

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

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CAPSIZING AND SINKING OF THE \*

F/V *SCANDIES ROSE* NEAR SUTWIK \*

Accident No.: DCA20FM009

ISLAND, ALASKA, DECEMBER 31, 2019 \*

\*

\* \* \* \* \*

Interview of: COOPER CURTIS

Owner, Highmark Marine Fabrication, LLC.

United States Coast Guard  
Marine Safety Detachment Kodiak  
Kodiak, Alaska

Saturday,  
January 4, 2020

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APPEARANCES:

LT ANDREW READY, Investigator  
United States Coast Guard

BART BARNUM, Investigator in Charge  
National Transportation Safety Board

DANIEL BARCOTT, Attorney  
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(On behalf of the owners of the *Scandies Rose*)

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I N T E R V I E W

(11:33 a.m.)

LT READY: This is Lieutenant Andrew Ready with Marine Safety Detachment Kodiak. We are here at MSD Kodiak in Kodiak, Alaska. The date is January 4th, 2019 [sic]. The time is 11:33.

So, the purpose -- the reason we're all here right now is on the night of 31 December 2019, the *Scandies Rose* was in transit from Kodiak to Dutch Harbor with seven persons on board. At approximately 2200, she rolled over onto her starboard side and sank. Two crew members were recovered. There are still five missing at this point. So, due to the nature of this incident, the Coast Guard and NTSB have launched a joint investigation to find out what happened, why it happened, and prevent it from happening again.

So, I am Lieutenant Andrew Ready. And we'll just go around the room really quick and introduce everyone who's here.

MR. BARNUM: Bart Barnum, NTSB Office of Marine Safety. It's Barnum, B-a-r-n-u-m.

MR. CURTIS: Cooper Curtis, owner of Highmark Marine Fabrication, LLC.

MR. BARCOTT: Daniel Barcott. I'm an attorney for *Scandies Rose*, the party in interest in this investigation.

LT READY: Excellent. So, Cooper, I want to thank you for coming in today. You know, like I said, we're trying to figure out what happened, why it happened.

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1 MR. CURTIS: Right.

2 LT READY: And just, the more information that we can get in  
3 terms of the condition of the vessel before they got underway --

4 MR. CURTIS: Right.

5 LT READY: -- the better it is for us to figure out what  
6 happened.

7 INTERVIEW OF COOPER CURTIS

8 BY LT READY:

9 Q. So, if we just start out with a little bit of your  
10 background --

11 A. Sure.

12 Q. -- who you are, how you got into welding, and kind of from  
13 the business standpoint, you know, how we got here today.

14 A. Sure.

15 Q. And then, a little later, we'll get into the vessel.

16 A. Okay. So, like I said, Cooper Curtis. I'm 29 years old. I  
17 started welding when I was 16. Started my own company, this  
18 company, Highmark Marine, in -- it's been a while here -- 2014.  
19 So been in business 5, going on 6 years.

20 I've got experience in industrial fabrication, marine  
21 fabrication. Been working on boats for the last 7 or 8 years  
22 pretty heavily, and been in Kodiak for about 9 years off and on,  
23 and have a crew of approximately 20 people, depending on who's on  
24 rotation at the time. And we do welding, fabrication, machining,  
25 painting, coating removal, fiberglass repair, all sorts of

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1 different marine -- basically anything that needs to be done on  
2 vessels. And what other questions do you have on that side?

3 Q. We'll get into that in a little bit here. If you could kind  
4 of bring us all the way through, in your own words, you know, when  
5 you were first approached by the *Scandies Rose*, whether on this  
6 particular job or in the past.

7 A. Sure.

8 Q. And just bring us all the way through to, you know, when the  
9 boat got underway.

10 A. Yeah, so we've done a couple of repairs for them in the past.  
11 We've done some shop fabrication work and then a couple small  
12 minor repairs on the vessel. This was the first, you know,  
13 project that last more than a couple hours on that vessel that we  
14 had done. And I've known Gary for several years and worked with  
15 him on multiple occasions. And this one, went down to the boat  
16 with my lead guy David Cox, and we looked at the vessel. And it  
17 was the overboard chute on the starboard side. And basically,  
18 what was there was rotted out steel that had been doubled over,  
19 and patched with splash zone on the inside in the void. The chute  
20 goes into a void on the starboard side that's probably 3 feet tall  
21 and 4 feet wide and runs the length of the fish hold, I believe.  
22 So, probably 50 percent of the vessel, roughly. So, there's  
23 access from the deck through a hatch, through a bolted hatch. And  
24 there's access from the engine room through a hatch. And there's  
25 also access from a storage compartment in the bow through a hatch

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1 to get into that void.

2 So, we looked at the chute on the outside. We went into the  
3 void and looked at it from the inside and saw the wasted material,  
4 all the splash zone where it had been leaking. And we made a plan  
5 to repair it, gave Gary an estimate, and Dan Mattsen as well,  
6 because he was involved in the vessel. Gave those guys an  
7 estimate and they gave us the go-ahead to do it. They agreed to  
8 provide their own fire watch and crew members for help to reduce  
9 the cost of the work so I could basically provide one or two  
10 welders, and they would handle the extra labor. And then, I think  
11 it was about 3 weeks later we actually started -- 2 or 3 weeks  
12 later. I'd have to look at the payroll to find out the actual  
13 start date of the job. And I had my main -- one of my main guys  
14 Jordan Young, he was the welder who did the work. And he is ABS  
15 certified and everything. He's been doing this for quite a while.  
16 And there was one more welder involved, but all he did was weld  
17 deck frames back down to the deck, so no watertight work at all,  
18 only deck frames. And he was there for a couple days, whereas,  
19 Jordan was there for the whole project.

20 Q. What was the other welder's name?

21 A. Let's see, Hunter Smude, last name S-m-u-d-e. And so,  
22 basically to make that repair, we cut out the old chute, all the  
23 material, which was two sides for forward side, aft side. And  
24 then, the bottom angled -- or the bottom plate, which is angled  
25 going from, you know, deck level on the inboard side to below deck

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1 level on the outboard side. And we cut that out, prepped  
2 everything, cut new pieces of three-eighths steel plate, basically  
3 replaced them, and then welded them out. After welding was done,  
4 all the welding, all the frames, all the seams, everything was  
5 welded, then we did the dye penetrant check test to make sure  
6 there were no leaks. There were no leaks. And so then, we pulled  
7 all our stuff off the boat and our job was done.

8 Q. Now you said Jordan and Hunter were there for some of the  
9 work. I know you were there in the beginning stages --

10 A. Right.

11 Q. -- to kind of review what was -- was that your only time on  
12 board when you were --

13 A. Yeah, in the beginning.

14 Q. In the beginning, okay. So, everything else was Jordan and  
15 Hunter.

16 A. Was Jordan and Hunter. And Jordan was there from, you know,  
17 for the entire project, so he oversaw -- he was in charge of the  
18 project, basically.

19 Q. Okay.

20 A. I was in Seattle for the Marine Expo, I believe, for part of  
21 that. And so, when I'm gone, David Cox is in charge, you know, of  
22 the business in general. And then, Jordan's basically third in  
23 command. So, you know, he runs jobs on his own. And he's -- so,  
24 he was in charge of that job, and Hunter was there, basically, to  
25 assist him with a couple things and help him out, you know, the

1 structural stuff.

2 Q. Do you know if David Cox was on board after that original --

3 A. I'd have to ask him. Yeah, he may have been on there to  
4 check on Jordan and see how it was going, but I'd have to ask him.

5 Q. Okay. We'll definitely reach out to him. And then, in terms  
6 of quality control for a project like this, would people typically  
7 go check up on Jordan, or once he gets a project, does he run with  
8 it?

9 A. He's good. Once he gets a project, he's good to go. I would  
10 trust him completely and, like I said, he and David Cox, you know,  
11 they're in charge while I'm gone. And those are the two guys that  
12 I trust more than anybody else. And if they tell me something's,  
13 you know -- however they tell me something is is how it is.

14 Q. Right.

15 A. And so, those guys are -- like I said, they've been certified  
16 for several years. They've been doing this 7 days a week, you  
17 know, for years. And so, they're good at what they do.

18 Q. Could you give us a little bit of history of Jordan and his  
19 history as a welder with Highmark?

20 A. Yeah, so I've actually known Jordan for a lot longer since  
21 I've had the company. He grew up in the same town I did. And I  
22 was friends with his dad, and I've known his family a long time.  
23 And then, it was a couple years ago he started working for me. I  
24 hired him out of Seward and brought him over here. He worked for  
25 me for roughly a year. I may be off on the dates. It may have

1 been a little longer than 2 years. I'd have to check. It's been  
2 several years. Worked for me. He left for a couple months to go  
3 work for another company on the mainland, and then he came back  
4 and he's been with me over a year. Since then, he recently moved.  
5 He was kind of working rotation. And then, he recently moved to  
6 Kodiak with his wife and they live in town now.

7 Q. Okay. And you sent me his ABS certificate for 6G, which he  
8 received on 11 October 2017. Is that something he went and did on  
9 his own? Is that something you sent him?

10 A. So, he was in welding school at that time. He went to AVTEC.  
11 And then, that was at the end of AVTEC. So, when you go through  
12 that course, they certify you at the end. It's part of the class.  
13 I paid to have the ABS inspector present to witness his  
14 certification, because that's what we require for my certified  
15 welders. Everybody's ABS certified. So, like I said, I paid the  
16 ABS inspector to fly up from Washington and witness his test and  
17 then provide that report. Normally, when we do testing, you know,  
18 we'll do it at my shop, and we'll test, you know, 10 or 15 people  
19 and bring an inspector up for that. But, like I said, everybody  
20 -- those certifications don't mean anything to me unless they're  
21 ABS certified, because most of the work we do is on vessels. So,  
22 the regular ASME certification is good for piping, you know, on  
23 land, but that's it.

24 Q. Now, you said you have roughly 20 employees, give or take?

25 A. Uh-huh.

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1 Q. How many of those are ABS certified?

2 A. Well, let's see. I think I have eight ABS certified welders.

3 A couple of the guys or several of those guys are working on

4 rotation. I probably have four more that are certified in some

5 way, whether it's non-ABS, but whether it's aluminum or structural

6 steel. And then, I have, you know, office employees and then

7 painters and fiberglassers and other, you know, non-welding

8 trades.

9 Q. Okay, but the majority of your welders are --

10 A. Yes.

11 Q. The welders you do have --

12 A. Right.

13 Q. They're all ABS.

14 A. Yeah, so anything, you know, for piping-wise, especially

15 anything for a classed vessel, obviously, is always going to be an

16 ABS certified welder. And then anything that's critical is always

17 done by an ABS certified welder. So, the other guys will assist

18 and be there to help, but they don't get to do the critical welds.

19 Q. Even if it is not a classed vessel, right? There's no

20 requirement.

21 A. We hold it to that standard, because that's what I started,

22 you know, when I started this in this industry, was working on tug

23 boats, fuel barges, you know, classed vessels, and everything is

24 ABS certified. So, that's what I hold that standard to. And so,

25 like I said, I have non-certified welders or non-ABS certified

1 welders, but they don't do critical welds. They do non-critical  
2 work, and they help in the assist, and they can fit, but they  
3 don't get to actually do those critical welds.

4 Q. Now, is that just your own personal company policy?

5 A. Yes.

6 Q. Is there any insurance benefit for doing that or that's just  
7 the way you guys do business?

8 A. I don't even think my insurance company knows what ABS  
9 certified really means. And so, it's no insurance benefit. It's  
10 just how we do it. You know what I mean? And for liability  
11 reasons, for quality control reasons, you know, those guys that  
12 can pass, maybe a cert, you know, that's -- at that point, there's  
13 two inspectors watching them take that test, you know. And so,  
14 there's double the -- and they're watching every step of that  
15 test. And so, it's, you know, a lot more stringent. And those  
16 guys who can pass that test, you know, they got more experience  
17 and they're better at what they do. And that's another reason why  
18 I require a pipe test instead of a plate test, because if they can  
19 weld 6G pipe, they can weld anything. And a lot of other  
20 companies will do a plate test, you know, but that only qualifies  
21 you for plate, which, for what we did on this project would be  
22 totally fine. And even though this doesn't require a certified  
23 welder, if my guys can pass that 6G X-ray pipe test with an ABS  
24 inspector present, I am fully confident that they can do anything  
25 that I throw at them that's covered by that procedure.

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1 Q. Can you talk me through the process of selecting Jordan for  
2 this job through your contact by Gary with *Scandies Rose*?

3 *Is that correct?*

4 A. Yep.

5 Q. How did Jordan end up on the boat?

6 A. At that point, for that project, you know, it's got to be  
7 somebody who knows what they're doing and who I trust. And it's  
8 either David or Jordan who are the ones who I could trust and not  
9 have to babysit, basically. And Jordan was available so, you  
10 know, that was the job I picked him for.

11 Q. How would you classify this job? Was this one of the larger  
12 jobs that your company has done or --

13 A. No, this is, I mean, a pretty small job, honestly. I mean, I  
14 think the total invoice was around 15,000, which is not very big.  
15 You know, most of our -- a normal sized job for us these days is  
16 around 50- to 150,000. So, this is a smaller one.

17 Q. Have you replaced or repaired chutes in the past?

18 A. Yes. Done double or plates on chutes or, like stainless  
19 sheeting on chutes. I've fixed, you know, cracks. I've cropped  
20 out pieces and replaced pieces of chutes. I've rebuilt chutes.  
21 Done hull plating repairs, and Jordan has, too, you know, full  
22 inserts on the exterior hull of the vessel.

23 Q. Right.

24 A. So, he's very -- we're both, we're all very familiar with  
25 that type of work.

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1 Q. Could you ballpark how many of these your company and how  
2 many Jordan has done.

3 A. Chutes?

4 Q. Yeah.

5 A. I don't know how many Jordan has done. You have to ask him.  
6 As far as my company, I mean, I've probably done a total of eight  
7 or so, I'm going to guess, over the last 10 years. And my company  
8 collectively, I don't know, probably 8 or 10, something like that.  
9 I used to do a lot more welding than I do now. Obviously, with 20  
10 employees, I don't weld as much as I used to, but in the first few  
11 years, I was, you know, right there on -- working on projects.

12 Q. Sounds like a very common repair. Can you kind of talk us  
13 through why maybe that is?

14 A. Yeah. So, it's kind of a neglected area of the boat usually.  
15 It's hard to get to. It's covered by grating. It's below the  
16 deck. And on a vessel like *Scandies Rose*, they have a main deck,  
17 and then roughly a foot above that, they have a wooden deck. And  
18 so, you know, that material tends to rot out because nobody -- or  
19 it's difficult to get to to paint, needle gun, sand blast, paint,  
20 it's hard to get to. The chute itself is, you know, tricky to  
21 work on and get in there and paint, because it's at an angle. And  
22 so, it's easy to slip, you know, and fall into the water working  
23 on it. So, it's one of the neglected areas of the boats, usually.  
24 And so, we do it quite often, some sort of repair to a chute, you  
25 know, because again, they don't get painted maybe as often as they

1 should. And a lot of these vessels are old as it is, you know,  
2 and so they require attention in areas like that. And there's  
3 also, you know, there's salt water always in that environment, and  
4 there's, you know, fish and crab and things going out that chute  
5 all the time, so there's small amount of abrasion which may, you  
6 know, damage the coating and allow it to rust more. But it's  
7 definitely a high use area.

8 Q. Can you talk us through some more specifics of that initial  
9 moment you're on board the *Scandies Rose* and doing the first  
10 preliminary survey to try and figure out what you guys are going  
11 to do for a repair?

12 A. Yeah, so we talked to Gary and we looked at -- the biggest  
13 thing is he had just had it repaired -- temporarily repaired in  
14 Dutch Harbor. I don't know what welding company he contracted for  
15 that. But they put some doublers on the top side, which would  
16 have been -- mostly on the sides of the chute. The bottom wasn't  
17 so bad, but the sides were rotten. So, they put some doublers on,  
18 and after they did that, it still leaked water into the void. And  
19 so, then they put splash zone inside the void to seal it. And  
20 when you looked in there, I may have pictures of that I could  
21 find, and if I do, I'll email them to you.

22 Q. That'd be fantastic.

23 A. I didn't think about that. I might have some before  
24 pictures.

25 Q. Okay.

1 A. And it was -- that whole chute was basically completely  
2 covered in splash zone on the inside. The exterior was doubler  
3 plates and weld, but the inside of the void was almost 100 percent  
4 splash zone. And it was still leaking. So, at that point, you  
5 know, doing a temporary repair, you're just cutting into bad steel  
6 and having to deal with that. And so, I told Gary the right way  
7 to do it is to completely crop out that chute and replace it with  
8 new material. And so, that's what we did. We basically cut the  
9 sides in the photo that I sent you, if you have those.

10 Q. Yeah.

11 A. So, this cut here that you can see is the material that's  
12 above the deck, between the main deck and the wooden deck, because  
13 this is -- even though this is steel, this is all, you know,  
14 normally a wooden deck in this area. So, we cut -- this is just  
15 the initial cut to get things, you know, opened up so we can get  
16 the rest of it out. And then, this is where you can see the new  
17 material. So, all of this was cropped out, including the bottom  
18 plate. So, really, it's three main pieces. You have the bottom  
19 plate, which is at an angle, and then the two triangular side  
20 plates. This stuff in here kind of just boxes it in, and then  
21 this one here is just a small transition piece to match what they  
22 had originally. And so, we cut -- completely cut these out and  
23 then replaced them with new material. There is a frame that runs  
24 roughly -- it might even be right in the center, but roughly in  
25 the center of this angled bottom plate that ties that in, you

1 know, so there's structure there, so it's not just sitting there,  
2 you know, supporting itself. And then, of course, our new plates  
3 come all the way up to the deck level so that once they put the  
4 steel deck back in that's below the pot launcher, that it's all  
5 flushed out.

6 Q. When you were looking at this, when you were actually inside  
7 the void space, can you speak to the wastage of, you know, the  
8 deck plating and the side shell plating --

9 A. Uh-huh.

10 Q. -- beyond what you guys cropped out?

11 A. It actually didn't look that bad, honestly. This spot was  
12 bad for sure, but they had pretty good paint inside that void.  
13 And there was some spots, some rust spots and everything, but I  
14 didn't see -- granted, I didn't look at everything. You know, we  
15 moved through the void to get to this area to do the work, but I  
16 didn't see anything -- I wasn't looking at the ceiling, but  
17 everything on the floor, as I'm crawling through the void, I  
18 didn't see anything that was suspect, or, you know, if it caught  
19 my attention, I would have notified Gary and said something to  
20 him, but I didn't see anything that caught my attention. This was  
21 obviously a mess, I mean, there was water been leaking in there  
22 for quite a while. And the splash zone wasn't sealing it,  
23 obviously. But I didn't see anything else that would have been,  
24 you know, that stood out. I did not go -- you know, I was in this  
25 area here and then aft of the chute. But I didn't go from the

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1 chute forward into the next hatch during the inspection, because  
2 we were just looking at the chute. So, Jordan may have gone that  
3 direction at some point while he was working, because there was a  
4 hatch right about here on the deck. So, 10 to 15 feet away from  
5 the chute after the chute, and that hatch was easy access, you  
6 know, to the chute work area. When I went down there, that wasn't  
7 open. You know, they actually hadn't even located it. It was  
8 still below the deck boards. So, we were going through the engine  
9 room to get in there.

10 Q. You said there are three entrances to that void?

11 A. As far as I know, there's three, and it would be this one  
12 that's on the deck about 10 or 15 feet behind the chute. There's  
13 one in the upper aft starboard corner of the engine room, kind of  
14 like climb up into this little area, and then there's a hatch  
15 that's on the aft wall -- aft bulkhead of the engine room that  
16 goes into the void. And then, there's a storage void in front of  
17 the forward fish hold, and then, if you crawl up into the corner  
18 of that, there's a hatch that you can unbolt. They may have just  
19 used that for ventilation. Like I said, Jordan would be the one  
20 to ask on that one.

21 Q. If you can think back as you're coming through the engine  
22 room and coming up to look at this specific repair, did you notice  
23 anything about the bulkheads, you know, compartmentalization, just  
24 in terms of, like potential downflooding issues or --

25 A. Sure.

1 Q. -- did you see --

2 A. I didn't notice anything, again, anything that stood out, you  
3 know, out of the ordinary. This void is, you know, like I said,  
4 it's in the upper corner. And that's, you know, we pretty much  
5 went straight through the engine room and into the void. Didn't  
6 really spend much time in the engine room, so I didn't get a look  
7 at the, you know, forward bulkhead wall or anything for the aft  
8 bulkhead for that engine room. Pretty much focused on this. But  
9 again, I didn't see anything out of the ordinary.

10 Q. Can you approximate how big that void space is?

11 A. I think I'm going to say it's between 3 and 4 feet wide. So,  
12 from inboard to outboard wide, it's probably 2 to 3 feet tall.  
13 And again, it runs from the aft bulkhead of the engine room to the  
14 -- sorry, the forward bulkhead of the engine room, not aft, the  
15 forward bulkhead of the engine room to the aft bulkhead of that  
16 storage compartment forward of the forward fish hold. Does that  
17 make sense?

18 Q. Yep.

19 A. Okay.

20 Q. And if those three entrances to the void were properly  
21 dogged, would that prevent any kind of -- would that be a  
22 watertight space essentially?

23 A. Yeah, completely. So, the engine room, obviously, for that  
24 access point to allow water into the void, the engine room would  
25 have to be flooded. And I would assume that they dogged that

1 before they went underway. The deck hatch was a bolt hatch, just  
2 basically a plat phalange with 20-30 bolts in it, you know what I  
3 mean? Bolted down. It wasn't a Baier flush hatch or anything  
4 like that. It wasn't a quick-release hatch. It was an actual  
5 bolted hatch. And you'll have to ask Jordan on what the forward  
6 one looked like, because I'm not sure if that was a bolted hatch  
7 or a quick-release hatch in that forward compartment. But if  
8 everything was sealed, then there should be no reason for water to  
9 get in there. And like I said, all the welding was dye penetrant  
10 checked and everything was verified that it was -- I mean, if  
11 anything, I mean, it was leaking before. And even the way -- the  
12 condition it was before, it wouldn't have allowed a substantial  
13 amount of water. Even if it was under water, it may have leaked  
14 water in if they hadn't done the repair, but it would not have  
15 allowed -- it was nothing that I saw that was thin enough to  
16 allow, like a large amount of water in at any given time. It  
17 would have leaked, you know, but it wouldn't have compromised that  
18 void with that, you know, being the way it was. It was definitely  
19 not safe. It needed to be fixed. But again, there were no large  
20 holes. It was all pinholes and weeping water.

21 Q. Okay. Can you kind of talk me through your material  
22 selection process where you guys get your steel from, where you  
23 get your rods from, how you chose what type of steel, thickness.

24 A. Right. So, all our steel is sourced -- these days it's all  
25 sourced from Far West Steel, and we get it from Washington. And

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1 so, this was A36, mild steel plate, three-eighths thick is what we  
2 use, which is standard. That's what we use for everything. The  
3 only time we use anything different is when we do an ABS certified  
4 repair. We'll use ABS certified material, which is steel A36 mild  
5 steel plate. The only difference is they have a mill test report  
6 that's been checked off by ABS for when the steel was milled. And  
7 so, this was non-ABS certified, but again, it wasn't necessary, so  
8 this is standard for what we do. We match the original material  
9 thickness, because unless something needs to be changed, we don't  
10 change it. If what the boat was built for works, that's what we  
11 go back with. Just like working on ABS vessels, you don't change  
12 the dimension of your frames. You don't change the thickness of  
13 your material. You keep everything the same because it was  
14 engineered a certain way. And so, that's how we treat everything  
15 we do. So, again, all the material's sourced from Far West Steel.  
16 You know, we stock it at our shop.

17 Q. You said you're three-eighths here?

18 A. Yep.

19 Q. Is that 66 square feet?

20 A. Yes. And so that -- obviously, 66 does not equal this,  
21 because there's a lot of drop material that can't be utilized  
22 after these pieces are cut. And so, some of that ends up getting  
23 charged to the customer. The 66 is basically two sheets, you  
24 know, in order to do that repair. And that allows us to do these  
25 pieces in one piece. You know what I mean? That's why it was two

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1 sheets of steel. Otherwise, you'd be piecing them together, but  
2 we don't do repairs that way.

3 Q. Okay, then, if you'd going into the welding rods again --

4 A. Yes.

5 Q. -- you used for this job.

6 A. Let's see where they are here. So, you can see the 6010 was  
7 Lincoln Electric. And that comes from sealed 50-pound boxes. And  
8 then, this I'd have to check the actual part number, but I believe  
9 that this would be the Washington Alloy, which is in 10-pound  
10 sealed plastic boxes. So, when we go down to jobs like this,  
11 because 7018 has to be baked or out of a fresh box, we always take  
12 the 10-pound boxes of rods, because, you know, if you open  
13 50-pound can, you don't use it all. You end up wasting some.  
14 Ten-pound boxes are always sealed. We take them new to every job,  
15 and then you can open that box and utilize it. And you're not  
16 wasting a bunch of consumables.

17 Q. How do you guys ensure quality control of your rods, you  
18 know, making sure that they are fresh? Making sure that --

19 A. The boxes are hermetically sealed, so you have to cut that  
20 seal in order to open that box initially. After that box has been  
21 opened, all that rod goes into a rod oven that's kept at 350  
22 degrees or whatever it is in our shop, a large rod oven. And so,  
23 for mobile jobs, especially critical jobs, everything is new  
24 material or should be. And if it's not, it comes out of the, you  
25 know, out of the rod oven, which is still, you know, up to code, I

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1 should say.

2 Q. I think that's all I had for questions. Looking at this  
3 material list you guys have, is there anything else that was  
4 critical in terms of material selection?

5 A. I mean, the rest of it we got, there's particulate filters.  
6 There's plasma cutting consumables. That's not -- you know,  
7 that's all demo. The dye penetrant, you know, that could -- and  
8 that, you know, that tells us if it's going to leak or not. But  
9 that's all, you know, name brand --

10 Q. Uh-huh.

11 A. -- you know, designed for exactly what we're doing with it.  
12 And we treat -- you know, and everything's done correctly  
13 according to directions on the back of the can. Stickler about  
14 that. And that's again, that's why, you know, I have certain guys  
15 that do critical repairs and other guys that don't, because  
16 there's a lot more than just being able to pass a welding test to  
17 doing a repair like this or a hole insert or a piece of piping,  
18 because there's knowledge on how dye pen works. You know what I  
19 mean. The proper way to do an insert, the proper way to fit  
20 everything up, like, you know, you can't have gaps. Everything  
21 has to be a tight fit. If it is a hole insert, it has to be  
22 beveled out, you know, in an open root. You got to back out.  
23 There's so much more to doing this than just being a certified  
24 welder. So, again, I have guys that, you know, a range of guys,  
25 from guys that don't have a lot of experience, guys that have a

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1 lot of experience, and that's where, you know, I put these guys.  
2 I place everybody accordingly.

3 Q. Do you use a specific brand of dye pen?

4 A. Yeah. It's Matheson is the name of the -- that's the name of  
5 it. And we have that -- the storage, if you need to look at it or  
6 anything. That's what we sell is that brand.

7 Q. Okay. Do you know off the top of your head, like temperature  
8 parameters?

9 A. It'd be on the back of the can.

10 Q. Do you guys run into issues with that?

11 A. Usually not. I mean, the other day when it was, like zero,  
12 then that would be an issue, but it was probably around 40 degrees  
13 when we were doing that work. I don't think it had even snowed  
14 yet.

15 Q. Do you guys commonly use any other forms of non-destructive  
16 testing?

17 A. We do air tests whenever, you know, possible. We do an air  
18 test. In something like this, you know, they don't have fittings  
19 in the void to do an air test, so that isn't really feasible  
20 unless they wanted to add that. Any piping we air test. For fuel  
21 piping, we usually do a hydro test, hydrostatic test, because  
22 that'll tell you even faster if there's a leak, obviously not  
23 possible in something like this. We do vacuum box testing when  
24 possible, but again, on this, there's no way you'd be able to  
25 vacuum box it. And then, on critical jobs, you know, if it's

1 necessary, we bring in X-ray or ultrasound or bring in a CWI to do  
2 NDT. But for anything that's non-ABS or Coast Guard certified, we  
3 do our own, you know, testing of it, which usually includes a dye  
4 pen test. So, they do a crack check, and then they do the through  
5 penetration test.

6 Q. Could you talk me through what you would expect Jordan to go  
7 through in terms of a welding process, you know, fit up, first  
8 pass, back out?

9 A. Right.

10 Q. However he would go about (indiscernible).

11 A. So, for this one and, like I said, he'd be the one to ask on  
12 that, exactly how he did it, but how it would be done is this is  
13 all -- these are all fillet welds, and so, this would all be put  
14 in a root. So, first of all, no gaps when you fit it up.  
15 Everything's tight. It would all be put in with 6010 for the root  
16 everywhere. And then that would be ground. And if need be -- if  
17 need be, it would be ground and at the very least it would be wire  
18 wheeled and cleaned up. And it doesn't technically have to be  
19 ground. If it's a good weld and there's no inclusions in it, you  
20 can leave it. You know, if there's any inclusions or pinholes or  
21 anything, then you grind it out, you know, so you have clean  
22 material to weld to with your next pass. After the 6010, you put  
23 7018 on it. And then, whichever side he -- whichever opposite  
24 side that he has not welded, he would back grind and then do 6010  
25 and 7018. Sometimes when you back grind, you don't need to do

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1 6010, because it's good base material and you can go straight to  
2 7018. It just depends on how far you had to back grind, you know.  
3 And there's other variables, but that would be the welding  
4 process.

5 Q. Why go from the 6010 to the 7018?

6 A. Why go?

7 Q. Yes.

8 A. So, 6010 is for filling gaps. It's good at -- it penetrates  
9 a lot deeper than 7018, so you get a better weld. And so, on a  
10 joint like that, you can penetrate with 6010. And 7018 is  
11 technically a stronger material, 70,000 psi tensile strength.  
12 Whereas, 6010 is 60,000 psi tensile strength material. The base  
13 material is, I think 42,000 is usually mild steel plate, so again,  
14 the welding rod is significantly stronger than the base material  
15 itself. And the 7018, again, is a stronger weld. It's a smoother  
16 cap than the 6010 would be, less, you know, chance for inclusions  
17 and, you know, paint sticks better to it, basically, because  
18 there's no overlap or anything like that. And so, that's the way  
19 we weld everything. And if you look at the welding procedure,  
20 which I don't think I actually sent you the procedure, but I can.  
21 It's the same thing, 6010 root. Usually 6010 root, 6010 hot pass,  
22 and 7018 fill and cap.

23 Q. Looking at these pictures here, I know we talked about, you  
24 know, you had the triangular sides here.

25 A. Yeah.

1 Q. And we came all the way up to the deck plate, right?

2 A. Uh-huh.

3 Q. That and then this piece right here in the middle of the  
4 horizontal, can you explain what that is?

5 A. I believe -- and again, you have to ask Jordan, but I think  
6 that's a padeye, a lifting eye --

7 Q. For lifting --

8 A. -- that they just used to set that plate. And like, that  
9 little piece at the bottom is just a piece of scrap they tacked on  
10 so that you didn't fall in the water when you're doing the repair.

11 Q. Gotcha. And those were being cut out --

12 A. Yeah.

13 Q. Those were just for installation purposes --

14 A. That was temporary. And you can see the original had those  
15 two pieces of angel that were permanent. They had left those in  
16 there from when they did this temporary repair in Dutch.

17 Q. Gotcha. How was the wastage identified originally? Do you  
18 know?

19 A. It was basically --

20 Q. Or when?

21 A. -- leaking. And from when I was down there looking at it, I  
22 couldn't tell what was good, what was leaking. You could see  
23 that, you know, they had covered the entire box in splash zone.

24 Q. Okay.

25 A. And so, at that point, I told -- that's when I told Gary,

1 like we just need to cut it out and start fresh. You know, it's  
2 possible you could chip all -- you could spend 2 days chipping the  
3 splash zone off. You can inspect the material. We can ultrasound  
4 thickness test it, and then we can patch it, but that's not how  
5 we're going to do it. And that's why we decided to cut out the  
6 whole thing, start fresh.

7 Q. Right.

8 A. Because they had tried to patch it several times, and it  
9 obviously hadn't worked.

10 Q. As you were going through the engine room to the void, did  
11 you notice water in the bilges, accumulation at all?

12 A. I didn't -- I mean, we were standing on the deck boards and  
13 the bottom of the engine room is, you know, below that level, so I  
14 wasn't able to see any water. There wasn't anything up to the  
15 deck boards or anything that I noticed. But I believe the bottom  
16 of the bilge is probably a foot or two below the deck boards, at  
17 least, on that vessel. But, yeah, I didn't see anything out of  
18 the ordinary.

19 Q. Did you notice a high water line in the void space?

20 A. I did not. I don't remember seeing one. There is hydraulic  
21 lines and I believe fuel lines that run on the inboard side of  
22 that void fore and aft. I don't remember seeing any -- yeah,  
23 there were no lights, because I had a flashlight. I don't  
24 remember seeing any wiring.

25 Q. Okay.



1 A. So, I don't remember seeing a bilge alarm.

2 Q. And those -- the hydraulic lines and the fuel lines, were  
3 those bulkhead penetration completely fueled, or was it, like a  
4 cutout with the lines going through the bulkheads?

5 A. I'm trying to remember. It would have been -- I'm almost  
6 positive it would have been a welded penetration.

7 Q. Okay.

8 A. I don't remember seeing any of the bulk penetrations or  
9 anything like that.

10 Q. Yeah, if you could look through and see if you have --

11 A. Yeah, I can look.

12 Q. -- pictures, too. We can wait until after the interview.

13 A. Okay. Yeah, I can look.

14 Q. Perfect.

15 A. I think I do have pictures. I remember taking pictures of  
16 the splash zone on the chute.

17 Q. Okay.

18 A. And I don't think I took pictures of anything else. I know I  
19 didn't take any in the engine room or anything like that. But I  
20 should have pictures of the splash zone.

21 Q. You remember Gary mentioning any other issues with the  
22 vessel's condition or any other work he wanted you guys to take a  
23 look at?

24 A. Nope. We talked about this, and I always ask every customer,  
25 you know, is there anything else you need? If you think of

1 anything, let me know. And there was nothing else. This was it.

2 So, that's all we did.

3 Q. Okay.

4 A. And I think, I don't know, several months ago, we did a small  
5 repair in his engine room. I sent a welder down for, like an hour  
6 to tack something or -- I'd have to find the invoice for that, but  
7 that was very, very minor. And like I said, we've done some work  
8 for him in the shop over the last year or so, but this was the  
9 only, like real project on the boat was this.

10 Q. How did Gary seem when you were talking to him? Did he seem  
11 like he was under pressure or stressed out or --

12 A. I mean, he seemed probably a little stressed out, because --  
13 but I think most boaters are when they look at having to spend  
14 \$15,000 on something. And he was leaving for -- it must have been  
15 around Thanksgiving, because he was leaving for a few days or a  
16 week or something like that. So, again, I have to look at the  
17 payroll and find out what day we started, but I think it was  
18 around Thanksgiving, because he was going to be gone. And it was  
19 his son David and another deck hand who were there for fire watch  
20 and labor. And he didn't seem abnormally stressed, but, I mean,  
21 you know, he didn't really want to spend, you know, I think I  
22 quoted him \$20,000 originally. And so, he -- you know, nobody  
23 wants to spend that amount of money, but we agreed to get it done  
24 and it ended up being cheaper, because we were able to get it done  
25 faster. But nothing out of the ordinary that I can think of.

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1 Q. Did you have much conversation with David and the other deck  
2 hand?

3 A. A little bit here and there. You know, we talked -- he  
4 wasn't there when Gary and I and David were looking at it. But he  
5 was at the shop a couple times getting stuff. We actually did a  
6 repair on the door of his truck, of Gary's truck that David was  
7 driving while they were working on the project, so I spoke to him  
8 a few times, but not a lot.

9 Q. Nothing stuck out to you as --

10 A. Nothing. No, I didn't have a lot of interaction with either  
11 of them during the project, but Jordan, like I said, would be able  
12 to answer that question a lot better.

13 Q. You've been on tons of different boats.

14 A. Uh-huh.

15 Q. You see boats of all kinds (indiscernible) like this. Can  
16 you speak to the condition of the Scandies Rose in your opinion?

17 A. It seems to be about average condition. I mean, there's --  
18 it can go -- there's a wide range, I guess. You know, there's  
19 boats that probably shouldn't be in service or definitely  
20 shouldn't be in service and there's boats that are in perfect  
21 condition or almost perfect condition. And the *Scandies Rose* was  
22 somewhere in the middle. You know, Gary, I know he cares about  
23 the boat. He cares about his crew. And if it was unsafe, he  
24 wanted it fixed, just like this. This could have been -- they  
25 could have fished with this with the way it was. Structurally, it

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1 was fine. It would have leaked a little water, but it was fine.  
2 But he wanted it fixed, because it is technically unsafe to have  
3 any sort of water, you know, give any sort of water a way to get  
4 in. So, I mean, he definitely cared about the vessel and wanted  
5 to make sure it was safe and everything was right. But as far as  
6 the rest of the vessel, I haven't spent much time on it. This  
7 was, like -- I think the last time I was on that vessel was,  
8 probably a couple years ago, and so I don't -- and it was briefly.  
9 So, I didn't -- I haven't seen -- I didn't get to see the  
10 wheelhouse, the forepeak, or like any other parts of the vessel.  
11 The fish hold's, like I said, it was on one side of the engine  
12 room getting to that hatch for the void. So, seemed to be in  
13 about average shape. I mean, every boat here -- every boat that  
14 fishes needs work, and some more than others. And you can see  
15 there's rusted material everywhere, but that's pretty normal. You  
16 know, and that's why boats are built thicker than they technically  
17 need to be to allow for wastage.

18 Q. When you were going through those void spaces, you said there  
19 was coatings on the voids.

20 A. Uh-huh.

21 Q. And you said there was some scaling.

22 A. Right.

23 Q. Kind of what percentage of that void still had good coating  
24 on it?

25 A. Do you mind if I find the picture, because that would help a

1 lot.

2 Q. Yeah, definitely.

3 A. That'll definitely help.

4 Q. Then while you're looking, too --

5 A. Yeah.

6 Q. You were saying there's a frame that ran -- was it centerline  
7 on the chute right here?

8 A. I believe it was centerline, and the picture will show where  
9 it was close to centerline right here, you know, supporting that  
10 ramp, basically.

11 Q. Any issues or wastage with that frame?

12 A. Nope, it looked good. And I think, you know, most --  
13 everything was rusty in there right around that area, mostly  
14 because water had been leaking in right there.

15 Okay, so this is the -- that's all splash zone. And so, you  
16 can see water leaking through the splash zone, and then all over  
17 the place there. So, this is the exterior, so the outboard side  
18 here.

19 Q. Okay.

20 A. And this is the ramp coming up to the deck level. This is  
21 the deck.

22 Q. That's the vertical right there, okay.

23 A. Yeah, so this is the side. This would be this side right  
24 here. And so there you can see where this meets the deck, so this  
25 would be, like right here in this corner. And so, you can see

1 it's a lot of splash zone.

2 Q. The coatings do look decent down there, too.

3 A. And they do, they really do. And you can see where the paint  
4 was burned off where somebody had welded before. And that's  
5 through a non- -- that's just a --

6 Q. (Indiscernible)?

7 A. Yes, exactly. And that is -- so this is that frame. So, the  
8 bottom actually didn't have any splash on it. It was just both  
9 sides.

10 Q. Just the sides. Okay.

11 A. Yep.

12 Q. (Indiscernible) the actual chute right there.

13 A. Yeah, so this is the frame.

14 Q. Okay.

15 A. So, this would be outboard side.

16 Q. Okay.

17 A. And so, the frame was in good -- and really, I mean, the  
18 whole tank looked about like that as far as coatings go.

19 Q. Right.

20 A. So, again, I didn't see anything that was out of the ordinary  
21 or crazy.

22 Q. There wasn't knee-deep paint chips or --

23 A. No, nothing like that. That's what the void looks like, you  
24 know, crawling through the frame spaces.

25 Q. Okay. Yeah, could you send me all of those?

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1 A. Yes. I (indiscernible) right now.

2 Q. If you could email them to me, that would be --

3 A. Yeah, I will. Yeah, sorry about that. I kind of forgot I  
4 had them.

5 Q. No, no worries. And that goes for, you know, next week, a  
6 month from now, a year from now. If you come across something  
7 that, like, oh, man, they might be interested in this, please get  
8 it over to us. Anything could help, you know, no matter how  
9 obscure you think it might be.

10 Cooper, that's -- I think wraps up my questions. I will kick  
11 it over to Bart here in a second. Is there anything you can think  
12 of that I didn't ask or anything that stuck out to you that -- you  
13 know, whether it's from the repair, the vessel itself, the crew.

14 A. Right. No, not that I can think of. I mean, again, I can't  
15 think of any -- although I was only there for, you know, that  
16 hour, hour and a half. I can't think of anything out of the  
17 ordinary that I saw or anything with the crew. I mean, everything  
18 seemed pretty normal for a fishing boat.

19 Q. In your professional opinion, and obviously, we understand  
20 it's speculation. You know, with what you heard of the incident  
21 and being on board the boat, any ideas for what you think  
22 happened?

23 A. I mean, I hate to even speculate, but I do know that it was  
24 cold, and it was, you know, high seas, and it was windy, and I  
25 know that I talked to several vessel owners that day that either

1 decided not to leave town or had left town and anchored up  
2 somewhere because of icing conditions. And, like I think three or  
3 four boats that I had -- either we had worked on recently or I had  
4 talked to, you know, for whatever reason they did not leave, or  
5 like I said, they had left and then they anchored up, because the  
6 conditions were bad, really bad.

7 Q. Do you have the names of those boats or the captains you  
8 talked to?

9 A. I think a couple guys, like the *Nuka Island*. I think he  
10 delayed leaving. I know the *Alaska Spirit* left shortly after this  
11 happened. And those guys sometimes leave earlier. Who was the  
12 other one that I talked to? It might have been the *Alaskan Star*,  
13 but I can't -- don't quote me on that. I can't remember if I  
14 talked to James about -- there was another boat that -- hold on, I  
15 can think of it. I'll think of it. I'll let you know when I  
16 think of it. There was another one that I talked to,  
17 specifically, and he was, like, well, I'm not leaving because it's  
18 too nasty out. I'm going to wait, it's too cold to go. I'll try  
19 to think of who that was.

20 Q. *Nuka Island*, who would you have talked to on this?

21 A. Norm. I think I asked him, it was a few days, a couple -- a  
22 day or two before this happened, and I asked him, oh, are you  
23 leaving soon? And he's, like, no, no, I'm going to wait until,  
24 you know, the weather warms up. It's too cold to go.

25 Q. What's Norm's last name?



1 A. Lennon, L-e-n-n-o-n.

2 Q. And on the *Spirit* or the *Star*?

3 A. I'm trying -- I know -- I don't think I talked to Tyler, but  
4 I know that he left, like after the weather.

5 Q. What's Tyler's last name?

6 A. Schmeil, S-c-h-m-e-i-l, I believe. I know he left -- it was  
7 after this had happened. And I think he waited for, you know, it  
8 to warm up. And I'm still trying to remember that boat. Like I  
9 said, I talked to him that day and I asked him if he was leaving  
10 and he said no. He was waiting because it was too cold to go.  
11 I'm trying to remember who it was. I'm trying to remember who it  
12 was.

13 Q. I'm sure once you walk out the door, you'll remember it.

14 A. (Indiscernible).

15 Q. Okay, yeah, Cooper, I really appreciate it. I can't promise  
16 I won't come up with more questions.

17 A. That's fine, no problem.

18 LT READY: Bart, you want to take it?

19 BY MR. BARNUM:

20 Q. Bart Barnum, NTSB. Thanks again for coming in, Cooper. I'm  
21 going to be jumping around a little bit, just follow-ups off of  
22 Lieutenant Ready's questions.

23 A. Yeah.

24 Q. Who and how do you do your hiring? Who does your hiring?

25 A. I do my hiring.

1 Q. And how do you -- how is it processed? Had to get referrals  
2 or how do you determine who you hire?

3 A. Referrals, if possible. You know, I call -- so, for  
4 instance, if I need to hire a guy right now, I'd call up welders  
5 in the industry that I've worked with that I trust. And I'd ask  
6 them if they knew anybody that they would recommend looking for  
7 work. And so, that's always a good way to get somebody who has a  
8 recommendation from somebody that I know. And then after -- say,  
9 that did follow through. Then I would -- if they're in Kodiak,  
10 they come in for an in-person interview. But that doesn't really  
11 happen, because there's not a lot of welders in Kodiak that don't  
12 work for me. So, basically, if it's somebody out of Kodiak, I  
13 have them go do a welding test in Anchorage or wherever they're  
14 at. And I work with Alaska Industrial X-Ray in Anchorage. And  
15 they do all of our testing. When I hire, I usually hire them for  
16 NDE. They do a good job. I've worked with them a long time. So,  
17 I can do welding tests, and that's the first thing, they have to  
18 be able to pass that welding test. Unless they're being hired as  
19 an apprentice, then, of course, I don't expect them to pass the  
20 test. But for a welder, they have to pass the test, and then we  
21 do a drug test to make sure that they don't -- you know, they're  
22 not on drugs and there's nothing in their system. And then, we do  
23 a background check and we do a driving records check as well  
24 before we hire them. And then, usually, I'll bring them over for  
25 some guys I hire off, like the slope, so they work rotational.

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1 So, what I've done plenty of times is I'll do all of that process,  
2 bring them over for, like a week, and try them out and make sure  
3 their work ethic is good, they're honest, they can do what they  
4 say they can do. And then, if that works out, then I hire them  
5 full-time. If it doesn't work out, then they go back and they're  
6 not hired. So, it's actually a pretty extensive process, and I'm  
7 very picky about who I hire. I expect a lot out of my guys. We  
8 work 7 days a week. I mean, we work a lot and we do a lot of  
9 really good work, but I'm very particular about who I hire.

10 If it's somebody, say, from the Lower 48, it's a similar  
11 process. I get some references. Call some people, and make sure  
12 that, you know, again, they have good recommendations. And then,  
13 same thing, welding test, background check, drug test. And then,  
14 I get them up here.

15 Q. You mentioned that you did a lot of welding. You are  
16 obviously certified yourself?

17 A. Yes.

18 Q. Do you need to be recertified over a certain time period or  
19 is that certification good for life?

20 A. Nope. As long as you maintain continuity. So, if you  
21 maintain continuity with that procedure for that company, then,  
22 you do not have to recertify. If you go work for another company,  
23 then you can lose your continuity. If you don't weld or you don't  
24 weld using that procedure, then you lose your continuity. And so,  
25 I keep track of, you know, all the jobs my guys work on. Based

1 off payroll, I know what job everybody worked on. And personally,  
2 I know as well, because I'm in tuned to what's going on. But we  
3 keep track of everything just to make sure everybody's up on their  
4 continuity. I've had guys that have left for a while and come  
5 back. And then, I recertify them, because I don't know what they  
6 did while they weren't for me. They could tell me they welded,  
7 but I don't know that. So, in order for me to be sure, I retest  
8 them.

9 Q. Could you provide proof of continuity for Jordan?

10 A. Yeah. I have to find it. It's in the log. We update it.  
11 It's every 4 months, I think. Or it's like every quarter or so,  
12 we update continuity. And all it is is basically, again, I go  
13 through the invoices and go, okay, Jordan worked on this job, and  
14 he used this welding procedure. Like, for instance, this job  
15 would have qualified him for that welding certification that he  
16 had. And then, I just record that. Yeah, I can find that for  
17 you.

18 Q. I got a list going for you. I'll give it to you before you  
19 leave.

20 A. Yeah, sure. Okay.

21 Q. You mentioned that your welders have to pass their ABS test.  
22 Do all of them pass the first time?

23 A. No, I've got guys that don't pass. And so, when that  
24 happens, then they're not certified, first of all. And then,  
25 they -- usually, they'll still work for me, especially if they

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1 have a good work ethic and everything. And I have guys that are  
2 like apprentices who are training and learning. And those guys,  
3 you know, that happens where they fail. And so, then they come  
4 back to work and practice, and we teach them, and then they go  
5 back and usually pass, you know, eventually or when they're ready.

6 Q. Is there a grace period or could they retake the test the  
7 next day?

8 A. I think you can -- I'd have to look in the code book. I'm  
9 not positive on that one, but I think you can retest the next day.  
10 But again, I'd have to check to be sure.

11 Q. Did Jordan pass his first time?

12 A. Yeah, he passed the first time, yep.

13 Q. Do you know how the crew determined the void -- water was  
14 getting into the void initially?

15 A. I don't know. Actually, that's a good question. I'm not  
16 sure if they inspected it and found water in there. I mean, if  
17 they did inspect it, it would have been apparent where the water  
18 was coming from. They would have been able to see the rust and  
19 the streaks. So, I'm assuming that they had opened the hatch and  
20 inspected it at some point.

21 Q. You had mentioned earlier you weren't aware of any bilge  
22 alarms in there or --

23 A. Not that I can remember seeing.

24 Q. Jumping around. NDT dye penetrant, you were talking about  
25 that. You completed that on this job or Jordan did.

1 A. Jordan did.

2 Q. Is there any kind of training that you're provided, provided  
3 him to conduct that work or is it part of the certification or --

4 A. Just in-company training.

5 Q. In-house training --

6 A. Yeah.

7 Q. -- of dye penetrant testing?

8 A. Right.

9 Q. Do you record that any way?

10 A. Usually, we take pictures. And so, I asked him the other day  
11 if he had photos and he said yes. And then it turns out he had  
12 deleted the photos, because it was smoky and you couldn't see  
13 anything, and he forgot to go back in and take more. And he'll be  
14 able to explain that. But the policy is on something like this,  
15 especially anything under the water line is they take photos, and  
16 then, we record the photos. But on somebody, you know, like  
17 myself, Jordan, and David, again, if they tell me that it dye  
18 penned, then it dye penned. And I don't question their, you know,  
19 what they say, because I trust those guys completely. And they  
20 understand how, you know, with working on vessels, working on  
21 anything, really, like some people don't get how important some of  
22 this stuff is. They just don't understand. But those, like I  
23 said, David, Jordan, and myself. And there's other guys of mine,  
24 as well, but those two, in particular, they understand how  
25 important it is. And, you know, like I said, if they tell me it's

1 dye penned, that's all I need to know. And I trust them. And if  
2 it wasn't, if it didn't pass, they would fix it, you know what I  
3 mean? Because that happens, too. You can dye pen it and there  
4 could be a pinhole leak, but that's when you just grind it out,  
5 repair it, and then redo that test.

6 Q. But there's no other way of tracking that they've been  
7 trained on it other than just doing it in the shop with you?

8 A. As far as formal training, no. We do it in the shop and, you  
9 know, we'll do it in the shop and we do it on site, too. So like,  
10 you know, if I do an insert on a vessel, then I'll bring whoever  
11 is in the area, whoever is available, bring them down to the boat,  
12 show them the whole process, you know. And the biggest thing is,  
13 you read the can. You follow the directions. Because every  
14 direction -- every manufacturer has slightly different directions  
15 on the can. So, you follow those directions and you do exactly  
16 how they say for the dwell times and everything, and then -- so  
17 it's on -- it's not just shop training. It's on-site training.

18 Q. You said you also -- Jordan checked for leaks?

19 A. Uh-huh.

20 Q. How was he doing that?

21 A. That would have been the dye pen.

22 Q. Just the dye was --

23 A. The dye pen test, yeah.

24 Q. The vessel had just went through, before this repair, a  
25 shipyard period?

1 A. Uh-huh.

2 Q. I think Lovric's down in Washington --

3 A. Okay.

4 Q. -- earlier in the year. Did Gary mention that? Did he  
5 mention why this wasn't done then?

6 A. Don't remember him mentioning anything about that, not that I  
7 can think of. I remember him saying it was temporarily repaired,  
8 like I said, I believe in Dutch Harbor. But I don't -- yeah, I  
9 don't think he mentioned anything about shipyard.

10 Q. And that Dutch repair was done just in the months prior?

11 A. Yeah. He said it was recent because they were hoping that  
12 would fix it and it didn't fix it. So, when he got back to Kodiak  
13 and the boat was parked -- because when I went down originally, he  
14 was at the cannery. He wasn't even at the slip. So, I went  
15 down -- I think he had just gotten back to town or they were  
16 loading up crab pots or something before they parked the boat.  
17 So, it was, you know, he was, like, well, I'm back in town now, so  
18 I want to get this fixed before we have to go fishing again.

19 Q. Do you remember what slip he's in?

20 A. Oh, no, I do not.

21 LT READY: I'm getting it from the harbormaster.

22 A. Yeah, I don't remember.

23 BY MR. BARNUM:

24 Q. Splash zone, did you see any other sections or places in that  
25 void, any places of the ship that had the splash zone on it?



1 A. Not in -- no, I don't remember seeing anything. Again, I  
2 didn't spend really much time in the vessel besides in that void.  
3 But I didn't see anything else in the void. Like I said, the void  
4 looked pretty clean. Coatings were good and I didn't see anything  
5 else in there.

6 Q. Okay. Just a couple more here. The chute itself, you showed  
7 us on one of these pictures the picture of the work completed.  
8 You said the kick plate here and lifting eye. Was this fabricated  
9 on deck or in your shop and then lowered into place or was it  
10 in --

11 A. So, the -- and you have to ask Jordan on exactly how he did  
12 it, but I believe the way it was done is everything was cut out  
13 and cardboard templates were made. And then, we CNC waterjet cut  
14 the plate. So, that's a, you know, non-thermal cutting process to  
15 make sure everything fit perfect, and then those plates -- and I  
16 probably still have the drawings for those plates in the computer  
17 for, you know what I mean, what we cut. And I know -- because you  
18 can see how clean these cuts are, you know, that was definitely a  
19 waterjet cut. And so, we waterjet everything and then he would  
20 have fit it up in place, each piece individually, not the whole  
21 thing. Would have fit it up in place, because otherwise, it would  
22 be almost impossible to fit that in there, you know, as a unit. I  
23 would imagine. Again, he'll be able to tell you exactly how he  
24 did that. And then, it would have all been welded out in place.

25 Q. So, this work was done at the dock, obviously, and it's above

1 the water line. When they're loaded up, were they loaded up with  
2 pots at that time?

3 A. Yeah, they had -- the only pots that were not on the vessel  
4 were in this immediate area. So, they were 90 percent loaded, 80  
5 percent loaded. We had to climb over crab pots just to get to the  
6 work area. So, they were definitely loaded down.

7 Q. So, the only time this has actually seen water is when it has  
8 sea splashing on it.

9 A. Right, exactly. And it's, I mean, it's really hard to say  
10 from the pictures, but it's at least, I'm going to say a couple  
11 feet. Even loaded, it's, you know, a foot or two above the water  
12 line to the bottom of the chute, so it's definitely up there a  
13 little bit. But in seas, yeah, it would be, you know, being  
14 subjected to being under water temporarily.

15 Q. One last request here. I'm not an artist or a fabricator.  
16 You got that paper in front of you.

17 A. Yeah.

18 Q. Could you just draw us a picture of the void just so we -- I  
19 have a visual --

20 A. Like in relation to the vessel?

21 Q. Yeah, the void where ship chute is, three hatches.

22 A. Yep.

23 LT READY: You some without lines on it?

24 MR. BARNUM: No, that's okay.

25 A. Let's see, so this would be roughly the engine room, roughly

1 forward, void. The chute would be -- the pot launcher's up here,  
2 so a chute would be roughly midway, I think.

3 UNIDENTIFIED SPEAKER: I've got a picture here of the boat,  
4 too, to help you.

5 A. Oh, yeah, so a little farther forward. And the hatch would  
6 have been probably roughly there. So, it would have a hatch here  
7 on the bulkhead.

8 BY MR. BARNUM:

9 Q. And this was --

10 A. This would be engine room.

11 Q. Engine room. And this hatch is on the -- for the record, the  
12 forward starboard end of the engine room.

13 A. Yes.

14 Q. And the hatch, is it a manhole hatch with bolts and nuts or  
15 is it a dog hatch or what's the --

16 A. I don't remember specifically, because they already had it  
17 open when we got there, but I want to -- I'm going to guess that  
18 it's bolts and nuts is my guess, but I can't remember  
19 specifically, and I don't have pictures of that.

20 Q. So, a hatch that would normally be secured and shut.

21 A. Yeah, because this isn't a void that they used for storage or  
22 anything. It was just, you know, buoyancy, basically, as far as I  
23 know. And so, usually on those voids, everything is a bolted  
24 hatch, you know, because you don't get in there unless you're  
25 inspecting it or painting it or working on it.

1 Q. Okay.

2 A. So, as far as I know, that was bolted. I know that this was  
3 bolted. And then, this one, I'm assuming it was bolted, but  
4 Jordan would know, because he was actually working in there.

5 Q. For the record the forward starboard end of the void, the  
6 hatch leading into is this the forepeak?

7 A. So, the forepeak, there's a void -- I guess you'd consider it  
8 the forepeak. I think there's two compartments up here. You  
9 know, one would be, like the chain locker. And then, the forepeak  
10 void where they have -- where they store line and supplies and  
11 whatnot. It was a pretty deep void up here in the bow. And then  
12 off to the side of that is, you know, where you get into that  
13 access point.

14 Q. Okay. And how would you access the chain locker or the  
15 forward void or wherever this --

16 A. There's a big hatch in the deck right here that they have  
17 lifted off at that point, you know, when I was down there. And  
18 so, I didn't actually go in there to see this hatch. Gary was,  
19 like, well, the hatch is down there, you know, so we can ventilate  
20 through these three openings. And I said, perfect, sounds good.

21 Q. Okay.

22 A. Make sure that's open. And he said, okay. And so, Jordan  
23 would be able to tell you, like I said, exactly the details of  
24 this, because he was doing the work.

25 Q. Okay. And the approximate length of the void you said

1 earlier, 50 feet?

2 A. What's the total length of the vessel?

3 LT READY: 130 over 116, (indiscernible).

4 A. I'm going to guess, yeah, 50 feet would be a pretty good  
5 guess, I think.

6 BY MR. BARNUM:

7 Q. And then 3 feet wide you were saying by 4 feet high?

8 A. Yeah, I think more between 3 and 4 feet wide, and 2 and 3  
9 feet tall. Let's see those pictures again. Well, I can find them  
10 here.

11 Q. That's fine for now.

12 A. But, yeah, it was -- I want to say it was wider than it is  
13 tall. It was pretty short.

14 Q. Would you mind just putting your name on there just so we  
15 know who drew that and the date? It's the 4th.

16 MR. BARNUM: And that's all the questions I had, Cooper.

17 MR. CURTIS: Okay.

18 MR. BARNUM: Thank you.

19 MR. CURTIS: Sounds good.

20 BY LT READY:

21 Q. I just got a couple more, Cooper. Would your process or  
22 approach to this repair change at all if this was placed below the  
23 water line?

24 A. I don't think so, nope. I mean, we do the same thing. We do  
25 a dye penetrant test on inserts as well. And again, if we can

1 vacuum box it, we vacuum box them, but a lot of the time you can't  
2 because of the curve of the hole or whatever the situation is.  
3 So, dye pen is always -- we dye pen -- anything that has to be  
4 watertight is dye penned no matter what. If it's a structural  
5 weld like these angle, you know, angles to the deck, it's -- we  
6 just weld it, if it's a visual inspection, you know what I mean,  
7 there's no watertight issues in that area. Anything that's  
8 watertight is dye penned, air tested, if possible, vacuum boxed,  
9 if possible. But vacuum boxes are -- they can be tricky and hard  
10 to use. So, an air test only works, like I said, on piping or --  
11 and if it's a sea water piping, we'll do a function test,  
12 obviously, as well, you know, turn the pumps on, get water running  
13 through it at pressure to make sure there's no leaks, after doing  
14 all the other tests. But, no, I mean, the same process applies.

15 Q. Okay.

16 A. We treat -- it doesn't matter if we do something below the  
17 water line or above the water line, if it's watertight. I mean,  
18 it's a boat. You know what I mean? So, if it has to be  
19 watertight, we treat it the same way. Even if it's an insert on  
20 the wheelhouse, you know what I mean, it's still cropped out. We  
21 use radius corners. We bevel everything. It's an open root weld.  
22 It doesn't matter, you know, where it is on the vessel. If it's  
23 supposed to be watertight, it's treated the same.

24 Q. Your hierarchy of non-destructive testing, what means do you  
25 have available here on the island? You said a vacuum box would

1 be --

2 A. Uh-huh.

3 Q. -- a better test in your opinion?

4 A. I honestly -- vacuum boxes are good, but I've seen leaks  
5 with -- showing up with dye pen that a vacuum box did not detect.  
6 Dye pen takes time. You know, you have to let the dye soak into  
7 the weld, but I've seen pinholes in dye pen that I did not see  
8 with a vacuum box. And so, I'm not really a fan of vacuum box  
9 testing. It's fast and it's clean and it's easy, so a lot of  
10 people like it, because there's no dye. You don't have to clean  
11 anything up. You don't have to wait. You know, you just stick it  
12 on there, wait, and watch it come through. And it doesn't -- you  
13 know, dye pen's messy, but in my opinion, it works extremely well.

14 Q. Do you have a vacuum box that would fit on the angles of this  
15 chute?

16 A. No, flat vacuum box is the only one we have.

17 Q. You mentioned air test. Those are the only other non-  
18 destructive -- except for going X-ray or --

19 A. Yeah, so air test would have been possible if they wanted to  
20 put couplings in the -- you know, into the lids of those hatches.  
21 But then you have to assume that the rest of that void is also  
22 airtight as well. And a lot of times, that's where we run into  
23 issues is trying to air test something on a boat where, you know,  
24 they have vents, you know, and so you have to plug all the vents  
25 and then the plugs may not -- you know, so it's very hard to get

1 an actual air test on something like that. Not to mention, now  
2 you're applying air pressure to something that was never designed  
3 to have air pressure in it. And so, if you go over more than,  
4 like 1 or 2 psi, you risk damaging the structure of that, you  
5 know, that void. So, for that reason, dye pen is the go-to.  
6 Again, there's, you know, if we're building a tank, it gets air  
7 tested, you know what I mean? A coolant tank would get air tested  
8 to, say 20 psi, if it's designed to hold 15 or 12 psi, because  
9 that's a totally different story. You know, you're not going to  
10 dye pen that. But we do hole inserts. We can vacuum box them if  
11 possible. But, you know, we dye pen everything no matter what,  
12 basically, is what it comes down to.

13 Q. Okay. And then, last question, I know you said earlier that  
14 Jordan Young -- basically, your structure of your company is  
15 yourself, David Cox is kind of number two, and you said Jordan  
16 Young is the number three?

17 A. Yes.

18 Q. Can you quantify his skill as a welder?

19 A. I mean, I trust him to be number three, basically. Like,  
20 I've got guys who have been -- he's been welding for several  
21 years. I have guys who've been welding for 10 or 15 years. And  
22 Jordan, I still trust Jordan more than that, you know what I mean?  
23 And if there's anything he's ever had a question about, he calls  
24 me, and then I help him deal with whatever his question is or, you  
25 know, how to do something if he doesn't know how to do it. You



1 know, because there's stuff we do that, you know, you could do  
2 this 20 years and there's still things that we would fix that  
3 nobody's ever done or that that guy has never done, just because  
4 every boat's different and there's so many different areas to a  
5 boat. So, I trust him to do it correctly, you know, which is why  
6 he's No. 3. He's young, you know what I mean? David's a  
7 little -- David's 33 or -4. And Jordan is several years younger  
8 than I am. But, I mean, Jordan's like I am. You know, he treats  
9 my company like I treat it. He treats customers like I treat  
10 them. He treats vessels and projects like I do. When there's a  
11 critical project, it's either David or Jordan. Again, that's why,  
12 you know, he was on this job. So, I completely trust him 100  
13 percent. I back him up. Anything he chooses to do, like I back  
14 him up on that.

15 Q. Strictly from a welding skills standpoint, would you say that  
16 he's the third best welder in your company, taking all the work  
17 ethic type of stuff out.

18 A. Yep.

19 Q. Just in terms of, like pure skill.

20 A. For that -- for this work with that procedure, stick welding,  
21 yes. I have guys who are better TIG welders, you know, for doing  
22 stainless steel piping or whatever. But for this, yes, definitely  
23 the third best welder. Actually, yes, it'd be myself. I consider  
24 myself the best welder. David would be second and Jordan, yes,  
25 the third.

1 LT READY: That's all I have. Bart, did you have any more?

2 MR. BARNUM: No, I don't have any questions.

3 LT READY: Daniel, did you have anything to add or any  
4 questions?

5 MR. BARCOTT: No questions from me.

6 Cooper, thank you very much for your time today. Really  
7 appreciate all the information you provided us. Thanks.

8 MR. CURTIS: Yeah, you're welcome.

9 LT READY: Okay, Cooper, before we wrap up, I'll just give  
10 you one more opportunity. Anything come up you feel we should  
11 have talked about during this interview that was not discussed?

12 MR. CURTIS: No, I think that pretty much covered everything  
13 I can think of. If there is something, I'll email you or call  
14 you.

15 LT READY: Excellent. Really appreciate it.

16 The time is 12:43 and we are now concluding the interview.

17 (Whereupon, at 12:43 p.m., the interview was concluded.)  
18  
19  
20  
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25

CERTIFICATE

This is to certify that the attached proceeding before the

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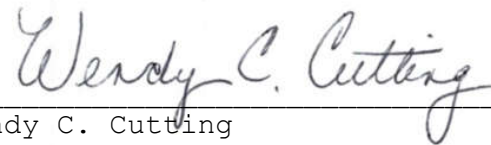
IN THE MATTER OF:           CAPSIZING AND SINKING OF THE  
                                  F/V *SCANDIES ROSE* NEAR SUTWIK  
                                  ISLAND, ALASKA, DECEMBER 31, 2019  
                                  Interview of Cooper Curtis

ACCIDENT NO.:               DCA20FM009

PLACE:                       Kodiak, Alaska

DATE:                         January 4, 2020

was held according to the record, and that this is the original,  
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Wendy C. Cutting  
Transcriber

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UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

CAPSIZING AND SINKING OF THE \*

F/V *SCANDIES ROSE* NEAR SUTWIK \*

ISLAND, ALASKA, DECEMBER 31, 2019 \*

\*

\* \* \* \* \*

Accident No.: DCA20FM009

Interview of: DANIEL MATTSSEN

Managing Partner

Scandies Rose Fishing Company

United States Coast Guard  
Marine Safety Detachment Kodiak  
Kodiak, Alaska

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I N T E R V I E W

LT READY: -- with the U.S. Coast Guard here at Marine Safety Attachment Kodiak. And I give consent to them recording this interview.

Do you want to take it, Justin?

LT WILLIAMS: Okay. Good morning. This is LT Justin Williams, Investigation Divisions chief at Sector Anchorage. And I also give consent to recording this interview.

MR. BARNUM: NTSB, good morning all. This is Bart Barnum, B-A-R-N-U-M from the NTSB Office of Marine Safety.

MR. KARR: And this is Mike Karr with the NTSB.

MR. SUFFERN: And this Paul Suffern, S-U-F-F-E-R-N with the NTSB.

MR. BARCOTT: And this is Mike Barcott of Holmes, Weddle & Barcott. We're attorneys for the owners of the *Scandies Rose*, an interested party. With me is another attorney in my office, Daniel Barcott, and we do give our consent to record this interview.

MR. MATTSSEN: And my name is Daniel Mattsen. I am a partner in the *Scandies Rose* Fishing Company and managing partner. And I give my consent to record this interview.

LT READY: All right. So, and thank you everyone, and just want to give a quick brief. So the purpose of this investigation is basically to determine what happened, why it happened, and prevent it from happening again.

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1 captain and he's a significant partner in the vessel.

2 So, and I was incidentally running another boat and had left  
3 Kodiak on the 28th, so I was a couple days ahead or 3 days ahead  
4 of him, and so I have no particular knowledge of the condition of  
5 the vessel when it left.

6 I did have some contact with Gary during the -- during his  
7 trip, and I'd be happy to share what he told me. If you want me  
8 to keep going, I can keep going, but I just -- if you want to ask  
9 me questions, I will answer any questions you might have.

10 Q. Yeah. Mr. Mattsen, if you just want to keep going and we'll  
11 kind of, you know, lay your story out and any information you  
12 think might be helpful to us, and we'll just let you go and then  
13 we'll go around and ask follow-up questions.

14 A. Okay. Okay. The only contact -- I mean, like I said, I left  
15 earlier, and it was a crappy ride the entire way. So I had called  
16 on the tag phone to, which is the dispatch, which I'm sure you're  
17 familiar with, several times just to check and see where Gary was.

18 If he was coming along, or if he was going to be leaving, and  
19 had no contact. And then finally he came back to me on the, I  
20 think it was the 31st, but it was fairly early in the afternoon,  
21 or maybe late afternoon but early evening. And I asked him how it  
22 was going. And he said it was a shitty ride, which was a shitty  
23 ride for me, 150 miles farther down the pike. So, I didn't doubt  
24 that. He said it was very cold and he was making light icing at  
25 that time.

1           And I said, well, I had to pull into Unimak Bite to just rest  
2 the crew because I wasn't going to go through Unimak Pass when I  
3 was tired and the weather was so foul. And I said, you know, just  
4 you go ahead and do that if you need to. It's not -- there's no  
5 hurry here. Just get, be safe. And that was the last  
6 conversation I had with him.

7           The night of the 31st, I arrived in Dutch Harbor about 11  
8 o'clock at night and was exhausted because it was a tough ride  
9 from Unimak Bite down through Amaknak Strait; then up Baby Pass  
10 and into Captains Bay. I was exhausted and was in my bunk by  
11 midnight and did not receive any -- did not find out what had  
12 happened until I got up, thought the alarm went off and went  
13 downstairs to wake up the crew.

14           But then looked at the clock and it was quarter to 6. And I  
15 know, I know that I had set my alarm for 7 a.m., and so I went  
16 back up and looked at the phone, and then discovered what had  
17 happened, you know, that I'd been getting phone messages all the  
18 time. And I must have received some kind of notification there or  
19 something that woke me up. And but I didn't get any messages  
20 before then because I have got, you know, do not disturb there for  
21 a window during the night.

22           And that's, that's really all I know for sure. The rest of  
23 it's all speculation and just hearsay. So, that's it for me.

24 Q.   Thank you, Mr. Mattsen. I appreciate that. If you can kind  
25 of talk us through your history with the vessel. I know you said

1 you're the 50.2 percent owner, and Gary had a share as well. Who  
2 was the other owner with the 19.8 percent?

3 A. It was John Walsh. He runs an insurance agency in the  
4 Seattle area, and he handles a lot of maritime policies. And he's  
5 kind of an accidental partner. It's kind of a long story, but  
6 John was a partner when I was having financial difficulties going  
7 through my divorce. John offered to be a partner on another  
8 vessel many years ago and helped me out. So we've been partners  
9 ever since.

10 And when the -- in 2008 the former owner of the *Scandies Rose*  
11 was looking to retire. I was just finishing up an MBA at the  
12 University of Washington and was thinking my -- the prospects were  
13 not good for investment banking, as the economy was imploding  
14 there. So I ended up putting together a partnership and buying  
15 the *Scandies Rose*.

16 And over time Gary -- and Gary was part of that partnership,  
17 and John was just by event of his other previous relationship with  
18 me. And several years later, we bought out the other side of the  
19 original partnership and became, between the three of us, the sole  
20 owners of the vessel.

21 So we've had it for 11 years, 11-plus years and, you know, up  
22 until New Year's Eve. And that's it.

23 Q. And affirming here, I have the survey from June 1st, 5th, and  
24 6th of 2019. I saw that you also redid stability around that same  
25 time. Can you just kind of talk us through, you know, what

1 triggered this survey and redoing stability and any major works  
2 that occurred on the vessel during your ownership?

3 A. Well, what triggered the stability was the fact that David  
4 Wilson was pilloried for not having a more recent stability test.  
5 And I just thought it was prudent, to be -- if you're going to be  
6 a tank vessel carrying pots. That whatever the -- whenever my  
7 vessels come down to Seattle, they're going to be inclined, and  
8 getting an updated stability report. Because throughout the  
9 industry there are many stability reports that are 20 years old.  
10 And so, I just thought it was prudent. And we did not do any  
11 major project to the vessel that would have triggered a, you know,  
12 a requirement for any special treatment. It was just, it was just  
13 a measure of being a prudent boat owner.

14 And when my other vessel comes down this year, it's going to  
15 get another -- it's going to get an incline test because its  
16 stability report is 20 years old. And so, that's the reason.

17 And now as far as over time what major projects we've done.  
18 The only thing that would marginally affect stability would be, we  
19 swapped out the portside crane, the main picking crane, but we  
20 actually put a smaller -- excuse me -- not the main picking crane.  
21 The main stacking crane, just on the port side where most crab  
22 boats have their cranes. But we actually put on a smaller crane.  
23 And we had a naval architect calculate the weights of each one and  
24 said we'd actually improved stability rather than decrease  
25 stability.

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1 Other than that, the things we've done to the boat, which  
2 we've done many, many things, but they've mainly been cropping out  
3 steel and putting in, you know, new steel. Or we replaced the  
4 auxiliary engines. We rebuilt the main engine. We have swapped  
5 out crab pumps with the same crab pumps but just newer or rebuilt.

6 So the boat is still the same as it was when I bought it, as  
7 far as the profile, except for that port crane.

8 Q. I know you said that you had left Kodiak on the 28th. I  
9 believe the *Scandies Rose* left on the 30th. Did you see the  
10 vessel in port before you left, or did you have any face to face  
11 with any of the crew?

12 A. Well, I saw David, David Cobban and I flew in with Gary. We  
13 actually, he was flying from Juneau and I was flying from Seattle.  
14 And we ended up being on the same plane from Anchorage to Kodiak.  
15 So, I saw Gary there.

16 And we talked on the phone several times. And I walked over  
17 to the boat once to see if Gary was there. Gary wasn't, but David  
18 was fiddling with the lines, and that's, you know, so we just said  
19 hello and talked briefly, and that was it.

20 I didn't even go onto the vessel because they, because they  
21 had a lot of pots on. They had, you know, I'm 54 years old and if  
22 I can avoid climbing up over a stack or whatever, I will do so.  
23 I'm no longer a crab fisherman. But that's it.

24 Q. Good. Can you kind of talk us through the, you know, the  
25 planning of this specific trip, and kind of the process that, you,

1 yourself on your vessel that Gary, or Gary goes through.

2 In other words if, and in addition to that kind of, any  
3 information you have of how the *Scandies Rose* was loaded, you  
4 know, typical paint condition as well as where the boat was going  
5 to fish, and how long, and any other details you might know of  
6 this specific trip?

7 A. Yeah. Well he brought pots, the reason why we came to Kodiak  
8 with pots on board was because of the debacle at the Dutch Harbor  
9 airport. Ravn cancels more flights than they make. And just ever  
10 since they've had that crash out there.

11 So, it was just difficult getting crewed and out, so we made  
12 the call to take the boats to Kodiak. The, let's see, so we  
13 brought pots there, and he also brought some pots that were  
14 rewebbed over the break, after king crab.

15 And I'm not even sure how many pots he did, but he had a  
16 certain number of pots, say 25 or 30 pots that he was carrying  
17 that needed to be rewebbed to make them into good opilio pots.  
18 And so, we did that.

19 And, you know, the stack was loaded the way it would normally  
20 be loaded. And I believe he was, the normal way to travel was  
21 either with the mid tank down or with the mid and the aft tank  
22 down.

23 And I have no knowledge about how the vessel was tanked.  
24 I've been on the vessel when we've been carrying pots and I've, I  
25 have fished on the vessel in years past. But I don't, I don't

1 have any particular knowledge of this trip.

2 And of course, the tanks may not have, you know, if I would  
3 have come up, gone on to the boat at any time during, while it was  
4 in port and the crew was working on mechanical things and rigging  
5 pots.

6 I would, the tanks would not be necessarily pressed the way  
7 they would be for travel anyway. I was out of town and already  
8 underway with the *Amatuli*. Where he was going to head, he was  
9 going to, we were basically going to fish a short trip of cod and  
10 then switch over to opilio immediately.

11 So, his plan was to go and basically do some prospecting for  
12 opilio straight out of Akutan on the, what I would consider to be  
13 the lower opilio grounds, just to see if there were opilio there.  
14 And but he was going to be registered cod.

15 He was going to catch, because he was very confident that  
16 there were enough cod there to make a credible trip. And he was  
17 going to bring in whatever he got, make his cod trip, and then  
18 convert his pots back to opilio.

19 All of the pots that were on the vessel, to my knowledge,  
20 were what we call combo pots, which can switch over from crab to  
21 cod very easily. And if he found crab in that southern area, he  
22 was going to, while he was, while he was fishing for cod for that  
23 short trip, he was going to just convert the gear.

24 Set it out and fish cod, or fish crab, excuse me, as close to  
25 Akutan as possible. All of our, our market is at Trident Seafoods

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1 in Akutan, so he was going to try and minimize the fuel, if he  
2 could find crab there. And that was basically the plan.

3 If not, he was going to have to stack on the gear and run up  
4 the hill, and he probably would have run, you know, 30 hours  
5 northwest to more traditional wintertime opilio grounds.

6 And other than that, as far as the strategy goes to the  
7 actual fishing, that's completely up to Gary. Me telling Gary  
8 where to fish would be like a house painter telling Picasso to  
9 paint.

10 I'm, I'm more of a grind it out kind of fisherman. I was  
11 more of a grind it out, kind of numbers game fisherman. Just keep  
12 pulling gear, you'll find the crab, and then, you know, attack it.  
13 Where Gary is really, was really an artist.

14 I mean he was a very, very, very good fisherman and vessel  
15 operator. So, I wouldn't presume to tell him where to fish. So,  
16 but he did tell me what his strategy was going to be and why he  
17 was going to start there, and I said, it sounds good to me.

18 As long as we get a cod delivery in, and which is fairly  
19 important nowadays. And then we go out possibly and know right  
20 where to start the crab fishing. That's it.

21 Q. That's it, you guys. Really appreciate it.

22 A. That's it, okay. Really appreciate it. When's having those  
23 pots being able to convert between cod and crab and just more  
24 detail on the pots themselves. Do you know how many pots the  
25 *Scandies Rose* carrying?



1           Do you know what the weight of those pots was? And then when  
2 you are able to convert like that, does that, does that change the  
3 actual weight of the pots significantly, and if you could put an  
4 estimate on it?

5       Q.   No. Not at all. The pots weighed, I mean, I was out there  
6 in 2018 and fished king crab on the boat to, because I owned some  
7 person, you know, captain shares in the crab fisheries. So, I go  
8 out every few years and will work as mate for Gary on the boat.

9           And I, so we had the pots weighted. They weighed an average  
10 of 833 pounds, which was heavier than the existing, you know, the  
11 old stability report. So, we adjusted our, the pots, the amount  
12 of pots we were going to carry during that king crab to account  
13 for the additional weight.

14          And then when we redid the stability report, we used the new  
15 weight, which had been, you know, the Coast Guard had come out and  
16 weighed the pots in Dutch Harbor. We used that as the, as the  
17 weight to determine, you know, how many pots we could carry.

18          So, and the, no, the conversion does nothing, really. It's  
19 just, there's a flap that stays in the pot, and it either flips up  
20 to be a crab pot or flips down to be a cod pot. It's very simple.  
21 I mean it'd be so much easier if I could just show you a picture.

22          But I haven't got any pictures on my computer, you know, to  
23 demonstrate it. But it's a very simple change over. That's why,  
24 that's why we do it because otherwise, you would have to tease web  
25 and, you know, and physically alter the shape of the tunnel in

1 order to make it a cod pot.

2 And we didn't, and that's just too time consuming. And  
3 that's it.

4 Q. And do you have any idea how many, how many pots the *Scandies*  
5 Rose was carrying for this trip?

6 A. Well I, we have a little discrepancy. The guys all said it  
7 was 198 and I don't know. In my head I had 192 that were brought  
8 to Kodiak. But I don't, I was looking through, well, I mean it's  
9 a new year.

10 I've got a new organizer in front of me. I may have it  
11 written down in my old organizer. But I, so, it's either 192 or  
12 198. I'm not sure, unless Gary, you know, if Gary counted them  
13 then Gary would know. And, but I wouldn't really know.

14 Q. Understood. Yeah. If we can get any kind of documentary  
15 evidence from this trip, I'm not sure exactly what kind of records  
16 you keep or what's available, you know, records that are not on  
17 the vessel, if you could provide those, that would be definitely  
18 fantastic.

19 A. Well if I could, if I could find anything I would, but it  
20 would just be a scribble on an organizer, you know, that, whether  
21 it's 192 or 198, I'm not sure that's, you know, significant. But  
22 I, it is, I mean I'm curious about it too.

23 I want to find out what happened. But I can't, I'm still in  
24 shock that this happened. So, anything I can do to help you guys  
25 figure it out, I'm up for.

1 LT: Understood. Greatly appreciate it. I was able to get  
2 some pictures from Gary's sister of the boat prior to leaving, you  
3 know, a few from, you know, days before the 30th. I mean there's  
4 one picture on the 30th.

5 And it's a bow angle, so it's hard to tell how many. But  
6 with your familiarity with the vessel, I think it would be helpful  
7 to get those over to you and maybe you can give us a little more  
8 information to, you know, how they had the stacked based off of  
9 your experience and knowledge of the vessel.

10 But I figure at this time, you know, you've kind of gone  
11 through and gave us, gave us a brief overview. I'm sure everybody  
12 on the line has additional questions as we get into more detail.  
13 So, if everybody's on board, I'll just go ahead and open it up to  
14 additional questions.

15 And maybe we just go around with that. But I'll kick it over  
16 to you, Bart, if you, if you have some amplifying questions.

17 MR. BARNUM: Yes, I do. Thank you very much.

18 BY MR. BARNUM:

19 Q. Mr. Mattsen, first off, I want to say how sorry we are. I'm  
20 sure you were very close to many of your crew member on the boat  
21 there, and I can imagine you're going through some hard times  
22 right now. So, I'm very sorry.

23 A. Thank you.

24 Q. And thank you, thank you again for helping us trying to  
25 figure out what happened and moving forward here. I just really

1 appreciate it. I have some follow up questions from LT Ready.  
2 I'll probably be bouncing around a little bit. Some follow up  
3 questions from what you had already mentioned.

4 And some that I've already prepared for your interview. So,  
5 forgive me for that. But could you, I know you talked about it,  
6 you said your company is a one-man show. It's going to be you.  
7 Is there any other office personnel, or where is your company  
8 based out of?

9 Q. It's really based out of a P.O. Box. I live in Bremerton,  
10 and my one employee is named Gelia Cooper. And she actually  
11 carries the title of vessel manager and I'm kind of the, you know,  
12 the strategist, like I said before.

13 So, Gelia Cooper and I can give you her contact information  
14 if you desire. But she's my one employee and we just, she lives  
15 in Bremerton also, and, you know, we just keep the boats, you  
16 know, supplied and fueled up and help the captains with crew if  
17 they need it, and help them get out of town.

18 Q. It'd be great if you give her, give us her contact  
19 information. We'd like to talk to her. Thank you.

20 A. Yes.

21 Q. You mentioned other vessels. How many vessels are you  
22 operating, and do you own?

23 A. I'm partners in three vessels and I manage one other one for  
24 Ocean Beauty Seafoods. The boat, the boat that I was running, the  
25 *Amatuli*, is owned by Ocean Beauty and I still manage it. I used

1 to own it and I sold it to Ocean Beauty, and they just kept me on  
2 as the manager and I ran it last summer.

3 And kind of like tendering now and so I'm going to run it  
4 again this summer. And I was bringing the boat out to Dutch  
5 Harbor to do some cod tendering. The other, do you want to the  
6 other vessels' names and particulars?

7 Q. Yeah, that'd be great.

8 A. Yeah. I own 50 percent of the *New Venture*. I own that with  
9 Gary actually. So, I'm not sure who I'll own it with after his  
10 estate is settled. I own, and I own 50 percent of the *Alaska*  
11 *Challenger*, which is, my partner there is Ocean Beauty Seafoods.

12 So I, all of the boats I manage tender for Ocean Beauty.  
13 They tender salmon, so there's kind of, you know, there's a tie-  
14 in, a deep tie-in with Ocean Beauty. And the *Scandies Rose* was  
15 probably the top tender for Ocean Beauty.

16 So, I think that, that might be why they kept me along as  
17 manager of the *Amatuli* is because they wanted to keep the *Scandies*  
18 *Rose* in their stable of tenders.

19 Q. Okay. Understood. Where, in the process of documentation,  
20 where, was this stored in a central location? Did you have it in  
21 your office in Washington or --

22 A. So, I don't, but we can get that to you. So, Gelia's got a  
23 copy of it.

24 Q. Okay.

25 A. All right that down, vessel COD.

1 Q. Well not just the COD but I didn't know if you had any  
2 maintenance records or, you know, original hull profile, pictures  
3 or documentation of, you know, naval architecture drawings or  
4 anything like that from the vessel?

5 A. I don't think I do. Remember we bought the vessel when it  
6 was already 25 or 30 years old. So, I don't think I have anything  
7 like that. I do have, I mean on the survey, if you look at the  
8 back, there's a maintenance record for every significant thing we  
9 did to the vessel.

10 We tried to keep a good record year by year, but as far as  
11 fixing a pump midseason, or a while the boat's up in  
12 Alaska, that doesn't get put on the, you know, on the record there  
13 and that, that's, that would be, I mean, the engine room logbook,  
14 but not, we wouldn't have a record of it down in the office.

15 Q. Okay. Who was the owner prior to when you bought the vessel?

16 A. The owner previously was a man by the name of Leif Larsen,  
17 L-E-I-F, L-A-R-S-E-N. I'm not sure if it's E-N or O-N. Yeah.  
18 His name, when I first met him, his name was Leif Nordbo, N-O-R-D-  
19 B-O. And I don't know why there was a name change. I think it  
20 had to do with his childhood and who raised him and everything  
21 else, and he finally changed his name. But, yeah, he owned the  
22 boat for many years.

23 Q. Okay. Speaking of the captain, Gary, how long had he been on  
24 that vessel?

25 A. He was on the vessel since 2009. And this is, this is from

1 memory. The first, when we bought the vessel, we were already  
2 partners in the *New Venture*, and the *New Venture* was doing very  
3 well with Gary running the boat.

4 So, the first year we had the boat, we had it, we hired a  
5 captain who was very familiar with big boats and Gary continued to  
6 run the smaller boat, the *New Venture* just because we were doing  
7 so well with it. And then New -- you know, the profits we'd made  
8 on the *New Venture* were what enabled us to buy the *Scandies Rose*,  
9 so we didn't want to, you know, kill the golden goose, so to  
10 speak. And after the first year, Gary was, had been grooming a  
11 relief captain on the *New Venture*. So he turned to boat over to  
12 him, and he hopped on the *Scandies Rose* and has been there ever  
13 since.

14 Q. Okay. Before the New, how long was he on the *New Venture*  
15 for?

16 A. We bought that boat in 2005, right after the crab buy back at  
17 the end of 2005. And he used to run a boat called the *Rebel*, and  
18 the *Rebel* was sold in the buy back. So, the owner just basically  
19 said, thank you for making me \$3-and-a-half million.

20 I'm going to go retire to Fiji. And here, you can have the  
21 pots and some equipment. So, the *New Venture* was a casualty of  
22 the rationalization for the partners who owned it also owned  
23 larger boats, so they just took the quota that the *New Venture*  
24 had earned and put it on their larger boats.

25 So, it was just sitting down in Newport, Oregon. And Gary

1 and I negotiated a heck of deal on it and bought the boat. So, he  
2 was on there for, from 2005 until we bought the, you know, the  
3 *Scandies* in, or until he took over the *Scandies* in 2009.

4 Q. Okay. How about the other, the other crew members on board?  
5 Were they permanent crew members or relatively new?

6 A. Well the core nucleus had been there for a while. Arthur,  
7 Brock, David. They'd been there for a while. Seth had only been  
8 there one season, and then we had two, the two survivors actually  
9 were new to the vessel.

10 John had worked on the *Western Mariner*. We've got a tie in  
11 with the *Western Mariner*. It's one of my old -- well it's  
12 actually one of Gary's old crew members, too, but the captain of  
13 the *Western Mariner* worked for me for 15 years.

14 And then Dean Gribble Jr., I don't really know Dean at all,  
15 but I know his father very well. His father's a long-time captain  
16 in the crab and long line industry. And I know, I know he's been  
17 working in the industry.

18 So, when Gary was looking and went for another crew member  
19 when Dean Junior's name came up, you know, I didn't have any  
20 objections, so we hired him. So, those guys, the last three are  
21 Seth, John and Dean were relatively new to the vessel.

22 The other guys had been around for quite a while. David had  
23 worked on all the vessels, so, I mean he'd hopped around, when he  
24 was first starting, he was very green. And he worked on the *New*  
25 *Venture*. He worked on the *Amatuli*.

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1           And then he finally, when his skill level got up to a level  
2 that Gary was comfortable with, he, Gary brought him on to the  
3 *Scandies* full time.

4 Q.    Okay. Was there any other licensed captains on board the  
5 *Scandies*?

6 A.    No. The only, I have a license. And I ran the, several  
7 times, two or three times, we got Alaska Fish and Game charters  
8 around the Pribilof Islands, pot charters, and we needed a  
9 licensed captain for those.

10       So, I ran the boat on those charters. But I did it because I  
11 had a license. Gary doesn't have a license. Never had one. He's  
12 actually color-blind. So, he's got the skills, but he could never  
13 pass the color-blindness test.

14 Q.    You said you were sound *Amatuli*, the day prior on the way to  
15 Dutch. Did you encounter much icing?

16 A.    Some. Some. It was, it was cold but I, there was a little  
17 weather window. I went down the east side of the island and cut  
18 across straight through the Cermedes (ph.) to the Shumagins. We  
19 built a little bit of ice, but it wasn't, it wasn't bad at all.

20       And as we got near the Shumagins it got crappy, and got  
21 crappy enough and what happened, we knocked all the ice off. So,  
22 then we went, you know, through Deer Pass as making our way west  
23 and had a, had a nice ride until we hit Pavlok Bay and the Cold  
24 Bay, and we iced up again.

25       That's what prompted me to just stop and wait it out at

1 Unimak Bite.

2 Q. Well I appreciate this. I am, I'm new to this aspect of  
3 fishing and this industry and I'm just, this is good filling me in  
4 on this information. But what is your normal procedure for  
5 deicing? Do you, do you seek shelter?

6 Do you find a, you know, a lee in an island somewhere? What  
7 do you normally do to remove it?

8 A. It really depends on, you know, what the level is, but I  
9 mean, I wouldn't hesitate to hide if I was, if I was building a  
10 lot of ice, you know, find a lee and drop the pick and just pound  
11 it off. We have, we have mallets, big.

12 You don't use sledgehammers generally because it chips the  
13 paint too easily. But you've got big, big heavy mallets that  
14 knock it off. And we didn't, we didn't have to do any of that  
15 until we got to Dutch Harbor though.

16 So, it just, it was rough enough there that when we got down  
17 to Unimak Pass it actually warmed up a bit and as we were trying  
18 to make our way, I initially was going to go through the pass and  
19 then we were bouncing around so much, that the ice was knocked  
20 off.

21 It wasn't a heavy accumulation, and it wasn't the bitter cold  
22 that, I'm sure Gary encountered. It was more like, yeah, it was  
23 icing, so we were catching freezing spray, but it wasn't the heavy  
24 freezing spray.

25 So, it just naturally came off. We just had a very light bit

1 of ice when we went, when we took off the next morning and went on  
2 the southern route. We went down below Akun and Akutan Islands,  
3 through Abaitanik Strait, and then went up on Baby Pass to make  
4 our way to Dutch Harbor.

5 And we built ice there, but we had such a short run, I wasn't  
6 worried about it. You know, running a tender with no weight, no  
7 significant weight above the waterline, is a lot different than  
8 running a crab boat with 150 to 200 pots on board.

9 So, I didn't have the same concerns that say, Gary would or  
10 somebody's who carrying pots.

11 Q. Sure. Well thank you. How does one determine the amount of  
12 ice that's building up, other than, is it just going out on deck  
13 and observing it, or is there, is your vessel reacting in  
14 different ways? How is that usually determined?

15 A. Well I owned a boat called, named *Chama* (ph.), 110-foot  
16 Martin Nullage (ph.), a house-forward boat, and it was very  
17 sensitive to ice wake. And what I would do is, in my head, I  
18 would always be counting the roll period, you know.

19 So, if the boat rolled in seven -- it just had a natural 7-  
20 second kind of back and forward, and back and forward. And then,  
21 all of a sudden, you're getting an 8-second or a 9-second roll,  
22 it's indicative that you've got ice build up. You've got more  
23 weight above the waterline and you've got a left or righting  
24 angles. So, I was very sensitive to that with my boat. And then  
25 it was mainly a roll period. But of course, observation is just

1 as good.

2 I mean if you can see 6 inches of ice around your rails, you  
3 know you've got 6 inches of ice around there. And just know the  
4 roll period is really the behavior that the ice would cause.

5 Q. From your experience is most of the ice building up on the  
6 rail or is it, is it building up on the gear, the traps, the crap  
7 pots on deck?

8 A. Well that depends on the boat. The *Scandies* has very high  
9 rails. And you stack your first, your upright level of the pots  
10 come, you put those on edge, so they're standing upright. And the  
11 *Scandies* has rails that completely go up that high. Right?

12 They're 8 foot high. And so, that first layer, and part of  
13 the reason they do that is just to keep the ice from building  
14 because on a boat that's more low-waisted, like say most of the  
15 house-forward boats.

16 Like Shaman had a distinct sheer to it, and it would, at the  
17 lowest part there, before the deck would start to curve up, you  
18 would, those pots would build ice pretty rapidly. And so, you'd  
19 see it on your rails.

20 But the pots, with their, you know, having web can really  
21 build a lot of ice and a lot of weight. You know, because the  
22 water goes through the web, you know, and so you're building just  
23 a pile of ice on the deck, which is affecting how quickly any  
24 large amounts of water ingress would clear.

25 But then it starts to close off the web, so you just get a

1 wall of ice there. And I'm not sure if that was happening with  
2 the *Scandies*, you know, but that means there was pretty  
3 significant icing rail, rail up because the *Scandies* also has, had  
4 tremendous free board.

5 The boat that I'm, the boat that I'm more familiar with had  
6 very, you know, little free board in comparison.

7 Q. Sure. Yeah. That was another I had, and you just answered  
8 it with regard to the lower row of pots being stacked on the end,  
9 on edge. That's for, that's to get them off the deck, to keep  
10 them out of the ice. Is that correct?

11 A. Well no. It's just a, it's a, it's easier to set the gear.  
12 I mean I've been on boats that actually set all their pots, you  
13 know, flat. But that's kind of a pain in the ass for the crew  
14 because you have to constantly be climbing.

15 If you stack them on edge, you can stack more on that first  
16 level. And once you're actually finishing, you're not generally  
17 stacking on top, unless you're doing a major, or a significant  
18 move. Not only a major move but anything significant.

19 If you're moving 40 or 50 miles, you might stack them on top.  
20 If you're just moving 10 or 15 miles, you probably just could  
21 stack an upright load, whatever your deck would carry and, which  
22 on the *Scandies* is about, you know, 60 pots or so.

23 We could stack upright because then you can set off a couple  
24 of strings very straightforwardly and the crew doesn't have to  
25 climb. And I really think that's the reason why almost all boats

1 adopt a first level, upright and the pots on top flat.

2 Q. Understood. Thank you. I'm looking at the stability report  
3 that was recently done, and it indicates showing, if I'm looking  
4 at it correctly, that those, that first row of pots is stood up  
5 like that. So, it was completed with that orientation. Correct?

6 A. Yes. Yeah, and that, then they block deck, the aft deck, how  
7 we stack, you know, just so we'd be clear on that.

8 Q. You've mentioned you had a naval architectural review of your  
9 stability when you installed the smaller port crane. Do you  
10 remember who the naval architect, the naval arch was?

11 A. The naval architect was Bezly Olufsen (ph.).

12 Q. You wouldn't happen to have his contact info, would you?

13 A. I'm sure I do. I'll get, I'll get that too for you, along  
14 with Gelia's so, at the end of this, if you can give me your  
15 contact information, I will send this along. Okay?

16 Q. Sure thing. Yeah, thank you. Kind of backing up a little  
17 bit, how did you get into the industry? I know you mentioned you  
18 were at the university, but prior to that I assume you were in the  
19 fishing industry.

20 A. I, yeah, I, out of high school a group of us friends in 1974  
21 went up to Dutch Harbor to process crab. And it was just kind of,  
22 you know, bunch of 19-year-olds who had nothing better to do. And  
23 then I went back.

24 And went to college and did a year of law school actually,  
25 and realized if I continued on that path, I'd probably end up

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1 being a lawyer. And my father's an attorney, and I didn't want to  
2 do that.

3 So, I grabbed one of my friends, who had gone up with me  
4 originally, was a dock boss up at one of the canneries, and I got  
5 hired by him and just one thing led to another. I ended up being  
6 put onto a boat and low and behold, I actually kind of took to it.

7 And after a year of processing became a deckhand, and after  
8 another year of deck work, maybe a year-and-a-half, I became a,  
9 got my first mate's license. And then a couple of years after  
10 that, I got my master's license.

11 And, you know, we just find out what works for you, and I  
12 took to fishing.

13 Q. You had mentioned that Gary Cobban, he did not have a  
14 license. Is that correct?

15 A. He did not have a license. He did not have a license, but  
16 Gary has been fishing for 45 years. He started out as a teenager  
17 fishing for his father and then fishing on other boats. And  
18 Gary's probably the most experienced captain I've ever been  
19 around.

20 I mean there's maybe a half dozen people who've got his level  
21 of experience and his level of competence, but there's not many.

22 Q. How did, how would he usually run his watch schedule or his  
23 navigation watch? Would he, would he stay at the helm or would he  
24 hand it off to a senior deckhand?

25 A. You know, I don't, I don't really know. The only times I've

1 been on the boat, one of the reasons why I would go on the boat  
2 for king crabs is that I, Gary and I would take all the watches  
3 just to give the crew more rest.

4 So, if Gary wasn't on the helm, I was on the helm. We never  
5 had to worry about that. So, I've never, I mean if I would have  
6 been on the boat, it would have been just Gary and I on the, on  
7 the helm.

8 But since I, you know, since I wasn't there, I have really no  
9 idea how he does it, or how he did it.

10 Q. Speaking with the two survivors, during this trip, they were  
11 running, Gary was taking a 6-hour watch and the six other crew  
12 members were doing a one-hour watch each.

13 A. Yeah, that sounds about right. And I'll just, Gary's not a  
14 sleeper. I mean he's not a sleeper generally. At least when he's  
15 fishing, you know, I'd get on the helm and run the, run the boat,  
16 pull a string of pots, and then Gary would pop his head out and  
17 go, how we doing?

18 You know, and then he'd, he'd say, well, I'll take over  
19 again, you know, so it's just, he's not much of a sleeper. But  
20 and obviously I don't know how he, how he does it when I'm not  
21 there.

22 MR. BARNUM: Right. Okay. Well I think that's all for me  
23 right now. I will have a couple follow ups once we go around  
24 again, but I'm going to pass it on to my college, Mike Karr. But  
25 thank you, sir, very much.



1 MR. MATTSSEN: You're welcome, more than welcome.

2 MR. KARR: Hi, this is Mike Karr. So, I've got some  
3 questions and I'll go down my list.

4 BY MR. KARR:

5 Q. What was the, what would you, how would you describe the  
6 positions that were on board the boat. Gary was the captain. Did  
7 anybody have any specific job, did anybody have any specific job  
8 descriptions?

9 A. Yes. Art Ganacias would be the, would be the engineer, and  
10 also a deckhand. But he would be the one taking charge of the  
11 engine room. Brock Rainey would be the deck boss and would make  
12 sure that the gear was ready to go and, you know, would muster the  
13 crew when it was time to work on deck.

14 And the others would just be classified as deckhands, and I'm  
15 not sure what the share arrangement was. David would be a full  
16 share deckhand, but I'm not sure about the other fellas.

17 Q. And would you know about, can you, can you tell us about  
18 Art's background? How long he's been with the *Scandies*?

19 A. Well I know he's, I know he's fished a lot. He started with  
20 us in 2017 for salmon season. He was being offered a boat to run  
21 for tendering, and we offered him about the same pay to be our  
22 engineer.

23 You know, before that, I don't really know what his  
24 experience is. I know he's, he was well experienced because I,  
25 when I was up there in 2008, I ended up working on deck with the

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1 crew and Art was, you know, one of the deckhands I worked with.

2 But he was very, very skilled.

3 Q. All right. And how about Brock?

4 A. Brock's kind of a wild man, a former marine, Desert Storm  
5 kind of guy. You know, motorcyclist. He's been with us for 4½  
6 years or so on the *Scandies*. But he was on the *New Venture* before  
7 that for Gary.

8 And yeah, just an all around, I wouldn't call him, you know,  
9 I'm not going to pat myself on the back, but when I was a deckhand  
10 many years ago, I was a very good deckhand. I would call Brock a  
11 solid deckhand.

12 You know, he's solid skills, but not, I wouldn't call him a  
13 great deckhand. But I'd say he definitely has solid skills. He's  
14 definitely a full share, a full share guy. But, you know, just,  
15 it's just my analysis there, which really doesn't account to a  
16 hill beans there, but, you know, Brock's a good guy.

17 David and, and David really has been coming along. When he  
18 first started, you know, he was basically the captain's kid. So,  
19 he didn't have any skills. But he's, he can run the crane. He  
20 can work the block.

21 He's a good, a good deckhand now, you know. It's a shame  
22 because he's young and could have been, could have become a great  
23 deckhand.

24 Q. When the boat was in the shipyard, who served as the port  
25 engineer to make sure everything got done?

1 A. Well actually that was me. And there's a story behind that.  
2 My port engineer died of cancer this spring. And so, I was up on  
3 the boat during the entire haul-out and made sure that we got our  
4 project list done.

5 I was working right along side Art, and then we had a, we had  
6 a welder who did all the welding, the small welding projects on  
7 the boat. And the three of us just worked away at it and then  
8 Gary came down. And he basically took over making sure that the  
9 boat was -- well actually, Gary didn't come down this year. No.  
10 No, actually, then I bought in Peter Wilson, who is the captain of  
11 the *New Venture*.

12 And the reason why is, Gary was actually running the New  
13 Ventura last spring, so Peter came up and Peter's a former  
14 engineer on the *Scandies Rose*, who is now the captain of the *New*  
15 *Venture*. And then it was Peter, myself, Art and, and then a crew  
16 of laborers who got the work done.

17 Q. What was the biggest issue of concern for you all when a boat  
18 was in the shipyard?

19 A. Well we, the biggest area of concern, well we had, we painted  
20 tanks, which was, the tanks were in pretty rough shape as far as,  
21 as far as paint. You know, they had integrity, but they just  
22 looked awful.

23 And when you're tendering salmon, they really want your tanks  
24 to not look like shit, with rust all over the place. So, we sand  
25 blasted the tanks and then painted them, which was about, you

1 know, \$80,000, \$90,000 project all done.

2 And the other thing we did, we closed off one of the shit  
3 chutes, and the rebuilt the shit chute up near the launder. And  
4 that's actually the repair that we redid in December in Kodiak.  
5 We rebuilt the forward shit chute.

6 But those were the main projects. And then there's just,  
7 there are just, whenever a boat goes in the shipyard, there are  
8 hundreds of small things that need to be done.

9 Q. Would you spell that chute, the name of that chute for me?

10 A. S-H-I-T.

11 Q. Okay. Thanks, I wasn't sure if it was like hearing or what.

12 A. That's just what we call it. I mean you can call it discard  
13 chute, you know, to be a little bit, you know, more gentle here,  
14 but so.

15 Q. So, do you, after you left the shipyard, how much sailing did  
16 the vessel do?

17 A. Oh, a lot. It ran up to Dutch, or to Kodiak, and then it  
18 went to Bristol Bay and worked up there for a month or so. And  
19 then came back and tendered around Kodiak for probably 50 days  
20 more. And then it tied up for a brief period, and then did king  
21 crab.

22 Q. All right. And that's probably it. Oh, quickly, tell me  
23 about the season dates. So, when did the cod season begin and  
24 end, and when did the opilio season start and end?

25 A. Well cod started January 1st, but opilio has been open since

1 October 15th. It's just by convention that people don't fish it  
2 until after the first of the year. And it's just because with the  
3 seasons, I mean when I, when I was done with captain, we fished  
4 100 million-pound seasons often and up to 300 million-pound  
5 seasons.

6 And so, you had to start early in order to get that done.  
7 But there were also, you know, many more boats fishing. But now  
8 they open it October 15th, but with only 30 million, 40 million  
9 pounds, it's, there's problem and nobody wants to be fishing over  
10 Christmas. So, generally people start after the first of the  
11 year.

12 Q. And when does the cod season end?

13 A. Cod season ends when it's, well, it ends when it's, that's,  
14 that's managed under a guideline harvest level or a --

15 Q. Got you.

16 A. -- total pack. There's not a, you know, so as soon as that,  
17 the managers feel that, that has been reached, they close the  
18 season down.

19 Q. All right. What cooperative does the, did the vessel belong  
20 to for the opilio crab?

21 A. Krabbe Cooperative, K-R-A-B-B-E.

22 Q. Spell that, okay. We got it. Okay. We got it on the  
23 record. Was there, and where would you unload the opilio crab?

24 A. All of it would have been with Trident Akutan.

25 Q. And was there any, is there any issue with that, when they

1 would close? Were they going to close early before the cod season  
2 ended, or before the opilio season ended?

3 A. No. No, not Akutan. They do up, they do up in St. Paul.  
4 They'll close after most people have delivered their northern  
5 shared. We don't have any northern shares, so, and we fish a lot  
6 of catch or processor shares, which you can deliver as just a  
7 catcher boat.

8 But they don't have any geographical restrictions. So, you  
9 can deliver them anywhere. And on those catcher/processor shares,  
10 we have a profit share where we, as you can imagine, the  
11 processing costs are less in Akutan than they are in St. Paul.

12 So, our preference is always to fish low if we can, you know,  
13 just to be close to Akutan.

14 Q. Were you two going to, were you two going to fish together?

15 A. I wasn't fishing.

16 Q. Were you, were you going to meet up?

17 A. I wasn't fishing. I was --

18 Q. How much run did you --

19 A. I was going to tender, you know, so a tender just takes the  
20 fish. Now I was tendering for Westward and Alyeska. And Gary was  
21 going to deliver whatever cod trip he had, he was going to deliver  
22 to me.

23 But that was mainly just so that he could, just to get over  
24 and get fishing crab, you know, that, but that's just the way it  
25 was. You know, it, we were going to deliver our cod there because

1 we store a lot of pots as Westward Seafoods, even though we don't  
2 normally fish there.

3 But we do, within our cooperative, we kind of swap quota  
4 around so that the other vessels in our cooperative deliver to  
5 Westward, and we deliver all of the Trident Crab.

6 Q. Right. Was there any, do you know if there was any kind of  
7 deadline or date that the captain would have been trying to keep?

8 A. No. No. Not at all because you can deliver, Akutan will  
9 take that crab until May, you know, and realistically, we could  
10 fish until May. We don't start our salmon charter until the  
11 middle of June.

12 So, we were, we were counting on being done. We only have  
13 600,000 pounds to catch, so we were just about assured that we  
14 would be done by the end of February.

15 Q. All right.

16 A. And that's, that's, that's actually with poor fishing.

17 Q. Right.

18 A. And Gary has filled up that boat in 8 to 10 days before.

19 Q. Yeah. Here's a question for you. I'm curious about the  
20 date. You know, the cod season starts January 1st, and it looks  
21 like he, the vessel was going to be fishing for cod like on  
22 January 1st.

23 So, is there any significance of, or the importance of being  
24 there on that first day?

25 A. Not really. Especially not for us because we don't view cod

1 as a, it's not really a viable fishery for us. We, you know, we  
2 do it to just kind of keep our participation level, you know,  
3 there's talk of rationalizing cod, too.

4 So, since you, since they're talking about it, you almost  
5 have to participate. But we just decided that we would, you know,  
6 adopt that strategy, go out and prospect for crab, but where we  
7 know there's going to be a lot of cod and bring in a trip, get our  
8 delivery.

9 You know, if you delivered 30,000 or 40,000 pounds, that's  
10 about much bait you would use, cod bait while he was crab fishing.  
11 And get the crew warmed up and just kind of see if there are crab  
12 down south. And if there not, then he has to stack up and make  
13 the little run, go up west of the, west of the Probs (ph.).

14 Q. All right. How long had the vessel been tied up before it  
15 left on this trip?

16 A. Oh, let me see. This it not exact but the season for king  
17 crab starts October 15th also. I mean that's when they start to  
18 rationalized fisheries. So, king crab opened October 15th. He  
19 was out fishing.

20 I think he was probably, he was certainly done by the end of  
21 October, you know, and in Kodiak. But I don't, I don't know  
22 specifically. I'd have to check with Gelia to see, you know, when  
23 we, when we got our slip there to tie up. But the actual fishing  
24 only took a week or so.

25 Q. And then when would the crew report back to the ship?

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1 A. Right after Christmas. I think it was December 26 or 27. It  
2 might have been the 27th because I got there on the 26th with my  
3 crew and I don't think the *Scandies* was there yet, the *Scandies*  
4 crew was there yet.

5 Q. All right. What can you tell us about any procedures that  
6 the vessel had? You know, on the commercial sector they talk  
7 about ships having a safety management system, you know, which  
8 lays out how you do everything on board.

9 So, did the fishing vessel having any guidelines that the  
10 captain gave it, or you gave them for how to, you know, run the  
11 vessel?

12 A. Not, not formally. No, it's just, in the crab industry, it's  
13 pretty much, the captain, you know, gets the crew on board and  
14 runs them through drills, shows them how we do things specifically  
15 on this boat.

16 But it's not a formal, you know, laid out, you'll do this,  
17 you know, A, then do that, B, and then, you know, go to C. Here  
18 it's more just running through the drills and making sure that the  
19 crew is comfortable with their duties.

20 Q. All right. And based on that descriptions, what can you tell  
21 us about what the, the unwritten procedure was with regard to  
22 icing, you know, with the acute, let me put it this way, with  
23 regard to monitoring the accumulation of ice.

24 A. I wouldn't think there'd be any formal guidelines. I would  
25 think that, that should be written in watch instructions of like,

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1 when I, when I turn over the watch, I write down the times for  
2 each specific person.

3 And the, what I want them to look out for. Like say for  
4 example, we're going to go through Unimak Pass, it's, I'll make  
5 sure I have somebody who can pay attention to the radar and knows,  
6 they know how to navigate.

7 And when we're going to get a close quarter situation with  
8 those, with the ships which are moving much faster there. If  
9 there was icing, I would be saying, you know, watch for icing.  
10 And that would be the instruction.

11 And, but it wouldn't be, I mean I might put down, if we get  
12 more than 2 inches, wake me up immediately, you know. But I think  
13 that would be the call of the captain, to be honest. I don't  
14 know, there's no formal, you know, we need to, if we have 2½  
15 inches of ice, we've got to do this. Or if we have one inch, we  
16 have to do that.

17 Q. All right. Referring to the stacking the lower level of pots  
18 on end, did that include creating a tunnel so the crew could move  
19 back and forth?

20 A. No. Not on the *Scandies*. The pots fit very tightly if you  
21 do not have a tunnel, so you, so if you're going to put on a big  
22 stack, you won't have a tunnel, and the crew has to climb over the  
23 stack to get to the behind.

24 Q. Would the, would that stack cover all the hatch openings?

25 A. Yes. On the -- up until, up until the number one hatch, it

1 would. The number one hatch is usually left open because, I mean  
2 if Gary was, according to the survivors, the vessel was tanked  
3 with the number 2 and number 3.

4 So, you wouldn't have any need to look at those hatches,  
5 because you'd see them, see the water shooting out the overboard  
6 by hanging your head out the wheelhouse window. Or you'd have a  
7 flow alarm go off on the crab pots that would indicate that a pump  
8 wasn't pumping water.

9 The only tank that you might ever need to check would be the  
10 number 1 tank, which was kept dry.

11 Q. And did you, did you say it was kept open when he sailed?

12 A. No, no, no. Not kept open, but it would, it would be  
13 accessible.

14 Q. Oh, okay.

15 A. You'd have, you'd have a flush hatch on it. It would be  
16 accessible, but not, not open.

17 Q. Where was the, did this vessel have a lazarette, or an after  
18 compartment where things might be stored?

19 A. No. You go down from the galley, there's a door, it goes  
20 down to the, what we call the electrical room where the main  
21 ship's panel is. If you look aft, you've got the steering gear  
22 right there and the air compressors, and the air tank.

23 Along each side there's a day tank on one side, and a sewage  
24 tank on the other, which, you know, are obviously closed off. And  
25 then there's a companion way where you would, you'd turn around,

1 walk forward into the engine room.

2 Q. Were there any other compartments forward of the house where  
3 gear would be stored?

4 A. No, not forward of the house, but the way the boat was built,  
5 this boat had a fire back before Lake bought it. And so, it's got  
6 a new house on it, a newer house than the hull. There are like  
7 little ante rooms on each port and starboard where guys can hang  
8 up coats, put their, you know, put their boots or whatever.

9 There's a heater in there on the starboard one. On the  
10 portside there's a fuel manifold for delivering fuel to fishing  
11 boats when you're tendering. The primary storage area on this  
12 boat is up forward, called lower forepeak.

13 So, you've got the forepeak where you walk in, and you've got  
14 a workbench, a dryer, welder, you know, the gases. And then on  
15 the portside of the forepeak, upper forepeak, you've got the bait  
16 freezer.

17 And then there's a manhole, which goes down and the ladder  
18 that goes down to lower forepeak, which is very large, and there  
19 are chain locker and a large storage area for fishing gear and  
20 whatnot, whatever you want to store.

21 Q. And I'm almost done asking the questions. Do you have  
22 training records of what courses the crew members went to that we  
23 can obtain?

24 A. No. No. Really, it's just the captain. The captain has  
25 had, you know, is a drill instructor and he may have had courses.

1 I know he went to navigation school when he was younger, because  
2 he thought he needed to get a license and just failed on the,  
3 failed on the eye test.

4 So, he never got his license. But other than doing basic  
5 safety training, and that would mainly for the young people who  
6 were trying to get licenses. So, I don't even know if any of them  
7 have got it because the four main crew members were all, they were  
8 pretty much deckhands and they were going to stay as deckhands.

9 The only one we had hopes for was David, if he was going to  
10 graduate to be mate or a captain.

11 Q. Were there any electronic logs of, was there any logbook  
12 kept, and if there was a logbook kept, did any of that information  
13 make it ashore?

14 A. No. Not that I know of. I mean it would, it would have had  
15 to been with the two guys. It's not, it's not sent out  
16 electronically that, you know, here's where we are or anything.  
17 You can, I mean I checked their track today on the, you know, the  
18 vessel monitoring system and that's about as sophisticated as we  
19 get.

20 We can see where the boat is and whether it's working or not  
21 just by looking at its speed. But --

22 Q. Okay. Well I was, is there any, I was looking to see if you  
23 might have listed when they, when he conducted training and ran  
24 drills with his crew members.

25 A. That I don't know. I don't. We'd have to talk to Gelia

1 about that and see if he sends down, sends down his drill sheet.  
2 And I'm not sure about that. So, I will give you Gelia's number  
3 or Gelia's contact information after this and you can ask that  
4 question to her. Okay?

5 MR. KARR: Okay. I'll tell you what, I will stop asking  
6 questions now and come back on the second round.

7 MR. MATTSSEN: All right.

8 MR. KARR: Thank you.

9 MR. MATTSSEN: You're welcome. Thank you.

10 MR. SUFFERN: Hi, this is Paul Suffern from the NTSB and I  
11 believe I'm next here. And I appreciate your time again today.  
12 I'm, my background is meteorology, so I'll be asking questions  
13 more along the lines of the weather and expectations therein.

14 BY MR. SUFFERN:

15 Q. As far as what you'd expect Gary or yourself before  
16 departure, what would you gather as far as weather information?

17 A. Well, that's completely depends upon the captain. I mean,  
18 Gary lived in Kodiak most of his whole life, so he would probably  
19 just call up the weather bureau there. There is VHF weather, I  
20 think.

21 You know, I've got a program on satellite imagery, so I was  
22 looking at that through Fleet One, looking at the, tried to see  
23 what the wind direction and temperature was because that's what I  
24 was mainly concerned with.

25 You know, I mean cold weather and a stiff wind means that

1 icing is a potential problem. So, I'm sure Gary was looking at  
2 the same thing. Of course, all of us crab fishermen, or retired  
3 crab fishermen are aware of heavy freezing spray and scared of it.

4 The ones who aren't scared of it are no longer with us. And  
5 I know that Gary was aware of icing.

6 Q. Okay. So, I mean had you discussed, just not on this trip on  
7 just about weather before with Gary of any sources that he liked  
8 to use as far as weather, or did he use, like to use Fleet One, or  
9 did he use, like to use a map on his phone like Windy or did you,  
10 have you had any discussions with that?

11 A. Yeah. Well he would show me Windy app all the time, but I  
12 mean most of the time we'd, I mean we used to all tune into 4125  
13 and listen to Peggy Dice (ph.), you know, so we always got the  
14 weather morning and evening.

15 Now it's mainly satellite. I use Fleet One. That's where I,  
16 you know, look at it. But he doesn't have Fleet One, I don't  
17 believe. But he's got a side band. He's got VHF and he's lived  
18 in Kodiak his whole life, so I'm sure that he would just be  
19 looking at the usual sources for weather.

20 But I really, like I said, I'd be a house painter telling  
21 Picasso how to paint. Gary was very safe and had a good safety  
22 record, so I, you know, I can't say what he, what sources he used.

23 Q. Okay. And to your knowledge, had this vessel been in  
24 freezing spray conditions such as this before, whether it was in  
25 the Bering Sea or on the south side of the ocean?

1 A. Yes. Definitely. Because I do talk with Gary occasionally,  
2 you know, just get status updates or either send a message and get  
3 a status update during a trip just so I can coordinate, you know,  
4 food or crew or whatever coming into meeting him when he delivers.

5 And he's been many, many, many instances of freezing spray in  
6 the Bering Sea. I don't know about Gulf of Alaska. We don't fish  
7 in the Gulf of Alaska. It's always just a, it was just a transit.  
8 But many times, in the Bering Sea during the winter, you're in a  
9 freezing spray situation.

10 Q. Okay. And as far as conditions such as, such as you saw  
11 around that timeframe, how often would they occur over a fishing  
12 seasons say from, or specifically as it relates to freezing spray,  
13 so say from when you're out fishing from any time in December to  
14 March, how often would these types of conditions occur?

15 A. Oh boy. You know, it's very cyclical. Sometimes you get a  
16 warm winter, sometimes you get a cold one. It seems like we've  
17 got a cold one coming, you know, this year. But it's, it is often  
18 the case that you'll be fishing for 3 solid weeks in heavy  
19 freezing spray.

20 And then you'll get a break for a week and then it'll come  
21 right back, and you know, you'll have, you know, then storms just  
22 kind of wash through. And the wintertime in the Bering Sea is no  
23 fun.

24 So, it's very harsh weather and sometimes you'll be in  
25 freezing spray maybe, you know, 15 storms during a long season, 15



1 big storms. That's just discounting the normal storms where  
2 you're not really making ice, but it's still, it's still pretty  
3 cold.

4 Q. Okay. Thanks. And as far as, I'm not familiar with Fleet  
5 One necessarily but do they provide you, as far as weather  
6 information and forecast, do they provide you warnings as far as  
7 when heavy freezing spray is going to come or storm warnings, or  
8 gale warnings, something similar that you may hear over the VHF or  
9 from the national weather service?

10 A. No. It's more of a graphical, at least as far as my program,  
11 what, it's more of a graphical thing. You, it's got, if you look  
12 at wind, it's got color coding for, you know, the darker red it  
13 gets, the stronger the wind is.

14 It'll have the wings on there, you know, showing you what,  
15 you know, whether it's blowing 30 or 40 or 25, and the wings and  
16 arrows. Oh, and then if you flip it to temperature, it'll show  
17 you what temperatures are expected, the same thing, kind of color  
18 coded, you know, the deeper blue it gets the colder it is.

19 You know, so but it's not a, it's not a point forecast like  
20 you'd get otherwise, you know, on the VHF. But you don't have VHF  
21 much. You get down south of Kodiak, you know, you've got Kodiak,  
22 then you've got Sector Anchorage you hear for a while, and that's  
23 pretty powerful.

24 Then you get out to Sand Point, you get it again. So, you  
25 know, you, it's not universal coverage but I have no doubt that

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1 Gary knew he was going into heavy freezing spray. The only  
2 question I have is when he looked at what the forecast was how he  
3 determined that he, that he would have a window to travel.

4 And I have no knowledge of that. Like I said, I left before  
5 he did, and I just trusted that he would use his judgement and  
6 pick the right weather window.

7 Q. So, on your, after you've departed, if you're sailing out of  
8 Kodiak and headed down to Sand Point and then Dutch beyond that,  
9 what are locations that you could shelter behind, you know,  
10 between Kodiak and Sand Point?

11 A. Oh, hold on. I'm getting a call here. There are literally  
12 hundreds of places from Kodiak to, in a northwest wind, you're  
13 going down the, you're running southwest down the Alaska  
14 Peninsula.

15 You've got bays every, you know, couple miles. You know,  
16 there's a bay or an indent or a bite where you could drop the  
17 pick. It's, and since he went out Shelikof and went down the left  
18 side of the island, you know, he would have had to cross over to  
19 the mainland.

20 And then he would have had any number of places to hide. It  
21 gets more dicey if you, like when I did it, I ran down the  
22 eastside, which meant I had a long reach, you know, from the  
23 Sitkinak and Tugidak there to, you know.

24 And I just cut straight across the Cermedes and headed  
25 towards the Shumagins. And that was risky. But I had determined

1 that I had enough of a window to get there before it got so bitter  
2 cold. And I was fine.

3 I was fine getting over to the Shumagins. But I had the long  
4 reach going there. If I would have been more concerned about the  
5 fetch of the sea, you know, causing a lot of heavy freezing spray,  
6 I would have gone through Whale Passage.

7 And then run down Shelikof, which is, Shelikof can be brutal.  
8 But I would have then had plenty of places to pull in and anchor  
9 up.

10 Q. This in your experience during one of the, can you recall a  
11 scenario from which you departed Kodiak and headed southwest and  
12 had a, had a good northwest wind and had to shelter like that?  
13 Could you, could you tell me about one of those experiences?

14 A. I'm actually not a Kodiak guy. Almost all of my fishing was  
15 done out of Dutch Harbor and Akutan. And I've only, until I,  
16 until I started working with Ocean Beauty, I'd really only been in  
17 Kodiak a couple times in my career.

18 So, I just, I would straight from Dutch or Akutan and head to  
19 the J Buoy, and, you know, got to shipyard down in Seattle, and  
20 then head back out the same way. So, I'm not a, I'm not the right  
21 guy to ask for that.

22 But if you just look at this trip that I did now, you know, I  
23 mean I made it to Unimak Bite and then ducked in for 6 hours and  
24 got sleep and made sure the crew was all rested. But that's, I'm  
25 really not, I've never had to really make that trip on a regular

1 basis.

2 MR. SUFFERN: Okay. Thanks for your time. I really  
3 appreciate it. That's all of the questions I have for right now.

4 MR. MATTSSEN: You're welcome.

5 LT READY: LT Williams, did you have any questions?

6 LT WILLIAMS: Sure. I have just a couple of questions. Good  
7 morning, Mr. Mattsen. This is LT Williams, investigator at Sector  
8 Anchorage.

9 BY LT WILLIAMS:

10 Q. How are you this morning?

11 A. I could be better. I could be better to be honest, but I'm  
12 more than happy to try and figure out what happened here.

13 Q. Yes, sir. Terribly unfortunate event for sure. I just, just  
14 a couple of questions in regard to your most, your most previous  
15 dry dock, if you could just refresh my memory. Where was the most  
16 previous dry dock for the vessel?

17 A. It was at Lovric's Shipyard in Anacortes, Washington.

18 Q. In Anacortes, okay. And could you spell that name again of  
19 the shipyard?

20 A. L-O-V-R-I-K apostrophe S [sic]. And it's got some other  
21 word, Lovric's Seaworld, or Lovric's, I don't, I don't know what  
22 it is, but if you just Lovric's in Anacortes, you would find the  
23 place. And it wasn't actually a dry dock.

24 It was a marine weighs. We pulled the boat, you know, on a  
25 cradle out of the water.

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1 Q. Okay. Okay. And you, in your experience, you know,  
2 typically there's a worklist item or there's a list of wishes or  
3 wants or things that you plan on doing in the future for the  
4 vessel.

5 Do you have any worklist items for the *Scandies Rose* did you  
6 have any like big ticket items that you planned on doing in the  
7 future, any modifications or, you know, steel wastage or anything?  
8 Were there any big crop and renews or anything you knew was on the  
9 horizon?

10 A. No. We didn't have any crop and renews that were on the  
11 horizon. We were going to, the main projects we had looking  
12 forward were upgrading the refrigeration. We're still running R22  
13 and that's outdated and very expensive now, so we were planning on  
14 a conversion to 507.

15 And that also, once we got into it, it's not a drop in, so it  
16 was going to require some replacing, we could keep the chillers  
17 but we had to replace the condensers and the, you know, receiver  
18 and, we needed a little but room than we, than we had so it was  
19 shunted back.

20 But that doesn't have anything to do with the mechanic or  
21 with the integrity of the hull. That was just efficiency. And we  
22 were going to move the starboard crane. Our tender, we have a  
23 crane that we put on for tendering and ever since I picked out the  
24 spot to put it.

25 Gary has groused about it and wanted it about 6 feet farther

1 forward of the pedestal. So, that was a plan to do this next time  
2 the boat went down. But as far as, as far as the fishing  
3 operation, we've got everything the way we wanted it to be.

4 You know, everything is what we thought would make the best  
5 use of the space. You're never, you're never perfect on an older  
6 boat that you buy, because you're dealing with the physical  
7 parameters that you didn't get to choose.

8 You know, so but everything was set up on deck the way we  
9 wanted it. And it was mainly within the confines of the engine  
10 room that the next phase of the project was going to be.

11 Q. Yes, sir. Okay. Did you or Gary, that you're aware of know  
12 of, I mean were there any constraints at all with the vessel?  
13 Were there any problems getting underway that you knew or that  
14 Gary might have known was a problem with the vessel? Any kind of  
15 lingering problems?

16 A. I'm not aware of it. I mean when he got to Kodiak, he sent  
17 me pictures of that, you know, shit chute, and on the inside, you  
18 could see bleeding, you know, rust bleeding through. So, there  
19 was obviously some poor welds.

20 And he asked if we could repair that and I said, of course,  
21 you know. So, we, we did do that. But as far as I know, that was  
22 the only concern that Gary had and it was certainly a valid  
23 concern, you know. So, we had that repaired while we were in  
24 Kodiak.

25 Q. Yes, sir. Okay. And you mentioned that the, so the number

1 one, the number one tank would have been empty whenever the  
2 seawater tank, the hold tank would have been empty while he was  
3 underway? That's his, that would be the configuration typically?  
4 A. Yeah. Yeah. I believe so. I mean that's the way I would  
5 run it and I believe that's what the, what Dean and John said the  
6 boat was configured. So, I didn't think twice about it.

7 I mean if he would have, if he would have said too, oh yeah,  
8 the forward tank was the only tank down and the other tanks were  
9 dry, I would have been, that would have snapped my head around  
10 because I would have thought, well that's kind of odd way to, you  
11 know, trim the boat.

12 But I didn't think twice about it when they said that,  
13 because that's how I would have done it.

14 Q. Yes, sir. Okay. And is there any possibility of, you know,  
15 a faulty valve or something occurring to make the forward most  
16 tank fill or to, you know, possibly slack in any of those tanks?  
17 Is that, would there be any indication to the crew that something  
18 like that is happening, other than the handling of the vessel?

19 A. You know, with the tanks that are pressed, there would be an  
20 indication because the flow alarms, which were working to the best  
21 of my knowledge were working, would have indicated that the pumps  
22 weren't pumping water, which would have, could lead, develop into  
23 a slack tank situation.

24 In the forward tank, we have, we had a separate stripping  
25 pump to be able to strip water out of it. On other boats I've

1 been on, I would run that stripping pump on any empty tanks we had  
2 all the time, just to, just be constantly stripping with a little  
3 bit of sea chest in there.

4       It is possible, if you don't do it right, that you could  
5 possibly put water back in there, but usually there's a check  
6 valve. If you had a faulty check valve, you could, you could be  
7 developing a slack tank, and like I said, there is no tunnel, so  
8 you'd have to send somebody up to physically look.

9       So, I mean that is a possibility. It's, it's all speculation  
10 but --

11 Q. Yes, sir.

12 A. -- I do think that, that is within the realm of possible --

13 Q. Of course.

14 A. So, I --

15 Q. Speculation of course. I understand. I just, I wanted to  
16 get from your knowledge of the vessel and your knowledge as a, as  
17 an operator for many years, you know, would that be, would that be  
18 a possibility and did you know, or have any knowledge of any sort  
19 of failures or any problems in the past with any sort conditions  
20 like that on the, on the vessel?

21 A. No. No, I don't. I don't. You know, and the thing about  
22 the *Scandies* and this is, it's kind of a problem with it, is that  
23 it was so stable. I mean it really was just a tank and like when  
24 I ran the Shaman.

25       When I ran the Shaman, it was not a tank. It was, you had to



1 very, very careful all the time. When I bought the boat from  
2 Chuck Wells, a Kodiak guy, he, after I bought it, he said, here's  
3 how you can sink the boat.

4 And he gave me several different scenarios that I had to be  
5 very aware of during that entire 15 times, 15 years I ran it, you  
6 know.

7 Q. Yes, sir.

8 A. But the *Scandies*, it's much more forgiving. And that's great  
9 that it's much more forgiving, but on the other hand, you can grow  
10 complacent, and just say, well, the *Scandies* can take it. I take,  
11 you know, we've built ice before. It's not a big deal.

12 So, and I, you know, again, it's pure speculation that the  
13 crew had grown complacent. But I don't, I don't know, but that is  
14 a danger on a boat like that because you could plug that boat with  
15 crab and put all the pots on it, head to town.

16 Or you could be almost empty of fuel and still put all the  
17 pots on it. You know, it's just, it's a very stable vessel. And  
18 so, again, I don't want to just delve into speculation here, but  
19 it's easy to grow too comfortable on a, on a very stable boat.

20 Q. Yes, sir. And so, Gary would have most likely have been, I  
21 mean, topped off in fuel whenever he was departing Kodiak? That  
22 would be an assumption?

23 A. I think it's an assumption. Generally, when we're carrying a  
24 full load, we are not topped off. We have the number 1's empty.  
25 And so, he's just got the 2's and 3's and the day tanks, and the

1 settling tank all filled. But not the, not the number ones.

2 Q. Not the number ones. Okay. And --

3 A. And like, you know, granted, again, I don't know. Until,  
4 unless we saw the fuel, the fuel log, we've got a board down there  
5 that has all the tanks and the engineers to keep that updated  
6 whenever he transfers fuel.

7 He subtracts from one tank and adds to another, you know, so  
8 I don't know for sure. I know he took about 4,000 gallons of  
9 fuel. He told me that before he left, when he went over to North  
10 Pacific Fuel and got some water.

11 Q. Okay. And then do you have any idea what the, what the  
12 vessel burns, as far as the burn rate per hour or per day?

13 A. Well it depends on, depends on the speed. But just running  
14 without runny hydraulics and heat. I mean he could have even been  
15 on the hotel with that, which is a, you know, a 100 KW gen set.  
16 It'd probably only burn 800 gallons a day.

17 The, if you were fishing and pushing hard and, you know,  
18 running a big gen set or tendering it, if you're tendering  
19 actually it's probably the highest, you'll burn. You can burn  
20 1,200, 1,300 gallons a day.

21 But somewhere in that range 800 to 1,000 I'd say would be  
22 accurate.

23 LT WILLIAMS: Okay. Okay. All right. That's, that's really  
24 about all I had. I appreciate you talking with us today. But  
25 that's all I've got. Thank you.

1 MR. MATTSSEN: Okay. And you're welcome.

2 LT READY: Hey, Dan, how are you holding up there? Right  
3 now, I know we're about an hour-and-a-half into this. You okay to  
4 keep going with more questions or do you want to take a quick  
5 break, or --

6 MR. MATTSSEN: No. No, I'm going to have to check out of this  
7 hotel so let's just power through if that's okay.

8 LT READY: Okay. Good deal. Good deal. Okay. Well I'll  
9 set it back up again, if everybody's okay with that. With  
10 everybody, it was actually, you hit a lot of the things I wanted  
11 to cover right there as far as stability.

12 BY LT READY:

13 Q. So, just to make sure we're clear, in your assumption how the  
14 vessel is normally operated, it sounds like the number one fuel  
15 tanks were slack, empty. And the number one hold was also empty.  
16 Holds number 2 and 3 were full.

17 Looking at your stability book here, it says, you know, you  
18 can carry a total of 208, 835-pound crap pots. You know,  
19 obviously with the first tier on edge and the rest stacked on top  
20 as we discussed before.

21 And it goes on to say, if all three holds are flooded, 168  
22 pots can be carried. And the forward wing tanks are to be empty.  
23 With that being said, having the number 2 and 3 hold either full  
24 or empty, does that ever affect how many pots you can hold?

25 Or if you can kind of talk through ask the captain as you

1 assume Gary would react to the trim and list of the vessel and how  
2 many pots he had, just kind of walk me through what specifically  
3 he's looking at prior to getting underway?

4 A. Well, I mean I think that would determine how much fuel he  
5 would take because he'd, you know, we would, I'm assuming he had  
6 the number one fuel tanks empty. They don't, you know, the fuel  
7 tank book attributed to free service effect as nearly is much as  
8 the crab tanks.

9 The crab tanks are, you know, span most of the deck. The  
10 fuel tanks are baffled, and they are only a few feet wide. But  
11 I'd assume he'd have that, you know, both those empty and he would  
12 have been looking at his stability report.

13 You know, I mean it was a, and that's why we sent it to him.  
14 You know, and we've got a copy at home so we can get that to you,  
15 to, or I guess you've already got it from Gelia. But it, I mean I  
16 would always look at my stability report and know how I was going  
17 to tank the boat just by what load I needed to carry or was going  
18 to carry.

19 So, I assume Gary went through the same thought process.

20 Q. Okay. And when you're going through that process, about how  
21 much draft or free board are you looking for on the vessel itself?  
22 And do you know how much free board it had, you know, when they  
23 were leaving port?

24 A. I have no idea. No idea. But I mean he was right next to a  
25 floating dock, so he could have easily seen it if, but without

1 being on the boat on a regular basis, running it, I really can't  
2 say.

3 I know it had a lot more than the Shaman, you know, so, but I  
4 can't say what the, what the free board is under those conditions.

5 Q. Good. Copy. And then any idea like what the lube oil levels  
6 would have been or any other factors that might have contributed  
7 to stability? You know, any additional equipment or anything that  
8 the vessel might have been carrying that could have impacted the  
9 stability?

10 A. I'm, I'm pretty positive the vessel wasn't carrying any  
11 additional equipment. We weren't, you know, a freighter here, but  
12 the boat was going to just go out and set its gear. But I would,  
13 I would assume because fuel prices are generally a little bit  
14 lower in Kodiak than they are in Dutch Harbor that he would have.

15 And certainly, lower than they are in Akutan, that he would  
16 have topped off his fuel and hydraulic tanks. But I, again,  
17 that's just an assumption.

18 Q. Okay. And we do know that they took on 4,000 gallons of fuel  
19 here in Kodiak. Any idea the last location where the vessel  
20 fueled?

21 A. Yeah. It fueled at North Pacific Fuel (Simultaneous  
22 speaking) --

23 Q. In Kodiak?

24 A. -- at the beginning. Yeah.

25 Q. Yeah. And then prior to that, do you know where the last

1 place they fueled?

2 A. Boy, no. No, I don't. You know, given that the king crab  
3 was so short, such a short season, I really doubt that he, that he  
4 fueled up at the end of it. So, I don't, it may well have been,  
5 let me see, it may well have been at the end of salmon tendering  
6 that he filled up.

7 Because, you know, the way, the way tendering works, you  
8 just, you start off full of fuel. The cannery fills you up at the  
9 end. And so, I assume he was probably full of fuel when he went  
10 out to do king crab.

11 And probably burned off all of the number ones. And was into  
12 the number 2's and decided to top off the number 2's while he was  
13 carrying a big load of gear but did not go into the number ones.  
14 But I don't know that for a fact.

15 But the fact he only took 4,000 gallons, which is, you know,  
16 pretty small for boat like the *Scandies*, which can carry 45,000.  
17 It just indicated to me that he was probably just topping off his  
18 number 2s.

19 Do you know if Gelia would have that information? Like does  
20 she keep receipts for fueling or for billing?

21 A. Yeah. Yeah.

22 Q. Is there anyway we could get that?

23 A. Yeah. I think she can, but it wouldn't be billing for us.  
24 It would just be a, if there's no, if there's no receipt for fuel  
25 between the beginning of salmon and here, because at the end

1 that's an Ocean Beauty receipt.

2 All we do is, you know, we just go to the fuel dock and it's  
3 on an Ocean Beauty P.O. We never see the bill. But Gelia might  
4 have that. So, I think we could, we could determine when the last  
5 time it fueled through her.

6 Q. Yeah. If we, if we could add that to the list of  
7 documentation that we're looking for, that'd be fantastic. As far  
8 as the discharge chute and the work that was done here in Kodiak,  
9 do you know who did that work?

10 A. Yes, I do. It was done by Highmark Marine.

11 Q. Highmark. Okay. Excellent. And any idea what kind of, you  
12 know, do you have any documentation from that, or do you know if  
13 there's any quality control practices?

14 A. Yeah. Well I don't know what quality control practice he  
15 has, but I've got the invoice here. And my only concern was  
16 whether he dye checked it or not.

17 Q. Right.

18 A. And which would indicate that, you know, there was no  
19 porosity in the welds. And they did. At least they billed us for  
20 dye checking. So, and I'm assuming they did everything right.

21 That was the one project and it was on the starboard side,  
22 but unless you got a remote vehicle down there to, that was able  
23 to look at the starboard side, you wouldn't be able to tell if  
24 that failed.

25 I mean you can have a perfect weld, but it not be adequate

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1 strength. But again, that's total just speculation here.

2 Q. Right. Yeah. I'll definitely be reaching out to Highmark  
3 for more information on the work that was done. But do you know,  
4 I mean was the boat listed to port to get this work done, when the  
5 boat was, I mean was all that work below the waterline once the  
6 boat was --

7 A. No. No. No, it wouldn't have to be because the boat has  
8 plenty of free board. That's, the shit chute goes from the main  
9 deck level down to right above the rub rail. So, it's, it's all  
10 above the waterline.

11 And they were tied up starboard side, too in their slip at  
12 Kodiak. So, there was access right from the dock to do the  
13 welding project.

14 Q. Okay. Understand. I know you talked about, you know,  
15 there's no big push to get up to Dutch Harbor, and I know we've  
16 seen Gary track line, kind of, you know, I know it's hard to  
17 speculate but in your opinion, you know, what amount of listing or  
18 icing would start to concern you?

19 I know you had that 2-inch kind of threshold for yourself.  
20 Do you also have like a degree of list? And then in your  
21 conversations, I mean when do you think Gary would start having  
22 concerns with the stability of the vessel?

23 Do you guys kind of have a general working theory for the  
24 Scandies or is it just kind of a judgment call?

25 A. I think it'd be more of a judgment call. But for me, any



1 list is concerning. So, if I've got a list, the first thing I  
2 need to do is figure out why there's a list. And obviously, if  
3 you've got 6 inches of ice hanging on your starboard side and  
4 you've got a 3-degree starboard list, you don't have to do too  
5 much thinking about that.

6 But, you know, you don't want to assume something. Just  
7 because you've got a list that, oh, I need to transfer fuel.  
8 Well, wait a minute. Let's see what the cause is, you know. It  
9 might be water in a void.

10 It might be, you know, any, it might be the ice build up. It  
11 might be fuel that's siphoned back, you know, from a, from one  
12 tank to another. You've got to figure why, what's, why you have  
13 the list, and before you start correcting it, or else you can get  
14 yourself into even more trouble.

15 And Gary knows that, I mean, knew that.

16 Q. Right. So, when a list is discovered, could you kind of talk  
17 us through the process that yourself or Gary might have taken to  
18 correct it and how many people it takes to kind of go through that  
19 process?

20 You know, if he would have to call somebody else up to the  
21 bridge? Just walk us, walk us through it.

22 A. So, I would, what I would do, and what I assume Gary would do  
23 is call Art, the engineer, and say, Art, where's our fuel? You  
24 know, are you, are you doing any transferring, or have you, you  
25 know, is the day tank, which is on the portside, is that, is that

1 empty?

2 I mean maybe we should put some fuel in there and, you know,  
3 trim the boat and make sure it's, keep it full since we're  
4 building ice on the starboard side. And if you had any room on  
5 the, in your tanks, like, I mean I would have been burning fuel  
6 off the port number 2.

7 I'd be transferring from the port number 2 back to the day  
8 tank. So, I'd be, if I needed to transfer any fuel, I could go  
9 from the starboard 2 to the port 2 to help trim the boat. But it  
10 would just be you and the engineer at first, if you've just got a  
11 couple degree list.

12 Now if you decided that, you know, it's the ice that's doing  
13 it, we need to, we need to chop ice. Then it's all hands on deck.  
14 Get everybody out there and deice the boat. And if necessary, you  
15 would go and set pots.

16 You'd get the, you'd go into a bay and just set your pots,  
17 doors open and get them in the water, and then restack them, you  
18 know, after you've cleared the deck.

19 Q. And would you be able to do that in, like the prevailing  
20 conditions? I mean how, could you kind of walk me through the  
21 process without having an alleyway on deck for (Simultaneous  
22 speaking)?

23 A. You'd, you'd, okay. I'm sorry. You can just continue.  
24 Finish your question and then I'll answer. I'm jumping the gun.

25 Q. No, no, no worries. Yeah. Just kind of talk through the

1 process of how those crew members, you know, so all of a sudden,  
2 so we transfer fuel. We're trying to get our list back. And now  
3 all of a sudden, the determination is made that, hey, we have to,  
4 we have to go beat off ice.

5 Can you kind of talk me through that process and how it  
6 happens on board the *Scandies Rose*?

7 A. Guys, we've got to chop ice. Get your gear on now. You  
8 know, that's how it would happen. You know, you'd just be saying,  
9 all right. Let's start back here. You know, we've got to, you  
10 know, we're looking where the problem is.

11 If it's up in the bow, you know, let's get everybody, get  
12 them up over the stack safely first. Get them down there. Let me  
13 know. You know, I'd, I would change to a weather course. I would  
14 figure out how to keep the spray from exacerbating the problem.

15 But we'd get all the guys in the spot that needed to be  
16 worked on. And I would either get a weather course, or else I  
17 would try to find a lee somewhere I could safely just do the work,  
18 you know, and head over to the, to the island, get in close, so  
19 that you can get out of the weather.

20 And avoid more spray, so you can at least stop the additional  
21 ice accretion. I mean ice accretes to ice much better than it  
22 accretes to steel. So, you've got to get it down to steel in  
23 order to be safe.

24 Q. Understood. And with your knowledge of how the *Scandies Rose*  
25 operates and reacts to weather, in your mind, do you have like a

1 minimal operating parameter for wave height that you'd be able to,  
2 you know, accomplish that in?

3 A. I'd probably wouldn't, I mean I certainly wouldn't have the  
4 crew on the weather side trying to chop ice, if there was any  
5 green water coming over the rail, or even significant spray.

6 You know, that's why, I mean you'd have to, you'd have to  
7 either turn around, which if you've got a starboard list, it's, if  
8 you've already got the list, that's problematic, because if you  
9 turn around, and then you put the weather on the portside, you're,  
10 you run the risk of exacerbating it.

11 You know, you could, so I would, I would be, my process would  
12 be to get in shallow enough water, bust the, bust the stack chains  
13 and start dropping pots. That would both give me more free board  
14 and give me and deice the pots.

15 Setting the pots will deice them better than anything else  
16 will.

17 Q. Understood. Thank you. Last question. When was your last  
18 trip on the *Scandies Rose*? And on that trip, if you'd go through  
19 who was on board, and if anything of significance happened, you  
20 know, whether stability, mechanical, crew issues, that sort of  
21 thing.

22 A. No. I was on for king crab of 2018. And Gary was the  
23 captain. Art was the engineer. Brock was the deck boss. We had  
24 Brandon on board. We had, boy, I'm trying to think of the names  
25 there, compared, they're no longer with me.

1 I think David was there, but David might have taken that time  
2 off because he worked a long summer season. And there was  
3 nothing. It was just uneventful. We just caught our crab and  
4 went home, you know. It was very simple.

5 And I got my, I learned there that even though you've got mad  
6 deck skills, if you've got 63-year-old legs, you're not fit to be  
7 a crab deckhand anymore. And, but we didn't have any issues  
8 really that I can recall.

9 And just the usual things, you'll break a hose, you'll bust a  
10 hydraulic hose or something and have to repair it. And that's  
11 always a pain if it's in the, you know, if it's a wet area, you,  
12 but no icing.

13 It doesn't generally ice in November in the Bering Sea.  
14 It's, weather's still prevailing out of the southwest and west,  
15 and then sometime in late November, it kind of turns around and  
16 you start getting northeast to northwest weather.

17 Q. Understood. And my understanding that both John and Dean  
18 were last minute additions to the crew? Who were the original  
19 deckhands and why were they unable to make the trip?

20 A. We had one kid. He was more of a greenhorn than Dean. We  
21 were glad to pick up Dean. He had more, much more experience.  
22 The kid just was working out in that bitter cold in Kodiak,  
23 rigging pots and said, I just don't think I'm cut out for this.

24 And he said, he said, I'll pay you back for your, for the  
25 airfare you got me up here. I just, you know, this is not for me.

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1 And he had been salmon fishing or something. You know, just, so  
2 we picked him up, you know, got his information during the salmon  
3 season and Gary was going to give him a shot as a greenhorn.

4 The fleet is graying pretty rapidly and we're trying to bring  
5 in younger people as we, as we find them if they're eager to do  
6 this. And so, he just left and then Gary decided to, was looking  
7 around and he called up a former crew member of mine, who said  
8 that Dean Gribble, Jr., was looking for a job.

9 So, we, you know, we gave him a call and hired him. As of  
10 John Lawler, he had been working for that same person for, Brice,  
11 on the *Western Mariner* and was not brought back. But it wasn't  
12 that he, he was not brought back not because of any defect, but  
13 just because he wasn't interested in being a long-range employee  
14 of the *Western Mariner*.

15 So, he was just available and again, Gary just decided to  
16 give him a shot. He had a shy couple years experience on other  
17 boats, and that's generally, we'd like to get guys who've, who've  
18 got great experience but also do things our way.

19 You know, I mean there's specific ways that we tie the pot or  
20 tie the door. And that's hard to do because some guys thing that  
21 they know everything after they've worked on, you know, 17  
22 different boats.

23 And so, whenever we can find somebody who's a little bit  
24 younger, who's got the eagerness to go out crab fishing, we tend  
25 to look favorably upon it. But so, we just found both those guys

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1 through a mutual captain that we know.

2 Q. Got you. Thank you. And last question I have for this  
3 round, we got a report that some boats had been using Visqueen  
4 over their posts to cut down on icing. Is that a practice that  
5 happens on board any of your vessels or --

6 A. Yeah. Yeah. When I'm, I would, I'd, I mean I've assumed  
7 that he had a tarp over the stack, but I'd be shocked if he  
8 didn't. But, no, he regularly puts it out when we're leaving  
9 Dutch Harbor to head up to, if we, if we have to go northwest, you  
10 know, it is often times blowing northwest in the wintertime.

11 So, it's very common practice to tarp your stack, so you can  
12 keep that ice off it. And my other boat, *New Venture*, when he  
13 went out this season, he tarped his stack both times, with both  
14 loads of gear. And he learned that on the *Scandies*. You know, he  
15 was the engineer for us for quite a while.

16 Q. Okay. And do you have any idea when that, when that tarp is  
17 deployed, how many rows of pot sets it covers? Is it all of the  
18 pots? Is it just the forward couple?

19 A. No. What you, what you'll do is figure out, you'll make an  
20 estimation based upon what you know about the weather. You know,  
21 and if you're going to be bucking into it, you'll just put it over  
22 the forward part of the stack, you know.

23 And then, and that, you know, so I would say that if you're,  
24 if you knew the weather was going to be on the starboard side, you  
25 would address it accordingly. You would put it just over the

1 starboard side.

2 It's hard to get a stack, you know, completely cover it with  
3 tarps. That'd be an incredibly difficult tarp to take off at sea.

4 Q. Understood. And when you have the pots tarped off like that,  
5 do you, do you experience more of an affect from the wind in terms  
6 of the, of the listing of the vessel?

7 A. You would experience it. You would tend to create a sail,  
8 you know. On the *Scandies*, it was never significant. But then  
9 again, we always had it in the front, too, when I was aware that  
10 they were putting it on.

11 So, I don't, I don't even know if they had a tarp on here. I  
12 just, that would be a question for the, for John and Dean.

13 LT READY: Understood. That's all I had for questions at  
14 this time. I guess I'll pass it off to Bart.

15 MR. BARNUM: Yep. Bart Barnum, NTSB, here again. Thank you,  
16 sir, for answering our questions.

17 BY MR. BARNUM:

18 Q. Real quick, a couple of follow-up. When the vessel was in  
19 Kodiak, prior to sailing, you'd mentioned it had been there for  
20 couple months. Was anybody on board for that time period?

21 A. Well David lives in Kodiak, you know, and so does Gary. But  
22 Gary was, Gary had gone down to Hawaii for a vacation. But David  
23 lives in Kodiak. He was there doing just some support work for  
24 the welders to cut down the, you know, \$100 an hour type of  
25 expense. He was --



1 Q. Okay.

2 A. -- you know, doing, they, excuse, me. David and one other  
3 person were doing like fire watch, so that we didn't have to have  
4 \$100 an hour guy billed to us to, you know, handle that kind of  
5 thing. And then we just paid them, just, you know, beer money  
6 kind of thing.

7 Q. Sure. Were they living on the vessel?

8 A. No. No, that, David lives in Kodiak. He's got a house, you  
9 know, or an apartment that he lives in.

10 Q. All right. But Art was staying with him or some other  
11 location?

12 A. No. Art wasn't there. Art didn't do that job. That was  
13 done by, that was the, we're talking about the Highmark job. So,  
14 yeah, so to support the Highmark welders, who, the Highmark,  
15 Highmark is a Kodiak firm, you know, they live there.

16 So, and work there. So, that's why we hired them to do the  
17 job. Didn't have to fly anybody in. So, to the best of my  
18 knowledge, nobody was staying on the boat, because I think David  
19 and, I'm not sure if David has his own place now, or if he stays  
20 at his dad.

21 But I think the other person was crashing at his dad's house,  
22 at Gary's house.

23 Q. Okay. Backing up just a little. You mentioned this at the  
24 beginning of our interview. The route the *Scandies* was taking,  
25 she was on route to the fishing grounds. Where exactly were those

1 fishing grounds?

2 A. Straight north out of Akutan, to the best of my knowledge.  
3 At least that's what Gary and I had talked about. He was just  
4 going to head straight north out of Akutan, which is a little bit,  
5 it's not actually the traditional cod grounds, which guys would  
6 turnaround and go farther up towards Cape Mordvinoff or even  
7 farther up toward Port Moller.

8 But there was enough cod to satisfy what we were doing, which  
9 was basically just getting a legitimate trip in.

10 Q. Okay. The call you said you did have with him was there any  
11 discussion about him turning back or seeking lee or shelter some  
12 place?

13 A. Yes. Just briefly. And it wasn't that he said, I'm going to  
14 do that. I had just told him that I had gone into the Unimak Bite  
15 that night. And said, just, you know, safety. I said, safety  
16 first.

17 Go on in and get the ice of the boat if you're concerned  
18 about it. And, but again, you know, it's not my place to order  
19 him. I'm the majority partner in the company, but he's the  
20 captain and I have to trust that he's going to make the call  
21 correctly.

22 But obviously he didn't. But it was probably a difficult  
23 call to make. And I mean even if it was ice, you know, if icing  
24 was the cause. And I'm not sure, you know, that's what, that's  
25 what I'm hoping you guys can figure out.

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1           If it's icing or if it was something that broke loose and, or  
2 a slack tank, or failed weld on that shit chute in a full void. I  
3 mean I just, I don't know. I'm here to help. But I have limited  
4 knowledge.

5 Q.   Sure. Yeah, that, now the, was there any CCTV or how would,  
6 could they monitor any ice accumulation from the wheelhouse from  
7 CCTV, or is it just visual from line of sight?

8 A.   Yeah. There'd be no way to do that. There'd be no way to do  
9 that because it would be exposed to the weather. It would be a,  
10 it would be a one trip deal and you'd lose your camera. So, the  
11 easiest way to do it is to stick your nose out the wheelhouse  
12 window or go down on the walkway around the wheelhouse and take a  
13 look.

14 Q.   Okay. All right. The last question I have for you is, I  
15 know you've talked to or spoken to the two surviving crew members,  
16 and then your obviously vast knowledge, what is your consensus on  
17 what could have caused this terrible accident?

18 A.   Well I would tend to think ice. I would tend to think that.  
19 But, you know, we do have the two guys and they were there. I do  
20 know that I don't find that their one inch of ice on the stack is  
21 credible.

22           I think that there was probably significantly more, but I  
23 have no way of knowing how much more. I mean it could have been 3  
24 inches, you know, and that would be significantly more, but it  
25 might not be significant on the, in terms of the vessel stability.

1           So, you know, if it wasn't ice, it had to be a slack tank, or  
2 a, or a broken (indiscernible), something. I mean I don't know.  
3 It has to be something like that, you know, that there is a large  
4 void on the outside of the number 2 and 3 tanks, actually number  
5 1, 2 and 3 tanks, that, that shit chute cuts into.

6           And if that, if that wasn't properly done, which again, I  
7 find incredible. I think that Cooper's outfit is pretty, pretty  
8 good. But if that failed, you would build water, you know, and it  
9 could be, you know, it could be just a crack.

10          And a crack with waves consistently hitting it on the  
11 starboard side, you could get a slow kind of accumulation of water  
12 and it could be quite a significant amount of water on that  
13 starboard side. And then if you compounded that with an ice build  
14 up, you could, you could lose stability.

15 Q.   Yeah. Okay. Understood. One follow-up question. Sorry, I  
16 know I said it was the last. In your stability report, does it  
17 mention if you anticipate to have an icing condition, to reduce  
18 the number of pots to carry?

19 A.   You know, I don't, I don't know. I'd have to look at it.  
20 I'm heading to Seattle here in a, in a couple hours and I'll  
21 definitely take a look at that. I mean I --

22          LT READY: That's fine I have it. Okay. Now it does say,  
23 when it discusses the 208, 835 crab pots, it says, this applies in  
24 icing or non-icing conditions.

25          MR. MATTSSEN: There you go.

1 MR. BARNUM: Okay. Understood. Okay. Thank you very much.  
2 That's all I had. I'll pass it on to my colleagues. Thank you.

3 MR. KARR: Right. This is Mike Karr of the NTSB.

4 BY MR. KARR:

5 Q. Would there be any bilge alarms in those starboard side tanks  
6 you just mentioned?

7 A. I don't know. I can't remember to be honest. I just can't  
8 remember if we, if we put bilge alarms there. Yeah, to be honest,  
9 I can't say.

10 Q. Since the accident, have you talked to any captains, other  
11 captains that were sailing in the area at the time?

12 A. Now hold on a second. I've got people knocking on my door.  
13 Just one second.

14 UNIDENTIFIED SPEAKER: I'm so sorry, sir.

15 MR. MATTSSEN: Yeah. I'm not ready to leave yet. Thank you.  
16 No. I haven't. I got in, I got into Dutch Harbor, and, you know,  
17 I didn't find out this happened until I woke up the next day. And  
18 then I basically made plans to get up here and then get home  
19 because I know I'm going to have hell for a couple of years  
20 dealing with this.

21 BY MR. KARR:

22 Q. Did Gary have a preferred number of pots that he liked to  
23 carry?

24 A. Like all crab fishermen, he wanted to carry as many pots as  
25 he could safely carry. That just kind of goes with the, goes with

1 the territory. You know, you want to have as many pots. You want  
2 to be able to catch, to put as many crab on as possible.

3 So, it's just kind of a dance, you know, where you're, with  
4 any crab boat fishery, you've got to know, you've got to know  
5 where the line is, what the line is, how much you can carry, what  
6 kind of weather you can push, you can push the crew to, what kind  
7 is too much.

8 And, you know, that's where, that's where the rubber meets  
9 the road. The best captains know how to fish their boat up to  
10 that line, you know, and the, and the line is different for all  
11 boats and for all crews.

12 You know, when you get a good crew, you can fish a little bit  
13 farther, you know. And that's just the way it is.

14 Q. Do you know how much bait they loaded in Kodiak?

15 A. Yeah. I think he said, I think he had a lot. I think he had  
16 about 20,000 pounds of saury.

17 Q. And would that have been, where would he have, would that all  
18 have fit into, or where would they store that bait?

19 A. It all be in the, in the bow, portside, where our bait  
20 freezer is. We've got a very, had a very large bait freezer.

21 Q. So, all that 20,000 pounds would have fit into the bait  
22 freezer?

23 A. Yes.

24 Q. Okay. And where, where's the shit chute located? Is it, how  
25 many feet from the stern?

1 A. Oh, it's not even close to the stern. Remember, this is a  
2 house aft boat. So, it's, it's forward. It's about, let me see  
3 here, it is about where the number 2 tank is, kind of on the  
4 forward third of the number 2 tank hatch cover on the starboard  
5 side.

6 Q. So, about mid-ship? Would that be halfway, you know --

7 A. No. It'd still be, it'd still be, it'd be closer to mid-  
8 ship, but it would be a little bit forward of mid-ship.

9 Q. All right. When you spoke to the surviving crew members, did  
10 they say anything about flooding?

11 A. Well one of them just mentioned that it, that it could be  
12 that, you know, but he said, but he said that was speculation.  
13 You know, I mean, I know that nobody went out there and looked  
14 over the side. You know, when they, when the shit hit the fan, it  
15 was already past the point of no return, I believe.

16 Q. If I was, if I was going to leave the wheelhouse and walk  
17 forward to the bow, how would I do that? And let's assume it was  
18 good weather. But we've got all those pots loaded.

19 A. I would go downstairs. I would go out the starboard side  
20 door, into the raingear room, go forward. Open that, climb up the  
21 ladder because there are ladders on both side of, we've got kind  
22 of a pot stacking, holy smokes, a pot stacking rail, you know,  
23 that you stack the pots against.

24 And behind that, or between the wheelhouse and that rail are  
25 chillers and condensers, and receivers for the RFW system that

1 have been there, you know, since the system was installed. You  
2 climb up to the top of that.

3 There's a catwalk that goes across the front of the  
4 wheelhouse, to help, where you can clean windows. You can clean  
5 the wheelhouse windows, and then just the, the stack would be  
6 right up to there.

7 And so, you'd just hop on the pots and make your way forward,  
8 and then climb down the forward climb.

9 Q. Were there, is there anyone that served as a crew member  
10 during the last opilio season that we'd be able to talk to? Other  
11 than, other than -- yeah, let me just leave it at that.

12 A. Tell you what. That's a question for Gelia, too. She can  
13 look at the crew list and because I don't, I can't, I've got  
14 three, actually four boats that work the winter season, so keeping  
15 which crew members on which boat straight is difficult here.

16 But Gelia can look at the records and figure out who was on  
17 the boat. And then I could, I could send you a message or  
18 something and let you know who would be, who might be available.

19 Q. All right. Thanks. And let's see. When you said the, going  
20 northwest, is that, are you referring to leaving Dutch Harbor and  
21 sailing to the Pribilofs?

22 A. Yeah. That's the, that's why we would, the stack would  
23 normally be tarped over the front of the stack. It's blowing  
24 northwest when you're heading down to Unimak pass, you'd want to  
25 have the starboard side of your stack tarped if you were concerned



1 about icing.

2 MR. KARR: All right. Thanks. That's all the questions I  
3 have.

4 LT READY: Paul?

5 MR. SUFFERN: This is Paul Suffern of the NTSB. I have no  
6 further questions. Thank you.

7 LT READY: LT Williams?

8 LT WILLIAMS: Yeah. LT Williams. I'm, I have no further  
9 questions. Thank you.

10 LT READY: I just have one question, and I don't know if you  
11 covered it. When you had that call with Gary, do you know about  
12 where he was and what time that call occurred?

13 MR. MATTSSEN: You know, I'm not, I'm not sure where exactly  
14 he was. He might have been around Cape Ikolik. I'd have to look  
15 at the VMS track to figure it out. I seem, I seem to recall that.  
16 And that's on the southwest side of Kodiak Island.

17 And the reason why that sticks with me is that used to be  
18 like his fishing grounds when we had the *New Venture*. He'd hang  
19 out at Ikolik and fish. So, that's to the best of my knowledge.  
20 But on the tag phone, you know, you're not really, you're just  
21 kind of chatting back and forth.

22 And he wasn't at all concerned at that point. He just said,  
23 yeah, we're making ice. But that's a real, very common occurrence  
24 when you're, you know, wintertime fishing. So, just making ice is  
25 no concern. It's just what happens if you let the ice accumulate.

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1 LT READY: Understood. And if you could add that to the  
2 list, if you can take a look at that VMS track, if we can narrow  
3 it down, you know, that last time you did speak to him, that would  
4 definitely be helpful.

5 MR. MATTSSEN: Okay.

6 LT READY: That was the last question I had. I'll just open  
7 the floor up one more time in case there was anything hanging.

8 MR. BARCOTT: So, this is Mike Barcott. Dan, I know you're  
9 going to have to run to a plane. We'll plan on that meeting  
10 tomorrow. I'll get you the address. And I'd like all contact  
11 with Gelia to go through our offices, please, and we'll make sure  
12 we'll get whatever's available to you as soon as we possibly can.

13 LT READY: Sure, copy, Mike. And then, Mike, did you have a  
14 list of documents that came up during this conversation to try and  
15 track down?

16 MR. BARCOTT: Yep. I've been making a list.

17 LT READY: Excellent. Excellent. Thank you.

18 MR. BARCOTT: And I'm going to be meeting with Dan and she  
19 tomorrow morning and I'll be in touch with her to see if she can  
20 possibly bring those to the meeting.

21 LT READY: Excellent. Thank you.

22 MR. BARCOTT: Mm-hmm.

23 LT READY: Okay. Is that all guys?

24 MR. KARR: I've got one more question. This is Mike Karr  
25 with the NTSB.

1 BY MR. KARR:

2 Q. In the, in the conversations with the captain, did he, did he  
3 ever relay the worse case ice he ever ran into while he was  
4 sailing the *Scandies Rose*?

5 A. No. He never. I mean like, did he ever say that, oh, this  
6 is the worse I've ever seen it or something like that?

7 Q. Yeah. In your conversations with him, did he describe an  
8 event when he was out sailing during the opilio season when he was  
9 dealing with a lot of, a lot of ice?

10 A. Oh, no. No. I never got that. We never, no. I'll just  
11 keep it at no. You know, we, it happened, so yeah, we made a lot  
12 of ice, but that was it, you know. It wasn't like, how much ice  
13 did you make? You know, so I can't say.

14 Q. No, no. I was wondering, well here's my specific question.  
15 Did he ever describe the efforts that the crew went to, to deice  
16 the vessel, you know, during a particularly, you know,  
17 particularly --

18 A. Oh yeah. I mean, yeah, he has told me that when I've called  
19 him up and he said, yeah, well we only, we only hauled 40 pots  
20 today because I had the crew out there for 6 hours or 8 hours  
21 chopping ice. So, that indicates there was a lot of ice on the  
22 boat. But that's about it. It'd be more of the time it took to  
23 clear the ice, not, you know, there's --

24 Q. Do you remember --

25 A. -- this much ice on it.

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1 Q. Do you remember, well, and that's what I'm looking for. So,  
2 do you remember when he might have had that, when he, when that,  
3 when that incident or event occurred?

4 A. Absolutely not. No.

5 Q. You know, a year ago, 2 years.

6 A. No. No, not at all. I just, ice is a constant presence in  
7 the Bering Sea in wintertime. Icing is, so it was, you're not  
8 going to go through many years without having, you know, to chop  
9 ice half a dozen times and, or more.

10 And so, I wouldn't have any knowledge unless, unless he said,  
11 this is the worse ice storm I have ever been in, I, you know, we  
12 have chopped ice all day long or something. If he said that to  
13 me, I'd probably remember it.

14 But I can't recall him ever saying anything like that.

15 MR. KARR: All right. Thank you.

16 MR. MATTSSEN: You're welcome. Figure this out guys. I  
17 really, I'm just still in shock.

18 LT READY: Yeah, Dan, I think I speak for everybody, I'm  
19 going to really give our deepest condolences. I can't imagine how  
20 difficult it is to deal with this let alone go through this  
21 interview process.

22 But we are very, very grateful for, you know, both your  
23 cooperation and all of the information you've captured.  
24 Definitely very helpful for the investigation. For future  
25 correspondence, is it, what is the best way to get in touch with

1   you?  Should we go through Mike, calling you directly?

2           MR. MATTSSEN:  Well what do you say, Mike?  I mean should all  
3   correspondence go through you or, I mean I'm comfortable answering  
4   questions.  I'm not, I haven't got anything to hide here, but if  
5   they, if you feel that they should go through you, then that's  
6   what we'll do.  But your call.

7           MR. BARCOTT:  Just, yeah, just so that I can crank the  
8   information, I'd prefer that it goes through me, and as you've  
9   seen from what we've done already and what we've done in the past,  
10  we'll be very responsive to those requests.

11          LT READY:  Do copy.  We definitely, definitely appreciate  
12  that.  And again, I'll open it up one more time if anybody has  
13  anything to add before end the interview?

14          MR. BARNUM:  No.  This is Bart with the NTSB.  Thank you, Mr.  
15  Mattsen for your time.  Really appreciate it.

16          MR. MATTSSEN:  Yeah.  You're, you're more than welcome.  More  
17  than welcome.  I've even had worse interviews, meaning longer  
18  ones.  So, I had a buddy I went through business school with, a  
19  lieutenant commander in the Coast Guard.

20          And I got, I got an interview from one of the inspector  
21  general people and it must have lasted 3 hours because he was  
22  getting a higher security clearance.  So, yeah, you guys are  
23  nothing.  But good luck.

24          MR. BARNUM:  Thank you.

25          LT READY:  All right.  With that, this concludes the

1 interview. It is 11:15, Alaska Standard Time, and we'll all be  
2 signing off.

3 MR. BARNUM: Thank you very much.

4 LT WILLIAMS: All right.

5 LT READY: Thank everyone.

6 LT WILLIAMS: Thank you everyone.

7 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

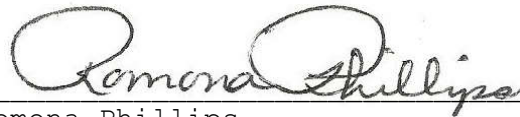
IN THE MATTER OF:           CAPSIZING AND SINKING OF THE  
                                  F/V *SCANDIES ROSE* NEAR SUTWIK  
                                  ISLAND, ALASKA, DECEMBER 31, 2019  
                                  Interview of Daniel Mattsen

ACCIDENT NO.:               DCA20FM009

PLACE:                       Kodiak, Alaska

DATE:

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

A handwritten signature in cursive script, reading "Romona Phillips", is written over a horizontal line.

Romona Phillips  
Transcriber

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UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

CAPSIZING AND SINKING OF THE \*

F/V *SCANDIES ROSE* NEAR SUTWIK \*

ISLAND, ALASKA, DECEMBER 31, 2019 \*

\*

\* \* \* \* \*

Accident No.: DCA20FM009

Interview of: DEAN GRIBBLE  
Survivor

Wednesday,  
January 1, 2020

Free State Reporting, Inc.  
(410) 974-0947



APPEARANCES:

LT ANDREW READY, Investigator  
United States Coast Guard

MICHAEL BARCOTT, Attorney  
Holmes, Weddle & Barcott  
(On behalf of the owners of the *Scandies Rose*)

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By LT Ready		4

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I N T E R V I E W

(10:44 a.m.)

LT READY: This is Lieutenant Ready, Marine Safety Detachment Kodiak. I'm here with --

MR. GRIBBLE: Dean Gribble.

LT READY: It is 10:44. And on the phone we have?

MR. BARCOTT: This is Mike Barcott. I'm an attorney representing the owners of the *Scandies Rose*.

LT READY: Okay. So Dean, if you could tell me -- I'm sorry? You all set, Mike?

MR. BARCOTT: Yeah, we're all set. Thank you.

LT READY: Okay. Okay.

INTERVIEW OF DEAN GRIBBLE

BY LT READY:

Q. Dean, if you could just tell me how long you've been fishing for?

A. I started going up in the summers doing tendering when I was 11. It was like '94. And then did that till 2000 when I got out of high school. This is, like, 17 or 18. Went and did opis in 2000, and it's been fishing ever since. Twenty years or -- you know, full time.

Q. Right, right. And how long you been with the *Scandies Rose*?

A. Two days.

Q. Yeah. Okay. So where did you meet the boat?

A. I met it in Kodiak. John called me on the 29th saying that

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1 they needed a crew or whatever. And I fished with John last king  
2 crab, and I like John. And so he asked me if I'd go because he  
3 wanted to have an experienced person. So I made contact with the  
4 boat and got the okay with them and flew up on the 30th. Like, 12  
5 hours after I fucking hear this shit or whatever. Basically just  
6 got right out of town, got to Kodiak. So I'm kind of regretting  
7 taking that call.

8 But I got to Kodiak, did the rest -- the boat was already  
9 loaded with pots ready to go. It was all chained down. There was  
10 just a few odds and ends, food and just, you know, tightening  
11 everything up to leave. We departed -- no, I'm sorry. I was off.  
12 I got contacted the 28th in Seattle. I left the 29th. Got there,  
13 worked that day. 30th, we left at -- we left Kodiak at about  
14 8-ish, I think. I think I put a Facebook post. It was like  
15 8-something. And everything seemed fine at that point.

16 And the *Scandies*, it's a good boat. I've known Gary a long  
17 time. He's a great captain. Like, my dad runs the *Patricia Lee*,  
18 which is the sister ship to the *Scandies Rose*, and I've worked on  
19 that one too. Great fucking boats, you know. Yeah. And so, you  
20 know, so that was -- you know, it was a good boat, good captain.

21 Let's do it. So we're on our way --

22 Q. Could you talk me through a little more --

23 A. I'm sorry.

24 Q. -- like, when you arrived in Kodiak? What specifically were  
25 you in charge of? What were you doing on board the vessel?

1 A. We fixed up a couple -- or just kind of converted a couple  
2 more pots to the cod, because we were going to be fishing for cod.  
3 And just tighten the deck up, just basically tying stuff down. I  
4 got the food on and just, you know, the last-minute stuff. I took  
5 some water and fuel, and just last-minute stuff.

6 Q. Okay. How were the pots stacked?

7 A. The pots were stacked great. We had a chain on every fucking  
8 row, which -- yeah, it's good. I mean, you know, I usually -- I  
9 mean, I thought it was a little overboard, but now that I look  
10 back on it, yeah, it was probably good. And it was tied down a  
11 lot. There was ties everywhere. They were tight. I walked  
12 around and was checking them. Pots were tight. There was 198  
13 pots on board, is what, is what -- I wasn't there when they loaded  
14 them. That's what, that's what Gary told me we had on board.

15 Q. Okay, and --

16 A. He said the boat was readied for 208.

17 Q. Okay. And were there any discussions about, you know,  
18 stability and how those pots --

19 A. Yeah. Well, me and Gary, well, we were just, we were talking  
20 about that because I had asked how many pots we got on board. He  
21 said 198. And then I just asked what it was readied for, and he  
22 said 208. And I believe he said there was icing conditions. So  
23 anyway, it was like, you know, we're under. And they were big  
24 pots. They're 7-by-8s, which is a really big fucking pot. And  
25 then -- where was I? So then we departed Kodiak.

1 Q. How many, how many high were the pots stacked?

2 A. Okay. We probably were -- it was a big fucking stack. It  
3 was probably -- I know it was a big stack, because I was climbing  
4 up and down it all day, and my legs and fucking arms and  
5 everything was just burning. So it was, it was a big stack. I  
6 think it was four or five high.

7 Q. Okay.

8 A. But it didn't look crazy. I mean, I've, you know, been on  
9 the *Patricia Lee*, and we get big stacks on there. I think, I  
10 think we put 160 on there? I thought that's -- was it that -- I  
11 could be wrong. Anyway, it looked fine. Everything's chained the  
12 fuck down, like, good. Like, solid. I walked around and checked  
13 shit. I mean, I've been fishing a long time, so I checked shit,  
14 made sure everything was tight. All the -- we did the forepeak.  
15 It was -- all the dogs and everything to the -- or the -- yeah, to  
16 the lower forepeak. I don't know what it's called.

17 And then fuck, it seemed fine. We were all out. We had good  
18 trim on the boat at that time and rolled out. Everything was fine  
19 until about -- I was on, I was on watch until about 7:15 on the  
20 31st. 7:15, I woke up Gary for his watch. I was the last of our  
21 crew to take the watch, and then so I got --

22 Q. And that's p.m.?

23 A. Yeah. So I, so I got Gary. Gary came up. And I told Gary,  
24 I go, yeah, it looks like we have a little bit of a list. But it  
25 wasn't nothing -- it wasn't anything too crazy. It was maybe a

1 degree or two. It was just barely over, you know.

2 Q. And to what side?

3 A. To the starboard side. And we were, and we were building  
4 ice. But it wasn't, again, it wasn't anything crazy. I mean,  
5 Gary had talked about it. We were like, okay, well, you know,  
6 we're going to have to get this off. And I go, well, do you want  
7 to go get it off now? And he goes, well, we'll just wait till we  
8 get into shelter, because it was, it was shitty out and -- which  
9 was understandable, and I didn't have any, I didn't have any  
10 qualms at the time of that. So I went down and had something to  
11 eat, and then I went to my rack.

12 And it's probably an hour, maybe, 1½, 2 hours, if that, that  
13 I was off watch. And I was watching a movie. And my bunk's on  
14 the starboard side, and all of a sudden, the boat kind of leaned  
15 hard. I kind of looked up. John got up, ran upstairs, yelled  
16 down, Dean, boat's sinking. I jumped out of my bed, put my pants  
17 on. And as I'm doing that, it's still kind of going, so I'm -- I  
18 was like, I don't have time to do anything else. So I just ran up  
19 to the fucking, to the wheelhouse.

20 At that point, pretty sure everybody was up there. I didn't  
21 see Brock, but John said he did. I threw out all the survival  
22 suits to everybody. Everybody was attempting to get it on. Gary  
23 was standing down by the captain's, the captain's chair. He was,  
24 he was kind of freaked out. I mean, we all were. This is a  
25 horrifying -- it's fucking the worst type of weather you can even

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1   fucking think of for this shit to happen in, and it's fucking  
2   happening. It's 20-foot seas. It's blowing fucking 30, 40 miles  
3   an hour. And there's fucking ice all over the windows, so it's  
4   fucking cold. And now I've got to go swimming in this shit.

5       So trying to get my survival suit on. I can't get it on,  
6   because the boat's -- you know, we're leaning over so hard. So I  
7   jump up onto the chair into the, into the wheelhouse, and I was  
8   using my feet up against the armrest to try to, you know, use it  
9   so I can get my suit on. I got my legs in and I -- and then the  
10   thing broke away and I slid down. I'm like, oh, fuck. So I'm  
11   fucking climbing back up. So at that point, I just climbed all  
12   the way up, got outside, got the rest of my suit on all the way  
13   up, zipped up. Saw John. He was having problems with his zipper.  
14   Got him over, zipped him up. He was, he was fine. Me and him  
15   made a plan: fucking stay together. We fucking live; we're not  
16   fucking dying. Whatever. We stay together.

17       Told him to get a line from the -- because he was standing on  
18   down on the lower, on the lower deck at this point from the life  
19   ring. There was a line that's attached to it, and it's like a lit  
20   beacon or whatever. We grab that, tie it on to us, tie it to each  
21   other. And then we clear the line out to try to -- just so it  
22   doesn't get tangled, because obviously -- I mean, I kept telling  
23   everybody, you know, to watch shit. You know, make sure you're  
24   not going to get fucking snagged up in anything. So we just  
25   float. We just go. And so we were making sure of that, so we

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1 were just -- you know, no rails or nothing.

2 David was sitting at the door. He had his suit on. I'm  
3 screaming at these guys the whole fucking time. Get out, get out.  
4 We need to get out. The boat's fucking sinking. Everybody was  
5 kind of freaked out. And I mean, it's not every day that fucking  
6 happens. And I mean, yeah, people were -- everybody was in shock.  
7 You can't fault them for that. It's a fucking horrifying fucking  
8 thing that was happening. And then to have to go into the  
9 conditions we had to go into, that's fucking horrifying.

10 I'm screaming at these guys, and they're screaming for help.  
11 And I'm -- I can't do anything. I can't get the fucking light on  
12 my thing to -- because you got these stupid gloves, the Gumby  
13 gloves in the survival suit. So I can't get my light on or up out  
14 of the pocket it was in. And I'm trying to get some buoys set up  
15 or some line that was tied off to the, to the stern. I was just  
16 trying to get some stuff to float that we could hang onto or  
17 whatever, and I wanted to get a line to try to throw back into the  
18 house so they could fucking climb up. Couldn't fucking -- I could  
19 not see a fucking thing because the boat -- once the boat leans so  
20 far over, probably -- once there was probably about, what, 45  
21 degrees or so, power cut out. We were dark. And it's fucking icy  
22 everywhere outside. I mean, we're slipping and, you know, falling  
23 and just like -- it was really stressful. And same time, me and  
24 John just were, like, trying to -- just talking to John. Just  
25 like, it's going to be fine; we're going to be, we're going to be

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1 good. Just stay together.

2 Again, I'm yelling at the fucking crew. I'm yelling at  
3 David. Come on. Come on, David. Boat's going down. Let's go,  
4 let's go. He was just sitting there kind of in shock,  
5 understandably, and his dad's screaming. So I could -- you know,  
6 he probably didn't want to leave his dad. I've fished with my  
7 dad. You know, I don't know what I'd do in that situation either.  
8 I don't know if he made it out. I hope maybe he got washed out.  
9 But last time I saw him, he was just sitting at the door and I was  
10 screaming for him.

11 At that, at that point, we're sitting like this. Door is  
12 here, and there's a wall. So I walked down the stairs, walk over,  
13 get on, like, the wall. Now we're, now we're, like, walking on  
14 the house. Boat's going down. And me and him, like, this is just  
15 fucked. Like, this is happening. I thought the boat would maybe  
16 just lean, list on its fucking side for a couple hours. Wait for  
17 a chopper or fucking -- let's go. No, it's going down. We're,  
18 like, walking in water now.

19 And wave came, fucking washed us over. We're in the fucking  
20 water trying to keep the line. The line fucking kind of seemed  
21 like more of a hindrance because it was holding me under. I let  
22 that go. We washed up. I'm fucking getting just tossed and  
23 turned. Fucking water all down my stupid suit. And I'm going to  
24 die. This is how I'm going to fucking die, New Year's fucking  
25 Day. And so I'm just like, okay, well, how's this going to

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1 happen? Do I just suck in water? Do I just wait to fucking  
2 freeze to death? Like, because this isn't a good situation. Big  
3 ass seas and, you know, not in a raft. Just by -- because I found  
4 -- I've helped in searches, and we've found people in survival  
5 suits that didn't make it. And it was hard to fucking see them.  
6 You know, they're weighted down. And we find a bunch of empty  
7 suits floating. But then the one that was weighted just had a  
8 little bit over. So I knew that it was going to be hard to see  
9 us. That's why I wanted to stay together. A little more visual  
10 aspect or whatever so they get to you.

11       Anyway, so, fuck, like, 5 minutes maybe of just fucking just  
12 trying to fucking survive, I get my bladder blown up. I'm  
13 screaming for John. He's screaming for me. And it's just chaotic  
14 at this point. I'm just, I'm getting tumbled by waves. I'm  
15 looking back at the boat, and I just see the boat like this. Just  
16 aft -- fucking bow in the fucking -- fucking vertical in the sky.  
17 Just goes down straight like the fucking *Titanic*. Whoosh. Gone.  
18 I'm just sitting there just in shock, like, what the fuck? And  
19 then I just get hit by another wave, and then I'm fucking surfing  
20 these fucking, big fucking waves. And I'm like, well, if I'm  
21 going to die, I might as well, like, have some fun. So I'm -- you  
22 know, I was like -- you know, I'm pretty comfortable in the water.

23       And we had the suit on, so at -- I was -- it was -- I'm just  
24 trying to make the best of this fucked situation. And I'm riding  
25 the waves pretty good, and then thank god I see this fucking

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1 beautiful fucking survival raft all lit up, come just floating  
2 right towards me. God. And you know, it was like 50 feet away,  
3 but I'm like, I'll swim all night to get to this fucking thing.  
4 Whatever. And it's just, luckily, the tide is going that way.  
5 And I just fucking rode a wave that just brought me right over to  
6 it. And fuck, you know, I was tired. I couldn't get in it right  
7 away. I just sat there for a minute. I'm screaming for John.  
8 Pulled myself -- got myself in. I'm screaming for John. Hear  
9 John scream back. He's behind the raft. He comes around. I get  
10 him in. Now we're both just like, whoa. This is fucked, but now  
11 we're in the raft. At least our bodies will get found or  
12 whatever, depending on how long. We thought the EPIRB went off.  
13 Apparently it fucking didn't. That's awesome.

14 About an hour into it, we're like, all right, anytime these  
15 guys should be showing up. All right, we're shooting -- I shot --  
16 as soon as we got into the raft, we're, you know, looking for the  
17 supplies and shit, and just kind of gathering our fucking -- what  
18 just happened. Shot off the flare. It hit the ground. Waited a  
19 couple seconds, maybe. Should we -- we probably shot them off too  
20 soon, in hindsight. But we just sunk, and we were fucking --  
21 thought we were dying, so we were freaked out. There should have  
22 been more fucking flares. I have a fucking thing to -- about all  
23 this survival equipment in the raft. It's fucking worthless. I  
24 feel like the whole raft is -- the raft itself, beautiful piece of  
25 equipment. Could have been -- the things in it were just junk.

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1 Like, why -- and they're all wrapped up and tied. Like, how the  
2 fuck am I supposed to get this shit when I'm in Gumby gloves?

3 Like, how -- what, am I supposed to take off my fucking suit?

4 So I was really fucking pissed about all this shit. And  
5 like, why is there shit in the raft that sinks? The raft had 4  
6 feet of fucking water inside of it, which probably helped with the  
7 stability of us not rolling over. But it was fucking cold, and  
8 all the supplies are just rolling around. Just, everything in the  
9 thing. But the last flare we had, and we -- and as soon as we  
10 took it, we hit a wave and I dropped the flare, so now we're  
11 trying -- we had to -- we have to go under the water to try to get  
12 to the bottom to feel. I mean, that's how much water was in the  
13 raft. You had to -- your head had to go down. And couldn't find  
14 it to save our fucking life. Why don't those things float? It's  
15 a fucking -- for a boat in the water. You'd think they'd fucking  
16 float. Bullshit.

17 And the -- and 80, like, probably 80 packets of fucking fresh  
18 water. How long am I going to be in this thing? How about a  
19 couple more fucking flares? Maybe have a fucking hot packet in  
20 there, or something fucking -- the radio. EPIRB. I've been  
21 fishing for 20 years. None of this shit's ever changed. It's  
22 been the same for 20 years, and it was probably the same 20 years  
23 before that. Technology is way good. Like, the lights on the  
24 raft went out in, like, 10 minutes of us fucking being in the  
25 raft, you know, bumping around and shit. Why aren't they LED

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1 lights all over the fucking thing, just glowing? Why aren't the  
2 LEDs all over the suit? Why doesn't the suit have a little  
3 fucking headlamp so you could see shit? It's just a lot of shit  
4 with the safety equipment. It's just, it's just, it's very  
5 lacking. I mean, yeah, there's a lot to be said about that and  
6 how frustrating it was in this situation. Really fucked.

7 Why is -- and then the EPIRB was on the starboard side. Why  
8 isn't there another EPIRB in the center of the wheelhouse, so if  
9 you're leaning to either side, if you're in the -- go up in the  
10 wheelhouse. It's right in the center. You can go either fucking  
11 way. There should be a couple more fucking EPIRBs. That's  
12 fucking stupid. And like, they're cheap enough probably nowadays.  
13 Why aren't there one in every fucking suit? Why not? Or one in  
14 the raft. I mean, it's just fucking retarded. Again, it's just  
15 cut money, save money.

16 Q. Except for the EPIRB --

17 A. Yeah, and the EPIRB not working. What the fuck is that  
18 about? So we're sitting there waiting for a ride. An hour goes  
19 by. We're like, fuck. Like, I mean, we're like, we might be here  
20 for a little bit longer than we were thinking. Because we thought  
21 it was going to be happening right there. Kodiak is right there.  
22 Boom. In the fucking Uber going back to Kodiak. And no, it  
23 didn't work out that way. We're sitting there. And you know,  
24 it's 4 feet of water. I'm soaking wet. Water all in my fucking  
25 suit. I tried to, like, get up out of the water. I had the thing

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1 that would go up. Like, lean up, wedge myself in that and get my  
2 feet up and everything so I was out of the water. Kind of just  
3 warm up a little bit. But then the wind is pushing the cloth onto  
4 you, and it's all iced up. So that kind of made you cold, and  
5 then you start freezing. Everything is -- your suit is frozen.

6 And yeah, so that was really, really fucked. We shouldn't  
7 have been in there as long as we fucking were, and it's because of  
8 that fucking EPIRB. Fucking stupid. That's fucked. Like, we  
9 could have fucking died because the fucking -- the EPIRB didn't go  
10 off? Like, that's pretty fucking standard shit. Why the fuck  
11 didn't that go off? Like, and if it did work right away, it would  
12 have went off right away, because that side was dipped in first.  
13 Sitting in, dipped in for, you know, 10, 15 minutes, maybe.

14 Q. EPIRB was starboard side?

15 A. Yeah, yeah, it was on the starboard side.

16 Q. Where was it located on the starboard --

17 A. Right at the starboard side right outside the wheelhouse on  
18 the deck there. There was, like, a place for --

19 Q. Is there -- we use the term float-free arrangement. Was  
20 there anything that would have, like, prevented it from popping  
21 out and -- no?

22 A. No, not that I, not that I saw. It was on the -- I believe  
23 it was on the outside of the rails right on -- to the upper deck.  
24 So it would have just -- you'd think.

25 Q. Had you seen, physically seen, the EPIRB?

1 A. Yeah, we looked it up, or looked at it. Because we did all  
2 our, we did all our safety drills.

3 Q. Could you talk me through those? How'd those go?

4 A. They were, they were good. Like, they -- Gary covered a lot  
5 of stuff. Like, he was, he was very thorough with the, with the  
6 stuff. And you know, a lot of people, or a lot of boats -- I've  
7 fished on a lot of boats, and a lot of them -- some of them don't  
8 even do safety drills. But he did, he -- you know, he walked us  
9 through the drills. He did that. And -- yeah.

10 Q. So what drills did you guys run?

11 A. We just talked about, like, just where the pumps are, where  
12 the fire extinguishers are. Went around, physically saw  
13 everything, the EPIRB, the raft. You know, we just did the  
14 walkaround. You know, we didn't do, like, you know, the actual,  
15 like, whatever. We just went and saw where all the equipment  
16 would be, and then we got, you know, who's going to do what in  
17 what situation.

18 Q. So did you guys cover abandon ship as part of that?

19 A. Yeah. It was stay on ship as long as we can, and we did. I  
20 mean, we -- me and John did everything we fucking -- like, by the  
21 book, I would, I would say. And John, he was, he was calm in the  
22 situation, but I -- he was kind of freaked out at first because  
23 his fucking zipper was stuck, and it was fucking hard to get up.  
24 It should have just went, zip. And mine was hard to get up too.  
25 Fucking, like, why isn't it just, zip?



1           So anyway, so after I got his, he kind of fucking calmed down  
2 or whatever. And then we, then we got our plan to, like -- you  
3 know, we'll stay together. And I'm just trying to talk to him and  
4 just -- you know, so I -- to keep myself calm too. We're cracking  
5 jokes to each other. You know, a perfect New Year's, you know, or  
6 whatever. Just trying to smooth the situation. It's a fucked  
7 situation, but just trying to make light of it, I guess, the best  
8 we can. And so John -- there's not a lot of people that can do  
9 that in a tough situation. So yeah.

10 Q.   So back to when you guys were getting ready to go underway,  
11 and I know you weren't intimately familiar with the boat. You  
12 said you've only been on board for a day before you left, right?

13 A.   Yeah, yeah.

14 Q.   Like, condition-wise. I know you said you saw the EPIRB when  
15 you were making those rounds, when you were doing your drills.  
16 What was the condition of the equipment?

17 A.   It looked, it looked fine to me. I actually put, physically  
18 put, the -- I did the, I did the raft or the suit drill, just to  
19 see how fast I could get into it. I think I did it in 42 seconds  
20 or something like that. I think I did it a little faster today.  
21 A little more pressure.

22 Q.   Did the vessel provide all the suits for you guys, or did you  
23 bring your own on board?

24 A.   No, vessel provided.

25 Q.   Vessel provided.

1 A. Yeah. They were located in the wheelhouse. And so as soon  
2 as I got up to the wheelhouse, John already grabbed his. He went  
3 and was getting it on. I think David was up there getting his on  
4 as well. I grabbed, I grabbed them. I just started throwing them  
5 out, because everybody was down, like, in the wheelhouse. So I  
6 just started throwing them out, grabbed mine, tried to put it on,  
7 tried to get up onto that chair to put it on. And that was a  
8 catastrophe. And then I got outside, got it on.

9 Q. You know, in that day you had in Kodiak to kind of go through  
10 the boat, did you witness any, like, high water alarms working, or  
11 any tank alarms?

12 A. No, and we, and we tested the fucking -- we tested the bilge  
13 alarms. Tank alarms, I -- like I said, the boat was loaded, so I  
14 don't really know anything about the tanks. I don't know which  
15 ones were, which ones were full, which ones weren't. I wasn't  
16 there for that. And I, and I didn't hear. Maybe I, you know,  
17 probably should have, in hindsight. But no, nothing looked --  
18 it's a good boat. I had no qualms about getting on it. *Scandies*  
19 *Rose* has always been a good boat. Always professional boat,  
20 always catch a lot of crab. Like I said, it's a sister ship to  
21 the boat my dad runs. And yeah, pretty fucking unbelievable  
22 seeing that fucking bow go down.

23 Q. When you guys did get underway, can you describe the list of  
24 the vessel? Trim and list?

25 A. When we first got underway?

1 Q. Yeah.

2 A. Yeah, I thought we were trim. Yeah.

3 Q. And could you -- you knew John beforehand. Did you know any  
4 of the other crew, or was that your first time?

5 A. First time.

6 Q. First time.

7 A. I knew -- I've known, I've known Gary just off and -- just  
8 from being a fisherman.

9 Q. What were you first impressions of the, of the crew?

10 A. I liked them. Everybody, you know, was nice. And Seth, he  
11 was the (indiscernible). He was on there for just the king crab.  
12 David is Gary's son. He was on there for like 8 years. Brock,  
13 who fished with Gary for like 15 years on that boat and another  
14 one. Or a couple other. I'm not sure on that. Anyway, he fished  
15 with the crew for a long time. Then Art was the engineer, and I  
16 think he fished with Gary off and on too. But I had no  
17 reservations about them. Like, I thought it was a good crew.

18 First day I got there, we worked, like -- you know, working  
19 like 20 fucking hours. You know, I was climbing up and down these  
20 -- you know, there was like 40 feet of fucking pots in there. You  
21 have to climb up and down them all fucking day long. I was beat.  
22 Legs were -- my legs are still burning. And yeah, it's -- but  
23 like I said, nothing looked out of the ordinary. There was a lot  
24 of pots on, but again, I didn't think it was anything out of the  
25 ordinary. We had a chain on every fucking row. A chain on every

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1 row, all the way to the fucking bow. So that was -- yeah. And  
2 once I got up to the wheelhouse, I didn't notice any pots. Like,  
3 you know what I mean? Everything was still stacked tight. And  
4 yeah.

5 Q. You notice any repairs or any work being done on the vessel  
6 when you, when you arrived?

7 A. Nothing major. Just, like, a toilet. Just a little --  
8 nothing major. You know, just little fixes here and there. No  
9 pumps or -- I don't know. Yeah, nothing, like, structurally to  
10 the ship that I, that I was there for.

11 Q. Yeah. Any steel repairs? Any, like, wasted steel there --

12 A. No.

13 Q. -- that you get rid of on deck or anything?

14 A. No. And you know, and the boat, I think it just came out of  
15 shipyard or something. So I mean, it was -- everything was clean.  
16 It was a nice tight boat, and the crew is good. So everything was  
17 tight, you know?

18 Q. Okay. So you guys got underway on the 30th. 31st, you ended  
19 up only standing one watch, or did you have a watch that morning?

20 A. I had a watch that morning too.

21 Q. Okay. How'd that watch go?

22 A. Just fine.

23 Q. What time was that?

24 A. God, what time was my -- 9, maybe?

25 Q. A.M.?

1 A. Yeah, somewhere around there.

2 Q. Okay. So you had 9 a.m. --

3 A. Yeah, or maybe I got off at 9. Maybe it was -- yeah, maybe I  
4 got off at 9.

5 Q. Okay. So it would have been, like, 8 to 9?

6 A. Yeah, yeah, probably something like that.

7 Q. And you were standing 1-hour watches?

8 A. Yeah.

9 Q. And then how -- was everyone standing 1-hour watches?

10 A. Yeah.

11 Q. Even Gary?

12 A. No, Gary would, Gary would take it for, like, 6 hours or so,  
13 and then he'd, and then he'd -- you know, he was really good about  
14 driving. Some captains just, you know, as soon as they throw  
15 lines, they just go to bed. He would drive the whole time.

16 Q. And what was the, what was the watch rotation? Do you  
17 remember the order on --

18 A. That order? John got me. I'm not really sure who -- I was  
19 last.

20 Q. Okay. So you know for sure --

21 A. Actually, I think -- now that I think about it, I think it  
22 was Seth, Brock, Art, David, John, me, Gary. If I, if I remember  
23 right.

24 Q. Okay. Okay, so you had that 8 to 9 a.m. watch.

25 A. Yeah, yeah. Roughly.

1 Q. Notice anything? Where were you guys at?

2 A. No, the weather had kicked up from the night before, and the  
3 weather was coming on our starboard side. It was, it was decent  
4 weather, but again, nice boat. Been in it at, you know, not that  
5 boat, but the *Patricia Lee* or whatever a thousand times, and  
6 nothing seemed out of the ordinary.

7 Q. What was the estimated sea state and winds?

8 A. Probably at that -- in the morning, it was probably 10 feet,  
9 maybe. We were taking a couple over the bow; 10, 15 feet, maybe.  
10 Building. Yeah. I mean, but we didn't have a list at that time.  
11 We were, we were building a little bit of ice, but it was just,  
12 like, a first layer. It was nothing, I mean, (indiscernible) go  
13 out and chop down.

14 Q. Okay. Could you describe the ice?

15 A. Well, I mean, we had a lot of pots on board, so you could  
16 really only see the bow, and then the, you know, pots or whatever.  
17 Because the pots were starting to get really iced over. And  
18 the -- but it wasn't nothing too, it wasn't nothing too, like, I  
19 haven't seen before, that we would just keep going, you know. And  
20 like we talked about, once we got into a little more sheltered  
21 water, we were going to go out and get it off.

22 Q. Right. Did you have a plan for where and when that was going  
23 to happen?

24 A. Well, we were, we were heading for False Pass. So probably,  
25 I would imagine, right around there.

1 Q. In there? Okay.

2 A. And I think we were 100 or 200 miles away from there.

3 Q. Right. Do you know if anybody ever physically went out on  
4 deck to look at the ice and how bad it was, or were all these  
5 observations made from the bridge?

6 A. From the bridge. Because we didn't have an alleyway or some  
7 -- you know, so you'd have to climb over the stack and go down  
8 there. And fuck, now that I'm thinking about it, I fucking -- I  
9 wanted to go up there, but it just was, like, real cold out there.  
10 And you know, we were taking fucking water over the house, so I  
11 didn't want to go out there walking on the pots and then get  
12 smacked with a wave and fucking be all wet. So in hindsight, I  
13 kind of maybe wish I would have. But everything got sealed up up  
14 there. I was there. We had sealed the lower hatch to the laz.  
15 The forepeak got sealed.

16 Q. How did that process go? Was it organized, working fore to  
17 aft, making sure everything was sealed up? Or who, kind of, took  
18 the lead on --

19 A. Well, we sealed up the bottom hatch earlier in that day,  
20 because we had to put a couple new dogs on it. We water tested  
21 it, let the hose run on it for a while. Fine. No drips. And  
22 then when we threw the lines, that's when they went down and shut  
23 the forepeak door. I think John and Brock were up there. I was  
24 on the stern that morning. So I guess I didn't see the forepeak  
25 door get shut, but they said they did it. Brock was really

1 thorough, from what I saw of his other work that he was doing. So  
2 if he said he did it, I would believe that he did it. And then  
3 yeah, I mean, everything -- I mean, we even -- we dogged all the  
4 lower doors for the -- to get into the house on the bottom floor.  
5 The room in my -- my stateroom had a door. We had that dogged.  
6 Like, nothing seemed out of the ordinary. Like I said, when I got  
7 off watch, we were just starting to get just a little bit of the  
8 list and --

9 Q. And that was --

10 A. And I, and I talked to Gary. I was like, well, you know,  
11 should we maybe change course maybe, or do we get the guys and go  
12 out? And that's when we had the talk about we'll just do it when  
13 we, you know, get to a little more sheltered water.

14 Q. Right. So when Gary relieved you for your first watch at  
15 9 a.m., did you, did you pass anything to him of concern or have  
16 any concerns at that time?

17 A. No. No, just went and got my coffee and that was it.

18 Q. Okay. Then what did you do in between that watch and your  
19 night watch?

20 A. I just watched movies and tried to, tried to sleep a little  
21 bit.

22 Q. Okay. You notice anything out of the ordinary?

23 A. No. Didn't have the greatest food selection on the boat. I  
24 noticed that. But that was, that was about it. No. I noticed  
25 the mattress in my fucking bunk was a little tight and a little



1 stiff.

2 Q. When you were laying in your rack, could you feel any kind of  
3 list in it?

4 A. You know, the first day we left -- John said it too. He's  
5 like, when I feel like in our -- because you sleep with your head  
6 towards the bow. But it was almost like the bow -- but it was  
7 almost like we were at an angle, like a downward angle. So the  
8 first night, I even switched around and tried to sleep the other  
9 way. I couldn't sleep that night regardless. But anyway, so I  
10 did switch around, because I thought there was something  
11 noticeable to that. Had a bunch of pots on. Didn't think  
12 anything, really, of it. Maybe in hindsight I should have.

13 Q. Okay. So nothing of significance in that morning watch, 8 to  
14 9.

15 A. No.

16 Q. Gary relieved you.

17 A. Yeah, everything was --

18 Q. Nothing to pass down.

19 A. Yeah, it was fine.

20 Q. You go back to your rack. You watch a movie. Now John comes  
21 to get you for your, for your next watch, right?

22 A. Yeah.

23 Q. Kind of, take me from there, just moment by moment.

24 A. I think I relieved John a little early on his watch. I  
25 thought, I thought my watch was sooner, but when I got up there, I

1 realized I had a little bit more time. But anyway, I took it  
2 anyway. So I took a little bit of his watch and mine. And 7:15,  
3 I woke up Gary for his watch.

4 Q. So nothing -- did anything happen during your watch?

5 A. No. The sea state was building. It was building. It was  
6 getting shitty. Couple times, you know, it's getting some --  
7 there was getting to be some big seas. And like I said, when Gary  
8 came up, we talked about it. I asked him, like, well, maybe we  
9 should change course or, you know, like -- he didn't really seem  
10 concerned, and he's been doing it a long time. I respect him. So  
11 didn't think anything of it.

12 Q. Right.

13 A. Yeah.

14 Q. Okay, then you go back below, right?

15 A. Go back below for about 1 1/2, 2 hours maybe. Not really  
16 sure, just because I was, whatever, watching a movie. And -- oh,  
17 no, it must -- it was -- I didn't make it through the movie, so it  
18 was probably an hour, maybe. An hour or so. And the boat's kind  
19 of listing a little bit. I almost, I almost thought he was  
20 turning around, you know what I mean? Because the boat kind of  
21 dips when you turn hard or whatever. So I thought maybe, all  
22 right, he was turning around or something like that. I don't  
23 know.

24 So I'm on the top rack; John's on the bottom. John jumps out  
25 and runs upstairs just to see what's going on. Yells down to me,

1 Dean, we're sinking. I'm like, huh? No, we're not. It's a big  
2 ass boat. The fuck are we going to sink from? And then we rolled  
3 a little more, and I go, fuck, we're sinking. I grab my pants and  
4 put my pants on. I wish I would have put socks and some more shit  
5 on, in hindsight. Again, didn't have really a whole lot of time.  
6 And I went, I went up to the wheelhouse and started seeing the  
7 situation, and I realized that we're in a fucking situation. It's  
8 not fucking, you know -- I think a lot of the guys were kind of in  
9 deniability of it, that it wasn't happening. And I kind of was  
10 too at first. And then I was like, no, it's fucking happening.  
11 Whether we want it to happen or not, it's fucking happening. So  
12 you either fucking live or you fucking die.

13 I told -- I was screaming at everybody, get your suit on.  
14 Get the fuck outside. Go, let's go, we got to go. Everybody was  
15 just kind of -- just like, I didn't know -- I couldn't hear  
16 exactly who, but everybody was just screaming, help, can't get my  
17 suit on; I need help. Help, I can't -- I couldn't get back in  
18 there. I couldn't do anything to help them. I was -- if I could  
19 have, I would have. There was nothing I could do. I was trying  
20 to find a line or something I could throw in. The whole -- it was  
21 a fucked situation. And now looking back -- like, because  
22 everything to use to climb up was breaking, so they didn't really  
23 have anything to climb up to the door. Because we're -- you know,  
24 at that point, we're sitting like that, and you know, we had to  
25 climb up. Maybe there should be safety equipment, like, on each

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1 side of the boat, of the wheelhouse. Have, like, a little nylon  
2 ladder or something rolled up, so in a situation like that, you  
3 can throw it out, and now there's a fucking ladder or something.  
4 Because they didn't have anything. Once those fucking boards and  
5 shit started breaking where I was at, there was really nothing to  
6 use. You know, it was all, you know, slippery countertop and, you  
7 know, nothing to grip.

8 Q. And sounds like you and John are situated at the high side,  
9 on the port side?

10 A. Yeah, we were on the high side, port side after wheelhouse --  
11 top of the wheelhouse door. Port door.

12 Q. Where is everybody else located?

13 A. Gary was down at the captain's station, kind of, screaming.

14 Q. Which is?

15 A. All the way on the starboard side.

16 Q. Starboard side.

17 A. Yeah. And he's screaming, and I'm screaming. You know, call  
18 the fucking Coast Guard, call the fucking Coast Guard. Call  
19 fucking mayday, mayday. Because he was kind of in shock at first.  
20 And you know, I don't blame him for that. Like, it's fucking  
21 shocking. And yeah, it was just -- I was just, I was just telling  
22 him to call the Coast Guard. Come on, let's go, let's go. Get  
23 your shit. Let's go. Boat's sinking. Let's go.

24 Q. So about what time -- you woke Gary up about 7:15 p.m., you  
25 said?

1 A. Yes. Yeah.

2 Q. And then you were about an hour -- do you remember what movie  
3 your were watching? Maybe that'll help -- have you seen the movie  
4 before? Was it towards the end?

5 A. Yeah, it was that new -- that Ferrari Ford movie. I think --  
6 I'm not sure what it's called. Ferrari v. Ford [sic] or  
7 something.

8 Q. Got you. Yeah. Yeah. You remember what point in the movie  
9 was that that --

10 A. I was at the part right where they're getting the car that  
11 they're going to race in the Le Mans done with the driver that  
12 they wanted. Because the first Le Mans that they entered, they  
13 didn't have the driver they wanted.

14 Q. Okay. And then that's right when it listed.

15 A. Yeah, it was probably three-quarters of the movie, I would  
16 think.

17 Q. Okay. And you started it right when you got off of watch?

18 A. Probably -- because I went down and ate a little bit.  
19 Probably 20 minutes, 1/2 hour after my watch.

20 Q. Okay, so you started 20 minutes after --

21 A. Yeah, probably.

22 Q. Okay. That'll give us a good, a good timeline there.

23 A. What time did that mayday go out?

24 Q. I have it. I can get it in my notes afterward --

25 A. Yeah, yeah, yeah. That's fine. That's fine. I was just

1 curious.

2 Q. -- and bring it to the timeline. Yeah. Okay.

3 A. Because my timeline was all fucked up once we got into the  
4 chopper. I was thinking it was more like 12, 1 o'clock. But time  
5 flies --

6 Q. Yeah. It goes really slow. Yeah.

7 A. -- I guess, when you're fucking going to fucking die.

8 Q. Right. Okay. Yeah, definitely appreciate all the, all the  
9 information. You gave me a lot to go off of here.

10 A. Yeah, there's just a lot of safety equipment that was just  
11 worthless. Like, they really need to -- like, yeah, they have it.  
12 They can check it off that it's there. But is it, is it useable?  
13 No. It's not.

14 Q. So the EPIRB didn't work as intended, and the light on top of  
15 the life raft didn't work as intended.

16 A. Well, it did at first. Because when it came to me, it was  
17 all fucking -- just, beautiful glowing life raft. Most beautiful  
18 thing I ever seen. And then, yeah, and then about 5, 10 minutes  
19 of us fucking falling around it in, then that thing went out. And  
20 I'm, like, fucking pissed.

21 Q. Did anything else not work? I know you have some issues and  
22 design flaws. But did anything, like, just straight-up not work  
23 or fail?

24 A. No, not -- I guess not -- well, fail. Like, the fucking  
25 flares were sinking. I thought that's a major fucking fail.

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1 Just, all the equipment. Where are the bags situated? Like,  
2 there's 4 feet of fucking water in this thing. Because you know,  
3 because we didn't pop -- it popped when it was underwater. So it  
4 came up soaked with fucking water. Okay. And like I said, that  
5 probably helped with our stability. And yeah, nothing failed,  
6 except for how they had it situated. That was a fail. Like,  
7 everything was tied down. And it should have been like --

8 Q. The life raft design itself? Okay.

9 A. Yeah, well, just every -- all the safety equipment in the  
10 raft or whatever, like the duffle bag or whatever. It's got major  
11 fucking ties all over it. Fucking Gumby gloves. How the fuck am  
12 I going to get this off? It should have a tie with, like, a --  
13 where you have the end where you just pull the end. Pops it out.  
14 Done. Go. Take your shit and go.

15 Actually, all that shit should be elevated above the rubber  
16 line or, like, float up in the center or something so it's just  
17 there. Like, at first we're looking for it. We can't find it  
18 because there's so much water and it was dark. You know, and  
19 yeah, and then the stuff in it is all wrapped up super tight in  
20 plastic. Like, again, how the fuck am I going to open this shit?  
21 It was really fucking frustrating. So that kind of helped ease my  
22 tension, because I took my focus off dying to focus on how mad I  
23 was that this equipment just sucked. And so then I was determined  
24 to live so I can go yell at those fucking people.

25 Q. So John had mentioned that the boat made some repairs to the

1 chute. They had some steel work going on.

2 A. Again, I wasn't there for that.

3 Q. Okay. You didn't, you didn't see any steel that was cut out  
4 on the deck that you guys disposed of or --

5 A. There was some steel that we got rid of. I don't know where  
6 it came from.

7 Q. Don't know where it came from. Okay.

8 A. No. I was just --

9 Q. Any idea how much steel there was?

10 A. It was, like, just a -- I mean, it was just a little pile of  
11 flat plate steel, like, maybe like that high. It wasn't, it  
12 wasn't a whole lot.

13 Q. That high? How --

14 A. No, it was probably this high. Maybe like that.

15 Q. Okay, so was that, like, a foot tall?

16 A. Yeah, maybe a foot tall. Fucking just of, just -- and they  
17 were, you know, they were -- each piece -- there's a small piece,  
18 a big piece, a small. You know. It was a mix. Like, it was --  
19 looked like it was all, like, deck plate. So again, nothing  
20 stability, or -- you would think.

21 Q. Yeah. Any idea how many, like, square feet of steel that  
22 would be?

23 A. I don't know. 50, maybe? 25 foot, roughly. Again, and I  
24 wasn't there to -- I don't know if they had that -- where it came  
25 from or what.



1 Q. Right. And fully understand, asking these questions, that  
2 you had --

3 A. Yeah. Yeah, yeah, yeah.

4 Q. -- a day on the boat. You know, like, definitely understand  
5 that. Okay. So you got a lot of experience as a fisherman. You  
6 know, in your opinion, like, what do you think happened, being on  
7 board, seeing everything you saw and putting your experience to  
8 work?

9 A. Yeah, I know maybe the -- with whatever the stability report  
10 was, but obviously, we were probably a little heavy. So maybe if  
11 we didn't have so many pots on -- and again, I'm not blaming  
12 anybody. I was just -- it's what the report said: you do what  
13 you think you can do. And it wasn't a crazy big stack. It  
14 wasn't, like, something like I'm, like, whoa, this is -- I mean, I  
15 was kind of like that just because I had to climb up and down it,  
16 but it wasn't scary. And again, everything was chained down. It  
17 was, it was nice -- it was a nice, tight stack. They're 7-by-8  
18 pots, so those are big, heavy fucking pots. Maybe the stability  
19 report was -- I really don't know, and I'm not passing blame on  
20 anybody.

21 Q. Yeah. No, just want to ask an, ask an open-ended --

22 A. Yeah, yeah, yeah. Yeah, totally. Yeah, I just --

23 Q. Yeah, you're an experienced fisherman.

24 A. You know, well, I mean, we're leaning -- either that, or  
25 because I mean, we're taking waves or just something -- one of the

1 -- got water in the tank? Who knows? Slack tank, or it could, it  
2 could be anything, but --

3 Q. Where were you guys taking the waves from?

4 A. On the starboard side.

5 Q. Starboard side.

6 A. It was probably like -- the boat's heading like this. The  
7 waves are, waves are coming kind of kitty corner like that.

8 Q. So is your boat -- is your bow right there, where the waves  
9 hit?

10 A. Yeah. Kind of like this.

11 Q. From across this way?

12 A. Yeah. Yeah. Yeah, like that.

13 Q. Got you. Okay.

14 A. A little more, a little more to the bow. Probably -- yeah,  
15 probably more like right there.

16 Q. Got you. So like three-quarters of the --

17 A. Yeah.

18 Q. Okay.

19 A. So almost right into it. Just kind of, you know --

20 Q. Right. Okay. So in between that first watch on the 31st and  
21 your second watch, you said you saw ice accumulation on your first  
22 watch, right?

23 A. Yeah, just, like, a glaze.

24 Q. Like a glaze. Okay, and then, and then how thick was it on  
25 your second watch?

1 A. An inch or -- you know, it had a little bit. A little inch  
2 or two, maybe. But again, nothing too, like, this is critical; we  
3 need to get it off.

4 Q. Something you'd seen before on watch.

5 A. Yeah, and it wasn't, again, it wasn't anything too -- I  
6 didn't think it was too crazy. Like, but then again, I really  
7 don't know what the stability, whatever. But obviously -- you  
8 know, and who knows? Maybe something failed and flooded that  
9 side. That's, you know -- who knows? But I don't know what it  
10 was, but eventually we were too heavy on that fucking side.  
11 Whatever the fucking deal was, from my professional opinion, we  
12 were too heavy on that side eventually.

13 Q. Now where could you physically see the ice from the bridge?

14 A. From my watch, I'd sit in the captain's chair. I see it on  
15 the bow. And you could see it on the outside and top pots, kind  
16 of. But I mean, you know, I was bitching. Like, this is going to  
17 suck to have to set these fucking ice cubes. Because you know,  
18 the line's heavy, and fucking -- yeah, this is a nightmare. So I  
19 was bitching about that. But yeah, nothing that I haven't seen  
20 before, so --

21 Q. And icing, did that come back to the second -- what would it  
22 be? Row of pots?

23 A. Yeah, yeah. The first -- the pots on the bow were pretty  
24 bricked up. The pots on the -- by the -- you know, on the actual  
25 deck just -- the first two pots, maybe, were starting to get kind

1 of good coverage, and then it was lighter as it went back.

2 Q. Okay. Okay.

3 A. Well, again, because the waves were coming, you know, like,  
4 kind of like here. So we weren't getting that much spray back  
5 over there.

6 Q. It was more this -- yeah. No, that makes sense. All right.  
7 Is there anything else you think I feel like -- you feel like I  
8 missed? Anything you want to discuss? Any other questions you  
9 think I should have asked you?

10 A. No. You know, and I've fished for a long time, and I'm all  
11 for being a badass and working as much as we can. But again, for  
12 the rationalization thing, we fucked this whole industry up and  
13 fucking, like, stole it from, you know, the future generations. I  
14 say give it to people that don't even fuck it up. And it's --  
15 again, and for safety, but then there's no rules implemented for  
16 safety. So it was just a fucking lie, because I never noticed a  
17 fucking difference. Matter of fact, we probably work fucking  
18 harder, because now we have more crab to catch for less fucking  
19 money.

20 Yeah, it was fucking -- you know what? And I'm all for being  
21 a -- I've fucking worked 3 days straight, fucking badass and shit.  
22 But some people can't handle doing that shit. And your muscles  
23 get beat and this and that. And it's fine when you're all working  
24 and shit and everything's fine. But in a critical situation,  
25 being all beat down and tired and shit, there's no fucking way.

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1 Like, I was having a problem, I mean, just from a day or two of  
2 climbing around. You know, again, I was sitting at home for the  
3 last month or whatever, so I wasn't in the greatest shape I could  
4 have been in. And yeah, so that's normal for the first couple  
5 days being back. And didn't really think too much of it.

6 But I don't know. Maybe, you know, 18 hours a day is, that's  
7 a good day. Like, and that's -- any normal fucking person, that's  
8 a long fucking day. And it's pretty fucking grueling-ass fucking  
9 work. So I don't think, I don't think anybody should have to work  
10 longer than 18 hours a day. I mean, I get it. Want to get done,  
11 and this and that. But there just gets to a point where it's  
12 just, it's just stupid. Like, and then you just get so fucking  
13 tired and, you know, just, you're fucking beat. I mean, I've seen  
14 grown men cry from this shit. Like, it's not an easy fucking job  
15 by any fucking means.

16 Yeah, that's my only thing. That's my only complaint,  
17 because the whole rationalization, like, totally fucked the whole  
18 industry up, in my opinion, for people that don't own boats or own  
19 quota. You know, so I don't know. They should have made it so  
20 people that work in the industry benefited from the change, not  
21 people that their family did it 20 years ago and now they get to  
22 sit on a beach and collect a check. Now it's not every case, and  
23 I'm -- you know, and the people that -- and I can't blame them  
24 either. Like, well, I would do the same fucking thing. There's  
25 no rules against it, you know. I'm jealous. But I don't think

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1 it's right; I think it's fucking wrong. Nobody should own the  
2 fucking ocean. And it should benefit the people that fucking are  
3 there doing it. The lease fees are a fucking joke.

4 LT READY: Dean, I really appreciate it.

5 MR. GRIBBLE: Yeah.

6 LT READY: You give a lot of good info. Mike, did you have  
7 any questions from your end?

8 MR. BARCOTT: No, I didn't. I think he covered it all.  
9 Dean, thank you very much. And I assume Gelia or somebody is  
10 taking care of whatever it is you need today?

11 MR. GRIBBLE: Yeah. Yeah, she is. Thank you.

12 MR. BARCOTT: Okay. Okay, thank you.

13 LT READY: All right, Mike, that's all I had. And like I  
14 said, I'm getting witness statements from these guys in the 96  
15 hour. If you guys could give me that party in interest  
16 information, we'll be all set.

17 MR. BARCOTT: I will get that off. And if you're going to  
18 have any other interviews, if you could let me know? And I  
19 already am making a list of the documents that I know you're going  
20 to want to see. So we'll get the most recent stability study and  
21 survey to you. There was a stability study done last June just 6  
22 months ago.

23 LT READY: Excellent. Okay. Thank you, Mike. Appreciate  
24 it.

25 MR. BARCOTT: Okay. Thank you.

1 LT READY: And do you have my email, do you have my email  
2 address?

3 MR. BARCOTT: I do not.

4 LT READY: It's Andrew, A-N-D-R-E-W, dot, M, dot, Ready,  
5 R-E-A-D-Y; andrew.m.ready@uscg.mil.

6 MR. BARCOTT: Got it. Okay. And I've dealt with Kevin  
7 Williams out of Anchorage on a number of cases. Is he likely to  
8 be on this as well?

9 LT READY: Yeah, actually, I was just talking to Kevin this  
10 morning, so he'll be, he'll be in the loop on it.

11 MR. BARCOTT: Okay. He knows us, so let me know how we can  
12 help get information for you.

13 LT READY: Sounds good. I appreciate it, Mike.

14 MR. BARCOTT: Okay, thank you.

15 LT READY: Take care.

16 That concludes this interview. It is 11:37 on January 1,  
17 2019 [sic].

18 (Whereupon, 11:37 a.m., the interview was concluded.)  
19  
20  
21  
22  
23  
24  
25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:           CAPSIZING AND SINKING OF THE  
                                  F/V *SCANDIES ROSE* NEAR SUTWIK  
                                  ISLAND, ALASKA, DECEMBER 31, 2019  
                                  Interview of Dean Gribble

ACCIDENT NO.:               DCA20FM009

PLACE:

DATE:                       January 1, 2020

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.

  
\_\_\_\_\_  
Eileen Gonzalez  
Transcriber

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UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

CAPSIZING AND SINKING OF THE \*

F/V *SCANDIES ROSE* NEAR SUTWIK \*

ISLAND, ALASKA, DECEMBER 31, 2019 \*

\*

\* \* \* \* \*

Accident No.: DCA20FM009

Interview of: GARY KNAGIN

Brother-in-law to *Scandies Rose* Captain

United States Coast Guard  
Marine Safety Detachment Kodiak  
Kodiak, Alaska

Sunday,  
January 5, 2020

Free State Reporting, Inc.  
(410) 974-0947

APPEARANCES:

LT ANDREW READY, Investigator  
United States Coast Guard

BART BARNUM, Investigator in Charge  
National Transportation Safety Board

MICHAEL BARCOTT, Attorney  
Holmes, Weddle & Barcott  
(On behalf of the owners of the *Scandies Rose*)

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I N T E R V I E W

(9:38 a.m.)

LT READY: Okay, this is Lieutenant Andrew Ready, Marine Safety Detachment Kodiak with the United States Coast Guard. Today is 5 January 2019 [sic]. Time on deck is 0938. We are here conducting an interview in regards to the sinking of the *Scandies* Rose. Again, my name is Lieutenant Andrew Ready, R-E-A-D-Y, Marine Safety Detachment Kodiak with the U.S. Coast Guard.

MR. BARNUM: My name is Bart Barnum, NTSB Office of Marine Safety. Barnum, B-A-R-N-U-M.

MR. KNAGIN: My name is --

MR. BARCOTT: And this is --

MR. KNAGIN: -- Gary Knagin, K-N-A-G-I-N. And it is '20, not '19.

LT READY: Oh, 2020. Thank you. Takes a bit to get used to that.

MR. KNAGIN: Yeah.

LT READY: And Gary, do we have your permission to be recording this interview?

MR. KNAGIN: Absolutely.

LT READY: Thank you. And on the phone, we have?

MR. BARCOTT: This is Mike Barcott. I'm an attorney in Seattle. We represent the owners of the *Scandies* Rose and a party in interest in these proceedings.

And Gary, before we begin, I want to tell you how much I

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1 appreciated your help on the morning of the 1st, helping us get  
2 together with John and Dean. And at that time when I was talking  
3 to you, I didn't have any appreciation for how close you guys  
4 were, of course, to Gary. And we are very, very sorry for the  
5 loss that you and Gerry have experienced here.

6 MR. KNAGIN: I appreciate that.

7 INTERVIEW OF GARY KNAGIN

8 BY LT READY:

9 Q. Okay. Just to start off, Gary, if you could give us just  
10 your background, who you are, where you grew up, experience  
11 fishing?

12 A. I was born in Kodiak in 1957. So, fished all my life.  
13 Started salmon fishing with my dad back in, I think, '68, '69. We  
14 were little kids going out on the boat with him. And then I --  
15 first time I went crab fishing was with my dad, obviously. I  
16 think that was 1976. Made a couple of trips towards the end of  
17 the season. And then after that, the first year I went to the  
18 Bering Sea was in '79. And pretty much went almost every year up  
19 until I was 56 years old. And I think the last time I went out  
20 was on the *Provider* for just -- take a guy's place at the --  
21 during the king crab season. Maybe -- what year was that? I  
22 can't remember. It was like 4 or 5 years ago.

23 And so was out there for many, many years. And seen too many  
24 of this sort of thing happen, that's for sure.

25 Q. What's your relationship to the *Scandies Rose*?

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1 A. My wife's brother was Gary, and I've known him since we were  
2 in school together. Junior high, I think, is the first time I met  
3 him. He was a year behind me in school, and we basically grew up  
4 together.

5 Q. You guys ever work together?

6 A. You know, we never did. Never did. He was -- we talked  
7 about it, and we shot pool a lot together. Just -- yeah, we never  
8 did get the opportunity to both be on the same boat.

9 Q. Could you tell us a little bit about Gary?

10 A. Well, he was just a real good friend. And Gerry and I were  
11 actually together in high school, and then we parted ways and got  
12 back together about 10 years ago. But Gary and I kept in contact  
13 throughout the years, and he was always a pretty fun-loving guy.  
14 And ladies liked him a lot and all that. It was -- and we just  
15 did a lot of fun stuff together. He was a pretty good guy. I  
16 don't know what else to say about him. Just, this hit pretty  
17 close to home this time; that's for sure.

18 Q. Both of you being very experienced fishermen, I'm sure that  
19 was a big topic of conversation between the two of you.

20 A. Oh, yeah, we talked about fishing, and we talked on the radio  
21 and dispatch every now and then, you know, he'd call. I got that  
22 little Rubicon. And we talked when he was up in Bristol Bay and  
23 when he was tendering and that stuff, and getting ready to go out  
24 for king crab and stuff, I'd be -- we'd talk once a week, maybe,  
25 on the dispatch just, you know, keeping each other kind of in

1 touch with what was going on. Wasn't that real tight with him,  
2 but every time he came to town, we did see each other, so -- yeah.  
3 I don't know.

4 Q. What was his reputation as a captain?

5 A. You know, as a captain, I've heard from most of the guys that  
6 he was pretty fair. And perfect safety record. It just blows me  
7 away that this happened, because there are so many guys that have  
8 talked about his safety and the boat being the beast that it was.

9 But he did mention one time, and I can't remember exactly  
10 when. We did talk about the trash chute on that boat. He said  
11 there was -- it was up on deck. It was bad enough where he could  
12 almost stick his finger through the deck. And I can't remember  
13 exactly when they did that work, but I know they were working on  
14 it. He was saying, yeah, this is pretty damn important, and start  
15 making -- it's a little spooky. And that was just in the last  
16 year or so, and I can't remember exactly when.

17 But I know they did have some welding done, and I just don't  
18 know if they did it out of the water or if it was in the water  
19 when they did it. I'm not sure who did the work. We didn't  
20 really get into it that much, you know. But I basically just  
21 assumed that he was keeping a pretty close eye on what was going  
22 on there, and he must have been good with it.

23 But maybe there was some more to it than he knew, because  
24 when I talked to those guys on -- at my house that day that you  
25 interviewed them, they both said that that list -- there was

1 icing, yes, but one, I believe he said was 20 years in the Bering  
2 Sea and the other one was 25, and they've seen plenty of icing,  
3 and I have too. And I've been on boats with ice a foot thick, and  
4 we were dumping gear just to get, just to get it off the boat.  
5 And those guys said that there was not enough to warrant what  
6 happened. So that's -- it just still blows me away. So something  
7 besides icing, I believe, happened to this boat to cause that.

8 Q. And I understand it's speculation right now, but with your  
9 experience, you know, what could those other things possibly be?

10 A. What I'm thinking is maybe they didn't get enough done on  
11 that, and with -- maybe there was some other place that was weak  
12 further down or for the back. I don't know. But in the  
13 conditions that they're -- that I have heard were happening, they  
14 were taking a pretty good beating on that side. And who knows?  
15 Maybe it popped a hole in the outer skin and then filled one of  
16 the voids up, and maybe it was, like, half the void was full or  
17 something. And in that condition, the boat's flopping back and  
18 forth, and maybe with that -- with the deterioration of the  
19 bulkhead or something, maybe, the rust or something from all those  
20 years, that water sloshing back and forth may have gave way to  
21 something for the back or in another bulkhead or into the crab  
22 tank or -- I don't know.

23 But it just leads me to believe that that -- something like  
24 that happened, as fast as those guys said that that thing flopped  
25 over. Because they said that it threw him in the wheelhouse and

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1 he hit his head, and they were in the water immediately in the  
2 wheelhouse. And then they said that the stern went down sideways.  
3 If it was icing, it just seems to me that that thing would have  
4 flipped all the way over and floated upside-down. But that engine  
5 room or that cabin or something in the back had to fill up to drag  
6 the stern down first. I don't know. It just -- like I say, or  
7 you said too, it's speculation. But that's my best guess.

8 Q. No, it's really helpful with your experience. It's  
9 definitely a reason why we have you in here as well.

10 A. Right.

11 Q. Not just your relationship, but also your expertise. So we  
12 definitely appreciate that. Did you have any other --

13 A. I know the -- I'm not sure what -- the guys said that Gary  
14 fell. Brock was on the floor, and he fell down that way as well.  
15 And David was in his suit, and they were calling him to get out  
16 the door. And he kept looking back at his dad, and they had to  
17 push away from the boat because it was going down and that's -- so  
18 it doesn't sound to me like anybody else got out of there. And  
19 like they said, like -- you know, you guys did not find any debris  
20 or anything like that. So Gary, I would venture to guess, had  
21 everything tied down. He knew the weather was going to be crappy,  
22 and the boat -- I know he went out in crap like that many times  
23 before with that boat and it handled it just fine. Just, still  
24 just blows me away. But I really don't know that I have anything  
25 else.

1 Q. Okay. Gary mentioned the shit chute, and he made some  
2 repairs down there. Did he mention any other issues, either  
3 structural conditions of the boat or equipment that was giving him  
4 troubles?

5 A. No, everything else, he seemed, was -- he was pretty happy  
6 with. It was -- I know they kept up on that thing a lot. It went  
7 down there every year. And I was -- you know, to be perfectly  
8 honest, I have only been on that boat, like, maybe five or six  
9 times. I was on it a couple of times in Seattle and a couple --  
10 you know, three or four times here in Kodiak, and that was it. Go  
11 down, and I'd just go down and visit -- mostly just went in  
12 through the wheelhouse door. I think in Seattle is the only time  
13 I went in through the galley door.

14 And that's what kind of -- that door being right -- there was  
15 one on each side of the boat, so it was kind of different for me.  
16 Because most of those guys have one door in the center and two  
17 doors upstairs. But as big as that thing was, you know, there was  
18 doors on each side. And I just don't know if that door had -- was  
19 cracked, you know, had -- to get some air in there. Because those  
20 things get hotter than hell, and even in that kind of weather, it  
21 gets pretty damn toasty in that house back there with those two  
22 big freaking mills down there cranking out all that freaking heat,  
23 you know. And plus, you know, heaters and whatever else everybody  
24 has going on in there, and cooking and whatever. And they were  
25 insulated pretty good. So sometimes, guys kept those doors open.

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1 You know, so I don't know if that door was -- could have been part  
2 of what was going on? I don't know. I just -- everybody's  
3 speculating. You see it on social media quite a bit. And thing  
4 is, we don't know. And I know a lot more about what happened than  
5 most of these guys that are speculating. And I don't know.

6 Q. Could you describe those doors a little bit for me, if you  
7 remember?

8 A. Well, they're -- I believe they were steel and they had dogs  
9 on them. But we used to crack them just a little bit, you know,  
10 and put the dog where you could -- that dog kept them open a  
11 little bit, you know. So there was usually six handles. You  
12 know, watertight doors. So I don't know.

13 Q. And last time you were on board the vessel was when?

14 A. Last time I went down there was, I believe, before king crab  
15 this year. Yeah.

16 Q. Thinking back, anything about the condition of the vessel,  
17 the doors themselves, watertight integrity, anything --

18 A. Everything -- you know, I went in through the wheelhouse  
19 doors always. And I'd just step aboard, walk in, say hi, how's it  
20 going. And the only other place I -- never usually went  
21 downstairs. So I don't know anything about what kind of condition  
22 the doors were down below, but I just do not see that they would  
23 let those things go. Gary wouldn't do that, and I'm sure Dan and  
24 all those guys -- the corporation, if there's something wrong,  
25 they kept it up. So it -- that's what really just blows me away

1 that this happened. And everything upstairs was fine. You know,  
2 the doors that I went through. And the boat was always clean.  
3 And I just -- yeah, I think they were probably in the best shape  
4 they could be in, was my best guess, but that's -- like I say, I  
5 don't know.

6 Q. Right. Knowing Gary and with your experience, could you kind  
7 of talk us through Gary's preparation for getting ready for a trip  
8 like this that he was about to take?

9 A. He usually went through everything, and that's -- like I said  
10 before, you guys -- nobody found any debris, nothing like that.  
11 So he had everything tied down, and he was that detail-oriented to  
12 go through and look at everything, you know, before he took off.  
13 Made sure the fuel, all the valves, everything's tied down and  
14 everything was working, electronics. You know, there's just so  
15 much to think about and so many variables. He was, he was pretty  
16 meticulous about finding stuff, you know. If something was wrong,  
17 he would find it and get somebody on it if he didn't do it  
18 himself.

19 Q. How well did you know the other crew members --

20 A. I didn't, to be truthful. The first time I met those two  
21 guys was at my house when you did. Well, I met them maybe just a  
22 fuzz before you did because I brought them to my house, but yeah,  
23 that was --

24 Q. I understand those guys -- those two were newer to the boat.

25 A. Right.

1 Q. Did you, did you have a relationship with David, Art and  
2 Brock?

3 A. David, I knew David. I did not -- I know my brother talked  
4 about Brock before. I didn't -- he fished with him a couple  
5 years, and he said he was a top hand. And Art, I didn't know him.  
6 Seth, I did not know him. I didn't know anybody but really Gary  
7 and David, so I don't have anything, any input at all with those  
8 guys.

9 Q. Right. In preparation for a trip like this, any idea who  
10 would have been in charge for -- of loading the deck, tank levels,  
11 how jobs were delineated on board?

12 A. I would venture that probably the engineer, who I believe was  
13 Art --

14 Q. Correct.

15 A. -- yeah, would probably be -- would have been pretty much in  
16 charge of what was going on as far as loading stuff on deck. And  
17 only to be -- Gary would probably be the only one that could  
18 change anything on what he wanted to have happen.

19 Q. In what regards?

20 A. Just how the gear was stacked or whatever, you know. If  
21 anything needed to be moved or tied down better or whatever.  
22 Anything like that, so -- but it sounds to me like these guys were  
23 -- you know, the amount of experience on the boat that -- and not  
24 finding any debris, again, like you said, they weren't sloppy.  
25 These guys were crackerjacks. They knew what was going on. They

1 knew how to take care of stuff, so just kind of shows how fragile  
2 we really are.

3 Q. In your conversations with Gary, did you guys ever discuss,  
4 you know, weather and icing conditions?

5 A. You know, we did. And he was a bit cocky on stuff, you know,  
6 because it was a big boat. He'd say, yeah, I just usually --  
7 normally just go, because the boat was that. And I've been on  
8 boats like that before, and so I've been. And obviously, that --  
9 as many years as I spent out there, we'd been caught in some  
10 pretty tough weather. And I've been in weather where it's broken  
11 right over, completely over the top of the house behind us.

12 Coming -- going with it, it broke and took every bit of the deck  
13 off. There would -- false deck, except for six boards, and  
14 swamped our forepeak. But I mean, thank god we got through that.

15 And when that happened, they -- I had guys that stayed in  
16 their bunks. They would not get up. And there was a few of us in  
17 the wheelhouse with survival suits just going, you know, this is  
18 spooky, and some of those guys would not come out of their bunks.  
19 So people react differently in different situations, but yeah,  
20 Gary was -- he did talk about weather, but -- and he was -- I'm  
21 sure, had a scare a time or two at least. And he's, he was  
22 mindful of it. I don't think he was scared of it. But yeah.  
23 Other than that, I don't know if I have anything.

24 Q. Any idea how he checked the weather when he was, you know,  
25 planning his trips out? What specifically he was looking at,

1 whether it's an app or a weather service, and then, kind of, how  
2 he makes his decisions?

3 A. It sounded to me like he talked with guys in different areas,  
4 like guys out in Dutch and King Cove and, you know, anybody that  
5 was out there, or possibly, you know, on-scene weather if he  
6 could. And he would more than likely look at Windyty like we all  
7 do, and the National Weather Service and weather buoys. Looking  
8 at -- you know that we have so many options now. It just -- he  
9 was smart enough to look at all that stuff.

10 Q. When was the last time you actually talked to Gary or David?

11 A. I actually talked to Gary a day before they left. I seen  
12 them at Safeway, and he just said they were grabbing a last few  
13 things and they were going to leave that night, but they did not.  
14 They left the next day. And I'm not -- I can't remember exactly  
15 why, but Gerry did tell me they didn't leave that night that I saw  
16 them. He was standing in Safeway. I was actually just running to  
17 get something for the house there, and he happened to be there  
18 with a couple of crew members. And they just had a few things in  
19 a cart, so it was like a last minute type thing. But for some  
20 reason, they didn't leave that night. I don't know if somebody  
21 was still not -- didn't show up or what happened. But I've been  
22 busy getting ready for -- trying to get this little boat ready for  
23 this little crab season we have around the island here, and --  
24 yeah, so that's the last time I saw him. He just said he was  
25 taking off, and I said be safe and good luck and see you next time

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1 around. Wish I'd knew it was going to be how it was, but it is  
2 what it is.

3 Q. Did he make any mention of the weather?

4 A. No.

5 Q. No concerns or anything in that conversation?

6 A. No. No. And I knew it was crappy out, but you know, I've  
7 seen him leave in worse weather. And the boat handled it just  
8 fine.

9 Q. Can you speak a little bit to Gary's approach to safety as a  
10 captain? Safety equipment on his boat, training his crew?

11 A. I've seen him make sure the guys -- guys would be trying to  
12 grind or something without safety glasses or something, and he'd  
13 yell at them. That's when he would yell. It's like, you know,  
14 bullshit, get some glasses on. You know, anything. Gloves,  
15 whatever, you know. So he was pretty mindful of everybody's  
16 safety. I was -- you know, he'd been around a long time. You  
17 know, you don't get to that spot by not being aware of stuff. So  
18 I don't know. But no, I believe he was real safety-conscious.

19 Q. Can you speak a little bit to the business side of the  
20 *Scandies Rose*? Did you and Gary have conversations?

21 A. He was pretty happy about just sending some money down and  
22 saying that he was going to be 48 percent owner of the boat right  
23 after the first cod trip, I believe is what he told me. That's  
24 when that was supposed to be finalized, after the first cod trip  
25 or something, that he was going to be 48 percent owner. And he

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1 just sent a bunch of money down to take care of that. And he was  
2 pretty excited about that, and he said, but I'm also scared  
3 shitless. One guy could just decide to pull some IFQs off of the  
4 table and give them to somebody else, and that would screw him out  
5 of his deal. But other than that --

6 Q. He ever discuss his relationships with the other owners of  
7 the vessel?

8 A. Seemed to be like, you know, they got along pretty well. I'm  
9 sure there was, you know -- they banged heads, I'm sure, more than  
10 once, but you know, because he was pretty boneheaded sometimes.  
11 Strong-headed, I should say, but --

12 Q. "He" being Gary or --

13 A. Yeah. You know, and there's egos involved, I'm sure, in  
14 that. Everybody has one. But no, they seemed to me like they got  
15 along pretty well. Because they were together and, you know,  
16 partners for a lot of years. And you know, I mean, you get any  
17 kind of relationship like that, you're going to have differences  
18 of opinion. But no, they seemed like they were pretty tight,  
19 actually.

20 Q. Knowing what you know about the fishery and the business  
21 side, you know, basically how to, how to go out and make money as  
22 well as knowing Gary and his personal situation, can you think of  
23 any reason he would need to push it to get down to Dutch Harbor by  
24 a certain date?

25 A. He was just -- he'd just go, you know. I mean, but like I

1 said, those weather conditions, I've seen him do it in worse  
2 situations. And they were just fine. But no, I don't think he  
3 was -- he wasn't making a rash decision, I don't think. I think  
4 something happened to that boat. It was something physical that  
5 happened to that boat. It wasn't -- I just do not see any reason  
6 that something, some decision he made as far as being a captain,  
7 driving the boat in that weather, it's -- I've been in weather  
8 like that many times. Just, I don't -- there's no way that I  
9 think that it's any one part of the variable. There had to be a  
10 few things stacked up that made this happen. You know, just no, I  
11 don't think so. It wasn't -- he wasn't making a rash decision and  
12 pushing it too hard. Really don't think so.

13 Q. Can you remember a time when Gary decided not to go underway  
14 due to weather?

15 A. I do. Yeah. Yeah. Yeah, it was a few years back, but it  
16 was -- he decided to wait. And we actually went out and had a few  
17 drinks and played some pool that night. And I asked. I was kind  
18 of teasing him, going, what's -- what are you doing here still?  
19 And he goes, well, you been outside?

20 Q. Do you remember what the forecast was for that trip?

21 A. I don't. I do not. You know, I mean, I didn't pay that much  
22 attention to it. I had, you know, obviously, other stuff going  
23 on. And we did not really talk about stuff like that, you know.  
24 Just like I say, joking around, you know, shooting pool. Yeah, I  
25 don't know what else to say.

1 Q. With your 30 years experience in the Bering, when he got  
2 underway and you knowing what the forecast was, did you, did you  
3 have any -- would you have done it differently? I know, I know  
4 hindsight. You know, take that out of the equation, but --

5 A. Right. No. No, I would have, I would have probably gone.  
6 You know, I haven't been driving a boat out there much. I  
7 drove -- I did it, tried it one time. I didn't like it. That's  
8 why, like I told you earlier, I was on deck my whole time out  
9 there, because I didn't like sitting in the wheelhouse. But yeah,  
10 it wouldn't have, wouldn't have bothered me to go. I would have  
11 went.

12 Q. You ever --

13 A. There was a couple of times that I was on a boat out in  
14 Dutch, and I said no, I don't want to go. And we didn't. And  
15 there was a whole bunch of us on the boat going, you know, this is  
16 bullshit. Every one of us looked and said this is -- no, this  
17 isn't smart. So we stayed and went the next day. But no, I would  
18 have went. And looking at that forecast and the weather  
19 conditions, I just don't see -- I mean, I've been in bigger seas  
20 than that. And I was concerned. I've only been scared a couple  
21 times out there, and mostly at Unimak Pass. So no, I don't think  
22 that -- in hindsight, obviously it was a bad decision, because  
23 something went wrong, or a, or a stack of things went wrong.  
24 Something happened that we don't know about. But other than that,  
25 no, I would have went.

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1 Q. In your conversations with Gary, did you ever discuss  
2 procedures for icing conditions, what you would do?

3 A. No. No, we never talked about anything like that. But I  
4 mean, 30 years out there, there was -- and with the amount of  
5 experience on there, the guys knew you just get your shit on and  
6 go out there and beat that crap off and run with it. Just pretty  
7 standard procedure.

8 Q. I know you talked to John and Dean about the icing conditions  
9 that they saw on board.

10 A. I did.

11 Q. With your experience and knowing the *Scandies Rose* -- I know  
12 you didn't work on it, but you know, what kind of thickness of  
13 icing would you start to become concerned?

14 A. I would say probably 6 to 8 inches, you know, I'd be starting  
15 to go, well, hey, now we need to get these off of here. But it  
16 sounded like to me there wasn't that much on there. Knowing the  
17 boat, I would say -- yeah. I know 3 or 4 inches, you definitely  
18 need to get out there and start getting that shit off. The guys  
19 should be out there beating on it. You know, I don't know how  
20 much was on there and when it needed to be -- you know, if they  
21 needed to start beating it yet or what. But I know it didn't help  
22 any, the situation any. But that's another part -- one of the  
23 variables that could have, could have and probably did have  
24 something to do with it. But yeah, those guys, when I talked to  
25 them, it did not seem to bother them with how much ice was on the

1 boat. And you know, on smaller boats that we had, it sounded to  
2 me like more ice than what they had, so I don't know. Just don't  
3 know.

4 Q. Tapping into your experience again and understanding that  
5 there is a bit of speculation here, if you could put yourself in  
6 Gary's shoes, you know, transiting in the vicinity of Sutwik  
7 Island, 198 pots on deck. Icing conditions are reported as 1 to 2  
8 inches. He's coming up on watch. There's a 1-degree list. He's  
9 taking the helm. Everybody else is down below. And obviously, at  
10 some point we know the boat came over a little bit heavier. We  
11 know the boat turned hard to starboard toward Sutwik Island. Any  
12 insight to what Gary would have been thinking from a plan of  
13 attack standpoint? What, maybe, he was trying to do in that  
14 situation, obviously before the boat rolled over and was not able  
15 to be saved?

16 A. I would say he was going to go in and anchor up and try to  
17 figure out what the hell was going on. That would be my best  
18 guess. That's what I would do, and anybody with any brains at all  
19 would be going in to go find out what the hell is going on with  
20 it. Well, you know, there's a list that isn't supposed to be  
21 there. And no alarms went off. That's what it sounded like to  
22 me. So yeah, I -- that would be my best guess on what happened,  
23 where he was heading into it. I'm thinking he went in towards  
24 Yarntarni [sic] or Yantarni. I always called it Yarntarni. I  
25 don't know why.

1           But anyway, that'd be my guess, is he was trying to get in  
2 there to go anchor up. And yeah, that's what I would have been  
3 doing too. And it sounded like he was snuggled in pretty damn  
4 close, really, for -- that's what we usually did, was we get in  
5 pretty tight along that shore, especially in the northwest. You  
6 know, get in the lee of it as best you can, so -- when the weather  
7 was a lot nicer, we always just, you know, did a straight shot.  
8 That was kind of a little bit more boring, but you know, just made  
9 more sense to go from point A to point B instead of snuggling up  
10 against the shore. But that's -- we do that a lot on every boat  
11 I've ever been on. You know, hide from the weather. It just  
12 makes sense.

13 Q. Did you ever discuss that route with Gary as it pertains to  
14 weather? Do you know if he had, kind of, a process or a routine?

15 A. You know, we talked about it over the years, and I've talked  
16 about it with a lot of guys. And it's all kind of almost common  
17 sense between everybody. You know, it's, like, what we do.  
18 There's a lot more rocks and stuff you have to deal with going in  
19 closer to shore and islands and all that bullshit, but it's --  
20 yeah, no. Never really even thought about it.

21 Q. Any idea if Gary ever tarped his stack?

22 A. You know, I don't know that. I've only been on a couple of  
23 boats that we've done that on. I've always thought about that  
24 Never Sea stuff. Or NeverWet. You ever seen that product? I  
25 thought about maybe some kind of -- if there was a paint or some

1 kind of coating that I could put on boats and keep that stuff.  
2 Because I know we usually use that shrink wrap and wrapped our --  
3 all our rails and the mast and all that stuff. And I know  
4 those -- that helped. Like, we -- one wave, it can hit, and then  
5 all that stuff would freeze on that stuff, and we'd hit the next  
6 wave and see all that ice drop down on deck from up above. You  
7 know, that was kind of -- I really think that some sort of  
8 paint -- and I think I've heard there is some, but it's super  
9 expensive. It sure seems like somebody could come up with some  
10 way to make that --

11 Q. Did you ever see a tarp on the *Scandies Rose*?

12 A. I never really paid attention, to be perfectly honest. No.

13 Q. What was your relationship like with David?

14 A. David? You know, I didn't really talk to him too much. He  
15 was -- he had his own little group, and they -- he was kind of a  
16 little nerdy. You know, liked to play his games and stuff, his --  
17 and yeah, so I didn't -- we never really -- we kind of basically  
18 acknowledged each other's presence.

19 Q. Do you remember any conversations about the condition of the  
20 boat or working on board? Yeah, relationships.

21 A. He loved being on that boat. Yeah. Yeah, I don't -- other  
22 than that, I haven't really talked to him about it, but I know he  
23 was -- when we were -- ever we had any family gatherings,  
24 Thanksgiving, stuff like that, he was always upbeat about the boat  
25 and happy being there.

1 Q. We understand it's been a really, really hard year for your  
2 family even before this incident happened. The loss of both  
3 Gerry's parents. You think that had any impact on Gary's state of  
4 mind, wellbeing?

5 A. You know, he was closer to his mom, I think, than he was his  
6 dad. But no, I don't really think that that would have been that  
7 much of a detriment to what was going on. Really, he wasn't  
8 distraught or anything like that enough to warrant being -- his  
9 decision making, I don't think.

10 Q. Any use of drugs or alcohol?

11 A. You know, we'd have beers once in a while. But this time, we  
12 really -- we didn't go out and have a beer. And there's been more  
13 than once when he just wouldn't. And sometimes he'd have one and  
14 just say, hey, I can't have anymore; I got stuff going on. So he  
15 was pretty mindful of that. It was --

16 Q. Typical night, going out, shooting pool, if he didn't have  
17 something going on, how many, how many beers would he have in a  
18 night?

19 A. You know, three or four. We'd have three or four beers, and  
20 I'd usually take off. And don't get me wrong. Younger years when  
21 we were -- 30 years ago, we'd go picking -- be sideways when I  
22 don't remember going home, you know. But you know, I mean, that  
23 all kind of -- I mean, by 9:30 at night, I'm ready to go just wait  
24 for the news and I'm crashed out, and I'm up by the time the 30-  
25 year-olds are coming home. That's the way it is now. And he was



1 pretty much the same, I think.

2 Q. Knowing Gary like you did and with your experience, if Gary  
3 had any inkling that the, you know, condition of the boat wasn't  
4 to his liking, or weather, do you, do you have any doubts that he  
5 would have postponed the trip?

6 A. Absolutely he would have freaking stayed and got it fixed.  
7 And he'd have been on the phone talking to Dan and explaining what  
8 was going on, and saying this has to happen because we can't  
9 freaking leave like this. And so -- but yeah, I'd -- if there was  
10 any reason not to go safety-wise, I think that he would have  
11 probably postponed it for sure.

12 Q. If he was in that position where he wanted to postpone a  
13 trip, would he receive any pressure to go out and fish?

14 A. Not that I'm aware of. I think, you know, I think there was  
15 -- I think the company's probably been, over the years, safety-  
16 conscious enough. There's probably been enough accidents and  
17 stuff where I don't see it happening, no. I can't place the blame  
18 on anybody. I'm not throwing anybody under the bus on that.  
19 There's no freaking way. I mean, just look at this thing, you  
20 know? Thing was a beast.

21 Q. Gary, that's all the prepared questions I have. Just open it  
22 up. Do you feel like there's anything we didn't discuss or maybe  
23 something I didn't ask you during this interview that you wanted  
24 to bring up?

25 A. Not that I can think of. No, I just wish we could turn back

1 the clock, but we always do wish that on this. And a whole bunch  
2 of other things would be cool, right?

3 LT READY: I really appreciate it. Again, my deepest  
4 condolences for the loss and, you know, family members. And  
5 definitely our deepest sympathies for what you guys are going  
6 through. I know this is a really hard thing to talk about. And  
7 it sheds a lot of light for us in our investigation, so greatly  
8 appreciate it.

9 MR. KNAGIN: Yeah. I have no problem talking to you guys. I  
10 didn't want to talk to the news. I have zero interest in being on  
11 TV. But yeah, with -- if this helps at all, I would -- I have no  
12 problem with that.

13 LT READY: I can tell you it certainly does.

14 MR. KNAGIN: I appreciate it.

15 LT READY: Definitely appreciate the time. I'll pass it over  
16 to Bart now for further questions.

17 MR. BARNUM: Thanks, Gary. Just a couple follow-ups.

18 BY MR. BARNUM:

19 Q. I'm not a crabber. I'm new to the whole crabbing industry.  
20 Been looking at the picture of *Scandies Rose*. This is when she  
21 came into Kodiak, I believe, right around, right before  
22 Thanksgiving?

23 A. Yeah.

24 Q. How would you describe the pots stack? Is that four high or  
25 --

1 A. Yeah, that's four high on top. Yeah, on top. The ones on  
2 deck. Yeah. And looks like a pretty tight stack.

3 Q. Is it -- it looks like it stepped down here on the starboard  
4 side. Is this just -- is it four on the starboard side and then  
5 five over here?

6 A. Well, you've got the ones standing up on deck down here.  
7 They're standing this way. And then you got one, two, three, four  
8 -- looks like three on the side here. And then they probably have  
9 some down the middle so he can -- and a lot of the guys, that's  
10 how we used to do it. See how this -- there's a couple right up  
11 on top up here on that side, but this gives him a better view of  
12 up on the bow there from up here so he can tie up or whatever.  
13 You know, pay attention to where you're going, driving. I've been  
14 --

15 Q. So it looks like this tier here is four high, and then on the  
16 other side, one --

17 A. Yeah, just one pot over. There's one pot over it. So I'm  
18 not positive, but I'll bet you that's just two going down the  
19 center. It could, it could be all the way across to the other  
20 side, but a lot of times, they -- we used to just go four across  
21 and then just stick two -- a row or two in the center on top there  
22 to block these windows off in the middle. You can't see out of  
23 those, but --

24 Q. So possibly the starboard side is looking similar to this  
25 port side here, pots --

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1 A. Yeah. On the port side, yeah. Right.

2 Q. Did you see the vessel when she left on the 30th of December?

3 A. I did not. I did not. I didn't go down. I didn't even  
4 realize they were leaving. I was -- can't even remember what I  
5 was doing, but I got home and Gerry said, yeah, they took off.  
6 It's like, oh, a good deal.

7 Q. I was just curious if this was a similar arrangement to when  
8 they left.

9 A. I believe so. Yeah, I think I saw -- she showed me a  
10 picture, I think, that David took. He posted a picture on  
11 Facebook, and it was pretty similar.

12 Q. Okay. The waste chute they had replaced, repaired, it's on  
13 the starboard side.

14 A. Starboard side. Yeah. Probably right here, would be my  
15 guess, where this water's coming out right here.

16 Q. Was there also one on the port side?

17 A. No.

18 Q. No?

19 A. I don't think so. Pretty sure. There's usually one just  
20 right behind the launcher. And we usually had -- how they were  
21 set up, and I didn't really pay that much attention to this one in  
22 particular. You know, it's just -- there was like a big steel  
23 door that we had a line on it. We just grabbed ahold of that, and  
24 we had that where we could tie it off, tie it open. And there was  
25 a -- you know, big enough for one of those tanner taxis, we call

1   them, the big -- they're plastic totes. We could shove in those  
2   totes on the one side. And a lot of them, we -- I don't know if  
3   he had a chute coming right off of the sorting table going into  
4   that, or if they dumped them into those -- off the sorting table  
5   and drug them up to it and dumped them or what. But it's -- I've  
6   been on boats that had it both ways, and some of them even had  
7   like a 30-foot freaking long piece of aluminum that we had to use  
8   to -- those were kind of a pain in the ass, but --

9   Q.   Looking at the house of the *Scandies*, so here on the  
10   starboard side, you can exit the wheelhouse --

11   A.   Yeah.

12   Q.   -- and there's a ladder well going down to the main deck?

13   A.   Right.

14   Q.   And then there's a doorway leading into the accommodations at  
15   the bottom?

16   A.   I believe those were aft. There was -- and then the ones  
17   that I'm talking about, they were like -- the front of the house,  
18   we're looking at the front of the house right here from the deck.  
19   There was one here and one here. And this rail right here came up  
20   right here at about -- right here. And then this. So this -- the  
21   house came up like this. And this is just a rail right here, but  
22   there was a door here and a door here. And looking aft at the  
23   stern of it -- pretty sure this -- I think I might have pictures  
24   of this too, but there was a ladder going up here. I think there  
25   was a door here and a door here. And a ladder or stairs going up,

1 and there was a door here and a door here. I thought I saw  
2 pictures of that. I should have probably -- you know, and I don't  
3 think I, I don't -- I didn't save the damn things. They're on  
4 Facebook.

5 Q. Okay. And this bow area, there's obviously a decking here.

6 A. Right.

7 Q. How do you get down to the main deck from that?

8 A. There was a ladder over on this side here. Pretty sure. And  
9 I think there's a pretty good-sized shelter deck too over here.  
10 And I think there was a hatch that opened up. I don't remember.  
11 I've been on so many of these damn things, you know, but a lot of  
12 them have that, a lot of them have that shelter deck. You know, I  
13 mean, you got -- if you're looking at the boat from the side  
14 there, a lot, a lot of them come back like this. And I think that  
15 one might have went all the way back. But there was a -- and the  
16 crane would be, like, right here, but -- and the house is here.

17 But a lot of them -- I think this -- I'm not sure if this one  
18 here -- yeah, it did come off. That's right. He had all that  
19 crap off of there. And I believe there was -- this was solid up  
20 here that -- but this stuff, this piece right here, he took that  
21 off, and I believe it might have been in two pieces. But it was a  
22 -- we brought it out to -- he started out at his dad's last spring  
23 out in their yard. He had a -- they live out on Spruce Cape out  
24 there and they have an acre out there, and they had a -- he had a  
25 little corner that he brought that stuff in. Glenn Dick brought

1 it out with his crane truck from Arc-n-Spark.

2 Q. So these pots here, is it -- is there a step-up on the main  
3 deck, or are they just -- stack another row up here?

4 A. There is -- like, if you look at the bow, straight down at  
5 it, I think that came like this. And this was up. And you could  
6 go underneath it. So I think there's probably pots underneath  
7 there, and then there's an area right in here for the bait and all  
8 that stuff underneath there. And I believe that that -- you know,  
9 the crane is right here. And I think that crane used to sit right  
10 up on top. They'd let you have an area to set it down up there,  
11 but -- and there's a cradle for it. But those pots would -- I'm  
12 not, and I'm not sure how many, if it was two that they could put  
13 up there or three or what, you know. But they -- you know, we  
14 used to slide a couple underneath along some of the other boats.  
15 But pretty sure that had like, maybe even there was a hatch right  
16 here with a ladder that went straight down.

17 Q. Okay. All right, thank you.

18 A. And then there was another door to get a hatch in here to get  
19 up into the forepeak. Most of the guys have their freezers up in  
20 here. So I never really even went up forward. You know, whenever  
21 I went on that boat, I went aboard the boat, in the door and up  
22 the full ship with Gary. And I've been in the wheelhouse, his  
23 stateroom and then the galley. So other than, other than that, I  
24 never really wandered around the boat before. It's like --

25 Q. Yeah, well, it's more than I've been on it. I mean, that's

1 good. Yeah.

2 A. It's a freaking boat, you know? I mean, I've been on a  
3 shitload of them and kind of knew what was -- I don't need to go  
4 look at every freaking -- how everybody's stuff is laid out.

5 Q. Do you remember where the accommodation, where the bunkrooms  
6 were?

7 A. Down below. And he -- there was a -- his stateroom was up on  
8 this level here. And the other -- all the crew stayed down below  
9 here, and I'm not sure exactly what the layout was. But I know  
10 that in the galley, looking straight down, say this is the -- this  
11 is inside the house right here. The door came in right here.  
12 There was a door coming in here. Door coming in here. And I'm  
13 not sure. We'd go -- came in. There was, I think, a little  
14 companionway. Come in this way. There was a door going down into  
15 the engine room here. And there was a galley over here. And  
16 there was -- this is, like, kitchen type galley. This is where  
17 you sat. There's table and chairs and stuff was here. So I'm  
18 guessing that the guys were -- I don't know how these were all set  
19 up, but could go right up the stairs right here to go up to where  
20 Gary's was. And his stateroom was up on the upper level.

21 Q. Just his alone?

22 A. I'm not positive. I can't remember that. There might have  
23 been one on each side. I just don't remember. I know he had --  
24 his stateroom was big. It had a big -- it was as big as this  
25 room, I believe, and then it had its own head and had -- there was



1 an area. I think he had -- I thought there was a hot tub or  
2 something up in there. It was nice.

3 Q. So traditionally on these boats, would the engineer sleep  
4 closest to the engine room or what?

5 A. Sometimes. Some of -- a lot of times too, the engineer's is  
6 up on the same level as the captain's. And I'm thinking that  
7 might be the case with this one. I don't know. I really don't --  
8 I just, like I said, didn't pay a whole lot of attention to how  
9 the boat was laid out. I know it was clean and all that before --  
10 and that's the kind of guys that I fish with, were -- you know,  
11 most of the time. So it was almost kind of just -- never really  
12 pay attention to it, you know? The ones that I did pay attention  
13 to were the guys that were sloppy, were sloppy, you know. So --

14 Q. Understand that I'm not that familiar with this fishery, but  
15 I understand, you know, chopping ice is extremely physical, labor-  
16 intensive job. No one likes doing it.

17 A. Yeah.

18 Q. But it's a job that is done frequently. Can you put how  
19 often a season does it, does it take place?

20 A. There was some years that we didn't do it at all and some  
21 years that were just like, Jesus, why are we here? We're doing  
22 this bullshit again, you know, where you beat ice for 3 or 4 hours  
23 and then you got to haul gear for an hour or two, and then you got  
24 to beat ice for a couple more hours. And so sometimes, it's just  
25 like, just seems like your entire day is just beating ice and

1 shoveling that crap back over the side. And then you got to go  
2 and haul gear for a little bit longer and then -- that really  
3 wears a guy out.

4 Q. You said traditionally you're beating ice more on a smaller  
5 vessel than a bigger vessel or --

6 A. No.

7 Q. No?

8 A. It doesn't have any freaking -- it doesn't discriminate on  
9 size. No. So when it's --

10 Q. If you're the captain of a bigger vessel, you're still --

11 A. Absolutely.

12 Q. -- doing it.

13 A. Yeah.

14 Q. Would certain captains be hesitant about sending their crew  
15 out there, if they were overworking them and they needed their  
16 rest or --

17 A. No.

18 Q. No?

19 A. I never seen that. They were just, like, there was many a  
20 time when I used to say, god, I don't want to go out there in that  
21 shit. And they'd say, you know, I don't want to send you out  
22 there in that shit, but we have to. You got to go. It's like, it  
23 is what it is. And I'm sure all those guys understood the  
24 situation.

25 MR. BARNUM: Okay. Great. That's all I have for now.

1 Lieutenant?

2 LT READY: Yeah, just a couple more questions.

3 BY LT READY:

4 Q. We know, with the stack they had on the *Scandies Rose*, there  
5 was no alleyway. There was no easy way to get forward to check  
6 the bow, check for ice and that sort of thing.

7 A. Oh, there wasn't?

8 Q. No. Would that concern you at all, being a senior, you know,  
9 experienced deckhand? Have you, have you been on boats where  
10 there was no alleyway?

11 A. Yeah. I have. There was -- it just surprised me with that  
12 size that there wasn't, but yeah. No. No, I've been on them  
13 both, you know. Either way. There was an alleyway, and  
14 sometimes, you know, if there was a possible way to stack them  
15 where you could leave one, most of the guys would. But if the  
16 pots fit right down in there perfect, why bring those -- that  
17 leaves -- puts more weight lower, you know. So yeah, no, going  
18 over the top of the stack was no big deal.

19 Q. Would you be able to go over the top of the stack in the  
20 prevailing conditions that the *Scandies Rose* was experiencing?

21 A. Absolutely. Absolutely, yeah. I've been over the top of the  
22 stack in 30-foot seas before. Because we got to --

23 Q. You think Gary would have -- go ahead.

24 A. It would just -- you got to, you know, got to do what you got  
25 to do, you know? And that was just, like, you have to get up

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1 there to go dump the damn things. And I've been, you know, I've  
2 been on the things where you have to beat the web so you can grab  
3 a hold of it on your hands and knees, you know, and have a place  
4 to stick your feet. Break ice so you can have a place to grab --  
5 get your fingers into and hang on as you're going across. But  
6 once the first guy goes, you've got a little path, you know, so --

7 Q. Was it common practice to go forward and check the amount of  
8 ice you were, you were building in the bow area? Had you been on  
9 boats where that's a common practice, you know, at the end of your  
10 round or something or --

11 A. You pretty much could see what's going on. There's, you know  
12 -- if it, if it starts to be a concern, you know it from --  
13 without having to go up there.

14 Q. From the bridge, you'd be able to determine if it was an  
15 issue. Okay.

16 A. Yeah. Absolutely. Yeah.

17 Q. Do you think Gary would have any hesitation in sending one of  
18 his guys up?

19 A. No. No. I mean, if he was concerned about -- it would have  
20 been not one of those guys. It's, hey, guys, get your shit on and  
21 start breaking this stuff off.

22 Q. Right. Regardless of the weather conditions.

23 A. Yeah. It just is what it is. You know, I mean, nobody wants  
24 to die. That's not the whole deal. It's like, guys, it's -- and  
25 it's not -- it wouldn't have been a, could you guys please? It'd

1 be, get your shit on and get out there, you know. This is not a  
2 request. This is an order. Get this -- get that crap off of  
3 here.

4 Q. Right. We've had, you know, interviews with people who've  
5 done work on the boat, yourself and your wife. Is there anyone  
6 either in town or out of town that you can think of that would  
7 have intimate knowledge of the vessel that we should talk to?

8 A. Not right offhand. This guy called me -- I do a lot of work  
9 with Sully and those guys out in Paradigm. You know, you know  
10 those guys, I'm sure. In fact, Russell's grabbing me some stuff  
11 out of Middle Bay right now. And we -- I went and got the *Ocean*  
12 *Liberty* in Petersburg. I had -- I can't remember what happened,  
13 but the -- Naki (ph.) and those guys had to fly back out of there.  
14 And we -- this guy Greg Alexander was on there. And he called me,  
15 and he said that he ran that boat before, but I don't remember  
16 when. But the guy is a bit of a pompous ass. If you meet him,  
17 he's just -- but I can let you listen to his -- where the hell is  
18 it? That's one step I need -- to his message, if you want.

19 Q. That'd be great.

20 RECORDING: Hello, Gary. Hey, this is Greg Alexander. We  
21 sailed together 2 years ago on Sully's boat there. Hey, buddy, I  
22 really want to say I'm so sorry about this terrible, terrible  
23 tragedy. And it's just -- I've just been sick over it, and I'm so  
24 sorry.

25 I wanted to tell you, you know, I used to run that boat, and

1 Gary was one of my very, very best friends. We fished around each  
2 other and communicated with each other for many, many years in the  
3 Bering Sea. He was one of my fishing partners. I know -- and I,  
4 and I worked for Dan Mattsen too. Both him and Dan, first-class  
5 people with the boat. Always keeping it up, everything. And I  
6 know what a, what a stellar job that Gary always did, and Dan too,  
7 his partner, managing partner. But set all that aside, I mean, I  
8 -- shit. I admired Gary so much and his safety record,  
9 everything.

10 The reason why I'm calling, Gary, is Channel 2 news. I do  
11 not know how they got ahold of me, but I got a call from an Aubrey  
12 something, one of the newspaper guys in Anchorage. I live down in  
13 Arizona, and I'm down here right now. And I made one comment, and  
14 that was that, you know, thank God that the two guys were rescued.  
15 You're truly blessed. I thank God (indiscernible) hours in there.  
16 May peace be with you. That's my post. That's the only post I've  
17 made. And I'm watching all the stupid shit that some people are  
18 posting, and people are speculating and all this other stuff. But  
19 I didn't want to answer Anchorage, Alaska channel -- the newspaper  
20 there. I have not talked with them. They've left two messages  
21 wanting to ask me questions about Gary. And the only thing I  
22 can --

23 (End of playback.)

24 MR. KNAGIN: Basically he just goes on and on about the  
25 freaking news now. So anyway, you get the gist of the -- I was

1 actually surprised that -- I've never really heard Gary mention  
2 Greg's name, and now he's his best friend. But you know --

3 BY LT READY:

4 Q. Do you have his phone number?

5 A. It's got to be on here, would be my guess. Yeah. So yeah, I  
6 guess if I have his name, it must be -- here it is. Yeah. There  
7 it is right there.

8 Q. 360-801-6172. Okay, and that's Greg Alexander. And when you  
9 say Sully's boat, which boat?

10 A. The *Ocean Liberty*.

11 Q. *Ocean Liberty*.

12 A. The one that's sitting out in Dutch.

13 Q. Yep.

14 A. Yeah. Yeah, I went down there and helped bring it from  
15 Petersburg to --

16 Q. Got you. You work on *Sea Strike*?

17 A. No, I've --

18 Q. I think I ran into you on there once. When you came in, I  
19 thought you looked familiar.

20 A. Perhaps. Maybe we went, maybe we went to Port Bailey  
21 together or something.

22 Q. Wasn't that.

23 A. Yeah, there could have been -- or maybe when what's-his-name  
24 was driving it for the first time.

25 Q. No, I wasn't there for that. No.

1 A. There was -- I'm standing here up in the wheelhouse and I  
2 looked -- I was standing behind everybody watching, and he was --  
3 I could see he was getting pretty nervous about just getting into  
4 Dog Bay, and I went, ah, ah, ah, ah, ah. He just -- because he's  
5 just freaking -- I know his heart just jumped right up in his  
6 throat, you know.

7 Q. That's not an easy bay to get into there. It's a tight turn  
8 in a bigger boat, but --

9 A. Yeah. Well, I mean, it's just, it's a boat. It's a good-  
10 sized boat like that. It was just like -- it's the first time he  
11 ever put it in the water after Sully got it. He never really  
12 drove it before and moved it over, and he wanted me to help him  
13 move it. He called me up, and I went down there. And I jump in,  
14 and he threw it in the water, you know, and I was messing around  
15 with the lines and stuff. And then Sully's voice comes over on  
16 the loud hailer and he says, get up here. And I was like, yeah,  
17 okay. So I come up there and like, what's going on? And he goes,  
18 well, those guys can handle those lines; I'm just worried about  
19 driving this thing. I never drove anything this big before. And  
20 I started laughing. I said, okay, Sully, you got this. Don't  
21 worry.

22 Q. Yeah. Excellent.

23 A. So he just wanted to -- he said, just push me out of the way  
24 if I start fucking up.

25 Q. So you had, you had Greg Alexander. Anyone else you can



1 think of to talk to? Prior crew members, prior engineers?

2 A. I don't really -- didn't really pay that much attention to  
3 what Gary's -- you know? Because I had my stuff going on, and we  
4 -- you know, I never told him who my crew members were and he  
5 never really -- we never really talked about who crew members  
6 were, so --

7 Q. Right. Okay. Obviously not having the boat to be able to  
8 look at right now, the more information on the condition we can  
9 get. So as you're going, as you're talking to people, I'm sure,  
10 going through Gary's things, whatever it might be, if you do come  
11 across individuals you think we should talk to or --

12 A. Absolutely.

13 Q. -- any documentation, definitely please get it to us. That'd  
14 be, that'd be fantastic. Definitely be a big help. Do you know  
15 of any documentation Gary had on the boat? Drawings, plans?  
16 Yeah.

17 A. No idea. If he did, I would venture to -- anything that  
18 wasn't on the boat would be at his house.

19 Q. Okay. Okay, I don't know how that process will work with the  
20 family.

21 A. Right. And I have --

22 Q. But we're certainly interested as it comes up.

23 A. I don't know who would be -- I only went over there a couple  
24 of times with Gerry, mostly. I've been over there a couple times  
25 with him, but -- just him and I. But other than that, I didn't

1 really -- he stayed with us a couple of times when he was having  
2 trouble with a girl, you know, that was staying at his house  
3 and --

4 Q. I know -- and some family members are coming into town. You  
5 think Dillon and Jenny will be the ones going through his things  
6 or --

7 A. I don't know that that's the case. Maybe -- I don't know if  
8 Eric still lives there. Barbie would probably be a good one to  
9 talk to on that as far as finding stuff in the house. That's his  
10 daughter. Yeah, so --

11 Q. And we did mention that to Gerry as well. And if we can make  
12 sure that gets passed along to anyone as they're going through, if  
13 things seem to be --

14 A. Sure.

15 Q. -- of interest, to please get them over to us. Just a couple  
16 more questions. Gary ever talk about the yard work that was done  
17 down in Washington?

18 A. No.

19 Q. No? Never talked about the --

20 A. Nothing.

21 Q. -- good quality of the work they do or --

22 A. No, I would imagine that they'd have -- you know, they  
23 weren't going to be -- wouldn't get some schmoe off the street to  
24 do their stuff.

25 Q. Okay. He ever talk about the stability that was recently

1 done on the vessel?

2 A. No.

3 Q. Any conversations regarding that? Okay. Gary ever talk  
4 about his stability book and his process for loading --

5 A. No.

6 Q. -- the conditions? Okay. Excellent.

7 A. No, just seemed like it was something that we just kind of  
8 took for granted, you know? Just like --

9 LT READY: Okay. Bart, throw it over to you one more time.  
10 Anything come up with those?

11 MR. BARNUM: No follow-ups on that. Thank you very much. I  
12 appreciate it. And sorry for everything you've gone through and  
13 are dealing with. Appreciate you coming in.

14 MR. KNAGIN: Yeah. I appreciate it. Thank you.

15 LT READY: Mike, did you have anything?

16 MR. BARCOTT: No, I don't have anything. Gary, thank you  
17 very much.

18 MR. KNAGIN: Certainly.

19 LT READY: Gary, one last opportunity before we stop the  
20 recorders here. Anything else you think we should have discussed  
21 here today?

22 MR. KNAGIN: Not that I'm aware of right now. No, so --

23 LT READY: And again, if something comes up, you walk out of  
24 here, lightbulb goes off --

25 MR. KNAGIN: Absolutely.

1           LT READY:  -- wake up at 3 o'clock in the morning, have an  
2   epiphany of some kind, or like I said, come across something or  
3   somebody we should talk to, please get it across to us.

4           MR. KNAGIN:  Sure.  Absolutely.

5           LT READY:  The more information we can get, even if it, if it  
6   doesn't seem like it would be that valuable, the more we can  
7   compile, the better kind of story we can tell and come up with  
8   what might have happened, so --

9           MR. KNAGIN:  Yeah.  I know he did -- any kind of, like, when  
10   he ever had, ever had anything real heavy to move and stuff like  
11   that, Arc-n-Spark did it for him.  So they might have some kind of  
12   insight.  I don't know.  You know, and I'm not sure how much  
13   welding they've done for him, but it would just make sense that he  
14   would have them do anything in here in Kodiak, so --

15          LT READY:  Okay.  This last job was Highmark.  Any idea why  
16   he went with Highmark for this job?

17          MR. KNAGIN:  No idea.  Maybe Glenn was too busy.  Or -- yeah,  
18   I don't know.

19          LT READY:  Okay.  No, that's helpful.  We'll definitely reach  
20   out.

21          Okay, well, that concludes our interview.  I'm going to go  
22   ahead and stop the recorders.  Time on deck is 10:59.

23          (Whereupon, at 10:59 a.m., the interview was concluded.)  
24  
25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

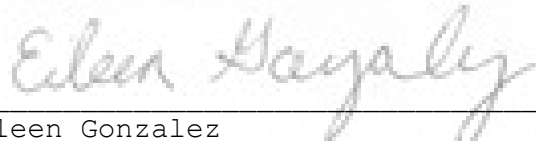
IN THE MATTER OF:           CAPSIZING AND SINKING OF THE  
                                      F/V *SCANDIES ROSE* NEAR SUTWIK  
                                      ISLAND, ALASKA, DECEMBER 31, 2019  
                                      Interview of Gary Knagin

ACCIDENT NO.:               DCA20FM009

PLACE:                       Kodiak, Alaska

DATE:                         January 5, 2020

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.



Eileen Gonzalez  
Transcriber

Free State Reporting, Inc.  
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UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

CAPSIZING AND SINKING OF THE \*

F/V *SCANDIES ROSE* NEAR SUTWIK \*

ISLAND, ALASKA, DECEMBER 31, 2019 \*

\*

\* \* \* \* \*

Accident No.: DCA20FM009

Interview of: GELIA COOPER  
Vessel Manager

Monday,  
January 6, 2019

Free State Reporting, Inc.  
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APPEARANCES:

LT ANDREW READY, Investigator  
United States Coast Guard

BART BARNUM, Investigator in Charge  
National Transportation Safety Board

DAN MATTSEN, Owner  
*Scandies Rose* Fishing Company

MICHAEL BARCOTT, Attorney  
DANIEL BARCOTT, Attorney  
Holmes, Weddle & Barcott  
(On behalf of the owners of the *Scandies Rose*)

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I N T E R V I E W

(1:03 p.m.)

LT READY: This is Lieutenant Andrew Ready, U.S. Coast Guard, Marine Safety Detachment Kodiak. It is January 6, 2020. The time on deck is 1303. This interview is part of the investigation into the sinking of the *Scandies Rose* on 31 December 2019. We'll just go around the room and do introductions.

MR. BARNUM: Bart Barnum, NTSB, Office of Marine Safety.  
It's Barnum, B-a-r-n-u-m.

MR. BARCOTT: Yeah. Mike Barcott and Daniel Barcott, representing the owners of the *Scandies Rose*, parties in interest.

MS. COOPER: Gelia Cooper, vessel manager for *Scandies Rose*, work for Mattsen Management. My name is spelled G-e-l-i-a, Cooper, C-o-o-p-e-r.

LT READY: Thank you, Gelia. And do we have your permission to be recording this interview?

MS. COOPER: You do.

LT READY: Excellent. Thank you very much.

INTERVIEW OF GELIA COOPER

BY LT READY:

Q. So, just to start, could you give us just a little bit of your background, you know, where you got up, how you became involved in the marine industry?

A. Yes. Years ago, I worked in Dutch Harbor and have known Dan on and off since '84. And 8 years ago, I moved into the area and

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1 that summer worked on the *Scandies Rose* for tendering and did the  
2 next 3 years. When I came back, moved into assistant and then  
3 vessel manager for Mattsen Management. So I've been working with  
4 Dan for the last 8 years and with the *Scandies* for the last 8  
5 years.

6 Q. How did you end up out in Dutch Harbor?

7 A. Oh, my goodness. I was kind of a gypsy in my 20s, and I  
8 ended up in Seattle with no money and had to find a job. And Dan  
9 got me one with UniSea.

10 Q. And UniSea is?

11 A. Oh, sorry. UniSea Seafoods is one of the seafood companies  
12 in Dutch Harbor.

13 Q. Okay. So what were you doing for them?

14 A. On the barge there, I was on the deck and then the deck  
15 foreman for them for a year.

16 Q. Okay. Any kind of formal training for those jobs or for  
17 working on board the vessels?

18 A. Formal training, no.

19 Q. Okay. More so just an on-the-job training?

20 A. Correct.

21 Q. Okay.

22 A. Then working with, you know, my boss, too.

23 Q. Right.

24 A. And then as long as he has.

25 Q. Okay. So then you went, you went from that job working on

1 the barge out there, and when did you start working on the  
2 *Scandies Rose*?

3 A. Eight years ago, so I would have to do the math. That's  
4 2012, 2012.

5 Q. And what was your position on board?

6 A. Cook. Cook purser.

7 Q. Okay. And that was during tendering operations only?

8 A. Yes.

9 Q. Okay. Never any crabbing or pot work?

10 A. No.

11 Q. Okay. When you were on board the *Scandies Rose*, who else was  
12 on board for crew?

13 A. Jeepers. I did it 3 years, so Gary Cobban was captain all 3  
14 years. You want every name of -- let's see. Okay. So the  
15 engineer the first year was Colby Cassidy (ph.); Ryan Wilson was  
16 deckhand. Goodness, I would have to go back and look because I  
17 did 3 years, plus I do all the hiring, so I have a lot of names in  
18 my head.

19 Q. Okay. Yeah, if we could have any records from the hiring and  
20 people who've been on board, that would be fantastic if you could  
21 provide that.

22 A. And you're asking, been on board when I was on board only?  
23 Is that what the question is?

24 Q. If we could have like the last, what do you think, 5 years?  
25 Yeah, the last 5 years would be ideal.

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1 A. Okay.

2 Q. Excellent. Thank you very much. Anyone else besides Gary on  
3 board while you were working on board?

4 A. That's -- that when -- can you ask that question differently?

5 Q. When you were working on board the *Scandies Rose* as the cook,  
6 were any of the crewmembers on board that were, that went down on  
7 the 31st?

8 A. No.

9 Q. Okay.

10 A. Brock was.

11 Q. It was only Gary Cobban?

12 A. I'm sorry. That's not true. Brock Rainy was.

13 Q. Brock was. Okay. Okay. And as your time on board as a  
14 crewmember, can you give some detail to what kind of captain Gary  
15 was?

16 A. Yeah. He was a great captain. He actually is pretty -- I  
17 was surprised at how safety conscious he was because he knew that  
18 I had zero experience on board. So he was adamant about me  
19 learning all that I could. He gave us a Rules of the Road that I  
20 was expected to read and make sure he -- I could answer questions  
21 and had to do the -- getting in my survival suit a couple times  
22 because the first time I ever did it, I was not very good at it.

23 I obviously am not a fisherman and haven't been in the  
24 industry, so he seemed like a more than -- I mean a great captain.  
25 He kept watches. He was clear about what our instructions were

1 when we were on wheel watch. Geez, I don't know. I really can't  
2 say anything except he had really bad humor. But other than that,  
3 he was on top of making sure that we knew what we were to be doing  
4 and where we were to be and all of that. I felt incredibly safe.

5 Q. Did you ever run into any bad weather when you were a  
6 crewmember on board?

7 A. Coming across one time, we did. It was pretty -- I was, it  
8 was he and I up in the wheelhouse, and we were going over some  
9 pretty good waves. Yes.

10 Q. And any remembrance to what the conditions were and where you  
11 guys were transiting?

12 A. I don't because it was the first year and the whole thing was  
13 a new experience to me. But I do remember that we were -- he  
14 said, we're, we're turning a corner, and that was somewhere near  
15 Falstaff, but I can't tell you where. And yeah, I doubt -- no, I  
16 can't.

17 Q. Okay. Do you ever remember the *Scandies Rose*, whether, when  
18 you were on board or working for Mattsen Management -- do you ever  
19 remember the *Scandies Rose* not getting underway either due to  
20 weather conditions or due to any structural concerns or equipment  
21 concerns on board?

22 A. When I was on board, I don't remember any weather, but it was  
23 also June, July and August. I'm trying to remember. I don't  
24 remember anything structurally. I'm trying to think about --  
25 sometimes refrigeration causes a little bit more time because

1 that's a pretty intense refrigeration system. But I don't  
2 remember anything actually stopping us from going.

3 Q. Understood.

4 A. So I'm going to say no, to the best of my recollection.

5 Q. Okay. Can you kind of talk me through your transition from  
6 being a crewmember on the *Scandies Rose* and then what your next  
7 position was?

8 A. Yes. So I -- when I moved into the area, which was 8 years  
9 ago, and started working for Dan, at first I was working -- he had  
10 different companies that deal with the fishing industry. So I was  
11 basically administration assistant for those companies and helping  
12 out in the shipyard running, shagging carts, that sort of thing.

13 From there it was after the second summer that I went on the  
14 *Scandies*, I believe, having worked for Dan, that he offered the  
15 title of vessel manager and hired me full-time to step into the  
16 administrative part of the vessel management and still help in the  
17 same capacity in shipyards. And pretty much, you know, make sure  
18 the cogs are turning and things, parts are moving, and people were  
19 getting what they need and all of that.

20 Q. And what are those other companies you were discussing that  
21 Dan Mattsen owns?

22 A. They're just, they're -- well we -- he owns into two more  
23 boats, and then he has a quota company and then Mattsen fisheries,  
24 which is a company he had first started, I think, a while back as,  
25 I don't know what it's called, a push through company. I don't

1 know. I don't, I don't really know what he calls it. But the  
2 Mattsen Fisheries. We have New Venture, Alaska Challenger. We  
3 had the Amatuli and then it got sold to Ocean Beauty.

4 Q. Understood. But you --

5 A. And DRM, DRM Quotas, which is the quota company that he  
6 created.

7 Q. Could you spell that, please?

8 A. DRM Quotas.

9 Q. Is that B-R-N?

10 A. No. Delta, Romeo, Michael.

11 Q. Excellent.

12 A. Okay.

13 Q. Thank you very much. Could you talk me through what your  
14 specific role is as the vessel manager? You know, what your day  
15 to day looks like, what your week to week, you know, especially as  
16 it pertains to getting the *Scandies Rose* ready for a trip?

17 A. Yes. So I gather information. Gary, the captain, before  
18 they would come off of each -- last fishing trip, he would be  
19 recording some of the things that he wanted looked at or  
20 addressed. We would be creating a shipyard list to make sure that  
21 we have it all, because sometimes once shipyard happens, things  
22 get forgotten. So I would be gathering that information, putting  
23 it together, making sure that everybody down here -- we had a port  
24 engineer, make sure he was, had all that he needed.

25 I do the hiring. I'm involved in purchasing parts and, you

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1 know, retrieving parts. It's really hard because every day is  
2 different, so it's hard to kind of put it in one concise, clean,  
3 lineage kind of way. But that's the gist of it.

4 Q. Oh, I understand that aspect of a job, for sure. You  
5 mentioned the shipyard list. How did that process work?

6 A. We really would literally get an email first from Gary saying  
7 here's what I think. It would come down to us. We would look at  
8 it and prioritize. So the *Scandies* would go into a spring  
9 shipyard and then a fall shipyard, every year that I've been  
10 involved with it. So some of the things that aren't needed for  
11 salmon tendering but are needed for crab fishing, you know, those  
12 items would be pushed to the fall. Anything that was structural  
13 related or engine related, or obviously refrigeration, circulation  
14 and electronics we would prioritize that. Start getting the  
15 vendors together. If we needed to haul out, we would be working  
16 on getting, you know, a spot there. And then we would go into  
17 shipyard with vendors ready and move forward.

18 Q. From those shipyard lists in the last 5 years or so, do you  
19 remember any major structural repairs that were conducted?

20 A. I mean, major structural repairs being --

21 Q. Any --

22 A. I know the one that you guys know about. Are we talking -- I  
23 don't --

24 Q. Yeah. Any work to the hull, any steel work?

25 A. We had -- so the -- gosh, when was that? We did have some

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1 work done where the pots haul up, I think they all -- it might be  
2 six. I don't remember. I wasn't in this position at this time,  
3 but I was helping out. They had to do some work there, and then  
4 it was painted, and it's been, it's been sounded since. We did  
5 have the one overboard chute removed and then the overboard chute  
6 at the pot launcher fixed down here. And then of course, Gary saw  
7 that it was not done correctly, and so we had it fixed again by  
8 Cooper up there in Kodiak. And I apologize. I'm just trying to  
9 run through my head.

10 Q. No, I understand. It's a lot of information and you have a  
11 lot going on in your day-to-day. It's hard to, you know, pull  
12 this on recall. If you could provide those emails and the  
13 finalized shipyard lists for the last 5 years of the vessel as  
14 well, that would be extremely helpful.

15 A. Yes, and actually I've already -- we're on that.

16 Q. Excellent.

17 A. Mike has already asked me for those.

18 Q. Great. Thank you very much. So you're saying you were in  
19 charge of the hiring process. How much, how much interaction did  
20 you have with the crewmembers on board?

21 A. The five that went down, I've had -- well four that went  
22 down, I've had a tremendous amount of interaction. Seth, some --  
23 obviously I hired him, and then I saw him before they went back up  
24 in Silverdale and have had him contact our boat in the past to get  
25 on the crew. And at the time, Gary thought he was still a little

1 too green, so we didn't hire him. But this year, Gary wanted to  
2 bring him on board and give him a shot, so we, so we did.

3 Q. And when you are hiring new crew on board, what, what kind of  
4 qualifications are you guys looking for?

5 A. So while I hire them, I don't -- the captain, because he's  
6 the one who has to ultimately deal with their skill level, he does  
7 the initial communication. And he'll call other skippers because  
8 he's been in the industry forever, so he knows pretty much  
9 everybody and who they've worked for.

10 He will talk with the potential crewmembers, make sure that  
11 he's checked with any of their references, not all, but the ones  
12 that he knows. And then he'll pass them my way. And then I go  
13 through a series of hiring processes, get an application. Then we  
14 get a criminal history, a drug test and then, and then he'll -- an  
15 I-9, and then he'll finish out the contract when they're sitting  
16 with him and the whole crew is filling that out prior to the  
17 voyage.

18 Q. Understood. So Gary essentially gets a name to you and says,  
19 hey, I want this guy, and then you are in charge of the vetting  
20 process to make sure that they meet your requirements. Is that  
21 accurate?

22 A. Well actually Gary more is responsible for the vetting. I  
23 will, if they have something serious in their background, check.  
24 Then that's a decision that we as a company make. But as far as  
25 their skill level and if they would be a fit on the crew, that's

1 more Gary's part of the process.

2 Q. Understood. Could you tell me, did you have any aspects of  
3 your job that dealt with the safety equipment on board the vessel  
4 or any crew training, any drills?

5 A. I don't do drills. Gary does that, and Gary takes care of  
6 the crew training. I do take care of all of the paperwork for  
7 the, all of the safety equipment and take it, you know -- we  
8 service the life raft. We service them every year down here with  
9 Marine Safety. And I do make sure that they have, the -- have  
10 their sticker, and when the hydrostatic release is due, we make  
11 sure that, that's been replaced.

12 Q. And do you know the last time the life raft was serviced?

13 A. I do. The -- I've got to see it in my head. The starboard I  
14 believe was done -- and I can get you this accurate information  
15 when my computer's up again.

16 Q. Okay.

17 A. The starboard was done in the, in May. Well actually it  
18 would have been certified June 1. And then we just did the port.  
19 We sent it down as soon as they got to Kodiak around the 1st of  
20 November. And it was serviced in November and then sent back up.

21 Q. Okay. And then do you know if the hydro was replaced?

22 A. It was.

23 Q. Recently?

24 A. It was in October.

25 Q. Okay. Yeah, because we saw in the last Coast Guard exam that

1 they were, they were coming due. If you could provide all that  
2 documentation from Marine Safety, as well, if we could add that to  
3 the list?

4 A. Sure.

5 Q. Excellent. And then did the *Scandies Rose* provide you with  
6 any form of like electronic ship's log or any other documentation  
7 maybe that we're missing?

8 A. No. No. He does, I mean he keeps a log, and I've seen it,  
9 but no, he doesn't, he does not provide that to us.

10 Q. Okay. And is that a paper log or an electronic log?

11 A. It's a paper log.

12 Q. And is that kept on the, on the bridge?

13 A. It is.

14 Q. Okay. So obviously one of our biggest concerns and things  
15 that we're looking into right now is the stability of the vessel.  
16 We've gone back and been tracking down, you know, fuel receipts.  
17 We had some bait receipts, some food receipts. And I know you  
18 guys are compiling a list for yourselves. Is there anything else  
19 that you can think of that may have been on board the vessel for  
20 this specific voyage in order for us to paint the clearest picture  
21 possible of, you know, what condition the boat was in from a  
22 stability standpoint?

23 A. Again, I'm not clear what you're asking. Of course, it had  
24 food, crew, fuel, oil.

25 Q. Is there any documentation for like the number of crab pots

1 he had on board, a set number? Would he have provided that to you  
2 in any form of documentation, how many crab pots specifically were  
3 on board?

4 A. He did not provide that to us.

5 Q. Okay. Okay. And it is sort of an open-ended question, and I  
6 think you've covered it all as well. What we're really trying to  
7 determine is everything that was on board the vessel, how much  
8 fuel was in their tanks, how much, you know -- what tanks were  
9 pressed up. And really, we want to know every piece of equipment,  
10 you know, how the pots were arranged. I'm just trying to think  
11 of, if you have any documentation or any communication with Gary  
12 that might lead to further information on what the condition of  
13 the boat was on the night of the 31st. If you could provide that  
14 to us -- and again, it's very open ended. I think we've covered  
15 most of the bases, but in your position as vessel manager, I  
16 didn't know if you had further insight or if there's something we  
17 were missing.

18 A. No. I don't.

19 Q. Okay.

20 A. Sorry, I just had a call. I started -- I just, I just got  
21 distracted there for a second. I don't. I know that, I know  
22 Trident was where he put the pots on, and I know that we had pots  
23 fixed at Titus (ph.). So I don't know if between those two we  
24 can -- I've been told 195, and that corresponds with what we  
25 thought he had, but I haven't -- I don't have any in writing, no,

1 for sure.

2 Q. And you've been told 195 by who?

3 A. Wouldn't you -- I'm trying to think where I got that.

4 MR. BARCOTT: She's pointing at me.

5 LT READY: For the record?

6 MS. COOPER: Yes. Mike, just tell me.

7 LT READY: Yeah. Yeah. And we have, you know, in there --  
8 they're all similar. It's from 195 to 198 are the numbers that  
9 we're hearing.

10 MS. COOPER: 198 is actually what I had initially said to  
11 Mike, and then -- it might have been Dan. But anyway, somewhere  
12 in the last couple days, I've heard 195. And so I'm, I'm now  
13 going with that number, but initially I thought it was 198, which  
14 is what we thought he had.

15 BY LT READY:

16 Q. Okay. And do you know, in your position would -- does  
17 Mattsen own all those pots? Who actually owns the pots?

18 A. *Scandies* was the fishing company that owns those pots.

19 Q Do we know how many pots they owned?

20 A. We can, we can get you that.

21 Q. Okay. Yeah, because essentially they would most likely have  
22 all their pots on deck, I mean unless they have extras in Dutch.  
23 I'm not sure.

24 A. Oh they, they did not. They have another load at Akutan, I  
25 think. But it might be in Dutch Harbor. But that, I'm not sure.

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1 Q. Okay. Okay. And that's one thing with the stability, if we  
2 can, if there is a way we can verify, maybe have somebody count  
3 the pots in Dutch Harbor, then we can get a solid number. I know  
4 it's, you know -- three pots, we're talking 800 pounds each.  
5 So -- especially stacking them up high. We're trying to count on  
6 the picture, and even that's difficult to do. So if we could add  
7 that to the list as well, that would be very helpful.

8 We understand that Gary had just bought into a larger  
9 share of the *Scandies Rose*. Were you involved in that process?  
10 Was the check sent to you, or is that straight to Dan? Or how did  
11 that process work?

12 A. It was just in the process. So it hadn't actually, it hadn't  
13 transpired. He actually -- the day before, the 29th, talked with  
14 me and said, he just sent the checks out. So it literally hasn't  
15 even -- he did not buy into it yet. It was in the process of  
16 happening.

17 Q. Okay. And has the contract for that been written?

18 A. I don't know, because that was really not -- a mess and that  
19 wasn't my purview. That's between he and John Walsh, who he was  
20 buying his part of the vessel. So I wasn't involved in that.

21 Q. Understand. And do you know if that check has been cashed?

22 A. I do not, but Mike wants to say something.

23 MR. BARCOTT: Yeah. My understanding is the paperwork had  
24 not been done on that sale yet.

25 LT READY: Okay. Understand. Has anyone been in touch with

1 John Walsh?

2 MS. COOPER: Oh yes.

3 LT READY: Okay.

4 MS. COOPER: Yeah.

5 LT READY: Any idea if he is, his intention is to cash that  
6 check or what? Is this frozen? I mean, where does the ownership  
7 of the *Scandies Rose* sit today, and where will it sit, you know,  
8 in the future? Have those questions been asked or answered?

9 MR. BARCOTT: Informally those questions have been asked.  
10 There's a different law firm that does the business work for both  
11 John and Mattsen. My understanding is that sale was not  
12 completed; the contracts weren't done. And so my understanding is  
13 it is still essentially 50.2, 30 and 19.8.

14 LT READY: Understand. Thank you, Mike.

15 MR. BARCOTT: Mm-hmm.

16 LT READY: I think that is all I have for prepared questions  
17 right now, Gelia. I greatly appreciate your time again. And I'll  
18 kick it over to Bart with the NTSB.

19 MS. COOPER: Okay.

20 MR. BARNUM: Hi there. Bart from NTSB again. Thank you.

21 BY MR. BARNUM:

22 Q. Just a follow up question. The company that did the  
23 servicing on the life rafts and the hydrostatic release, that was  
24 Marine Safety. Is that correct?

25 A. Marine Safety did the hydrostatic -- or the life raft. Gary



1 purchased the hydrostatic release up in Dutch Harbor, and I think  
2 he went to -- god, I'll have to -- I'll, I'll pull that one  
3 because I don't, I don't think he could get it at Marine Safety  
4 that's up there now. There's another company, and I don't deal  
5 with that company enough to pull it out of my head, but I  
6 definitely have the invoice.

7 Q. Okay. Kind of further on that topic of the invoices, is  
8 this, is the captain of the vessel -- what's the process if he  
9 needs something? Does he have an open account -- spending account  
10 that he can purchase items as he needs them, or does everything  
11 need to be cleared by you?

12 A. It's yes and no. Mostly gets cleared through me, but  
13 sometimes he will -- you know, we have a P.O. process and so  
14 sometimes I'll say, here take these next five P.O.s and he'll use  
15 them. All invoices run through me before they go to our  
16 bookkeeper. But mostly he would always call and say, I'm going  
17 here next, Gelia. I say, oh, great.

18 Q. Okay. So he had no, you know, vessel fund or any money on  
19 board?

20 A. No. It was all, he would go to the places where we have Net  
21 30.

22 Q. Okay. Understood. Regarding the shipyard, it sounds like  
23 you're fairly familiar with that whole process, being involved in  
24 the lists. Who is completing most of the work at the shipyard?  
25 Is it the vessel's crew or is it the yard workers?

1 A. It depends on what the, you know, it literally depends. If  
2 it's, if we have it in the yard because we have some big-ticket  
3 items then the yard crew does it. But if it's, if it's smaller  
4 items, that we can handle with our crew, or labor that we hire, we  
5 do both, then they finish it.

6 Q. Was there any big-ticket items this spring?

7 A. Well I have my shipyard list here. I will look.

8 Q. Okay. Great.

9 A. So, we had it up at Lovric's. They, so we did have a, the  
10 Lovric's crew working on all of the welding on the outside of the  
11 hull. We had it hauled out, shaft runouts were checked, port  
12 stuffing boxes, all of these were done by Lovric's.

13 The line cutters were replaced. Someone, they were pretty  
14 bent, pretty badly. Runner checked. We had -- I'm just reading  
15 through my list. Tuned up all the engines. We do that every  
16 time.

17 So, that is a big ticket but wasn't anything out of the  
18 ordinary. Oh yeah, we had a lot of work done and there wasn't  
19 much work done at Lovric Shipyard up in Anacortes.

20 Q. Is that the shipyard that the vessel goes to twice a year,  
21 every year, or do you use different --

22 A. No. And we don't, we don't go to a shipyard unless we have  
23 to haul out, otherwise we just put a boom around our boat and sit  
24 at Ocean Beauty and then do the work from the dock there.

25 Q. Okay. So, when you, when you say, it goes in the shipyard

1 twice a year, that's not hauled out every time?

2 A. Yeah. That's just my verbiage. I apologize. It gets work  
3 done on an official basis twice a year, in spring and fall. And  
4 then I use the word, haul out if it's actually being pulled from,  
5 from the water.

6 Q. Okay. Thank you for that clarification there. How many, how  
7 often is it hauled out? Is that every year or every other year on  
8 average?

9 A. We haul it out every 2 years unless we need to otherwise.  
10 But our schedule is every 2 years.

11 Q. Okay. And who sets that schedule for you?

12 A. What do you mean?

13 Q. Who determines that you do it every 2 years?

14 A. Oh, the owner, Dan. I mean that's just our schedule. We  
15 just do it, all the boats he owns gets hauled out every 2 years.

16 Q. Okay. It's not a requirement or regulation? It's just  
17 something that he wants to do.

18 A. Correct.

19 Q. Okay. Understood. For those 2-year, that 2-year interval  
20 haul-out, what kind of work typical is done on the hull plating in  
21 particular?

22 A. Well we paint it. You know, we, that's the main, not the  
23 main reason but that's why we get, make sure it comes out every 2  
24 years, so it has a fresh coat of paint every 2 years. And, gosh  
25 I'm trying to remember when we had it sounded.

1 Oh yeah, yeah, yeah. We also put things (ph.), of course.  
2 We do the shaft run out every 2 years, which I had mentioned that  
3 happened this year up at Lovric. And those are just absolutely  
4 every time it gets hauled out.

5 Q. Okay.

6 A. And then anything else that needs to happen, you know, we'll  
7 take, we're under there looking and so at that point we can adjust  
8 anything we did or didn't know about.

9 Q. Understood. Is, how often would you say that some hull  
10 plating would need to be replaced from wastage?

11 A. I don't know.

12 MR. MATTSSEN: Yeah, this is Dan Mattsen. I'm one of the  
13 partners on the boat. The only time we've had to replace any hull  
14 plating was over the sewage tank, which is on the starboard aft  
15 quarter, and we replaced that probably 8 years ago.

16 And other than that, the we audio gauge the hull and I've  
17 never had to replace any shelf plating.

18 MR. BARNUM: Okay. Thank you, Mr. Mattsen.

19 MR. MATTSSEN: I just, I just arrived by the way. I just, I  
20 was out at a meeting with another person. And just got back here.  
21 So, I haven't been listening in, but I just heard the conversation  
22 and interjected myself. I will let Gelia have her interview.

23 MR. BARNUM: No, that's perfectly okay. It might be -- if  
24 you can answer it better than her, that's great. What I was kind  
25 of getting at is I was curious about how you gauged if the hull

1 plating needed to be replaced. And you were talking -- you did  
2 some thickness testing, is that correct?

3 MR. MATTSSEN: The audio gauging, did you get the name of the  
4 company?

5 MS. COOPER: I did.

6 MR. MATTSSEN: Was it Hill?

7 MS. COOPER: Steven Hill (ph.).

8 MR. MATTSSEN: Steven Hill?

9 MS. COOPER: Yeah.

10 MR. MATTSSEN: Who does the, you know, audio gauging. And so,  
11 he just went over and did a couple hundred points on the hull.

12 MS. COOPER: And we have that.

13 MR. MATTSSEN: Yeah. And we have that. But yeah, it was, you  
14 know, there was -- the sewage tank was definitely necessary to  
15 replace, but we had to get in there and fix the sewage tank. But  
16 that's been the only real problem with the boat.

17 And it's never been, it's never been repeated, nor should it  
18 ever be repeated because we construct it and an internal sewage  
19 tank that was inside the existing space. So it's smaller but it  
20 was, it would never actually get sewage on the, on the shelf  
21 plating because it was in a separate tank inside.

22 MR. BARNUM: Okay. Understand. Thank you. So, is it safe  
23 to say the time since you've owned the vessel, the only hull  
24 repair, replacement of material you've had to do was on that black  
25 water sewage tank?

1 MR. MATTSSEN: That and then the discharge chute that we just  
2 did this last year, which I'm Gelia mentioned. That actually, you  
3 know, does impact the hull. It cuts through a void on the  
4 starboard side and that was repaired actually twice this last  
5 year.

6 MR. BARNUM: Okay. Yeah. Yeah, and we spoke to Highmark  
7 that did that repair up here in Kodiak. So, and my understanding  
8 that repair initially was done in the shipyard at Lovric and they  
9 used underwater epoxy. Is that correct?

10 MS. COOPER: No.

11 MR. MATTSSEN: No.

12 MS. COOPER: No.

13 MR. MATTSSEN: It was in the weld repair.

14 MR. BARNUM: Okay. A weld repair.

15 MS. COOPER: (indiscernible). So, what happened was, it  
16 wasn't done at Lovric. It was done down at Ocean Beauty, and when  
17 Gary saw that it was compromised, they put the epoxy until they  
18 could get it back to Kodiak and get it fixed properly.

19 So, the crew of the *Scandies*, all of that epoxy was done by  
20 them.

21 MR. BARNUM: Okay. And the initial repair was done at Ocean  
22 Beauty?

23 MS. COOPER: By a welding vendor.

24 MR. MATTSSEN: By a welding vendor. Yes. Don't get Ocean  
25 Beauty involved here. That was just the place where we were

1 docked at the time. We hired a vendor. They did it. There was  
2 evidently some porosity to the welds. And the *Scandies Rose* crew  
3 used the marine epoxy to seal it temporarily, and then we had it  
4 repaired correctly by Highmark Marine in Kodiak.

5 MR. BARNUM: Okay. Thank you, Mr. Mattsen. While I have you  
6 on the phone, one clarifying thing that we're trying to get to the  
7 bottom was, was that starboard void, the actual hatch to that  
8 space that led into the engine room, was there an actual hatch  
9 that could be bolted closed or dogged shut on that, on that, or  
10 was it open?

11 MR. MATTSSEN: Bolted closed.

12 MR. BARNUM: Okay. Thank you for that.

13 MR. MATTSSEN: But the -- of course, I don't know if it was  
14 actually on there and bolted, but I assume it was.

15 MR. BARNUM: Okay. Thank you. Another one for you Dan,  
16 sorry, as -- while I've got you on the phone instead of having to  
17 do a follow up, but the engine room ventilation, where was that  
18 and how was it? Was it fans or just louvers? Where was the  
19 ventilation from the outside to the engine room?

20 MR. MATTSSEN: The fans went up each, there was a trunk inside  
21 the watertight door on each side of the entrance to the wheel, to  
22 the house to where the galley is. And there was a trunk that then  
23 ran up behind the wheelhouse doors, underneath the stairs by the  
24 wheelhouse doors where the vents were. But within that trunk  
25 there was a fan, you know, an electric photo fan that moved air.

1 MR. BARNUM: Okay. Great. And what was the diameter of that  
2 trunk?

3 MR. MATTSSEN: I couldn't tell, to be honest, I couldn't tell  
4 you. I might be able to find that information if we, if we are  
5 given a little bit of time to call somebody.

6 MR. BARNUM: Yeah. That would be great. I'm just trying to  
7 figure out the down flooding in that and then how quickly water  
8 could come, get down in the engine room.

9 MR. MATTSSEN: Yeah. Yeah. Well if the boat laid over, you  
10 would certainly have down flooding.

11 MR. BARNUM: Through those vents, right? Are the only two  
12 points to get into the innards of the ship?

13 MR. MATTSSEN: I believe so.

14 MR. BARNUM: Okay. Thank you. I just have one more question  
15 kind of going back to the shipyard, probably better to go to  
16 Gelia. Maybe Dan can mention. I was just curious, what's the  
17 typical cost for that biennial haul out of the vessel? Is there  
18 an average?

19 MS. COOPER: You got it.

20 MR. MATTSSEN: Probably \$150,000 to \$200,000 a year.

21 MR. BARNUM: And that goes -- is that total or just to the  
22 shipyard, or the shipyard plus vendors?

23 MR. MATTSSEN: No, just for the shipyard it's about \$60,000,  
24 \$70,000. And then whatever else we're doing. You know, sometimes  
25 these things go up to \$350,000 to \$400,000. But I'd say that just



1 an average biennial maintenance, the shipyard would be \$150,000.

2 Obviously, if you're going to replace a generator or  
3 something like that, that's \$70,000 to \$80,000 of its own. But  
4 like over the last -- let me see, not this last shipyard, but two  
5 shipyards before we rebuilt the main engine each time, and those  
6 are \$125,000 a piece. So it kind of depends on the work order,  
7 but if you just put in \$150,000 to \$200,000 annually, that would  
8 be I think fairly accurate.

9 MR. BARNUM: Okay. Great. Understood. And the reason that  
10 waste chute wasn't repaired in the spring shipyard while it was  
11 hauled out -- it wasn't noticed, or why wasn't it done then?

12 MS. COOPER: It was.

13 MR. MATTSSEN: It was, but it wasn't done before it was hauled  
14 out.

15 MR. BARNUM: Okay.

16 MR. MATTSSEN: Because we were just -- we had a lot of work,  
17 preliminary work before we had our date at the shipyard. So it  
18 was haul, it was just repaired at the dock, because it's well  
19 above the waterline. And there was, there was no issues there.  
20 The issue was just that, probably the weld should have been dye  
21 checked at that time. But you know, obviously that didn't cause  
22 the problem that occurred on December 31.

23 You know, it's just that there was -- Gary noticed that there  
24 was some bleed-through on the welds and that they weren't -- they  
25 didn't have complete integrity, so wanted to have it repaired

1 again, and I agreed 100 percent.

2 MR. BARNUM: Right. Okay. Thank you for that clarification  
3 and explaining that again to us. Thank you. That's all the  
4 questions I have right now. I'm going to pass it back to  
5 Lieutenant Ready. Thank you.

6 LT READY: Yes. Lieutenant Ready, U.S. Coast Guard.

7 BY LT READY:

8 Q. We keep talking about these dockside periods down at Ocean  
9 Beauty. Is that Ocean Beauty in Seattle?

10 A. Yeah.

11 Q. Okay. Do you guys have a primary vendor that you went  
12 through or just kind of whoever was around, got bids from  
13 different companies?

14 A. Or well, I mean, we -- for welding, we have a couple vendors  
15 that we work with, and sometimes it's just who's available.

16 LT READY: Understood.

17 MR. MATTSSEN: But it depends on, kind of depends on the  
18 springtime, you know, springtime activities. Yeah. It will pick  
19 up very strongly. So sometimes, you know, your preferred vendor  
20 might not be available.

21 LT READY: Okay. Yep. Understand.

22 BY LT READY:

23 Q. Now how does the process work, if you could talk me through  
24 it, you know, either using the discharge chute or the sewage  
25 repair, just how does that process work in terms of identifying

1 it, deciding whether or not you actually make the repair and then  
2 contacting vendors? Kind of who has the authority to get work  
3 done on the vessel, and who's making those decisions?

4 A. So again, it starts with Gary, and he's the one who sent down  
5 that list that they wanted the aft chute removed and the front  
6 chute needed to be repaired. Then when I get that list, then I  
7 give it to Dan, and he then gives the final okay. And then we  
8 start securing vendors.

9 Q. Have any repairs or safety equipment ever been denied by the  
10 company that have been requested by Gary?

11 A. Not any safety equipment that I know of for sure. Not any  
12 big structural repairs, but there have -- like if it's something  
13 that's for the fishing davit perhaps, just as an example, that we  
14 don't use during tendering, but we would use come crab season,  
15 then we have that scheduled for the fall. Those kinds of things,  
16 those kinds of decisions get made, but no, obviously if he's  
17 sending something saying, this is a structural or a safety issue,  
18 then we fix it.

19 Q. Going back to the audio gauging that Steven Hill conducted,  
20 you said he took a couple hundred shots. Was that specific to the  
21 sewage tank, or what was his goal?

22 A. No. The sewage tank was 8 years ago, which is why I didn't  
23 know about it. And this was just audio gauge because I think --  
24 because it was time, right?

25 MR. MATTSSEN: No. Just because I wanted to know what shape

1 the hull was in. All my boats are getting older so we, I think  
2 we've audio gauged every boat we own just as part of general  
3 knowledge, which is --

4 LT READY: Understood.

5 MR. MATTSSEN: -- to see if we have any problems.

6 LT READY: And do you have any kind of audio gauging  
7 schedule? Like when was the last audio gauge before Steven Hill  
8 gauged the vessel?

9 MR. MATTSSEN: On the *Scandies Rose*?

10 LT READY: Correct.

11 MR. MATTSSEN: I have no idea.

12 LT READY: Okay.

13 MR. MATTSSEN: Absolutely no idea.

14 LT READY: Right.

15 MR. MATTSSEN: I mean as far as I know, it was the first time  
16 that the hull was audio gauged.

17 LT READY: And is that what triggered you to have the audio  
18 gauging done?

19 MR. MATTSSEN: The sewage tank, because the sewage tank was --  
20 we had to replace that steel. I just thought it was prudent to  
21 check the other tanks.

22 LT READY: Okay. Were there any specific areas where Steven  
23 Hill was focusing his gauging, or was it for a general overview of  
24 the vessel?

25 MR. MATTSSEN: I think he was over the entire vessel. The

1 things I was most concerned with were the ballast tanks, other  
2 than the sewage tank, because it's one thing if you've got oil in  
3 a tank, it's much less likely to have any kind of interior  
4 corrosion. If you have water in it, you do have the possibility  
5 of rust developing. So that's why. But we did an entire, the  
6 entire hull.

7 LT READY: Understood. Yes, so we asked for the shipyard  
8 list, as well as that UT report would be, would be very helpful.  
9 For the both of you, Dan and Gelia, during this interview, do you  
10 feel like there's anything that we did not ask you, or any further  
11 information you think we should know?

12 MR. MATTSSEN: Boy, I don't, I don't know. I mean just feel  
13 free to call. Or ask -- or call Mike Barcott and have him relay  
14 any questions. I'd be happy to talk to you at any time, if  
15 anything comes up. But I'm not sure -- aware of any, anything  
16 that hasn't been asked.

17 LT READY: Okay. Gelia, do you think anything in the purview  
18 of your job and your involvement with the *Scandies Rose* -- is  
19 there anything we didn't discuss today that you think would be  
20 beneficial to our investigation?

21 MS. COOPER: Not that I can think of right now. But I echo  
22 Dan in that feel free to contact Mike. He's been sending me lists  
23 that you guys have been sending him, and we're compiling as  
24 quickly we can and getting them back to you, so --

25 LT READY: Excellent. I understand. I know we're asking you

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1 for a lot all at once. If we could get a status update at some  
2 point today on where we are with that list, and maybe just put it  
3 all in one spot, so everyone is aware of, you know, what's been  
4 requested and where we are in the process of compiling that  
5 information. That'd be, that'd be greatly appreciated.

6 MR. BARCOTT: So today's going to be a little difficult. I'm  
7 going to be, after this interview, getting on a ferry and won't be  
8 back to my office maybe even tonight. But we can do that tomorrow  
9 morning.

10 LT READY: That sounds great. Thank you very much, Mike.  
11 I'll kick it over to Bart again for follow up questions if he has  
12 any.

13 MR. BARNUM: Yeah, so one question. I was looking at a --  
14 this is Bart, NTSB, Gelia -- a receipt from, for the *Scandies Rose*  
15 of some meat purchased in Seattle. How was -- how did that --  
16 that was December 10, I believe. How did that get to the *Scandies*  
17 up here like on Kodiak?

18 MS. COOPER: I sent it via Stan (ph.) Alaska from down here  
19 up to there, so that when it was time, they put the meat on board  
20 and head out.

21 MR. BARNUM: Okay. I'm sorry. I'm not familiar with that  
22 company.

23 MS. COOPER: Oh we -- a barge. I sent it by a barge.

24 MR. BARNUM: Okay. Great. Thank you. And Dan, if you're  
25 still there, the Amatuli -- oh, you took a different route than

1 the route the *Scandies Rose* took, correct?

2 MR. MATTSSEN: Yes, I did.

3 MR. BARNUM: And why was that? Why was the reason you went  
4 the southern way?

5 MR. MATTSSEN: The reason why was because I missed the tide.  
6 To get through Whale Pass, you have to leave at a certain stage of  
7 the tide. If you generally leave at the bottom of the tide or  
8 within an hour past the bottom of the tide in Kodiak city or  
9 Kodiak town, you can make it through Whale Pass.

10 But Whale Pass has very strong currents. And just last  
11 minute, you know, the last-minute items piled up, and I didn't  
12 feel like I would be able to get through Whale Pass and I'd end up  
13 having to wait another 6 to 12 hours. So I decided to head around  
14 Chiniak and go down the eastside. And that's really the only  
15 reason. It wasn't, it wasn't weather routing or anything like  
16 that. It was just missed one tide, and I still felt the weather  
17 was kind of good enough for me to start my trip.

18 MR. BARNUM: Understood. Thank you for that information,  
19 very much. And how many pots were you carrying?

20 MR. MATTSSEN: I'm carrying none. We were going out there to  
21 tender, so all I had was a fish pump and dewater box, sorting  
22 table, a weigh box, conveyor. It was all, you know, mostly  
23 aluminum construction and not nearly -- it wasn't nearly the same  
24 load that a crabber would have.

25 MR. BARNUM: Understood. Sure. Thank you. That's all I

1 have. Thank you very much.

2 MR. MATTSSEN: You're welcome.

3 LT READY: All right. Again, I'll open it up to the group,  
4 if anybody has anything to add for this interview, anything we did  
5 not cover.

6 MR. BARCOTT: Yeah. This is Mike Barcott. I've got nothing  
7 to add, no other questions.

8 LT READY: Okay. At this time, we are concluding the  
9 interview. It is 1356.

10 (Whereupon, 1:56 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:           CAPSIZING AND SINKING OF THE  
                                      F/V *SCANDIES ROSE* NEAR SUTWIK  
                                      ISLAND, ALASKA, DECEMBER 31, 2019  
                                      Interview of Gelia Cooper

ACCIDENT NO.:               DCA20FM009

PLACE:                        Kodiak, Alaska

DATE:                         January 6, 2020

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.



Romona Phillips  
Transcriber

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UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

CAPSIZING AND SINKING OF THE \*

F/V *SCANDIES ROSE* NEAR SUTWIK \* Accident No.: DCA20FM009

ISLAND, ALASKA, DECEMBER 31, 2019 \*

\*

\* \* \* \* \*

Interview of: GERRY COBBAN KNAGIN

Sister of *Scandies Rose* Captain

Marine Safety Detachment  
Kodiak, Alaska

Sunday,  
January 5, 2020

Free State Reporting, Inc.  
(410) 974-0947

APPEARANCES:

LT ANDREW READY, Investigator  
United States Coast Guard

BART BARNUM, Investigator in Charge  
National Transportation Safety Board

MICHAEL BARCOTT, Attorney  
Holmes, Weddle & Barcott  
(On behalf of the owners of the *Scandies Rose*)

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I N T E R V I E W

LT READY: Okay, this is Lieutenant Andrew Ready, Marine Safety Detachment Kodiak, investigating officer. Today is January 5, 2020. We are here at Marine Safety Detachment Kodiak conducting an interview in relation to the sinking of the *Scandies* Rose on 31 December 2019. We'll just go around the room really quick and introduce everybody who is present for this interview. We also have someone calling in on the phone.

MR. BARNUM: Good morning, Gerry. This is Bart Barnum with the NTSB, Office of Marine Safety. It's Barnum, B-a-r-n-u-m.

MS. COBBAN KNAGIN: Okay. And I'm Gerry Cobban Knagin from the Cobban family.

LT READY: And Gerry, do we have your permission to be recording this phone -- this interview?

MS. COBBAN KNAGIN: Absolutely. Yes.

LT READY: Thank you. And go ahead, Mike.

MR. BARCOTT: And this is Mike Barcott. I'm the attorney for the vessel owner.

LT READY: Excellent.

MS. COBBAN KNAGIN: Excuse me, Mike. May I have your contact information, please?

MR. BARCOTT: Absolutely. The phone -- let me give you both my cell phone and my office phone. Office is (206) 292-8008. My cell phone is (206) 353-5440.

MS. COBBAN KNAGIN: 5440? Got it. Thank you.

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1 MR. BARCOTT: You're very welcome.

2 INTERVIEW OF GERRY COBBAN KNAGIN

3 BY LT READY:

4 Q. All right, we can just start off, Gerry, with -- just give an  
5 overview of your relationship with the *Scandies Rose*.

6 A. My relationship with the *Scandies Rose* is that -- began when  
7 my brother started running the vessel. He ran the *New Venture*  
8 before that and --

9 Q. And who is your brother?

10 A. Gary Cobban. Gary D. Cobban, Jr. Yeah, thanks.

11 Q. No problem.

12 A. When he started running the *Scandies Rose* and then, you know,  
13 all the years that he ran it, we had lots of conversations about  
14 it. I was on board the vessel a few times here in town and in  
15 Seattle, mostly in the wheelhouse, downstairs a little bit.  
16 Didn't go in the engine room. I didn't have any reason to go down  
17 there.

18 Q. Okay. And can you give us a little of your family's history,  
19 both you and Gary, kind of where you guys grew up and --

20 A. So yeah, we were both born in Seldovia. Dad was raised in  
21 Seward; Mom was raised in Seldovia. Dad started fishing when he  
22 was 8 or 9 years old. Mom was fishing. Junior started fishing  
23 early on. He was on the vessel with -- on the *Jerry D* with my  
24 dad. We were only 15 months apart in age, and so we were always  
25 around the boats and always around fishing. Grandparents fished.

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1 Always helping with the gear work. Junior was doing lots of gear  
2 work during his life out in our yard, you know, in the family yard  
3 or at my house or whatever, with his -- him and his kids. And  
4 then he started -- I know he ran the *Jerry D* for my dad. He  
5 worked for my dad and he ran the *Jerry D* for a few years off and  
6 on. And then they also ran -- he ran the *Ocean Challenger* and the  
7 *Rebel* and the *New Venture* and the *Scandies Rose*. And I know he  
8 ran a couple other vessels in between. I can't -- I don't recall  
9 all of them. Those are the major ones. Okay?

10 Q. Then can you talk a little more about his history, his work  
11 history? Like, when specifically did he start fishing? Did he do  
12 any other jobs? Was he always a captain? Did he, kind of, start  
13 as a deckhand?

14 A. Right. Yeah, he started out as a deckhand, and then he moved  
15 to relief skipper, and then from that he moved to skippering. And  
16 I know that he started skippering vessels about the age of 20 or  
17 21. I thought it was 19, but I could be wrong on that. So right  
18 in that age, 19 to 21. And I know that he did a season on the  
19 back deck the very first year that *Deadliest Catch* started. He  
20 was on the deck of one of the vessels. The *Sea Star*? I can't  
21 remember the name. And that vessel ended up being, like, a camera  
22 boat for the other vessels. And he was on the deck of that for  
23 one season, and that was probably during the years when the *Rebel*  
24 was purchased in the government buyback and then until he secured  
25 a skipper position.

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1           So other than that, my knowledge, he's been in the  
2 wheelhouse, which -- we've had lots of conversations about that,  
3 and he talked about -- one time he was going through something,  
4 and he was like, I just don't know what else I would ever do in my  
5 life. What am I qualified to do? And I'm like, well, let me see.  
6 You know how to weld and you know how to do mechanics and you know  
7 how to paint and you know how to organize things. So there's life  
8 outside of being a skipper.

9   Q.   When did that conversation occur?

10   A.   In -- let me think. One, two -- 2007 or 2008. Because I was  
11 living -- I'm just -- yeah, that's my timeframe. Yeah.

12   Q.   And that -- how did that conversation come about, just for --

13   A.   I had gone through -- I was living in Washington and I had  
14 gone through a major split-up with a man that I was with and had  
15 moved back into my own house. And we were discussing why was I  
16 still living in Washington with four horses and 10 acres and not  
17 being with the family and had no family members around. And did I  
18 see myself teaching the rest of my life? And I said, well, what  
19 would you do if you weren't fishing?

20   Q.   Okay, so it wasn't necessarily him saying he wanted to get  
21 out of the profession. It was the matter of --

22   A.   Right, right. It was a matter of, what would you do? If you  
23 weren't fishing -- because there's going to come a day, dear  
24 brother, when you're going to be too old to fish. Although my dad  
25 still ran a boat at 76 years old, it wasn't crab fishing in the

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1 Bering Sea, you know? He was running a tender, which -- seems  
2 like that's a little bit easier. But still, like, what are you  
3 planning for your life after fishing? Where are your finances?  
4 Where is this? Where's your mindset? All of that kind of stuff.

5 Q. Could you kind of describe his mindset and how he felt about  
6 fishing and the business and the *Scandies Rose*, kind of, in the  
7 year leading up to this trip?

8 A. He absolutely loved fishing. Because like I said, we had  
9 that conversation and he couldn't see himself doing anything  
10 different. And I had to actually talk him into, like, what else  
11 he could do if he wasn't fishing. Because he couldn't see himself  
12 off the boat. He loved getting the *Scandies Rose*. He loved being  
13 on it.

14 The last conversation we had is the day he left. We were at  
15 his house. And he mentioned that he was buying into the,  
16 buying -- to increase his percentage of ownership of the *Scandies*  
17 *Rose*, and what his plan was for the *Scandies Rose* and himself  
18 within the next 5 years. So he had long-range plans and goals.

19 Q. All right. Could you give us a little detail on those plans?  
20 Did he, did he go into detail?

21 A. He did. He said, I just sent a check for \$57,000 down to  
22 purchase more interest into the *Scandies Rose*. I'm working with  
23 Bristol Bay Native Corporation. We want to buy Dan Mattsen out so  
24 that the boat is mine.

25 Q. Was there a reason for wanting to buy Dan Mattsen out?

1 A. Said he wanted complete control. He wanted to be able to  
2 make all the decisions. He's getting to the point in life  
3 where -- excuse me, Mike. He was tired of dealing with the --  
4 Dan.

5 Q. Could you describe that relationship a little further?

6 A. Well, I don't believe that Gary got the things that he wanted  
7 for the boat in the way that he wanted them. It seemed to me --  
8 and I'm only on -- I only have Gary's side, right? It seems to me  
9 that he did not -- it was a continuous argument. It was a  
10 continuous, we need this because of this and this and this. No,  
11 you don't understand. This will make it easier for us to fish.  
12 This will make our fishing faster. This will make it better. So  
13 it was a constant -- I never -- I wish I would have heard the  
14 words, him saying, hey, you know what? I went and asked Dan for a  
15 new coffeepot and Dan said yes. That's just an example. I mean,  
16 that's a minor example. But it never happened that way. It was  
17 always a heated discussion, and oftentimes Junior didn't win.

18 Q. Do you have specific items that they were --

19 A. I know I'm shaking my head, because I was trying to remember  
20 what it was. I know he had conversations with me about gear  
21 issues. I don't recall specifics about things.

22 Q. During that last conversation, was there any talk of the  
23 weather, of getting underway, specifics of the trip?

24 A. No. No, because you know, it's just more like, hey, call me  
25 when you get to Dutch. We weren't -- we're always aware of the

1 weather, but he, again, is always aware of where he can get in for  
2 safety. When I got the call that night that said he called --  
3 made a mayday call that said they were taking on water and  
4 abandoning ship, I was like, what? What the heck? Because it was  
5 just, like, no way, you know. So weather conditions change.

6 Although my husband and I, when we left -- we went down to  
7 dinner. And we were coming back home and we were kind of looking  
8 out at the weather and whatnot, and my husband said, man, I bet  
9 your brother's just getting his ass kicked out there. And I said,  
10 yeah, but he's a big boat and he knows what he's doing, and he's  
11 going to be okay. And usually the conversation is the other way  
12 around. He's usually reassuring me that everything's going to be  
13 okay. Yeah. So no, we didn't talk about the weather. Go ahead.

14 Q. No, please, go.

15 A. So actually, in the last couple of years, my brother and I's  
16 conversations and relationship has been -- let me just put this on  
17 the table. It's kind of like Nancy Pelosi and Donald Trump, so --  
18 except that we didn't hate each other. So we were at odds. And  
19 we were at odds about family issues and nothing to do with his job  
20 or my job, except that every once in a while that came in where I  
21 was like, don't you order me around like you're ordering your crew  
22 around, because this isn't a vessel and whatnot.

23 But that -- and so the conversation that we had on the 30th  
24 was not at all like that. It was friendly, happy, upbeat,  
25 smiling. And I was relieved, because when I was taking his -- he

1 wasn't here for Christmas, but I was taking his Christmas present  
2 over there. I was just like, I'm walking to the door and going,  
3 oh my god, let's not argue, please. Let's don't argue. Let's get  
4 past that. And we didn't, and it was awesome. I was -- I'm  
5 really happy with that. Yeah.

6 Q. Could you talk through Gary's approach as a captain to  
7 getting underway and preparing his boat, talking to his crew? Did  
8 you have much interaction there? Did he ever discuss --

9 A. Well, usual typical captain stuff. That effing crew didn't  
10 get this done. That effing crew didn't get that done. I'm  
11 pulling my hair out trying to get them going because I want to get  
12 underway. That was it. Yeah.

13 Q. Any idea, you know, what technology or app he used to check  
14 and monitor weather? Did you ever talk to him about -- I know you  
15 said you didn't talk to the weather -- about the weather on that  
16 specific trip, but --

17 A. No. No, I know he had, he had things on board the boat. And  
18 I know that throughout the years, there was some times when I got  
19 in touch with him and he would say, yeah, I printed out the  
20 weather report. So he had a way of getting the weather and the  
21 weather report there, so --

22 Q. Now kind of going back to the relationship with Mr. Dan  
23 Mattsen, have you ever met Mr. Mattsen before or seen the two of  
24 them together?

25 A. I've met Dan before. I've never seen him and Gary before.

1   Yeah.

2   Q.   Okay.  Besides what you discussed earlier with, you know,  
3   difficulty getting equipment and that -- take that out of the  
4   picture.  How would you describe their relationship?

5   A.   I don't know.

6   Q.   Okay.  Could you talk me through -- obviously you knew David  
7   well.  But just kind of the -- we'll just go one crewmember at a  
8   time.  Can you kind of talk through a little bit of David's  
9   history, where he grew up, experience fishing?

10   A.   Yeah.  David was -- he grew up here in Kodiak, so he grew up  
11   with the fishing family.  He fished with his dad, and he also did  
12   some time on the *New Venture*.  Carl Hahn (ph.), I think, might  
13   have been his skipper, and maybe Petey Wilson (ph.) too.  He  
14   worked with them.  He tended with them.  He might have done cod  
15   with them, but for the most part, he did crabbing and whatnot with  
16   his dad on the boat.  And David didn't, David didn't talk much  
17   about his life on the boat.  When my dad was passing away this  
18   last June, David was at the house, and he came in and he went in  
19   to talk to my dad.  And my dad said the words to David, I know  
20   your dad is really hard on you just like I was hard on him, but  
21   it's because he wants you to be a better fisherman than he is,  
22   just like he is a better fisherman that I am.

23           So we know that Gary Jr. was harder on David than he was on  
24   any other crewmember.  And I remember saying one time, just a  
25   brief conversation with Junior, in all my frustration, saying,

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1 hey, dude, slack off on David. Goodness. He's not drinking to  
2 excess, he's not doing drugs, he's never been in jail. So what if  
3 he doesn't have a car? So what if he doesn't have a driver's  
4 license? So this was a few years ago, because he does now. But  
5 jeez, back up on him. Yeah, I just want him to do better in life.  
6 That was that.

7 Q. Any conversations with David before they got underway for  
8 this trip?

9 A. We had some there at Christmas. He came to Christmas dinner.  
10 He was busy. I invited him to come down. We always participate  
11 in the holiday lights, and he came down last year. Of course, we  
12 decorated the day after my mom passed last year. And we -- he's  
13 always been involved in all of that stuff. And when I talked with  
14 him about coming down and, you know, did he have some time, and he  
15 said, no, I'm really busy getting the boat ready to go. And I  
16 said, okay, David, well, you know, keep in touch and have a good  
17 trip. And that was the last conversation we had.

18 Q. Any conversations with either David or Gary about the actual  
19 condition of the boat?

20 A. The conversations that I've had with Gary about the boat, he  
21 mentioned just the frustrations that he had when he was crab  
22 fishing. And he would call in, and he said there was an issue  
23 with the crab chute. There was an issue with taking on water  
24 through that crab chute, and they needed to get that fixed, that  
25 the water was going into the void. There was an issue with -- on

1 the starboard side that the hull -- they had some difficulties  
2 with the hull and they had to put a patch in on the hull. Their  
3 crane broke. The motor on the crane broke. They were having to  
4 push pots around by hand. That sort of stuff needed to be fixed.  
5 Those sorts of frustrations.

6 Q. That patch on the starboard side, was that the crab chute or  
7 a separate --

8 A. Separate.

9 Q. Separate.

10 A. My understanding is that it was separate, that the crab --  
11 that there were two issues. And that was a question I had. Were  
12 there really two issues, or was it all the same issue? Because  
13 I've heard both.

14 Q. Okay. Do you remember -- and you've heard both from Gary and  
15 David, or from someone --

16 A. Just from Gary. David never talked about anything like that.

17 Q. Okay. Do you remember when that conversation was, about the  
18 separate -- the starboard side patch, not the crab chute.

19 A. Right. Because the *Scandies* went to the shipyard. The  
20 *Scandies*, he took the *Scandies* down to the shipyard and then he  
21 ran the *New Venture*, and that was just this spring.

22 Q. Right. And when you say "the shipyard," the shipyard in  
23 Washington, not dockside here.

24 A. Yeah. Yeah. Yeah. Yeah.

25 Q. Okay. Did you know any of the other crewmembers well on

1 board?

2 A. No, I met Brock a few times, just down -- just when I'd stop  
3 down at the dock. And then he'd say hey and, you know, that sort  
4 of stuff. I didn't really know him very well. I knew that David  
5 would say, me and Brock went to dinner; me and Brock went here.  
6 Because David was down at the shipyard 1 year for quite a while,  
7 and he hung out with Brock for quite a bit. So his name came up  
8 quite a bit. We were shooting pool over here, or he took me to  
9 this place I'd never been to. That's all. And I didn't know any  
10 of the rest of them.

11 Q. In conversations with Gary or David, anything stick out about  
12 their relationship with any of the crewmembers?

13 A. No. No. Except Gary frequently uttered what I would  
14 consider the standard captain's utterances towards his crew.  
15 Dang, I wish they'd, you know, move faster, do this, remember what  
16 I told them, do it the right way when they're working on gear or  
17 stuff like that, so --

18 Q. In regards to the crab chute and the starboard side patch,  
19 did he mention any difficulty in conversations with Dan Mattsen  
20 with being able to get those fixed?

21 A. No. Because he -- and he said they have to be fixed for us  
22 to go fishing, or we can't go.

23 Q. Okay. Leading up to this trip, I know you were saying he had  
24 just sent a check down there, buying more shares. Any idea how  
25 the, how the business was going, what Gary's financial situation



1 was?

2 A. No. Because I was -- when he said, I sent 57,000 down, I  
3 went, wow. Because he hasn't received the life insurance money  
4 from our parents' estate yet. And so if he had 57,000 to send  
5 down, then he was doing pretty good when he -- since he just took  
6 a trip to Hawaii, took three other people with him and paid for  
7 everything. So that's the first time that I have heard him not  
8 complain about not having money.

9 Q. When did that change happen? So he was complaining about  
10 money. When did he --

11 A. Just December 30.

12 Q. Okay. So prior to that conversation, was he having some  
13 financial issues?

14 A. He always complained about financial issues. Always  
15 complained about it. I don't have enough money for this. I don't  
16 have enough money for that.

17 Q. Did it ever impact the *Scandies Rose* and their ability to go  
18 fish or --

19 A. No. No. It only impacted what he felt he was able to take  
20 care of at the house and the people that he felt he needed to take  
21 care of.

22 Q. Okay. And you said he took three people to Hawaii with him.  
23 Who'd he, who'd he take on that trip?

24 A. Debbie O'Neil (ph.).

25 Q. Who is?

1 A. Crazy ex-girlfriend. She lived with him for quite a few  
2 years, and then they split up 3 or 4 years ago. And she lives in  
3 Juneau now. And he took her and her son, Dillon (ph.) O'Neil.  
4 And Dillon lives in Kodiak and lives in the house with Gary's son  
5 Eric. Gary, David and Eric and Dillon all live together in the  
6 house. And so Gary was like Dillon's dad. And then he also took  
7 their daughter, Jenny. Jenny O'Neil. Debbie's daughter, Jenny  
8 O'Neil. They left the day after Thanksgiving and they were in  
9 Hawaii for up to 8 days, I think.

10 Q. Okay. And are Dillon and Jenny Gary's children?

11 A. No. No. They're Debbie's children.

12 Q. Any idea the dates of that vacation?

13 A. So he left Kodiak the day after Thanksgiving, which was  
14 the -- was that the 28th of November? 28th or 29th of --  
15 somewhere in there.

16 Q. Day after, though?

17 A. Yeah. Day after Thanksgiving. And of course he had to fly  
18 to Anchorage and fly to Seattle, and then they went to Hawaii. So  
19 that's all I know, is when he left Kodiak. But that's where he  
20 was headed, was right directly to Hawaii.

21 Q. Okay. And do you know how long they stayed there for?

22 A. 8 or 9 days. 8 days. Yeah.

23 Q. Any idea how long the *Scandies Rose* was in port? Like, when  
24 they returned from the drydock in Washington and came into Kodiak?

25 A. Well, yeah. They came to Kodiak in June, because then they

1 tended in the -- they tended in Bristol Bay this summer. And they  
2 tended in -- on the Kodiak Island area. So I'm going to just talk  
3 out loud here, because I'm getting back to those dates.

4 Q. No, that's -- if you want to put your calendar out too --

5 A. Yeah. Dad passed on June 29. And let me go find June here.  
6 So here's the 29th. Dad passed. Junior was at the Y in Naknek on  
7 June 29. And he had been there for 24, maybe 48 hours. It's a  
8 little fuzzy right there because I was 24/7 with Dad. It was just  
9 my sister and I. And it was very intense, and we were at home,  
10 not in the hospital. And Junior had left. So I know it takes him  
11 3½, 4 days to get there. So he must have left Kodiak 21st, 22nd  
12 of June to get to the Y in Naknek to do his Bristol Bay tendering  
13 with the *Scandies Rose*. So I'm not -- I don't remember exactly  
14 when he left Seattle and when he got to Kodiak with the *Scandies*,  
15 but it had to -- he had to have arrived here in Kodiak with the  
16 *Scandies* somewhere between the 14th and 20th of June, because he  
17 was only here -- you know, he would come in and say, I'm only here  
18 for 24 hours, and be here for 3 days. Yeah.

19 Q. So *Scandies* came in, in that June timeframe. Were they in  
20 port until the boat got back underway --

21 A. Yes.

22 Q. -- for this trip?

23 A. Yeah. They were tied up over at -- think they were tied up  
24 over at Trident dock. Yeah.

25 Q. For that entire period?

1 A. Right. Right. And then he went and he did the Bristol Bay  
2 thing. And they came back mid-July. And they were here. They  
3 were tending here in the Kodiak Island area until their charter --  
4 until they went off charter, which was somewhere around the end of  
5 August. Because they were on charter for quite a long time  
6 with -- and then the boat, the vessel stayed here in port through  
7 September. Our parents' celebration of life was October 4, and  
8 the vessel was still here in town. So they left town somewhere  
9 around the 7th or 8th or 9th of October to get to Dutch to start  
10 their king crab season. And then once king crab was over -- under  
11 that picture of the *Scandies* in the channel with all the pots on  
12 board, he had -- this one. Right. This picture was taken when he  
13 was coming into port here November 1. November 2. And this  
14 picture, I was like, well, how many pots do you have on board?  
15 And he told me that he had 195 pots on board in that picture.

16 Q. Is that pretty typical for when you've seen the boat with  
17 pots on board?

18 A. No. I've never seen it with these pots. He's never come to  
19 Kodiak that I've seen with these pots on board. He's come to  
20 Kodiak with pots on board, but a much smaller load. And so I know  
21 I asked the question, wow, why'd you bring all your pots to town?  
22 Why did you -- you know. And I don't know that I ever got an  
23 answer, other than, they were on the boat and we didn't want to  
24 drop them off in Dutch. We had work to do on them; may as well do  
25 it here.

1 Q. Okay. You said he was on charter. Who was that with?

2 A. *Ocean Beauty*. Yeah.

3 Q. And how was their tendering season? They have a good summer?

4 A. They were fantastic. They had a great summer. No issues  
5 that I know of with the vessel. Even during the summertime, I had  
6 a flood of fishermen getting in touch with me that were saying,  
7 holy cow, he's just like your dad. Excellent tenderman. Seeing  
8 to all of our needs, taking care of everything, fast, efficient,  
9 polite, friendly. It's the best tender we've had since the  
10 *Lucrative* went off charter.

11 Q. They mention any issues that summer?

12 A. I didn't hear of any issues. Yeah.

13 Q. In your conversations with Gary and David and anyone else  
14 involved with the vessel, can you see any reason for Gary wanting  
15 to get to Dutch Harbor by a certain date?

16 A. Just that it was time to get going with *opilio*. And I  
17 thought he, I thought he left late. You know, he left on the  
18 30th. Usually he leaves the 27th or 28th. So I didn't think  
19 anything -- I didn't feel that he was rushed or pushing it or any  
20 of that sort. He was leaving on his normal timeframe. And you  
21 know, they usually left before New Year's.

22 Q. And no idea why it got pushed back?

23 A. No. Well, yeah. I do have an idea why it pushed back.  
24 Because he didn't arrive to Kodiak until the -- when did he get  
25 here? He got here either the 26th or 27th that he flew in,

1 because he wasn't here for Christmas. He was in Washington for  
2 Christmas.

3 Q. And do you know where he was in Washington or what he was  
4 doing?

5 A. He actually -- I just heard from his daughter, Brandy (ph.).  
6 And she let me know that he had Christmas morning with her at her  
7 house in Auburn. And that was because -- and it was such a  
8 standout because that was the very first Christmas she ever spent  
9 with her dad.

10 Q. And Brandy lives in --

11 A. Auburn.

12 Q. In Auburn. How many kids does Gary have?

13 A. He has -- well, he had four. Now he has three. Yeah. And  
14 two stepchildren.

15 Q. And the stepchildren are --

16 A. Dillon and Jenny.

17 Q. -- Dillon and Jenny. And then Brandy is his daughter,  
18 David's his son --

19 A. Barbara. Barbara's his daughter. So in order, they go  
20 Brandy, Barbara, David, Eric.

21 Q. Okay. And where are they all living now?

22 A. Barbara and Eric are in Kodiak. And Brandy Fisch (ph.) lives  
23 in Auburn.

24 Q. I know you mentioned the family was having some issues and  
25 some strife. Could you give us some details to maybe how that was

1 impacting Gary and what was happening within the family? I know  
2 it might be difficult to talk to, but it might help us to  
3 understand more Gary's, you know, state of mind and --

4 A. Right.

5 Q. -- what was impacting him.

6 A. So the -- Mom died December 14, 2018. Gary and Mom were  
7 extremely tight, extremely close, as was David with Mom. It was  
8 the big family joke that they were her favorites, that if Dad died  
9 before she did, Gary and David would get everything and the rest  
10 of us would get nothing. You know, so it was -- and then Mom  
11 passed, and then we all -- we were all right there. And he had a  
12 lot of difficulty, as we all did. But she died December 14. He  
13 packed up the boat as normal, and he went out and he went opilio  
14 fishing. And when he finished with opilio fishing, he took the  
15 *Scandies* down and -- or did he take it down, or did somebody else  
16 run it down there for him? I'm unclear about that now that I  
17 think about it, because then he took the *New Venture* out for blue  
18 crab.

19 And honestly, I think -- and I accused him of this. I think  
20 that he was doing that because he was avoiding coming to town and  
21 he was avoiding a memorial service for Mom. We had one set for on  
22 Mom's birthday, and he didn't make it because, can't be helped;  
23 I'm fishing. It can't be helped; I was out. So I think he was  
24 avoiding it. And then he stayed out there till May. He was in  
25 town to see Dad. And then he left just a couple days before Dad

1 passed. And I got on his case about that and said, why are you  
2 leaving? You can get somebody else to run this flipping boat up  
3 to Naknek for you. You can be here with us. And we had a big row  
4 about that, because he said, there's nobody that can run this boat  
5 but me, and I'm irreplaceable. And I was like, bullshit.  
6 Everybody can be replaced. You know, you can get another skipper.  
7 You can be here with us, with the family. And I don't think he  
8 wanted to be. I think it was a classic avoidance. It was the  
9 classic -- in our family, when things would start going, Mom and I  
10 would start bickering or there would be a family battle, my dad  
11 would put his hat on, get his shoes and coat, and say, I'm going  
12 to the boat. You know, they didn't deal with situations. They  
13 dealt with it by avoiding it. So I think he just, he used the  
14 boat.

15 And the biggest argument that we had was the date of our  
16 parents' memorial service, which was October 4. And that was an  
17 ongoing raging battle because king crab opens October 15, and that  
18 we girls had no idea, and we were asking him to miss his king crab  
19 season. And it just went on and on and on. And I'm just like,  
20 oh, you're just full of shit, you know. And he was basically --  
21 he was avoiding having to attend a memorial service. And then as  
22 it turned out, he was in town for it. And they stayed in town for  
23 a couple more days and they still made their king crab season  
24 without any difficulty.

25 And if we want to talk about that maybe he was a little bit

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1 down because his parents died, I agree. He was. Absolutely. We  
2 all were. It's an unavoidable thing. What I didn't see him do, I  
3 didn't see him fall into excessive, extensive use of drugs and  
4 alcohol. I didn't -- when I saw him in person, he didn't have  
5 that overwhelming stench rolling off of him that somebody who's  
6 been drinking for a long time and drinking heavily has about them.  
7 He didn't have that, which I thought was good.

8 Q. Did he have a history of drug and alcohol use?

9 A. He had some time periods in his life when he drank more than  
10 he should.

11 Q. In your interactions with him, were you, were you concerned  
12 with the way he was acting for his mental state?

13 A. No. No.

14 Q. Obviously understanding it's a very difficult situation to  
15 lose your parents, but was it, was it anything beyond --

16 A. No. And then he -- the only thing I was concerned about  
17 was -- so he was divorced, and then he was with Debbie for a  
18 while, and then they split up. And then he got this other gal,  
19 Jeri Lynn (ph.). And she was just as crazy as Debbie, or even  
20 crazier. And I mean -- I'm trying to be nice to these women. I'm  
21 trying to understand how they are. And then he showed up at the  
22 parents' celebration of life with a very young girlfriend that he  
23 brought up from Oregon. And he was with her. And I was just  
24 like, what are you doing? But he wasn't actually doing anything  
25 different than he had done all of his life. He was what we call a

1 roundheel, a womanizer. It didn't matter to him whether he was  
2 married or not.

3 Q. And Jeri Lynn, where does she live?

4 A. North Carolina.

5 Q. North Carolina. Any idea the woman he brought to the --

6 A. Yes, her name is Devona.

7 Q. Devona.

8 A. She's in jail.

9 Q. Okay. Here in Kodiak or --

10 A. No, in Portland.

11 Q. In Portland.

12 A. He bought her a plane ticket to go down there. He didn't go  
13 with her. He went to Seattle for Fish Expo. But I was actually  
14 in Camas, Washington over Thanksgiving, and so it was all on the  
15 news. That's the only reason I know. She went down there and  
16 kidnapped her 5-year-old daughter from the custodial parents and  
17 had the daughter at the airport ready to board the plane when the  
18 authorities caught her. And so she's in jail.

19 Q. Do you know her last name? Devona --

20 A. Starts with a C. I'm not sure.

21 Q. So you said your relationship was a little taxed in that  
22 October timeframe. Can you describe, kind of, from October up  
23 until the day they left? Any interactions you had with each  
24 other?

25 A. We didn't argue. There wasn't -- there was no argument. The

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1 celebration of life was over. Everything happened like it was  
2 supposed to. He didn't miss out on his king crab fishing. I  
3 restrained from telling him I told you so, which would have  
4 started an argument. So I didn't, I didn't say anything like  
5 that. Just kind of kept track of, you know, where he was and what  
6 he was doing and who he was hanging out with.

7 And he was busy at Fish Expo. He was down in Washington. He  
8 had time with his daughter Brandy. It sounds like he was in  
9 Juneau with Debbie, which I have to admit I was a little concerned  
10 about, because I really didn't want to see her come back into his  
11 life. Number of years ago -- I was trying to remember exactly  
12 what the date of that year was, but she got a hold of him, beat  
13 the crap out of him, and she got charged with domestic violence.  
14 Spent a couple days in jail. And he moved out of the house and  
15 moved into my house and lived with me. So it was before 2013.  
16 Yeah. Oh, it was. It was the fall of 2013. That's what it was.  
17 Because Garry and I -- my husband and I got married on December  
18 14, 2013.

19 Q. So Gary lived here in town with Dillon and David.

20 A. And Eric.

21 Q. And Eric.

22 A. And Jenny was there at the house sometimes too.

23 Q. Okay. Do you know, at the house or in town locally here, if  
24 there's any documentation on the vessel, any drawings, any plans,  
25 anything that might help us with information on the vessel

1 specifically?

2 A. I don't know. I don't know.

3 Q. Do you know anyone in town who might know or have access to  
4 Gary's things?

5 A. We have Gary's things. We have, we have a bunch of boxes of  
6 his financial records and paperwork that we had to get out of the  
7 house to keep it safe from Debbie.

8 Q. Okay. Understood. As the family is going through that, if  
9 you find anything that might be of interest to us --

10 A. Okay.

11 Q. -- either in his decision-making process or especially any  
12 vessel files or records or receipts, that kind of thing would be  
13 very, very helpful to us.

14 A. Right. Yeah.

15 Q. I'm kind of wrapping up on my prepared questions here. Is  
16 there anything that I didn't ask or we didn't discuss today that  
17 you feel is important or might be of help to the investigation?

18 A. So I know that we were taught by our parents the term -- I'm  
19 going to call it compartmentalization, okay? So like, if we're in  
20 town, we can deal with our town stuff, our family issues, husband,  
21 kids, boyfriend, girlfriend issues in town. But that when we were  
22 out on the boats and we couldn't communicate with them -- because  
23 I mean, until there's cell phones and all the satellite phones, we  
24 couldn't communicate with people. That we had to take that stuff  
25 that might have been a worry to us and put it in this little box

1 in our brain and close it up, because we needed to pay attention  
2 to the task at hand. And that was vitally important to all of us  
3 for safety issues, for, you know, everything that you need to be  
4 doing on a boat.

5 And so I know that when Jeri Lynn was getting ready to go --  
6 she was here in Kodiak, and she was getting ready to go out  
7 fishing. Gary Junior actually sent her a note, typed it up. He  
8 sent her a note about how to deal with the stuff that you couldn't  
9 get any answers to because you were out fishing. And it talked  
10 about dealing with being able to put that away in a compartment  
11 and not think about it, because it'll drive you nuts. There's  
12 nothing you can do about it. Shove it off to the side and deal  
13 with it when you get back to town, which is a difficult task for  
14 all of us. But he had a lot of years to experience that.

15 Q. All right.

16 LT READY: Gerry, thanks a lot. That's all the questions I  
17 have right now.

18 MS. COBBAN KNAGIN: Okay.

19 LT READY: I know this is really difficult to discuss, but  
20 again, all the information you're giving is extremely helpful to  
21 us putting together our investigation. I'll pass it over to Bart  
22 for questions.

23 MS. COBBAN KNAGIN: Okay.

24 MR. BARNUM: Thank you. This is Bart with the NTSB.

25 BY MR. BARNUM:

1 Q. Just a couple clarification questions I had, Gerry. So the  
2 Venture -- the vessel left the shipyard, came, did tendering up  
3 here in the summer.

4 A. Yeah, it came to tender -- they went -- they stopped in  
5 Kodiak and then they went and tendered in Bristol Bay, and then  
6 came back to Kodiak.

7 Q. Okay. After your parents' service in October, he went,  
8 fished king crab, came back. When was that? When did they come  
9 back?

10 A. They were back here -- they had to have been back in town  
11 before the 11th of November.

12 Q. Okay. And where was the boat when it came back?

13 A. Trident. Down here -- so there's two Trident places.  
14 There's the big Trident that's over here across the street, and  
15 then there -- Trident also purchased the Western Alaska Fisheries  
16 dock. And the vessel, the *Scandies*, was over there at the Trident  
17 dock. At the Western Alaska plant.

18 Q. And how long was it there?

19 A. Until it left Kodiak.

20 Q. Okay. So do you know when they usually get -- when he got  
21 back from crab, king crab, on the 11th, do they usually fuel up or  
22 take on supplies? What do they traditionally do?

23 A. I'm not sure.

24 Q. Okay. Did you --

25 A. I would think that they would -- you know, being a boat owner

1 myself, that when a vessel was finished with their trip and they  
2 were back to their homeport, that they would have to go and fuel  
3 up so that we knew what the fuel costs were. And they would have  
4 to fuel up before they -- before the crew was released so that  
5 those fuel costs could be attached to the vessel and to the -- but  
6 I don't know for certain exactly how he did it.

7 Q. Okay. And you mentioned Gary, he left for his Hawaii trip a  
8 couple days after Thanksgiving? Before?

9 A. The day after Thanksgiving, he left Kodiak.

10 Q. Okay. And he didn't return again until the 26th, 27th.

11 A. Correct.

12 Q. Okay. Did anybody stay on board the vessel in his absence?

13 A. No. Not to, not to my knowledge.

14 Q. And is that normal, to leave the boat empty?

15 A. Yeah. There's a whole bunch of boats over there in Dog Bay  
16 that they're tied up for the winter. Typically people don't stay  
17 on board the vessel. They typically have somebody that is a  
18 caretaker that might go down and check on it or -- and the  
19 harbormaster has a list of emergency contact. So if something  
20 like an alarm goes off or something like that, the people can be  
21 contacted, come down and take care of the vessel.

22 Q. It was our understanding that they were, they were doing some  
23 work on the waste chute during that time period. David was  
24 assisting with it. Where does David stay when he's in town? With  
25 his dad or --

1 A. He lives with his dad.

2 Q. With his dad? Okay.

3 A. Yeah. Yeah.

4 Q. Where does his mom live?

5 A. His mom is in town right now. She lives down in -- I think  
6 it's Astoria, Oregon. With her new husband, Jim Parker.

7 Q. What's her name?

8 A. Elgia, E-l-g-i-a. Bickford, B-i-c-k-f-o-r-d. Her dad was a  
9 commandant of the Coast Guard base out here in Kodiak when he was  
10 in the Coast Guard.

11 Q. And when did, when did they split up, her and your brother?

12 A. 2000, 2001.

13 Q. And they had four children together?

14 A. Yes. Four living children.

15 Q. Okay. You had mentioned drug and alcohol use of -- were you  
16 aware of any other -- the crewmembers that were having problems  
17 with that, excess, on board?

18 A. No.

19 Q. No?

20 A. I don't. No.

21 Q. All right, I'm just going to back up a little bit. Bouncing  
22 around a little bit.

23 A. It's okay.

24 Q. You were talking about the -- normally, the *Scandies* doesn't  
25 come in here when it's loaded with pots.



1 A. Right.

2 Q. And you didn't know why they came this time.

3 A. Right.

4 Q. And they had a large load. Did he explain to you why he had  
5 that many pots on board this time?

6 A. No. The only thing he -- I heard him say was, we've got gear  
7 work.

8 Q. Okay. Was he, was he nervous that he had so many?

9 A. Absolutely not.

10 Q. No?

11 A. No. Not at all. Not a bit. I remember asking him, like,  
12 what? What are you doing with so many pots on board? He was  
13 like, you don't need to worry about it; the boat can handle it.  
14 Kind of brushed it off. Yeah.

15 Q. He was looking forward to buying a larger share in the  
16 ownership of the vessel. Did he mention what percentage that  
17 57,000 was going to get him?

18 A. No, he -- the only percentage he mentioned was the 12½  
19 percent that he said he already owned, and that he was boosting  
20 his percentage up maybe to 47 percent.

21 Q. So still a minority share.

22 A. Yeah. Yeah.

23 Q. Was he buying someone out? There was a Dan Mattsen, and then  
24 there's a third partner.

25 A. Yeah. That's -- I'm unclear. Because the only other name

1 he -- the only other thing he said was that his long-term goal was  
2 to buy out Dan Mattsen so that he owned the boat solely to  
3 himself.

4 Q. So he never spoke of that third owner.

5 A. Never even heard of who that person was. Ever.

6 Q. You were mentioning that he had -- was talking about getting  
7 into safety on his transit down, or he would usually do that if he  
8 ran into trouble. You know, a lee of an island or something. Do  
9 you, do you know where that would be or where he usually would do  
10 that?

11 A. Do what?

12 Q. Duck in for -- just get out of the weather.

13 A. Oh, to get out of the weather. You know, they know so many  
14 more little bays and little niches along the way that I couldn't  
15 be specific as to -- he never gave me a specific name, or I can  
16 dodge into here, I can dodge into there. I've taken that trip  
17 to -- all the way to Bristol Bay in a 32-foot boat numerous times.  
18 And there's -- we've gone from Kodiak to Bristol Bay and back  
19 twice a year for 10 years. And there's lots of little places for  
20 them to be able to duck into to get out of the weather, depending  
21 on which direction the wind is, which direction the swell is, all  
22 of that. And he knew way more than I did about those places.

23 Q. You mentioned you're a boat owner as well.

24 A. Yes.

25 Q. What boat is that?

1 A. I own the *Rubicon*. It's a 42-foot Sanger. We're getting  
2 ready to go tanner crab fishing. They'll be leaving in the next  
3 couple of days.

4 LT READY: You're getting underway as well?

5 MS. COBBAN KNAGIN: No, I'm staying in town. I tanner crab  
6 fished 1 year down there at the south end of the island, and it  
7 was -- we didn't have a pot launcher. I was the pot launcher.  
8 And we didn't have an automatic bait chopper. I was the bait  
9 chopper. We didn't have a king coiler. I called it a queen  
10 coiler because I was coiling. And it lasted a couple of days, and  
11 then I went -- one morning, I woke up and I went -- they said, are  
12 you going to fix breakfast? And I went, no. Everything on my  
13 body hurt, even my eyelashes. I said, just call me a plane; I'm  
14 going home. And I never went crab fishing again. This is -- I'm  
15 not big enough for this. It's too effing cold. I'm not going to  
16 do this, so --

17 MR. BARNUM: You had mentioned the -- he had talked to you  
18 about the -- back on the starboard side hull patch you were  
19 talking about earlier. He was concerned with that. It needed to  
20 be done before he returned fishing, as well as the shit chute. Do  
21 you know if that hull patch repair was made in shipyard this  
22 spring?

23 MS. COBBAN KNAGIN: My understanding is that it had to have  
24 been made. If it wouldn't have been made, it definitely would  
25 have impacted the buoyancy of the ship, that it was at such a

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1 place that it would have allowed water into the void. The void  
2 would fill up, and the boat would sink.

3 MR. BARNUM: That's all I have right now. Thank you.

4 MS. COBBAN KNAGIN: Okay. All right. Good.

5 LT READY: Just had one more question.

6 BY LT READY:

7 Q. You mentioned Gary was in the Coast Guard? Do you know what  
8 years he was in?

9 A. No, William. William J. Bickford.

10 Q. William. Okay.

11 A. William J. Elgia's dad. William J. Bickford was in the  
12 Coast Guard. That's David's grandfather.

13 Q. Got you. Okay. Okay, I misunderstood that, so --

14 A. Yeah, that's okay. That's fine, yeah. Yeah.

15 Q. Gerry, I didn't have any other follow-up questions. I'll  
16 give it to you one more time. If there's anything you think we  
17 did not cover today that you wanted to discuss?

18 A. No, I'm just wondering about the timeline and what you all's  
19 timeline is for a final decision-making process. Are we, are we  
20 looking at 12 months down the road? Are we looking at 6 months  
21 down the road? What are we looking at?

22 Q. Definitely understand your question with that. With these  
23 investigations, we never put a timeline on it because, as  
24 information becomes available, you need to further investigate.  
25 What I can guarantee you is we will do a very thorough

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1 investigation, and it won't stop until we can draw those  
2 conclusions and have the information to draw those conclusions.

3 A. Okay. And as part of the investigative process, does that --  
4 would that include sending either a motorized vehicle or divers  
5 down to inspect the vessel where she lays?

6 Q. There is potential for that.

7 LT READY: Mike, I don't know if you want to speak to that?

8 MR. BARCOTT: Yeah. I can speak to it briefly, and then I've  
9 got a couple of questions too, Gerry. They are considering that  
10 possibility. Whether it happens or not, I can't commit to. But  
11 it's something that's under consideration, and we're looking into  
12 it. I think you've probably spoken with Roy Brown, and Roy is,  
13 Roy is working that issue.

14 MS. COBBAN KNAGIN: Okay, yeah. I have spoken with Roy  
15 Brown, but we've only spoken of funeral costs.

16 MR. BARCOTT: Right, right. Roy is doing a lot more. He's  
17 doing investigation for us, and he's the one who's been in touch.  
18 I would expect we will know in a week. This time of the year, the  
19 weather is not good, as you know.

20 MS. COBBAN KNAGIN: Oh, yeah, I know.

21 MR. BARCOTT: It's -- yeah. You know better than most.

22 MS. COBBAN KNAGIN: So were you saying that you would know in  
23 a week or so whether you'd be going down? Is that what you said?

24 MR. BARCOTT: I'd expect to know in a week or so whether  
25 we're going down. That's right.

1 MS. COBBAN KNAGIN: Okay. May I ask that, if it's at all  
2 possible, that you let us know when that plan is for you guys to  
3 go down? Like, what the dates are that you guys might be going  
4 down? And I only say because my sister and I and my husband and  
5 Gary's daughter Barb, we are planning a trip to that area to, if  
6 nothing else, hold our own little private memorial service at the  
7 time, because we don't have a gravesite and that is the gravesite.  
8 And while we wouldn't want to impede any sort of investigation,  
9 safety in numbers, I guess. We're a 42-foot Sanger, and it's  
10 always nice to have company if we're down in that area.

11 MR. BARCOTT: Sure. Understood.

12 MS. COBBAN KNAGIN: Okay.

13 MR. BARCOTT: While we're talking about it, let me just ask.  
14 Do you have any great desire that there be some kind of ROV  
15 survey?

16 MS. COBBAN KNAGIN: I do, yes. I think that an ROV survey  
17 and looking at the vessel will answer some specific questions that  
18 people might have. And there would have to be no -- my term --  
19 guesstimation on whether things were intact or not.

20 MR. BARCOTT: Right, okay. Thank you for that. I'll pass  
21 that on. So I've got a couple of questions. Lieutenant, Bart, is  
22 that all right?

23 LT READY: That's fine with me, Mike.

24 MR. BARNUM: It's fine.

25 LT READY: And I'm getting nods from Bart as well.

1 BY MR. BARCOTT:

2 Q. Okay. So I want to come back to the part of the conversation  
3 you had about the relationship between Dan and Gary, and sometimes  
4 he wasn't getting what he wanted and those sorts of things. As  
5 far as you know, did that ever involve any safety equipment that  
6 Gary wanted?

7 A. No. Because he was -- he mentioned the confrontation that he  
8 had with Dan. And the words that he would say to me were words  
9 such as, I can't get him to understand that we need to do this to  
10 make it easier to take fish, or make it easier to haul gear. No  
11 safety issues. No.

12 Q. So it was more the fishing operation side.

13 A. Yes, exactly. I'm sorry. Yes, it was more the fishing  
14 operation situations.

15 Q. Okay. You know, your brother -- you're going to be asked  
16 this question a number of times. Do you think he would have  
17 sailed if he thought there were safety concerns about the *Scandies*  
18 *Rose*?

19 A. No. I mean, I know -- I don't think he would have, I don't  
20 think he would have left. I think that he -- you know, if he  
21 looked at -- I can't -- and I'm surmising here that he looked at  
22 that weather report, as we all looked at that weather report. And  
23 he knows that vessel better than I do and probably better than  
24 most anybody, and knows that he's been in worse conditions than  
25 what were -- what the forecast said. And we all know that the

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1 forecast is a pretty good guesstimation of what could happen, but  
2 it doesn't always turn out the way that it was supposed to turn  
3 out. So let me say that I have heard from several different  
4 captains who were out there who spoke with him on dispatch that he  
5 was headed to Yantarni Bay to anchor up to reevaluate his  
6 situation.

7 Q. Who was that? Who were those captains you spoke with, Gerry?

8 A. There was -- the guy on the *Rough 'n' Ready* (ph.) said that.  
9 And let me see. Stand by --

10 Q. Yeah, sure.

11 A. So Bob on the *Misty Harbor* said around 9:30 that he checked  
12 the location on the AIS tracker and he was doing 1.6 knots. And  
13 he was headed to Yantarni Bay.

14 Q. Thank you. I think, at least as far as I know, that's the  
15 first time Bob's name has been mentioned. We've got a couple of  
16 other people who Gary talked with, but we'll also talk with Bob.

17 A. Okay.

18 Q. So one of the things, of course, everybody is wondering about  
19 are icing conditions. Did Gary ever talk to you about getting  
20 into an icing situation and how he handled it?

21 A. Yes, that --

22 Q. Tell me, tell me that, please.

23 A. So with icing conditions, his standard routine would be to  
24 slow the boat, turn it so that it was going with the weather, get  
25 the guys out to start banging and beating on the ice to get rid of



1 it. And that if it was in a position and conditions were too  
2 hazardous to do that, they would dump their pots. They would cut  
3 them loose and send them down rather than lose the boat and risk  
4 lives.

5 Q. In a situation like that, was Gary the kind of guy who would  
6 knowingly push the envelope, you know, just get to the edge of  
7 what the vessel can handle? Or was he -- we all want to know what  
8 you know. Was he a safe operator in that circumstance, or would  
9 he push the envelope in icing?

10 A. He was a safe operator. He didn't push the envelope on what  
11 that boat could handle or what he could handle. He tried to keep  
12 it -- neither was he in that range of so conservative that I'm not  
13 going to go out because this forecast said this, okay? He was in  
14 that middle range, not going to do one way or the other. Does  
15 that make sense?

16 Q. Yeah, makes perfect sense. And so you know, I'm also from a  
17 fishing family, so --

18 A. Oh, okay.

19 Q. -- including the fact that my father was harder on me than  
20 with the other crewmembers on our boat.

21 A. Oh, right. So you know that. Yes, my dad was on me too when  
22 I was on the boat.

23 Q. Yeah. I know that story too well. The kids that you  
24 referred to as stepkids, his stepkids, who were they and how old  
25 were they?

1 A. So Dillon O'Neil is -- I believe he's 24, perhaps. And Jenny  
2 O'Neil is 19.

3 Q. Okay. Let me just flip through my notes here for a minute,  
4 see if I've got anything else.

5 A. And they're not officially adopted or anything, and he and  
6 Debbie O'Neil were never married. But he took them under his  
7 wing, and Dillon has been living with him ever since he moved in  
8 there. And even when his mother moved out, Dillon is still there.

9 MR. BARCOTT: So Lieutenant Ready and Bart, I have some  
10 information I'd like to give to Gerry, because she's obviously  
11 curious about a lot of things. That's not the real purpose of  
12 this interview, but I wanted to convey to her why the boat came to  
13 Kodiak with all those pots on it. Is that all right?

14 LT READY: Yeah, no problem with us.

15 MS. COBBAN KNAGIN: Yeah, perfect. Thank you.

16 MR. BARCOTT: Yeah, no, because you're going to be curious,  
17 and there's really no controversy about this. Because of the  
18 plane crash in Dutch Harbor, it was going to be really tough to  
19 get crews in and out of Dutch. So Dan and Gary decided they were  
20 going to mobilize for this season in Kodiak instead.

21 MS. COBBAN KNAGIN: Now that makes perfect sense, doesn't it?

22 MR. BARCOTT: And it's such a simple fact I thought you'd  
23 probably want to know that.

24 MS. COBBAN KNAGIN: Yeah, I just hadn't even connected those  
25 dots yet. Thank you.

1 MR. BARCOTT: Yeah. That's all I've got. Thank you.

2 LT READY: I'll take it back again. Just a couple follow-on  
3 questions to what was just discussed.

4 BY LT READY:

5 Q. In those conversations with Dan Mattsen and difficulty  
6 getting things done to the boat in terms of the operations of the  
7 fishing, do you know if that was specific to the crane position?  
8 Did he discuss that at all?

9 A. Not the position of the crane.

10 Q. Yeah. But the location?

11 A. But the viability and working of the crane. And whether, do  
12 we get a new crane motor, or do we try to repair this one again?

13 Q. Okay. So it's failures to the, to the motor they were  
14 having?

15 A. Just, yeah. And pinched hoses and hoses busting, and do I  
16 have the extra hoses that I need and, you know, that kind of  
17 issue.

18 Q. Okay. And now that we're talking about it, can you remember  
19 any other equipment that was specifically discussed, or was it  
20 just the crane?

21 A. You know, because most of it was, you know -- Gary would come  
22 in to me, and he would just start going, I'm just so frustrated  
23 about yada, yada, yada. And the crew doesn't do what I want, and  
24 Dan's getting on my case about this, or Dan's getting on my case.  
25 But he wasn't 100 percent specific about -- usually, it was the

1   generality, vague sort of situation.  And unless he was in the  
2   situation and I was on the phone with him and he had, oh, that  
3   crane motor again and it broke, and I told Dan we just needed to  
4   get a new one.  And then I'm sitting here as an owner going, I  
5   know how much them things cost, and if this one can be fixed and  
6   we can make it work, let's make it work, kind of deal.  Yeah.

7   Q.  Okay, thank you for that.

8   A.  Yeah.

9   Q.  Do you know if the pots were tarped when they departed  
10  Kodiak?

11  A.  They weren't tarped, they weren't tarped when they left  
12  Kodiak.

13  Q.  They weren't.  Okay.  Okay.  Does Gary typically tarp his  
14  pots in between --

15  A.  I am -- honestly, I had never even contemplated or seen  
16  anybody tarping their crab pots on a crab vessel going out in the  
17  ocean until I watched them do it on -- Keith on the *Wizard* on the  
18  Deadliest Catch, and then they took the tarp off in the blowing  
19  wind and he hurt a bunch of his crewmembers.  And I was like, what  
20  in the heck are you doing?  I'd never heard of it.  No.  We tarp  
21  them when they're on land.  We tarp our seine when it's on land.  
22  But I never even thought about tarping them on the boat.  Never  
23  heard him talk about it, never saw it tarped here on land.

24  Q.  Did you -- when was the last time you saw *Scandies Rose*?

25  A.  December 30.

1 Q. December 30. So you saw that boat in the totally loaded  
2 condition?

3 A. Yeah. At the dock, Pier 2, in Kodiak.

4 Q. At Pier 2. Did anything strike you as unusual? Did you  
5 notice anything when you saw the boat at that time?

6 A. No. And I saw it midday. Guys were out there. I just  
7 cruised on through with my camera and was like, okay, they're  
8 getting ready to go. They're just about ready to go. They should  
9 be taking off.

10 Q. Now you had your camera with you. I know you sent us a few  
11 pictures. Do you have pictures from that day?

12 A. No, just that one that was taken at night when they were  
13 getting ready to leave.

14 Q. The bow aspect?

15 A. Yeah, yeah.

16 Q. Okay. Thanks, we have, we have that. When you saw the  
17 vessel, did you notice anything with how the pots were secured to  
18 the deck?

19 A. No. No. I can't, I can't attest -- I can, I can -- not as  
20 to say, wow, I can see the tie-ups on the pots. No. Were they,  
21 were they cotton? Were they chains? What were they? No. I  
22 couldn't see them. I didn't even pay attention to that, because  
23 my assumption -- and I don't look for that with my brother's boat,  
24 because my assumption is that he wouldn't leave the dock if they  
25 weren't tied up.

1 Q. In terms of stacking the pots and loading the boats, do you  
2 know how much involvement Gary had with that process? Was the  
3 crew doing the majority of that? Do you know who from the crew  
4 was kind of in charge of that process?

5 A. Whoever it was that was running the crane to be able to put  
6 the pots in place. The only -- I think Gary -- and this is my  
7 opinion, not that I actually witnessed it. But I think that his  
8 involvement would be to monitor and to make sure that things were  
9 put the right way, and if something wasn't right, that he would  
10 have them move it. But I think that he had crewmembers on board  
11 that had been on the boat more than one season, that knew where  
12 things could be placed and where they shouldn't be placed. And  
13 they knew their jobs and they knew their boat, and they were  
14 highly skilled individuals. And I know my brother well enough to  
15 know that he would never put a greenhorn or a person who may not  
16 have been a greenhorn but may have been his first season on the  
17 vessel. He never would have put that person in charge.

18 Q. You mentioned earlier that Gary, you know, would complain  
19 about some of his crew and them not doing what he said, that sort  
20 of thing. Do you remember any times where Gary spoke highly of  
21 his crewmembers? Or did he, did he have somebody on board that  
22 was his go-to?

23 A. (Laughs.)

24 Q. Understood.

25 A. No. No. I'm sorry. No. No, I'm the one that -- you know,

1 I'm the one in the family that has that neon sign across her  
2 forehead that says, like Lucy and Charlie Brown, psychiatric help.  
3 Drop your troubles here. I was that person. I wasn't the person  
4 that got to hear, hey, wow, we did really good. Hey, so-and-so  
5 did really good. No, I wasn't that person.

6 Q. So with that being said, any work that was not physically  
7 done by Gary himself, what would his process be for verifying  
8 who's -- did he have full oversight on everything, or would he --

9 A. Oh, yeah.

10 Q. -- trust his guys to load the boat and secure the boat, and  
11 then he would, he would just hop on and get underway?

12 A. No, no, no, no. No, no, no, no, no. He would tell his guys  
13 what to do, whether he wrote it in a list or they were responsible  
14 for writing the list. Junior always had lists that he was  
15 carrying around of stuff that he had to do, but -- or stuff that  
16 needed to be done. But he would tell the crew what to do, he  
17 would go away, and he would come back and he would check on the  
18 crew. Because I heard about that a lot, whether -- and I only  
19 heard about the stuff that they didn't do the way he told them to  
20 do it. And that's what I would hear. They didn't do what I told  
21 them to do, and I had to go back and show them how to do it the  
22 right way. So that leads me to believe he had complete oversight  
23 and checked and double-checked everything everybody did, whether  
24 he trusted them or not.

25 Q. Do you have any idea who on board was in charge of tank

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1 levels, both the crab tanks and fuel tank levels?

2 A. My understanding was that was between Art and Brock.

3 Q. Okay. Can you give us some more detail on the relationship  
4 between Gary, Art and Brock?

5 A. I have no idea.

6 Q. Okay. You mentioned that Gary always had a notebook with  
7 him, was always taking notes, had his lists. Do you know if that  
8 all got underway with Gary, or does he have --

9 A. It went with him.

10 Q. It went with him. Okay. Okay. And again, just want to  
11 repeat that, if you guys, while you're going through Gary's  
12 things, if you do find anything --

13 A. Yeah.

14 Q. -- that might be of interest, that would be greatly helpful.

15 A. Right.

16 LT READY: That's all I have for follow-up questions right  
17 now. Bart, throw it back over to you.

18 MR. BARNUM: I don't have anything. Thank you very much.

19 MS. COBBAN KNAGIN: Okay. Thank you, guys. Appreciate it.

20 LT READY: Mike, did you have anything before we close up?

21 MR. BARCOTT: No, I don't. Gerry, thanks very much. And if  
22 you need anything from us, you can contact Roy, you can contact  
23 me, and of course you can contact Dan.

24 MS. COBBAN KNAGIN: Okay. All right. Thank you. You know,  
25 all I have is Gelia's number. I don't have Dan's number. Do you



1 feel like you could give me Dan's number?

2 MR. BARCOTT: Yeah, I don't see any reason why I can't. My  
3 only problem is I'm not sure I'm technologically capable enough of  
4 putting this phone at a place where I can get Dan's number. So  
5 I'm going to do some screen switching on my phone. If I, if I  
6 lose you guys, then --

7 MS. COBBAN KNAGIN: Or you could do this. I can give you my  
8 phone number, and you can jet it to me later.

9 MR. BARCOTT: I can do -- I can text it to you. That's  
10 probably a better way to go.

11 MS. COBBAN KNAGIN: Okay. So my number is (907) 942-5851.

12 MR. BARCOTT: I'll get that to you in the next 10 minutes.

13 MS. COBBAN KNAGIN: Perfect, thank you. And we spell my  
14 first name G-e-r-r-y.

15 MR. BARCOTT: Right.

16 MS. COBBAN KNAGIN: Okay, good.

17 MR. BARCOTT: Got it. Got it.

18 MS. COBBAN KNAGIN: Thank you.

19 MR. BARCOTT: Thank you.

20 LT READY: All right, that concludes this interview. It is  
21 0922 on January 5, 2020.

22 (Whereupon, 9:22 a.m., the interview was concluded.)  
23  
24  
25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

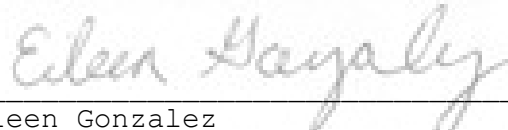
IN THE MATTER OF:           CAPSIZING AND SINKING OF THE  
                                      F/V *SCANDIES ROSE* NEAR SUTWIK  
                                      ISLAND, ALASKA, DECEMBER 31, 2019  
                                      Interview of Gerry Cobban Knagin

ACCIDENT NO.:               DCA20FM009

PLACE:                        Kodiak, Alaska

DATE:                         January 5, 2020

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.



Eileen Gonzalez  
Transcriber

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UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

CAPSIZING AND SINKING OF THE \*

F/V *SCANDIES ROSE* NEAR SUTWIK \*

ISLAND, ALASKA, DECEMBER 31, 2019 \*

\*

\* \* \* \* \*

Accident No.: DCA20FM009

Interview of: JOHN LAWLER  
Survivor

1519 East Rezanof Drive  
Kodiak, Alaska

Wednesday,  
January 1, 2020

Free State Reporting, Inc.  
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APPEARANCES:

LT ANDREW READY  
United States Coast Guard

MICHAEL BARCOTT, Attorney  
Holmes, Weddle & Barcott  
(On behalf of the owners of the *Scandies Rose*)

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I N T E R V I E W

(9:45 a.m.)

LT READY: All right, I just started the recorder. And so today is January 1, 2020. This is Lieutenant Junior Grade -- or Lieutenant Andrew Ready. Time is 0945 local Alaska. I'm here at 1519 East Rezanof Drive in Kodiak, Alaska.

Could you state your name?

MR. LAWLER: John Lawler.

LT READY: And I'm interviewing John today in regards to the sinking of the *Scandies Rose*, which is a 130-foot, 195-gross-ton fishing vessel. And on the phone, we also have -- could you introduce yourself, sir?

MR. BARCOTT: Yeah. This is Mike Barcott. I'm attorney for the owners of the vessel and party in interest.

LT READY: Okay. Okay, excellent.

INTERVIEW OF JOHN LAWLER

BY LT READY:

Q. So John, if you could just kind of start me out with generic -- like, how long, how long you been fishing for? How long you been on the vessel for?

A. I've been fishing for -- since I was 23, and I'm 34 now, so that's 11 years.

Q. Yeah.

A. And how long on the vessel? This is my first season on this vessel.

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1 Q. First season on board?

2 A. Yeah.

3 Q. Okay. Okay. And then in terms of this specific trip, where  
4 did you guys depart from?

5 A. We departed from Kodiak.

6 Q. From Kodiak. On what day?

7 A. That would have been Monday the 30th? Monday. It was  
8 Monday, but whatever that day is.

9 Q. And where were you guys heading?

10 A. We were heading out to dump our gear on cod grounds. So we  
11 were on our way to go through False Pass and out past Shelikof to  
12 the cod grounds. Gary told me about 150 miles past there, past  
13 Shelikof. Sorry.

14 Q. Okay. How long were you guys in Kodiak for?

15 A. I arrived on Friday. That's when I flew in. I was here  
16 Friday, Saturday. Sunday, we was doing gear work, getting pots  
17 switched over to do cod.

18 Q. Right. And was the whole crew in Kodiak for that crew time?

19 A. Dean wasn't. Dean didn't show up until Sunday, I believe,  
20 because there was another sailor that was going to be on the boat,  
21 and he decided to quit. So we had to find a replacement.

22 Q. Right. Okay. And how many, how many crew on board?

23 A. There was six of us.

24 Q. Six total?

25 A. Yeah. And the skipper, so seven total.

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1 Q. Seven total. Okay. Got you. Could you just run through  
2 their names real quick?

3 A. Gary Cobban. I don't know some last names, but Brock. Art.  
4 How do you pronounce his name? I can't think of his name right  
5 now.

6 Q. Brock, Seth Rousseau.

7 A. It's Seth, but it was -- we were calling him something else.  
8 I think it was --

9 Q. Okay. Seth was his name, though?

10 A. Yeah. The cook. And then David, Gary's son. And then Dean  
11 and myself.

12 Q. Okay. And so this is your first time with the boat, first  
13 time meeting up with them, first time being on board was here in  
14 Kodiak --

15 A. Yes, sir.

16 Q. -- before you guys departed. What were your initial  
17 impressions of the boat?

18 A. I mean, I've always seen the *Scandies Rose* out in the bay,  
19 and it's always been -- looks to be a well-kept boat in my  
20 opinion.

21 Q. Okay. Excellent. And anything about the crew strike you?

22 A. No. I mean, the only thing that struck me funny was I was  
23 having a lot of bad dreams on the boat. That's all superstition  
24 and stuff, so that doesn't really play a part of this, so --

25 Q. Okay. And so you guys were going out to fish for cod. How



1 was the vessel loaded? How many pots?

2 A. It was between 190 and 200. Somewhere in there. And if I  
3 actually had a layout of the boat itself for that --

4 Q. You'd be able to draw it out for me?

5 A. Yeah, because I was the one that craned them on, so I know  
6 where they were at and everything.

7 Q. Okay. And you actually craned on the pots?

8 A. Yeah.

9 Q. And where'd you guys load?

10 A. At the old Trident dock there. Old westward dock.

11 Q. Yeah. Any idea what specific size and weight those pots are?

12 A. 8-bys.

13 Q. 8-bys. When you say "8-by," 8 by?

14 A. I don't know the other dimension. There's some down there  
15 right now.

16 Q. Standard size. Right, yeah. Okay.

17 A. So an 8-by. I just always call them 8-by.

18 Q. And how many, how many high were they? Was it, was it  
19 different throughout the vessel or --

20 A. We had four tiers high all the way through. And then on the  
21 starboard side, the side that actually heeled over, it was only  
22 three high all the way down. That way, the skipper could actually  
23 see, have the visual.

24 Q. Okay. So four high everywhere you could, and then three high  
25 just for visual.

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1 A. Yeah. Chains on everything.

2 Q. Yeah. And you said what on everything?

3 A. We had chains on every row.

4 Q. Chains on every row. Okay. Okay. And then so you were in  
5 charge of loading the pots on board. Who was actually, like --

6 A. Well, when I had got there, there was already some on board.

7 And then I did the rest of them. So I was in charge of what now?

8 What were you going to ask?

9 Q. Actually, like, securing the pots and determining -- were you  
10 determining where all those pots were going, or --

11 A. No.

12 Q. -- that was Gary?

13 A. That was -- because I was first time on the boat. So, like,  
14 Brock, who had been on the boat 15 years, I guess, he knew how the  
15 boat stacked. Same with Art. He got an idea -- and Art was  
16 helping secure some pots. And then David secured a few as well.  
17 It was kind of a mixed bag.

18 Q. Yeah, yeah, no. Definitely understand. Okay. And then once  
19 all the pots were loaded, what -- could you describe the condition  
20 of the vessel, especially, like, trim, list, how low you guys were  
21 sitting in the water?

22 A. I mean, it was just like anything. Once you get everything  
23 out on the crane, put what we want, the boat's going to list a  
24 little bit one way or the other. So then the chief would transfer  
25 fuel if need be, and then we can -- I thought we were trim, we

1 were trim when we left.

2 Q. Okay. Fully trim? Yeah.

3 A. Yeah.

4 Q. Do you feel like the boat was sitting lower than -- I know  
5 you hadn't been on board before, but were you surprised how low it  
6 was sitting in the water or anything? Anything strike you  
7 unusual?

8 A. Well, I -- you know, I've only worked on one schooner, which  
9 was the Wizard. The only thing I could say that I thought was  
10 when -- my bunk, that I was upstairs, and you have your light.  
11 That's here up by your head. That's actually the way you're  
12 supposed to lay. So that's bow forward. I felt like my feet were  
13 up -- my head was down. Like, kind of like I wanted, I wanted to  
14 switch -- it wasn't, like, terrible at any point. But enough for  
15 me to want to, like, turn around positions, because it's like --  
16 but I mean, naturally that's what happens when you tank down and  
17 put pots on. You know, even on a house-forward boat.

18 Q. Yeah, yeah. Did you discuss that with anybody else, or  
19 anybody else notice that it was --

20 A. No, because it wasn't really like -- I would sometimes laugh  
21 about it with --

22 Q. Right. Probably didn't notice until you laid down to --

23 A. Yeah.

24 Q. Okay. Okay. Good idea. Yeah, now if you could take me  
25 through? So you guys, you guys ended up leaving Kodiak on the

1 30th. Take me through, you know, kind of, loading up, getting  
2 underway, anything --

3 A. Secured the deck, just like any other boat I worked on. Took  
4 off to make our trip. Loaded groceries, loaded everything else,  
5 took water, took fuel. Made sure everything was secure and did  
6 our safety drills right before we left. That's one thing I will  
7 say, is he was -- Gary was very thorough with his safety drills.  
8 Like, more than any other skipper I've worked for, he took the  
9 time to walk through everything and, like, make guys try the  
10 survival suit on. Or one guy, anyways.

11 Q. Yeah. So what did you guys actually do for drills?

12 A. He had, like, his boy do a mayday call. Like, you know, a  
13 mock mayday call. Had Dean try on a survival suit.

14 Q. How many people got in the survival suits?

15 A. Just Dean.

16 Q. Dean?

17 A. Most of us had already been in them, so just one, just get in  
18 and try it real quick. And then looked at the life rafts, the way  
19 they -- we could deploy them. The EPIRB, which did not work,  
20 unfortunately. What else?

21 Q. Did you guys --

22 A. Fire extinguishers. We talked about the fire suppression  
23 system for the engine room. So we went through everything. It  
24 was a whole station bill. Like, everyone knew what they were  
25 supposed to do.

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1 Q. Awesome. And you said the EPIRB didn't work. When you guys  
2 were at the pier going through the training, did you guys, did you  
3 guys test it while you were pier-side?

4 A. No, I was saying when we were up there, it didn't work. And  
5 that's actually a funny thing, because he had brought it in to  
6 show it to us, and he had accidentally flipped it and flipped it  
7 right back. Because you know, obviously it's happened before, and  
8 then you end up calling you guys, and it's like, what the heck,  
9 you're at the dock. He had made the comment -- he went and he  
10 said, well, hopefully I didn't send a signal out or whatever. But  
11 I didn't see the light go on, so I don't think anything happened,  
12 so --

13 Q. Okay. And that was when -- the day you guys left or the day  
14 before?

15 A. Yeah. Yeah.

16 Q. Okay. Did you ever see it work or -- no?

17 A. I don't think -- you're not supposed to do turn them on  
18 unless it's --

19 Q. Right. You can test them, but --

20 A. Right.

21 Q. -- you guys never tested it? You never held it up, like,  
22 halfway and saw it beep three times? You never did any of that?

23 A. Like, the flash three times?

24 Q. Yeah.

25 A. No.

1 Q. Okay. Okay. All right, so that kind of brings us up to you  
2 guys underway. Was the 30th you were underway, and then the 31st  
3 was yesterday when the incident happened. So kind of take me,  
4 like --

5 A. It was a lot of --

6 Q. Hours leading up. What were you guys doing?

7 A. -- sleep, wheel watch, sleep, wheel watch.

8 Q. Sleep, wheel watch. That was it?

9 A. But Gary was taking the most of them. And it went -- I was  
10 second-to-last and Dean was last, and then Gary would get up and  
11 drive for about 6 hours. We all were doing, like, an hour a  
12 piece. So 6 hours, and then Gary would drive for like 6 hours and  
13 put us back up.

14 Q. Okay. So Gary would do 6 hours --

15 A. Something like that. He'd always drive a lot longer for us.  
16 Let us hang out.

17 Q. And was everyone taking shifts? All six other --

18 A. Yeah, yeah.

19 Q. Everybody was doing an hour each?

20 A. Yeah. Check the engine room when we're done and so forth.

21 Q. Awesome. Anything out of the ordinary during the transit?

22 A. No. I mean, one time I noticed a little bit of a list, but  
23 you know, I leave it up to the engineer. It wasn't, like,  
24 anything terrible and it wasn't, it wasn't even a list towards the  
25 side that we had the issue with; it was the other way. So

1 actually, when I went up on my next watch, that was actually  
2 fixed. So one of those things where, like, the chief must have  
3 transferred some fuel, so you know.

4 Q. So what -- you said "the side you had an issue with." The  
5 side when you were in Kodiak and --

6 A. No, when we actually sunk out there. So we sunk to the  
7 starboard side. When we were traveling on my first watch, I  
8 noticed a little bit of a port list. Not much. But then that was  
9 fixed on my second watch. I just, I usually just, like, pay  
10 attention for little things like -- when I say I noticed a little  
11 list, it's, like, minute. Like, when I'm, like, you know, playing  
12 chief in my head.

13 Q. Yeah. But nothing --

14 A. Nothing that would be a concern.

15 Q. You're not walking sideways and all that.

16 A. No, no. Absolutely not.

17 Q. Any idea on, like, what degree list it would be?

18 A. It was like 5 maybe, if that. Yeah.

19 Q. Okay. And same with when you guys were -- when you  
20 originally noticed it?

21 A. When we started sinking?

22 Q. Yeah.

23 A. No, that was --

24 Q. Obviously it came over, but --

25 A. That was, that was something different. That, like -- I

1 don't know. It was -- I think I had just watched a movie in my  
2 bunk, and then I think I nodded out for a second. But I woke up  
3 because I felt my body kind of roll into the -- in my bunk a  
4 little more. And I could just tell, like, how much we were moving  
5 that something was wrong. And I ran straight upstairs and I said,  
6 well, what the fuck's going on? And Gary said, I don't fucking  
7 know, I don't fucking know. And I knew that it was serious. So I  
8 grabbed a survival suit.

9 Q. So you know, you noticed that bit of a list. You stood your  
10 watch. How many, how many watches did you stand that day?

11 A. Two. And then so the second one, that's when -- because then  
12 I'm sure the ice is going to come up too. I noticed a little bit  
13 of ice. We were building a little ice on the bow.

14 Q. So when did you first notice the ice?

15 A. Actually, no. I first noticed a little bit of ice on the  
16 first day of travel. On the second day of travel, there was more,  
17 but nothing that -- I've seen -- like, nothing beat-worthy, like  
18 you're going to need to go out and start hammering it off. Like,  
19 the -- if the stability is done right with the pots, it can take a  
20 little bit of ice on there too. And this was nothing I would have  
21 been concerned about, nothing that would have taken the boat over  
22 that fast.

23 Q. Right. Could you, could you describe the ice a little bit?

24 A. Filling the mesh in, like, the forward pots. Like, the  
25 forward part of the stack a little bit. And then --



1 Q. About how thick?

2 A. -- a little bit on the rail. That was, like, maybe an inch.

3 Q. An inch.

4 A. An inch thick on the pots, and then, like, the railway, we  
5 had, like, a couple inches.

6 Q. Okay. And was that all the way up four stacks? How high was  
7 it going?

8 A. That was up the four stacks, but just up on the, on the bow  
9 area.

10 Q. Only the bow.

11 A. Yeah. There was a little bit on the windows in the back and  
12 then some on the rail.

13 Q. Right. Okay. Now what were the -- what was the sea state  
14 when you guys were transiting?

15 A. Shitty at first. I mean, the weather called for kind of  
16 shitty weather too. It said it was going to be freezing spray.  
17 And actually, I was a little bit pleasantly surprised because the  
18 seas were calling for worse, I thought, than what I was seeing.  
19 So I would call them 15 footers, 20 footers.

20 Q. Okay. Was there ever a discussion to, you know, postpone the  
21 trip or --

22 A. No.

23 Q. -- not go out?

24 A. It was a big boat. It was like, we'll just push through it.  
25 Like, I've been on boats where you're in that weather and it's

1 like, we should turn into it or jog into it. Like, this boat  
2 didn't really feel like -- no problem. Like, it was kind of  
3 cruising right through the weather.

4 Q. Right, right. Okay, so on the 30th, what time did you guys  
5 get underway at?

6 A. It was like 7 o'clock at night or something like that, I  
7 think.

8 Q. Okay. And then when did you take your first watch?

9 A. I don't recall exactly, but sometime -- it was whenever Gary  
10 got out of Kodiak here (indiscernible) course outside. I think we  
11 took the west side way or whatever. Whale's Pass. We took  
12 Whale's Pass.

13 Q. Yeah. And you took over for Gary?

14 A. No. I switched over with David, his boy. And I think it was  
15 -- I don't remember who went first. I don't remember the watch  
16 list exactly. But I know I was after David.

17 Q. You were after David.

18 A. Yeah.

19 Q. Okay. Did he pass anything off to you?

20 A. No.

21 Q. Okay. He never mentioned anything about the ice or --

22 A. No.

23 Q. -- any listing, or didn't see anything out of, out of --

24 A. The only thing that ever got mentioned about the ice was Dean  
25 was on watch after me. And we're buddies, and he said -- he was

1 like, oh, great, this is going to be fun to set these pots when we  
2 get there. Because we'd have to do it before we -- we'd bring ice  
3 cubes down and, you know, beat all the crap off them to get the  
4 doors open.

5 Q. Right. The concern was just for launching them --

6 A. Just for the workload.

7 Q. -- and the workload, not --

8 A. Yeah, not for --

9 Q. -- for stability or anything.

10 A. Yeah.

11 Q. Okay. All right, so you took your watch. You had one on the  
12 31st? You ended up having two on the 31st then, right? Two  
13 watches?

14 A. I guess. Yeah, one of them was in the morning. I think it  
15 was, like, in the morning around like -- I started, like, 7:45,  
16 8:45, and then in the evening was somewhere around the same type  
17 of deal, 12 hours later.

18 Q. Okay. So like 8 o'clock p.m. or -- it was around there, you  
19 said?

20 A. Somewhere around there, yeah.

21 Q. Okay. And that's when you noticed the ice had --

22 A. A little, a little bit more.

23 Q. -- accumulated a little bit more?

24 A. Yeah.

25 Q. So how much was -- you said it was an inch around that 8

1 o'clock time.

2 A. That was the worst I ever saw, yeah.

3 Q. Yeah, yeah. Before that, on your first watch, how much ice  
4 were you looking at?

5 A. Like, a little on the windshield and, like, a light, a light  
6 little bit on the railings. Like, nothing.

7 Q. Okay. So now you took that 8:00 p.m. watch, stood it for  
8 about an hour. So let's say to 9 o'clock, right?

9 A. Yeah.

10 Q. Kind of, walk me through what happened after that.

11 A. Dean actually came up like 10 minutes early, relieved me. I  
12 went down, and I think I watched a movie. I started to watch a  
13 show or a movie. I can't remember which one, but laid in my rack.  
14 And then Dean had come back in. And we're just laying there,  
15 because he was done and then Gary was up. So it wasn't long after  
16 Dean's watch was done. And I think Dean did tell me that he had  
17 mentioned something to Gary, like, we're listing a little bit  
18 here, you know, to the starboard side. And I figure what his  
19 response was to Dean and Dean told me, but I can't remember now.  
20 But any rate, came down, laid in his rack and then probably wasn't  
21 even like 10, 15 minutes after that. The thing just really  
22 started to go, and that's when I woke up in a panic. I jumped out  
23 of my bunk in a panic and ran upstairs.

24 Q. So you passed off your watch to Dean.

25 A. Yeah. And Dean woke up Gary.

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1 Q. And Dean woke up Gary. Were you sleeping that whole time  
2 when Dean was on watch and --

3 A. No, I was watching a film.

4 Q. Okay. But you never felt a list or anything, I mean,  
5 until -- so while Dean was on watch, you didn't feel a list?

6 A. No, the only thing I did notice, I did -- I will say this,  
7 because I do remember it. I was going to mention something to  
8 Dean that -- it's always eerie to me, but the boat was shuddering  
9 a lot. Like, when it was going through the weather, it felt like  
10 the vibration -- like, you know, my thought, my, like, paranoid  
11 head was, man, that's something weird, you know. Good thing all  
12 the boat's in the water, because it felt like it would just, like,  
13 depart into two pieces. That's the kind of, like, shudder you  
14 get. But then again, I've been on boats that do that, and big  
15 seas.

16 Q. Where were you guys taking the seas? Were you bow into them  
17 or --

18 A. They were coming -- no, they were, they were quartering our  
19 port bow. Yeah.

20 Q. Port bow?

21 A. I believe so, yeah.

22 Q. Okay. And --

23 A. I only remember, I only remember that because, when the boat  
24 laid over and I was standing up there, the waves were splashing  
25 over at me on the port side.

1 Q. Right. And still at about 15 to 20 feet or --

2 A. Maybe not quite 20 then when we started heeling over, but I  
3 wasn't paying that much attention because I was more concerned  
4 about, like, what was going on in front of me.

5 Q. Right. Okay.

6 A. The boat was just kind of like stagnantly, like -- you didn't  
7 even feel the waves. It was kind of sitting there. And to me, it  
8 felt like it was acquiring more and more water and getting  
9 heavier, and then it was gone.

10 Q. Okay. So each time you rolled, were you listing further --

11 A. Yeah.

12 Q. -- and further each time?

13 A. Yeah.

14 Q. Okay. So back to -- I know I keep focusing in on it, but  
15 it's -- those moments before the incident are really important  
16 just to figure out, you know, what exactly happened, try and piece  
17 it together. So Dean relieved you. You went down to your rack.  
18 And then Dean stood an hour watch.

19 A. Yeah.

20 Q. Woke up Gary. Gary came up. Were you present for any of  
21 that, or are you basically -- did you -- what was the condition of  
22 the boat when you were on the bridge?

23 A. I was actually going to walk up there at one point -- when I  
24 left, when I left the bridge?

25 Q. Did you?

1 A. When I left the bridge, what was the condition?

2 Q. Yeah. Yeah, what was the condition when you left?

3 A. Everything seemed normal to me. And then like, Dean had told  
4 me, he said it seemed like they were listing a little bit to the  
5 starboard side, which -- I was more focused on the movie, hanging  
6 out a little bit in my bunk, because you know, there isn't enough  
7 weather where you're going like this, so --

8 Q. Right. Did he tell you -- come tell you that while he was on  
9 watch or --

10 A. No.

11 Q. This is afterwards he told you.

12 A. Afterwards. After the whole thing happened.

13 Q. Okay. Got you. Okay, so you were in your bunk, and then so  
14 take me, take me from there, when you're in your bunk.

15 A. Just the boat all of a sudden heeled over really hard and it  
16 didn't come back. And I knew something was wrong right away, and  
17 I just bolted out the door, like, panicked. I was, I was like,  
18 this can't be happening. Because I knew exactly, I knew exactly  
19 what was happening. I'm no dummy. I ran up the stairs and I go,  
20 what the fuck is going on? What the fuck is going on? It was  
21 like, there was no general alarm, nothing -- no type of alarm,  
22 like, to -- it just happened and there we were.

23 He was like, I don't know, I don't know. I think we're  
24 fucking sinking, I think we're sinking. Fuck, fuck, fuck. And  
25 then it was just pure panic from there. Like, I went to get the

1 survival suit. And Dean came running up, and he was getting his;  
2 I was getting mine. A couple other guys ran up. Gary was on the  
3 track phone before this all happened with Houston off the *Pac*  
4 *Sounder*, because I heard him talking when I was with him. And  
5 then he did one last transmission that, we're going down, we're  
6 going down, to Houston. And then, like, a couple more guys got  
7 upstairs. The engineer never made it up. I don't know if he was  
8 still sleeping or what.

9 But there was -- I don't know. Just pure mania when I got my  
10 suit on. And the other guy, Brock, he was begging me to help him  
11 get his on. I was doing as much as I could, but I already had --  
12 my hands were in my suit, so trying -- like, he was just asking  
13 for help to get his feet him. I'm like, you got to at least get  
14 your feet in so I can, you know, help pull your hood over or  
15 something. But that's about all I got. I can't really -- no good  
16 position. And the boat just kept going. I just -- the writing  
17 was on the wall. I knew if I stood right where I was standing any  
18 longer, I was going to slide down to the captain's chair side, and  
19 good luck climbing out. So I had to get out onto the flat side of  
20 the boat.

21 And I was outside waiting. Dean came out. And then Dean and  
22 I were telling everyone to get the hell out. Like, get out of the  
23 wheelhouse. Gary had fallen all the way back down. There was no  
24 way he was coming back up. If we would have tried to go back in  
25 there, we wouldn't be sitting here right now. There was no way.

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1 Q. So that initial heel over, were you --

2 A. It started, like, fairly manageable. This, like, was in 5,  
3 10 minutes. I had enough time to get my suit on, hear everyone  
4 panicking. And like, people -- oh my god, we're going to die. Oh  
5 my god, we're going to fucking die. And all I could think of was,  
6 what do we do next? Like, I've got my suit on. So like I said,  
7 it's the first step, and what do we grab next? We got to do  
8 something.

9 Q. So when you -- were you asleep when that first big heel over  
10 came?

11 A. I think I was just nodding off.

12 Q. You were just starting to nod off.

13 A. Yeah. Yeah.

14 Q. Okay. And then shot out pretty quickly?

15 A. I shot right out. Yeah. Yeah.

16 Q. Any idea how many degrees that initial list was?

17 A. I'd say 20-plus.

18 Q. Okay. And then I know it's hard, because there's a lot  
19 happening at that time, but any idea how much time elapsed  
20 between, you know, that 20-degree list --

21 A. When I went up and said, what the fuck's going on?

22 Q. No, between that 20-degree list and the boat actually  
23 sinking.

24 A. Well, that's what I'm saying. The initial 20-degree list is  
25 when --

1 Q. Got you.

2 A. -- I went up and said, what the fuck's going on? And the  
3 boat went -- well, I had enough time to get my survival suit on,  
4 to hear everyone panic, go outside. And it kept going more and  
5 more. I was trying to get a life ring off the side or some buoys  
6 or anything. All the buoys were frozen to the rail, so I couldn't  
7 -- something we could have for extra buoyancy. And then probably  
8 maybe -- I don't know. The timeframe when that's all happening is  
9 like a -- you're just lost in time. I mean, to me, it felt like  
10 it was only a couple minutes, and then before I knew it, I was  
11 actually standing on the house, on that flat -- so the whole boat  
12 was laying on its side, and the pots were touching the water out  
13 there. And that's when I knew. I was like, it's going over.

14 And Dean said, we got to stick together, we're going to stick  
15 together, we're going to get through this, don't worry about it.  
16 And I was like, I know, but fuck. And then I think David was  
17 standing at the door but didn't want to come out. And then it  
18 rolled more, so we walked out on the outside of the boat, like,  
19 where the scuppers are. We're hanging onto that. And you just  
20 saw the house go down and the bow come up. And we just started  
21 floating. I got blew off by a wave, and then there goes the boat.  
22 It's like, it's like, holy shit, these suits actually do float  
23 without any, like, blowing up or anything. Not much, because I  
24 was, like, drinking water. And then I looked at my left, and  
25 there's a raft and Dean's in it. Because I was floating there for

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1 a second, but it actually worked out well, because the wind was  
2 blowing that way. The ice side. So when the boat rolled over,  
3 both rafts deployed as soon as it went that way. So we got off  
4 over here, so the wind blew them right at us, the rafts, and we  
5 were able to get in one.

6 And I sat there and I listened for people. Like, maybe  
7 someone screaming or something. But I mean, at that point, like,  
8 the rate of survival -- like, you got to stick and stay. Like, if  
9 you're in the raft, like -- I don't know. I don't know. It was  
10 like, could have, should have or done what, but I don't think  
11 there was much I could have done. The other guys were pure panic,  
12 like hyperventilating panic, you know? Like, there's no, like,  
13 calming them down. Like, they're going to end up hurting the  
14 whole situation because they were freaking out so bad. I'm sure  
15 they teach you that in training too, but --

16 Q. So if you walk me through when you listed over, you ended up  
17 on the bridge. Who was up there when you, when you first came up  
18 on the bridge?

19 A. Just Gary.

20 Q. Just Gary?

21 A. Yeah.

22 Q. Okay. And what was the conversation and then --

23 A. I just said, what the fuck's happening here? All he said, he  
24 goes, I don't know. And he was looking out. I think he pulled  
25 back on the throttle.

1 Q. Did he give any orders at that time or --

2 A. No, it was -- I already, I already knew I was going to go for  
3 the survival suit, because I could tell that boat wasn't, the boat  
4 wasn't coming back. There was -- it was too far gone. There was  
5 nothing that -- no pump or anything that was -- and if no alarm  
6 was going off, it's like, might have been -- if there was water,  
7 it was in a cavity that does not have a pump of some sort.

8 Q. And where was your survival suit kept?

9 A. In the wheelhouse.

10 Q. It was up in the wheelhouse?

11 A. Yeah.

12 Q. And you put it on right there in the wheelhouse?

13 A. Yeah, right next to that door. And I was leaning -- you  
14 know, sitting downhill with my feet downhill. Got it on, and then  
15 I was able to shimmy myself up. Guys were trying to climb shit  
16 and shells were breaking and stuff.

17 Q. Was everybody else's suit up there as well?

18 A. Yeah. Everyone's was.

19 Q. So was anybody else able to get to their suit?

20 A. I think there was three other guys that were able to get to  
21 their suit. And I mean, they teach you your main focus is get  
22 your shit on first and then worry about your partners. So that  
23 was my main focus, and then the boat was starting -- by the time I  
24 got mine on, the boat was already going. I mean, I was trying to  
25 help Brock, but there was only so much I could do with basically

1 wearing mittens, you know.

2 Q. Yeah. So you said Brock was up there. Gary was up on the  
3 bridge as well?

4 A. Yeah.

5 Q. Did he grab his suit?

6 A. No, Gary made the mayday call because he had to do that. And  
7 then he started climbing back up towards us and then fell.

8 Because it was enough angle where he just, like, slid and fell.

9 And he's an older guy, so keeping his balance is a little  
10 different for him. And he smacked the side of the boat where his  
11 chair is. And he didn't knock himself out, but there was no way  
12 he was going to, you know, hike himself back out of there.

13 Q. Right. So it's you, Brock, Gary. Who else is in there?

14 A. Yeah, and then Sorin was actually there on the other side,  
15 but he says -- he goes by Seth, but I think it was -- I don't  
16 remember if Sorin was up there or not.

17 MR. LAWLER: Can I use the restroom real quick? I got to --

18 LT READY: Yeah. No, definitely.

19 MR. LAWLER: -- take a little break.

20 (Pause.)

21 MR. BARCOTT: Hello?

22 LT READY: Yeah, Mike. You still there?

23 MR. BARCOTT: I'm still here. We lost you there for about 30  
24 seconds.

25 LT READY: Yeah, John's just using the bathroom real quick.

1 MR. BARCOTT: Thank you.

2 LT READY: Yeah.

3 MR. LAWLER: I just noticed my nose. It's (indiscernible).

4 LT READY: You feeling okay?

5 MR. LAWLER: Yeah. Kind of still, like, out of it, but  
6 whatever.

7 LT READY: Got you.

8 BY LT READY:

9 Q. All right, so we still have the recorder going here. We were  
10 kind of up to -- you were up on the bridge. Gary had just fallen,  
11 and you said you were up there. It was yourself, Brock and Seth.

12 A. And David was there too.

13 Q. And David.

14 A. Yeah.

15 Q. And that's -- it was one, two, three, four, five.

16 A. Because the engineer was downstairs still. Yeah.

17 Q. The engineer --

18 A. They all came up kind of late. I think, I think they woke  
19 up, because there was no -- you know, some people sleep deeper  
20 than others. And there was still no alarm telling even -- the  
21 alarm didn't sound until -- I'm going to say what made the alarm  
22 sound was low oil pressure when the boat was over so hard that the  
23 engines failed.

24 Q. Right. The engineer was --

25 A. Art.

1 Q. Art.

2 A. The lawyer probably knows what Art's last name is.

3 Q. Okay. And was Dean up at the bridge? When did he end up  
4 coming up?

5 A. Like, right after me. Because he heard me, like -- I even  
6 yelled in the room, what the fuck? Went to open the door, flew  
7 out. I was going to go check. I was hoping that maybe -- but I  
8 was like, in my head, I knew, like -- and I, like, had weird  
9 intuitions before too. Like, not -- because the boat, the boat  
10 seemed fine. But just got -- and I'm thinking, are you serious  
11 right now? Like, I don't know. It just didn't seem real.

12 Q. So did you see, besides yourself and Dean, did you see anyone  
13 get into a survival suit?

14 A. I saw Brock partially in one. I didn't see him fully in it  
15 because he was -- I was trying to help him, but there wasn't a lot  
16 -- like I said, sheer panic, hyperventilating. Like, more --  
17 yeah, trying to help him was not working, and then he said David  
18 had -- I didn't see David, because I was trying to grab a life  
19 ring or some buoyancy stuff, like I told you. At least so when  
20 everyone did get their shit figured out, we had some stuff,  
21 because I knew the boat was going down. And he said that David  
22 had his on, but he was by the door, and he was yelling. Dean was  
23 yelling at everyone, get the fuck out of there, get the fuck out  
24 of there, the boat's going down. Like, you're going to get stuck  
25 in there. No one was coming out. Door was open. No one was

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1 coming out.

2 Q. So it was only you and Dean outside.

3 A. Yeah.

4 Q. Okay, everybody else stayed in. And David was in his suit,  
5 you said?

6 A. He was in his suit, but -- yeah.

7 Q. He never came out. Okay. And --

8 A. So we don't know. Maybe he did pop up. That's why we were  
9 hoping that maybe you guys see someone floating around up there.  
10 But as far as what I know, I can assure you that Cobban, Gary --  
11 because he's no longer -- I can guarantee he didn't get his suit  
12 on. He probably drowned in there. It's possible Brock finished  
13 up his shit while I was gathering my other crap, but I doubt that.  
14 And then I didn't see what point Seth or -- so it was Seth  
15 legally. So where he was at. And it was all like -- it's pure  
16 chaos, is all it was. I mean, him and I have had it, like, pretty  
17 good, like, for the most part. I would say fairly calm. I could  
18 tell he was freaking out and I was freaking out, but we were  
19 trying to, like -- all right. Like, talking, trying to talk  
20 calmly to each other, not, like, get each other excited, so --  
21 Q. Okay. So then --  
22 A. We tied ourselves up. We got a line, tried to keep ourselves  
23 together by a piece of line, so -- because we didn't know if we  
24 were going to get a raft or not, so --  
25 Q. And that was when you guys were standing when the vessel was



1 all the way over on its side?

2 A. Yeah.

3 Q. And you were standing on the superstructure at that point?

4 A. Well, we were -- well, actually, at first it started leaning  
5 on the superstructure. Like, sitting on the superstructure with  
6 our feet on the railing. Because I knew I didn't want to get  
7 caught in the whole -- I don't know if the thing was going to do  
8 the whole 180 and then pull us down, so I wanted to be prepared to  
9 go along the side of it and then go on top if we had to. Just  
10 follow the boat around. Because we had just talked about that in  
11 town too. Gary was saying that a lot of schooners, especially,  
12 guys abandon ship, but don't leave the ship; the ship leaves you.  
13 Because they've found ships like that, like, schooners like that  
14 that have -- all crew gone, but the boat is still kind of bobbing  
15 off in the distance somewhere. They thought it was going down.  
16 It never went completely down. So that's what I was thinking what  
17 it might do.

18 Q. So you guys were on the, on the port side, correct?

19 A. Yeah.

20 Q. Because you were listing to starboard. So then as the boat  
21 comes over, it's bobbing on the surface. You're standing on the  
22 superstructure as it's going down sideways?

23 A. Yeah.

24 Q. Okay. And at what point --

25 A. No, no, no. And then we got over the railing onto the actual

1 bulwarks or the -- I guess it would still be part of the  
2 superstructure, essentially. Hanging onto the scupper down low.

3 Q. Okay. And at what point -- did you guys actually enter the  
4 water? Did you see the rafts before that?

5 A. No, I didn't see the rafts before that. I just, I don't know  
6 much about sinking boats. I watched movies before. So all I  
7 could think of was I didn't want to be around the boat when it  
8 went down, because you hear bullshit stories -- well, maybe it's  
9 not bullshit, but you can actually -- you get, like, sucked in  
10 with it a little bit from the pressure or whatever. I don't know  
11 if that's true or not, but -- so I knew right when it was going to  
12 go, and I just kind of, like, pushed off and -- because it was --  
13 my feet were in the water. So I just pushed off and swam away  
14 from it.

15 Q. Okay. And Dean was with you at that time too?

16 A. He was, like, right behind me.

17 Q. Were you guys tied off?

18 A. No, we lost that line. Because it was starting to get  
19 tangled around shit. Like, those suits are so hard to maneuver  
20 in. Like, all of a sudden there was line around our legs and  
21 stuff, and it was hooking up on things. I'm like, this is just  
22 like -- we're going to -- something's going to happen at the last  
23 minute and the line is going to get pulled down. We need to get  
24 this stuff clear.

25 Q. Okay. So then talk me through from when you went into the

1 water. What happened next?

2 A. My initial thing was, like I said, I'm actually floating. I  
3 had to roll myself over, but my feet were trying to float higher  
4 than my head, and the waves were crashing over me and blowing me  
5 around. And I couldn't find my inflate tube to try and give me  
6 more buoyancy on my top side. So I was floating all weird, and  
7 then I saw the raft coming in the waves. And Dean was like, John,  
8 the raft; see, we got the raft. And I swam as hard as I could and  
9 just pulled myself in it, and that was it.

10 And we just kind of, like, celebrated for a second. Said,  
11 holy shit, we got to this point. I'm like, I remember him saying,  
12 90 percent chance of survival now. I was like, all right, I think  
13 we'll be all right. Then it was like 3 or 4 hours later. Started  
14 questioning things for a while. Like, god damn, did that EPIRB go  
15 off? Like, there should be a chopper by now because I know you  
16 guys aren't -- there's always someone on standby with you guys.  
17 So there was a reason that you guys didn't show up right away.  
18 It's because the EPIRB didn't go off.

19 Q. So did anything happen? Were you the first one in the raft  
20 and then Dean came in after you?

21 A. Dead was first one in, and I jumped in after him.

22 Q. Okay. Okay. And then --

23 A. Lots of water in the raft. We thought it was going to  
24 capsize a few times. Finally got to the flares. Shot a few  
25 flares off, hoping that maybe -- because it was about, it was

1 about an hour before we actually got into that bag and then found  
2 the flares. So we were, like, an hour, probably enough time to  
3 where someone in a chopper or something would be within range to  
4 see the flare. So like a bunch of idiots, we shot them all off.  
5 Should have saved a couple, but we had the flashlight too. So  
6 that's how we actually we were able to signal the chopper when he  
7 was out there.

8 Q. Okay. Okay. And then -- okay, and then obviously, you know,  
9 the rescue swimmer comes down, pushed you guys up. Anything  
10 significant? You notice anything during that time? I mean, when  
11 you last saw the vessel, is that when you actually physically got  
12 in the water? Was it the last time you physically saw the vessel,  
13 or could you see it while you were in the raft as well?

14 A. No, it was -- it went down. I thought I (indiscernible). I  
15 was like, oh, the mast light is still there. But then I knew the  
16 power went out and it was actually -- it was the other raft  
17 bobbing around. And our light was out on our raft, so that raft  
18 kept tailing us, it was perfect because it had a light on it too,  
19 and they actually went and checked that one first.

20 Q. Right.

21 A. And as soon as I saw light, I thought they were a boat,  
22 actually, because they were hovering low and checking that one and  
23 flashing. Nothing -- they're not coming. They're not coming.  
24 I'm like what the fuck, is the light I'm seeing from the raft or  
25 -- it seemed brighter than the raft light. It's because they were

1 checking that one first and then --

2 Q. How far were you guys from that raft?

3 A. A quarter mile.

4 Q. Quarter mile? Okay.

5 A. I think. And then as soon as -- they must have seen me flash  
6 before, but they were going to check that one first. Because I  
7 thought it was a boat. I'm like, maybe it's taking a long time  
8 because it's a boat trying to steam through the bad weather right  
9 now. And then I knew it was a chopper as soon as that light went  
10 from, like, couple feet off the water to, like, 30 feet. I was  
11 like, oh, that's (indiscernible).

12 Q. Right. Yeah. Any --

13 A. That was a good feeling.

14 Q. I'm sure. Any injuries or --

15 A. Just banged up from trying to get off the boat. And like I  
16 said, I noticed my nose all weather-bitten.

17 Q. Right. You guys get pretty cold on there? Were you, were  
18 you at the point where you were shivering and difficulty moving  
19 or --

20 A. I was staying pretty good, but it was getting there. Like,  
21 we started -- talk started coming up about like, hey, you know,  
22 this is going to really suck. Like, we did everything that we  
23 were supposed to do and now we're just going to die in this raft.  
24 Like, that was kind of the talk. It was -- you know, like I said,  
25 time feels a lot longer when you're stuck out there.

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1 Q. Right, right.

2 A. But there was a bunch of water in the raft too, like I said,  
3 and my survival suit, I had water in it. Like, there was some  
4 holes in the toes or something.

5 Q. Right. No, I appreciate you walking me through that. With  
6 it being New Year's, anybody partaking in --

7 A. The what?

8 Q. -- any drinking? With it being New Year's, was anybody --

9 A. Oh, yeah, no.

10 Q. -- drinking on board, none of that? Okay. Can you think of  
11 any --

12 A. Everyone was sleeping.

13 Q. Yeah.

14 A. I didn't even, I didn't even know it was New Year's until we  
15 were in the raft and Dean goes, well, by the way, Happy New  
16 Year's. And I go, oh, yeah. 2020, I guess. Way to bring that  
17 one in.

18 Q. Now I know, I know it's hard to tell in this situation, but  
19 you know, you've been a fisherman a long time, been on a lot of  
20 boats. In your mind, what do you think happened? What do you  
21 think was the, kind of, causal factors that --

22 A. I mean, I've speculated myself. We're supposed to have slack  
23 water alarms on our tanks. And I asked Art about that, because  
24 I'm always curious when I get on a new boat, like, for my safety.  
25 I believe in my safety. I got a wife and a kid on the way, so I

1 want to know what kind of systems the boat has. So that was  
2 confirmed. You know, because once you put pots on, you can't get  
3 to the tanks when, you know, stuff starts happening. So they have  
4 some sort of, like, something to tell you what's going on in there  
5 if you can't see in there, you know, visually. So I don't think  
6 it was slack tanks.

7 Q. So did you, did you see those operating when you guys were  
8 loading?

9 A. I've never heard those alarms operate, but I was told. Like,  
10 yeah, but they were also checking the high water alarms. Worked  
11 just fine. Set the alarms off.

12 Q. Did you witness any of that happen?

13 A. The high water alarms?

14 Q. Yeah.

15 A. Yeah. There was the icing. Like, personally, I don't think  
16 that the ice played a huge -- I mean, it's hard to tell. I mean,  
17 I don't think -- me personally, when I saw the ice, I don't -- I  
18 wouldn't look at that and say that's enough to capsize this boat.  
19 And the way it happened too. Like, if it was ice and we had built  
20 up enough ice to heel the boat over all of a sudden, it would have  
21 started -- the list that happened was nothing to all of a sudden  
22 it was going down. I feel like it would keep building ice and get  
23 more and more. And that's usually what happens. You start  
24 listing more, and the captain's like, all right, time to beat some  
25 ice. But this just happened like this. I think we were taking on

1 water somewhere that there was no alarm to set it off.

2 And my -- this is just me speculating. There was some work  
3 done on the boat, because I talked to them about that when I came  
4 back, or when I came up for this season. They parked the boat  
5 here for -- after king crab, and they had some bad steel spots  
6 next to the shit chute. And that was all replaced. We had all  
7 the old steel that was laying there from the project they had  
8 done. So that was a new welded project, because they had been  
9 taking water in a certain area there, so they replaced some steel.  
10 You know, they took care of the problem, in theory.

11 Q. Okay. And any idea when that work was completed?

12 A. As far as I know, it was between king -- like, after they  
13 tied everything up for king crab. They did it then, because all  
14 the steel scraps from what they had cut up was sitting there. So  
15 you can have steel like that where they worked that on if the  
16 tanks are dry. The boat will sit way up out of the water and they  
17 can work on it above the waterline now. But maybe, once  
18 everything was tanked with all the pots, now that new work they  
19 did was under, and maybe something failed. Because the way the  
20 boat capsized like that, it was more, like, taking on more and  
21 more water and just kind of, just took it like it was a steady --  
22 like, all right, we're going, we're going. Water's coming in,  
23 water's coming in.

24 Q. Was that work completed here in Kodiak?

25 A. I believe so. The boat was in Kodiak, so yeah, it must have



1   been.

2   Q.   Right.  Okay.  How'd the steel look that was on deck?  Did  
3   you get a decent look at it?  Did you see some --

4   A.   I would have cut it up too.

5   Q.   -- pretty good wastage?  Yeah.

6   A.   Yeah.  I would have cut that same stuff out, so I don't blame  
7   the guy for cutting it out, but who knows?  Maybe there was more,  
8   or maybe a faulty weld.  You know, like I said, I felt a lot of  
9   shuddering, like I was telling you.  You know, stuff gets  
10  stressed, and you got that much weight on something and weather  
11  picks up.  I mean, it's not uncommon to see a seam crack or  
12  something.

13  Q.   Right.  When you were --

14  A.   Like I said, there was no alarms, though, so I'm thinking, if  
15  that happened, it was filling a void between, like, the fish holds  
16  and the hull where there's probably no, like, high water alarms of  
17  any sort.

18  Q.   Right.  Yeah, in relation to the rest of the boat, where is  
19  that sewage, overboard discharge?

20  A.   Right next to the launcher.  It's on the starboard side.

21  Q.   Starboard from the front.  Amidships.

22  A.   Yeah.

23  Q.   Yeah, okay.

24  A.   Well, not quite amidships.  A little more forward.

25  Q.   Okay.  And then how far above the waterline in a loaded

1 condition is that?

2 A. Water will rush back and forth over that. Yeah.

3 Q. Okay. So just at the waterline --

4 A. Yeah.

5 Q. -- was where the repairs -- I realize you didn't witness  
6 them, but that's where the repairs took place?

7 A. It was in that general area.

8 Q. Any idea how much, like --

9 A. Well, that's the idea behind it. Because the shit chute is  
10 supposed to be below or just right there so the water will push  
11 through, and all the crap that you put there gets washed out.

12 Like, all the, all the undersized crab and everything. So that  
13 water is meant to be -- or that place is meant to be a wet area.

14 Q. Right, right. Any idea how many, like, square feet they cut  
15 out of bad steel?

16 A. There was at least -- it was 2-feet there. There was at  
17 least seven of those sections like that.

18 Q. Seven 2 foot by --

19 A. By like 2-foot-ish. Yeah.

20 Q. Seven 2-foot-by-2-foot sections.

21 A. Dean helped me dispose of it. You can ask him about that.  
22 He'll have an idea too. All the plate steel. That's what I'm  
23 talking about.

24 Q. Anything else you notice, like, on your rounds? Any valve  
25 fittings or shaft packing or -- did anything stick out to you?

1 A. No, no. The engineer had just unloaded the packing on the  
2 crab pump and shit like that. So he seemed pretty competent and a  
3 nice guy. Like, he was on top of, like, taking care of shit, so  
4 that's why I say it was, like, unforeseen. Like, no alarms were  
5 going off. If the alarm, you know, if the alarm would have been  
6 going off and it was like in the engine room, that probably could  
7 have got, you know, fixed. Like, pump it out or whatever else if  
8 you get enough advanced notice. There was no fucking notice. It  
9 was, all right, you better do something now because this is  
10 happening and it's not going to right itself.

11 Q. Right. Okay. You feel like there's anything I should have  
12 asked you or anything else you think might have contributed --

13 A. No.

14 Q. -- that you want to mention?

15 A. Nothing that I can think of, no.

16 LT READY: Okay. All right, John, I definitely appreciate  
17 all the information you gave. Would it be okay for me to contact  
18 you at a later date --

19 MR. LAWLER: Absolutely. Yeah.

20 LT READY: -- to further discuss?

21 MR. LAWLER: You have my number?

22 LT READY: Yes. Okay, it is --

23 MR. LAWLER: That's my wife number. Yeah, so yeah --

24 LT READY: -- 10:32 on deck. I'm going to go ahead and stop  
25 the recording here.

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1 MR. BARCOTT: Can I ask --

2 (Off the record at 10:32 a.m.)

3 (On the record at 10:32 a.m.)

4 LT READY: Okay, this is Lieutenant Junior Grade Andrew  
5 Ready. We're picking up the recording again at 10:32.

6 BY MR. BARCOTT:

7 Q. John, this is Mike Barcott. I've just got a couple of  
8 questions. Just, can you give me your best estimate of the time  
9 when you felt the list and went up to the wheelhouse?

10 A. I'm going to say -- let's see -- I'd say 10 o'clock. Like,  
11 right around 10, between 10 and 10:30.

12 Q. Okay. And then with regard to --

13 A. Well, actually, we'll call it, we'll call it 9:45 to like  
14 10:20-ish. That's more accurate.

15 Q. Okay. And were you traveling with any of the tanks tank-down  
16 filled?

17 A. There was at least two that I know of.

18 Q. And which two were, which two were those?

19 A. They were aft ones. So towards the house, I believe.

20 Q. Okay. And is this a three-tank vessel?

21 A. Yes.

22 Q. All right. And I understand you'd taken on fuel? You'd  
23 upped your capacity with fuel and water when you left Kodiak?

24 A. Yeah. That's what I -- well, that's what I was led to  
25 believe, because Art had told me when we were getting ready to run

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1 our errands that we shouldn't have to stop for fuel because they  
2 had already filled the boat up after king crab. But then we still  
3 went and took another 4,000 gallons. So that probably completely  
4 topped it off, I'm sure.

5 Q. Okay. Those are the only --

6 A. And water was full as well.

7 Q. I see.

8 MR. BARCOTT: Those are the only follow-ups I had. Thank  
9 you.

10 LT READY: All right. Going to go ahead and stop the  
11 recording again. It is 10:34.

12 (Whereupon, at 10:34 a.m., the interview was concluded.)  
13  
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25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:           CAPSIZING AND SINKING OF THE  
                                      F/V *SCANDIES ROSE* NEAR SUTWIK  
                                      ISLAND, ALASKA, DECEMBER 31, 2019  
                                      Interview of John Lawler

ACCIDENT NO.:               DCA20FM009

PLACE:                        Kodiak, Alaska

DATE:                         January 1, 2020

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.



Eileen Gonzalez  
Transcriber

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UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

CAPSIZING AND SINKING OF THE \*

F/V *SCANDIES ROSE* NEAR SUTWIK \*

ISLAND, ALASKA, DECEMBER 31, 2019 \*

\*

\* \* \* \* \*

Accident No.: DCA20FM009

Interview of: JORDAN YOUNG

Welder, Highmark Marine Fabrication

United States Coast Guard  
Marine Safety Detachment Kodiak  
Kodiak, Alaska

Saturday  
January 4, 2020

Free State Reporting, Inc.  
(410) 974-0947

APPEARANCES:

LT ANDREW READY, Investigator  
United States Coast Guard

BART BARNUM, Investigator in Charge  
National Transportation Safety Board

MICHAEL BARCOTT, Attorney  
DANIEL BARCOTT, Attorney  
Holmes, Weddle & Barcott  
(On behalf of the owners of the *Scandies Rose*)

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I N T E R V I E W

(1:01 p.m.)

LT READY: This is Lieutenant Andy Redd. I'm here at Marine Safety Detachment Kodiak with Mr. Jordan Young. We are conducting an interview into the sinking of the *Scandies Rose* on 31 December 2019. Again, we are here at Marine Safety Detachment Kodiak in Kodiak, Alaska. The time on deck is 1301 on January 4th, 2020. And we'll just go around and introduce all the parties who are present at this interview.

MR. BARNUM: Good morning, Jordan. My name is Barton Barnum with the NTSB, Office of Marine Safety. That's Barnum, B-a-r-n-u-m.

LT READY: Go ahead, Mike.

MR. M. BARCOTT: And this is Mike Barcott, attorney representing *Scandies Rose*, and Daniel Barcott, attorney for *Scandies Rose*.

MR. YOUNG: My name is Jordan Young. I work for Highmark Marine Fabrication. I'm a welder for them.

LT READY: Thanks, Jordan. And again, we appreciate you coming in today. Again, we're really trying to look into the condition of the vessel before they left here in Kodiak. We understand that you conducted some work on board to the disposal chute. And really we're looking for, you know, how you went about the repairs and also anything you might have seen on board the vessel. And before we get further into it, do we have permission

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1 to be recording this interview?

2 MR. YOUNG: Yes.

3 LT READY: Thank you.

4 INTERVIEW OF JORDAN YOUNG

5 BY LT READY:

6 Q. If you could just start out with a little bit of your  
7 background and history as a welder and then being hired by  
8 Highmark Marine and bring us through that.

9 A. So, I went to welding school. I think it started December --  
10 or no, I started January of 2017, and finished -- I got out, did  
11 the structural program, and then, finished out the pipe program in  
12 December of 2018. And have been working for Highmark Marine  
13 Fabrication ever since then. And worked on a very wide variety of  
14 jobs and gotten a lot of different experience doing all kinds of  
15 stuff.

16 Q. And what kind of certifications do you hold?

17 A. I have a D1.1, which is with AS- -- it's an ASME D1.1, which  
18 is a structural certification, 1 inch. And then, I don't know if  
19 you want me to describe the stuff or you --

20 Q. That's okay.

21 A. -- already know what this is.

22 Q. That gives us enough. We can go into --

23 A. Okay, cool.

24 Q. -- the specifics of --

25 A. And then I also have an API 1104, which is 6G. And then, for

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1 6-inch and 4-inch.

2 Q. And who issued that 6G?

3 A. It's recognized by -- was it ABS?

4 Q. ABS, yep. There you go.

5 A. Yeah.

6 Q. I've got it printed right here. So, how many years did you  
7 say you've been welding for total?

8 A. Started, I don't know, count before when I started welding  
9 school, so it's been, like 3 years now.

10 Q. Had you welded before school at all, or even just like --

11 A. No, I'd been around it, but, no, hadn't really.

12 Q. Okay. Now, you said you've done a lot of different jobs, a  
13 lot of big jobs. We did just talk to Cooper, and he was saying  
14 kind of the structure of Highmark Marine, you know, it's him and  
15 then David Cox is kind of No. 2, and then you're in there as the  
16 No. 3 guy.

17 A. Uh-huh.

18 Q. When you were given this project, was this one of the bigger  
19 jobs you've ever done or can you kind of quantify?

20 A. This is just -- no, I mean, I'd done -- like since this was  
21 above the water line, it was not -- I guess, in my mind, it wasn't  
22 one of the bigger ones for me, because I had already been doing,  
23 like inserts on the bottom of boats and whatnot. But as far as,  
24 like just the amount of work that went into it, it was bigger, I  
25 mean, a lot of, like big steel there and whatnot, but as far as,

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1 like difficulty, no, it wasn't very.

2 Q. And can you bring us through -- you know, we'll just let you  
3 run with it start to finish and then we'll probably have some  
4 follow-up questions afterwards. But just from your first, initial  
5 contact with the *Scandies Rose*, whether it was this specific job  
6 or if you had something prior to?

7 A. I'd been on it a few times just doing aluminum stuff and  
8 whatnot. Nothing on the boat itself, just like different -- like  
9 their sorting equipment and whatnot.

10 Q. Okay. Understood. But nothing for structural integrity?

11 A. Correct.

12 Q. Okay. And all those times on the boat, what was your  
13 impression of the boat?

14 A. It was kind of like -- I don't know, I guess it seems like a  
15 fairly weathered, I guess, I mean, like just like any other boat.  
16 I know in the waste chute there it was pretty gnarly. Like  
17 everything was very corroded and whatnot. I think it was also,  
18 like they didn't use very thick steel when they put it in there.  
19 And then, also, when they went to do repairs, like they didn't do  
20 correct repairs, and ended up actually causing more problems when  
21 they did the repair. Like, they, like burned through when they  
22 were trying to put a doubler on. But it looked pretty bad.

23 And then, I've seen pictures like this one right here. I  
24 don't know when this was taken, but that waste chute isn't on here  
25 or in this picture.

1 Q. Yeah, it's --

2 A. Is it there?

3 Q. You can barely see it. This isn't really a good printout of  
4 it. Let me pull another one up. It's kind of right here.

5 A. Okay. So, that's where the pot launcher is, and then this  
6 waste chute should be right there.

7 Q. Okay. Yep.

8 A. And I don't see a hole there. Maybe it is but --

9 Q. Yeah, hard in a black hole to see it.

10 A. Right, and I don't see it there and I've seen a couple other  
11 pictures and it's not there. So, anyways --

12 Q. The original waste chute wasn't there?

13 A. Yeah, I guess, I don't know. I can't see it in this picture.  
14 And then, I can't see it in any of the other pictures, so I'm  
15 guessing it hasn't been there for very long. So, I don't know. I  
16 wouldn't be able to say that my judgment of -- based on that being  
17 in tough shape, that I don't know. Maybe they just didn't paint  
18 it or something, but it didn't seem like it had been there for  
19 very long.

20 Q. So, now, if you can -- you said you were on the *Scandies* for  
21 a couple projects prior to this one. Can you take us through when  
22 you first found out of this job, the planning that went into  
23 getting ready for the job and the actual execution of putting the  
24 new chute in?

25 A. So, yeah, Cooper took me down there and showed me the issues

1 with it, with what was wrong, because I think it had been leaking  
2 and they made some efforts to repair it without, like welding,  
3 just like putting splash zone on the inside, which it was entirely  
4 covered in. And then, we just -- he kind of walked me through how  
5 he would cut it out and whatnot, where to make my cuts and  
6 whatnot. And then, figured out, just kind of like, basically, we  
7 just put it back, essentially exactly how they had it, except we  
8 did these spots right here in one piece so that there would be --  
9 to remove one welded joint. So, I mean, it just cuts that and  
10 makes it better when you do that. And then, yeah, talked about  
11 that. And then, from there, it was pretty much just me. He  
12 helped me cut out these pieces and whatnot. We used the waterjet  
13 for that. I went down there and took measurements, and so these  
14 are, like very perfect as far as --

15 Q. When you say cut out these pieces, you're talking about the  
16 new pieces.

17 A. The new pieces, yeah. Sorry. After I did, like demo work  
18 and completely removed everything. Got everything cut, clean.  
19 Sorry, I guess I should start from the beginning. So, went in,  
20 cut everything out, cut it clean. And then, like clean to where I  
21 was going to start welding, ground everything smooth down to fresh  
22 metal. And then, went back to the shop, cut out all the new  
23 pieces.

24 Q. When you cut everything out, can you describe the surrounding  
25 steel around the steel that was --

1 A. Yeah, so that was part of it. I had to cut back in a little  
2 bit more so that I could get to good material to tie into.

3 Q. How do you define good material?

4 A. So, it would be something that isn't, like a reduced  
5 thickness anymore, it's like the original plate thickness, like  
6 it's not too rusted. The rust pits aren't reducing the thickness  
7 of the material. And then, just like no rust or any kind of  
8 contaminant on the material itself, like perfect, clean material.

9 Q. And were you able to do that?

10 A. Yes.

11 Q. How far back did you have to cut from the actual chute  
12 itself?

13 A. Just off the edge of the weld there.

14 Q. How many inches?

15 A. None. Like, I mean, like it was -- there was the weld joint,  
16 so, I mean, like maybe like an eighth of an inch or something,  
17 like right on the toe of the weld is where I was able to cut.

18 Q. Understood. Okay, so you got that all cut out. Now, talk us  
19 through --

20 A. And then, so, yeah, after everything was cut out and then  
21 grinded smooth, I pulled measurements for my new pieces and then  
22 took those back to the shop and we designed them on the computer,  
23 kind of like drew them out and then cut them out with the waterjet  
24 and brought them down here. And made it so that you're not, like  
25 finding an open root or anything. I made it so everything



1 overlaps. And so, like the bottom plate was extra wide so that  
2 the top plates sat on top of it, and then this bottom plate came  
3 out of the boat there, so everything was a fillet weld. There was  
4 no, like open roots or anything. And then, went down and  
5 installed them, and did a -- put a root in it all around  
6 everything. Everything fit up perfect, because I didn't have to  
7 hand cut anything. It was all machine cut. So, it fit in there  
8 great. So, I put in the root pass. I ground the top of that out  
9 until there was no slag in there. Put in a hot pass, which  
10 would -- if there was anything left, it would have burned it out.  
11 And then I put in two -- I think we did, like two passes over  
12 everything of 7018 low hy, and then performed a dye penetrant test  
13 on it, and didn't have any leaks, because it wasn't hard to do.  
14 And then, we put the deck back on and sealed it up.

15 Q. Okay, with everything being -- well, then you talk about  
16 those overlaps.

17 A. Right.

18 Q. How much of an overlap did you have?

19 A. Plenty. So, like I think these -- do half-inch, yeah. I  
20 think we put in half-inch plate, so I had, like three-eighths  
21 sticking out or half an inch essentially. So, right there was a  
22 good, like obviously, like this corner right there, and then, on  
23 the inside of the boat, where I was welding, I had, like a good,  
24 yeah, three-eighths to half an inch of material to do a little  
25 weld right there.

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1 Q. So, was there any welding outside the skin of the ship or all  
2 this welding you did was from inside the void?

3 A. Now, so like this one right here, that's a big old fillet  
4 weld right there, and then, everything, like on the back side of  
5 that to the deck along there was a big old fillet. This was --

6 Q. So, it's on both sides.

7 A. Correct, yeah. And then, up here, this is -- I mean, this is  
8 at the sub deck or I'm not even sure -- or the true deck, I guess,  
9 because this would be the false deck. These had to be open. And  
10 then, --

11 Q. And just for the recording, we're talking about the  
12 transition going down onto the slope of the chute, the transition  
13 from the deck to the chute.

14 A. Correct, yes.

15 Q. And that was open right there.

16 A. Right there.

17 Q. But everything else was fillet welded.

18 A. Correct.

19 Q. What about the transition from the chute to the side shell?

20 A. Right there, yeah, so it's overlapped and then sat on top of  
21 the edge of the boat, so it was fillet weld on both sides.

22 Q. Okay.

23 A. So, on the inside where it comes down like this, yeah, fillet  
24 weld right there. And then, I took and cut with a plasma torch  
25 right along the edge of the boat.

1 Q. Okay.

2 A. And then, welded that in.

3 Q. So, you made it flush with the side shell and then --

4 A. Actually, I think I welded it first and then cut it.

5 Q. Understood. So, nothing was prefabricated in the shop. You  
6 did all the welding right there on the boat.

7 A. Correct, yes.

8 Q. How did you access the void space, like the first time you  
9 were on board?

10 A. Let's see, there's a -- oh, yeah, right there. So, there's a  
11 hatch right there.

12 Q. Uh-huh.

13 A. Probably, like 15 feet away from where I was working. And  
14 then, there's another access port up here in the forepeak where  
15 you go down inside. And you can go in there, but I didn't go  
16 through there, but you can see it from where I was working. And  
17 then, had ventilation right there, but, yeah, I went through that  
18 port.

19 Q. Is that the only spot you really went to on the boat?

20 A. Correct, yes.

21 Q. Okay. Kind of talk us through the condition of that space  
22 and the area you were working in.

23 A. Everything was covered in clean paint. I mean, everything  
24 looked great down there. There was nothing -- I didn't see any  
25 corrosion or anything like that.

1 Q. Did you notice high water alarms or anything in that space?

2 A. High water alarm --

3 MR. M. BARCOTT: Bilge alarm.

4 MR. YOUNG: I didn't see any, because it goes from right  
5 there -- it's not a sealed void, because it goes -- from right  
6 here, it goes back into the engine room. So, but, yeah, I didn't  
7 see any alarms in there.

8 BY LT READY:

9 Q. And that void runs all the way from the engine room to the  
10 forepeak?

11 A. Correct, yes.

12 Q. Okay.

13 A. And I don't really know what a high water alarm looks like,  
14 so I wouldn't necessarily be the one to ask.

15 Q. Just an old piece of machinery down in the bottom of the  
16 bilge with wires coming out of it.

17 A. Oh, okay. I didn't see the -- yeah.

18 Q. Yeah, I mean, they all look different depending on design.

19 A. Gotcha.

20 Q. Okay. How long, start to finish, was this job? Can you  
21 remember?

22 A. I think it took 5 days. It took me 2 days to cut everything  
23 out and then I had -- after I fit everything out -- up and welded  
24 it, I had another guy come help me with putting the false deck  
25 back in, which was all welding above the chute there.

1 Q. And that was Hunter who was helping you out?

2 A. Correct, yeah.

3 Q. How many days was Hunter on the boat?

4 A. He was there for, I think two. We pulled a couple long days,  
5 so it's kind of hard to tell whether it was two or three. But I  
6 think it was 2 days, yeah, the last 2 days.

7 Q. And then, did you have any interaction with either Gary or  
8 guys from the crew of the *Scandies Rose*?

9 A. Yeah, so there was Gary's son, David.

10 Q. Uh-huh.

11 A. And then, there was another kid on there. I can't remember  
12 his name. He'd been friends with David for a while. They were  
13 fire watch for us while we were working.

14 Q. Okay.

15 A. So, they were on there pretty much the whole time.

16 Q. In your interactions with them, did they -- you guys talk  
17 about the boat at all, about upcoming trips or how the fishing was  
18 or --

19 A. Not too much. I mean, I just kind of put my head down and  
20 worked, so I didn't really talk to them too much.

21 Q. Anything else you can think of that sticks out in your mind,  
22 you know, the time you spent on board, time with the crew, you  
23 know, anything that you think would be of interest to us?

24 A. Not really. Yeah, I didn't really talk to the crew very  
25 much. And, yeah, that I can think of.

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1 Q. Okay. So, you walked us through all of the -- all your  
2 welding procedures, how you went about it. Did you actually have  
3 the procedures with you on board? Did you review those procedures  
4 before you --

5 A. No, I mean, I do this process almost every single day, and  
6 it's congruent with all of the -- like the processes. The same  
7 with both of my certifications. So, I'm very familiar with it.  
8 But, no, I did not have it with me.

9 Q. Can you talk through the materials themselves, especially  
10 your welding rods? Like, how do you get the welding rods to and  
11 from the site? Where do you get them from?

12 A. I keep them in a rod guard. It's a watertight canister, a  
13 little plastic container with a rubber gasket on it, and keeps  
14 them dry so that they're not -- because if they're wet, they don't  
15 work. But usually just keep them in the truck or -- we were  
16 burning through a lot of rods, so, we were pretty much just  
17 grabbing it fresh from the store where they're, like hermetically  
18 sealed at the shop, and then just bring them right down to the  
19 boat and burn them that day.

20 Q. Okay. Now, do you leave them in your truck overnight? Where  
21 do the rods go after a day's work?

22 A. After a day's work, I think anything that we hadn't burned up  
23 we put up in the forepeak of the boat there. And that had a door  
24 on it.

25 Q. Now, once all the welding was complete, you guys were happy

1 with the job. First, did you run into any issues or  
2 complications?

3 A. No. I mean, yeah, like I said, everything was a fillet weld  
4 and whatnot. There was nothing difficult about it.

5 Q. Did anyone come in and check your work or were you just kind  
6 of running with it?

7 A. I think David had stopped by, because he was working on the  
8 boat next door, just to see how we were doing and kind of look at  
9 it, but that was about it.

10 Q. Was he happy with how it was going?

11 A. Yeah.

12 Q. So, once you finished everything up and it's looking good,  
13 what do you do after all the welding's complete?

14 A. Yeah, so pretty much after you're put in a pass, I mean, you  
15 wire wheel it clean, take all the slag off of it so you can look  
16 at it, and everything looks good, clean up, pick up all your rods  
17 and sweep up all the everything and give it a good look over, just  
18 to make sure you're happy with everything, and then pack your  
19 tools up and leave.

20 Q. So, then, it was all cleaned up and you did a visual  
21 inspection. Can you talk me through how you inspected those?

22 A. Just looking for undercut, which would be, like a reduced  
23 material thickness, cold lap, anything that would look like a  
24 defect or something that would cause an issue or a leak or  
25 anything. Like, which, I mean, we already did a leak test and it

1 passed, but you can still, like find things that you're not happy  
2 with, which you'll grind out, repair. But just look along the  
3 length of the weld, and, you know, anything you don't like about  
4 it. But we've like, throughout working on it, I mean, looking at  
5 every single inch, like constantly, and so, it's been looked at,  
6 like 50 times.

7 Q. By yourself and by anybody else?

8 A. Yeah, and Hunter as well.

9 Q. Okay, what's Hunter's experience in welding?

10 A. He's a little bit -- I think he's one year behind me, so he's  
11 2 years in now.

12 Q. Okay. You mentioned a leak testing. Can you talk me through  
13 that?

14 A. So, that would be the dye pen test, so you take and get the  
15 weld completely clean of slag and debris, and then, apply the  
16 penetrant to the welded area and give it probably 5 minutes so  
17 that -- I think it works through, like capillary action to suck  
18 through. And it looks for any openings and whatnot, and then  
19 seeps through the other side. Then you go on the back side with  
20 developer, which is white. The dye penetrant is red and the  
21 developer is white. And you spray the developer on the back side  
22 of the weld, and then it shows up bright red on the white surface  
23 there that's left any leaks.

24 Q. Okay, so where did you put the penetrant on?

25 A. Like every weld that was on a deck penetration. So, all of



1 these fillets and the outside. Everything that was between the  
2 deck and the void, or the outside of the boat and the inside.

3 Q. And what side -- did you put it on the outside of the skin of  
4 the ship or the inside of the skin of the ship?

5 A. The outside.

6 Q. The outside. And then, where did you put the developer?

7 A. The developer was all in the inside of the void there.

8 Q. And what's your process, when, you know, you told me you  
9 clean up the area that's all welded and get everything clean  
10 before you do this. And then, talk me through, like step by step,  
11 what you do. Like put yourself on board right now. Like what are  
12 you doing?

13 A. Sorry, from the beginning of the job or --

14 Q. From the beginning of doing your dye penetrant.

15 A. They dye pen, okay.

16 Q. Everything's cleaned up. Talk me through step by step what  
17 you're doing.

18 A. Okay. Just kind of running along, like I pick up plates to  
19 start with. I'll try to start uphill. So, I mean, the stuff  
20 works. I've never used it trying to spray upwards, but I know the  
21 stuff's pretty good so it'll work anyway, but I usually try to  
22 give it the best chance to get through everything. So, I'll start  
23 uphill anywhere and work my way down on both sides, and then come  
24 across just to make sure I cover everything, make sure  
25 everything's covered in red. And give it, 5 minutes, and then go

1 on the inside and spray the developer on there, and look over  
2 everything, make sure it's completely coated. And if you find a  
3 leak, you would have to grind into that spot until you're to clean  
4 metal, you know, look for the defect, see if you can find it. And  
5 then, go back over it with the same process that you used to weld  
6 the whole thing out, and make sure it comes out clean and then  
7 retest that spot. Does that answer?

8 Q. Yeah, no, definitely, appreciate it. Thank you very much,  
9 Jordan. Where did you get that 5 minutes from? How do you know  
10 how long --

11 A. Oh, I just point on my phone. I just use a timer.

12 Q. How do you know to wait 5 minutes?

13 A. On the back of the can it tells you to wait a certain amount  
14 of time.

15 Q. Were you given any training in school for dye penetrant  
16 testing or --

17 A. No.

18 Q. Just, like on the job?

19 A. Yeah.

20 Q. Who taught you how to do it?

21 A. Shoot, that was a while ago. I think it was Cooper or one of  
22 the guys that used to work there.

23 Q. But somebody at Highmark?

24 A. Correct.

25 Q. Did Hunter witness the dye pen, too?

1 A. Yes, he did.

2 Q. Okay. Awesome. And then, did you guys have -- see any leaks  
3 when you were doing the --

4 A. No.

5 Q. -- dye pen test? Okay. I think that's all I have for the  
6 chute repair itself.

7 A. Okay.

8 Q. When you're in that void space, was there, like a lot of  
9 built up rust or paint chips in the bilge or --

10 A. No, not at all. It was real clean in there.

11 Q. If you could, you know, compare it to other boats you've been  
12 on, crabbers specifically, in the middle of the pack or one of the  
13 nicer boats or --

14 A. I haven't spent a whole lot of time on the inside of  
15 crabbers. I know, like above deck they're all pretty beat up,  
16 because they are, like hauling pots around. Maybe that's why they  
17 look so rusty on top, because it busts all the paint off. But  
18 compared to other ones that I've been on on the inside, that void,  
19 at least, because it doesn't see a lot of action, a lot of wear  
20 and tear, that one looked real good.

21 LT READY: Bart, do you have any questions?

22 MR. BARNUM: Yeah, just a couple follow-ups off of Lieutenant  
23 Ready's questions.

24 BY MR. BARNUM:

25 Q. This is Bart Barnum, NTSB. From my notes here, how long --

1 if it took you 5 days to do the job, do you remember when you  
2 finished? What day? When was that?

3 A. I can -- like a date?

4 Q. Yeah.

5 A. I can actually tell you right now.

6 Q. Are you looking at pictures on your phone?

7 A. Yeah, a picture that I took on my phone that records the date  
8 that I took that picture. And it would be probably one of these.

9 LT READY: Are these the only two pictures you have or do you  
10 have more?

11 MR. YOUNG: These are the only two that I have,  
12 unfortunately. I had tried to take pictures on the inside there,  
13 but it was too smoky to see anything, so --

14 LT READY: Do you traditionally take pictures of your work?

15 MR. YOUNG: Yes, so I have records for situations like this  
16 or just for reference in the future.

17 A. I think November 24th was the day that I finished up, I  
18 believe.

19 BY MR. BARNUM:

20 Q. We were talking about the NDT, the dye penetrant testing you  
21 performed. Do you do that on all your welds, regardless of --

22 A. Not all of them, just anything that penetrates the outside of  
23 a boat. So, yeah, anything that needs to be -- yeah, that  
24 penetrates a boat.

25 Q. How often do those welds fail the test?

1 A. Not very often, because, I mean, we do this all the time and  
2 you're pretty -- I mean, you want to be careful throughout the  
3 entire process that you make sure it's good, that everything is  
4 clean through every pass and whatnot. Occasionally, like you can  
5 get, like a tight spot. I have seen where it was real difficult  
6 to get in there and put in a pass properly where you might get a  
7 leaker. But it's usually, like -- I can't remember the last time  
8 that happened.

9 Q. Okay, so it didn't happen on this job.

10 A. No.

11 Q. It didn't fail at all. Didn't have to go back and miss any  
12 spots and fix it?

13 A. No.

14 Q. My next question, we're talking to Cooper a little bit about  
15 this void. I know you were in it. Could you tell me about the  
16 types of hatches? Were they all open, and do you remember?

17 A. Yeah. So, that one had -- they were all bolt-on hatches, so  
18 there's, like a combing that comes up with, like a phalange. And  
19 then, you put a rubber gasket on there. And then there's the  
20 hatch cover, which is cut right to the edge and bolts that go all  
21 the way around, and then you can get a nut on the back side. So,  
22 through bolted hatch covers. And just the two of them. That one  
23 there went to the deck and the one up there in the forepeak, and  
24 then, in here, there was no hatch to the engine room.

25 Q. So, for the record, there was no hatch from the void going

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1 into the engine room.

2 A. Correct.

3 Q. It was just an open manhole.

4 A. Correct. Yeah, I'm trying to think if there was any kind of  
5 a door or anything on there. I don't recall there being any kind  
6 of a -- any way to close that right there.

7 Q. Did you transit that hatch at all? Or was it always this  
8 main deck?

9 A. A couple times, because I had to run some extension cords  
10 from the engine room, actually past the engine room, through here  
11 to where I was working, 220 for my welder and plasma cutter, and I  
12 crawled through there a couple times just to feed the cords.

13 Q. And the -- we were talking to Cooper earlier. He estimated  
14 the length of the void being 50 feet. Would that be --

15 A. Yeah. Right about -- it's kind of tough to say. Cooper  
16 would know better because he's more familiar with boats. But I  
17 never took like a measuring tape, but --

18 Q. Yeah. And how wide would the void be?

19 A. Maybe like 4½, 5 feet wide maybe?

20 MR. M. BARCOTT: Could you (indiscernible)?

21 MR. YOUNG: I think so. It's kind of tough to remember, but  
22 maybe not quite. Because I think my reach is like 6 foot, or  
23 close to it. And I think I could touch both sides, yeah, so it  
24 was within 6 feet.

25 BY MR. BARNUM:

1 Q. Do you mind just labeling this picture?

2 A. Yeah.

3 Q. A picture that Cooper had drawn, Jordan is labeling the  
4 widths of the void.

5 A. We'll just call it 6 feet.

6 Q. And how about the height of the void?

7 A. The height, kind of like --

8 Q. Could you stand up straight in it?

9 A. No, not at all. I had to be crouching.

10 Q. But you weren't on your knees?

11 A. Yeah, it was kind of weird, because there was all the baffles  
12 in there and the baffles just have these little holes that you  
13 crawl through. But I think it was, like 4 feet tall, at least.

14 Q. Okay. And just write that on there. The hatches at the  
15 forward and aft end of the void, could you estimate -- what was  
16 the circumference of those? How big? Oblong?

17 A. Where is that. I think like 22-inch circumference.

18 Q. Okay.

19 A. I'm trying to think if there was anything different. There  
20 were a couple of them. I think the one going into the forepeak  
21 was slightly oblong, so it might have been -- I can't remember  
22 what the diameter of a --

23 Q. Were they similar in size to the --

24 A. Yes.

25 Q. -- holes in the baffles as you went up?

1 A. Correct. Yeah, they were actually exactly the same size.

2 Q. Okay. From the main deck hatch into the void to the waste  
3 trough, what was the distance?

4 A. I think it was four baffles, so like 10 or 15 feet.

5 Q. Would you mind labeling that?

6 A. Yeah.

7 Q. And you had mentioned the -- there was a gasket on the hatch  
8 of the main deck.

9 A. Right.

10 Q. Do you remember the condition of that gasket?

11 A. I didn't remove it, so I don't know where it was at. But  
12 I -- yeah, so I couldn't really attest to what shape it was in.

13 Q. When you completed your work and left the vessel, were these  
14 hatches open or did you close them or did you see them being  
15 closed?

16 A. I did not. We left it open because the deckhands were  
17 performing fire watch. And thus, we had to leave it open, and we  
18 had left by the -- before they shut them.

19 Q. The underwater epoxy that was used prior to your work, did  
20 you see any other locations, whether it be in the void or while  
21 you were working on board, that was being used --

22 A. No.

23 Q. -- to patch any --

24 A. No. (Indiscernible).

25 Q. You mentioned you didn't go down here this often. How did



1 you get down into the forepeak? Was there a hatch up here?

2 A. Yeah, so right -- let's see, like if this is the bulkhead  
3 wall right here, there was a big hatch on the deck here that  
4 opened up and so they could put gear in there. And so, they  
5 opened up this occasionally for air flow. And then, there was  
6 also a hatch hole right inside of this. There's a man door right  
7 here, and a hatch hole, I think, like right in front of the door.  
8 If you get down into this room and then over to, I think that  
9 access port was more like right here to that void there.

10 Q. So, it wasn't at

11 A. The void doesn't run -- yeah, sorry, now that you mention it.  
12 So, the void doesn't quite run all the way to this -- I'm assuming  
13 that this wall right here, in my head, I imagined that this was,  
14 like the bulkhead of the forepeak. But that's probably not what  
15 he had in mind when he drew this.

16 Q. This hatch, how big was this hatch?

17 A. Probably 10 feet by 6 feet.

18 Q. And that was flush with the deck? How would that be closed?

19 A. Correct, yes. So, there is the, like the false deck and the  
20 true deck. And it was flush with the false deck.

21 Q. Bolts?

22 A. I'm trying to remember how that -- I can't remember how that  
23 one was, but I don't think it was bolted all the way around. I  
24 think they were --

25 Q. Dogs or --

1 A. Yeah, I think it was dogs. But I can't recall, because I  
2 never opened it or shut it myself. So, I never had to go through  
3 the process.

4 Q. Was there a davit or a winch or the crane has to remove it?

5 A. No, it was on hinges. That's right, yeah, so it was on  
6 hinges and you could open it up, so I imagine it was dogged  
7 from -- I don't remember if it was -- probably from the inside, I  
8 would imagine.

9 Q. And those were the only three ways into that void.

10 A. That I know of, yes.

11 Q. That you know.

12 A. Yes. Here, here, and -- yes, those were the only three ways  
13 in there.

14 MR. BARNUM: That's all I have, thank you.

15 LT READY: Okay.

16 BY LT READY:

17 Q. So, you're saying through this big -- what did you say, the  
18 10 by 6 in the middle here. Could you get from there to the void?

19 A. Not direct- -- so, they're, like this access port into the  
20 void, he drew it there. I accidentally moved it over, because I  
21 was imagining that this line right here was the bulkhead --

22 Q. Gotcha.

23 A. -- of the forepeak. But basically, if this was the access  
24 port right here, you can go into the forepeak and then down  
25 through a hole right there. And then, there's like this big room

1 underneath there that kind of encompasses -- I guess I could  
2 probably draw it in for you. It was like kind of a gear locker,  
3 and I think this area was locked. I don't know what was right  
4 there. It was just a -- it was walled off right there. And then,  
5 actually, this -- come through like this bulkhead. It was a  
6 little longer between here. But, yeah, so this would be where  
7 that hatch was. And there was a big gear locker down in here.

8 Q. Do they have the capability of maintaining watertight  
9 integrity between all these spaces, like were there?

10 A. Yeah, so this -- between this wall and -- between this side  
11 of the wall and that side of the wall, yes. There was a bolted  
12 hatch cover right there.

13 Q. Okay. And were there hatch covers into, like the gear locker  
14 space and --

15 A. That big hatch right there --

16 Q. Right.

17 A. Was the only way from outside of the forepeak in there.

18 Q. Okay.

19 A. And then, from the inside of the forepeak, there was that  
20 hatch right there.

21 Q. And then, what was kind of the shape of this void space? Did  
22 the side shell go straight up and down where the void space was or  
23 was it coming in at a pretty sharp angle?

24 A. So, I think it looked like the boat has been -- or maybe  
25 that's not what it was, but basic -- yeah, no, I think it had

1 been, because there were old, like port windows in the side, like  
2 right on this wall right here. And so, this was straight up and  
3 down to the ceiling, like right here. I think -- or, no, that was  
4 probably the edge right there, because that weld was, like 4  
5 inches off of the wall. So, straight up and down and then one  
6 wall was sloped -- no, it wasn't sloped, because -- it was just  
7 sloped right there where that was at. So, yeah, it come straight  
8 across -- it was, like a rectangle, I guess. It was like 4 feet  
9 taller than -- like 6 feet wide.

10 Q. Right. So, the whole void was rectangular shaped.

11 A. Correct.

12 Q. The side shell wasn't coming in and making it a big triangle.

13 A. Right, yeah.

14 Q. Understood.

15 LT READY: Daniel on the phone or Mike, do you guys have any  
16 questions, anything to add?

17 MR. M. BARCOTT: This is Mike. And, Jordan, thank you. I  
18 don't have any questions.

19 LT READY: Jordan, do you think there's anything we didn't  
20 discuss or questions you feel like we should have asked during  
21 this interview?

22 MR. YOUNG: Not really into anything that I did. No, I can't  
23 think of anything.

24 LT READY: Okay.

25 MR. BARNUM: What are you hearing about the accident? What

1 do you, what do you think what happened?

2 MR. YOUNG: So, what I've heard is that, like I said, like  
3 I'm not terribly familiar with boats, but just learned of this  
4 recently is that it's kind of a shallow boat, like doesn't have a  
5 real long keel on it. And that with all that, has a lot of room  
6 to stack all those pots up top and it was pretty tall. That the  
7 bottom of the boat doesn't come down very far, that it iced up up  
8 here so that all of these crab pots that can catch spray, and that  
9 spray will freeze on any surface. There was a lot of surface area  
10 for all that stuff to ice up.

11 And basically, it was crab pots. I'm assuming that they were  
12 full of crab pots like that, caught a bunch of ice and they  
13 weren't able to chip it off, because otherwise you just have to  
14 throw the whole pot off, I'm guessing. And that became a huge  
15 weight up top there, became extremely top heavy and it rolled over  
16 is what was explained to me. That seemed to make the most sense.

17 LT READY: Jordan, we really, really appreciate your time.  
18 I'll give you my card here, and if anything comes up that you  
19 think of later on or you hear something or something pops in your  
20 head in the middle of the night, please give us a call any time.  
21 Again, we're trying to get as much information as we can.

22 MR. YOUNG: Right.

23 LT READY: Especially into the condition of the boat.

24 MR. YOUNG: Right.

25 LT READY: Or if you think of some interaction you had with a

1 deckhand or the captain or somebody that might have pertinence, no  
2 matter how minor you think it might be. Sometimes it can really  
3 help play into our timeline as we put things together.

4 But, yeah, if you don't have any questions for us or anything  
5 else to add, I think we can wrap this up. All right, we're going  
6 to go ahead and conclude the interview.

7 Did you have something, Mike?

8 MR. M. BARCOTT: No, I was just going to say thank you to  
9 Jordan, and then, I wanted to chat with you briefly about some  
10 scheduling for tomorrow.

11 LT READY: Sounds good. We'll go ahead and conclude the  
12 interview. We are turning off the recorders now.

13 (Whereupon, the interview was concluded.)  
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

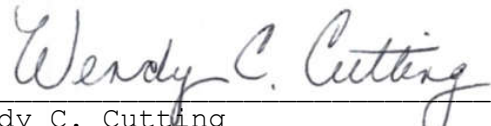
IN THE MATTER OF:           CAPSIZING AND SINKING OF THE  
                                  F/V *SCANDIES ROSE* NEAR SUTWIK  
                                  ISLAND, ALASKA, DECEMBER 31, 2019  
                                  Interview of Jordan Young

ACCIDENT NO.:               DCA20FM009

PLACE:                       Kodiak, Alaska

DATE:                        January 4, 2020

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.

  
\_\_\_\_\_  
Wendy C. Cutting  
Transcriber

Free State Reporting, Inc.  
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UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

CAPSIZING AND SINKING OF THE \*

F/V *SCANDIES ROSE* NEAR SUTWIK \*

ISLAND, ALASKA, DECEMBER 31, 2019 \*

\*

\* \* \* \* \*

Accident No.: DCA20FM009

Interview of: OYSTEIN LONE

Captain, *Pacific Sounder*

Via Telephone

Sunday,

January 5, 2020

Free State Reporting, Inc.  
(410) 974-0947



APPEARANCES:

LT ANDREW READY, Investigator  
United States Coast Guard

BART BARNUM, Investigator in Charge  
National Transportation Safety Board

MICHAEL KARR, Senior Marine Accident Investigator  
National Transportation Safety Board

PAUL SUFFERN, Meteorologist  
National Transportation Safety Board

MICHAEL BARCOTT, Attorney  
Holmes, Weddle & Barcott  
(On behalf of the owners of the *Scandies Rose*)

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I N T E R V I E W

(12:25 p.m.)

LT READY: Good afternoon. This is Lieutenant Andrew Ready, United States Coast Guard, Marine Safety Detachment Kodiak. I am -- we are conducting a phone interview in regards to the sinking of the *Scandies Rose*. Today is January 5th, 2020. Time on deck is 1225.

If you want to introduce yourself, Bart?

MR. BARNUM: Also here MSD Kodiak is Bart Barnum, B-a-r-n-u-m. I'm with the NTSB Office of Marine Safety.

MR. KARR: And also from the NTSB, on the phone is Michael Karr, K-a-r-r, of the Office of Marine Safety.

MR. SUFFERN: And then we have Paul Suffern. Last name is S-u-f-f-e-r-n. And I'm part of the Office of Aviation Safety at the NTSB in meteorology.

MR. BARCOTT: This is Mike Barcott. I'm an attorney for the owners of the *Scandies Rose* and an interested party in these proceedings.

MR. LONE: Oystein Lone, captain *Pacific Sounder*. I had a (indiscernible) on the *Scandies Rose*.

LT READY: Oystein, could you spell your name for us?

MR. LONE: My name is spelled O-y-s-t-e-i-n; last name is Lone, L-o-n-e.

LT READY: Excellent. And do we have your permission to be recording this interview, sir?

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1 MR. LONE: Yes, you do.

2 LT READY: Excellent. Thank you very much. And again, we  
3 really appreciate your time and availability to talk to us.

4 INTERVIEW OF OYSTEIN LONE

5 BY LT READY:

6 Q. If we could start out, we'll get a little into your history  
7 and Gary's history. If you could just kind of talk through that  
8 day on 31 December, and any correspondence you had with the  
9 *Scandies Rose*?

10 A. I tried to call Gary on the 30th, didn't reach him. I heard  
11 he had left Kodiak since fish (indiscernible). And on the 31st,  
12 he called me about, I believe, around 9:15 or 9:30. We had just  
13 got done setting our gear. We were jogging up to the Bering Sea  
14 by Amak Island, breaking ice, and just securing everything. And I  
15 was in the process of heading down to False Pass to pick up some  
16 more gear, but due to -- stay out there and fish the gear I had.  
17 So, but we were in the process of running to Unimak Pass to go  
18 around the corner, when I talked to Gary there.

19 And I've been fishing with Gary since, oh, about 2000- -- was  
20 it '11? We're in the same co-op, and we help each other out, you  
21 know, just fishing partners like that. So I've known Gary since  
22 about 2011. And that's when we purchased -- or I got involved  
23 with the *Pacific Sounder*.

24 So my -- I asked Harold Quidley (ph.) of the -- he has the  
25 tag phone company -- of the time record. I had a lot of things

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1 going on that night. We had a hydraulic pump that was down and  
2 some other issues we were dealing with after we done setting. So  
3 my timeline, I'm not 100 percent sure on that, but we should have  
4 a timeline of the track when the calls went into the *Scandies*  
5 Rose. But I believe it was around 9:15 or 9:30 because I just got  
6 done setting, and my last pot was set at 9 p.m. So I think I'm  
7 right about in that area there.

8 And he called me, and we were -- when the call came in, he  
9 mentioned to me he was heading towards Sutwik Island, Foggy Cape,  
10 and he -- it was blowing 60, 70, and he had a 20-degree list to  
11 the starboard side, and he had 195 pots on. And he was trying to  
12 get up behind the island to get protection so he could get in  
13 there and break ice. And it was too rough, too rough out there to  
14 send the boys out to break ice, and he needed to get behind the  
15 island. Apparently he was icing really bad is what he told me.

16 So at that point I asked him where he -- kind of where he was  
17 at. He said, I'm 300 miles from Unimak Pass and I'm making my way  
18 up to the island here, I'm trying to get in there. And he  
19 mentioned there's a lot of uncharted bottom there and he was  
20 pretty concerned about that. And but, he was making headway  
21 heading there, but -- and he said the weather was westerly at that  
22 time. But he had taken on a lot of ice on the starboard side, so  
23 he was concerned about his list.

24 But at that point he wasn't -- we talked about other things.  
25 We talked about he had just bought into the boat, bought some more

1 shares. And we also talked about Christmas, and he got stuck in  
2 Sitka there over Christmas at the airport. So it was -- he was  
3 talking about other things at that point, so I didn't -- it didn't  
4 seem like it was that bad.

5 And the *Scandies Rose* is a tank. I worked on the boat 4  
6 years under the previous owner, Leif Larsen, and so I know that  
7 boat well. She -- it is -- she's one of the best crabbers out  
8 here in the Bering Sea, and I've been on a lot of boats since.  
9 We've been in a lot of weather there in that boat, and she's a --  
10 she's built for the fishing out here.

11 We also talked about what -- I asked him what his plans were,  
12 what he was doing, and he (indiscernible) and was going to get  
13 bait. I think he was just going to go out, set the gear, and like  
14 I said, he was going to drop (indiscernible).

15 So I think that kind of sums up the first call I had with  
16 him. And I told him I had to go because I had to switch over a  
17 generator at that point. And so I went downstairs and switched  
18 over. Then I came back up again, and I called him back I think  
19 around 9:45. And at that point his tone had changed. He said the  
20 list had gotten a lot worse, and -- this sticks to me -- he goes,  
21 I don't know how this is going to go at this point. He was pretty  
22 concerned.

23 And then I answered him back, and we were talking on a tag  
24 phone. It's a push-to-talk. And at that point I said, you got to  
25 be real careful here, Gary. You got to get that boat behind the

1 island; just go slow and go easy. And that was the last  
2 conversation I had with him. And I tried calling him back a  
3 couple of times, and then I had got a connection with him and he  
4 beeped me back. This was probably right after 9:45. So it kind  
5 of beeped back to me, like -- but there was no connection. It  
6 didn't make the connection where he could talk.

7 And I tried calling him probably about 10 times after that,  
8 but these tag phones are real unreliable, so it's not uncommon  
9 that you can't -- it's not a very -- very good system.

10 So I called him about 10 times, and then I couldn't get ahold  
11 of him, and then about (indiscernible) boat, which he has  
12 ownership in is the *New Venture*. And I got ahold of the captain  
13 on there and I told him my conversation I had with him, and we had  
14 been up for -- gone into a jog boat and we were just jogging in  
15 the weather. And so I asked if he could try to get ahold of Gary  
16 because my main phone system was down. My KVH system hasn't  
17 worked since I left Dutch. So I asked him to try to reach out to  
18 him, and that was about 11:30 at night or anything of that nature,  
19 I had called the *New Venture* and he told me the bad news there.  
20 So that pretty much sums up everything I know.

21 Q. Thank you, Oystein. We --

22 A. Are you there?

23 Q. -- really appreciate it. Yeah. Yeah, still here. Do you  
24 have me okay? Can you hear me, Oystein?

25 A. Yeah, I hear you loud and --

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1 Q. Okay. Excellent. No, thank you for that. This is the first  
2 we're hearing of this report on the 60, 70 mile-an-hour winds and  
3 the 20-degree list.

4 You said you've know Gary for a long time. In that first  
5 conversation, did you get any inclination that he had dire  
6 concerns for his vessel?

7 A. He was concerned, but -- he had concern, but we talked about  
8 Christmas and all kinds of other --

9 Q. I understand.

10 A. -- things at that point, and him buying into the boat. And  
11 we also discussed like (indiscernible) program that's coming, a  
12 few other things. So it wasn't a real, it wasn't a real -- that's  
13 not what I gathered from him.

14 Q. Okay. And you say you discussed his plan a little bit. Did  
15 he talk to you about a specific route for getting behind Sutwik  
16 Island or exactly where he was heading? Or, if you didn't discuss  
17 it, knowing his location, in your opinion what do you think he was  
18 trying to do?

19 A. He was trying to get behind the island, get some leeway to  
20 break ice. And I think he mentioned that he was going to try to  
21 get up in the bay there, right south of the island, and hoping  
22 there was enough protection there. And then I pulled up the chart  
23 there and I said, well, what about a little cove down on the  
24 bottom there. And, but I don't know exactly where he was heading,  
25 but he said that there was a lot of uncharted rocks, get the boat



1 in shelter.

2 Q. When you were talking to him, had he made his turn yet or was  
3 he still making way towards -- heading south?

4 A. He was making way towards the island, and I'm not sure  
5 exactly what his course was, if he had gone down the south side of  
6 Kodiak or if he had gone down Shelikof Strait. I'm not, I'm not  
7 sure exactly which course. We talked northwest would be --  
8 thought where we would be, I talked about that. And then I got my  
9 -- and then he said, well, it's blowing here at 60, 70 --  
10 direction. And he goes, I'm -- island or (indiscernible) manner  
11 there. So he was making his way towards the island when I talked  
12 to him.

13 Q. Okay. So looking at his track line, it appeared to us that  
14 he turned to starboard. With the icing conditions on the  
15 starboard side and that 20-degree starboard list, is that -- is  
16 that a typical thing that a captain would have done? Is that -- I  
17 mean, unless he spun all the way around to port, does that have  
18 any concern with you, the fact that he turned to starboard?

19 A. Well, the saying is if you start listing hard to one side,  
20 you turn into that side and you give her everything you got to try  
21 to drive it back to get the list the other way. So I'm not sure  
22 if that's what he was doing. I don't know. I have no idea.

23 Q. Understood. Was there any discussion to starting to drop his  
24 gear right there? I know you had said earlier it was too rough  
25 for his crew to get there and start chipping ice. Had he planned

1 to drop gear at all in that area or was he trying to go anchor up?

2 A. I don't think he was -- he didn't say anything about starting  
3 to set gear or anything. He didn't say -- he didn't mention. He  
4 was just trying to get behind the island so he could start getting  
5 the ice off.

6 Q. Okay. Now going into the, into the --

7 A. If you get -- you know, if you're icing up, that -- but he  
8 didn't go into that.

9 Q. Hey, we lost you there for a second, Oystein. Could you say  
10 that again?

11 A. He didn't discuss any of that with me.

12 Q. Okay.

13 A. I said he didn't (indiscernible) pots off or anything like  
14 that. The only thing he said to me was heading towards the island  
15 to get -- to try to get the list off and get the weight off on the  
16 starboard side.

17 Q. Okay. Now going to that second conversation after you  
18 switched over your gen, can you kind of describe Gary's state at  
19 that point?

20 A. Yes. Gary is a -- I've known him for a lot of years, and  
21 he's not been one to get stressed out or worried, but I could  
22 definitely tell in his voice that he had some serious concerns at  
23 that point. And when he told me "I don't know how this is going  
24 to go here," and he said his list had gotten worse, so -- but and  
25 then he clicked off and then I clicked back on, and I told him to

1 be careful here. And I was in the process at that time trying to  
2 get -- you know, I wanted to get a position from him and see how  
3 bad things were, but we -- I never made a, I never made another  
4 connection. I called him for his position. I called, but I don't  
5 think it went through. It wasn't catching on at that point.

6 Q. Had you ever heard Gary with that level of stress in his  
7 voice before?

8 A. No. No, I have not.

9 Q. Okay. Before this conversation, did -- the original one,  
10 when was the last time you talked to Gary before that night?

11 A. Last time I talked to him was down at (indiscernible). Let  
12 me check though. I talked to him a little bit down there, and --  
13 yeah, I talked to him at fish (indiscernible) as well.

14 Q. Okay. But nothing --

15 A. Would have been November 22nd (indiscernible).

16 Q. Okay. Was anything mentioned about this specific trip or the  
17 weather?

18 A. And he talked another time about a crew member. I talked to  
19 him in middle of December. We had a guy -- a crew.

20 Q. Hey, Oystein, we're having a broken and unreadable comms  
21 right now. I don't know if you're able to get to a better spot?

22 A. (Indiscernible). No.

23 Q. Okay.

24 A. I knew he was at Kodiak readying gear and getting ready for  
25 the next season.

1 Q. Okay, Oystein, that was a little bit broken.

2 A. How about now? Is that better?

3 Q. Yeah, much better now. Much better.

4 A. Okay.

5 Q. Could you say that again, the last time you spoke with Gary?

6 A. Yeah, I was at -- the last time -- I spoke with Gary in the  
7 middle of December about a crew member, a crew member that had  
8 worked for me previously, and he had worked for Gary during king  
9 crab. And so we were talking about him, if he was going to have  
10 him back or not, and that crew member did not go back on the boat.  
11 He ended up getting another job.

12 Q. Okay. Can you recall any conversations with Gary about the  
13 condition of the *Scandies Rose* or any work he had recently had  
14 done?

15 A. He said he had an instability report, and he did mention that  
16 to me when we were having discussions. He said, yeah, we had  
17 gotten a new stability report for the boat. And he said he had  
18 195 pots on, on the first discussion I had with him.

19 Q. He make any comment about that new stability report or the  
20 process or that yard period they had gone through?

21 A. No, he didn't. Just said he had a new stability report on  
22 the vessel.

23 Q. You mentioned you've known Gary since 2011. What's his  
24 reputation as a captain?

25 A. As far as I know, he's got a good reputation. He was a heck

1 of a good fisherman. He always did real well. And he was a good  
2 captain, so -- and our relationship was on the water. We didn't  
3 contact much when we were on the beach, but we kind of fished  
4 together due to being in the same co-op. And we would help each  
5 other out with pounds and stuff and deliveries, and so it was kind  
6 of a -- it was a work relationship we had.

7 Q. Being part of that same co-op, can you see any reason why  
8 Gary would need to make it down south by a certain date? Any  
9 reason to push traveling in those conditions?

10 A. Maybe he didn't realize, you know, how bad it was. I don't  
11 know. I mean, he's always been a good seaman and, you know, other  
12 times we've been in port and we've rode out the weather when it's  
13 bad. So no, I don't know. I can't answer that question.

14 Q. Knowing Gary, and yourself being a captain, if he had any,  
15 you know, either mechanical or structural issues with his vessel,  
16 do you think Gary would have any problem staying in port?

17 A. No. I don't think so. No, not at all. If he had an issue,  
18 he stayed in town and got it fixed. And if anything happened to  
19 the boat, he'd (indiscernible) so --

20 And he didn't mention anything about any mechanical or any  
21 other issues or slack tanks or anything like that when we had the  
22 discussion there, the first discussion. Nothing came up.

23 Q. Okay. And similar question, would Gary have any hesitation,  
24 in your opinion, with staying in port if he felt the forecast was  
25 too much for the *Scandies Rose*?

1 A. I would think -- I don't know what, you know -- I can't  
2 really answer that question. I would think if he knew what the  
3 weather was there, I don't think he would've left or he would've  
4 ducked in somewhere and anchored up and waited for it, for  
5 weather.

6 Q. Understood. With the weather report he had when he was  
7 departing Kodiak -- you know, clearly there was not reported 60,  
8 70 mile-an-hour winds in that area. But if he had a report like  
9 that in his hand, do you think he may have stayed in port?

10 A. Oh, absolutely. I don't think he would've gone out there.  
11 There's enough wrecks in Shelikof Strait and up in Shelikof and  
12 (indiscernible) island and where he was trying to go to. It can  
13 be brutal down there. So I just, I don't -- I didn't -- I don't  
14 think that --

15 Q. Can you think of a time when --

16 A. -- it was. It just -- it came up on him.

17 Q. Can you think of a time when Gary delayed a trip due to  
18 weather?

19 A. Yeah. Boy, I'd have to look back in my (indiscernible). I  
20 know we rode out weather in town together a few times, and -- I  
21 mean, he was working on my equipment and we stayed in town when he  
22 was working on the crane a few times and working on the boat. I  
23 mean, he was -- they were always working on that boat, that it --  
24 I know it had like at least one shipyard, two shipyards a year.  
25 So they maintained it pretty decent.

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1 Q. But you can't think of an instance where Gary stayed in port  
2 due to weather reports?

3 A. Not my recollection, and going on the boat and everything,  
4 so --

5 Q. But to be clear, you cannot recall an instant when Gary did  
6 not --

7 A. I'd have to think back on that. But I know there was times  
8 when we were fishing and (indiscernible) down and we weren't  
9 fishing and we were jogging. I mean, that happened a lot. So, we  
10 stayed in touch if we were fishing the same area. Two years ago  
11 we fished the east side of the islands and there was times there  
12 we were both jogging and just riding out the weather. But not in  
13 a port. I'd have to really think back on that and think about it.

14 Q. Understood. We'd appreciate it, Oystein, if -- and when you  
15 do get some time to, you know, sit down and either go through your  
16 records and, if you do, you know, come up with an instance, that  
17 would definitely be helpful. Mostly so that we can go back and  
18 look at, you know, what that weather report was and get an idea of  
19 what Gary's parameters were for safe operation in a specific  
20 weather report.

21 LT READY: That is all the prepared questions I have right  
22 now. I'm sure NTSB has some questions as well. I'll go ahead and  
23 pass it off to Bart.

24 BY MR. BARNUM:

25 Q. Hey, Captain Oystein, this is Bart, NTSB. Thank you for

1 calling in. Obviously this, the conversation -- two conversations  
2 you had with Gary are critical in this investigation. I know you  
3 already went through it with us. I'm just going to ask you again  
4 just in case we missed anything or maybe you didn't recollect it  
5 correctly. Could you just walk us through one more time, first,  
6 that initial conversation you had and then how -- and how you got  
7 ahold of him the second time, just the story one time for us,  
8 please.

9 A. Okay. Like I said, the, like, first conversation, Gary -- I  
10 believe it was around, anywhere from 9:15 to 9:30, he called me on  
11 the tag phone. And then initial discussion was it was blowing and  
12 he had a 20-degree list and he was trying to get into -- behind  
13 Sutwik Island, then he could break ice. And then we  
14 (indiscernible) pretty rocky around there and he was good with  
15 that.

16 And then we discussed about other things, you know, 100 miles  
17 from Unimak Pass. And we had -- we talked -- I asked him what his  
18 fishing plan was, what was going on there, and he said he was  
19 going to head right to the grounds and start fishing cod, and he  
20 had 17,000 pounds of bait (indiscernible) go into port or do  
21 anything, he could go right on the grounds and start fishing.

22 That's -- then we talked about the weather, it was straight  
23 westerly, 60 to 70. And I told him about my weather situation up  
24 there. And I also mentioned as -- sound like the wind was going  
25 to let off a little bit east of Port Moller and maybe hopefully --

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1 I did mention that with him.

2 And we discussed a lot of things -- Christmas, him buying  
3 into the boat, buying some more shares. He was stressed about  
4 that and, you know, he had spent a lot of money here and was, you  
5 know, was looking forward to getting on the grounds.

6 And then I also did mention to him -- I forgot to mention  
7 this last time, but we -- there was some talk we heard about  
8 (indiscernible) and I hadn't heard anything more about it, my --  
9 down to the (indiscernible). That was the only thing I had --  
10 delay the season for a few (indiscernible) due to weather and then  
11 also people getting into Dutch Harbor. And he hadn't heard  
12 anything about that.

13 Q. Oystein, I'm sorry to interrupt you.

14 A. Oh.

15 Q. You're breaking up again. Could you --

16 A. We just -- kind of a friendly conversation.

17 How about now?

18 Q. Yeah, a little better. Could you just back up a little bit,  
19 and -- you said you had forgotten to mention something that first  
20 time you went through the initial call. Could you say that again,  
21 please?

22 A. Yeah, I just remembered here now, this is kind of spotty.  
23 You know, it's been -- there was some talk of delaying the season  
24 and then -- and I heard that (indiscernible) in, and I don't think  
25 anything became of it. But there was a -- there was some proposal

1 about delaying the season (indiscernible) into Dutch Harbor. And  
2 I mentioned that to him, and he said that would be great. But he  
3 hadn't heard anything of it. So, I just -- I just remembered that  
4 right now while we're talking here.

5 So that pretty much sums up the first call. I had to go down  
6 and switch -- yeah, let me call you right back here, over.

7 And so, went downstairs and switched over, and then I came  
8 back up and I called him back right away. This is the second  
9 call. This is -- would be 9:45 or so. And he came back right to  
10 me. He said the list had gotten a lot worse and he didn't know  
11 how this was going to go at this point. He goes, I don't know how  
12 this is going to go. And I could tell he was -- there was a lot  
13 more concern in his voice, which is kind of unusual for Gary.

14 And then I clicked back on, and I told him to be careful and,  
15 you know, just get behind that island. And then I clicked off and  
16 I never heard anything anymore from him at that point. And I  
17 tried calling him back a few times, and trying to get back with  
18 him again. I called him twice and I didn't get anything, and the  
19 third it's like he clicked the mic, but that's all I got, and that  
20 was it. And these tag phones are known for being kind of a crummy  
21 unit and it's pretty common that you don't make connections with  
22 it here.

23 I kept calling him, though. Kept calling him 10 times, and  
24 then (indiscernible) guy named Pete that runs that. And I called  
25 him and I told him about my concerns, and Pete's response to me

1 was (indiscernible) here, we'll just get it, so I'll call her and  
2 get a contact with them. And I told him to just (indiscernible)  
3 and see what you can -- you know, make sure everything's all  
4 right. And that was pretty much it.

5 And then he called about 4, 4 o'clock in the morning, and  
6 told me the boat had gone down. And we never -- I had 2182 on and  
7 4125 and we never had -- we never heard a Mayday or anything on  
8 there, so -- so we never -- we didn't know till the early that  
9 morning what had happened.

10 Q. Understood. Thank you --

11 A. Did you hear it that time?

12 Q. Yep. Thank you. On that second call when Gary was telling  
13 you the list had gotten a lot worse, did he give a degree that the  
14 list had come to?

15 A. No, he did not. But the first time he said it was a 20-  
16 degree list, and then he said the list had gotten a lot worse.  
17 And he goes, I don't know how this is going to go. And that was,  
18 that was the last time I talked to him. That was the last thing  
19 he said to me.

20 Q. And I think you mentioned earlier, I just wanted to clarify,  
21 he didn't mention that there was anything on the vessel that was  
22 also gone amiss, gone awry, such as, you know, machinery or tanks,  
23 anything like that?

24 A. No. No, he didn't mention anything about that at all. And  
25 if he would've had some issues, I'm sure he would've mentioned it

1 to me on the first conversation. But he did not mention any of  
2 that.

3 Q. Did he mention anybody was on the bridge with him or was he  
4 alone?

5 A. I don't know. I don't know if anybody was on the bridge with  
6 him. It didn't -- I didn't hear anybody in the background. There  
7 was nobody, it didn't seem like any --

8 Q. You had mentioned that he was excited -- not excited but  
9 looking forward to the season being delayed. Was that the cod  
10 season?

11 A. Yeah, I think that was the cod season, yeah.

12 Q. Yeah. In addition, he was talking buying more shares in the  
13 company and he was stressed out about that. Can you elaborate on  
14 that any?

15 A. Well, he had bought one of the partners out and he said he  
16 (indiscernible) the vessel, you know, that's a big commitment.  
17 Buying these boats, it's a stressful thing. So he was just  
18 concerned about that. And then I, you know, I mentioned to him, I  
19 said, well -- I did mention to him, I says, we know there's a lot  
20 more crab out on those grounds than the surveys are actually  
21 portraying, so you're not going to have any problems getting crab  
22 here in the future. We talked -- you know, we talked about the  
23 survey a little bit on the first conversation and the numbers are  
24 pretty skewed to what's actually out on the grounds. So if they  
25 ever get the right numbers in the survey, then we'll have

1 something -- that (indiscernible) we'll definitely pick up more  
2 crabs. So I told him to not worry about it.

3 Q. And I know it's speculation, but, you know, in your opinion  
4 do you feel like he was anxious to get fishing because he now  
5 owned a major share in the company -- on the boat?

6 A. I don't know. I can't answer that. I don't know.

7 Q. Yeah. Okay. On the -- during either one of your  
8 conversations with Gary, did he mention -- he said he was icing.  
9 Did he mention how fast he believed he was icing?

10 A. He said that he was icing very -- he had heavy icing. He  
11 told me that. And he goes, with blowing 60, 70, you know,  
12 everything's going to -- yeah, he did say it was 12 degrees. I  
13 forgot to mention that. I remember now he mentioned it was 12  
14 degrees and it was blowing 60 to 70. Probably important part  
15 there.

16 Q. Yeah, thank you. And what kind of weather were you seeing at  
17 your location?

18 A. It was -- we had northwest 45, and 15, 20 foot seas. And it  
19 was heavy freezing spray where we were at, and that -- the heavy  
20 freezing spray started around in the -- like around noontime on  
21 the 31st for us, and it has pretty much been pretty cold out there  
22 here all the way till last night.

23 MR. BARNUM: Okay. Well, thank you, Captain. I'm going to  
24 pass it off to my colleague, Paul. He's going to ask you a couple  
25 questions going forward here. Thank you.

1 MR. LONE: Okay.

2 BY MR. SUFFERN:

3 Q. Well, Captain, I appreciate your time today and, again, sorry  
4 for the loss of your fellow captain there as well. Just a couple  
5 of questions regarding clarification. When a captain is talking  
6 to another captain and you say it's blowing 60 to 70, do you mean  
7 miles per hour or do you mean knots?

8 A. Miles per hour.

9 Q. Okay.

10 A. No, I mean -- I'm sorry -- 60, 70 knots; 60, 70 knots.

11 Q. Okay. And then as far as -- I believe you said you had spent  
12 time on the *Scandies Rose* earlier in your career there. Can you  
13 recall a time -- or what was the worst weather you ever  
14 experienced while you were on the *Scandies Rose*?

15 A. Worst weather I experienced was 1995. We pretty much had  
16 heavy freezing spray from the start of the opilio season to the  
17 end. We broke ice the whole season. And we had a couple losses,  
18 we had a rescue. But it was brutal cold weather. And I think  
19 that's the worst I've seen. And we were breaking ice that was 2  
20 feet thick on the bow and was basically breaking ice the whole  
21 time. Had a foot on the deck. But that boat was such a tank, and  
22 we would never stop fishing. We had a heck of a good season that  
23 year. But she's -- she was a very seaworthy boat.

24 Q. When you were breaking off, you know, the 1 foot of -- or 2  
25 foot of ice, can you recall the, you know, the highest winds and

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1 the highest seas that you got during that time period?

2 A. No, we didn't, we didn't stop fishing unless it was 20 plus  
3 seas -- foot seas. That boat could fish in pretty much anything.  
4 And that's how we gained, you know, we gained -- and it was a big  
5 platform and she was just a solid boat. But we also, also had a  
6 heated a bow on that boat and that really helped. We had kind of  
7 a heating unit up in the bow there.

8 Q. Okay. Now as far as weather that -- had you and Gary ever  
9 talked about what you review as far as weather before going out  
10 for a trip or anything, like a website you review or an app or a  
11 tablet application or anything?

12 A. Yeah, we pretty much all use Windy and -- for weather or we  
13 have a VMS unit that has weather on it, I have that. And then the  
14 inReach, Garmin's -- a lot of boats have that now, you can text in  
15 the area you want, then you get the weather report from that. Now  
16 I don't know if Gary had the inReach. We use that a lot for  
17 tendering in the summertime, because you're in a lot of bays where  
18 the phones won't work and the tag phones won't work in the  
19 (indiscernible). But I know his KVH -- he had KVH on there, so  
20 used to go online and look up the weather then. That's usually  
21 what I do.

22 Q. Okay. And as far as the weather forecast --

23 A. You know, my KVH has just been down, so -- but I have other  
24 options on board on my vessel.

25 Q. Okay. And as far as weather forecast that you find useful,

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1 is there any one that you particularly find better than another,  
2 that you prefer?

3 A. Yeah, the Windy seems to be the one that's -- works the best  
4 when I can use that, when I have internet on the vessel. That's  
5 the one we prefer to use.

6 The Windy program, it's (indiscernible). Most of us prefer  
7 using that now.

8 Q. Okay. Is there anything as far as weather forecasts that you  
9 feel like you're missing that would be helpful as a captain?  
10 Are you still there?

11 A. Not really. I mean, the weather is pretty good, but -- yeah,  
12 the information is pretty good. A lot of times if the weather on  
13 (indiscernible) period, you know, 12, 16 -- 12 hours later than  
14 what it's really (indiscernible) but -- can you hear me?

15 Q. Yeah, you're in and out a little bit on that last answer  
16 there. If you could repeat it, that'd be great. You back?

17 A. Still (indiscernible). Yeah. Can you repeat the question  
18 again there? Sorry, the internet fades in and out so I'm losing  
19 you a little bit, too.

20 Q. Okay. Yeah, I apologize for that. So, yeah, I just had a  
21 question, you were breaking in and out on that last --

22 A. Are you there? Can you hear me?

23 Q. Yes, I can hear you now.

24 A. Yeah, I'm not -- yeah, okay, let me get (indiscernible)  
25 different options, we usually look at several options, at least I



1 do when I'm looking at weather.

2 MR. SUFFERN: Okay. That's all the questions I have for  
3 right now. I appreciate your time, Captain.

4 LT READY: Mike Karr, of the NTSB, do you have any follow-up  
5 questions?

6 BY MR. KARR:

7 Q. I do. Captain, what position did you hold on the *Rose*?

8 I didn't hear a response. I'll repeat the question. What  
9 position did you hold when you sailed on the *Scandies Rose*?

10 A. The time on (indiscernible) -- we -- oh, position. Oh, okay.  
11 I worked as a deckhand on the vessel. So, and I have -- so as the  
12 mate for the last year. I ran the boat at night.

13 Q. And what year was that, that you last ran on the *Scandies*  
14 *Rose*?

15 A. I did run the boat for one trip back in, I believe it was,  
16 1996 (indiscernible).

17 Q. When you talked to the captain on New Year's Eve, did he  
18 mention anything particular about what was happening to the  
19 vessel, happening on the bridge? For example, was equipment  
20 rolling around?

21 A. No. He didn't mention anything about anything in the  
22 wheelhouse. The only thing he mentioned is he had a 20-degree  
23 list to the starboard side and it was blowing 60, 70. That's --  
24 and he was trying to get, just trying to get up behind the island.

25 Q. And did he mention anything about his own efforts to keep

1 himself upright and in control when he was up on the bridge during  
2 that time?

3 A. He didn't mention anything to me about any of that.

4 Q. Did you never know Gary to drop gear when he was dealing with  
5 ice?

6 A. No, I've never known him to (indiscernible) best thing to do  
7 if you start icing up, but he never mentioned anything about that.

8 Q. And you never knew -- when you were sailing in the co-op, you  
9 never remember him doing that in dealing with ice?

10 A. Well, we haven't dealt with ice here in a -- much icing in  
11 the last few years so it hasn't really been an issue.

12 Q. And how -- when did you or how long had the *Pacific Sounder*  
13 been laid up before December -- you know, before New Year's Eve?

14 A. Now we -- yeah, we had finished the king crab season, which  
15 started October 15th, and we were laid up -- we were laid up from  
16 probably November 5th all the way till we left on -- I think it  
17 was the 28th we left, that evening of the 28th, we left Dutch  
18 Harbor for the cod season here.

19 Q. And why did you --

20 A. Now you broke --

21 Q. Why did the *Pacific Sounder* leave on the 28th? What were  
22 your plans?

23 A. Well, my plans was to get a load of gear out. And I saw the  
24 cold front coming, but I had all the gear on board, we had gotten  
25 everything ready, and there was a window to get out there and get

1 the load off, and that's what I went for.

2 Q. And was that for cod or for opilio?

3 A. No, this was for cod.

4 Q. And how long did you plan to fish for cod?

5 A. It's probably -- it's a 2 to 3-week season usually. We're  
6 usually done by the 15th of 20th of January, and then we go on to  
7 opilio after that and fish out the season. We've done that the  
8 last few years here.

9 Q. All right. Can you tell me if you know what Gary's usual  
10 habits were with regard to standing watch when he would make a  
11 transit? What time would he stand watch?

12 A. He pretty much was at the wheel when -- you know, any close  
13 quarters with land or anything like that, he was always at the  
14 wheel. He spent a lot of time in the wheelhouse, and if there was  
15 any issues, he would be up there.

16 Q. Did he mention when he (indiscernible) --

17 A. Pretty much every time I called he would answer the phone,  
18 so -- and -- or, you know, he would -- you broke up there.

19 Q. Did he happen to mention in his call --

20 A. I think the internet faded out here a little bit again.

21 Q. Let me know when it's on. Well, here's the question: When  
22 you spoke with him --

23 A. Yes, you're back on. You're back on. Go ahead.

24 Q. When you spoke with him New Year's Eve, did he mention how  
25 long he'd been in the wheelhouse?

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1 A. No, he didn't. He didn't mention anything.

2 Q. All right. Give me a second here.

3 Why did you want to get to the cod season on opening day?

4 A. Well, we have two loads of gear to bring, so we wanted to get  
5 out there and get the first load. We can set it and bait it  
6 before the season, get ready.

7 Q. There's -- I mean, the opilio season --

8 A. So (Indiscernible) Pass, and get the load of gear. So it was  
9 a little bit of work to get all the gear out. We had the window  
10 to -- I looked at the weather and I had the window  
11 (indiscernible), so that's why I opted to go.

12 Q. Compared to the opilio harvest, you know, cod is, you know,  
13 worth a lot less money, so what's the motivation to fish for cod  
14 if you've got an opilio --

15 A. (Indiscernible)

16 Q. Pardon?

17 A. Yeah.

18 Q. Pardon me, captain?

19 A. Well, it's -- we don't have -- yeah, well, it's just that  
20 there's a race for fish right now that's been created, and so  
21 everybody's pushing to get as many pounds as they can. So --  
22 there's a race for fish that's been created by certain groups, and  
23 that has pushed us, push harder for cod.

24 Q. All right. Had you and Gary talked about that before?

25 A. (Indiscernible) I'm not sure if you copied that.

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1 Q. Yes, I didn't --

2 A. We talked about it.

3 Q. And when was the last, when -- do you recall when you did  
4 talk about it, and describe what the conversation was.

5 A. Well, we -- that night during the first, we talked about  
6 Christmas and him getting stuck in Sitka, he had mentioned that he  
7 got 48 percent of the vessel, that he owned now, and he was hoping  
8 to get more involved in trying to stop this race for fish, and  
9 maybe they would listen to him because he's an Alaskan and this  
10 and that. So we discussed some stuff about that.

11 Q. Did he mention anything about, yeah, that's why I got to sail  
12 in this snotty weather because I got to get my fish?

13 A. No, he didn't mention that.

14 Q. Captain, can you recall if the *Scandies Rose* had bilge alarms  
15 in the void spaces on the starboard side from your days of  
16 sailing?

17 A. I can't remember alarms in there, in the starboard voids when  
18 I was on the vessel. I know we had bilge alarms in the forward  
19 voids up in the bow, and then we had bilge alarms in the stern.

20 Q. All right. And --

21 A. In the engine room.

22 Q. And can you describe your -- when you were -- I'd like you to  
23 describe that icing season of '94 and '96 when you said you had a  
24 foot on deck. And how did you -- I take it when you said you had  
25 a foot on deck, that's when the pots were in the water?

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1 A. Yes. We were fishing and we're just moving one string at a  
2 time. 1995 was a brutal year. We lost the *Northwest Mariner* that  
3 year. But we had ice on the vessels from the start through the  
4 season, all the way to the end. And that's the toughest season  
5 I've ever fished up in the Bering Sea.

6 Q. And give me a feel for how you managed the ice or, you know,  
7 how (indiscernible) manage the ice. How did you, if you can  
8 recall, how the captain managed it for a pot he had on deck?

9 A. We would break ice -- as soon as it would build up, we would  
10 break it. Because if you let it go, it gets a lot harder and  
11 thicker and it's harder to get a (indiscernible) breaking ice  
12 probably (indiscernible) and we'd break ice at night and in the  
13 morning when we got up. So it's just a constant battle to keep it  
14 off.

15 Q. And when that happened, how many pots would you have on deck  
16 at that time? I think the answer is none; am I correct?

17 A. (Indiscernible) loads of pots? None. None. Yeah.

18 Q. So during that season when would you have a full load of pots  
19 on deck?

20 A. The beginning of the season when we run out, we would have  
21 gear on board.

22 Q. And then at the end of the season when you pick them all up  
23 and bring them home?

24 A. Yes, at the end of the season. Or if you're -- if you have  
25 to move to different fishing grounds, sometimes we'll have to put

1 on a load and move it. But if it's heavy freezing spray, usually  
2 you just take a deck load or, you know, you're moving 40, 50 pots  
3 at a time instead of large amounts of gear.

4 MR. KARR: All right. Captain, thanks. That ends my round  
5 of questions.

6 LT READY: Hey, Captain, this is Lieutenant Andy Ready again.

7 BY LT READY:

8 Q. So did you ever experience icing conditions on board the  
9 *Scandies Rose* with pots, with a full load of pots?

10 A. Yeah, I think in '95 we had heavy freezing spray start of the  
11 season and we had a full load of gear on. And I know that year we  
12 slowed down to a jog and we did not drive that hard. So we  
13 basically jogged for, I think, 24 or 30 hours before we started  
14 really running. We were just going really slow. The faster you  
15 go, the more spray you get on the vessel.

16 Q. And can you remember how many pots you guys had on board?

17 A. I can't remember that.

18 Q. Okay. And any idea how much ice you built? How many inches?

19 A. We probably had -- that's too far back for me to answer. I  
20 can't -- I don't know. But the previous owner, who is my partner  
21 on this boat, Leif Larsen, he was a very safe captain and we  
22 always -- he always took good precautions when it came to icing.

23 Q. Did the icing ever affect the list and trim on the *Scandies*  
24 *Rose*?

25 A. No. I can never recollect that happening on the *Scandies*

1 Rose.

2 Q. Okay. When you spoke to Gary could you hear anything in the  
3 background, any alarms or anyone else's voices?

4 A. No. I did not hear anybody in the background. I didn't hear  
5 any alarms. And his alarms are distinctive, so -- I did not hear  
6 any of that on this conversation.

7 Q. If you think back, on board *Scandies Rose* when you go in the  
8 engine room, can you remember if you have access to the port and  
9 starboard voids from the engine room?

10 A. There's a starboard void there that runs forward up into the  
11 -- it goes all the way forward up into the forward voids.

12 Q. So you can only access the starboard void from the engine  
13 room; you cannot access the port void from the engine room?

14 A. The starboard void was -- yeah, you can access that from the  
15 engine room, and there's also a door in the forward part there  
16 where you can go in.

17 Q. Is there a door in between the engine room and the starboard  
18 void?

19 A. Yes. Yes, there is.

20 Q. Can you remember is that a dogged door; is it a hatch?  
21 What's the access?

22 A. It was a dogged door, from my recollection. I think it had  
23 -- and it had corner dogs on it. I think there was four or five  
24 dogs on that door.

25 Q. Okay. And do you know if, you know, when Gary gave his watch



1 instructions, did he have deckhands checking the engine room on a  
2 regular basis and do you know how often?

3 A. I don't know that. I couldn't answer that question. I don't  
4 know how he set up his watch, if it's --

5 Q. Okay. And with your knowledge of the vessel -- we know that  
6 the vessel heeled to the starboard side at least the 20 degrees.  
7 Can you think of where water would enter the vessel, you know,  
8 progressive flooding, kind of where the water would most likely  
9 enter the vessel in that condition and where it would end up?

10 A. Well, there's double watertight doors down on the deck on  
11 both sides of the vessel. I'm sure they were closed. And if  
12 water got in on that deck, I would imagine it would probably maybe  
13 -- it could flood the deck and then it would flood into the  
14 forward void if that door wasn't secured or was watertight. But I  
15 think there's a watertight door forward, too. There was when I  
16 was on the vessel.

17 Q. Okay. Understood. And then the question I had, we did  
18 mention 60 to 70 knots of wind and 12 degrees when you last talked  
19 to Gary. Did he mention what the sea state was?

20 A. He did not mention the sea state, but imagine 60, 70, I'm  
21 sure there was 20, 30-foot waves.

22 Q. Okay. And just to -- is there anything you can think of that  
23 we did not discuss in this interview, any questions you feel we  
24 should've asked you?

25 A. I'd have to think about that, but -- I'm sure there's going

1 to be some stuff there, but I can't think of anything at this  
2 moment.

3 Q. Did you know any of the other crew members well on board the  
4 *Scandies Rose*?

5 A. No, not really.

6 Q. Okay. And then how did Gary feel about his crew? I know you  
7 were talking about previous deckhands before. Did he relay  
8 anything, any information to how the crew was on board?

9 A. He did mention something about they were waiting -- a  
10 greenhorn had quit and they were waiting for a guy or something  
11 like that, and they had gotten somebody. And that's all I know.

12 LT READY: Okay. Thank you very much, Captain. I'll pass it  
13 over to Bart again. We'll just go through.

14 BY MR. BARNUM:

15 Q. Hey, Captain, you mentioned the *Scandies Rose* was a tank, in  
16 your words. Do you feel that icing alone would be enough to  
17 capsize the vessel or do you believe that something else would've  
18 had to fail to exacerbate the capsizing?

19 A. I think icing took her down, in my opinion. I think that's  
20 what happened. And, you know, if that list -- we went from a  
21 discussion on all kinds of other things, and then he mentioned he  
22 had a 20-degree list and trying to get up to the island. And then  
23 the second discussion, I mean, it was very short and he was  
24 definitely very concerned at that point. So the situation had  
25 gotten a lot worse there. And I don't know if he was coming up on

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1 that island there, it gets shallow and might have built up the  
2 sea. Just, you know, maybe he had enough (indiscernible) and that  
3 just pushed her over. I don't know if that could've happened.

4 But that boat was probably one of the best vessels I've --  
5 here in the Bering Sea. But nothing's going to beat Mother  
6 Nature. I mean --

7 Q. Understood. Thank you.

8 A. That area down there is known for icing that's unbelievable  
9 down there. And there's been (indiscernible) just built on so  
10 much ice and gone down and nothing could be done. And I haven't  
11 seen (indiscernible) --

12 Q. Okay. You spoke of the previous owner. I believe you said  
13 Leif --

14 A. On another --

15 Q. Sorry. Go ahead.

16 A. -- (indiscernible) probably of ours, I had somebody that  
17 (indiscernible) while we were out on this trip here. So just to  
18 -- Leif Larsen, yeah.

19 Q. You said he's a previous owner. Do you know why he sold the  
20 vessel?

21 A. I think he was -- yeah, that he was having -- you know, just  
22 wanted to retire and it went into an IFQ fishery. I think he --  
23 yeah, I don't know. You'd have to ask him. I'm just -- I think  
24 it was just time to get out. He had reached the point where he  
25 didn't want to be out at sea anymore.

1 Q. Captain, how many -- when you're fully loaded with pots, how  
2 many do you have on board?

3 A. We are rated, depending on fuel -- I mean, I'll give you the  
4 scenario when we left Dutch Harbor. We're loaded for 143 under  
5 freezing conditions, wintertime. And then you take your bait and  
6 you minus off your bait, and we had 10,000 pounds of bait. And I  
7 would buy pots, hang out with the weather, and I decided to carry  
8 120, just to get that weight down a little bit more. So we went  
9 out with 120 pots for the season.

10 Q. Is that customary in your stability letter to have a  
11 difference between icing condition and the number of pots you can  
12 carry and then maybe in the summer or non-icing condition how many  
13 pots you can carry?

14 A. Yes. Yes, it's -- well, I mean, it's just common sense in  
15 wintertime you just carry less gear. But I -- so we're a lot  
16 smaller than the *Scandies Rose*. We're only 98 feet, but we're  
17 almost 34 feet wide. And we redid our stability report back in  
18 2015. The boat used to carry 180 to -- 165 to 180 pots out in  
19 wintertime. And we redid the stability report, did the  
20 calculations on the pots. The pots' weights were a lot higher  
21 than what was in the stability reports. We recalculated  
22 everything for a higher weight.

23 MR. BARNUM: Understood. Thank you.

24 I'm going to pass it on to my colleague, Paul.

25 MR. SUFFERN: Hi, this is Paul. I have no further questions.

1 I appreciate your time, Captain. Thank you.

2 BY MR. KARR:

3 Q. And this is Mike Karr. When -- do you recall when Gary was  
4 going to start fishing for opilio after the cod, after he was done  
5 fishing for cod?

6 A. Yeah. I think he mentioned he was going to do one or two  
7 trips of cod and then he was going to go on opilio and fish that  
8 afterwards.

9 Q. And do you know how long that trip lasts? Is it a day, 2  
10 days, a week?

11 A. The trips are generally, with cod, are 3 to 4 days.

12 Q. All right. Now taking you back to your day when you were  
13 deckhand on the *Scandies Rose*, were you ever in the wheelhouse  
14 when icing conditions were prevalent and you were carrying pots?

15 A. Yes.

16 Q. How would you as a deckhand gauge the ice build-up? You  
17 know, you're in the wheelhouse. How would you gauge the ice  
18 build-up on a loaded *Scandies Rose*?

19 A. Well, you just basically look out the window and you'll see  
20 it building on the bow and building on the gear. So normal spray  
21 and, you know, the *Scandies* is a schooner so everything, it gets  
22 thrown on the gear and gets thrown back on the vessel. So if it's  
23 heavy freezing spray, it usually sticks. So he just reduced speed  
24 at that point. And he just basically called the captain up and  
25 say, hey, we're building ice here, and the normal conversation is

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1 just reduce the speed and go into a jog mode at that point.

2 Q. When you were in the wheelhouse, did you ever -- and when  
3 you're in the wheelhouse during heavy spray conditions, do you  
4 ever go -- did you ever go outside the wheelhouse to gauge and  
5 observe the ice build-up?

6 A. I do on my vessel. I mean, I'm out there with the boys  
7 breaking ice with them usually, so --

8 Q. Is that like getting a (indiscernible) good?

9 A. Yeah.

10 Q. Is that --

11 A. On a house-forward boat it's a little harder to see. You  
12 know, you got to get out there and kind of visually look over the  
13 side and see if anything's sticking on the hull and up on top of  
14 the wheelhouse and -- yeah.

15 Q. Can you get -- in your experience of watching ice build up on  
16 loaded -- a boat loaded with crab pots, can you tell us how the  
17 ice accumulates on the vessel or where it accumulates?

18 A. Yeah, it'll accumulate on a house-forward boat -- the  
19 schooner's a lot different, but on a house-forward boat it usually  
20 starts building on the top of the house and around the house and  
21 the railings. And then your aft deck is a little bit clear. It  
22 almost cuts the spray so it doesn't hit your gear. If you've got  
23 weather coming in a little bit on port side or starboard side,  
24 that's different. Then you're going to ice heavier on those  
25 sides.

1           On a schooner, it kicks it up and it throws it forward. And  
2 the same thing there, it can on port side or starboard side.

3 Q.   And how does the ice accumulate on the pots?

4 A.   Well, it starts by sticking to the web and then it just  
5 starts building like a honeycomb. And then it -- if it's really  
6 heavy, it'll get to a point where it's just in a block.

7 Q.   So it's not just, so it's not just on the outer -- the  
8 outside of the outer pots? It's also inside, the pots that are  
9 like maybe in the center of the stack?

10 A.   Yes. Well, it actually it's clear and it'll build a  
11 honeycomb on the outside. The outside pots take most of the  
12 weight and they get most of the spray. So basically you're  
13 building a wall and it's growing out.

14 Q.   Can you repeat that again? You were broken.

15 A.   Well, it'll -- side of the pot, it'll come off. And then you  
16 basically create almost like a wall. And then you just start  
17 building ice on the outside of that.

18           Depending how cold it is, it's going to do different things.  
19 If it's just -- if it's light freezing spray, if you have a lot of  
20 spray, it'll actually wash the ice off. But everything sticks  
21 when it hits you, and that'll (indiscernible).

22 Q.   All right. My last question, and this is the effect of --  
23 were you aware of the Coast Guard accident investigation report of  
24 the sinking of the *Destination*?

25 A.   Yes.

1 Q. And did that -- how did that affect you or did that cause you  
2 think different to -- or tell me what you thought and if you took  
3 action differently. You know, the Coast Guard went to great  
4 effort to publish that report. I'm curious as to how you, how the  
5 public, how the mariners viewed it?

6 A. Yeah. I think, I think what we all learned from that as  
7 captains is just, you know, standing down and not letting anybody  
8 push you around and make deliveries, you have to deliver, and  
9 basically just -- you know, if the weather's like that, just back  
10 down and take it easy and wait for it to go by. And then we will  
11 also, you know, cut the amount of pots we take out and I think  
12 we're a little more careful. I think as operators, we've gotten  
13 better. We're not perfect, but we've gotten better out there.

14 MR. KARR: All right. Thanks. That's -- that ends my  
15 questions.

16 LT READY: Hey, Captain, this is Lieutenant Andy --

17 MR. LONE: And just another quick -- you know, like I just  
18 wanted to say that we had a -- we did a Coast Guard inspection in  
19 Dutch. I asked for the guys to come down and we calculated  
20 stability. They went over my pots. And I think that was a really  
21 big help. And then we haven't done that for cod and the program  
22 they just started, but I think that's a great, great step forward  
23 here, for us to -- every time we go out on the seasons, get  
24 checked out by you guys and make sure we're doing everything  
25 right.



1 LT READY: Yeah, thank you, Captain. That is a new program,  
2 and I will pass that along to the program manager as well.

3 MR. KARR: Hey, this is Mike Karr. I've got one more  
4 question that just popped in my head.

5 LT READY: Okay. Go ahead, Mike.

6 BY MR. KARR:

7 Q. Captain, when you looked at -- well, how much ice is okay for  
8 your vessel to sail? You know, how thick can the ice be on your  
9 vessel, the *Pacific*, to sail in accordance with your stability  
10 book? I'm curious if you --

11 A. Well, I don't --

12 Q. -- a number?

13 A. Yeah. Well, if -- you know, once I start seeing 6 inches  
14 around, we start breaking and slow down the speed. It depends how  
15 heavy it's icing and -- I don't like to have any ice on the boat.  
16 But if we're building a little bit, and then depending how far I  
17 have to go and what weather conditions are, it -- so, you know,  
18 it's just an in-house call that you got to make on that.

19 And then, you know, as far as safety equipment, if your rafts  
20 are getting iced up, the EPIRBs, life rings, things like that, I  
21 always -- we always pay attention to that kind of stuff on the  
22 vessel, keep that stuff ice free. But we, you know, we -- like I  
23 said, from the 31st, we were breaking ice pretty much the whole  
24 time, keeping up with it and making sure it was off the vessel.

25 Q. And now this is just your local knowledge. Off the top of

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1 your head, can you think of other vessels you know of that have  
2 capsized because of icing?

3 A. Well, *Northwest Mariner* back in '95, that was icing. I mean,  
4 there's been a lot of vessels. I can't think off the top of my  
5 head, but usually it also, you know, it -- yeah, I mean, there's  
6 been a lot of boats that have gone down because of icing. So --  
7 and that's the one sticks out in my mind.

8 MR. KARR: Thanks for that. All right. I have no more  
9 questions. Thank you, Captain.

10 LT READY: Captain, this is Lieutenant Andy Ready again.

11 BY LT READY:

12 Q. We do have some conflicting reports for the number of crab  
13 pots on board. Can you repeat how many pots you thought there  
14 were?

15 A. He told me there was 195 pots on board.

16 Q. And when did he relay that information to you?

17 A. That was when we had our first conversation.

18 Q. Okay. Did that concern you at all? Is that a large number  
19 of pots for that specific trip?

20 A. You know, it's been so many years since I sailed on that  
21 vessel, I can't really answer that question.

22 Q. Okay. But when he told that to you, did you have any  
23 hesitation? Did you think, oh, that's kind of odd; why would he  
24 have that many pots on board?

25 A. You know, in heavy freezing spray, that's a lot of gear. But

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1 depending on -- I don't know what size gear he had, you know.  
2 Yeah, I mean, it kind of sent my radar up a little bit, 195. But  
3 he had gotten a new stability report and, you know, he felt  
4 comfortable with it, so I -- but, you know, each vessel is  
5 different on that, what we can hold, you know. I mean, I used to  
6 -- this boat I had used to carry 180 pots around, and we're down  
7 to 143 or 125 in the winter. So --

8 Q. And it was reported that the icing was on the starboard side.  
9 Is it common practice for a captain to try and balance that icing,  
10 maybe start taking the weather on the port side just to balance it  
11 out?

12 A. Yeah. I mean, we didn't discuss that, but after the fact, I  
13 kind of wondered about that. But if you're -- if you've got 60,  
14 70 mile-an-hour winds there, with 20-degree list, and he's getting  
15 close to that island, I would have probably tried to push -- I  
16 would have probably tried to push to go for the island at that  
17 point. And I think that's what he was trying to do.

18 But, yeah, that's -- I mean, that's a practice. I know the  
19 tugboats do that with their barges. They ice -- the barges start  
20 icing up, they'll just turn around and ice up the other side to  
21 counterbalance. Also transferring fuel, you can transfer fuel.  
22 So --

23 Q. Did Gary mention that they were transferring fuel at all?

24 A. No, he did not.

25 LT READY: Okay. That's all I have, Captain. I'll pass it

1 over to Bart again.

2 MR. BARNUM: Thank you very much, Captain, for your time. I  
3 have no further questions.

4 MR. LONE: Okay. Thanks a lot, guys. Good luck.

5 MR. BARCOTT: Hang on. Hang on, Oystein, we may not be  
6 finished yet. We're just going around.

7 MR. LONE: Okay.

8 LT READY: Any further questions from NTSB?

9 BY MR. KARR:

10 Q. Yeah. Captain, when you were -- how much wind were you  
11 experiencing the night of New Year's Eve when you were --

12 A. It was earlier on New Year's Eve, it was blowing more and it  
13 kind of had come down a little bit, but we were seeing 45. It was  
14 probably blowing 45 out there, 35, 45 miles per hour.

15 Q. And was that when you -- would you have -- did you still have  
16 pots on the boat at that time?

17 A. No. We got done -- we started setting in the morning on the  
18 31st around 9 a.m. And due to the weather, I had to run up and we  
19 just took everything really slow. And we got done setting our 120  
20 pots at 9 o'clock at night. So we spent all day getting those  
21 pots off.

22 Q. When you're running -- help me understand the effect that  
23 wind can have on your list. On your vessel, the *Pacific Sounder*,  
24 if you're -- if you've got, you know, 50, 60, 70-knot wind on your  
25 port side, how is that going to affect your list, assuming there's

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1 no icing?

2 A. Well, she's going to heel more over. She's going to heel  
3 over a lot more. It's going to push on the vessel. I mean, that  
4 -- those pots are like a big sail. So, and you're going to have  
5 to tack into it quite a bit more, you know, 15, 20 degrees  
6 sometimes, to get the right course depending on how hard that wind  
7 is pushing on you.

8 Q. Wow. So the *Scandies Rose* had a starboard list even though  
9 there were 60 or 70-knot winds pushing on its starboard side.  
10 Pretty amazing.

11 A. Yeah.

12 Q. How many -- you know, so how many degrees of heel might you  
13 get from a strong wind when you're loaded with pots? You know,  
14 talk about your -- or if you can --

15 A. Well, you probably get 5 to 8 degrees. And I'm shooting off  
16 the cuff here. And usually if I'm traveling and I got strong wind  
17 on the side like that, I'll go down and I'll either transfer fuel  
18 or start pulling off the side that's getting listed over, I'll  
19 start pulling fuel off of there to the day tank.

20 MR. KARR: All right. Thank you.

21 LT READY: Captain, this is Lieutenant Ready. I do have one  
22 more question.

23 BY LT READY:

24 Q. Do you know if Gary tarped off his pots or was taking any  
25 kind of preventative measures to stop the buildup of ice?

1 A. I don't know that.

2 Q. Have you seen him --

3 A. He didn't say anything about anything.

4 Q. Okay. In the past, has he taken any measures? Has he tarped  
5 his pots?

6 A. I haven't seen it. That doesn't mean he hasn't done it. But  
7 I don't know. I haven't seen him with tarps.

8 Q. Okay. Thank you.

9 LT READY: Thank you. That's all the questions I have.

10 Open it up to NTSB one more time.

11 MR. BARNUM: This is Bart Barnum, NTSB. I have no further  
12 questions.

13 MR. KARR: Mike Karr. No questions.

14 LT READY: Mr. Barcott, did you have anything to add?

15 MR. BARCOTT: Yeah, I just have a couple of questions.

16 BY MR. BARCOTT:

17 Q. First of all, Oystein, thank you so much for chatting with me  
18 yesterday and making yourself available. This is critical  
19 information.

20 One of the things I'm trying to understand, at least, is  
21 evidently there was no EPIRB signal. Have you ever been out on  
22 your boat in icing conditions and have the EPIRB surrounded by ice  
23 so that basically it wouldn't deploy?

24 A. Yes. I've had EPIRB iced up to a point where it couldn't  
25 release, and I've also had rafts iced up to that point. As I get

1 older and wiser here, we -- I make sure those things are clear.

2 Now, from my understanding, I heard that both life rafts  
3 deployed, so that makes me wonder, that probably wasn't getting  
4 quite as much spray up on the wheelhouse there. The EPIRB might  
5 have got tangled up in something, too, or just not released.

6 Q. And --

7 A. You don't know -- we will never know that.

8 Q. Right. And you are -- you've got good information. Both  
9 life rafts did deploy with the hydrostatic releases.

10 MR. BARCOTT: That was the only question I have. Thank you.

11 LT READY: This is Lieutenant Andy Ready with the U.S. Coast  
12 Guard. Oystein, I'll kick it back to you one more time. Is there  
13 anything you feel like during this interview we did not ask you or  
14 anything else you want to pass?

15 MR. LONE: Nothing really. I just think he just iced up and  
16 I think it was the winds were so strong, I don't know what could  
17 have been done at that point. So -- it's a sad situation, so --  
18 but that country down there, Shelikof Strait, is known for brutal  
19 icing, and I think he just -- it just -- it came on him so strong  
20 there, I don't know what he could have done at that point. That's  
21 what I think. So --

22 But you've got a couple of crew members, so hopefully you get  
23 some good information out of them.

24 LT READY: Okay. And would you be open to us contacting you  
25 in the future?

1 MR. LONE: Yeah. Yeah, you -- any time you guys want to ask  
2 any questions, just give me a call. I'll be out fishing here,  
3 but --

4 LT READY: Excellent. What's the best way to get in touch?

5 MR. LONE: I don't know. You can get ahold of Nicolai  
6 Sieverstoll (ph.). He is my bookkeeper in Seattle, and I think  
7 Mike has his number. He's also the bookkeeper for the *Scandies*  
8 *Rose*, and he can send me an inReach text and then I could try to  
9 call you on my tag phone.

10 LT READY: Excellent. Greatly appreciate it. As Mr. Barcott  
11 stated, this is really, really invaluable information. We greatly  
12 appreciate you talking with us today. It gives us a lot of  
13 insight and a lot of info that we didn't have.

14 Our sincerest condolences. We know you didn't just lose a  
15 colleague, but a close friend as well. And thank you for passing  
16 information. It'll definitely help us.

17 MR. LONE: Yeah. Unfortunately, we have to learn from this,  
18 so -- good luck with the investigation. If there's anything I can  
19 help with, just let me know.

20 MR. BARNUM: Yeah, thank you very much, Captain. I really  
21 appreciate it.

22 LT READY: All right. Time on deck is 0155 and we are now  
23 stopping the recorders.

24 (Whereupon, at 1:55 p.m., the interview was concluded.)  
25



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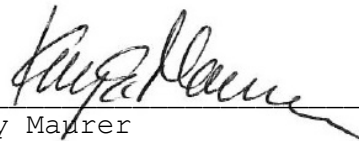
IN THE MATTER OF:           CAPSIZING AND SINKING OF THE  
                                  F/V *SCANDIES ROSE* NEAR SUTWIK  
                                  ISLAND, ALASKA, DECEMBER 31, 2019  
                                  Interview of Oystein Lone

ACCIDENT NO.:               DCA20FM009

PLACE:                       Via Telephone

DATE:                        January 5, 2020

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Investigation of: \*

\*

CAPSIZING AND SINKING OF THE \*

F/V *SCANDIES ROSE* NEAR SUTWIK \* Accident No.: DCA20FM009

ISLAND, ALASKA, DECEMBER 31, 2019 \*

\*

\* \* \* \* \*

Interview of: KORINA KARAMALAKI, Marketing Manager  
Windy.com

Via Microsoft Teams

Wednesday,  
July 29, 2020

APPEARANCES :

BART BARNUM, Marine Accident Investigator  
National Transportation Safety Board

PAUL SUFFERN, Meteorologist  
National Transportation Safety Board

KAREN DENNY, Member  
U.S. Coast Guard Marine Board of Investigations

SHARYL PELS, Legal Advisor  
U.S. Coast Guard Marine Board of Investigations

MICHAEL COMERFORD, Member  
U.S. Coast Guard Marine Board of Investigations

MIKE BARCOTT, Attorney  
Holmes, Weddle & Barcott  
(On behalf of the *Scandies Rose*)

DAVID BARCOTT, Attorney  
Holmes, Weddle & Barcott  
(On behalf of the *Scandies Rose*)

NOELLE RUNYAN, Deputy Chief of Environmental and  
Scientific Services  
National Weather Service

I N D E X

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I N T E R V I E W

(12:32 p.m.)

MR. BARNUM: All right. Without further ado, this is Bart Barnum with the NTSB. It's 12:32 Eastern Time here in the States. We're conducting an interview of Ms. Korina Karamalaki from Windy.com. She is the subject matter expert with Windy. This interview is in conjunction with the *Scandies Rose* accident, a sinking that occurred New Year's Eve 2019 at approximately 2200.

I'm going to go around the room. So, first, Ms. Karamalaki, could you please state your name?

MS. KARAMALAKI: All right. So nice to meet you all. And my name is Korina Karamalaki from Windy.com, and I'm in charge of marketing in Windy. So --

MR. BARNUM: And other NTSB on the line?

MR. SUFFERN: Good morning or good afternoon everyone. My name is Paul Suffern, meteorologist with the NTSB.

MR. BARNUM: And U.S. Coast Guard?

CDR DENNY: Good morning. My name is Karen Denney. I'm a team member on the Coast Guard Marine Board of Investigations.

LCDR COMERFORD: Good morning. My name is LCDR Michael Comerford, also a member of the Coast Guard Marine Board of Investigations.

LT PELS: Good morning. This is LT Sharyl Pels, and I am the legal adviser to the Coast Guard Marine Board of Investigations.

MR. BARNUM: Okay. And the attorneys representing the

1 owners?

2 MR. M. BARCOTT: Good morning. This is Mike Barcott,  
3 representing the owners of the *Scandies Rose*.

4 MR. D. BARCOTT: And Daniel Barcott, another attorney  
5 representing owners of the *Scandies Rose*.

6 MR. BARNUM: Okay. Attorneys representing the two survivors?

7 (No audible response.)

8 MR. BARNUM: Okay. How about National Weather Service?

9 MS. RUNYAN: Hello. I'm Noelle Runyan. I am the deputy  
10 chief of the environmental and scientific services division,  
11 Alaska region headquarters.

12 MR. BARNUM: Thank you, Noelle. Anyone else on the line  
13 please?

14 (No audible response.)

15 MR. BARNUM: Okay, great. That will do it. So,  
16 Ms. Karamalaki, I'm going to turn it over to Mr. Suffern. He's  
17 our resident meteorologist for the NTSB for the first line of  
18 questioning. Thank you. Paul?

19 MR. SUFFERN: Hi. Good evening, Korina. I hope you're  
20 having a good evening over there and I really appreciate your time  
21 today.

22 MS. KARAMALAKI: Thank you.

23 MR. SUFFERN: Let's start off with a few kind of background  
24 questions.

INTERVIEW OF KORINA KARAMALAKI

BY MR. SUFFERN:

Q. How long have you been at Windy.com?

A. Well, I've been with Windy over, I think 8 months right now.

Q. Okay, great.

A. So --

Q. And you said you were the marketing manager?

A. Yeah, exactly. So I'm in charge of marketing communication.

We have a marketing department in Windy, and we are in touch with the -- with everyone. So --

Q. Okay. If you could, could you kind of give us a high level overview of Windy.com?

A. Of course. So I'm not sure how familiar you are with Windy, but Windy started in 2014. It was kind of like the pet project of her owner, Ivo. And because he's a big kiter and really into wind-based sports, he wanted to create some application which would really give him appropriate information about weather, wind.

So we started first with the wind visualization, and then of course we broadened of -- our scope of services. And so with the application, was evolving over the years. Now we are 5 years old, and we have tons of layers and functionalities. So it was a long journey, but we are always evolving, and we want to broaden our services even more, so that's what we are working on right now.

So if you have any --

Q. Okay.

1 A. -- like, more detailed questions, it would be appreciated.

2 Well, it's your turn.

3 Q. Well, absolutely. And do you have both -- does Windy.com  
4 have both an application on the computer as well as on a tablet or  
5 electronic --

6 A. Exactly. So at first, we were only with base application.  
7 But shortly after, we released an iOS app and Android, and also we  
8 are available on tablets because it's the same platform. So we  
9 are available on all other devices that I can say.

10 Q. Okay. And who's -- who is the target audience that you all  
11 have at Windy.com?

12 A. Well, initially I think it was more of the extreme sport  
13 audience, but now we are slowly -- well, we are already moved to  
14 more, like, a regular user who is interested in weather. So the  
15 scope of users is really wide I think. It's from sportsmen to  
16 regular user to some weather enthusiasts and meteorologists,  
17 because we are used both by the professionals and also by the  
18 regular users.

19 So it's kind of both parties, and there is maybe some  
20 correlation between, you know, professional and regular user. But  
21 at first we started as a professional app. We are still a  
22 professional app, but we also want to acquire more regular users,  
23 which we are succeeding at.

24 Q. Okay. And do you have any -- I don't know if your website or  
25 your app is able to gather background data, but do -- are -- do



1 you have any sense of, you know, 30 percent are professionals and  
2 70 percent are regular users? Or do you have any numbers behind  
3 those?

4 A. Well, I can't say about numbers, but maybe some geographic  
5 location, I can tell you that our -- most of the users are from  
6 U.S., and the rest of -- rest is the rest of the world. But -- so  
7 I can say that a lot of our users are from the U.S., which are our  
8 main audience, I would say.

9 Q. Okay, great. And as far as -- I'm on Windy.com right now,  
10 and I'm just kind of overlaying layers and all of the different  
11 functionality that you have on the website. If a professional  
12 person was using things like that, could they set preferences so  
13 that when they load Windy.com either on their computer or on their  
14 phones, that -- say they have the snow depth layer on. If they  
15 set that as their preference, would that come up as the first  
16 thing that they see the next time they'd load the website?

17 A. Well, this option is not available. You can -- well, the  
18 default layers always went, because initially we are wind-based  
19 application, so that's stayed with us until now. So this cannot  
20 be modified, but what can be modified is actually in the menu, if  
21 you are on the desktop, then you can open the left side menu, and  
22 there is a menu with favorites and settings. So in settings, it's  
23 possible to set the units you are really interested in.

24 So if you are -- if you want to see wind in MPH or KT or KM,  
25 this can be modified. Also the time format, your position, your

1 default position can be modified. Time -- so the basic units can  
2 be modified. Also, you can add your favorites and create some  
3 places you would like to have a quick access to.

4 And also, you can -- if it's on the desktop, you can choose  
5 the layers you would like to have as a quick access as well. So  
6 on the right side, there is a little menu, and a little extendable  
7 menu. If you click on more layers, then you can choose the layers  
8 you would like to have if you open Windy. So you can click on  
9 them, not just find them in the list below.

10 Also, there is one interesting overlay. It's our  
11 point-of-interest layers. You can find, for example, webcams,  
12 airports, our really big platform with weather stations, and also  
13 other layers like tide forecast and active fires. So there is a  
14 lot to really explore there.

15 When it comes to default model, forecast model, it's always  
16 ECMWF, and it's both for like maybe -- it goes all the platforms,  
17 so desktop, mobile phone, or tablet, it's always ECMWF. Of course  
18 you can change when you interact with Windy, but it also can't be  
19 modified. Not right now. Maybe in the future.

20 Q. Okay. That was very helpful. Thank you. What other -- are  
21 there other weather models that are going in besides the European  
22 model weather? What other weather model options are there?

23 A. Of course. So for example, when it comes to Europe -- well,  
24 the global models, I'll start with global models. It's ECMWF,  
25 GFS. So these are the global models. Then in Europe, we have

1 ICON, AROME, so these are the European models. Or in U.S., you  
2 can find models as NAM. So this is when it comes to weather.

3 So when it comes to waves and stuff like that, we have  
4 different models to choose from. So for you guys, I think the  
5 main models would be ECMWF and GFS for weather -- basic weather.  
6 And then if you are interested in waves, there is ECMWF WAM and  
7 also WAVEWATCH III. So this is for the U.S. for example. So it  
8 depends on the location of course, because we have local models  
9 for Europe and -- but for U.S., we have those two models and plus  
10 two more when it comes to other parameters like that.

11 Q. Okay. And when a new -- how does Windy decide when a new  
12 data source or weather model is able to go into Windy.com?

13 A. Well, it's -- I think right now, it's up to the management,  
14 and also from our users' feedback. But mainly, it's up to us what  
15 we decide is the best way to go. For example, for us, ECMWF was  
16 the way to go because it's really high professional -- well,  
17 really high quality like, model with the precise data. So this  
18 was the way to go for us at first. This is why it's also our base  
19 model -- our typical model for Windy.

20 And future models really depends what we find is -- there is  
21 a demand for that, and what we find is -- would be beneficial for  
22 Windy and for our users. So I can't really say which model would  
23 be the next, but we are doing our research which one would be sort  
24 of the one.

25 Q. Okay. That makes sense there. Now, as far as users

1 providing feedback, say -- how many -- how -- first of all, how do  
2 users provide feedback to Windy?

3 A. Well, there is different ways. For example, in the  
4 beginnings and also for right now, we have our Windy Community.  
5 This is a place where we announce new features, new platforms for  
6 Windy, and new tools. So it's kind of like a combination of PR  
7 for us. It will help to communicate to users, and also it is a  
8 place where the users can communicate with us and interact with  
9 other users to find questions. You can also find a lot of  
10 tutorials on Windy Community, and we also regularly reply to  
11 really many questions from our users.

12 So this is platform where we communicate with them, we  
13 went -- where we announce new features and some big news, and this  
14 is also the place to go if a user is not really familiar with  
15 Windy but wants to learn more about it and wants to find other  
16 really avid users of Windy and discuss. And also like,  
17 suggestions and questions and stuff like that. So this is usually  
18 what the Community is for.

19 So -- this is informational, and then also we have feedbacks  
20 on Google, on iOS, and other platforms. So those are all the  
21 places where we get our feedback, and also some type of  
22 communication where users decide to send us emails or other stuff  
23 like that. So yeah, I would say those are the three main channels  
24 which we use to communicate and get our feedback.

25 Q. Okay. And how many users per day do you -- does Windy.com

1 have, if you know those numbers?

2 A. Recently I think it slightly changed. I think it's around 1  
3 million per day -- 1 million users per day.

4 Q. Okay. And if -- can you describe with me, maybe over the  
5 last 8 months since you've been there, a time where the user  
6 community, maybe -- I don't know how many it takes, maybe 100  
7 users or 1,000 users said, hey, we would really like this button  
8 or this color on the Windy.com? How does that go?

9 A. Well, I really think over the 8 months, I don't think it  
10 really works like that, that there is like, 1,000 users who really  
11 wants the same thing. It's -- I think it's more like an ongoing  
12 thing that people keep to ask for it, and they -- maybe I can say  
13 one example that -- we have route planning on Windy. Initially it  
14 was only that you could set your waypoints and check the weather  
15 on your route. But people really wanted to add a speed factor so  
16 they can add -- okay, I will be going, I don't know, 100  
17 kilometers per hour, and I want to see if I reach this waypoint,  
18 what will be the weather. So this is what people really keep --  
19 kept asking about. And we been considering it for a long time,  
20 but finally we implemented it.

21 So it's -- I would say more like an ongoing thing. So if  
22 like -- okay, one -- you know, some people ask what days are we  
23 going to do this? It's more like a long -- longer time planning.  
24 Of course we can react quicker, but this is what we choose to  
25 really proceed. So we get our feedback, and when it reach some

1 point, we decide okay, this is what will really benefit for Windy,  
2 and we can prioritize it. So it's -- yeah, I would say it's about  
3 prioritizing as well for us.

4 Q. Great. Thank you. Thank you for the example. That really  
5 helps. Now, turning to the Weather Warnings layer that Windy.com  
6 has, can you kind of describe that layer and maybe how the levels  
7 of moderate, severe, and extreme are determined?

8 A. Of course. So this layer shows you -- it's based on CAP  
9 alerts from weather agencies -- from national weather agencies  
10 with each country. So if you open Weather Warnings, you can see  
11 like, a gray map with color for parts of it. So basically what  
12 you see at first, you see the levels moderate, severe, and  
13 extreme. So maybe take a look at Europe. So there is -- it's  
14 only -- and if you click on Italy, a little menu will be expanded.  
15 And you can see that there is warnings -- a high temperature  
16 warning.

17 So this is actually the info we gather from weather agencies  
18 in form of CAP alerts. The update times are usually about 30  
19 minutes, but to be on the safe side, it's about zero to one hour.  
20 So within one hour, if an agency issues a new alert, it will be on  
21 display on Windy. Also you can -- there is a little switch on the  
22 bottom and -- colorized by type of danger. So you can actually  
23 also view the CAP alerts in different form of colors. So for  
24 example, if there is a CAP alert for a fire, then it would be in  
25 the color of red. So if you actually turn on this little button,

1 it will be shown in a different perspective.

2 When it comes to U.S., I think we are pretty much covered.  
3 Every state should be covered, and every possible new alert should  
4 be projected on Windy. So right now we can see that there is a  
5 few CAP alerts across the U.S. Maybe if you have some more  
6 detailed question regarding the CAP alerts would be -- so I can  
7 answer it more thoroughly.

8 Q. Yeah. No, that's very helpful. So as far -- it was -- the  
9 reason that Windy.com decided to go with the CAP alerts, is that  
10 just the easiest way? Because, you know, there are 200 countries  
11 around the world, so how are you going to gather data from all of  
12 these sources, and the CAP was kind of the easiest?

13 A. Well, we decided because it's -- I don't think it's the  
14 easiest, but it's the more -- most standardized way of  
15 communication when it comes to Weather Warnings. Because it has  
16 some standards and some rules each country has to follow to issue  
17 a CAP alert. And it has a standardized format.

18 So to us, it's quite convenient, and maybe also easier to  
19 project it on Windy, because it has certain rules which are  
20 normally within the CAP alert. So for example, it's really  
21 standardized because you have pretty elaborate -- it's moderate,  
22 severe, and extreme, so we can easily determine that for each  
23 country. So I would say it's the -- it's not the easiest, but  
24 it's convenient for us and for the users, because it's something  
25 they already know, and they can take a look at predictions when

1 it's issued.

2 Q. Okay. And so as far as what color or which, I guess, slot or  
3 category that Windy.com puts it in, whether it puts the CAP alert  
4 into moderate, severe, or extreme, is that determined by Windy?  
5 Or are there different levels in CAP?

6 Because for example, right now I'm looking at Washington  
7 state, and they have a warning for heat. And it's a warning for  
8 heat, and then I go to the Gulf of Alaska right now, southwest of  
9 Kodiak, and they have a warning for wind. But the gale warning is  
10 colored yellow as moderate while the heat warning is colored  
11 orange as extreme. Both of the statements have the word warning  
12 in there, but the -- one of them is orange, and one of them is  
13 yellow. Is that determined by CAP or determined by Windy?

14 A. Well, the levels, moderate, severe, and extreme, is  
15 determined by CAP alert. So the CAP alert already contains the  
16 label, whether it's severe, or extreme, or moderate, it's already  
17 in it. And then the colors, it's -- they are chosen by Windy. So  
18 yeah, it's chosen by Windy, so there is no like, standard for  
19 colors for CAP alerts.

20 But if you -- like I said, if you chose the option to  
21 colorize by type of danger, than you can clearly see what kind of  
22 danger the CAP alert -- that CAP alert represents, whether it's  
23 rain, thunderstorm, flood, fire, high temperature, and so on. So  
24 you can actually -- it's -- before that, you can -- okay, you can  
25 see, is this severe or extreme? And if you choose this option,



1 you can get more details and select the type of danger.

2 Q. Okay. And so if a country, the United States, Canada,  
3 France, changed I guess the format of their warning and changed it  
4 on the CAP alert, then that would change it when it came to  
5 Windy.com?

6 A. Exactly. It should be in a matter of minutes. I think the  
7 upwards submit time would be a half an hour maximum. If the  
8 agency change it, and when it comes back to Windy, and when we  
9 display it, it's about a half an hour.

10 Q. Okay. And so just to -- I guess to use the United States as  
11 an example as well, so when the -- so if you use the Gulf of  
12 Alaska here, and they have a gale warning, it would be something  
13 for the United States to change on the CAP system for that gale  
14 warning to show up as severe or extreme rather than moderate? It  
15 would be something in our computer system here over at the United  
16 States, we would have to change for that to show up as a different  
17 color, right?

18 A. Yeah, that's right. You would have to change it on your side  
19 to be projected on Windy. Because we don't modify the CAP alerts.  
20 The agency would have to do that, if I understood --

21 Q. Okay.

22 A. -- correctly what your question was about.

23 MR. SUFFERN: Yeah. I'm trying to ask a technical computer  
24 question, and I'm trying to figure out the best way to ask it  
25 there. And I think that definitely is helpful there. So -- okay.

1 That's all of the questions that I have for right now. Thank you  
2 for your time. Bart, I'll --

3 MS. KARAMALAKI: No problem.

4 MR. SUFFERN: -- hand it back over to you.

5 MS. KARAMALAKI: Thank you.

6 MR. BARNUM: Great. All right, thanks, Paul. Yeah, I have  
7 some follow ups on that.

8 BY MR. BARNUM:

9 Q. I'm trying to play a little bit of catch-up. I'm not a  
10 weather expert like you guys are. But just to follow up on the  
11 CAP alerts, they were new to me today, and some of the coloring  
12 systems. So just to cover that one more time, I'm sorry, but so  
13 the CAP alert will issue if it's severe or moderate, and then the  
14 coloring system is determined by Windy.com; is that correct?

15 A. That is correct. Exactly.

16 Q. Okay. And who is making those -- that decision? Is it --  
17 what member of your team?

18 A. Well, it's -- I can't really say which exactly person that  
19 really creates -- well, maybe I can. But it's policy decision.

20 Q. What -- how many people are with Windy.com?

21 A. Currently it's around 12 people, yeah. I think 12 of us is  
22 right about.

23 Q. All right. And just -- what is the background of the team?

24 Are they -- is it they're weather folks? Is there -- I mean, you  
25 mentioned you're the marketing manager. What's the background of

1 the team?

2 A. Well, initially there were only two members in the team, in  
3 the beginnings of Windy. But later, things got bigger and they  
4 had to move to the bigger offices and stuff like that. We don't  
5 have any meteorologists at Windy. We only visualize that data.  
6 So the majority of the team is developers and technical staff.

7 So if you would like to see -- like to know the background,  
8 it's -- most of the members are -- that's about the extent of  
9 this. So it's kind of stuff you really need to -- you really need  
10 that kind of background and knowledge to be able to create  
11 something like Windy. So to answer your questions, mostly  
12 developers, and there is also other people like marketing and  
13 customer support who work at Windy.

14 Q. Okay.

15 A. But the majority is developers.

16 Q. And where is -- where are you located? Where are your  
17 employees based?

18 A. We are located in Prague, Prague (indiscernible), so -- it is  
19 our only office.

20 Q. Do you have any workers working remotely from different parts  
21 of the globe?

22 A. Currently I think there might be some external people. Two  
23 or three, but it's not like they are part of the team. They are  
24 maybe doing some other work. But the core part of the team who  
25 are really -- who is really developing Windy is based in Prague,

1 and nobody is really working remotely.

2 Q. Sure. You mentioned earlier, the U.S. is the majority of  
3 your users. Do you guys break that down any further to  
4 geographically -- regions in the U.S.?

5 A. Central's -- well, geographically I can't really say about  
6 the -- each state. But I think our main regions are Alaska and  
7 central U.S.

8 Q. Okay. And if you don't mind me asking, how do you make  
9 money? How do you get paid?

10 A. Well, we have -- for a long time, we were a free application  
11 for several years. But right now, we have launched Windy Premium,  
12 which offers our users something extra for their contributions,  
13 and that's a one hour forecast. And we are also planning 4 times  
14 update per day for ECMWF model.

15 So right now you can have one hour forecast with Windy with  
16 the Premium, and of course in the future we are planning to add  
17 more features like that. And one application which is coming,  
18 it's four times update for ECMWF. So it's our main income right  
19 now.

20 Q. Okay. And when do you implement that premium service?

21 A. Well, in 2019, we launch kind of like a donation program  
22 where our users could donate Windy to kept it going, which we  
23 managed to gather quite a significant amount, which we were really  
24 happy. But it really didn't cover our expenses for year or for --  
25 to keep continue. So we actually thought that we want to create

1 something which would give users something extra for their  
2 contribution, not just a donation, but actually some service, some  
3 feature, which would help them decide, okay, Windy is the way to  
4 go, so we launched Windy Premium.

5 Because Windy is still a free service. Of course all of the  
6 platforms, the majority of the tools, and the tools which -- that  
7 were free before, they are still free, and it's really a majority  
8 of it is still free. But Windy Premium offers something extra if  
9 you really like to use Windy and would like to contribute us, and  
10 to help us going -- then Windy Premium is for the users.

11 Q. So in 2019, you had the donation system. When did Premium  
12 actually kick off? When was the launch of that?

13 A. The launch was in March, if I'm not mistaking, or beginning  
14 of April, yes.

15 Q. Of 2020?

16 A. 2020.

17 Q. And what is the price for that service, Premium?

18 A. The monthly subscription is \$2.99, and annual one is \$18.99  
19 in dollars.

20 Q. Okay, yeah. And to date, what is your percentage of users  
21 that use the Premium versus using the free service?

22 A. Well, it's -- of course we are still in the beginning of the  
23 premium program, so I can't really say the exact numbers. So I  
24 think it's -- yeah, I would say it's still in the beginning, but  
25 we are happy with the results. And we hope it will continue in

1 this pace, which was in the beginning, and it's going really well.

2 So we are happy with that.

3 Q. Okay. Do paid advertisers -- are they active on your site?

4 And do you guys advertise different products on your site? You  
5 know?

6 A. No.

7 Q. No?

8 A. There is no kind of advertisement. It has never been, and we  
9 don't want it in the near future. So Windy was always ads free.

10 Q. Okay. And how do you guys advertise your Windy.com? Where  
11 -- what platforms are you on?

12 A. Well, of course we are on Google Play and iOS, so this is  
13 kind of way how to advertise our app. And it's also mostly about  
14 recommendations that we have quite a good reputation, so people  
15 are maybe naturally coming to us. And also, hurricane season is  
16 really -- it's kind of bad to say, but it's really good way to us  
17 -- good for us, because we are monitoring the cyclones or  
18 hurricanes pretty well. And we also publish articles when  
19 entering the track of the hurricane.

20 So it's kind of a way how to acquire people as well because  
21 they search for hurricane, there would be our article, and they  
22 can click on it, and they find out that there is a Windy service,  
23 and there is a beautiful animation, and weather service that can  
24 really help us in those kind of situations to monitor the severe  
25 weather and extreme weather events. So -- okay, I think that this

1 is the way which we use, and other channels -- and our Windy  
2 Community is also a sort of advertisement for us and to publish  
3 our features and new stuff we add to Windy. So yeah, and also  
4 social media of course. Twitter and Facebook, we have our  
5 channels there. This also.

6 Q. Okay. And you mentioned you're on Twitter and Facebook. Are  
7 you directing that advertising towards certain groups on those two  
8 platforms?

9 A. No. We don't really target the audience like that. Maybe if  
10 it's -- maybe by language if it's something in Italian, or some  
11 other language, we of course target that. But we don't do that.

12 Q. All right.

13 A. Other than that.

14 Q. Kind of what I'm alluding to is that, you know, we had spoken  
15 earlier, and how we kind of -- to our understanding that the  
16 commercial fishing industry in Alaska uses your app quite a bit.  
17 Obviously you can see that since a lot of your users are in  
18 Alaska. I didn't know if there was any particular platform or any  
19 channels that you use to advertise directly to that community.

20 A. Not yet. I think it's more like an actual development.  
21 People have really heard about Windy, they explore it, and it's --  
22 it takes time. And when there is a community, there is also  
23 always a chance to -- we will acquire more users like that.

24 Q. Okay. Great. Just a couple of clarification questions I  
25 had. And you might have said it and I missed it. You were

1 talking earlier about Windy broadcasting in the alerts. Does the  
2 -- just can you confirm, Windy.com, they broadcast here in  
3 America, the National Weather Service alerts?

4 A. Yes.

5 Q. Yeah.

6 A. It's -- CAP alerts are released by National Weather Service  
7 agencies.

8 Q. Okay.

9 A. So it's what we get the data from.

10 Q. And I guess my last question here before I pass it on, the --  
11 I think Paul touched on this. The layers that you select, your  
12 filters if you will, when you're utilizing your app, whether it's  
13 desktop or on the phone, will they save when you close the app and  
14 then come back in? Or do you have to reselect them?

15 A. Well, they actually store it in your browser, so if you  
16 select certain layers, they should be kept. But it's -- shouldn't  
17 really rely on that. There are main categories like wind, rain,  
18 thunder, temperature, those ones will be always available, but the  
19 others you choose under them, like wind gusts, wind accumulation,  
20 they usually stay if you choose them, but it depends on the  
21 browser if they store it. But I wouldn't really rely on that.

22 Q. Okay.

23 A. But they should.

24 Q. All right. And I have another question on that. If you're  
25 actively using Windy and you lose internet connection, will it



1 still -- will it save what was there before, and you're able to  
2 still use the older data? Or is the data lost? How does that  
3 work?

4 A. Well, Windy needs to be used with internet. But I think if  
5 you use Windy and suddenly the connection went off, it should  
6 display the last data retrieved. So if you have a wind  
7 accumulation or wind animation on, it will display the past -- the  
8 last animation it displayed when it had internet connection. So I  
9 think yes, it should. Really it depends on the phone and on the  
10 connection, but in general, you really need the internet  
11 connection to use Windy.

12 Q. Okay. And what is your most popular filter or layer?

13 A. I would say it's rain and thunder is a really popular  
14 layer --

15 Q. Okay.

16 A. -- among the users.

17 Q. And can you -- I don't know if you know this. Can you break  
18 it down geographically? You know, Alaska, what is the most  
19 popular layer?

20 A. In Alaska? Well, I don't think I can answer that right now  
21 in -- which layer is popular -- the most popular in Alaska. So  
22 I'm not sure about that right now. I'm sorry about that.

23 Q. Okay. Maybe a follow up later maybe.

24 A. Maybe a follow up, yes. We can --

25 Q. Thank you. How about weather alerts? Is that in the middle

1 or the bottom? Is that used very much?

2 A. The CAP alerts you mean? Weather warnings --

3 Q. Yes.

4 A. -- layer?

5 Q. Thank you. Yes. Thank you.

6 A. I think this layer is not that used among the users. I  
7 think, it didn't have really much attention so far, but I think it  
8 can be changed. I don't think it's one of the most popular layers  
9 in Windy right now --

10 Q. Okay. Great.

11 A. -- when it comes to users.

12 MR. BARNUM: Okay, great. Well, thank you. That's all I  
13 have right now. I'll have a couple of follow up at the end, but I  
14 want to give the others on the line a chance to ask you some  
15 questions.

16 MS. KARAMALAKI: Of course.

17 MR. BARNUM: So I'm going to pass it over to the U.S. Coast  
18 Guard. Do you have any questions for Ms. Karamalaki?

19 CDR DENNY: Yes, a couple of follow-ons. Again, this is CDR  
20 Karen Denny with the Coast Guard. And, ma'am, I am very thankful  
21 that you've made the time to speak to us today, so thank you for  
22 that.

23 So I have a couple of questions that are going to bounce  
24 around just based on the information that you've provided, which  
25 was very thorough. I just wanted to verify some -- just

1 administrative information.

2 BY CDR DENNY:

3 Q. Is it fair to say that when you describe the background of  
4 the Windy team members, that they are essentially coders and  
5 software engineers, as well as marketing in terms of their  
6 background? Is that fair to say?

7 A. I think it's very accurate. When it comes to majority of  
8 team, it's -- well, software developers, software engineers, and  
9 yeah, there is some more marketing team, but it's -- I'd say  
10 minority of the team. So -- we have 12, so yeah, there is not  
11 many people. But most of them is technical, like engineers and  
12 software developers.

13 Q. And then is it also correct -- is my processing correct in  
14 that you said there is nobody on the team that has formal training  
15 or certification, like in meteorology or with the weather? Is  
16 that correct?

17 A. That is correct.

18 Q. I'd like to ask some follow-on questions about your user  
19 base. How many users did you say Windy has?

20 A. Well, there is an average 1 million users per day. It's  
21 while -- they'll -- for example, during the hurricane season,  
22 there could be like 10 million users a day when there is a big  
23 hurricane like there was on East Circle [sic] one month ago. We  
24 had a record. It was, I think 10 or 11 million people per day.  
25 So it --

1 Q. So it -- in order for people to access even the free  
2 application, they need to download it, and it -- let's say the  
3 iTunes, right? Or not iTunes, but like the application icon in  
4 whatever platform that they use, they have to download even the  
5 free portion. Do you guys at Windy keep track of that user base?

6 A. Of course if you want to use Windy on your mobile phone, you  
7 need to download it. But to use Windy, you don't really need to  
8 have a Windy account. So there are two really views on that. If  
9 you want to use Windy, you want to, for example, save your  
10 settings or, I don't know, save to your favorites some of your  
11 favorite places, that kind of stuff like that, you really need a  
12 Windy account to store that information on. But if you want to  
13 just regular use Windy without any account, it's also possible.  
14 It will just -- your settings won't be saved on that. But when it  
15 comes to iOS, like Google Play, we have over 10 million downloads  
16 on each platform. So --

17 Q. Okay. That was 10 million, correct?

18 A. Yes, 10 million.

19 Q. Sorry. I just -- a little bit of issue with the phone,  
20 sorry.

21 A. No problem.

22 Q. So in terms of persons that contribute or subscribe to the  
23 premium app -- I guess before even the premium app, did you keep  
24 track of persons that contributed?

25 A. What kind of -- you mean like a data about the users? Or --

1 Q. Yes, ma'am.

2 A. I'm not sure. Well, the users, they -- there was like three  
3 ways to donate to Windy. It was via app store; Google Play, so  
4 via Android; or by our platform, (indiscernible). So there are  
5 three ways of donating to Windy, and if the person decided to  
6 donate to us, it would go through the platform, for example,  
7 through the Google, through the store. And of course I don't know  
8 how they read the data, but they -- I think they keep some data  
9 about the user, because the user already has some account with  
10 them. So I think they would be able to base information about  
11 them.

12 Q. Are you able to track -- is -- at Windy, are you guys able to  
13 mine the data to figure out if a specific person was using your  
14 application?

15 A. I don't think -- I don't really know what you mean, to be  
16 honest. Like, okay, if the person donated, if we are able to know  
17 if the person used Windy? Or maybe, you can specify it, the  
18 question?

19 Q. Sure. So if we wanted to try and confirm whether a specific  
20 individual used the Windy app, let's say, on their tablet, is  
21 there a way that your company can say, oh, yeah, this person --  
22 like I would think that, with the Premium, perhaps you guys might  
23 have a better way to do that. But previous to launching the  
24 Premium service, are you able to see if a specific user is using  
25 your app?

1 A. Well, if the user has a Windy account, then obviously we can  
2 see if the user has an account, and if it was active on the  
3 account, it was also visible in the community. So it really  
4 depends. If --

5 Q. Okay.

6 A. -- the user has an account, then yes, we can say, yeah, this  
7 user was active. And of course we don't, we don't know if he has  
8 application downloaded, so there's a lot of factors which goes in  
9 it.

10 Q. Okay. As a follow up, would we be able to ask you to --  
11 after this meeting of course -- check to see if some certain  
12 specific people were in your database to see if they had an active  
13 account? And we can provide those names, you know, after. Is  
14 that something that we would be able to do with you guys?

15 A. Well, I'm not sure right now. I would need to ask my  
16 colleagues about that.

17 Q. Okay.

18 A. It's a matter of discussion, I would say.

19 Q. Sure.

20 A. So I would let you know.

21 Q. Thank you. I appreciate you -- your consideration in that.  
22 Jumping topics a little bit, does Windy retain historical data for  
23 the layers that are built?

24 A. Well, Windy doesn't store that sort of data. So we don't  
25 store any data when it comes to layers. The only thing we can

1 access some kind of data, it's through our weather stations. It's  
2 overlay in Windy, and it works like, where there's certain users  
3 or many users share data, we'd ask, from their weather stations.  
4 And if you click on station from the location you are interested  
5 in, it will give you an overview of the past several days where  
6 you can see like some basic parameters like wind, wind gusts,  
7 temperature, or if there was a wave or not.

8 So yes, there is a way to access data through the Windy  
9 stations, but we don't store any data about the forecast and other  
10 layers. So basically, in general, no, we don't.

11 Q. Okay. So if -- are you guys able to -- based on that last  
12 answer, since you don't receive historical data of the layers, are  
13 you able to take historical data from, let's say, the National  
14 Weather Service to recreate what Windy would have shown up on the  
15 app? Are you guys able to recreate that with your software?

16 A. Maybe it's possible. It probably would be possible  
17 technically, but it would really depend on the case and what kind  
18 of data we would visualize, some stuff like that. But we are --  
19 it's not like our scope of interest to do that at moment --  
20 visualize after data. So -- but technically it's -- I would say  
21 it's possible. But it would really depend.

22 Q. Okay. Onto a different topic. You mentioned that Facebook  
23 was a way -- was a platform that Windy kind of gets out there and  
24 helps them in developing kind of name recognition and that there  
25 is the Facebook group. Could we ask you to please check to see if

1 any specific personnel are attached to that Facebook group and  
2 have that as a follow up? Well, I -- just because I just want to  
3 see if maybe that's -- let's see. We're trying to establish to  
4 see if your app was used.

5 A. I think that is also a matter of the protection of users. So  
6 I'm not sure if it's possible for us to do that. You know, it's  
7 kind of a matter of data protection of our users. So it's a  
8 matter of discussion, I would say.

9 Q. Okay.

10 A. So, yeah, I really cannot answer that right now.

11 Q. Not a problem. You -- when we were talking about the weather  
12 models that are -- that can be used, you talked about the GFS, you  
13 talked about ECMW [sic]. Does the user have the ability to  
14 manually choose which model? And then can you explain how the  
15 weather model -- like can you explain those data sources and how  
16 that leads into the weather model, and then how the programmers  
17 create your weather?

18 A. Well, the user, when he comes to Windy, the base model is  
19 ECMWF. He is able to change to a different model. It depends on  
20 the location. Of course, if you are in U.S., we will not be able  
21 to switch to local models like ICON, because they're only for  
22 Europe. So you have -- you would have to be zoomed in the -- on  
23 Europe to be able to switch that. So for example, for U.S., you  
24 have the options -- you have three options. It's NAM, it's ECMWF,  
25 and GFS. For example, on ECMWF, we have a partnership with a



1 company who's an institute, and we get -- there's a dataset from  
2 them, and then we visualize them.

3 The models are updated -- it depends on the model itself.  
4 For example, ECMWF is updated three times a day. There is  
5 different between big time and reference time. The reference time  
6 is usually defined when the model is being computed. So the  
7 computation process usually takes about 7 to 8 hours. And when  
8 it's finished, it is updated on Windy. So it's update time. And  
9 for example, the update times for ECMWF, the reference time is  
10 midnight and the update time is usually around 7:00 a.m. And then  
11 there is another reference time at 12:00 a.m. [sic], and then it  
12 updated again at 6:00 or 7:00 p.m. This is how it works.

13 Of course it's different for each model. With the GFS, it's  
14 updated every 6 to 7 hours, and so when the model is computed,  
15 then we are able to update it on Windy. So this is how it works  
16 when it comes to (indiscernible), for example, and ECMWF.

17 Q. So I'm processing as you're describing this. So then that  
18 sounds like there's specific times that there's an update, there  
19 is a little bit of a lag. Is that fair to say?

20 A. I wouldn't say it's a lag. It's -- because the data are for  
21 a certain period. So for example, if you knew the forecast like  
22 now for a certain location, you can see that the data where -- for  
23 example, right now I'm looking at the U.S., and the reference time  
24 was 12:00 a.m., your time. So --

25 Q. That makes it --

1 A. -- data -- yes, I'm sorry I interrupted you.

2 Q. No, no, no. That's perfect. I -- that clarified for me what  
3 you were explaining, since it was taking the time range. Thank  
4 you.

5 A. No problem.

6 CDR DENNY: Mr. Barnum, I don't have any additional questions  
7 at this time. I know my colleague does.

8 LCDR COMERFORD: Hi. So this is LCDR Mike Comerford with the  
9 Coast Guard also. Again, thank you for taking the time with us  
10 today. I just want to make sure I fully understand what you were  
11 describing.

12 BY LCDR COMERFORD:

13 Q. When they're looking at the app, the updates -- and I'm kind  
14 of going through the app at the same time. So depending on what  
15 models are being presented for the layers, you're saying that they  
16 can see the time until the next update, and it gives the period  
17 for each model that it's drawing from; is that correct?

18 A. That's correct, yes. If you're on the desktop, you can  
19 see -- for each layer and for each model, you can see a little  
20 clock symbol in the right corner -- right bottom corner. And  
21 there is a reference time and update time. For example, right now  
22 it was updated 2 hours ago, and next update is expected at -- in 4  
23 hours for example. It can change, but usually it is in these  
24 times.

25 Q. Okay. Excellent. And then I really have one general

1 question about your Facebook group. Is the Facebook -- what is  
2 the Facebook's target audience and focus area for membership?

3 A. Well, you mean the focus area, what we were focusing on in  
4 the beginning when we started the Facebook? Or right now, what is  
5 the focus area?

6 Q. Yeah, right now. Are you -- is it more of a collaborative  
7 group on updates to the application? Is it more on sending  
8 information out to the end users? Or, you know, how is this group  
9 really intended to be used?

10 A. Well, it's -- for us, it's used mainly for updates about  
11 application, about also news regarding some extreme events. We  
12 regularly post the cyclones and hurricanes; we create trends and  
13 interesting visualization based on Windy data and Windy.com. So  
14 it's kind of a communication channel for us, but it's -- of  
15 course, it's not only Facebook. It's other channels as well that  
16 -- yes, we have some kind of community there, and users who are  
17 interested in other -- the updates about the events. So that's  
18 what we offer them on the channel.

19 LCDR COMERFORD: Okay. Thank you very much for answering all  
20 of your questions today. We really appreciate it.

21 MS. KARAMALAKI: No problem.

22 LCDR COMERFORD: That's all.

23 MR. BARNUM: Okay, great. Anyone else from the Coast Guard?

24 (No audible response.)

25 MR. BARNUM: All right. Noelle, would -- do you have any

1 questions? Noelle Runyan?

2 MS. RUNYAN: Yeah. Thank you. I have a couple.

3 BY MS. RUNYAN:

4 Q. When data is missing -- not necessarily model data, but other  
5 types of data. When it is missing, does it indicate as missing?  
6 Or does it just show the latest known? For example, if there is  
7 an observation that you normally see, and it is now -- you  
8 normally see it once an hour, but it's now 8 hours old, will it  
9 indicate that it's missing? Or will it just be the 8-hour-old  
10 data?

11 A. It depends on the data. Maybe if you could specify? When it  
12 comes to, for example, wind based data, it depends on the model.  
13 If you see that the model was updated 8 hours ago, it doesn't mean  
14 that the data is old, but that the next update is in, for example,  
15 4 hours.

16 So the data are relayed until the next update. So they are  
17 not all up there while it's in -- at the next update, they are  
18 updated to do the next dataset, which was computed at some  
19 reference time before. So -- but I think you mean something like  
20 when the data is missing, for example, in -- really hard to say.

21 Q. For --

22 A. Yeah.

23 Q. Yeah, for example, an observation from an airport.

24 A. So you mean METAR update for example?

25 Q. METAR, yes.

1 A. Yes. Well, I don't think we would show the latest dataset  
2 when it comes to METAR. They are like, more like for one and --  
3 one hour I think is -- I think it's correct. And if the data is  
4 missing, then we don't show the base data.

5 Q. Okay. And different topic. Although you've kind of answered  
6 a lot of this, and I feel like this is a slightly different  
7 question. Do you -- can you give a number of users on a certain  
8 platform? For example, what -- how many or what percentage of  
9 your users are on iOS and what percentage are on desktop?

10 A. I don't think I can give you a percentage, but I don't --  
11 well, the average about -- average of computer users and iOS  
12 users. So I think we have more iOS users, so there is -- some  
13 (indiscernible). But to be honest, I think I would probably  
14 include it in the follow up if it would be still for your interest  
15 with some more detailed data about this. So I don't think I can  
16 give you a clear answer right now. So it would be in the follow  
17 up. So --

18 MS. RUNYAN: Okay. All right. That's fine. And I think  
19 that's it. That's all I have. Thank you.

20 MS. KARAMALAKI: You're welcome.

21 MR. BARNUM: All right. Thank you, Noelle.

22 Mr. Barcott, do you have any questions?

23 MR. M. BARCOTT: Yes, thanks very much. Ms. Karamalaki,  
24 thank you very much. I introduced myself at the beginning. I'm  
25 Mike Barcott. I'm the attorney for the owners of the *Scandies*

1 Rose. So thank you for making yourself available for this.

2 And I'm going to be jumping around a little bit, because I'm  
3 following up on other peoples' questions. So if it's not clear to  
4 you what I'm asking, please let me know. And I will tell you at  
5 the outset, I am not a techie guy. So if my questions sound  
6 really stupid, please bear with me.

7 MS. KARAMALAKI: No problem.

8 BY MR. M. BARCOTT:

9 Q. Are you able to tell us, for the area southwest of Kodiak  
10 Island in Alaska, within 200 miles, are you able to tell us what  
11 would be the sources of the weather data that Windy gets for that  
12 area?

13 A. It really depends what data are you looking for. When I take  
14 a look at Alaska, then you have, like I said, three models  
15 available. It's NAM and ECMWF and GFS. And then it depends what  
16 kind of parameters are you looking for. Are you looking for a  
17 wind data? Or rain, temperature, clouds, waves? It would really  
18 depend on that. And of course, then you can determine what kind  
19 of data we will be getting. So maybe if you could specify?

20 Q. Sure. So I think the data I think that all of us on this  
21 call would be interested in is the wind data, the temperature  
22 data, and the wave data. What would be the sources of those bits  
23 of information?

24 A. Well, the possible sources are ECMWF, GFS, and NAM. So those  
25 are the global models you can choose from, and then you can get

1 the data. You can also compare those three models in the detail  
2 of the forecast and get some approximate correlation between them,  
3 so most probable value for wind or for other parameters that will  
4 occur at this certain time. So if you are looking for a forecast  
5 for the next day, then you can compare those models and get the  
6 data. Or you can just choose one model; it's really up to you.

7 Q. Thank you. And do I understand correctly that Windy itself  
8 doesn't do an independent forecast analysis? It displays the  
9 information from the sources it utilizes; is that correct?

10 A. That's correct, yes. We don't create any forecasts on our  
11 own. We only visualize the already done data or the delivered  
12 data from the -- several sources.

13 Q. So if, for example, the captain of the *Scandies Rose*, at  
14 7:30 p.m. Alaska Time on the 30th of December, went onto your app  
15 to see what your forecast might be, are you -- and I think Alaska  
16 time is either 9 or 10 hours earlier than the Czech Republic  
17 -- are you able to tell me the age of the data contained in the  
18 forecast that he would be looking at?

19 A. Yes. You can see that, like I mentioned, in the detail of  
20 the model. So it's like a little clock symbol, and there you can  
21 actually see if you -- it depends on the model of course. Right  
22 now, I have selected ECMWF, and there is -- the data are all the  
23 -- well, for right now, the reference time was midnight, so the  
24 data are from midnight of 29th [sic] of July. So you can --

25 Q. So --

1 A. -- clearly see -- yeah.

2 Q. I'm sorry. Continue. I'm sorry.

3 A. No, no, no. It's already -- that's my --

4 Q. Okay. So but as I understand it, historically, if we wanted  
5 to know what data he saw on the 30th of December, 2019, Windy does  
6 not have that data stored; is that correct?

7 A. That's correct, yes. We don't store those data. Past of the  
8 data, I don't store it on Windy.

9 Q. Is there any way that you can actually reconstruct what our  
10 captain saw, if he looked at 8:00 p.m. December 30th, 2019?

11 A. I don't think there is a way for us to visualize that for the  
12 moment. Or it would be really -- like I said, it's not the  
13 average scope of services, what we do that we would visualize past  
14 data. Because we take the data, we take the dataset, and we  
15 visualize it, and it's pulled up to some time, up to the next  
16 update, which is usually in next 12 hours, and then we don't store  
17 it. We don't visualize it anywhere else. So yes, it would be up  
18 to some discussion if -- how -- if it would be possible to be done  
19 and visualize.

20 Q. CDR Denny asked you a question, and I just want to be certain  
21 I understood the answer. We are all curious whether our captain  
22 looked at Windy and when he looked at Windy. Do I understand, you  
23 don't keep that information about when a particular user may have  
24 taken a look at your app?

25 A. I don't think we keep those information. I would really need



1 to ask some of other members of the team. But I don't think this  
2 is possible to extract from Windy.

3 Q. So when a user looks at your app, does it show real time,  
4 current time data, or is it just the forecast?

5 A. Well, our main focus is forecast. And for example, we have  
6 platforms like weather stations, and they send, for example,  
7 5 minutes of data for a certain location. And then you can see --  
8 on this layer, you can see, okay, that there is a temperature like  
9 this. It's real time, and it's based on the weather station of  
10 each owner.

11 So yes, we visualize only forecast. So if you look at all of  
12 the layers in Windy, you will see only forecast, not real time  
13 data. Unless it's radar, it's real time visualization of  
14 precipitation. And then you can also use Windy station, which  
15 reports data on a real time basis. So -- but yes, in general, we  
16 are only forecast-based platform.

17 MR. M. BARCOTT: Okay. Thank you. I have -- we use your  
18 service. We find it very useful. Thank you. I don't have any  
19 other questions.

20 MS. KARAMALAKI: Yeah.

21 MR. BARNUM: Great. Thank you. Anyone else that has not  
22 asked a question yet, do you have any questions?

23 (No audible response.)

24 MR. BARNUM: Okay then. We'll pass it back to Mr. Suffern  
25 from NTSB to see if he has any follow ups for Korina.

1 MR. SUFFERN: This is Paul Suffern. I have no follow ups. I  
2 just appreciate everyone's time.

3 MR. BARNUM: Okay. Thank you, Paul. I do have just a couple  
4 of follow ups here. I know we're -- we've been going almost an  
5 hour and a half. And thank you. I really appreciate it.

6 BY MR. BARNUM:

7 Q. But the -- I know we were talking updates, and you'll have to  
8 forgive me, I'm not familiar with your app. But is that -- is it  
9 easily viewed to the user -- can they easily see that, the time  
10 that their forecast was last updated? And where is that  
11 displayed? You mentioned a clock or something?

12 A. Yes. Well, it depends on the platform. On the desktop, it's  
13 quite well visible. It's -- if you open Windy, then there is a  
14 little clock symbol in the right corner. Like right bottom corner  
15 of the -- of display. And if you click on it, you will be  
16 presented with actually information about the model itself. There  
17 is a description of the layer you are looking at.

18 So right now, I'm looking wind, so there is a description  
19 what the layer actually shows. There is a description also about  
20 the model itself, that is -- right now I have ECMWF 9km, and there  
21 is forecast model, update interval, it's 12 to 13 hours. It's  
22 base information about the model. There is the provider, and also  
23 there is reference time; updated time, which is 10 hours ago; and  
24 next update, which is expected at -- in 2 hours from now. So --

25 Q. Does Windy offer any warnings if there is an old forecast to

1 the user? This hasn't been updated in 10 hours, beware?

2 A. If there is any warning that it hasn't been updated in 12  
3 hours? What do you mean actually?

4 Q. So if I'm looking at a forecast, and it hasn't been updated  
5 in 12 hours, I missed the little clock saying so, is there any  
6 kind of warning that says, hey, this is an old forecast?

7 A. No, there is no kind of warning like that. Actually, this  
8 interval is normal. It's -- the interval is 12 hours, so if it  
9 was updated 10 hours ago, then it's okay; it's still within the  
10 range -- the correct time. Sometimes due to some computation  
11 problems or some issues, they can take longer, but it's very rare.  
12 We don't experience those issues -- problems.

13 Q. And to follow up a question that I had earlier, because I  
14 learned something throughout the interview, so you have users that  
15 will just actively use your app, and then you'll have users that  
16 will register and have an account, and then you have Premium users  
17 that pay for their registered account.

18 I believe I asked you percentage earlier between paid users  
19 and free users. What is the percentage of account login users  
20 versus just active, non-login users?

21 A. Well, I believe on our Windy Community, and -- so we can  
22 count around 2 million accounts. That's -- so with an account,  
23 active Windy account. So I would say it's about 1.5 to 2 million  
24 people with Windy accounts.

25 Q. I'm sorry, you broke up a little. Was that 1.5 million?

1 A. 1.5 million or 2 million with Windy account -- registered  
2 users.

3 Q. Okay. All right. And at any given time, I know you  
4 mentioned there's about 1 million users. How many of those users  
5 are registered account users?

6 A. I don't really have that kind of data at the moment, so I  
7 can't really properly answer that, what's the percentage of that.

8 Q. Okay. And if one of those account users -- login users was  
9 actively using your account -- I know you've sort of answered this  
10 before, you would be able to tell if that person was actively  
11 using it, correct?

12 A. If the user was active on this account and -- so you mean  
13 that's -- if you could see that he was using the application; is  
14 that correct?

15 Q. Yeah. So if I had an account with you and I logged into the  
16 account and I was using your app, could you tell that it was me  
17 using the Windy app at this particular time?

18 A. If you have a Windy account, and it's connected with your  
19 device. But I don't think we are able to say that you were  
20 actively using it -- using your app. So it's one thing that you  
21 have an account, and you're active on it, you could be active on  
22 the community, but there is no really -- well, I would have to  
23 check it, but I don't think we can see that you were using Windy  
24 really. Because we don't store that kind of information.

25 Q. If I log on my desktop, I log in my account, and I had all of

1 my saved layers and my saved waypoints and all of that, would you  
2 be able to see that I'm logged in and using it?

3 A. I'm not sure at the moment. I would have to check with my  
4 team.

5 Q. Okay.

6 A. With the team -- so --

7 MR. BARNUM: Okay. Great. Just going through my list here.  
8 Okay. That's it I guess, for what I have right now. I'm just  
9 going to go back around the room -- the virtual roundtable here.

10 And does anyone have any follow ups?

11 CDR DENNY: This is Karen Denny. None for me. Thank you so  
12 much, again, for taking the time to be online with us.

13 MS. KARAMALAKI: You're welcome. It was a pleasure.

14 MR. M. BARCOTT: This is Mike Barcott. I don't have any  
15 follow ups.

16 MR. BARNUM: Okay, great. I guess that's everybody. It's an  
17 hour and a half marathon. And, Korina, I really appreciate it.  
18 You spoke both very technical and very novice for some of us that  
19 aren't familiar with the application. And I appreciate you  
20 talking on a broad range.

21 I might just mention, we've been talking about a couple of  
22 follow ups that we're going to channel in emails to you. I would  
23 appreciate that. Anybody on the line that has a follow up, just  
24 channel it through me. I believe you all have my email, if you  
25 don't mind. And then it's just one source going to Korina.

1       So great, thank you very much. I'm going to stop recording.  
2       The time is 1:52 p.m. Eastern time, and the recording is stopped.  
3       (Whereupon, at 1:52 p.m., the interview was concluded.)  
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CERTIFICATE

This is to certify that the attached proceeding before the  
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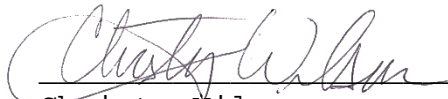
IN THE MATTER OF:                   CAPSIZING AND SINKING OF THE  
F/V SCANDIES ROSE NEAR SUTWIK  
ISLAND, ALASKA, DECEMBER 31, 2019  
Interview of Korina Karamalaki

ACCIDENT NO.:                   DCA20FM009

PLACE:                           Via Microsoft Teams

DATE:                            July 29, 2020

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
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\_\_\_\_\_  
Christy Wilson  
Transcriber