



1 Q. That -- whenever you got there I guess  
2 it was in the morning?

3 A. Yes, sir.

4 Q. Okay. You were provided with a waiver  
5 and release agreement at the Workforce office that  
6 morning?

7 A. So yes, sir, yeah. And they had told  
8 us that that was just for video and they were  
9 gonna be -- they said there were gonna be a few  
10 news crews there videoing and photography. That  
11 was just -- they told us that it would just be a  
12 release for that. We were kind of in a rush  
13 because we had kind of -- some people were late  
14 from what they were telling us and so yeah.

15 Q. Okay. But your understanding was that  
16 you were gonna be going up in an airplane in some  
17 form or fashion, correct?

18 A. No, sir.

19 MR. BISSETTE: Objection.

20 Q. Oh. What did you understand was gonna  
21 be happening?

22 A. They told us that we were gonna be  
23 learning about the different careers in the field  
24 of aviation, like I said earlier, with  
25 communications --

1 Q. Right.

2 A. -- air traffic control, the mechanics  
3 of it. They did say that there would be a small  
4 portion that would be about the piloting because  
5 by that point they had kind of told us that we  
6 were going -- that we weren't going to do  
7 Fayetteville Regional Airport that we're going to  
8 the Cape Fear Aviation. They did say that they  
9 did offer some programs for piloting and that they  
10 would kind of talk to us about that, give us more  
11 information when we got to Cape Fear Aviation.

12 Q. Okay. So your -- your testimony today  
13 is that Mr. Howell never said anything about you  
14 flying in an aircraft?

15 A. Yes, sir.

16 Q. Okay. And who provided you with the  
17 waiver and release agreement?

18 A. It was Mr. Howell.

19 Q. Okay. And it wasn't just you; it's  
20 whoever was there that was gonna participate in  
21 the program?

22 A. Yes, sir.

23 Q. Okay. And after providing those to you  
24 you signed it, correct?

25 A. Yes, sir.

1 Q. Okay. And you printed your name after  
2 your signature?

3 A. I think it was before the signature  
4 from what I remember.

5 Q. Oh.

6 A. I was provided a copy of that waiver.

7 Q. Uh-huh.

8 A. I looked over it. I think that may  
9 have been how it was done.

10 Q. Okay. And did you -- you dated it that  
11 day that you signed and read it?

12 A. Yes, sir. So again, I was completely  
13 rushed during that time and --

14 Q. Who rushed you?

15 A. It was Mr. Howell and the other --  
16 there was another individual with Mr. Howell who  
17 was helping out assisting for that day.

18 Q. Okay. Who was that?

19 A. I do not remember his name.

20 Q. Okay. What was rushed?

21 A. They said that we were kind of running  
22 behind time and we -- because I think it was  
23 scheduled for an allotted time and we were kind of  
24 going over the time that we were supposed to have  
25 already left.

1 Q. And so they told you that they were in  
2 a rush or that they made you feel like you were in  
3 a rush?

4 A. Yes, sir.

5 Q. Okay. But you were able -- I mean,  
6 they provided you with a copy of the agreement,  
7 correct?

8 A. No, they just gave us the copy to sign.

9 Q. Right, that's what I'm saying. They  
10 gave you a copy of the agreement, right?

11 A. Yes, sir.

12 Q. Okay. Did you ask for more time to be  
13 able to look over whatever you felt was necessary?

14 A. No, sir, and I probably should have but  
15 I did not.

16 Q. Okay. All right. So what happened  
17 when you all got into the van?

18 A. They just transported us to Cape Fear  
19 Aviation.

20 Q. How many were with you?

21 A. I do not remember the exact number but  
22 I think it was maybe probably a little bit less  
23 than 20. Maybe 15 -- 15 to 20. I'm not sure.

24 Q. Okay. What happened when you got  
25 there?

1           A.       So when we got there we parked and then  
2 we walked over to a hangar -- a hangar that they  
3 had kind of put some tables in. We went in.  
4 People that -- the people that were gonna be  
5 providing the clinic they all introduced  
6 themselves and their positions. Let me see. Then  
7 after that we were given a small toy plane to kind  
8 of put together and so we did that activity. And  
9 then after that we were kind of broken up into  
10 different groups. And then that's kind of what  
11 started everything the day.

12           Q.       What group were you in?

13           A.       The first group I was in was the -- the  
14 mechanics group.

15           Q.       Okay.

16           A.       And that was actually taught by -- what  
17 was his name. I think he said his parents owned  
18 the air -- the -- the Cape Fear Aviation.

19           Q.       Okay. Scot Smith?

20           A.       I think so, yes, sir.

21           Q.       Okay. And what did Mr. Smith do?

22           A.       He went over a few things about  
23 different things, aviation mechanics. He showed  
24 us the -- I think there was some panel boards that  
25 they had for student display -- no, for students

1 to work on when they came through FTCC for the  
2 mechanics part.

3 And then he also introduced us to  
4 another mechanic that was in the back of the  
5 hangar. He was kind of working on -- he was  
6 working on a plane that was in the back of that --  
7 kind of in the back of the hangar. And he -- you  
8 know, he allowed us to go see what he was working  
9 on and he explained a little bit more in depth of  
10 what he was doing and that was pretty much --  
11 pretty much it.

12 Q. Okay. And who was in that group with  
13 you?

14 A. I do not remember everyone. No --  
15 well, actually it was -- it was actually a guy  
16 named Damaris (phonetic) because I actually  
17 remembered him from Fayetteville State. We were  
18 both communication majors.

19 Q. Uh-huh.

20 A. There was a -- kind of a younger guy.  
21 I don't know -- I don't remember his name. And  
22 the other assistant that was helping out Mr. --  
23 Mr. Howell.

24 Q. Okay.

25 A. I don't remember his name.

1 Q. And so Damaris was also in the program?

2 A. Yes, sir.

3 Q. All right. So after you completed that  
4 portion with Mr. Smith on the mechanics area what  
5 happened next?

6 A. I want to say it was time for lunch and  
7 then by that time everyone had kind of came back  
8 in. They provided us with pizza and drinks.

9 Q. Okay. And you knew that there were  
10 some other participants taking -- going up in  
11 aircrafts?

12 A. Not at that time. I did not know that  
13 they were going up, but they did say that they  
14 were giving -- that there would be a portion of  
15 the clinic that would focus on piloting.

16 Q. Uh-huh.

17 A. And so I didn't -- you know, I -- I  
18 wasn't making that connection at that time that.

19 Q. Who told you that?

20 A. I believe it was Elayne that -- Elayne  
21 Humphrey that did all of the -- that did most of  
22 the talking that day.

23 Q. Okay. Did you see any aircraft taking  
24 off or landing or --

25 A. No, sir. I was inside the hangar for



1 that first part.

2 Q. Okay. And lunch was that with  
3 everybody together?

4 A. Yes, sir.

5 Q. Okay. Did anything take place while  
6 you were having lunch? Was any other part of the  
7 program or presentations made?

8 A. No, sir. No, sir. There were a lot  
9 more of employees of the NC EDSI program. They  
10 did kind of come by and see what was -- you know,  
11 just to see what was going on. They took some  
12 photos I believe. I think that was pretty much  
13 it, yeah. Nothing really -- nothing as far as  
14 anything dealing with the aviation actually took  
15 place during that time.

16 Q. Okay. Do you remember any of the names  
17 of any other EDSI folks that were --

18 A. I did not know. I did not know any of  
19 their names.

20 Q. Okay. The only one that you knew is  
21 Mr. Howell?

22 A. Yes, sir.

23 Q. And he was there?

24 A. Yes, sir.

25 Q. What was he doing?

1           A.       He was eating along with us.

2           Q.       Was he -- what was he doing while you  
3 were in the mechanics group?

4           A.       He was in another group which took  
5 in -- I think his group they were outside of the  
6 hangar so I'm not sure which part.

7           Q.       Okay. All right. So what happened  
8 after lunch?

9           A.       After lunch we broke back up into our  
10 groups. Then we went outside. We -- let me see.  
11 After that we went outside and we talked about the  
12 different ways to obtain a pilot's license. They  
13 showed us the testing facility. And then we also  
14 went into the hangar in the back and we were just  
15 kind of, you know, talking about different things  
16 for aviation.

17                   By that point a young lady who was  
18 actually working on getting her -- obtaining her  
19 own personal pilot's license she came out. We  
20 actually walked through the preflight checklist  
21 with her. And then after she kind of took off it  
22 was kind of time for -- that was when we  
23 transitioned groups -- transitioned --  
24 transitioned. And that is when I found out that,  
25 you know, we were given the opportunity to go up

1 in the aircraft.

2 I was kind of hesitant about going up  
3 in the aircraft because, you know, I'm from the  
4 country. You know, I -- I've heard many accidents  
5 of smaller planes going up and crashing, you know,  
6 being potentially fatal. So I was kind of  
7 hesitant about it. But Ms. Humphrey and the other  
8 young lady that worked with Cape Fear Aviation  
9 they kind of, you know, persuaded me, told me kind  
10 of, you know, go ahead and just give it a try.  
11 And then also some of the other people that had  
12 just landed they were telling about the views and  
13 everything that you can get when you go up. And,  
14 you know, all of that really didn't impress me  
15 but, you know, they were kind of pressuring,  
16 pressuring me. So eventually I gave in and  
17 decided to go ahead and go up on the aircraft.

18 Q. Who was pressuring you?

19 A. Other individuals that were there.  
20 Ms. Humphrey. There was another younger lady  
21 along with Ms. Humphrey. I forgot her name. She  
22 was kind of -- she looked maybe to be a little  
23 Asian maybe, mixed or whatever. I'm not really  
24 sure of her race. I forgot her name. But she  
25 was -- she was also a -- in the process of earning

1 her -- her pilot's license and she was telling me  
2 about, you know, young people with a -- with the  
3 age of -- because I think she was around my age.  
4 I think she said that she had a visual arts degree  
5 or something like that and she was telling me  
6 about how the piloting there was so much more  
7 money and that the different things that you can  
8 do with a pilot's license and things of that  
9 nature.

10 Q. Okay. And what kind of pressure did  
11 they apply to you?

12 A. You know, they were just -- just -- you  
13 know, just constantly hey, you know, you should  
14 try it out, you should go up. And I was -- you  
15 know, like I said, I was really reluctant about  
16 going up but they kept saying oh, well, you should  
17 try it out, just give it a try, just give it a  
18 shot, come on you know you can do it. Just, you  
19 know, things like that.

20 Q. Okay. But you knew you didn't have to  
21 go up, right?

22 A. Yes, sir. Like I said, I was very  
23 reluctant about it but then eventually, you know,  
24 as they, you know, kept pressuring me, kept  
25 pressuring I eventually went on and, you know,

1           A.       They kept, you know, saying, oh, you  
2 know, you should give it a try, you know, go ahead  
3 and get in, you'll see some great views of the  
4 area, different things like that.

5                    I've been on a plane before, you know,  
6 commercial flights. You know, those are fine. I  
7 love the views. Those are spectacular views. But  
8 that's kind of I guess what they were kind of  
9 pushing really the views and different things, the  
10 experience pretty much.

11           Q.       Okay. And you knew there was some  
12 participants that didn't go up in planes that day  
13 with Aviation Day, right?

14           A.       No, sir.

15           Q.       You didn't know that?

16           A.       No, sir.

17           Q.       All right. So who was with you when  
18 you finally made the decision to get on the plane?

19           A.       Let's see. Elayne was -- she was  
20 having a conversation with me. The other young  
21 lady who I don't know her name she was with -- she  
22 was around, you know, giving the same talk. And  
23 then that was -- it was pretty -- that was pretty  
24 much it.

25           Q.       Okay.

1           A.       Everyone else was pretty much already  
2 up in the -- actually Jake had came over. My bad.

3           Q.       Okay. Had you -- you're talking about  
4 Jake Parsons?

5           A.       Yes, sir.

6           Q.       Had you talked to Mr. Parsons earlier  
7 that day?

8           A.       No, sir.

9           Q.       Okay. And what did Mr. Parsons tell  
10 you?

11          A.       He really didn't say too much. He was  
12 just -- he didn't say -- he really didn't say a  
13 lot. He was -- he was just kind of in his own  
14 little world, you know, watching things going on  
15 taking place.

16          Q.       And what were you told if anything  
17 prior to getting into the plane?

18          A.       Like I said, it was just the -- the --  
19 you know, the pressure of you should go up, you  
20 should give it a try, things like that.

21          Q.       So you weren't given any instructions  
22 prior to getting into the plane about what to do  
23 or not to do?

24          A.       No, sir.

25          Q.       How about prior to coming -- or prior

1 to this time when you were getting ready to get on  
2 the plane were there any other instructions given  
3 during your morning session or during lunch or any  
4 other time during that day prior to the flight?

5 A. Mr. -- I think you said his name was  
6 Scot, right?

7 Q. Uh-huh.

8 A. So he did say, you know, before every  
9 flight whenever a plane is off, you know, you do  
10 have to redo your preflight checklist and  
11 everything before you take off. That was pretty  
12 much it. He also said, you know, don't touch the  
13 propeller because that could possibly, you know,  
14 crank up the plane and cause serious injury.

15 Q. Okay. So he went over a preflight  
16 checklist?

17 A. Uh-huh.

18 Q. Is that a yes?

19 A. Yes, sir.

20 Q. Okay. And he instructed everybody not  
21 to touch the propeller?

22 A. Yes, sir.

23 Q. All right. Once you were inside the  
24 aircraft did Mr. Parsons tell you anything?

25 A. He told me about the seat belt. He

1 told me --

2 Q. What about -- what about the seat belt?

3 A. Just to make sure I put it on, how to  
4 buckle it.

5 Q. Okay.

6 A. The headset, you know, he said just put  
7 it on. He went over the steering wheel. Well, he  
8 said, you know, steering wheel; he said it's kind  
9 of like a car, you know. And they had kind of  
10 went over that earlier that day about, you know,  
11 different -- you know, about the steering wheel  
12 and everything.

13 Q. Hold up. Who went over it earlier that  
14 day, Mr. Smith?

15 A. Yes, sir.

16 Q. Scot Smith?

17 A. Yes, sir.

18 Q. So he talked to you earlier about the  
19 steering wheel and then Mr. Parsons mentioned it  
20 again?

21 A. Yes, sir.

22 Q. Okay. And before I get too far along,  
23 who else was in the plane with you besides  
24 Mr. Parsons?

25 A. By that time Dominique and -- well,



1 Dominique and Vanessa were the first ones to get  
2 into the plane.

3 Q. Okay.

4 A. They wanted to go up again.

5 (Interruption.) (Court Reporter requests  
6 clarification for the record.)

7 A. Dominique and Vanessa those were the  
8 first two people in the plane because they wanted  
9 to go back up for a second trip.

10 Q. And did they also encourage you to --  
11 to take the flight with them?

12 A. Yes, sir.

13 Q. Okay. Did you know Dominique or  
14 Vanessa prior to this Aviation Day event?

15 A. No, sir.

16 Q. Had you been -- had either one of them  
17 been in your earlier group the mechanics group?

18 A. No, sir.

19 Q. Okay. So after you got in the plane  
20 and you said Dominique and Vanessa were already in  
21 the plane, correct?

22 A. Yes, sir.

23 Q. And Mr. Parsons went over the seat  
24 belt; is that right?

25 A. Yes, sir.

1 Q. And the headset?

2 A. Yes, sir.

3 Q. And the steering wheel?

4 A. Yes, sir.

5 Q. Okay. What happened next?

6 A. I kind of joked with -- with Jake. You  
7 know, I told him, you know, Jake from State Farm I  
8 hope I'm in good hands. So then by that time he  
9 was kind of making sure everything was right, was  
10 okay. Told me, you know, everything will be  
11 great. He said, you know, he had been flying for  
12 I think it was about a year or so prior. And so  
13 that was pretty much all that was said. And then  
14 we kind of proceeded for takeoff -- well,  
15 proceeded to the runway.

16 Q. What happened next?

17 A. He asked if I would like to drive it to  
18 the runway. I told him I was kind of skeptical  
19 but I told him, you know, sure, why not, I mean,  
20 that --

21 Q. You told him -- you told him you were  
22 skeptical?

23 A. Yes, sir.

24 Q. Okay.

25 A. But he assured me.

1 Q. But you drove it to the runway is what  
2 you're telling me?

3 A. Yes, sir. He assured me everything  
4 would be fine because it wasn't that far we had to  
5 go to get to the runway. So he said once we  
6 got -- once we got on the runway he would kind of,  
7 you know, line up everything and make sure  
8 everything was okay.

9 Q. Okay. All right. So after you got to  
10 the runway what happened?

11 A. We got the clear for takeoff. He did  
12 tell me, you know, once we got to a certain speed  
13 it kind of get ready for takeoff. I think it was  
14 to -- I think it was either push back or push in  
15 for -- I don't remember exactly which way it was.  
16 But he said whichever -- whichever way it was he  
17 said that will kind of cause the plane to get  
18 ready to go up. He said I think it was between 50  
19 and 70 miles per hour, 75, 80 miles per hour,  
20 something around there. He said during that time  
21 that was when, you know, he would instruct me on  
22 how to either push in or pull out. I forgot which  
23 one it was. I'm not sure.

24 Q. Okay. So he told you either to push in  
25 or pull out but you don't remember?

1           A.     No. I -- I don't remember. Yeah, I  
2     don't remember which one it was that he told me  
3     which one it was.

4           Q.     Okay. All right. So what happened  
5     next?

6           A.     We got clearance for takeoff. We  
7     started down the runway. Once we got to roughly I  
8     think it was about 75 miles per hour he instructed  
9     me on, you know, takeoff procedure. Again, I  
10    don't remember if it was to push in or pull out,  
11    but whichever it was -- whichever one it was I --  
12    you know, I slowly did it. He said do it slowly.  
13    And that is when we proceeded to take off into the  
14    air.

15          Q.     Okay. Did you hear anything from  
16    either Vanessa or Dominique during this time?

17          A.     No, sir.

18          Q.     Okay. So your -- your testimony today  
19    is whatever Mr. Parsons told you to do you did it?

20          A.     Yes, sir.

21          Q.     And you all achieved liftoff into the  
22    air?

23          A.     Yes, sir.

24          Q.     Okay. What happened next?

25          A.     So we were going up and then we kind

1 of -- I mean, I was used to, you know, when a  
2 plane takes off, you know, to tilt back but the  
3 plane kind of tilted too far back and I think we  
4 were going in an upright position because the only  
5 thing I could see was, you know, straight up the  
6 sky. And that is when we all kind of started  
7 screaming, myself, Dominique and Vanessa.

8 Q. Okay. Were your hands still on the  
9 steering wheel?

10 A. No, sir.

11 Q. Okay. When did you take them off?

12 A. When we kind of started going straight  
13 up because by that time I was kind of, you know,  
14 freaking out, you know, yeah.

15 Q. Okay. So as the plane lifted off your  
16 testimony is that your hands were still on the --  
17 on the wheel?

18 A. Yes, sir, as it lifted off.

19 Q. Okay. And then how long do you think  
20 after liftoff did you continue to have your hands  
21 on the wheel?

22 A. Not long. Probably -- not long.

23 Q. A couple of seconds?

24 A. Yes, sir. Yeah, I would say a couple  
25 of seconds.

1 Q. Okay.

2 A. Because that's when it kind of  
3 transitioned into going straight up and I was, you  
4 know, freaking out at that point -- by that point.

5 Q. Did Mr. Parsons tell you anything  
6 during this time?

7 A. He did say that he was in the process  
8 of trying to regain control. He said that he kind  
9 of lost control.

10 Q. Okay.

11 A. For me to kind of make sure that my  
12 hand -- make sure I didn't touch anything.

13 Q. Okay. How about Vanessa or Dominique  
14 were they saying anything during this time?

15 A. No, they were still screaming.

16 Q. And so all that you're saying  
17 Mr. Parsons said that he was trying to regain  
18 control?

19 A. Yes, sir, and that for me not to touch  
20 anything.

21 Q. Okay.

22 A. He was regaining control.

23 Q. All right. What do you remember next?

24 A. Then we kind of started going down.  
25 And that's when, you know, screaming really

1 intensified because we were -- you know, we're  
2 looking at the ground getting closer and closer  
3 and closer. And, you know, Jake he was -- I'm not  
4 sure what he was doing, but I think out of my  
5 peripheral I remember him, you know, trying to  
6 regain -- just regain control of the airplane.  
7 Because at that point, like I said, we were going  
8 down. There was a bunch of alerts going off on  
9 the -- I guess the dashboard, the control panel or  
10 whatever. Yeah.

11 Q. Okay. And what do you remember  
12 happened next?

13 A. We just crashed into the ground is  
14 really all I remember.

15 (Interruption.) (Court Reporter requests  
16 clarification for the record.)

17 A. We crashed into the ground.

18 Q. All right. After the impact what's the  
19 next memory that you have?

20 A. I remember blacking out for a little  
21 bit. And then when I kind of came to it kind of  
22 hit me, you know, I was in a plane. So I was  
23 like, you know -- you know, most planes usually  
24 when they hit the ground, you know, they usually  
25 catch fire, things like that.

1                   And so I'm not sure how I got out of  
2 the seat belt or I got out. I -- I remember --  
3 well, I don't remember getting out of the seat  
4 belt. I'm not sure how I got out of the plane. I  
5 think I may have punched a window or something,  
6 cracked the window out because I do still have  
7 scars on my hand and everything.

8                   And so I remember crawling -- crawling  
9 out and I kind of went back towards the runway,  
10 the pavement -- the pavement -- paved runway. By  
11 that time, you know, I heard people screaming.

12                   Elayne and them -- Elayne and other  
13 people, you know, they were saying don't try to  
14 stand up or anything like that, you know, you  
15 might be -- might have some broken limbs. Just  
16 try to, you know, stay where you are. And I  
17 remember telling them I'm fine, I'm fine. And I  
18 tried to stand up and I hit -- hit the ground  
19 again and blacked out until I was on the  
20 ambulance.

21           Q.       Okay. Do you recall anybody helping  
22 you to get out of the plane?

23           A.       No, sir, I don't think.

24           Q.       Okay. But you're saying -- I mean, it  
25 sounds like that understandably so that your



1 memory is not -- I mean, you don't have a precise  
2 memory of what -- what happened after the impact;  
3 is that right?

4 A. Yes, sir.

5 Q. Okay. Do you remember -- you said you  
6 remember Ms. Humphrey's telling you not to get up  
7 or something to that effect?

8 A. I'm not sure if it was her, but I know  
9 she was back -- before we even took off she was  
10 back, you know, at the start of the runway with  
11 the group of other people. And so I'm not sure  
12 exactly who it was that told me that.

13 Q. Okay. Do you recall Mr. Smith being  
14 present at the accident scene?

15 A. Not sure.

16 Q. Okay. All right. And you were taken  
17 to Cape Fear Valley Hospital?

18 A. Yes, sir.

19 Q. Okay. And it looks like you stayed  
20 there approximately a month. Does that sound  
21 about right?

22 A. Yeah, a day short of a month.

23 Q. Okay. Did you have any other  
24 conversations while you were in the hospital with  
25 anybody from either Cape Fear or the Workforce or

1 EDSI?

2 A. Yes. I think Ms. -- I think

3 Ms. Humphrey came.

4 Q. Okay.

5 A. She came by and I think she gave a  
6 statement from which I learned later. Mr. Smith  
7 came by. He was very apologetic about what had  
8 happened. He was saying that, you know, he should  
9 have kind of been, you know, overseeing things a  
10 little bit closer. And then --

11 Q. Hold on. They came separate --  
12 separate events or the same time?

13 A. Separate days, separate times.

14 Q. Okay. And when Ms. Humphrey's came was  
15 there anybody else with you, any of the family or  
16 anybody else in the room?

17 A. Yeah, there were. My aunt and my mom  
18 they were in the room but they kind of walked out  
19 because she did say that she was gonna talk to me  
20 about some things. And my cousin Monique did stay  
21 in the room with me.

22 Q. And when you said that she was gonna  
23 talk did you know that she was recording what  
24 you --

25 A. I did not at the time.

1 Q. Okay. And Mr. Smith was anybody else  
2 in the room when he came by?

3 A. No -- yeah, my mom actually. Yes, my  
4 mom.

5 And hold on. To correct what I just  
6 said. You said -- can you reask about  
7 Ms. Humphrey and the recording?

8 Q. Yeah. Yeah. Did you know that she was  
9 recording your --

10 A. I did not know at first until she said,  
11 you know, I will be recording this and, you know,  
12 then she asked me to state my name.

13 Q. Okay.

14 A. And it kind of went from there.

15 Q. Okay. And I'm sorry I just forgot.  
16 Who -- was anybody in the room when Mr. Smith came  
17 by?

18 A. My mom.

19 Q. Okay. And was anybody else with  
20 Mr. Smith?

21 A. No, just him.

22 Q. Okay. All right. How about anybody  
23 from EDSI?

24 A. A lot of people from EDSI actually came  
25 by.

1 Q. Okay. Well, before you told me your  
2 only contact prior to this event was with  
3 Mr. Howell; is that right?

4 A. Yes, sir.

5 Q. So who -- did he come?

6 A. Yes, sir, Mr. Howell he did come. It  
7 took him a little while to kind of get emotionally  
8 stable enough to come. But he did reach out via  
9 text a lot.

10 And then I think -- I think  
11 Ms. Rodriguez I think that was her name --

12 Q. Okay.

13 A. -- she came by.

14 Mr. -- Mr. Melvin he did stop by at one  
15 point just because he did say his son was  
16 asking -- like I said, his son was in my group and  
17 me and his son we had a lot of contact, you know,  
18 throughout the school year and everything because  
19 he was one of my kids for Prime Time.

20 Mr. Cogdell came by. Somebody else  
21 came by and I wasn't sure of her name, but they  
22 did say that they were from, you know, EDSI.

23 Q. Okay. How about from the Workforce  
24 board or anybody associated with them?

25 A. I'm not sure. I think maybe the person

1 that I don't know that could have been somebody  
2 from that -- from there.

3 Q. Okay. And I'm assuming was your mom or  
4 aunt or maybe everybody, but you had somebody kind  
5 of with you most of the time?

6 A. Yeah, most of the time.

7 Q. Okay. But there were some occasions  
8 where you were just there on your own because they  
9 were working or --

10 A. Yes, sir.

11 Q. -- doing whatever?

12 A. Yes, sir.

13 Q. Okay. And after being treated at Cape  
14 Fear Valley for that month when you were  
15 discharged where did you go?

16 A. I went back home.

17 Q. Okay. To the same address with your  
18 mother and grandmother?

19 A. Yes, sir.

20 Q. Did you talk to any law enforcement?

21 A. No. Oh, my cousin he's a sheriff. He  
22 just kind of asked about, you know, how -- how was  
23 I doing, things like that. And then I think my  
24 mom had asked him about an accident report or  
25 anything for it.

1 Q. Okay.

2 A. They wanted to kind of, you know, see  
3 what exactly had happened.

4 Q. Your mom asked about an accident  
5 report. Asked -- she asked who your cousin?

6 A. Yes, sir.

7 Q. Oh, okay. And what's his name?

8 A. Cedric McLeod.

9 Q. And he's with Cumberland County?

10 A. Yes, sir.

11 Q. And he's a deputy sheriff?

12 A. Yes, sir.

13 Q. Does he still work for the sheriff's  
14 department?

15 A. Yes, sir.

16 Q. And did he do an accident report?

17 A. No, he said that there was not one to  
18 be found yet and that it would take a while  
19 because it was an aircraft accident and that the N  
20 -- what is it, NTSB would --

21 Q. Right.

22 A. -- have to release the report.

23 Q. Okay. Did you speak to anybody from  
24 the NTSB?

25 A. No, sir.

1 Q. Okay. Did you ever receive any kind of  
2 accident report from your cousin Mr. McLeod --  
3 Deputy McLeod?

4 A. No, sir.

5 Q. Did you speak any more with either  
6 Ms. Humphrey's or Mr. Smith?

7 A. No, sir. They did -- well,  
8 Ms. Humphrey she actually came a few times with  
9 the other young lady --

10 Q. Okay.

11 A. -- from the -- from Cape Fear Aviation.  
12 She came a few times to visit me and Vanessa while  
13 we were in the hospital.

14 Q. Okay. Did you ever speak with Vanessa  
15 about the accident?

16 A. No. She came by one time when I was in  
17 rehab and this was right before she was  
18 discharged, but we never spoke of the accident. I  
19 think she had came with -- she actually came along  
20 with Ms. Humphrey.

21 Q. Okay. So she was discharged prior to  
22 you being discharged?

23 A. Yes, sir.

24 Q. Okay. And how about Dominique Ms.  
25 Northcutt did you speak with her at all after the

1 accident?

2 A. No, sir.

3 Q. So prior to you filing this lawsuit  
4 tell me who if you can remember that you spoke  
5 with about this accident after being discharged  
6 from Cape Fear Valley Hospital.

7 And one caveat. Obviously I don't want  
8 to know any discussions you've had with your  
9 attorney but I'm just trying to figure out who  
10 else you may have spoken with about the accident  
11 before the lawsuit was filed.

12 A. As far as what -- as far as what do you  
13 mean?

14 Q. Just talking about it, giving details.  
15 You know, I'm assuming you talked with your  
16 family, but I need you to tell me who if anybody  
17 you can remember having conversations with about  
18 the accident.

19 A. Just family. Mostly my aunts because  
20 my mom she had actually sustained a broken  
21 shoulder when she heard of the news. So she kind  
22 of went into a -- I forgot what it was actually  
23 called. But -- but yeah, it was mainly just my  
24 aunts. My Aunt Elise, my Aunt Charlesene McNeill  
25 Blue. My Aunt Delores she actually worked at the



1 hospital so, you know, she was -- she was around  
2 for a lot of the things.

3 Q. What -- what is -- you said her name is  
4 Delores?

5 A. Yes, sir, Delores Hardrick.

6 Q. Hardrick?

7 A. Yes, sir.

8 Q. And what does she do at the hospital?

9 A. She's a nurse.

10 Q. Okay. All right. So your aunts and  
11 your mother. How did your mother sustain a  
12 shoulder injury?

13 A. She received the news and hysteria  
14 because they kind of told her that they didn't --  
15 (audio distortion.)

16 (Interruption.) (Court Reporter requests  
17 clarification for the record.)

18 A. Okay. I guess it was just kind of  
19 hysteria because when they had contacted her said  
20 that they didn't know whether or not, you know, if  
21 I was, you know, gonna make it or just what  
22 because I had sustained a lot of life-threatening  
23 injuries in the accident and I am her only child  
24 so.

25 Q. Gotcha. Okay. So she just kind of

1 passed out or something and hit her shoulder?

2 A. No. When -- when she got the news I  
3 think she said she ran out of -- that she was next  
4 door. She was next door at my grandma's. She was  
5 next door, ran out, missed a step and kind of  
6 landed on her shoulder -- (audio distortion.)

7 (Interruption.) (Court Reporter requests  
8 clarification for the record.)

9 A. Okay. Give me one second. Okay. Is  
10 this better?

11 THE COURT REPORTER: Okay. Let's  
12 try it.

13 A. Okay. She -- when she received the  
14 news she kind of ran out and missed a step and  
15 kind of landed on her shoulder.

16 Q. Okay. Gotcha. And then after you were  
17 discharged were -- were you able to walk?

18 A. No.

19 Q. Okay. So you were in a wheelchair?

20 A. Yes, sir.

21 Q. And you were treated by I think it's a  
22 Dr. Carter?

23 A. Yes, sir.

24 Q. Okay. And he -- he was in  
25 Fayetteville, right?

1 your memory of the time you spent inside the plane  
2 before the crash?

3 A. Can you reask the question?

4 Q. Yeah. How would you describe your  
5 memory of what happened inside the plane before  
6 the accident?

7 A. I think it's -- I think it's pretty  
8 good.

9 Q. You -- do you remember everything that  
10 happened inside the plane between the time of the  
11 takeoff and the accident?

12 A. Just about I would say.

13 Q. Did you ever blackout before the  
14 accident happened?

15 A. I think I may have at -- when we kind  
16 of started tilting up at a 90 degree angle or  
17 straight vertically. I think I may have blacked  
18 out for a quick second.

19 Q. So who -- when you got in the plane  
20 that was near the hangar; is that right?

21 A. It was not near the hangar. It was  
22 near the runway.

23 Q. And you don't recall Mr. Parsons giving  
24 you any instructions before you got into the  
25 plane?

1           A.     No, sir, because he was not supposed to  
2     be -- he was actually not going to fly the plane.  
3     It was actually supposed to be another guy who  
4     flew the plane, but I later learned that that guy  
5     ended up with a headache and so they switched out  
6     at the last minute.

7           Q.     Who did you learn that from?

8           A.     Ms. -- Ms. Humphrey's statement.

9           Q.     The -- when you boarded the aircraft  
10    that day was the engine already running?

11          A.     No, it was off.

12          Q.     And so who turned on the engine?

13          A.     Jake.

14          Q.     And then once the engine was on who  
15    drove the plane down the runway?

16          A.     Jake and myself.

17          Q.     Now, in this plane there are controls  
18    in front of both seats in the front; is that  
19    right?

20          A.     Yes, sir.

21          Q.     Do you know how much control you had  
22    over the aircraft versus Mr. Parsons?

23          A.     No, sir.

24          Q.     And so as the plane proceeded down the  
25    runway before it took off both you and Mr. Parsons

1 had your hands on the controls?

2 A. Yes, sir.

3 Q. And so what were you doing during that  
4 time period where the plane was moving forward  
5 down the runway before it ascended into the air?

6 A. Can you reask the question?

7 Q. Yeah. What were you doing as the plane  
8 made its way down the runway before it took off?

9 A. I was listening for the signal to go  
10 ahead and I'm not sure if it was a push in or pull  
11 back in order to cause the liftoff for the plane.  
12 And so Jake said that he would give me a signal to  
13 let me know when -- you know, when to do either or  
14 to go ahead for -- for liftoff.

15 Q. So when the plane first started moving  
16 where were your hands?

17 A. On the steering wheel.

18 Q. And what does the steering wheel look  
19 like?

20 A. Kind of like a regular steering wheel  
21 but kind of cut off at the top so you don't have  
22 that -- you know, the little thing at the top and  
23 at the bottom. You just have a -- kind of like a  
24 rectangle. There's an opening -- if I can draw  
25 you a picture. I don't even have paper. You

1 know, kind of -- it was -- your -- your hands are  
2 more at the -- I wouldn't say a 10:00 and 2:00 but  
3 more of a 9:00 and 3:00 if that --

4 Q. And so -- sure. And so as you -- as  
5 the plane was moving down the runway were both of  
6 your hands on the steering wheel?

7 A. Yes, sir.

8 Q. And you were waiting for Mr. Parsons to  
9 give you further instructions?

10 A. Yes, sir.

11 Q. And what were the instructions that you  
12 were anticipating that he would give you?

13 A. Just when to do whatever it needed to  
14 do in order to go ahead and cause ascension or,  
15 you know, go up.

16 Q. And so at some point he told you that  
17 he was gonna give you instructions about what to  
18 do with the steering wheel; is that right?

19 A. Yes, sir.

20 Q. And when did he tell you that?

21 A. Right before we got cleared to go for  
22 takeoff.

23 Q. And so you were already in the  
24 aircraft?

25 A. Yes, sir.

1 Q. And what else do you remember him  
2 telling you while you were in the aircraft but  
3 before the plane began moving?

4 A. He told me that everything would be  
5 okay because I did kind of joke with him about,  
6 you know, Jake from State Farm, you know, you  
7 know, I hope that we're in good hands. You know,  
8 he was like, you know, you don't have anything to  
9 worry about, you know. And then he proceeded to  
10 tell me, you know, as we get to a certain speed,  
11 which I believe it was anywhere between 50 and --  
12 75 to 80 miles per hour, he said he would give me  
13 a signal on when to -- I'm not sure if it was pull  
14 back or push up like I keep saying. But anyway,  
15 he said that he would give me that instruction to  
16 go ahead and do that and that would cause the  
17 ascension of the plane.

18 Q. Is there anything else you remember  
19 Mr. Parsons saying to you while you were both in  
20 the aircraft before the plane began moving?

21 A. No, sir.

22 Q. Ultimately the plane does begin moving;  
23 is that right?

24 A. Yes, sir.

25 Q. And was it Mr. Parsons who brought the

1 plane into motion?

2 A. He -- no, he -- yeah, it was actually  
3 both because he told me to -- yes -- actually,  
4 yes, that was him. That was him.

5 Q. But did you play any role in driving  
6 the aircraft down the runway before it took off?

7 A. No, sir. I just drove it to the -- to  
8 the runway.

9 Q. So you drove it from where the plane  
10 was to the runway and then Mr. Parsons took over?

11 A. Yes, sir.

12 Q. And then how long -- once you reached  
13 the runway how long did it take before you were  
14 airborne?

15 A. Wait. Can you repeat the question?

16 Q. Sure. You drive the plane to the  
17 runway; is that right?

18 A. Yes, sir.

19 Q. And then once you arrive at the runway  
20 Mr. Parsons takes over; is that right?

21 A. Yes, sir.

22 Q. And how long was it after you reached  
23 the runway that the plane took off?

24 A. We waited probably about -- it wasn't  
25 that long. I would say probably about two -- two



1 minutes if that.

2 Q. And so -- so did you stop at the  
3 runway --

4 A. Yes, sir.

5 Q. -- and then wait to get clearance?

6 A. Yes, sir.

7 Q. And was it approximately two minutes of  
8 waiting time before you got the clearance?

9 A. Yes, sir.

10 Q. And do you remember anything you said  
11 to Mr. Parsons or that he said to you during the  
12 waiting period for clearance?

13 A. That is when he told me about the wait  
14 till I get -- wait till we get to a certain speed  
15 in order to, you know, help create the ascension  
16 for the plane.

17 Q. Do you remember anything that Ms.  
18 Northcutt or Ms. Leal said while you were in the  
19 aircraft together before takeoff?

20 A. No. I think they were -- they were in  
21 the back. No, I don't.

22 Q. Now, once you received clearance to  
23 begin your way down the runway what happened?

24 A. That is when Jake told me to kind of  
25 make sure I wasn't on any of the pedals, to

1 release the pedals. He proceeded to push the gas.  
2 And he told me to watch the speedometer to  
3 whenever it got to that -- in between 50 to 80  
4 miles -- 75 to 80 miles per hour. And we kind of  
5 got to that point and he gave me the signal to do  
6 whatever. I'm not sure if it was a push in --  
7 again, I'm not sure if it was a push in or pull  
8 out. Did that. And then that's when we proceeded  
9 to take off.

10 Q. How did he give you that signal?

11 A. He said okay now.

12 Q. You remember his -- were those his  
13 exact words?

14 A. I believe so.

15 Q. Did he say anything else?

16 A. No, sir.

17 Q. And so whatever you did, whether it be  
18 pull up or pull out, you did that; is that right?

19 A. Yes, sir.

20 Q. And what happened then?

21 A. We started to gain -- we started to  
22 kind of, you know, proceed to takeoff. We started  
23 to gain -- we were -- we were starting to pretty  
24 much go into the air. And then as we were going  
25 up I'm not sure what happened but that's when, you

1 know, we're going up and then it kind of just kept  
2 going up and eventually, you know, it felt like we  
3 were literally vertically straight vertically in  
4 the air.

5 Q. So I want to back up a little bit. So  
6 you either pull up or pull out whatever he told  
7 you to do and the plane takes off; is that right?

8 A. Yes, sir.

9 Q. And at some point you say that the  
10 plane rose in such a fashion as to where it was  
11 literally going straight up; is that correct?

12 A. Yes, sir.

13 Q. How long after the plane took off did  
14 you notice that the plane was going straight up?

15 A. I'm not -- at least a couple of  
16 seconds. Yeah, maybe a few seconds.

17 Q. When did you first release your hands  
18 from the controls?

19 A. So that took place when I blacked out  
20 when I -- when I blacked out as we were going, you  
21 know, straight up it was for a quick second and  
22 then I came back to and I never put my hands back  
23 on the -- any -- any of the controls.

24 Q. So were your hands on the controls as  
25 the plane was going straight up?

1 A. By that point, no, sir.

2 Q. All right. So when was it that -- so  
3 your hands are on the controls as the plane takes  
4 off; is that right?

5 A. Yes, sir, for the pull or whatever,  
6 push in, pull out, whatever -- whichever one it  
7 was.

8 Q. And so when did your hands come off the  
9 controls?

10 A. As we were -- as we were going up  
11 because I eventually -- I remember -- I remember,  
12 you know, we were kind of -- we started going up  
13 and I think as we started going up that's when I  
14 kind of dropped my hands and grabbed the -- the --  
15 the handlebar that was up there -- that was up  
16 top. I'm not sure what you would call it. Safety  
17 bar I guess. I grabbed that and then kind of  
18 blacked out for a quick second, yeah.

19 Q. So when you released your hands from  
20 the controls did you sense that anything was wrong  
21 at that time?

22 A. Not really because, I mean, like I  
23 said, I've flown commercial and I know usually  
24 during takeover it does kind of make you feel kind  
25 of funny like you're -- you know, like you're, you

1 know, sitting in an awkward position like you're  
2 falling or whatever. And so no.

3 Q. Do you remember consciously releasing  
4 your hands from the controls?

5 A. Yes, sir.

6 Q. All right. So why did you release your  
7 hands from the controls when you did?

8 A. Out of I would say fear I guess.

9 Q. And so --

10 A. It wasn't like --

11 Q. Go ahead. I'm sorry.

12 A. It wasn't like a fear like, you know, I  
13 knew something was going wrong. Just a fear of --  
14 you know, because, I mean, you know, you usually  
15 want to hold onto something, you know, the fear,  
16 you know, just feel like you're falling back or  
17 whatever and so --

18 Q. So from -- from the time that the plane  
19 took off until the time that you experienced that  
20 fear your hands were on the controls the whole  
21 time?

22 A. Yes.

23 Q. And were you still pulling the controls  
24 at that time?

25 A. No.

1 Q. All right. So at what time did you  
2 either stop pulling up or pulling out the  
3 controls?

4 A. Right after we kind of started liftoff  
5 I guess you could say.

6 Q. And why did you do that?

7 A. It was just a common reaction, a  
8 natural reaction.

9 Q. A natural reaction to what?

10 A. Like I said, that feeling of feeling  
11 like you're falling back I guess. And so --

12 Q. Did anyone instruct you to remove your  
13 hands from the controls before you did?

14 A. No.

15 Q. So you -- after Mr. Parsons had told  
16 you what to do you pulled back or pulled out on  
17 the controls and the plane took off; is that  
18 right?

19 A. Uh-huh.

20 Q. Is that a yes?

21 A. Yes.

22 Q. And then shortly thereafter you decided  
23 to remove your hands from the controls; is that  
24 right?

25 A. Yes because we were already in the air

1 at that point -- by that point.

2 Q. And how long would you say that your  
3 hands were on the controls between the time of  
4 takeoff and the time you removed your hands from  
5 the controls?

6 A. I don't know an exact time but just  
7 long enough for us to kind of get airborne.

8 Q. And was this a matter of seconds?

9 A. I'm not sure of the time. Just enough  
10 time for us to kind of get airborne. That's all I  
11 can really say.

12 Q. Your testimony is that your hands were  
13 off the controls at the time that you noticed that  
14 the plane seemed to be going straight up  
15 vertically?

16 A. Yes, sir.

17 Q. And so when did you notice that the  
18 plane was going straight up vertically?

19 A. Can you reask the question?

20 Q. Sure. When did you first notice that  
21 the plane seemed to be going straight up  
22 vertically?

23 A. I'm not sure but, I mean, I was -- you  
24 know, I'm not sure. I'm not sure.

25 Q. How long after you removed your hands

1 from the controls did you notice that the plane  
2 seemed to be going straight up vertically?

3 A. Probably a few seconds because it kind  
4 of took a few seconds to kind of react.

5 Q. To react to what?

6 A. The -- to notice that we were actually  
7 going up vertically.

8 Q. What do you remember Mr. Parsons doing  
9 when you first noticed that the plane seemed to be  
10 going straight up vertically?

11 A. Started, you know, flipping little  
12 things and I guess he was trying to gain -- you  
13 know, get control of it. His hands were on the  
14 wheel and then -- one hand was on the wheel,  
15 another hand was, you know, kind of flipping and  
16 doing little things with the buttons or whatever.

17 Q. Do you remember anything that  
18 Mr. Parsons said to you between the time of  
19 takeoff and the time that you noticed the plane  
20 seemed to be going straight up vertically?

21 A. No, but he -- I think he was talking to  
22 air control I think possibly. Well, not air  
23 control. The -- yeah, I think he was talking --  
24 he was talking to -- he was talking over -- (audio  
25 distortion.) That's the best way of putting it.



1 (Interruption.) (Court Reporter requests  
2 clarification for the record.)

3 A. Over the radio. It wasn't to us but it  
4 was to I guess air traffic control.

5 Q. Did -- did Mr. Parsons ever tell you to  
6 remove your hands from the controls of the  
7 steering wheel?

8 A. Yes.

9 Q. When did he say that?

10 A. That was actually he -- it wasn't  
11 specifically remove your hands. It was just don't  
12 touch anything for the -- don't touch any of the  
13 controls. And that was at that point when we were  
14 kind of -- the nose was facing down and so we were  
15 looking down at the ground going down.

16 Q. Did he say anything to you before you  
17 removed your hands from the controls after  
18 takeoff?

19 A. No. No.

20 Q. And where were your hands when he told  
21 you not to touch anything?

22 A. Again, hanging -- my left hand was on  
23 the little hang bar at the top and the other had  
24 to be I would say clinching my thigh.

25 Q. Now, how long do you think you blacked

1 out for?

2 A. It couldn't have been long.

3 Q. What's your best guess?

4 A. Maybe a second if that.

5 Q. So what -- what makes you think you  
6 blacked out?

7 A. I just kind of don't really remember  
8 what took place for like a quick second.

9 Q. How well would you say you remember  
10 what happened in the plane as a whole?

11 A. Very well.

12 Q. Now, what do you remember seeing after  
13 you were no longer blacked out?

14 A. By that point the nose of the plane was  
15 kind of going down. There were a lot of alerts  
16 going off, a lot of little things going off on the  
17 dashboard.

18 Q. Where was the nose of the plane pointed  
19 when you blacked out if you remember?

20 A. It was still going up in the air.

21 Q. I mean, was it -- was it almost  
22 entirely vertical going upwards or was it not  
23 quite there yet?

24 A. Yes.

25 Q. Yes to what?

1           A.       That it was completely vertical.

2           Q.       And then when you came to where was the  
3 plane's nose pointed?

4           A.       Completely down.

5           Q.       So if I understand your testimony  
6 correctly immediately before you blacked out the  
7 nose of the plane was pointed straight up and then  
8 when you came to it was pointed straight down; is  
9 that correct?

10          A.       Yes.

11          Q.       And you don't know how much time  
12 elapsed between those two points; is that right?

13          A.       No, sir.

14          Q.       And then how much time elapsed between  
15 the time that you came to and the actual crash?

16          A.       I would say at least almost over a  
17 minute maybe.

18          Q.       Over a minute?

19          A.       Yes, sir, I would say. That's a rough  
20 estimate.

21          Q.       And what do you remember Mr. Parsons  
22 doing or saying between the time that you came to  
23 and the time of the crash?

24          A.       He was saying don't touch anything. He  
25 was going -- he was trying to correct -- he was

1 trying to correct what was going on and that --  
2 you know, that we would be -- we would all be  
3 okay.

4 Q. And at any point after you came to did  
5 your hands touch the controls?

6 A. No, sir.

7 Q. Have you ever blacked out before  
8 February of 2020?

9 A. No, sir.

10 Q. Have you ever blacked out since  
11 February of 2020?

12 A. No, sir.

13 Q. Is there anything else you remember  
14 Mr. Parsons doing or saying between the time that  
15 you came to and the time of the crash?

16 A. Can you reask the question?

17 Q. Sure. Is there anything else that you  
18 remember Mr. Parsons saying or doing between the  
19 time that you came to and the time of the actual  
20 crash?

21 A. No, sir.

22 Q. Do you remember seeing Mr. Howell after  
23 the crash?

24 A. No, sir.

25 Q. You mentioned that Mr. Howell visited

1 those parents were asked to sign the piece of  
2 paper for their child they were aware that their  
3 child was going to be flying in an airplane that  
4 was being controlled in part by a non-licensed  
5 pilot?

6 A. No, sir.

7 MR. DEDMAN: Objection to form.

8 A. No, sir.

9 Q. Mr. Dedman asked you if you knew that  
10 Jake was 19 years old when you got in the  
11 airplane. You remember that?

12 A. Yes, sir.

13 Q. Did he ever tell you how old he was?

14 A. No, sir, but Ms. Elayne I think she --  
15 she talked about it during the opening -- you  
16 know, the opening of the day -- the event.

17 Q. Did she ever tell you how long he had  
18 been a certified flight instructor?

19 A. No, sir.

20 Q. Did she tell you how many flights like  
21 the one that you were going to be on he had  
22 actually flown?

23 A. No, sir.

24 Q. When you got ready to board the plane  
25 did anybody ask you how much you weighed?

1 A. No, sir.

2 Q. Did you hear anybody ask any of the  
3 other passengers how much they weighed?

4 A. No, sir.

5 Q. Did you see Jake or anyone else from  
6 the flight school doing any kind of calculations  
7 to determine what the total weight of the airplane  
8 was going to be on takeoff?

9 A. No, sir.

10 Q. Did Jake as part of his preflight  
11 checkout ever ask any of the passengers to change  
12 seats or to move into a different place in the  
13 airplane?

14 A. No, sir.

15 MR. DEDMAN: Objection to form.

16 A. No, sir.

17 Q. How did you all determine who sat  
18 where?

19 A. It kind of just happened. There was no  
20 specific order to it. It just happened.

21 Q. So you all got to pick your own seats?

22 A. I would say kind of, but I -- I -- I  
23 know I never wanted to be in the front. I would  
24 rather have been in the back.

25 Q. That's my next question. How did you

1 end up in the left front seat?

2 A. There were no open seats by that point.

3 Q. Did you ever ask to be allowed to fly  
4 the plane?

5 A. No.

6 Q. Whose idea was it that you participate  
7 in the takeoff?

8 A. Jake.

9 Q. Before Jake suggested that you  
10 participate in the takeoff had it ever occurred to  
11 you that that was something you wanted to do?

12 A. No. No.

13 Q. Before Jake asked you to participate in  
14 the takeoff did anyone give you any kind of  
15 classroom training about airplanes and about  
16 flight procedures?

17 A. No.

18 Q. You say that now you can't even  
19 remember whether they told you to push in on the  
20 stick or pull back on it?

21 A. Yes, sir.

22 Q. That day when you were in that plane  
23 did you do anything with the controls of that  
24 airplane that you were not instructed to do by the  
25 pilot in command?

1 A. No, sir.

2 Q. Would you have ever reached out and  
3 touched any part of that airplane without being  
4 told to do so first?

5 MR. DEDMAN: Objection to form.

6 A. No, sir.

7 Q. Did you even put your seat belt on  
8 until somebody told you to do it?

9 A. No, sir.

10 Q. Now, if there's been evidence in this  
11 case or suggestion in this case that you reached  
12 over and grabbed the controls of this plane  
13 without giving anybody any warning and without  
14 being told to do so; is that true?

15 A. No, sir.

16 Q. Do you remember when you were asked to  
17 help take this plane off whether Jake gave you any  
18 more instructions about how to pull or push on the  
19 yoke of the airplane other than to watch the  
20 speedometer?

21 A. Can you -- can you reask that question?

22 Q. Yeah. Did he say pull back gently or  
23 pull back slowly or make sure you don't do  
24 anything too suddenly, any of those kinds of  
25 coaching suggestions?



1 MR. DEDMAN: Objection to form.

2 A. Just to pull back gently on it. I  
3 think it was pull -- I think it was pull back  
4 gently. I don't know if it was push in or --  
5 whatever it was it was gently -- do it gently.

6 Q. Did you do what you were told?

7 A. Yes, sir.

8 Q. Now, how much time do you think passed  
9 from the time the wheels of this plane left the  
10 earth until you crashed back into it?

11 A. I would say a couple of minutes at  
12 least. No more than five I would say.

13 Q. Now, you all never even got to the end  
14 of the runway did you?

15 A. I'm not sure.

16 Q. All right. Do you know about how far  
17 down the runway you were when the wheels lifted  
18 off?

19 A. I'm not sure. I don't know.

20 Q. But you remember there being some  
21 period of time between the time that the nose of  
22 the plane went up and the time that it eventually  
23 went down?

24 A. Yes, sir.

25 Q. Did you ever get the sense that Jake

1 was panicking or not in control?

2 MR. DEDMAN: Objection to form.

3 A. Yes.

4 Q. Tell us about that.

5 A. By that -- during the time when the  
6 plane had kind of -- when it was going down, you  
7 know, I was screaming, Ms. Northcutt she was  
8 screaming, Vanessa she was screaming. Jake he was  
9 kind of -- you know, you can kind of tell he was  
10 in a panic trying to, you know, regain control of  
11 the situation and everything. But I feel it was  
12 nothing that he could have done, you know, in  
13 order to kind of, you know, correct that  
14 situation. I feel he may not have been trained  
15 properly enough to kind of handle that.

16 Q. Justin, do you know whether pilots who  
17 are flying passengers like yourself are supposed  
18 to be trained to be able to do a low altitude  
19 recovery from stall conditions?

20 MR. DEDMAN: Objection to form.

21 MR. DRIGGERS: Objection to form.

22 A. I do believe they should be.

23 Q. Do you know what the FAA regulations  
24 require or what pilot regulations require?

25 A. No, sir.

1 MR. DEDMAN: Objection to form.

2 A. No, sir.

3 Q. So you all got in the -- I want to hear  
4 a little bit more about the switching of the  
5 pilots. What made you think there was gonna be an  
6 older pilot flying your flight?

7 A. Because he -- so at the start of the  
8 day they did say -- they did let us know that  
9 there was a retired military pilot and I think  
10 there was a -- I think there was two retired  
11 military pilots that would be -- they said that  
12 they would be the ones doing all of the flights  
13 for that day.

14 And so when -- like I said, I was the  
15 last person to actually go up. And so when it was  
16 my turn we're out there and I see that pilot and I  
17 noticed that he had kind of switched with Jake.  
18 It kind of threw me off because I was like, you  
19 know, isn't he supposed to be, you know, the one  
20 that's supposed to be taking -- you know, doing  
21 all the flights or whatever. I didn't say  
22 anything. I just said it -- I kind of -- you  
23 know, it was in my mind -- in the back of my mind.  
24 But that was really from what I remember.

25 Q. So were Vanessa Leal or Layl -- Vanessa

1 Leal and Dominique were already in the plane when  
2 you got in?

3 A. Yes, sir.

4 Q. And then you got in. Was the pilot in  
5 the plane before you got in?

6 A. No, sir.

7 Q. So at the time you got into the plane  
8 did you know who the pilot was going to be?

9 A. No, sir.

10 Q. But you thought it was going to be a  
11 retired military pilot?

12 A. Yes, sir.

13 Q. Were you surprised when it was Jake who  
14 walked up to the plane and got in the pilot's  
15 seat?

16 A. Yes, sir.

17 Q. And how much time passed from the time  
18 that Jake got into the pilot's seat until the time  
19 you all started taxiing down the runway to -- or  
20 taxiing to where the end of the runway was?

21 A. Not long. It was actually pretty quick  
22 so.

23 Q. And you said you had had to sort of be  
24 talked in to getting into the plane in the first  
25 place?

1           A.     Yes, sir.

2           Q.     And who were the people that helped  
3 talk you into the plane?

4           A.     Ms. Humphrey. There was another young  
5 lady that -- that worked for Cape Fear Aviation.  
6 Dominique had kind of -- Dominique and Ms. Leal,  
7 you know, they were talking about the beautiful  
8 scenery and everything. And -- and the guy that I  
9 remember as being Gavin I think. He was -- you  
10 know, he was saying, you know, that it was pretty  
11 fun, you know, it was adventurous and everything  
12 like that and so.

13          Q.     At the time that they talked you in to  
14 getting into this plane did you think you were  
15 going to be flying with a retired military pilot  
16 in command?

17          A.     Yes.

18                   MR. DEDMAN: Objection to form.

19          A.     Yes.

20          Q.     Do you think that that was something  
21 you would have liked to have known then that the  
22 person that you thought was gonna be your pilot  
23 wasn't really gonna be your pilot when you were  
24 trying to decide whether to get in the plane in  
25 the first place?

1 MR. DEDMAN: Objection to form.

2 A. Yes.

3 Q. After the plane hit the ground tell us  
4 what you remember in that first few seconds after  
5 the plane hit.

6 A. So when it crashed I was kind of in  
7 a -- I was kind of in a daze at first and then I  
8 think adrenaline kind of started pumping and  
9 that's when I realized, you know, that I was in a  
10 plane and I tried to kind of scurry to get out of  
11 it. I'm not sure how I got out of my seat belt.  
12 I'm not sure -- like I said earlier, I'm not sure  
13 how I got out of the plane. I think I may have  
14 punched out a window or something because of the  
15 scars that I had on my hand or, you know, maybe --  
16 I'm not even sure how I got the scars on my hand.  
17 But I do remember crawling out of the plane.

18 And like I said, there were people, you  
19 know, yelling, you know, saying, you know, you  
20 guys have just been in a crash, don't try to get  
21 up, don't try to do this, don't try to do that.  
22 And then I remember telling -- just saying, you  
23 know, hey, I'm fine. I think I'm fine. And I  
24 tried -- I tried -- I remember trying to stand up  
25 and then collapsed on the runway.

1 Q. Did you ever see Dominique after the  
2 plane hit the ground?

3 A. No, sir.

4 Q. Did you see Jake after the plane hit  
5 the ground?

6 A. Yes. I -- he was -- he was collapsed  
7 over the -- his steering wheel.

8 Q. Did you hear him say anything to  
9 anybody about what had happened?

10 A. No.

11 Q. Was there a period of time between the  
12 time that you took off and the time the plane made  
13 contact with the ground when you knew it was going  
14 to crash?

15 A. I would say yeah, when we started --  
16 you know, when the -- when the nose was pretty  
17 much facing down towards the ground and I noticed  
18 that the ground was getting closer and closer and  
19 closer so.

20 Q. Would Dominique and Vanessa have also  
21 known the plane was going to crash?

22 MR. DEDMAN: Objection to form.

23 A. Yes. They were in the back screaming  
24 so yes.

25 Q. What were they screaming?

1           A.     I don't -- I'm -- I'm not sure what  
2 they were screaming but I do know they were  
3 screaming.

4           Q.     When they were screaming did it sound  
5 like they were afraid?

6           A.     Yes.

7           Q.     How long did those screams last?

8           A.     I -- I'm not sure.

9           Q.     Was it a matter of seconds or minutes?

10          A.     It had to be at least a minute that we  
11 were going down. So yeah, it had to be probably a  
12 minute -- at least a minute I would say.

13          Q.     Were they screaming the entire time?

14          A.     Yes.

15          Q.     You said you were screaming too?

16          A.     Yes.

17          Q.     Was it a frightening experience?

18          A.     Yes.

19          Q.     Was it something you'll never forget?

20          A.     Yes.

21          Q.     At any time after you got into that  
22 airplane did you ever agree to be what's called  
23 the pilot in command and assume responsibility for  
24 the safety of the passengers in that plane?

25                   MR. DEDMAN:  Objection to form.



1 A. No.

2 Q. Had you been asked to do that to become  
3 the pilot in command and assume responsibility for  
4 the passengers in that plane would you have agreed  
5 to do so?

6 A. No.

7 Q. Did Jake ever tell you he was  
8 transferring authority and responsibility over the  
9 aircraft and its passengers to you?

10 A. No.

11 Q. So what was your reaction when you  
12 learned that somebody apparently from Cape Fear  
13 had told the NTSB that this plane crash was your  
14 fault?

15 MR. DEDMAN: Objection to form.

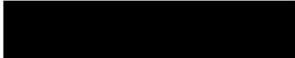
16 A. I was kind of upset and shocked about  
17 it because I was like, you know, the NTSB like I  
18 said earlier they had never reached out to me, got  
19 any statements from me or anything like that. And  
20 so, you know, it did, you know, ultimately kind of  
21 make me a little bit upset.

22 Q. Okay. And I want to make sure that is  
23 your memory clear that before you were asked to  
24 help fly that airplane no one either at EDSI or  
25 Cape Fear ever asked when's the last time you

1           -----  
                   E R R A T A  
 2           -----

3

4	PAGE	LINE	CHANGE FROM	CHANGE TO	REASON
5	17	2	Aspire Academic Services	Inspire Special Education Advocacy Consulting Service -	Clarification
6	33	2	NextGen	Nexcare	Clarification
7	33	6	NextGen	Nexcare	Clarification
8	34	2	NextGen	Nexcare	Clarification
9	35	25	Jabrara Cordnell	Javarah Cornell	Spelling
10	39	5	Rodney Chisholm	Rodney Chism	Spelling
11	51	16	Damaris	Dempris	Spelling
12	134	12	Damaris	Dempris	Spelling
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1 ACKNOWLEDGMENT OF DEPONENT

2

I, Justin Elliott, do

3 hereby certify that I have read the  
4 foregoing pages, 1 - PGS, and that the  
5 same is a correct transcription of the  
6 answers given by me to the questions  
7 therein propounded, except for the  
8 corrections or changes in form or  
9 substance, if any, noted in the attached  
10 Errata Sheet.

7

8 [Redacted] 6/21/21  
9 WITNESS NAME DATE

9

10

Subscribed and sworn

11

to before me this 21 day of June, 2021

12

My commission expires: 01/21/2023

13

14

[Redacted]  
Notary Public

15

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