



MOTOR CARRIER FACTORS ATTACHEMENT

Westfield Transport Interviews

Randolph, NH

HWY19MH010

(135 pages)

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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TRUCK/MOTORCYCLE COLLISION *

RANDOLPH, NEW HAMPSHIRE * Accident No.: HWY19MH010

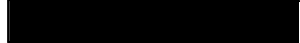
JUNE 21, 2019 *

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Interview of: DUNYADAR "DAMIEN" GASANOV, Vice President
and Supervisor
Westfield Transport

Westfield Transport, Incorporated



Westfield, Massachusetts

Tuesday,
June 25, 2019

APPEARANCES:

MICHAEL FOX, Highway Accident Investigator
National Transportation Safety Board

DENNIS COLLINS, Senior Accident Investigator
National Transportation Safety Board

ROBERT COMIRE, Investigator
Federal Motor Carrier Safety Administration (FMCSA)

DARTANYAN GASANOV, Owner
Westfield Transport

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I N T E R V I E W

(11:57 a.m.)

1
2
3 MR. FOX: This is Michael Fox, investigator for the National
4 Transportation Safety Board, out of the Washington, D.C. Office.
5 I am located at Westfield Transport, Incorporated, at [REDACTED]
6 [REDACTED] in Westfield, Massachusetts. We are here conducting a on-
7 site visit with the motor carrier involved in the crash that we're
8 currently investigating. Today is June the 25, 2019. The time is
9 11:57 a.m.

10 There are several folks in the room with us, and we're going
11 to go around the room and we will introduce each person by their
12 name, their title, and we'll ask them to spell their last name.
13 So we'll go ahead with the president of the company.

14 Sir, can go ahead and speak loudly, say you're name?

15 MR. DARTANYAN GASANOV: My name is Dartanyan Gasanov and then
16 I'm the owner of the company.

17 MR. FOX: Spell your last name for the record.

18 MR. DARTANYAN GASANOV: G-A-S-A-N-O-V.

19 MR. FOX: Okay.

20 MR. COMIRE: Investigator Robert Comire, Federal Motor
21 Carrier.

22 MR. FOX: Damien.

23 MR. DAMIEN GASANOV: And I'm vice president and supervisor.
24 My name is Damien, it's easy to pronounce, but my real name is
25 Dunyadar, and my last name is Gasanov, same spelling as my
26 brother, owner of the company, G-A-S-A-N-O-V.

1 MR. COLLINS: Dennis Collins, investigator with the NTSB.
2 C-O-L-L-I-N-S.

3 MR. FOX: So, thank you all for being here today. We are
4 trying to learn more about the company. And we've already been
5 talking, so we just wanted to go on record on some of the
6 questions and answers here.

7 INTERVIEW OF DUNYADAR "DAMIEN" GASANOV

8 BY MR. FOX:

9 Q. So, I believe, Damien, you said that you're basically the
10 brains of the company. Is that correct?

11 A. Yeah. I'm dispatching and I'm -- well, I do a lot of the
12 hiring and training. I take care of the maintenance. Do a lot of
13 dispatching. Yes.

14 Q. And does your brother have any functions with the company
15 besides being the president?

16 A. He doing the same, he just -- I just -- I'm just like his
17 right hand. I'm helping him. I helping out with all of that
18 because his English little weaker than mine, let's put it this
19 way.

20 Q. Okay.

21 A. So it's easier for me to communicate than for him, so I try
22 to communicate.

23 Q. And currently you employ six drivers. Is that correct?

24 A. Yes, sir.

25 Q. And you have how many vehicles?

1 A. About seven, but they're not all running, though.

2 Q. Seven? Now that's power units. Do you have any trailers?

3 A. Yeah. The trailers are attached to them.

4 Q. And what kind of trailers are these?

5 A. Majority of them are Shipshe Trailers from Shipshewana,
6 Indiana factory. They -- the oldest would be probably 2015, would
7 be the oldest. We like to use the new equipments. So they are
8 three car hauler with the good quality trailers.

9 Q. Three of them are car hauling?

10 A. Yes, sir.

11 Q. And what are the other four?

12 A. They all seven are car hauling trailers, seven --

13 Q. Oh, all seven are car hauling?

14 A. Yeah.

15 Q. Okay. And you mentioned that the business originally started
16 in 2013 and you were doing medical transport?

17 A. Yes, sir.

18 Q. And that was in a sedan?

19 A. Yeah. That was not emergency transportation. So people been
20 asking for rides sometime. We been doing even schools, jobs, non-
21 emergency transportation, taking the people to the hospitals, to
22 they doctor's appointments.

23 Q. What was the name of that company?

24 A. Same name, Westfield Transport.

25 Q. Westfield Transport?

1 A. Yes.

2 Q. And you did that type of operation for 3½ years?

3 A. About 3½, yeah.

4 Q. And then you decided, because you had other colleagues in the
5 business hauling autos, that you would go into the trucking
6 business?

7 A. Yes, sir.

8 Q. And that was in 2016?

9 A. It was in 2016. Yes, sir.

10 Q. And did you start off with just one truck or --

11 A. We started off just with one truck.

12 Q. And you would be hauling automobiles with that?

13 A. Yes, sir.

14 Q. Did you haul any cargo with that?

15 A. I try a few times, but it was more -- a lot more
16 responsibility and it was a lot harder. So I, like I said, I try
17 maybe two or three times at the most. And after I see that, that
18 it's not for our trailers, not -- it's not safe as is hauling the
19 cars and -- I have to give up. I never did, never did that since.

20 Q. You were hauling pipes and machinery? Is that what you said?

21 A. Yeah. Just one time pipes, one time machinery. And no more
22 since that.

23 Q. Um-hum. And at some point you decided to get your CDL?

24 A. Yeah. I got caught -- the new trailer that I -- the second
25 trailer that I just bought, it was too heavy for my non-CDL

1 driving, and I got stopped by DOT police and I got the violation
2 for driving a non-CDL trailer. They told me you have to have a
3 CDL for that trailer. That was a new trailer, and I was -- I
4 don't know, I was misunderstood in how the things work in this
5 process. At that time I was new in this business. And then after
6 that, I went and got my CDL right away. I got it in 1 month,
7 not -- I believe not even.

8 Q. Did you go to truck driving school?

9 A. I didn't went to the truck driving school because the CDL I
10 got, it's with the air restriction. So I don't -- like, I don't
11 need it -- it's pretty much a -- they are kind of simple to --
12 similar to our non-CDL combination, but they are more heavy dutier
13 axles on the bottom. So all I need is just the combination, get
14 the combination done and the general test. And after I got my
15 permit, all I got to do is take the same combination with someone
16 who have a driver license or 1 year experience, and give it to the
17 -- get to the driving DOT test. And I first in the -- and I pass
18 on the first try.

19 Q. Did anyone train you how to operate?

20 A. We have, we -- the thing is, I have lot friends who doing the
21 same job. So I'm very familiar with the trucks, like -- but they
22 have air combinations. And the combination that I passed the CDL
23 with is just of -- it just little, little heavier than the other
24 trailers that we have. So it was very similar to the regular non-
25 CDL combination trailers. Very, very similar, just little heavier

1 axles.

2 Q. What area are you delivering to?

3 A. We doing -- a majority of our job, it's in Northeast. In the
4 beginning, when I just started working, I was kind of traveling
5 all over the place. I was going to see the country and it's -- it
6 was something new for me. So after I figured out that it's not
7 profitable for us to driving around country with the small car
8 haulers, it's not profitable, I started doing the Northeast. It's
9 harder, there is a lot of tolls, but it pays a little more. So we
10 end up, we doing -- we start from Massachusetts, Connecticut,
11 Rhode Island, Maine, New Hampshire, Vermont, New York,
12 Pennsylvania --

13 Q. Maryland.

14 A. -- Maryland, West Virginia, New Jersey, and Delaware, sir.

15 Q. Okay. You said you -- the tolls are difficult. How do you
16 handle that? Do you have an E-ZPass?

17 A. Yes, sir.

18 Q. Okay. So all the vehicles have E-ZPass?

19 A. Yes, sir.

20 Q. Okay. And automobiles is your only cargo?

21 A. Yes, sir.

22 Q. And I think you mentioned that you have a series of brokers
23 that you get your loads from?

24 A. The main platform would be the Central Dispatch, where all
25 the drivers -- all the car hauling businesses are getting they

1 loads from.

2 MR. FOX: So at this point we're going to take a short
3 recess, for a moment. So I'm going off the record.

4 (Off the record.)

5 (On the record at 12:16 p.m.)

6 MR. FOX: So, at this time we're going back on the record.
7 It's 12:16. We'll continue with the interview after a short
8 recess.

9 BY MR. FOX:

10 Q. We had just discussed the area of delivery that you went to,
11 which is basically the Northeast, and that you actually had E-
12 ZPass to help you with the tolls, and that automobile is the only
13 cargo that you're hauling. Is that correct?

14 A. Yes, sir

15 Q. And I think we discussed a long list of brokers that you use.
16 Is that correct? Is that how you generate your revenue?

17 A. Yeah. And the majority of the platform that we will get the
18 loads from, it would Central Dispatch.

19 Q. Central Dispatch?

20 A. Yep.

21 Q. And that is a, that is a --

22 A. Because --

23 Q -- a company?

24 A. That's a app -- that's a website where we -- where you can
25 get the loads and where all the brokers and all the car carriers

1 are registered at. And in order to register at Central Dispatch
2 here, you have to have your DOT and all that so you can -- you
3 have to get the -- you have to have insurance, you have to have a
4 DOT, and then C number, in order to register there.

5 Q. And then you have an account with them?

6 A. Yes, sir.

7 Q. And you also have other companies that -- or apps that you
8 use, and that includes uShip?

9 A. Yeah. They -- all the rest of the apps, it will be the
10 company that still puts the loads on Central Dispatch. So --

11 Q. I see. So that's uShip and Metro Logistics, and cars arrive
12 at United Road?

13 A. United Road. All the, you know, all the leased stuff.

14 Q. Shipped cars?

15 A. Yep. They all would be on Central Dispatch, all the brokers.

16 Q. As far as staff, it's you and your brother, and are there any
17 other employees at the company?

18 A. My wife, she helping us with the paperwork.

19 Q. And what's your wife's name?

20 A. Yeah. Her name is Olga.

21 Q. Olga?

22 A. Yep.

23 Q. And you have two other folks that work for you?

24 A. We have -- we just hired two girls from North Carolina so
25 they can start learning how to do dispatching. They just started

1 about a week ago.

2 Q. I see. And I think you mentioned that you also had a
3 consultant, a safety consultant, Dennis?

4 A. Yes. We also sign up for TFC [sic] Services about -- it was
5 right before the crash happens. About a week before the crash
6 happened. It is called a TVC, which Tri-(indiscernible) Services.
7 They will do -- they will interview the drivers. They will do the
8 training. And they will help you to -- with the law. If there is
9 any problems, they will provide a lawyer. Stuff like that.

10 Q. So this is something you just started?

11 A. Yes. About a -- all together, it would be about maybe 3
12 weeks, at the most.

13 Q. And you said that they do the hiring of the driver?

14 A. They don't do hiring, but they do, like -- it's lots into it.
15 I believe they even do the interview, the -- they can interview
16 the drivers, too.

17 Q. So have you used this service to interview or hire any of
18 your drivers?

19 A. No, not yet.

20 Q. So was this something you just getting --

21 A. I just --

22 Q. -- ready to begin?

23 A. I just got this about -- it's about a, maybe, week before the
24 crash happened.

25 Q. Is this a local company?

1 A. No. The -- TVC Services, they all over the country.

2 Q. Okay. Do you have a hiring process on how you recruit and
3 bring folks to the company to drive for you?

4 A. Yes.

5 Q. And what is that process?

6 A. The process, we just go by required law requirements. We
7 will ask for -- has to have a active driving record -- I mean
8 driving license, because we have to check the driving record. For
9 a cargo, we have to send them in to insurance -- insurance have to
10 approve them. And then we have to -- also, obviously, we
11 personally talking to the driver asking about his background and
12 his driving record. And after that, we pulling his driving
13 record.

14 Q. Are any of these procedures written down? Do you have a
15 standard operating procedure for any of these items that you're
16 describing?

17 A. Yeah. We have a driving record --

18 Q. No. I mean, do you have a policy or procedure manual on how
19 you hire people or it just comes out of your head?

20 A. No. I have notes on my phone that I save from each time when
21 we hire drivers. So, we go -- it's starts up from the paperwork,
22 start up form personal talking to him, and also, as into the
23 driving training, and talk about -- discuss about the operating
24 that, of the -- yeah, operating non-CDL combination.

25 Q. Is there a minimum age for hiring?

- 1 A. Has to be over 21.
- 2 Q. Okay. And how do you check their license?
- 3 A. We pulling they driving record.
- 4 Q. And do you have a procedure or an account with the DMV or
5 something?
- 6 A. My wife help me out with this, so she would be answer -- she
7 would be able to answer to that question, sir.
- 8 Q. Okay.
- 9 A. How she --
- 10 Q. Maybe we'll talk to her later.
- 11 A. Yeah, how -- she's the one who pulling the driving records
12 for us.
- 13 Q. And do you perform any drug tests on your drivers?
- 14 A. If it's a CDL driver, yes.
- 15 Q. Do you have a service that does drug testing?
- 16 A. We sign up for a drug testing program and --
- 17 Q. Who is that with?
- 18 A. I'm sorry?
- 19 Q. What's the name of the company, sir?
- 20 A. I don't know. It's inside the documents that we got ready
21 for you guys. I will be able to provide that information --
- 22 Q. Okay.
- 23 A. -- a little bit.
- 24 Q. So do you have CDL required equipment that you operate?
- 25 A. Required equipments like -- what do you mean?

1 Q. Tractor trailer or, I mean, do you have -- you said you do
2 have drug testing, and I'm asking why do you do drug testing? Do
3 you have CDL required equipment?

4 A. Yes. We have to -- it's required by law, if you have CDL,
5 you have to do the drug test.

6 Q. So my question to you is, do you own vehicles that require a
7 CDL?

8 A. Yes, sir.

9 Q. And what are they?

10 A. It's same thing, car hauling trucks.

11 Q. Is it a -- what's the --

12 A. It's a Ram 4500 -- they both 2017 Ram 4500s, with the Shipshe
13 Trailers. It would be --

14 Q. How many of those do you have?

15 A. Just two.

16 Q. You have two?

17 A. Yes.

18 Q. And those are operated by CDL holders?

19 A. Right now, it's only one of them operated by me. The second
20 is not because it's very few -- very difficult to find a CDL
21 driver and, on the top of that, I try to stay away from it
22 because, as I find out in my experience, they -- it's very hard to
23 find a good driver.

24 Q. It is. Now when you're hiring someone, do you require an
25 application for each driver?

1 A. There is a -- applications. Which ones are --

2 Q. You know, a form that you say your name and your driving
3 history and your address and who you work for. Do you have an
4 application?

5 A. We taking the copies of the names and address would be on his
6 driving license. So we taking a copy of his driving license.
7 And, like I said, that we pulling his driving record, his Social
8 Security must be in it. That's pretty much it.

9 Q. And that whole process is conducted by yourself? You do all
10 the hiring?

11 A. Yes, sir.

12 Q. Okay. And do you have any policies or procedures, written
13 policies or procedures on how you do your safety for the company?

14 A. Yes, I do.

15 Q. So can you produce them in a few minutes? Do you have a book
16 or something that shows what your safety's supposed to be?

17 A. That's safety for -- it's the ones that I bring up in the
18 meetings or safety for agreements that we have?

19 Q. Yeah. For any of your safety procedures or policies. Do you
20 any written policies that you have for your drivers? Do and
21 don'ts?

22 A. It's, again, with the my wife. When she will come back, I
23 will provide those here.

24 Q. Okay. Do you provide your drivers with any of these written
25 policies?

1 A. Provide the drivers with this -- yes.

2 Q. You do? Okay. The drug testing, you said, is with a
3 company, but you don't know the name?

4 A. Yeah.

5 Q. And -- but all the drivers, are they in a random pool?

6 A. No. That's -- that program is just for a CDL drivers.

7 Q. Okay. Does your wife handle that?

8 A. Yeah.

9 Q. So maybe we can talk to her in a few minutes. Describe how
10 you do dispatch. How is dispatch operating?

11 A. It's -- we going into the load board on Central Dispatch, and
12 all the brokers are what's they loads over there. And before we
13 start taking any loads, the brokers are always asking about
14 insurance that we (indiscernible) and they also send the contracts
15 to know what kind of equipments are operating with and stuff like
16 that. They're also pulling your DOT record --

17 Q. Right.

18 A. -- of operating.

19 Q. That's more for getting your load. But, I mean, as far as
20 dispatching driver number 1 or number 2 or whatever, how is that
21 done?

22 A. It would be on the phone, and the drivers are getting text
23 messages with the dispatch sheet.

24 Q. All right. So --

25 A. And all the addresses on that dispatch sheet: Pickup

1 address, delivery address, car information, names, numbers, and
2 all that.

3 Q. And this is one of your duties? You handle dispatch?

4 A. Yes, sir.

5 Q. And do you monitor the hours of service with the drivers on
6 how many hours they have?

7 A. They driving with the electronic logbooks, with the
8 KeepTruckin, and we have accounts of all the drivers --

9 Q. They have ELD on there?

10 A. Yes, sir.

11 Q. Okay. What service to you use?

12 A. KeepTrackin [sic].

13 Q. Keep Tracking?

14 A. Yes, sir.

15 UNIDENTIFIED SPEAKER: KeepTruckin.

16 BY MR. FOX:

17 Q. KeepTrucking [sic]?

18 A. Yes.

19 Q. And are you the one that monitors to make sure that the
20 drivers are maintaining the hours of service?

21 A. Yes.

22 Q. Compliance?

23 A. Yeah, if -- it's very convenient to have that, because if the
24 driving will get the violation, I would receive the message that
25 tell him that driver are violating his hours of operations.

1 Q. And is that come on your phone? Is that --

2 A. It would come out on my phone right away.

3 Q. It gives you an alert?

4 A. Yes, sir.

5 Q. And then, if you do get an alert like that, what is your --

6 A. I would have --

7 Q. -- procedure?

8 A. I would have to call and figure out what's going on, what
9 happened. And we go from there. The last one was, my driver stop
10 at the gas station to gas up and then he put himself -- after on
11 duty, he put himself off duty. And then he said he moved for a
12 second, and that's when the violation come right up. Because he
13 have to stay there for 30 minutes and they have to take 30 minutes
14 of break. So he said he just removed the truck from one parking
15 to another. He tried to. And it came out right away.

16 And after that, we have a DOT inspection and he showed that
17 to the DOT inspectors. I say, when you -- because when the DOT
18 will stop him, they also going to see red button on his ELD, that
19 saying that it's been violated. So he can go -- the DOT inspector
20 can go and see when and where and what time that happened, and for
21 how long violation would happen. And after he explained that, the
22 DOT say that's not a big of a mistake; it's only just to remove
23 the truck from one spot to another.

24 Q. Okay.

25 A. So he didn't give him violation for that, sir.

1 Q. Was there a electronic log on the accident vehicle?

2 A. On the accident vehicle was electronic logbook. It wasn't
3 connected. He was going with the paperwork and, by law, we can --
4 we have 30 days with the paper log, sir.

5 Q. But it did have a ELD on the truck?

6 A. Did have a ELD on the truck, sir.

7 Q. But it was not turned on?

8 A. It's not turned on.

9 Q. Okay. Let's switch over to maintenance. Did you say you,
10 you're responsible for maintenance?

11 A. We also do maintenance with the meetings on every weekends.
12 When the drivers get home and when they get to the truck stop, we
13 go -- first what do is, we go from the trailer to the truck, see
14 what's -- if there is any problems. Because the drivers have to
15 check, do their pre-trip inspection every morning.

16 Q. Is that paper, or they do it electronically, I guess?

17 A. I -- yes. They tell me when the come over, also. And,
18 obviously, they must remind about that, that has to be done right
19 away. And all our equipments are -- they pretty much are brand
20 new, so there is not really a lot of maintenance on them. But, we
21 do the recalls, we do the electric, we do everything that needs to
22 be done, and then, whatever the manufacturer's recommended too.

23 Q. Um-hum. And you --

24 A. We go by that.

25 Q. -- you personally oversee the maintenance? Do you do any

1 physical maintenance on any of the equipment?

2 A. I can help, but if I -- if -- I'm there all the time, so I
3 can help with anything. I can -- I have -- I myself can fix
4 brakes, let's put it this way, or change the oil. That's the
5 simple things I can do myself.

6 Q. Okay. So that's just an overview on the company. Let's talk
7 specifically about the accident driver. How was he recruited for
8 the position?

9 A. It was a day when he come over. We were -- there was
10 weekends, by the way, we were at the truck stop doing --

11 Q. And where was the truck stop?

12 A. Here in West Springfield.

13 Q. Does that have an address?

14 A. What was the name of the street?

15 MR. DARTANYAN GASANOV: Western Ave.

16 MR. DAMIEN GASANOV: On West --

17 MR. COLLINS: That's where you stored --

18 MR. DAMIEN GASANOV: Western Avenue.

19 MR. COLLINS: That's where the -- property where you store
20 the vehicles?

21 MR. DAMIEN GASANOV: Yes, sir. And --

22 BY MR. FOX:

23 Q. And can you recall when that was?

24 A. Yes. I was on Sunday. Tell you right now. Sunday, 15 -- no
25 -- I'm sorry -- 16.

1 Q. The 16th of June?

2 A. Of this month, yes.

3 Q. And that's when you first encountered the driver?

4 A. Yes.

5 Q. And how did that happen? Did he come up to you and --

6 A. He just come -- yes, he just come to us, ask if we need any
7 drivers. We, at this moment, we have one open position. So we
8 talked to him. We have a meeting and we got driving record; he
9 provided it. We --

10 Q. You reviewed his driving record?

11 A. Yes, sir. We --

12 Q. And --

13 A. And on his driving record, all I see is just one DUI. He was
14 caught drunk and driving on 16, I believe. I'm not remember
15 exactly, but in 2016 -- the copy of his driving record is here.
16 Did you guys get provided with it?

17 Q. Yes.

18 MR. COLLINS: No, we don't have a copy of it here.

19 MR. DAMIEN GASANOV: I would --

20 MR. FOX: Of your copy, but we have our own copy.

21 MR. DAMIEN GASANOV: And then we check if -- I mean, the
22 first, before we check his driving license, if it's active or not
23 after that, obviously we make a meeting with him. We ask him if
24 he works somewhere. He said he'd been doing this for many years,
25 and he named the companies.

1 Q. What companies did he work for?

2 A. He named the FBI, he named the West -- Western Massachusetts,
3 Western Mass. or -- yeah, Western Massachusetts. What else?

4 He --

5 Q. Is that Western Massachusetts Trucking or something?

6 A. Yeah. I don't remember off my head. But they is a companies
7 that they are operating. I see they trucks in West Springfield a
8 lot.

9 Q. Did he fill out a, a driver application for employment?

10 A. Not at this moment. It's -- we go through, we go through --
11 we go with -- through asking him a questions. We were talking to
12 him a lot. He's been there for 2, 3 hours. And we've been asking
13 questions that we have in our knowledge, like how to operate --
14 questions that we haven't been given the problems with. I always
15 keep the notes. And I've been going through my notes with him.
16 He was answering -- all his answers was right. He sound like he
17 are have a lot of experience of that, doing that job.

18 Q. Did you -- I think that you early -- mentioned earlier that
19 your insurance company had to do an approval. Did you send this
20 driving record to the insurance company? Did they approve this
21 driver?

22 A. On the liability policy, we don't have to send no one in.
23 The approval needs to be send only for the cargo. So we did send
24 the -- for the cargo in to the insurance, his name.

25 Q. You did?

1 A. Yeah.

2 Q. And did they -- they approved him?

3 A. Not yet, because it's been sent out.

4 Q. Oh. So it hadn't even been approved?

5 A. Not for cargo.

6 Q. So on June the 16th, you interview the driver for about 2
7 hours. You ascertained his previous employment, and then you sent
8 the information to your insurance company. You had not heard
9 back. When did he start -- when was the first time you dispatched
10 him?

11 A. It was a Wednesday when -- I'll tell you the date exactly.
12 He started (indiscernible) 19, right? 19th? Yeah, he start at
13 the 19th. He had --

14 MR. DARTANYAN GASANOV: I got the papers.

15 MR. DAMIEN GASANOV: Yep. He started 19.

16 BY MR. FOX:

17 Q. Okay. Now were there any other procedures that you did as
18 far as the hiring process? Did you do -- you did not do a drug
19 test?

20 A. No. We didn't do it, because we not required by law. But
21 obviously I wish I --

22 Q. Now did you contact any of the previous employers to see
23 about their -- his driving history there?

24 A. I haven't contact them, no.

25 Q. You did not contact either, either one?

1 A. No.

2 Q. Did he mention any other company besides FBI and Western
3 Massachusetts?

4 A. There was a, there was a other third company that -- yes.
5 That I know --

6 Q. Do you -- can you recall what that was?

7 A. Not really. I don't remember, but I can get it for you, sir.

8 Q. That would be great.

9 A. I can get it -- at the end of the interview, I will give --
10 get you that company.

11 Q. Yes, sir. That'll be, that'll be great. Did you do any
12 training program for the driver?

13 A. Yeah. I have -- I ask him to sit in the truck and try to
14 back in and back forward, just to see if he knows what he's doing.
15 After obviously -- after his words, I believed to him, but I just
16 want to see him to. He done, he done it perfect. And he have a
17 CDL in his hands. And the combinations that we are require him to
18 drive, it was non-CDL combination, which is very simple and much
19 easier than CDL.

20 Q. So the --

21 A. But still need --

22 Q. -- you're saying CDL. So he was driving what type of
23 combination vehicle?

24 A. It's -- it was a two car hauler commercial, commercial
25 vehicle.

1 Q. And what was the gross vehicle weight rating of the truck and
2 trailer?

3 A. 24,000.

4 Q. So what was the gross of trailer?

5 A. That's combination, combined would be 24,000. The trailer is
6 14,000 pounds and truck is a 10,000 pounds.

7 Q. What's the make of the trailer?

8 A. Trailer was a Quality trailer.

9 Q. Where did you purchase the trailer?

10 A. I purchase with -- from one of my friends. That was my first
11 trailer that I was working with, long time ago, that I was started
12 with.

13 Q. How long have you owned it?

14 A. Since 2016.

15 Q. Do you have a bill of sale for that?

16 A. I do have it somewhere. Yes.

17 Q. And what was the make and model of the accident truck?

18 A. It was a 2016 Ram 2500.

19 Q. Repeat the year again.

20 A. 2016 Ram 2500.

21 Q. Dodge?

22 A. Yep.

23 Q. And how long have you owned that?

24 A. Since 2016.

25 Q. Did you buy it new?

1 A. Yes, sir.

2 Q. Where did you buy it from?

3 A. Metro in Chicopee. It is Metro Dodge/Jeep/Chrysler dealer in
4 Chicopee.

5 Q. Where is that? What state?

6 A. Massachusetts. It's about maybe 15 miles away from here.

7 Q. Now you said that you gave the driver a road test. When was
8 that? Was that also when you interviewed him on --

9 A. Yes.

10 Q. -- the 16th?

11 A. On the same day, yeah.

12 Q. And then between June the 16th and June the 19th, did you do
13 anything with the driver?

14 A. It was just in training (indiscernible) that you did
15 anything, any driving, like did you take him to the gas station,
16 like we're always doing in the beginning and start with him, start
17 with a little ride.

18 MR. DARTANYAN GASANOV: He was a -- knows everything. Then,
19 like, I just gassed him up (indiscernible) --

20 MR. DAMIEN GASANOV: Did -- where did you gassed him, we gas
21 him up?

22 MR. DARTANYAN GASANOV: Right gas station.

23 MR. DAMIEN GASANOV: So you take him to the -- we take him to
24 the gas station's about maybe 3 miles away. And my brother been
25 followed -- are you followed with him or were you followed behind

1 him?

2 MR. DARTANYAN GASANOV: Behind him.

3 MR. DAMIEN GASANOV: He -- my brother followed behind him,
4 watched his -- him driving it and, like he said, it's --

5 MR. DARTANYAN GASANOV: He's professional driving.

6 MR. DAMIEN GASANOV: He seems, he seems like a -- he knows
7 what he's doing.

8 BY MR. FOX:

9 Q. Now earlier in our interview you mentioned that for about 30
10 days you would drive with a new driver.

11 A. Yep.

12 Q. But you did not do that with this driver?

13 A. He's a, he's a -- he was in 30-day trial. And not all of
14 them are going through all 30 days. Some of them you can see
15 right away, they doing good in 3 weeks or 2 weeks of the trial.
16 If they have experience, you can tell right away. When you
17 driving with him, you can tell in first week if the driver know
18 what he is doing. The driver, Volodymyr Zhukovskyy, he know how
19 to do the logbook. He definitely knew how to drive, how to
20 operate the -- our equipments.

21 Q. Now did -- you gave him a road test. Did you witness him
22 load any equipment? Load any automobiles?

23 A. The -- yes. Yes, on the trailer, the first load he did at
24 the truck stop. At the dealer?

25 MR. DARTANYAN GASANOV: At the yard.

1 MR. DAMIEN GASANOV: At the yard. Yes.

2 BY MR. FOX:

3 Q. And he successfully did that?

4 A. He successfully did that, like the driver with a lot of
5 experience, to be honest. Because if he won't be able to put that
6 on the trailer, he's not going nowhere.

7 Q. Now did --

8 A. And if you -- to take it off, it would be more
9 responsibility. It's harder to take it off.

10 Q. Did you do any other training with the driver?

11 A. No. Any other trailer -- besides just, just that day on
12 Sunday and day on Wednesday when he was get little more training
13 with my brother.

14 Q. And did you go over any company policies with the driver,
15 what's the dos and don'ts with the company?

16 A. I mean, the company policies, like they very easy and simple
17 policies, like I know be -- just be safe driver, treat the
18 customers right, be careful with the loads, like when you unload
19 them and load them, stuff like that. Yes, we went through -- with
20 this guy, I went through all that, all that. Policy is like if
21 you got caught with some type of non-acceptable violation,
22 something that, yeah, it's like it really will show it's your
23 fault, you will lose your job right away, you're not qualifying to
24 get hired with us. Yes, I went through all that.

25 Q. Now you said you know that he was familiar with the logbook.

1 How do you know that he was familiar with the logbook?

2 MR. DARTANYAN GASANOV: He fill out front of me.

3 MR. DAMIEN GASANOV: He fill up in front of us.

4 BY MR. FOX:

5 Q. Did you get a record of his hours of service before he came
6 to work for you?

7 A. No, sir.

8 Q. Do you know if he was working before he came to you? Like a
9 couple of days before you, was he pulling loads?

10 A. No. I don't know that.

11 Q. No. So you don't know or you don't have a record of it or
12 did you ask him?

13 A. When did he last time work for somebody, how far? How long
14 ago? He says, but I don't remember.

15 MR. DARTANYAN GASANOV: He was coming and say he was -- he
16 used to work and have that -- we ask him question, and his answer
17 was that which companies he was -- you already told him this.

18 MR. DAMIEN GASANOV: And --

19 MR. DARTANYAN GASANOV: Which companies he was work.

20 MR. DAMIEN GASANOV: No, no, no. The question is, when did
21 he stop working --

22 MR. DARTANYAN GASANOV: No. We are not (indiscernible).

23 MR. DAMIEN GASANOV: When did he stop working? When didn't
24 him that question. When did he last time --

25 BY MR. FOX:

1 Q. You didn't ask him? Okay.

2 A. -- he stop working.

3 Q. Do you have the loads that he pulled for that week?

4 MR. DARTANYAN GASANOV: Yes.

5 MR. DAMIEN GASANOV: Yes, sir. We have all --

6 MR. DAMIEN GASANOV: (Indiscernible) copy, everything.

7 BY MR. FOX:

8 Q. So he started the 19th and the crash was the 21st?

9 A. 21st.

10 Q. So he -- did he -- where did he go; do you know?

11 A. The first of all, he take the cars at the yard. He load them
12 in front of us. He done --

13 Q. Here locally?

14 A. -- logbook in front of us. My driver -- my brother follow
15 him to the gas station, fill him up, and then -- that was on 19th.

16 Q. What gas station was that?

17 A. The gas -- which gas station did he gas up? The Pride,
18 right?

19 MR. DARTANYAN GASANOV: Pride.

20 MR. DAMIEN GASANOV: Pride gas station in Springfield. It's
21 about maybe 2½, 3 miles away from our truck stop. And then he
22 went to the -- to deliver the load to the Massachusetts. It's
23 like a Boston area, south of Boston. And then --

24 MR. DARTANYAN GASANOV: You emailed to the police department,
25 which police department.

1 MR. DAMIEN GASANOV: To the -- so after that, he went to pick
2 up load in New Hampshire and take it to Maine.

3 BY MR. FOX:

4 Q. What city?

5 A. New Hampshire?

6 Q. In New Hampshire.

7 A. That was Londonberry [sic].

8 Q. London?

9 A. Berry.

10 MR. DARTANYAN GASANOV: Londonderry.

11 MR. DAMIEN GASANOV: Londonderry. Londonderry. We have a
12 copies of this loads as well.

13 BY MR. FOX:

14 Q. Oh. You have copies of the bills of lading?

15 A. Yes, sir.

16 Q. Okay. And then, from Londonberry, New Hampshire --

17 A. He went and delivered that load to the New York -- to the
18 Maine. I'm sorry.

19 Q. To Maine?

20 A. Yes.

21 Q. What city?

22 A. That was Augusta, Maine.

23 Q. He went to Augusta, Maine?

24 A. Yep.

25 Q. And then --

1 A. She stayed there overnight.

2 Q. Where did he stay?

3 A. Probably somewhere around Augusta area. Or maybe -- depends
4 how far his logbook go. I don't remember --

5 MR. DAMIEN GASANOV: Do you remember the town that he stays
6 in?

7 MR. DARTANYAN GASANOV: Truck stop, Bangor.

8 MR. DAMIEN GASANOV: He stop at the Bangor? He stop at the
9 Bangor in Maine. So he delivered the load, because Bangor is more
10 north of Augusta. And then in the morning, he pick up the cars.
11 There was two vehicles from Maine. He delivered them to
12 Massachusetts and Connecticut. He was right on the way home, and
13 he stay home on 20th.

14 BY MR. FOX:

15 Q. On the 20th?

16 A. Yep. On the 20th, he were at home.

17 Q. Home? In his own home?

18 A. Yes, sir.

19 Q. Where's home for him?

20 A. In West Springfield. He lives in West Springfield. So he
21 parked the truck in the yard. He got home.

22 Q. Okay.

23 A. And then after that, in the morning, he was empty, so he went
24 to Albany, pick up the load.

25 MR. COLLINS: And this was the morning of the 21st?

1 MR. DAMIEN GASANOV: Yes. And, he went to delivery and he
2 delivered the car in New Hampshire. And --

3 BY MR. FOX:

4 Q. Wait. He went from Albany to where?

5 A. New Hampshire, just with one car.

6 Q. One car to New Hampshire?

7 A. Yes, sir. And after he deliver car, he was on the way home,
8 empty. On the way to New Hampshire, when he pick up the car, we
9 called him several times. All day long, he didn't answer the
10 phone. And we have -- we print out the document up, too. We
11 print that he wasn't answer -- he wasn't communicating for all
12 day. And then at the end of the day, only at end of the day,
13 after the crash happened, he called for a few seconds to my
14 brother and tell him he involved into the accident with the --
15 with some bike drivers, he said, and hang up after that and didn't
16 answer the phone at all.

17 On the way to New Hampshire, when he was going to deliver the
18 car, he -- when he were not -- non-communicating -- that's another
19 policy of the company. If you not communicating on your training,
20 it means you not -- you probably not going to communicate at all
21 when you at work. So that's not going to work, so you losing your
22 job. Either he's had bad service or something. I don't know.
23 But we tried several times.

24 Right at that moment when my brother call me and say he's not
25 communicating the run, probably 4:30, before the crash happened, I

1 call the driver that used to work for me in medical transportation
2 -- his name is David Pedrosa (ph.) -- and ask him if he wants --
3 if he still wants to get a job. He told me yes. And I text him
4 at 5:38, I text my brother with the David Pedrosa's phone number
5 and the name after I talked to the David and David say, yes, I
6 would love to join you guys. But it was too late.

7 Q. Right. You said you have copies of the bills of lading for
8 these loads that we went through?

9 A. Yes, sir. We do. It should -- you -- did you find them?

10 MR. DARTANYAN GASANOV: Yeah, send me -- we should send it to
11 the police department.

12 MR. DAMIEN GASANOV: Yes.

13 MR. DARTANYAN GASANOV: Send me over, I'll print it up and --

14 MR. DAMIEN GASANOV: But we have them right, right here.
15 They on the table.

16 MR. DARTANYAN GASANOV: That?

17 MR. DAMIEN GASANOV: Yes, they on the table. Let me see
18 that.

19 MR. DARTANYAN GASANOV: No, no. Not --

20 MR. DAMIEN GASANOV: She take it out? Okay. They on the
21 table.

22 MR. FOX: So I'm going to take a pause for a second. I'm
23 going to allow my other, fellow investigators, ask questions.

24 MR. DAMIEN GASANOV: Okay.

25 MR. FOX: Dennis, you have --

1 MR. COLLINS: I have none right now.

2 BY MR. COMIRE:

3 Q. You said that he wasn't able to communicate with you guys and
4 the only conversation you had was when he called your brother?

5 A. That's after accident. It was around probably -- probably
6 after 6 o'clock.

7 Q. Was this the phone that he called? Your brother's cell phone
8 here?

9 A. Yes, sir.

10 Q. Okay.

11 A. We got this, we got this printed too.

12 Q. Okay.

13 A. So we got --

14 Q. You have that printed up, the record of the communication?

15 A. Yes, sir.

16 Q. Okay. If you'd bring that out, it'd probably be useful.

17 MR. FOX: Yes.

18 BY MR. COMIRE:

19 Q. As far as the conversation, we talked about hiring practices.
20 You know, this guy came in, he told you he was a CDL driver, there
21 wasn't a lot of documentation involved. Did you document any of
22 your other drivers' qualifications?

23 A. The same procedure, I do with them all. This is like non-CDL
24 combination, like I said. They don't require as, like -- I just
25 was going by law. I should, I should go -- I should add more

1 of --

2 Q. Yeah.

3 A. Yeah. I should add more of my procedures. Hopefully, would
4 be big lesson for all the country, to be honest with you.

5 MR. FOX: Yeah. All right. So I think we'll take another
6 pause for minute.

7 MR. DAMIEN GASANOV: Thank you.

8 (Off the record.)

9 (On the record at 1:06 p.m.)

10 MR. FOX: We're back on the record. The time is 1:06 p.m.

11 BY MR. FOX:

12 Q. I'm looking at your insurance policy. I see four vehicles:
13 a 2016 Dodge, two 2017 Dodges, and a 2018 Dodge Ram.

14 A. Yep.

15 Q. Is this -- so this is just four vehicles?

16 A. It should be two more somewhere else. That would be a 2018
17 GMC 3500 and 2018 Chevy 3500.

18 Q. I don't see the -- there's only one that has a VIN on it, the
19 2018 Dodge Ram. The other, the others don't --

20 A. The insurance it's -- that's not the right paper, probably.
21 We will provide you with the better paper that would have --

22 Q. That have the full listing of --

23 A. Yep.

24 Q. -- of all your equipment --

25 A. Yes, sir.

1 Q. -- because it doesn't show it's on there.

2 A. Okay.

3 Q. And it's not in these other documents. So we'll have to --
4 I'm just asking for it.

5 A. Yep. We got to get them from insurance. I'm pretty sure
6 I'll be able to get that.

7 Q. And then would the insurance company also provide a list of
8 your drivers?

9 A. No, I don't -- not that I know.

10 Q. They don't list a -- listing of your drivers?

11 A. I got to ask my wife about that.

12 Q. Have you had any accidents in the past year?

13 A. No, sir.

14 Q. Besides this one?

15 A. No, sir.

16 Q. None at all?

17 A. No.

18 Q. Okay. Lost my page here. How do you pay your drivers?

19 A. It's goes by the -- it's -- it goes by the percentage. Yeah.
20 It's --

21 Q. Percentage?

22 A. Yeah.

23 Q. What's the percentage?

24 A. It's 25 percent, like all the car haulers are doing in this
25 industry.

1 Q. So they get 25 percent profit?

2 A. Yep. And all -- ends up with being about \$200 a day.

3 Q. 200 a day?

4 A. Yep. Between 180 to 200.

5 Q. And when do you pay?

6 A. Every weekends when they come back to the truck stop, they
7 getting paid.

8 MR. FOX: Stand by.

9 (Telephone interruption.)

10 (Off the record.)

11 (On the record.)

12 MR. FOX: I'm sorry for the interruption. I got a phone
13 call. So we're back on the record.

14 BY MR. FOX:

15 Q. We were talking about pay for the drivers. They get
16 compensated 25 percent of the load, which is about \$200 per day?

17 A. Yep.

18 Q. How often do you pay your drivers?

19 A. Every week. Weekly.

20 Q. Weekly?

21 A. Yes, sir.

22 Q. And do you have any other -- do you have any benefits or
23 anything for the drivers? Do they get any kind of other
24 compensation? Insurance? Do they get health benefits or
25 anything?

1 A. No, sir.

2 Q. No?

3 A. They are independent contractors. So they have to -- I mean,
4 they will have what they want.

5 Q. And do you have any other -- do you have any kind of reward
6 program for safe driving?

7 A. If the driver gets no violation, it's between 50 to \$100. I
8 always like to tip them up.

9 Q. For a roadside inspection?

10 A. For a roadside inspection, if they pass safety and all that
11 DOT inspection. Yep.

12 Q. And is there any other incentive program that you have?

13 A. If they pass -- if they did the -- if they got the violation,
14 they're not getting a bonus for next non-violation. So they have
15 to follow the policy and the rules.

16 Q. Do you hold any safety meetings with your drivers?

17 A. Every week.

18 Q. And where is this held?

19 A. At truck stop. On the phone.

20 Q. Oh, on the phone. You call them?

21 A. No, no. It's like on the top of that. Every week on -- at
22 the truck stop, always on the phone, when something that comes up
23 on my mind and it's something new, then I call all the drivers.
24 They have a headsets, so it's legal for them to answer the call.

25 Q. You do this all at once? You call all the drivers at once or

1 do you call them individually?

2 A. I'll call individually. Some -- yeah.

3 Q. Is this documented?

4 A. Just the notes on my phone. I put the notes all the time,
5 saving what do I have to talk with the drivers about.

6 Q. So these are notes that we could look at later --

7 A. Yes, sir.

8 Q. -- on your phone? Okay. Do you have any other terminals or
9 businesses that you operate out of this facility?

10 MR. DARTANYAN GASANOV: Yes. East Transport.

11 MR. FOX: So you have East Transport?

12 MR. DAMIEN GASANOV: We also have --

13 MR. DARTANYAN GASANOV: LLC.

14 MR. DAMIEN GASANOV: -- East Transport, LLC.

15 BY MR. FOX:

16 Q. And what does that company do?

17 A. Same, exactly. They hauling the cars. It's my brother.

18 Q. And who owns that company?

19 A. Dartanyan.

20 MR. FOX: You own that company too?

21 MR. DARTANYAN GASANOV: I'm trying it by myself.

22 MR. FOX: And how many drivers do you employ there?

23 MR. DAMIEN GASANOV: Just Dartanyan.

24 MR. DARTANYAN GASANOV: Just me.

25 MR. FOX: Just yourself?

1 MR. DARTANYAN GASANOV: Yeah. And then, I have friend of
2 mine. His name Tonio -- not Tonio -- Jose el Nieves (ph.),
3 Nieves.

4 MR. DAMIEN GASANOV: Okay. See, he have a friend of him that
5 help drive for him sometime. They both operating the electronic
6 logbook.

7 MR. DARTANYAN GASANOV: Yep. I have (indiscernible) --

8 MR. DAMIEN GASANOV: They both have a E-ZPass and --

9 BY MR. FOX:

10 Q. Is this CDL required equipment?

11 A. No. Just a basic two car hauler, small two car hauler
12 combinations. Oh -- yeah, two car.

13 Q. Are you affiliated with any other companies?

14 A. No.

15 Q. So it's just East Transport and then --

16 A. Westfield Transport.

17 Q. -- Westfield Transport? What's the purpose of having two
18 different companies like that?

19 A. I don't know --

20 MR. DARTANYAN GASANOV: Just for myself, I love to drive. I
21 don't want to jump on Westfield Transport with -- you know what
22 I'm saying? And I just open it to make a little extra money
23 because all everything go into the fixing and for taxes.

24 MR. DAMIEN GASANOV: He was pretty much adding more income.
25 To add more income, he open up another company and tried to drive

1 and see places.

2 BY MR. FOX:

3 Q. Does he --

4 A. Get more experience.

5 Q. -- also drive for --

6 A. Westfield Transport?

7 Q. -- Westfield?

8 A. Not really. Just here and there. Very, very little here
9 somewhere. Majority of the time, Dartanyan helping with the
10 maintenance and meetings with the drivers.

11 MR. FOX: And do you hold a CDL also, sir?

12 MR. DAMIEN GASANOV: No, he doesn't.

13 MR. FOX: No?

14 MR. DARTANYAN GASANOV: Can you take a picture?

15 MR. FOX: I have it, sir. Yeah.

16 MR. DAMIEN GASANOV: We have the printout of the other
17 drivers.

18 MR. FOX: Oh, that's for your other driver?

19 MR. DAMIEN GASANOV: Yeah. Make a copy -- make a two copy of
20 this.

21 MR. DARTANYAN GASANOV: Yeah, I got a copy.

22 MR. FOX: Yeah. That'll be fine.

23 MR. DAMIEN GASANOV: That's, that's enough.

24 MR. DARTANYAN GASANOV: Do you want me to bring the copy?

25 MR. DAMIEN GASANOV: Yes, two copies. Bring the whole

1 information for this guy. Like, a driving record.

2 MR. DARTANYAN GASANOV: No, no, I (indiscernible).

3 MR. DAMIEN GASANOV: Yeah. Driving record and a copy of his
4 license.

5 MR. FOX: Robert, did you have any other questions you wanted
6 to ask the owner?

7 MR. COMIRE: I would like to expand on what he just said. I
8 don't know if he would -- if you're interested in me going in that
9 direction.

10 MR. FOX: Sure, sure.

11 BY MR. COMIRE:

12 Q. So you said that the only affiliations that you have are East
13 Transport and --

14 A. And that's him -- yeah.

15 Q. Have you incorporated using your name in any other businesses
16 in Massachusetts?

17 A. No, sir.

18 Q. Okay. And any vehicles -- have you purchased or used any
19 vehicles with any other affiliated companies that you're aware of
20 that might have your name attached to it?

21 A. No, sir.

22 Q. No? Okay. Does this company name look familiar to you?

23 A. Three Brothers. They park in the same parking lot that where
24 we at right now.

25 Q. Okay.

1 A. Yes. I --

2 Q. And do you have any connection to them --

3 A. I have phone number for this guy. Yes, I do.

4 Q. You have a phone number. But, I mean, do you have any
5 connections to them as far as like documentation purposes? Have
6 you used your name in any --

7 A. They got -- they have -- Three Brothers, they have a trailer
8 that they sold to my cousins, and my cousins didn't make, made in
9 this -- one trailer, they sold to my cousin. My cousin didn't
10 made in this industry. He give me his trailer and he give me a
11 truck and say, here, you can go ahead and put this on your company
12 and, you know, just pay the bills --

13 Q. Right.

14 A. -- and I don't need anything else. So we been operating with
15 this trailer and it was, it was winter when one of the drivers
16 lost control and the truck and the trailer got totaled. So it was
17 just loss of control on the road. The road get closed after that
18 and stuff like that. It was in, I believe, somewhere New York.
19 And that trailer been paid off by insurance. And then I got the
20 trailer to one of the people I know in Westfield. I gave it to
21 them in -- I bought it from -- back from the car insurance company
22 and I give to the people that lives in Westfield, that I know in
23 Westfield.

24 MR. COMIRE: Okay.

25 MR. FOX: You good? Dennis, do you have any questions for

1 the --

2 MR. DAMIEN GASANOV: And that crash, by the way, was -- there
3 was nobody else involved anything. He just loss of control. The
4 driver totally okay. He didn't even went to the hospital.

5 MR. COMIRE: He hit the guardrail or something?

6 MR. DAMIEN GASANOV: Not the guardrail. It's like -- the
7 highway was going like this. It was snowing bad, so he lost
8 control. And it was a very slow speed too, but it got totaled
9 because it got jackknifed at the end when he went down to the --

10 MR. COMIRE: Is this the guy, Jose Nieves? That's who you're
11 working with? Okay.

12 MR. COLLINS: The -- I'm sorry, Beau. I didn't mean to cut
13 you off. Are you -- did you --

14 MR. COMIRE: It's okay.

15 MR. COLLINS: -- get your answer?

16 MR. COMIRE: Yeah.

17 BY MR. COLLINS:

18 Q. The truck that was involved in the accident up in New
19 Hampshire --

20 A. Yes, sir.

21 Q. -- is that they only vehicle this driver drove for you?

22 A. That's the only vehicle he drove for us.

23 MR. COLLINS: Thank you. That was it.

24 MR. DAMIEN GASANOV: Hey, (indiscernible), you got to tell
25 them to close that window door.

1 MR. FOX: So I think at this point we can conclude the
2 interview.

3 Sir, did you have any questions or concerns for us?

4 MR. DAMIEN GASANOV: I don't.

5 MR. FOX: You don't? So at this point we're going to
6 conclude the interview for now. The time is 1:11 p.m.

7 (Whereupon, at 1:11 p.m., the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: TRUCK/MOTORCYCLE COLLISION
RANDOLPH, NEW HAMPSHIRE
JUNE 21, 2019
Interview of Dunyadar "Damien" Gasanov

ACCIDENT NO.: HWY19MH010

PLACE: Westfield, Massachusetts

DATE: June 25, 2019

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.



Sam Pruitt
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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TRUCK/MOTORCYCLE COLLISION *

RANDOLPH, NEW HAMPSHIRE * Accident No.: HWY19MH010

JUNE 21, 2019 *

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Interview of: DUNYADAR "DAMIEN" GASANOV, Vice President
and Supervisor
Westfield Transport

Westfield Transport, Incorporated
90 Allison Lane
Westfield, Massachusetts

Wednesday,
June 26, 2019

APPEARANCES:

MICHAEL FOX, Highway Accident Investigator
National Transportation Safety Board

ROBERT COMIRE, Investigator
Federal Motor Carrier Safety Administration (FMCSA)

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I N T E R V I E W

(9:10 a.m.)

1
2
3 MR. FOX: All right. This is Michael Fox. We are at the
4 carrier's principal place of business and we're going to be
5 talking to Damien, the owner of the company. And on the phone is
6 Special Agent Robert -- how do you pronounce your last name?

7 MR. COMIRE: Comire.

8 MR. FOX: Comire. I'm sorry.

INTERVIEW OF DAMIEN GASANOV

9
10 BY MR. FOX:

11 Q. So, you called and said that you had some information that
12 you needed to share with us and some issue with some -- some
13 statements or something, some information you gave me, that was
14 maybe not accurate or something. I don't know.

15 A. There is a two things about the, about Jumus (ph.). I don't
16 have a paperwork. I send them to the -- for job qualification
17 drug test.

18 Q. And who is this?

19 A. That's from Jumus Covington. That's the guy that worked --
20 he used to have a CDL and work for us with -- in the Prius.

21 Q. Yes.

22 A. And I did drug test him with the Concenta [sic], C-O-N-C-TRA.

23 Q. Concentra. Right.

24 A. Yes.

25 Q. And he's somebody that works for you?

1 A. Not anymore. But that -- that's something to show you guys
2 that anyone with a CDL will get the, will get the drug test as a
3 require. And other things -- and the logbook, I just want to add
4 the (indiscernible) -- it's really hard to say in front of the
5 microphone.

6 Q. Well, you tell me -- what told me -- what you said on the
7 phone was, you said, I haven't been honest and I need to tell you
8 something. So --

9 A. Yeah. We didn't tell you that my brother drove out -- drove
10 home with the loads on the 18, I believe. So he got to home and
11 he cheat on the logbook.

12 Q. Your brother did? Your brother falsified his logs?

13 A. Yeah.

14 Q. So you didn't go out and relieve him, then?

15 A. No, I didn't, sir.

16 Q. So you did lie to us, then?

17 A. Yes, sir.

18 Q. And it is -- it's a federal offense to lie to a special
19 agent. Do you know that?

20 A. I know that, but -- I didn't feel right. That's why I looked
21 for you guys today, and asked to --

22 Q. Correct. So it's important that you -- whatever you tell us
23 from here on out is 100 percent accurate.

24 And are there any other statements that you said that were
25 false or misleading?

1 A. No. That's this one right here, sir.

2 Q. So when the load that went out to Michigan or --

3 A. From Michigan, sir.

4 Q. From Michigan.

5 A. To Massachusetts, sir.

6 Q. To Massachusetts. So when he said he went off duty, he
7 actually went off duty and then drove it back?

8 A. He went off duty. Yeah. He said, I couldn't sleep, so he
9 drove home for about -- I know it's about 5 hours away. So he got
10 home.

11 Q. And do you -- is there any other drivers that we're going to
12 find that, that they're doing that?

13 A. Not that I know, sir. Not that I know. They just -- I know
14 they all been driving with electronic logbooks. I pay for this
15 logbooks. I waste money and time on -- for them. It's -- they
16 cost a lot. They cost over, I would say, over \$3,000, just to
17 operate, plus two each, the wires cost me about \$200, 150.

18 Q. Well, but if -- they're not worth a penny if --

19 A. If you're not using them.

20 Q. -- if you're not using them appropriately. And you're --

21 A. That's what I say.

22 Q. -- turning the piece of machinery off and then circumventing
23 what they're there for.

24 A. That's what I say.

25 Q. So -- so I'm going to ask you again, are there any other

1 papers or documents or logbooks that you know of that are also
2 false that we need to be looking at ahead of time? Because we are
3 going to carefully look at each one.

4 A. Like, I been cheating on the logbooks too.

5 Q. You have been cheating on the logbooks?

6 MR. FOX: Did you hear that, Robert?

7 MR. COMIRE: Yes.

8 BY MR. COMIRE:

9 Q. On what -- and what days did he falsify his logs? Because
10 the ELDs that we have for him -- how were the falsified? Did they
11 get them --

12 A. They would be on the 18th. They would be on the 18th.

13 Q. No. On the 19th, is that why the driver who had the accident
14 was not operating on an ELD, because you guys didn't want these
15 logs to --

16 A. No. No, no --

17 Q. -- conflict?

18 A. No, I'll be honest with you. Let me see. Might be not 18, I
19 might be wrong. Give me just a second. And accident happen on
20 21st, as I --

21 MR. FOX: Friday, the 21st. Right.

22 MR. GASANOV: Yeah. Friday, 21st. It's not, it's not that.
23 It's just my brother, he got home. That's what I want you to
24 know. That we been cheating on the logbooks.

25 BY MR. COMIRE:

1 Q. Okay. So what you're saying is, because we required to look
2 at your brother's log and your log to verify that that trip
3 starting the 19th --

4 A. It was legit. Like, the trips that we got -- provide you
5 guys for Volodymyr Zhukovskyy, they legit from the start to the
6 end. There is any -- there is not any lie into it. There is --

7 Q. So he started from Massachusetts, then --

8 A. Yep.

9 Q. -- on the 19th?

10 A. That's how we said. Yes, right from the front -- right from
11 the yard, sir.

12 MR. FOX: But all we know, Robert, is what's on the bills of
13 lading. We don't have any hours of service because they were
14 burned up in the crash.

15 MR. COMIRE: Right.

16 MR. FOX: So we don't -- all we know is vehicles were picked
17 up and vehicles were delivered, but we don't know his hours of
18 service.

19 MR. GASANOV: You guys be able --

20 MR. COMIRE: No.

21 MR. GASANOV: You guys be able to find out for his hours of
22 service by E-ZPass, because that car has E-ZPass and you guys will
23 see, we've been saying true about --

24 MR. FOX: Okay.

25 MR. GASANOV: -- his trips a hundred percent.

1 BY MR. FOX:

2 Q. Well, if you can recall, Robert brought it to your attention,
3 he said, hey, this sounds very unsafe, that you are going out and
4 relieving your brother and driving 5 hours out and then you're
5 taking the load back. And we made a comment, that's 10 hours
6 right there. That doesn't include any hook up or drop off. And
7 the other driver that you supposedly involved -- so all that was
8 make believe. That all was a false statement?

9 A. That's not true. The true is that my brother just went home
10 with his car, sir.

11 Q. Yeah. He did -- he continued to drive the vehicle back, but
12 you did not go out and relieve him.

13 A. I didn't go out and relieve him, sir.

14 Q. Okay.

15 MR. COMIRE: Hey, Damien?

16 MR. GASANOV: Yes, sir.

17 BY MR. COMIRE:

18 Q. So I have the ELDs for your drivers.

19 A. Yes, sir.

20 Q. And speaking with your drivers today, for example --

21 A. Okay.

22 Q. -- Robigov (ph.), who's from Ohio.

23 A. Okay.

24 Q. So he drives up from Ohio, and he's got that vehicle with him
25 at all times. He's not recording his drive time from Ohio to

1 Massachusetts. Are you --

2 A. No. He must record that.

3 MR. FOX: Yeah. But from what we saw, he showed off duty.

4 MR. GASANOV: Off duty from Ohio to Massachusetts?

5 BY MR. COMIRE:

6 Q. That's correct. Because he's -- he drove up over the weekend
7 and he was here today, right?

8 A. No. He -- it's only one day of a driving. If he will get up
9 from his home to here, it's about maybe, maybe 10, 11, maybe 12,
10 13 hours. But, as he told me, he's not going to make here, so
11 he's going to stop somewhere on the way to here, where he -- where
12 his log will end. Are you sure --

13 MR. FOX: Yes. We both looked at it.

14 BY MR. COMIRE:

15 Q. So, for example, today is the 26th. Right?

16 A. Yes, sir. So --

17 Q. 25th, where was he on the 25th?

18 A. That's when he got off of home and was heading to here, sir.

19 Q. So he came up on the 25th from Ohio --

20 A. To here.

21 Q. To here? Okay.

22 A. Um-hum. I wasn't aware of that. And I also ask him, are you
23 using the ELD? He said yes. He's --

24 Q. All right. And what about the guy from New Jersey?

25 A. The guy from New Jersey? Who? The -- Alex?

1 MR. FOX: Ryan.

2 MR. COMIRE: Ryan Reposo (ph.).

3 MR. FOX: Yeah. Ryan Reposo.

4 MR. GASANOV: Ryan Reposo, he use ELD to get home on Friday,
5 and that's it. He stop at the truck stop in Springfield and I
6 take the truck to the yard myself. Ryan.

7 BY MR. COMIRE:

8 Q. Okay. So here's what's going to happen. We're going to come
9 over on Friday.

10 A. Okay.

11 Q. We're going to need you guys to give us -- to have Olga give
12 us access to the ELD system itself so that we can go in and pull
13 the dates that we need to look at. Because information that we
14 have on the printed ELD reports don't reflect what we're talking
15 about now.

16 A. What happened with -- may I ask, what happened with Reposo?
17 Because I also -- it was a very scary day. I confirm with all of
18 them, you guys all using ELDs? They say, yes. And he told me the
19 yes. And, by the way, he stop in Springfield because he -- he
20 almost make it home. I say, no, you're not breaking the ELD, not
21 even for a minute. You stop at the truck stop in Springfield,
22 we'll bring it to West Springfield. He say he were, like, 5
23 minutes short. I said, I don't care; even 1 minute short, you're
24 not going nowhere. You -- you're logbook is end, you stop.

25 Q. All right. So for us to confirm what you're telling us,

1 though, we need to be able to look at those dates in the system.
2 And we need to be able to look at the screens that she's looking
3 at, because she couldn't print me the edit screen and she couldn't
4 print me any type receipt or report. So we're going to need to
5 have to access that so that we can look for the information.

6 A. Okay, we check.

7 MR. FOX: I also told her -- you want me to turn this down?

8 MR. DAMIEN GASANOV: No, no, no. I'm enjoying it actually.

9 MR. FOX: Oh, okay. I asked Olga for the bills of lading for
10 May and June, the ELDs for East Transport, 60 days' worth, and
11 then I asked her about the access code, and she said that her
12 husband had that.

13 MR. GASANOV: Yeah. She just -- she can ask to me to, like,
14 if she can --

15 MR. FOX: Log on?

16 MR. GASANOV: -- if she can give it to you guys or no, you
17 know, that's why we should -- she -- we'll just say that. She
18 have to ask permission from me, pretty much, you know.

19 MR. FOX: Okay.

20 MR. GASANOV: Before she do anything.

21 MR. COMIRE: Okay.

22 MR. FOX: All right --

23 BY MR. COMIRE:

24 Q. So just one more thing, just to confirm, because I'm going to
25 be looking at these first thing in the morning. So you're saying

1 that, Damien, on your log for the 18th, that log is false?

2 A. That log is false, sir. Yes, sir.

3 Q. In what way? Can you tell me what you did on the 18th to
4 falsify that log?

5 A. I was pretty much in the same road, but little early. I was
6 going to Plattsburgh to deliver and pick some cars.

7 Q. And it's not reflected on that log?

8 A. It's not reflected on the logs. Yes, sir.

9 Q. So what was your actual location on that day?

10 A. Pittsburgh, Pennsylvania going toward Pittsburgh --
11 Plattsburgh, New York.

12 Q. Pittsburgh, PA to Plattsburgh, New York. And what does the
13 log say?

14 A. That I was in New York going to West Springfield.

15 Q. Okay. And then your brother, on the 18th, the log that we're
16 going to be looking at for him, because we don't have his yet --

17 A. On the --

18 Q. -- that is also going to be false, correct?

19 A. His logbook is legit besides that he didn't show up he got
20 home on the 18th.

21 MR. FOX: He -- because he said he went off duty.

22 BY MR. COMIRE:

23 Q. Okay. All right. Is there anything else that you want to
24 tell us, Damien? Because, you know, we're still pretty much in
25 the middle of this thing and if there is anything else you want to

1 tell us, this would be the time to do it, man.

2 A. Yeah. I want to let you guys know, from now on, I promise
3 you guys, you guys will get only hundred percent of what -- of the
4 information you guys require. Actually, you guys been getting a
5 hundred percent just besides this little thing.

6 MR. FOX: Well, it's not a little thing. It's a big thing.
7 And it has to deal with a load that was brought back that was part
8 of the start of the driver's accident trip.

9 MR. GASANOV: Mr. Fox, in this industry, everybody cheating
10 on the logbooks. They really, like, uncomfortable to play with.
11 They just made for safety, I understand. But all the drivers are
12 saying not, but the governments decide they -- that it is. It's
13 just -- it's makes for very difficult, that the -- the electronic
14 logbooks makes totally difference. Sometime you can waste all
15 your time in the traffic and --

16 MR. FOX: Um-hum.

17 MR. GASANOV: It's very complicated. There isn't -- I would
18 say thousands of issues into it. People needs to pay their bills,
19 I know. People needs to get things done --

20 MR. FOX: Okay. Well, from our perspective, falsifying logs
21 is a critical offense. And the reason why you have hours of
22 service regulations is to make sure that drivers are not sleepy,
23 fatigued. Being a fatigued driver is the same thing as being
24 impaired. You might as well drink a case of beer; it's the same
25 effect. When you're fatigued, you cannot operate the vehicle or

1 equipment safely, and you go off the road and there's catastrophic
2 problems. That's why we've harped on it and harped on it, how
3 important the logs are. And that's why those laws are in effect.

4 MR. GASANOV: I do understand your side too, sir.

5 MR. FOX: All right. So --

6 MR. GASANOV: I really do.

7 MR. FOX: All right. Well, we appreciate you coming forward
8 and telling us that you had not been truthful. And we appreciate
9 that. And we will -- I will probably be back in touch with you or
10 your wife maybe tomorrow, and follow up on some other stuff that
11 we're working on.

12 MR. GASANOV: And --

13 MR. FOX: And then, both me and Robert will be over here on
14 Friday. I may come back over here tomorrow to get some other
15 information, depending on, you know, what happens tomorrow. But,
16 you know, for sure, both Robert and I will be back here tomorrow.

17 Robert, did you have anything else you needed to cover with
18 him?

19 MR. COMIRE: No. I think we're good for now.

20 Damien, I appreciate you coming forward tonight.

21 MR. GASANOV: I have --

22 MR. COMIRE: And I would hope that, as we finish this, that
23 you're going to just, you know, be completely honest with us,
24 because it's really important. Not just for you, but for a lot of
25 other people that are involved. Okay?

1 MR. GASANOV: I promise you, from now on, it will be hundred
2 percent, Robert.

3 MR. FOX: Okay.

4 MR. COMIRE: All right.

5 MR. FOX: Well, we appreciate that.

6 MR. COMIRE: I will meet back up with you on Friday.

7 MR. FOX: Okay. At this point, I'm going to go ahead and,
8 and terminate the interview on tape.

9 So the time now is 5:24, and this is conclusion of the
10 interview.

11 (Whereupon, at 5:24 p.m., the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: TRUCK/MOTORCYCLE COLLISION
RANDOLPH, NEW HAMPSHIRE
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Investigation of: *

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TRUCK/MOTORCYCLE COLLISION *

RANDOLPH, NEW HAMPSHIRE * Accident No.: HWY19MH010

JUNE 21, 2019 *

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Interview of: DUNYADAR "DAMIEN" GASANOV and
DARTANYAN GASANOV
Westfield Transport and
East Transport, LLC

East Transport, LLC

[REDACTED]
West Springfield, Massachusetts

Friday,
June 28, 2019

APPEARANCES:

MICHAEL FOX, Highway Accident Investigator
National Transportation Safety Board

ROBERT COMIRE, Special Agent
Federal Motor Carrier Safety Administration

I N T E R V I E W

1
2 MR. FOX: So this is Michael Fox, investigator for the NTSB
3 out of Washington, D.C., Office of Highway Safety. I'm here at
4 East Transport, LLC, [REDACTED] Avenue in West Springfield,
5 Massachusetts. Today is June the 28th, 2019, right? And there's
6 some folks in the room. Similar to our other conversation, we'll
7 just go around the room and just, if you could, state your name
8 and then spell your last name.

9 Go ahead, Robert.

10 MR. COMIRE: Robert Comire, C-o-m-i-r-e, special agent,
11 Federal Motor Carrier Safety Administration.

12 MR. DAMIEN GASANOV: And I'm Damien. My legal name is
13 Dunyadar, D-u-n-y-a-d-a-r, and Gasanov is my last name, G-a-s-a-n-
14 o-v. I'm co-owner for my brother's company, Westfield Transport.

15 MR. DARTANYAN GASANOV: And I'm Dartanyan Gasanov. So I'm
16 also owner of the company.

17 MR. FOX: Okay. So today, we wanted to clarify a couple of
18 things that we were going over during our first initial interview
19 with the motor carrier. Let's start at the top with the accident
20 driver that was involved in the crash, Volodymyr. Can you please
21 explain how you hired the accident driver? I think it's a little
22 different than what you were explaining to me in the car, that he
23 was someone's son or a relative of a landlord. Can you elaborate
24 on that?

25 MR. DAMIEN GASANOV: But that has nothing to do with the

1 hiring, though. It didn't make any changes on the hiring.

2 MR. FOX: Well, let me ask a different question, then.

3 MR. DAMIEN GASANOV: Yes, sir.

4 MR. FOX: How did you know the accident driver?

5 MR. DAMIEN GASANOV: He always been around. We see a lot of
6 people down here. And also, we know him as a -- we used to live
7 in Westfield. That's why we named the company as Westfield
8 Transport.

9 MR. FOX: And Westfield, is that Westfield, Massachusetts?

10 MR. DAMIEN GASANOV: Massachusetts, yes.

11 MR. FOX: Okay.

12 MR. DAMIEN GASANOV: And then when he come to that place -- I
13 mean, the landlord has a son the same age as Volodymyr.

14 MR. FOX: And who is the landlord?

15 MR. DAMIEN GASANOV: Landlord was -- what's his name? I
16 don't remember his name.

17 What was the landlord's name?

18 MR. DARTANYAN GASANOV: Silosi (ph).

19 MR. DAMIEN GASANOV: Oh, his last name was Silosi. So he
20 have a son the same age as Volodymyr. So Volodymyr was around, I
21 would say, several times. I see them down there. Back in the
22 day, back in then, I believe they were going to school together.

23 MR. FOX: So these were two young men or boys together
24 growing up?

25 MR. DAMIEN GASANOV: Yeah, they're together growing up. I've

1 been seeing them, I've been talking to them and stuff like that.
2 I never even -- I believe they didn't even smoke back then the
3 cigarettes. They were clearly nice kids.

4 And the other question, sir?

5 MR. FOX: So, and then how did you -- aside from you just
6 seeing him as a child, how did it come about that he wanted a job
7 for the company?

8 MR. DAMIEN GASANOV: Also, after this -- obviously, it's a
9 small town. So we're in the car transportation business. All the
10 transportation businesses in this town, the majority of them,
11 almost all of them gas up at the Pride gas station.

12 MR. FOX: Where is the Pride gas station?

13 MR. DAMIEN GASANOV: In Springfield. Right across the
14 bridge. And then I see him a million times over there driving for
15 different companies. I didn't pay attention what's on the door,
16 but I kind of knew sometime he work for Mass Transport. I knew he
17 worked for FBI Transport. And there is other companies I've seen
18 him working. I even see him when he were training as a driver,
19 too. I mean, I remember him working when he had no CDL. He began
20 to train and stuff like that. Then, also, I knew he have a DUI in
21 2013, but I also know -- also, I didn't know that he's having
22 problems with the drugs. We didn't know that. If you guys --

23 MR. FOX: You didn't know that?

24 MR. DAMIEN GASANOV: No. If you guys concerned about that,
25 no, we didn't know that. If we have any little potential signs of

1 anything that saying the driver using the drugs, we do not want
2 them to work for us. Same thing happened to the previous driver
3 long time ago, Andy. As soon as he got caught with marijuana
4 twice in the same -- not the same day, it was at night and then
5 next morning. At night when he got caught, I ask him to come
6 home, sir. And in the -- and at -- oh, he was -- so from Vermont,
7 it took him 2 days to get here somehow. I don't remember what
8 exactly, either 1 day, either 2. And then as soon as he got home,
9 that was his last trip. Even not for crack. It was not for crack
10 or any Class A drugs like heroin. That was marijuana.

11 Even the marijuana has nothing to do behind the steering
12 wheel. Even if you have a license from your -- a medical license
13 from your doctor that you legally can smoke marijuana, I still
14 won't hire this person.

15 MR. FOX: Okay. Now the childhood friend of Volodymyr, the
16 accident driver, did he ever have a drug problem, do you know?

17 MR. DAMIEN GASANOV: One more time? I'm sorry.

18 MR. FOX: The friend of your -- the landlord's son, did he
19 have a drug problem?

20 MR. DAMIEN GASANOV: Not in the past. At one point, I asked
21 him if he wants to work for me, or something like that; then he
22 said yes, we been driving around with this kid. And then I got in
23 situation when he tried to do what the guy -- he asked me, he got
24 to pick up his money and his wallet from the guy, can I give him a
25 ride. I said yes, of course. And so I give him a ride and then I

1 see something fishy is going on. So I just get out of the car
2 right away and I jump into this situation. The guy that bring him
3 his stuff end up being a drug dealer. He ran away to his car and
4 disappeared because of me being upset about and mad about all
5 this.

6 And then another thing is, I caught -- I grab his hand and I
7 say open up. And when he open, I see some type of bags and stuff.
8 So at that point, I just, you know, I just left him on that street
9 and I left. I -- then I left.

10 MR. FOX: I see. So when did the accident driver actually
11 start for the company?

12 MR. DAMIEN GASANOV: Accident driver start for company just
13 like we said in the previous. He come over on Sunday. I even
14 have the dates for you guys. He come over on Sunday, 15th, to the
15 truck stop.

16 MR. FOX: Okay.

17 MR. DAMIEN GASANOV: We were in there -- the first round, I
18 say about 2 hours, but I would like to fix myself. He were there
19 almost for half a day. So it was much more than 2 hours with me
20 and the other drivers around this kid, being explained to him what
21 do we see on the road and our experience of what's on the road.
22 Like, we did a big meeting for this. He asked for a job, so we
23 did a big meeting. And I asked him, is your driver's license
24 valid? He said yes. And I asked him, like, do you have a medical
25 card? He said yes. Because if you don't have, you have to get

1 it. And then I asked him if he -- what else did I -- I asked him
2 a lot of questions.

3 Like, you know, when I personally hire somebody, we ask them
4 a lot of questions. And I already at that time, I already knew he
5 have a lot of experience of driving the trucks. I see him in the
6 different trucks without a CDL. And then I asked him to show me
7 his license. He showed me. It was a commercial CDL. But at this
8 time, I already knew he was driving the big trucks so he have to
9 have that.

10 Then we ask him to try the truck and show me if he can just
11 back into the, like an alley dock parking. It's very important
12 because that's -- when you go in to do your driving test for a
13 CDL, they will -- that's one of the hardest -- not one, that's the
14 hardest parking. And I asked him to do it. So he done it
15 perfectly, like professionally. Then next day -- I mean, after we
16 talk about this, make a meeting and everything, we got the
17 paperwork from the kid. And then the same day we got the
18 paperwork from that kid, we check his driving record. His driver
19 license was active, sir.

20 And then, also, the next day my brother load him on the truck
21 that he got in accident. No, not the next day. I'm sorry. I'm
22 wrong. It was not next day. After Sunday, he show up on the
23 19th, which is 3 days after that. So we've been checking his
24 driving record and, I don't know, there is probably no loads for
25 him or something. So when the people gets through training, we

1 definitely not pushing them. They're not going crazy with it.

2 So, in 3 days, he come to the -- on 19th, he come to the
3 yard. My brother was there in the morning and he watch him load
4 the cars onto the trailer. Again, he done it professionally, sir.

5 MR. FOX: Right.

6 MR. DAMIEN GASANOV: So he does have experience with that.
7 We can tell right away this guy have experience.

8 MR. FOX: Okay.

9 MR. DAMIEN GASANOV: Because that trailer is the most hardest
10 trailer to load.

11 MR. FOX: Okay.

12 MR. DAMIEN GASANOV: Because it's kind of short. So he load
13 it perfect. After that, my brother follow him to the gas station.
14 Oh, no, no. No, my brother watch him do the logbook, fill in the
15 logbook. The same thing, he done it professionally. And then
16 after that, he started driving to the gas station. My driver
17 follow him to the gas station. And he drove normally, again, like
18 a professional driver.

19 MR. FOX: Okay.

20 MR. DAMIEN GASANOV: He didn't look -- I know that from on
21 Sunday, he didn't have any signs of being on some type of
22 narcotics like we see other day on video.

23 MR. FOX: Right.

24 MR. DAMIEN GASANOV: Yes. And at the gas station, my brother
25 watch him again, sir. It's totally true. He doing logbook, the

1 paper logbook, showing that he's at the gas station getting gas
2 and he's putting himself on duty.

3 MR. FOX: Okay. Moving along, did the accident driver ever
4 work for you before June of 2019?

5 MR. DAMIEN GASANOV: No, sir.

6 MR. FOX: So the interview at the 15th and then starting on
7 the 19th, that's the first time that he was ever employed by your
8 company?

9 MR. DAMIEN GASANOV: Yes, sir.

10 MR. FOX: And who operated the accident vehicle before
11 Volodymyr took control of the truck?

12 MR. DAMIEN GASANOV: It was --

13 MR. DARTANYAN GASANOV: Jose Noelis (ph.).

14 MR. DAMIEN GASANOV: Jose Noelis. We also provide with his
15 logs and paperwork to you guys.

16 MR. FOX: Okay. The paperwork associated with the accident
17 trip, it shows East Transport, LLC as the carrier. Can you please
18 explain why it's East Transport listed as the carrier and not your
19 company, not Westfield?

20 MR. DAMIEN GASANOV: They're both my -- they both are my
21 brother's companies. So we just take them to the yard and
22 sometime we just, you know, load them from one truck to another
23 and just deliver them to the places, local places around
24 Massachusetts.

25 MR. FOX: But this specifically, this was the load that was

1 coming from Grand Rapids.

2 MR. DAMIEN GASANOV: Yeah, from Michigan. It comes with the
3 EC Transport. My driver drove a different truck into the yard.
4 If you guys concerned about that, he drove the East Transport. He
5 pick up with East --

6 MR. FOX: He picked it up in an East Transport vehicle?

7 MR. DAMIEN GASANOV: Yes, sir.

8 MR. FOX: And that came to the yard?

9 MR. DAMIEN GASANOV: Yes. The load was delivered to
10 Massachusetts.

11 MR. FOX: And that's the one with the logs that were saying
12 that they were off duty?

13 MR. DAMIEN GASANOV: Yes.

14 MR. FOX: What driver was that?

15 MR. DAMIEN GASANOV: Off duty, the logs with the off duty?

16 MR. FOX: Yeah.

17 MR. DAMIEN GASANOV: That was Dartanyan, my brother.

18 MR. FOX: That was your brother?

19 MR. DAMIEN GASANOV: Yeah.

20 MR. FOX: Do you have the log handy, Robert?

21 MR. COMIRE: I do not have his.

22 MR. DARTANYAN GASANOV: Yeah, we do have everything.

23 MR. DAMIEN GASANOV: Did you bring it? Bring it --

24 MR. DARTANYAN GASANOV: When they stop.

25 MR. DAMIEN GASANOV: Okay.

1 MR. DARTANYAN GASANOV: Just keep going on the questions.

2 MR. DAMIEN GASANOV: We will provide them -- we will provide
3 you with that. We'll have that printed up and ready for you, sir.

4 MR. FOX: But that is -- I wish we had that log.

5 MR. DAMIEN GASANOV: We do have that log.

6 Give it to them (indiscernible). Just give them the whole
7 and -- just give it to them.

8 MR. DARTANYAN GASANOV: Oh, no, hold on, it's probably
9 (indiscernible).

10 (Pause.)

11 MR. DARTANYAN GASANOV: Okay, right there. Both my logs, and
12 then everything in there.

13 MR. COMIRE: We want the 19th.

14 MR. FOX: The 19th, yes.

15 MR. DAMIEN GASANOV: There is no 19th. It would be 18th; 18,
16 17.

17 MR. FOX: 18th?

18 MR. DAMIEN GASANOV: Yeah. 17 and 18. Because 19 my brother
19 was home, wasn't driving. Right? When this guy took up.

20 MR. COMIRE: Here's the 17th, and here's the 18th. This says
21 -- showing Michigan?

22 MR. DAMIEN GASANOV: Yeah.

23 MR. COMIRE: There's the 18th.

24 MR. DAMIEN GASANOV: There will be no 19th because you didn't
25 work the next night.

1 MR. DARTANYAN GASANOV: Everything in there.

2 MR. DAMIEN GASANOV: Okay.

3 MR. DARTANYAN GASANOV: Whatever it says, they will see it.

4 MR. COMIRE: So the 19th you were off duty in Dunkirk, New
5 York?

6 MR. DAMIEN GASANOV: That's when he -- on the 18th he come
7 home from Dunkirk, New York. He cheat on the log.

8 MR. FOX: All right. So you went out. I guess you're
9 leaving -- I just want to walk through these couple of days here
10 so I have it clear in my head. Here's the 17th. Right? This is
11 the 17th for Dartanyan?

12 MR. DARTANYAN GASANOV: This here.

13 MR. FOX: Right, you're --

14 MR. DARTANYAN GASANOV: Everything in there, sir.

15 MR. FOX: Everything --

16 MR. DARTANYAN GASANOV: Whenever I stopped for water,
17 whenever I stopped, like, for gas, everything there.

18 MR. FOX: Okay. So this run that's going from Harbor Creek,
19 Pennsylvania, and then you go to Michigan? That's what it says on
20 the log.

21 MR. DARTANYAN GASANOV: Whatever it says. I'm not going to
22 change anything till you guys see it.

23 MR. FOX: Correct. And then on the 18th you're also in
24 Michigan, and then you take off again in the morning and you're
25 heading towards Ohio, and then Pennsylvania, and then Dunkirk.

1 MR. DARTANYAN GASANOV: Yep.

2 MR. FOX: Right? So, and then on the -- is that the one in
3 Dunkirk? This is the one in --

4 MR. DAMIEN GASANOV: Oh, no, this is just fall on the floor.
5 I know where this come from.

6 MR. FOX: This is the 16th. Are we out of sequence here?

7 MR. DAMIEN GASANOV: No, you don't need 16.

8 MR. COMIRE: This is the 18th.

9 MR. FOX: 18th.

10 MR. COMIRE: The 17th.

11 MR. FOX: This is the 16th.

12 MR. COMIRE: 16th, 17th, 18th.

13 MR. FOX: Okay. I thought that he went off duty in New York?

14 MR. DAMIEN GASANOV: Yes.

15 MR. DARTANYAN GASANOV: I did.

16 MR. FOX: So this, this is the log on June the 19th.

17 MR. DARTANYAN GASANOV: In New York.

18 MR. FOX: Where you say you're in -- you're 13 miles east of
19 Dunkirk, New York, you're saying you're off duty.

20 MR. DAMIEN GASANOV: Yes.

21 MR. FOX: Is that correct?

22 MR. DAMIEN GASANOV: Yes, sir.

23 MR. FOX: But in actuality, you were driving?

24 MR. DAMIEN GASANOV: He cheated the logbook and he come home,
25 that's true.

1 MR. FOX: Well, I need to know where. When did he -- when
2 was he driving?

3 MR. DAMIEN GASANOV: We can mark that, if that's easier.

4 MR. FOX: You don't have to mark that document, just tell me
5 verbally.

6 MR. DAMIEN GASANOV: Okay.

7 MR. FOX: Do you know when he --

8 MR. DAMIEN GASANOV: Where this shows -- okay, so this is not
9 it -- okay. So what's this? The 16th.

10 MR. FOX: The 16th.

11 MR. DAMIEN GASANOV: No, we need the 18th. That's the 18th
12 right here. So as soon as he stopped right here, he went and eat
13 something. He done his pre-trip inspection and he said he
14 couldn't sleep. So, at 9 o'clock, in Dunkirk, New York?

15 MR. FOX: Yes.

16 MR. DAMIEN GASANOV: From Dunkirk, New York, he come home.
17 It's about 6 hours drive.

18 MR. FOX: I see.

19 MR. DAMIEN GASANOV: So he got home at 3.

20 MR. FOX: 3? Approximately 3 a.m.?

21 MR. DAMIEN GASANOV: Yes, sir.

22 MR. FOX: He arrived, on the 19th?

23 MR. DAMIEN GASANOV: Yep, about 3, maybe 4.

24 MR. COMIRE: How did he manipulate that to falsify that trip?

25 MR. DAMIEN GASANOV: He just turned off the logbook and come

1 home.

2 MR. COMIRE: He did what?

3 MR. DAMIEN GASANOV: He turned off the logbook and come home.

4 MR. COMIRE: He disconnected it?

5 MR. DAMIEN GASANOV: And come home.

6 MR. COMIRE: How did he do it, though?

7 MR. DAMIEN GASANOV: From the bottom. He just --

8 MR. COMIRE: Just unplugged it?

9 MR. DAMIEN GASANOV: Unplug it.

10 MR. COMIRE: Okay.

11 MR. FOX: He unplugged the transmitter?

12 MR. DAMIEN GASANOV: That's why the transmitter showing him

13 still in New York.

14 MR. COMIRE: In Dunkirk, New York.

15 MR. DAMIEN GASANOV: And he's here at home right now.

16 MR. FOX: So it just -- once it's disconnected, it no longer

17 transmits any data?

18 MR. DAMIEN GASANOV: No data. Not even -- you won't be able

19 to even change the location. So that's why it shows he's still in

20 there, the location.

21 MR. COMIRE: And he got home about 3 a.m. on the 19th?

22 MR. DAMIEN GASANOV: Yep.

23 MR. DARTANYAN GASANOV: Something like that.

24 MR. DAMIEN GASANOV: In the morning, yeah.

25 MR. COMIRE: Okay.

1 MR. FOX: And that's here in West Springfield?

2 MR. DAMIEN GASANOV: Yes, sir.

3 MR. FOX: Okay.

4 MR. COMIRE: And did you not plug it back in after you got
5 home?

6 MR. DARTANYAN GASANOV: No, it's still off.

7 MR. COMIRE: It's still off? Because all of these are still
8 showing you out at Dunkirk, New York?

9 MR. DAMIEN GASANOV: Yeah. That's it. He didn't operate
10 since then, sir.

11 MR. COMIRE: Okay. You just haven't plugged everything back
12 in --

13 MR. DAMIEN GASANOV: Yes, sir.

14 MR. COMIRE: -- and started back up?

15 MR. DAMIEN GASANOV: Yep. And you can see it on, probably,
16 his E-ZPass as well. He wasn't operating. It's hundred percent.

17 MR. FOX: So is this the first time you've done this, unplug
18 your device?

19 MR. DARTANYAN GASANOV: Yes, sir.

20 MR. DAMIEN GASANOV: That's what he said, yes.

21 MR. FOX: You've never done it before?

22 MR. DARTANYAN GASANOV: I'm unplugging when I'm moving my
23 truck, because right away they give you a violation, you know. In
24 the parking lot.

25 MR. DAMIEN GASANOV: Yeah, okay.

1 MR. DARTANYAN GASANOV: Just picking up from the -- they're
2 right away there. That's why I don't want to, like, report all
3 that.

4 MR. DAMIEN GASANOV: Beside that, he say he hope Robert -- I
5 talked to my brother. He said he always follow logbook as a
6 hundred percent.

7 MR. COMIRE: Yeah, hundred percent.

8 MR. FOX: Well, what made you -- what possessed you to do it
9 this way on this trip?

10 MR. DARTANYAN GASANOV: Just wants to go home.

11 MR. FOX: And so you haven't done that before?

12 MR. DARTANYAN GASANOV: No.

13 MR. DAMIEN GASANOV: No.

14 MR. DARTANYAN GASANOV: I don't think. I'm not
15 (indiscernible).

16 MR. FOX: Just hold on a second.

17 MR. DAMIEN GASANOV: There was any family problems?

18 MR. DARTANYAN GASANOV: Yeah. I got to pick up the bills
19 kind of stuff.

20 MR. DAMIEN GASANOV: Bills?

21 MR. FOX: All right. Did you want to talk any more about
22 that trip right there, Robert?

23 MR. COMIRE: Specific to Dartanyan, no. But I have his logs
24 that I'd like to get some clarification on.

25 MR. FOX: Oh, is it on this trip, though?

1 MR. COMIRE: It's actually the 18th and the 19th, before it
2 starts.

3 MR. FOX: Okay.

4 MR. COMIRE: I can do that and then I can come back to --

5 MR. FOX: Yeah, then some follow-up.

6 MR. COMIRE: So in keeping with the dates of the 18th and
7 19th, Damien, you had a similar situation with your log. Did you
8 want to tell us about that? Can you explain what you did on your
9 log on the 18th and the 19th?

10 MR. DAMIEN GASANOV: 18th and 19th? On the 18th, I was
11 repairing my truck in Pennsylvania and I cheat on my logbook. I
12 showed that I pick up my brother's loads to cover his log that he
13 come home.

14 MR. COMIRE: How did you cheat the logbook?

15 MR. DAMIEN GASANOV: I just disconnect it and put manually on
16 the app.

17 MR. COMIRE: And that was the 18th and 19th?

18 MR. DAMIEN GASANOV: Yes, sir.

19 MR. COMIRE: Are there any other days in the month?

20 MR. DAMIEN GASANOV: I believe 19th. Yeah, 18th and part --
21 yep. On any other days that you consider, like what are you,
22 like, want to --

23 MR. COMIRE: Are there any other days in the records that you
24 provided me that you did that, where you disconnected?

25 MR. DAMIEN GASANOV: I've been cheating on the logs.

1 MR. COMIRE: And that's how you did it, by unplugging?

2 MR. DAMIEN GASANOV: The same way, sir.

3 MR. FOX: So you've done it multiple times then?

4 MR. DAMIEN GASANOV: Yes, sir.

5 MR. FOX: Okay.

6 MR. COMIRE: If I run through some dates with them real
7 quick, would you confirm for me the dates? So I have -- I'm going
8 to just go through the dates of your logs that I matched up to
9 some other records, the E-ZPass that you provided us.

10 MR. DAMIEN GASANOV: Okay.

11 MR. COMIRE: And you tell me if these are dates that you
12 disconnected.

13 MR. DAMIEN GASANOV: I wouldn't remember probably, sir.

14 MR. COMIRE: Will you know if there's dates that you've --

15 MR. DAMIEN GASANOV: Robert, I'll be honest with you. I
16 would love to say truthfully right now, but I won't be able to
17 tell you exactly from my head. I have very bad memory about this
18 kind of stuff for sure.

19 MR. COMIRE: But you do recall that there were several days
20 that you've --

21 MR. DAMIEN GASANOV: I'm not lying, yes.

22 MR. COMIRE: Okay.

23 MR. DAMIEN GASANOV: Yes, I done it, sir.

24 MR. COMIRE: All right.

25 MR. FOX: So, with that thought, you do it and your brother

1 does it. Are your other drivers doing it?

2 MR. DAMIEN GASANOV: Not that we know. No, not the drivers.
3 Maybe my brother, as you see, that day he just disconnect, come
4 home. And if you will check, you're going to see he's not
5 cheating on the logbooks. I believe all the time --

6 MR. DARTANYAN GASANOV: I still have time on my
7 (indiscernible).

8 MR. FOX: Now you get the copy of E-ZPass, correct?

9 MR. DAMIEN GASANOV: Yes.

10 MR. FOX: Your wife gets it, or you get a copy of your E-
11 ZPass paperwork, right? Because it's a bill and you pay this,
12 right?

13 MR. DAMIEN GASANOV: Yeah, but, like, we never print it, sir.
14 We never print them. They're all in the system, yes.

15 MR. FOX: Okay.

16 MR. DAMIEN GASANOV: That's how we know. If you guys are
17 need it, we be able to provide them.

18 MR. FOX: Right. But the question is do you have access to
19 the E-ZPass? Do you have access to these documents or these
20 records online?

21 MR. DAMIEN GASANOV: Yeah, if it's been print by my wife,
22 it's (indiscernible).

23 MR. FOX: So you have access to E-ZPass, correct?

24 MR. DAMIEN GASANOV: Yes, sir. Yes, sir.

25 MR. FOX: So you have the capability, just like we did, to

1 print off these documents and check them against your logs to
2 check for falsification; is that correct?

3 MR. DAMIEN GASANOV: Yes, sir.

4 MR. FOX: Okay.

5 MR. COMIRE: And just, Damien -- Donyadar, right?

6 MR. DAMIEN GASANOV: Yeah.

7 MR. COMIRE: So this morning when we came in, we asked you to
8 go ahead and verify the vehicle assignments and transponder
9 assignments and drivers that are assigned to the vehicles.

10 MR. DAMIEN GASANOV: Okay.

11 MR. COMIRE: And you indicated on the sheet that you gave us
12 that each of these drivers are assigned to this vehicle.

13 MR. DAMIEN GASANOV: Yes, sir.

14 MR. COMIRE: And this is the assigned transponder?

15 MR. DAMIEN GASANOV: I believe so. I'm not hundred percent
16 sure. But as I know, I think that's exactly what it is, sir, yes.

17 MR. COMIRE: Okay. And so in the last 60 days there's been
18 no changes to this assignment?

19 MR. DAMIEN GASANOV: Yes, sir. Yeah, otherwise you'll be
20 able to see -- if I would say not true, because each transponder
21 have the name that log into it. So that is easy to check that.

22 MR. COMIRE: Okay. But you're pretty sure that this is
23 accurate for the last 60 days at least?

24 MR. DAMIEN GASANOV: I think so. I hope so, because I would
25 like to say truthfully yes, and provide all the right information,

1 sir.

2 MR. COMIRE: Okay. And just to clarify, the vehicle that you
3 drive is the 2017 Ram 4500?

4 MR. DAMIEN GASANOV: Yes, sir.

5 MR. COMIRE: VIN ending in 1505, and the transponder assigned
6 to that ending in the last four digits 2454. Is that correct?

7 MR. DAMIEN GASANOV: That's the most confusing situation
8 because I have two of the 4500s. I don't remember exactly which
9 one I'm driving. They're both 2017. They're both 4500s. And by
10 the VIN number that is on the paper right there, I won't be able
11 to -- but if you want me to, I can have someone to take a picture
12 of my truck right now at the yard and --

13 MR. COMIRE: I actually have that.

14 MR. DAMIEN GASANOV: You have it?

15 MR. COMIRE: From the inspection we did the other day.

16 MR. DAMIEN GASANOV: So you would probably know better
17 than --

18 MR. COMIRE: And I also confirmed it with your profile
19 inspections. That combination is what we have you in for three
20 separate trips.

21 MR. DAMIEN GASANOV: Okay.

22 MR. COMIRE: Have you changed vehicles in the last 30 days?

23 MR. DAMIEN GASANOV: No, sir.

24 MR. COMIRE: Okay. So then this particular vehicle is the
25 vehicle that you were inspected in the other day?

1 MR. DAMIEN GASANOV: Yes, sir.

2 MR. COMIRE: Okay. And Vadrimas Covington (ph.), who is the
3 previous CDL driver that was employed by your company?

4 MR. DAMIEN GASANOV: Yes, sir.

5 MR. COMIRE: He was operating the 2017 Ram 4500 ending in
6 8168?

7 MR. DAMIEN GASANOV: Yes, sir.

8 MR. COMIRE: Which is the other vehicle?

9 MR. DAMIEN GASANOV: Yes, sir.

10 MR. COMIRE: And then the third CDL driver that you employed
11 briefly --

12 MR. DAMIEN GASANOV: Oleg Kastushka (ph.) was driving the
13 same combination as Vadrimas Covington.

14 MR. COMIRE: As Vadrimas Covington?

15 MR. DAMIEN GASANOV: Yes, sir.

16 MR. COMIRE: Okay. So they drove, both drove that
17 combination?

18 MR. DAMIEN GASANOV: Yes, sir.

19 MR. COMIRE: Okay. All right. One other quick question for
20 you guys: How did you find out, was it -- how did you know that
21 unplugging this was going to allow you to do what you did to give
22 us these records in the way that you did it? Did somebody show
23 you that?

24 MR. DARTANYAN GASANOV: No.

25 MR. DAMIEN GASANOV: If you unplugged it?

1 MR. COMIRE: Right.

2 MR. DAMIEN GASANOV: No, it's very easy and simple, to be
3 honest. It's just when you unplug it, it doesn't take any records
4 but you still continue records on your app.

5 MR. COMIRE: And is there any other way that you can change
6 the record on the app?

7 MR. DAMIEN GASANOV: You don't need any other way, to be
8 honest. You don't need it.

9 MR. COMIRE: You don't, because once you unplug it, you can
10 put whatever you want?

11 MR. FOX: You can manipulate the logbook to say anything?

12 MR. COMIRE: Yes.

13 MR. DAMIEN GASANOV: You can manipulate the log with just a
14 matter of 5 minutes.

15 MR. COMIRE: Can you change the locations? When you're
16 disconnected --

17 MR. DAMIEN GASANOV: Yes.

18 MR. COMIRE: -- can you change the locations on the app?
19 Have you, your brother, or anyone else done that?

20 MR. DARTANYAN GASANOV: I've not.

21 MR. DAMIEN GASANOV: I done it. Like I said, I've been --
22 yeah. I'll be honest. I've been cheating on the logbooks.

23 MR. COMIRE: Okay. Well, I appreciate your answering my
24 questions.

25 MR. FOX: Do you have any affiliation with any other trucking

1 companies?

2 MR. DAMIEN GASANOV: When you say an affiliation, like what
3 do you mean, Mr. Fox?

4 MR. FOX: Are you associated with any other trucking
5 companies? We know that you and your brother are associated
6 with -- you know, that Westfield Transport is associated with East
7 Transport.

8 MR. DAMIEN GASANOV: Yeah, just because they both belong to
9 my brother, yes. But that's it.

10 MR. FOX: Are there any other companies that you're
11 associated with?

12 MR. DARTANYAN GASANOV: That's all.

13 MR. DAMIEN GASANOV: That's all, sir. That's all.

14 MR. FOX: That's it?

15 MR. DAMIEN GASANOV: Yeah. There is a -- in this industry,
16 it's really hard to say that's all because even the brokers who
17 dispatching the loads, they are actually carriers, they're not
18 brokers. We see this a lot in central dispatch. They're out
19 there, they're dispatching the loads. If that's the question,
20 yes, we do associate with other transportation companies.

21 (To Dartanyan) Do you understand English? We do --

22 MR. DARTANYAN GASANOV: Not really, but --

23 MR. DAMIEN GASANOV: Yeah, we do, because they do broken in
24 loads to us, or they call us and ask to move the cars. I would
25 say with a lot of them, that would be correct answer, sir.

1 MR. FOX: Now, between the two companies, between your
2 company East Transport and Westfield Transport, do you -- I know
3 that you operate for him and he operates for you. You go back and
4 forth. Do other drivers go back and forth between the two
5 companies?

6 MR. DAMIEN GASANOV: No, sir. Just that guy, Jose Noelis.
7 He worked a little bit for my company.

8 MR. FOX: And he also works for your brother.

9 MR. DAMIEN GASANOV: And he also --

10 MR. FOX: Is there anybody else who's going back and forth
11 like that?

12 MR. DAMIEN GASANOV: No, nobody goes back and forth like
13 that.

14 MR. FOX: Do you have any affiliation with Daks Express, D-a-
15 k-s?

16 MR. DAMIEN GASANOV: Daks, D-a-x or k-s?

17 MR. FOX: D-a-k-s, Daks.

18 MR. DAMIEN GASANOV: Not that I know.

19 MR. FOX: Not that you know?

20 MR. DAMIEN GASANOV: No. What's that?

21 MR. FOX: It's a trucking company.

22 MR. DAMIEN GASANOV: Daks? Not that --

23 MR. FOX: A company, a car hauler like you are.

24 MR. DAMIEN GASANOV: No, not that --

25 MR. DARTANYAN GASANOV: Are new, no?

1 MR. FOX: No, they're not new.

2 MR. DAMIEN GASANOV: We don't know them, sir.

3 MR. FOX: Do you know that that's where the accident driver
4 came from? His house is Daks.

5 MR. DARTANYAN GASANOV: His house?

6 MR. FOX: The accident, Volodymyr.

7 MR. DAMIEN GASANOV: He come from someone house, he said?

8 MR. FOX: Yeah, his home is Daks. He lives at Daks Express.

9 MR. DAMIEN GASANOV: No, we didn't know that. No, no, no,
10 hold on. His father owns a company, but it's Vlad's. It used to
11 be, I remember --

12 MR. FOX: Well, now it's called Daks.

13 MR. DAMIEN GASANOV: They probably change the name. Yeah,
14 but we're not aware of that, sir, no.

15 MR. FOX: And -- hold on, I've got to check my --

16 (Phone toning.)

17 Stand by one second.

18 (Pause.)

19 So this driver right here --

20 MR. DAMIEN GASANOV: Alexander Harchenko (ph.).

21 MR. FOX: Okay, Alexander Harchenko?

22 MR. DAMIEN GASANOV: Yes, sir.

23 MR. FOX: Do you know where he came from, who he worked for?

24 MR. DAMIEN GASANOV: He told me he used to work for other
25 company. He does have experience and everything, but we tried

1 to -- by the way, about the Harchenko, we tried to contact that
2 person that he -- who he worked with or for, but that person
3 change his number or just that number that he provide was off.
4 Then we checked Alexander Harchenko record. It was clean.

5 MR. FOX: Okay. Well, he worked for Daks Express.

6 MR. DAMIEN GASANOV: I didn't know that, sir, no.

7 MR. FOX: You didn't check his employment history?

8 MR. DAMIEN GASANOV: He told me there is a company out of
9 Agawam not West Springfield. Daks should probably be in West
10 Springfield, right? The Daks is out of West Springfield, sir?

11 MR. FOX: Um-hum. Yeah, they're local.

12 MR. DAMIEN GASANOV: No, sir. I never even heard about the
13 Daks, and I know a lot of companies, as a lot of companies know
14 me.

15 MR. FOX: Yeah, well, he's got roadside inspections with Daks
16 Express.

17 MR. DAMIEN GASANOV: No, I believe it. I understand. And
18 no, I haven't --

19 MR. FOX: Who is the same -- so the accident driver lived at
20 Daks. That's his residence.

21 MR. DAMIEN GASANOV: Okay, I see the connection now. I see
22 where you're coming from. But no, we don't know anything about
23 that, sir.

24 MR. FOX: Okay.

25 MR. DAMIEN GASANOV: Also, for the file, if you guys want to

1 know, there is a guy that Alex been telling me. I believe that
2 guy relate to the Volodymyr, but I don't know how. Either his
3 wife's husband -- or either his sister's husband, either some type
4 of relation, but I didn't know Daks or anything like that. I know
5 he were a driver. I don't remember his name, but I still have his
6 phone number, sir. You can call and check.

7 MR. FOX: Okay.

8 MR. DAMIEN GASANOV: And also, he -- I used to call them and
9 ask for consultations about combinations, what to fix. I mean,
10 not what to fix, like what to do, what would be the problems and
11 stuff like that. And that guy somehow related to them. That's
12 probably close as I can see Daks, probably. I'm not sure.

13 MR. FOX: Did you have any affiliation with Bros Transport?

14 MR. DAMIEN GASANOV: Bros Transport?

15 MR. FOX: Bros, B-r-o-s Transport.

16 MR. DAMIEN GASANOV: Who is Bros, Dartanyan?

17 MR. DARTANYAN GASANOV: We shut down there. Like we open and
18 there was -- the business was not going.

19 MR. DAMIEN GASANOV: Oh, it was --

20 MR. DARTANYAN GASANOV: Yeah, Bros. That's our company.

21 MR. FOX: It was your company, right? Because you were the
22 president and the --

23 MR. DARTANYAN GASANOV: Yeah.

24 MR. FOX: -- you're the secretary.

25 MR. DAMIEN GASANOV: I remember, it was --

1 MR. FOX: It was a trucking company like this?

2 MR. DARTANYAN GASANOV: No, no, no, no. It was like as a
3 medical, but nobody give contracts.

4 MR. FOX: Medical supply?

5 MR. DAMIEN GASANOV: I was going to do it, but --

6 MR. DARTANYAN GASANOV: Nobody give contracts. That's all.
7 We can't find --

8 MR. DAMIEN GASANOV: Oh, yeah, yeah, that's -- yeah, yeah.
9 Okay, I remember. Yeah, we opened for to do the medical
10 transport.

11 And do you remember the contract that you've been trying to
12 get? No?

13 MR. DARTANYAN GASANOV: It's been so long.

14 MR. DAMIEN GASANOV: We tried to get the contracts from
15 medical transportation companies.

16 MR. DARTANYAN GASANOV: But it's not good.

17 MR. FOX: Okay.

18 MR. DAMIEN GASANOV: Yeah, there was not enough experience, I
19 guess, or something like that, and the company didn't get approved
20 and we just shut it down.

21 MR. COMIRE: So just to kind of clarify that, so you and your
22 brother have both filed corporation records in the state of
23 Massachusetts for Westfield Transport?

24 MR. DAMIEN GASANOV: Yes, sir.

25 MR. COMIRE: East Transport?

1 MR. DAMIEN GASANOV: Yes, sir.

2 MR. COMIRE: And Bros Transport?

3 MR. DAMIEN GASANOV: Yes, sir.

4 MR. COMIRE: Have you or your brother filed for any records
5 for any other type of transportation business in this state?

6 MR. DAMIEN GASANOV: No, sir.

7 MR. COMIRE: Have you filed for any other businesses in any
8 other state?

9 MR. DAMIEN GASANOV: No, sir.

10 MR. DARTANYAN GASANOV: East Transport, when I was open, I
11 tried to get the contract from the Vale. They say okay, okay, and
12 then I was keep going. They was checking my criminal record,
13 everything. And then after that, he said like, oh, we don't need
14 this anymore. Vale Transportation, Vale Brokers.

15 MR. COMIRE: What was it called?

16 MR. DARTANYAN GASANOV: Vale. Vale.

17 MR. COMIRE: Vale? Like V-a-l-e?

18 MR. DARTANYAN GASANOV: Hold on. Vale or -- yeah, something
19 like that.

20 MR. COMIRE: And did you get a DOT number with that one?

21 MR. DARTANYAN GASANOV: Yeah. And then, like, I switched
22 them to the back of my house, this company, East Transport, LLC.

23 MR. FOX: And that was originally called Vale's?

24 MR. DARTANYAN GASANOV: Vale Transportation Brokers.

25 MR. COMIRE: And it was also a broker?

1 MR. DARTANYAN GASANOV: Yeah.

2 MR. COMIRE: You requested broker authority for that one,
3 too?

4 MR. DARTANYAN GASANOV: Yeah. I will try to get the contract
5 with them, and he say yes, yes, and then we have too much like a
6 talk, and then he say always yes, and I was keep going. You know,
7 so I opened the company. I had do that, this, this, whatever. I
8 always follow. And then one day say, I'm sorry, professionally,
9 he say I'm sorry --

10 MR. DAMIEN GASANOV: Are you guys talking about the same
11 thing right now?

12 MR. COMIRE: Well, we're just trying to get an idea on just
13 exactly how many of these companies that you and your brother
14 have --

15 MR. DARTANYAN GASANOV: He transferred it. But what I have
16 right now --

17 MR. COMIRE: -- had some involvement with

18 MR. DAMIEN GASANOV: Vale is not his company.

19 MR. DARTANYAN GASANOV: No, no, no, not Vale. Vale is
20 brokers, medical company.

21 MR. DAMIEN GASANOV: He don't ask for Vale. He don't ask for
22 brokers. He ask if we, besides those three companies we have, did
23 we ever open up a company somewhere in any other states.

24 MR. DARTANYAN GASANOV: East Transport open in Connecticut.

25 MR. DAMIEN GASANOV: Oh, East Trans opens in Connecticut.

1 MR. DARTANYAN GASANOV: Yeah, and then I switch them back.

2 MR. FOX: You switched them here, to Massachusetts?

3 MR. DAMIEN GASANOV: Why you open in Connecticut?

4 MR. DARTANYAN GASANOV: I don't know. I tried to get a
5 contract with them. It's a long time ago. I don't even remember
6 what it was.

7 MR. COMIRE: Okay. So just -- I'm sorry, Mike, can I --

8 MR. FOX: Go ahead.

9 MR. COMIRE: Okay, guys. So, you know, you guys have opened
10 and operated three separate companies, right? And this Bros
11 didn't really go anywhere, but --

12 MR. DAMIEN GASANOV: Nowhere.

13 MR. COMIRE: -- East Transport and Westfield Transport are
14 the two main companies, right?

15 MR. DAMIEN GASANOV: Yes, sir.

16 MR. COMIRE: And you're using the equipment and the drivers
17 between the two companies almost kind of interchangeably, right?

18 MR. DAMIEN GASANOV: No, it was just a one-time deal with
19 Jose Noelis. It's just -- I know it was just -- that was it, like
20 we said today previously.

21 MR. COMIRE: So, for example -- I don't want to say this
22 wrong.

23 MR. DAMIEN GASANOV: Dartanyan.

24 MR. COMIRE: Dartanyan.

25 MR. DAMIEN GASANOV: Yeah.

1 MR. COMIRE: You have driven under Westfield Transport.
2 There's roadside inspections for him under Westfield Transport.

3 MR. DAMIEN GASANOV: Yeah, he did.

4 MR. COMIRE: And Jose has driven for East Transport and
5 Westfield Transport.

6 MR. DAMIEN GASANOV: Yeah.

7 MR. COMIRE: And so that's the sharing of equipment and
8 drivers that I'm talking about.

9 MR. DAMIEN GASANOV: That's -- the way you just name it, that
10 would be probably it. It wasn't more than that. It was not that
11 crazy by doing. It wasn't that crazy.

12 MR. COMIRE: Right. And so you've shared brokered loads.
13 For example, the trip that was involved with the crash was a
14 brokered load between East Transport and Westfield Transport; is
15 that correct?

16 MR. DAMIEN GASANOV: Yeah. But we didn't share them a lot,
17 neither. Whatever you guys are seeing, it would be pretty much
18 it, too. It was very rarely, here and there.

19 MR. COMIRE: Okay.

20 MR. FOX: So it did occasionally happen?

21 MR. DAMIEN GASANOV: That happened, no lies, but it wasn't
22 happening all the time. It really happened, like, maybe less than
23 10 times, to be honest with you. In the past, somehow -- that
24 when the accident happened, I provide you all the information.
25 And I'm telling you on top of that, that wasn't really going on

1 and on and on, if you guys would like to know as a DOT authority.

2 MR. FOX: Did you have any affiliation with Three Brothers
3 Transport?

4 MR. DAMIEN GASANOV: We know them because they are parking in
5 exactly the same parking lot where we --

6 MR. FOX: Right. Right next to your equipment.

7 MR. DAMIEN GASANOV: Yes, sir. We never exchange with
8 documents. We never exchange with any drivers. We never exchange
9 with, I think, nothing. Maybe, maybe on the repairs, times we
10 maybe ask for screwdrivers or they got a jack from us, something
11 like that maybe, just as a neighbor to a neighbor, nothing in
12 business.

13 MR. FOX: Did you ever have any consultant work for you?

14 MR. DAMIEN GASANOV: Consultant work for me? We registered
15 for ACV before, before the crash happened about -- I mean this
16 year. ACV, it was way before crash happened. It's not we decide
17 to do this after crash, no. It was before the crash happened. AC
18 -- no, I'm sorry, TVC Services. And I have a packet. I can bring
19 it to you guys so you can see. They will do hiring stuff. They
20 will do -- that might help you guys. They will do even the
21 meetings for drivers. That's something I was going to use in --

22 MR. FOX: And what's the name of this company again?

23 MR. DAMIEN GASANOV: TVC. It was on the thing --

24 MR. FOX: TVC?

25 MR. DAMIEN GASANOV: Do you remember the --

1 MR. FOX: Is that what it is? T -- Tango, Vector, Charlie?

2 MR. DAMIEN GASANOV: TVC. Yep, yep. Yes, sir.

3 MR. COMIRE: Now, you said in previous conversations about a
4 gentleman by the name of Dennis.

5 MR. DAMIEN GASANOV: Dennis. He does the taxes. He does
6 just open up a -- if you want to open a company, he would help you
7 with that. And he will do the taxes.

8 MR. COMIRE: Did he do any of that for you and your brother
9 at any time?

10 MR. DAMIEN GASANOV: Yeah. He opened Westfield for us, and
11 he help us to open Bros, and he also help us to open ET.

12 No? ET, did he open ET? If it's out of Connecticut, I don't
13 think so -- or he is?

14 MR. DARTANYAN GASANOV: No, no.

15 MR. DAMIEN GASANOV: No? Okay. So he does Bros and
16 Westfield.

17 MR. COMIRE: Do you know his full name?

18 MR. DAMIEN GASANOV: No, I don't know his full name, sir.

19 MR. COMIRE: Do you have an email contact for him?

20 MR. DAMIEN GASANOV: Yes, I do have an email for this guy,
21 and a phone number, whatever you like.

22 MR. COMIRE: Both, please.

23 MR. DAMIEN GASANOV: Okay. So email would be -- okay. So d
24 as in David, l as in Larry, d as in David, dot, e as in Edward, n
25 as in Nancy, t as in Tom, @comcast, which is c-o-m-c-a-s-t, dot

1 net, n-e-t.

2 MR. COMIRE: Okay.

3 MR. FOX: Is that the same one that's on the 150s?

4 MR. COMIRE: Um-hum.

5 MR. FOX: Okay.

6 MR. COMIRE: So you paid him to do your filings for you?

7 MR. DAMIEN GASANOV: Yes, sir.

8 MR. COMIRE: And you said you had a telephone number maybe?

9 MR. DAMIEN GASANOV: Yes, sir. Phone number would be 413-
10 789-4305.

11 MR. FOX: 4305?

12 MR. DAMIEN GASANOV: Yes, sir.

13 MR. FOX: Did you want to go over any more of this paperwork
14 right now while we're going or --

15 MR. COMIRE: It's up to you. I have some confirmation of
16 some things that I'd like to --

17 MR. FOX: We can do it now and knock it all out if you want.

18 MR. COMIRE: Okay. That would be great.

19 MR. FOX: These are my original questions --

20 MR. DAMIEN GASANOV: Are you guys -- are we still on the
21 recording time?

22 MR. FOX: Yeah.

23 MR. COMIRE: Yeah. So, Dunyadar, everything we've been
24 talking about so far with the inspections, the dates that we've
25 met and the conversations we've had, everything is being recorded

1 to assess your compliance, okay? I'm with Federal Motor Carrier
2 and my job is to assess the compliance of this company and to
3 determine whether or not you're doing things as required, okay?
4 And so far, you know that we've talked about a lot of areas where
5 you're deficient. So what I want to do is this, I want to kind of
6 go over a few things to make sure that we're assessing you
7 properly and that we are accurate in the information that we're
8 providing, okay?

9 MR. DAMIEN GASANOV: Okay.

10 MR. COMIRE: All right. So real quick, you've given us an
11 updated driver listing today, and that listing included the names
12 of drivers that we had seen on the profile but we weren't a
13 hundred percent sure if they had been documented by the company.
14 The list that you gave us today, is that accurate?

15 MR. DAMIEN GASANOV: Yes, sir. I tried my best to be
16 accurate as far as I can. That's hundred percent. I try.

17 MR. COMIRE: And the vehicle registrations and trailer
18 registrations that you gave us, those are the only vehicles and
19 trailers that are either owned, operated, or leased by this
20 company?

21 MR. DAMIEN GASANOV: Yes, sir. Besides one trailer -- I
22 don't know if you guys -- you do have a registration for a
23 trailer, also, that been leased to Tito's Transport.

24 MR. COMIRE: Tito's Transport?

25 MR. DAMIEN GASANOV: Yeah, Tito's. That's the guy, he's

1 open. He's a small company. He drive himself. And I just lease
2 one trailer to him. And I think you guys do have -- I did provide
3 the information with the trailer, too.

4 MR. COMIRE: Regarding the CDL drivers that your company's
5 employed in the last 12 months, you have two combinations, which
6 we've identified as being CDL vehicles.

7 MR. DAMIEN GASANOV: Yes, sir.

8 MR. COMIRE: Two Ram 4500s and the trailers assigned to them.

9 MR. DAMIEN GASANOV: Yes, sir.

10 MR. COMIRE: And you are a CDL driver yourself?

11 MR. DAMIEN GASANOV: Yes, sir.

12 MR. COMIRE: And Vadrimas Covington was a CDL driver?

13 MR. DAMIEN GASANOV: Yes, sir.

14 MR. COMIRE: And the gentleman Oleg --

15 MR. DAMIEN GASANOV: Kastushka.

16 MR. COMIRE: Kastushka. A CDL driver that worked for you
17 also?

18 MR. DAMIEN GASANOV: Yes, sir.

19 MR. COMIRE: You, all three of you, you have no evidence to
20 show enrollment in a random testing program. Is that true?

21 MR. DAMIEN GASANOV: I'm sorry, could you ask me again?

22 MR. COMIRE: The three CDL drivers, yourself, Oleg and
23 Vadrimas, are not enrolled in any random testing drug and alcohol
24 program?

25 MR. DAMIEN GASANOV: Not in the random, sir.

1 MR. COMIRE: Okay. You and Vadrimas had pre-employment tests
2 taken at some point in time, but you have no evidence to show any
3 pre-employment tests for Oleg; is that correct?

4 MR. DAMIEN GASANOV: The drug test?

5 MR. COMIRE: Right.

6 MR. DAMIEN GASANOV: I might have it somewhere. I've got to
7 look into this. There's too many, Robert. I will look into it.
8 If I have it, I will definitely provide that one, the drug test.

9 MR. COMIRE: Okay. But as of right now, you don't have
10 anything to show us, correct?

11 MR. DAMIEN GASANOV: Not right now.

12 MR. COMIRE: Okay. We requested the driver qualification
13 files from you for all the drivers that were identified and
14 yourself and your wife, Olga, who you said does the administrative
15 duties for the company?

16 MR. DAMIEN GASANOV: She's not really does all of that, no.
17 She just -- she's not even getting paid. She's just helping me.
18 She does the stuff that I ask her to.

19 MR. COMIRE: Okay.

20 MR. DAMIEN GASANOV: I ask her to do.

21 MR. COMIRE: So those files were provided to us. And in
22 those files, there was no applications for any of the drivers.
23 There was no pre-employment checks documented for any of the
24 drivers. For the drivers who are required to be CDL drivers,
25 there was no performance safety history background checks. We had

1 some missing documents above those areas for those. Do you
2 acknowledge that?

3 MR. DAMIEN GASANOV: Yes.

4 MR. COMIRE: Okay. And can you tell me why you did not
5 document the qualifications for the drivers that you've employed
6 in the last 365 days?

7 MR. DAMIEN GASANOV: It's probably my experience. It's
8 probably my experience. Like, the random drug tests, I didn't
9 know about that program. And in order to get -- I always try to
10 get better, you know. It's just because, maybe because I'm a
11 foreigner, maybe because I just have not enough of experience in
12 this. I know what was the reason for having that, but that's
13 because not enough experience, guaranteed.

14 And also, I try to get better, Robert. As you see, as soon
15 as you guys find out about that TVC Services, you guys will figure
16 out that that was the right thing for me to do to help me with all
17 these questions that you just asked me. They are very
18 professional and they call themselves a truck voices services. So
19 they even provide the lawyer. Like I said, interview. They do
20 the -- as I've been told -- the guy's name Mike who was providing
21 the contracts for the service at the truck stop. He explained
22 they will do the interview, they will do hiring interviews and
23 stuff like that. So the part of the questions that we were weak
24 with, our company were weak with, that was the company, and that
25 was the only reason why I sign up for them. They're not free.

1 And that was the only reason.

2 MR. COMIRE: So, you know, like I said, I just want to
3 clarify some things because we want to make sure that the
4 assessment of your business is accurate, okay? So I'm just going
5 to go over the areas that we've already discussed and the areas
6 where we've seen documents and things of that nature. So we asked
7 you for the maintenance records for the trucks and the trailers.

8 MR. DAMIEN GASANOV: Yes.

9 MR. COMIRE: And you provided me with copies of the FMCSA
10 Inspection, Repair and Maintenance Record for the trucks and
11 trailers, which you prepared by filling out each of the lines with
12 the following statement: "Manufacturing recommendations."

13 MR. DAMIEN GASANOV: Yes.

14 MR. COMIRE: And there's no indication as to what was done to
15 the vehicle.

16 MR. DAMIEN GASANOV: No, sir.

17 MR. COMIRE: No indication as to if there was a repair made
18 or if it was preventative maintenance or anything of that nature.

19 MR. DAMIEN GASANOV: No, sir. I mean, it's again another
20 situation when I'm not knowing that I have to, like, put each
21 stuff I repair on the truck. I do receive -- I mean, I do save
22 all the receipts. There is hundreds and hundreds and thousands of
23 dollars involved into those receipts: NAPA, AutoZone Auto Parts,
24 Dodge dealers from Chicopee, Dodge dealers in West Springfield,
25 other small or big shops, and truck stops, truck shops that is

1 involved into my repairs. And all the receipts, I always save
2 them because I have to file tax on --

3 MR. COMIRE: So we talked about that and I asked you, I said
4 do you have any receipts that you could give me, and the other day
5 when we were doing inspections you said you had nothing to give
6 me.

7 MR. DAMIEN GASANOV: No, actually, I said I have big bag.
8 It's like that big. And I got to go through all the receipts, and
9 I will provide the receipts if you want me to.

10 MR. COMIRE: Oh, absolutely. We want to see everything. We
11 want to make sure that --

12 MR. DAMIEN GASANOV: I will provide them. I have them all.

13 MR. COMIRE: So outside of these records here, you did not
14 have any other records to identify any preventative maintenance or
15 repairs; is that correct?

16 MR. DAMIEN GASANOV: Outside what you have in your hands, my
17 receipts, and the people who come over to our yard, no.

18 MR. FOX: Do you have a systematic method of repairs and
19 services? Do you have a way that --

20 MR. DAMIEN GASANOV: Yes. Yes, sir.

21 MR. FOX: And how is that done?

22 MR. DAMIEN GASANOV: Each time when they come weekends --
23 each time when they come, on the way, on the road, as each thing
24 happen to the truck, they have to notify me right away. That's
25 the driver's responsibility. That's what we're going through and

1 that's what we have in the meetings when we hire drivers. They
2 have to notify me right away.

3 If it's something small and let's say there is something
4 like -- I know what to say, his -- let's put it this way: He
5 needs a spare tire. He lost his spare tire or something, somebody
6 steal the spare tire. So it's not safe for him to get home
7 without spare tire, I know that. So he's going home, and at home
8 I'm resolving the issue when he gets to the truck stop. Or even
9 we're buying one on the way. Whatever is convenient for us and,
10 you know, the best way to resolve that, we're resolving it.

11 Then we have a mileage wise. Each time when the driver sees
12 miles appears on his dashboard up to 10,000, it means time for oil
13 change. So no matter what, he's coming at that point, he's coming
14 to the yard and getting his oil changed. Each time when he's
15 seeing 20,000 on his -- which is 10, 20, 30, 40. So each time
16 when he sees 20, 40, 60, it means he's getting all the fuel
17 filters, all the air filters replaced, with oil on top of that.

18 Each 50- to 60,000 -- not really 60. I would say each 50,000
19 miles, which is 50, 100, 150, when the driver realize that he's at
20 the 50 point something, he's coming for -- there is a main filter
21 that stays on the top of the engine that clears the oil, clean the
22 oil for turbos and stuff like that.

23 Tires, same way. Every morning when he go through the
24 tires -- we have tire shop in Philadelphia. We have a tire shop
25 in Pennsylvania. We have a tire shop here, all over the place.

1 We know where the cheapest and good tires. And soon as he says
2 his tires got to go, we're not waiting for that till he got home.
3 He say something wrong with the tire, that tire got to go. He's
4 getting that tire replaced right away. Then before he do this, he
5 obviously send me the picture so I can look at it. I want to make
6 sure that tire is no good. I also have records of the pictures of
7 the tires the drivers send to me.

8 And on top of that, when they get home, when we're doing the
9 oil change, we go with the drivers through the way they secure the
10 load, through the way -- his tires, again, we're checking on the
11 tires. We don't just wait for drivers to tell us, no. We go
12 around the truck and doing our own inspection to get things
13 changed.

14 MR. FOX: Okay. Can I ask another question?

15 MR. COMIRE: Sure.

16 MR. FOX: So this is a previous driver, Rabigov?

17 MR. DAMIEN GASANOV: Ragibov (ph.).

18 MR. FOX: Ragibov?

19 MR. DAMIEN GASANOV: Yes.

20 MR. FOX: Yeah. He worked for you in October?

21 MR. DAMIEN GASANOV: Yeah, I believe he done about 2 months.

22 MR. FOX: He what?

23 MR. DAMIEN GASANOV: He done -- he work about 2 months, maybe
24 a little more. I don't know exactly, sir.

25 MR. FOX: Okay. So my question is, is that he also worked

1 for Three Brothers Transport, and that vehicle is associated --
2 ending in 5523 VIN is on your company and his company, on Three
3 Brothers Transport. Can you explain that?

4 MR. DAMIEN GASANOV: There is no possibility. There is some
5 type of mistake that we don't understand. Okay, you said Three
6 Brothers.

7 MR. FOX: Three Brothers. Okay. There is an inspection
8 report for Three Brothers. He has two of them with Three Brothers
9 in 2018. The VIN of the vehicle that he's driving ends in 5523.

10 MR. DAMIEN GASANOV: 5523?

11 MR. FOX: Yes, sir. And that same vehicle is on your carrier
12 profile for two inspections, one in October and one in November of
13 2018. Can you --

14 MR. DAMIEN GASANOV: So if the vehicle is mine, how he can
15 get under Three Brothers inspection? It should be inspected by
16 Westfield Transport, right?

17 MR. FOX: Well, that's my question to you, is how is that
18 possible? How is he working for Three Brothers and also he's on
19 your profile? That's my question to you.

20 MR. DAMIEN GASANOV: It's impossible. When he worked for me,
21 he worked for me. Before me, he worked for somebody that does --
22 Vince Travel. They doing small loads inside the Sprinter vans.
23 Is that them?

24 MR. FOX: No.

25 MR. DAMIEN GASANOV: Three Brothers? The ones that park --

1 MR. FOX: Three Brothers. That's the one that -- parked next
2 to you.

3 MR. DAMIEN GASANOV: Have zero connection as I know, zero
4 connection between --

5 MR. FOX: But the vehicle -- but I'm stating factually that
6 that same vehicle that's being inspected at Three Brothers is also
7 inspected under your company.

8 MR. DAMIEN GASANOV: It's impossible. My company never
9 shared vehicles with Three Brothers.

10 MR. FOX: Did he own that vehicle and he ran underneath --

11 MR. DAMIEN GASANOV: Right now, he does own his own small
12 company, yes.

13 MR. FOX: He owns that vehicle?

14 MR. DAMIEN GASANOV: He owns which vehicle?

15 MR. FOX: Did Ragibov --

16 MR. DAMIEN GASANOV: One second. Let me correct this. We
17 have the -- can we see with the VIN numbers, that small piece of
18 paper you just show me, if it's on my vehicles?

19 MR. FOX: I don't see it under your current list. So --

20 MR. DAMIEN GASANOV: It means, no, it's not my vehicle. He
21 used to work for me, but whenever he got that (indiscernible)
22 Three Brothers --

23 MR. FOX: So it was his -- so he owns that truck then?

24 MR. DAMIEN GASANOV: Which truck?

25 MR. FOX: Truck ending in 55 -- did he come with his own

1 vehicle?

2 MR. DAMIEN GASANOV: No, sir.

3 MR. FOX: When he worked for you, he ran your vehicle?

4 MR. DAMIEN GASANOV: Yes, sir.

5 MR. FOX: All right. So then there's a conflict, because
6 there's clearly two vehicle inspections under your carrier
7 profile, that you got stopped by the state police, VIN ending in
8 5523, and that same vehicle is also being inspected at Three
9 Brothers Transport.

10 MR. DAMIEN GASANOV: It's impossible.

11 MR. FOX: Well, that's what the state police say.

12 MR. DAMIEN GASANOV: It's impossible, sir.

13 MR. FOX: All right. Well, I don't understand.

14 MR. DAMIEN GASANOV: Because we have -- either somebody steal
15 our vehicle or trailer, done something with it. I don't know.

16 MR. COMIRE: In 2018, did you purchase or sell any other
17 vehicles?

18 MR. DAMIEN GASANOV: In 2018, I purchase a lot of vehicles,
19 but I haven't sell any vehicles, sir. No. Not that I remember.

20 MR. COMIRE: Did you purchase any vehicles from Three
21 Brothers Transport?

22 MR. DAMIEN GASANOV: Did I -- a trailer. We purchased a
23 trailer. Three Brothers bought a trailer for my cousins. My
24 cousins got shutdown and they asked me to take over a trailer and
25 a truck they have, and we provide the release authorization -- I

1 mean, the release form to you guys that my brother give me his
2 truck, and also his -- that trailer. And that's the trailer that
3 Karim (ph.) was driving it. Yes, sir.

4 MR. FOX: Oh, so that's how it is.

5 MR. DAMIEN GASANOV: Yes.

6 MR. FOX: So, ironically, the same trailer that was being
7 operated at Three Brothers by this driver, he came over to work
8 for you in your company and he brought that trailer with him?

9 MR. DAMIEN GASANOV: No, Karim wasn't working for them,
10 though. It was the same day when we brought the truck and the
11 trailer, sir, Karim got hired at our company. Karim never worked
12 for them.

13 MR. FOX: Okay.

14 MR. DAMIEN GASANOV: Karim never worked for them, if
15 that's -- I just want to correct that, you know. I just want
16 to --

17 MR. FOX: Okay. Another question I have, talking about
18 drivers -- sorry, Robert --

19 MR. COMIRE: No, that's okay.

20 MR. FOX: -- is that I'm a little confused. We're here in
21 the state of Maine [sic] and yet you have drivers that are
22 domiciled in Ohio, New Jersey, Indiana. And then you've hired
23 drivers in Arizona -- two drivers in Arizona, including Ragibov,
24 who we just discussed. His home state is Arizona. And then you
25 have another driver, Oleg, and he came in from Oregon. So those

1 seem to be very far away from here. So how are you hiring these
2 drivers so far away?

3 MR. DAMIEN GASANOV: They just, you know, they just know each
4 other. They just, you know, are getting references from each
5 other. People know each other. They just find me out of
6 everywhere. The Craigslist, we -- the one, the New Jersey, it's a
7 Craigslist. The one, Mizam (ph.) and Karim, they're brothers from
8 Arizona that knows Jamal (ph.), the one from Ohio. And Jamal is a
9 guy I grow up with. That's how we find. And Kastushka from
10 Oregon, I believe he always here, he just got probably Oregon's
11 license or something. He move not too far -- not too long from
12 Oregon, something like that. But he lives here now. I know his
13 family's here. He been telling me about his family and they're
14 here.

15 MR. FOX: So does Jamil [sic] --

16 MR. DAMIEN GASANOV: Jamal Ragibov, yes.

17 MR. FOX: -- Ragibov, is he related to this Ragibov?

18 MR. DAMIEN GASANOV: Yes. Jamal --

19 MR. FOX: They're brothers?

20 MR. DAMIEN GASANOV: Yeah, those two brothers' mom is Jamal's
21 sister.

22 MR. FOX: Okay. So that's the connection there.

23 MR. DAMIEN GASANOV: Yes, sir.

24 MR. FOX: Now I interviewed this driver from Ohio and he said
25 that he came and he logged off duty and then drove out to be out

1 here, from Dayton. He's the young man from Dayton, Ohio.

2 MR. DAMIEN GASANOV: When you say you interview him --

3 MR. FOX: I did. I interviewed him during the truck
4 inspection.

5 MR. DAMIEN GASANOV: Mike, I would like to correct you on
6 this one because I ask him as well. I say there is some type of
7 confuse because the Robert from DOT tell me that he drove here
8 without logbook.

9 MR. FOX: That is correct. That's what he told me.

10 MR. DAMIEN GASANOV: And he said no. And you mind if I will
11 call him over here right now, I mean, so he can show you guys his
12 logbook again? Because that's confusing.

13 MR. COMIRE: Well, let me put it to you like this: If he
14 shows it to me again --

15 MR. DAMIEN GASANOV: Yeah.

16 MR. COMIRE: -- I know what I saw.

17 MR. FOX: And I saw it too.

18 MR. COMIRE: So if I see something other than what I saw on
19 it the other day, I now have --

20 MR. DAMIEN GASANOV: I'm interested into this, too, because
21 this is on my company's record, guys.

22 MR. FOX: No, I mean, I interviewed him and he told me that
23 he logged off duty. And I said your license --

24 MR. COMIRE: Same thing with Ryan Reposo and --

25 MR. FOX: And he said his license is from -- I said where are

1 you from? He said Dayton, Ohio. And I said how did -- that's
2 very far away, how did you get here? He said I drove. And then I
3 said, well, where did you -- what do you mean you drove? He goes,
4 yeah, I drove yesterday and the night. And I said, well, where
5 did you spend the night? He said I slept in my truck.

6 MR. DAMIEN GASANOV: Okay. So it's --

7 MR. FOX: And then I said, well, your logbook says off duty.
8 He goes, yes, I drove off duty.

9 MR. DAMIEN GASANOV: No. You guys probably misunderstood or
10 something. If you --

11 MR. COMIRE: Hold on, hold on. I know this sounds like it's
12 coming from you at a thousand miles an hour, but I want you to --
13 before you respond, I want you to know what we've been talking
14 about with the logs.

15 MR. DAMIEN GASANOV: Okay.

16 MR. COMIRE: The E-ZPass records that I have --

17 MR. DAMIEN GASANOV: Okay. Okay, sir.

18 MR. COMIRE: -- matched up to the logs. Remember I said
19 they're off-duty days and they're showing a lot of toll strikes?

20 MR. DAMIEN GASANOV: Yes, sir.

21 MR. COMIRE: Which coincides with what the driver told us
22 during the inspections. The drivers are not recording time when
23 they're coming back and forth from their states of residence, and
24 they're treating it as if that time doesn't count. And what we
25 saw in these logs is that off-duty days listed on these logs are

1 showing up with E-ZPass toll strikes, which basically corroborates
2 what we were told. So I don't want you to feel like, you know,
3 this is an attack on you. This is not. We're using factual
4 information from --

5 MR. DAMIEN GASANOV: No, Robert, I don't see it as attack,
6 but it seems -- it's really confusing me because --

7 MR. COMIRE: Right. It's because the drivers essentially are
8 doing on their logs what we've been talking about this whole time.
9 They're not recording the proper time that they come on duty.
10 They're either disconnecting or editing like we discussed. And
11 there's days that are showing multiple days off duty where there
12 are E-ZPass tolls assigned to that driver showing him operating.
13 That's a false log. And if they're doing it with the AOB RD, you
14 know, they shouldn't be doing that. The AOB RD is connected to
15 your vehicle for a reason, so that when you turn on the key and
16 you go down the road, that you can track the time. And as a
17 carrier, you want to know how many hours these guys are driving,
18 right? That's not the case.

19 So I didn't mean to interject in that, but --

20 MR. FOX: No, no, no, that's just exactly what I was trying
21 to say. And I was so confused, especially when I interviewed the
22 driver and the logs shows off duty. I said no, I mean, if you
23 drove all night, you're on duty driving. You're driving a
24 commercial vehicle. And he's under the control of you because you
25 told him to report.

1 MR. DAMIEN GASANOV: Mr. Fox, what about the logs for Jamal
2 Ragibov? Did they show he was off duty that day before he show up
3 at the yard?

4 MR. COMIRE: Which one are we talking about?

5 MR. FOX: You may not have that because that's
6 (indiscernible)?

7 MR. DAMIEN GASANOV: Jamal Ragibov. I know his English is
8 messed up, but maybe --

9 MR. FOX: No, he spoke pretty good English to me. The other
10 gentleman, this man I couldn't communicate with.

11 MR. DAMIEN GASANOV: Alexander, yeah.

12 MR. FOX: Alexander. I couldn't understand a word he said.

13 MR. COMIRE: Jamal Ragibov?

14 MR. DAMIEN GASANOV: Yes. Yes. The last name day on his
15 log, sir.

16 MR. FOX: I don't know if you're going to have that one,
17 Robert, because we interviewed him the next day.

18 MR. COMIRE: Yeah. So we interviewed him on the 25th. So he
19 had himself off duty on the 24th in Ohio.

20 MR. DAMIEN GASANOV: So he's still in Ohio on the 24th.

21 MR. COMIRE: My understanding is he came in the night before,
22 which would have been this truck.

23 MR. DAMIEN GASANOV: I see. I see this. No, that day he's
24 supposed to be on the road somewhere, not in Ohio, somewhere close
25 to Massachusetts.

1 MR. COMIRE: So this is what I'm talking about. This is --

2 MR. DAMIEN GASANOV: Yep, I see it now.

3 MR. COMIRE: This means that he either disconnected in Ohio
4 and then drove to Massachusetts. And when we met with him, his
5 log had no --

6 MR. FOX: No entry.

7 MR. COMIRE: He didn't even come on duty, not driving for the
8 inspection. This is the last thing that we knew. And according
9 to the interview, he drove overnight to come in.

10 MR. FOX: Slept in his truck.

11 MR. COMIRE: Slept in his truck. Well, this means that he
12 unplugged in Ohio.

13 MR. DAMIEN GASANOV: Sir, may I see the page, please, the day
14 before?

15 MR. COMIRE: Sure. Same thing.

16 MR. DAMIEN GASANOV: Same thing.

17 MR. FOX: Yeah. And he was --

18 MR. DAMIEN GASANOV: And I see the day before, same thing.

19 MR. FOX: -- making deliveries.

20 MR. COMIRE: So what you have is --

21 MR. DAMIEN GASANOV: Yep, I see it now.

22 MR. COMIRE: You see it?

23 MR. DAMIEN GASANOV: I see it now.

24 MR. COMIRE: Do you understand the problem?

25 MR. DAMIEN GASANOV: Yes, I do understand.

1 MR. COMIRE: Okay.

2 MR. FOX: And we've run into a lot of this where the driver's
3 show off duty but yet they have E-ZPass. So they're operating.

4 MR. DAMIEN GASANOV: Would you like me to call this kid over
5 right now and --

6 MR. FOX: No, we're talking to you.

7 MR. DAMIEN GASANOV: -- so we can ask him why is he did that?
8 Because I don't know what to say why is he did --

9 MR. COMIRE: At this point in the game, it's not really a
10 matter of why the driver did it, it's a matter of why it was
11 allowed to continue to happen without being monitored. So what
12 happens is, as a carrier, okay, we're trying to make you
13 understand that you have the overall responsibility for monitoring
14 and verifying the accuracy of the drivers' records and to monitors
15 the drivers' behavior. And so, when we see something like this --
16 and this guy did it for quite a few days, too. And you have
17 access to that system. He puts himself in off-duty status in Ohio
18 and we're going to show numerous hits on E-ZPass for him making
19 trips. And, you know, this is --

20 MR. DAMIEN GASANOV: There was no reason to do this, neither.

21 MR. COMIRE: There's no reason for any of this.

22 MR. DAMIEN GASANOV: If there's anything wrong with the
23 logbook, sir, may I ask him to come over? That way, you guys at
24 least can see that there is something wrong.

25 MR. FOX: Yeah, and that's what Robert's trying to explain.

1 You as the motor carrier owner and official, this is your
2 responsibility to train and control and ensure compliance with
3 your drivers. The government holds you accountable for that.

4 MR. COMIRE: I think -- you know, an easy way to understand
5 this is, you know, you can see just by looking at this yourself,
6 you can see that this driver did exactly what we've been talking
7 about.

8 MR. DAMIEN GASANOV: I see it.

9 MR. COMIRE: Right.

10 MR. DAMIEN GASANOV: I do see it.

11 MR. COMIRE: You know, if it's common practice amongst your
12 drivers and owners of the company to unplug these because you feel
13 restricted by these rules so that you can make these trips, this
14 is a systemic problem. This is a systemic failure in the safety
15 management process, and that's what makes this so severe. And
16 that's why I wanted to show it to you and not just say it, okay?

17 MR. DAMIEN GASANOV: I understand.

18 MR. COMIRE: Do you have any questions about him?

19 MR. FOX: No, I'm done on that one.

20 MR. COMIRE: Okay. Do you mind if I just get a couple
21 of things here?

22 MR. FOX: Yeah, go ahead.

23 MR. COMIRE: So, you know, kind of getting back to the
24 compliance aspect of it, okay? We talked about the logs. I've
25 shown you that the issue within the AOBDRs that you guys have

1 provided for us, the issues that exist.

2 MR. DAMIEN GASANOV: Okay.

3 MR. COMIRE: And we talked about the driver qualifications
4 and some of the deficiencies there, the maintenance records, or
5 the lack thereof. And then, you know, getting into some things
6 that are not necessarily specifically documented, you know,
7 drivers who have been cited roadside, such as Najib Azmanli (ph.).
8 On 2/21, he was cited and placed out of service and he had a
9 violation of medical certificate. And then approximately --

10 MR. DAMIEN GASANOV: Robert, it's, it's --

11 MR. COMIRE: -- 10 days later, he was placed out of service
12 again for the same violation.

13 MR. DAMIEN GASANOV: What can I say, Robert? I mean, I
14 talked to the driver. Najib is my cousin. I talk to them hard as
15 I can. I named all the names that he deserved, too. Like
16 literally, I did see this. And after he got caught the second
17 time, I tell him, listen, I know you're my brother, my cousin. I
18 mean, I have to be nice to you, but this is not about that. This
19 is about you going to hurt me, you're going to hurt people that
20 works for me, you're going to hurt my family, so this is not the
21 way it's going to work. If you get another violation, you're
22 going to get fired. Then he got another violation and he's out.

23 MR. COMIRE: So what I'm getting at, and I don't -- I
24 understand, you know, your frustration -- he was placed out of
25 service on this day, meaning that he was an out-of-service driver

1 due to the violation.

2 MR. DAMIEN GASANOV: Yep.

3 MR. COMIRE: So if he operates again, he's violating an out-
4 of-service order as a driver. Now what I want to -- I just want
5 to remind you that when we talked about who's responsible for
6 dispatching the loads here and you said it was you and that you
7 controlled central dispatch and you set up the loads.

8 MR. DAMIEN GASANOV: Yeah. Yeah.

9 MR. COMIRE: So as the carrier, you dispatched this driver
10 knowing that he was in out-of-service condition because there was
11 an out-of-service on him for that violation.

12 MR. DAMIEN GASANOV: No, I didn't get that point, though,
13 Robert. I dispatch him loads knowing that he's out of service.
14 But he went home. He got his medical. He's supposed to get his
15 medical.

16 MR. COMIRE: Did you have any evidence or proof that he did?

17 MR. DAMIEN GASANOV: Of course. Yes, I do have his medical
18 certificate.

19 MR. FOX: Twice.

20 MR. COMIRE: Right. So how did he get put out of service the
21 second time, 10 days later?

22 MR. DAMIEN GASANOV: Because my stupid cousin went home and
23 didn't get -- forget his bag with the medical certificate in it.
24 But I personally, I do know because I have a copy of his medical
25 certificate.

1 MR. COMIRE: Okay. So you understand, though, that
2 ultimately, as the person dispatching these loads, that you're
3 responsible for a few things. I'm going to run through it real
4 quick. You're responsible to make sure that the loads that you
5 dispatch don't -- are not required to have the driver exceed the
6 hours. That's the first, right?

7 MR. DAMIEN GASANOV: Yes.

8 MR. COMIRE: The second thing is that you cannot dispatch a
9 driver who is not qualified. And you can't dispatch a driver who
10 is in an out-of-service condition without evidence that that
11 condition has been resolved, right?

12 MR. DAMIEN GASANOV: Right.

13 MR. COMIRE: So that seems to be where this breakdown has
14 been happening, is that you have unqualified drivers who are being
15 dispatched loads -- you have loads that are being dispatched that
16 can't be met within the hours of service regulations. And
17 therefore, what's happening is the drivers are disconnecting and
18 falsifying their logs, et cetera, et cetera, et cetera. Would you
19 agree with that?

20 MR. DAMIEN GASANOV: Agree with what? That he is not taking
21 his -- he forgot his medical card at home?

22 MR. COMIRE: Agree with everything I just said, that these --

23 MR. DAMIEN GASANOV: I see it now. I see all that.

24 MR. COMIRE: -- these trips can't be accomplished --

25 MR. DAMIEN GASANOV: It should be better monitored by me. I

1 agree with that, yes, sir.

2 MR. COMIRE: Okay. So these are the areas that, you know,
3 are shining brightly as to the deficiencies.

4 MR. DAMIEN GASANOV: I see where you're coming from.

5 MR. COMIRE: You know what I'm saying?

6 MR. DAMIEN GASANOV: Yes, sir.

7 MR. COMIRE: And I'm not making this stuff up. I'm showing
8 it to you right here.

9 MR. DAMIEN GASANOV: No, no.

10 MR. COMIRE: You know, and you can see it yourself.

11 MR. DAMIEN GASANOV: Yes, it's in front of me. Yes, I see
12 it, sir.

13 MR. COMIRE: You know, some of the things that happened in
14 the course of this investigation, the trailers, all of the
15 trailers were found to have been not inspected in the state of
16 Massachusetts where they're required to be.

17 MR. DAMIEN GASANOV: They are inspected in Massachusetts, but
18 the thing is that the inspection place never give us a
19 Massachusetts sticker for it.

20 MR. COMIRE: Well, we did a research and there's no periodic
21 inspections on the trailers. So the state violation for the
22 trailers --

23 MR. DAMIEN GASANOV: When you saying periodic, like what do
24 you mean?

25 MR. COMIRE: Massachusetts requires, it's a state-mandated

1 inspection on the equipment.

2 MR. DAMIEN GASANOV: Once a year.

3 MR. COMIRE: Okay. Right, once a year. Now, you can lease a
4 trailer from Maine and get a federal annual inspection and use it
5 in interstate commerce because that's part of the program, but you
6 have registered trailers in Massachusetts.

7 MR. DAMIEN GASANOV: Okay.

8 MR. COMIRE: They have to be state-inspected in
9 Massachusetts.

10 MR. DAMIEN GASANOV: They all been registered at
11 Massachusetts and the been inspected in Massachusetts, Robert.
12 The inspection place, they just never, not even for one trailer,
13 give me inspection sticker from Massachusetts, the one that we put
14 on the windshield.

15 MR. COMIRE: But you didn't provide us any evidence of the
16 state inspection.

17 MR. DAMIEN GASANOV: Any evidence of the state inspection?

18 MR. COMIRE: Right.

19 MR. DAMIEN GASANOV: They're all on the trailer. The
20 stickers are all on the trailers.

21 MR. COMIRE: Those are not state inspection stickers.

22 MR. DAMIEN GASANOV: What are they?

23 MR. COMIRE: Those are called federal annual inspections and
24 they don't qualify for what we're talking about.

25 MR. DAMIEN GASANOV: But they're all done in Massachusetts.

1 MR. COMIRE: They can be done in Massachusetts but they're
2 not state-mandated inspections. Those are a different inspection.

3 MR. DAMIEN GASANOV: The other day a police officer explained
4 me that. I understand. But that's how it is, they all done in
5 Massachusetts. And I tried to do right way myself. I might be
6 missing a little information, which you guys provide me with the
7 right way.

8 MR. COMIRE: Right.

9 MR. DAMIEN GASANOV: But as I knew, they're supposed to be
10 inspected in Massachusetts. I did inspect them in Massachusetts.

11 MR. COMIRE: No, it's not about where you inspect them, it's
12 about the state requirement.

13 MR. DAMIEN GASANOV: State requirement.

14 MR. COMIRE: So what you did is you had a federal annual
15 inspection in this state, but that's not the requirement for the
16 state of Massachusetts. The state of Massachusetts requires a
17 state-certified inspection on that piece of equipment. And so
18 that's what's missing for those trailers, and that's what was
19 documented here.

20 MR. DAMIEN GASANOV: Robert, aren't the places where we get
21 inspections supposed to give us stickers for state of
22 Massachusetts? Because they've all been, like, in Massachusetts,
23 so we have to get that sticker, right, from -- but they give us a
24 manual, a federal. We pay for that, so they have to give us also
25 Massachusetts with it, right? That's how it work, no, Robert?

1 MR. COMIRE: If you're getting the inspection as a state-
2 mandated periodic inspection, then you should be receiving the
3 documentation that you need and the evidence to prove it. And I'm
4 not doubting that you did something. I just don't have any
5 evidence to show that you've complied with the state requirement.

6 MR. DAMIEN GASANOV: On the top of that, Robert, I would like
7 to add some more into this comment. The thing is we also getting
8 the federal annual inspection from the factory, they give us. But
9 just because by knowing I need inspection in Massachusetts, I'm
10 not using the factory's inspections. I'm bringing to
11 Massachusetts with the license plate, legally. After that, before
12 I put them on the road, I put them on the insurance. And then
13 before, again, I put them on the road, I put them under inspection
14 in Massachusetts. And that's what it exactly is.

15 MR. COMIRE: Okay. So you're going to need to --

16 MR. DAMIEN GASANOV: Go to the inspection place and get the
17 paperwork?

18 MR. COMIRE: You're going to need to address that issue
19 because --

20 MR. DAMIEN GASANOV: I'll do it.

21 MR. COMIRE: -- it's a state-mandated requirement and you're
22 not in compliance at this time.

23 MR. DAMIEN GASANOV: I'll do it.

24 MR. COMIRE: Some of the other things that came up is unsafe
25 driving, okay? Now we haven't really talked too much about your

1 overall history, but this company currently has alerts in three
2 basics that we track, which is unsafe driving, hours of service,
3 and driver fitness. And what that means is, it means that the
4 roadsides that have been happening, the inspections have
5 accumulated points that have exceeded a threshold, and that
6 threshold triggers an alert, which tells us that these are areas
7 of concern, okay?

8 MR. DAMIEN GASANOV: Okay.

9 MR. COMIRE: So that being the case, you've had four drivers
10 cited for red-flag driver violations, yourself included, which are
11 CDL commercial vehicle licensing violations, okay? That's a lot
12 of red-flag drivers, four drivers, to have license issues.

13 And in addition to that, the unsafe driving basic, you have
14 speeding violations, lane change violations, moving violations,
15 which is contributing factors to -- when we tie all this together,
16 it could be looked at as contributing factors to crashes, all
17 right? And the idea is to keep you from having crashes. So you,
18 as a manager, an owner, are required to monitor these areas.

19 MR. DAMIEN GASANOV: I've been firing the drivers for doing
20 stupid stuff. I've been firing the drivers for stuff like that.
21 I've been firing.

22 MR. COMIRE: So you've just been terminating them?

23 MR. DAMIEN GASANOV: I've been terminating them. I've been
24 firing the drivers for doing that.

25 MR. COMIRE: Do you have any kind of policies -- does the

1 company have any kind of policies with regards to disciplinary
2 procedures or to say something in the positive, the awards for
3 drivers who have safe trips, inspections, et cetera like that? Do
4 you have any written documented policies?

5 MR. DAMIEN GASANOV: Policy, I just -- I don't know which one
6 you're talking about, Robert.

7 MR. FOX: Yeah, we discussed it the first day during the
8 interview. The answer was no.

9 MR. DAMIEN GASANOV: The answer was no, sir.

10 MR. COMIRE: Let me get the SMS.

11 MR. FOX: You said you didn't have -- I asked you if you had
12 a standard operating procedure, any kind of manual, a company
13 safety plan, any type of document that describes safety culture,
14 policies and procedures for the company, a handbook.

15 MR. DAMIEN GASANOV: No, I usually put them in the notes. I
16 put the notes and the notes are growing bigger and bigger and
17 bigger.

18 MR. FOX: Right.

19 MR. DAMIEN GASANOV: And I go through those notes with my
20 drivers all the time, especially with the new ones. We go through
21 whole thing. The old ones and the new ones that coming up.

22 MR. COMIRE: Okay.

23 MR. FOX: Unless you have something else you wanted to --

24 MR. COMIRE: No, I was just going to do this.

25 MR. FOX: All right. So at this point, we're going to go

1 ahead and conclude the interview. It's now 1:58 p.m. And this
2 concludes the interview.

3 (Whereupon, at 1:58 p.m., the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF: TRUCK/MOTORCYCLE COLLISION
RANDOLPH, NEW HAMPSHIRE
JUNE 21, 2019

ACCIDENT NO.: HWY19MH010

PLACE: West Springfield, Massachusetts

DATE: June 28, 2019

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


Lisa Fuerstenberg
Transcriber