

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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CALTRAIN COLLISION WITH *

CONSTRUCTION EQUIPMENT IN *

SAN BRUNO, CALIFORNIA, * Accident No.: RRD22LR007

ON MARCH 10, 2022 *

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Interview of: CLAUDE ROBINS, Flagman Foreman
TransitAmerica Services, Inc.

San Francisco, California

Saturday,
March 12, 2021

APPEARANCES:

DICK HIPSKIND, Investigator,
Track and Engineering Group Chairman
National Transportation Safety Board

FELIPE AYALA, Track Inspector
Federal Railroad Administration

JAMES RIDGWAY, Track Inspector
California Public Utilities Commission

RICK BRUCE, Track Safety Specialist
Federal Railroad Administration

ROBERT SEBEZ, Acting Director, Safety and Security
Caltrain
San Mateo County Transit District

JIM BROWN, Safety
Caltrain

DEREK BROWN, Deputy General Manager
Maintenance of Way Department
TransitAmerica

MITCH MCCARTHY (Representative for Mr. Robins)
Vice Chairman, Brotherhood of Maintenance of Way

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I N T E R V I E W

1
2 MR. HIPSKIND: Good morning everybody. My name is Dick
3 Hipskind, and I am the railroad accident investigator. I am a
4 railroad accident investigator for NTSB, and I am the Track and
5 Engineering Group Chairman for NTSB for this accident. We are
6 conducting this interview on March 12, 2022, with Mr. Claude
7 Robins, who works for the TransitAmerica Services, Incorporated,
8 also known as TASI, as a flagman foreman.

9 The interview is being conducted in person at the Westin
10 Hotel in San Francisco, California. This interview is part of
11 NTSB's effort in conducting a follow-up interview with the parties
12 to the investigation, in which we are conducting an ongoing
13 investigation of Caltrain's Train Number SB506 collision and
14 derailment that occurred on March 10, 2022, on Caltrain's railroad
15 on Main Track 2 in San Bernardino (verbatim), California. The
16 NTSB accident reference number is RRD22LR007.

17 Before we begin our interview and questions, let's go around
18 the table and introduce ourselves. Please spell your full name,
19 and please identify who you are representing and your title. I
20 would remind everybody to speak clearly and loudly enough so we
21 can get an accurate recording. I'll lead off, and then ask the
22 other interviewers to identify themselves according to the order
23 previously established.

24 Again, my name is Dick Hipskind. The spelling of my full
25 name is D-i-c-k, last name H-i-p-s-k-i-n-d. I am a railroad

1 accident investigator for NTSB on this accident.

2 MR. AYALA: Good morning. Felipe Ayala. F-e-l-i-p-e, Ayala,
3 A-y-a-l-a, FRA track inspector. F-e-l-i-p-e, Ayala, A-y-a-l-a,
4 FRA track Inspector.

5 MR. RIDGWAY: James Ridgway, CPUC, J-a-m-e-s, Ridgway,
6 R-i-d-g-w-a-y, track.

7 MR. BRUCE: Rick Bruce, with the Federal Railroad
8 Administration. Rick, R-i-c-k, Bruce, B-r-u-c-e. I'm the track
9 safety specialist.

10 MR. SEBEZ: Robert Sebez with Caltrain, San Mateo County
11 Transit District, Acting Director of Safety and Security. Robert
12 Sebez, R-o-b-e-r-t S-e-b-e-z.

13 MR. J. BROWN: Jim Brown with Caltrain Safety, J-i-m
14 B-r-o-w-n.

15 MR. D. BROWN: Derek Brown with TransitAmerica, Deputy
16 General Manager, Maintenance of Way Department, D-e-r-e-k
17 B-r-o-w-n.

18 MR. HIPSKIND: Okay. Thank you, gentlemen, and to all the
19 interviews, interviewers, thank you.

20 Prior to the recording of our interview, I spoke with Claude
21 to request his permission to record our discussion today, and to
22 obtain his permission for representation, if he so chooses.

23 Claude, has there been any change in your affirmation to
24 those --

25 MR. ROBINS: No.

1 MR. HIPSKIND: Okay. Hearing no objections, let's proceed.
2 Claude, do you wish to have a representative with you today?

3 MR. ROBINS: Yes.

4 MR. HIPSKIND: All right, Mitch, if you'd put yourself on the
5 record.

6 MR. MCCARTHY: My name is Mitch McCarty, M-i-t-c-h, last name
7 M-c-C-a-r-t-h-y, and I'm the Vice Chairman for the BMWED,
8 Brotherhood Maintenance of Way.

9 MR. HIPSKIND: All right. And, Claude, I assume you're okay
10 with first name basis on all this?

11 MR. ROBINS: Okay.

12 INTERVIEW OF CLAUDE ROBINS

13 BY MR. HIPSKIND:

14 Q. Claude, would you put yourself on the record, name, spell it,
15 who you work for, and what your title is?

16 A. Yes. My name is Claude Robins, C-l-a-u-d-e R-o-b-i-n-s. I
17 work for Transit America, and my current position is a flagging --
18 flagman foreman.

19 Q. Okay. Thank you, Claude. So first off, Claude, please just
20 give us kind of a general synopsis of your work history, and the
21 positions you've held, and bring us up to your current position,
22 and how long that you've held that.

23 A. Work for Transit America. I am a flagging foreman. I
24 started in July 5, 2000. I've held positions as a trackman,
25 machine operator, welder helper, foreman, and flagging foreman,

1 and I've been a flagging foreman for estimate 15 to 18 years --
2 15, 17 years in that general neighborhood.

3 Q. Okay. And please describe for us your duties and
4 responsibilities in your current position?

5 A. My duties are to run Form Bs, run gangs, provide protection
6 for any contractors in and around Caltrain track between San
7 Francisco and/or Kilroy basically down to San Francisco. San
8 Francisco to San Jose area. Run Form Bs, watch gangs, and provide
9 protection.

10 Q. And I take it, Claude, you've been doing this a long time.
11 Are you comfortable with doing what you've been doing?

12 A. Very comfortable.

13 Q. Okay. So let's talk about March 10th, and tell us about your
14 day, and let's just start out with some basics. Give us an idea
15 of when you started work, and where you met up with other members
16 of your work group.

17 A. I arrived at San Francisco yard around, I think, 5th and 4th
18 and King, in that area, 4th, 5th. Picked up my vehicle at roughly
19 6, 6 a.m., outside of San Francisco yard. I proceeded down to 4th
20 and King. Met with some conductors inside the room and engineers,
21 picked up paperwork, went towards the track warrants for the day.
22 After that, I went back to the yard in San Francisco, and picked
23 up some red and yellow -- yellow, red and red flags that I was
24 going to need for the day for my protection. After I picked up
25 those flags, I proceeded down to Brisbane area, which is the

1 jobsite at visitation where I was to meet and have a job briefing
2 with the crew that was going to brief roughly at 8 o'clock hour.
3 Previous day they tell me we're going to meet there and have a job
4 briefing.

5 I got down there roughly little after seven. I think I met
6 with the foreman from Balfour Beatty by the name of Phil. We met.
7 I told him I'm there early. I always get there early to scan out
8 my jobsite, write out a briefing, and see what, what I need or
9 what's going on for the day.

10 Me and Phil had a brief conversation as to what was going to
11 go on that day. We had worked it the previous day by having a
12 couple of machines on track with the hi-rail setting some type of
13 poles for the electrification project. He indicated that it would
14 be the same as yesterday, the same two vehicles, and the hi-rail
15 would be wanting to get on track. I told him that there was a
16 change of plans. Not a change of plans, but dispatch originally
17 had us scheduled to get on at Linden Avenue, at Linden Avenue,
18 which was, I think, 10 dot 2 in that general area. I told him
19 with the equipment that he had we were going to go back down. We
20 agreed, me and dispatch, that we were going to go back down to
21 Center Street, which we had got on yesterday, the same way. We
22 would get on 2 Track, get protection on one while they set on, and
23 proceed to our jobsite.

24 He told me the work for the day, his schedule was set the
25 three poles that they had set out yesterday that was left on the

1 right-of-way, set those three poles up. After they set the three
2 poles up, they were going to go back to San Bruno yard, which is
3 11 dot 5, load four more poles onto a trailer onto a cart on the
4 track, and bring the cart back down to -- into my Form B limits.
5 Where the worksite was, was roughly about 8 dot, 8 dot 6. Go
6 ahead and set them, and that was time permitting, time permitting,
7 and we was to get off the track again that afternoon by 4, 4
8 o'clock. I told them once we get that, we'll go down, we'll set
9 up our flags, our protection. He's to go to Center Street. My
10 coordinator, which was Tim Hidalgo, will meet him at Center
11 Street. Again, like yesterday, the previous day, I was semi-job
12 briefing of what he's going to do, get on, a way for me to get
13 time, get them on main Track 2, and once I get them on Track 2, we
14 were to travel north back to the location of our jobsite.

15 I was at South San Francisco station roughly I'll just say 8
16 dot 9 dot 1. That was my current location. I had a shadow guy in
17 the truck with me one of the new employees. I don't -- Amesqua
18 (ph.) something like that was his name. He was just assisting
19 putting up flags on the north end of my project. I was watching
20 him while he put up his -- put up the flags. And I let Hidalgo
21 and Mr. Padilla put up the other end of the flags. After they put
22 up the other end -- the south end flags, they met the crew, which
23 was two crane operators or two crane vehicles at Center Street.
24 And they were going to wait, give me a call when they got down
25 there, and we would get time to get them on the track to travel

1 back north. And roughly at around nine I think I can get track
2 and time for dispatch was on the board for nine-thirty. I can get
3 track and time. They would give me a call. Tim called me, and
4 told me they were ready to get on the track, main Track 2. I told
5 them stand by, let me call dispatch. Called dispatch, and
6 dispatch had at that time only gave me 2 Track, 2 Track. I told
7 them that I also needed 1 Track because the machine was adjacent
8 to the 2 Track, and I need protection to get them on the same way
9 again that we did the previous day.

10 I think, if I remember right, he said stand by. Train was in
11 the block or train was coming. Give him a call after one. I
12 waited, gave him a call. He gave me Track 1 to set on. He said,
13 Claude, after I -- I'm going to give you two pieces of track and
14 time. After I give you the two pieces we could be ready to go to
15 work. He gave me my track and time. The two pieces, I think, on
16 Track 2. At that time, Tim said, hey, Claude, I need also one to
17 get on, say, yeah, oh, yeah, you do need one.

18 I called dispatch back, JRB I think we the name. Hey, I need
19 Track 1 again to set my machines on. He said, okay, Clyde, give
20 me -- I'll get you Track 1, I think, wait after one train. He
21 gave me Track 1. Then I need you to release one of the pieces on
22 Track 2, I think he said.

23 So we got the track and time. Called Tim Hidalgo, gave him
24 the authority number of the track and time that I had. He wrote
25 it down. I acknowledged him in my limits. I think 5 -- I don't

1 think 506 had called yet. A train called me because I was right
2 in the process of holding both tracks. I had the train engineer
3 follow the previous instructions of my Form B, and hold at South
4 San Francisco. So he understood that he's to travel on Main Track
5 2 south down to South San Francisco, and hold for further
6 instructions. At that time, I was trying to -- or the machines
7 were getting on the track. So I'm right in the process of holding
8 one and two around Center Street. The train came down to South
9 San Francisco. I had released Track 1 so that the train could go
10 through so I wouldn't have no delays on the train, and my machines
11 were on Track 2. He called -- the train called me from South San
12 Francisco, and I gave him authority to with previous instructions
13 to -- I gave him previous instructions to go ahead, and continue
14 going south on Main Track with no indications the track was clear.
15 I think at that time, the train went by. I released one -- or I
16 released one, then allowed the train to go through on, on one.
17 The train was still on one. He passed me at South San Francisco,
18 and I got the protection. Called Tim back, okay, we're good,
19 we're good to go.

20 Instructions were again for Tim Hidalgo and machines they're
21 on track. They were to proceed to -- on Main Track 2 north to the
22 jobsite to set the three poles that we had previously had a job
23 briefing about.

24 Waiting for it. Waiting for it. I then released, I think, a
25 track and time that they asked me to release, and I'm sitting at

1 South City waiting for Tim and machines to come by. I think I
2 told Tim on the radio stop at South San Francisco because the
3 individual that was with me is going to jump aboard with them, and
4 go down to the jobsite as a, as a coordinator.

5 At that time, I am talking to trains coming to and from north
6 and south and the truck with the individual. He's hearing me,
7 seeing me get track and time, and talking to the trains. As we're
8 sitting there, I heard something on the radio, help, explosion,
9 explosion. This is Tim Hidalgo. Something's going on. And I'm
10 talking to the guy what -- something's going on down there. I'm
11 listening. I thought it was some type of active shooter or
12 something. I didn't know. Nothing happened. And he said
13 explosion, explosion, fire, fire, help, help, help. And I heard
14 dispatch say we're en route. We got people en route. Tim, Tim --
15 yeah, this is Tim, this is Tim. He's running -- he's like a --
16 frantic. He's just -- say let's go, let's go. We're in the
17 truck. I call San Jose, San Jose, Robins. MW Robbins. I'm en
18 route. I'm here at South City Station. I'm en route. I jet
19 over to 11 dot 5. As I'm coming down the street, I see smoke,
20 fire, all kind of stuff up there. I see Tim running, running,
21 people running. Disaster scene. It's chaos over there right now.
22 Managers are calling. Claude, where's Tim? I have no idea. I
23 don't know. I'm on the -- dispatch emergency train's on fire,
24 smoke everywhere, Huntington Avenue. That was the cross street
25 that we were on. Huntington Avenue. Get people here ASAP.

1 Someone says is the fire department there? No. The fire
2 department's not there. I hear them. They're en route. Police
3 cars, a few were out there. Passengers off the train, people
4 walking in the area. Fire department then came in. Found Tim.
5 He's running up and down the track. Tim, get off the track, get
6 off the track. I need you over here now. I need you to just sit
7 -- just sit in my truck. Sit here. I got Tim off. We killed
8 somebody. We killed somebody. We killed somebody. That's what
9 he's telling me. Say, Tim, just, just get over here, man. Let me
10 see what's going on. Let me, let me figure it out. I got him off
11 to the side. Got him in my truck. Trying to see what's going on.
12 People everywhere. Smoke. I don't know what's going on. I'm
13 trying to call San Jose. Trying to get everybody squared away.

14 Q. Claude, do you want to take a moment?

15 A. Yeah.

16 (Pause.)

17 BY MR. HIPSKIND:

18 Q. All right, Claude, thanks for going through all those details
19 from the beginning to the end, but let me just stitch up a few
20 things that I kind of need to know.

21 A. Yes.

22 Q. Was the entire crew in terms of operators and the men on the
23 ground and Tim and I guess Tim had Gilbert with him. He was kind
24 of a trainee on learning new assignments. Were you physically
25 with them when you guys did your job briefing?

1 A. Yes. We had a job briefing at visitation, at visitation --
2 where we met, me, Tim, the two coordinators, and I think it's four
3 Balfour Beatty guys which was, I think, two crane operators maybe,
4 and maybe two additional people, I think. Was three to four
5 people, yeah. We had a job briefing at visitation, visitation
6 lead in that parking lot right there.

7 Q. Okay. And I want to be clear on the sequencing of things.
8 Had you and Tim and the, and the -- each of you had somebody with
9 you -- had you already taken care of the required signage for your
10 Form B prior to the job briefing?

11 A. I don't understand the question.

12 Q. Okay. Let me try again.

13 A. -- what you're saying.

14 Q. You indicated that they had to go set the equipment on.

15 A. Oh, yes.

16 Q. And the whole idea was to put the three pieces of equipment
17 on Main Track 2 only. So because of the length of the equipment
18 you go down the center, and they have to temporarily foul Main
19 Track 1. And you did get them protection on Main Track 1 as they
20 were -- needed to foul it to set the equipment on; is that
21 correct?

22 A. That is correct.

23 Q. Okay. And you and Tim had a conversation -- did you and Tim
24 have a conversation that after he got all the equipment on two, he
25 called and said you can release one?

1 A. We had a briefing at visitation. Tim was to go put up flags.
2 After Tim put up the flags, Tim was going to meet the crew. The
3 crew at Center Street. After Tim met the crew at Center Street,
4 they were going to have a mini briefing as to getting onto Track
5 2, and Tim was to call me when he's ready, when the crew was
6 ready. Tim did call me. We did have a briefing. I'm going to
7 get track and time on Main Track 2 and Main Track 1 to get you to
8 come back to my location. So we did have a job briefing, and Tim
9 was supposed to have another briefing with them down at Center
10 Street. I was not at Center Street.

11 Q. You have answered my question.

12 A. Thank you.

13 Q. Okay. And the conversation that you and Tim had, was that
14 over the radio or on the phone?

15 A. The job briefing we had was in person with us together. The
16 conversation we had was over the phone, the conversation that we
17 had as far as I'm ready to get on the track, and I'm ready for you
18 to get my protection on two. That was via phone, via phone there,
19 not via radio. Because, again, I'm at South San Francisco. Tim
20 is way at Center Street. San Francisco is roughly -- or South San
21 Francisco is 9 dot 1. We always use nine one. And Tim is
22 roughly 12, 12 4 or 12 5 distance away. We're on the phone with
23 each other several times, 3 or -- 3 or 4 times at least on the
24 phone.

25 Q. Okay. Claude, was there ever a time that morning -- forget

1 my comment about setting up the signs or anything --

2 A. Yes.

3 Q. -- we'll get to that. Was there ever a time that morning
4 where you, the trainee that was with you, and all of the members
5 of the group that had the three pieces of equipment, and were
6 going to do whatever get on Main Track 2, was there ever a time
7 where you were physically in their presence conducting a job
8 briefing?

9 A. Yes.

10 Q. Okay. That occurred first?

11 A. That occurred first. That occurred at the visitation roughly
12 at the -- I'll tell you what. It was right around eight o'clock
13 hour, eight o'clock hour. Because at 8:10 we were taking flags
14 -- they were taking -- they were beat up flags that they used the
15 previous day, and I had my own set of flags that I use, which got
16 stakes and everything. We put them in, told them let me see two
17 yellow red, let me see your two red. I made sure he had two
18 yellow red flags. I made sure he had two red flags with clip,
19 screw, and everything in there. So he had the stand. He had
20 everything. And at that time, all of the crew was right there at
21 visitation.

22 Q. The red flags that they placed, they placed them for the
23 Form B that you had set up with the dispatcher?

24 A. That's what the red flags are used form, the Form B, yes.

25 Q. And the red flag -- well, first, as the train is -- whatever

1 track, whatever direction it's coming on, it sees that red yellow,
2 which is basically saying it's a, it's a reminder, it's a warning,
3 you have a Form B limit ahead of you. And the red flag it means
4 to the train you have to stop.

5 A. That is correct. They'll get to a yellow red first, and two
6 miles from the yellow red he will see a red flag. He's not to
7 cross the red flag unless he has authorization to pass that red
8 flag.

9 Q. Okay. Do you think that when you were present with the
10 people and conducted a job briefing with them, had Tim and his
11 helper or his trainee had they already taken care of setting up
12 their flags for the Form B?

13 A. No, no.

14 Q. They were going to do that at --

15 A. No. We, no. We do not set up the Form B until after we had
16 the briefing. We had the briefing first. The guys in the truck
17 left while we're exchanging flags, okay. We had a briefing. They
18 signed the briefing sheet. We're going down to Center and wait
19 for my coordinator, and that's what they did. They went down and
20 stayed on the side of the track until Tim set up the yellow red
21 then red, and then Tim went there, down there. So when he got
22 down there to Center Street all the protection is already up.

23 Q. Okay. Help me out. I just want to be clear on terms as I
24 hear them. When you say coordinator, I need to understand is Tim
25 the coordinator or is it somebody else?

1 A. Tim would be classified as a subgroup coordinator.

2 Q. Okay.

3 A. Under Form B, you have RWIC, and you have a subgroup
4 coordinator, and that's what Tim was.

5 Q. Okay. My words not your words. After the group, I'll call
6 it a group job briefing, where you're present, one of the first
7 things they have to do is regroup at Center, and get the equipment
8 on Main Track 2. That was one of the first tasks that the group
9 needed to execute, correct?

10 A. Correct.

11 Q. And Tim talked with you about getting some temporary track
12 and time on Main Track 1 so they could get on -- they would just
13 temporarily foul it as they put the three pieces of equipment on.

14 A. Correct.

15 Q. Sound correct?

16 A. That sounds correct.

17 Q. And so when those operators say they were waiting for the
18 coordinator, what they really mean is they were waiting for Tim to
19 come down there, work out that additional track and time on Main
20 Track 1?

21 A. Correct.

22 Q. All right.

23 A. Correct.

24 Q. So they get that completed, and Tim talks with you, and does
25 Tim say, does he say Claude you can release Main Track 1?

1 A. Yeah, yeah. Tim -- what happened at that time Tim said --
2 Tim called me. I got the track and time. After Tim -- I called
3 Tim back, told Tim I had the track and time on number two. When I
4 got to -- when they got on, he said that I could release men and
5 equipment are in the clear on Track 2. So I then released Track
6 1. I released Track 1 because I knew I had a train at South San
7 Francisco that had to get through the limits. Not the limit. He
8 had the -- he was coming on the, on the one to proceed south where
9 he was going.

10 Q. The train?

11 A. The train.

12 Q. Okay.

13 A. That's the one that I held at South San Francisco until I
14 made sure it was clear ahead, you know, that nobody was in the
15 foul. His track was clear. So he had ample protection to travel,
16 make his southbound move.

17 Q. Can we go back to the job briefing --

18 A. Sure.

19 Q. -- just a minute? You were present. All the members of the
20 group, the workgroup, they were present with you, correct?

21 A. Correct.

22 Q. And there's, what, about seven or eight other individuals
23 plus you or --

24 A. Let's see, it's --

25 Q. -- maybe six?

1 A. Let's see. It's four, that's me, Tim, two coordinators,
2 that's four; and roughly they had -- two machines. So they had
3 three, three to four so -- in that area. So I would say a total
4 of seven, eight, seven, eight, right around that number.

5 Q. Okay. And one of your responsibilities is to relay to
6 everybody that's at that initial job briefing where you are all
7 together, you're all physically present, you told them -- how did
8 you describe to them what track authority, what protection they
9 had? And I'm taking it that at the job briefing there was no
10 discussion about Main Track 1?

11 A. At the job briefing we -- yeah, we did not, we did not have
12 track and time. We did not have track and time at the job
13 briefing. All we had the Form B wasn't even in effect yet. The
14 Form B didn't go into effect as we read it on the briefing. The
15 guy, Mr. Padilla, Padilla gave the job briefing. I let him give
16 the job briefing first to -- he's in training, he's in training.
17 So my job was to see how he interacts, and see how he gives
18 information to the gang, how he conducts himself in the job
19 briefing. He gave the briefing. He didn't ever mention the Form
20 B. He never mentioned that. One of the guys said what's the For
21 B number? It's on the, it's on the briefing sheet. After he did
22 it, I correctified (verbatim) him. I told him these are -- this
23 is the way I do a briefing. Again, my name is Claude Robins. You
24 guys know -- I've been here for 20 years. This is what I do.
25 This is my job. So I started point way our location, and just as

1 I indicated on the sheet this is where we're at. We're at the
2 visitation. Person holding the job briefing now is Claude Robins.
3 This is your protection. Your protection will be a Form B, and it
4 will be from 8 dot 3, I think, the 9 dot 8 -- 8 dot 3 or 9 dot --
5 9 dot 8 -- 0900 to 1630 or 16 -- yeah, somewhere like that. Main
6 Tracks 1, Main Tracks 2. I will get you track and time when you
7 go down to Center Street so that you can set your equipment on.
8 Because at that time they had no protection. They had no business
9 being on the track.

10 Q. One or two.

11 A. One or two, no. Their job, their whole sole purpose is to go
12 down to Center Street, stay in the sidewalk or the street until
13 your guy come down there to get you on the track. So we just had
14 a mock briefing understanding what the process was for the day,
15 what we're going to do. After we had our briefing, you're to go
16 down there, wait for your protection guy. He comes down there,
17 Tim come down there, and told them, okay, I'm going to get --
18 Claude's going to get track and time. He called me. I got the
19 track and time. They got on the track. I guess they wrote it
20 down again. I wasn't there. I relayed to Tim. Tim related to
21 the work crew.

22 Q. Okay. At the job briefing did you specifically tell the
23 group that they had protection on Main Track 2?

24 A. No. I told them we were going to get a Form B on Main Tracks
25 1 and 2. At this time in the briefing we have no protection

1 because we're not on the track yet. So I told the group again we
2 have no protection. We're going to have a Form B. Form B goes
3 into effect that they all wrote down in the book that's written
4 down on the job briefing sheet at 0900 to 1630 is when the Form B
5 goes into effect. From 7 to 9:30 we have no protection because
6 we're not on the track.

7 Q. Okay. How did the job briefing go? I mean, was there any
8 questions or was there any input, hey, I don't understand why we
9 don't have protection on Main Track 2? Was there any issues
10 brought up to you at the job briefing?

11 A. Yes, yes. It was an issue brought up. One of the, I think,
12 the crane operator was asking what's the Form B number? He did
13 ask. He did ask the Form B number, and the guy (indiscernible)
14 was looking back. Oh, yeah, the Form B number is, and he, he
15 reiterated, interated (verbatim) what the Form B number was 7490,
16 I think it was. I don't remember. And that's after he finished.
17 He said, anybody got anything else to say? That's when I took the
18 paper from him (indiscernible), and I then told him you did a
19 decent job. This is where you went wrong or this is what you did.
20 You didn't tell them the Form B number. And I just correctify
21 (verbatim) what he did not go -- I then -- we went over the whole
22 briefing sheet front and back this is what I do. I already had it
23 written out because I'm the one that written the Form B. If you
24 see my Form B paperwork, it's black and blue. Blue is my writing.
25 Black was his writing where he was indicating, again, we didn't

1 know what was, I think, what machine or something what they were
2 using. I didn't know. So I think we penciled in -- or not
3 penciled in. He wrote in (indiscernible) the distance and the
4 questions that I left blank because, again, I didn't know until I
5 had a briefing with the foreman to know what the process was going
6 to be for the day.

7 Q. Okay. And just to be clear, Claude, after you were present,
8 your trainee was present, he tried to do the job briefing, he may
9 not have done everything according to the way you would have done
10 it and explained the Form B, but you got in there and corrected
11 all that?

12 A. Correct. That's correct.

13 Q. Okay. Then I take it that you and the guy that was with you,
14 you left, and where did you go?

15 A. We -- I left, and I went to -- I'm at 6 dot -- I'm at 6 dot
16 4, 6 dot 5 right now. I backed up, and I turned my truck around,
17 and I went north to Milepost 6 dot 3 where my two yellow red was
18 laying on the ground that I previously put on the ground not on
19 the track on the ground for the guy to set up the yellow red
20 flags.

21 Q. So those were the flags at the north end or the south end?

22 A. That would be the, that would be the north end.

23 Q. Okay. And you knew that Tim his part of the -- I don't --
24 you tell me. Was -- did you talk with Tim at the job briefing
25 about he had to take care of the flags at the other end?

1 A. Correct, correct. Tim was to go put the flags at the other
2 -- oh, what was -- the south end. First put up the yellow red.
3 Give me a call. Give me a call after flags are up. Tim gave me a
4 call after (indiscernible). Robins, my yellow red flags are up at
5 11 dot 8. I think he said 11 dot 8. Yellow red flags are up.
6 Understand that the yellow red flags are in place. Yes, they are.
7 I am now proceeding to 9 dot 8 to put -- to set your red flags.
8 Okay, Tim. When you get to 9 dot 8, give me a call. Let me make
9 sure nothing's in the limit. He called me. Put the red flag.
10 Robins, flags are up at 9 dot 8. I'm now proceeding to go to
11 Center Street what the weather crew was waiting for.

12 Q. Let me recap real quickly. You come to work. You eventually
13 meet up. You have a job briefing. Everybody is there. You're
14 present. You go through the job briefing. Then the first task is
15 you set up signs for the Form B. Tim sets up signs at the
16 opposite end of the 4B. But everybody knew the equipment was
17 going to go to Center Street, and wait for Tim's arrival. He
18 communicates with you, and requests foul time or track and time
19 because the equipment needs it to set on Main Track 2. They need
20 some protection on Main Track 1.

21 A. That is correct.

22 Q. And you guys communicate not on the radio but on a cell
23 phone?

24 A. Our work phone. I work with not a cell phone -- it's cell
25 phone, but it's our working device.

1 Q. Do you know are the work cell phones are those recorded or do
2 you know?

3 A. I do not -- all I know is San Jose is recorded through San
4 Jose. What they do on the phone itself, I have no idea but --

5 Q. Okay.

6 A. -- I know through San Jose control it is my understanding
7 it's recorded. I don't know what's recorded on our phones.

8 Q. Okay. And you may have already told me so forgive me, but
9 Tim comes back up to Center Street, and you guys know that you
10 want to put the three pieces of equipment on Main Track 2. Just
11 go over that conversation. I know he's asking you to get
12 something on one, but what conversation did you have with Tim
13 about their protection on Main Track 2?

14 A. Tim needs protection on Main Track 2 to set on I think it's
15 two, two type of crane, two cranes and his hi-rail vehicle. He
16 needs protection on one because the crane is so long and/or it
17 will be interfering with Main Track 1. I got Tim. I called San
18 Jose JRB, told them our -- again, we had talked earlier that
19 morning that I'm going to get same as yesterday I'm going to get
20 three pieces of machine on Track 2. Claude, the snapshot that
21 TASI sent out or Balfour Beatty or whoever sends out this snapshot
22 shows you are to get on at Linden. I said the machines are too
23 long. We're going to back up traffic. Linden's a bad spot.
24 Okay, Claude, I'll tell you what. Go back down to Center Street,
25 get on like you got on yesterday, and I'll have to give you two

1 pieces of track and time, but once I give you the two pieces, you
2 have to release one. And that's what I did. Tim called, told me
3 they were ready. I then called San Jose control and told them
4 they're ready. I think he told me to wait for one, one train to
5 go by. I think he called me back, are you ready? I understand
6 you want Main Track 2 from Point A to Point B. Yes, that is
7 correct, that's what I want. Okay. You ready to copy? I copied
8 it down. After he gave me the pieces of track and time, I called
9 Tim. Tim, we have track and time. This is the authority number,
10 blah, blah, blah. Hey, Claude, we also need one. I think I,
11 yeah, call -- hey, Jeff, I think his name, yeah, we need one,
12 yeah, you're right. We need one. Got one. Gave Tim the limits
13 on one. We got track okay. You're okay to set on Track 2. We
14 got the protection. When you get on, give me a call because we
15 have to release right away because we got a train coming south.
16 Train was coming south. I think that's the one that I was slowing
17 up to South City. So he called me. I then called San Jose, and
18 released the piece that -- Track 1, and I think he had me release
19 a piece on Track 2.

20 Q. Okay. Don't take this the wrong way, Claude, but your
21 conversation with the dispatcher, you had that on a work cell
22 phone or your private cell phone?

23 A. I don't have a private cell. My private cell is my work
24 phone. So --

25 Q. Okay.

1 A. -- the phone I have was my work phone, and that's the one I
2 was talking to San Jose, San Jose control. And that should have,
3 should have been a recorded channel.

4 Q. Okay. So is the takeaway from what you just described about
5 your conversation with Tim and your conversation with the
6 dispatcher is we want to -- we want to set these three pieces of
7 equipment on Main Track 2?

8 A. Um-hmm.

9 Q. And did the dispatcher give you specifically -- what kind of
10 protection did the dispatcher give you for setting that equipment
11 on Main Track 2?

12 A. He gave me track and time on two. I don't remember what the
13 limits were. I think I wrote them down in my, in my track and
14 time book. He gave me, I think, I think I had 209, 210 and 211.
15 I think those were the three that I had. So he gave me three
16 pieces of track and time. One was on one. I think that was 'till
17 called. I had one on two 'till called. And then I had one on two
18 all the way back to Sierra, CP Sierra. So those were the three
19 track and times I had. I had to release Track 1 because that's
20 where trains are running on one. And also I had to release a
21 piece on two. He wanted me to release. I'm giving you two
22 pieces. You have to release, release one on two, and I think I
23 released one on two -- I released one, and I think I released one
24 on two. That's what I did.

25 Q. Well, at one point in time you had track and time from the

1 dispatcher on Main Track 2.

2 A. Yes.

3 Q. And now you're saying you had two separate track and times on
4 two?

5 A. Yes. Yes, I think I had two pieces, two, two pieces, two
6 pieces. Again, I think if I remember the numbers I'm not for
7 sure, but it's -- I think I had 209, 210 and 211 or 211, 12, 9,
8 10, 11, something like that.

9 Q. Those are track and time authority numbers?

10 A. Authority numbers, yes.

11 Q. Given to you by the dispatcher?

12 A. By the dispatcher. So I had two pieces on two; and I had one
13 piece on one. And the one was just adjacent track 'till I got my
14 equipment on two. Once I got my equipment on two, I could release
15 Tack 1 so that our trains could run down one.

16 Q. Okay. And your conversation with Tim about getting the track
17 and time temporarily on one and releasing it --

18 A. Correct.

19 Q. -- do you have any issues with how that unfolded? In other
20 words, he talked to you, you reach out to the dispatcher, he gave
21 it to you -- I don't know --

22 A. Yeah, yeah, no, no, all that's correct. Tim reached out to
23 me. Hey, Claude, we need one also. Say, yeah, you're correct,
24 you're correct. Let me -- let's stand by, stand by and let me
25 call dispatch. I called dispatch. And then also Jeff -- I think

1 is -- I think I remember -- I called him Jeff, but JDM is his
2 initials anyway, if I remember. Jeff, I need to get one until
3 called. I got to get my equipment onto the track. He said, okay,
4 Robins, no problem. Let me give you authority on one. He gave me
5 the authority on one, and that (indiscernible) just until enough
6 time to get, get my equipment out of the foul from two to one out
7 of the foul. Soon as Tim called me back, you can release one.
8 We're in the clear on two. So Tim did that. I said, okay, you in
9 the clear? I'm in the clear on two. I called dispatch back, and
10 told dispatch, okay, I'd like the release now Main Track 1, and he
11 took the authority number. We read it back. I released one.
12 After I released one, I contacted the train that was either in
13 South City or just approaching South City. Okay. Track and time
14 as cleared up ahead. You can now proceed south on, on, I think,
15 it was on Main Track 1. And he went ahead, and I understand now
16 MW (indiscernible) I can proceed south on Main Track 1 on previous
17 instructions through your limits. That is correct. So the train
18 then proceeded south on the Main Track 1, and went on about his
19 merry go business.

20 Q. So you're no longer physically present. You're not down at
21 Center Street?

22 A. Never was at Center Street.

23 Q. Yeah, I --

24 A. Never was at Center Street.

25 Q. Thanks for clearing that up. But Tim, between Tim and you

1 and the dispatcher, there was track and time for that equipment to
2 be on Main Track 2?

3 A. Correct. To get on two, yes, that is correct.

4 Q. Okay. Did you ever have a follow-up conversation other --
5 I'm clear about you called the dispatcher, and released Main Track
6 1.

7 A. Yes.

8 Q. I mean after Tim called and said you're clear of it, you
9 followed up with the dispatcher?

10 A. Correct, correct.

11 Q. Okay. Did you ever call the dispatcher subsequent to
12 clearing up one? Did you ever call the dispatcher and have a
13 conversation with him about either one of those as you say two
14 pieces of protection on Main Track 2?

15 A. Yes. I called dispatcher back because I had to -- he wanted
16 me to release one of the pieces on two. So I released a piece on
17 two. I released a piece on two. And at this time Tim was on two,
18 and Tim was to proceed north to my location where I was waiting
19 for him, me and the trainee -- I call him a trainee, me and the
20 shadow -- was waiting for him come to South City where the
21 individual will get on your vehicle, and proceed north with you
22 guys, with the -- so Tim was to come north all the way past me.
23 I'm sitting at the station waiting for him, waiting for him to
24 come north. He's to pick up my individual. He's to get on his
25 truck, and they're to go down and set the three poles that was

1 laid out the previous day.

2 Q. I appreciate that. Listen, look, I get it.

3 A. Yeah, yeah.

4 Q. I'm sounding like a broken record but --

5 A. No, that's okay.

6 Q. -- I want to go back to the job briefing for a minute. And
7 you've convinced me that you made it clear to those, to those
8 people in attendance you did not have any protection on either
9 main track. The Form B was not in effect, correct?

10 A. That's correct.

11 Q. Did they --

12 A. That's correct.

13 Q. Did you tell them that they had protection on Main Track 1 or
14 Main Track 2?

15 A. No. Because they don't have no protection on 1 or 2.

16 Q. Okay, all right. I get that.

17 A. Okay.

18 Q. At the job briefing, the first task was go to Center Street
19 and set on, take care of that. The second task was to come north,
20 and eventually get up into your Form B, correct?

21 A. No, no, no, no, no. They have a job briefing. They are to go
22 to Center Street. The first task is that when they get to Center
23 Street, wait until they get permission to get on the track.

24 Q. Okay. But --

25 A. That's the first thing they have to do, get permission to get

1 on the track. When they get on the track, then the second thing
2 was for them, Tim and his group, to proceed to my location.

3 Q. Are you leaving something out? Was there anything said at
4 the job briefing about stopping at the fabrication yard to look up
5 material?

6 A. No, no. Again, my understanding was from early this morning
7 and in the job briefing they were going to go to Center Street,
8 and go to Center Street. When Tim gets them on, they were going
9 to go all the way to my jobsite. After they set the three poles
10 at my jobsite then, then we were going to go back to 11 dot 5, put
11 a cart on the track, and load three more poles. The construction
12 crew from Balfour Beatty was assembling or putting the poles
13 together. The poles wasn't even, even ready at that time. They
14 were getting on Center Street coming all the way to my location,
15 coming to my location to South City, going to work. After they
16 had set those three poles they had called their boss or someone,
17 they were going to go back to 11 dot 5 where the incident
18 occurred, load three more, three or four more poles, load them up.
19 They were going to assemble them. I don't know how they do that
20 or how they assemble or who assembles. Put them on a cart, and
21 then proceed, get permission again to proceed back to where I was
22 at.

23 Q. That is the sequence of tasks as you understood it, and was
24 discussed at the job briefing?

25 A. Correct, correct. With Mr. Phil, first with Mr. Phil,

1 Phillip or Phil, whatever his name was, Phil, first of all at
2 seven o'clock before we even had a job briefing. Me and him kind
3 of went over what the game plan for today was. We talked about
4 it. This is what the game plan. Then when we went in the
5 briefing, I reiterated (verbatim) that again. My understanding
6 per Mr. Phil is we're going to get on at Center Street. We're
7 going to travel down to my location into my Form B limits, set the
8 three poles. After we set the three poles, we're going to then go
9 back south to 11 dot 4, 11 6 where their yard is. They're going
10 to put some kind of cart on the track, and they're going to load
11 it, and then they're going to come back, again, traverse back
12 north to 8 dot 6, 8 dot 7 area, and continue setting the pole,
13 time permitting. This is we're saying, thinking now, this would
14 be after 12 o'clock. They only had three to put up. They're
15 going to put those three up. Come back. Go get poles. Come
16 back, and then put the other, the remaining if they had time. If
17 they didn't, they were going to set them down on the side just
18 like they did the ones that was already out there.

19 Q. You know the exact time that you talked to the dispatcher to
20 release the authority on Main Track 1. That's that conversation
21 between you and Tim. I've got the equipment on two, and he's
22 calling you, and he says, hey, I'm done with this. And you're
23 clear about that. So you reach out to the dispatcher, and you
24 release Main Track 1.

25 A. Roughly, yes. 9, 9:48, 9:46, somewhere in that -- around

1 that time, something like that. Yeah, I, yeah, I remember that.

2 Q. So Center Street is -- refresh my memory. It's at mile post
3 what?

4 A. Center Street is around 12 6, 12 7 right in that general
5 neighborhood.

6 Q. Okay. How long in your mind, in your opinion, how long after
7 they're already on should it take them to get from Center Street
8 up into the limits of your Form B? How many miles is that?

9 A. Okay. Well, they're -- if they're at 12 dot 6, 12 dot 7, I'm
10 roughly at 9 dot, 9 dot 1, I'll say. So 10, 11, 12. That's 3
11 miles, 3 -- that's about 3 miles and, and 4/10ths. We'll just say
12 3, 4/10ths, somewhere like that.

13 Q. So how long?

14 A. I can't give you a determine on how long because I don't know
15 how long it takes them. I'm not a machine operator. I do not put
16 a crane on the track. So I couldn't tell you how long it's going
17 to take to travel because I don't know the speed. Again, they did
18 it -- if you look at my book that my managers have, we go on
19 within I think 5 or 6 minutes I think it was. It was quick. We
20 were on and down the location. So I, I couldn't say. It's
21 recorded. It's in the book when I released it and everything.
22 The day before we were on in a matter of, like I said, under 10
23 minutes or so. We were on, boom, and on our way. I don't know
24 why this time it took -- if he had problems on their end, I can't
25 answer that.

1 Q. Well, I would just point out that when he called you, I
2 think, I think it's fair to say he was indicating to you that all
3 the equipment was on two.

4 A. Yes, yes, when Tim called me.

5 Q. And that is why he could release, make the request to you to
6 release Main Track 1.

7 A. Correct, correct, correct. At that time he's on, he's on
8 two. There's no way I would have released one if he wasn't in the
9 clear of two. So when he called me to tell me men and equipment
10 are in the clear, I now are (verbatim) able to release the track
11 and time on one.

12 Q. Okay. But he's not in the clear of two?

13 A. He's in the -- he's on two. I got, I got positive
14 protection on two. I got protection on two.

15 Q. With the dispatcher?

16 A. Yeah, with the -- track and time.

17 Q. And you got two pieces.

18 A. I got two pieces.

19 Q. On two.

20 A. On two, yes.

21 Q. And those two pieces don't have anything to do with the
22 Form B?

23 A. No, no, they don't have -- well, it gives me track and time
24 from a Point A to Point B. My Form B, again, I had a -- my
25 Form B is between 9 dot 3 and 9 dot 8. I think I had a -- from

1 Center Street to Scott or Center Street to Sierra. So that would
2 -- that track and time would cover me throughout that whole, that,
3 you know, those whole limits.

4 Q. Did one of the two pieces of track and time authority from
5 the dispatcher did it cover Main Track 2 from Center Street; did
6 it include the area where the fabrication yard is up to your
7 Form B Limits?

8 A. I think one of them did. Again, can't remember, but I think
9 I had a -- yes. I think I had north, north Center to Scott, I
10 think it -- it could have been Scott. Scott or Sierra, one of
11 them. That would have covered me. That would have covered you in
12 that, in that area.

13 Q. Okay.

14 A. If I remember right. My recollection.

15 Q. You'll have to forgive me.

16 A. Yes.

17 Q. I wasn't out there. This whole thing about two pieces of
18 track and time authority from the dispatcher that you're holding,
19 and you said earlier that when you called the dispatcher back he
20 wanted you to give up one of the two Main Track 2 authorities.

21 A. Yes.

22 Q. Did I understand that correctly?

23 A. Yeah, yeah, yeah. He was giving me, he was giving me two
24 pieces of track and time on two, and the reason was because if I
25 remember right was originally again I was supposed to get on at

1 Linden, at Linden. But I went to another control point down, and
2 got on at Center Street. So, therefore, he said I have to give
3 you two pieces. Two pieces of track and time is what he gave me,
4 and you have to release one is what he said.

5 Q. Well, after you, after you had the conversation with the
6 dispatcher about clearing up one, giving that Main Track 1 back to
7 him, how long was it before you had the second conversation with
8 the dispatcher about giving up one of the two, one of the two
9 pieces of track and time authority on Main Track 2? How long?
10 Just guesstimate.

11 A. I think I get one at like I think 9:48. The other one like
12 9:54, 56. It was, I think it was like under 5 or 6 minutes.

13 Q. Shortly thereafter.

14 A. Roughly, roughly, I think. I released one, and I immediately
15 released the one on -- another one on -- one piece of two.

16 Q. Well --

17 A. I think, yeah.

18 Q. -- so can you remember specifically which one of those two
19 pieces of Main Track 2 track and time authority from the
20 dispatcher that you released?

21 A. I don't remember. I think it was the one that was 'till
22 called. I think. I don't know which, which one that -- I think.
23 Again, I don't remember, but I did release one of them. I
24 remember releasing one of them.

25 Q. Okay. Help me out here. Whatever conversation you had with

1 the dispatcher specifically about the one of the two that you did
2 release that was a recorded conversation?

3 A. That should have been recorded. That was on the recorded
4 channel, yeah. Any time I'm talking to dispatch it should be
5 recorded. Again, my understanding that it should have been.
6 Again, I don't record. So it should have been. I would think
7 it's recorded.

8 Q. Well, I don't want to jump forward.

9 A. Yes.

10 Q. But in my humble opinion, it sounds like we need to go
11 revisit that particular conversation. Does it sound fair to you
12 that there could have been some mix-up between you and the
13 dispatcher about which one of those two pieces of track and time
14 got released?

15 A. Yes, yes. I would say yes. I would say yes.

16 Q. And I would go on to say maybe one of them got released that
17 you did not want to get released?

18 A. That's a possibility, yes. That's a possibility. I would
19 say yes.

20 Q. I'm sorry to have beat around the bush so much with you --

21 A. No, no. It's --

22 Q. -- but I wanted to get this thing straight in my mind about
23 the sequence, and about the specificity of having a couple of
24 pieces of --

25 A. Sure.

1 Q. -- track and time on Main Track 2.

2 A. Okay. Yes. No. No problem. I have clear understanding.

3 Q. All right. Let's see what the other interviewers might want
4 to say.

5 MR. HIPSKIND: Felipe.

6 BY MR. AYALA:

7 Q. I just have three questions for you. Most of them were
8 answered. But the first question you mentioned that Padilla, your
9 trainee --

10 A. Yeah, yeah.

11 Q. -- he's the one that provided the initial jaw breaker, right,
12 at visitation?

13 A. Visitation, yes, yes.

14 Q. Okay. So you also mentioned that, that you corrected him on
15 some of the items that he may have missed?

16 A. Correct.

17 Q. So and then you also stated that you re-briefed?

18 A. Yes. I went over the briefing sheet. That's correct.

19 Q. Okay. So when you re-briefed, did you re-brief all the
20 parties involved?

21 A. Yes. Every -- no, everybody, everybody. We're all in a, in
22 a group just like this circle. When he, he briefed, he said what
23 he said. He read off the paper, off my paper. I then took the
24 paper right there with everybody still there still present, and
25 re-briefed and re-correctified (verbatim) anything that may have

1 been -- didn't understand or made sure we were all still on the
2 same page.

3 Q. Okay. And then so as far as a job briefing, what's
4 Caltrain's process to ensure that everybody understands the job
5 briefing? So you're done with the job briefing --

6 A. Um-hmm.

7 Q. -- how do you know everybody acknowledges the job briefing
8 meaning everybody understands it?

9 A. After you give a job briefing, there's a, a box on the back
10 of this does anybody -- does everybody understand the, the job
11 briefing? Does anybody have any questions of concern? And it's a
12 box you check yes or no. And is anybody not comfortable with the
13 protection and our whatever we're providing? I think there's a
14 box on the back, the back, the second page of the job briefing
15 sheet. And I think that was checked that everybody understood,
16 and nobody had no, no questions as to fact of what their
17 protection was.

18 Q. And that's -- so that's, that's the normal protocol for every
19 job briefing?

20 A. Yeah. Yes. Pretty much.

21 Q. Okay. Thank you. And then one more question here. So I'm
22 going to take you back to Center Street, okay?

23 A. Okay.

24 Q. Okay. So they set on the -- they're on the Main Track 2,
25 right?

- 1 A. Yes.
- 2 Q. Okay. So then Tim calls you to let you know that they are
3 set, that they are on Main Track 2.
- 4 A. Correct.
- 5 Q. And that they are clear of Main Track 1?
- 6 A. That's correct.
- 7 Q. And that it's okay for you to release Main Track 1?
- 8 A. That's correct.
- 9 Q. Correct?
- 10 A. That's correct.
- 11 Q. So then from there you call the dispatcher release Main
12 Track 1.
- 13 A. That's correct.
- 14 Q. After you release Main Track 1, then that's when you contact
15 the train at South San Francisco?
- 16 A. That's correct. I had a train coming down (indiscernible)
17 through my limits, and he's coming down. I know I got equipment
18 down at Center Street. So I don't want the train to go no farther
19 than South San Francisco until I know it's clear. At that time,
20 the train called me it was not clear. So what I did, brought the
21 train all the way down to South San Francisco, and had him hold.
22 Had him hold for further instructions, and I wanted to make sure
23 we were cleared up at South -- at Center Street before I allowed
24 him to proceed. I got the conversation from Tim that they were in
25 the clear. I then called the train back, and told them it was

1 clear, follow instructions on previous instructions. He's able to
2 max speed through the limits, and that's what he did. He was on
3 the one, I think, and he went on down and did his business.

4 Q. So after that occurred, did you and Tim have a conversation
5 about releasing either one of those two track authorities on Main
6 Track 2?

7 A. Main Track 2, yeah, okay. Let's see what -- we did. Tim,
8 Tim called -- did I call Tim? I remember writing a release time
9 they're clear and proceeding, proceeding north to my location. I
10 wrote it. I didn't write it on that, on that limits cleared box
11 because I was writing, I was writing something else talking to the
12 train. I think I -- I write all the trains that call me, 506,
13 420, whatever it was. And I wrote it on the side, I think, while
14 I think Tim and them was clear and en route to back to coming to
15 where I was at. I wrote it down, but it wasn't in the -- on the
16 box form where it should have been where it said acknowledge time,
17 acknowledge time.

18 Q. So the clear time that you wrote, what was it acknowledging
19 that Tim was clear of?

20 A. I, yeah, I don't know. I don't know. I don't know.

21 Q. Did Tim ever call you to tell you to release any authorities
22 on Main Track 2?

23 A. I don't remember. I don't, I don't think -- I don't really
24 remember. I really don't. I -- no, I don't remember that part.
25 No, I really don't. I remember writing the time down. I do

1 remember that, but to be honest, I don't remember the -- that
2 conversation I know we had, but I don't remember that
3 conversation.

4 Q. After you released Main Track 2, did you call Tim to let him
5 know you were releasing Main Track 2?

6 A. No. I don't think I did. I thought we had that -- again,
7 I'm going back. I thought we had that, that conversation, but I,
8 I can't recall that part.

9 Q. I'm going to take you back just a little bit again.

10 A. Yes, yes, yes.

11 Q. So when you released Main Track 1 --

12 A. Main Track 1, remember that.

13 Q. -- is it protocol to -- in this situation, you know, you have
14 -- you're working with another group -- is it protocol or rules,
15 does Caltrain have rules, when you release a track authority after
16 you release it to call that, that subgroup again, and, and let him
17 know one more time that everything is released?

18 A. No. I don't think that's protocol once the -- I'm trying to
19 think. One I release track and time you tell me he's, he's got
20 -- normally, if I'm in a group I would call him back 426 has been
21 released. Understand that I'm releasing 426. If I acknowledge at
22 9:30, Mr. Felipe, that you're in the clear, okay, it's okay to
23 release 426, I will call dispatch, you're in the clear at 9:25. I
24 call dispatch, men and equipment are in the clear, and I release
25 you at 9:26. I don't call him back, and say now 425 has been

1 released.

2 Q. Okay. Okay. Thank you, Claude. That's all the questions.

3 A. Sure, sure.

4 MR. HIPSKIND: Thanks, Felipe.

5 James.

6 MR. RIDGWAY: Yes.

7 BY MR. RIDGWAY:

8 Q. So in the Form B, you said that Tim was a subgroup
9 coordinator?

10 A. Yes.

11 Q. Was there any other subgroups that were -- you were
12 coordinating with in your Form B that day or was it just --

13 A. No, just, just Tim.

14 Q. So that was the --

15 A. Just Tim was my only one.

16 Q. When -- so when Tim was using your track and time to get from
17 where he set on Center Street --

18 A. Center Street.

19 Q. -- to your Form B, he is a -- he is the, basically the only
20 thing -- he's part of your workgroup? He's not a subgroup then?

21 A. Correct, correct. Subgroup really only comes in when you
22 have a Form B. That's when we use the subgroup. Technically, I
23 guess, if you want to call it technically, he would be considered
24 a watchman, I guess you would say. He would be a watchman at that
25 time because a Form B is not, not in effect. A Form B normally if

1 you have a coordinator, I think, a Form B is when I have a
2 coordinator when the Form B is in effect.

3 Q. Right.

4 A. And, again, well, I guess he would be. Because at 9:30 or
5 9:40, I'm trying to think, 9 -- my Form B was in effect. So if
6 he's -- if it's in effect, he would be, he would be in my
7 workgroup. So he would be a subgroup coordinator.

8 Q. On your track and time --

9 A. Okay.

10 Q. -- from like the railroad I came from, when somebody gets on
11 your authority there's a spot where you put down this is, you
12 know, Tim --

13 A. Yes.

14 Q. -- at this time. And then when he -- there's not a spot
15 where you've got a -- when he contacts you I'm clear now so you
16 could go ahead and --

17 A. Yes. There is a -- there -- I understand what you're saying.
18 I think I got it right. There is a line, there is a line that
19 says authority number, I would say 4 -- or 1, 2, 3. I would give
20 the name, Tim Hidalgo. I would say acknowledge, acknowledge at
21 12:15, and my limit. And it should be another box that says time
22 cleared, time cleared 12:18. And on the bottom of the sheet it
23 will say have all men and equipment been clear of your limits?
24 You check yes or no, and then you would have a box that you sign
25 for your, for your release time from dispatch.

1 MR. RIDGEWAY: That's all I have. Thank you.

2 MR. HIPSKIND: Thanks, James.

3 Rick.

4 MR. BRUCE: No questions.

5 MR. ROBINS: Thank you, sir.

6 MR. SEBEZ: Claude --

7 MR. HIPSKIND: Tell the transcription who you are.

8 MR. SEBEZ: Sure. Robert Sebez, Caltrain Safety.

9 BY MR. SEBEZ:

10 Q. Claude, what time did the crew arrive at visitation, the
11 Balfour Beatty crew?

12 A. I got there a little after 7, 7 o'clock. The foreman was
13 there. The foreman, which his name is Phil, he was there. The
14 other crew came like 7:30-ish. The briefing wasn't 'till 8
15 o'clock but they were getting their stuff out of their truck,
16 putting their stuff into -- getting their self ready. So between
17 7:30 and 8, I would say. But the foreman, I would say, after
18 7 o'clock I seen his vehicle at visitation 7, 7:15-ish.

19 Q. Okay. And what time was the Form B in effect?

20 A. I think 9, 9 o'clock to 1630. 1600 or 1630, one of them.

21 Q. What was the purpose of the Form B?

22 A. To provide protection for them while they put up their, their
23 PTC poles. I think it's -- no, I'm sorry. Electrification poles.
24 In case one falls or dislodge or they fall onto the other track we
25 had protection. They had to do it off of 2 Track. So we had a

1 Form B, somebody putting in a Form B. I don't know who. They had
2 been doing this. That was my only second day with that crew. So
3 I have, I have no idea.

4 Q. Sure. Sure. At any point does that crew foul Main Track 1?
5 Working on the field side of Main Track 2?

6 A. I couldn't say because I don't know when they turn that
7 crane. I don't know when they pick up the pole because, again,
8 I'm at a different location. I'm down the track a bit. They're at
9 8 dot, 8 dot 4, 8 dot 5 area. I'm at South San Francisco. So
10 that the trains have -- can hear my radio. We have the barricade
11 right around 7 dot 9, 8 dot zero. Coming around that curve it's
12 hard getting reception with our radio sometimes with the traffic.
13 So I'm positioned at South San Francisco so I could hear both
14 sides of the train so that they could hear me. If not, it's like
15 a dead zone. It's a dead zone.

16 Q. Was it discussed in the job briefing at any point if anybody
17 was to foul Main Track 1?

18 A. No, no.

19 Q. Besides setting --

20 A. No, no, no, no. That would be with the coordinator, subgroup
21 down there. And if they did foul one, they still had protection.
22 They still had the Form B, the Form B protection. Again, when I
23 clear a train, I call Mr. Hidalgo. Train 123 is in the limits.
24 123 is coming. MW 200 to MW Hidalgo or Mesquez (ph.). Are you in
25 the clear? They call me back. Men and equipment are in the

1 clear. So that's telling me men and equipment are clear of Main
2 Track 1 and Main Track 2, and then I'm able to send my train
3 through.

4 Q. Aside from the on-track equipment, do you know if the men on
5 Main Track 2 while working field side of Main Track 2 is all the
6 people on the ground on the field side of Main Track 2?

7 A. I don't know. They're supposed to -- again, I can answer
8 that because I'm not down there when they're doing the work. I
9 don't know. I really don't know. They should be on the -- nobody
10 really should be on one side. All the work is on the field side
11 of two. So nobody should be on the one side.

12 Q. Have you worked with this crew before while they were in the
13 yard?

14 A. One day. One day I think I worked, yeah, and came to work at
15 4:30, 5 o'clock. I'm sorry, 5 o'clock -- day before, and as I'm
16 getting across the, coming into the parking lot to pick up my
17 vehicle at 5:30 a.m., I get a call from Mr. Cary (ph.). You're
18 taking over or you're watching this crew today. Again, I have no
19 idea --

20 Q. Sure.

21 A. -- what's going on, who you are, who you are, who you are,
22 how many pieces of machine. I have no idea.

23 Q. And did the Form B limits cover the yard?

24 A. No.

25 Q. And was the crane utilized in the, in the yard, San Bruno

1 Yard?

2 A. I don't know. I don't know. Again, I can't say. Again, I
3 do not know that because that was outside of my limits, and I
4 mean, I have no idea what, what they were doing. All I know is
5 they went down there the previous day to load, to load the poles
6 onto a cart --

7 Q. Yeah.

8 A. -- and bring -- now, I don't know if they're loading those
9 from the yard over, over the fence, or I don't know if he's doing
10 this -- again, I have -- again, I'm at South San Francisco.

11 Q. Okay. So on the previous day we weren't sure they were using
12 the crane to load the poles?

13 A. No, I do not know. I do not know.

14 Q. Okay. I think -- yeah, that's all my questions. Thank you,
15 Claude.

16 A. Okay.

17 MR. HIPSKIND: Thanks, Robert.

18 Jim Brown.

19 BY MR. J. BROWN:

20 Q. Hi, Claude. Question is on the, the employee that was with
21 you, what was his name again?

22 A. That one --

23 Q. -- employee.

24 A. Yeah. That one, let's see, Padilla was this one. Amesqua,
25 Amesqua. He's a new guy. The guy was with me?

- 1 Q. Yes.
- 2 A. Amesqua. That's all I know him as. I don't know his --
- 3 Q. Okay.
- 4 A. -- Amesqua. First time I think I, I mean, I'd seen him. I'm
- 5 normally working alone and doing what I do, but this is --
- 6 Q. When you were establishing the track and time at the Center
- 7 Street on M Track 1 and then M Track 2, where -- was that employee
- 8 with you?
- 9 A. Amesqua was with me, yes, yes, sir.
- 10 Q. Okay.
- 11 A. Amesqua was with me. Padilla was with Hidalgo.
- 12 Q. Okay. And in your conversations with the dispatcher, did you
- 13 have any questions on what you were requesting? Did you get what
- 14 you were requesting on your track and time?
- 15 A. No. He -- I think when -- yeah. He gave me, he, when he
- 16 asked you getting on at Center Street so you need north Center to
- 17 Sierra, Scott -- yes, I'm ready to copy, and I just, yes, I'm
- 18 ready to copy, and that's what he gave --
- 19 Q. Okay. So you --
- 20 A. -- I never really asked for -- because what was asked for us
- 21 to get we got something different. What -- the request from
- 22 either Balfour, TASI, Luna, whoever put that request in, they
- 23 requested that we get something up at Linden.
- 24 Q. Right.
- 25 A. Not Center Street. So, so I just went --

1 Q. Right.

2 A. -- with, you know, what they -- again, because I wasn't
3 working with the but that one day, and it went smooth that one
4 day.

5 Q. So the extent of the track and time limits from the day
6 before were different than what you got the day of --

7 A. I don't remember the day before because I -- it's in my book.

8 Q. Right.

9 A. It's in my track and time. It's recorded. So everything's
10 in the book but, again, I didn't look to the previous day as to
11 what I had.

12 Q. Okay.

13 A. It should have been the -- it should have been the same. If
14 we're doing the same thing, it should have been the same but,
15 again, I, I didn't look at the --

16 Q. Just to clarify. You had no questions with the dispatcher on
17 what you requested to protect those --

18 A. No.

19 Q. -- tracks? Okay. And the, and -- so once you released
20 M Track 1 after you got -- Hidalgo told you they were set on and
21 clear on M Track 2 ready to proceed, right?

22 A. Yes.

23 Q. You said -- what is it about 6 or 8 minutes after that you
24 released M Track 2?

25 A. Yeah, yeah, something, somewhere around that time.

1 Q. And did you call Hidalgo to -- I'm not sure if --

2 A. Yeah. Me and Hidalgo talked, yeah, we did talk, but I wrote
3 a time. I remember writing a time on -- because I got the sheets
4 in my truck that I'm writing numbers down and train numbers. I
5 did talk to Hidalgo but, again --

6 Q. You talked to him prior to, to show he was clear so --

7 A. He was on -- that he was on Main Track 2.

8 Q. That he was on M --

9 A. That he was on two. I think that was our conversation.

10 Q. Did you talk -- I'm sorry. But did you talk to him prior to
11 releasing the track and time?

12 A. Again, I, I can't say 101 percent sure that I, that I did.

13 I, I can't say that.

14 Q. Is that what you do on a normal basis? I know you've had a
15 lot of experience doing this, right?

16 A. Yes.

17 Q. Would you normally contact the crew in your limits to ensure,
18 ensure --

19 A. Yes.

20 Q. -- that it's clear?

21 A. Yes, yes.

22 MR. J. BROWN: I have no further questions. Thanks.

23 MR. HIPSKIND: Thanks, Jim.

24 Derek.

25 MR. D. BROWN: No questions.

1 MR. HIPSKIND: All right, Claude, do you want to take a
2 break, or do you want to plough forward?

3 MR. ROBINS: No. We can, we can go on forward.

4 MR. HIPSKIND: Okay. Let me introduce Mitch. I want you to
5 talk to us about whether we got off the wrong path. Do you have
6 any clarifications to add?

7 MR. MCCARTHY: I think there's been good questions. Claude,
8 you were very thorough in your explanation of it. I appreciate
9 that. I don't think there's any necessary clarification except
10 for the Form B that you had asked for. Typically you have that.
11 If you're working on Track 2 in their scenario, Track 1 would be
12 protected, you know, for trains coming by just in case something
13 fell, but they're not, you know, physically protected on that
14 track. It's just for the Form B to stop trains before proceeding
15 to it to make sure it's clear. That's all. Everything else I
16 feel is fine.

17 BY MR. HIPSKIND:

18 Q. Okay. I'm going to exercise a little liberty here. I do
19 want to, I do want to be a little bit more clear about
20 communications that you had with the dispatcher. And the only
21 thing I want to talk about is Main Track 2.

22 A. Okay.

23 Q. I don't believe talking about the Form B is as critical to
24 understanding the accident because the accident took place -- I
25 might have my -- it took place south of your Form B.

1 A. Correct.

2 Q. The equipment never made it to your Form B.

3 A. Correct.

4 Q. And tying something together about the job briefing and where
5 the incident happened. Are you surprised that they stopped at the
6 fabrication yard, and loaded up poles, and that they were there
7 for about an hour?

8 A. Yeah, I -- well, I am kind of a little baffled about that
9 because, again, our conversation was get on Track 2, come down to
10 my location where I'm sitting, where I'm waiting, where the
11 individual's with me waiting to set the three poles. And then
12 later that day we were, per our conversation, was they're going to
13 go back south, and go back to the yard. So I'm -- I didn't -- but
14 I, yeah, I'm wondering why did we stop at that yard. I don't
15 know who, who came up with that. My -- again, you were coming to
16 me. I'm waiting for you. And I just --

17 Q. Okay. But is it fair to say you never called them. I mean,
18 it was a, it was quite a while, I mean, like an hour or more from
19 when they set on at Center, and called you, and cleared up Main
20 Track 1, and they were supposedly in transit to you. Did you ever
21 call back to Tim and say, hey, where are you guys at? You should
22 have been here a long time ago. You ever have that conversation
23 with him about anything like that?

24 A. I think if, again, I cleared up around 9:49, 50. I think he,
25 he was coming. He called me, and said something about the yard.

1 He's coming up to the yard. They're stopped by the yard or
2 somewhat like -- I don't remember what it was, but we're on our
3 location, and we're coming to you. But something transpired in
4 that yard. Again, I didn't (indiscernible) that they're loading
5 or what the deal was. We're waiting for you. Stop so that the
6 individual can get on. That's what I remember about that.

7 Q. Okay. And when you describe your conversation with the
8 dispatcher, you used the term you said -- and I don't want to get
9 into all the details of the limits and whatnot, but you
10 characterized it by saying like on-call or --

11 A. Until call, yeah, it's until called.

12 Q. Until called.

13 A. Until called.

14 Q. Well, I'm going to give you my understanding of that.

15 A. Okay.

16 Q. Your track and time on Main Track 2 for the limits that the
17 dispatcher gave you stays in effect until you call the dispatcher,
18 and you have a conversation about releasing that specific area.

19 A. That will be correct. That will be correct.

20 Q. Okay. All right. I'm not trying to make this complicated.

21 A. No, no. It's okay. I'm doing my best.

22 Q. In listening to you, it's my understanding that you did call
23 the dispatcher to secure a track and time on Main Track 2 that
24 would cover setting the equipment on at Center Street --

25 A. Um-hmm.

1 Q. -- and that the other end of that limit would take them,
2 would protect them all the way up to your Form B.

3 A. That was my understanding of my -- that I had in my mind,
4 yes.

5 Q. Well, and the recorded conversation with the dispatcher will
6 affirm that?

7 A. Okay. Yes.

8 Q. All right. But you described it -- your conversation with
9 you and the dispatcher was about two pieces of track and time.

10 A. Um-hmm.

11 Q. I'm correct, right?

12 A. You're correct. You're correct.

13 Q. Okay. Well, you told us that you got the one piece of track
14 and time on Main Track 2 that protected them putting the equipment
15 on, occupying Main Track 2, from at least Center Street probably
16 actually north of that all the way up to your Form B. I am clear
17 about that.

18 A. Okay.

19 Q. When did you ever have this conversation about this second
20 piece of track and time? I don't get when that occurred.

21 A. Okay. When we -- early in the morning when I talked to
22 dispatch, told them my plan for the day, told them what I was
23 doing, told them I'll be working -- I'll be 200 today. I'll be
24 getting on at Center Street, and -- I'll be getting on at Center
25 Street. He's I guess on his board, on his paperwork says no.

1 They got you getting on at --

2 Q. Well, let me stop you there. I don't like interrupting you.

3 A. Okay.

4 Q. But you just used the word they.

5 A. Yes.

6 Q. Who is they?

7 A. They would have to be the ones Balfour Beatty,
8 TransitAmerica, Mike Luna, whoever they are to give us a daily
9 update as to what limits that we're allowed to have. I don't know
10 where they come from. We get them daily. Dispatch gets them
11 daily. They, which is TransitAmerica, Balfour Beatty, the group
12 is the ones who give it to us and/or dispatch as what limits we
13 could -- we have for that day or what's authorized. And I don't
14 know if that's Mr. Luna. It comes from Mr. Luna. I don't know if
15 he goes over with our boss or their boss. I don't know. That's
16 what I mean they. They give me -- they give us and on my phone a
17 paper, and it's the whole limits, the whole territory. MW Robins,
18 you get from North Center to South Sierra, Main Track 1, Main
19 Track 2 until 1600. It goes down to the neckline. Mr. Brown, you
20 get CP Trousdale to CP Palm until 1600 time Main Tracks 1, Main
21 Track 2. It's a sheet that comes out daily, and where the sheet
22 comes from management side or operations, they give it to them,
23 which is dispatch, and they give it to ourselves. That's what I
24 mean by they.

25 Q. Okay. So when the dispatcher was relating to you about this

1 whole conversation basically it's about the choice of crossings to
2 set the equipment on.

3 A. Yes.

4 Q. And he's telling you -- is he telling you there's already a
5 track and time authority set up on Main Track 2?

6 A. There's not -- yeah, originally -- let me put it this way.
7 From the paperwork, discussion that he gets from his team -- I
8 don't know who is -- the team is that puts out this information
9 whoever overlooks the whole project indicated that Robins you
10 should -- or not Robins because they didn't know it was going to
11 be me. Whoever is running this gang should be able to get on
12 right here. Should be able to get on at this crossing. No. That
13 can't happen. I got five piece of machine. It can't happen like
14 that because the crossing is only yea big. So maybe the
15 calculations on their side wasn't right. I don't know. But after
16 talking to him, no, we're going to send you all the way back down
17 to Center, and get on at Center instead of getting on right here.
18 I'm going to move you all the way down and, therefore, I'm going
19 to give you two pieces of track and time, and you'll have to
20 release one right away. That was my conversation with dispatch.

21 Q. Okay. Center Street --

22 A. Yes.

23 Q. -- is which direction from Lindenwood?

24 A. That would be going south. That's Linden is going -- I mean,
25 Center is going south from Linden. Linden, Center Street, yeah,

1 Linden, Scott, Center Street.

2 Q. Center Street is the furthest one south?

3 A. Center, would be Center Street.

4 Q. Okay. Well, put the cap on this. Did you ever call the
5 dispatcher to request a track and time from Lindenwood up to the
6 Form B?

7 A. No.

8 Q. You sure about that?

9 A. From Linden, from Linden to Scott? I don't know. I'm just
10 trying to, I'm just trying to --

11 Q. I want to -- I think I said Lindenwood.

12 A. Yeah. You said Lindenwood.

13 Q. It's Linden.

14 A. Linden, L-i-n-d-e-n, I think.

15 Q. Okay.

16 A. Linden Street.

17 Q. Did you ever call the dispatcher at any time on the day of
18 the accident, and request track and time from Linden up to your
19 Form B?

20 A. I don't, I don't recall that. I don't recall. I don't
21 recall that. Again, the three track and times I had, 209, I
22 think, 210, and 211. Those would establish the three track and
23 time that I have. I don't remember asking for something from
24 Linden to, Linden to -- Linden is roughly 10 dot, again, 10 dot 2,
25 I would say. My limits are 9 dot 8. That's 2 4/10ths of a, of a

1 going back north. Here's Linden, example. Here's Linden, and
2 here's 9 dot 8. Just that close. I mean, I'm talking about from
3 here to the parking -- inside the parking lot.

4 Q. Okay.

5 A. Here to the door or somewhat like that.

6 Q. And I understand. But I'm thinking back to your part of the
7 description of how things unfolded that day, and I'm thinking
8 about conversations that you described with the dispatcher. And
9 part of that conversation was that he was telling you that you had
10 to give up one of the two track and times that he had.

11 A. He had given me?

12 Q. Well, I don't know, but it sounded to me like he was saying
13 to you that you had two, and it sounds to me like what you're
14 telling me is, no, you only requested one.

15 A. I'm kind of confused.

16 Q. I am too.

17 A. Yeah, yeah, yeah. Can somebody help me out here? A little
18 bit anyway just to clarify it here.

19 Q. Well, just a second.

20 A. Okay. Go ahead.

21 MR. HIPSKIND: Mitch, do you want to --

22 MR. MCCARTHY: I'd love to clarify.

23 MR. HIPSKIND: Okay. Help clarify that.

24 BY MR. MCCARTHY:

25 Q. So I believe where the mix-up may be is that there is a

1 document that's sent out to all the parties regarding the expected
2 track and time to be requested for the day. The dispatcher had
3 that document. When Claude called to request the time, he then
4 requested to pick up three pieces of time: Track 1, and then up to
5 the Form B, Track 2 in the Form B. Does that sound correct?

6 A. It sounds about right.

7 Q. So there was no track and time before Mr. Claude called and
8 requested the three pieces of track and time. And he said
9 earlier, correct me if I'm wrong, it was like 209, 210 and 211.

10 A. That's pretty close. It might be off, but it's -- it sound
11 about correct.

12 Q. In addition to that, I believe, when he asked you the
13 question about until called, in my experience track and time until
14 you're called means until the dispatcher calls you to clear.

15 A. No. That could be. You could interpret it that. Until
16 called means I have it until I give it back. If it called -- if
17 the dispatch called and said, hey, Claude or Robins or 200 whoever
18 you are, I need that track and time back, you got it 'till called.
19 It's still mine. I still own it.

20 Q. Okay.

21 A. But if you call and say, hey, can you clear up in three
22 minutes, I called, I got it until those -- and, again, until I
23 give it back to you. That's if called.

24 MR. HIPSKIND: All right. Derek, do you have a question you
25 want to ask.

1 BY MR. D. BROWN:

2 Q. I would like to clarify and (indiscernible) agree with you.
3 The track and time work both ways. Until called is either who
4 called who. Then we have a discussion we release it. Secondly,
5 Claude, you said you worked with the same group the day before?

6 A. Yes, sir, I did.

7 Q. Can you recall what track and time limits you had the day
8 before? From what CP to what CP?

9 A. Yeah. Sierra to maybe north limit -- Center on one, I think,
10 and I, I can't recall. It's in my book.

11 Q. Let me ask you next question. What track was the equipment
12 on the day before?

13 A. The equipment was on Track 2.

14 Q. I'm going to ask you again, what were the limits for the
15 track and time you had the day before the incident?

16 A. Should have been Sierra to Center.

17 Q. Okay. And on the day of the incident (indiscernible) you had
18 two pieces when you called the dispatcher, and the dispatcher
19 advise you that you'll need to put your equipment on at Linden,
20 where is Linden located?

21 A. Linden is located at 10 dot 2, 10 dot 3, right in --

22 Q. And if you can recall, where is Sierra and Scott located?

23 A. Scott is -- Sierra is 8 dot, 8 dot 2. Scott would be 10 4,
24 10 5, I think.

25 Q. So would you agree that Scott was inside the limits of Sierra

1 and Scott?

2 A. I would agree with that.

3 MR. D. BROWN. Okay. That's all my questions. Thank you.

4 MR. HIPSKIND: Thanks for the input there, Derek.

5 Hold on, Mitch. Hold on.

6 BY MR. HIPSKIND:

7 Q. If Mitch is right, you had a Form B out there, and you had
8 this other track and time that you had on Track 2 for that
9 equipment to set on and move up to your limits, does that sound
10 right to you?

11 A. Sounds right.

12 Q. Well, when you -- you eventually had a conversation, did you
13 -- question, did you eventually have a conversation with the
14 dispatcher in which you released something with him that had to do
15 with Track 2?

16 A. That would be correct.

17 Q. What do you think you released with him?

18 A. I, I, again, I don't -- I had the two pieces. It was one of
19 the two. Again, I know had two pieces. I, I don't recall which,
20 which, which piece I released.

21 Q. Well, you would surely know if you had a conversation with
22 the dispatcher releasing your Form B. I mean --

23 A. Again, I didn't release a Form B. You talking about the
24 track and time?

25 Q. Yeah.

- 1 A. Yeah.
- 2 Q. You would have never released the Form B. The Form B was set
3 up for the --
- 4 A. 'till, 'till --
- 5 Q. -- work throughout the day.
- 6 A. Correct.
- 7 Q. And it included Main Track 1 and Main Track 2.
- 8 A. That's correct.
- 9 Q. And you'd set up the signs.
- 10 A. That's correct on Main Track 1, Main Track 2.
- 11 Q. I don't want you to take this harshly.
- 12 A. Yeah, no, no. It's --
- 13 Q. It would have been crazy for you to release Form B. That was
14 the whole purpose of the work that day, right?
- 15 A. Correct.
- 16 Q. Okay. What did you have left to release with the dispatcher
17 that was yours?
- 18 A. That would have been Main Track 2 to Sierra to -- would have
19 been Sierra to Center or, yeah, somewhere in that area, yeah.
- 20 Q. Okay. Is the fabrication yard roughly Mile Post 11 dot 6, is
21 it in the limits of those two names that you just said?
- 22 A. It's -- yes, it's in the, it's in the limits of Sierra to, to
23 Center, yes. It would be in that limits. It would be in that
24 limit. If you're 11 dot 6, again, if -- 11 dot 6, Center is 12
25 dot, again, 12 dot 3, 12 dot 4. If you go backwards, and you go

1 north of Sierra, Sierra would be 8, 8 dot 2, 8 dot 2. So, yeah,
2 you'll be well in those limits.

3 Q. Okay. Your last conversation with Tim was what? I'm getting
4 beyond the, the Main Track 1 discussion.

5 A. Okay.

6 Q. The equipment is on. He's told you we're clear of one, and
7 there -- you guys talked about, well, move up to the Form B. What
8 other conversation did you have with Tim, or did you have a
9 conversation with Tim about your conversation with the dispatcher,
10 and releasing with the dispatcher one of your track and times on
11 Main Track 2?

12 A. No. I wouldn't have told Tim that I'm talking to the
13 dispatcher. All I can remember the conversation I had with Tim is
14 he was moving north from Center Street. Again, I don't remember
15 right off if he said he was going to stop at, stop a 11 dot, 11
16 dot 5. Our job briefing indicated we was not supposed to stop at
17 11 dot 5. Could have had a conversation of it. I don't remember
18 that. Again, my understanding is Tim is coming to me at 9 dot 1,
19 South San Francisco, where the individual is going to get out, get
20 in with them, and they're going to go down to 9 -- 8 dot, 8 dot 6,
21 and load those three poles that we have. After we load the three,
22 then we were going to go back to the yard, and get some more
23 poles.

24 Q. But long story short, you did have a conversation with the
25 dispatcher, and between you and the dispatcher you did release

1 some amount of track and time on Main Track 2.

2 A. That would be correct.

3 Q. Okay.

4 A. That would be correct.

5 Q. And it could have been that thing that he kind of already had
6 in his head that he gets on a sheet and it had to do with Linden.
7 I mean, it seems to me that's something -- that's something we'll
8 check out.

9 A. Yeah, yeah, yeah. That's a possibility. I can't tell you
10 what, what was in his head, what he was thinking, but, yeah. And
11 same with me. I could have been thinking that, but I don't know
12 what he was thinking. But all I'm thinking is in my mind, in my
13 head, is I've been running trains the previous day on Main Track 1
14 from all the way down to Center crossing over. All I know is that
15 day trains have been running on the one going all the way down and
16 crossing over. They wasn't crossing over at, at Scott. Some kind
17 of way, as we all know, when I get down there, the damn train had
18 crossed over at Scott, had to, and he's on two. I just saw him on
19 one. Now I see him on two into a wreckage. So some kind of way.
20 We know how he got over there. He got lined over there. Now
21 we're trying to find out how he got lined -- we know how he got
22 lined. What's -- I know, I know what the problem is. The problem
23 is Point A, Point B in this area right here. I know where it is.
24 After thinking about it, seeing it, now we're trying to figure out
25 how did that happen. We know how he got crossed over there. So

1 I'm trying to baffle my train here is how, how the hell did that
2 happen?

3 Q. Okay. If after you had the conversation with the dispatcher,
4 and you did have a conversation with the dispatcher, and you are
5 saying that the conversation with the dispatcher you did elect to
6 release track and time on Main Track 2?

7 A. I did, I -- yeah. That's recorded in my --

8 Q. This is that whole conversation about he's wanting you to
9 release one of the two that he's got on Main Track 2?

10 A. Correct.

11 Q. I mean, for whatever reason --

12 A. Yes.

13 Q. -- and but you go ahead, and release at least one of the two.

14 A. Yes.

15 Q. Did he tell you exactly what mile post limits that you were
16 releasing, or did he just refer to it by that three-digit number?

17 A. He referred to it as the three-digit number, and I'm --
18 normally I repeat, and I'm releasing track and time 1, 2, 3, Main
19 Track 2, CP Sierra, CP Scott. And he say understand you're
20 releasing Sierra 1, 2, 3, Main Track 2, CP Sierra, Scott, release
21 time is 12:08. I say 12:08 is clear of 1, 2, 3.

22 Q. Is it possible that you guys were talking in this kind of
23 shorthand terminology about a three-digit number? Claude, is it
24 possible you didn't understand what the exact limits meant with
25 that three-digit number?

- 1 A. I mean, it's a possibility. It's a possibility.
- 2 Q. Okay. Okay. But you personally, if I'm understanding the
3 story correctly, you only had one main track and time authority
4 with the dispatcher, and that's the authority that you got that
5 day that extended your track and time protection south of Central
6 so they could set on?
- 7 A. I'm -- you got me kind of twisted here.
- 8 Q. Okay. Well --
- 9 A. I'm trying to understand. I'm with you. I'm just trying to
10 understand what you're saying. I had three pieces of track and
11 time. We know that.
- 12 Q. One of them is a Form B.
- 13 A. No. We're not talking about the Form B.
- 14 Q. All right.
- 15 A. We just talking about track and time right now.
- 16 Q. Okay.
- 17 A. The Form B is something different.
- 18 Q. But one of them was the Main Track 1?
- 19 A. One of them was Main Track 1. That is correct.
- 20 Q. Okay. That's really not an issue is it?
- 21 A. That's not an issue.
- 22 Q. Because it was temporary.
- 23 A. It was temporary. That is correct.
- 24 Q. Okay.
- 25 A. That is correct.

1 Q. What do you think for the other two on Main Track 2?

2 A. I had two pieces on two. I know that. North limit, north
3 limit of Cent -- north limit of Center to, to Sierra or Scott,
4 somewhere like that. And that's to, again, get through -- that
5 would have protected you on Main Track 2. That would have
6 protect you from Center Street all the way through that incident
7 at 11 dot 5, all the way to either the control point at CP Scott
8 or CP Sierra. You would have been covered.

9 Q. Into your Form --

10 A. Into my Form B.

11 Q. Okay. And what do you think the other piece of track and
12 time was? I think you --

13 A. No.

14 Q. -- I think you are crystal clear about --

15 A. Yeah, yeah, yeah. I just --

16 Q. -- Main Track 1 and --

17 A. No. Wait a minute. Wait a minute. I am crystal clear about
18 one. I mean, no, it's no if and or's about that. I know that for
19 a fact. The problem occurred on Main Track 2. I know where the
20 problem occurred at, and some kind of way with two when those two
21 track and times is, is where are debacle is. And the Form B is
22 obsolete. I know where the Form B is. I know where Track 1 is.
23 I know what it said on the Form B. That's good. Track 1, we know
24 what we had to do to get on one. The problem is with those two
25 track and times on Main Track 2. That is 1 dot 1, a clear

1 understanding of that issue right there. I'll tell you that.

2 Q. Would you suggest that we look into the limits behind those
3 three, three-digit numbers? I mean, I -- my thought is one of the
4 three-digit numbers is associated with Main Track 1. And I don't
5 -- I'm -- I don't think I'm crystal clear.

6 A. Sure.

7 Q. You tell me that the dispatcher said you think you had three.
8 We know one of them was Main Track 1. It sure sounds to me like
9 there was not another Main Track 1. So 1 from 3 is 2. I'm
10 thinking we need to find out more detail about the two 3-digit
11 numbers that the dispatcher had that pertained to Main Track 2.
12 That sound right to you?

13 A. Again, you're throwing me right there in that little loop. I
14 understand one, and the three-digits, again, the three-digit
15 numbers always been a three-digit number. It's from Point A to
16 Point B. Control point to control point. And that's just what it
17 is. I mean, it's no dissolution with the numbers. The numbers
18 are just, just the numbers. What we got to talk about is the
19 where the Point A to Point B was on those two track and times; not
20 the three digits. That's obsolete. We know it was 209. We know
21 it was 210 and 211 or somewhat close to that. We know that. We
22 know it was those three numbers. All of them have three numbers.
23 So now one is clear. One is already cleared disassociation
24 (verbatim) of getting them on following, following until called.
25 That was released because he had -- now, the next point is going

1 to be those two pieces of track and time I had on two.

2 Q. Do you think it's fair to say that the dispatcher has the
3 exact track and mile post locations associated with those three-
4 digit numbers?

5 A. He should. He should be pretty accurate.

6 Q. Okay.

7 A. I mean, it's just we should, should be -- we should be on the
8 same page or at least right here -- we're in the gang together.
9 We're right there.

10 Q. All right. But in the normal course of releasing track and
11 time, the conversation that you have, and I'm talking about
12 throughout your career, not just this incident.

13 A. Sure.

14 Q. But throughout your career when you release with the
15 dispatcher you guys kind of shorthand it by using the three-digit
16 number, right? I mean, you don't sit there, and have an elongated
17 conversation, I understand you're releasing 209, and that's Main
18 Track 2 from limits Sierra to this thing to that thing. You don't
19 -- you do not --

20 A. That's standard. That's standard. The three-digit number is
21 standard. So what you're saying is all correct, but it's not
22 disassociated with no numbers. It has nothing to do with that.
23 The numbers are just the authority numbers.

24 Q. Okay.

25 A. That's all that is. A, B, C. That's all that is. Now we're

1 talking about from Point A to Point B, which is from 1 to 8 or
2 somewhat, 1 to 8. That is all standard. The three numbers are
3 standard. The limits are standard. It's just what limits did we
4 have? That's what it boils down to. I mean, from my
5 understanding. Maybe I'm wrong or I'm taking you off track. I
6 don't know. I'm giving it to you the best way, best way I know.
7 You keep saying the three digits.

8 Q. Well, I --

9 A. I mean, I'm trying to understand you.

10 Q. Okay. If you get four pieces of track and time throughout
11 the day, do the numbers sequentially increase? The more requests
12 for track and time, the more releases of track and time, they're
13 different three-digit numbers?

14 A. There's going to be different -- that's correct. They're
15 going to be different, different numbers, correct.

16 Q. Okay. And I know this sounds stupid, but if you release or
17 you -- if you release at 209, it does not mean repeatedly it's
18 from A to B, and every time you request a track and time from A to
19 B you do not get the same three-digit numbers?

20 A. That is correct.

21 Q. It is not a 209. It's the next sequential three-digit number
22 that he has written on his end?

23 A. That is correct. That is correct.

24 Q. And it's --

25 A. The same, the same limits what you're asking me, I can get 1,

1 2, 3. Same limits from here to there. I can call back in 15
2 minutes, instead of getting 1, 2, 3, I might get 1, 2, 7. Because
3 four other people could have called in before me, and got time or
4 got limits. So the three -- it's going to be three digits, but
5 the numbers going to be completely different, and it won't be in
6 sequence.

7 MR. HIPSKIND: Okay. I understand. Guys, sorry to add so
8 much confusion there, but I'm just trying to get my head straight
9 on some of this. Any of the members, any of the interviewers, any
10 other questions?

11 UNIDENTIFIED SPEAKERS: No. No.

12 MR. HIPSKIND: You all have got a much better grasp about
13 this than I do.

14 BY MR. HIPSKIND:

15 Q. So, Claude, is there anything else that you want to ask or
16 are you ready to close out?

17 A. Yeah, I am ready to close out. I'm ready to close out
18 everything.

19 Q. Okay. Is there anything you would like to add or change
20 about our conversation with you today?

21 A. No. I think it's -- it was honest and sincere. It was the
22 best to my recollections that I could remember.

23 Q. And you've got one of my business cards, right?

24 A. No, I don't.

25 Q. Okay. Well, you do now.

1 A. Okay.

2 Q. If you think of something significant, you reach out to me --

3 A. Sure.

4 Q. -- contact me, and we'll have a conversation. I know you've
5 got a lot on your mind today.

6 A. Yes, yes.

7 Q. Okay. So are there any questions we should have asked but
8 did not?

9 A. No. I think understanding of the crews and they change. I'm
10 qualified in what I do, but I think the best thing that come out
11 of this we got to remember that there's a lot of work out there, a
12 lot of equipment out there. The people who do this every day
13 might not be with you the next day. So you got to understand what
14 you have I think on both sides of the coin, and understand what
15 you have, where you have it, and instead of having two machines,
16 I've seen some with five or six pieces of machines. So, again, I
17 think it's a learning process with all of us as what we have, and
18 how we're being moved, how we're being moved.

19 Again, location, location. Even though we're qualified and
20 know the rechin (verbatim) of the track and where we're at, but I
21 think that's the best thing I can look at that, and say, you know,
22 but balancing somebody, asking me to protect your life in an
23 hour's notice should throw something on another side. I'm just
24 saying on the management side even though I'm qualified to drive
25 the car. But, again, saying, hey, I want you to go do this or I

1 want you to go do that, it's time and preparation. I take my job
2 seriously. I am -- I haven't been doing this work for 20 years
3 not taking it serious, preparing, writing down, got everything in
4 order. You throw me from the bull pen and just say, hey, jump out
5 here and do this. Whoa. Let me see -- on this 101 it's 280, it's
6 380. There's a lot of things involved here, and I got 30 minutes
7 to brief or get you guys to Point A to Point B. I just think
8 that's something that we need to take in consideration. Not the
9 fact. I'm good with whatever you come out with your
10 investigation. I'm wholeheartedly good with that. I don't have
11 an issue with that at all, but I think we need to look at the
12 whole picture; not half a picture; not to blame a dispatch; not to
13 blame somebody who is wrong or who is right, but look at the
14 scenario of the whole picture of what happened; not why it
15 happened. Yeah, a mistake was made. Yeah. Fortunately, nobody
16 had a fatality. How could this been avoided? Well, yeah, we know
17 you may come to work, you may not come to work but, again, to
18 bring somebody out of their sleep -- you done slept all night
19 long. Now, Mr. Dick I want you to go to -- you're in San
20 Francisco. I want you to go down to San Carlos Airport. I want
21 you to go investigate something now that just happened. Well,
22 where the hell am I? You just told me I don't know your
23 territory. You just told me I don't know this, I don't know that.
24 You told me that you have 20 plus years of investigation. You
25 know how to investigate. You know that. I give you credit on

1 that. But now, Mr. Dick, I need you to go down there. I need you
2 to go down there and do -- I want you to go save all these
3 people's lives, Mr. Dick. Oh, oh, oh, but I only had a hour
4 notice. You know the area. You know what you do. I know what I
5 do. But that's all I'm saying. Not

6 --

7 Q. I understand.

8 A. -- to you or anybody, but I'm giving you a scenario what I
9 do. Yeah. I don't even want this no more. I got to think about
10 this. This affected my life now. So I don't even know. I don't
11 even know if I want to be a rail worker no more because I take my
12 life seriously. I take your life seriously. I want you to go
13 home to your parent. I want to go home to my wife. So, now, I
14 don't, I don't even know. Be honest, I don't even know. I just
15 -- so I'm just saying look at the whole picture. That's all I'm
16 saying. If I'm wrong, I'm wrong. If you're wrong, you're wrong.
17 That's all. That's all I'm saying behind this, I could have had
18 10, 12 people dead out there. You know how I feel about that?
19 People calling me. They know Claude work in the San Bruno area.
20 Not giving no information. Claude, Claude. They know I'm out
21 there. It's you good? I mean, I've been in South City three,
22 four years. They know I'm -- that's all I'm saying. Now to say
23 hey, go protect you over there, you know.

24 So that's all I got, you know.

25 Q. Let me ask you just a couple more quick questions. Do you

1 have any suggestions for preventing a reoccurrence?

2 A. Take your time. Stay focused. Stay alert. You can stay
3 alive. Stop pushing the issue because money is on the table for
4 us to get this done, and look at what you gave us. Look at what's
5 out there. I can't take a 20-year-old off the street, and expect
6 him to know what I know in 20 years. I can go through a briefing
7 with you guys that would just blow your, blow your pants off. I
8 can't expect a 20-year-old to do the same thing that I do. So I'm
9 just saying stay focused, stay alert, stay mindful of your team,
10 and I don't think we are. So that's all I can say.

11 Q. Okay. Is there anyone else who we should interview? We
12 interviewed Tim, and we're going to interview a couple more
13 personnel that were out there. Is there anybody else that you
14 would suggest that we interview?

15 A. No. No. Just the crew and two -- the new guys. I don't
16 know them personally. I don't know if they can give you the
17 information you're looking for, the questions. I'll just be frank
18 with that because I don't know if you told them right now to take
19 you to South San Francisco, Burlingame (ph.) or -- or if they
20 know. I don't know. So I'm just saying even with the ones, the
21 two or three more you're going to interview just be cautious of
22 who they are, how long they've been here, and do they know where
23 they're at? And that's all I could say. Two young kids. One's
24 my son's age, 22. Probably going to affect them the rest of their
25 life because of what he's seen. So that's all I could say with

1 that.

2 MR. HIPSKIND: All right. I'll poll the interviewers. Any
3 other final comments? You all good? Seeing a lot of affirmative
4 head movement.

5 Claude, listen, I know this was difficult for you to come in
6 here, and I appreciate the talk that we had, and I appreciate your
7 input. I think we're in the same business. You care about
8 people, and you care about railroad safety, and that is the whole
9 purpose of this interview. So I, on behalf of NTSB and the
10 members of my group, I want to thank you for your time. I want to
11 thank you for your candor. I want to thank you for all the
12 details that you've put in to the investigation. I am sure it
13 will help. I am sure of that.

14 So with that --

15 MR. MCCARTHY: Dick, I --

16 MR. HIPSKIND: Mitch.

17 MR. MCCARTHY: -- on that something for a minute.

18 MR. HIPSKIND: Okay. Mitch, one more thing.

19 MR. MCCARTHY: I think it's important to clarify something. I
20 don't know if it was very clear.

21 BY MR. MCCARTHY:

22 Q. You stated that the day prior to the incident you were out on
23 the track doing the same work, correct?

24 A. Day prior, yes.

25 Q. And did you say you had one piece of track and time protect

1 those guys and the Form B? I'm sorry. Let me go back. The
2 sheet, this document that gets sent out with the intended
3 instructions for the track and time, did that on the day prior was
4 that two pieces of track and time on there or was that only one on
5 Track 2?

6 A. I don't remember. I don't remember. Document is out. I
7 don't remember.

8 Q. Okay.

9 A. But I did do it a previous, the day previous, I did do that,
10 and I don't -- I know I had to get Track 1. I know I had to get
11 2. But I think it was Sierra to Center --

12 Q. I think where the confusion was, was on that sheet -- I don't
13 know what you guys refer to it as -- was that sheet on the first
14 day the same type of protection for the second day?

15 A. No. It was changed. I think the sheet the first day had me
16 all the way down to Center Street. The second day it got
17 shortened up. They moved it from Center Street all the way up
18 to --

19 Q. It wasn't the dispatcher who shortened --

20 A. No. It wasn't. I was management per se. I don't know.
21 Whoever puts out that sheet.

22 Q. Okay. That's all I wanted to clarify.

23 A. That was, that was --

24 MR. HIPSKIND: Mitch, let me respond.

25 MR. MCCARTHY: Yeah.

1 MR. HIPSKIND: And then we'll adjourn. I think what you're
2 bringing up is why this dispatcher talked with Claude and say
3 you'll have to give up one of your two. And I assure you we'll
4 need to look at some documentation that the dispatcher has. And
5 this is the first I'm hearing of this sheet that comes out ahead
6 of time. And I get it, that's kind of a planning and pre-planning
7 type thing. I understand that. But there does need to be more
8 detail about that.

9 MR. MCCARTHY: Understood.

10 MR. HIPSKIND: And we as the track group we will coordinate
11 with the operations group, and we will drill down 'till there's a
12 total understanding of how they had the conversation that they
13 had.

14 MR. MCCARTHY: Okay. I agree that that documentation will
15 clarify that information. So I would agree with that.

16 MR. HIPSKIND: All right. Claude --

17 MR. ROBINS: Sir.

18 MR. HIPSKIND: Thank you very much. I hope your day goes
19 really well.

20 All right. We'll --

21 (Whereupon, the recording was concluded.)

22

23

24

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF: CALTRAIN COLLISION WITH CONSTRUCTION
EQUIPMENT IN SAN BRUNO, CALIFORNIA
ON MARCH 10, 2022
Interview of Claude Robins

ACCIDENT NO.: RRD22LR007

PLACE: San Francisco, California

DATE: March 12, 2022

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



Katherine Motley
Transcriber