

DCA23LA125

**OPERATIONAL FACTORS/HUMAN PERFORMANCE**

Group Chair's Factual Report - Attachment 1

American Airlines Pilots' transcripts

May 25, 2023

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

NEAR-MISS TAKEOFF INCIDENT BETWEEN \*

AMERICAN AIRLINES & DELTA AIRLINES \*

AT JFK INTERNATIONAL AIRPORT IN \*

QUEENS, NEW YORK ON JANUARY 13, 2023 \*

\*

\* \* \* \* \*

Interview of: MICHAEL GRABER, Captain  
American Airlines

Accident No.: DCA23LA125

National Transportation Safety  
Board Offices  
490 L'Enfant Plaza East SW  
Washington, D.C.

Friday,  
February 17, 2023

APPEARANCES:

WILLIAM BRAMBLE, Ph.D., Human Performance Investigator  
National Transportation Safety Board

JAMES VANDERKAMP, Air Safety Investigator  
National Transportation Safety Board

MITCH MITCHELL, Aircraft Accident Investigator  
Office of Accident Investigation and Prevention  
Federal Aviation Administration

CAPT. GEORGE GRIFFIN  
777 Check Airman/DPD Stan Coordinator  
American Airlines

CAPT. BRYAN HOLLIDAY, ASAP/ERC Coordinator  
American Airlines

RAY J. DUKE, Attorney  
Airline Pilots Association (APA)  
(On behalf of Michael Graber)

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I N T E R V I E W

(4:07 p.m.)

1 DR. BRAMBLE: I have a preamble I have to read that explains  
2 who we are and what we do and so forth. So I'll go ahead and  
3 start with that.

4 Today is February 17th, 2023. It's 4:07 p.m. Eastern  
5 Standard Time. My name is Bill Bramble. I'm a human performance  
6 investigator with NTSB. Jim Vanderkamp and I are leading the  
7 operations and performance working group for investigation number  
8 DCA23LA125 involving American Airlines Flight 106 and Delta Flight  
9 1943.

10 The NTSB is an independent federal agency. We're not part of  
11 the Department of Transportation or the FAA and we have no  
12 regulatory or enforcement powers. Our mission is to determine the  
13 probable cause of incidents and accidents and make recommendations  
14 so similar events can be avoided. Our mission does not include  
15 findings of liability or blame. Your participation today helps  
16 ensure that the fact-finding phase of this investigation is  
17 complete and accurate.

18 We'll be using the services of court reporter Tim Atkinson  
19 with Free State Reporting. He will be recording the interview and  
20 taking notes so that he can transcribe it. After we receive the  
21 transcript, you and the group members present will be afforded the  
22 opportunity to review it for accuracy before it's included in the  
23 public docket for the investigation.

1 I would now like each of the working group members to briefly  
2 introduce themselves and their organizational affiliation,  
3 starting with Mr. Vanderkamp.

4 MR. VANDERKAMP: Hi. I'm Jim Vanderkamp. I'm with  
5 operational factors with the NTSB. And thanks again for being  
6 here.

7 DR. BRAMBLE: And George?

8 CAPT. GRIFFIN: I'm Captain George Griffin, 777 check airman.  
9 I'm the American Airlines party rep.

10 MR. MITCHELL: Hi, Captain Graber. Thank you for being here  
11 today. Mitch Mitchell with the FAA. I'm with the Office of  
12 Accident Investigation and Prevention. Strictly here for safety  
13 investigation purposes, nothing regarding any type of enforcement.

14 MR. GRABER: All right.

15 CAPT. HOLLIDAY: Captain Bryan Holliday, APA safety, ERC  
16 member. And I'm here as a party representative for the Allied  
17 Pilots Association.

18 DR. BRAMBLE: Thank you.

19 Each group member is going to have two opportunities to ask  
20 questions, and we're going to take turns. Everyone has been  
21 instructed not to interrupt the person whose turn it is to ask  
22 questions, but you can, of course, interrupt us if you'd like.

23 Answer all questions to the best of your recollection. If  
24 you don't understand a question just say so, and if you realize  
25 you misstated something or need to correct something, just let us

1 know.

2 MR. GRABER: All right.

3 DR. BRAMBLE: You are entitled to have a representative of  
4 your choosing present during this interview. Is there someone  
5 you'd like to have as your representative?

6 MR. GRABER: Ray.

7 DR. BRAMBLE: Okay. Mr. Duke, can you please introduce  
8 yourself?

9 MR. DUKE: My name's Ray Duke. I'm an attorney for the  
10 Allied Pilots Association and I'm here as a representative for  
11 Captain Mike Graber today.

12 DR. BRAMBLE: Okay. Thank you.

13 All right. Unless anyone has any questions, we'll go ahead  
14 and get started.

15 MR. GRABER: All righty.

16 INTERVIEW OF MICHAEL J. GRABER

17 BY DR. BRAMBLE:

18 Q. Okay. Captain Graber -- just a second -- all right. Can you  
19 go ahead and state your full name with middle initial and  
20 spelling, please?

21 A. Spell whole name as in first name, too?

22 Q. Yeah.

23 A. Okay. Michael, M-i-c-h-a-e-l, middle initial J, last name  
24 Graber, G-r-a-b-e-r.

25 Q. Okay. And what's your date of hire at American?

1 A. August of '89. I don't know the exact date of that, but it's  
2 August of '89.

3 Q. That's good enough. And what's your current job title?

4 A. I'm captain of 777.

5 Q. And where are you based?

6 A. JFK.

7 Q. And in what city do you live?

8 A. New York.

9 Q. And how do you commute to JFK?

10 A. Generally JetBlue or Delta.

11 Q. So do you live elsewhere in New York?

12 A. I live in Buffalo.

13 Q. Oh, okay. All right. Any other managerial or training roles  
14 with American besides pilot?

15 A. No. Just a pilot, yes.

16 Q. Okay. And can you give us just a brief overview of your --  
17 sort of your background as an airline pilot or professional pilot  
18 leading to your current position?

19 A. Let's see. I started flying corporate, and from corporate  
20 got hired at American and started on the 7-2 and then was on the  
21 Super 80 in Chicago for a number of years, and then went to the  
22 777 in Chicago and then back to New York, and that's pretty much  
23 the whole story.

24 Q. Okay. Have you flown for any other airlines besides  
25 American?



1 A. No.

2 Q. And what certificates and ratings do you hold?

3 A. Airline transport certificate and I have the FE ticket from  
4 American and the FCC radio license. That's pretty much it.

5 Q. Okay.

6 A. A DC-9 rating and a 777 rating.

7 Q. Okay. And roughly how much total PIC and 777 time do you  
8 think you have? Big round numbers are fine.

9 A. Yeah, that's a -- I mean, I'm -- captain I've been 4-, 500  
10 hours or something in the left seat and I have no idea -- 8- to  
11 9,000 hours as an FO on the 777.

12 Q. So 4500 [sic] as captain and 8- to 9,000 as FO on 777?

13 A. Yes.

14 Q. And total time, how much total time do you think you have?

15 A. I'd say around 20,000 hours. I have a lot of DC-9 time, too;  
16 MD-80.

17 Q. Okay. And how long before this incident was your most recent  
18 training with American?

19 A. November '22, somewhere around the middle of the month.

20 Q. Okay. Was that recurrent?

21 A. Yeah, it was an R12, they call it now, recurrent training.

22 Q. Okay. And just to confirm, you were the captain on Flight  
23 106 departing JFK January 13th?

24 A. Yes.

25 Q. Okay. Can you tell us a little bit about that trip in terms

1 of where that flight fell in the trip sequence? Was that your  
2 first flight of the trip?

3 A. You mean of the month or --

4 Q. For that particular sequence of flights, did you just like  
5 commute to JFK and that was just your first flight of the trip?

6 MR. DUKE: First leg in the sequence.

7 BY DR. BRAMBLE:

8 Q. First leg in the sequence?

9 A. That was the first leg of that sequence, yes.

10 Q. Okay. And was it a scheduled trip?

11 A. Yes.

12 Q. And how'd you commute to JFK for this flight?

13 A. I came over on JetBlue, I believe a 1 o'clock or 1:30 flight,  
14 that afternoon.

15 Q. From Buffalo?

16 A. From Buffalo.

17 Q. Okay. How long have you been based at JFK?

18 A. Like I said, I started in New York and then, you know, after  
19 6 months or something, I went to Chicago on a Super 80 and I was  
20 probably on that for 10 or 11 years. Then -- actually, I went to  
21 the 777 in Chicago first. And then somewhere, I don't know,  
22 somewhere after JetBlue started. Because Dallas called and asked  
23 if I would be willing to go back to New York because they were  
24 short of people in New York, so I said sure. So I don't know  
25 exactly how long it was. It was somewhere around -- I know

1 JetBlue was started because that was a consideration, was the  
2 commute factor.

3 Q. Okay. So is it fair to say it's been at least several years,  
4 at least?

5 A. Yes. Probably 10 years, anyway.

6 Q. Okay. And just in your own words, how familiar would you say  
7 you are with JFK?

8 A. I'd say I'm very familiar.

9 Q. And before this flight, Flight 106, how long before that do  
10 you think was your last flight out of JFK?

11 A. Three days before that.

12 Q. Okay.

13 A. Tuesday, Wednesday, Thursday I flew a London flight also.

14 Q. Okay. All right. Do you happen to recall the taxi route on  
15 the previous flight? Was it -- do you remember which runway you  
16 might have departed on on previous --

17 A. It'd be a guess.

18 Q. Okay. That's fine. You don't have to guess.

19 All right. We reviewed your statement. It was helpful. But  
20 if I could ask you to describe for us in your words and based on  
21 your own recollections what happened from the time you arrived at  
22 the airport until the time you departed JFK for London Heathrow?

23 A. Well, somewhere around 3 o'clock I got to New York. I went  
24 to the snooze room, took a nap, probably a 2-hour nap or  
25 something. Slept, got up and started looking at, you know, what I

1 could look at for our flight, which the paperwork wasn't out yet,  
2 but -- in fact, I didn't know I was even flying with her, but I  
3 ran into Traci in the mailroom. Both of us just crossed paths but  
4 didn't know we were working together. And then when I came into  
5 the operations area, Jeff and Traci were there talking and they  
6 asked if I was going to London, and I said yes and they said  
7 they're going to be on the London, too. So at that time Jeff  
8 asked, he said it looks like the paperwork just came out, can I  
9 pull it? I said, sure, go right ahead.

10 So started going through it. I mean, they were concerned  
11 about the constant or the -- you know, constant rate of descent  
12 into London. And I said I've been flying to London a lot so it's  
13 not a huge deal once you get comfortable with it. And the other  
14 thing we noticed we're on a half-LAT that day, which I think was  
15 probably -- I mean, I've been on one or two before, but I think it  
16 was a first for both of them. So we talked about that and we just  
17 really talked about the flight, and that was probably it in ops.  
18 And Jeff said then he was heading out to the airplane to start  
19 preflighting the airplane.

20 Q. Okay. Then what happened?

21 A. Well, then Traci and I, you know, drew out the track on our  
22 map and we both headed down, too, and both got in our seats. We  
23 told Jeff go do the outside, we'll take care of the inside, and  
24 basically prepared the airplane with all the preflight procedures.  
25 And once we completed those, we -- you know, we're looking at the

1 ATIS and -- you know, I mean, actually I asked Traci in ops if she  
2 was -- I said, you know, I do both legs, it doesn't matter to me,  
3 if you have a preference flying over or flying back. And she said  
4 she'd like to fly it over but she's uncomfortable with the  
5 constant rate -- or not sure about the constant rate of descent.  
6 So anyway, she said she'd fly it over so that was at that point  
7 settled.

8 And, you know, we talked about the winds being right down the  
9 runway for 3-1 Left, and that's what the ATIS was showing at the  
10 time. Just finished getting the airplane prepared and, I don't  
11 know exactly when, but we -- then I asked if there's any threats.  
12 Jeff came back after doing the preflight and making up the bunks  
13 and stuff, and he came in and I said, anybody have any threats?  
14 And both of them said they were fairly new. And so that's when  
15 Traci reiterated again to, you know, watch her on the constant  
16 rate of descent thing. She said some people were, you know,  
17 saying it's a difficult thing. So anyhow, that was brought up  
18 again.

19 And from there, we talked -- we're still at 3-1 Left, so  
20 we -- I talked about the taxi route out to 3-1 Left. I talked  
21 about the -- we have an engine-out procedure for 3-1 Left that  
22 pops up in the box automatically if we lose a motor, and I told  
23 them that we'd be doing that procedure. And I told Jeff that, you  
24 know, you're the FB, you got the big picture sitting behind the  
25 two of us. We're kind of tunnel vision, so if you see something,

1 you know, you don't like, speak up, you're never going to hurt my  
2 feelings. And I said and the other thing is, don't let me execute  
3 an engine-out if we're already past the first point. If you just  
4 hit execute, you're going to -- it's going to try to -- the  
5 airplane's going to try to go back to the first point. So I just  
6 said keep an eye on me.

7 So after we completely did the briefing for 3-1 Left,  
8 somewhere along there, the clearance came out. And as soon as the  
9 clearance came up, I saw, you know, 1.5 DME, turn right to 100.  
10 So I said, obviously there's a runway change; we're on 4 Left now,  
11 because that's the procedure for 4 Left departure.

12 So they pulled a new ATIS and we at that point looked at the  
13 winds again and said it's not as great, it's more crosswind, but  
14 it still works. So -- and then we rebriefed 4 Left, and there is  
15 no engine out 4 Left so we talked about going straight ahead up to  
16 3,000 foot. Traci can keep flying the airplane, Jeff and I are  
17 going to work the problem and we're coming back to Kennedy and  
18 landing. We're coming back to 3-1 Left. It's a long runway right  
19 into the wind and that's we wanted, so --

20 Q. Okay.

21 A. So then after that, I -- I mean, we reset all the boxes and  
22 everything then for 4 Left, and then I did the PA for the  
23 passengers. And I believe at that time -- I think I told the  
24 passengers due to it's a nighttime flight, you know, some of you  
25 will be eating, some of you will be sleeping, some of you watching

1 movies, I'm probably not going to do a PA at level off. I'm going  
2 to tell you now we're cruising at whatever altitude it was, I  
3 think 35,000, and whatever the flying time was, and probably a  
4 half hour before landing in London we'll give you an update on the  
5 weather and roughly the landing time in London. So that way, you  
6 know, you're not making a PA waking everybody up or it cuts into  
7 their movie if they're watching a movie. So anyway, that's what I  
8 did, I made that PA.

9       Somewhere in there now the -- somebody came up and handed up  
10 our -- it's a dangerous goods slip now. And, you know, the  
11 company's been sending us all kinds of information on those  
12 dangerous goods that you just put in DG and the six digits and  
13 nothing else. And, you know, right a ways -- I mean, at that time  
14 I was still doing the PA so I never got to talk to the guy. It  
15 was just passed up. And then Traci looked at it right away. She  
16 started saying that they circled -- and then Jeff said, yeah, they  
17 said that they didn't put some batteries on or something. So  
18 they're asking is that legal. And I said, I believe it is. And  
19 then Traci wanted to put a note with the DG code that some  
20 batteries aren't on here. And I said, no, you can't do that; they  
21 just want the code period, that's all they want. So anyway, that  
22 was sent and that, you know, notifies them that we've had the  
23 dangerous goods paperwork.

24       After that, we finished up the checklist. The agent came up  
25 and said they're all ready at close-up or she gave me her oral

1 briefing, and I said as long as number 1's ready to go, we're  
2 ready to go up here.

3       So basically it was everything was normal. Then we pushed  
4 back, started both motors and, you know, right away the oil was  
5 taking time to warm up just because it was a cold night. So that  
6 got us talking about deicing our anti-icing as far as -- or any  
7 icing at all as far as turning the engine heat on, which we  
8 decided wasn't necessary, there was no moisture in the air.

9       And then we got our taxi clearance, which we acknowledged.  
10 And somewhere in there we got a thing telling us that the  
11 closeout -- some kind of message that closeout wasn't ready yet or  
12 something. I don't know exactly what it said, but -- so we  
13 started taxing out and somewhere around November-Charlie, I don't  
14 know exactly, is we were left on Bravo, coming around November-  
15 Charlie, somewhere around there I said to Traci that you need to  
16 request another closeout. So she did it by ACARS and it just came  
17 back stand by.

18       So somewhere -- and I don't know, you know, I don't know the  
19 exact, but somewhere between Mike and Mike-Bravo, something like  
20 that, I said to the -- I said to -- or actually at that point we  
21 started getting all these weather messages that Traci was reading  
22 and acknowledging. There was quite a bit of weather, and I turned  
23 to Jeff, said, Jeff, I want you to tell the flight attendants tell  
24 them to stay seated until we tell them otherwise. So they were  
25 seated. There was, you know, weather for departure, weather for



1 the routing. It was a lot of weather that came across. Anyway, I  
2 just, somewhere around Mike -- I don't know, between Mike and  
3 Mike-Bravo or Mike-Alpha, I turned to Jeff again and said, call  
4 and see if you can get us a closeout. Because I didn't want to be  
5 delaying things or holding things up because we didn't have a  
6 closeout.

7 So anyway, he made the call and, again, I'm just guessing  
8 because I really at that time wasn't paying that close attention  
9 or considering it as a factor, but somewhere around Lima or Mike-  
10 Golf or Mike-Foxtrot, I don't know, somewhere in there we got a  
11 closeout. So when we got the closeout, all I remember is Traci  
12 started looking at the closeout and went to her iPad, which was on  
13 her panel on the side over here. And she's reading off the  
14 closeout against the TPS. And I said, I can't see that over  
15 there; I can't. Where's the paperwork? Because we had someone --  
16 I think it was Jeff then dug up the printed one. And that's all  
17 about the time when we were coming up on the Kilo. And I -- I  
18 don't know, I loose sleep over this one because I can't figure out  
19 why I missed it, but I missed the Kilo turn and then I thought for  
20 some reason we're back on 3-1 Left and continue across Juliet at  
21 the 3-1 Left.

22 And it was crossing 3-1 Left, you know -- the nose was  
23 definitely over the centerline of 4 Left when we were out there.  
24 And then I did -- I mean, I did clear left, Traci cleared right,  
25 and I looked right also. And, you know, as we're crossing I put

1 the turnoff lights on plus the landing lights and the nose light  
2 and we started crossing. Well, all of a sudden I saw that red  
3 glow and I just -- right away I said something -- that ain't  
4 right. I mean, I think I might have even said someone -- call the  
5 tower and ask them why they put those red lights on. And I -- you  
6 know, at that point I was not thinking I was in the wrong. I was  
7 thinking something -- I didn't know what was happening, but I was  
8 thinking something's wrong.

9       Anyhow, we cross over, and when we crossed to the other side  
10 then, you know, Traci looked down and said we're still on ground.  
11 So then she switched tower, called tower. And then they said we  
12 had a possible deviation, pilot deviation, and she kind of shut  
13 up. So then I started talking. And at that time, like I said, I  
14 still thought I was in the right, that somehow, you know, somebody  
15 else messed up. But as the conversation developed and as I talked  
16 to the tower, I realized that it was my mistake, not theirs. And  
17 that was, you know, pretty much most of it. I mean, as the red  
18 lights came on, I did actually add a little more power too to get  
19 us across the runway. And at that point, like I said, I still  
20 didn't really think I was in the wrong. I just thought just  
21 getting off this runway.

22       I mean, I may have missed some things, but that's kind of  
23 what keeps running through my head anyway.

24 Q. Yeah. Okay.

25 A. I mean, once we got to the other side, we did talk to the

1 tower. And, I mean, I had stopped the jet, parked the airplane.  
2 And I asked both FOs more than once if -- I mean, at this time I  
3 had no idea that Delta was taking off, right? That was not  
4 apparent to me. After we crossed the runway, Jeff said there's  
5 somebody on the -- somebody's taxiing on the runway. That's what  
6 he said. So, and it -- from where we were sitting looking back,  
7 it didn't look like we were close to anybody at all. So I didn't  
8 know there was anybody taking off on that runway.

9 And, you know, the tower told me to -- they gave me a phone  
10 number to call. So I called the tower and the tower said, hang  
11 on, they're pulling their tapes, to call back in 5 minutes. So I  
12 called back in 5 minutes and the tower again said that they're  
13 still reviewing their tapes and -- I don't know exactly how it  
14 came up, but -- and I said, well, you know, at this time we're,  
15 you know, supposed to be going to London, we'll be back Sunday.  
16 And they asked for my name, which I gave them, and my phone number  
17 and they said to call when I get back on Sunday.

18 And I asked the FOs again, you know, do you guys need time or  
19 if you think there's any issues, we'll go back to the gate. But I  
20 said as far as the FOM, I don't know of any reason we need to go  
21 back to the gate. And at that time nobody on our flight new  
22 anything. I mean, we never got a ding from flight the attendants  
23 or anybody, so -- and the tower also, they told me at that point  
24 they were switching back to 3-1 Left. So then we reloaded the box  
25 for 3-1 Left, briefed the 3-1 Left, redid the takeoff checklist

1 and, you know, basically from there proceeded on to London.

2 Like I said, I wasn't, you know, I wasn't aware that there  
3 was -- well, what I guess what I thought, I don't know, at that  
4 time it seemed to me that it was just a runway crossing, kind of  
5 like an altitude deviation or something. I didn't, you know -- I  
6 had no idea that it was anything more than that.

7 Q. Okay. We have other follow-up questions. Is there anything  
8 else you want to add just to the general sequence of events or --

9 A. I mean, I may. As you ask a question, it may trigger my  
10 memory, but at this point I don't think so.

11 Q. Okay. All right. The 1½ DME to -- what was the VOR,  
12 whatever it was?

13 A. 1.5 DME, turn right to 100 heading.

14 Q. Turn right to 100 heading. Oh, okay.

15 A. That's pretty much standard for 4 Left out of Kennedy.

16 Q. Okay. And what's a half-track?

17 A. Crossing, they put you on tracks. And instead of the, you  
18 know, North 50 and West 50, it's like North 55, West 50.

19 Q. All right. Have you had the opportunity to hear any ATC  
20 audio or view any animations of the runway incursion?

21 A. Yes, when we first met down at APA. And yesterday I heard  
22 myself on the tower frequency.

23 Q. Okay. Did you see an animation at APA?

24 A. Yes, I did.

25 Q. Okay. Was there anything noteworthy in the audio or the

1 animation that is worth pointing out that was surprising or might  
2 be of interest to us?

3 A. Well, to me, the animation, it did not look really that close  
4 as some of the animation kind of shows it. Not that it was real  
5 close, but it didn't look even that close from our perspective.  
6 As well as yesterday, I didn't remember saying, I guess, as much  
7 as I said to the tower.

8 Q. Okay. On the local control frequency, you're talking about?

9 A. Yes, tower frequency.

10 Q. Okay. All right. You already stated the initial ATIS  
11 suggested Runway 3-1 Left. The initial departure clearance that  
12 you received, was that for 3-1 Left?

13 A. No. It was -- whenever the departure clearance came out,  
14 that's where we saw the 1.5 DME turn right to 100, so that's when  
15 I knew it was 4 Left.

16 Q. Okay.

17 A. So it was just getting the departure clearance indicated to  
18 me, and that's when I pulled up a new ATIS for 4 Left.

19 Q. Okay. And as you stated, the departure procedure was pretty  
20 standard for that runway or for where you were headed?

21 A. Yes. I mean, the first one that I briefed everyone for 3-1  
22 Left is the standard departure taxi route for 3-1 Left, and then  
23 we switched it to 4 Left, that's the standard taxi route for 4  
24 Left.

25 Q. Okay.

1 A. Bravo to Kilo.

2 Q. Did the briefed taxi route change when you switched from 3-1  
3 to 4 Left or did you brief the same taxi route, Bravo to Kilo, for  
4 both runways? Bravo hold short at Kilo or --

5 A. Well, at Tango-Alpha when we called for a clearance or called  
6 ground for taxi, they told us left on Bravo, hold short Kilo. So  
7 yes. I mean, but that was after we knew we were going to 4 Left,  
8 we did -- I did rebrief that we were probably going to -- you  
9 know, they'll have you come up Kilo, and then as you get closer,  
10 they'll tell you when to cross.

11 Q. Okay. And the taxi briefing for -- you initially briefed a  
12 taxi to 3-1 Left, right?

13 A. Correct.

14 Q. And what did you brief for the taxi route for that? Same  
15 thing?

16 A. That was Tango-Alpha, left on Bravo, and hold short at  
17 Juliet.

18 Q. Okay. All right. Who programmed the FMS?

19 A. Traci.

20 Q. And did she have to reenter -- did she have to reprogram it  
21 when you guys switched from expecting 3-1 to 4 Left?

22 A. Yes, went back and put 4 Left in there. And then I think it  
23 gave us -- I don't remember what it was, but it gave us some  
24 climb, you know, 4 Left -- climb or something, I don't know,  
25 whatever it said.

1 Q. And that was all done before you pushed back?

2 A. Yes.

3 Q. Okay. All right, let me go -- all right. Can you just walk  
4 us through the departure briefing process, generally what's  
5 included in that?

6 A. Generally you give a rough idea of what we think the taxi  
7 routes are going to be to the runway. And also then we'll -- you  
8 know, like I said, 3-1 Left has an engine-out procedure, which is  
9 in the box which is automatically come up and we just had to hit  
10 execute. So, I mean, I explained that, as I did earlier, that  
11 it's going to come up, just make sure -- I don't want to execute  
12 if we've already crossed the first point because the airplane's  
13 going to go back to that point. So we want to, you know, keep the  
14 airplane going in the right direction.

15 So that's a 3-1 Left. It's all in the -- like I said, it's  
16 already set in the box. The 4 Left, there is no engine-out  
17 procedure, per se. But on 4 Left you almost can climb up straight  
18 ahead 3,000 foot. There's pretty much coming up on the shore line  
19 of the water and basically you want to start coming back to  
20 Kennedy and land.

21 Q. Okay. Anything else? Any other significant areas of the  
22 departure briefing? I haven't had a chance to review the manual,  
23 but is that basically -- those are the major topics?

24 A. Well, I mean, you -- I always step through the departure,  
25 especially the engine-out procedure on 3-1 Left, you know, go

1 check with the box from the departure SID. And, you know, in that  
2 case it's going to have you take off and start a lefthand turn.  
3 So it's really no heading or anything you put in there. If it's 4  
4 Left, we're going to straight ahead on 4 Left to 3,000 foot, so.  
5 But those are talked about, and that Traci's flying the leg and  
6 that Jeff and I are working the problem.

7 Q. Okay. And who performed the departure briefing? Was that  
8 you or was that Traci?

9 A. It was me.

10 Q. Okay. And that included -- you already stated you briefed  
11 the taxi; that's right. You covered that.

12 Is identifying threats something that you always do before  
13 departing?

14 A. Yes.

15 Q. Is that part of American training and SOPs?

16 A. Yes.

17 Q. Okay. Do you guys get that in the CRM training course or  
18 what do -- how are you trained to do that?

19 A. I mean, it's talked about in CRM and they talked about it in  
20 the briefings in some of the sim rooms. They have a lot of  
21 posters they have up referencing all the --

22 Q. So it's integrated with the operational training?

23 A. Correct.

24 Q. Okay. If there had been runway hotspots identified on the  
25 10-9 page, would that have factored into the threat



1 identification?

2 A. I believe it would have, yes. It's just a -- I mean, it's  
3 something -- I've been doing it for a long time so I can't really  
4 say I gave it a lot of thought till now. But first of all,  
5 turning to 4 Left from Bravo, that Kilo turn is -- it's just a  
6 weird turn. You kind of have to go left to go right to make the  
7 turn. And even, you know, as you're going Bravo to Juliet, not  
8 that that's that hard, you know, but it's not really like you're  
9 making a full left turn. You're just kind of making -- starting  
10 to make a left turn and then you're coming back right to go  
11 Juliet. So both of them are kind of weird, which -- I mean, I'm  
12 surprised there hasn't been a hotspot there a long time ago.

13 Q. Do you think if that had been marked on the -- if a hotspot  
14 had been marked in that location, do you think it might have  
15 changed the outcome of this taxi?

16 A. It definitely would have been a factor for sure. I don't  
17 know that we would have continued that takeoff briefing at that  
18 point if we knew we're approaching a hotspot.

19 Q. All right. So the -- where did the takeoff briefing occur?  
20 Was it back at the gate you talked about it?

21 A. Which takeoff briefing?

22 Q. So I was just -- you just mentioned that if you'd known there  
23 was a hotspot, you might not have continued the takeoff briefing.  
24 Was there a -- if you knew you were approaching the hotspot. Was  
25 there a takeoff briefing right before that?

1 A. That wasn't a takeoff briefing. That was comparing the  
2 closeout to the TPS.

3 Q. Oh, I see. I see. So that's what Traci was doing on her  
4 iPad --

5 A. Correct.

6 Q. -- okay, at the time. Okay.

7 All right. So we understand from the written statements that  
8 there was this issue with the missing item being denoted by hand  
9 on the NOTOC, and I can't recall if you described exactly what  
10 that was. So can you just describe briefly again what the issue  
11 was with the NOTOC?

12 A. Well, first of all, NOTOC is the old procedures in American  
13 Airlines. Dangerous goods is the newer paperwork we're getting.  
14 I don't know if that's --

15 Q. Okay.

16 A. -- a different airline philosophy that came in. I don't know  
17 when it went from NOTOC to dangerous goods. But anyway, the  
18 dangerous goods, like I said, the big thing is they have the DG  
19 and the DG, there's a six-digit number. They want you to enter  
20 that to verify that we've got that paperwork. That's what the  
21 company wants. This is the first one I saw that had something  
22 circled and saying it wasn't on board. And Traci was asking me,  
23 is that legal? I said I don't know, I'll have to wait till what  
24 the closeout says. If the closeout says that SEC okay is there,  
25 then I said I believe it's okay. But I didn't know the actual

1 answer for that.

2 This dangerous goods thing, I like I said, it's new. In  
3 fact, our last home study training was about the DG. So I think  
4 that was why she was asking more questions. I'm not positive, but  
5 speculation on my part.

6 Q. So how you handle that dangerous goods information, did that  
7 change as a part of the -- did that change recently or did they  
8 just change the name of it from NOTOC to DG?

9 A. Well, the NOTOC used to be, I mean, be a sheet that had  
10 whatever dangerous goods are on it and it had three signatures  
11 down at the bottom and one of them had to be different from the  
12 other two. I do remember that. So the DG slip is definitely  
13 different than what the NOTOC stated. Like I said, I don't know  
14 why the change or --

15 Q. Okay.

16 A. But it is -- it's different than it was.

17 Q. And how recently had that occurred, that change?

18 A. Probably in the last year maybe, maybe a year and a half.

19 Q. Okay. This is a copy of the DG form that the airline gave  
20 us. Do you have any idea which of those items might have been  
21 circled? I don't know if it's been modified since the copy you  
22 saw or not, but does that --

23 A. I believe it was the top one here. I think it was the top  
24 one was here, and then someone wrote left off or not on board or  
25 something to that effect. I mean --

1 Q. Okay.

2 A. -- I probably have it at home. I kept the paperwork.

3 Q. Oh, okay.

4 A. But I don't know exactly. I didn't study it before I came  
5 down here. I didn't --

6 Q. Yeah. Yeah, actually hang onto that. And we might want a  
7 copy of that. We'll -- maybe we'll put in a request, I guess, to  
8 you guys, since you're the party coordinator, and they'll ask you  
9 for the thing. I guess that's how it's supposed to work. I'm not  
10 sure how important it'll end up being, but might be nice to -- so  
11 we know what that was about.

12 All right. So the note said -- in your statement you wrote  
13 "batteries circled (not received)."

14 A. That might have been what it said then.

15 Q. Oh, okay. So it might have said on the form that they  
16 weren't received?

17 A. Yeah, someone wrote in by hand.

18 Q. Oh, okay. I see. All right. And then you wrote in your  
19 statement you couldn't discuss the slip with the ground personnel  
20 who delivered it up because you were doing the PA, as you --

21 A. I was doing the PA. He just handed it up the FB and turned  
22 around and headed out the door. So if I saw that when he was  
23 coming up, I would've stopped and said, you know, what do we got  
24 here?

25 Q. Yeah.

1 A. Or don't have.

2 Q. All right. Was this something that -- like were you unsure  
3 whether this had to be resolved before pushback or was it clear  
4 that it was something that could resolve sort of underway once you  
5 left the gate?

6 A. I thought it could have been resolved once we left the gate.  
7 But I also then -- we weren't getting a closeout. So then I  
8 started thinking is there something that this battery issue is  
9 causing us not to have a closeout? Because usually the company is  
10 pretty good on getting it closed out right off the bat.

11 Q. So you were concerned that maybe something about that note on  
12 the form was why the closeout seemed delayed?

13 A. Well, I mean, I was guessing at the time, but I was thinking  
14 because the battery's not on there, whatever the weight of the  
15 batteries, they got to take that off the -- you know, refigure the  
16 weight and balance. I don't know. That's -- that was just  
17 speculation on my part, but -- it was just a factor in why aren't  
18 we getting our closeout? Because like I said, the company's  
19 generally pretty good on getting it closed out right away.

20 Q. How long after you leave the gate would you typically expect  
21 to get it in this scenario where you're taxiing?

22 A. Well, most of the time we get it right away. I mean, I  
23 didn't -- this particular trip, 106, I've flown it here and there.  
24 I do fly a lot, just with my seniority I seem to wind up with a  
25 lot of the two-man London flights, either 100 or 142. And on both

1 those trips when we push back the gate, I always tell the FO we're  
2 not going anywhere until we get a closeout and we can take care of  
3 the checklist. And that way we're both, you know, paying  
4 attention where we're going and -- so it generally comes pretty  
5 quick. Because if I'm sitting in the ramp too long, especially in  
6 London, you're going to get yelled at, and that hasn't happened.  
7 So this was a first.

8 Q. So normally you wouldn't leave the gate before you got  
9 closeout or is that only in London?

10 A. Well, generally, once you push back, which I think is what  
11 triggers the out time on the airplane, and once that triggers,  
12 then they send the closeout.

13 Q. Okay. So when you said, you know, you'll often tell the FO  
14 we're not going to go anywhere till we get the closeout, where do  
15 you wait typically?

16 A. Well, generally in the alley at JFK, in the Tango-Alpha  
17 alley, just sitting there. That's usually not a problem. London,  
18 you know, most of our gates are somewhere around the G taxiway.  
19 So when you push back in the taxiway, sometimes -- you know, they  
20 need you to get in or out because they've got someone waiting to  
21 come into your gate or someone behind you that needs to get out or  
22 whatever. So that's the one that's, you know, a little more  
23 tricky. But like I said, so far I have not run into a problem at  
24 either end.

25 Q. So normally would you stop in the Tango-Alpha alley at JFK to

1 wait for the closeout?

2 A. Yeah. When they push us back, set the brakes and start the  
3 motors, no, I just wait till we get a closeout, it comes up. That  
4 way we can take care of the closeout, the TPS, and all the flap  
5 settings and everything else, have it all done before we move the  
6 airplane.

7 Q. Why did you not wait for it this time?

8 A. Well, like I said, just the night before I flew 104 to  
9 London, which is a three-man crew; I had an FB. And this night I  
10 had an FB also, so I figured three people, we got a little extra  
11 time and we have a little extra -- another person, so we got  
12 somebody else to work this while we're taxiing it. And that was  
13 my difference in the thinking.

14 Q. I see. So when you mentioned earlier the two-person crew,  
15 that was -- you would typically wait to get the closeout if you  
16 only had two pilots because of the workload issue?

17 A. Correct.

18 Q. But because you had an FB, you figured it was --

19 A. Correct.

20 Q. -- reasonable to proceed because that person could help with  
21 that?

22 A. That's correct.

23 Q. I see. All right. How was the issue resolved with the DG?  
24 Like how did you --

25 A. We got the security okay on the closeout.

1 Q. Okay.

2 A. So at that point -- I mean, they're not going to give you a  
3 security okay if you got an issue. I think there was forward and  
4 aft cargo and it was closed out, so -- our dangerous goods in  
5 both. An SEC okay, security okay.

6 Q. All right. And when you received that closeout do you recall  
7 where the airplane was at that time?

8 A. Well, that's -- I mean, it's just a speculation or guess on  
9 my part, but I'm guessing maybe Lima, Lima-Alpha, somewhere in  
10 there. I don't know exactly.

11 Q. Okay.

12 A. And there's probably a way that can be figured out, but I  
13 don't know exactly.

14 Q. Okay. All right. What lights were supposed to be on during  
15 the taxi?

16 A. The taxi light. On the airplane?

17 Q. Um-hum.

18 A. Well, the taxi light, the strobes are on -- I mean, not the  
19 strobes, the beacon's on. And that's the only light I had on was  
20 the night taxi light.

21 Q. Taxi light and beacon?

22 A. Yes.

23 Q. Okay. And those are the ones that are supposed to be on and  
24 both of those were on during the taxi?

25 A. Correct.



1 Q. Okay. And was the exterior lighting changed before you  
2 crossed 4 Left?

3 A. Yes, before I crossed. Because as we approached 4 Left, I  
4 said, clear left, clear right. Traci said, clear right. I turned  
5 the runway turnoff lights on as well as both landing lights and  
6 the nosewheel light.

7 Q. Okay. Is that your standard practice, when you're crossing a  
8 runway you use those lights?

9 A. At nighttime, yes. Daytime I might just turn on the turnoff  
10 lights.

11 Q. All right. And I can't remember if you mentioned this, but  
12 were the strobes on?

13 A. They were not.

14 Q. Okay. All right. Let's talk about the weather messages that  
15 were being sent. Do you know kind of where the airplane was in  
16 terms of your taxi route when those messages were coming in? Or  
17 was it sort of constant throughout the entire taxi or --

18 A. I mean, I don't remember exactly where it started, is we were  
19 left on Bravo, probably even before I told Traci to try and get  
20 another closeout or request it again, I think we got our first  
21 weather message, and I don't know exactly when we got our second  
22 one either. I mean, it just seemed they just kept coming. And,  
23 you know, she's diligently putting in the codes that they send to  
24 acknowledge we got the -- which really I think is just a  
25 timestamp, but just acknowledges we have them. And I don't even

1 remember how many. It just seemed we were getting a lot of them.

2 Q. Okay. So would you consider the number of messages unusual?

3 A. I'd say more than normal anyway, definitely. I mean,  
4 sometimes you get one or two, not -- not the ones we were getting  
5 that night. I mean, the weather was bad that night. It wasn't  
6 great. It was just -- mainly it's bumpy weather. But it was a  
7 pretty rough, you know, rough ride.

8 Q. Okay. So the number was more than usual. Was the timing  
9 particularly unusual?

10 A. I guess in a sense that usually you get one or two and you  
11 don't -- you know, you figure, okay, that -- you know, you get the  
12 idea that there's weather you got to deal with, not that it just  
13 keep it keeps coming. It just seemed like they just kept sending  
14 it.

15 Q. And was the weather that you were being advised about was  
16 that sort of in the terminal area or was it further along?

17 A. The departure weather for the departure as well as weather en  
18 route.

19 Q. Okay. Who was -- I guess Traci was receiving those messages.  
20 Was she also printing them?

21 A. Yes.

22 Q. And was Jeff handing them up?

23 A. I think he was at first, but when I, you know, I told him  
24 just tell the flight attendants to stay seated, I think he, you  
25 know, was calling the flight attendants, telling them, and

1 actually made the call to the company, I think she might have just  
2 been grabbing them. I'm not positive, but I think between the two  
3 of them, they were getting passed up.

4 Q. Okay. Did you consider the weather messages to be a  
5 distraction?

6 A. I mean, yes and no. I mean, Traci seemed to be taking -- I  
7 mean, I think she's trying to be very thorough, but she seemed to  
8 be taking a lot of time reading them and going through them and --  
9 you know, I was getting the gist of the messages, it was going to  
10 be a bumpy ride and there's weather out there, which you're  
11 already kind of aware of. So I didn't take it to the degree that  
12 I think she was taking it, which was probably taking it a little  
13 out of the loop of working with me then as opposed to, you know --  
14 like I said, she was trying to be a good FO and really tell me  
15 everything that was happening, which at that point we had other  
16 things to be dealing with, but -- that's my opinion anyway.

17 Q. So is it fair to say, based on that statement, that it seemed  
18 like it might have been a little distracting for her?

19 A. It probably was distracting for all three of us. I'm just  
20 saying she was trying to do her due diligence of really taking it  
21 all in. I was -- I just kind of felt I'm getting the big picture  
22 here, we got weather to deal with. That was my take on it anyway.

23 Q. Okay. Where was the airplane when you asked Jeff to call the  
24 flight attendants and ask them to be seated after the departure --  
25 after the takeoff? Do you know where?

1 A. I'm guessing somewhere around the Mike taxiway. I'm not  
2 exactly positive. Around Bravo, but -- maybe a little before  
3 that. Somewhere there, around that area anyway.

4 Q. Okay.

5 A. It's probably actually somewhere between November and Mike-  
6 Alpha, but I'm not positive.

7 Q. Okay. And then how about when you asked him to call for a  
8 new closeout on the radio frequency?

9 A. It probably wasn't much -- I mean, he made the flight  
10 attendants' PA, and then I -- I want to say somewhere around Mike-  
11 Alpha I think I told him, you know, call and see if you can get us  
12 a closeout.

13 Q. Okay. Okay. And where do you think the airplane was when he  
14 was done with each of those things? Which happened first? It was  
15 you asked him to do the closeout and then -- or you asked him to  
16 brief the flight attendants and then do the -- ask for the  
17 closeout?

18 A. I believe I asked him to tell -- because we started getting  
19 weather, you know, right after we got out on Bravo. So I told him  
20 call the flight attendants and tell them to remain seated till I  
21 tell them otherwise. So I believe I asked him to do the -- call  
22 the flight attendants first and then, like I said, we're coming on  
23 Mike-Bravo, so I said we got to get this closeout here and get  
24 moving. So that's why I said call the company and see if you can  
25 get us a closeout.

1 Q. Okay. And where do you think the airplane was when you  
2 asked -- when he finished calling for the load closeout? So when  
3 was he back sort of heads up again?

4 A. Honestly, that I don't know.

5 Q. Okay. And same for the -- briefing the flight attendants to  
6 stay seated, do you know where that -- where he was done with that  
7 task or is it hard to say?

8 A. I mean, I -- somewhere where we're coming around the turn. I  
9 don't know exactly. And like I said, after I asked him to make  
10 that PA or call the flight attendants and tell them to stay  
11 seated, somewhere after that I just told him you better call and  
12 get us a closeout because I don't want to be holding up the line.

13 Q. All right. All right. What's the new fleet harmonization  
14 procedure for the FO to brief the passengers for takeoff?

15 A. She's supposed to make a prepare for takeoff PA roughly 2  
16 minutes before departure. I mean, it's something the captain's  
17 done and they now they switched it over to the FO.

18 Q. And how did you learn about that policy change?

19 A. Probably numerous messages from the company and APA about the  
20 changes. And then I -- I mean, I kind of looked through it all.  
21 It's a fairly good number of pages. But the last two somebody  
22 kind of gave a brief checklist of everything that changed, and I  
23 made copies of that and laminated it and put it in the cockpit.  
24 In fact, in my briefing -- I forgot that earlier. In part of my  
25 briefing I told them all that, you know, these are new procedures,

1 we can do as little of these or as many of these as you want and  
2 that we can talk about it as we fly along. So --

3 Q. Okay. Did you receive any training on the procedural  
4 changes?

5 A. No.

6 Q. Did you find that problematic or was it -- did you find it  
7 acceptable the way that you got the information? Did you feel  
8 like you needed training or --

9 A. I'm not going to say I felt I needed training. I mean,  
10 they -- just the way they changed some things that some of it they  
11 probably didn't need to do it all at once. They could've did it  
12 over more of a period of time.

13 I mean, the biggest one to me that stands out is the flaps.  
14 You know, we'd say, "below 255, flaps 1." So you're stating the  
15 speed that you're below before you put the flaps out. I mean, we  
16 got blow up protection on this airplane, but it's still just nice  
17 to be below your speeds before you put the flaps out. Well, you  
18 don't do that anymore. You're just calling for flaps 1 and the  
19 other guy's verifying that you're doing it. So it's just, to me  
20 it's just a -- I guess I don't know if it's old school or what,  
21 but I just like the old procedure as opposed to the new one.

22 Q. Okay. So that was the only change that you sort of maybe had  
23 a little heartburn with?

24 A. Well, I mean, there's a couple other ones kind of that -- I  
25 believe it's the pilot flying saying "localizer capture,

1 Glideslope capture," where before it was the Captain's call. I  
2 just, I don't know, I guess I was just used to the old way. I  
3 mean, maybe it's just -- it's just the change itself that did  
4 something. I don't know exactly, but I just -- like I said, I was  
5 just used to the way I was doing it.

6 Q. Um-hum. As far as the FA -- or the, sorry, the FO being  
7 asked to do the prepare for takeoff brief, what were the pros and  
8 cons of that procedure change? Was there any benefit or any  
9 downside to it?

10 A. Well, my opinion, it puts more issue on the captain, where  
11 before -- I mean, I generally pick a point where I'm going to make  
12 that PA unless I can there's a huge line of traffic out there. So  
13 whatever particular runway I'm going to I'm usually stating a  
14 taxiway or something or some point that I'm stating that that's  
15 roughly where I'm going to make that prepare for takeoff PA. Now  
16 you're telling the first officer to do it, and then -- but then  
17 technically you got to make sure the first officer is doing it.  
18 If they're not doing it, you got to do it. So it's -- to me, it's  
19 just an added burden to the -- while you're taxiing, where before  
20 you're just doing it.

21 Q. And do you recall where the airplane was when you asked the  
22 FO to make that briefing?

23 A. Somewhere along the Bravo taxiway, you know, when we were  
24 parallel to 3-1 Left. I mean, that's when I told her that that's  
25 one of the new procedures, you're going to be making that PA,

1 prepare for takeoff.

2 Q. And where did she do it? Where was the airplane when she did  
3 it? Was it like right before you got to Kilo or somewhere else?

4 A. I don't remember. I really don't.

5 Q. Okay. Do you think that that -- that these procedure  
6 changes, do you think that they may have played a role in this  
7 runway incursion as far as, I don't know, workload distraction,  
8 anything like that?

9 A. I'd definitely say it was a factor in the workload and a  
10 distraction, yes. How much I don't know, but it's just one more  
11 issue that we were dealing with.

12 Q. Okay. So the times when it was actually coming into what  
13 you're doing minute by minute was the briefing before you left the  
14 gate talking about her needing to make the prepare for takeoff PA.  
15 Were there other times during the taxi itself where the procedure  
16 changes were -- you had to think of different things to do or, I  
17 don't know, new or different roles for the different crew members?

18 A. I believe the pilot flying now turns the lights on, on  
19 takeoff. I think we, you know, just touched on that briefly.  
20 And, you know, she had told me she had been a captain before. I  
21 think she was, you know, she was concerned because she went from  
22 the left seat to the right seat, so things are slightly different  
23 as opposed to going from the right seat to the left seat, if you  
24 follow what I'm saying.

25 Q. Um-hum. Okay. So does she have easy access to the lights



1 from the first officer seat?

2 A. They're kind of more set up for the captain, for sure, but --

3 Q. Okay. So, but now under the new procedures the PF is  
4 supposed to operate the lights even if they're in the right seat?

5 A. Yes.

6 Q. Okay. But on this occasion you guys were being a little more  
7 flexible because it was -- was it your first time with the new  
8 procedures? Or no, you had two previous flights, I believe.

9 A. No, I had a couple. I've seen it. I don't know if it was  
10 her first time or not. It might have been. But taxiing, I still  
11 work the lights.

12 Q. Oh, I see.

13 A. It's only when we get on the --

14 Q. Just for takeoff?

15 A. Just for takeoff. Correct.

16 Q. I see. Okay. All right. What's the company procedures say  
17 about what you have to do when crossing a runway? Are there any  
18 specific things you have to do?

19 A. Clear left and clear right, make sure it's clear both ways,  
20 and you cross the runway.

21 Q. Okay. Is the use of additional lights, is that just  
22 captain's discretion?

23 A. Yes. It's captain's discretion. The turnoff lights are  
24 on -- you know, I turn those on all the time, any time I'm  
25 crossing a runway, just -- I think you see them daytime or

1 nighttime.

2 Q. Okay.

3 A. Daytime I don't know if you're really going to see the  
4 landing lights. I mean, you may, but I don't know, so --

5 Q. All right. So in your statement you wrote the initial taxi  
6 instructions were Tango-Alpha, left on Bravo, hold short at Kilo.  
7 Do you recall receiving any additional taxi instructions after  
8 that?

9 A. Somewhere, and it's probably come around this corner here, I  
10 think --

11 Q. Which corner?

12 A. Just past -- I would say somewhere right around November,  
13 somewhere in that area, I think -- it might have even been a  
14 little before that. I don't know. Somewhere we got -- I think we  
15 got the clearance then to cross 3-1 Left for 4 Left at Kilo.

16 Q. Okay. And is that something you remember hearing during the  
17 taxi or is that something you heard later, like hearing audio from  
18 the event or something? Do you remember actually hearing that  
19 when you guys were taxiing?

20 A. I'm going to have to say yes. I don't know that I remember  
21 hearing that afterwards, but I probably did, too. So --

22 Q. Okay. So you think you heard it during the taxi?

23 A. Yes.

24 Q. Okay. Were you aware that you were approaching taxiway Kilo  
25 or runway 4 Left before you crossed those two?

1 A. A little farther back I was, you know, aware that we were  
2 coming up to Kilo. It's, just like I said, the closeout came and,  
3 you know, like I said, Traci's trying to show it to me off her  
4 iPad and I, I don't know, I didn't want to sound like I was  
5 barking, but I kind of said I can't read that from there, I got  
6 to -- you know, you got to give me the paperwork or something, so.  
7 And I don't remember who actually dug it out, but somebody dug it  
8 out and, I don't know, I -- somewhere in here I think I had runway  
9 bias because at that point I stopped thinking about Kilo and  
10 started thinking about my original briefing to 3-1 Left.

11 Q. Okay. So it's not that you didn't know where you were, it's  
12 that you may have lost track of what the taxi route was?

13 A. Yeah. I just -- I think I just got distracted with all this  
14 happening and, you know, somehow I reverted back to the 3-1 Left.  
15 That's why I think I told the tower that I was in the right when I  
16 wasn't in the right.

17 Q. Okay. So you knew that you were crossing 4 Left but you  
18 thought you were cleared to cross 4 Left at the time?

19 A. Yes.

20 Q. Okay. All right. So you wrote in your statement "I looked  
21 left out the side cockpit window to clear left, cleared right, and  
22 proceeded across the runway." Could you see down the runway to  
23 the right or was that --

24 A. I could see down a certain amount.

25 Q. Okay.

1 A. I mean, as far down as I could see, I couldn't see another  
2 airplane on the runway.

3 Q. And did you guys clear the runway before you penetrated the  
4 runway? Like you --

5 A. Yes.

6 Q. Okay. And you saw no airplane on the runway?

7 A. No, I did not.

8 Q. Okay. All right. You wrote in your statement "crossing the  
9 centerline, you saw the red lights illuminate." So you think the  
10 cockpit was just crossing over the centerline around that time?

11 A. Yeah. I think the nose of the airplane was crossing over the  
12 center of the runway. All of a sudden you could kind of see a red  
13 glow.

14 Q. Okay. Did you know what kind of lights they were when they  
15 came on?

16 A. Well, I mean, it crossed my mind that it's a runway light,  
17 but I -- like I said, I was thinking I was at the right place, so  
18 I was thinking I don't know why that -- I'm seeing that red glow.  
19 And then I also decided I'm getting off this runway because I  
20 don't know why those lights came on.

21 Q. And just to confirm, you didn't see any stop bar lights on  
22 the runway -- edge of the runway before you entered it?

23 A. Did not.

24 Q. Okay.

25 A. There was none.

1 Q. All right.

2 A. I mean, a lot of times landing 2-2 Left at Kennedy and they  
3 have you hold short at Juliet at 2-2 Right, you can see the  
4 airplanes coming out onto 2-2 Right. As that airplane comes out  
5 onto 2-2 Right, those red lights -- first of all, they're not this  
6 way; they're this way. But you see them every time an airplane  
7 taxis out onto that runway. So I guess, you know, first thought  
8 in my head as we're crossing over that centerline and you see some  
9 red glow, it makes you think -- that's what it made me think of  
10 was -- and then I'm thinking I don't know why that would be, you  
11 know, because at the time I thought I was in the right place.

12 Q. So for 2-2 Right, you've seen airplanes taxi on and the red  
13 lights come on as soon as that airplane gets on the runway?

14 A. That airplane lines up on the runway and you see the red  
15 lights come on.

16 Q. Okay.

17 A. I mean, they have you sit there a lot of times and they'll  
18 have three or four airplanes take off before they let you cross  
19 over.

20 Q. Okay. Does that -- do you think it works the same way on 4  
21 Left or is there some other kind of logic for 4 Left?

22 A. I have no idea. My thought was it all works the same. If  
23 there's an airplane at the end of the runway, the red lights are  
24 going to be on or the --

25 Q. Okay.

1 A. I mean, that's -- to me it would make sense that that way you  
2 don't go on the runway.

3 Q. Okay. When you guys went across were you and Traci both  
4 heads up going across the runway?

5 A. Yes.

6 Q. Okay. All right. So as far as checklists go, the before  
7 takeoff checklist, when is that completed? When was it completed  
8 during this flight?

9 A. It was completed down to -- I'm drawing a blank on -- we go  
10 down to the line, so it was completed till there.

11 Q. So you guys are holding at the line on the before takeoff  
12 checklist?

13 A. Yes.

14 Q. And that was -- you were holding at the line when you got to  
15 Kilo and 4 Left? Like you had already done it all the way up to  
16 the line at that point?

17 A. I'm not positive, but I believe so. I'm not positive.

18 Q. Okay. I'm just trying to figure out how the checklist  
19 activity may have interweaved with some of these other things.  
20 Like did you do it like right -- way back at the gate or was it  
21 kind of also happening when you were dealing with the --

22 A. Well, you need a TPS and you need the closeout to compare it  
23 to the TPS to do the takeoff data and bugs. So that's the first  
24 thing on the checklist that we do, is we have to have that  
25 closeout.

1 Q. Okay. So that couldn't happen until you got that closeout?

2 A. Correct.

3 Q. And I guess if Traci was comparing the closeout numbers to  
4 the TPS or using it to -- I'm not exactly sure what the right  
5 terminology is, but since she was in the process of looking at all  
6 that stuff, does that mean you wouldn't have started the before  
7 takeoff checklist yet when you were approaching Kilo or you're not  
8 sure; it might have happened in there somewhere?

9 A. I think that's when it was happening. That's where the  
10 problem really developed.

11 Q. So when you do that stuff on the checklist, do you typically  
12 compare all the numbers, make sure everything's entered right and  
13 so forth, and then do sort of like a challenge/response verbal  
14 check afterward, or is it the checklist is you're just doing that  
15 stuff? Like how does it work with the verbal challenge and  
16 response?

17 A. Well, generally you get the closeout, the first officer is  
18 going to check the zero fuel weight and the closeout numbers and  
19 compares it to the TPS that we have. And then, you know, I also  
20 do my own weight, winds, temperature check verification, and then  
21 she'll -- he or she, whoever's the first officer, will say takeoff  
22 data and bugs. And then they usually tell you what the takeoff  
23 data and bugs are, then the actual speeds and the EPR reading, the  
24 temperature. So we compare it all to the wind, it's a headwind,  
25 crosswind. So it's kind of a rendition that we just run through.

1 And then usually I've already checked it myself, balance and  
2 weight and winds, and that all checked.

3 Q. Okay. And is there then like, I don't know, four items on  
4 the before takeoff check that confirms you did all that stuff?  
5 Like after you compare all the numbers, do you have to read off  
6 like three items or four items or something? I haven't looked at  
7 the before takeoff checklist, so I don't know what it looks like,  
8 but does it confirm that you've set the bugs and --

9 A. Well, that's what we are doing, confirming it. So I'm not  
10 really sure what your question is, but --

11 Q. Yeah. I just didn't know like after you -- do you confirm it  
12 as you're reading the checklist reference items aloud or do you do  
13 all that and then check -- is it a do and then check after? Or is  
14 it simultaneous?

15 A. Well, I mean, I believe the first officer does their  
16 independent check, I do my independent check, and then they'll  
17 read takeoff data and bugs and that's when they run out with the  
18 litany of checks and --

19 Q. Okay.

20 A. -- they're all checked.

21 Q. All right. So basically you were kind of in the middle of  
22 all of that at the time when this or --

23 A. Correct.

24 Q. -- right before this happened? Okay. And you're not sure if  
25 you had read off the reference items to the line yet or not, but



1 you were in the middle of making sure all that stuff was set up  
2 properly?

3 A. Correct.

4 Q. Okay. All right. Sorry for belaboring that.

5 A. No, that's --

6 Q. Okay. All right. This is so that I can get a -- you know,  
7 sort of a brief description in your terms. How busy would you say  
8 you were as a crew during this taxi?

9 A. I'd say fairly busy. I don't know how to describe it. I  
10 mean, it's -- you know, I've been an FO on the airplane for a long  
11 time so I've seen it busy like that, but I've also seen, you know,  
12 like I said, where I'm flying with just one other pilot, so we're  
13 not moving the airplane until all that stuff is done. So then  
14 it's, you know, it's way busier then when it's just a two-man  
15 crew. But it was -- I don't know how to describe it, to be  
16 honest. It was busy.

17 Q. Okay. And we've discussed at least one issue that you  
18 thought was a distraction. Could you briefly list for me any  
19 distractions that you think might have impacted your awareness  
20 during the taxi?

21 A. Well, like I said, I mean, looking back at this now, I think  
22 doing the pre-taxi brief in itself is somewhat of a distraction.  
23 Maybe I should wait till we get an actual taxi clearance and then  
24 brief that. But, I mean, that's kind of what we were procedurally  
25 doing at American, was get -- you know, taking a shot at our taxi

1 route, so that's sort of a problem. The closeout not coming was a  
2 problem. The weather coming turned out to be an issue. The  
3 dangerous goods, just because it was a question, and some of that  
4 is just because they changed the dangerous goods from the NOTOC.  
5 So it just seemed there was a lot of little things coming along.  
6 I mean, it -- we didn't belabor it or anything, but probably the  
7 new procedures was a small factor in it just from the standpoint  
8 that we did start talking about it, especially while we were  
9 waiting for the closeout.

10 Q. Okay. Was the change to the DG, was that something that  
11 increased your uncertainty about how you should handle the circled  
12 item or would that have been the same level of -- I don't know how  
13 to --

14 A. I don't know if it's been addressed. That's, I mean, that's  
15 first DG I've seen like that that had something circled saying not  
16 received or not loaded, whatever it -- what I stated. That's the  
17 first time I saw that.

18 Q. If that had happened during the old NOTOC process would you  
19 have been in the same dilemma or would you have known immediately  
20 what to do or --

21 A. Well, the old one, I never saw that ever, so --

22 Q. Okay. So it just was never an issue?

23 A. Right.

24 Q. All right. But it wasn't then necessarily the new DG --

25 A. No, I'm not saying --

1 Q. -- procedure --

2 A. Right. I'm not saying it's directly that. It's just this is  
3 the first time they had this new paperwork with something circled  
4 here that, where before, like I said, there's a form there saying  
5 you got NOTOC and you got three different signatures, that you're  
6 looking at least one of them's different than the other two. I  
7 mean, that was the big difference.

8 Q. Okay. Okay. Were there any challenges with -- I'm sorry.  
9 Was there anything else you wanted to add about things that might  
10 have been potential distractions?

11 A. Not off the top my head, no.

12 Q. Okay. Were there any non-operational conversations going on  
13 that could have been distracting?

14 A. No.

15 Q. Okay. And who was handling the radios for ATC during the  
16 taxi?

17 A. Traci. The first officer.

18 Q. All right. Was the radio on speaker or were you all  
19 listening through headsets?

20 A. Listening through headsets.

21 Q. Did you have any difficulty hearing or understanding the ATC  
22 radio transmissions? Or were you listening? Did you have that up  
23 in your headset or no? I know she was responding, but could you  
24 hear the air traffic controllers?

25 A. Yeah. I mean, we didn't have a whole lot of calls from them,

1 but -- like that was probably kind of a weird thing, we were  
2 running around and it really -- they talked to us early on and  
3 didn't really talk to us again, so --

4 Q. Was there -- but you didn't have any trouble hearing them  
5 when they did talk to you?

6 A. No.

7 Q. Okay. Did you find anything unusual about the timing of your  
8 taxi clearances or did it all seem pretty standard?

9 A. Well, I mean, the first one was fine and then, like I said,  
10 as we were coming around the turn when they were clearing us  
11 across 3-1 Left, that one seemed like it was a very early call for  
12 ATC. Sooner than it normally usually is, put it that way.

13 Q. Do you think that could've been a factor in sort of losing  
14 your awareness of what the clearance was?

15 A. I would say yes. Yeah.

16 Q. And just to confirm, did you feel you had an accurate  
17 understanding of your location throughout the taxi?

18 A. Yes.

19 Q. What were you using to keep track of your location?

20 A. I had the 10-9 page up on my iPad.

21 Q. Okay. Was that on its mount to your side?

22 A. Yes.

23 Q. Do you recall seeing a runway sign for 4 Left before you  
24 crossed?

25 A. No. I don't believe there is one.

1 Q. Okay. All right. Let's talk about traffic awareness. As  
2 you were taxiing, did you observe any other traffic headed towards  
3 either 4 Left or 3-1 Left when you were on Bravo?

4 A. And I don't know because I heard the transcripts. I mean,  
5 I -- there was someone cleared on -- and I do think I kind of  
6 remember it, but 3-1 Left at the intersection takeoff there. And  
7 I don't remember who it was, someone was sitting left as we came  
8 around the corner on Bravo. They were sitting a way, you know,  
9 well back towards like JetBlue's ramp, but you could see an  
10 airplane back there. And then I don't know if there was that much  
11 traffic around that night. Echo-Kilo I think is where they  
12 taking -- took someone off on. Kilo-Echo, whatever it is. Yeah,  
13 Kilo-Echo.

14 Q. Kilo-Echo. Okay. Was there anything -- like do you remember  
15 hearing any radio transmissions on ground control that made you --  
16 made it sound like people were departing on 3-1 Left instead of 4  
17 Left?

18 A. Well, like I said, I think there was someone behind us that  
19 was told to taxi to Kilo-Echo for a 3-1 Left departure. That's --  
20 I'm pretty sure that was on ground, but I don't know for sure.  
21 But I think that's where that was, but I'm not positive.

22 Q. Okay. Might that have created in your mind the idea that 3-1  
23 was the departure runway or do you think that had anything to do  
24 with it?

25 A. I do think that was a factor, yes.

1 Q. All right. Were you aware -- when you were approaching Kilo  
2 and 4 Left, were you aware of any airplanes like on 4 Left or  
3 holding short of 4 Left before you crossed?

4 A. No. There was no airplanes, I don't believe.

5 Q. And when did you find out that you had crossed 4 Left in  
6 front of another airplane that was on its takeoff roll?

7 A. I don't know that I ever found that out.

8 Q. Okay. So it wasn't until like after you arrived in London  
9 or --

10 A. Well, after we crossed 4 Left -- I don't know exactly, but  
11 Traci said, we're not even on tower. She switched over to tower  
12 and called tower. And at that point they said a possible runway  
13 deviation, was all they stated, which I don't know who they're  
14 actually referring to and that's -- like I said, somewhere in  
15 there that's where she stopped talking and I started talking,  
16 thinking that I was in the right until I realized I wasn't in the  
17 right.

18 Q. Okay.

19 A. But even after that, I didn't know that Delta was on the  
20 other runway. I mean, Jeff had said something about someone's  
21 taxiing on the other runway or someone's taxiing. That's all he  
22 said. And it -- I mean, we were past it. I'm looking back out  
23 the right window. As best I can see, that airplane did not look  
24 close to us at all and it did just look like an airplane was  
25 taxiing. I did not know Delta was taking off.

1 Q. Okay. So it wasn't clear to you that they had been on their  
2 takeoff roll on 4 Left at all before you departed?

3 A. No.

4 Q. Okay. All right. When did you eventually learn that?

5 A. Probably the next -- I don't know exactly. I want to say the  
6 next day in London at some point. And even then, I don't know  
7 that we really knew anything until whatever time it was, 2 in the  
8 morning, when they started sliding papers under your door. That  
9 kind of makes you wake up and get up and see what's going on. And  
10 they showed the flight we were taking home, 0101's leaving at 6  
11 o'clock at night, and it's got a different crew on it. That's  
12 kind of when -- and then I looked at my phone and I've got calls  
13 from the chief pilot and APA, so --

14 Q. Okay. So was a runway deviation or a pilot deviation, was  
15 that something you were supposed to report to American or is that  
16 sort of discretionary or how does that work?

17 A. Well, it was -- the tower said it was a possible deviation,  
18 is what they said, possible pilot deviation, so they didn't even  
19 know if it was going to be a deviation at that point. I mean, at  
20 that time we had the airplane stopped and, I mean, the tower is  
21 still talking to me and, you know, they're indicating we're still  
22 going to London and switching to runway 3-1 Left. And, I mean, I  
23 asked both FOs if they're still okay with going and they said they  
24 were, and I didn't know of anything in the FOM that said we  
25 couldn't go. And Jeff had called the APA hotline and asked if

1 there are any issues and at that time we were told no.

2 Q. All right. Who did you talk to or -- I guess, you didn't  
3 talk to them on the APA hotline. Do you know who Jeff spoke with  
4 at APA on the hotline? I guess that's a better question for Jeff.

5 A. Yeah. Off the top of my head I don't remember.

6 Q. All right. And then who called the number ATC gave you over  
7 the radio?

8 A. I did.

9 Q. How many times did you have to call them to get through?

10 A. I called them once. They told me they were trying to review  
11 the tapes and then I got hung up. So I called them back and said  
12 we got hung up, and they said we're still trying to review the  
13 tapes and call back in 5 minutes. So I tried again in 5 minutes  
14 and they weren't answering the phone, so -- I don't know exactly  
15 how, but then started talking to the tower.

16 Q. Okay. Where were you guys parked when you were calling them?

17 A. That's a good question. We pulled up on Juliet at -- what is  
18 that, Zulu?

19 Q. Okay.

20 A. So they had us turn left on Zulu and come back to Hotel and  
21 then back up Yankee, and they had us holding short. So I think it  
22 was right there is when we were talking to them.

23 Q. On Yankee holding short of --

24 A. Holding short of Juliet.

25 Q. Okay.



1 A. And that's when they told us they were turning the runway  
2 around -- or turning the airport back to 3-1 Left.

3 Q. Okay. Did you file an ASAP report?

4 A. Yes.

5 Q. All right. Let's talk about the other crew members.

6 I'm getting near the end, but do you need a break? Do you  
7 need a bathroom break or anything?

8 A. I'm okay at the moment.

9 Q. Okay. It shouldn't be -- these guys have been pretty frugal  
10 of questioning, so it probably won't take too much longer.

11 All right. How familiar were you with the other two pilots?

12 A. I just met them that night, so --

13 Q. Okay. Have you ever flown with them before?

14 A. I've not flown with them, but, I mean, I met them working ops  
15 and they just, you know, started -- Jeff started, like I said,  
16 started pulling the paperwork and all. I thought that was pretty  
17 good and -- you know, at the time. Traci seemed like she was, you  
18 know, pretty aware of everything, too. So they both seemed -- you  
19 know, I wasn't getting any idea that we've got an issue or  
20 anything, let's put it that way. They both seemed fine.

21 Q. Okay. How would you describe their proficiency compared to  
22 other first officers you've flown with at American?

23 A. I mean, I would say they were good. And then being that we  
24 actually flew the flight, I think they were very good. And there  
25 was quite a bit of weather that the company was sending us and it

1 was -- that night it was pretty accurate, really. There was quite  
2 a bit of weather we had to deal with.

3 Q. Okay. How did they seem in terms of alertness and mood  
4 before the incident occurred?

5 A. Positive. They were upbeat, positive about it.

6 Q. And did they seem well rested?

7 A. Yes.

8 Q. How well did they -- how well do you feel that they supported  
9 you in terms of communicating and performing necessary operational  
10 tasks?

11 A. For the most part, I'd say they did well. I mean, I think  
12 that the factors that got all of us kind of -- you know, just, it  
13 was just the Swiss cheese holes all lined up at the wrong time,  
14 unfortunately. I mean, I don't know, I've been told Delta sat on  
15 that runway for 5 minutes or something. Why the heck didn't they  
16 take off? If they took off, we would have never crossed the  
17 runway. I mean, it's -- if you're coming up on a runway, even if  
18 you got the wrong runway or you get mixed up and got the wrong  
19 runway in your head, there's someone coming down the runway,  
20 you're going to stop. I mean, it's -- so just nothing seemed to  
21 pan out as far as that part went.

22 Q. All right. Do you like working for American in terms of  
23 company culture and management and that kind of stuff?

24 A. Yes.

25 Q. Were you feeling any adverse pressure from company management

1 during the incident flight?

2 A. No.

3 Q. Have you received any training from American on human factors  
4 or CRM topics related to runway safety or avoiding runway  
5 incursions?

6 A. Yes.

7 Q. Okay. Anything noteworthy about that, that -- or can you  
8 give us sort of a brief synopsis of what kind of training that's  
9 involved?

10 A. I mean, the topic's brought up at CRM all the time, so it's  
11 not like it's something new. I mean, I guess when we got extra  
12 training after this happened, the check airman made us aware of,  
13 you know, taxi briefing ahead of time you can develop runway bias  
14 and, you know, when the load becomes more, you tend to fall back  
15 the way you started with. And I never really gave that a thought  
16 till this whole event, so -- it made me very aware of it.

17 Q. Okay. Are there any company-specific procedures that were in  
18 place at the time of the event that you think would be  
19 particularly helpful for preventing an event like this in the  
20 future? Like anything that you think should be reinforced like  
21 this is a great procedure to have in place or whatnot?

22 A. Off the top of my head, no. I think, like I said, I think  
23 American's pretty much touched on most of the procedures. I mean,  
24 you know, you go down to training or schoolhouse or whatever you  
25 want to call it, but -- and you sit in class and you watch where

1 they're, you know, showing you a course of something that happened  
2 to someone else and I think it's all very enlightening and very  
3 good and, I don't know, I guess you got to get it in your head  
4 that it can happen to anybody. I don't know how else to describe  
5 that, but it just -- you know, they had an issue where they wanted  
6 to pass a logbook off to an Airbus, you know, last time I was down  
7 there, and they brought a staircase up to the right side of the  
8 airplane and, you know, they cleared right, cleared left, didn't  
9 see it, and basically they ran over the staircase. So, I mean,  
10 stuff happens that you just wouldn't think would happen and it's  
11 usually because, for whatever reasons, some things start to  
12 change, so that's when you really got to start thinking.

13 Q. Okay. Are there any procedures that you -- that were in  
14 place during this flight that made things more difficult or that  
15 you believe should be changed or eliminated?

16 A. No. I can't say of any right now.

17 Q. And any that are not in place that you think should be added?

18 A. Say that again.

19 Q. Any -- do you think there should be any new procedures  
20 instituted to plug a hole in the Swiss cheese like you saw in this  
21 case or do you think the existing procedures are adequate?

22 A. I got a feeling there's going to be procedure changes because  
23 of this. Off the top of my head, I'm not thinking of any.

24 Q. Yeah. I don't want to put you on the spot. I just want to  
25 give you the option if you had anything in mind.

1 All right. I hate asking these questions. But in terms of  
2 past negative events, have you failed a check ride?

3 A. No.

4 Q. Have you been involved in any previous serious incidents or  
5 accidents as a pilot?

6 A. No.

7 Q. And have you been disciplined for your performance as a  
8 pilot?

9 A. No.

10 Q. Okay. Have you received any commendations as a pilot for  
11 exceptional performance?

12 A. I don't believe so.

13 Q. All right. So I want to try and build a brief summary of  
14 your activities for 3 days leading up to the event. All right.  
15 So this is your trip schedule, if it's helpful in recalling. But  
16 we normally try to just sort of briefly outline, you know,  
17 activities in the 72 hours before the event. So let me first ask,  
18 was your work schedule in sort of the 4 days or so leading up to  
19 the event, was it any different than usual?

20 A. No.

21 Q. Okay. Your most recent day off before the incident flight  
22 was when?

23 A. I mean, according to this, it looks like it was the 11th.

24 Q. Okay.

25 A. Wait a second. 104 was 11 -- 9 -- so, yeah, it must have

1 been the 9th was the last time I had off.

2 Q. Okay. The 9th.

3 A. I worked 10, 11, 12.

4 Q. Ten, 11, and 12. Okay. Do you have any outside employment?

5 A. No.

6 Q. All right. So we got 10, 11, 12, 13. I realize it's been a  
7 long time, but the day of the incident on the 13th, do you have  
8 any idea what time you woke up?

9 A. Nine o'clock in the morning or so.

10 Q. Okay. And then I can't remember exactly what time you said  
11 you drove to the airport, but do you recall what time that was?

12 A. Let's see. I probably got up and went for a run, took a  
13 shower and --

14 Q. Or, I'm sorry, that's right, you commuted from Buffalo.

15 A. Right.

16 Q. So, yeah, just if you could walk me through that?

17 A. I think it was a 1:30 flight, so somewhere around 12:15 I  
18 showed back up at the airport. So I probably left my house around  
19 11:30. I don't know if that's exact, but it's in the ball park  
20 anyway.

21 Q. Okay. And then that flight left 1:30, you said? Or --

22 A. Which flight?

23 Q. The deadhead flight. The flight from Buffalo to JFK.

24 A. Oh. Yeah, it was around 1:30.

25 Q. Okay. And then what time would it have gotten there

1 approximately? Three o'clock or something?

2 A. It was 2:40-something. I think it was an hour -- by 3  
3 o'clock.

4 Q. Okay.

5 A. And it was a JetBlue flight so it came into third terminal.

6 Q. All right. The previous day, on the 12th, when would you  
7 have woken up and gone to bed that day, if you have any idea? Was  
8 that a flight to London that day?

9 A. That was a flight in London. We were in London.

10 Q. Okay. In London.

11 A. I'm trying to remember. I want to say that's maybe a 2  
12 o'clock pickup, somewhere in there.

13 Q. I think there is -- if you look down two or three pages later  
14 there's, I think, detailed information about previous trips for  
15 you in the black pages.

16 CAPT. GRIFFIN: I've got it right here.

17 DR. BRAMBLE: Oh, he's got it.

18 BY DR. BRAMBLE:

19 Q. I don't know if that's helpful or not. I haven't reviewed  
20 the black pages in detail, but --

21 A. So I don't actually remember what time the pickup at the  
22 hotel. I believe it's like -- it's roughly 3 hours before  
23 departure.

24 Q. Okay. Pickup at hotel 3 hours.

25 A. So it's 5 o'clock, is departure time, minus -- 5 is 12

1 o'clock, so it, you know, would've been 10, 10:30 or something New  
2 York time. And I think I got up that morning and went from a run  
3 anyway, so I don't remember exactly when I got up, but --

4 Q. Okay. Ten, 10:30 -- what time of day; p.m. or a.m.?

5 A. New York time, so it's a.m.

6 Q. Oh, yeah, of course. Okay. All right. It makes things  
7 really complicated with the time change. But what time would you  
8 have arrived at London? Was that -- did you arrive on the 12th or  
9 did you arrive the previous day?

10 A. We got in the 11th at -- so at 10:44 in the morning, so at  
11 5:44 in the morning New York time.

12 Q. Okay. All right. So you had -- okay, so you had like a day  
13 sleep -- well, tell me what you did when you arrived London  
14 Heathrow on the 11th until, say, midnight, if you can recall.

15 A. Got in, went -- you know, got to the hotel, took a shower,  
16 went to bed. I want to say I slept 6 hours or so. Got up, went  
17 for a quick run, and met the FOs, got a quick bite to eat, came  
18 back to the hotel, checked my emails, watched a little TV and went  
19 to bed.

20 Q. All right. And then what hours do you think you might have  
21 slept that night? Because you left -- you think that you got  
22 picked up about 5, 5:30 a.m. London time to go to London Heathrow;  
23 is that --

24 A. No, no. It was a 5 o'clock p.m. departure out of London.

25 Q. Oh, okay.



1 A. So it's like a noon departure New York time, so --

2 Q. Okay.

3 A. Usually it's 2 hours, 2½ hours before departure time is your  
4 pickup. So it was 9:30, 10 o'clock that morning, something like  
5 that, that we were picked up in London.

6 Q. Okay. But 10:30 in the morning New York time, right?

7 A. Right. So somewhere around 11 -- you know, we rested for 7  
8 or 8 hours, went had something to eat and came back, went back to  
9 bed. So, you know, get in there at 10:44, which -- you know,  
10 let's say 11 o'clock roughly. Eleven to -- well, 12 would be  
11 p.m., at night. But somewhere around 6 o'clock-ish London time,  
12 so that's really like 1 o'clock in the afternoon New York time, we  
13 went and had a bite to eat, and came back to the hotel and we all  
14 went to bed. It's a short walk to the hotel. I can't -- or the  
15 restaurant. I can't remember the name of it. It's really close.

16 Q. All right.

17 A. Five minute walk at the most.

18 Q. Yeah, I'm having a hard time tracking the two different time  
19 zones. But so the number -- how long was the layover, do you  
20 think, in London in terms of hours?

21 A. Where's it on here, the total time? Show layover time?

22 Q. Do you have data that --

23 CAPT. GRIFFIN: I can just point to where it would have it.

24 MR. GRABER: It's 28 hours and 51 minutes.

25 DR. BRAMBLE: Okay. That's --

1 MR. GRABER: Sorry about that.

2 CAPT. GRIFFIN: No, that's okay.

3 BY DR. BRAMBLE:

4 Q. Okay. So you had a little over a day there then. Okay.  
5 That's helpful.

6 A. Yes.

7 Q. All right. So you got in at 10 o'clock -- 10:44 in the  
8 morning London time, and then you had until the next afternoon  
9 London time before you returned and it was an evening flight out.  
10 Okay.

11 A. Yes.

12 Q. All right. So you got the 6 hours of sleep when you arrived  
13 on the 11th and then you went for a quick run, you met the two  
14 FOs, you got a bite, and then you went back to the hotel and then  
15 checked your email and went to bed. And roughly what time would  
16 you have gone to bed local time; any idea?

17 A. I'm guessing at 9 o'clock at night or so. I'm not positive.

18 Q. Okay. And then on the 12th, what time would you have gotten  
19 up to prepare for the trip back? Or what time would you have  
20 woken up on the 12th, I should say?

21 A. Well, it's -- I mean, usually I take whatever pickup time is  
22 or the time they call us -- they always call us an hour before  
23 pickup, so I usually add an hour before that so I can get out, go  
24 for a run, take a shower and be ready. So if the pickup was 2:30  
25 London time, it would have been roughly around 10 or 10:30 London

1 time, which would have been 5 or 6 in the morning our time,  
2 something like that, for -- I'm not sure how you want me to state  
3 this, London time or New York time.

4 Q. Let's say London time for right now. So you're in London and  
5 you go to bed about 9, and then you would've woken up around 10 or  
6 10:30 London time; is that what you're saying?

7 A. Let's see. The pickup is 5 o'clock, so 2 hours before that  
8 is 3 o'clock. So it's like 2:30 is the pickup. So an hour before  
9 that is usually when they give you a wakeup call unless you don't  
10 want one, but most people want the hour wakeup call. And I  
11 usually just set my clock an hour before that.

12 Q. So London time, what time do you think that was that you woke  
13 up on the 12th?

14 A. Let's see. So 5 minus 2 is 3 o'clock. So it was like  
15 2:30 -- so it would've been 1:30. So it was probably 12 or 12:30,  
16 something like that. Actually, I might have woke up on my own  
17 around 11:30, now that I think about it. I just kind of woke up.

18 Q. Okay. And that's 11:30 a.m.?

19 A. Yes, London time.

20 Q. Okay. All right. So you arrived on the -- let's back up to  
21 the 11th. You arrived at London at 10:44 in the morning, which  
22 means you must have left middle of the night London time, 10 or  
23 11, which means an evening departure out of JFK on the 10th; is  
24 that right?

25 A. It left at 10:30 at night.

1 Q. Okay.

2 A. This actually says 10:44 was the actual departure.

3 Q. Okay, 10:44. All right. And then on the 10th, what time  
4 would you have -- would you've had a day sleep that day or would  
5 you have been up in the morning and then up all day until you left  
6 JFK at 10:44?

7 A. I believe I took the 1:30 flight over on JetBlue again and  
8 got there and did the same thing, take a nap.

9 Q. Okay. What is the sleep facility like there? Is it  
10 recliners or is it beds?

11 A. It's recliners.

12 Q. Okay. And how many hours would you have napped, do you  
13 think?

14 A. I want to say I set my alarm for 3 hours, but I think I was  
15 up in 2½ hours, just because I woke up.

16 Q. Okay. And the previous night, like the night when you woke  
17 up in the morning of the 10th, was that sort of a normal night  
18 sleep or --

19 A. Yes.

20 Q. Okay. And what time do you think you would've woken on the  
21 10th?

22 A. I mean, generally it's somewhere right around 10 o'clock I'm  
23 going to bed and I'm usually up by 8 o'clock in the morning. And  
24 a lot of times 7, but by 8 for sure.

25 Q. And you said you usually go to bed at 10; is that what you

1 said?

2 A. Yes, right around 10.

3 Q. Okay. All right. Sorry. That was painful, I know, but I  
4 think we --

5 A. It was the math.

6 Q. Yeah. It's always complicated when you're changing the time  
7 zone.

8 A. I put my iPhone to London time and I use my iPad to New York  
9 time.

10 Q. Yeah.

11 A. And that's how I --

12 Q. Smart.

13 A. -- check my math.

14 Q. Yeah. All right. So when you showed up for the flight on  
15 the 13th, Flight 106, did you feel rested?

16 A. Yes.

17 Q. Okay. How was your mood?

18 A. It was good.

19 Q. All right. And how much sleep per night do you need to feel  
20 rested when you're off duty for an extended period of time and not  
21 working? Like you're already caught up on any sleep debt from --

22 A. I mean, I'm sleeping probably 7, 8 hours a night, but -- you  
23 know, I don't notice it so much in these London trips, but like  
24 when I was doing -- I mean, I've done a lot of Buenos Aires trips.  
25 You know, because you have a longer time, you got 3 hours

1 basically in the bunk when you're sleeping and generally you sleep  
2 those 3 hours. As soon as you get down there you'll go to bed and  
3 hoping you're going to get 7, 8 hours of sleep; you only get like  
4 6 hours sleep or 5 hours sleep just because you slept. So I know  
5 it seems to be more of a -- 5-hour blocks, seem to go that way,  
6 and then all of a sudden you come back to normal time and it all  
7 takes care of itself, so --

8 Q. Okay. But in terms of your daily average sleep need, you  
9 think it's somewhere in the neighborhood of 7, 8 hours a night?

10 A. I'd say 7 hours, yeah.

11 Q. Okay. Any sleep disorders that you know of?

12 A. No.

13 Q. In the last year, any major changes in your health, finances,  
14 or personal life that have been causing stress?

15 A. No.

16 Q. And how would you describe your health overall?

17 A. Health is good. I don't know of any issues, but --

18 Q. All right. Any limitations on your FAA medical?

19 A. No. Well, I --

20 Q. Corrective lenses?

21 A. Yeah.

22 Q. It does state that? Must wear --

23 A. Yes.

24 Q. And were you wearing them on the flight?

25 A. Yes.

1 Q. Okay. And is it for near and far?

2 A. For just near.

3 Q. Just near. And how is your hearing? Any hearing aids?

4 A. What? No. So far it's fine, I believe. I'm sorry.

5 Q. Okay. And in the week or two before the incident any cold,  
6 flu, or did you catch Covid or anything like that?

7 A. No. Knock on wood, I haven't had Covid yet.

8 Q. Yeah, me neither.

9 A. I don't think so, anyway.

10 Q. All right. Any prescription medication you were on at the  
11 time?

12 A. No.

13 Q. And last use of alcohol before the incident? Approximately.

14 A. I might've had one Guinness at dinner on the earlier trip.

15 Q. Okay. And in the 72 hours before the accident did you take  
16 any medication, either prescription or nonprescription, that might  
17 have affected your performance?

18 A. You said accident?

19 Q. Oh, my apologies.

20 A. Got my hearing very good.

21 Q. Incident. Incident. Yeah. Sorry.

22 A. I have not taken anything, no.

23 DR. BRAMBLE: Okay. All right. That's it for me. We're  
24 going to do a couple quick rounds with these guys. Do you need a  
25 break now or --

1 MR. GRABER: Sure. I'll take a quick break.

2 DR. BRAMBLE: All right.

3 (Off the record at 6:09 p.m.)

4 (On the record at 6:13 p.m.)

5 DR. BRAMBLE: All right. It's your turn, Jim.

6 BY MR. VANDERKAMP:

7 Q. Well, Captain, again thanks for being with us today. I only  
8 have a few questions and I'll try to be quick. Do you remember  
9 what gate you were at, by any chance?

10 A. Gate 18.

11 Q. Thank you. Nobody's been able to answer that question.  
12 That's great.

13 Just out of curiosity, when you had the issue with the NOTOC  
14 or the DG form, whatever you want to call it, you said that if you  
15 only had two people instead of three people you might have cleared  
16 it up before you left the gate. But do you think, ever think  
17 about calling that ramper back with paperwork to say -- to clear  
18 up the issue before you left the gate?

19 A. Well, first of all, the NOTOC required three signatures; one  
20 could be different than the other two. That was the short way of  
21 making sure that NOTOC was correct. They've gone with DG, there's  
22 no signature. It's just sending this code. And --

23 Q. Yeah. I just meant to ask --

24 A. -- but about when you send that code in, you just send the  
25 code. So this is the first time we ever saw DG that had some



1 circle stating that. So we were just -- there was more  
2 questioning of, you know, what is the new procedure on this? We  
3 didn't know.

4 Q. Okay. I see.

5 A. And that's when I said as long as we have a closeout with an  
6 SEC okay, and I was -- just saying security okay, I'm okay with  
7 it. That was my answer to it.

8 Q. Okay. Yeah, it just seemed --

9 A. But we didn't call anybody.

10 Q. -- just something that -- it just seemed like it took a  
11 little bit extra attention and it might've been easy to close at  
12 the gate. That's where I was going with that.

13 Were weather, all the weather messages you were getting, were  
14 they pretty much the same thing, were they kind of redundant, or  
15 were they all valid updates to, you know, changes to the weather?

16 A. I don't know. I mean, they were somewhat redundant but they  
17 were also -- some was PIREP report, some of it was turbulence -- a  
18 lot of it was turbulence as well as weather. So it was -- I guess  
19 I would say they're different.

20 Q. Okay. Good. I'm glad to hear that.

21 Is it American's policy for all pilots in the cockpit to have  
22 their -- the airport diagram out during taxiing or just the FO?

23 A. The captain and FO have the diagram out.

24 Q. Okay. When you said something about the first officer was  
25 trying to show you something on her iPad, was that the airport

1 diagram as to where you were?

2 A. She turned off -- she switched over -- I mean, that's  
3 something new that they're doing too at American is they're  
4 getting away from paper. I mean, the old, you always had all the  
5 TPS. Now the TPS or all the paperwork comes up on our iPads also.  
6 So she went from the airport diagram to the TPS on her iPad. And  
7 I just said I can't read across that far, so where's the  
8 paperwork? So that's how that evolved.

9 Q. So was she able to print it out?

10 A. It was already printed out. We already had it printed out.

11 Q. Oh, it was? Oh, I see.

12 A. It was in the cockpit, it just -- it wasn't sitting in front  
13 of me at the moment and she was using off her iPad, which I don't  
14 know positively, but I think that's kind of what the schoolhouse  
15 is teaching us now is to go to the iPad because we are going to be  
16 switching to that -- less paper.

17 Q. And timing of that was such that it was as you were  
18 approaching Kilo?

19 A. Yeah. It was before Kilo, but yes, it was getting closer  
20 towards Kilo anyways. That's when the closeout came, so that made  
21 her change to check, compare the takeoff numbers or takeoff data  
22 compared to the closeout.

23 Q. So that took her heads down about something else -- paperwork  
24 instead of monitoring the taxi; is that correct?

25 A. Yeah. It took her down to her iPad, looking down at her

1 iPad, as well as taking her off the airport page.

2 Q. Okay. Thank you. I just wanted to make sure I understood  
3 that.

4 MR. VANDERKAMP: That's all I got. Thank you again very much  
5 for coming in and talking to us. We really appreciate it. This  
6 cleared up a lot of things for me. Thank you.

7 MR. GRABER: Okay.

8 MR. VANDERKAMP: I'm done.

9 MR. GRABER: All righty.

10 DR. BRAMBLE: All right. George?

11 BY MR. GRIFFIN:

12 Q. The security okay, it was mentioned a couple times today.  
13 What does that mean to you as a captain?

14 A. It means that the security check of the airplane has been  
15 validated and checked as well as the passengers and cargo.

16 Q. Okay. So it includes the NOTOC?

17 A. Correct.

18 Q. Okay. Who does the takeoff briefing at the gate while you're  
19 still sitting there?

20 A. Takeoff briefing at the gate?

21 Q. Or the departure brief, whatever you want to call it.

22 A. I do it.

23 CAPT. GRIFFIN: Okay. Okay. That's all I got.

24 DR. BRAMBLE: Okay. Mitch?

25 BY MR. MITCHELL:

1 Q. Thank you, Captain, for being here today. I just had one  
2 quick question. With this new fleet harmonization procedure, the  
3 FO now does the PA announcement for the flight attendants to take  
4 their seats, prepare for departure. Are there any other items on  
5 the before takeoff that are new? Or changed, maybe is a better  
6 word to --

7 A. I don't believe on the prepare for takeoff, no. I mean, like  
8 I said, the two or three things that I remember, the first officer  
9 makes the prepare for takeoff PA as well as when it's her leg,  
10 when they're on the runway, they turn the lights on.

11 Q. Turn the lights on. Okay.

12 MR. MITCHELL: All right. Thank you, sir.

13 DR. BRAMBLE: All right. Bryan?

14 BY CAPT. HOLLIDAY:

15 Q. Mike, thanks. So stick with the details. I just want to  
16 clarify a couple of things. So going back, PIC time in the  
17 aircraft, 4- to 500 hours or 45- to 5,000 hours? In the 777.

18 A. I'm saying I have about 500 hours now --

19 Q. Right.

20 A. -- after I checked out as captain.

21 Q. Okay. There was --

22 A. The legs I'm flying as an FO, I still log as PIC.

23 Q. Yeah. Right. Okay.

24 A. So, yeah, there's a lot more time if you look at it that way.

25 Q. Yeah. Taxiing, you mentioned having the taxi light and the

1 beacon light. Nav lights on?

2 A. Yes. Yeah, they were.

3 Q. Okay. Just -- and we've got -- just to clarify, the old form  
4 was a NOTOC and now we deal with a dangerous goods form?

5 A. Correct.

6 Q. And we've kind of gotten into interchanging these things, but  
7 there was a dangerous goods form is what you had on this --

8 A. That's correct.

9 Q. -- on this one, right? Okay. Airport diagram, you both had.  
10 We have a tendency to reference this always as a 10-9 page, I  
11 think that's what you called it. But that would be La Guardia.  
12 So here it's actually 20-9 --

13 A. Oh, 20. Right.

14 Q. -- for JFK.

15 A. Right.

16 DR. BRAMBLE: You have to phrase it as a question. Ask him  
17 if it's --

18 BY CAPT. HOLLIDAY:

19 Q. So the airport diagram --

20 A. It's 20-9.

21 Q. -- is 20-9?

22 A. Correct.

23 Q. Okay. Yeah. I heard you mention that you worked on the 11th  
24 and 12th. Did your trip actually start on the 10th?

25 A. Yes.

1 Q. Okay. And finally, when you called the tower and actually --  
2 either through your phone or how you ever spoke with them, they  
3 told you about a possible pilot deviation. Did they ever tell you  
4 what the deviation was?

5 A. They did not.

6 CAPT. HOLLIDAY: Okay. That's all I got.

7 DR. BRAMBLE: All right. I don't think I have additional  
8 questions. Do you got anything else, George?

9 CAPT. GRIFFIN: Nothing further.

10 DR. BRAMBLE: Mitch?

11 MR. MITCHELL: No, sir. Nothing.

12 DR. BRAMBLE: All right. Bryan, you're still done?

13 CAPT. HOLLIDAY: I'm good.

14 DR. BRAMBLE: Okay. I just have one in closeout, which is,  
15 is there anything that we haven't asked you about that you think  
16 is relevant and wish to communicate to us at this time?

17 MR. GRABER: Not off the top of my head, no.

18 DR. BRAMBLE: Okay.

19 MR. GRABER: You were very thorough.

20 DR. BRAMBLE: All right. We'll call the interview complete  
21 at 6:22 p.m.

22 (Whereupon, at 6:22 p.m., the interview was concluded.)  
23  
24  
25

CERTIFICATE

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

IN THE MATTER OF:           NEAR-MISS TAKEOFF INCIDENT BETWEEN  
                                  AMERICAN AIRLINES & DELTA AIRLINES  
                                  AT JFK INTERNATIONAL AIRPORT IN  
                                  QUEENS, NEW YORK ON JANUARY 13, 2023  
                                  Interview of Michael Graber

ACCIDENT NO.:               DCA23LA125

PLACE:                       Washington, D.C.

DATE:                        February 17, 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.

A large black rectangular redaction box covers the signature area. Above the box, there are faint blue ink scribbles that appear to be the beginning of a signature.

Timothy Atkinson, Jr.  
Court Reporter

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

NEAR-MISS TAKEOFF INCIDENT BETWEEN \*

AMERICAN ALRLINES & DELTA AIRLINES \*

AT JFK INTERNATIONAL AIRPORT IN \*

QUEENS, NEW YORK ON JANIARY 13, 2023 \*

\* \* \* \* \*

Accident No.: DCA23LA125

Interview of: TRACI GONZALEZ, First Officer  
American Airlines

National Transportation Safety  
Board Offices  
490 L'Enfant Plaza East SW  
Washington, D.C.

Friday,  
February 17, 2023



## APPEARANCES:

WILLIAM BRAMBLE, Ph.D., Human Performance Investigator  
National Transportation Safety Board

JAMES VANDERKAMP, Air Safety Investigator  
National Transportation Safety Board

CAPT. GEORGE GRIFFIN  
777 Check Airman/DPD Stan Coordinator  
American Airlines

CAPT. BRYAN HOLLIDAY, ASAP/ERC Coordinator  
American Airlines

MITCH MITCHELL, Aircraft Accident Investigator  
Office of Accident Investigation and Prevention  
Federal Aviation Administration

RAY J. DUKE, Attorney  
Airline Pilots Association (APA)  
(On behalf of Traci Gonzalez)

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I N T E R V I E W

(2:02 p.m. EST)

DR. BRAMBLE: So today is February 17th, 2023. It's 2:02 p.m. Eastern Standard Time.

My name is Bill Bramble. I'm a human performance investigator with NTSB. Jim VanDerKamp is -- and I are leading the operations and human performance working group for Investigation Number DCA23LA125 involving American Airlines Flight 106 and Delta Airlines Flight 1943.

The NTSB is an independent federal agency. We're not part of the Department of Transportation or the FAA, and we have no regulatory or enforcement powers. Our mission is to determine probable cause of incidents and accidents and make recommendations so similar events can be avoided. Our mission does not include findings of liability or blame. Your participation today simply helps ensure that the fact-finding phase of this investigation is complete and accurate.

We'll be using the services of a court reporter, Tim Atkinson, with Free State Reporting today. He will be recording the interview and taking notes so that he can transcribe it. After we receive the transcript, both you and the group members will be afforded the opportunity to review it for accuracy before it's included in the public docket for this investigation.

I would now like each of the working group members to briefly introduce themselves and their organizational affiliation. Mr.

1 VanDerKamp.

2 MR. VANDERKAMP: Good morning. Again, thank you very much  
3 for meeting with us. I'm an operational factors investigator with  
4 the NTSB, and I really appreciate you being here and helping us  
5 with what happened in this event. Thank you.

6 CAPT. GRIFFIN: Captain George Griffin. I am the -- a party  
7 rep for American Airlines, and I'm a 777 check airman.

8 MR. MITCHELL: Ms. Gonzalez, I'm Mitch Mitchell with the FAA,  
9 Office of Accident Investigation and Prevention. I'm here  
10 strictly as a safety investigation part. I have no enforcement  
11 role whatsoever.

12 CAPT. HOLLIDAY: Captain Bryan Holliday, APA/ERC safety team  
13 member and the party representative for the Allied Pilots  
14 Association.

15 DR. BRAMBLE: Okay. Each group member is going to have two  
16 opportunities to ask questions. We'll be taking turns, and  
17 everyone's been instructed to not interrupt the person whose turn  
18 it is to ask questions. You, of course, are free to interrupt us  
19 as much as you like.

20 Please answer all the questions to the best of your  
21 recollection. If you don't understand a question, just ask, and  
22 if you misstate something or you want to correct something, just  
23 let us know.

24 MS. GONZALEZ: Okay.

25 DR. BRAMBLE: You're entitled to have a representative of

1 your choosing present during this interview. Is there someone you  
2 would like to have as your representative?

3 MS. GONZALEZ: Yes, Mr. Ray Duke.

4 DR. BRAMBLE: Okay. Mr. Duke, can you please state your  
5 affiliation?

6 MR. DUKE: Yes, my name is Ray Duke. I'm an attorney for the  
7 Allied Pilots Association, and I'm here in a representative  
8 capacity for Traci Gonzalez.

9 DR. BRAMBLE: Thank you. All right. Does anyone have any  
10 questions?

11 (No audible response.)

12 DR. BRAMBLE: All right. Let's begin.

13 INTERVIEW OF TRACI GONZALEZ

14 BY DR. BRAMBLE:

15 Q. Okay. Traci, can you give me your full name with middle  
16 initial and -- one second. My computer's locking up on my  
17 document. Okay. Here we go. Full name with spelling with middle  
18 initial please.

19 A. Traci, T-r-a-c-i, M. as in Michelle, and Gonzalez, G-o-n-z-a-  
20 l-e-z.

21 Q. Okay. And what's your date of hire at American?

22 A. It's April 14th, 2014.

23 Q. And your current job title?

24 A. First officer.

25 Q. And where are you based?

1 A. LaGuardia.

2 Q. In what city do you live?

3 A. New Jersey.

4 Q. And particular city?

5 A. Manasquan.

6 Q. Okay. And how do you commute to your base?

7 A. I drive.

8 Q. Any other managerial or training roles with the Airline?

9 A. No.

10 Q. And what professional background led you to American  
11 Airlines? Just a brief overview of past aviation employers and  
12 airplane stuff.

13 A. I've been flying regionals and now with American, I've been  
14 flying narrow bodies and wide bodies.

15 Q. And who else have you worked for in the past as a commercial  
16 pilot?

17 A. Express Jet.

18 Q. Okay. All right. And prior to the -- taking this position  
19 as FO on the 777, what was your position at American?

20 A. Captain, 737.

21 Q. Was that also based in New York?

22 A. Yes, LaGuardia.

23 Q. Okay. What are your current certificates and ratings?

24 A. I have type ratings on Embraer, 737, 757, 767, 777, and the  
25 Airbus.

- 1 Q. Okay. Which Embraer? Which Airbus?
- 2 A. 145 Embraer and Airbus 319, 320 and 321.
- 3 Q. Okay. All right. And just sort of a rough approximation of
- 4 your total flight experience, SIC in 777?
- 5 A. 150 hours.
- 6 Q. 150 on the 777?
- 7 A. On the 777.
- 8 Q. Okay. And then how much total time you think you have?
- 9 A. 10,100. Just slightly over 10,000.
- 10 Q. Okay. How much of that is PIC would you think?
- 11 A. A good 7,000 of it.
- 12 Q. Okay. And your most recent training event before this
- 13 incident with American, when approximately was that?
- 14 A. Ninety days ago.
- 15 Q. Ninety days before the incident or now?
- 16 A. Before the incident.
- 17 Q. Okay. All right. And just to confirm, were you the first
- 18 officer on American 106 departing JFK January 13th?
- 19 A. Yes.
- 20 Q. Okay. Can you describe the trip that you were on in terms of
- 21 where this flight fell in your sequence of legs for that trip?
- 22 A. It was the first sequence of that -- first leg of that
- 23 sequence.
- 24 Q. Okay. And so your trip started at JFK?
- 25 A. Yes.

1 Q. And were you scheduled or on reserve?

2 A. Reserve.

3 Q. Okay. Do you guys have different reserve categories like  
4 reserve regular --

5 A. Short call.

6 Q. Okay. And how did you commute to JFK?

7 A. I drove.

8 Q. How long's that take approximately?

9 A. An hour and a half.

10 Q. Okay. And what additional flights were supposed to be part  
11 of this trip?

12 A. Just to London and back.

13 Q. Okay. Have you crewed out of -- flights out of JFK often or  
14 is it typically LaGuardia?

15 A. LaGuardia.

16 Q. Okay. And how many times you say you've flown out of JFK?

17 A. About four different times.

18 Q. Okay. How familiar would you say you are with that airport?

19 A. I'm not familiar with JFK.

20 Q. Okay. So you only operated maybe four flights out of JFK  
21 before?

22 A. Yes.

23 Q. Okay. And the most recent time before this event?

24 A. I had operated out of JFK but I was FB or FC.

25 Q. That's the only capacity you operated out of there before?



1 A. Yes.

2 Q. Never as FO or captain of the 737?

3 A. No. I was based out of LaGuardia. So I don't recall captain  
4 out of JFK.

5 Q. Okay. And back to the previous question. So the -- do you  
6 know how long it had been since you had flown out of there before  
7 this flight?

8 A. Probably -- no, I don't. I can't even say.

9 Q. Not recently?

10 A. No.

11 Q. Okay. All right. So we've reviewed your written statement.  
12 But could you please describe for us in your own words and based  
13 on your own recollections, in as much detail as you would like,  
14 what happened from the time you arrived at the airport until the  
15 time that you departed for JFK for London Heathrow?

16 A. Yeah. So I went to the crew room, and I met my FB for the  
17 trip, and we got to know each other and just asked about recency  
18 and experience not only at the airline but on the aircraft and  
19 going to London. And I did state to him that I had not gone into  
20 London, and I knew there were some issues going into London. So  
21 we spoke about those. He mentioned to me that there are the new  
22 harmonization procedures which I did bring up my iPad and we  
23 looked for them and discussed those.

24 At that time, we printed out the paperwork and grabbed all  
25 the plotting charts and crossing guide, and we started marking off

1 the crossing guide and talking about the weather. And at that  
2 time, our captain came in, and we introduced ourselves, spoke to  
3 him, got to know him for a few minutes. And then continued on  
4 with the crossing guide and the weather. The FB went to the  
5 airplane. The captain and I finished up with the plotting and the  
6 weather and paperwork. And then we went to the plane.

7 We got in the cockpit, and we started doing our procedures.  
8 And, the FO or FB was out at the walk around. And when he came  
9 back in, he did his duties, and we continued on with our briefings  
10 and flight planning and checklists.

11 Q. Okay. Then what happened?

12 A. We got everything ready to close up. We got our final  
13 paperwork, and there was DG paperwork that came in that we were  
14 not familiar with. So I know we had a couple of discussions about  
15 that. We briefed the runway, the ATIS and the -- our departure  
16 out of there was calling for 3-1. So we did the briefing for the  
17 3-1 left runway as well as the departure diagram and the taxi  
18 diagram. And, we got everything ready to go, and we closed up and  
19 we were just waiting for -- to figure out what we were going to do  
20 with the DG looking up that information. And, we were getting  
21 ready for pushback.

22 Q. Okay. Then what happened?

23 A. We got a clearance that said it was a different departure  
24 than what we had planned. So now, we had to change the runway in  
25 the box to 4 left. We talked about the weather, that the winds

1 were coming straight down the runway for 3-1 left, but we went  
2 ahead and briefed the new departure, and we put the new runway in  
3 the box. And, we conferred with the TPS data, and we were legal  
4 to take off on 4 left at that time.

5 In the meantime, we had a lot of weather coming in on the  
6 company page, and it was a lot of SIGMETs that were coming in  
7 according to our departure route off the runway. And those were  
8 some items that were going to affect our flight attendants on  
9 takeoff. So the captain asked our FB if he could go ahead and  
10 tell them they were going to be, you know, there was going to be a  
11 lot of weather, and then he said, you know what? Let me do it.  
12 So he went ahead and briefed that we were going to be having  
13 weather on takeoff departure, to stay seated.

14 Q. Okay. What happened after that?

15 A. We pushed back, and we -- like I said, we just kept getting  
16 the SIGMETs and after pushback, we got our clearance for taxi.  
17 And we were told to taxi Bravo short of Kilo, and we were ready to  
18 go. We cleared for taxi. So the original was Tango short of  
19 Alpha, and then it was -- ground gave us Bravo short of Kilo.

20 Q. Okay. What happened after that?

21 A. We were taxiing Bravo, and as we were taxiing out, we were  
22 still trying to figure out the DG. We had a lot of weather coming  
23 in and our checklist, we were trying to get through getting our  
24 closeout. Our closeout was very delayed. So I know the captain  
25 slowed down the taxi. So as we were taxiing out, he mentioned, he

1 says, we really got to get that. So I went ahead and called for  
2 it again. The FB was trying to get the DG figured out, and we --  
3 at that point, we were pretty quickly given the next taxi  
4 clearance which was cross 3-1 left at Kilo.

5 Q. Okay.

6 A. So we were continuing the taxi. We had a couple of changes  
7 since I had flown last. It was the new harmonization procedures  
8 that we had. So now the captain asked me to make the  
9 announcement, the PA for the flight attendants to be seated for  
10 takeoff. And then at that moment, the load closeout came out, and  
11 I had my taxi diagram on the iPad. And at that point, turned my  
12 taxi diagram to the TPS to check the TPS load closeout data for  
13 the performance for takeoff and was conferring with the captain,  
14 all that information. And I was happy to see that we did have the  
15 SEC okay, because now that meant that our DG issue was no longer a  
16 problem, and that we were good to go. So that was no longer an  
17 issue.

18 Q. Okay. What happened after that?

19 A. I'm still down talking about the TPS. He told me -- I mean  
20 he started to turn to the runway, and he said cleared to cross,  
21 which we always do. We say cleared to cross. I picked my head  
22 up, looked all the way down the runway. I checked the runway and  
23 final, and I actually had to lean forward to see around. So --  
24 and he checked left. He said clear left. I said clear right.  
25 And we crossed. As we were crossing, we were already over the

1 stop lines, and big red lights came on.

2 Q. Okay. What happened next?

3 A. So at that time, we realized something wasn't right. So he  
4 pushed -- I'm still looking down the runway and didn't see. He  
5 pushed across the runway. We got on the other side, and we were  
6 still on ground. So I immediately switched over to tower and as I  
7 switched over to tower, all I could hear was, Delta, what are your  
8 intentions? And so Delta said that they were going to go back to  
9 the gate. And the next thing I heard was, American 106 heavy.  
10 Then I said American 106 heavy, go ahead. And then she said  
11 possible pilot deviation. And do you have -- we have a number for  
12 you to call. And I said, ready to copy. She gave me the number.  
13 At that time, my captain comes on and he said, well, we were told  
14 to cross, correct? And that's when she said, you are now at --  
15 you were cleared to cross 3-1 left, not 4 left.

16 Q. Okay. What happened after that?

17 A. We looked at each other, and we were at this time kind of  
18 asking what was going on and what had happened because everything  
19 just seemed normal at that point. Until he called the number, and  
20 he couldn't get through. My FO or FB, he called the incident  
21 hotline and talked to the incident hotline about our situation.  
22 And we discussed it. We had to get a turn to move out of the way,  
23 and we were able to go off to the side and park to assess  
24 everything. And we finally -- my captain spoke to the tower and  
25 told them that we were on our way to London. And they said it

1 would be fine for us to call them when we get back. And I asked  
2 for another departure. They now switched the runway again back to  
3 3-1 left, and they gave me a new departure. And we made sure the  
4 three of us were still fit for duty, and we were -- had the TPS  
5 that we needed, the performance for our aircraft taking off of 3-1  
6 left, and we proceeded to London.

7 Q. Okay. Anything else about the event that seems noteworthy  
8 that you want to -- that you can recall before we ask you follow-  
9 up questions?

10 A. No.

11 Q. The -- what do you mean by the DG?

12 A. Dangerous goods. It's a NOTOC.

13 Q. Okay. And the SEC OK, was that the --

14 A. S-E-C okay.

15 Q. S-E-C.

16 A. Yeah, that S-E-C, that's at the bottom of the closeout, and  
17 that's normally -- if that wouldn't have been on there, then we  
18 would have known that we weren't good to go.

19 Q. So that indicated that you were good to go?

20 A. Yes.

21 Q. Okay. Have you had a chance to listen to an ATC audio or  
22 seen any animations of the incursion?

23 A. I have.

24 Q. And was there anything that was surprising about that  
25 information?

1 A. It was. We didn't realize that the Delta aircraft had  
2 rejected the takeoff.

3 Q. Was there anything else about how the situation developed  
4 that was of interest to you that you'd want us to be aware of as  
5 far as the animations and audio and so forth, stuff that we should  
6 pay attention to?

7 A. No.

8 Q. Okay. All right. Generally speaking, how are pre-flight  
9 duties and duties during the taxi normally divided when you have  
10 an augmented crew with a relief first officer or an FB?

11 A. The FB normally does whatever's necessary to help the captain  
12 and FO. So it's -- they're pretty much there to reduce our  
13 workload, but they're still the crew and part of the entire  
14 flight. So.

15 Q. Okay. What was the plan for the FB resting versus you and  
16 the captain during the flight?

17 A. Normally the FB takes first break as far as that's concerned.  
18 Maybe I don't understand the question.

19 Q. That's what I mean.

20 A. Okay.

21 Q. And was that, in fact, what happened?

22 A. Yes.

23 Q. Okay. And then would it typically be the first officer and  
24 then the captain would take a break next?

25 A. Whoever's flying would decide if they wanted the second or

1 third break.

2 Q. Okay. And who was the PF, the pilot flying for this flight?

3 A. That was myself.

4 Q. Okay. In your statement, you noted that the company was  
5 sending a lot of weather updates. Well, what you actually said  
6 was, "Company was sending weather updates every few minutes which  
7 I read and printed." Was that unusual?

8 A. It was very unusual. I had never seen that before.

9 Q. What would you typically, what would you typically expect as  
10 far as weather updates? I mean was it rare to receive any or just  
11 rare to receive this many?

12 A. That many.

13 Q. Okay. What would be -- do you get them on every flight?

14 A. No.

15 Q. Okay. So some flight you have none. And when you get them,  
16 how many would typically receive?

17 A. You get one or maybe two. I mean just don't ever remember  
18 that many.

19 Q. Okay. When you, when you get those messages, does it affect  
20 anything on your displays?

21 A. It does. You -- especially in this case, because we were  
22 trying to figure out the NOTOC issue and trying to get the load  
23 closeout. So you have to clear those messages before you can  
24 continue with what you were trying to request of either the  
25 company or ATC or any other request you're putting on the actual



1 computer.

2 Q. Okay. How many would you say you received of these weather  
3 messages?

4 A. We -- I'd say probably 10 to 12.

5 Q. Okay. And where would you say you were in your taxi route  
6 when you were receiving those?

7 A. They were sporadic along the way. I know right before Kilo I  
8 remember. So they were just coming up. I just remember I had to  
9 clear one out. The most recent one was right before Kilo.

10 Q. Okay. And were these messages affecting the local area or  
11 were they further along in your trip?

12 A. They were affecting our takeoff.

13 Q. All right. You wrote that before pushing back, you and the  
14 captain were discussing the new procedures. Which procedures were  
15 those?

16 A. We had a bulletin out that has a few things that are going to  
17 eventually make the transferring of a fleet more uniform, but it's  
18 just new to us right now. So it's a few changes that are  
19 happening right now.

20 Q. All right. Is -- this 22-006 Fleet Harmonization effective  
21 03 January 23, does this look like the list that you were  
22 discussing?

23 A. That, that is it.

24 Q. Okay. All right. What was the, what was the ATIS saying  
25 about runway configuration before you left the gate?

1 A. 3-1 left. They changed runways.

2 Q. Okay. And when did you learn that they changed it and how?

3 A. When we got our clearance, it said that there was a different  
4 departure which that departure's 4 left.

5 Q. Did you -- did the crew re-brief for 4 left?

6 A. We did. Yes, we did.

7 Q. Did both the departure briefing for 3-1 left and then the  
8 departure briefing for 4 left occur before pushback from the gate?

9 A. Yes.

10 Q. Was there anything unusual about your departure clearance  
11 from 4 left?

12 A. No.

13 Q. It was pretty standard?

14 A. It was standard.

15 Q. Okay. The -- you mention in your statement that the flight  
16 plan was loaded, the route was verified, and the ATIS was

17 received. We planned on 3-1 left, and then entered all the  
18 information, briefed the 10-7 (ph.) and takeoff SID, and then as  
19 you're explaining, you subsequently briefed the 4 left departure.

20 Who programmed the FMS for each of those departures? Who actually  
21 entered the data?

22 A. I did.

23 Q. Okay. Is that done manually or do you upload it somehow?

24 A. Manual.

25 Q. Do you recall what departure procedure you had?

1 A. On that one, it was the 1.5. I'd have to look it up, but

2 I --

3 Q. That's okay. And whatever it was, it was clearly associated  
4 with --

5 A. 4 left.

6 Q. Okay.

7 A. And also 4 left does not have an engine out procedure. So we  
8 discussed that as well. So that would be different from 3-1 left.

9 Q. Okay. And so for each of those briefings, you had a specific  
10 runway loaded in the box?

11 A. Yeah.

12 Q. Okay. And when did, when did that change occur? How soon --  
13 how close to like door close and pushback?

14 A. Pretty quickly because we got out clearance and that's maybe  
15 10 minutes prior.

16 Q. Ten before door close?

17 A. Yeah.

18 Q. Okay. Okay. The departure briefing process, can you give us  
19 a basic outline of what that entails?

20 A. Departure, yeah. You discuss first of all your threats as a  
21 crew and as an individual, anything that would affect your flight,  
22 weather or any of that, engine out procedures. Then after that,  
23 you would brief the runway that you're getting and what your  
24 departure is off that runway. And, you would discuss the taxi  
25 out, what you would look for on the taxi, like any hotspots. And

1 you would discuss the performance of the aircraft, the flap  
2 settings and the -- anything pertinent, if it's a wet runway, dry  
3 runway.

4 Q. Okay. Did you guys -- what taxi routes did you brief for  
5 each of those departure briefings?

6 A. It would be the same taxi route up until Bravo short of Kilo.

7 Q. And if there had -- how do you know if there were hotspots?

8 A. They would show it on our diagram, on our Dash 9 page.

9 Q. And if there was one on your route, what would you do?

10 A. You would point it out and discuss the actual hotspot itself.

11 Q. Okay. Who performed the taxi briefing?

12 A. I did.

13 Q. And did you do the departure briefings as a whole?

14 A. Yes.

15 Q. Okay. And did -- the captain, was he paying attention?

16 A. Oh, yes, yes.

17 Q. All right. So what taxi clearances did you receive?

18 A. The first one was short of Tango Alpha from the ramp and then  
19 the ground gave us 4-1 left Bravo short of Kilo.

20 Q. And did you receive any after that?

21 A. And then we -- yeah, the next one was pretty soon after we  
22 turned onto the Bravo. They said cross 3-1 left at Kilo.

23 Q. Okay. And did you, did you recall that clearance during the  
24 taxi?

25 A. I do, and I read it back.

1 Q. Okay. All right. Anything unusual about those clearances?

2 A. The one I thought that there was -- looking back on it now, I  
3 do think that it was very soon that they gave us the crossing.  
4 And the other thing, they never turned us to tower.

5 Q. So the crossing -- runway crossing clearance was issued a  
6 little earlier than you might expect. Is that what you mean?

7 A. It was, yes.

8 Q. And where would you -- typically for taxi route like that,  
9 where would you typically expect to receive the runway crossing  
10 instruction and where would you expect to be switched to tower?

11 A. I would be -- I would expect it before Kilo, but pretty close  
12 to Kilo because now that's when you're going to get your next  
13 instruction.

14 Q. I see. Runway crossing --

15 A. Yes.

16 Q. Okay.

17 A. And then the other thing, I would expect to be turned to  
18 tower before you cross any runway.

19 Q. Okay. All right. Before the incursion, did you think you  
20 had been cleared to cross runway 4 left?

21 A. I knew we were cross -- I knew we were cleared cross the  
22 runway.

23 Q. That particular one or --

24 A. I knew 4 left.

25 Q. 4 left.

1 A. No. I'm sorry.

2 Q. That's okay.

3 A. Okay. Rephrase your question. I didn't get the question.

4 Q. So before you guys crossed 4 left, did you think you were  
5 cleared to cross it?

6 A. I thought we were cleared to cross the runway.

7 Q. Okay. But you weren't -- which part of it was missing in  
8 your awareness that you were at --

9 A. That we were at --

10 Q. -- 4 left and you thought you were 3-1 or --

11 A. Yeah, I know we were cleared to cross 3-1 left, not knowing  
12 we at 4 left.

13 Q. Okay. So it wasn't a matter of mistaking the clearance. It  
14 was more of a positional awareness thing. Okay. All right. So  
15 the NOTOC paperwork, the DG as you described it, what was missing  
16 and why?

17 A. The actual paperwork had handwriting on it from the ramp  
18 agent, and it was circled, and it said it was missing batteries.

19 Q. And did that have any bearing on your closeout?

20 A. It eventually didn't, but at the time we didn't know if it  
21 would. We thought that's why we were not receiving our closeout. We  
22 thought that was the issue.

23 Q. So the closeout was delayed --

24 A. Um-hum.

25 Q. -- and you thought maybe that could be the explanation?

1 A. Yes.

2 Q. Okay. Why do you think the captain didn't resolve that  
3 before pushback?

4 A. We don't have anything in there that showed him he -- we  
5 couldn't pushback. So we were trying to clear it up on the taxi.

6 Q. So it's not required?

7 A. I don't know what he thought. I don't know what he was  
8 thinking. I just, I just know we did not know why the load  
9 closeout wasn't coming up.

10 Q. And when did that eventually occur, the load closeout?

11 A. Right before Kilo.

12 Q. Okay. What task did you have to perform as a result of that?

13 A. When the load closeout comes out, you have to show your TPS  
14 data and compare it to the closeout and with the temperatures and  
15 you have to make sure that everything checks as far as flap  
16 settings and runways and the SEC okays, passenger count.

17 Q. So you're pretty busy when you get that?

18 A. Yeah.

19 Q. Okay. Where was the -- you already told me where it was,  
20 right before Kilo. Okay. So in his statement, the captain wrote,  
21 "I asked FB to tell flight attendants to stay seated during the  
22 climb." And he asked him to call load closeout on a radio  
23 frequency. Do you recall the FB doing those things?

24 A. Yes, he was doing those things.

25 Q. And do you know where the airplane was when the FB finished

1 with those tasks?

2 A. I think -- I believe before Kilo.

3 Q. Okay. Did he seem -- I know he's behind you, but did he --  
4 do you know if he was heads up and looking when you crossed the  
5 runway?

6 A. I do not.

7 Q. Okay. Let's talk about exterior lighting. What exterior  
8 lights were on during the taxi from start to crossing the runway?

9 A. I know he had his taxi light on, and then I know when we did  
10 cross the runway, he reached his hand up to turn on the lights to  
11 cross. At that time, we were heads back and forth. So I don't  
12 know exactly what lights he had on, but I know he had crossing  
13 lights on.

14 Q. Do you any for sure he had on or just based on what you could  
15 see or --

16 A. I can't say for sure.

17 Q. Okay. And was it -- from the beginning, was it the captain  
18 that selected all the lighting?

19 A. Yes.

20 Q. And were the strobes on, do you recall?

21 A. I don't recall.

22 Q. And, I think that's it for the lighting. Let's talk a little  
23 bit more about the weather messages. So what was entailed with  
24 receiving those? What would happen when they arrived at the  
25 airplane? Like how did, how did you receive them?



1 A. You have to acknowledge them. So -- and then when you're, of  
2 course, you're reading them, you want to read them aloud and you  
3 want any pertinent information to be pointed out to the captain  
4 and the FB. So as I was reading them and printing them, you also  
5 have to acknowledge them. So it was kind of a three step process  
6 along the way.

7 Q. So each time at -- let me know if I get this right. Each  
8 time you got a message, you had to acknowledge it, send it to the  
9 printer --

10 A. Read it, verbalize it.

11 Q. -- verbalize it, and did they have to acknowledge it, too,  
12 or --

13 A. If it was -- he did acknowledge it because he asked the  
14 flight attendants to remain seated --

15 Q. Okay.

16 A. -- after departure.

17 Q. So every single one of these messages you had to do this?

18 A. Every single one.

19 Q. And verbalize every single message.

20 A. What was pertinent on the ones that were addressing our  
21 flight.

22 Q. All right. Did you find those messages distracting?

23 A. Yes.

24 Q. All right. Let's talk about the change in procedure for the  
25 takeoff PA. What are -- what did the change entail as far as the

1 takeoff PA?

2 A. It's now designated to the first officer.

3 Q. Okay. And how were you informed about this change?

4 A. We have a bulletin.

5 Q. Did you receive any training on this?

6 A. I read the bulletin.

7 Q. And how was the briefing supposed to be accomplished? What  
8 should it contain?

9 A. As far as -- I'm sorry. I don't understand that question.

10 Q. What were you supposed to say when you made the briefing?

11 A. To the passengers, flight attendants, be seated for takeoff.

12 Q. That's it. Okay. All right. Were there any particular  
13 benefits or disadvantages of this procedure change or did you find  
14 it just to be sort of a negligible change?

15 A. I think that wasn't the only change. There were changes  
16 throughout. It just kind of was one more step along the way.

17 Q. Okay. Were there -- I'll give you a copy of it just in case  
18 there's anything else you want to bring up, but were there other  
19 things as far as those procedure changes that you were -- I don't  
20 know if I asked this before. Was this, was this the first time  
21 that you had done this -- that you had done work under these new  
22 procedures?

23 A. Yes.

24 Q. And which others in this list would have applied to this part  
25 of the flight prior to the runway incursion?

1 A. There really -- I don't think any one specifically affected  
2 us but I think more not missing one of them.

3 Q. I see.

4 A. Like what -- you know, we had talked about it earlier, what  
5 -- who was going to do what on the takeoff. Now, what do you do?  
6 You know, like the certain things, like after start, the flap  
7 setting, for example. So there were a few things that were just  
8 odd, like just off.

9 Q. Um-hum. So there's a few items in there that are --

10 A. Yes.

11 Q. -- just slight changes in procedure that you had to pay  
12 attention to?

13 A. To make sure we did not miss them.

14 Q. Okay. Anything else in particular that you want to highlight  
15 that may have been different or distracting, potentially  
16 distracting?

17 A. No.

18 Q. No, okay. All right. And in this particular case, the  
19 briefing that you gave was, "flight attendants, please be seated,  
20 prepare for takeoff."

21 A. Yes.

22 Q. Okay. That was it. That was the whole --

23 A. Yeah.

24 Q. Okay. All right. Where was the airplane approximately when  
25 you made that briefing?

1 A. God, I don't recall.

2 Q. Okay.

3 A. It was -- now, it was all in that same area because it was  
4 all happening at the same time. So I'd say short of Kilo because  
5 you're trying to let them know two minutes prior.

6 Q. Okay. Do you believe that these procedure changes or having  
7 to incorporate them into your routine, do you think that they  
8 played a role in the events leading to the runway incursion?

9 A. In this case I do.

10 Q. Why is that?

11 A. Just the load.

12 Q. And what was different about the load?

13 A. Just the way things were coming up.

14 Q. Did that have to do with these fleet harmonization changes or  
15 was that a separate issue?

16 A. I think it was everything together.

17 Q. Okay.

18 A. I think it was.

19 Q. Okay. But as -- so the NOTOC issue, you think may have  
20 played a role. Any other specific things you want to call out  
21 that were distractions that may have been relevant to losing  
22 positional awareness that you'd like to specifically list?

23 Nothing?

24 A. No.

25 Q. Okay. So just the delay in the NOTOC is the only thing you

1 think?

2 A. Oh, no, everything we just discussed.

3 Q. Okay.

4 A. Yeah, the -- maybe I missed the question. I'm sorry.

5 Q. I just wanted you to sort out -- sort of summarize all of the  
6 things that you think could have been factors in losing positional  
7 awareness.

8 A. Yeah, it was the load closeout. It was the weather. It was  
9 the -- being on ground which there was no one talking or anything.  
10 It was at the -- the new procedures. It just seemed everything  
11 just kind of hit at the same time.

12 Q. Okay. Let's talk about the company policy for crossing  
13 runways. We haven't had time to review everything yet. So can  
14 you just tell me basically is there anything you're supposed to do  
15 before you cross a runway?

16 A. Yes. You're supposed to state you're crossing a runway and  
17 clear left and right and be heads up.

18 Q. Okay. And that occurred in this case?

19 A. Yes.

20 Q. Okay. Were you aware of your position when the airplane was  
21 taxiing across Kilo?

22 A. No.

23 Q. Okay. And lights, is there any requirement for specific  
24 lights to be used when crossing?

25 A. No.

1 Q. Did you see any airplane on the runway when you cleared  
2 right?

3 A. No.

4 Q. Did the captain say anything afterwards why he taxied onto 4  
5 left?

6 A. No.

7 Q. Why he thought he did?

8 A. No.

9 Q. Why do you think he did?

10 A. I don't know.

11 Q. And just to be clear, I think we've got this down pretty  
12 well, but did you think you had been cleared to cross 4 left?

13 A. I did.

14 Q. 4 left?

15 A. No, 3-1 left.

16 Q. 3-1 left.

17 A. Yes.

18 Q. Okay.

19 A. And I thought that's what we were crossing.

20 Q. Okay. All right. And as you were taxiing onto the runway,  
21 what were you attending to or thinking about? You just cleared  
22 left and right. I guess it's only a matter of seconds, but were  
23 you back down to doing something else --

24 A. No, my head was up. That's how I saw the red lights come on.

25 Q. Okay. And I think you said you guys had already or at least

1 the cockpit had already crossed the runway when you saw --

2 A. They came on like as a bright kind of out of the side.

3 Q. Okay. All right. Let's talk in general terms about  
4 workload. Can you provide me sort of a brief assessment of how  
5 busy you were as a crew during this taxi so I can get it in your  
6 own words?

7 A. It was very tasking. There was a lot going on and different  
8 situations that we were taking care of.

9 Q. Any non-operational conversations that were distracting?

10 A. No.

11 Q. All right. You were handling the radios for the ATC?

12 A. Yes.

13 Q. Okay. And did you have more than one ground frequency on  
14 during the taxi or just one for ground control?

15 A. I had just one ground control.

16 Q. Okay. Was the, was the radio on speaker or were you all  
17 listening through headsets?

18 A. We had headsets.

19 Q. Did you have any difficulty hearing ATC or understanding the  
20 transmissions?

21 A. No.

22 Q. All right. So, were all the checklists completed in a  
23 standard way?

24 A. Yes.

25 Q. And at the appropriate times?

1 A. Yes.

2 Q. Did you use a verbal challenge and response format?

3 A. Yes, we did.

4 Q. And were you holding -- in the middle of any checklist during  
5 the taxi?

6 A. No.

7 Q. Had you completed part of the before takeoff checklist  
8 already before crossing 4 left?

9 A. No, because we hadn't had the closeout yet.

10 Q. Okay. What were you using to keep track of your position  
11 during the taxi?

12 A. The iPad, 20-9 page.

13 Q. And where was that located?

14 A. On my side holder.

15 Q. Okay. Was that -- so that was on and it had the 20-9 page  
16 up?

17 A. Yeah.

18 Q. Did it have an own-ship position of it?

19 A. No.

20 Q. All right. Were there any other ground navigation displays  
21 in the cockpit that you were using to navigate?

22 A. No.

23 Q. No?

24 A. No.

25 Q. Okay. And do you recall seeing any specific runway signs



1 during your taxi prior to the incident?

2 A. No.

3 Q. Did you observe any traffic on 4 left? I know you said you  
4 didn't see any when you guys cleared. But, as you were taxiing  
5 down Bravo, did you notice -- did you ever notice any aircraft on  
6 4?

7 A. No, they had just switched runways. They were taking off 3-1  
8 left.

9 Q. And do you recall hearing air traffic control talking to any  
10 other departing airplanes that were going to be departing 4?

11 A. No.

12 Q. Or taxiing to 4?

13 A. No. They were taxiing to 3-1 left.

14 Q. Okay. All right. When did you -- I guess you answered this  
15 already. You realized that you had taxied in front of the other  
16 airplane on its takeoff roll once you switched to tower frequency.  
17 Is that correct?

18 A. No.

19 Q. Did you file an ASAP report?

20 A. Yes.

21 Q. All right. How familiar were you with the other crewmembers?

22 A. We had just met.

23 Q. So you had not flown with them before?

24 A. No.

25 Q. Did you feel comfortable with them?

1 A. Yes.

2 Q. And how would you describe their proficiency compared to  
3 other American crewmembers?

4 A. Excellent.

5 Q. Anything noteworthy about their personalities?

6 A. No.

7 Q. How was the CRM with this crew?

8 A. Very good.

9 Q. How would you describe the captain's leadership style?

10 A. Very good.

11 Q. Anything else about him, you know, in terms of his approach  
12 to working together with the crew and just any descriptors or  
13 anything you can offer that makes you say why it was very good?

14 A. Yeah. He was very approachable and right away he made us  
15 feel comfortable as a crew and gave me the option if I wanted to  
16 fly or not that leg, did have the harmonization page laminated  
17 which I thought was amazing when he pulled it out and put it on  
18 the console for us. It just -- you could just tell he was on his  
19 game.

20 Q. And how about his efforts to manage the workload? How did he  
21 do with that?

22 A. He did well. He slowed the aircraft down as we were taxiing  
23 Bravo, and he was delegating to FB and then having me, you know,  
24 stay in the loop with him. Everything was pretty normal until,  
25 until right before Kilo.

1 Q. Okay. And how did the other two pilots seem in terms of  
2 their alertness and mood?

3 A. Fine.

4 Q. Did they seem relaxed or stressed?

5 A. No, relaxed.

6 Q. Were they both fairly and agreeable?

7 A. Yes.

8 Q. Okay. Do you like working for American?

9 A. I do.

10 Q. Were you feeling any adverse pressure from company management  
11 during the incident flight, anything that was causing you stress?

12 A. No.

13 Q. Have you received any information or any training from  
14 American on human factors or CRM topics related to runway safety  
15 or avoiding runway incursions?

16 A. Yes.

17 Q. Okay. Can you tell me a little bit about that?

18 A. Yes. We -- in all of our training events, we practice in the  
19 simulator runway changes and runway events. And normally we'll  
20 talk about things that have happened in our human factors classes  
21 and in our ground schools.

22 Q. Okay. How long had it been since you had some kind of  
23 experience like that in training do you think?

24 A. Just in the last sim, probably six months ago.

25 Q. Okay. Were there any company specific procedures in place at

1 the time that were specifically put in place to avoid runway  
2 incursions like the one that you experienced?

3 A. Yeah, I think the entire training was -- focuses on runway  
4 incursions.

5 Q. Okay. And so I could imagine, for example, you know, the  
6 procedure about being heads up when crossing the runway and --  
7 both pilots clearing left and right would be sort of a runway  
8 incursion prevention --

9 A. Yes.

10 Q. -- procedure. Is there anything else like that that you  
11 might want to make note of that is relevant? And I don't know the  
12 answer to this, but I just wanted to give you the opportunity to  
13 tell us about it if there is.

14 A. I think maybe a hotspot would be. In my case, I'm only  
15 talking in this situation, like a hotspot would have maybe changed  
16 the event.

17 Q. What do you think would have happened if that area, runway 4  
18 at Juliet, had been marked as a hotspot? What do you think would  
19 have happened differently in this case?

20 A. I think it would have brought attention that there's a  
21 strange turn that if you're not paying attention, it's too close.  
22 The two taxiways are too close, and in this case, they're each  
23 across a different runway.

24 Q. Okay. Were there any company procedures in place that made  
25 things more difficult during this taxi that you believe should be

1 changed or eliminated?

2 A. I really don't think the weather was as pertinent as it  
3 became in our situation, and I also believe the -- like I said,  
4 the hotspot's another thing I would change. And I don't know why  
5 there were not red lights if there was an airplane sitting at the  
6 end of the runway ready for takeoff.

7 Q. Okay. So your understanding would be that if there was  
8 another airplane on the runway, that the red lights would be on.  
9 Is that correct?

10 A. Yes.

11 Q. Do they normally come on when an airplane just taxis on or do  
12 they have to be going a certain speed or what causes the lights to  
13 activate?

14 A. It depends on what airport you're at.

15 Q. Okay. So it's not consistent from --

16 A. No.

17 Q. -- airport to airport?

18 A. No.

19 Q. All right. Past troubles. Have you ever failed a check  
20 ride?

21 A. No.

22 Q. Have you been involved in any previous serious incidents or  
23 accidents --

24 A. No.

25 Q. -- as a pilot?

1 A. No.

2 Q. Have you been disciplined for your performance as a pilot?

3 A. No.

4 MR. DUKE: He asked about accidents.

5 MS. GONZALEZ: Oh, serious. I'm sorry. You said serious.

6 Rephrase that question.

7 BY DR. BRAMBLE:

8 Q. Have you been involved in any serious incidents or  
9 accidents --

10 A. Serious.

11 Q. -- serious incidents or any accident?

12 A. No one was hurt and no metal was bent, but the -- I had a  
13 deer strike in a small plane.

14 Q. Okay.

15 A. So, two.

16 Q. Two?

17 A. Two incidents.

18 Q. Of deer strikes?

19 A. No. An engine failure.

20 Q. Oh, okay. Deer strike and what happened with the engine  
21 failure?

22 A. I lost the engine and went into a soybean field.

23 Q. Okay. What years did those things happen?

24 A. 2019.

25 Q. Both in --

1 A. Yes, five days apart.

2 Q. That's some bad luck. What type of aircraft?

3 A. One was a 172 180 horsepower and the other was a Cessna 150.

4 Q. Okay. So this was -- was this flying in a personal capacity?

5 A. Yes.

6 Q. Okay. Have you received any commendations for your  
7 performance as a professional pilot?

8 A. No.

9 Q. I always like to ask in case there's any big kudos or  
10 anything. Was your work schedule any different in recent weeks  
11 before the accident or the incident rather?

12 A. No.

13 Q. All right. Let me just make sure we have yours. All right.  
14 I think your starts here and goes to the next page. So the 13th  
15 was this one. Okay. I just wanted to make sure you had access to  
16 that.

17 A. Um-hum.

18 Q. So, your most recent -- well, describe to me your work  
19 schedule in sort of say the week before the incident?

20 A. I am on reserve. So I get called at a certain time every  
21 day, and if they don't call you by a certain time, you're off  
22 until that time the next day.

23 Q. Okay. And when were your most recent days off?

24 A. Right before the incident I remember.

25 Q. Does it show it on there?

1 A. Actually no, I was on reserve for a couple days before that.

2 But I didn't -- I was on reserve, but I wasn't used.

3 Q. Okay. For how many days?

4 A. It looks like three days.

5 Q. Three days before the 13th?

6 A. Yeah.

7 Q. Okay. And before that three days, did you have a day off?

8 A. I had four days off.

9 Q. Okay. All right. And during that reserve period, where were  
10 you located in terms of -- were you at home or were you in a  
11 different city or --

12 A. No, I was home.

13 Q. Okay. Do you have any outside employment?

14 A. No.

15 Q. And I realize it's been a while at this point, but I would  
16 like to try to get a sense of your rest and sort of your general  
17 schedule of activities. So like the 13th, the day of this flight,  
18 do you recall when you woke up that day?

19 A. Probably 7 normal.

20 Q. And then what time would you have driven to the airport?

21 A. 5 o'clock that afternoon.

22 Q. And you said I think that takes an hour and a half?

23 A. Yes.

24 Q. And so you would have arrived at the airport at what time?

25 1630.



1 A. 6:30.

2 Q. Or 1830, sorry.

3 A. Yeah.

4 Q. And what -- do you recall anything about your activities  
5 between 7 in the morning and 1700?

6 A. Yeah, I think I went to the gym that day, and I walked my dog  
7 and before I took a shower to go to the airport, I took a nap.

8 Q. Okay. All right. The day before on the 12th, do you recall  
9 what your -- what time you might have gone to sleep that night?

10 A. Probably 10.

11 Q. And what time would you have woken up that day do you think?

12 A. 7 is normal.

13 Q. Do you think that would have been the case on the 11th and  
14 the 10th as well?

15 A. Yes.

16 Q. Okay. And how about bedtime, also 10 o'clock those days?

17 A. 10 is normal.

18 Q. Okay. All right. And, on the 12th, 11th and 10th, just give  
19 me a very general description of activities? What kind of things  
20 were you doing on those days?

21 A. On the 10th, 11th and 12th?

22 Q. Yeah, the three days before that incident.

23 A. Yeah, it's always getting up in the morning, going to the gym  
24 and doing some activity. It's been warm lately in New Jersey. So  
25 I've walked the dog recently. That's it. Just errands and

1 housework.

2 Q. Okay. Routine activities at home?

3 A. Yeah.

4 Q. Nothing unusual going on?

5 A. No.

6 Q. Okay. Did you feel rested during the incident flight?

7 A. Yes.

8 Q. At the beginning of it I should say. And how was your mood  
9 when you showed up at the JFK for this flight?

10 A. Good.

11 Q. How much sleep per night do you need to feel rested when  
12 you're off duty for an extended period of time and not working?

13 A. Six hours is normal.

14 Q. Any sleep disorders that you're aware of?

15 A. No.

16 Q. All right. In the last year, any major changes in health,  
17 finances or personal life that could cause stress?

18 A. No.

19 Q. And in general, how would you describe your health?

20 A. Healthy.

21 Q. Any limitations on your medical certificate?

22 A. No.

23 Q. How's your vision?

24 A. Good.

25 Q. Do you have any -- does your certificate say you have to wear

1 corrective lenses?

2 A. No.

3 Q. Oh. You're wearing lenses now?

4 A. They're --

5 Q. So they have no --

6 A. No.

7 Q. -- no correction?

8 A. No.

9 Q. Oh, okay. I gotcha. So no correction for near vision or far  
10 vision?

11 A. No.

12 Q. Okay. All right. How's your hearing?

13 A. Good.

14 Q. No hearing aids?

15 A. No.

16 Q. And any -- in the week or two before the incident, did you  
17 have any illnesses like a cold or flu or COVID?

18 A. No. I had a cold. No COVID.

19 Q. Okay. And when did that resolve?

20 A. I think the 4th. Yeah, the 4th.

21 Q. Okay. So you were feeling okay by the 4th?

22 A. Yes.

23 Q. All right. Of January.

24 A. Yes.

25 Q. Okay. And were you taking any prescription medication at the

1 time of the flight?

2 A. No.

3 Q. And how long before the flight was your last use of alcohol?

4 A. Probably a month.

5 Q. And in the 72 hours before the incident, did you take any  
6 medication, prescription or non-prescription, that might have  
7 affected your performance?

8 A. No.

9 Q. All right. That is it for me. I'm going to pass it onto the  
10 other members of the group starting with Jim.

11 DR. BRAMBLE: Jim, are you still with us?

12 MR. VANDERKAMP: I am.

13 BY MR. VANDERKAMP:

14 Q. First Officer Gonzalez, thank you again for being with us  
15 today, and we appreciate your candid answers to help us figure out  
16 what happen here, and maybe we can prevent it from ever happening  
17 again. I only have a few questions but I just want to clarify  
18 some things. Is the PIC or the captain, is he required to sign  
19 the NOTOC?

20 A. Yes. It goes in as a code into the flight computer, and  
21 that's his authorization.

22 Q. Oh, I see.

23 A. That's our new system.

24 Q. So he doesn't actually physically receive the paper and sign  
25 it. Is that what you're saying?

1 A. He has to receive the paper and then put a code into our  
2 flight computer which is his authorization.

3 Q. So he didn't have the opportunity to question the guy that  
4 brought (ph.) the paper?

5 A. No.

6 Q. Okay. That's what I was asking. Back to the taxi. Where  
7 were you -- I think you said you were on Bravo when you received  
8 the clearance to taxi -- clearance to cross 3-1 left on Kilo.

9 A. Yes.

10 Q. Is that correct?

11 A. Yes.

12 Q. Okay. Did they give you any kind of a limiting taxi  
13 clearance like hold short of 4 left or anything? Did they give  
14 you any further explanation?

15 A. No, they gave us hold short Bravo -- hold Bravo short of  
16 Kilo.

17 Q. That was the original?

18 A. Yes.

19 Q. Hold Bravo short of Kilo. And then you said clear to cross  
20 3-1 left on Kilo.

21 A. Yes.

22 Q. And then what did they give you after that?

23 A. That was it. We --

24 Q. That was it. Okay. It's entirely possible. I just wanted  
25 to make sure I understood. You said the captain slowed down to

1 give you more time. Did he ever consider -- was there any  
2 discussion about the possibility of stopping and making sure he  
3 got everything settled down before he continued?

4 A. No.

5 Q. All right. You knew you were going 4 left before you ever  
6 left the gate. Is that correct?

7 A. Yes.

8 Q. And you briefed the taxi?

9 A. The captain briefed the taxi. I briefed the departure, and  
10 then I briefed the taxi and he briefed how we were going to do the  
11 taxi.

12 Q. Okay.

13 A. So the captain normally briefs the taxi and the procedures if  
14 we have a reject or abort on the runway.

15 Q. Great. Thank you. You said you called clear right and then  
16 you saw red lights come on as you were on the runway. Is that  
17 correct?

18 A. We were already -- the red lights actually came up like -- if  
19 I'd be sitting on them. They were already -- the lights came from  
20 behind my shoulder but you could see the outline because they were  
21 pretty bright. So that's how we saw the lights. We were already  
22 across.

23 Q. At that point, did you realize you had a runway incursion?

24 A. At that point, we knew there was a pilot deviation. We did  
25 not know it was us. I never heard who did what at that point.

1 Q. Okay.

2 A. I did not know at the time.

3 Q. When were you aware that there was a runway incursion and  
4 Delta had to reject?

5 A. We did not know they had to reject. We did know there was a  
6 pilot deviation, and we were given a number to call.

7 Q. Okay. You said you called the incident hotline?

8 A. Yes.

9 Q. Was that -- is that the company hotline?

10 A. Yes.

11 Q. Is it the company or union?

12 A. Union, union hotline.

13 Q. Okay. So you called the union and you called the company.

14 A. Yes.

15 Q. Before you ever departed, you had called the company.

16 A. We did, yes, sir.

17 DR. BRAMBLE: One second, Jim. Hang on one second. I think  
18 the union --

19 MR. DUKE: I just want to make sure. Could he rephrase those  
20 questions? He's asking you whether you called the union and the  
21 company or just the union.

22 MS. GONZALEZ: No, our union incident hotline.

23 BY MR. VANDERKAMP:

24 Q. You called the union incident hotline?

25 A. Yes.

1 Q. Which is a separate entity from American Airlines?

2 A. Yes.

3 Q. Did you ever call American and tell them what had happened?

4 A. No. We did not, no.

5 Q. Is there a hotline or dispatch to call or (indiscernible)?

6 A. No.

7 Q. -- that you would normally call?

8 A. Not that I know of.

9 Q. Was there any discussion about that?

10 A. We asked what we do in this case. That's why he -- the FB  
11 called the union incident hotline and the captain called the tower  
12 and the actual controller that he had a conversation with.

13 Q. And you said you guys discussed amongst yourselves whether or  
14 not you were, you know, in a proper state to fly --

15 A. Yes.

16 Q. -- and each individual?

17 A. Yes.

18 Q. And you ended up taking off on 3-1 left?

19 A. Yes, we did.

20 Q. So you were already there. You didn't have to go very far?

21 A. Yeah, we did reposition the aircraft to let other aircraft  
22 by. So we did reposition, set the parking brake and went through  
23 all of the TPS, the runway change in the box, the new departure,  
24 which I called tower for, and we checked our fuel, and we  
25 proceeded to London.



1 Q. Yeah, I guess that's all I have. Thank you very much. I  
2 appreciate your time.

3 A. Okay.

4 DR. BRAMBLE: George.

5 BY CAPT. GRIFFIN:

6 Q. Can you look at your diagram on your 10-9 and tell me roughly  
7 where you think you got the closeout? Because I just -- I want to  
8 make sure we didn't misspeak. Just roughly.

9 A. It was before Kilo.

10 Q. So it was somewhere coming down L-4 probably.

11 A. Yeah, like right down there. Like right -- whatever this --  
12 right here.

13 Q. Okay.

14 A. Yeah.

15 Q. So you got the load closeout prior to crossing?

16 A. Prior to crossing, yes.

17 Q. Okay. All right. I just wanted to verify that. Was this  
18 your first time as first officer out of JFK?

19 A. It was my second time.

20 Q. Okay. Second time. When you did your OE, where did you fly  
21 out of when you did your OE?

22 A. I believe one was JFK.

23 CAPT. GRIFFIN: Okay. All right. No further questions.

24 DR. BRAMBLE: All right. Mitch?

25 MR. MITCHELL: Thank you.

1 BY MR. MITCHELL:

2 Q. Ms. Martinez [sic], I just have one question because I'm  
3 hoping you can help educate me. The first clearance you received,  
4 it had a runway assignment. Is that what I understood?

5 A. No, the ATIS.

6 Q. Okay. ATIS.

7 A. The ATIS is our weather that we get, and it tells you what  
8 runway they're departing, and it's what the wind is favoring.

9 Q. Okay.

10 A. So -- and the winds are right down the runway for 3-1 left,  
11 and that's what they were using. They actually had a runway  
12 change between the time we set up the aircraft and by the time we  
13 actually got our clearance.

14 Q. Okay. So when you received your clearance, how did you get  
15 that?

16 A. On the computer, company computer in the aircraft.

17 Q. Okay. And did it give you a runway assignment on there?

18 A. It did.

19 Q. Okay.

20 A. And that's when we changed. Oh, no. The -- yeah, the  
21 clearance didn't give us a runway. It gave us a departure.

22 Q. A departure.

23 A. A departure, and that departure was for 4 left.

24 Q. Do you remember the departure by chance?

25 A. Not exactly, but it's 1 -- you go out of DME and then you

1 turn.

2 Q. I think all my other questions have been answered. Very  
3 good. Thank you.

4 DR. BRAMBLE: Okay. Bryan.

5 BY CAPT. HOLLIDAY:

6 Q. Yeah, just wordsmithing here a little bit. So when you were  
7 asked about, you know, do you think the new procedures played --  
8 had an impact on this and you said yes, and he asked how. And you  
9 said the load. To be clear, are you talking about the workload  
10 that that might add, but not the load closeout?

11 A. No, the workload.

12 Q. Right. Okay. You were talking about workload. Okay. And  
13 when you say you saw the red lights, you -- not the physical  
14 lights?

15 A. We -- no, they weren't in front of us. They were already --  
16 like you saw like the big red --

17 Q. Right.

18 A. -- like illumination.

19 Q. So you knew you --

20 A. It was, it was -- we were across.

21 Q. Right. And like you said, possible pilot deviation. Along  
22 the timeline on this, at what point did you all realize it was not  
23 just a runway incursion from you, but another aircraft was  
24 involved in this?

25 A. In London. I mean I didn't know they aborted. We had no

1 idea they rejected, and we didn't know why, if they rejected for  
2 us or for something else because all we heard was possible pilot  
3 deviation.

4 CAPT. HOLLIDAY: That's all I've got.

5 DR. BRAMBLE: Okay. I don't have any other follow-up  
6 questions. Jim, do you have anything else you want to ask?

7 MR. VANDERKAMP: No, I think I'm good. Thank you very much.  
8 I appreciate your time.

9 MS. GONZALEZ: Thank you.

10 DR. BRAMBLE: Okay. George.

11 CAPT. GRIFFIN: Nothing else.

12 DR. BRAMBLE: Mitch?

13 MR. MITCHELL: I'm good.

14 DR. BRAMBLE: Anything else from you, Bryan?

15 CAPT. HOLLIDAY: No.

16 BY DR. BRAMBLE:

17 Q. Okay. Well, we always ask one final closeout question which  
18 is, is there anything we haven't asked you about that you think is  
19 relevant that you would like to volunteer at this time?

20 A. No.

21 DR. BRAMBLE: Okay. All right. With that, we will close  
22 this interview at 3:27 p.m. Thank you.

23 (Whereupon, at 3:27 p.m. EST, the interview was concluded.)  
24  
25

CERTIFICATE

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

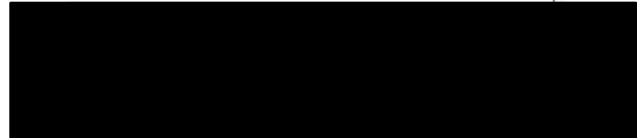
IN THE MATTER OF:           NEAR-MISS TAKEOFF INCIDENT BETWEEN  
                                  AMERICAN AIRLINES & DELTA AIRLINES  
                                  AT JFK INTERNATIONAL AIRPORT IN  
                                  QUEENS, NEW YORK ON JANUARY 13, 2023  
                                  Interview of Traci Gonzalez

ACCIDENT NO.:               DCA23LA125

PLACE:                       Washington, D.C.

DATE:                        February 17, 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.



Kathryn A. Mirfin  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

NEAR-MISS TAKEOFF INCIDENT BETWEEN \*

AMERICAN ALRLINES & DELTA AIRLINES \*

AT JFK INTERNATIONAL AIRPORT IN \*

QUEENS, NEW YORK ON JANIARY 13, 2023 \*

\* \* \* \* \*

Accident No.: DCA23LA125

Interview of: JEFFREY WAGNER, First Officer 777  
American Airlines

National Transportation Safety  
Board Offices  
490 L'Enfant Plaza East SW  
Washington, D.C.

Friday,  
February 17, 2023

## APPEARANCES:

WILLIAM BRAMBLE, Ph.D., Human Performance Investigator  
National Transportation Safety Board

JAMES VANDERKAMP, Air Safety Investigator  
National Transportation Safety Board

CAPT. GEORGE GRIFFIN  
777 Check Airman/DPD Stan Coordinator  
American Airlines

CAPT. BRYAN HOLLIDAY, ASAP/ERC Coordinator  
American Airlines

MITCH MITCHELL, Aircraft Accident Investigator  
Office of Accident Investigation and Prevention  
Federal Aviation Administration

RAY J. DUKE, Attorney  
Airline Pilots Association (APA)  
(On behalf of Jeff Wagner)

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I N T E R V I E W

(11:57 a.m. EST)

DR. BRAMBLE: Okay. All right. Today is February 17th of 2023. It's 11:57 a.m. Eastern Standard Time.

My name is Bill Bramble, and I'm a human performance investigator with NTSB. Jim VanDerKamp and I are leading the operations and human performance working group for Investigation Number DCA23LA125 involving American Airlines Flight 106 and Delta Flight 1943.

The NTSB is an independent federal agency. We're not part of the Department of Transportation or the FAA, and we have no regulatory or enforcement powers. Our mission is to determine the probable cause of incidents and accidents and make recommendations so similar events can be avoided. Our mission does not include findings of liability or blame. And, your participation today helps ensure that the fact-finding phase of this investigation is complete and accurate.

We'll be using the services of a court reporter, Tim Atkinson, with Free State Reporting. He will be recording the interview and taking notes so that he can transcribe it. After we receive the transcript, you and the group members present will be afforded the opportunity to review it for accuracy before it's included in the public docket for this investigation.

I would now like each of the working group members to briefly introduce themselves and their organizational affiliation. Let's

1 start with Mr. VanDerKamp.

2 MR. VANDERKAMP: Good morning. My name is Jim VanDerKamp. I  
3 am one of the operational factors investigators at the NTSB.

4 DR. BRAMBLE: Okay. Let's move onto George.

5 CAPT. GRIFFIN: Captain George Griffin, 777 check airman.  
6 I'm the party rep for American Airlines.

7 DR. BRAMBLE: Bryan.

8 CAPT. HOLLIDAY: Captain Bryan Holliday, APA/ASAP/ERC member  
9 here on behalf of Allied Pilots Association.

10 DR. BRAMBLE: And Mitch.

11 MR. MITCHELL: Good morning. Mitch Mitchell, aviation safety  
12 investigator with the Office of Accident Investigation and  
13 Prevention with the Federal Aviation Administration, strictly here  
14 for a safety investigation and no way associated with any  
15 enforcement action.

16 DR. BRAMBLE: All right. Each group member will have two  
17 opportunities to ask questions. We're going to take turns. So  
18 we're not stepping all over each other. And everyone's been  
19 instructed to not interrupt the person whose turn it is to speak  
20 aside from you. You can interrupt us if you want.

21 Please answer all questions to the best of your recollection.  
22 If you don't understand a question, just say so. If you realize  
23 you misstated something, feel free to let know, and we'll correct  
24 it.

25 You're entitled to have a representative of your choosing

1 present during this interview. Is there someone you'd like to  
2 have as your representative?

3 MR. WAGNER: Ray Duke.

4 DR. BRAMBLE: Okay. Mr. Duke, would you please introduce  
5 yourself?

6 MR. DUKE: Yes, my name is Ray Duke. I'm an attorney for the  
7 Allied Pilots Association and here representing Jeff Wagner today.

8 DR. BRAMBLE: Thank you. Please refrain from answering any  
9 questions on Jeff's behalf. You may direct him not to answer a  
10 question and request a short break to confer with him if needed.

11 Okay. Does anyone have any questions?

12 (No audible response.)

13 DR. BRAMBLE: All right. Let's begin.

14 INTERVIEW OF JEFFREY WAGNER

15 BY DR. BRAMBLE:

16 Q. All right. Jeff, can I get the full spelling of your name?

17 A. J-e-f-f-r-e-y, Jeffrey Wagner, W-a-g-n-e-r. Do you need a  
18 middle?

19 Q. Middle initial is fine.

20 A. W.

21 Q. Okay. And what's your date of hire at American?

22 A. Do I have just a traditional date of hire? I hired with  
23 Eagle first and flowed through.

24 Q. Okay. What was your hire date with Eagle?

25 A. May 15th, 2000.

1 Q. Okay. And then when did you transition to American?

2 A. In September of 2016.

3 Q. Okay. And what is your job title at American currently?

4 A. First Officer 777.

5 Q. Where are you based?

6 A. JFK.

7 Q. And in what city do you live?

8 A. Poughkeepsie.

9 Q. How do you commute to JFK?

10 A. Car.

11 Q. And do you have any other managerial or training roles?

12 A. None.

13 Q. Okay. All right. And if you could just give us a very brief  
14 professional background that led you to Eagle and American, just  
15 in terms of kind of where you worked and what you flew.

16 A. Professionally, received my aviation certificates at Embry-  
17 Riddle University in Arizona. Went from there to flight instruct  
18 in Norman, Oklahoma at Airman Flight School. From there, I went  
19 to Great Lakes Aviation for about 10 months. I was based in  
20 Liberal, Kansas, Salina, Kansas and then Denver. And from that, I  
21 went to American Eagle starting out in Boston on the Saab, down at  
22 Dallas on the Saab, Boston Jet and remained on the East Coast  
23 until bankruptcy, and then went to Chicago, and transitioned from  
24 American Eagle Chicago to American in Philadelphia on the Airbus  
25 and then New York on the Airbus and now 777 JFK.

1 Q. Okay. And what are your current certificates and ratings?

2 A. ATP EMB 145, Airbus and 777. I have an A&P certificate. I  
3 don't use that. And that's my current certificates.

4 Q. Okay. And what is your approximate total flight experience  
5 and PIC time?

6 A. Just under 13,000 hours total time. PIC, I don't know  
7 offhand. It's been a long time since I've looked at them really.

8 Q. Okay. And how much time do you have on the 777?

9 A. 300, 400 hours maybe, 300.

10 Q. Okay.

11 A. Tops. That's probably overestimating.

12 Q. That's okay. We'll give you credit. All right. And, how  
13 long ago was your most recent recurrent training?

14 A. I think probably the recurrent would have been my OE with the  
15 aircraft and training for this one. I haven't completed a full  
16 year since. However, I've been down for landings a couple times  
17 in Dallas because they've expired.

18 Q. Okay. And so you're OE, and when did that end?

19 A. July last year.

20 Q. Okay. All right. And the simulator portion, would that have  
21 been like the month before or --

22 A. With the OE?

23 Q. For the OE. Was that for transition to 777?

24 A. Yeah, that would have been part of that, June. June, July,  
25 yeah.

1 Q. Okay. All right. Were you the relief first officer on  
2 American Flight 106 departing JFK on January 13th, 2023?

3 A. The FB, yes, correct.

4 Q. Okay. And where were you seated?

5 A. In the observer's seat between the captain and first officer,  
6 immediately behind them in the center.

7 Q. Okay. And what are your typical duties as an FB on an  
8 overseas flight like the flight that you drew?

9 A. As mentioned, relief for breaks and during the initial part  
10 of the flight, it's just backing everybody up on the review of all  
11 the documents, flight planning, weather, et cetera.

12 Q. Okay. And can you describe the trip that you were on that  
13 included this flight?

14 A. Where would you like me to start?

15 Q. Was this in the middle of it or was it your first leg?

16 A. Where this trip started at the month, I hadn't had any flying  
17 prior to this that month.

18 Q. Okay.

19 A. So it was the first trip of the month for me.

20 Q. All right. Were you scheduled or were you on reserve?

21 A. Scheduled.

22 Q. Okay. And you said you commute -- commuted by car?

23 A. Yeah, personal car, yeah.

24 Q. All right. When did you do that? Do you recall?

25 A. I left early. The flight I think departed around 7 or 8, bad

1 time for traffic in New York. So I left extra early just to not  
2 get caught up in a traffic jam. So I probably left around 2 or 3  
3 in the afternoon at the latest.

4 Q. Okay. All right. And so can you describe your rest period  
5 preceding this trip? The day, and then what did you do during  
6 your rest period?

7 A. You mean before I left for the trip?

8 Q. Yeah. Did you have a defined (ph.) rest period --

9 A. Unremarkable.

10 Q. Okay.

11 A. Unremarkable. It was completely normal.

12 Q. Okay. We'll get into more details of that later. All right.  
13 How many times have you crewed a flight out of JFK before?

14 A. I could not answer, hundreds.

15 Q. Hundreds.

16 A. Not necessarily with American. With Eagle as well.

17 Q. Okay. So you're pretty familiar with the airport?

18 A. Yes.

19 Q. And how long ago had you previously -- most recently flown  
20 out of JFK before the incident flight?

21 A. I would have to look it up, but it was quite a while. I had  
22 vacation in December. So probably once or twice in December. I  
23 couldn't give you exact date without looking at the schedule.

24 Q. Okay. Is it fair to say that it had been like a month or two  
25 since you've flown out of there or --

1 A. Oh, no. It was more recent than that. Probably a few weeks,  
2 two, three weeks tops.

3 Q. Okay. Probably within --

4 A. Yeah, easily within two weeks.

5 Q. All right. So, we've reviewed your statement. But if you  
6 could, describe for us in your own words and based on your own  
7 recollections, what happened from the time you arrived at the  
8 airport until you departed JFK for London Heathrow. Just kind of  
9 give us your own account of what happened.

10 A. Okay. I showed up at the airport early as I mentioned. I  
11 got to operations. Obviously none of the other crew were there  
12 because I was so early. I started collecting the standard  
13 documentation we usually have on these trips, a manila folder  
14 consisting of an AIREP form, an Atlantic guides, like a checklist  
15 we use to make sure like we have all the basics. Everyone has  
16 their passport, all the way up to some emergency procedures. It's  
17 a pretty comprehensive guide that goes in the folder. Atlantic  
18 plotting chart, lat/longs for plotting our trip across, and a -- I  
19 think that's pretty much it that goes in the folder.

20 I didn't have much to do until everybody else showed up. I  
21 think First Officer Gonzalez was the first one that showed up, and  
22 her and I just did the standard get to know you chat, you know,  
23 where you've been, where you came from, how was your commute, what  
24 aircraft did you come from, all the standard stuff.

25 One of the things that did stick in both our minds about this



1 trip was we just recently had some procedural changes for American  
2 Airlines that they were using to consolidate training and language  
3 between fleets. And, neither of us had flown a trip with that new  
4 policy in place. It wasn't a whole lot of stuff, but it was  
5 changes in PAs, who handled lights and did certain things during  
6 the flight. None of us had done it. So we were trying to review  
7 that before we started the trip to make sure we kind of had a  
8 handle on that.

9 One of the other things was that she had mentioned she was  
10 new on the aircraft, not, you know, with the pilot. She was  
11 finishing up her OE experience, and this flight was her final  
12 flight for that.

13 I think shortly later, Captain Graber showed up and same  
14 thing, get to you know, what have you been doing. He was very  
15 familiar with London. He had been doing it consistently for quite  
16 a while. To me personally, that felt pretty good because he knew  
17 what he was going to do and the experience that First Officer  
18 Gonzalez had, I had a feeling I had a pretty good crew to work  
19 with.

20 At some point, the electronic documents started trickling in  
21 from dispatch, her (ph.) release and things like that. And, we  
22 got down to the review of all the paperwork, checking off boxes on  
23 our Atlantic guide to make sure we had all the correct weather,  
24 reviewed the flight plan, performance data. They began discussing  
25 amongst themselves who wanted to do what on the flight, who was

1 going to fly the leg. And I -- we had already finished a lot of  
2 the review by then. So I said, see you later. I'm going to get  
3 started on the aircraft preflight.

4 I headed out to the aircraft. They must have only been a  
5 minute behind me because I barely got started, and they said, hey,  
6 we'll take care of the inside, finish the preflight and entering  
7 the data to the FMS. So I went and did the outside of the  
8 aircraft. That was normal. Came back inside, made the bunks for  
9 whoever was going to take a bunk. I don't remember who that was  
10 at this point or if anybody was going to sleep in a bunk on their  
11 break. And sat down and followed along with the review of the  
12 information they were putting in. Kind of when you're sitting in  
13 the FB slot, you tend to wind up being the person that gets all  
14 the printouts because it's right in front of you. So I was  
15 keeping that together for them, handing up paperwork as it  
16 arrived.

17 They got the clearance. One of the things that was one of  
18 our initial thoughts was the performance showed we were planning  
19 on 3-1 left for departure, and the ATIS winds favor that when it  
20 came up. So we had kind of 3-1 left in our heads, that this is  
21 what we're going to be doing for takeoff. When the clearance  
22 arrived, we saw it was I think 1.5 DME 100s. So we're all, okay,  
23 that's 4 left. So they had originally put all the 3-1 information  
24 in, briefed 3-1, including the 3-1 left engine out procedure we  
25 have. So we had that in our heads that was what we were going to

1 do. The clearance showed up, and it was 4. So they went ahead  
2 and redid all the information for that in the box, put in 4 left,  
3 briefed that, a taxi, and by that time, we were starting to get  
4 close to time to close the aircraft up.

5 And, one of the things received along the way was a dangerous  
6 goods form, called a NOTOC. And that had a manual scribble out of  
7 one of the entries for lithium batteries. It said, hey, we don't  
8 have this. And somebody had signed it I believe. I don't  
9 remember. I don't have the sheet with me. And we were kind of  
10 confused. We're like we've never seen anybody just scribble out  
11 an entry and say, hey -- on a form like that and say, hey, this is  
12 good enough. So we were concerned because discrepancies in cargo  
13 like that can cause problems with you getting your closeout on the  
14 way out to the runway.

15 So I handed it up to the Captain, and he voiced his concerns  
16 and asked, hey, what do you all think about this? And we didn't  
17 have a clue. There's no guidance on it, on how these things can  
18 be entered in. So we elected to continue, and hopefully that  
19 wasn't going to be an issue getting our closeout.

20 The aircraft closed up normally, pushed back normally. The  
21 engine start was normal. It was all by the book pretty much to  
22 this point. Got our taxi instructions from I believe it was Tango  
23 Alpha. I think we were on the east side of the concourse where we  
24 taxi out from. I don't remember what the gate was exactly. The  
25 original taxi instructions were Tango Alpha Bravo, hold short of

1 Kilo, which is very standard taxi for JFK for either 4 left or 3-1  
2 left.

3 Taxiing out probably around November Charlie. I think  
4 Captain Graber asked the first officer to -- hey, could you send a  
5 little digital prompt? It's in the computer, hey, request our  
6 closeout please. And it's automatic. It just goes to the load  
7 agent and says, hey, we need our closeout. Pretty slow taxi, no  
8 rush. We didn't get any response other than the automated one  
9 that says load agent notified. If I remember, that's all it says.

10 Probably around November Alpha or so, Captain Graber asked  
11 me, hey, can you call operations and make sure we get this  
12 closeout? We didn't want to block up the traffic for ground,  
13 cause any issues getting delayed getting off the runway.

14 So I used the observer's radio panel. It's just forward of  
15 me on the pedestal, and I was off of ground at that point, and I  
16 -- operations was very busy. There's a big push at that time  
17 handling our airlines plus the other airlines that use our gates.  
18 A lot of people asking for things, wondering where this is,  
19 catering is, maintenance, whatever. And it took me a while to get  
20 in and get a word in edgewise. I don't know where that was on the  
21 airport as far as the taxi goes, but the agent had to call the  
22 crew chief on the ground to find out what the problem was. It was  
23 cargo which we knew. That was going to be a factor, but she said  
24 it should be coming shortly. I came back up on the radios with  
25 them. I think it's probably maybe Mike, somewhere around there,

1 and relayed to the captain that it was coming, and that they were  
2 looking into the issue, and it was cargo.

3 It popped up probably around Lima maybe, we got the closeout,  
4 maybe shortly before that. And they -- I received the printout,  
5 folded it up, handed it up to the first officer and they started  
6 covering all the required information on the closeout, and to  
7 verify that indeed the dangerous goods were on there, and it was.  
8 Everything was as it should be.

9 During this taxi, I didn't mention it, probably almost from  
10 the get go, we started receiving a lot of weather information from  
11 the company dispatch, SIGMETs, AIRMETs, just general weather,  
12 reports of turbulence. And, it was a constant stream of weather  
13 the whole way out. And one of the problems with that is they pop  
14 up on our display, and it has to be cleared before you can  
15 continue with what you were doing on the display, whether it be  
16 running a checklist or reviewing information. And so that was  
17 kind of creating little hiccups the whole way down the taxiway as  
18 to what they were trying to accomplish. Constant weather is  
19 printing out, handing it up.

20 One of the things that did pop up was that a report of  
21 turbulence shortly after takeoff and that was concerning for the  
22 captain. He asked me to go down and call the number one flight  
23 attendant and let them know to remain seated until we called them  
24 after takeoff. So again, I was off the comm listening to anything  
25 for -- I don't remember how long exactly. I did let them know to

1 remain seated.

2 I came back up, and we have this pile of paper on the center  
3 pedestal, covering my radio, covering the displays. So I'm  
4 cleaning this stuff up and trying to get it out of the way so I  
5 can set my panel back up to listen to them. And probably about  
6 that point, I got it all set up, cleaned up, back on the number  
7 one radio. I had ground in the background but I still had company  
8 talking as well. So that was muddying up the radio. I hadn't  
9 completely cleared that from when I had talked to operations.

10 I started hearing some confusion about crossing a runway, and  
11 that's when I came back up and saw we were pretty much across the  
12 hold short line. I couldn't see the wigwags or the hold short  
13 markers. And, I heard them call clear right and clear left. And  
14 I couldn't see down the runway because of the angle we were  
15 crossing with the aircraft, but as we straightened out to  
16 perpendicular across the runway, I could see an aircraft down to  
17 the right. And, I thought maybe in my head we were possibly  
18 crossing at Kilo because sometimes ground will have aircraft pull  
19 on the runway at Kilo Echo and taxi holding short of 4 left to  
20 follow other aircraft.

21 But we hadn't heard anything from ground or tower at that  
22 point. And, once the captain saw that aircraft down there, he  
23 pushed up the power to get across the runway. He didn't want to  
24 be in anybody's way as to what was going on. And, they were both  
25 very concerned that we hadn't received any instructions or that

1 there was an aircraft there, and maybe that we weren't in the  
2 right spot.

3         So we hurried up and crossed the runway, and the First  
4 Officer Gonzalez called tower without prompting. Nobody said  
5 anything at that point, and we heard them talking to Delta and  
6 some question about what they wanted to do. And, she got on the  
7 radio and said, hey, you know, we're here. Where are we supposed  
8 to be or something to that effect? Are we in the right spot? And  
9 tower came back and said, American possible pilot deviation. It  
10 might have taken them a couple of tries to get that out, pilot  
11 deviation. We have a phone number for you to call.

12         Well, at that point, we realized, well, we screwed up. There  
13 was a problem. Confusion at that intersection as well as the  
14 aircraft being there really -- we knew, uh-oh, this is, this is a  
15 big deal. This is, this is a problem. Of course, tower's telling  
16 us there's a possible pilot deviation was a big clue, too.

17         Captain Graber called ATC, the tower there at JFK. Reception  
18 was really poor there. It took them a couple tries to get  
19 through. While the parking brake was set, I called our union  
20 hotline incident response to find out, hey, this is what happened.  
21 I was very clear that, hey, we crossed an active runway. Can we  
22 continue? Is this an issue? Do we need to return to the gate?  
23 And the advice we received was, no, you're going to have to do  
24 some paperwork when you get back, but there's nothing saying you  
25 can't continue. And, from the conversation I heard with the

1 captain over the telephone as well, ATC says, yep, you guys are  
2 going to need to call when you get back because we're too busy to  
3 deal with you right now. But you're good -- we're going to get  
4 you out of here. We're going to continue the flight.

5 So they give us taxi instructions now to 3-1. I think it was  
6 Zulu Hotel, a loop around, down Yankee back in the line for 3-1  
7 left. They put in 3-1 left, got all the data set for that,  
8 reviewed it, reviewed the departure, and from that point, the  
9 takeoff and the remainder of the flight was completely normal.

10 Q. Okay. Thanks. That's very helpful. The messages were  
11 popping up on the FMS entry, data entry?

12 A. When you get a, you get a notification, it pops up and says  
13 you've got a message from ATC or whatever, in a little box, and  
14 you can either opt to -- there's buttons on there so you can  
15 cancel or accept or whatever. And you'll have to go into the menu  
16 system on the aircraft to print that out. So you print it because  
17 if you don't print it you have to dig through a bunch more menus  
18 to retrieve it. So you have to stop, print and then go back to  
19 what you were doing.

20 Q. I see. Okay. And one other follow up on the folks and the  
21 rest sort of strategy, what was the plan? Who was going to be  
22 resting when and when were you going to be the relief?

23 A. Traditionally the FB is first in the bunk. They get first  
24 break.

25 Q. Okay.



1 A. And it's a toss up between the captain and the first officer  
2 who wants to but generally the captains I've flown with like final  
3 break before landing, but it's generally a toss up of who does  
4 what.

5 Q. And was that the plan on this flight?

6 A. Yes.

7 Q. Okay. All right. Have you had an opportunity to listen to  
8 any ATC audio or see any animations of this event?

9 A. I generally avoided it. I have seen some animations, yes.

10 Q. Was there anything surprising or noteworthy that you observed  
11 in that?

12 A. Yeah. Delta sitting at the end of the runway for quite a  
13 while. They weren't quite as -- I mean it's a runway incursion.  
14 It's unfortunate if they get close at all, but it wasn't as close  
15 as what some of the news reports I had heard clips of, playing it  
16 up to be. So that was noteworthy. Delta sitting at the end of  
17 the runway for as long as they were, that was a surprise.

18 Q. Okay. All right. Can you tell us what ATIS was saying about  
19 runway configuration and which runways they were using for  
20 departing and arriving aircraft before you left the gate?

21 A. I do not recall what the ATIS said particularly at that time.

22 Q. Okay.

23 A. I do remember the winds favor that runway for 3-1, and the  
24 performance had -- usually the first line of our performance is  
25 what the dispatch expects you're going to get. So most people

1 tend to enter that runway initially before you get any clearance  
2 out of habit just to get the ball rolling on entering a flight  
3 plan.

4 Q. Okay. And then once you realized that it was -- once you got  
5 the clearance and realized it was going to be 4, did you have to  
6 reenter the whole flight plan?

7 A. Only the departure runway and any associated SID.

8 Q. Okay. And then it fills in all the details for the SID?

9 A. Yes.

10 Q. Okay. And can you describe your procedure for copying ATIS  
11 at American? Is it one pilot writes it down or both?

12 A. It's generally a printout.

13 Q. Okay.

14 A. So everybody gets to see the ATIS. But, if there's -- you're  
15 going to a place that has no digital ATIS, one person will listen  
16 and write it down and then that gets shared.

17 Q. Okay. And the departure clearance that you received, do you  
18 recall what the instrument departure was that you were assigned?

19 A. I think it's the JFK 5, but they modify that with a 1.5 DME  
20 distance off the VOR and then a 100 degree heading.

21 Q. Okay. And was this a pretty standard clearance?

22 A. Very.

23 Q. And who actually entered that into the FMS?

24 A. Generally it's the first officer's job, and I believe she did  
25 so.

1 Q. Okay. And was that a manual entry or could she have  
2 electronically uploaded that somehow?

3 A. It's manual entry.

4 Q. Okay. All right. At what point were you aware of the runway  
5 being different than what you expected? Like how long before the  
6 door closed or pushback?

7 A. At the time we got the clearance. So whatever time that  
8 printed up, if somebody has a timestamp anywhere when that showed  
9 up, that's when we became aware of the change.

10 Q. Okay. All right. Can you describe the departure briefing  
11 process for us, like sort of generally how that proceeds?

12 A. Departure briefing, in generalist terms, it starts with all  
13 the basics, what runway you're going to take off of, any  
14 procedures that are special for that runway such as for American  
15 Airlines we have our engine out procedure. So that gets briefed.  
16 How you're going to get there, what taxi method, what kind of  
17 performance you're going to use to get off that one, flap  
18 settings, emergencies, how we're going to handle an emergency, if  
19 we are going to come back, if we're going to abort, it's going to  
20 be abort. We let the captain brief that. It's the captain's  
21 abort. We have a card that we can use to fill in the blanks if  
22 we're missing any information but generally that's what the gist  
23 of the information is.

24 Q. Okay. And who performed that briefing?

25 A. It's a combined briefing. Usually the person flying will do

1 the briefing, but as I mentioned, the captain does the -- any  
2 abort briefing and how that's going to be handled.

3 Q. Is that what happened this time?

4 A. That's correct, yes.

5 Q. And what was the initial -- do you recall the initial taxi  
6 route that was briefed to 3-1?

7 A. Yeah, Tango Alpha. We were taxiing Bravo short Kilo.

8 Q. So for Runway 3-1, the original, the original plan you  
9 briefed Tango Alpha exiting Bravo short of Kilo.

10 A. Exiting Tango Alpha, yes, and then a left turn on Bravo. We  
11 were on the outer taxi over there, and then remaining short of  
12 Kilo. And that's -- as I mentioned earlier, it's pretty standard  
13 for either 4 left or 3-1 left.

14 Q. Okay. But if you were, if you were going to be taking off on  
15 3-1, wouldn't you have to continue on Juliet?

16 A. Yeah. That's true. Well, they --

17 Q. But you would say hold short and then wait, of course --

18 A. Sure.

19 Q. -- to cross I guess.

20 A. Yeah. But generally any taxi you get that's going to either  
21 of those runways is Bravo short of Kilo.

22 Q. Okay. Because they're not -- they're going to have issue  
23 another clearance?

24 A. Correct.

25 Q. Okay. All right. And so when, when you re-briefed -- when

1 the crew re-briefed the departure, did you brief the same taxi?

2 A. Yes.

3 Q. Okay. All right. And the taxi portion of the brief is done  
4 by who?

5 A. Collaborative. Generally, it's going to be the captain's  
6 going to, the FO or whoever's flying will brief the taxi, brief  
7 the whole thing. However, the captain will pay special attention  
8 to the taxi portion. That's going to be on there.

9 Q. And do you remember, was it the FO or the captain that said  
10 that this time or do you know?

11 A. I don't remember. However, if anything I would guess it  
12 would be collaborative. If I'm doing it myself, or if I'm not  
13 familiar with the airport like First Officer Gonzalez, how she  
14 was, she would probably say, well, I've not done this before.  
15 What do you think? And so they would work together and say, well,  
16 usually we get Bravo short Kilo or cross at Juliet going to 3-1 or  
17 cross at Kilo. And so it's usually a collaborative discussion  
18 about what you think you're going to wind up doing especially if  
19 you're not familiar.

20 Q. I see. But in this particular case, you can't recall the  
21 fine details?

22 A. No, I don't.

23 Q. Okay. I think you said earlier you don't remember exactly  
24 what gate you were at, but can you tell us generally where the  
25 taxi started? We have animations that start about halfway through

1 the taxi.

2 A. If I had a gate diagram -- I would guess that we'd be on the  
3 east side of the terminal, and if I remember correctly, we were on  
4 the main side of the terminal, not the remote section. So if  
5 you're looking at the chart, using left and right, it's going to  
6 be the closest to the right side section of the terminal.

7 Q. All right. Could you just sort of circle the general area --

8 A. Sure.

9 Q. -- and that will help me figure out?

10 A. Generally there.

11 Q. Okay. Great. Thank you. So it looks like you would have  
12 come out on maybe November Charlie or --

13 A. Tango Alpha.

14 Q. Tango Alpha. Okay. I gotcha. And then come around on  
15 Alpha --

16 A. Bravo in this case, yeah.

17 Q. -- to -- oh, I see. Bravo all the way around?

18 A. Yeah.

19 Q. Okay.

20 A. Left turn -- two lefts.

21 Q. All right. That's helpful. Thanks. Okay. All right.

22 Before the crossing of Runway 4 left, did you think you had been  
23 cleared to cross Runway 4 left?

24 A. I was unaware. Unfortunately, during -- I think, if I  
25 remember the timestamps correctly, the further clearance came when

1 I was heads down talking to operations. So I didn't know what we  
2 had been cleared to do.

3 Q. Okay. All right. Let's talk about the NOTOC. We understand  
4 that there was this issue with the missing item being circled.  
5 You've already described that I think pretty well. And, the issue  
6 was that some batteries that were listed were circled, and it was  
7 noted that they were not actually loaded on the aircraft. Is that  
8 correct?

9 A. That was the intent of the circle to my understanding, yes.

10 Q. Okay. Did you guys -- did you as a crew determine that the  
11 batteries weren't, in fact, on the aircraft or how was that  
12 resolved?

13 A. I don't know that we ever got actual resolution for it.

14 Q. Okay.

15 A. We don't have a procedure to my knowledge that handles  
16 modification to the NOTOC.

17 Q. Okay. So in terms of getting the closeout, what was required  
18 to get the closeout? Just some sort of notification.

19 A. I don't understand.

20 Q. So it was my impression that there was an issue with getting  
21 the closeout that was related to the question about the NOTOC.

22 A. If the -- let me think about this. If the NOTOC isn't loaded  
23 -- excuse me. If the dangerous goods aren't loaded correctly,  
24 they aren't on the aircraft, we had a section of our closeout that  
25 says whether or not those dangerous goods are on board. And if

1 they're not -- if we didn't get some, and they were listed, we  
2 would know to call and vice versa. If there were some on board  
3 and we didn't get a NOTOC, we'd know we need to make, we need to  
4 make a call. So if they're loaded and what's loaded was correct,  
5 then we get the closeout.

6 Q. Okay. And the closeout comes from dispatch?

7 A. It has -- yes. Yeah, it comes from dispatch, yeah.

8 Q. Okay. And so in this case, you made a call to dispatch and  
9 then how did they --

10 A. No, we didn't make -- there's no call required. It's  
11 automatic.

12 Q. Oh, okay. So tell me how you, how you contacted them to get  
13 the closeout?

14 A. There's no contact necessary other than what I was  
15 mentioning, as we were taxiing out, where I prompted them to, hey,  
16 could you hurry up with the -- it's basically hurry up. Hey,  
17 could you guys check and see why this isn't showing up?

18 Q. Okay. And you did that by ACARS?

19 A. Via radio.

20 Q. Oh, via radio, okay.

21 A. We have service, yeah.

22 Q. Okay. And then how was that conversation resolved in the  
23 end?

24 A. Where I mentioned earlier, it was me waiting to get in on the  
25 frequency to operations, and operations will relay the request to



1 load -- to find out why the closeout hasn't shown up. And that  
2 was the cargo, and basically I got, hey, we're working on it.

3 Q. And did they, did they eventually give you an answer?

4 A. No, not much point in remaining waiting for -- it's rare to  
5 get an answer. It's usually we're working on it.

6 Q. Okay. So the closeout is not something they give you. It's  
7 something you decide, we're done or how does -- I mean I thought  
8 -- was under the impression you were like holding for this and  
9 then until you got a resolution, they couldn't, they couldn't  
10 close it out, but who closes out the --

11 A. It's multiple parties. It's everything from what cargo is  
12 loaded to making sure the aircraft weight is correct. There's a  
13 lot of barriers that will prevent that closeout from being  
14 generated before it gets sent to the airplane. So all these, all  
15 these various pieces have to come together before that gets  
16 generated, and then once all those boxes are checked, then you  
17 receive it.

18 Q. Okay.

19 A. It's really not something a flight crew has any control over.

20 Q. Okay. So, eventually -- so you didn't hear back from cargo  
21 via ops, but you eventually just got the final closeout?

22 A. Correct. I didn't want to sit and wait. There would have  
23 been no purpose in remaining on the radio and asking questions  
24 about the closeout.

25 Q. Okay. And that is printed out over the ACARS program?

1 A. Correct.

2 Q. Okay. And does that involve -- do you get a new NOTOC or is  
3 that just -- that's only handed to you at the gate?

4 A. Only handed to us at the gate.

5 Q. Okay. So in terms of the notation, there's really no clear  
6 answer, just they gave you the final closeout paperwork and you  
7 were done with that issue?

8 A. Yeah.

9 Q. Okay. All right. That's helpful. And you gave a lot of  
10 different specific locations for some of these events which is  
11 really helpful because that was something we were missing in terms  
12 of kind of estimating where you were when things were going on.  
13 But can you repeat for me, where do you think you were when that  
14 final closeout came?

15 A. Best guess, Kilo Lima maybe. Maybe -- I guess or Lima Lima  
16 and Kilo Fox, somewhere around there.

17 Q. Okay. I see that. Okay. So one thing we were wondering was  
18 is the NOTOC paperwork something that is supposed to be resolved  
19 before pushback or was this sort of more of a gray area because it  
20 was --

21 A. Definitely a gray area.

22 Q. Okay. All right. And, did you all feel like you were on  
23 schedule or were you concerned about being behind schedule?

24 A. No, it was very, very standard, very professional, by the  
25 book. There was no rush. No, we weren't in a hurry.

1 Q. Okay. What exterior lights were on during the taxi?

2 A. At which portion? The whole taxi, the --

3 Q. We can start this from pushback, yeah. Just the whole taxi  
4 until you crossed 4 left.

5 A. Yeah, nothing until we exited, and it was the standard taxi  
6 light all the way out until crossing the runway and then the cap  
7 will turn on taxi light, nose lights and the wing lights.

8 Q. Were the -- did he turn on the taxi nose and wing lights  
9 before crossing the runway?

10 A. Yes.

11 Q. Okay. Do you have any idea where that happened?

12 A. No.

13 Q. Okay.

14 A. I was probably just coming up from heads down at that point.

15 Q. Okay. And who selected the lighting?

16 A. The captain.

17 Q. Both at the beginning and then when the additional lights  
18 were turned on?

19 A. Correct.

20 Q. Okay. Were the strobes on?

21 A. No.

22 Q. All right. The weather messages that were coming across  
23 during the taxi, was it a variety of different kinds of messages  
24 or were they all SIGMETs?

25 A. Variety.

1 Q. All right. And sort of generally during which portion of the  
2 taxi were you receiving weather messages?

3 A. I couldn't say when they really started to come out, but it  
4 was a steady stream.

5 Q. If you had to estimate, how many of those messages --

6 A. Minimum of a half dozen.

7 Q. Okay. And was the timing of those messages unusual?

8 A. Not necessarily, but a note was. It's not unusual to receive  
9 a note from dispatch on the way out that there might be some chop  
10 or something. It's not unusual at all but we had quite a bit.  
11 That was unusual.

12 Q. Why was it that you were getting so many? Was there a  
13 particularly strong area of turbulence or extensive area of  
14 turbulence?

15 A. Yeah, it was a rough ride. Even during my break, it was  
16 rough, and by the time I switched out with the first officer I was  
17 flying with, Captain Graber, it was a struggle all way until  
18 probably 30 west which is about halfway trying to find smooth air.  
19 It was a really choppy flight.

20 Q. Okay. Do you remember roughly what altitudes you were flying  
21 at?

22 A. I don't know if we went all the way down into the 20s, but we  
23 went all the way up to 40 and at least down to 32 maybe, the high  
24 20s. I don't remember any more, but we were -- we made several  
25 altitude changes trying to find smooth air.

1 Q. Okay. And those weather messages, did you collect all of  
2 them from the printer and provide them to the crew or was the FO  
3 also collecting them?

4 A. They were busy. So I was the one doing all the collecting  
5 and when I would think they had a moment, I would let them know  
6 they had some weather or at least place it where they could see  
7 it.

8 Q. And did it appear to be interrupting anything that they were  
9 doing with displays, data entry?

10 A. Interrupting, only in the way that they had to print the  
11 message. Stop what they were doing, print, and that was First  
12 Officer Gonzalez's job pretty much. The captain was taxiing. So  
13 if something showed up, she had to stop, print it, and then go  
14 back to whatever she was working on.

15 Q. I see. So she selected to print, and then you got the paper  
16 and would deliver it up to them?

17 A. Yeah.

18 Q. I see. Okay. Did -- were you required to acknowledge those  
19 messages when you -- they were sent to you or --

20 A. Not a -- you know, I don't remember. There is a method where  
21 if dispatch sends us something, you have to enter a number and  
22 reply with that number that you've received the message. Off the  
23 top of my head, I don't remember if they had those numbers, the  
24 acknowledge requirement. However, you still need to go to the  
25 menu system and clear it.

1 Q. Okay. All right. In your written statement, you mentioned  
2 that -- you know what? I've already asked this question. I was  
3 going to ask you where some of the captain's requests for your  
4 communications happened, but you've already told us that.

5 All right. What's the new fleet harmonization procedure  
6 involving the FO making the prepare for takeoff PA?

7 A. That's pretty much it. It's -- the procedure is basically  
8 trying to make a lot of the procedures similar across all fleets  
9 to make training and transition between aircraft easier. So we  
10 were trying to do a lot of the same things. If I go back to the  
11 Airbus or another aircraft, I could expect to do the exact same  
12 job using the same terminology at the same time. And one of the  
13 things they changed with that is the FO does the before takeoff PA  
14 and manipulates the lights in certain situations, that's changed.  
15 A lot of miscellaneous changes. I don't know, there's maybe 15 or  
16 20. I couldn't tell you off the top of my head.

17 Q. Okay. And how did you learn about this policy change?

18 A. It's a long time coming. They mentioned it in training.  
19 There's several bulletins that come out to warn you that it's  
20 coming. When it officially came out as a like pre-bulletin,  
21 changed bulletin, I had flown with another crew and we reviewed  
22 all of the new changes to see who was doing what job now.  
23 However, by the time -- the actual change occurred during a time I  
24 was not flying, and so this was my first flight with those changes  
25 in effect.

1 Q. Okay. Did you received any training on the changes?

2 A. None.

3 Q. Okay. When was the prepare for takeoff passenger briefing  
4 supposed to be accomplished by the FO?

5 A. I'm drawing a blank here. Help me out.

6 Q. He can't.

7 A. Oh, he can't. Okay.

8 Q. That's okay. And we're not trying to close you in.

9 A. A couple of things -- like -- at least two minutes before  
10 departure.

11 Q. Okay.

12 A. You don't want to be -- just short of the runway and do it.

13 Yeah, sorry.

14 Q. That's all right.

15 A. But it was accomplished at least around Lima. It was  
16 accomplished in plenty of time.

17 Q. Okay. So where it occurred is kind of a typical time or  
18 whatever.

19 A. Yeah.

20 Q. All right. In your mind, what are the pros and cons of this  
21 procedure change?

22 A. As just in aircraft operation or in general?

23 Q. Do you think that there's any benefit or any harm in this  
24 procedure change as far as crew performance or awareness?

25 A. It's a little bit of -- I would say probably a little bit of

1 both. To conduct the changes without any formal training  
2 certainly can create some confusion, and that's not great. People  
3 try to remember what they're supposed to do. After simply just  
4 reading something and trying to remember that this is now a thing  
5 you do versus what you've been trained to do and various check  
6 rides along the way. So I would say in that way, that's not so  
7 great.

8 As far as jumping between aircraft, yeah, I could definitely  
9 save some time if I don't need to relearn transitioning from how  
10 you work with an Airbus versus how you work with a Boeing. If  
11 there's less mental gymnastics trying to relearn how to operate  
12 the aircraft, you know, that definitely helps on that side, too.

13 Q. And does that place any undue burden on the first officer?

14 A. I wouldn't say that it does necessarily. The changes affect  
15 both people flying. The captain now doesn't do certain things  
16 they're used to doing, and now the first officer has things that  
17 they need to do now. Or, versus who's operating the flight versus  
18 who's flying and who's not flying? That's also a factor.

19 Q. Is it supposed to be the first officer does it or the pilot  
20 monitoring does it?

21 A. On the ground, the PA is by the first officer, but there's  
22 changes during the flight that are dependent on who's pilot  
23 monitoring and pilot flying.

24 Q. I see. Okay. Do you recall where the airplane was when the  
25 captain asked the first officer to make that briefing?



1 A. Yeah, we were around Kilo or -- I'm sorry, Lima Lima.

2 Q. Okay.

3 A. It was accomplished in plenty of time.

4 Q. Okay. Apologies if I already asked you that. Do you feel  
5 that this briefing requirement on the first officer played a role  
6 in this incident?

7 A. Which briefing?

8 Q. The passenger prepare for takeoff briefing?

9 A. No, it was three seconds out of the taxi.

10 Q. Okay.

11 A. No.

12 Q. All right. What are the company procedures for crossing a  
13 runway, either active or closed?

14 A. Both pilots will check both directions down the runway,  
15 verify that there's no traffic on the runway or on final. Lights  
16 are optional but everybody I've flown with turns some lights on,  
17 and then those remain on until you're clear of the runway on the  
18 other side.

19 Q. Okay. I wasn't 100 percent clear whether you thought the  
20 captain and the first officer cleared left and right --

21 A. I heard clearing, but I don't know where we were precisely on  
22 the taxiway really when that happened, but it was before we  
23 crossed the runway.

24 Q. Okay. Did the captain ever mention anything after the fact  
25 about why he taxied across 4 left?

1 A. Sort of. We were already across the hold short line by the  
2 time confusion started to set in. The nose was already entering  
3 the runway. At that point, you're kind of committed and want to  
4 get off the runway, and that was what he elected to do. Even if  
5 we're in the wrong spot, we need to get off this runway.

6 Q. And in terms of entering the runway in the first place, did  
7 he ever say why he crossed it? Did he think he was cleared to  
8 cross 4 left?

9 A. I don't think he mentioned why. I think at the point, we all  
10 thought we were in the correct spot, but I can't speak for sure  
11 what they think, what their thoughts are on the issue.

12 Q. Okay. Why do you think he continued across Kilo and 4 left?

13 A. Why he missed the taxiway?

14 Q. Yeah.

15 A. Probably at that point, it was a combination of a whole host  
16 of things. The original thought that we were taxiing to 3-1 left  
17 when we first got the paperwork. I didn't mention but some of the  
18 other aircraft were switching runways if I remember correctly. I  
19 could be wrong. They were going to start using 3-1 left and some  
20 aircraft were getting taxi instructions to that runway. And,  
21 really as we started coming up on that corner, we started getting  
22 a lot of distractions like the closeout, all the paperwork for the  
23 weather, the call to the flight attendants with turbulence,  
24 verifying that there's a procedure that the FO likes to go through  
25 for verifying the data that's on the closeout with what's

1 programmed into the FMS. So all of these things are kind of  
2 happening at the same time.

3 Q. That's -- is that a required procedure, comparing the  
4 closeout to the FMS or is that --

5 A. Yes.

6 Q. Okay.

7 A. Yes.

8 Q. And you said as we approached that corner. Were you talking  
9 about Bravo and Kilo and Juliet?

10 A. Yes.

11 Q. Okay. All right. In general terms, how busy would you say  
12 you were as a crew during the taxi compared to a typical flight?

13 A. Initially, not busy at all. Task saturation started  
14 increasing slowly from the time we weren't getting the closeout  
15 and started looking to try to correct that. So maybe halfway  
16 through the taxi, things started piling up.

17 Q. And if you had to come up with some adjectives to describe  
18 the amount of workload, how would you describe it in the second  
19 half there when things were piling up?

20 A. Increasing.

21 Q. How about -- would you call it low, moderate, high, very  
22 high?

23 A. Moderate and probably bumping up against high, yeah.

24 Q. Okay. Any significant distractions during the taxi besides  
25 the weather and the NOTOC issue that you can think of?

1 A. None, it was a really by the book taxi. There were no  
2 extraneous discussions. It was, it was professional the whole  
3 way.

4 Q. All right. Let's talk about checklists briefly. When did  
5 you complete the required checklist starting with the after start  
6 until you crossed 4 left? What was the timing of checklist  
7 activity?

8 A. At which point would you like to know?

9 Q. So when did you start the after start, for example? Oh, that  
10 would have been at the gate.

11 A. That would have been down at the gate. That would have been  
12 completed before taxi.

13 Q. Okay. And then -- so the only thing left was the before  
14 takeoff?

15 A. Yeah.

16 Q. And did you complete part of that before crossing Runway 4  
17 left?

18 A. It was completed. The only thing that wasn't completed on  
19 that checklist was the -- I can't remember. I'm drawing a blank  
20 here. I don't remember if it was the runway check or the EFBs are  
21 shut off. It was the final item. That was the only item that was  
22 remaining.

23 Q. Okay. And where did you complete the previous items?

24 A. On the taxi out, as they show up.

25 Q. Was that like during the first half of the taxi or was that

1 also going on when you were having to deal with all the weather  
2 and --

3 A. It was ongoing.

4 Q. Okay.

5 A. It was ongoing, yeah.

6 Q. So it kind of -- when do you think you may have completed the  
7 -- when would you have been last doing checklist items from the  
8 before takeoff prior to the runway crossing do you think?

9 A. I was probably heads down when they finished that, but I  
10 think most of the final checklist items get checked off after we  
11 receive the closeout and review all the data.

12 Q. Okay.

13 A. So once you've got all that done, that's usually the final  
14 point.

15 Q. I see. Okay. So all the checklists seemed to be done at  
16 appropriate times and in accordance with --

17 A. We had a little pileup at the end but, yeah, they were  
18 completed per SOP, yes.

19 Q. And were the, were the captain and first officer completing  
20 those checklists using a challenge or response method, like  
21 verbally?

22 A. As required, yeah. There's some that requires a response,  
23 some that don't. So, yeah, they followed procedure on that.

24 Q. All right. So at the time you crossed 4 left, you were just  
25 holding for the last two items?

1 A. I think it was the very last item. I think there was only  
2 one --

3 Q. For one item.

4 A. One item, yeah.

5 Q. Okay. All right. Let's talk about radios. Who was handling  
6 the radios as far as air traffic control was concerned?

7 A. The first officer.

8 Q. All right. And do you know if she listened to more than one  
9 ground frequency or was it just one ground control frequency on  
10 the way -- during your taxi?

11 A. Just one.

12 Q. Okay. Was the radio -- were the air traffic communications  
13 on a speaker or were you all listening to them through headsets?

14 A. Headsets.

15 Q. Did you have any difficulty hearing or understanding those  
16 transmissions when you weren't heads down and listening to another  
17 frequency?

18 A. No.

19 Q. Okay. Did you have an accurate understanding of your  
20 location throughout the taxi?

21 A. Up until the end, yes.

22 Q. And I think you mentioned -- it sounded like you were maybe  
23 uncertain at the very end because you were heads down?

24 A. Correct.

25 Q. Okay. When you first looked up, did you know where you were?

1 A. Not immediately.

2 Q. And when did you figure out which runway you were on?

3 A. When we crossed.

4 Q. Okay.

5 A. Just a few seconds.

6 Q. And how did you know?

7 A. They were -- the captain and first officer were discussing  
8 what taxiway we were on. So then I knew where we were.

9 Q. Okay. Did you see the runway signs or --

10 A. We were past that.

11 Q. Okay. All right. Were the iPads up on either side of the  
12 cockpit showing the airport diagram?

13 A. Yes.

14 Q. And do you recall if they were showing own-ship position?

15 A. I don't recall, but on that aircraft, I can almost guarantee  
16 they weren't.

17 Q. Okay. Is that because it usually doesn't work on the 777?

18 A. That's correct.

19 Q. Okay. And where were the iPads located?

20 A. In their position on the side wall where the Velcro strips  
21 are to hold them.

22 Q. Okay. So like a mount there?

23 A. Yeah.

24 Q. Any other navigation displays in the cockpit that were being  
25 referenced during the taxi or just the iPads?

1 A. Just the iPads.

2 Q. And were the taxiway and runway signs clearly visible during  
3 your taxi down Bravo?

4 A. Yes.

5 Q. Did you -- I think you've already answered this question. I  
6 was going to ask if you observed any traffic on 4 left before you  
7 crossed it, but I think you've already stated that once the  
8 airplane straightened out and was crossing it, you did see traffic  
9 to the right?

10 A. Correct.

11 Q. Okay. Do you recall seeing any stop bar lights at the  
12 threshold of 4 left?

13 A. I was heads down as we crossed that. If anything, from my  
14 perspective, they appeared to shift to red after we had already --  
15 well, you could see the glow reflected up in the side windows of  
16 the cockpit, and they shifted to red after we were already across.

17 Q. Okay. Do you recall hearing ATC talking to other departing  
18 airplanes as you were sort of approaching that corner as you  
19 described it?

20 A. Dead quiet. We had no communication from ground as we were  
21 going around that corner.

22 Q. How about before that? Do you recall anybody being cleared  
23 to position and hold on 4 left or 3-1?

24 A. Don't recall, no.

25 Q. And just to clarify, were you aware of any other departing



1 airplanes near you in the minute or so before the event? Do you  
2 recall anybody taking off?

3 A. No.

4 Q. Okay. And you were not aware of that -- there was an  
5 airplane on 4 left until you saw that airplane?

6 A. Correct.

7 Q. Okay. All right. You answered that. Okay. You answered  
8 that. Okay. Did you file an ASAP report with American?

9 A. Yes.

10 Q. Okay. All right. Let's talk about the other crew members.  
11 How familiar were you with the other crew members on Flight 106?

12 A. I had not flown with them before.

13 Q. Did you feel comfortable with them?

14 A. Yes.

15 Q. And how would you describe their proficiency relative to  
16 other pilots you've flown with for American?

17 A. Good.

18 Q. Personalities, what were they like?

19 A. I'd fly with them again tomorrow.

20 Q. And how about the captain's leadership style? Was that like?

21 A. It was very good. When a discussion came up over the  
22 harmonization, he just got tough and basically said, sure, we have  
23 these changes but we're going to continue to operate the aircraft  
24 safely. If we maybe get some of this wrong, we're not going to  
25 stress about it. We're going to carry on with the flight and do

1 what we need to do. He was very professional.

2 Q. Okay. And how about his workload management? How did he  
3 handle the various challenges that were imposed on him do you  
4 think?

5 A. It was good. He did exactly what I thought he would have  
6 done, and where things started popping up like the flight  
7 attendant PA, he had me do or checking with operations. That's  
8 exactly what he's supposed to do is delegate that problem to  
9 somebody who wasn't busy and could do it, and that was me. And I  
10 would have expected him to do that.

11 Q. Okay. And how smooth was the coordination between the  
12 captain and first officer?

13 A. It was good. I don't remember any hiccups or difficulties.

14 Q. Did they seem alert that day?

15 A. Yes.

16 Q. And did they seem relaxed or stressed?

17 A. Mostly relaxed, other than some minor concern about the  
18 checklist, you know, the changes to the procedures.

19 Q. Okay. How was their mood? And, were they both friendly and  
20 agreeable?

21 A. Yes, good description.

22 Q. Okay. All right. Let's talk about some things about  
23 American Airlines and training. Do you like working for American?

24 A. Yes.

25 Q. And were you feeling any adverse pressure from company

1 management during the flight?

2 A. Regarding?

3 Q. Regarding anything pertaining to things such as schedule or  
4 were you afraid of being penalized for anything? Were you --

5 A. After the event?

6 Q. No, prior.

7 A. Oh, prior. No.

8 Q. Okay.

9 A. No.

10 Q. And had you received any training from American on human  
11 factors or CRM topics related to runway safety or avoiding runway  
12 incursions?

13 A. Yes.

14 Q. Okay. Can you describe in general terms what that entailed?

15 A. A lot of the statistics. Every training you go through, they  
16 hit all the hot buttons and discuss what the problems are that  
17 they're encountering in industry. It can be anything from runway  
18 incursions to altitude deviations. So that's definitely a topic  
19 that's discussed at American.

20 Q. Okay. Did you find that helpful?

21 A. In what way?

22 Q. I mean did you -- when you, when you went through the  
23 training, did you, did you feel like it was thorough,  
24 informative --

25 A. Yes.

1 Q. -- and useful and relevant?

2 A. Yes, it's definitely relevant, yes.

3 Q. Okay. Were there any company specific procedures at the time  
4 of the event that were designed to reduce the likelihood of a  
5 runway incursion like the one that you experienced?

6 A. SOP?

7 Q. Yeah. Were there any SOPs that were sort of designated to  
8 prevent an incursion like this?

9 A. Lots of -- I wouldn't say there's anything that's laid out  
10 specifically to prevent that, but it's generally the advice to  
11 follow SOP. Make sure you have both people heads up, listening to  
12 taxi clearances, knowing where you are on the airport. As I  
13 mentioned, don't be distracted or having extraneous discussions on  
14 the taxi out so you don't miss a taxiway. It's engrained into the  
15 SOP. I can't say there's any do this to prevent yourself from  
16 crossing an active runway. It's just how the whole thing is laid  
17 out to try to prevent errors anywhere.

18 Q. Okay. And jumping back to the training about awareness of  
19 runway incursions and safety, was that training provided like  
20 during CRM training or some other type of CRM training or some  
21 other type of training?

22 A. You get it in quarterly distance learning. It's regular  
23 learning that you have to do every quarter. It's definitely  
24 something that's brought up, the hot button issues. And, you do  
25 get it as well when you physically are in the classroom, and they

1 cover problem issues in operations.

2 Q. Okay. Do you guys have standalone CRM training or is it  
3 somehow integrated?

4 A. We do have things like human factors, but it's generally  
5 integrated.

6 Q. Okay. So this stuff about runway safety wouldn't necessarily  
7 just be part of a CRM class or something, but would be integrated  
8 with other operational training?

9 A. Yeah.

10 Q. Okay. All right. Were there any company procedures that  
11 were in place that you feel might have made things more difficult  
12 for you as a crew during this taxi and that you believe should be  
13 changed or eliminated?

14 A. Not off the top of my head. It would have been nice maybe to  
15 experience some of these changes in a training environment. We  
16 receive changes through updates on the EFBs that we have to comply  
17 with all the time. So it's not unusual to receive something. To  
18 receive so many changes, it's a little unusual but we get changes  
19 all the time.

20 Q. Okay. And just to confirm, is this -- does this look like  
21 the list of changes that you received?

22 A. Yeah.

23 Q. Okay.

24 A. Yeah.

25 Q. And the title on that is B777 AOM 03 January 23.

1 MR. DUKE: Do you need a break?

2 MR. WAGNER: I'm fine.

3 MR. DUKE: Okay.

4 DR. BRAMBLE: How about you?

5 MR. DUKE: I'm fine.

6 DR. BRAMBLE: You're good.

7 MR. DUKE: I just wanted to make sure. We've been going at  
8 it.

9 DR. BRAMBLE: Yeah.

10 BY DR. BRAMBLE:

11 Q. All right. Let's see. All right. Have you ever failed a  
12 check ride?

13 A. No.

14 Q. And have you been involved in any previous serious incidents  
15 or accidents?

16 A. No.

17 Q. Have you been disciplined for your performance as a pilot?

18 A. No.

19 Q. And have you received commendations for your performance?

20 A. No.

21 Q. Okay. In the 72 hours before the incident -- I've got a copy  
22 of your monthly schedule here although I guess you didn't have  
23 previously flights. So I don't know if that's helpful or not, but  
24 I'd like to try and outline what you can recall about your work  
25 hours, your work and non-work activities for 72 hours before the

1 incident. So that would be -- let's see. It was the 13th. So it  
2 would be 10, 11, 12, 13, and I realize it's been quite a while.  
3 So do you recall -- let's start with the closest to the flight.  
4 Do you recall what time you woke up on the 13th?

5 A. 7 in the morning probably.

6 Q. Okay. And then you went to the airport around 2 or 3.

7 A. Yes.

8 Q. What did you do in between?

9 A. Generally the day of a flight, I don't get involved in a  
10 whole lot of extraneous stuff. I've got kids. So first thing in  
11 the morning is getting them out the door. That's not unusual.  
12 Most of that morning will be just checking to make sure I have  
13 everything in place to go to work, uniform items, everything's up  
14 to date, my manuals on my home WiFi thanks to the EFB. I just  
15 push a button. That's all done. Uniform items, passport,  
16 clothing for where I'm going and, you know, is it raining in  
17 London or is it a nice day? And it's just a slow process of  
18 getting everything in place to go.

19 Q. So just routine activities to prepare for the trip?

20 A. Um-hum.

21 Q. Okay.

22 A. Nothing unusual that day at all.

23 Q. All right. And did you get normal meals that day?

24 A. Sure.

25 Q. Okay. Was your work schedule -- I guess it was a little

1 different than usual because you had been off. Does it say where  
2 your last flight was -- previous flight?

3 A. Not on this one.

4 Q. Okay. All right. We'll look it up.

5 A. It would have been -- yeah.

6 Q. No worries. Okay. Approximately -- you said 2 or 3 weeks  
7 off you think?

8 A. Yeah, about that. It's been a while.

9 Q. Okay. Yeah, those others are probably the other crewmembers.

10 A. Okay.

11 Q. All right. So the day before that -- I need to double check  
12 the days of the week here. So the 13th was a Friday. The 12th,  
13 do you have any idea what time you might have gone to bed the  
14 night of the 12th?

15 A. Yeah, probably around 9:30 or 10. That's pretty much  
16 standard bedtime for us and the kids. We all tend to go to bed  
17 about the same time.

18 Q. Okay. And you think you would have gone to sleep then as  
19 well or --

20 A. Yeah, pretty quickly, yeah.

21 Q. Like how long does it usually take you to settle down and  
22 actually go to sleep? About a half hour or --

23 A. Tops, yeah.

24 Q. Okay. All right. And then what time do you think you might  
25 have woken up on the 12th and I guess I'm going to need to ask the



1 same questions about the 11th, but if you can't remember, you can  
2 give me a general answer.

3 A. It would be about the same honestly. Again, we kind of  
4 follow the kids' schedule. So, getting up at 7, get them off to  
5 school, and they start winding down 9:30-ish, head to bed 10.

6 Q. And then you typically get up at what time?

7 A. 7.

8 Q. Okay. So not just on a workday, but other days, too?

9 A. Yeah, if it's a weekday, that's the schedule pretty much.

10 Q. Okay. All right. And, do you have any outside employment?

11 A. No.

12 Q. Did you feel rested during the beginning of the flight there  
13 at JFK?

14 A. Yes.

15 Q. And how was your mood prior to the event?

16 A. It was fine.

17 Q. Okay. How much sleep per night do you need to feel rested  
18 when you're off duty for an extended period of time and not  
19 working?

20 A. I'm usually with 6 1/2 to 7 hours is usually all I need.

21 It's pretty -- I can't make myself sleep much longer.

22 Q. Any sleep disorders that you know of?

23 A. None.

24 Q. Okay. In the last year, any major changes in your health,  
25 finances or personal life?

- 1 A. None.
- 2 Q. Okay. And in general terms, how's your health?
- 3 A. Good.
- 4 Q. Any limitations on your FAA medical?
- 5 A. Only to wear glasses.
- 6 Q. Okay. Do you wear contacts also or just --
- 7 A. Just glasses.
- 8 Q. Okay. And is it near and far or --
- 9 A. Now it is, yeah.
- 10 Q. Okay. And did you -- were you wearing them during the
- 11 flight?
- 12 A. Yes.
- 13 Q. Okay. How's your hearing?
- 14 A. Good.
- 15 Q. Do you wear a hearing aid?
- 16 A. No.
- 17 Q. Any recent illnesses in the weeks before the flight such as
- 18 cold, flu or COVID?
- 19 A. Yeah, possible cold. I had called in sick for my previous
- 20 trip. Standard cold symptoms, congestion, sore throat, a little
- 21 fatigue, resolved itself within about three days, four days.
- 22 Q. And how long before the flight? Did it resolve itself?
- 23 A. No, probably my first or second day off after my regularly
- 24 scheduled or planned flight.
- 25 Q. How many --

1 A. At least three days.

2 Q. Okay.

3 A. At least three days, I was fine.

4 Q. So you weren't feeling any symptoms of illness?

5 A. None.

6 Q. At the time of the flight, of this flight?

7 A. Correct.

8 Q. Okay. All right. But it might have been resolved about  
9 three days before this flight?

10 A. Easily, yeah.

11 Q. Okay. At least three.

12 A. No more symptoms three days before the flight at least.

13 Q. Okay. And, were you taking any prescription medication?

14 A. No.

15 Q. And approximately how long before the flight was your last  
16 use of alcohol?

17 A. A month.

18 Q. Okay. In the 72 hours before the accident, did you take any  
19 medications, either prescription or non-prescription, that might  
20 have affected your performance?

21 A. None.

22 Q. Okay. All right. That's it for me. I apologize for the  
23 length and I appreciate your bearing with me. I'd like to give  
24 the rest of the group a chance to ask questions, but I do want to  
25 offer you a chance to have a break if you want one.

1 A. Let's keep rolling.

2 Q. Okay. All right.

3 MR. WAGNER: Do any of us need a break? Do you need a break?

4 MR. DUKE: No, I'm good.

5 MR. WAGNER: Let's keep rolling.

6 DR. BRAMBLE: Okay. George, do you want to start? Or  
7 actually I'm sorry. I'm supposed to start with Jim. My  
8 apologies. Jim.

9 BY MR. VANDERKAMP:

10 Q. Can you hear me okay?

11 A. Yes.

12 Q. Okay. Jeff, thank you so much for being with us today. We  
13 appreciate your answers and being candid with us. This is  
14 awesome. Thank you. And remember, we're here to find out what  
15 happened and hopefully we can prevent it from happening again. I  
16 only have a few questions. I had already coordinated with Bill  
17 there to ask most of mine. Can you tell me -- I never really  
18 understood, who was the pilot flying?

19 A. I didn't say. The first officer elected to be the pilot  
20 flying for this flight.

21 Q. The FO was.

22 A. Correct.

23 Q. Okay. You said the initial taxi plans was Tango Alpha Bravo  
24 but short of Kilo. Was there -- did you hear the next clearance  
25 taxiway?

1 A. I did not, no.

2 Q. Did not. Okay. You talked about the NOTOC. There was a  
3 discrepancy on it. Apparently there was handwritten scribble,  
4 something about it not being on. Can you elaborate on that a  
5 little bit?

6 A. The NOTOC had several items on it. I don't remember what  
7 they all were. The one item that had been amended were some  
8 lithium batteries. It had been circled, and I don't remember if  
9 it had been signed or employee number or both next to it that  
10 these had not been aboard -- placed aboard the aircraft. And  
11 that's what we were told. That's what I was told when he handed  
12 me the sheet of paper.

13 Q. Okay. Did you guys have the opportunity to ask the loaders,  
14 you know, about that or did they just throw it at you in the  
15 NOTOC?

16 A. He said these are not loaded.

17 Q. Oh, so they did. Okay.

18 A. Yeah.

19 Q. All right. So why was there a question then if it was  
20 confirmed?

21 A. We didn't know if that was an acceptable way of amending a  
22 NOTOC. Can you just sign --

23 Q. Okay. I see.

24 A. -- and say good enough? We didn't know.

25 Q. I understand what you're saying. And how did you finally

1 reconcile that discrepancy --

2 A. When we received the closeout, if it's not loaded correctly,  
3 we don't get to closeout. So when we received the closeout, we  
4 assume that it's done correctly.

5 Q. Okay. And you finally got a load closeout and so all was  
6 good?

7 A. Yes.

8 Q. Okay. The other question I had you guys were aware that the  
9 runway changed to 4 left before you ever left the gate. Is that  
10 correct?

11 A. Correct.

12 Q. So you changed the -- your first officer changed the FMS,  
13 corrected the FMS?

14 A. Correct.

15 Q. The departure runway, right?

16 A. Runway and SID, yeah.

17 Q. And who briefed it then that there was a change in --

18 A. I don't remember who briefed it. It was briefed. I  
19 distinctly remember reviewing the waypoints on the, on the SID.

20 Q. The departure.

21 A. Yeah.

22 Q. The SID. Okay. So it was plugged in the FMS properly,  
23 briefing the SID. So everybody was aware that the runway had  
24 changed?

25 A. Correct.

1 Q. Okay. And -- that's all I've got really for questions.

2 Thank you very much. I appreciate it.

3 A. Thanks.

4 DR. BRAMBLE: All right. George?

5 BY CAPT. GRIFFIN:

6 Q. Just one, one question to make sure that we've got that.

7 Initially we said Lima, and then we brought up Lima Lima. Lima

8 Lima, would you agree is only if you're on Alpha, if you're on

9 Bravo and Lima. So Lima Lima was not in play?

10 A. Correct.

11 Q. Okay. I just wanted to make that clarification.

12 A. Just positional, that's all.

13 Q. No, no. That's okay. When you were crossing 4 left, were  
14 you on ground or tower?

15 A. Ground.

16 Q. Okay. The SIGMETs, was the weather in the immediate area or  
17 outside the immediate area?

18 A. We had ATIS coming up as well. So it was a little bit of  
19 both that was being printed. I don't remember the exact  
20 location --

21 Q. Okay.

22 A. -- of the weather (indiscernible). But it was -- it was  
23 along the route of flight.

24 CAPT. GRIFFIN: Okay. No further questions.

25 DR. BRAMBLE: All right. Mitch.

1 MR. MITCHELL: Thank you, Mr. Wagner, for all the  
2 information. All of my questions have been answered. Thank you.

3 DR. BRAMBLE: Okay. All right. Bryan.

4 BY CAPT. HOLLIDAY:

5 Q. Jeff, just to make sure that we're clear as the FB, that's  
6 just your bid position or you're fully qualified to sit both  
7 seats, correct?

8 A. That's correct.

9 Q. And just a point of clarification. When you were talking  
10 about your conversation with First Officer Gonzalez in operations,  
11 and said she was -- this trip was going to complete OE, the OE had  
12 been completed, and this would be the consolidation?

13 A. That's -- I misspoke. It is consolidation time.

14 Q. Okay. All right. And just from your personal experience, no  
15 matter what plane you've been on, would you say that this is a  
16 normal or abnormal amount of messages to receive while you're  
17 taxiing out?

18 A. Abnormal.

19 Q. And when you were aware of some of these weather messages, as  
20 far as some turbulence, did the captain ask you to do anything?

21 A. Yes, he asked me to ask the number one flight attendant to  
22 let everybody remain seated until we called them after departure  
23 when it was safe for them to get up.

24 Q. Great.

25 MR. MITCHELL: That's all I've got.



1 DR. BRAMBLE: Okay. I don't have any more follow ups. I'm  
2 going to give everybody else another chance. George?

3 CAPT. GRIFFIN: I'm good.

4 DR. BRAMBLE: And I skipped Jim again. Jim, do you have any  
5 additional questions?

6 BY MR. VANDERKAMP:

7 Q. Can you explain what you meant by consolidation?

8 A. Yeah. After you finish your OE, which I misspoke and said  
9 that was what she was doing, you're required to get 100 hours of  
10 flight time in either FO, FB, FC, in 120 days I think it is.

11 CAPT. GRIFFIN: 120 days.

12 MR. WAGNER: 120 days to consolidate knowledge. Basically,  
13 you now have enough experience to -- where we feel we can let you  
14 loose to go fly. And if you don't do that, you either have to get  
15 an extension which is a check ride or you have to go back down for  
16 more training. So this was her final flight to finish her 100  
17 hour segment for the consolidation.

18 BY MR. VANDERKAMP:

19 Q. Okay. That makes a lot more sense. That's a unique term to  
20 American, and I hadn't heard that before. Thank you.

21 A. Sure.

22 Q. That's all I have. Thank you -- again, thank you very much  
23 for being with us today.

24 A. Thank you.

25 DR. BRAMBLE: All right. Thanks. Mitch?

1 MR. MITCHELL: No questions. Thank you.

2 DR. BRAMBLE: Bryan, one last chance.

3 CAPT. HOLLIDAY: All good. Thank you. Thank you, Jeff.

4 BY DR. BRAMBLE:

5 Q. Okay. So just to close out, is there anything that we  
6 haven't asked you about that you think is relevant and you'd like  
7 to volunteer at this time?

8 A. No.

9 DR. BRAMBLE: All right. And with that, we will conclude the  
10 interview at 1:26 p.m. Thank you very much.

11 (Whereupon, at 1:26 p.m. EST, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the  
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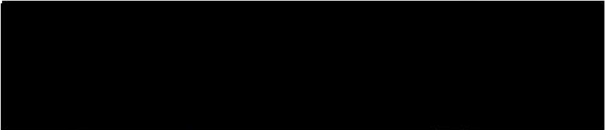
IN THE MATTER OF:           NEAR-MISS TAKEOFF INCIDENT BETWEEN  
                                  AMERICAN AIRLINES & DELTA AIRLINES  
                                  AT JFK INTERNATIONAL AIRPORT IN  
                                  QUEENS, NEW YORK ON JANUARY 13, 2023  
                                  Interview of Jeffrey Wagner

ACCIDENT NO.:               DCA23LA125

PLACE:                       Washington, D.C.

DATE:                        February 17, 2023

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
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Kathryn A. Mirfin  
Transcriber