely -- I mean, if you go through that whole

1 week and a half of how many hours I was there, it probably
2 surpassed 16 hours, but --

3 Q. Okay. That's basically what I'm trying to figure out
4 is; you know, it says the instructor as being Kirt Kostich and,
5 you know, whether or not he did do -- you know, spend that 16
6 hours with you.

7 A. Right.

8 Q. Okay. That's about all the questions I have at this
9 end. I don't see anything other than what you've told me that
10 stands out.

11 A. Okay.

12 MR. ROGERS: Anything further, Mitch, Mr. Gallo?

13 MR. GALLO: Yes, I have some additional questions.

14 MR. ROGERS: Okay.

15 BY MR. GALLO:

16 Q. Mr. Fliegel, you mentioned that during your 135 check
17 ride there was another captain sitting in the back of the
18 airplane?

19 A. Correct. Yes.

20 Q. Do you know who he was?

21 A. Yes. It was Robert Beckman, Bob Beckman, who is no
22 longer at Royal either now.

23 Q. Okay.

24 A. He's not -- yeah, he's not.

25 Q. Have you ever seen a Royal Air training manual?

1 A. I do not believe so. I do not know -- the only thing I
2 would have seen was the -- there was a couple little booklet
3 things inside the airplanes that I pulled out a couple times after
4 I had been there for a few months, but -- Royal Air --

5 Q. Within the training manual there are subject modules.
6 This is Section 8, and I just want to cover maybe two or three of
7 these.

8 A. Okay. Which, I'm sorry, Subject 8?

9 Q. It's Section 8.

10 A. Oh, section.

11 Q. Subject modules of the aircraft training manual.

12 A. Okay.

13 Q. And I'm going to start out with Number 11.

14 A. Okay.

15 Q. And revision is original. Date says 11/10/99. It's on
16 page 8-11. So let me show you this. And the objectives are to
17 ensure that the crew member has the knowledge of instrument
18 procedures to operate in an instrument environment safely. The
19 equipment training aids are blackboard and VCR. And it says
20 courseware AC61-27C, Instrument Flying Handbook, Jeppesen J8, the
21 current Airman's Information Manual, instrument procedures video.
22 Did you see any of this courseware during your training?

23 A. No, I did not.

24 Q. Instructional delivery methods, lecture and discussion.

25 A. I would say yes. We probably, we -- between both of

1 them, between them showing me the systems and discussing some of
2 it. So, yes, we did.

3 Q. Okay. So what did it, what --

4 A. You know what, I have to think.

5 Q. -- and who was discussing this with you?

6 A. You know what, let me think about that. I was actually
7 thinking overall, not necessarily instruments. I'm sorry about
8 that.

9 Q. Well, let's go through the subjects.

10 A. Yeah, let's look through real quick.

11 Q. And was Number H, stabilized approaches, ever discussed?

12 A. No.

13 Q. Was a stabilized approach ever discussed in an EMB-110,
14 what the criteria were?

15 A. Not that I recall. I mean, I remember being told, you
16 know, what airspeeds to fly and approach in, what power settings
17 are going to help with it, but not necessarily what is entailed in
18 a stabilized approach. And that was more from actually doing the
19 approaches, not prior to me actually flying the approaches.

20 Q. So for the EMB-110, you did not know what the stabilized
21 approach criteria were?

22 A. I did not. No, not prior to going into there.

23 Q. Did you ever learn that later on?

24 A. Not officially. I was taught by, you know, different
25 captains how to fly the approach at appropriate airspeeds, you

1 know. I -- my instrument skills at that point had been really
2 good for flying because we were, again, unpressurized airplane,
3 always in the weather, always in the clouds. So, you know, I knew
4 what airspeeds to fly. I knew what power settings would give me
5 the right airspeed. If I had to adjust it, obviously I could, you
6 know, go through all of that. But officially discussed like in a
7 setting like inside, no.

8 Q. So nobody ever told you airspeed has to be plus or minus
9 so many knots; there can be only so many dot deflection, you know,
10 within localized or glide slope?

11 A. No.

12 Q. Do you know what a stabilized approach is?

13 A. I believe it would be minus zero knots on whatever your
14 speed that you would go into. Plus or minus -- well, dot
15 deflection, that means you're within a half a dot or -- but, no,
16 that's as far as I know with that.

17 Q. And what would you do if an approach becomes
18 unstabilized?

19 A. Go missed.

20 Q. And --

21 A. But I knew that from my own, you know, own knowledge
22 from doing instrument training. If something is not stabilized or
23 something doesn't look right, you go missed.

24 Q. Prior to?

25 A. Prior to the -- well, I'd go missed if I was more than a

1 dot off and you're close to the missed approached area, I'd go
2 missed right away. I wouldn't try to catch up to anything or --

3 Q. And when did you know that?

4 A. I knew that from my instrument training from back at
5 Purdue.

6 Q. Okay, thank you. And then the completion standards.
7 There's an oral written examination corrected to 100 percent by
8 the instructor to determine adequate knowledge of instrument
9 procedures. Did you ever receive an oral examination?

10 A. I did not, no.

11 Q. The next subject that I want to go to is Number 29 of
12 the Aircraft Training Manual, Section 8, and that subject module
13 is "Flight Techniques in Adverse Weather." Objectives: To
14 prepare the pilot for an encounter with any of the following
15 flight hazards. Equipment/training aids: blackboard, VCR.

16 And it lists the following coursework: AC00-6A,
17 Aviation Weather; AC00-45C, Aviation Weather Services; AC00-30A,
18 Rules of Thumb for Avoiding or Minimizing Encounters with Clear
19 Air Turbulence; FAAP-8740-12, Thunderstorms; Don't Flirt, Skirt
20 Them; AC00-54, Low Level Wind Shear; FAAP-8740-40, Wind Shear; and
21 lastly is weather video. Did you see any of that courseware
22 during your ground training?

23 A. I did not.

24 Q. And let me go and see if any of the subjects were
25 covered during your ground training. Did you cover vertigo and

1 spatial disorientation?

2 A. No.

3 Q. Visual illusion under IFR conditions, in and out of
4 clouds, tilted cloud layers, lights on the horizon appearing
5 higher or lower, anti-collision lights?

6 A. No.

7 Q. Disorientation, conflict between flight instruments and
8 physical senses?

9 A. No.

10 Q. Section D talks about turbulence and wind shear.

11 A. We did not really talk about that on the ground. I knew
12 -- I mean, I know what the proper technique to get out of it is,
13 but that's from prior knowledge or even past knowledge. Luckily,
14 I never encountered wind shear while I flew at Royal.

15 Q. Did you talk about turbulence and wind shear, Section
16 D5, detection, surface analysis, millibar, radar, continuously in-
17 flight aircraft performance in the wind shear, energy trade,
18 altitude for speed or vice-versa, and carrying extra speed?

19 A. No.

20 Q. Section F, low visibility, depth perception, flight
21 glide slope to the runway, or forward versus downward visibility?

22 A. No.

23 Q. Okay. Were you ever given an oral examination about
24 these subjects?

25 A. No.

1 Q. Going to your 135 check ride, can you discuss what
2 maneuvers you performed on that check ride?

3 A. I have to think for a second. I know we did two
4 approaches. One of them was single-engine, just to practice that.
5 I'm trying to think what else we would have had to -- what else we
6 did. That might have been the extent of it. We did an approach
7 to a missed, then came back around, did another approach. Both of
8 them I believe were at Flint. And then a full stop landing. The
9 second approach was single engine. That was it, I believe. Yeah.

10 Q. And during that check ride, who was sitting in the left
11 seat, who was sitting in the right seat, and where was the captain
12 sitting that was along?

13 A. Kirt was sitting in the left seat, I was sitting in the
14 right seat, and the other captain was sitting behind in the chair
15 or the seat, I guess we can call it. I don't know what the right
16 terminology. It's a seat.

17 Q. When did you actually take control of the airplane,
18 flight controls?

19 A. Once we were lined up on the runway. That's typically
20 the captain has a tiller, and so I can't -- sitting in the right
21 seat you don't have control on the ground until you take controls.

22 Q. And so you performed the takeoff?

23 A. Yes.

24 Q. And was there a hood to simulate IMC conditions given to
25 you?

1 A. No.

2 Q. So did you do these approaches visually?

3 A. Yeah. I personally didn't look out, but I was not given
4 a hood to wear during that.

5 Q. So there was no hood used, that you could look out any
6 time?

7 A. I could look out any time if I wanted to, yes.

8 Q. Was the entire flight in the VMC conditions?

9 A. Yes.

10 Q. So all these approaches were under VMC?

11 A. Yes.

12 Q. And going back, you mentioned your approaches. Can you
13 talk about if they were precision or non-precision approaches,
14 single engine, what combination?

15 A. One of them was a ILS; one of them was a VOR approach.
16 So one precision, one non-precision. To be honest with you, I
17 cannot remember which one was single engine. I know the second
18 one was. And if I looked at what the approaches were, I believe
19 we land to the north in Flint, but I don't know what approaches
20 are for that runway. I think it was Runway 3-6, but I do not
21 remember what approach goes into that runway.

22 Q. And --

23 MR. ROGERS: I have an additional question, when you
24 have a chance.

25 MR. GALLO: Okay. Why don't you ask the questions,

1 Barry?

2 BY MR. ROGERS:

3 Q. Okay. I have a question on, in the training program did
4 you get any CRM, crew resource management, training?

5 A. No, I did not.

6 Q. Okay.

7 MR. ROGERS: That's a quick one. That's about all I
8 have at the moment on that.

9 MR. GALLO: Okay. Thank you.

10 BY MR. GALLO:

11 Q. Next question I would like to ask is going back to your
12 135 check ride. Did you perform all the maneuvers successfully
13 the first time or did you have to repeat one because they weren't
14 within --

15 A. As far as --

16 Q. -- they weren't performed correctly?

17 A. As far as I know, I successfully completed both of them.
18 Nothing was said afterwards. He said that it was fine. And,
19 honestly, I mean, I can't remember if I ever became, you know,
20 half a dot or more than that off, but in my head I thought I did
21 actually two nice approaches for it, but -- I did not have to
22 retake an exam, no.

23 Q. Okay. After takeoff when you departed for the 135 check
24 ride and you performed the takeoff, when did Mr. Kirt Kostich take
25 the flight controls again from you? When did he become the flying

1 pilot?

2 A. He became the flying pilot again once we were rolling
3 out in -- let me think before I -- I know for sure he took it out
4 when we were rolling out in Flint. I can't remember anything else
5 during the flight. I cannot remember if he took the controls
6 during the check ride at all. As far as I can remember, he did
7 not until we were rolling out in Flint, but he -- I do not believe
8 that he took them anymore during the flight.

9 Q. Okay. So you departed Pontiac and did two approaches
10 total at Flint?

11 A. Flint. I believe it was two approaches. Actually, let
12 me -- I got to think about it one more time. It was -- now, come
13 to think of it -- I know we were talking on Flint approach. The
14 last landing, we landed to the north. I think we landed to the
15 east once. I believe that it was only two approaches. I believe
16 that it was two approaches.

17 Q. Did you perform any -- during the 135 check ride, did
18 you perform any stalls?

19 A. I did not, no.

20 Q. Any maneuver that would approach a stall warning?

21 A. As far as I remember, no.

22 Q. Did you perform any steep turns?

23 A. I have to remember, look back to this.

24 Q. Or actually, could you discuss what your in-flight
25 maneuvers were during the 135 check ride?

1 A. I can't remember any flight maneuvers besides the
2 approaches. I may -- wow, I have to think now. I don't think
3 Kirt had ever showed me one of those.

4 Q. What did he --

5 A. Any of the, any of the maneuvers. I don't know if I
6 ever saw steep turns or stalls.

7 Q. When you got hired, when you first started at Royal Air,
8 and this is right when you began your ground training, did you
9 perform any flight maneuvers in the EMB-110?

10 A. No.

11 Q. During your check ride did you simulate any systems
12 failures on the airplane?

13 A. No, just the -- well, just an engine failure and that's
14 it.

15 Q. Did you perform any holds?

16 A. I think that when we went on the first miss, we went out
17 to the hold and then came back in for another approach. But
18 actually -- no, I can't remember. I don't think we did perform a
19 hold, no.

20 Q. Were these approaches done with radar vectors or were
21 they full approaches?

22 A. One of them was radar vectors for -- actually, you know
23 what, they were both radar vector approaches. Because we hit
24 there, going to the north. The first one was definitely a radar
25 vector. The second one, I believe they both were radar vector

1 approaches.

2 Q. And when you were doing the 135 check ride, what was the
3 crew coordination like with Mr. Kirt Kostich?

4 A. Sorry. Can you say that again?

5 Q. What was the tone of the cockpit?

6 A. It was very relaxed. He's a pretty -- for me at least,
7 all my interaction with him, he was a very kind of soft spoken
8 person. That's really -- yeah, it was very relaxed.

9 Q. Did he critique you on any of the maneuvers that you did
10 perform on the 135 check ride?

11 A. With the engine failure, he said I was a little bit slow
12 to react with the rudder, but not -- it was still acceptable. I
13 didn't -- you know, we didn't yaw in an un-passable or in a
14 dangerous way, at least, and my reaction should have been quicker
15 to it.

16 Q. Prior to your 135 check ride, how many single-engine
17 approaches did you perform in the EMB-110?

18 A. None.

19 Q. So the 135 check ride was the first time you performed a
20 single-engine approach in an EMB-110?

21 A. That would be correct.

22 Q. Going through your logbook, there are some flights where
23 you're with -- in the EMB-110 and you have a flight number --
24 well, and I'm sorry.

25 A. That's fine.

1 Q. Let me rephrase the question. There's a Cessna 310,
2 November-22-Delta-Mike, Royal Air, and it was -- the flight number
3 is 1022. Who was the pilot of 1022?

4 A. That's Bob Beckman.

5 Q. Okay.

6 A. Or Rob Beckman.

7 Q. And then the next entry is 6/27 in the Embraer 110,
8 November-34-Alpha, and flight number is 499. Who is the pilot on
9 499?

10 A. That's David Gandy.

11 Q. Okay. And then on 6/29 is Embraer 110 flight, November-
12 34-Alpha, flight number 101. Is --

13 A. That's Kirt.

14 Q. Mr. Kirt Kostich?

15 A. That is Kirt Kostich, yes.

16 Q. What did you do on that flight?

17 A. That was a freight pickup flight. We picked up freight
18 in Holland, Michigan, flew that down to Georgetown, Kentucky, and
19 then flew empty back to Pontiac.

20 Q. Okay. And what was discussed on that flight? Was there
21 any flight training that was talked about?

22 A. Not really. You know, we did -- actually I can remember
23 we were going -- when we were flying on that flight, there was
24 some weather we actually had a fly-around, which was kind of a --
25 for me it was the -- I think it was probably the first time I had

1 logged actual with them, because there -- it was not really
2 stormy. It was more just cumulus clouds. And for me that was new
3 because I didn't, you know, I didn't have a tone of actual
4 instrument time going into this job. A lot of simulated time.
5 But that was pretty much it, how to go around some of the weather,
6 you know, asking for vectors around and things like that. But I
7 kind of learned more about how the operation worked with him, just
8 picking up the freight, going through paperwork and that kind of
9 stuff.

10 Q. Did you fly the airplane at all on any of those legs?

11 A. I flew the empty legs. I flew the leg from Pontiac. I
12 believe I flew from Pontiac to Tulip City -- or, sorry, to
13 Holland, Michigan, and then from Georgetown back to Pontiac.

14 Q. On the legs with freight on it, did you -- what were
15 your duties? What did you do?

16 A. I was on the -- I was doing the radios, and he was -- he
17 taught me how to do the weight and balances. As far as I
18 remember, I think that's correct. I can't remember. I'm pretty
19 sure that's what it was though.

20 Q. And in the previous flights where you were flying along
21 with Mr. Beckman and Mr. Gandy, what were your duties from the
22 right seat?

23 A. With Mr. Beckman I kind of just, I sat there and I
24 watched. I just kind of watched the operation. I helped him a
25 little with the radios just to give me something to do, I think,

1 more than anything. He kind of showed me through the operation
2 for the paperwork and that kind of stuff. That was my first time
3 on any plane with Royal. Just -- I was pretty much, I mean, there
4 just a passenger doing the radios, but I had my certificate to,
5 you know, to -- I knew how to do all that kind of stuff, but I did
6 not do any flying on that flight.

7 On this flight I went on with Mr. Gandy on June 27th, I
8 flew -- trying to remember which legs I flew now. I know I flew
9 back from Jackson, Mississippi back to Pontiac.

10 Q. Was the airplane empty?

11 A. The aircraft was empty on that leg. I actually do not
12 think that I flew -- I have to remember now. I thought that I had
13 flown both legs, the middle and the last leg. But now looking
14 back at it, I cannot remember these two legs. I cannot remember.
15 I know Dave flew this flight from Pontiac to Holland, the first
16 leg, and I cannot remember if I flew that leg or if he flew that
17 leg down there. That's a long leg too.

18 Q. Going back to your 135 check ride, was there any time
19 spent on the ground quizzing you regarding 135 operations, the 135
20 ops specs, the 135 ops manual?

21 A. The only, as far -- any training I got about 135 was
22 more about talking about duty day and duty day requirements, and I
23 was taught how to log on like the duty day sheets that we have,
24 the records that we would keep and turn in to the chief pilot.
25 But not really. It was not -- never really given like an oral

1 exam or any of that kind of stuff. I mean, they might have asked
2 me, okay, what's your duty -- like duty day, how much can you guys
3 -- how much can you fly in a 24-hour period? Questions like that.
4 But not -- nothing extremely formal.

5 Q. And who taught you about the duty day and how to fill
6 out the duty timesheets?

7 A. That was -- we were in a room, and I believe that
8 actually Ron -- or Mr. Birnie and Mr. Kostich were both in the
9 room, and they had shown me -- there were a couple of other pilots
10 in there, and I don't remember who they were. They flew the jets.
11 They were actually doing their timecards because they had just
12 gotten back from a trip, and so they were kind of -- they all were
13 kind of explaining to me how to do it. But Ron, or I should say
14 Mr. Birnie, took out a sheet and showed me how to do one.

15 Q. So if you could explain how are you supposed to fill out
16 the duty timesheet?

17 A. I wish I had it in front of me. Basically how we did
18 -- do you have one in front of you by any chance?

19 Q. I don't think so.

20 A. Okay. That's fine. The way we would have it is, it
21 would be 7 days, I believe, on the sheet, and I believe it started
22 Monday through Sunday because that's how our pay weeks would work.
23 To draw the duty day, I would take a line -- I would draw a line
24 from the top when my duty day started and draw it all the way to
25 when my duty day ended. Underneath, I would draw all my legs. So

1 the time of each leg. And then write how long each leg was, and
2 if it was a 91 or a 135 leg, and then the total time for each day
3 on the right side.

4 Q. So when did your duty, when did your duty time start?

5 A. When I was -- I always treated it normally as when I was
6 called out -- when I would leave for the airport. So I kind of
7 would give myself 10 minutes or so after I get the phone call,
8 because it only -- I only live 10 minutes or so from the airport.
9 Well, actually a little less than that. So I gave myself 10, 15
10 minutes, and from that point on is when I usually would start my
11 duty day.

12 Q. You mentioned that you would get a call. How would you
13 be notified of a flight?

14 A. It depended on the dispatcher. I preferred when I'd get
15 a phone call on my phone, but I also had a pager. And sometimes
16 they would just be too busy during the day so they would -- they'd
17 page me, and I'd call them, and they'd call -- they'd tell me
18 where my trip was going, when it was leaving and things like that.

19 Q. Was something ever called the freight delay rule
20 explained to you?

21 A. By another pilot, I believe. And the way that I
22 understood it was that we could exceed our duty day if the planned
23 flight trip was within our duty day. And if it was going to go
24 past that and there was freight delays, we could work past that.
25 And that's how I was explained it. And it was not by Kirt or Ron.

1 It was by another pilot, I believe. And if it was by anyone, it
2 would have been by Ron, if it was one of those two, but I cannot
3 remember. And I might be incorrect, so --

4 Q. When you filled out your duty timesheets, did you sign
5 them or what was the process of turning them in?

6 A. I believe we'd sign them, the bottom of them or the top,
7 and then we would turn them into the chief pilot or we'd put them
8 in our own -- we had, everyone -- I guess each pilot had a book
9 with all their documents in there. So sometimes, depending on how
10 busy everything was, I would just go up and put it into my
11 logbook. Or, sorry, not my logbook, into my binder, just into the
12 back or in order. But there were other times I'd put mine into
13 Mr. Birnie's mailbox and he would do it.

14 Q. Did anybody from Royal Air ever tell you to exceed your
15 duty day?

16 A. No. From my, from what my understanding was that, you
17 know, we would say we were doing a trip, a 135 leg, and it was
18 going to be at the end of our duty day; we were still within our
19 duty day limit but the leg home would bring us past it, and it was
20 a Friday and we wanted to get home, it was our choice if we wanted
21 to come home or not. All the 91 legs home are always our choice.
22 So if we were too tired, we didn't want to go home, they would
23 have no problem getting us a hotel room for that night. We were
24 never told to exceed it though.

25 Q. Was there any pressure for you to complete a flight on

1 time?

2 A. No. I really trusted every single captain I flew with
3 also, and we would -- everyone of them would always talk with me
4 if they were not feeling up to it. Because, you know, freight is
5 a very demanding or -- well, on-demand freight is a really
6 demanding job. I mean, 24 hours around the clock. But I was -- I
7 honestly can say I never felt pressured. I wasn't put in an
8 unsafe situation. But, yeah.

9 Q. In going through your work schedule, were there -- would
10 you work during the day and then all of a sudden you were working
11 at nights? Was it -- would that change any?

12 A. During the week it would definitely -- I mean, a lot of
13 the times how it worked out is if you got your first trip of the
14 week was in the middle of the night, typically the rest of your
15 trips the whole week were in the middle of the night because
16 that's how your duty day worked out. But there were certainly
17 times where I'd be called at, you know, 2 in the morning, Tuesday
18 morning. I'd either get somewhere or get home back the middle of
19 the morning the next day or, sorry, that same day, go to sleep for
20 a few hours, then go back to sleep and not get called out until
21 the following day. But there were other times where I'd -- my
22 rest period was up and I'd get called again at, you know, midnight
23 or 2 in the morning again.

24 Q. So if you kind of overall describe how much rest you got
25 in any 24-period, from minimum to maximum, what would that be?

1 What's the minimum amount of rest you've gotten, sleep that you've
2 gotten?

3 A. Sleep-wise? Four to 5 hours maybe is a minimum, 3 to 4
4 hours. And that would have been a situation that I flew through
5 the night, got back in the morning, went to sleep, and I got
6 called out again the next night to fly another trip. Because it
7 was -- it definitely was a tough way to plan because you don't,
8 you know, you don't want to sleep all day, not be able to sleep
9 the next night or that night, and then get called out for a trip
10 in the morning, because you couldn't figure it out from there.

11 Q. Did you -- are you able today to identify who works in
12 dispatch?

13 A. All the dispatchers?

14 Q. Do you remember them by name?

15 A. The ones that when I was there, I do remember them by
16 name, yes.

17 Q. Okay. And who are those people?

18 A. The guy during the day was, his name is Rory. I don't
19 remember his last name. Then the afternoon would be Jim and
20 sometimes Tom. I believe that there's a new person there not too
21 long before I left. His name was Chaz. And usually overnight was
22 somebody named Larry.

23 Q. And can you briefly go through each person, describe
24 what their personality was like, how they were to work with?

25 A. Yeah. I'll start with Larry, overnight. I actually

1 became very friendly with Larry. He was a very easy person to get
2 along with. He actually always would feel bad for calling us in
3 the middle of the night even if we had had, you know, 2 days off
4 prior to that, just because it's, you know, a middle of the night
5 trip. But he was very good, very nice guy.

6 I thought Jim was a really nice guy. He was -- you
7 know, if I hadn't gotten a call during the day for a trip, just to
8 see, I sometimes would call in when after he had started there
9 just to find out what number I was up, because there were two of
10 us in a rotation and then three of us actually at a point also.
11 And just for my own planning purposes, because if I was number
12 three up and I knew there were only two captains around, then I
13 knew, okay, I can actually, you know, go to sleep at a reasonable
14 hour and get a good night's sleep tonight because I wouldn't be
15 flying.

16 So Jim was nice to work with. He'd get stressed out a
17 little bit just because there would be sometimes he'd come into
18 work and there'd be, you know, six, seven trips going on, and he'd
19 just have to pick up wherever -- really I think he came in right
20 after Rory left because he worked during the day.

21 I thought Rory was, he was nice enough. I didn't really
22 have any real issues with him. He -- I don't know how I want to
23 say it. He never -- for me, he never put me in a situation where
24 he was like you'd better do this trip or, you know, anything like
25 that. He was kind of in control on a Friday. My fiancée was in

1 the Chicago area and down in Indiana. So on Friday nights -- we
2 didn't have to work on weekends, so there would be times where I'd
3 want to go to visit on a weekend. And I'd be second or third up
4 and there'd be only -- I would -- well, basically second or third
5 up at 5:00 or 6:00 in the afternoon on Friday knowing I wasn't
6 going to fly, and he'd make me still wait till, you know, 8:00 or
7 9:00 to leave, which technically was my job to stay around for
8 that, but sometimes I'd just get a little frustrated there.

9 But I -- and then I guess the last person is Tom, who
10 also worked with Larry -- or not with Larry. I think he worked
11 with Jim. And I got along with him very well.

12 But as far as all the dispatchers went, none of them
13 really did anything, at least to me, that I ever felt pressured, I
14 felt like I had to do something, I felt that they treated me
15 poorly. I think they were really respectful of -- for the most
16 part really respectful, at least with me. But, again, I was --
17 you know, being a Bandit Embraer 110 first officer, I was pretty
18 low on the totem pole as far a seniority goes.

19 Q. Were there times when you were at Royal Air Freight,
20 their offices, and both Mr. Ron Birnie and Mr. Kirt Kostich were
21 not there?

22 A. Yeah, once in a while.

23 Q. So then who was your direct person there to contact?

24 A. If they are not there, honestly what I would do is I
25 would actually call up one of them. I would call Ron, and Ron was

1 pretty good -- actually Ron Birnie was actually very good about
2 answering his phone with me, if I had a question or anything like
3 that. He -- and if I left him a voice mail he'd call me back
4 within an hour or so. But if I had to ask someone an immediate
5 question, I probably would have talked to the -- whatever
6 dispatcher was there, which mostly, most of the time was Rory,
7 just because he worked I think 7 or 8 a.m. till 5 p.m. So he was
8 there most of the time when I'd show up.

9 Q. If you were sick, who would you call to tell them that
10 you could not do a flight?

11 A. I would call dispatch.

12 Q. Any particular person?

13 A. Nope. All they would do typically is they'd just write
14 it down on the board that I'm not available. And a lot of times
15 you'd say -- you know, I would say I'm not available till I call
16 back in. And that's just, you know, that's -- there's really
17 nothing you can do about that. And they were very fair about
18 that. They never made me -- if I called in sick, they didn't call
19 me for a trip. And I only called in sick one time.

20 Q. Okay. I'm going to go back to the 135 check, and I'm
21 looking at the 135 airman competency proficiency check.

22 A. Okay.

23 Q. And the check airman was Kirt Kostich. And just going
24 down the line, did you ever perform a rejected takeoff --

25 A. No.

1 Q. -- in the EMB-110? Even during training?

2 A. I do not believe that we did during training.

3 Q. You mentioned you didn't do any steep turns?

4 A. No, I did not. Not with Kirt, no.

5 Q. Any approaches to stalls during the check ride?

6 A. No.

7 Q. Did you do a landing with a simulated powerplant
8 failure?

9 A. Yes. We did a single engine landing.

10 Q. Did you perform a rejected landing?

11 A. We did a go-around, but not -- we didn't actually hit
12 the ground and go up again.

13 Q. Then there's a landing from climbing approach.

14 A. A circling?

15 Q. From -- I'm sorry, from circling.

16 A. Yeah, I learned it as climbing too. I'm sorry about
17 that.

18 Q. Yeah.

19 A. From circling approach, we did not do that one.

20 Q. Okay. Did you perform an instrument procedure with comm
21 or -- I'm sorry. That's all I have, questions for now.

22 MR. GALLO: Mr. Rogers, do you have any questions?

23 MR. ROGERS: No, not at this time.

24 MR. GALLO: Do you want to take a break? Because maybe
25 we'll have additional questions then. Let's do that.

1 MR. ROGERS: Okay.

2 MR. GALLO: All right, we're off, off the record now.

3 (Off the record.)

4 (On the record.)

5 MR. GALLO: We're back on the record with Mr. Adam
6 Fliegel.

7 BY MR. GALLO:

8 Q. Mr. Fliegel can you -- you mentioned that during your
9 135 check ride with Mr. Kirt Kostich there was a captain in the
10 back seat and then he was going to receive training after your 135
11 check ride. Can you discuss when you switched seats and then what
12 followed afterwards?

13 A. Yeah, we -- after my, after my landing in Flint we
14 taxied off the runway, pulled off into like kind of -- I think
15 it's a run-up area right around one of the runways. Stopped,
16 parking brake was on, and I got out of the seat and switched seats
17 with the other captain. And then we just, we -- he went up --
18 sorry, we -- actually I take it back, we did not switch seats.
19 Let me think of this right. All three of us actually switched
20 seats. And I have to think back; I can't remember if we shut the
21 engines down or not. I believe we did, because I think that Kirt
22 wanted to get a proper -- do that also with Bob. So I believe we
23 actually shut down. I got out of the seat. We all kind of did a
24 little switcheroo, because the other captain went up into the left
25 seat, the captain's seat; Kirt switched to the right seat and I

1 went back into the seat in the back.

2 Then from there, they -- we did a takeoff. I believe we
3 did a couple of -- well, not me. I keep saying we. They did a
4 couple of maneuvers. I do not remember which maneuvers they were
5 though. And then I believe we just -- we either did an approach
6 into Pontiac or we did a visual, just a regular landing in
7 Pontiac, and that was it. It was not very long. It was no longer
8 than my check ride.

9 Q. And was this training for Mr. Beckman or was this his
10 135 check ride?

11 A. It was just training.

12 Q. And when did you learn that Mr. Bob Beckman was going to
13 be on this airplane for training?

14 A. I think that day of.

15 Q. Okay. So prior to the flight?

16 A. Yeah, it was prior to -- I did know he was going on
17 before I, before I knew that I was starting my flight.

18 Q. All right. I haven't asked you in the beginning, but
19 why did you leave Royal Air?

20 A. I left because -- well, a couple of reasons. The
21 lifestyle was just catching up to me a little bit. My fiancée was
22 in -- actually, well, her family is in the Chicago area, but she
23 attended at Purdue. So we were seeing each other every week, but
24 it was 10 hours of driving roundtrip every weekend. And I had an
25 opportunity to fly Citation jets out of the DuPage Airport, SIC

1 position there. It was slightly pay increase, not a significant
2 pay increase but enough to make me ready to go back to -- or leave
3 and go somewhere else, kind of to advance my career in that
4 direction towards jets.

5 Q. And can you talk about your pay how that was structured
6 at Royal Air? I don't need to know the dollar amount, but was it,
7 for example, per mile? Was there a base pay? Was there incentive
8 pay for certain kind of performance?

9 A. There was -- we received a base pay weekly, which was
10 just a straight number. And then the way that it would work is we
11 would get paid by the mile. If we did not fly enough miles to
12 make it to our base pay, we'd get paid the base pay no matter
13 what. Once we hit our base pay -- so for me I'd have to fly 2700
14 miles in a week to reach my base pay. Anything above that gets
15 added to my -- so basically when you hit -- when I hit 2700 miles,
16 any miles I flew above that, I'd get paid above what my base pay
17 was. So it was a per mile wage. It just depended on how many
18 trips we got during the week.

19 Q. And how many hours were you accumulating per month on
20 average?

21 A. That's a good question. It kind of varied. The first
22 half of the year -- well, since I started in July or I was checked
23 out in July through December, I was -- the most I flew in a month
24 was like 100 and -- 107, I think. The least I flew in a month was
25 in the 30s. So probably, I could probably say I averaged probably

1 60 to 70 hours in a month. Starting after January, though, I was
2 flying maybe 30 to 40 hours a month all the way through June when
3 I left. And that was another, actually that is another real
4 reason why I left. I was just not getting enough flying time in
5 anymore.

6 Q. What were some of the negative things about Royal Air?

7 A. The biggest one for me was just the lifestyle. It was a
8 very demanding job. I was starting to -- I was still young, but
9 being called out, you know, three or four times in a week at 2 or
10 3 in the morning was starting to become really exhausting. And
11 then the on-demand nature of it was hard. I couldn't plan for
12 anything. You know, there would be times where I had -- I had
13 family in town or anything like that, and I didn't want to take
14 the time off because the chance -- sometimes, depending on what
15 time of year, you may not get a trip. So if you take a day off,
16 you kind of -- if you don't have enough vacation days at that
17 point, you don't get, you know, you don't get paid for that day,
18 which was my understanding going into it anyway. But being gone
19 away was definitely a struggle, and not -- really the not knowing
20 when I was going or when I was coming back was very difficult.

21 Q. And can you discuss how your on-call schedule --

22 A. Yeah.

23 Q. -- was structured?

24 A. It was basically Monday morning starting midnight, so
25 Sunday evening. Monday morning at midnight through Friday night

1 at midnight we were on call. As all the pilots, we all had to
2 work one weekend a month. So there would be one weekend during
3 the month where I'd be the on-call first officer in the Bandit.
4 And I just -- you know, I think in my 12, 13 months that I was
5 there, I think I flew two weekend trips. It was very rare we'd
6 get a trip in that airplane, but that's how that structure worked.

7 Q. Were there any flights in which you were aboard and
8 there was training being done?

9 A. Just that one flight with, yeah, with the other captain
10 during my check ride. That's it.

11 Q. Have you heard of any other incidents, not accidents,
12 but incidents that Royal Air may have had?

13 A. I have not, no.

14 Q. You mentioned that Mr. Ron Birnie discussed the Learjet
15 accident.

16 A. Um-hum.

17 Q. What did he tell you about that?

18 A. Well, he kind of just gave me a little bit more -- I
19 mean, it wasn't much more than what I had ever read online that
20 they were short of the final -- I believe that they were -- gosh,
21 I'm trying to remember. But they -- what he -- I don't want to
22 say something that he didn't necessarily say, but from my
23 understanding of the whole incident there was -- they were slow on
24 a turning base to final, and they may have had ice on their wing
25 as well. I know there's a cockpit voice recording too, and this

1 might just be from my own research, they were -- the first officer
2 had told the captain a couple of times that watch the airspeed.
3 And then that's -- that's really to the extent that I know about
4 the accident. I know that it was right around Chicago Executive
5 as well.

6 Q. In your training for the EMB-110 second-in-command
7 position, were you given any materials or lectures about crew
8 coordination?

9 A. No.

10 Q. Have you prior to Royal Air ever flown in a multi-pilot
11 cockpit?

12 A. The only thing I can consider close to that was flying
13 in the Purdue's Phenom program prior to like me coming to Royal.
14 The Phenom 100 is a single-pilot airplane, but the way they treat
15 it at Purdue is multi. So I went through a semester in a
16 simulator with training like a multi-crew, and then a semester in
17 a CRJ-700 simulator at Purdue with multi-crew, but never in a real
18 airplane really.

19 Q. And my last question is, can you kind of talk about what
20 the positive things were in working with Royal Air?

21 A. Absolutely. I, the reason why I liked the job was the
22 people I flew with. All -- every captain I flew with, I got along
23 with really well. Really nice people, experienced. You know,
24 before -- overall over the year I flew with five -- well, six
25 captains, if you count Mr. Kostich, and every one of them I got

1 along with very well. They were very respectful. And they
2 actually, you know, listened to my input too on some things. You
3 know, if I -- if we were -- if there was some weather around or
4 anything like that or, you know, they were very good about
5 everything with me. And they taught me a lot too. I mean, for me
6 it was a big learning role. Yeah, I understood the systems from
7 me, you know, reading it and that kind of stuff, but actually them
8 explaining some things above and beyond what I knew was really
9 invaluable to me.

10 MR. GALLO: Mr. Rogers, do you have any questions before
11 we go off the record?

12 MR. ROGERS: Basically I only have one more question.

13 BY MR. ROGERS:

14 Q. During your initial training, did they ever go over the
15 aircraft flight manual with you on the Embraer?

16 A. If they did, it was not to a great extent. They may
17 have pulled it out and showed me a little bit, but we never really
18 went through very much of it, if anything.

19 MR. ROGERS: Okay. And that's my last question.

20 MR. GALLO: All right. Going off the record. Thanks.

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

CERTIFICATE

This is to certify that the attached interview of ADAM FLIEGEL

IN THE MATTER OF: JANUARY 10, 2014
 CESSNA 310R, N3829G,
 ROYAL AIR FLIGHT 907
 PONTIAC, MICHIGAN
 Interview of Adam Fliegel

DOCKET NUMBER: CEN14FA110

PLACE: Purdue University

DATE: January 30, 2014

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.

Katherine Motley
Transcriber