

DCA22FA132

**OPERATIONAL FACTORS/HUMAN PERFORMANCE**

Attachment 1  
Flight Crew Interviews  
July 1, 2023

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

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MD-82 GEAR COLLAPSE & RUNWAY \*

EXCURSION ACCIDENT IN MIAMI, \* Accident No.: DCA22FA132

FLORIDA ON JUNE 21, 2022 \*

\*

\* \* \* \* \*

Interview of: JOSE DARRIBA, Captain

Red Air

APPEARANCES:

DR. KATHERINE WILSON, Investigator  
National Transportation Safety Board

MITCH MITCHELL  
Federal Aviation Administration

WARREN ABRAMS, Ops Group Chairman  
National Transportation Safety Board

SAM GOODWELL, Safety Pilot  
Boeing

JIM VANDERCAMP  
National Transportation Safety Board

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I N T E R V I E W

1  
2 DR. WILSON: Thanks for being here with us today. As you  
3 know, the NTSB, we're strictly here from the safety side. We  
4 don't have any enforcement action, and we just want to find out  
5 what happened and try to prevent something like this from  
6 happening again.

7 We do work under our party system which means parties that  
8 are -- can provide us technical expertise, participate in our  
9 investigation, and so we'll have each person introduce themselves,  
10 but just like those of us from the NTSB, we're all here still from  
11 the safety side.

12 My name is Katherine Wilson. I am a human performance  
13 investigator with the NTSB.

14 MR. MITCHELL: And good afternoon, Katherine. My name is  
15 Mitch Mitchell. I'm with the Federal Aviation Administration,  
16 ABT-100. ABT-100 is very similar to the NTSB. We're here for  
17 safety investigation. We're not here for enforcement or any kind  
18 of punitive action.

19 MR. DARRIBA: Okay. Thank you, Mitch.

20 MR. ABRAMS: Jose, I'm Warren Abrams. I'm the Ops Group  
21 Chairman with the NTSB. I do the pilot stuff, the cockpit, things  
22 like that, so thank you for coming in today and we're looking  
23 forward to hearing from you.

24 MR. DARRIBA: Thank you.

25 MR. GOODWELL: Sam Goodwell (ph.). I'm a safety pilot from

1 Boeing.

2 MR. VANDERCAMP: I'm Jim Vandercamp (ph.). I'm with the  
3 NTSB, and I work with foreign and operational factors.

4 MR. DARRIBA: Okay.

5 DR. WILSON: So we'll each take a turn asking questions.

6 MR. DARRIBA: Sure.

7 DR. WILSON: We might do two rounds, maybe three depending  
8 upon follow up questions that everyone has, but basically we just  
9 -- we want to learn from you. You're the one who has the  
10 firsthand knowledge, and you're going to be able to provide us  
11 with the details that we're looking for, what happened on the day  
12 of the accident, so we really appreciate you being here.

13 If you don't understand a question or you need us to repeat  
14 it, let us know.

15 MR. DARRIBA: Yes.

16 DR. WILSON: And if you don't know the answer to a question,  
17 that's okay, too. This isn't an oral or anything.

18 MR. DARRIBA: Okay. Thank you.

19 DR. WILSON: You do have the right to representation if you  
20 want to have somebody in the room with you. Is there anybody that  
21 you want to have here? You're not required to; it's just  
22 something if it makes you feel comfortable.

23 MR. DARRIBA: I think not. I'm comfortable. Everything will  
24 be okay.

25 DR. WILSON: Right.

1 MR. DARRIBA: I have to tell you the truth. It's okay. Go  
2 ahead.

3 DR. WILSON: And if you need a break or anything --

4 MR. DARRIBA: No, no.

5 DR. WILSON: -- also make sure that you let us know.

6 MR. DARRIBA: Okay.

7 DR. WILSON: Do you have any questions for us before we get  
8 started?

9 MR. DARRIBA: No, not yet.

10 DR. WILSON: Okay. Just let us know.

11 INTERVIEW OF JOSE DARRIBA

12 BY DR. WILSON:

13 Q. If you could start by giving us your full name, please.

14 A. Jose Luis, last name Darriba Perez.

15 Q. Could you spell your last name, please?

16 A. D-a-r-r-i-b-a, Darriba.

17 Q. And if you could provide us with an overview of your aviation  
18 background.

19 A. Well, I started like probably 32 years ago. I work like 7  
20 years and a half in a company named (indiscernible). I began like  
21 working like air craft technician about 4 and a half years, like  
22 air craft technician, and 3 years like first officer, fly in DC-9  
23 air and MD-80. It was 7 years, 7 years and a half. The company  
24 was closed. The company belonged to the government and the  
25 government close the company. And the company was bought by a

1 person named Nesser Ramos (ph.) and reopened the company. I  
2 started again like first officer, and then I got my grade like  
3 captain there. I flew almost the entire types for DC-9ers. I  
4 flew MD-80, and like after passing the 18 years, I moved to  
5 another company named Santa Barbara (ph.) for, you know, Santa  
6 Barbara, Santa (indiscernible) used to come here to Miami, and I  
7 flew this air 767. It was like one year and a half flying the  
8 767. Then the company was closed, too, and I began in Laser. The  
9 name is Laser, known as Laser Airline, and I have five -- like  
10 five years working with Lasser, flying MD-80.

11 Q. Lasser. Is Lasser based -- is that Venezuela?

12 A. Lasser is spaced in Venezuela. The owners of -- right there  
13 are from Venezuela.

14 Q. And then did you go from Lasser to Red Air?

15 A. Yeah, yeah.

16 Q. And how long have you been with Red Air?

17 A. We started the training like in December 2021, and I started  
18 to fly like two months ago.

19 Q. And you were hired in as a captain?

20 A. Yeah, yeah.

21 Q. Okay. What's your total time?

22 A. About 14,500 flight hours.

23 Q. How much time in the MD-80?

24 A. Almost half of the time.

25 Q. And then how much of that is PIC in the 80, do you know?



1 A. Like PIC, like almost since I was 38 -- 20 years.

2 Q. So let's move on to the day of the accident. Let's start --  
3 we'll walk back to the whole day, but let's start with as you're  
4 setting up the approach to come into Miami. Walk us through the  
5 events until -- through the evacuation.

6 A. Was a normal day. I remember the last part of the flight,  
7 last we were clear to land on the runway 09, ILS runway 09. We  
8 receive the first vector heading 60, and then heading 006 to  
9 establish on the localizer, and maintain 3,000 until established.  
10 I remember we were behind another aircraft, and I heard when they  
11 visit the instructions, okay uniform and whole before runway,  
12 before the runway 12.

13 We received instructions clear to land there, runway 09  
14 (indiscernible). I don't remember if they gave us the direction  
15 and intensity of the wind. I don't remember exactly the numbers,  
16 but I have in my mind that the wind was from the left side. Pablo  
17 was there, pilot flying.

18 Q. Thank you. I owe you. Thank you very much.

19 A. Pablo was the pilot flying, and everything was normal.  
20 Establish on the localizer, establish on the ILS, clear to land.  
21 He crossed threshold of the displaced runway. After he crossed  
22 the runway, the threshold runway, I notice that he was a little  
23 bit off of centerline, and I said centerline, first on the right  
24 landing gear and smoothly, then on the left landing gear was  
25 smoothly, really. I mean, it wasn't a hard landing.

1           After the touchdown the told me, captain, captain, the  
2 throttles are moving forward, and I saw the throttles, and  
3 immediately -- I saw the throttles and I took the control, but  
4 really I didn't say my control, I just took the control and I saw  
5 the throttles, and really I had the impression that they were  
6 moving, but not to try to increase the power, it was -- they were  
7 moved like a distance, you know, like probably two inches, but my  
8 impression thinking on my own was they weren't trying to advance.  
9 They don't finish the entire process, you know. They tried to  
10 return, and they stay in a fixed position with a reach the idle  
11 totally, you know.

12           I took the throttles, put the throttles in idle and  
13 immediately after I put the throttles in idle, the left landing  
14 gear is started to -- started a huge vibration, and the -- I tried  
15 to -- I remember that I start to apply the -- when I started to  
16 apply the reverse, but when I felt the vibration, I tried to  
17 control the airplane first, but the vibration was increasing,  
18 increasing, increasing, and the airplane was trying to move -- or  
19 to skid to the left side.

20           I was trying to keep the airplane on the -- I was trying to  
21 avoid the airplane veering off the runway, but the vibration was  
22 increasing, increasing, increasing, and sudden I felt like a tire  
23 exploded. After this situation gets really worse. Finally I felt  
24 like the left landing gear collapse. I remember that I have this  
25 idea in my mind, I was trying to move the airplane back with no

1 steering, but was --

2 UNIDENTIFIED SPEAKER: With the nose gear steering?

3 MR. DARRIBA: Yeah, yeah, with the no steering. If you guys  
4 don't understand me --

5 UNIDENTIFIED SPEAKER: Got it.

6 MR. DARRIBA: I repeat. I try to express very my ideas. I  
7 remember the right wing trying to lift, to elevate, you know. The  
8 idea in my mind was try to put this wing down because I don't want  
9 to hit the concrete the wrong way or with the left wing, and  
10 finally I saw in front of me yellow house. In my mind I have the  
11 idea that the yellow house was maybe in a solid material, you  
12 know. I saw, well, (indiscernible) for me, yeah.

13 But, no, we had the yellow house. I remember it had an  
14 antennae with the house, and almost, I don't know, three, four  
15 seconds, I don't know, after the airplane stop, our procedures, I  
16 think that the procedures in almost all of the airlines is to  
17 (indiscernible), or cabin crew remain seated. I call for  
18 preparation for passenger evacuation checklist. The situation was  
19 really stressful. I remember the situation, (indiscernible) the  
20 airplane, don't know like this, and Pablo -- meanwhile Pablo was  
21 looking for the checklist. He told me the engines, the engines  
22 are running. I'm, of course, the engines are running, but I shut  
23 down both engines.

24 Pablo started to read me the checklist, but at this moment,  
25 at this time, the cabin door open and my crew member, stewardess

1 number one, told me, captain, there is smoke in the cabin. I told  
2 her, I don't know my (indiscernible), stand by or wait with --  
3 yeah. And she told me again, captain, there is fire at the rear  
4 of the aircraft, there is fire, and we finish the list and say  
5 evacuation, evacuation, evacuation, and the airplane was  
6 evacuated.

7 I remember tell Pablo take the fire extinguisher, the  
8 (indiscernible) on the fire extinguisher. Pablo took the fire  
9 extinguisher, he stand up. Then I stand up and I went through the  
10 whole airplane. Yeah, I check -- I remember the bathroom in the  
11 right side, the rear, the rear one, was closed, and I saw there is  
12 a passenger inside. It's impossible. I mean, it's impossible to  
13 the fact after, you know. And I open -- because the bathroom was  
14 locked, you know. No, I use -- usually I do that with --

15 UNIDENTIFIED SPEAKER: Okay. The pen.

16 MR. DARRIBA: -- the pen.

17 UNIDENTIFIED SPEAKER: I understand. You (indiscernible).

18 MR. DARRIBA: I did with this nail. Of course I open the  
19 bathroom and nobody was inside, and I went back to the rear door  
20 and jump, it was the story.

21 BY DR. WILSON:

22 Q. You exited from the front or the rear door?

23 A. What?

24 Q. Which door did you exit, did you evacuate from?

25 A. From the forward door.

- 1 Q. The forward door.
- 2 A. The principal door.
- 3 Q. Were you the last one off the aircraft?
- 4 A. Yes. I mean once the aircraft was empty.
- 5 Q. Prior to the vibration, do you recall seeing any warning
- 6 lights or hearing --
- 7 A. No.
- 8 Q. -- any alarms?
- 9 A. Everything was normal.
- 10 Q. Notice any debris on the runway?
- 11 A. No, it's (indiscernible) to see any kind of debris in the
- 12 runway.
- 13 Q. Did you review the maintenance log books for the flight?
- 14 A. Yes.
- 15 Q. Did you do that on that morning? Because I know you had
- 16 taken the same aircraft, correct --
- 17 A. Yeah.
- 18 Q. -- to Dominican Republic.
- 19 A. Yeah.
- 20 Q. Anything of note in the log book?
- 21 A. Yeah, we have to defer side the DERI, the (indiscernible)
- 22 indicator, and the PMS.
- 23 Q. Did the aircraft as you recall touch down in the touchdown
- 24 zone?
- 25 A. Yes.

1 Q. Was the -- when the vibration started, had the nose gear  
2 touched down?

3 A. Sure.

4 Q. Yes. Do you recall if the --

5 A. I mean, the vibration, it was my impression the vibration  
6 start in the left main gear.

7 Q. And the nose wheel was on the ground.

8 A. Yeah, yeah.

9 Q. Did the speed brakes deploy?

10 A. I don't remember.

11 Q. Did you deploy thrust reversers?

12 A. At first time, yes, but when the vibration started, I pulled  
13 the -- I put the reversal down. I have this idea in my mind, I'm  
14 sure.

15 Q. Okay. Was there anyone in the cockpit jump seat?

16 A. No.

17 Q. Were you screened for drugs and alcohol --

18 A. Yeah.

19 Q. -- after the event?

20 A. My results here if you want to see.

21 Q. Sure -- well, you can show us after if you want.

22 A. Okay.

23 DR. WILSON: I'm going to open it up for questions for the  
24 rest of the group and then I'll have some follow ups after that.

25 MR. DARRIBA: Sure.

1 DR. WILSON: All right. Warren.

2 BY MR. ABRAMS:

3 Q. Jose, I may have misunderstood you, but when Pablo had just  
4 landed, did he tell you the throttle -- what did he tell you about  
5 the throttles?

6 A. The throttle are moving forward. I don't remember the exact  
7 words.

8 Q. Okay. That's okay, but the throttles are moving forward.

9 A. Yeah, they told me that he had the impression that the  
10 throttles were moving forward, but I remember I saw the throttles,  
11 and the throttles, yes, they were on idle, but no -- not trying to  
12 move forward. I have impression that throttles was -- they didn't  
13 finish their entire process.

14 Q. Okay. Now you did not -- the auto throttles were deferred,  
15 weren't they?

16 A. Yeah. Sorry, the first time that I received the airplane, I  
17 received the airplane with the throttles, the TRI defer.

18 Q. Um-hum.

19 A. And I notice the TRI was working improperly using the flight  
20 data number one, but it was working. We have the tables to work  
21 without of rotor, you know, without TRI, and I saw -- I confirmed  
22 the tables with the first that tests on the TRI using the flight  
23 data computer number two was okay. The problem was on the flight  
24 data number one. I move to the flight data number two. I compare  
25 the tables with the paper and I notice that it was working well.

1 I work with the data on the number two, and I used the throttle on  
2 the TRI, too.

3 Q. Okay.

4 A. And that was -- I believe it was my personal idea, I talked  
5 to Pablo, Pablo, are things happen in this, let's see and compare  
6 the first. The test is indicating properly, correctly. The  
7 tables for take of power is much with indication on the TRI.  
8 Let's check what happened. Let's use the out of throttle using  
9 the data number one -- number two, was my idea. Nobody told me  
10 about --

11 Q. Okay. Did Pablo do anything wrong? I mean, he's normal  
12 approach, normal landing, and now the gear collapses. You said it  
13 was a smooth touchdown --

14 A. Yeah.

15 Q. -- or words to that effect. Did -- what -- did he do  
16 anything wrong?

17 A. No, no.

18 Q. Okay.

19 A. Probably if you want to tell that he did something wrong, he  
20 land -- his landing was a little bit to the right of the center  
21 line --

22 Q. Yeah.

23 A. -- but normal than that.

24 Q. Yeah, he told us that you told me -- called out center line  
25 and --



- 1 A. Yeah, yeah, yeah.
- 2 Q. -- got back on, so, good. Were the winds significant? Were  
3 the winds a problem for the landing?
- 4 A. No, really not. I have to -- the -- in my mind that when we  
5 listened the ATIS two times, the first time, I don't remember the  
6 letter. On the second time the letter changed, okay, and I  
7 remember the winds -- I mean, the winds report had gust, but when  
8 we received a clearance to land, I don't remember. Like I said, I  
9 don't remember the numbers, but was reported like steady wind  
10 without gust. I mean, I think that the wind was okay.
- 11 Q. Okay. I was in the cockpit yesterday, and on the floor on  
12 the copilot's side by his left ankle there's that emergency gear  
13 extension door, that red door.
- 14 A. Yeah.
- 15 Q. That door had been opened and the emergency gear handle had  
16 been pulled to the upright position.
- 17 A. No, no, no, it wasn't us.
- 18 Q. Okay.
- 19 A. We didn't have time to do this.
- 20 Q. Okay. Yeah. Understand. I have no explanation for it,  
21 either, so I was just asking. So --
- 22 A. I think you have to ask to the aircraft technicians.
- 23 Q. Okay.
- 24 A. I don't know what --
- 25 Q. Okay. Did you have any issues walking back through the cabin

1 when you opened that bathroom door? I mean was there smoke in the  
2 cabin? Any issues with your breathing?

3 A. I don't know.

4 Q. Okay.

5 A. I mean, I knew about the smoking, but I don't care about -- I  
6 mean, I didn't care about the smoke.

7 Q. All right.

8 A. I don't know how did you -- how to tell in English.  
9 Adrenaline?

10 DR. WILSON: Adrenaline, yes.

11 MR. ABRAMS: Um-hum. Okay. That's all I have right now.

12 DR. WILSON: All right. Jim?

13 MR. VANDERCAMP: No, I mean you pretty much answered all the  
14 questions that I have already. I don't -- not right now, thanks.

15 DR. WILSON: Sam?

16 BY MR. GOODWELL:

17 Q. You mentioned that you were a direct hire captain. Did you  
18 do -- what -- can you describe any training that occurred from  
19 your previous employer to before you flew in command with Red Air?  
20 Was there some sort of a transition, training program, or  
21 simulator or what did you do before --

22 A. Before Red Air?

23 Q. Well, no, you -- with the other airline, I forget their name.

24 A. Lasser.

25 Q. Lasser, and then you came to Red Air.

- 1 A. Sure.
- 2 Q. Did Red Air conduct any sort of transition or onboarding?
- 3 A. Sure. I started the training, the (indiscernible), in  
4 December, December 2021. And I received all the courses and  
5 inductions and -- Red Air, (indiscernible) there from Red Air.  
6 Yeah, yeah, of course.
- 7 Q. And did --
- 8 A. I went to the flight simulator again with the instructions  
9 certified by Red Air. Yeah.
- 10 Q. Okay. And that was at a Delta training facility?
- 11 A. Yeah.
- 12 Q. Okay. Excellent. And was your partner at the time a new --  
13 do you remember who your training partner was with --
- 14 A. Yeah, Captain Loretta (ph.).
- 15 Q. And was that a first officer?
- 16 A. No, it was captain like me.
- 17 Q. Okay, so two captains?
- 18 A. Yeah, sure.
- 19 Q. And you switched seats. Excellent. And he was also a direct  
20 hire captain?
- 21 A. Yeah, yeah, sure.
- 22 Q. You mentioned that Pablo was the pilot flying that day. Is  
23 there any routine or do you just decide this is your leg and this  
24 is my leg or how --
- 25 A. No, it's my decision.

1 Q. Your decision.

2 A. Yeah, sure.

3 Q. Okay. And typically any particular reason why you decided to  
4 give this one to Pablo or --

5 A. No, no, no, just it's my decision.

6 Q. Okay.

7 A. I do it the day, Pablo, you will be the pilot flying, or I  
8 will be the pilot flying.

9 Q. Great. And Pablo is relatively new, 250 hours in the  
10 airplane. I'm not sure how long since he completed his IOE, but  
11 are there any requirements or company policy or restrictions in  
12 terms of the qualifications or experience of any pilot that he  
13 would be flying with based on his --

14 A. No, no --

15 Q. -- relatively new time?

16 A. -- no because -- in the Dominican Republic, they don't have  
17 pilots with a lot of flight hours. They are training new pilots.  
18 I understand that they have like six pilot schools, but they are  
19 starting this process, you know, because I don't know, the  
20 aviation in Dominican Republic is increasing the quantity of  
21 airplanes, the quantity of airlines. I don't know what happened  
22 in Dominican Republic, but they are improving the airlines  
23 numbers, but there is no particular qualification if you want to  
24 get hired in Red Air --

25 Q. Okay.

1 A. -- only the license, the pilot license.

2 Q. All right. And I think, let's see, you said when you came to  
3 a stop, Pablo said the engines are running. Obviously that would  
4 have normally been an item you would get to with the evacuation  
5 checklist, but you just chose to secure the engines at that time?

6 A. Yeah.

7 Q. Okay. And that was just done by memory? Do you remember how  
8 you actually did that? How you actually shut down the engines,  
9 procedure wise? I mean, what did you do to secure the engines to  
10 shut them down?

11 A. I shut the engines with the fuel levers.

12 Q. Okay.

13 A. And then I continued to do the checklist.

14 MR. GOODWELL: I think that's it, Cat, thank you.

15 DR. WILSON: Mitch?

16 BY MR. MITCHELL:

17 Q. Thank you, Captain. You obviously have a lot of time on the  
18 MD-80 and DC-9s. What's your overall thought of the maintenance  
19 of the aircraft you've been flying with Red Air?

20 A. Well, the maintenance is made by the Venezuelans, the  
21 Venezuelans and the Dominicans, but nations. Of course the  
22 Venezuelans know a lot about the aircraft. Not all of the  
23 Dominican technicians knows the aircraft very well. That's the  
24 difference.

25 Q. Do you feel that the aircraft for Red Air are maintained

1 well?

2 A. Yeah.

3 Q. Did you perform a walk around on the exit of that aircraft?

4 A. Sure. I mean, the walk around in Dominican Republic was made  
5 by Pablo.

6 Q. Okay.

7 A. But I usually perform the walk around.

8 Q. Anything noteworthy during the walk around that you're aware  
9 of?

10 A. No, it was fine.

11 Q. Have you ever rejected an aircraft during a walk around while  
12 being at Red Air?

13 A. No, no, no.

14 Q. When you shut down the engines, did you discharge the fire  
15 bottles in the engines?

16 A. Yeah, I mean, I think it's the final part of the checklist.

17 Q. Do you remember about what altitude the autopilot was  
18 disengaged on the approach?

19 A. The minimums, I think.

20 Q. Do you remember what the Vref speed was?

21 A. Vref, 133. 133.

22 Q. Okay. And understanding that Pablo was flying the aircraft,  
23 was he still on the glide path at this point?

24 A. Yeah.

25 Q. And what air speed?

1 A. The air speed? Probably 140 or something like this.

2 Q. When you departed the Dominican Republic and the gear was  
3 raised, did you notice --

4 A. Everything was normal.

5 Q. -- any sound?

6 A. Normal.

7 Q. Nothing. How about on approach into Miami when the gear was  
8 lowered?

9 A. Everything was totally normal.

10 Q. Do you remember seeing a gear down lock indication?

11 A. Yeah. If you ask me this question, I have to answer you that  
12 I was totally sure and I am totally sure because I remember in my  
13 mind see the three green lights. Believe me.

14 MR. MITCHELL: I don't have any other questions right now.  
15 I'll turn it back to you.

16 DR. WILSON: Okay. Great.

17 BY DR. WILSON:

18 Q. When the vibration started, was there any maneuvering of the  
19 aircraft going on, or were you just headed straight down the  
20 runway? Like were you trying to correct -- was Pablo trying to  
21 correct back to center line or anything when the vibration  
22 started?

23 A. I was trying to keep the -- I was trying to stabilize the  
24 aircraft.

25 Q. I'm thinking just before the vibration started, was there

- 1 any --
- 2 A. No, no, no.
- 3 Q. -- jostling of the aircraft or --
- 4 A. No, no, no.
- 5 Q. -- no abrupt movements?
- 6 A. No.
- 7 Q. Who can call for a go around? Can either pilot call for a go  
8 around?
- 9 A. No.
- 10 Q. Only the captain? A go around.
- 11 A. I mean, do you mean in any situation?
- 12 Q. So if you're on approach and something is off, can you and  
13 the first officer call for the go around?
- 14 A. Of course the first officer can suggest they go around, but  
15 the --
- 16 Q. Okay.
- 17 A. -- decision is my decision.
- 18 Q. And how far into a landing can you go around? If you touch  
19 down but the thrust reversers haven't deployed, could you still go  
20 around?
- 21 A. It depends on where I touch on the runway. I don't know. I  
22 mean, you are talking about --
- 23 Q. I'm just wondering what Red Air's policy is for a go around.  
24 When on the approach? Is there a time when you're committed to  
25 landing?



1 A. Well, I mean, you mean in an approach and the reverse don't  
2 deploy, well, I use the brakes, that's all. I mean, the reverse  
3 are not an issue to make a -- I mean, if the reverse don't deploy,  
4 there are not an issue to make a go around. It could be if you  
5 touch down at the middle of the runway (indiscernible), but not  
6 with the reverse deploy or not deploy.

7 Q. Do you recall the air speed when the vibration started?

8 A. No.

9 Q. Red Air has how many other MD-80s?

10 A. This one and two more.

11 Q. Any concerns about flying any of the other aircraft? Is one  
12 sort of known for having problems?

13 A. With another aircraft?

14 Q. Yes.

15 A. No, no.

16 Q. They're all good aircraft. You would fly any of them?

17 A. Are you talking about the Red Air fleet?

18 Q. Yes.

19 A. They have the first (indiscernible), but --

20 Q. I didn't know whether one aircraft just seemed to have more  
21 maintenance problems than another or, you know, seem to have more  
22 write-ups.

23 A. Well, they have reports, but I think it's normal situation.

24 If you are talking about one aircraft, you know.

25 Q. If you had a concern about something at the airline, whether

1 it's an aircraft or another pilot, who would you talk to about  
2 that?

3 A. With my chief pilot.

4 Q. Is there a way -- is there any other way -- what if you  
5 didn't want it to be known that you were the ones that --

6 A. I can write an SMS report. There are ways to be known, to  
7 express my ideas to --

8 Q. Have you ever done that, talked to your chief pilot or  
9 written a report?

10 A. No, no, no. I have really brought (indiscernible) flying,  
11 just like --

12 Q. Right. So Red Air does --

13 A. So if I want to talk with somebody, if I want to write some  
14 report, I free to do it.

15 Q. Do you feel comfortable doing that?

16 A. Yeah.

17 Q. Do you think the airline would take action or be, you know,  
18 take your concern seriously?

19 A. Yeah, yeah.

20 Q. And I heard you mention SMS. Does Red Air have an SMS  
21 program?

22 A. Yeah. Right now I don't remember the name of the SMS  
23 director or manager, but --

24 Q. That's okay.

25 A. -- we have.

- 1 Q. CRM, You received CRM training?
- 2 A. Sure, of course.
- 3 Q. What was your CRM like with Pablo?
- 4 A. I think it was the correct CRM. We work together, each one  
5 do his job, but, I don't know.
- 6 Q. Okay. How does he compare to other pilots at Red Air, other  
7 first officers?
- 8 A. Well, Pablo speak a lot, but -- that's the difference.
- 9 Q. Any concerns about him as a pilot?
- 10 A. I (indiscernible) one, I mean, is the youngest. He has like  
11 two -- I send just somebody of you say the number 250 hours. You  
12 have to be careful. I mean, more careful. But he's -- he do --  
13 he does his job very good.
- 14 Q. How is the work load on the approach coming into Miami?  
15 High? Low? Normal.
- 16 A. High, high. I mean, sometimes it's high, yeah, of course.
- 17 Q. How about on Tuesday? Was it high?
- 18 A. No, no, no. I don't remember, the weather was okay. The  
19 work load was like medium intensity. When you approach during the  
20 bad weather, it's really high.
- 21 Q. Sure. I know Sam asked you about the training you received.  
22 What do you think of the quality? You've been around in the  
23 aviation industry for a long time. What did you think about the  
24 training when you got to Red Air?
- 25 A. Well, I think that they are trying to do a good job, probably

1 the problem like all the Venezuelan airlines are -- they are --  
2 they have problems to get pilots with qualifications because  
3 almost everybody tried to leave the country and to try to work in  
4 another airline. But I think it's a common problem for all of the  
5 Venezuelan airlines. But they are trying to do a good work, I  
6 mean with the tools that they have, you know. I don't know if the  
7 tools that they have -- do you understand this expression, I am  
8 translating from the Spanish -- somebody of you speak Spanish?

9 Q. No.

10 A. No. Do you understand my expression with the tools that they  
11 have?

12 Q. Yes.

13 A. Okay.

14 UNIDENTIFIED SPEAKER: Yes.

15 BY DR. WILSON:

16 Q. Thank you. Do you like working for Red Air?

17 A. Yeah, yeah, yeah.

18 Q. Do you feel that the morale is good? Do other pilots like  
19 working there?

20 A. Well, sincerely you are talking about work with Red Air, not  
21 if I want to continue working in aviation.

22 Q. Correct, with Red Air.

23 A. No, no, no.

24 Q. Oh, I'm sorry, repeat what you were saying.

25 A. Yeah, you are talking about working in Red Air, you know, but

1 you are not talking about if I want to continue working within  
2 aviation.

3 Q. Correct.

4 A. For me it's a different question, really. I think Red Air is  
5 a good company. They are trying to do good job, but I don't know  
6 if I want to continue to working in aviation.

7 Q. Okay.

8 A. Probably you have a job, and you try to do the best in your  
9 job, you know, because I think everybody wants to do the best,  
10 okay, and I pass my entire life trying to do a good pilot. I  
11 never thought that would be possible to lose the control of an  
12 aircraft like this, you know. I'm thinking about this. I never  
13 thought that it will happen to me, but it could happen to me.

14 Q. Um-hum.

15 A. I'm sincerely thinking about this. I mean, not -- I thought  
16 if you are starting, and you are well prepared, you know the  
17 procedures, you go to the flight simulator and you do a good job,  
18 you have the -- you have everything solved, you know. But the  
19 truth is sometimes happens that you don't have the control of the  
20 situation, you lose the control. I was thinking about this during  
21 this night, the night before, the night of the accident. Yeah.  
22 Do you understand what I mean?

23 Q. Yes, yes.

24 UNIDENTIFIED SPEAKER: Clearly.

25 DR. WILSON: I'm going to see if anyone else -- I have a few

1 more questions, but I'm going to see if anyone else has some  
2 follow ups. Do you need a break or anything? You doing okay?  
3 We've been going about an hour.

4 MR. DARRIBA: No, no, no, please.

5 DR. WILSON: You've got some water there if you need it.

6 MR. DARRIBA: Okay.

7 BY MR. ABRAMS:

8 Q. Jose, type ratings. You've obviously got an MD-80 type  
9 rating. Did you get type rated in the 767 when you were flying  
10 that?

11 A. Yeah.

12 Q. Okay.

13 A. I flew like 230, 232 flight hours in 767.

14 Q. Okay. Did it also give you a 757 type rating?

15 A. Yeah.

16 Q. Did you ever --

17 A. But I didn't fly the 757.

18 Q. Okay. So what type ratings do you have?

19 A. Right now?

20 Q. Um-hum.

21 A. Only MD-80.

22 Q. Okay. And the -- all right.

23 A. I think if you have ATP license, you keep the ratings. Is  
24 that the right?

25 Q. Yes.

1 A. In Venezuela if you don't make a simulator between the -- I  
2 mean, two times per year, you -- the next time you lost the  
3 license.

4 Q. Okay.

5 A. The type in your license.

6 Q. New to me. Didn't know. Auto brakes, did you use auto  
7 brakes for landing?

8 A. No. I used to use the auto brakes, but I didn't use the auto  
9 brakes probably since I've arrived at Red Air.

10 Q. Okay. Any reason why?

11 A. Yeah, because they don't use the auto brakes, and I want to  
12 follow the airline policy, you know.

13 Q. Okay.

14 A. I mean, no airline policy because if you want to use you can  
15 use, but nobody use auto brakes and, okay.

16 Q. Okay. Thank you.

17 DR. WILSON: Jim?

18 BY MR. VANDEKAMP:

19 Q. Yeah, I have two follow up questions. One, I think you  
20 misunderstood the question about going around. Most companies  
21 have a policy that once you extend the reserve's, you can no  
22 longer go around.

23 A. Okay.

24 Q. Do you understand what I mean?

25 A. Yeah, yeah, yeah, yeah.

- 1 Q. Is that the policy at Red Air?
- 2 A. I understood if you -- if the reverse don't deploy, you may  
3 go around or not. Yeah, yeah.
- 4 Q. So once you've extended reverse --
- 5 A. Yes, I --
- 6 Q. -- can you go around?
- 7 A. Once I extend the go around, I have to stay on the runway.
- 8 Q. That's -- okay. I thought maybe you misunderstood the  
9 question.
- 10 A. Yeah, because --
- 11 Q. Is that better?
- 12 DR. WILSON: That's okay, yeah. Thank you.
- 13 BY MR. VANDERCAMP:
- 14 Q. And the other question was the fire handle, you said you  
15 pulled them?
- 16 A. Yeah.
- 17 Q. Did you also deploy the extinguisher?
- 18 A. Yeah, I remember to turn (indiscernible).
- 19 Q. And did you do that by yourself just because you knew you  
20 should do it or did you do in accordance with the checklist?
- 21 A. I don't remember. Sorry, but I don't remember.
- 22 Q. Okay.
- 23 A. I know that I pulling and this short the fire extinguisher --
- 24 Q. Okay.
- 25 A. -- but I don't remember pulling it, sorry.



1 Q. No, that's great. Thanks. I was just curious. Thank you.

2 DR. WILSON: Is that it?

3 MR. VANDERCAMP: That's it.

4 DR. WILSON: Sam, did you have anything?

5 MR. GOODWELL: No, complete. Thank you.

6 MR. MITCHELL: I just have a couple of questions.

7 BY MR. MITCHELL:

8 Q. Do you remember -- did you pull any circuit breakers before  
9 leaving the flight deck?

10 A. No. I didn't have time. I mean, I didn't have time, and I  
11 have to do this.

12 Q. Sure. Was the aircraft directionally aligned with the runway  
13 when the main landing gear touched down?

14 A. No, it was almost a little bit right of the center line.

15 Q. Okay. It was right at center line, but was the aircraft  
16 facing down the runway or was it a little --

17 A. No, no, it was facing the runway, yeah.

18 Q. Yeah.

19 A. I mean, right of the center line, but facing the runway.

20 Q. Sure.

21 A. Yeah, sure.

22 Q. I don't have any other questions, just a comment. I know  
23 what you've been through. It's been very traumatic, and, you  
24 know, so we appreciate you being so candid with us today.

25 BY UNIDENTIFIED SPEAKER:

1 Q. So if I might interject one more. So in other words, the  
2 airplane was right of center line, but it wasn't grabbing at all?

3 A. No.

4 UNIDENTIFIED SPEAKER: It was parallel?

5 BY UNIDENTIFIED SPEAKER:

6 Q. Yeah.

7 A. I mean, (indiscernible) to the center line.

8 Q. Thank you.

9 A. Sure.

10 BY DR. WILSON:

11 Q. I think you answered this in a roundabout way, but have you  
12 ever been involved in any other accidents or incidents?

13 A. No.

14 Q. Have you ever experienced a tire failure on landing?

15 A. No. No, no, no, I have experience with (indiscernible) legs,  
16 engine failures for different reasons, but never with a tire  
17 explode.

18 Q. Ever been disciplined for your performance at an airline?

19 A. Ever?

20 Q. If you've ever been, you know, gotten in trouble for  
21 anything?

22 A. No.

23 Q. Gotten any awards? Have you gotten any awards for your  
24 performance, like an at a boy, you did something good at a  
25 company?

1 A. No, no, no, no. I mean, I used to be -- I didn't say that --  
2 I used to be flying instructor, a flight simulator instructor in  
3 (indiscernible).

4 Q. Okay.

5 A. But not here.

6 Q. How would you rate your health?

7 A. How?

8 Q. Your health.

9 A. I think it's good. I mean, I try to make a jog, and I'm  
10 running, and I think my health is okay.

11 Q. Good. How is your vision?

12 A. I use contacts.

13 Q. Okay.

14 A. And, of course, when you have -- pretty much -- I don't know  
15 the word again in English, (indiscernible) and astigmatism.

16 Q. Okay.

17 A. And, of course, if I correct this, I have to use this to see.

18 Q. Were you wearing the contacts and/or the readers on the  
19 flight?

20 A. Yeah.

21 Q. Both?

22 A. Like now.

23 Q. You're wearing them now. Okay. How is your hearing? Any  
24 issues with your hearing?

25 A. No, no.

1 Q. Do you take any prescription medications?

2 A. Well, I took eye drops, but --

3 Q. Do you drink any alcohol?

4 A. I don't know how do you say in English, but socially. I  
5 mean --

6 Q. Sure.

7 A. -- if I have party, but I don't have problem with alcohol.

8 Q. I don't mean that you had a problem. My next question was  
9 just going to be when do you think's the last time you had  
10 something to drink before the accident?

11 A. Well, probably when my -- with my wife. I don't know, one  
12 month ago. We used to drink wine when I was in Venezuela, but  
13 just to talk, you know, I don't know if you have discussion well.

14 Q. I like to drink wine socially, too.

15 A. By with my wife.

16 Q. Okay. Yes. Do you use any tobacco product? Smoke?

17 A. I -- sometimes I smoke, but, for example, I have like  
18 probably one month that I don't smoke. I might -- if I want to  
19 smoke one cigarette, I finish. I mean, I don't smoke  
20 continuously.

21 Q. Right. How about caffeine? Do you drink coffee or soda?

22 A. No. I use the coffee if -- I mean, I never drink coffee,  
23 okay, but if I am tired and if I want to be really alert I drink  
24 one little cup of coffee, and --

25 MR. ABRAMS: Would you like some Cuban coffee?

1 MR. DARRIBA: No, no.

2 DR. WILSON: Anybody, help yourself.

3 BY DR. WILSON:

4 Q. And the 72 hours before the accident did you take any  
5 medications, either prescription or non-prescription that could  
6 have affected your performance?

7 A. I took -- I think I took Tylenol, two tablets of Tylenol.

8 Q. Any issues during the flight with radio communication,  
9 hearing, any of --

10 A. No.

11 Q. -- communications? Everything was good. Anything hindering  
12 visibility outside of the cockpit?

13 A. No, no, no.

14 Q. Do you ever feel any pressure from the company to fly if -- I  
15 know you said it's only been two months, but do you ever feel  
16 pressured to go flying when you either don't feel well or you  
17 don't feel safe with something?

18 A. No, no, no. I mean, I understand -- well, I understand the  
19 responsibility of my job, but I understand that I represent the  
20 airline, too, you know, and I have to balance this two positions,  
21 you understand?

22 Q. Um-hum. How did you feel the morning of the flight on the  
23 21st? How did you feel? Good?

24 A. Good, good.

25 Q. How did Pablo seem?

- 1 A. Pablo, always talking with everybody and that's normal.
- 2 Q. Had you flown with him before?
- 3 A. Yeah.
- 4 Q. Any concerns about flying with him?
- 5 A. You have to be careful --
- 6 Q. Besides just the talking.
- 7 A. You have to be careful.
- 8 Q. Because he's the new, right?
- 9 A. Yeah, and this is the new one on airline. You have to be  
10 careful with landing, of course.
- 11 Q. Any issues? Did you all get along okay?
- 12 A. Yeah.
- 13 Q. Any major changes in your health, either good or bad in the  
14 last year?
- 15 A. Uh-uh.
- 16 Q. No? How about in your financial situation? They're good or  
17 bad, any major changes?
- 18 A. No, no, no, it's established.
- 19 Q. How about in your personal life? I know you said you're  
20 married, but any death of close relative or anything?
- 21 A. I have my wife and I have a kid. He left Venezuela. Things  
22 good. He has French nationality and he's right now in France,  
23 France.
- 24 Q. Do you get to go visit him?
- 25 A. I hope.

1 Q. Good. Just a handful more of questions, and if you need to  
2 pull out a schedule or anything, I want to ask you about some of  
3 your activities in the few days before the accident just as a part  
4 of our routine questions. So starting back on Saturday, June 18.

5 A. Okay.

6 Q. Do you have any -- do you recall what time you might have  
7 woken up that morning?

8 A. Like 1:00.

9 Q. 1:00 in the afternoon?

10 A. Yeah.

11 Q. You slept that late? That's impressive.

12 A. I mean --

13 Q. No, what time did you wake up?

14 A. Okay. Okay. Like 8:00.

15 Q. And what were your activities that day?

16 A. Well, take my breakfast, take a bathroom -- take a bath and  
17 prepare to start the flight, check the passport, the license, all  
18 of my clothes, call the guy who is supposed to pick up us, and  
19 that's all.

20 Q. And that evening you flew into Miami? Did you overnight in  
21 Miami?

22 A. Yeah.

23 Q. What time do you think you went to bed?

24 A. Like I don't know, 10:00, 10:30.

25 Q. Any problems falling asleep or staying asleep?

- 1 A. My -- are you talking about my problems to sleep?
- 2 Q. Yeah, did you have any problems either falling asleep or --
- 3 A. My problems to sleep start when? Tuesday or when?
- 4 Q. After the accident?
- 5 A. No, no, no, no. I sleep like a baby.
- 6 Q. Good.
- 7 A. I used to say that the best thing I do is sleep.
- 8 Q. When you get into bed, 10:00, 10:30, do you typically fall
- 9 asleep quickly or do you watch TV and read?
- 10 A. I watch TV and --
- 11 Q. Okay. About how long do you think it takes you to fall
- 12 asleep once you get into bed?
- 13 A. Almost immediately.
- 14 Q. So now June 19, what time did you wake up on Sunday?
- 15 A. 6:45.
- 16 Q. Okay. And what time did your duty day start on the 19th, do
- 17 you recall?
- 18 A. At what time?
- 19 Q. What time did your duty start? What time did you have to be
- 20 at the airport?
- 21 A. The first day? At 1:00.
- 22 Q. Okay. And that was the 18th, right? On Saturday.
- 23 A. I'm trying -- I mean, I have problems to remember the dates.
- 24 Is what's Saturday? It was a Thursday? At 1:00.
- 25 Q. Okay. 1:00, and then the second day would have been when



1 you're here in Miami.

2 A. No, no, Saturday was the first day.

3 Q. Correct, so now Sunday when you would have woken up here in  
4 Miami and you said you woke up about 6:45.

5 A. Yeah, I woke up about 6:45, and we left to the airport at  
6 8:00. Yeah, 8:00 because the flight is 10:30.

7 Q. And what time do you think you would have gone to bed on the  
8 19th, on Sunday night?

9 A. I want to say almost every day is the same, 10:00, 10:30.

10 Q. Okay. So do you think that would have been the same then on  
11 Monday as well?

12 A. Yeah.

13 Q. Okay. And the morning of the accident, again waking up at  
14 6:45?

15 A. Sure.

16 Q. Did you have breakfast that morning?

17 A. Yeah.

18 Q. How did you feel? Did you feel well rested?

19 A. Yeah.

20 Q. Did you have lunch?

21 A. Sure, in Dominican Republic.

22 Q. Have you ever talked to a doctor or been diagnosed with a  
23 sleep disorder?

24 A. No.

25 Q. I know, you said you sleep like a baby. I need to make sure.

1 A. I don't know if I start -- I want to start to have problems  
2 with my sleep condition that not now.

3 Q. Hopefully it's just a short term disruption to your sleep.

4 A. But, you know, I mean, you have to know too much about this,  
5 but it's a difficult situation. You pass the entire night  
6 thinking and thinking and thinking and thinking, and thinking  
7 what? I mean, always around the same idea. And just see the  
8 watch, 11:00, 12:00, 4:00, 6:00 a.m. It's difficult.

9 Q. How do you come up with anything? Have you thought, is  
10 there, you know, something that you could have done differently?

11 A. You mean right now?

12 Q. Thinking back on the accident, did you -- do you wish that  
13 you did something? Is there something that you think you all  
14 could have done as a crew differently? The answer might be no.

15 A. Wow, I know I can say no, but I am trying to be, you know,  
16 open my mind, too. Something different. Based on the facts, I  
17 think it was impossible to do something different.

18 Q. Um-hum.

19 A. No, no.

20 Q. thanks.

21 DR. WILSON: Does anyone else have any follow up questions?

22 MR. GOODWELL: Cat, if I may.

23 BY MR. GOODWELL:

24 Q. A lot of experience in the airplane. It's my understanding  
25 that the aircraft landed here with 13,000 pounds of fuel

1 approximately?

2 A. Here?

3 Q. Yes. Is that correct?

4 A. No. I mean, well, yeah, probably 12,500, but, yeah, yeah.

5 Q. Is that typical with this airline or --

6 A. Sure, sure, sure. You left Santo Domingo with something like  
7 27,000 pounds of fuel. Your fuel consumption on this route is  
8 like 15,000. Yeah, between 13 and 12,000 pounds.

9 DR. WILSON: Warren, anything else?

10 MR. ABRAMS: Nothing, thank you.

11 DR. WILSON: Mitch?

12 MR. MITCHELL: No, ma'am.

13 DR. WILSON: Jim?

14 BY DR. WILSON:

15 Q. Well, we've asked you a lot of questions. Is there anything  
16 that we didn't ask you about that you were hoping we would ask you  
17 about? Anything else you want to share with us?

18 A. You are the people who are supposed to make the questions.

19 Q. This is your turn, now. Just any final thoughts or anything  
20 that --

21 A. No, no.

22 Q. -- you wanted to share?

23 A. I only want to know about this procedure. I mean, I saw  
24 people on the TV, but I don't know exactly how the procedure is,  
25 you know. What's the next step or the next interview or -- I

1 mean, I don't know if it's possible to answer this question, but  
2 if you can give me any idea --

3 Q. Sure.

4 A. -- about the next steps, next interview, I don't know?

5 Q. Well, we're happy to discuss that with you. If we want to  
6 conclude the interview, we'll do that and then we can just talk  
7 about what the NTSB process is like, okay?

8 A. Okay.

9 DR. WILSON: All right. Thank you very much.

10 MR. ABRAMS: Thank you. I'm going to stop the recordings.

11 DR. WILSON: Yes. If you want to stay, we'll answer your --

12 (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: MD-82 GEAR COLLAPSE & RUNWAY  
EXCURSION ACCIDENT IN MIAMI,  
FLORIDA ON JUNE 21, 2022  
Interview of Jose Darriba

ACCIDENT NO.: DCA22FA132

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.

  
\_\_\_\_\_  
Lois D. Rush  
Transcriber

FUNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

MD-82 GEAR COLLAPSE & RUNWAY \*

EXCURSION ACCIDENT IN MIAMI, \* Accident No.: DCA22FA132

FLORIDA ON JUNE 21, 2022 \*

\*

\* \* \* \* \*

Interview of: PABLO PENA, First Officer  
Red Air

APPEARANCES:

DR. KATHERINE WILSON, Investigator  
National Transportation Safety Board

MITCH MITCHELL  
Federal Aviation Administration

WARREN ABRAMS, Ops Group Chairman  
National Transportation Safety Board

SAM GOODWELL, Safety Pilot  
Boeing

JIM VANDERKAMP  
National Transportation Safety Board

I N D E X

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I N T E R V I E W

1  
2 MR. ABRAMS: I'm Warren Abrams, Ops Group Chairman with the  
3 National Transportation Safety Board. We're here today looking  
4 into the incident that happened on the 21st in Miami, Florida  
5 where Red Air MD-82 ran off the runway and subsequent engine -- or  
6 subsequent fire.

7 We're here with the first officer, and before we get going  
8 good, Pablo, will you introduce yourself, please?

9 MR. PENA: Morning. Mr. Warren, my name is Pablo Pena from  
10 the Dominican Republic, 28 years old. I'm a first officer of the  
11 MD-80 in that crash two days ago, and --

12 MR. ABRAMS: Okay. Thank you. We're going to go around the  
13 room. Cat, will you introduce yourself for the recording, please?

14 DR. WILSON: My name is Katherine Wilson with the NTSB. I'm  
15 a human performance investigator.

16 MR. ABRAMS: Mitch?

17 MR. MITCHELL: Good morning, Pablo. I'm Mitch Mitchell. I'm  
18 with the FAA, ABP-100, safety investigation team.

19 MR. ABRAMS: Mitch, go in a little further. What does ABP-  
20 100 mean to us with the FAA?

21 MR. MITCHELL: Yes, sir. As far as ABP-100 is concerned, we  
22 have no regulatory -- we're not here for punitive action or  
23 anything. We're strictly involved with the safety investigation,  
24 just determining what happened, so we're not interested in putting  
25 any punishment or looking at any fault or any of that, so --

1 MR. ABRAMS: Yeah, it's all safety here today.

2 MR. MITCHELL: Right.

3 MR. ABRAMS: No enforcement. Sam?

4 MR. GOODWELL: Sam Goodwell (ph.), safety pilot from Boeing.

5 MR. ABRAMS: Jim?

6 MR. VANDERKAMP: I am Jim VanDerKamp. I'm also from the AS-  
7 30, the NTSB.

8 MR. ABRAMS: So, Pablo, you are allowed to have somebody  
9 represent you or representation with you. You have -- there's  
10 nobody here.

11 MR. PENA: No, it's fine.

12 MR. ABRAMS: Okay. All right. For the record, you have  
13 declined representation. Not a big deal. Yeah, not a big deal.

14 As I said earlier, we're here to figure out what took place,  
15 what happened, and we want to hear from you, your side of the  
16 story. If you don't understand, if we're going too fast, you need  
17 to take a break, let us know.

18 MR. PENA: All right.

19 MR. ABRAMS: We're not here to -- this isn't a pound Pablo  
20 session. This is a find out what took place and so it doesn't  
21 happen again.

22 Like I say, if you ever need a break or any of that stuff,  
23 just let us know.

24 We just start out with just kind of mundane questions, name,  
25 rank, and serial number, and then we'll, you know, hear from you

1 what took place, and we'll -- I'll ask my questions, Cat'll ask  
2 questions, and we'll go around the table asking questions, and  
3 then we'll have a round two with some follow up questions, and  
4 maybe a round three.

5 So, like I say, if you ever need to take a break during any  
6 of this, let us know. We may be here two hours maybe, so --

7 MR. PENA: All right.

8 MR. ABRAMS: -- ready?

9 MR. PENA: Yup.

10 MR. ABRAMS: All right.

11 INTERVIEW OF PABLO PENA

12 BY MR. ABRAMS:

13 Q. For the record, Pablo, please state your full name and spell  
14 your last name.

15 A. Okay. My name is Pablo, and my last name is P-e- -- well,  
16 that letter doesn't exist in our vocabulary, but it's  
17 (indiscernible) with an n-a.

18 Q. Okay. Pena.

19 A. Yeah. We know (indiscernible).

20 Q. Okay. All right. Pablo, how old are you? You told me  
21 earlier, but --

22 A. I'm 28 years old.

23 Q. 28 years old. And how long have you -- or what's your  
24 current position?

25 A. I'm a first officer.

- 1 Q. For?
- 2 A. The MD-80.
- 3 Q. At what airline?
- 4 A. And airline, Red Air.
- 5 Q. Red Air.
- 6 A. In the Dominican Republic.
- 7 Q. Okay. And how long have you been at Red Air?
- 8 A. Well, two be honest, the training started on 2020, and then
- 9 it was like in the middle of the pandemic, so around a year and
- 10 six, seven months to be more specific.
- 11 Q. Um-hum.
- 12 A. And -- yes, a year and seven, six months ago.
- 13 Q. Okay. And does Red Air have any other airplanes other than
- 14 the MD-82?
- 15 A. No.
- 16 Q. Okay. And how many airplanes do you have?
- 17 A. Well, right now we have -- besides this one, they have on the
- 18 ground, like here have two, 1069, 1066, and the 1064 that was the
- 19 accident yesterday. Yeah, three airplanes.
- 20 Q. Three airplanes. Okay. And are all of them -- do you fly --
- 21 A. Yeah, yeah, I flew in all of them. Yeah, of course.
- 22 Q. Okay. And how are the -- how's the mechanical condition of
- 23 them? Are they pretty good?
- 24 A. Well, yeah, mechanical condition's like -- yeah, it's good.
- 25 Q. Okay. Very good. How much flight time do you fly a month

1 usually?

2 A. A month? Well, I can't tell like the specific because we  
3 started the -- what's the word? We started flying on January of  
4 this year, but me my first set of fly I get the covid-19, so I  
5 stop for like a month or two months, like 40 days or something,  
6 and then I started back my training, and then from then on I fly  
7 like 60 hours, 65 hours a month.

8 Q. Okay. Do you have a regular schedule? Do you know in  
9 advance when you're going out?

10 A. Yeah, of course they give like 15 days before, like  
11 proceeding schedule so you know when you're going to fly and  
12 everything, so it's all like organized in the company.

13 Q. Prior to Red Air, who did you fly with?

14 A. Oh, never flown before.

15 Q. You'd never flown before.

16 A. Yeah, that was my first job as a --

17 Q. Okay.

18 A. Well, the paid, yeah, because I used to be in 2018, so as you  
19 know in my country, like the aviation work is not like that, like  
20 big, so this company was just coming up, so I heard through a  
21 friend of mine, and I just apply.

22 Q. Um-hum.

23 A. They call me, get my interview, pass my interview, and that  
24 was in 2019, and November 28, the interview, that was like my  
25 first job interview, so I was like so excited. So they call me

1 and January, February to start like the training and stuff, but  
2 that didn't go through because the pandemic was getting worse, so  
3 at that moment, I was just studying about flying and stuff because  
4 I knew I was just going to get in, so I just going to pass and  
5 have like a step forward in case, you know, they call me to start  
6 like a simulator or anything, so they just proceeded and normally  
7 we just started our sessions and everything, like the ground  
8 school, like everything systems, navigation, everything that  
9 concerned the training to become an airline pilot.

10 So after that in December I went to simulator for 11 days  
11 which I took -- I can't remember. I think it was 10 sessions.  
12 Yeah, yeah, and the first -- the initial 10 or 11 sessions,  
13 something like that. Then I went back to the Dominican Republic.  
14 Normally we didn't start flight operations because were in for  
15 like, you know, how it is that things with the airlines, like  
16 documents and stuff, and things, flying things, faces and stuff.  
17 So it pass like six months, went back to the simulator for flying  
18 and everything, started a ground everything, and then again I  
19 wait.

20 They couldn't start, so after like six months more, again  
21 simulator. So finally December last year, December, I went to  
22 simulator again and then I started this simulator sessions and  
23 everything, so the insurance they needed me to have like 100 hours  
24 of flying, so I made all my time, everything was fine, normal.

25 I started my fly and flying with the captain and stuff, and

1 getting to know each other, like niceties and everything, know the  
2 team. You know, it's a different experience when you and the  
3 captain are in the cabin when you have an IOE get behind you.

4 Q. Sure.

5 A. And also like you're kind of like (indiscernible) and stuff,  
6 and questions and things, so you're like sometimes  
7 (indiscernible), sometimes you're like, okay, I'm doing great or  
8 not. Like anything that you need -- want to know about a plane,  
9 you're like -- you know, it's like -- it's a (indiscernible), but  
10 we were like, oh, like everything was like nice.

11 Q. So when did you finish your IOE? You said you had to have  
12 100 hour IOE?

13 A. Yeah, I finish my -- I can't remember now. It was like two  
14 months ago.

15 Q. About two months ago.

16 A. I guess I had to stop and, you know, in February. Yeah, in  
17 February I stopped because the pandemic, so I used to go back and  
18 stuff, and they were bringing more captains from Venezuela, so  
19 they had to get the captains, you know, so I got like this time,  
20 like in no flying time. Maybe 20 days, 15 days, no flying because  
21 they need to get them out.

22 Q. Sure.

23 A. So then I continue my training normally, simulators,  
24 everything. I finish, got released, and then I flew with a couple  
25 of captains, and then I flew -- I had a set flight with this

1 captain normally. Do what's nice. Then I flew with him, too, to  
2 Pana Varevo (ph.). That's next to Venezuela. It's in South  
3 America. Yeah, so it's this long flight from -- it's like a  
4 charter operation for another company, normally. Then I used to  
5 get off, I rest like two days, and then get back to this -- I go  
6 back to the same flight.

7 Q. Good. When they hired you at Red Air, did you have a private  
8 pilot's license?

9 A. When they hired me?

10 Q. Yes.

11 A. I had a private, I had my instruments and I had my  
12 multiengine commercial --

13 Q. Okay.

14 A. -- done in around 500 hours.

15 Q. Is that -- is any of that under a U.S. FAA certificate or is  
16 it all under the --

17 A. Well, I have my U.S. certificate.

18 Q. Okay.

19 A. The commercial pilot license.

20 Q. Okay.

21 A. And then I usually went back to my country and I converted my  
22 license there.

23 Q. Yes.

24 A. Like how --

25 Q. I understand.



1 A. Yeah, yeah.

2 Q. Okay. You don't wear glasses, do you?

3 A. If I?

4 Q. Do you wear glasses?

5 A. Oh, no, no, I don't.

6 Q. Okay. Let's talk about the accident a little bit.

7 A. Okay.

8 Q. We've talked about your initial training. You're descending  
9 into Miami here.

10 A. Okay. First I was flying.

11 Q. You're the pilot flying.

12 A. Yeah. I was the pilot flying.

13 Q. You're the PF.

14 A. Yes.

15 Q. So --

16 A. Everything was normal. We were doing the (indiscernible)  
17 arrival normally. We were like -- I just took my 80s and stuff.  
18 I remember it was a (indiscernible) information at the moment I  
19 take it. We was -- I can't remember the degrees, but I remember  
20 it was go 16 or 80 --18, I can't remember clearly, but normal.

21 And I heard the 80 changed because the controller, you know,  
22 the other pilots were saying like (indiscernible) or whatever, and  
23 they were all (indiscernible) of the information. We switched. I  
24 heard the 80s, and then I heard it was go 13. It was like a  
25 little bit nicer. And but normal. Here in Miami like most of the

1 time it's like coasting or cross wind or whatever, so we were  
2 clear for the approach, runway (indiscernible).

3 And we flew for like couple of minutes, the controller just  
4 told us to descend to or tell something to us. Yeah, to 3,000,  
5 normally. He sent us to fly (indiscernible) localizer and clear  
6 for that on runway 9. Normally it's something that we like  
7 usually do.

8 Q. Um-hum.

9 A. So we did the same thing. I remember when I made a call out  
10 of localizer light, (indiscernible), arm ILS, so I remember when  
11 captured everything normally, it was like a normal approach, I hit  
12 also keep maintain 170 until (indiscernible). Sorry, I think it  
13 was (indiscernible). And then kept flying normally.

14 Then I commanded the landing gear down. Then I make sure  
15 that three lights were green because I didn't want (indiscernible)  
16 not in gear or whatever. So I waited for the three lights, did a  
17 command, flap 28, (indiscernible). Normally the captain pulls out  
18 the checklist and did the -- all the things that I commanded,  
19 right.

20 As my personal limits and safety, I always double check like,  
21 you know, it's not like I'm going to do this, but, you know, like,  
22 okay, it's fine. Yeah, then they changed us to tower, captain was  
23 saying, captured their lights lobe, everything on our  
24 (indiscernible) altitude, and I remember everything was fine,  
25 nothing abnormal. Cockpit just acting nice. Like everything was

1 nice.

2       So we kept descending, approaching, approaching, approaching  
3 normally. I remember when the plane said 100, 50, 40, then it  
4 started to like, you know, like slow a little bit and touch clear,  
5 30, 20, 10 I remember. We were a little bit off of the center  
6 line, like a couple degrees, but I was like -- actually when we  
7 were like 100 or 200 feet, I saw the wind was like -- not like  
8 fixed from the -- from a straight like degree, and I saw like it  
9 was like from 060 something. It looks like the wind is shifting,  
10 but it was fine.

11       So I felt like we were going to be on the runway, but  
12 (indiscernible), but, okay, it's fine. And then I remember the  
13 first -- the main gear, the (indiscernible) is the first one to  
14 touch, but it was like so smooth, like I was like, okay, rise up,  
15 then we're rolling in, keeping the left gear I felt we touched the  
16 left gear, and then waiting for the nose gear to touch to activate  
17 our reverse, and it started to roll out.

18       Then I remember it passed like two seconds. The moment that  
19 I was going to see if the ground supporter was deployed, it  
20 started this vibration --

21       (Imitates sounds)

22       It was -- I just looked at the captain, but by that moment I  
23 was like center line. The captain said, yup, center line. And  
24 then the -- like we heard like this explosion, and by that moment,  
25 like from then on I was like what happened, and we started to sink

1 on the side.

2 So -- and the captain in Spanish he told me -- I don't know  
3 how to translate because this is like so you're not here from the  
4 country, but it was like we're fucked, like, why? I  
5 (indiscernible) control. Like we were only, you know, no, no, no,  
6 sir, keep going, like, you know, like you have to (indiscernible)  
7 then, so he was like, yes, and he was like driving the plane, but  
8 in my mind, I was like, okay, we have like -- I tried to see like  
9 the speed, but it was like a -- I don't have to see it because,  
10 you know, like we're fast. Like we're going fast, so, please let  
11 me just take advantage of this. I don't know what controls I have  
12 because, you know, the (indiscernible) plane, it was like, okay, I  
13 have to, you know, take care of this and do something, right.

14 So I remember we're like pushing the pedal to the right,  
15 trying to center line the plane and keep it -- and (indiscernible)  
16 to slow down. The plane kept like sinking and sinking and  
17 sinking, and then I saw -- this is like we were approaching to the  
18 cantina, and that moment, we just went to the grass, and the  
19 captain told me, Pablo, here it is, we're done, and I would say  
20 no, no, and then I saw it was like a fire blast and stuff, and I  
21 was like, I breathe, and we hit it, but at the moment when we were  
22 about to hit it, I was like, you know, like trying to get like in  
23 a position if I get hit at least, you know, like survival, you  
24 know, it's like instinct, because we didn't have any control the  
25 plane. Like no landing gear, like we could have (indiscernible).

1           So we hit it, the plane stopped, and by that moment, it  
2 passed like maybe two seconds or something, I just told the  
3 captain, hey, we're alive, and I remember the first thing I did  
4 was to see if the engines were running because I knew that we had  
5 like 13 pounds of fuel on the wings.

6 Q.   How much fuel?

7 A.   Like 13 pounds.

8 Q.   13,000?

9           UNIDENTIFIED SPEAKER:   Thousand pounds?

10          MR. PENA:   Yeah, sorry, 13,000 pounds, and I was like, man,  
11 we just came out of the runway, like maybe slipping fuel on the  
12 runway, and if the engine's like (indiscernible) because by that  
13 moment, I wouldn't like trust like any of the instruments because  
14 we just had an accident.

15          So I was like anything could happen in that situation, so I  
16 just make sure that the fuel levers were off, but I was like,  
17 captain, if the levers -- and then he shut both engines. I can't  
18 remember which one was the first he shut it down.

19          But after that, he tried to get in contact with the lead  
20 flight attendant, and he just -- by that moment it was like a lot  
21 of things coming to my mind, but I was just thinking about the  
22 passengers and everything, and I tried to call the tower to  
23 confirm the exterior conditions to see like if we have fire on the  
24 left wing or the right wing to see where can we proceed with  
25 evacuation so no one gets harmed.

1           Then I remember the lead is at the door, captain, we have  
2 fire on right wing, and then he just commanded evacuation,  
3 evacuation, evacuation on left side of the plane. Thank God the  
4 firefighters were just there in a matter of seconds. And then the  
5 captain when he commanded the evacuation, then the lead attendant,  
6 flight attendant, just opened the main door on the left side and  
7 activated the inflatable -- I forget the name of that -- the  
8 (indiscernible).

9           BY MR. ABRAMS:

10       Q.    The slide.

11       A.    Yeah, the slide. Yeah, it's called in the Dominican  
12 (indiscernible). And then I decided to do the passenger  
13 evacuation, (indiscernible), checklist. I remember right now, you  
14 know, like this -- the checklist that you want to have in your  
15 mind, like what is it, you know. It's like what first, and I just  
16 open it on the iPad because I was looking for the QRH, but I  
17 couldn't grab it, but we have it on the iPad, too.

18       Q.    Um-hum.

19       A.    So I grab it. I remember it had a photo of it because of all  
20 of my briefings before takeoff briefing and everything, the  
21 emergency briefing I do, I tell the captain, captain, I have a  
22 copy of the (indiscernible), but in here flagged I just have to  
23 tap it and I have it. So I open it, and I started to read it to  
24 him. I was reading, he was doing it, and then the last thing I  
25 remember was when I told him to -- the battery switch off, and he

1 did it.

2 Then it was me, him, and Lee, the attendant was like still on  
3 the plane. He went back, all the way down through the smoke and  
4 everything, and, you know --

5 UNIDENTIFIED SPEAKER: He did.

6 MR. PENA: Yes, of course.

7 UNIDENTIFIED SPEAKER: Okay.

8 MR. PENA: Yeah, he'd go all the way down. The bathroom was  
9 locked. He just opened it with a finger. Like I don't know how  
10 he did it. I didn't even know how he could go through all the  
11 smoke. My personal, like I was like asphyxiated, but I think  
12 (indiscernible) I don't know, but he just made its way back to the  
13 plane, and then I just wait -- was waiting for him in the main  
14 door with my extinguisher because I felt like if he's caught on  
15 fire or anything, I have to, you know, help him. So I just pushed  
16 the lead flight attendant, like just go down, like you don't have  
17 no chance of it here. No one is on the plane. He make sure that  
18 no one is remained on the plane.

19 When he came back, everything's good and I just slide on  
20 down, and then he slide down, and I remember that I came in here  
21 with the fire extinguisher, and I didn't even know that I had it.  
22 I had my fire extinguisher until I just got here at the airport,  
23 and then the guy was like, dude, what are you doing, and I'm like  
24 I just take it. I don't know, and then the firefighter just got  
25 it, and -- thank you.

1           And then, yeah, that was it. That was like how I -- what I  
2 leave from the plane, like, you know.

3           BY MR. ABRAMS:

4           Q. Pablo, while you take some water there, let me ask you some  
5 -- about a few more questions.

6           A. Yeah.

7           Q. You cleared for the ILS approach.

8           A. Yes.

9           Q. Runway 9.

10          A. Yes.

11          Q. When did you turn the autopilot off? I mean, was it a  
12 coupled approach, well --

13          A. To be honest, I remember I turn it off like 400 feet because  
14 the wind was not normal and I was like, damn, like this is not  
15 like when I feel like the plane was like going down, like going --  
16 we were stable, like 500 -- 700, 500 feet per minutes. The  
17 (indiscernible), so I was like, okay, we're fine, but I just  
18 wanted to feel that like how was the plane like, you know, feeling  
19 in that moment because I was like 200 feet. Like I didn't --  
20 sometimes like you feel like the plane's like fighting with the  
21 wind, but, okay, let me feel it, so I just disconnect like 400  
22 feet. I told the captain, captain, I'm disconnecting, so I  
23 disconnected, and just kept flying.

24           Of course, we were on the light slope and everything, but  
25 actually like we had the wrong wind side, and so we continued on



1 the side continue landing.

2 Q. All right. Auto speed brakes, were the auto speed brakes  
3 armed?

4 A. Yes, they was armed from -- that I remember exactly, I  
5 remember they were armed because the captain -- like I do my  
6 procedures, like my flips and stuff like in my way, and everything  
7 has their holes, so I remember like my flip is like go around,  
8 speed brakes, ignition, to the advisor cabin. So like two rings,  
9 I wait for the response to know they're ready, and I grab my  
10 (indiscernible) and do everything, so the captain use arm, go  
11 around the same thing and everything was fine.

12 He told me after -- before landing completed I double check.  
13 No matter what, I just double check that. That means we have like  
14 our crew, and things happen, you know, like that's why we're two,  
15 to make sure everything is done correctly. So, yeah.

16 Q. Okay. And auto brakes.

17 A. No, we didn't use them at all. No auto brakes.

18 Q. Okay.

19 UNIDENTIFIED SPEAKER: I'm sorry, you didn't use them or they  
20 weren't installed or they weren't --

21 MR. PENA: No, no, no, we weren't using them. Like they were  
22 working properly, but we --

23 UNIDENTIFIED SPEAKER: That was my question.

24 MR. PENA: -- we (indiscernible) like that.

25 BY MR. ABRAMS:

1 Q. How would you describe the touch down when you got both mains  
2 on the runway, both main landing gears are on the runway, how  
3 would you describe that touch down? Hard? Firm?

4 A. Let me tell you, that wasn't like one of the smoothest  
5 landings I have ever had in my life until I heard the vibration.  
6 Let me tell you like there are (indiscernible) that I was like --  
7 you can even like perceive when the right gear touch the ground,  
8 and then the second one feel like smooth, and then like -- I was  
9 like questioning myself because I was it was not a hard landing,  
10 then what happened, you know, like I was like to intrigued to talk  
11 to you guys because I'm the first one interested to know what  
12 exactly happened on the plane because that was like everything was  
13 normal, it was like what has happened. And like the touch down  
14 was like nice, like there was no hard landing, there was nothing,  
15 and I was like looking like (indiscernible) passengers recorded  
16 that he was like over the wing and you can like perceive the  
17 vibration and everything, and then you heard like the explosion of  
18 the wheel when -- but honestly like from the things that I know  
19 about plane, (indiscernible) and stuff, I'm out of like what could  
20 happen on a plane.

21 Q. Okay. Flap settings. What flap settings?

22 A. 28. 28 flaps.

23 Q. 28 flaps. Okay. And I've got one more question before I  
24 turn it over to Dr. Wilson. I noticed yesterday down below where  
25 your right leg would be the emergency -- red emergency landing

1 gear lever was pulled.

2 A. It was pulled?

3 Q. Yes.

4 A. Really?

5 UNIDENTIFIED SPEAKER: The red handle was up.

6 MR. PENA: Was up? Maybe by the impact because we didn't  
7 have an emergency before like we didn't have like an emergency  
8 like the landing gear didn't want to go down or whatever. Like  
9 everything was fine, to be honest, like 100 percent sure, like  
10 100. I can tell you that -- I will tell you like, oh, yeah,  
11 whatever, like I did something wrong or whatever, or we didn't  
12 occur an emergency or whatever, but I'm like -- thank God we have  
13 a black box in the plane because I am completely sure like none of  
14 that, none of that.

15 BY MR. ABRAMS:

16 Q. Okay.

17 A. None of that.

18 Q. All right. Thank you. Pablo, I've got some more questions  
19 for later --

20 A. Yeah.

21 Q. -- but I'm going to --

22 A. All right.

23 Q. You're tired of listening to me.

24 MR. ABRAMS: Cat Wilson, you have it, please.

25 BY DR. WILSON:

1 Q. I have a few clarifications on some of the stuff you talked  
2 about, and then some additional questions. Just clarifying, you  
3 said the lead flight attendant, that once the evacuation was  
4 commanded, was it a he or she? The lead.

5 A. She.

6 Q. She opened the L-1 door? Which door did she open to start  
7 the evacuation? The left?

8 A. The left side, yeah, yeah.

9 Q. And then you mentioned that you -- the lead flight attendant  
10 evacuated before you did. She went down the slide, and then was  
11 it you and then the captain?

12 A. Yes, yes, yes, yes.

13 Q. Okay. The captain was the last one off --

14 A. Yes, of course.

15 Q. -- of the aircraft.

16 A. Yeah, yeah.

17 Q. Okay. I missed it if you said it, your total flight time?

18 A. Well, I have a couple hours I haven't written down because  
19 they haven't time, but on the plane you mean?

20 Q. So total time as flying --

21 A. Total, yes.

22 Q. -- and then I'll ask you your --

23 A. Yes.

24 Q. -- total time on the aircraft.

25 A. Yeah, total with this airplane to be around --

- 1 Q. Guesstimate.
- 2 A. -- 800, like let's say 850 hours in total.
- 3 Q. Okay. And then how much on the MD-80?
- 4 A. On the MD-80 like 250, 260. Yeah, like 250, 260, something
- 5 like that.
- 6 Q. Okay.
- 7 A. Yeah, yeah. Well, if you need like an exact time, like --
- 8 Q. Well, we'll get that later.
- 9 A. Okay.
- 10 Q. I just wanted a guesstimate --
- 11 A. Yeah, yeah.
- 12 Q. -- of what you had. Medical. Do you get a U.S. medical,
- 13 too? Do you have a medical in the Dominican?
- 14 A. Well --
- 15 Q. Where do you get a medical?
- 16 A. -- I have my medical here, but that one is expired --
- 17 Q. Okay.
- 18 A. -- but I had my Dominican -- well, I don't have it with me
- 19 right now, but if you need it, I can go down and get it or call
- 20 someone to get it if you need it.
- 21 Q. I think we saw it in the documents.
- 22 A. Oh, yeah, yeah, in my (indiscernible). Yeah, it was there.
- 23 Q. Okay.
- 24 A. It was like a hard paper.
- 25 Q. I believe we took a picture of that.

1 A. Okay.

2 Q. Okay.

3 A. All right, make sure you took a picture of the right one  
4 because I think there is one that was expired.

5 Q. I did see a couple of expired ones in there.

6 A. Oh, yeah. I like to keep things, you know, organized.

7 Q. Yes. This was the first leg of the day?

8 A. For me?

9 Q. Yeah. Had you flown somewhere else --

10 A. Yeah.

11 Q. -- beforehand?

12 A. Yeah, yeah, yeah, for the day because he flew back -- he flew  
13 to the Dominican Republic and here.

14 Q. Okay. So you all started in Miami.

15 A. Yeah, yeah, yeah. Actually we had like --

16 UNIDENTIFIED SPEAKER: So it was your second flight of the  
17 day.

18 MR. PENA: Yeah, yeah.

19 BY DR. WILSON:

20 Q. That's okay.

21 A. That was actually our fourth day flying together because I  
22 remember our shift started -- I think it was 18. Yeah, because we  
23 were supposed to go back today. Today. Okay. The accident was  
24 the 21st, and the next day we were supposed to go back, and I was  
25 supposed to go back tomorrow on another set of flights, so, yeah,

1 I was supposed to finish our set of flying yesterday and then the  
2 day before yesterday was our third day, four day flying.

3 Q. Okay. We'll request your schedule from the company so we'll  
4 have all of that.

5 A. Well, I have it here if you want. I can see to give you like  
6 the exact information if you need it.

7 Q. Okay. Well, no, afterwards like --

8 A. All right.

9 Q. -- maybe you can email it to us or text it to us, whatever's  
10 easiest.

11 A. Okay. However you need it, it's necessary, like whatever you  
12 need like it's fine.

13 Q. Okay. So on the day of the accident, on the 21st, you  
14 started in Miami.

15 A. Yeah.

16 Q. Did you stay at the hotel at the airport or --

17 A. We stayed --

18 Q. -- where did you stay?

19 A. -- in the Fairfield. It's in the 36th Street --

20 Q. Okay. Yeah.

21 A. -- and like 20 minutes from here, 15 minutes from here.

22 Q. Okay. And so the captain flew to the Dominican and then how  
23 long was the turn? How long were you in the Dominican before you  
24 flew back?

25 A. I'm sorry, how what?

- 1 Q. So you flew to Dominican --
- 2 A. Yes.
- 3 Q. -- that morning.
- 4 A. Yes.
- 5 Q. And then how long were you in the Dominican?
- 6 A. Oh, in the Dominican Republic, it was like two -- yeah, like
- 7 two hours. Yeah, like two or three hours. I can't remember right
- 8 now, but, yeah.
- 9 Q. Okay.
- 10 A. If I see the hours, like, yeah, but like two, three hours who
- 11 were like in the -- yeah, I always make sure of that, yeah.
- 12 Q. Were you flying anywhere else after the accident flight, or
- 13 was this the end of your day?
- 14 A. No, no, we just -- that was the last flight of the day. We
- 15 just fly back and forth once and then go back to the hotel to the
- 16 next day.
- 17 Q. That's the normal schedule?
- 18 A. Yeah, that's normal schedule, yeah. We have to cruise two
- 19 planes here, and we did the same, the 201 and the 203, so by this
- 20 set of flight was in the 203.
- 21 Q. Any maintenance write-ups on the aircraft?
- 22 A. Well, yeah, we had -- I think it was to the first -- yeah,
- 23 yeah. I remember, yeah, yeah, to the first they had.
- 24 Q. Do you remember what they were?
- 25 A. I think it was the TRI and auto throttle, I think it was, and



1 the -- the auto throttle wasn't working on the PC No. 1 was defer,  
2 yeah.

3 Q. Do you review the log book or does the captain or both of  
4 you?

5 A. Both of us, yeah, we did. Yeah, yeah, yeah, I remember that  
6 because when we got there, I was going out to the (indiscernible)  
7 everything was on the plane, so, yeah, yeah, did (indiscernible).  
8 I can't remember the exact date of the refer, but, yeah, it was.

9 Q. Did you all write anything up in the maintenance log book on  
10 the previous flight or anything during the trip?

11 A. If I what?

12 Q. Did you write anything up in the maintenance log book?

13 A. Before?

14 Q. Um-hum. I mean like on this trip.

15 A. Not me, not me, no, no, not that I know. No.

16 Q. Did the captain that you're aware of?

17 A. I don't know. I'm not sure, because it would be -- I didn't  
18 see any open maintenance or anything, and, actually also like I  
19 only see like anything relate about like -- personally I go for  
20 (indiscernible) I'll stop like anything ready with the landing  
21 gear, like different place, any new (indiscernible) and ask the  
22 mechanics about like how many pounds of gas or whatever, the  
23 nitrogen or everything because for me like that's -- I'm  
24 (indiscernible) the stuff.

25 Q. And you had two mechanics on this flight?

- 1 A. Yeah.
- 2 Q. Is that normal?
- 3 A. Yes, yes.
- 4 Q. Yes?
- 5 A. We flying with mechanics. Yeah, yeah, always, yeah, yeah.
- 6 An inspector and TMA.
- 7 Q. Do they sit back in the cabin, or does anybody sit in the
- 8 jump seat?
- 9 A. No, no. Sometimes they just ask us to go to the jump seat,
- 10 but they sit, it's like once in a year or something they're always
- 11 back. They just like to -- I mean, if anything comes up or
- 12 whatever, I can ask them anything, but hardly ever, they just sit
- 13 in the back seat.
- 14 Q. Um-hum.
- 15 A. I mean in the jump seat.
- 16 Q. Was anybody in the jump seat --
- 17 A. No, no, no one.
- 18 Q. -- on this plane? So you said you had flown all of the four
- 19 aircraft before the accident, right? There were four total
- 20 aircraft, or was it three?
- 21 A. Three.
- 22 Q. Oh, there's three total? Okay. You'd flown all of them?
- 23 A. Yes, yes.
- 24 Q. Any issues on them, like, you know, do you dread flying one
- 25 of the aircraft because it always has some kind of weird issue on

1 it?

2 A. Well, sometimes you have to fly like with some odd ends, but  
3 not like big stuff. But, no -- well, I remember I was flying this  
4 plane. I flew a set of flight with this plane, and that we had  
5 defer reverse, and auto brake -- I mean, yeah, the auto brake for  
6 takeoff once. And what else had it. Nothing. That's --

7 Q. Okay.

8 A. And it's like old planes and stuff, but we -- it's like  
9 nothing normal to fly with something (indiscernible), like says  
10 you can fly, and you can do it.

11 Q. How do you think the maintenance engine in general is on the  
12 aircraft?

13 A. Well, to be honest, I think it's fine. I think it's fine  
14 because they're always like as soon as we land, guys, how was  
15 everything, like something new, any light, whatever, like anything  
16 you need, like tell me, any like report, whatever you have, how  
17 was it, like the engines, like something abnormal. Sometimes we  
18 tell them like, oh, we just saw this or whatever, but it's like  
19 something like nothing to worry about and then they're like --  
20 they just go right into search like if there's anything like wrong  
21 with it, but they're always talking with us and they like us to  
22 like give them work to do, and that's what I think.

23 Q. Do you ever feel like you're pressured to take a flight that  
24 you don't think is ready to go?

25 A. No.

1 Q. Maintenance issue?

2 A. No, no.

3 Q. No.

4 A. Never to be honest. They're so like serious with that stuff,  
5 like if you don't want to fly, like actually morning the captain  
6 is asking you, you good to fly? Like do you want to fly? Like  
7 how do you feel today, you know, like -- it's something like that  
8 we all worry about. Actually like me, too. Like I said him,  
9 like, you good, captain? Everything, because, you know, that's  
10 it, and like to be honest, like the company's always like -- all  
11 the trainings and stuff, it's about CRM, like even from the  
12 janitor to the captain, we have to get along all together like no  
13 matter what, so that's something to point out to be honest.

14 Q. And how was the CRM with this captain?

15 A. Excellent. I can't tell you like -- I feel like I'm flying  
16 with like a father because he has his own like my same age, so  
17 he's always like -- this guy's always like, he's like, hey, if you  
18 want my food, like what food you want, or whatever, like you're so  
19 skinny, you need to eat more. Like take it, you know. He's like  
20 a father for me, so he's -- the short time when we're flying, I,  
21 you know, I take good thing from him.

22 Q. And you said you had flown with him before this trip?

23 A. Yeah, yeah, I've flown with him for actually I went to this  
24 charger, we went to Aruba, then from Aruba to (indiscernible) flew  
25 back to the Dominican Republic.

- 1 Q. Okay.
- 2 A. Yeah.
- 3 Q. And when was that again?
- 4 A. That was the 13th? When was it? It was like a week or  
5 something ago. More than a week, like 10 days ago, 8 days ago. I  
6 can't remember exactly, but if you need like all the information,  
7 I can contact the company and ask exactly when I was there.
- 8 Q. And so this was a flight that was arranged through the  
9 company, though, as a charter flight?
- 10 A. Yeah, they're charter flight. Yeah, yeah.
- 11 Q. Yeah.
- 12 A. Yeah, yeah, of course.
- 13 Q. Do you ask to do the charter flights or is that --
- 14 A. No, no, no, no --
- 15 Q. -- just --
- 16 A. -- they just add it to your schedule, and you're in flight.  
17 That's it.
- 18 Q. Does that change the pay or that's just a part of your flying  
19 schedule?
- 20 A. Not the pay. It give you more like (indiscernible), so they  
21 just give you like 100 bucks or whatever. Like it's a flight.  
22 It's one more flight, you know. We didn't sign like a contract or  
23 whatever, like you have to fly to Miami, whatever. It's like  
24 normal flight.
- 25 Q. After -- during the touch down on the landing roll, did you

1 hear were there any warnings or horns?

2 A. No.

3 Q. No. Nothing. Just until the vibration.

4 A. Well, besides the vibration and the explosion, I don't know,  
5 like maybe if anything like after that if anything sound like --  
6 when I found out we were sinking, you know, like I can't tell you  
7 like exactly what happened, like, you know, I can't tell you like,  
8 oh, I did this, I did that, like I'm going to be lying, you know,  
9 like because I'm 100 percent sure we were just trying to keep it  
10 under control. If any warning or anything sounded, I just knew  
11 that we were on the runway like sliding down, and working the  
12 plane belly soft, like, you know, just trying to get alive out of  
13 the situation. I can't tell you like, oh, I'm the super pilot, I  
14 heard this warning that tell like landing gear. No, no. No way.  
15 Like no way.

16 Q. Okay. Did you see anything on the runway before that, like,  
17 you know, any debris or anything?

18 A. Like any (indiscernible), you mean?

19 Q. Yeah.

20 A. Well, no, no, no. To be honest, no, no. Because if we --  
21 I'm pretty sure that if I see anything abnormal on the runway,  
22 that's going to be a go around like, you know, because when I used  
23 to fly in flight academy, I remember I did a couple go arounds  
24 because of the alligators on the runway, so that's something that  
25 I'm always like, you know, aware of. Okay. Nothing on the

1 runway, okay. Landing. That's something I always say, it's like  
2 always, like it's like something that I tell when I was starting,  
3 so for me like I didn't see anything, no. Normal. Everything was  
4 fine.

5 Q. And remind me, it was vibration, explosion, sinking or --

6 A. Yeah, it was a vibration -- no, no, vibration first, right.

7 Q. Yeah, okay.

8 A. I just turn my head to the left, and then when I turn my head  
9 to the left, the vibration intensified, but like -- like it was  
10 like hammering on the runway, like this (sound like knocking), but  
11 ridiculous like huge vibration, and then I just felt sinking to  
12 the left side of the plane, but a moment I thought that it was  
13 happening with the arm of the landing gear that was this, and  
14 that's what -- how it felt. And then we just kept like sliding  
15 down the runway and felt the nose gear that was retracting, too,  
16 and I remember I said to captain the throttles were going up, and  
17 what I think based on my knowledge of the systems of the plane is  
18 that, of course, the (indiscernible) mechanism below the speed, 28  
19 flap. Then (indiscernible) retracted. What's it going to do the  
20 plane, right, so then I tried to put the (indiscernible) forward  
21 because it sense that the plane is in the air again. So the  
22 captain was just like, oh, cut it, cut it, and then he just cut  
23 it, but it was just, I don't know --

24 Q. Yeah.

25 A. it's like I can't remember clearly everything in the cabin,

1 like I wish there was a camera in that moment to see exactly what  
2 happened because I have like bouts, like bouts about what was  
3 happening because I remember when we tried -- when we're trying to  
4 put the plane on the center line, but with no landing gear, and no  
5 response at all, so then the survival was like crazy. Like I  
6 remember like this -- I remember like I receive like an adrenaline  
7 shot, but --

8 Q. Sure.

9 A. -- like someone like put it on me, you know. It's like I  
10 felt like something was going through my veins, and it's like in  
11 that moment when you can see everything like clearly, like you  
12 feel you have an H diesel, like something in your eyes like you  
13 can see everything like more clear, like everything is in slow  
14 motion, you know what I mean? Like -- it's crazy. I don't know  
15 if you guys ever had like any situation like a car accident or  
16 whatever, but it's the same feeling. It's the same feeling. That  
17 you know like I'm going to die, but then something tells you like,  
18 no, you're not going to die today, like it's another day. Yeah,  
19 yeah, like you feel when you're not going to die. I don't know.  
20 It's just weird. It's contradictory, but you feel when you're not  
21 going to die.

22 Q. Sure. Do you recall did the thrust reversers deploy before  
23 all of this started?

24 A. No, I can't remember that part because when we touched down,  
25 the procedure is to wait until the nose wheel touch the runway and



1 then we deploy the reverse because if you have more than 10  
2 degrees, 10.5 degrees nose up and you activate the reversers, what  
3 happen is that you're going to hit the runway with the reversers.

4 Q. With the bucket.

5 A. Yeah, so the procedure is to wait until the nose wheel touch  
6 the ground, and then you activate a reverse, proceed because the  
7 reverse (indiscernible) so it's like -- it's the procedure of the  
8 company, and the SOP and everything that we do, so I always make  
9 sure that we have the plane actually to the plane control because  
10 what if you are like not in -- like you don't have the plane  
11 completely controlling the activity pressures and for all the  
12 (indiscernible), whatever, and you don't have -- you're not in the  
13 center line, or you're not like centered, it can be worse, you  
14 know, so I was waiting for the touch down, the nose wheel, and to  
15 the center, but when we were trying to go to the center line, like  
16 slightly because it was like -- let's say this is the plane,  
17 right, and this is the center line, and we're like this, and when  
18 I'm trying to go back, that's when -- like we ran for like two,  
19 three seconds, and then when I was about to deploy the reversers,  
20 and the vibration started, and I was like up.

21 Q. Um-hum.

22 A. And then the captain just -- yeah, yeah.

23 Q. Okay. Do you recall about how far down the runway you  
24 touched down?

25 A. You mean like the touch down zone?

1 Q. Um-hum. Yeah, were you in the touch down zone when you --

2 A. I can't remember right now. I can't tell you right now.

3 Q. Okay.

4 A. Like exactly, but I think it was far, like maybe close to the  
5 thousands like, but I can't remember exactly, but, yeah.

6 Q. Okay. I think I heard yesterday that you all did not get  
7 drug or alcohol tested after the accident.

8 A. Well, yesterday we got a drug test.

9 Q. Oh, yesterday.

10 A. And alcohol test. Yes, yes, yes, yes.

11 Q. What time was that?

12 A. Like around 4:00 p.m.

13 Q. Okay.

14 A. Yeah, 4:00 p.m., something like that.

15 Q. Um-hum. And going back to you, so you said the right wheel  
16 touched down, then the left. Did -- so for the nose wheel to  
17 touch down, did that feel like an extended period of time? Was  
18 that unusual or was it, you know, just the normal process?

19 A. Well, my feeling was not usual because when the vibration  
20 started, and I think it was before we touch nose wheel, just when  
21 this happened, right, right, left and then, you know, like -- I  
22 can't tell you like I felt when the nose wheel touched the ground.  
23 Like I can't perceive like because the vibration just was, it was  
24 like -- it was so weird, it was not normal.

25 This was more like a flat tire or anything. Like I never had

1 a flat tire before, but I know like a flat tire wouldn't feel like  
2 that on a plane. In the simulator I remember like I felt it, but  
3 not in real life, but I can tell like what I felt was like this.  
4 This is my feeling about the thing, like we just landed, right,  
5 and then I don't know what happened, but just the vibration was  
6 like something was like not running like properly, like let's say  
7 like this runs like this, right, and you try to run it like that,  
8 you know what I mean?

9       So like I felt like the gear were like that, but you run it  
10 normally first, and that something made it go like this because it  
11 was so weird. Like I never felt like the pulling of the plane  
12 that way, I just felt a sinking. That was the sinking. It was  
13 not like I felt like it like collapse or anything like to the back  
14 or anywhere, I just feel like -- because it was so smooth, like  
15 this, you know. It was not like -- it was like so smooth. It was  
16 so weird. I don't know.

17 Q.   Okay. So anything unusual -- you were stable the whole way  
18 down on the approach, too?

19 A.   Everything was normal, like nothing -- that's why I'm like --  
20 I was like -- I was talking to the captain like after that. Did  
21 you feel anything? Like tell me like whatever you felt because I  
22 didn't feel anything, like everything was normal, everything was  
23 normal, like (indiscernible). Everything, like my gear was down,  
24 my (indiscernible) was like 140, 139, something like that, with  
25 flaps 28, 124, a thousand pounds.

1           That was the chart that we were using because we had like one  
2 the fuel were like -- I think the gross weight was like 123-  
3 something. I can't remember exactly, but I remember I was using  
4 the current charts because I was the one over it, you know. Like  
5 not the 122, it was 124,000 pounds.

6           So I remember to be read was like flap 28, it was 133, so my  
7 paper says 5, 6, so it was like 139, 138, and I commanded the  
8 (indiscernible), and, yeah, yeah, everything was normal. Like  
9 everything, everything. There was nothing unusual on the plane.  
10 Everything was normal. Everything. I can tell you like if I --  
11 like I know if anything was not normal I would tell you because,  
12 you know, I wouldn't like to make it like truthful job, you know,  
13 like over investigate.

14 Q.    Thanks, Pablo. I'll have some questions on the next round.

15 A.    Um-hum. Okay.

16           MR. ABRAMS: Sam, we're going to rotate to you, give it to  
17 you, so --

18           MR. GOODWELL: Lucky me. All right.

19           MR. PENA: Lucky you and lucky me. I've never been  
20 interrogated.

21           BY MR. GOODWELL:

22 Q.    No, hopefully this is the conversation. Thanks, Pablo, again  
23 for being here today. A couple of questions maybe just to follow  
24 up on some stuff we've already covered. Your training prior to  
25 coming to the airline, you got your private multiengine land

- 1 commercial. Where was all that done?
- 2 A. It was in (indiscernible) Airport. It was in flight academy  
3 in Miami.
- 4 Q. Okay. Miami Flight Academy is where you got all your  
5 previous --
- 6 A. Yeah, Flight Academy Miami, it's called school.
- 7 Q. Flight Academy.
- 8 A. Yeah.
- 9 Q. Okay.
- 10 A. They were before Seber Express (ph.), and then they changed  
11 to Flight Academy Miami, and I went there in 2018.
- 12 Q. Okay. And so you have about 800 -- I think you said about  
13 800 hours total on --
- 14 A. Yeah.
- 15 Q. -- runway 250 and --
- 16 A. Total.
- 17 Q. -- the MD.
- 18 A. Yeah.
- 19 Q. So your transition was basically from your --
- 20 A. Yeah, yeah, from multiengine to --
- 21 Q. Right to the MD.
- 22 A. Yeah, yeah, yeah.
- 23 Q. And where does Red Air, where did you do that training,  
24 simulator training?
- 25 A. In Atlanta, Delta.

1 Q. Okay. So Delta does -- and is that where you periodically go  
2 back for --

3 A. Yes, yes.

4 Q. -- when you --

5 A. Yeah, yeah. Actually now we're waiting because they just  
6 removed the simulator, so they've gone into basic here in Miami,  
7 so, yeah, we're going -- we're supposed to go there.

8 Q. To Miami now?

9 A. Yeah. They was waiting for the FAA to go and approve all the  
10 simulators and stuff and check everything out on the MD-80, so --

11 Q. But you haven't done that yet here in Miami?

12 A. Not yet, not yet, not yet. We're doing it, I don't know,  
13 maybe -- I have -- I don't know exactly when we're going back  
14 there.

15 Q. All right.

16 A. We have to wait until they fix and do all the researches and  
17 approve the simulator.

18 Q. The instructors for your simulator training when you did it  
19 at Delta, do you know were they Red Air employees and pilots or  
20 were they from Delta?

21 A. No, they were not from Delta. Actually from Laser Airlines  
22 in Venezuela.

23 Q. Laser Airlines.

24 A. Yeah.

25 Q. Venezuela are your instructor --

1 A. Yeah.

2 Q. -- pilots in the simulator.

3 A. Yeah, yeah, yeah, yeah.

4 Q. Let's see here. I think you mentioned something about an  
5 iPad, but you also have QRH, so just tell me a little bit about  
6 your basic procedures. What --

7 A. Oh, I always use my iPad --

8 Q. Okay.

9 A. -- because I have it on my windshield, but when the thing  
10 happened, I couldn't find the iPad, so I just proceed because I  
11 also put my -- the QRH, the physical one, I don't know if you see  
12 it, it's a yellow -- it's like wired, so I always put it like in  
13 front of the oxygen tank, always put it there, and looks like by  
14 the (indiscernible) and stuff, I just went back to my seat, and  
15 then I just got it immediately because I was like where's my  
16 thing, like I couldn't grab it, and then so the iPad was like in  
17 the -- it fell down the -- you know, this small table we have that  
18 we pull out here on the plane, so it looks like it fell down  
19 there, and then I was like what are the odds, you know. I just  
20 had to like move it and describe it and (indiscernible), yeah.

21 So he was in luck because we were on the approach, so I was  
22 like looking to myself, like this is going straight to the  
23 (indiscernible) and everything, and, you know, like hitting  
24 everything else I could check. So, yeah.

25 Q. So basically the company policy or procedure is essentially

1 paperless, you use the iPad for --

2 A. Yeah, we're authorized -- yeah, (indiscernible) authorized by  
3 the company, so, yes, we have the iPads. Actually it's more like  
4 we need like -- actually this is a new iPad to be honest, like  
5 they gave me like -- they gave it to me like a week or so ago, but  
6 they changed all the electronic devices, so we have  
7 (indiscernible) is approved, so that's why we use the iPad.

8 Q. And each pilot is --

9 A. Yes, of course.

10 Q. -- issued your own personal iPad?

11 A. Yes, of course. Yeah, every one of us has their own iPad.

12 Q. And is there a process or how do you insure that it's got the  
13 latest or newest information? Is that part of --

14 A. Well, we have the Epson (ph.) application, so before every  
15 flight --

16 Q. Okay.

17 A. -- we do this briefing, and we check passports, IDs, medical  
18 certificate, iPad update, everything, our operation is good and  
19 legally, and actually back in the Dominican Republic in the  
20 company dispatch office we have this sheet that is printed there  
21 that has before flight checklist, all this checklist, so we have  
22 one for all of us. I have to show you the table of content and  
23 I'm the first officer, I have to show you my credentials and  
24 stuff, my passport, everything, my visa that is current. I have  
25 my CO1 visa, the (indiscernible) crew member visa, everything that



1 we have in order, so we don't, you know, get like funny when we're  
2 here.

3 Q. Sure. Let's see, sounds like you had an opportunity to  
4 actually conduct obviously an actual evacuation. Did -- have you  
5 ever done any evacuation --

6 A. Yes, of course.

7 Q. -- training?

8 A. Yes, yes, of course.

9 Q. And where was that done?

10 A. Yeah, back in the Dominican Republic. We did a  
11 (indiscernible) and everything, did all the evacuation in 90  
12 seconds, everything, inspected by the Dominican regulations and  
13 approved by them. We have to do the evacuations, so we practice.  
14 We -- all the crew, the captain, the first officer. Just like  
15 everyone has to be involved in that thing. Like it's something  
16 that we always do.

17 Q. Tell -- I think you mentioned already that the approach was  
18 stable. Can you describe to me what your company's policies are  
19 with regard to stable approach criteria?

20 A. While you're in instrument approach, like you cannot be like  
21 -- let's say below 3,000 feet we just reach (indiscernible) half,  
22 like more than 1,000 feet per minute, like down or up, whatever,  
23 and (indiscernible) 500. I mean --

24 Q. Sure.

25 A. So, yeah, like that's what we describe as stable approach.

1 Q. And --

2 A. Following the iPad, everything. If at any moment it go  
3 further than 1,000 feet or whatever, it's a go around because that  
4 could be a pilot incapacitation that could be uncontrollability o  
5 the airplane. That could be like any failure of the systems.  
6 That could be anything, so that's not normal, so at that moment it  
7 doesn't matter who flying, you just proceed with a go around  
8 because if it a pilot incapacitation, that could be worse, too,  
9 because if you would have done the procedure to like secure the  
10 pilot that's incapacitated, like maybe go like this -- you don't  
11 know if he's got -- has stroke or anything, and he just pull like  
12 a pill or anything or whatever, so we have to go around, proceed.  
13 It is a procedure to call the lead attendant to help you with the  
14 captain to see that anyone can (indiscernible) on the plane, put  
15 his seatbelt, secure it, make sure he doesn't move, and then you  
16 just go back and fly and declare your emergency and everything,  
17 whatever. Just request for an area to proceed whatever you need,  
18 a holding or whatever, and then when you're ready, you've got an  
19 emergency, whatever, and then you go back in, proceed with  
20 whatever you have to do, but it's not like, you know --

21 Q. All right. Back to your iPad, your landing calculations and  
22 approach speeds, are they done on your --

23 A. Yeah, yeah.

24 Q. -- iPad as well?

25 A. Well, yeah, we actually -- that's something that personally I

1 make sure the speed, (indiscernible) and everything because, you  
2 know, we don't have approved by the company the landing and hold  
3 chart, so if they ask us or anything that if we can  
4 (indiscernible) like, no, sir, like we're not approved even though  
5 we have 20,000 feet of (indiscernible), no, sir, I can't do that  
6 because that's the company policy. And if anything happen like  
7 today and I accepted this Laser, what's going to happen? You  
8 know, like that's my opinion, you know, like I don't know how any  
9 other pilots (indiscernible) about related to that thing, but I  
10 just reach my company policies because a reason they have it, you  
11 know, and I can't just go over it, so, yeah, we -- if I heard in  
12 the 80s that sometimes it's active and landing this is 9,750 feet  
13 I think it is, I just (indiscernible) my numbers and stuff,  
14 everything, okay, we count it up. Even though like we have to do  
15 it for any emergency or whatever, and we have just one shot, this  
16 is the landing, this is (indiscernible), then the plane is this,  
17 this, this and that or whatever, that's it. So, yeah, I'm always  
18 aware of that (indiscernible) because we -- this is a -- well, I  
19 don't know if you guys fly an airline or whatever, but you want to  
20 be -- want (indiscernible) before that happen, or if they happen,  
21 you have the 50 percent of the situation controlled, you know.  
22 Yeah.

23 Q. And do you -- does the captain and first officer or pilot  
24 flying, pilot monitoring who does the landing distance  
25 calculations or -- and speeds or do you do them individually and

1 compare? Describe that --

2 A. Well, to be honest, it's like in the briefing while just come  
3 down to like, I don't know, since we come from a couple miles, we  
4 just compare. Sometimes we get together, sometimes we be like  
5 close, but like we always make sure that we're within the limits,  
6 and just go to the tables and stuff (indiscernible) we review it  
7 and see like what's going on. I'm the person that I'm always like  
8 reviewing and stuff and things that can happen and things that you  
9 can do to revert or like how to improve whatever that happened in  
10 the moment, even like the go around and everything, yeah.

11 Q. And correct me, I may have heard wrong, did you say that the  
12 auto throttles were -- the auto throttles were operative or  
13 working or not?

14 A. Well, the auto throttles were -- on the DFC No. 1 they were  
15 working properly on the DFC No. 2.

16 Q. Okay. And describe to me again the touch down. I think --

17 A. Right.

18 Q. Did you say second --

19 A. Yeah, right.

20 Q. -- that there was a skip or a --

21 A. No, no, no skip. No, no, no.

22 Q. Okay.

23 A. Just touched, left gear normal, then left gear -- sorry,  
24 right gear, left gear, and the we were just going forward, it  
25 started the vibration like two or three seconds, started

1 vibration, and then vigorous vibration and explosion together like  
2 (sounds). I know it's hard to sync that, but it was a smooth  
3 landing. So smooth. I can't tell. If you guys like any access  
4 to the internet or whatever, you're going to see the videos like  
5 -- actually like there's a video of the passenger that was  
6 recording the left side of the plane when we landed. You can see  
7 the landing on the right wheel, and then the left, and then the  
8 vibration just started, and the front just fell and started the  
9 things to like get crazy inside of the plane, and people screaming  
10 and stuff, yeah.

11 Q. That's it for me. Thank you very much.

12 A. All right.

13 MR. GOODWELL: Warren.

14 MR. ABRAMS: Thank you, Sam. Mitch, we'll roll in with you.

15 MR. MITCHELL: Oh, okay. Thank you.

16 BY MR. MITCHELL:

17 Q. Thank you for all the information, Pablo. I just have a  
18 couple of questions. Did you perform the walk around on the  
19 aircraft that day?

20 A. Yes, yes, of course. Of course. Actually there in the  
21 Dominican Republic there's a person of I think security that when  
22 I go off a plane, I have to sign a paper before I go on the plane  
23 again, and she does a search to see if I brought something from  
24 down to the plane, so I did my --

25 Q. Anything noted on the walk around?

- 1 A. To be honest, yes.
- 2 Q. Any fluids?
- 3 A. To be honest, yes.
- 4 Q. Okay.
- 5 A. The four wheels were like new. It was like sometimes, you  
6 know, like you have a tire that's like it's within the limits --
- 7 Q. Yeah.
- 8 A. -- and this was the first time I saw like the four pneumatics  
9 were like very good condition, like very, very good conditions.  
10 Like I was like impressed. I was like, oh, fine, I have new  
11 sandals.
- 12 Q. So on the -- this was the second flight of the day,  
13 correct --
- 14 A. Of the day, yes.
- 15 Q. -- for you. So when you departed the Dominican Republic and  
16 the gear was brought up, did you hear --
- 17 A. Nothing.
- 18 Q. -- anything? Feel anything?
- 19 A. Not, no vibration. Like I didn't even feel like the plane  
20 was like turning or whatever, like normal takeoff, normal. Like  
21 everything was normal.
- 22 Q. And then on the approach into Miami, you called for gear  
23 down --
- 24 A. Nothing at all.
- 25 Q. -- do --

1 A. Nothing at all. Like commanded the gear down, the gear just  
2 went down, latched, three green. Three green, okay, three green.  
3 That's 28 before landing. Check speed, and that's it.

4 Q. Now this is just for clarity on my part. Did you say that  
5 it's normal for you to have maintenance on board or --

6 A. Yes, it's normal.

7 Q. -- have maintenance on board every flight?

8 A. Every flight. We always fly with maintenance guys. Every  
9 flight, every flight because we don't have a maintenance base here  
10 in the -- in Miami.

11 Q. Okay.

12 A. Yeah, that's why. They just come with us instead of staying  
13 in a hotel and everything, like it's just part of the crew.

14 Q. Okay. Thank you. And if you could tell me -- I want to make  
15 sure I didn't misunderstand. Did you feel the nose landing gear  
16 collapse?

17 A. That's the part that -- it's like in this part of my mind  
18 because I felt like the sinking, but I don't know when exactly it  
19 started, the sinking of the nose wheel. That's when we were like  
20 sliding down the runway, right, because we didn't have -- even  
21 time to like -- I can't remember like that part. It's like after  
22 the thing started to like explode and everything, we start to  
23 sink, I can't like clearly be like clear explanation of what  
24 exactly happened, but what I felt, like what I felt was that we  
25 were like sliding like on the side, the left side of the plane,

1 and then the plan just started to sink like all the landing gear  
2 collapsed. That's what I end up feeling. My perspective. I'm  
3 not saying like that's exactly what happened, you know, but what I  
4 felt was -- I don't know what failed like what happened in the  
5 part or what failed at deployment, that was -- you know, that's  
6 my point of view what happened.

7 Q. Yeah. Okay. And you said the auto brakes were not armed for  
8 this approach.

9 A. No, no, no.

10 Q. Okay.

11 A. Because there's like conditions to use the auto brakes and  
12 stuff, like what runway, or like a short runway or --

13 Q. Sure.

14 A. -- stuff like, you know.

15 Q. Do you remember applying any brakes after touch down to  
16 mains?

17 A. If I remember applying any brakes after touch down. Here's  
18 the thing, after we apply the reverse below 80 knots, that's the  
19 policy, below 80 knots, that's when we use the brakes so we don't  
20 overheat the brake because you know at that speed you apply brakes  
21 it's like, you know, unless you're on an emergency and you have  
22 (indiscernible), then you apply brakes and whatever happens, like  
23 it doesn't matter.

24 Q. Right.

25 A. We need the brakes, but as everything was normal, then after



1 explosion and everything and all stuff trying to control the  
2 plane, I can tell you like maybe by accident -- not by accident,  
3 maybe by the -- trying to like control the plane because we knew  
4 like we were not in a good situation, and so while we were  
5 sliding, we were just using all the resources we have on the plane  
6 to stop that thing, like it doesn't matter. I could, you know,  
7 just take my legs out of the plane, brakes, you know, it's like  
8 you just want to stop. You just want the situation to stop so I  
9 can tell you like we just press the brakes or not or whatever, you  
10 know.

11 Q. Do you feel that the touch down of the aircraft was aligned  
12 straight with the runway?

13 A. No, no, it wasn't like aligned straight, straight align, no,  
14 no, no. We were like a little bit off, like a couple degrees,  
15 like two, three degrees off of the center line because I remember  
16 when the tower authorized us to land, they told everyone we was  
17 coming from 04014, so it was cross. It was like 50 degrees cross,  
18 you know, like coming from here, so that's why we use landed on  
19 the right side of -- like the right side of the runway, but I  
20 never heard that they told me that wind was gusting or whatever,  
21 that you saw me CO4, 14. I do remember that I heard on the 80s  
22 that there was gusting, but I was like, okay, and then, yeah,  
23 that's it.

24 Q. Okay. If you were to guess, you said a few degrees maybe  
25 off.

1 A. Well, how can I tell you, it was not like (indiscernible) had  
2 it wrong, you know, it was like -- let me tell you that -- I can  
3 tell you maybe -- how many degrees. I can't tell how many  
4 degrees, but to be honest, it was not like -- we were not on the  
5 complete side of the right or the wrong way, so we were like maybe  
6 like a little bit of center, but like offset, you know. Not on  
7 center, but a little offset --

8 Q. Sure.

9 A. -- a couple degrees. I think we touch -- or maybe this is  
10 the line maybe -- and this is the -- let's say this is the right,  
11 left landing gear, and this is the right. We're like this, almost  
12 touching the center line.

13 Q. Okay.

14 A. So it wasn't like we were here completely or I was like a  
15 little offset. The wing correction, like the correction to -- the  
16 captain told me like center line like normal, you know, like  
17 center line, whatever. I said, oh, yes, sir, but I just applied  
18 of the rudder slightly because it was not that bad, you know, so  
19 it was like slight of the rudder a little bit, and then by that  
20 moment --

21 Q. Okay. There's a ground proximity warning system installed on  
22 this aircraft?

23 A. There is what?

24 Q. A ground proximity warning system.

25 A. Yes.

1 Q. And it was operational?

2 A. Yes. I did the test before (indiscernible).

3 Q. Okay. Do you remember hearing it go off or anything?

4 A. No, it didn't sound anything. No, no. We had no alarms,  
5 like nothing, nothing, nothing. Not at all, like everything was  
6 normal. Everything.

7 Q. When you've performed walk around on the other aircraft with  
8 Red Air, have you ever notated anything of interest or value that  
9 needed to be written up, puddles under the aircraft, parts missing  
10 or damaged, anything like that?

11 A. To be honest, I have never seen -- well, one day here in  
12 Miami during my IOE training, I saw there was -- it's not -- how  
13 you call this thing, like a screw, a big screw on the number three  
14 pneumatic that was like popped in and that you replace it.

15 Q. I'm sorry, you said that was on the number?

16 A. Number three, yeah. I think it was on the number three.  
17 Yeah, yeah, the number three pneumatic, so if you go from the  
18 right to the left of the plane, so it's number four -- number  
19 three, the one inside, number two in the middle.

20 Q. Okay. I know you said that the tires looked new on the --

21 A. Yeah, the tires --

22 Q. -- aircraft.

23 A. -- weren't like brand new, like brand new, but they were like  
24 in excellent conditions, all of them, because when I did the walk  
25 around I make sure that all the things like belonging, like all

1 the things related to the landing gear is -- like that's the main  
2 thing that I see, right.

3 Q. Sure.

4 A. Like you do the walk around and like that's the -- when you  
5 see like your surfaces, and you have two engines, two wings, your  
6 landing gear is complete, and then you go across and you take a  
7 further look to see if everything is in its condition.

8 Q. Do you have any idea when that work was completed on the  
9 aircraft?

10 A. What work?

11 Q. As far as when tires were replaced or --

12 A. Oh, no, no, I don't know. When we got to the plane they were  
13 already done.

14 Q. Thank you so much. I don't have any additional questions at  
15 this time.

16 MR. ABRAMS: All right, Jim.

17 BY MR. VANDERKAMP:

18 Q. I just have a couple of clarifications.

19 A. Okay.

20 Q. You might have said this, but I don't remember. Did you say  
21 the spoilers deployed?

22 A. I can't remember because it was about to confirm like, you  
23 know, like the procedures like you touch down, right, and you call  
24 out is the spoiler deployed, and then you activate reverse and see  
25 two lights or lights and then you go see that the reverse is like,

1 you know, increasing, but by the moment the spoiler deployed the  
2 vibration just started, and I was like -- I can't remember if --

3 Q. The spoilers --

4 A. I can't remember -- they are outside of my arm, but then you  
5 arm the (indiscernible), is it right, like --

6 Q. Is it -- I'm sorry, you guys might know this. Do they deploy  
7 on manual (indiscernible) or is it --

8 A. Oh, yeah, I mean, yeah, yeah, when the --

9 Q. The spoiler, not the --

10 A. Yeah, yeah, they -- no, no, no, the spoilers, yeah, they're  
11 supposed to -- when we told, they just pop out like a big arm.

12 Q. Yeah.

13 A. When --

14 Q. Do you have to physically arm them?

15 A. No, no, no, you just be arming in the approach.

16 Q. Yeah, that's what I --

17 Q. So then as soon as the main wheels --

18 A. Yeah, exactly.

19 Q. -- then they --

20 A. Yeah, yeah, yeah.

21 Q. So do you know if -- do you remember if they actually  
22 extended? Usually it's a (indiscernible) and you hear it.

23 A. Yeah, it's exactly when you don't hear that they like are  
24 deployed, then you --

25 Q. You manually --

- 1 A. -- manually the captain arm because let's say like if I'm  
2 flying or whatever, or if it's flying and the spoilers deploy, I  
3 can just go over in his hand and put it so he has to lead them  
4 manually.
- 5 Q. Did they deploy?
- 6 A. I can't --
- 7 Q. You don't remember.
- 8 A. I can't remember exactly.
- 9 Q. Okay.
- 10 A. Because, yeah, it was like -- I can't tell you right now if  
11 they did or not.
- 12 Q. Did the noise in the vibration happen before or after the  
13 nose gear touched down?
- 14 A. Before, after -- I think it was before. Yeah, I think it was  
15 before.
- 16 Q. Okay. And you never tried to put the (indiscernible).
- 17 A. We started to sink like we didn't go that far.
- 18 Q. You didn't get that -- yeah, that's what I thought. I just  
19 wanted to make sure. Are you guys authorized to auto link?
- 20 A. No, sir.
- 21 Q. Okay. What's the mandatory auto pilot disconnect altitude?
- 22 A. Yeah, well, the -- at the minimum, sir.
- 23 Q. At minimum.
- 24 A. Yeah.
- 25 Q. Okay. And the other question about the -- do you use a pull,

1 you know, take off and land foot (indiscernible) in the plane or  
2 do you use your iPad to determine your speed (indiscernible)?

3 A. Oh, no, we have a chart here that is -- I don't know if you  
4 see it. It is --

5 Q. It's (indiscernible), right?

6 A. -- speed chart. Yeah, it has wire (indiscernible) that is  
7 located -- it was located over -- in front of the throttles, in  
8 the --

9 Q. So it's handy --

10 (Crosstalk)

11 Q. -- and you just lay it down.

12 A. In the (indiscernible).

13 Q. Um-hum.

14 A. Yeah, yeah, yeah.

15 Q. Yeah. But that's what you use, not the iPad?

16 A. No, we use the iPad to do the speeds because it's here.  
17 That's -- we have the speeds here in case or anything, like we  
18 just have the speeds there to show you how to -- a double check on  
19 the speeds.

20 Q. Yeah, I get it. I was pretty sure that's the case. And did  
21 anybody pull the fire handles?

22 A. Yeah, yeah, the captain pull it. The captain pull it.

23 Q. He pulled --

24 A. When we stop here, he pulled it because -- due to the impact,  
25 right, when the lead flight attendant told the captain that there

1 was a fire that rise out of the airplane, then -- she didn't tell  
2 the wing or whatever, we were like this is a fire, right, so the  
3 captain just pulled it.

4 Q. Both or just one?

5 A. Both.

6 Q. And did he fire the bottles or --

7 A. I think he -- yeah, yeah, I remember because I think I -- I  
8 don't know if it was -- because I was -- we just -- it was at the  
9 moment that we collided, like we stopped, so I don't -- can't  
10 remember exactly because I was like in a shock, you know, because  
11 I was like -- this is like -- I was like, you know, this -- trying  
12 to see what's going to happen.

13 Q. Understood. So he just did it. He didn't do it as part of  
14 the check list.

15 A. I can't remember that part, but I don't think -- I don't  
16 know. I can't tell you right now. I can't remember. I can't  
17 remember because I was doing the check -- I don't even remember  
18 what I (indiscernible), to be honest, like I was shocked, but I  
19 was -- I'm sure that I read the check list because I  
20 (indiscernible) switching off, but I can't remember right now what  
21 exactly we -- I know I read everything because I was like this,  
22 you know, like when this (indiscernible) stop, they just went in  
23 and just pulled the foam and stuff, and I was like -- I was trying  
24 to open the windshield on my side, but it was clogged, like it was  
25 like stuck. Yeah. Maybe by (indiscernible), probably, whatever,



1 (indiscernible) because I didn't know his status. I didn't know  
2 if he was injured, I didn't know if was (indiscernible), I don't  
3 know, so I started to read him, make sure that he was doing it,  
4 and it was like this, but we were so like nervous at that moment,  
5 like -- but I made sure that I got my extinguisher, like things  
6 that could like keep us safe in the moment.

7 That was that thing because if you have a fire, what do you  
8 need? When you play these little games, like if you have a fire,  
9 what do you need? Water, or extinguisher. If you have, I don't  
10 know, if you go to the beach and you're going to swim, what do you  
11 need, you know, life saver. So I was like, okay, I need this, and  
12 I need this. I can remember -- yeah, I remember when he went all  
13 the way down to the back of the plane to make sure there was  
14 nobody, I just double checked like no one left in the front or the  
15 bathroom in the front because I knew like if the plane explodes  
16 and everything back there, like, you know, like -- so I just make  
17 sure that everyone is off of the plane before.

18 Q. Do you know is there -- you mentioned evacuation checklist.

19 A. Yeah, they (indiscernible) --

20 Q. Yeah.

21 A. -- for passenger evacuation. That's the one I read.

22 Q. Normally when you get down to the end, it says first officer  
23 reads the, you know -- he takes the fire extinguisher --

24 A. Yeah.

25 Q. -- and exits to L-1, right?

- 1 A. Yeah.
- 2 Q. And the captain is supposed to grab the maintenance log. Is  
3 that part of your -- what's the captain supposed to take?
- 4 A. I can't remember. I don't know what's supposed to take, but,  
5 let me see. Hang on.
- 6 Q. It's all right if you don't know.
- 7 A. I don't -- to be --
- 8 Q. We can --
- 9 A. -- honest --
- 10 Q. We'll find --
- 11 A. -- you caught me -- I don't --
- 12 Q. That's not your responsibility.
- 13 A. That's why like I'm like, you know, like if we have to take  
14 anything, like I can't tell you, but I make sure that I have my  
15 stuff.
- 16 Q. Yeah. That's all I have. Thank you.
- 17 MR. ABRAMS: All right.
- 18 BY MR. ABRAMS:
- 19 Q. Pablo, this is Warren. I got a bunch of questions, but  
20 fortunately for you most of them have been asked already, so I  
21 wrote all these things down and --
- 22 A. Okay. Okay. Okay.
- 23 Q. -- everybody's asked it. But --
- 24 A. No problem.
- 25 Q. -- these are just -- there's no specific order. These are

- 1 just kind --
- 2 A. That's okay.
- 3 Q. -- of random.
- 4 A. It's okay.
- 5 Q. We just talked about getting the fire handle pulled, with the  
6 landing distance, flap settings. How many times do you think,  
7 would you estimate you've landed here in Miami?
- 8 A. How many times I think I have landed here?
- 9 Q. Yes, in the -- with Red Air.
- 10 A. Well, I'm making the numbers in my mind, but a bunch of  
11 times, let me tell you.
- 12 Q. Okay. More than 10?
- 13 A. I did 10 times --
- 14 Q. I think he said yes.
- 15 A. -- in the first part of the training, second part I had a 29.
- 16 Q. Okay. Very good. Very good. Okay.
- 17 A. I had to have more than hundred landings here.
- 18 Q. Okay. Excellent.
- 19 A. On the runway 9, I believe. It's like a -- it's weird when  
20 you land in the 30, so it was like --
- 21 Q. Perfect. You said the auto throttles were deferred.
- 22 A. Um-hum.
- 23 Q. And the REF speed was approximately 139?
- 24 A. Yeah, the (indiscernible) 139 and the auto throttles and the  
25 DFDC number (indiscernible) number 1 was --

- 1 Q. Okay.
- 2 A. -- deferred, but number 2 was running.
- 3 Q. Now if auto throttles aren't working, and the REF speed is  
4 139, what speed were you flying? How close were you to REF? I  
5 mean --
- 6 A. You know, by the BREF I was like -- I mean -- no, no, you  
7 mean the approach speed?
- 8 Q. Yes.
- 9 A. Well, when we hit grade -- that's because of the approach  
10 totals to keep 170 until grade.
- 11 Q. Okay.
- 12 A. So this -- they (indiscernible) we're like, all right, we'll  
13 maintain the -- yeah, I think it was maybe 2, 3 knots --
- 14 Q. Okay.
- 15 A. -- exactly when the wind is like gusting or whatever, like  
16 exactly the BREF like --
- 17 Q. Yeah, I understand. Yeah, I never got close to REF. I  
18 always carried more speed, but that's me. Anyway, that's -- let's  
19 see --
- 20 A. Can't go below my BREF.
- 21 Q. That's right, that's right. Evacuation. You get up to leave  
22 the cockpit, you've got your fire extinguisher bottle with you.
- 23 A. Um-hum.
- 24 Q. Did you pull any circuit breakers before you left the  
25 cockpit?

- 1 A. No.
- 2 Q. Okay.
- 3 A. No, no, didn't touch anything inside.
- 4 Q. Okay. Approximately 13,000 pounds of gas --
- 5 A. Yeah, approximately that, yeah.
- 6 Q. -- on board for landing. I think that's high. Do you think
- 7 that's high?
- 8 A. 13,000 --
- 9 Q. Yes.
- 10 A. -- pounds for landing? Well --
- 11 Q. For an MD-82 --
- 12 A. -- yeah, we have like 6,000-something the right wing, and
- 13 6,000 -- on the left and 6,000 -- oh, that's -- we had like --
- 14 well, on the papers if you can see like the flight plan, the fuel,
- 15 required fuel for this route, it's 24,000.
- 16 Q. Okay.
- 17 A. So we departed there from -- with I think it was 27,000
- 18 pounds. I can't remember exactly, but it's written down in the
- 19 log book of the plane. I don't know if you saw it there, too,
- 20 but, yeah, so --
- 21 Q. It was in Spanish.
- 22 DR. WILSON: It was on any of these things?
- 23 MR. PENA: This is my thing -- let me see.
- 24 DR. WILSON: Yeah, you can use it though.
- 25 MR. PENA: Where's my -- I didn't put it here. When we was

1 just taking off from here because I was about to take off on the  
2 -- and the captain's --

3 BY MR. ABRAMS:

4 Q. That was the captain's --

5 A. Yeah, maybe -- I don't understand the --

6 Q. It's okay.

7 DR. WILSON: It's okay.

8 MR. PENA: Yeah, but I remember I didn't put the fuel while  
9 we were taking up because, you know, when we usually get to the  
10 runway we used to take the time so the captain did because he  
11 would be monitoring. All right. Here it is. I did this. Thank  
12 you so much. Yeah, full on board 27.5, 27,500, and the required  
13 of the route was 24,129. And max -- oh, sorry, I would about to  
14 start in Spanish. I'm sorry. The maximum allow is 149, 500.

15 BY MR. ABRAMS:

16 Q. Okay.

17 A. If it was 137, 137 1,000 pounds.

18 Q. So you're 13,000. That's good. All right.

19 A. Yeah, I like 3,000 --

20 Q. Yeah. Okay.

21 A. -- because sometimes we had to like -- I once remember I had  
22 to do a hold in the Malaise, it was like a long time ago. Never  
23 had to before because of the weather, so the Miami was like closed  
24 and I had to wait, so it would happen like this sometimes. It's  
25 good. I thought 2,000 pounds extra just in case because it's like

1 if Miami's closed, I have to go to Tampa, so we don't know how  
2 it's going to be like all the situation here around and if all the  
3 airport's closed down here, we have to go up, we don't have to  
4 know if -- we don't know if they have to be like for holding for  
5 more time there, so, yeah.

6 Q. Okay.

7 MR. ABRAMS: Cat, I'm going to defer to you now.

8 BY DR. WILSON:

9 Q. We'll make sure you get it back eventually.

10 A. No, no, it's okay, just to -- not because of the need to see,  
11 if you need like --

12 Q. Yeah. Mitch was asking you about the walk around. Tell me  
13 what you're specifically looking for regarding tires and landing  
14 gear when you're doing the walk around?

15 A. (Indiscernible), any hydro like -- any water, like any  
16 liquid, like on the plane that is not normal, anything on the  
17 wheels, the tail strike, the elevator that is soft, to see if it's  
18 pressurized, I mean, the system, the flaps are not like resting or  
19 whatever, the lights, the (indiscernible) lights, the strobe  
20 lights, everything like concern to the plane inside. Also see  
21 that the screws are there, wheels that are, you know, like in this  
22 plane we have a limitation with the screws of the tires, like one  
23 can be missing, but -- or two, but one here and one here, but not  
24 two in a row, you know, so I just make sure that it is not like  
25 two screws missing all together.

1           What else? I'll see like peep hole on the landing gear, you  
2 know, like -- I don't know if you heard about it from the  
3 Dominican Republic, one guy who came in here flying in another  
4 year, yeah, a couple years ago, so that's -- I know that I just go  
5 to the nose wheel and turn on the light of the compartment, and  
6 took a look inside to see if it is like no one is inside there.  
7 Then proceed, see my (indiscernible), everything that nothing's  
8 clogged, surface of the wings, there is no heats, no nothing.

9           Then I just go straight to the landing gear, the brakes to  
10 see if the indicator is properly, this like has moping so you know  
11 how much brakes you have left. So (indiscernible) that it's  
12 properly -- like no leakage. What else? It's like basically  
13 everything, like everything. See like all the other -- the  
14 compartments, the doors, that things are well closed, all the wire  
15 of the bathrooms.

16           What else, what else, what else, what else? The vent holes,  
17 the vent hole is closed, the main door, the main stair, too, that  
18 it's well placed, and then on the bottom that it has no hits, like  
19 to make sure that it's (indiscernible) or like we didn't hit any  
20 ice or whatever, any ice pellets or hail or whatever. Yeah, the  
21 engine you see like all of the (indiscernible) are like, just that  
22 it's not like touching anything or any bird inside or any animal  
23 or any piece of -- something that doesn't belong to the engine,  
24 (indiscernible), reversers. Like everything.

25           If I see like something that I -- when you perform like a



1 walk around and anything was going to come up, like you leave the  
2 problem on the ground, you know. Like you don't want to -- for 5  
3 or 10 minutes that you like waste or use doing the walk around,  
4 maybe you can save a lot of time then or your life, so it's  
5 like --

6 Q. What about the tires specifically are you looking for  
7 anything?

8 A. On the tires?

9 Q. Um-hum.

10 A. We see like -- me, what I look for is like any like -- if  
11 this like the condition first if the -- so like I don't know how  
12 to say that, like if it's -- say when you're like -- when you use  
13 a tire a lot and it gives like --

14 Q. Worn?

15 A. Huh?

16 Q. It's worn.

17 A. Worn?

18 Q. Um-hum.

19 A. When you're like -- when you use a tire and it's like  
20 overused and it starts --

21 UNIDENTIFIED SPEAKER: Wears down?

22 MR. PENA: Like it's flat, like flat, like --

23 BY DR. WILSON:

24 Q. Flat spots?

25 A. Yeah, like flat spots, yeah, and like to see if everything is

1 within the limits because you can fly maybe one spot, but you  
2 can't fly with seeing like two -- you put it inside a tire.

3 UNIDENTIFIED SPEAKER: Core?

4 MR. PENA: Core it is?

5 UNIDENTIFIED SPEAKER: It's metal.

6 MR. PENA: It's like a -- yeah, it's like a piece of thing  
7 thing.

8 MR. ABRAMS: Okay.

9 MR. PENA: Oh, my God, I forgot the name of that thing. I  
10 just completely forgot it. Yeah, like you can fly with one  
11 basically, but not with two of them, so like I always make sure  
12 like I don't have like flat spots and stuff. Maybe if I have it,  
13 I just call maintenance, like even if it's one small like, hey,  
14 (indiscernible). It's within the limits? Okay. Show me. Let me  
15 see the books, let me see -- okay, it's fine. Okay.

16 What else? Like any to see if it's low of nitrogen, to see  
17 if there is any like screw, nail because you never know, taxiing  
18 in you can get (indiscernible) the tire all the way around. Yeah,  
19 basically that's how we look into the tires.

20 BY DR. WILSON:

21 Q. And did these tires look okay?

22 A. Yeah, yeah, yeah.

23 Q. Do you interact with the station manager here in Miami?

24 A. I'm sorry?

25 Q. The station manager.

- 1 A. If I know him?
- 2 Q. Do you interact with him?
- 3 A. If we run?
- 4 Q. Do you interact with him?
- 5 A. Oh, yeah, yeah, you mean like with the guys like in charge of  
6 Red Air here, like --
- 7 Q. Um-hum.
- 8 A. Yeah.
- 9 Q. What is your interaction with them?
- 10 A. You mean like -- well, the people that are like here on the  
11 front desk and stuff, like nice, they (indiscernible) the  
12 passengers and stuff, like anything, and they're just nice, nice,  
13 nice. Actually they always like asking like how's your fleet or  
14 whatever. We have so many people today, and things are good or  
15 whatever. Everyone is like proud and stuff because it's, you  
16 know, new flying here, so the company's -- so the (indiscernible),  
17 it's something like we are all like trying to like help because  
18 they're good people, too. So, yeah, nice. Everything's nice.
- 19 Q. Okay. Have you been involved in any other previous accidents  
20 or incidents?
- 21 A. Oh, never in my life. Ever, ever, ever in my life.
- 22 Q. I know Red Air's only been, you know, flying for a few months  
23 or --
- 24 A. Yeah, from November last year, yeah. We're all like anxious  
25 to start flying.

1 Q. I'm sure. Do they do anything like giving, you know,  
2 commendations for performance, like at a boys, or any awards for  
3 the performance of the company?

4 A. Like (indiscernible) stuff, like this is for you because you  
5 -- in December they gave like a couple shirts, some cookies and  
6 stuff, like nice stuff, and actually we have like a good  
7 connections with the press and other companies, so like friendly.  
8 He's always asking, he's always doing stuff like asking how are  
9 things going, like if we feel we need the company, if everything  
10 is going well, if we -- what do we need, like what exactly we want  
11 to see tomorrow, like, you know what I mean, like we want to see  
12 tomorrow, like you know what I mean? Like, they're nice, they're  
13 nice, they're nice.

14 Q. If you did have any concerns about the company, who would you  
15 tell?

16 A. To be honest, that's a hard thing because I'm like a -- to  
17 me, I'm like describe myself, like I'm so nice to everyone there.  
18 Actually like people there are always like saying, oh, this guy's  
19 so nice or whatever because I'm always like talking to you, like I  
20 get along with everyone, and if there a change (indiscernible) I'm  
21 always like, hey, guys, how's everyone doing, whatever, this, this  
22 and that, and things, and just like -- we're always like going --  
23 we all go to Walmart and buy stuff, and go to eat together, and  
24 it's nice thing. Yeah, I like it here. I can't tell you like  
25 this person. Like I have never had an argument with anyone with

1 the time I have in the company, like with anyone. Not even  
2 another captain, I don't think so -- he's so nice, like I can tell  
3 like the team, it's solid to be honest. It's solid, because, you  
4 know, after this happened, the day before yesterday, it's like  
5 everyone texting from company to make sur we were all good.  
6 Actually the premiere services, the press came here, like all the  
7 (indiscernible), he wanted to see us to see if we were great, if  
8 we needed anything, like I can tell you like anyone, and actually  
9 like the mechanics fly with us, you know.

10 Q. Um-hum.

11 A. So it's like -- it's a (indiscernible) because it is what it  
12 is. Our lives all are connected so we fly in a plane, or all  
13 lives depends on us, and they know that. This life depends on the  
14 mechanics, too, and they know if they didn't (indiscernible),  
15 we're not going to be able to perform our job properly, so my team  
16 I think is nice.

17 Q. If you did have a concern, does the company have a way that  
18 you could report it?

19 A. Yes, of course. We have Department of SMS, like --

20 Q. Okay.

21 A. Yeah, that's the thing that we have. It's either that -- it  
22 works, trust me. That department works I think any -- because I  
23 remember there was a lady just called Roberta Sefa (ph.). This  
24 girl she (indiscernible) in the plane. First officer -- this is  
25 the expression. Oh, yes, how are you? Good. How's everything,

1 tell me? Anything weird? No, no, no, everything's good. Sorry,  
2 everything's good, but just so nice. She's so nice. And she  
3 says, no, I'm just kidding, but, tell me, everything is good? You  
4 feel good? How you feel today? Did you eat nice yesterday? How  
5 are you getting along with the trip -- with the program  
6 (indiscernible) seem nice, seem good, you seem in good shape. I'm  
7 like, yeah, it's good, and like -- she's always like what do you  
8 need. I'm like, no, no, I'm fine, I'm fine. So she's always  
9 making sure that -- she can't do it in all the flights, but --  
10 because she has paperwork to do, too, and a job to do, and we have  
11 a way to report like anything, anything.

12 Q. And you would do that via computer?

13 A. You can do it by computer, call. You can do it written down.  
14 You can just go personally and say, hey, this is happening to me,  
15 just always in the office. I have never touched, like stepped in  
16 that office, just not there. Just always there, like just always  
17 there, and, yeah. No problems at all.

18 Q. Have you submitted any --

19 A. No.

20 Q. -- reports?

21 A. No, I have ever thought of doing that because like sometimes,  
22 you know, like in said company, and my family has company, like  
23 company since I was like before I was born. My father used to  
24 live here in the States for 30 years. I was born in -- since I  
25 remember we always have run and run our own businesses, and, you

1 know, like I have been on the top, I have been an employee like  
2 now, and, you know, like I know why you -- I know what -- like  
3 your superiors don't want to see, and I see -- like I know what  
4 your peers want to see, so I have been 12:00 and 6:00, too, so  
5 it's like I have a small aspect and a big aspect on everything, so  
6 I try to like get in people's shoes and feel how they want to be  
7 treated, and I treat them like not as close as I can do it because  
8 I'm not perfect, and to be honest, like I have never get in  
9 trouble like -- long ago I had a discussion like a problem with a  
10 first officer, but he left the company a long time ago, so he's  
11 playing in another company, but we still translate. We just had a  
12 bit discussion like normal like friends, like what happened,  
13 whatever, but nothing like -- just a small talk, like real lines,  
14 but nothing like we wouldn't explode like -- what's wrong, no, no,  
15 it's fine, everything is fine, like we just got -- but, yeah.

16 Q. How would you rate your health?

17 A. Well, out of 10?

18 Q. Sure.

19 A. I'm just kidding. Well, I train, I try to like pull on my  
20 diet and stuff. Sometimes I get out of it because, you know,  
21 aviation is literally hard to do it, but in the hotel we have a  
22 gym, we have a pool. I by myself I like to be -- yeah, like good.  
23 I -- my dad's like -- I have never -- to be honest, I don't know  
24 what's ahead. I'm being serious. I have never felt it, and my  
25 father's a doctor, too, so in my house, it's like, hey, you eat

1 good or you eat good, so, yeah, the health is something from  
2 family to be honest. Like people we like the (indiscernible) or  
3 whatever, like no heart stroke, no sugar problems, like, yeah, we  
4 always have to be on the right side of the path.

5 Q. Any issues with your vision?

6 A. No, not at all. Not at all. 20 -- I think it's 21/20 I  
7 think it is, the last time I made a -- when I did myself, yeah, it  
8 was like 20/20 something, yeah.

9 Q. No issues with other vision?

10 A. No.

11 Q. How about your hearing?

12 A. Perfect. Well, I think so.

13 Q. Do you use any tobacco products?

14 A. Any what?

15 Q. Tobacco products. Smoke, dip?

16 A. Well, I used to smoke and I use like -- I don't know if you  
17 know what is like a vape.

18 Q. Oh, vape? Um-hum.

19 A. So it's like .5 percent nicotine, but besides that, nothing.  
20 No drugs, no alcohol. I don't even drink alcohol. Sometimes it's  
21 like my family's like what's wrong with you. Like I just don't --  
22 I don't like the feeling of like the flavor, like, you know,  
23 sometimes I don't even think about it. Like I just don't -- I've  
24 never used like any drugs or anything in my life, like I don't --  
25 it sounds weird because, you know, today it's something that --



1 but my family is like old shape. My father is 67, my mother's 63,  
2 and she's the one that tells me like if you use any drugs or  
3 something, and I just know that thing like, you know, my son or  
4 whatever, you know, like personal thing, like I don't do those  
5 things because my mom says no, so (indiscernible), but it's like  
6 when you see a red light, and you don't see the police, why don't  
7 you just get over it, right? Why? Because like myself, like I'm  
8 seeing myself, and I know it's wrong so I don't do it because I  
9 don't want to be like -- I don't know how to do like -- I don't  
10 know how to lie, and I don't know how to like tell people like,  
11 hey, I did it wrong, you know. Like, you know, you did it wrong.  
12 Like why you did it? Okay. It's my fault, but I don't know how  
13 to say sorry in that aspect because if you don't have to do it,  
14 like don't get in a situation that you have to apologize with  
15 everyone. It's like, yeah.

16 Q. Do you take any prescription medications?

17 A. Well, I use supplements, like gym supplements. I use like --  
18 I just buy stuff from like the gym stuff and like Walmart. I use  
19 creatine, I use protein, fish oil, stuff to keep my things running  
20 properly. No else I use.

21 Q. Okay. Nothing wrong with that.

22 A. (Indiscernible) guy and stuff. It's not like -- I don't like  
23 the feeling of the rush of the sugar, but, yeah. I drink a lot of  
24 water. Crazy, but, yeah, I do. This morning I just woke up and I  
25 drunk like two bottles of water. Yeah, so, yeah.

1 Q. How about caffeine?

2 A. Um-hum. I drink coffee. I drink coffee. Maybe what can I  
3 tell, like two times a day. Two, three times a day. In American  
4 coffee, that's a bit like more watery than the Dominican one. The  
5 Dominican one is like you drink that coffee, and have you tried to  
6 taste the Cuban one? It's like a colada. This is a favorite. I  
7 can't hear that really. Well, I buy and I just put water in it.  
8 I can't -- I feel like my stomach's going to explode if I drink  
9 that thing. Come on.

10 Q. I grew up in Miami, so -- in the 72 hours before the accident  
11 did you take any drugs, prescription or non-prescription  
12 medication?

13 A. No, because I don't fly with my stuff. Like my gym stuff  
14 because sometimes they stop you to do like a checkup and I'm like,  
15 no, I'm not into that thing. I don't like to go into the X-rays  
16 and stuff and then they just asking like what is that. I just  
17 leave that home, and no alcohol, no nothing. Nothing. I just say  
18 why, (indiscernible), something like that I went to -- I think the  
19 day before the accident I went to -- I don't know if you know that  
20 place, it's nice place. Aller Meaters (ph.), something. It's  
21 like a sport bar. They cook and stuff. They have -- so I just  
22 ate like --

23 Q. Miller's Ale House?

24 A. Miller's Ale House, yeah, and I go like this, also go with  
25 potatoes and glass of lemon tea, yeah. That's the only thing that

1 I ate the day before.

2 Q. Okay. How would you characterize the work load on the leg of  
3 the plane?

4 A. It's not like a work load. Like no one is hurrying us. I  
5 just -- we get to the Dominican Republic, we just sit on the  
6 plane, complete my pre-flight and everything, so back seat in the  
7 first class. Sometimes you just go out and see like how's the  
8 passengers and stuff, and the luggage. Everything, sometimes  
9 we're just talking about like personal stuff in the crew. We just  
10 get along so good, so we just talk about stuff, what's the next  
11 thing we're going to do when we get to Miami, so we just eat,  
12 everything is gone, maintenance is gone to perform later their  
13 work amount that they are (indiscernible), the pre-flight and  
14 everything. I do it, too. It's like twice, done twice.

15 To be honest, they do theirs, and then when they finish I  
16 just go down because, you know, I trust my people, but if they're  
17 doing their job, I have to wait until they're finished, and then I  
18 go down and I am the only -- I'm the last one, so I'll just go  
19 check everything again, and, yeah, like that's what we do, like  
20 the work load is nice.

21 We don't work -- it's not like we're flying like 20 days in a  
22 row, and plus you come back here in Miami at like 5:00 or  
23 6:00 p.m., and then you have the whole night until the next day at  
24 8:00 p.m. (indiscernible), and sort of in the hotel, you grab it,  
25 come here two hours before the flight. We just do everything, do

1 like (indiscernible) procedures at the airport, go to the plane.  
2 Sometimes I go and get a coffee or sometimes I just go and grab  
3 something to eat, snack or whatever. It's like to be honest, I  
4 feel like I'm chilling, like having a good time. I don't feel  
5 like I have to work. It's like I'm going to fly. I feel happy.  
6 So it's not like, oh, my God, I have a flight to make. No, no,  
7 not at all.

8 Q. That's good to hear.

9 A. I have never (indiscernible) in the company because let's say  
10 if they going to schedule extra flight for anything, they call  
11 you, hey, hi, how are you. Hey, do you think you can do this  
12 flight? Do you feel good to this flight? I'm like, oh, no, I  
13 don't feel -- okay, it's okay. They call another first officer  
14 because that's what it is. You know, like --

15 Q. Um-hum.

16 A. -- you have to make sure that the person that you're calling  
17 is willing to assist. If they don't, okay, the company knows if  
18 he doesn't want to work, well, this is a problem, they have to  
19 hire him -- it's their problem, but if you call me asking me if I  
20 can and I say, oh, I can't, I just got off two days ago from the  
21 set of flying, I'm so tired, or I just want to take a day off  
22 because I want it, they don't force you to go to work. Like I  
23 have never received a call forcing me to fly or to do anything I  
24 don't want in the company. Like they put you in a situation that  
25 you can choose if you want to fly or not. Yeah.

1 Q. Okay. During the flight, any issues with radio  
2 communications? Everything worked good?

3 A. Um-hum.

4 Q. Okay. How about availability of outside visual references?  
5 Any issues seeing outside of the cockpit?

6 A. No.

7 Q. I don't want to put words into your mouth, but do you like  
8 working for Red Air?

9 A. If I like working for them?

10 Q. Um-hum.

11 A. I love it. Like I love this job, the company, how everything  
12 is like -- it's like -- you see, like this is a moment when you  
13 feel like after what happened, when you see like their -- I don't  
14 know if it's because they are scared or whatever, or they really  
15 care about us flying, like what they're doing does like they're  
16 calling us every single -- I can tell you the human resources girl  
17 was calling me like right now because I felt my phone ringing,  
18 like vibrating, and I'm pretty sure it was her. Last night she  
19 call me, whatever you need, you need a psychologist right now, if  
20 you need to go into a session, I can, you know, I mean, like  
21 arrange session with a psychologist. If you need to call me, call  
22 me. If you need to call the owner of the company, call him.  
23 Whatever you want to -- like do you have a phone, do you have  
24 reception on your phone, like what do you need. Like just tell me  
25 like whatever you need.

1           Like, you know, they have this (indiscernible) with us, with  
2 all of us, every single one of the -- even the (indiscernible)  
3 hotel that, of course, there's a suspension of the plane, so all  
4 the other crew are calling us to see if we need anything. Last  
5 night I get -- we wanted to eat Dominican food, we discuss our  
6 culture, and I don't know how they get it, the other crew brought  
7 it to us. Like, you know, it's like something that if we need  
8 anything from each other, we're just there.

9           Sometimes like I order something and I'm here in Miami, and  
10 it arrives to the hotel, and the other crew's, hey, Pablo,  
11 something here for you, and they just grab it and bring it to me  
12 to the country. It's like I can't tell you like that feels so  
13 good with this thing, like there's no complaints, like no regrets  
14 like at all. And they fly there -- like hopefully in about -- be  
15 bold and can keep flying, and like after I like get all like my  
16 tests and everything, if I can keep flying maybe, I don't know  
17 when, I don't know -- I'm not ready to be flying because to be  
18 honest what happened yesterday is like you feel like, bam, I don't  
19 know if like it's the end of my career, but I feel like you can  
20 overcome anything, and I don't feel like frustrated or anything,  
21 but I'm -- I can -- like a shock.

22           If I tell you like I can fly in a month, I'm going to be  
23 lying. I don't know when I'm going to be able to fly, and if  
24 these people decides to like fire me or whatever, from one side  
25 I'm going to feel good because, okay, that's what they thought it

1 was better for them, but if they don't, in any -- they call me and  
2 they tell me there's a spot open for you in the administration,  
3 I'll do it because I know like working for them in any of the  
4 departments it's going to be a nice thing, you know, like I will  
5 do it no problem to be honest.

6 Q. Okay. How did the captain seem on the day of the flight?  
7 Did he seem normal?

8 A. Normal.

9 Q. Anything out of the ordinary?

10 A. Nothing out of the ordinary. To be honest, like I have never  
11 seen this guy stressed. Like I -- he's like so chilling. Like  
12 sometimes I feel like I'm stressed in front of him because he's  
13 like chilling and doing the things -- this or that, and sometimes  
14 we just talk like friends even though we're like -- it's a  
15 company. I know like -- it's not like American Airlines that  
16 sometimes they fly with a crew you have ever known in your life.  
17 But here it's like, we're like -- it's like a small circle.  
18 There's like how many pilots -- we have like eight captains or  
19 nine captains or something like that, and we are like eight first  
20 officers, so it's like a small team, and we're always trying to  
21 like help each other, whatever. There's no like people trying to  
22 make you feel like whatever. It's just people trying to help each  
23 other and always doing the things for us in the company, and do  
24 the things right.

25 Q. Okay.

1 A. And to be honest, to be more specific, like I'm -- to be  
2 honest, I am in the company since the certifications, since they  
3 didn't have planes before they buy the planes. When they bought  
4 the planes, I was in the company. Like I'm a founder. Yeah, like  
5 I can tell you like everyone that has come in before in the  
6 company. Like I know the company more than anyone, even more than  
7 the captain. Like I know what we are made of. If somebody snuck  
8 in the door.

9 Q. Like you saw.

10 A. Okay. We're running out of time.

11 Q. That's the investigator in charge.

12 A. Okay. In the scene.

13 Q. Yes.

14 MR. ABRAMS: We have the captain. You'll like get that back  
15 today.

16 MR. PENA: Okay. Okay.

17 MR. ABRAMS: You got your headset back last night.

18 MR. PENA: Oh, thank you. Yeah.

19 MR. ABRAMS: Yeah, it was in your bag.

20 MR. PENA: Yeah, yeah. I got everything, my key, my -- I  
21 wasn't worried about -- I was like when I get back to the  
22 Dominican Republic, I don't know how I'm going to get back home  
23 because I thought it was like you guys stay with all the things  
24 inside the aircraft to do the investigation. I was like, damn,  
25 there was my stuff.



1 BY DR. WILSON:

2 Q. Well, we try to review things and then --

3 A. Yeah, of course. I know, I know, I know.

4 Q. -- there's other things that we need to keep, you know,  
5 nothing that's relevant --

6 A. Okay.

7 Q. -- then we try to get that back to you as quickly as  
8 possible. Training. Any concerns with the training?

9 A. No. Like if you're asking me right now, like only my concern  
10 about the company at this point, I can't -- to be honest, I can't  
11 tell you like what specific, like -- I can't tell like anything  
12 like I could be concerned right now about the company.

13 Q. You have spoken very highly of Red Air. Do you feel that the  
14 morale with the other pilots is the same? Does everyone, you  
15 know, feel good about the company?

16 A. Well, to be honest, I can't talk for them, but I had -- no  
17 one had ever come to me and tell me like, hey, I don't like my  
18 salary, or I don't like my diet, or I don't like -- sometimes you  
19 hear people asking I don't like the food on the plane, it's like  
20 normal, or I don't like the coffee, the coffee, or I don't like  
21 this coke. I'm like, dude, eat the flight food. What's your  
22 problem, you know, like if you don't eat something better, just  
23 wait until we get to Miami and you can buy yourself. You can go  
24 to anywhere you want to eat, like there's nothing you can do,  
25 like. You know, of course, companies want to give you things like

1 -- so you just eat, and if you don't want it, well, if I don't  
2 want to eat it on the plane, just get off. In Santo Domingo,  
3 there's a couple of like places that you can go and eat, just go  
4 and eat. That's how you fix the things. You cannot just plan to  
5 change the whole company if you are the only one that's trying to  
6 like -- well, I don't eat fried chicken. Okay. Your business.  
7 Go and get some other chicken.

8 Q. I have a handful of questions more that I'll ask after  
9 everyone else --

10 A. Okay.

11 Q. -- gets another round.

12 MR. ABRAMS: Sam.

13 MR. GOODWELL: I'm good. Thank you. Well, actually I will.

14 MR. ABRAMS: Okay.

15 BY MR. GOODWELL:

16 Q. Just to make sure we understand. I thought I heard that you  
17 used the iPad to calculate your approach speed, but you don't.

18 A. No, no, no, no, I never use the iPad. I never use the iPad  
19 to the approach speed because you have the table physically on the  
20 plane, so I don't want to be using like alternative devices  
21 because anything could happen to the iPad, so I make sure I have  
22 it on my card here, so, yeah, I just put it and check before the  
23 arrival briefing, so there's the table and speeds and everything,  
24 so I just figure out my thing, my speeds for the approach speed.  
25 I don't use the iPad for that.

1 I have the iPad in my backpack as a -- not a backpack, sorry  
2 -- as a backup in case, I don't know, I can't think maybe can miss  
3 a page or anything. Actually I think there was like a page that  
4 was like a little bit off the thing, but I always make sure that,  
5 you know, I have the things and if I can have the thing, I will  
6 just use the iPad, but we make sure that it's on the plane before  
7 we do the preflight.

8 Q. Thank you.

9 A. Any time.

10 MR. ABRAMS: All right. Mitch?

11 MR. MITCHELL: Thank you.

12 BY MR. MITCHELL:

13 Q. I just have a couple. Okay. While working for Red Air, have  
14 you ever rejected an aircraft after doing a walk around?

15 A. No.

16 Q. Okay.

17 A. Actually that was the most powerful, like this how they --  
18 the JTAD 2019 -- 219 turbines. The other ones had 217, and this  
19 one was like one of the big engines, like the one that has big  
20 engine of the company.

21 Q. But when you've conducted walk arounds, you've never had to  
22 say I'm not going --

23 A. No, no, I have never.

24 Q. -- to --

25 A. I have never had to do that before.

1 Q. Okay.

2 A. No, and actually I have never been like on a plane like they  
3 have to like start working and stuff on the plane, like, oh, let  
4 me just fix landing gear or whatever. Like, it's like all these  
5 things to be like in the --

6 Q. Okay. During your training, and you said you did your  
7 initial training prior to going to Red Air, is Fly Academy Miami,  
8 is that correct?

9 A. Well, that's where I get my pilot's license. I got my  
10 pilot's license, like my private in Dominican Republic, then I  
11 just (indiscernible) my license and came here and studies  
12 instruments and (indiscernible) single because I knew what I was  
13 going for --

14 Q. Sure.

15 A. -- and I was like I want to fly big planes, I want to fly  
16 like multiengine, so I was like I'm single, I'm (indiscernible)  
17 and stuff, save money so I just did my training here and went back  
18 to the DR, the Dominican Republic, and, yeah, applied to companies  
19 and stuff and start working.

20 Q. Have you ever failed any check rides, stage checks, anything  
21 like that?

22 A. Well, I remember my instruments check ride, I don't remember  
23 the name of -- he told me he didn't fail me, right, but I had to  
24 do a re-test, a re-take of intercepting the -- I mean an airway,  
25 but that's the thing, everything was good. I can remember the

1 approaches and everything because that was like my favorite part  
2 of the -- I mean, that's like the most important -- like the most  
3 (indiscernible) of the IFR and the instrument rating, right, so I  
4 remember that the guy make me like bring to the FXC, like I had to  
5 go there for like three times because he didn't like the plane  
6 that I was taking for the check ride, and then the owner of the  
7 school was like that plane's good, and then all the check riders  
8 do the check rides in the plane, so what's his problem, and then  
9 he'd send me in the same plane, and he'd say, no, again, said no,  
10 and then he went to the school and he said that's airplane, right,  
11 and so he had to do the thing in the plane.

12       So I don't know what happened with him -- between them, but  
13 the guy just fail me in the -- in intersecting the airway, so I  
14 was like, damn, I feel like I'm in the middle of the -- of a  
15 situation between this guy and the owner of the school. Like he  
16 did that thing maybe because he was like mad at him because he  
17 didn't want to fly the plane. So I was like, bro, I'm just going  
18 to fly in a different plane because I don't want to -- I don't  
19 have like 700 bucks every single time this guy come here, so you  
20 better change the planes before I'm just going to explode here,  
21 bro, like you're enjoying my money because I have to pay a fuel to  
22 the plane, to the (indiscernible), so I was like that was the only  
23 thing, but I never -- to be honest, like he never gave me a letter  
24 that I failed the check ride, so I don't know if that's in the  
25 website or whatever or in my record. I can tell you I actually

1 never even worried about to look for it because that day I just  
2 did my thing and what is there is there. If I failed, I failed.  
3 If I didn't fail, I didn't fail, but that happened with me with  
4 that check rider, and that's the truth.

5 Q. I don't have any other questions. Thank you, sir.

6 A. Okay. Any time. You're welcome.

7 MR. ABRAMS: Jim?

8 BY MR. VANDERKAMP:

9 Q. Just one more question.

10 A. Okay.

11 Q. Is there anything that you or the captain could have done  
12 differently to minimize the problem?

13 A. Well, this is something that we don't practice in the  
14 simulator. This is something that you can't analyze, like, oh,  
15 let me just go this way, wrong way, this, and then do a go around  
16 because it's not something that you are prepared for.

17 Let's say it was an engine failure, right. You do your  
18 (indiscernible) and checklist, everything, you go around,  
19 whatever, whatever you have to do in the moment to take the --  
20 whatever you have to do, right? And let's say, okay, it was an  
21 engine failure, right, and then you come back and it happens that  
22 you go off the runway or whatever. Maybe I can tell you  
23 (indiscernible) better or maybe we try to restart the engine again  
24 or whatever, or call, I don't know, an expert in the airplane  
25 because we had a satellite phone in the planes, hey, this is

1 happening with the plane, whatever, like this is indication we're  
2 having, the (indiscernible) doesn't say anything about it, what  
3 are you recommending, whatever. Like we would use all the  
4 resources to get out (indiscernible), right? But what happened, I  
5 don't think like what --

6 Q. Yeah, I mean, I was just wondering.

7 A. No, no, it's --

8 Q. (Indiscernible) just along for the ride.

9 A. No, because I have asked like myself, like I'm self-  
10 criticism, so I'm like asking myself, too, since yesterday like  
11 what could I have done, and I'm like nothing, like, no one was  
12 expecting that. It's not like we were in an emergency and then we  
13 say, oh, my God, we could have done this or whatever, that,  
14 because let's say, I don't know, maybe if like -- let's say we  
15 just had a flat tire, right, and the thing just ends like that,  
16 and we just have the runway, and then you guys came, and do an  
17 investigation, whatever, what happened, happened, oh, well, would  
18 you have done to like, you know, like getting (indiscernible)  
19 situation. I'll be, I don't know, maybe go more in the center  
20 lane of the runway or whatever, but like what happened, like maybe  
21 smoother landing or whatever, but like there was no way, I was  
22 just landing normally. It was a normal landing, and then the  
23 thing just started, like, yeah.

24 Q. Okay. Thank you.

25 A. Any time.

1 MR. ABRAMS: I'm out of questions. Cat, we'll roll to you.

2 DR. WILSON: Okay. Hopefully this won't take too much time.

3 BY DR. WILSON:

4 Q. Have you ever done a go around?

5 A. No.

6 Q. Who can call for the go around?

7 A. The captain.

8 Q. Only the captain?

9 A. Yeah. Yeah, I think -- no, no, no, wait, wait. Captain,  
10 captain, yeah, I think it is -- I have like a picture in my head,  
11 but, no, no, no, yeah, (indiscernible) at the end of the day, if  
12 you are like flying unless you see like a pilot incapacitation,  
13 yeah, I do the go around, like if he is going incapacitated I have  
14 to do the go around. Or if I see like we're in (indiscernible),  
15 go around under his authorization, okay. It's a crew. I can just  
16 take action and say I'll go around, whatever, (indiscernible) on  
17 the approach, go around, yeah.

18 Q. Just to clarify, so you --

19 A. Both of us can call the go around.

20 Q. You can call it.

21 A. Yeah, yeah, of course.

22 Q. Okay.

23 A. Like both of us be like -- we have to like, you know, get  
24 like -- how can I say that, like coordination to do it. It's not  
25 like, oh, go around because I don't know, we're not stable, we



1 have to go to a go around, pilot incapacitation, have to go  
2 around, if the tower asks for a go around, like, yeah.

3 Q. How far in the low approach can you go in a go around? Can  
4 you call for a go around after touch down if the thrust reversers  
5 haven't been deployed?

6 A. You mean if we touch the runway and reverse thrust.

7 Q. Before reverse thrust.

8 A. (Indiscernible) runway, yes, safety, safety. If we have to  
9 go around and we don't have no front way land to like brake the  
10 plane, it is a go around. There's no way. Have to go.

11 Q. I want to ask you some questions to get a little bit about  
12 your 72 hour history in the days, so looking at three days before  
13 the accident flight.

14 A. Yeah.

15 Q. It might be taxing the brain a little bit, I know, but --

16 A. No, no, no, it's okay.

17 Q. -- just share what you recall.

18 A. I'm fine, I'm fine. I'm totally fine, like 100 percent, no  
19 problem.

20 Q. Well, just having to think back about activities from several  
21 days ago --

22 A. Okay.

23 Q. -- can be harder, so going back to Saturday, June 18.

24 A. Yes. Okay.

25 Q. Right? See?

1 A. Yeah, yeah.

2 Q. Do you recall what time you might have woken up?

3 A. Saturday, 18.

4 Q. Um-hum.

5 A. What time I woke up. 6:00-something, 6:40 -- because I put  
6 like three alarms, like three, four alarms because I don't want to  
7 -- so I put like one at 6:40, one 6:50, one 7:00 and one 7:10,  
8 like the 7:10 is the killer one. It's like if I woke up at 7:10  
9 I'm going to be like rushing, but I can remember I woke up like  
10 6:40-something, 6:45 or something because I had to -- what I had  
11 to that morning -- well, I had to like go down and -- what did I  
12 have to do that morning? I had to talk to the front desk -- oh,  
13 no, I remember. I had to go down because I remember I just put a  
14 trash out of my room and I forgot my key inside, and I went down  
15 -- yeah, I went down and asked for another key. I remember I was  
16 like, my socks. I had to go like that to the lobby.

17 Yeah, and then I just went up and take a shower, and I just  
18 take my time, you know, like relax, put some music, hot water. I  
19 call my wife, and then I call my home. That's my routine.  
20 (Indiscernible) wakes up like that, 5:00 a.m. or something because  
21 of the business, so, yeah, that's my routine. Call my wife, then  
22 my mom, and do my stuff. They just tell me to have a good flight,  
23 love you, whatever. That's my day, like, yeah.

24 Q. So you flew that day? Do you recall what your check in time  
25 was? What time did you have to go --

- 1 A. I mean --
- 2 Q. -- on duty?
- 3 A. Oh, you mean the -- yeah, yeah, the date -- okay. My duty  
4 was I had to be there at 1:00. Yeah, the check time is 1:00.  
5 Yeah, yeah, 13, yeah, 1330. 1330 because the flight had to be in  
6 the air at 2:00. At 3:00 we have to be up so it has to be two  
7 hours before the flight, yeah. Had a confusion I think because it  
8 was the 18, and the 18 was the first day I went to fly, right,  
9 from the Dominican Republic to here, so, yeah, I think it was in  
10 that that -- I don't know why I mix the things. Yeah, because I  
11 was in my house in the Dominican Republic. Yeah, of course. No,  
12 no, I think it was -- no, no -- sorry, I'm sorry. I'm not lying.
- 13 Q. I told you.
- 14 A. I'm just --
- 15 Q. I'm taxing the brain here.
- 16 A. No, no, I'm just confused. Yeah. No, that day, yeah, yeah,  
17 yeah, that day I was in my house.
- 18 Q. If it's helpful if you have like a schedule on your phone and  
19 you want to check it, that's fine, too.
- 20 A. Oh, oh, yeah. No, no, I had --
- 21 Q. Something to trigger your memory.
- 22 A. Yeah, because I'm a little bit lost here. Hang on, hang on.  
23 Let me tell you right now what happened that day. 18, right.  
24 Okay. Here -- okay. Here it is. Okay. The 18, yeah, yeah. I  
25 woke up in the morning, 6:40, yeah, 6:40, 6:35 or something like

1 that because my little dog -- I have a Pomeranian, a white one,  
2 she start to sneeze when she's hungry. It's real, but she doesn't  
3 bark. When she's hungry she start to sneeze, and my wife is going  
4 to work. She works in Harbor Hotel, and she's like  
5 (indiscernible) and stuff, so that's in Punta Cana. I don't know  
6 if you know --

7 Q. Stayed there. It's beautiful.

8 A. Oh, well, yeah. So I woke up that day. It's like from  
9 Punta Cana to the airport is like an hour, an hour and 10, hour  
10 and 20 minutes driving. If you speed up, like 120, 130 kilometers  
11 per hour, it's like 80 miles, something. So I woke up. I did all  
12 my stuff, did my -- finished my bags. Just took the dogs out, and  
13 put some food and stuff, and then I departed to Las Americas  
14 Airport early because I don't want to be like driving one hour and  
15 then going to the flight, so I was like I went to the Santo  
16 Domingo around 8:30, 9:00, and I got there and I just stopped by  
17 on the way there to get something to eat, get some fuel.

18 And then I went to the captain's house because they live in  
19 like a building, so I just left my car there, and we just took the  
20 company's van for transport there. It was nice, like just talking  
21 and stuff. Normally like a normal -- I was with him like a couple  
22 of hours before the flight. Like I was in his house, like we was  
23 talking, actually like (indiscernible) with another captain and  
24 which I flew before, too, and we were just talking and stuff. He  
25 just got ready, and then like we went like (indiscernible) outside

1 of the company, too.

2       So normally we just went to the airport, meet the crew  
3 members and stuff, everything, and then there was -- the day  
4 before -- well, the day of the accident we had a different crew in  
5 the morning when we flew there, and then we changed like the  
6 flight attendants changed. I think it was on -- yeah, it was all  
7 of them, even the lead. All of them, they changed. And they  
8 brought this aboard this two guys and two girls, and there are two  
9 -- they were like doing her check ride or I don't know how you  
10 call it. I think it's like a check ride. It's like her check for  
11 the line check to make sure they're confident with everything, in  
12 all the emergency procedures which I think we just passed, to be  
13 honest. I can't tell like these girls, I saw everything, that was  
14 like okay.

15       So they were on board, too, the inspector of the -- I don't  
16 know if you know these people in the Dominican Republic, the EDAC  
17 (ph.). They're like the -- it's like the FAA here.  
18 (Indiscernible) of everything that happens there, like aviation,  
19 you have to talk to them. So, yeah, the guy was here on the plane  
20 actually doing the check ride with her, too. Okay. They have to  
21 see like -- they're not like, okay, you are the deciding one to --  
22 designated one to like check everyone so they just put another one  
23 of the inspectors to -- on the plane. So, yeah, they changed  
24 both. The captain and me, we stayed.

25 Q.   Going back to Saturday, the 18th, do you recall what time you

1 might have gone to bed?

2 A. Early because my wife, she was sick, so she's good, like the  
3 DIU, DIU it is -- DUI? DUI is driving under influence.

4 Q. Yeah.

5 A. No, the DIU is a device (indiscernible), yeah, so she got  
6 that thing put in. I don't know if you (indiscernible) pregnant,  
7 so she got it, and she also feeling like it be a little bad, and I  
8 just make a tea for her, a chamomile tea, and I went to bed early,  
9 like 9:00 or something. And, then, yeah, just like normally. She  
10 didn't go to work that day. She (indiscernible) tea. She went to  
11 work the next day in the morning, and then the day after that,  
12 (indiscernible) like the 19th, she -- the 20, she did not go to  
13 work because she felt so bad. She had to go to the gynecologist,  
14 the OB/GYN, so she had to go and she was fine after because he  
15 give her like some stuff so she was fine.

16 Q. Okay.

17 A. Just normal stuff. So, yeah, I just went to bed like 9:30,  
18 9:45. It's like my average time.

19 Q. And that was on Saturday?

20 A. The day before -- Saturday was the 18th.

21 Q. Yes.

22 A. Yeah, yeah, yeah.

23 Q. So 9:30, 9:45 you think you went to bed?

24 A. Um-hum.

25 Q. Okay. How about -- and were you -- you were working that

1 day.

2 A. The 18?

3 Q. Yes.

4 A. No.

5 Q. All right. I think we're getting --

6 A. You mean by work you mean for Red Air?

7 Q. So which day did you leave your car at the captain's  
8 building?

9 A. The 18th. I got out -- yeah. The 18th I was scheduled for  
10 the flight 203.

11 Q. On the 18th.

12 A. Yeah.

13 Q. Okay.

14 A. Yeah.

15 Q. And --

16 A. I drive the same day because like it's like an hour or  
17 something and 10 minutes, yeah, so I just go earlier so I have  
18 like a time to chill and have some coffee or whatever. Yeah.

19 Q. And you went home that night and slept at home on the 18th?

20 A. No, because we're here. What do you mean? I'm getting so  
21 confused. I --

22 Q. Okay.

23 A. Okay. Let me explain here. The flight 203, right, flies to  
24 Miami. The flight stays here. We stay the night here, and the  
25 next day we fly the 202 to Santo Domingo, the 203 Miami is to

1 here, and then 202 the next day, Santo Domingo, 203, Miami here,  
2 and then repeats again, like four or five days, depends on the  
3 schedule, but I went back home the last day of the (indiscernible)  
4 in the 202 and stay in the Dominican Republic for five, four,  
5 depends, three days.

6 Q. And what day was that? What day was it that you were back  
7 home?

8 A. No, because I --

9 Q. (Indiscernible).

10 A. No, because this is the set of flight. I mean, home, back to  
11 the Dominican Republic.

12 Q. I know.

13 A. But like not my house.

14 Q. When was that?

15 A. Yesterday -- I mean the day before yesterday, before the  
16 accident because I haven't finished my set yet. I'm talking about  
17 the 17th, right -- the 18th, right, 19th, 20 --

18 Q. Okay. Let's not get ahead.

19 A. I'm like --

20 Q. Let's go back to the 18th.

21 A. Okay. 18.

22 Q. Let's go to the 18th.

23 A. Okay. 18th.

24 Q. Okay. What time did you wake up on the 18th? You were at  
25 home --



1 A. Yeah.

2 Q. -- on the morning of the 18th.

3 A. Yeah. Um-hum. I was home. Normally. I was just getting to  
4 my schedule, my set of flight, 203, whatever, I was -- I went to  
5 bed like 9:30 the 17th.

6 Q. Okay.

7 A. And the 18th -- oh, that. I was in here. When I got here,  
8 what time I went to bed.

9 Q. On the 18th, yes. You were here.

10 A. Yes, exactly. That's the confusion. I was thinking that you  
11 were asking me what time I went to bed the day that I was in the  
12 Dominican Republic, but the day before my flight, I mean, the  
13 17th, so the 18th I went to bed around like 10:00. No, no, like  
14 10:00. Yeah, 10:00 or 9:00-something. It was early.

15 Q. And on the night of the 18th you were here in Miami.

16 A. Yeah. Yeah, the night of the 18th. I got here, yeah, and I  
17 was here in Miami, yeah.

18 Q. Any problems falling asleep or staying asleep?

19 A. If I what?

20 Q. Did you have any problems falling asleep or staying asleep?

21 A. Oh, no. I -- sometimes when I like sleep in the afternoon  
22 I'm like at night I'm like I can't -- but I normally -- if I don't  
23 sleep in the afternoon, whatever, I just go to bed and I -- maybe  
24 half an hour or something I'm asleep.

25 Q. The morning, now Sunday, June 19, you're waking up here.

1 A. Okay. Okay. The 19th woke up, we went here to the airport  
2 to fly normally.

3 Q. And what time do you think you woke up?

4 A. What time I think I woke up? Oh, I know I woke up like 6:40,  
5 6:45, around that time. I woke up because I had to take my time  
6 to like -- I stay in bed, but I wake up. I stay to like 7:00,  
7 like 6 -- I think like 10 minutes, 15 minutes like process, drink  
8 some water, and then I just go and take a shower, get my uniform  
9 on, and just go down to the hotel and take something to eat,  
10 depending what have, because I don't really like -- I don't really  
11 enjoy the same menu every single day in the hotel, so sometimes I  
12 grab an apple, sometimes I grab like eggs or whatever, but, yeah.

13 Q. And then you flew that day on Sunday?

14 A. On Sunday, yeah, we went here to the airport, the 19th, and  
15 over here we depart the hotel like 8:00 -- yeah, 8:00. We get  
16 here like 8:30 or something, and then I flew.

17 Q. And you did the Santo Domingo and back here?

18 A. Um-hum.

19 Q. And what time do you think you went to bed on Sunday night?

20 A. That night I can remember we went to -- yeah, I think that's  
21 the day we went to -- no, that was not the day we went to  
22 (indiscernible). That was the day after, but that night I went --  
23 I remember I went to eat to Top 42 I think it was. Yeah, Top 42.  
24 It's in City Place, and I went to bed like around -- we left the  
25 place like at 10:00, so I went to the hotel like was walking like

1 five minutes, so like five minutes after, and then I say hi to the  
2 other fellows in the company. I talk to them for like 10 minutes,  
3 for 10 minutes, and then I just went off because I was sleepy, and  
4 then I just went to bed, so I can't tell you the time that I went  
5 to bed that day, but it was around 11:00 or something like that.

6 Q. Any problems falling asleep or staying asleep?

7 A. No, no, no, no. Not at all.

8 Q. Would it be the same thing if you thought you went to bed at  
9 11:00 that it took you 30-ish minutes to fall asleep, so you were  
10 probably asleep 11:30?

11 A. Well, I wasn't like really tired because I wasn't working and  
12 stuff, so I don't -- but I think I went straight to bed and I just  
13 fell asleep. I don't know for how long. I mean, how long it took  
14 to me to like, you know --

15 Q. Monday, June 20, now we're at the day before the accident,  
16 what time do you think you woke up?

17 A. The day before the accident.

18 Q. Monday, June 20.

19 A. The 21st.

20 MR. ABRAMS: The day of the accident was --

21 BY DR. WILSON:

22 Q. The accident was -- so we're talking the day before the  
23 accident.

24 A. Oh, okay, okay, okay. Okay.

25 Q. Yeah. That Monday, June 20, what time do you think you woke

1 up?

2 A. That I woke up? I think that day I woke up like 7:00 because  
3 I remember I put my alarm, and I snooze it. I'm so -- I'm hard to  
4 like get up. It's like I can fall asleep easy, but like to get  
5 up, I'm like, like 7:00. I remember, yeah, I snooze it and then  
6 the thing one ring and I was like, oh my God, 6:54. I was like,  
7 oh, it's fine, and then I just woke up and just do my things.

8 Q. And is the routine the same? You depart the hotel at 8:00?

9 A. Yeah, the same routine. I just get back. This is the  
10 routine. Depart the hotel, come here, fly, everything, go back,  
11 come back to the Dominican Republic. We were in transport for  
12 like 15, sometimes if he's waiting for us out there, but the most  
13 I would have to wait for transport is like 15 minutes or 10  
14 minutes. One day there was like a one day that we had to wait him  
15 for like an hour something because he got like a flat tire or  
16 something, but, yeah, the transportation, go to the hotel, I just  
17 go up. I don't even take a shower, just get my things up, go, get  
18 something to eat, some back, shower.

19 I remember that, it's like my routine. Like I don't --  
20 sometimes I just order food because I don't want to -- I don't  
21 want to (indiscernible) or whatever, but, yeah, this is my  
22 routine, my routine.

23 Q. So that is the night that you went to the Millers Ale House,  
24 the night before the accident.

25 A. Huh?

1 Q. Monday night you went to the Millers Ale House?

2 A. The Monday night when I went to Millers, I think it was -- it  
3 wasn't 20 -- when was it? Can I check my bank statement because I  
4 remember I pay with a -- no, I'm --

5 Q. Where you went to dinner is really not important.

6 A. -- confused now, I'm just confused right now. Wait, wait,  
7 wait. Yeah, exactly. Yeah, that was the date. Yeah, exactly.  
8 So, yeah, yeah, yeah, yeah. Yes, 1042 was the 19th, right?

9 Q. Yes.

10 A. Yeah, here it is, the receipt. And when was the Miller then?  
11 I can't see it here. Yeah, Millers, yeah, yeah. You see, you  
12 see, yeah, yeah, yeah, here's the 20. I was in Millers Ale House,  
13 yeah, yeah, yeah. That's it. It was the time -- let me check  
14 there. I have the times here. I think I don't have it because  
15 they just process the thing. But, yeah, I can remember, yeah, I  
16 was -- when was it, yeah, the 20 I went to Millers and I think  
17 that -- I'm just mixing the days. I don't know why, but, yeah.

18 Q. That's --

19 A. But I know I -- I just respect my hours of rest. It's like,  
20 you know, but, yeah, you're right.

21 Q. So Monday night, the night before the accident, what time do  
22 you think you went to bed?

23 A. Okay. Monday is --

24 Q. The 20th.

25 A. -- what date, the 20th. Yeah, I went to bed like 11:00,

1 yeah. It was like 11:00 because I was in Millers with this -- I'd  
2 say 11:00, yeah. To be honest, yeah, around 11:00, yeah. Around  
3 that time, yeah. It was like around that time.

4 Q. Any problems falling asleep or staying asleep?

5 A. Yeah, it was like around 11:00. Now I remember because I  
6 think I was (indiscernible) so the crew member is like I will -- I  
7 -- like exact time I went to hotel, but we were together, but,  
8 yeah, it was like 11:00, 11:00. I was with one of the other guy,  
9 one of the pilots, and the part, the other -- a part of my  
10 (indiscernible), my crew members and a part of his crew members,  
11 so we were like mixed, but, yeah, I can remember we went early  
12 because they have an early flight, so we went early. I don't  
13 remember if it was 10:00 or 11:00, but it was between the time  
14 that they, you know, because they're always (indiscernible), too.

15 Like actually it's like the company -- actually they have it  
16 is an email saying like (indiscernible) and stuff like that, just  
17 make sure.

18 Q. Morning of the accident now.

19 A. Morning, yeah, morning of the accident.

20 Q. What time do you think you --

21 A. I'm sorry, I'm not --

22 Q. No.

23 A. -- to the things like on the other side, whatever, just like  
24 personally I'm not good with dates. Like I don't even know my  
25 mom's birthday to be honest. I'm not kidding.

1 Q. It's on the record now.

2 A. Well, I don't even know my mother's birthday, like I can't --  
3 I know I don't have to know everything, so --

4 Q. Sorry, Mom.

5 A. Sorry, but, yeah, like even my father's -- like I know my  
6 father's birthday because it's the 14th of December, but like my  
7 mom's, like I always have to think. My sisters, too. Like my  
8 wife is my same month, so it's like the double of my days plus  
9 one, 29, but I'm so bad with numbers, and things that happen like  
10 that because I'm like, you know, I'm not like recording everything  
11 in my mind, so I'm just making -- believe me, I'm making sure that  
12 I'm not trying to like flip the things. Anything you need to know  
13 and go like (indiscernible), I can go my bank account, my email  
14 and I can tell you like my schedule, and so exactly what I did  
15 because I have like -- I can't remember. Morning of the  
16 accident --

17 Q. Yes, do you recall what time you woke up? Same time and  
18 we've got the same schedule?

19 A. No, that time of the accident I woke up like 6:45, yeah,  
20 yeah. That's my alarm. And let me double check it just to make  
21 sure.

22 Q. Um-hum.

23 A. Look at this. I have my 6:45, and my 7:00 alarm.

24 Q. I do the same thing. I did that this morning.

25 A. Oh, I remember, you flew from Washington to here, right? It

- 1 was today?
- 2 Q. We all flew in yesterday, but, no, I always if I have to --
- 3 A. Oh, you --
- 4 Q. -- be somewhere --
- 5 A. -- all were from Washington?
- 6 Q. -- I always set two alarms. We're based out of Washington.
- 7 A. Oh, okay. Nice. Okay.
- 8 Q. All right. Woke up at 6:45. Normal morning for you?
- 9 A. Yeah.
- 10 Q. How did you feel when you woke up?
- 11 A. Perfect.
- 12 Q. Great.
- 13 A. What I did different, nothing. I just drink my water bottle.
- 14 Nothing. Nothing different.
- 15 Q. Okay. Did you have breakfast?
- 16 A. Yeah, at the hotel I had eggs. They do like stuff new with
- 17 eggs and cheese, so --
- 18 Q. Like an omelet, okay.
- 19 A. Like a dip. Like a dip.
- 20 Q. Oh, a dip.
- 21 A. Yeah, yeah, so I just ate it with a small muffin and what
- 22 else -- I think it was a coffee. No, no, it wasn't a coffee, it
- 23 was oranges, yeah. (Indiscernible) nice, nice, it's nice.
- 24 Q. And when you were in between flights, did you have lunch on
- 25 the airplane?



1 A. Yes, as soon as we got to the Dominican Republic, I ate  
2 there. I think it was chicken breast with -- chicken breast and  
3 something else. I can't remember. It was like vegetables and  
4 potato, mashed potato or something, I think it was.

5 Q. And at the beginning of the leg that you were flying, how did  
6 you feel?

7 A. Good.

8 Q. Okay.

9 A. Good. Great.

10 Q. Tired at all?

11 A. No.

12 Q. Have you ever talked to a doctor about concerns with sleep or  
13 feeling like you had a sleep disorder?

14 A. No. The only time that I had this like sleep, like disorder,  
15 was when -- during the pandemic like whole day home, and like you  
16 were doing bunch of stuff, and then the last thing like you did  
17 was like sleep, and then I'm like I fall sleep at 2:00 p.m., and  
18 then you wake up like 5:00 at night you couldn't sleep, but I  
19 remember, you know, like I always have like this -- not argues,  
20 but like difference, like topics with my mom and my wife because  
21 I'm like -- I'm so like accepting of everything, and I'm like,  
22 okay, I got two months before, you know, I have like seven  
23 nephews, and three sisters, my wife, my mom. Just like girls,  
24 girls, girls, so, you know, they always have like troubles between  
25 them and stuff, so I try to like keep like out of those stuff, so

1 I'm like, let me tell you something, I started flying like a  
2 couple of months, and I want you guys to be like chilling, don't  
3 be like bothering me because it's my job, and I worry about my --  
4 like my mental health because for the aviation, like no one wants  
5 to like die in a plane crash or whatever because of fatigue or  
6 like you were thinking about, oh, my wife did this to me this  
7 morning or whatever. Actually my wife, like we have together  
8 almost two years, and I remember the first nights over when it was  
9 like, okay, this is what I do, this is how important this is to  
10 me. If you think -- like I can tell you, like -- you can ask her.  
11 Everyone, you can ask her, I told her if you think like you cannot  
12 like behave and like manage your stuff like other girls, like just  
13 tell me right now because I can't be with a person that is like  
14 worried, like calling me every single five minutes. Trust me.  
15 When I land in a place, I call you. That's it, so don't be like  
16 bothering me like calling me like, oh, what happened, or telling  
17 me like nitty stuff about like, oh, I'm so afraid of the planes,  
18 what if something happened to you. I don't want nasty stuff out  
19 of my life. Even my mom was like that, and when I started flying,  
20 she just like relaxed and she never talked to me about like stuff  
21 like, oh, be careful, I don't want you to die in a plane crash,  
22 but she's always like (indiscernible) since I started working in  
23 this --

24 Q. Great.

25 A. Sorry, in this company. I put them all in like straight

1 line. Like I need your support, and nothing wrong is going to  
2 happen to me, and I just need positive stuff because it's not like  
3 they were like fighting or whatever, but like, you know, it's like  
4 -- I don't know, you know how aviation is, and maybe 70 percent of  
5 the people (indiscernible) of the planes, and when someone cares  
6 about you, they're like, oh. My mom and my wife are always making  
7 sure that I eat, no matter if I ate -- they say you eat? I'm like  
8 yeah. You good? Yes, I'm fine. She like I'm good.

9 My mom is always like praying for me and stuff. She's  
10 Christian, so she's always like praying, doing stuff, like good  
11 stuff for me, so I'm like whatever. I have my -- the things that  
12 I -- my own stuff, but I accept any good things from anyone. It  
13 doesn't matter if you are atheist or if you are a Christian or if  
14 you are catholic. I accept everything, every -- all the good  
15 things that people wants or feels towards me.

16 Q. Right. Well, good news. I only have one more question for  
17 you.

18 A. All right. I think I have like a long response for the  
19 questions. I'm sorry if I talk too much.

20 Q. That's okay. That's okay. If I could remember what it was  
21 now.

22 A. Actually I just want to help like as much as I can, so  
23 anything, like anything you want to ask me like I'm open to answer  
24 it.

25 Q. And we really appreciate it.

1 A. No, no, to be honest, like what happened, happened, and we  
2 can't reverse that, and if my declarations can help to improve the  
3 aviation safety, you know, like maybe I'm not going to fly planes  
4 for like a period of time, but I hope that when I go back to a  
5 plane, it (indiscernible) as a pilot or whatever happened from now  
6 on I want to be safe because it falls that only the pilots are  
7 (indiscernible) after an accident, so all the people that's inside  
8 the plane or in the ground are going to be compromised, like  
9 jeopardized, so if what I -- what happened to us yesterday can  
10 help to improve the aviation safety, I'm on your hands. Like  
11 anything to you need.

12 Q. Thank you. When you're not working, what is your -- what is  
13 the normal time that you wake up in the morning, and what time do  
14 you typically go to bed?

15 A. That's my clock, 7:00, maybe 20 more minutes. Sometimes I  
16 just go out and have something to eat, and my family, or we just  
17 go to a birthday party of my family. Just like to be honest, my  
18 wife, we are so like -- we get along so good, and she works from  
19 Monday to Monday. She doesn't have like this day off, so her day  
20 off is a Monday, and we don't have like nice weekends or whatever,  
21 like she doesn't drink. Like she has like gastritis so she can't  
22 drink, also, so she can't like even eat like fried stuff because,  
23 you know, so we most of the time, my pastime is like we go to the  
24 gym. She tries, too. We go to the gym. Sometimes like after gym  
25 we just go grab some meat and cook it in the barbecue. We just

1 call my mom. I like to cook and stuff, so I'm always like cooking  
2 different stuff, like different plates from different countries,  
3 so I find like recipes online.

4 I remember one day I just -- I bought here like three bottles  
5 of wine just to get it back home, and it was like in February or  
6 something, and the bottles are still like intact. Like I was  
7 supposed to get a meal with it, and it was like we're not getting  
8 it, like we're not drinking it, so we just invite the mom,  
9 Mother's Day. Yeah, we just give it to my mom, my sister. My mom  
10 and two of my sisters because the other one doesn't drink, so I  
11 ask like a normal daily basis. Clean my house, walk the dogs. I  
12 usually stay on the computer, go to simulator, practice some  
13 stuff, or play some games with friends, like --

14 Q. Okay.

15 A. -- chess or whatever, but, yeah, I just spend the whole day  
16 at home. Go -- sometimes we go to my mom's house because she  
17 lives like 5, 10 minutes from my house walking, so, yeah.

18 Q. Great. And just to wrap that up, when do you think you  
19 typically go to bed?

20 A. Typically I just go to bed around -- when I'm on my days off,  
21 I just go to bed like around, yeah, like around between 10:00 and  
22 12:00, like 10:00, 11:30, because my wife has to wake up at 5:00  
23 a.m. to go to work, so I don't want to be like on the TV like  
24 disturbing her or Netflix or whatever, so we just get like the  
25 same sleeping time more or less so when she wakes up in the

1 morning, she text me like 6:00 a.m., and then I wake up I see the  
2 messages, like 6:40, something, and that's a daily basis.

3 Q. Thanks, Pablo. That's all that I have.

4 BY MR. ABRAMS:

5 Q. All right. Pablo, I really am finished, but I've got one  
6 question.

7 A. Okay.

8 Q. When we listen to the cockpit voice recorder --

9 A. Huh?

10 Q. When we listen to the cockpit voice recorder into the lab in  
11 Washington, are you and the captain going to be speaking Spanish  
12 to one another or --

13 A. Yeah, yeah, you going to find some things in Spanish.

14 Q. Okay.

15 A. For instance like the call outs --

16 Q. Okay.

17 A. -- is going to be in English, like -- like I said, tell him,  
18 like when we (indiscernible), or my last, like stuff like that,  
19 you know, but then I feel like when I heard this (indiscernible),  
20 it's like, man, we're fucked. That's when we were sliding down  
21 the runway. You cannot hear that -- you can write that down.  
22 Like I'm pretty sure you're going to hear that, (indiscernible).  
23 You're going to -- you got to make it sound -- you're going to  
24 remember that when you do the research.

25 Q. Yeah.

1 A. Yeah.

2 Q. Comments --

3 A. Actually, too, you're going to hear that like when I tell him  
4 that I'm going to disconnect the auto pilot. Auto pilot  
5 disconnect, auto pilot you're going to hear it.

6 Q. Pablo --

7 A. Everything, everything.

8 Q. -- I want to thank you for coming in today.

9 A. No, thank you, guys.

10 Q. You've been very informative. You've opened up your heart  
11 really just to tell us what was going on with you and we  
12 appreciate it more than you know, so my computer says my time is  
13 up, so --

14 A. Oh, you had it like -- okay.

15 MR. ABRAMS: No, no, anyway, but thank you so much. Is there  
16 anything you would like to close with?

17 MR. PENA: No, thank you for coming here and thank God like  
18 we're still alive to give these declarations and you don't have to  
19 work for like years or months to find what actually happened in  
20 the cockpit because I think, okay, the black box is like perfect,  
21 but it doesn't have like a fuller like aspect of what exactly  
22 happened from our point of view, and actually maybe like -- maybe  
23 I thought that things happened like I did, but maybe happened  
24 different, but maybe when we hear like something, I can't remember  
25 that or whatever, I'm telling you what I remember, everything, but

1 it doesn't say like I'm -- I did a -- I'm say exactly 100 percent  
2 everything that happened, like, you know, like back to back, it is  
3 impossible, like there's no way.

4 DR. WILSON: Absolutely.

5 MR. PENA: But I hope like every -- the information that I  
6 gave here is the most accurate to what you hear in the box. I  
7 don't know if after we going to hear it or whatever, I think is  
8 classified information. I don't know what's going to happen, but  
9 my point with all of this is to help to see what happened, and if  
10 you need anything from me, just contact me through the company,  
11 whatever, like any questions, any time like I have no problem like  
12 at all. I'm open, like -- and if you need any other question,  
13 whatever, whatever personal, about the plane, about what happened,  
14 whatever, like anything, ask me. I'm telling --

15 MR. ABRAMS: You have our business cards there. Reach out  
16 to --

17 MR. PENA: I have. Yeah, I have.

18 MR. ABRAMS: Yes, you reach out to us as well, so --

19 MR. PENA: Oh, okay.

20 MR. ABRAMS: All right. I'm going to stop the recording.

21 MR. PENA: If I have any other information that I can help,  
22 I'm going to --

23 DR. WILSON: That'd be great.

24 MR. PENA: -- be contacting you.

25 (Whereupon, the interview was concluded.)



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CERTIFICATE

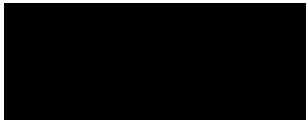
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NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: MD-82 GEAR COLLAPSE & RUNWAY  
EXCURSION ACCIDENT IN MIAMI,  
FLORIDA ON JUNE 21, 2022  
Interview of Pablo Pena

ACCIDENT NO.: DCA22FA132

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.



---

Lois D. Rush  
Transcriber