

October 5, 2019

The Honorable Robert L. Sumwalt
Chairman
National Transportation Safety Board
490 L'Enfant Plaza, SW
Washington, DC 20594


Dear Chairman Sumwalt:

On behalf of the below parties to the NTSB investigation of the UniversityCity Project Pedestrian Bridge accident in Miami, Florida, we respectfully and jointly request that the NTSB keep the original timeline previously shared with the parties and, accordingly, not open the public docket until at least October 21, 2019.

This is an important time for the party members and those with injuries and losses in connection with case resolution. Settlement discussions are ongoing at this moment to benefit those affected families to ensure timely and maximum compensation and to address other claims arising from the accident. Without this settlement, resolution could take years and reduce the benefits to the families and other claimants. Opening the public docket while this is occurring may have negative consequences in connection with achieving a full and final settlement. Everyone was counting on the NTSB keeping its previously committed time frame.

Accordingly, we respectfully request that the NTSB please keep the original timeline and not open the public docket any earlier than October 21, as originally planned.

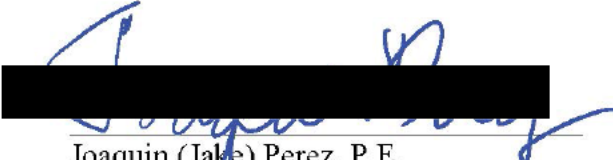
Sincerely,


16-5-2019

Kenneth A. Jessell, Ph.D., MBA
Florida International University (FIU)




Juan Munilla
Munilla Construction Management (MCM)



Joaquin (Jake) Perez, P.E.
Bolton Perez & Associates Consulting Engineers

[Approved verbally, signature to be provided]

John Crigler, P.E.
Structural Technologies, LLC



Alan R. Phipps, P.E., S.E.
FIGG Bridge Engineers, Inc.



National Transportation Safety Board

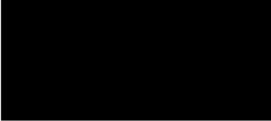
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OFFICE OF THE CHAIRMAN

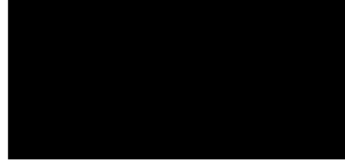
October 7, 2019

VIA ELECTRONIC MAIL

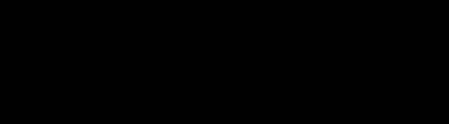
Kenneth A. Jessel
Florida International University



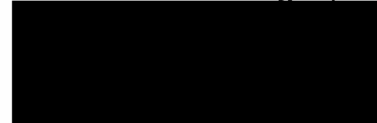
Juan Munilla
Munilla Construction Management



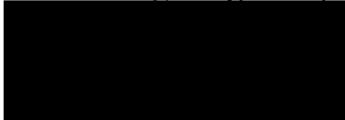
Joaquin Perez
Bolton Perez & Associates Consulting Engineers



John Crigler
Structural Technologies, LLC



Alan R. Phipps
FIGG Bridge Engineers, Inc.



Re: Pedestrian Bridge Collapse Over SW 8th Street
Miami, Florida
March 15, 2018
NTSB # HWY18MH009

Dear Parties:

The NTSB received your letter of October 5, 2019, in which you requested that the agency delay opening the public docket for the above-referenced accident investigation until at least October 21, 2019. Your letter is in response to our notice to the parties last week that we will be opening the public docket no later than October 8, 2019, and that the public docket will contain significant volumes of investigative information.

You requested that the NTSB delay opening the public docket because you believe doing so by October 8th may have “negative consequences in connection with achieving a full and final settlement” in the ongoing settlement negotiations in the underlying litigation arising from the bridge collapse, and it could “reduce the benefits to the families and other claimants” by prolonging settlement for “years.”

While you stated that NTSB "previously committed" to a later docket release date immediately before the Board meeting for this accident, we can find no record of any such commitment. The NTSB cannot delay release of critical safety information to accommodate the needs of private litigants. Information is posted to the public docket so that the public may understand the various factors and causes which resulted in an accident.

As an independent Federal agency, we have a responsibility to provide the facts as gathered in the course of the investigation. While we understand that this event has caused significant difficulty for the victims and their family members, we cannot allow this to alter our process of providing information regarding this investigation or any other investigation. The issues surrounding private litigation must be kept separate from the safety investigation in order for it to be conducted in a fair and independent manner.

Therefore, your request is denied, and the public docket will open tomorrow as planned.

Sincerely,

A handwritten signature in black ink, which appears to be "Robert L. Sumwalt, III", is written over a thick black horizontal redaction bar.

Robert L. Sumwalt, III
Chairman