



Motor Carrier Attachment – AKDI Owner Interview

Louisville, NY

HWY23FH005

(29 pages)

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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FATAL CRASH OF A FREIGHTLINER BOX
TRUCK & BUS IN LOUISVILLE,
NEW YORK ON JANUARY 28, 2023

Accident No.: HWY23FH005

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Interview of: ROBERTO FAGUAGA, Owner, AKDI, LLC
Subcontractor of Aero Global Logistics

Aero Global Logistics
2983 South Pleasant Valley Road
Winchester, Virginia

Tuesday,
February 7, 2023

APPEARANCES:

MICHAEL FOX, Investigator
National Transportation Safety Board

JOHN HUMM, Survival Vectors Investigator
National Transportation Safety Board

DONALD ORYE, Special Agent
Federal Motor Carrier Safety Administration

JAKE SHADOAN, Regional Manager
Aero Global Logistics

THOMAS BAGAGLIO, Manager, New England Network
Aero Global Logistics

TONY RAMDASS, VPO
Aero Global Logistics

I N D E X

ITEM

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Interview of Roberto Fagoaga:

By Mr. Fox

5

By Mr. Orye

19

I N T E R V I E W

(4:44 p.m.)

1
2
3 MR. FOX: All right. So, as mentioned, I'm Michael Fox. I'm
4 an investigator with the National Transportation Safety Board.
5 We're going to go -- because I'm going to be asking a lot of
6 questions, it takes too long to write down the notes, so I'm going
7 to record it; is that okay?

8 MR. FAGOAGA: That's fine.

9 MR. FOX: Okay. So, good afternoon, everyone. As mentioned,
10 it's Michael Fox. I'm an investigator from the National
11 Transportation Safety Board out of Washington, D.C. We're going
12 to be interviewing a gentleman that owns AKDI -- is it transport
13 or LSE?

14 MR. FAGOAGA: LSE.

15 MR. FOX: LSE? That does work for Aero Global Logistics.
16 Today is February the 7th. It's 4:44. There's quite a few people
17 in the room. We'll go around the room. If you could, please
18 state your name, state your title, and spell your last name.

19 MR. FAGOAGA: Okay.

20 MR. FOX: So, we'll go ahead with Dr. Humm.

21 MR. HUMM: It's John Humm, H-U-M-M, from NTSB. I'm a
22 survival vectors investigator.

23 MR. ORYE: Donald Orye, O-R-Y-E, special agent, United States
24 Department of Transportation of the Federal Motor Carrier Safety
25 Administration.

1 MR. SHADOAN: Jake Shadoan, S-H-A-D-O-A-N, regional manager
2 for Aero Global Logistics.

3 MR. BAGAGLIO: Thomas Bagaglio, manager for the New England
4 network, Aero Global Logistics.

5 MR. RAMDASS: Tony Ramdass, VPO for AGL, R-A-M-D-A-S-S.

6 MR. FAGOAGA: Roberto Fagoaga, F-A-G-O-A-G-A. I'm the owner
7 of AKDI, LLC., a subcontractor for Aero Global Logistics.

8 MR. FOX: Okay. Thank you so much for meeting with us today,
9 and short notice, and I apologize that we had to keep you waiting.
10 We've had a couple of phone calls/phone conversations going on
11 with our superior. So, again, thank you for meeting with us.

12 INTERVIEW OF ROBERTO FAGOAGA

13 BY MR. FOX:

14 Q. So, you stated that you are the owner of AKDI?

15 A. Yes.

16 Q. And how long have you owned this company?

17 A. Since 2015.

18 Q. 2015? What did you do before that?

19 A. I used to work for a vending company.

20 Q. A vending company?

21 A. Yes.

22 Q. Okay. What kind of vending company? What was the name of
23 it?

24 A. Potamu Vending (ph.).

25 Q. Okay.

1 A. It was located in Jessup, Maryland.

2 Q. Okay.

3 A. I worked over there for 14 years driving a 12-foot box truck.

4 I was a driver.

5 Q. And vending meaning like snacks --

6 A. Vending, yeah.

7 Q. -- and things like that?

8 A. Vending food and soda machines and snack machines.

9 Q. Okay. But you're in, from what I can understand, you're in
10 the transportation of auto parts. How long have you been doing
11 that?

12 A. I've been doing auto parts for about seven years.

13 Q. Seven years? Did I understand that you used to partner with
14 Shawn (ph.)? Is that not true?

15 A. Partner with Aero Global Logistics?

16 Q. No, it's my understanding, I thought that you were with the
17 original company --

18 UNIDENTIFIED SPEAKER: Oh, that's Schneider Logistics.

19 MR. FAGOAGA: No, I started with Schneider Logistics; and
20 then, I started with Aero Global Logistics when Schneider lost the
21 contract.

22 BY MR. FOX:

23 Q. Okay. So, that's where I'm a little confused. Give me the
24 timeline. So, you've been here as a contractor starting in what
25 year?

1 A. 2018. I think it was May 16 or May 17. I don't remember the
2 day.

3 Q. Okay.

4 UNIDENTIFIED SPEAKER: It was somewhere around there.

5 MR. FAGOAGA: Yeah.

6 BY MR. FOX:

7 Q. And that's for Aero?

8 A. For Aero Global Logistics.

9 Q. Okay. And then, prior to that, you say you were in the
10 vending business?

11 A. Prior to coming to --

12 Q. Aero?

13 A. -- Aero, I was working for Schneider.

14 Q. Ah, okay. So, that's the part I was missing.

15 A. Okay.

16 Q. So, you worked for Schneider Logistics or Schneider Trucking?

17 A. Yes.

18 UNIDENTIFIED SPEAKER: Well, you didn't work for them
19 directly. You were a contractor, or you --

20 MR. FAGOAGA: No. I was a --

21 UNIDENTIFIED SPEAKER: -- were you working payroll?

22 MR. FAGOAGA: No, I wasn't in the -- I was contractor with my
23 trucks.

24 BY MR. FOX:

25 Q. And what were you doing there for Schneider?

- 1 A. Delivering auto parts.
- 2 Q. And how long did you do that? From when to when?
- 3 A. I don't remember what was -- but it was like three years.
- 4 Q. Three years? So, 2018 to --
- 5 A. No, that was, I will say, from --
- 6 UNIDENTIFIED SPEAKER: '15?
- 7 MR. FAGOAGA: Yeah, '15.
- 8 BY MR. FOX:
- 9 Q. '15?
- 10 A. Yes.
- 11 Q. 2015?
- 12 A. Yeah, 2015 to 2018.
- 13 Q. To 2018?
- 14 A. Yes.
- 15 Q. Okay. For doing the auto parts. During that time, were you
- 16 associated with -- were you working with Shawn?
- 17 A. No.
- 18 Q. You were just working with Schneider?
- 19 A. Just with Schneider, yes.
- 20 Q. Was there anyone at that facility or with that contract that
- 21 you were working with that also works here at Aero?
- 22 A. No.
- 23 Q. It was completely separate?
- 24 A. Yeah, that was completely separate.
- 25 Q. I guess I'm a little confused. I thought that there was --

1 UNIDENTIFIED SPEAKER: So, Schneider Logistics was doing the
2 same exact thing you were doing for Ford, delivering their auto
3 parts.

4 MR. FOX: Right.

5 UNIDENTIFIED SPEAKER: It went up for bid. They lost it to
6 us in May of 2018. We took over the contract, we opened up this
7 warehouse, we hired drivers --

8 MR. FOX: Right.

9 UNIDENTIFIED SPEAKER: -- dock workers. Roberto was working
10 for Schneider at that time, so he came on board to do the same
11 thing he was doing for Schneider, because some of the routes, he
12 was doing for Schneider.

13 MR. FOX: But there was no affiliation with Shawn, or
14 Mr. Connelly (ph.), or any of those other --

15 UNIDENTIFIED SPEAKER: No.

16 MR. FOX: -- folks?

17 UNIDENTIFIED SPEAKER: If you say -- yeah, no, no, no.

18 MR. FOX: No.

19 UNIDENTIFIED SPEAKER: We had no idea who those people -- you
20 know, I mean, any of their employees.

21 MR. FOX: Okay.

22 UNIDENTIFIED SPEAKER: We knew who Schneider Logistics is,
23 but --

24 MR. FOX: Of course. Okay, fair enough.

25 UNIDENTIFIED SPEAKER: -- no affiliation with --

1 BY MR. FOX:

2 Q. And then, prior to working with Schneider as a subcontractor,
3 you were doing the vending business?

4 A. Yes.

5 Q. And you say that was approximately 10 years?

6 A. 14 years.

7 Q. 14 years. I'm sorry.

8 A. Yes.

9 Q. When you were doing the vending position, were you also a
10 driver?

11 A. Yes, correct.

12 Q. Do you have a CDL?

13 A. No.

14 Q. Do you have your license on you? Can I take a picture?

15 MR. FOX: Donald, do you have your phone? Or John can do it.

16 MR. FAGOAGA: I don't have my wallet with me. I left it --

17 MR. FOX: I --

18 MR. FAGOAGA: -- in my car.

19 MR. FOX: That's okay. Can you take a picture of that for
20 me? Is it CDL? Do you have a CDL?

21 MR. FAGOAGA: No.

22 MR. FOX: No CDL?

23 UNIDENTIFIED SPEAKER: You just mail it to me or
24 (indiscernible).

25 BY MR. FOX:

1 Q. So, you were also a driver when you were doing the vendor
2 position. Were you also doing a driving position when you worked
3 for Schneider?

4 A. Yes.

5 Q. And -- but were you also supervising and managing any --

6 A. My people, my drivers and some of the dock workers.

7 Q. How many drivers and --

8 A. At that time, it was like three drivers.

9 Q. Three drivers. Okay. Thank you, sir. You are a
10 subcontractor for Aero Global Logistics, correct?

11 A. Correct.

12 Q. And do you have a written contract agreement with Tony or
13 Shawn?

14 A. No.

15 UNIDENTIFIED SPEAKER: I don't think we did. I don't think
16 we (indiscernible).

17 MR. FAGOAGA: No.

18 BY MR. FOX:

19 Q. It was a verbal/handshake --

20 A. Yeah.

21 Q. -- agreement? Must be --

22 (Crosstalk)

23 Q. -- trusting people.

24 A. Yeah. If they be trusting me, I trust them.

25 Q. Okay. It's good to trust people. In your current position,

1 can you describe what your duties and responsibilities are?

2 A. Okay. My responsibilities are just (indiscernible) working
3 with drivers, and my drivers have got to make the deliveries
4 correctly. And I have some loaders working here, so I'm here just
5 to watch them, how to load the trucks and trailers, that
6 everything's got to go in order. And pretty much, that's all.

7 Q. How many dock people do you have working for you?

8 A. (Indiscernible). I think it was like 20.

9 Q. Twenty dock workers? And those people are on your payroll?

10 A. Correct.

11 Q. So, they're working for ADK- --

12 A. AKDI.

13 Q. -- AKDI, LLC?

14 A. Correct.

15 Q. And so, you supervise your people here on the loading dock
16 moving Aero's freight. Do you charge by the hour, or how does
17 that work, to Tony?

18 A. To Aero Global?

19 Q. To -- yeah.

20 A. For the dock workers, I charge them by the hours. For my
21 drivers, I pay my drivers according to what they do every night.

22 Q. Okay. And how many routes are you operating for Aero Global?

23 A. I don't have any routes assigned. I just take whatever's
24 left. Sometimes, it's just like three or four deliveries.

25 Sometimes, like 10 deliveries. Just depends what's not fitting on

1 the (indiscernible) drivers has assigned.

2 Q. Okay. And do you ever supervise Aero Global Logistics
3 drivers?

4 A. No.

5 Q. You don't give them any work direction?

6 A. No.

7 Q. None?

8 A. No.

9 Q. You don't tell them what freight to haul, or where they
10 should go, or how to dispatch, or anything?

11 A. The only time I talk with the drivers is when they can't find
12 a lockbox to make deliveries at the dealer, so they call me,
13 because they -- something they -- if there's anything wrong with
14 the lockbox. I tell them what I normally do when I'm running
15 routes.

16 Q. I see.

17 A. Because I know all the routes.

18 Q. You know all the Aero routes?

19 A. Yes, correct.

20 Q. Okay. And how do you know all that? Just by doing them
21 yourselves?

22 A. Yes. I've been here about six years already.

23 Q. Okay.

24 A. And I've been driving multiple routes.

25 Q. Okay.

1 UNIDENTIFIED SPEAKER: So, the same dealers that Schneider
2 was servicing is the same dealers we service, as well, and --

3 MR. FOX: Okay. So, it's --

4 UNIDENTIFIED SPEAKER: -- from Schneider days, and just,
5 it's --

6 MR. FOX: And now?

7 UNIDENTIFIED SPEAKER: And now.

8 MR. FOX: So, (indiscernible) more than that. Since, really,
9 2015, so -- okay.

10 BY MR. FOX:

11 Q. And you don't supervise any -- do you supervise any of Aero
12 Global Logistics dock workers? Are they comingled with yours?

13 A. No. I don't supervise no dock workers.

14 Q. Who supervises the Aero dock workers?

15 A. The dispatcher.

16 Q. Who is that?

17 A. Her name's Faith.

18 Q. Faith?

19 A. Yes.

20 Q. What's a normal shift for the dock?

21 A. From 7:00 -- the day is from 7:00 to 5:00, and nighttime is
22 from 5:00 to 1 o'clock at the latest.

23 Q. How many drivers do you employ now?

24 A. Three.

25 Q. Three?

- 1 A. Yes.
- 2 Q. And do you also drive?
- 3 A. If one of those drivers doesn't show up, I drive.
- 4 Q. Okay. If the Aero folks are running short or there's excess
5 freight, do you have them run any extra runs?
- 6 A. My drivers, yes.
- 7 Q. Just your drivers?
- 8 A. Just my drivers, yes.
- 9 Q. Okay. Do you ever have Aero -- excuse me. Yeah. Do you
10 ever have aero drivers driving your trucks --
- 11 A. No.
- 12 Q. -- to run around?
- 13 A. No.
- 14 Q. The reason why I ask that is that when we've looked on your
15 profile in the DOT, all the roadside inspections, they get put
16 into a system called Nigmus (ph.).
- 17 A. Okay.
- 18 Q. And that tracks all the activity. And for whatever reason,
19 there's 15 different inspections that's on your profile that has
20 Tony's drivers in there, including your crash, which Donald will
21 ask you about here in a second.
- 22 A. Okay.
- 23 Q. Do you know anything about that?
- 24 A. Yes.
- 25 Q. You do know this happening?

- 1 A. I ran the -- I think it was a couple of times. My brother,
2 he was driving Aero Global's truck.
- 3 Q. Who was your brother?
- 4 A. Alfonso (ph.).
- 5 Q. Alfonso? What's his last name?
- 6 A. Rodriguez.
- 7 Q. Okay.
- 8 A. Hew was running a route, and he was driving Aero Global's
9 truck.
- 10 Q. Why?
- 11 A. Because he's working for Aero Global.
- 12 Q. Is he on the payroll here?
- 13 A. Yes.
- 14 Q. Okay. So, your brother was operating an Aero Global truck,
15 and he's on the payroll. Okay. Continue.
- 16 A. And his truck broke down. So, I was around the area, and I
17 told him to drive my truck. And so, I was waiting for the
18 roadside assistant to -- I was completing my route and my
19 deliveries, and I let him use my truck to complete his route.
- 20 Q. Okay.
- 21 A. And I think he got pulled over that day.
- 22 Q. I see. But, you know, forgive me for -- I'm just trying to
23 get my head around it. He reports to Tony and his staff, not to
24 you, right? Your brother?
- 25 A. Yeah, because they're working (indiscernible).

1 Q. Yeah. I understand you were being a good Samaritan, but
2 really, he should be going through his chain of command, and
3 not -- I know you're his brother, but following -- what I'm saying
4 is, he's taking your truck, and as you can see, he got put onto --
5 he's operating your piece of equipment, and he's an Aero --

6 A. Employee.

7 Q. -- Global Logistics driver, and it's kind of messing up the
8 data. And we have quite a few of those types of situations. Do
9 you know of any others?

10 A. I don't remember others, but it's a possibility.

11 Q. That's a possibility? Donald has a list.

12 MR. ORYE: Do you have any trucks -- or been to the
13 Foxborough locations or operate out of that location with any of
14 your trucks or drivers?

15 MR. FAGOAGA: No drivers, but well, what happened far as
16 (indiscernible), right?

17 MR. ORYE: Massachusetts, Massachusetts.

18 MR. FAGOAGA: I rented a truck couple of times, and I have
19 that issue, too, and I can show you that, that I've been a
20 reporter. I used to have multiple trucks, rented multiple trucks,
21 like probably three, four years ago, from Budget in Penske, and
22 so, they put my DOT on it. But since those trucks always break
23 down a lot, so I don't know where they take them. And they have
24 my DOT. It's still on those trucks. And I've been getting phone
25 calls from my insurance couple of times because trucks been pulled

1 over, and they asked me why those trucks are not on my insurance.
2 I told them, those trucks is not on my insurance because I don't
3 rent it anymore.

4 MR. ORYE: Okay.

5 MR. FAGOAGA: So, I probably (indiscernible) the DOT number
6 on those trucks.

7 MR. ORYE: Okay.

8 BY MR. FOX:

9 Q. Okay. Is your brother Carlos?

10 A. Yes.

11 Q. Okay. So, you know, this particular incident, you know,
12 where you're alleging that you -- his truck broke down. He was
13 operating Aero's truck. It broke down. He called you. You came
14 over with your truck?

15 A. Correct.

16 Q. And did you move the freight off, just move it off and put it
17 onto yours?

18 A. Yes.

19 Q. And then, he continued his route, and got stopped, and had an
20 inspection?

21 A. Correct.

22 Q. Okay. Is -- does Aero allow this? I mean, what is --

23 MR. ORYE: Right.

24 MR. FAGOAGA: Didn't really know about it.

25 MR. FOX: Okay.

1 MR. FAGOAGA: So, obviously, you know, it's not something
2 that we'll allow, because, like we talked about earlier, of
3 insurance, right?

4 MR. ORYE: Right.

5 MR. FAGOAGA: God forbid, if it gets into an accident --

6 MR. FOX: Right.

7 MR. ORYE: Who's going to cover it?

8 MR. FAGOAGA: So --

9 BY MR. ORYE:

10 Q. What about Reuben --

11 A. Teixeira (ph.).

12 Q. -- Teixeira? Do you know that driver?

13 A. (Indiscernible), no.

14 Q. Okay. Because we also had another inspection that is under
15 AKDI's DOT number where Reuben is a driver for Aero back in July
16 of 2021, and in August of 2021, he was inspected in an AKDI --
17 with an AKDI DOT number.

18 A. Where was the inspection?

19 Q. That one was up in Massachusetts.

20 A. I don't know anything about it. Like I said, so it was
21 multiple trucks. I think it was like 10 trucks. I don't know
22 Budget's moving all those trucks, and they still use them. Like I
23 say, recently, I called the DOT department, and I reported that
24 someone else was using the DOT number. That was Budget. They
25 forgot to remove the decals out of the trucks.

1 Q. What kind of decals did you have on the truck?

2 A. It's a piece of paper with tape.

3 Q. Okay. So --

4 A. Because those are rentals.

5 Q. So --

6 MR. FOX: With your company name on them?

7 MR. FAGOAGA: Yeah.

8 BY MR. ORYE:

9 Q. So, when you turned the truck in, essentially, your driver or
10 whoever took it there could have peeled it off, as well?

11 A. Yes. But sometimes, just, a truck broke down, and they bring
12 another one, and they forgot to remove the decals.

13 Q. And as far as here, you say you have three drivers. And you
14 say that your routes are only as needed, you know, whatever Aero,
15 you know, gives to you, says, hey, we need these routes covered,
16 and you take (indiscernible)? You don't --

17 A. Yes.

18 Q. -- have a dedicated route or anything like that?

19 A. No.

20 Q. Okay. So, you know, earlier, when I asked that question, you
21 know, I was told that he has two drivers that do 12-one and
22 (indiscernible).

23 UNIDENTIFIED SPEAKER: Correct, for Stacy, right?

24 MR. ORYE: Yeah.

25 UNIDENTIFIED SPEAKER: Yes. So, those are two drivers that,

1 yes, originally worked for AKDI, but have since been hired by us.

2 MR. FAGOAGA: Yeah, those are used -- that used to
3 (indiscernible) with Aero Global, was just with those two routes,
4 17-one and 12-one.

5 MR. ORYE: Okay.

6 MR. FAGOAGA: But since my brother started working for Aero,
7 then one of those routes ending where he leave, so they cover.

8 BY MR. ORYE:

9 Q. Okay. So, the two drivers that are running these dedicated
10 routes, are they Aero drivers, or are they AKDI drivers?

11 A. (No audible response.)

12 Q. Okay. So, is there any reason she would have said that, yes,
13 they run these two dedicated routes, 12-one and --

14 UNIDENTIFIED SPEAKER: So, like we talked about, right?
15 She's still kind of new in her terminal manager role and is
16 learning the logistics side of it. It was more -- more of her
17 experienced is based with HR/customer service-related issues.
18 She's still learning, but --

19 MR. FOX: Excuse me.

20 MR. ORYE: Have --

21 MR. FOX: Have that nasty dry cough.

22 MR. ORYE: Long COVID.

23 MR. FOX: No, no, no. I have a cold.

24 MR. FAGOAGA: Want some water?

25 MR. FOX: I'm going to get some.

1 MR. FAGOAGA: I'll get it. You -- I'll get it.

2 BY MR. ORYE:

3 Q. You say that, you know, sometimes, Aero drivers contact you
4 under -- you know, what is it specifically that they contact you
5 about?

6 A. Okay. Let's say that you're a good driver, (indiscernible)
7 driver. And he's been longer in the business. He knows all the
8 routes. If I send you to run the route, and you don't know where
9 the delivery's got to be made, so you're going to go
10 (indiscernible) other routes, because probably, even we have all
11 the (indiscernible). Some people, they just prefer to call me in
12 person and ask, hey, where have the deliveries got to be made?
13 That's the only time they call me.

14 Q. Okay. Have -- but you don't manage, direct --

15 A. No.

16 Q. -- tell an Aero driver, you're taking this route, you're
17 going to do this?

18 A. No.

19 Q. Okay. Have you ever, in your capacity of being a
20 subcontractor for Aero Global, have you ever approached an Aero
21 Global driver to ask him to come and take an extra route for you?

22 A. No.

23 Q. You've never done that? Didn't offer anybody any cash money
24 to do it?

25 A. If it's one of my drivers, yes.

- 1 Q. If it's --
- 2 A. But --
- 3 Q. -- one of your drivers?
- 4 A. Yes.
- 5 MR. FOX: Extra route or --
- 6 MR. FAGOAGA: Would they do --
- 7 MR. FOX: -- extra stops?
- 8 MR. FAGOAGA: -- extra deliveries. Let's say --
- 9 BY MR. ORYE:
- 10 Q. Extra stops?
- 11 A. Extra stops.
- 12 Q. Okay.
- 13 A. Yes.
- 14 Q. Yeah.
- 15 A. Let's say he completes his delivery, and he's still not even
- 16 driving eight hours, because normally, deliveries take like three
- 17 hours, four hours maximum, back and forth, like local routes,
- 18 local deliveries. If they still have time. So, I tell them, hey,
- 19 do this for extra money, my drivers, not Aero Global's.
- 20 Q. And how are you keeping track of your drivers' hours, hours
- 21 that they work, for your drivers?
- 22 A. So, we use a trip sheet. That's -- they use, to fill the
- 23 trip sheet every day, and that's how we're keeping track of their
- 24 hours.
- 25 Q. And is it basically, the driver writes in his time, or is it

1 an electronic -- do they use your app?

2 UNIDENTIFIED SPEAKER: Yes, because it has to tie back to our
3 system for the EPOD (ph.).

4 MR. ORYE: Okay. So, you would have access to all of his
5 trip sheets?

6 UNIDENTIFIED SPEAKER: Yes.

7 MR. FOX: Okay. We'll probably want to take a look at them.

8 MR. ORYE: Does he have access to that?

9 MR. FAGOAGA: To the trip sheet?

10 MR. ORYE: To the app.

11 MR. FOX: Does he?

12 MR. ORYE: What's the name of that app?

13 UNIDENTIFIED SPEAKER: iTrack.

14 MR. ORYE: iTrack?

15 UNIDENTIFIED SPEAKER: Yeah, he's got access to the iTrack.

16 MR. ORYE: Okay.

17 MR. FAGOAGA: Yeah, because we've got to put the drivers into
18 the system, and they've got to have access to scan the pieces.

19 MR. FOX: Yesterday, we sent a request through FMC
20 (indiscernible) have an investigator go to your office and get a
21 driver list, equipment list, and it came through this office. Did
22 you have Stacy help you with that?

23 MR. FAGOAGA: Yeah, she was helping me.

24 MR. FOX: Okay.

25 BY MR. ORYE:

1 Q. Is that just because you didn't know how to fill the sheets
2 out, or don't have a laptop, or --

3 A. I don't have my laptop, and I don't have a printer, and she
4 was loading it into her computer, and she printed something. I
5 put my -- I write it down. Because I didn't see the files that he
6 sends to me to fill. I just told him, just print them. I'm going
7 to forward them. Then, I scroll the email, and I saw the two
8 things.

9 Q. The driver's list, equipment list, and --

10 A. Yeah. Then, we filled out --

11 Q. -- questionnaire?

12 A. Yes.

13 Q. Okay.

14 MR. FOX: So, you just forwarded that email, or --

15 MR. FAGOAGA: Yes.

16 MR. FOX: -- he just sent it back to you?

17 MR. FAGOAGA: Um-hum.

18 BY MR. ORYE:

19 Q. Do you do any other work other than for Aero Global? Do you
20 have any other contracts, any for-hire work that you're doing --

21 A. No.

22 Q. -- Maryland, or --

23 A. No.

24 Q. And do you live in Maryland, or do you live down here?

25 A. I live in Maryland.

- 1 Q. At the Hyattsville address?
- 2 A. Correct.
- 3 BY MR. FOX:
- 4 Q. Do you also have a dock crew up at any of the other
5 facilities?
- 6 A. Yes.
- 7 Q. What other facilities do you manage?
- 8 (Crosstalk)
- 9 UNIDENTIFIED SPEAKER: Admiral Byrd.
- 10 MR. FOX: That's --
- 11 MR. FABOAGA: Yes.
- 12 MR. FOX: Admiral.
- 13 MR. ORYE: It's over by the airport.
- 14 BY MR. FOX:
- 15 Q. Okay. Any other place?
- 16 A. No, just that one.
- 17 Q. And do you ever deal with his terminal?
- 18 A. No. I don't know his terminal. I've never been there.
- 19 Q. You've never been there?
- 20 A. No.
- 21 Q. And do you ever manage or supervise any of the other drivers
22 outside of this area?
- 23 A. No.
- 24 Q. Never?
- 25 A. No.

1 MR. FOX: That's --

2 MR. ORYE: That's --

3 MR. FOX: Yeah, that's all --

4 MR. ORYE: That's pretty much --

5 MR. FOX: -- I have.

6 MR. ORYE: -- got me for now.

7 MR. FOX: Okay. Well, we appreciate your time. Thank you
8 for answering our questions. We'll probably have a few follow-up
9 things that we can talk about when we get off the record. So,
10 here's my contact information if you have any questions or
11 concerns. And if you could give me your email address, I'll send
12 you a copy of our recording after it gets transcribed so you can
13 look at it --

14 MR. FAGOAGA: Okay.

15 MR. FOX: -- review. We really appreciate your time today.
16 Thank you for waiting. We got tied up on some phone calls.

17 MR. FAGOAGA: Oh, no.

18 MR. FOX: Okay. So, at this point, we're going to go ahead
19 and conclude the meeting -- or, interview, rather. It's 5:12 p.m.
20 Thank you, sir, for coming.

21 (Whereupon, at 5:12 p.m., the interview was concluded.)

22

23

24

25

CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

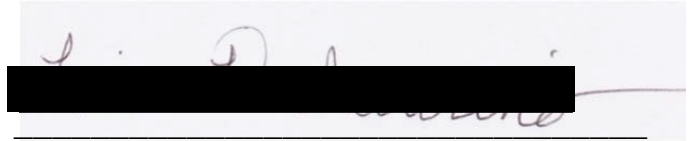
IN THE MATTER OF: FATAL CRASH OF A FREIGHTLINER BOX
TRUCK & BUS IN LOUISVILLE, NEW YORK
ON JANUARY 28, 2023
Interview of John Smith

ACCIDENT NO.: HWY23FH005

PLACE: Winchester, Virginia

DATE: February 7, 2023

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.



Lisa D. Sevarino
Transcriber