

Factual Report – Attachment 5
NTSB Letter and Subpoena to Pilot’s Instructor

OPERATIONAL FACTORS

WPR19MA177



National Transportation Safety Board

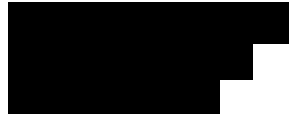
Washington, DC 20594 | www.nts.gov

OFFICE OF THE GENERAL COUNSEL

October 1, 2019

VIA ELECTRONIC MAIL, U.S. MAIL, AND CERTIFIED MAIL

Mr. Robert Matthew Riter



Re: Accident involving Beech 65-A90, N256TA, Mokuleia, HI, June 21, 2019
NTSB Investigation No. WPR19MA177

Dear Mr. Riter:

It is my understanding that you previously provided flight instruction to the pilot involved in the above-referenced accident. As such, the NTSB would like to talk to you about your impressions of the accident pilot. Our investigators have attempted to contact you on a number of occasions, including July 5, 2019, July 8, 2019, July 11, 2019, July 30, 2019, and August 19, 2019. Other than your initial email reply on July 5, 2019, we have not heard from you. We would prefer to conduct a voluntary interview with you within the next two weeks. However, we need to hear from you no later than Monday, October 7, 2019. Should that not happen, we will have no choice but to issue a subpoena pursuant to 49 U.S.C. § 1113(a) compelling your appearance.

The NTSB is only conducting a safety investigation; we do not determine fault or liability, and we are not a regulator. We do not conduct investigations related to possible violations by an airman. While the FAA is party to our investigation, nothing learned during the investigation can be used for any enforcement action. Our goal is very simple; to better understand the circumstances of the accident so that we can prevent it from reoccurring. A routine part of our investigation is to speak with individuals who have experience with the accident pilot and can speak to their strengths and/or potential weaknesses.

As a professional pilot and someone who had the opportunity to spend time with Jerome in an aircraft cockpit, your insights are extremely valuable. Because your information is so critical to our investigation, we can arrange to speak with you in person, via telephone, or by whatever means is most convenient for you. You are welcome to have a representative accompany you during the interview. The types of questions we would like to ask include, but are not limited to:

- Briefly describe your aviation background and flight times?
- Describe your interactions with Jerome Renck?
- Generally describe Jerome Renck's basic flying abilities based on the extensive flight instruction you provided? What were his strengths and weaknesses as a pilot that you observed as his flight instructor? Explain.
- Did Jerome share with you his goals or plans in aviation, and if so what were they?

- Reviewing Jerome's flight logs, between May 2, 2017 to November 22, 2017, you flew with Jerome in King Air N715GC for Giumarra Brothers Fruit Co. Inc. under Part 91 operations, and logged 38.2 hours and 61.127 and 61.129 dual instruction given in Jerome's logbook.
 - What was the purpose of this flight instruction for Jerome considering he had yet to receive his private pilot's license?
 - What type of flight instruction did you provided Jerome in the King Air during that time frame?
 - Did the instruction you provided Jerome in the King Air include emergency procedures and/or single-engine work (i.e. V1 cuts, SE approaches, etc.)? Why or why not?
 - Please describe in detail Jerome's proficiency in flying the King Air.
 - In your opinion, was Jerome's skill-set as a pilot sufficient to handle an emergency in the King Air, specifically an engine failure on takeoff? Explain.
 - Were you compensated for these flights as a flight instructor or charter pilot for Giumarra Brothers?
 - Was Jerome compensated for these flights in N715GC by Giumarra Brothers? Why or why not?
- In general, as a King Air pilot, can you describe the flying characteristics and procedures used for the King Air during an engine failure on takeoff?

Please contact me as soon as possible at [REDACTED], or you may contact NTSB Senior Air Safety Investigator Captain David Lawrence at [REDACTED]
[REDACTED]

Sincerely,

Benjamin T. Allen
Assistant General Counsel



National Transportation Safety Board

Office of General Counsel

490 L'Enfant Plaza East, S.W.
Washington, D.C. 20594

202/314-6080
FAX 202/314-6090

December 17, 2019

CERTIFIED MAIL, RETURN RECEIPT REQUESTED
Robert Matthew Riter

Subpoena Number: 3.43809.75234

Re: Beech 65-A90 (N256TA) accident, June 21, 2019, Mokuleia, HI; National
Transportation Safety Board (NTSB) Accident No. WPR19MA177

Dear Mr. Riter:

Enclosed please find a subpoena issued by the National Transportation Safety Board (NTSB) for appear and provide testimony and documents related to the above-referenced accident before NTSB Investigator David Lawrence and other NTSB investigators, on Thursday, January 16, 2020 at 12:00 noon PST in the Executive Board Room at the DoubleTree by Hilton Hotel Torrance - South Bay, 21333 Hawthorne Blvd, Torrance, CA 90503. Pursuant to 49 C.F.R. § 831.7, you are permitted to be accompanied by one representative of your choosing. When you appear, please bring with you copies of all of the following.

1. Any and all flight logs covering the timeframe of 04/22/2017 through 12/12/2017
2. Any and all syllabi used for training Jerome Renck during the above timeframe
3. Any and all notes from training provided to Jerome Renck during the above timeframe

NTSB Authority

The NTSB, an independent agency of the U.S. Government, is responsible for investigating and determining the probable causes of all civil aviation accidents, as well as certain railroad, highway, marine, and pipeline accidents. 49 U.S.C. § 1131(a). The NTSB makes recommendations for the improvement of safety, with the ultimate goal of preventing future accidents, and is authorized to “conduct hearings ... administer oaths, and require, by subpoena or otherwise, necessary witnesses and evidence.” *See* 49 U.S.C. § 1113(a)(1). The agency is authorized to “do anything necessary to conduct an investigation” and may “inspect

any record, process, control, or facility related to an accident investigation..." See 49 U.S.C. § 1134(a) and (f).

Should you have any questions about this matter of a legal nature, you may contact me at

[REDACTED]

Sincerely,

[REDACTED]


Benjamin T. Allen
Assistant General Counsel

Enclosure



UNITED STATES OF AMERICA
NATIONAL TRANSPORTATION SAFETY BOARD

SUBPOENA DUCES TECUM

To: Robert Matthew Riter
[REDACTED]

Subpoena Number: 3.43809.75234

Pursuant to the authority granted to the National Transportation Safety Board (NTSB) under Title 49 United States Code Section 1113, and at the instance of Chairman Robert L. Sumwalt, III, in the matter of the Beech 65-A90 (N256TA) accident that occurred on or about Friday, June 21, 2019 in Mokuleia, HI (NTSB Accident No. WPR19MA177):

YOU ARE HEREBY COMMANDED to provide appear and provide testimony and documents related to the above-referenced accident before NTSB Investigator David Lawrence and other NTSB investigators, on Thursday, January 16, 2020 at 12:00 noon PST in the Executive Board Room at the DoubleTree by Hilton Hotel Torrance - South Bay, 21333 Hawthorne Blvd, Torrance, CA 90503. Pursuant to 49 C.F.R. § 831.7, you are permitted to be accompanied by one representative of your choosing. When you appear, please bring with you copies of all of the following.

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2. Any and all syllabi used for training Jerome Renck during the above timeframe
3. Any and all notes from training provided to Jerome Renck during the above timeframe

Should you have any questions, please contact:

Benjamin T. Allen
Assistant General Counsel
National Transportation Safety Board
490 L'Enfant Plaza East, SW
Washington, DC 20594
[REDACTED]

Fail not at your peril.

IN TESTIMONY WHEREOF, the undersigned, Chairman of the National Transportation Safety Board, or a duly authorized official, has hereto set his/her hand.

Signature

[REDACTED]
Kathleen Silbaugh
General Counsel

Date

12/17/2019

NATIONAL TRANSPORTATION SAFETY BOARD
490 L'ENFANT PLAZA EAST, SW
WASHINGTON, DC 20594