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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

IN RE: OIL SPILL BY THE OIL RIG	*	Docket 10-MD-2179
<i>DEEPWATER HORIZON</i> IN THE	*	
GULF OF MEXICO ON APRIL 20, 2010	*	Section J
	*	
Applies to:	*	New Orleans, Louisiana
	*	
Docket 10-CV-02771,	*	March 25, 2013
<i>IN RE: THE COMPLAINT AND</i>	*	
<i>PETITION OF TRITON ASSET</i>	*	
<i>LEASING GmbH, et al</i>	*	
	*	
Docket 10-CV-4536,	*	
<i>UNITED STATES OF AMERICA v.</i>	*	
<i>BP EXPLORATION & PRODUCTION,</i>	*	
<i>INC., et al</i>	*	
	*	
* * * * *		

DAY 17, AFTERNOON SESSION
TRANSCRIPT OF NONJURY TRIAL
BEFORE THE HONORABLE CARL J. BARBIER
UNITED STATES DISTRICT JUDGE

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13:13 1 **MR. BREIT:** With the Court's indulgence, I would like
13:13 2 to file a motion to suspend courtroom protocol for just a
13:13 3 moment, Your Honor. It's our understanding that our excellent
13:13 4 staff Stephanie is having a birthday today, and we would like
13:13 5 to all wish her a happy birthday. And if the Court would like
13:13 6 to begin --

13:13 7 **THE COURT:** Motion is granted. I thought you were
13:13 8 going to sing, Mr. Breit.

13:14 9 **MR. REGAN:** I object to that.

13:14 10 **MR. BREIT:** I suggest, Your Honor, that you could
13:14 11 begin.

13:14 12 **MR. STERBCOW:** I have a motion to make him sit down,
13:14 13 Your Honor.

13:14 14 **THE COURT:** We will dispense with the singing, but we
13:14 15 all wish Stephanie a happy birthday.

13:14 16 I was wondering when I first got here this
13:14 17 morning -- even though it's on my calendar, I hadn't looked at
13:14 18 it, but I kept looking at those flowers. I knew there must be
13:14 19 a reason she had flowers. I finally figured it out.

13:14 20 Let's resume.

13:14 21 **MR. ROY:** Good afternoon, Your Honor.

13:14 22 **THE COURT:** Good afternoon.

13:14 23 **MR. ROY:** Jim Roy for the PSC, cross-examination.

24 **DAVID YOUNG,**
25 having been duly sworn, testified as follows:

1 CROSS-EXAMINATION

2 BY MR. ROY:

3 Q. Good afternoon, Mr. Young.

4 A. Good afternoon.

5 Q. You were the DPO aboard the *Deepwater Horizon* before
6 becoming the mate on the *Deepwater Horizon*; is that correct?

7 A. Yes. I was DPO, senior DPO, and then chief mate.

8 Q. You spent about two years plus some in the position of a
9 DPO before becoming the mate?

10 A. About a year at each position, so about a year as the DPO,
11 then another year as the senior DPO, and then --

12 Q. A year plus a year is two plus something, right?

13 A. Yes.

14 Q. So did you work on the *Deepwater Horizon* for about 3 1/2
15 or 4 years, or was it longer, as of the time of the disaster?

16 A. It was about 3 1/2 years at the time of the disaster.

17 Q. One of your functions was to, along with the captain, make
18 sure that the navigation functions of this big ship were
19 maintained at all times and the capability for same, right?

20 A. Yes.

21 MR. ROY: Can we pull up TREC-50180. Carl, let's go
22 down to the very bottom, down lower. Yeah, that's good. Blow
23 that up. Thank you.

24 Tell you what, first you better go to the very
25 top so we can verify the date and everything. Go to the top

DAVID YOUNG - CROSS

13:16 1 three lines. There you go.

13:16 2 **BY MR. ROY:**

13:16 3 **Q.** Can we agree that this document, TREX-50180, is the
13:16 4 *Deepwater Horizon's* Marine Department Current Report for
13:16 5 April 20, 2010, at 1730 hours?

13:17 6 **A.** Yes.

13:17 7 **Q.** This whole document reflects data that you, in your
13:17 8 capacity as mate, or the captain make sure get inputted for the
13:17 9 benefit and use of the rest of the crew to stay on station
13:17 10 properly, correct?

13:17 11 **A.** This information would have been input by the DPOs.

13:17 12 **Q.** They work under your command, don't they?

13:17 13 **A.** Yes, jointly between myself and the captain.

13:17 14 **Q.** Well, part of your responsibility is to make sure this
13:17 15 information gets properly and timely inputted on a daily basis
13:17 16 and maintained, correct?

13:17 17 **A.** No. The DPOs would be responsible for inputting this.
13:17 18 This would be something more likely that the captain would
13:17 19 oversee. I was -- I would oversee more of the operations as
13:17 20 far as the maintenance, the fire and gas system and that kind
13:17 21 of stuff of the DPOs.

13:18 22 **Q.** You're certainly competent to tell us what this
13:18 23 information reflects on this document; is that right?

13:18 24 **A.** Yes.

13:18 25 **MR. ROY:** So let's go down now, Carl, to the bottom

DAVID YOUNG - CROSS

13:18 1 four lines, if we could. That's it.

13:18 2 **BY MR. ROY:**

13:18 3 **Q.** Can we agree that the recorded wind speed was 3 knots per
13:18 4 hour?

13:18 5 **A.** Yes.

13:18 6 **Q.** Can we agree that this report reflects that the wind
13:18 7 direction was from 227 degrees on the compass?

13:18 8 **A.** Yes.

13:18 9 **Q.** Can we agree that the DP current direction -- that's the
13:18 10 direction the current -- was running toward was 22 degrees?

13:18 11 **A.** Yes.

13:18 12 **Q.** And can we agree that the DP current speed was .64 knots
13:19 13 per hour?

13:19 14 **A.** Yes.

13:19 15 **Q.** Would those have been approximately the same at the time
13:19 16 the Abandon Ship signal was given?

13:19 17 **A.** I'm not sure what time these were actually input for the
13:19 18 report.

13:19 19 **Q.** Do you have any reason to believe today that the data
13:19 20 would be any different as of the time of the Abandon Ship
13:19 21 versus the time recorded here, 1730?

13:19 22 **A.** I'm not sure exactly what they were at the time of the
13:19 23 event versus when --

13:19 24 **Q.** Answer my question, sir. Do you have any reason to
13:19 25 believe that the measurements I just went over with you were

DAVID YOUNG - CROSS

13:19 1 any different at the time of the Abandon Ship order as opposed
13:19 2 to this time?

13:19 3 A. No, I would have no indication of that.

13:19 4 Q. All right. Thank you.

13:19 5 MR. ROY: Carl, let's go up now to roughly the middle
13:19 6 of the page, and then I will show you -- yes, that whole block.
13:20 7 That's perfect.

13:20 8 BY MR. ROY:

13:20 9 Q. Can we agree, sir, that on this same exhibit the records
13:20 10 of the ship reflect a heading of 135 degrees?

13:20 11 A. Yes.

13:20 12 Q. In layman's terms that's the direction the ship was
13:20 13 pointing, right?

13:20 14 A. Yes.

13:20 15 Q. That's the direction -- if you look straight out of the
13:20 16 bridge, the direction you would be looking in, roughly, right?

13:20 17 A. Yes.

13:20 18 Q. Do you have any reason to believe that that heading was
13:20 19 any different at the time of -- substantially different at the
13:20 20 time that the Abandon Ship signal was given?

13:20 21 A. No, I don't know.

13:20 22 Q. Let's go on down. And I want you to look at the watch
13:20 23 circles. Would you explain to the Court -- highlight all the
13:20 24 watch circles on the left, and carry it all the way to the
13:20 25 right. Down. Down. Yes. There. All the way across. Thank

DAVID YOUNG - CROSS

13:20 1 you.

13:20 2 Can you tell the Court what watch circles are, as
13:21 3 that term is used on this document?

13:21 4 A. We have a watch circle calculation program that based
13:21 5 on -- wind direction, current, sea state, and water depth, the
13:21 6 riser package that was run for that well, all that information
13:21 7 is input into this -- into a program, and it gives you the
13:21 8 watch circles.

13:21 9 And the watch circles are based on reaction times,
13:21 10 when you would disconnect from the well based on a certain
13:21 11 distance from well center.

13:21 12 Q. Well, for here let's start with the yellow. You have a
13:21 13 line for EDS-1 and EDS-2. And it's the same watch circle,
13:21 14 32 meters, correct?

13:21 15 A. Yes.

13:21 16 Q. Explain to the Court what a yellow watch circle is for the
13:21 17 *Deepwater Horizon* as that term is utilized here on this
13:21 18 document.

13:22 19 A. As far as the bridge's standpoint on that with the DPOs,
13:22 20 that would be the time that they would have to function the
13:22 21 Yellow Alert for the crews, and there was well-specific
13:22 22 operating criteria which gave you different circumstances for a
13:22 23 Yellow Alert.

13:22 24 This one here is based just strictly on the distance,
13:22 25 and that along with the wind, seas, and everything else, you

DAVID YOUNG - CROSS

1 input that; it gives you your distance for yellow. And this
2 would be the distance that -- once the rig got to that distance
3 from the well center, they would have to initiate that Yellow
4 Alert. And that would mean for -- basically for the DPO's
5 standpoint, that would mean that the drill floor would be
6 preparing to -- basically preparing to go to a full disconnect,
7 which we'd hang off and get to the best location possible for a
8 disconnect procedure.

9 Q. So we can be very, very clear, if this water bottle
10 sitting in the middle of this rostrum, this podium, is the
11 *Deepwater Horizon* at that time, and the 32 meters is a circle
12 around the *Deepwater Horizon*, are you telling the Court that if
13 the *Deepwater Horizon* drifted in any direction or moved in any
14 direction 32 meters or more, that you were supposed to signal a
15 Yellow Alert?

16 A. That would be one reason to signal a Yellow Alert.

17 Q. Answer my question. Is that one of the things that's
18 supposed to happen?

19 A. Yes.

20 Q. Now, the Red Alert, tell the Court about the data on the
21 Red Alert. It's the same principle, is it not, except, instead
22 of 32 meters, it's 53 meters? If the *Deepwater Horizon* moved
23 for any reason off of the dead center 53 meters or more, what
24 was supposed to happen?

25 A. You would initiate your Red Alert.

DAVID YOUNG - CROSS

13:24 1 Q. What do you mean, "initiate"?

13:24 2 A. The DPOs would initiate a Red Alert by functioning the --
13:24 3 there was a knob on the console that would alert the drill
13:24 4 floor that a Red Alert was there. And they could also function
13:24 5 at that point -- the Red Alert is a disconnect.

13:24 6 Q. If the vessel moves 53 meters or more off of dead center,
13:24 7 the crew is supposed to disconnect? Yes or no? According to
13:24 8 the policy of Transocean?

13:24 9 A. Yes, a Red Alert would be issued and a disconnect sequence
10 would be started.

13:24 11 Q. The answer is, yes, you are supposed to disconnect in the
12 red if the vessel goes 53 meters or more off dead center?

13:24 13 A. Yes.

13:24 14 Q. Now, a meter is how long in feet?

13:25 15 A. 3.28 feet.

13:25 16 Q. So 53 meters what about 160 feet?

13:25 17 A. Yes.

13:25 18 Q. And 32 meters a little bit less than 100 feet?

13:25 19 A. Yes.

13:25 20 Q. To stay within these parameters between the time of this
13:25 21 report, 1730 hours, and the time of the Abandon Ship order,
13:25 22 that's what the thrusters were for, that's what your DP
13:25 23 personnel were for, right?

13:25 24 A. I don't understand the question.

13:25 25 Q. Well, the computers of the ship, under the direct

DAVID YOUNG - CROSS

13:25 1 direction of your DP people, actually kept the vessel within
13:25 2 the watch circles?

13:25 3 A. Yes.

13:26 4 Q. As part of your training as a mate -- which is what you
13:26 5 were on the date of this disaster, right?

13:26 6 A. Yes, chief mate.

13:26 7 Q. Chief mate. Is part of your training and knowledge base
13:26 8 at that time to be able to calculate what the drift rate of the
13:26 9 *Deepwater Horizon* is likely to be, more or less, in the event
13:26 10 of a blackout?

13:26 11 A. Yes. You could calculate that.

13:26 12 Q. Would you agree with me that the drift rate -- under these
13:26 13 current conditions and these wind conditions, that the drift
13:26 14 rate of the *Deepwater Horizon* would have been in excess of
13:26 15 100 feet a minute?

13:26 16 A. I don't know. I would have to do the calculation.

13:26 17 Q. Can you do that?

13:27 18 A. In my head?

13:27 19 Q. Yes.

13:27 20 A. No.

13:27 21 Q. You can't?

13:27 22 A. No.

13:27 23 Q. Is that something at the time on April 20, 2010, you as a
13:27 24 competent chief mate should have known and did know? Drift
13:27 25 rate?

DAVID YOUNG - CROSS

13:27 1 A. I do know the calculations, yes.

13:27 2 Q. If you know it, can you do it for the Court?

13:27 3 A. Have you got a calculator?

13:27 4 Q. I don't. All right. That's fine. You can do it.

13:27 5 What is the formula?

13:27 6 A. It's basically the same as miles per hour. So you
13:27 7 would -- there's a couple ways you could do it. You could do
13:27 8 it on the DP console. There's a function that you can switch
13:27 9 over to, and actually it will calculate your drift based on the
13:27 10 wind and current conditions that are there. And you could
13:27 11 calculate it with the formula for it, so it's speed, time,
13:27 12 distance.

13:27 13 Q. Is this as simple as rate times time equals distance?

13:28 14 A. Yes.

13:28 15 Q. So just so I'm clear for future reference, if we take the
13:28 16 3-knot wind and multiply it times a unit of time, we will know
13:28 17 what the distance of travel would be?

13:28 18 A. Yes.

13:28 19 Q. Okay. Thank you. And that's of the *Deepwater Horizon*,
13:28 20 right?

13:28 21 A. Yes.

13:28 22 Q. All right. Now, let's talk about maintenance a little
13:28 23 bit. In your department, you had issues with not having enough
13:28 24 maintenance personnel to complete repairs that were deemed
13:28 25 necessary. That's true, isn't it?

DAVID YOUNG - CROSS

13:28 1 A. Can you repeat that again?

13:28 2 Q. In your department, you had issues with not having enough
13:28 3 maintenance personnel to complete repairs that were deemed
13:28 4 necessary?

13:28 5 A. I didn't feel that I didn't have the personnel required,
13:28 6 no.

13:29 7 MR. ROY: Would you pull up TREN-25205 at page 163,
13:29 8 .163.

13:29 9 BY MR. ROY:

13:29 10 Q. Do you remember giving your deposition in this case?

13:29 11 A. Yes.

13:29 12 Q. That deposition was on September 22, 2011.

13:29 13 MR. ROY: Go to line 20.

13:29 14 BY MR. ROY:

13:29 15 Q. Do you remember the question being asked:

13:29 16 "QUESTION: In your department, did you have any
13:29 17 issues with having enough maintenance personnel to
13:29 18 complete repairs that were deemed necessary?"

13:29 19 What was your answer?

13:29 20 A. "I believe we did. And this meant that I believed that we
13:29 21 had enough people to complete the repairs."

13:29 22 Q. Fair enough. Were you aware that all of the dampers
13:29 23 needed to be replaced on the *Deepwater Horizon*?

13:30 24 A. They did not all need to be replaced.

13:30 25 Q. Pardon me?

DAVID YOUNG - CROSS

13:30 1 A. They did not all need to be replaced.

13:30 2 Q. When I'm talking about dampers, I'm talking about dampers
13:30 3 that shut off ventilation to the engines.

13:30 4 A. Yes.

13:30 5 Q. You understood that?

13:30 6 A. Yes.

13:30 7 Q. Let's go to TREN-25205 at 115. Line 18.

13:31 8 MR. LI: I'm going to object, Your Honor. That's not
13:31 9 inconsistent testimony there.

13:31 10 THE COURT: I'm waiting to see if that's the part of
13:31 11 the --

13:31 12 MR. ROY: Your Honor, I apologize. I've got an error
13:31 13 here, so we will move on. We will move on.

13:31 14 BY MR. ROY:

13:32 15 Q. You have talked about the e-mail, I believe it was
13:32 16 TREN-5295, that talked about all of the dampers needing
13:32 17 replacing. Do you remember that?

13:32 18 A. Yes.

13:32 19 Q. Was it your testimony that the mail was directed to your
13:32 20 opposite member on the vessel, Mr. Dow?

13:32 21 A. Yes, I was also on the e-mail chain.

13:32 22 Q. You're dwyoung95@gmail.com?

13:32 23 A. Yes.

13:32 24 Q. If I understood your testimony on direct, you disagreed
13:32 25 with Mr. Dow's belief that, as he said in his e-mail, "The

DAVID YOUNG - CROSS

1 short answer is: all of them. Because of the design that
2 utilizes the louvers, it is mechanically complex and prone to
3 malfunction. We often spend days fixing one, just to have it
4 malfunction during the next month's test."

5 Did I understand you to say you disagreed with that?

6 A. I disagreed with all of them needing to be replaced.

7 Q. You didn't send an e-mail back to Mr. Dow or Mr. Tiano or
8 the captain or anybody else on this string expressing that
9 thought, did you?

10 A. No, I talked to him on the phone.

11 Q. Is this sentiment that you expressed, to your knowledge,
12 reflected in any writing anywhere contemporaneously?

13 A. No. I didn't write it down, no.

14 Q. You don't remember any of the dampers being replaced
15 between February 22, 2010, and April 20, 2010. That's true,
16 isn't it?

17 A. No, I don't remember any being replaced.

18 Q. Your attention was called to TREN-3403.

19 MR. ROY: Carl, please bring it up at .8.

20 BY MR. ROY:

21 Q. This is a common marine inspection document dated May 11
22 to 15, 2007. Do you recall being shown this?

23 MR. ROY: Let's get in a little closer.

24 Go to -- well, that's not .8. Go to the next
25 page. It's .8. There you the go. Highlight in the middle

DAVID YOUNG - CROSS

13:34 1 where it has Observations, High, 1, 2, and 3. Go down. Right
13:35 2 there. Perfect.

13:35 3 **BY MR. ROY:**

13:35 4 **Q.** You read a part of this. I want to be sure that it's all
13:35 5 in under the high observations.

13:35 6 First of all, what's a high observation as far as you
13:35 7 understand it? What's it mean, "high"? High what?

13:35 8 **A.** I don't remember with this document. I believe at the
13:35 9 beginning of the document it was defined, but I don't remember.

13:35 10 **Q.** But do you know what high means? Is that high importance
13:35 11 to get fixed?

13:35 12 **A.** Again, I don't remember. I would have to see the
13:35 13 definitions at the beginning of the document.

13:35 14 **Q.** Fair enough. Do you want to see the cover of the
13:35 15 document?

13:35 16 **A.** I think that they were defined at the beginning. I can't
13:35 17 remember. I think they were defined as the priority of how
13:35 18 they rated the observations.

13:35 19 **Q.** Would you agree high is high importance?

13:35 20 **A.** I would rather see what it actually says for the
13:36 21 definition before I agree.

13:36 22 **Q.** The document will speak for itself.

13:36 23 Let's look at No. 1. Whatever high means under this
13:36 24 document that you don't know, would you agree that No. 1 is, in
13:36 25 its entirety -- read No. 1.

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13:36 1 A. "A significant number of fire dampers in engine rooms and
13:36 2 other machinery spaces found nonoperational. Reliability of
13:36 3 fire dampers has been a long-term concern."

13:36 4 Q. Hadn't it been a long-term concern virtually the entire
13:36 5 time you served aboard the *Deepwater Horizon*?

13:36 6 A. They were always a high priority, and the ones that we did
13:36 7 have issues with we did have -- it was our priority to maintain
13:36 8 them, yes.

13:36 9 Q. No. 2 was the "Fuel oil quick closing supply and return
13:36 10 valves did not close or fully close when tested."

13:36 11 Correct?

13:36 12 A. That's what it says here on this observation.

13:37 13 Q. Do you have any reason to believe it's not true or wasn't
13:37 14 true at that time?

13:37 15 A. At the time of the observation?

13:37 16 Q. At the time this report is generated.

13:37 17 A. No, I have no reason to believe that.

13:37 18 Q. Well, what's the significance if, in fact, the quick --
13:37 19 oil quick closing supply and return valves did not close or
13:37 20 fully close when tested? What's the significance of that from
13:37 21 an emergency standpoint?

13:37 22 MR. LI: Objection, Your Honor, relevance. This is
13:37 23 from 2007.

13:37 24 THE COURT: All right. Overruled. I think you went
13:37 25 back to 2007, 2008.

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13:37 1 MR. ROY: It's the same document he asked him
13:37 2 questions. I'm just making sure it's all in.

13:37 3 THE COURT: Overruled.

13:37 4 BY MR. ROY:

13:37 5 Q. What's the importance? Emergency engine shutdown is the
13:37 6 importance, right? You've got to turn off the air, you've got
13:37 7 to turn off the fuel to make sure it shuts down, right?

13:37 8 A. There's a number of ways to shut down an engine.

13:37 9 Q. That's two of them?

13:37 10 A. This would be -- you would use the fuel -- quick close and
13:38 11 fuel valves to shut off just the fuel source for an engine.

13:38 12 Q. So did No. 2 have anything to do with shutting down the
13:38 13 engines in an emergency, or an engine in an emergency?

13:38 14 A. This could have -- this doesn't state anything about the
13:38 15 engines themselves. This could have been on a day tank. It
13:38 16 could have been on a heli fuel tank.

13:38 17 Q. The short answer is you don't know?

13:38 18 A. I'm not sure which ones these were, no.

13:38 19 Q. Fair enough. Now, one of the last documents your company
13:38 20 counsel showed you, I just want to touch base with you.

13:38 21 MR. ROY: TRES-4140.2, which is the RMS gas detection
13:38 22 section. Go to the top, Item 4. Highlight it, please, Carl.

13:39 23 BY MR. ROY:

13:39 24 Q. Can you read that?

13:39 25 A. "Test the ventilation and fire damper shutdowns upon the

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13:39 1 activation of appropriate HC gas sensors should be carried out,
13:39 2 if applicable."

13:39 3 MR. ROY: Now, go down to the completion, Carl,
13:39 4 almost to the bottom. Up above a little higher. Down. Down.
13:39 5 Right there.

13:39 6 BY MR. ROY:

13:39 7 Q. Now, this document was shown to you by your company's
13:39 8 counsel. I presume you are familiar with a document like this,
13:39 9 are you?

13:39 10 A. Yes.

13:39 11 Q. Okay. Completion note reflects what? What was completed
13:39 12 as of the date of this document of the recommended things,
13:39 13 correct?

13:39 14 A. Yes.

13:39 15 Q. So read the completion note.

13:40 16 A. It says: "Gene tested and calibrated all hydrocarbon
13:40 17 sensors on board, he inspected them for corrosion and water
13:40 18 tightness. Logged dates and calibration in gas logbook."

13:40 19 Q. Do you have anything you want to add that's reflected in
13:40 20 here about completion of the task listed?

13:40 21 A. No.

13:40 22 Q. So is it a fair statement that there is nothing reflected
13:40 23 in this document about completing tests for ventilation and
13:40 24 fire damper shutdowns upon the activation of appropriate
13:40 25 hydrocarbon gas sensors. That's correct, isn't it?

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13:40 1 All it says is they tested the sensors. It doesn't
13:40 2 say that they tested the ventilation and fire damper shutdowns.
13:40 3 That's true, isn't it?

13:40 4 A. That's all he wrote in the notes.

13:41 5 Q. Now, we heard that you went down to the drill floor on the
13:41 6 night of April 20 around 9:30 and, if I understood correctly,
13:41 7 overheard Mr. Anderson and Mr. Revette talking about a
13:41 8 differential pressure. Is that correct?

13:41 9 A. Yes.

13:41 10 Q. You had just recently completed well control school,
13:41 11 hadn't you?

13:41 12 A. Yes, I had.

13:41 13 Q. How recent?

13:41 14 A. I believe it was February.

13:41 15 Q. Of the same year, 2010?

13:41 16 A. Yes.

13:41 17 Q. So within 60 days or so preceding this disaster, you had
13:41 18 come out of well control school as a graduate, right?

13:41 19 A. Yes.

13:41 20 Q. Did they teach you in well control school what the
13:41 21 significance of a differential pressure was during a temporary
13:41 22 abandonment procedure when displacement was going to take
13:42 23 place?

13:42 24 A. Specifically to abandonment, I don't remember that. We
13:42 25 did discuss well pressures and how you get different pressures

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13:42 1 in the well.

13:42 2 Q. I'm just trying to get a picture of this, sir. You had
13:42 3 just gotten out of well control school. You heard these
13:42 4 people, these gentlemen talking about a differential pressure,
13:42 5 and you didn't ask a single question, not one?

13:42 6 A. No.

13:42 7 Q. Just no curiosity whatsoever?

13:42 8 A. No.

13:42 9 Q. You then went to the bridge and told the captain the
13:42 10 cementing job would be delayed because of an issue on the
13:42 11 floor, but you didn't tell him anything about any issue with
13:42 12 differential pressure, correct?

13:42 13 A. I don't remember if I told him it was because they saw a
13:42 14 differential pressure or if it was just because they had an
13:42 15 issue on the floor? I can't remember what my exact
13:43 16 conversation was with the captain?

13:43 17 Q. But you did not explain what the issue was, and the
13:43 18 captain did not ask?

13:43 19 A. I didn't say that. I said I don't remember my
13:43 20 conversation with the captain.

13:43 21 Q. Let's look at your deposition, page 123, TREV-25205 at
13:43 22 line 6. Go to 13, talking about Captain Kuchta:

13:43 23 "QUESTION: Did he ask you what you meant by 'an
13:43 24 issue on the floor'?"

13:43 25 What's your response, line 15?

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13 : 43 1 A. "No, he didn't."

13 : 43 2 Q. Question, line 16:

13 : 43 3 "QUESTION: He just accepted the fact that there was
13 : 43 4 an issue on the floor that would delay the cementing job?

13 : 43 5 "ANSWER: Yes.

13 : 43 6 "QUESTION: Did you explain in any detail what you
13 : 43 7 meant by 'an issue on the floor'?"

13 : 44 8 What was your answer?

13 : 44 9 A. "No, I didn't."

13 : 44 10 I didn't really have much detail.

13 : 44 11 Q. Were you telling the truth then?

13 : 44 12 A. From this, I remember having the deposition. Again, now,
13 : 44 13 I don't remember my conversation all that well.

13 : 44 14 Q. But you were telling us the truth in your deposition that
13 : 44 15 we just went over, the questions and the answers, correct?

13 : 44 16 A. Yeah. I had no reason not to.

13 : 44 17 Q. You left the bridge, went to the subsea office underneath,
13 : 44 18 and heard a release of pressure and returned to the bridge,
13 : 44 19 right?

13 : 44 20 A. Yes.

13 : 44 21 Q. On the bridge is that when you first saw mud and gas
13 : 44 22 coming out of the well?

13 : 44 23 A. That's the first time I saw it, yes.

13 : 44 24 Q. It was basically covering the rig?

13 : 44 25 A. When I was on the starboard side of the bridge looking

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13:44 1 out, I couldn't see the entire rig just because of the
13:45 2 visibility from there. But I really -- from when I did see, it
13:45 3 was coming down on the rig, yes.

13:45 4 Q. So my statement is correct, the mud was basically covering
13:45 5 the rig, in your opinion?

13:45 6 A. Yes.

13:45 7 Q. You relied on Mr. Revette and Mr. Anderson to detect a
13:45 8 kick and take appropriate action, correct?

13:45 9 A. Yes.

13:45 10 Q. You personally did not hear anyone identify a well control
13:45 11 event while you were on the drill floor nor when you went back
13:45 12 up to either the bridge or the subsea, correct?

13:45 13 A. I didn't -- when I was on the bridge, it was identified
13:45 14 that there was a well control event on the second time I came
13:45 15 back up to the bridge; but before that, I wasn't told that
13:46 16 there was a well control event, no.

13:46 17 Q. So let me get this straight. When you went back up to the
13:46 18 bridge, that's before the explosion, right?

13:46 19 A. It would have been just before the explosion, but we had
13:46 20 already had the release of pressure that was actually the
13:46 21 blowout.

13:46 22 Q. The answer is, it's before the explosion, correct?

13:46 23 A. Yes.

13:46 24 Q. And is it your testimony that the bridge had been told
13:46 25 there was a well control event?

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13:46 1 A. You could tell there was a well control event by looking
13:46 2 out the window. It wasn't something that -- I don't know if
13:46 3 they were told that. I don't know the conversation that they
13:46 4 had with other people.

13:46 5 Q. When did it first become apparent to you, sir, that there
13:46 6 was a well control event?

13:46 7 A. When I looked out the window and saw that we were having a
13:46 8 blowout.

13:46 9 Q. Were you aware that by 9:45, the drill crew closed the
13:47 10 diverter to direct the flow from the riser to the mud/gas
13:47 11 separator and advised the bridge team that there was a well
13:47 12 control situation?

13:47 13 A. I was not, no.

13:47 14 Q. Are you aware that the investigation of your company,
13:47 15 TREX-3808 --

13:47 16 MR. ROY: I believe at pdf page 21, Carl, 31 in the
13:47 17 actual document.

13:47 18 BY MR. ROY:

13:47 19 Q. -- makes that observation --

13:47 20 MR. LI: Objection, Your Honor, foundation.

13:47 21 MR. ROY: It's his company's report, Your Honor.

13:47 22 THE COURT: I guess you can ask him if he has seen
13:47 23 the report.

13:47 24 MR. ROY: Coming, right as soon as we get it up.

13:47 25 THE WITNESS: I have not seen the report, no.

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13:47 1 MR. ROY: Go to the middle of the page, Carl --

13:47 2 MR. LI: Objection, foundation, Your Honor.

13:48 3 MR. ROY: At approximately 9:45 p.m.

13:48 4 MR. LI: He has not seen the report.

13:48 5 MR. ROY: Your Honor, it's an admission by

13:48 6 Transocean. He's got questions on his timing --

13:48 7 THE COURT: I will overrule the objection.

13:48 8 MR. ROY: Thank you, sir.

13:48 9 BY MR. ROY:

13:48 10 Q. Now, do you see the sentence there that says: "At
13:48 11 approximately 9:45 p.m., the drill crew closed the diverter to
13:48 12 direct the flow from the riser to the mud/gas separator and
13:48 13 advised the bridge team that there was a well control
13:48 14 situation"?

13:48 15 Do we agree that's what that says?

13:48 16 A. Yes.

13:48 17 Q. Do you have any information to the contrary of your own
13:48 18 personal knowledge?

13:48 19 A. No, I don't.

13:48 20 Q. Did your company's investigators that prepared this report
13:48 21 seek your input in reaching that conclusion as to the times and
13:49 22 actions taken?

13:49 23 A. I was asked questions -- the majority of the stuff I was
13:49 24 asked was with the emergency response out on deck. I don't
13:49 25 remember any -- anybody asking me specifically for when the

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13:49 1 diverter was functioned to divert overboard, no.

13:49 2 Q. Now, do you believe you got up to the bridge that second
13:49 3 time by about 9:45?

13:49 4 A. I'm not sure what time it was, really. It was somewhere
13:49 5 in that time frame.

13:49 6 Q. As soon as you got there, you realized there was a well
13:49 7 control event, right?

13:49 8 A. Yes.

13:49 9 Q. You realized, from your observation everybody else on the
13:49 10 bridge realized there was a well control event, correct?

13:49 11 A. Yes.

13:50 12 Q. So if, at the very least, the bridge is told there's a
13:50 13 well control situation by 9:45, then it's at least by then that
13:50 14 you would have gotten there?

13:50 15 MR. LI: Objection, calls for speculation. He says
13:50 16 he doesn't know what time.

13:50 17 BY MR. ROY:

13:50 18 Q. Isn't that reasonable?

13:50 19 THE COURT: Overruled.

13:50 20 THE WITNESS: Yes.

13:50 21 BY MR. ROY:

13:50 22 Q. Now, let's move on.

13:50 23 MR. ROY: Keep that up, Carl, because I have one more
13:50 24 question, but we will come back to it.

25

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13:50 1 BY MR. ROY:

13:50 2 Q. Now, while you were on the bridge, as you told us, you saw
13:50 3 mud and gas all over -- mud all over the rig.

13:50 4 And then a little bit later, you could hear the
13:50 5 engines overspeed, correct?

13:51 6 A. It's what I thought was -- it sounded like engines
13:51 7 overspeeding. I don't know for sure that that's what it was,
13:51 8 but that's what it sounded like.

13:51 9 Q. Fair enough. Prior to the explosion, you had been on the
13:51 10 bridge minutes or less. Is that a true statement?

13:51 11 A. I would say less.

13:51 12 Q. In your deposition, certainly, you will recall that you
13:51 13 told us that you had been on the bridge minutes or less, under
13:51 14 five minutes. Do you remember that?

13:51 15 A. It was definitely under five minutes.

13:51 16 Q. Do you remember that, sir, or do I need to show it to you?

13:51 17 A. You don't need to show it to me.

13:51 18 Q. That was your testimony, substantially. Correct?

13:51 19 A. Yes.

13:51 20 Q. Was that true? Were you telling us the truth under oath
13:51 21 then?

13:51 22 A. That it was under five minutes? Yes.

13:52 23 Q. Were you telling us the truth, sir, when you gave your
13:52 24 deposition that you had been on the bridge for minutes -- with
13:52 25 an S on the end of it -- or less, under five minutes? Were you

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13:52 1 telling the truth then?

13:52 2 A. Yes.

13:52 3 Q. Now, are you aware that your own company's -- back up.

13:52 4 Do you know the precise time that the explosion --
13:52 5 the first explosion -- took place on the *Deepwater Horizon* that
13:52 6 fateful night?

13:52 7 A. I do not know the precise time.

13:52 8 Q. Do you know approximately the time, of your own personal
13:52 9 knowledge?

13:52 10 A. No, I don't.

13:52 11 Q. Okay.

13:52 12 MR. ROY: Let's pull back up 3808 at its page 31. I
13:52 13 think it's TRES-21 -- I mean pdf 21.

13:52 14 BY MR. ROY:

13:52 15 Q. Are you aware --

13:52 16 MR. ROY: Go down to the bottom at 9:49 p.m. There
13:53 17 you go, up to the top, that one sentence at 9:49 p.m. Do you
13:53 18 see it, Carl, at the top? Yeah.

13:53 19 BY MR. ROY:

13:53 20 Q. Are you aware that your company's accident investigation
13:53 21 report that's already in evidence, TRES-3808, states: "About
13:53 22 9:49 p.m., the rig lost main power followed by two explosions.
13:53 23 Data transmission to shore ended."

13:53 24 Were you aware your company's investigation had
13:53 25 concluded 9:49 was the fateful first explosion?

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13:53 1 A. I was not aware of that.

13:53 2 Q. Is that inconsistent with your own recollection, whatever
13:53 3 that might be?

13:53 4 A. Again, I don't remember the exact times. So -- the last
13:53 5 time I remember was generally going up to the rig floor at
13:53 6 9:30. And beyond that, I don't know -- remember specific
13:53 7 times.

13:53 8 Q. Let's talk about significance, if any, to what you thought
13:53 9 was the sound of racing engines.

13:54 10 Certainly, sir, in your training, you learned that a
13:54 11 diesel engine, when fed with a natural gas stream through its
13:54 12 air intake, will race. You learned that, didn't you?

13:54 13 A. Not specifically, no.

13:54 14 Q. You went through a maritime academy and all the training
13:54 15 with Transocean, and you did not know that?

13:54 16 A. I knew that, not specifically from training, but I did
13:54 17 know that diesels --

13:54 18 Q. I don't want to beat around the bush. I just want to
13:54 19 know: Did you know that natural gas going through the air
13:54 20 intake of a diesel engine will cause the diesel engine to race
13:54 21 uncontrollably, possibly even causing a rod to blow? Did you
13:54 22 know that at the time?

13:54 23 A. Yes, I knew that it could cause them to overspeed.

13:54 24 Q. All right. And did you know that that overspeeding, plus
13:54 25 the contact of the gas with the hot engines, is a serious

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13:55 1 ignition hazard? You knew that, didn't you?

13:55 2 A. Yes.

13:55 3 Q. You knew that prior to this disaster, didn't you?

13:55 4 A. Yes.

13:55 5 Q. You knew it the night of the disaster when you heard the
13:55 6 sounds, right?

13:55 7 A. Yes.

13:55 8 Q. As a prudent deck officer, did it occur to you, "I better
13:55 9 shut down the air intake dampers immediately because we might
13:55 10 have an explosion"? Did that occur to you?

13:55 11 A. You couldn't get to the button fast enough before we had
13:55 12 the explosion.

13:55 13 Q. We will get to the time. My question is: Did it occur to
13:55 14 you?

13:55 15 A. Did it occur to me to shut down an engine?

13:55 16 Q. Yes.

13:55 17 A. I didn't have time to think about shutting down an engine;
13:55 18 we were already on fire.

13:55 19 Q. So you hadn't thought about it?

13:55 20 A. Not in that moment, no.

13:56 21 Q. In the period of time, whatever that was, between when you
13:56 22 realized that you thought you heard the sound of engines racing
13:56 23 and the explosion, you are telling this Court you had no time
13:56 24 at all to close dampers?

13:56 25 A. No.

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13:56 1 Q. Is that something, in hindsight, that is foreseeable?
13:56 2 That is, a sudden, massive amount of gas coming on a rig so
13:56 3 fast that human beings like you just didn't have time to react
13:56 4 fast enough to save the ship?

13:56 5 MR. LI: Objection, Your Honor, calls for a legal
13:56 6 conclusion.

13:56 7 MR. ROY: No, it's not legal; it's his personal
13:56 8 experience, his personal knowledge.

13:56 9 THE COURT: Restate your question.

13:56 10 BY MR. ROY:

13:56 11 Q. Do you believe, sir, from your personal background, that
13:56 12 to you, it was foreseeable that gas could come onto a rig so
13:56 13 fast as to keep the deck crew or anybody else from manually
13:57 14 closing dampers to keep the air away from diesel engines?

13:57 15 A. We did have the ability to manually close dampers.

13:57 16 Q. I know that, but you said you didn't have time to do it.
13:57 17 Isn't that what you said?

13:57 18 A. I did not, no. I did not have time to get to the button
13:57 19 in this case.

13:57 20 Q. So isn't it true that -- let's approach this a different
13:57 21 way.

13:57 22 The dampers to the engine room air intakes had
13:57 23 automatic shutting devices, didn't they?

13:57 24 A. The Rigsavers did, yes, for the -- each individual engine
13:57 25 had its own Rigsaver.

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13:57 1 Q. All right. And the purpose of a Rigsaver is to save the
13:57 2 rig?

13:57 3 A. It's to shut the engine in.

13:57 4 Q. Why is it called a Rigsaver?

13:57 5 A. It shuts -- it shuts -- it is just -- I don't know where
13:57 6 they came up with the name for it. They were called Rigsavers.

13:57 7 Q. Keeps the rigs from blowing up?

13:57 8 A. It's for each specific engine.

13:57 9 Q. Are you telling the Court that you know the name of the
13:58 10 devices that stop air automatically, supposedly, from getting
13:58 11 into the engines and that they are called Rigsavers, but in the
13:58 12 service of years on this vessel, you don't know what that
13:58 13 means?

13:58 14 A. It doesn't necessarily mean keeping them from blowing up;
13:58 15 it could mean keeping the rig on location, keeping the rig from
13:58 16 having further failures.

13:58 17 Q. Does it serve a purpose of preventing -- helping prevent
13:58 18 the ignition of natural gas?

13:58 19 A. It does, yes.

13:58 20 Q. It helps serve the purpose of avoiding a disastrous
13:58 21 explosion. That's true, isn't it?

13:58 22 A. Yes.

13:59 23 Q. Now, power was lost on the rig, as I appreciate it -- once
13:59 24 again, from Transocean's investigation report, if nowhere else.

13:59 25 814 My appreciation is that power blacked out on the rig before

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13:59 1 the explosion occurred. Do you have any information to the
13:59 2 contrary?

13:59 3 A. I don't, no. I don't have any information to the
13:59 4 contrary.

13:59 5 Q. Are you aware that the loss of power on the rig is a
13:59 6 Code Red event? A Red Alert event?

13:59 7 A. Yes.

13:59 8 MR. ROY: Let's pull up TREN-4644.274 and hope I've
13:59 9 got the right number.

14:00 10 BY MR. ROY:

14:00 11 Q. Can we agree this is Transocean's *Deepwater Horizon*
14:01 12 *Emergency Response Manual*, Section 12, Subsection 1, "Emergency
14:01 13 Disconnect Procedure"?

14:01 14 A. Yes.

14:01 15 Q. Can we agree that Section 1.1, the "EDS Philosophy," was:
14:01 16 "The system is designed to maintain an effective yet simple
14:01 17 process of safe emergency disconnect in a multitude of
14:01 18 environmental and working conditions"?

14:01 19 A. Yes.

14:01 20 Q. You're familiar with this document, right?

14:01 21 A. Yes.

14:01 22 Q. You were familiar with it on April 20, 2010, right?

14:01 23 A. Yes.

14:01 24 Q. So let's go ahead.

14:01 25 "A philosophy of condition status relative to color

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14:01 1 is applied."
14:01 2 That's what it says, right?
14:01 3 A. Yes.
14:01 4 Q. Let's go down to green. That's normal operations, in
14:02 5 short, right?
14:02 6 A. Yes.
14:02 7 Q. Yellow -- read what yellow means.
14:02 8 A. "Deteriorating station-keeping ability; prepare for
14:02 9 disconnect."
14:02 10 Q. And what's red? What's Code Red? Tell us what it means.
14:02 11 A. "Continuing deterioration of station-keeping ability and
14:02 12 loss of position; disconnect."
14:02 13 Q. "Disconnect," correct?
14:02 14 A. Yes. If you are not able to -- if you are losing
14:02 15 position.
14:02 16 Q. No order, to your knowledge, was ever given, nor was a
14:02 17 Code Yellow ever called the night of April 20. Is that true?
14:02 18 A. I'm not sure.
14:02 19 Q. Never called or witnessed or heard by you. That's true,
14:02 20 isn't it?
14:02 21 A. Not by me. But if I wasn't on the bridge at the time that
14:02 22 it was ordered, I wouldn't have heard it.
14:03 23 Q. Without qualification, let me ask it this way.
14:03 24 Are you aware of anyone on the night of April 20,
14:03 25 2010, either ordering or actually causing a Yellow Alert to be

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14:03 1 signaled or called?

14:03 2 A. No, I'm not.

14:03 3 Q. Are you aware, on the night of April 20, 2010, of anyone
14:03 4 ordering or calling a Red Alert?

14:03 5 A. No, I'm not.

14:03 6 Q. Would you agree that any event that would cause the
14:03 7 general alarm to be sounded would be an emergency?

14:03 8 A. Any event -- can you ask that again?

14:03 9 Q. Would you agree that any event -- let me use your words:
14:03 10 Any event that would deem the general alarm being sounded would
14:04 11 be an emergency?

14:04 12 A. Yes.

14:04 13 Q. Do you agree that the general alarm on the
14:04 14 *Deepwater Horizon* was initially designed to go off
14:04 15 automatically?

14:04 16 A. It has an automatic function.

14:04 17 Q. But the general alarm on the *Deepwater Horizon* on the
14:04 18 night of April 20 required manual activation if it was
14:04 19 overridden, correct?

14:04 20 A. It required manual activation, yes.

14:04 21 Q. You do not know if the alarm -- the general alarm was
14:04 22 overridden on April 20 at the time of this disaster, do you?

14:04 23 A. I believe it was, but I am not sure.

14:04 24 Q. Let's pull up TREC-25205, your deposition, at page 100, I
14:04 25 hope, line 14. Go to the next page. Let's try that.

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14:05 1 MR. ROY: Can you magnify page 101? We don't need
14:05 2 page 100. Thank you.

14:05 3 BY MR. ROY:

14:05 4 Q. (Reading:)

14:05 5 "QUESTION: So the general alarm would have to be
14:05 6 manually engaged?

14:05 7 "ANSWER: Yes."

14:05 8 That's your answer, correct?

14:05 9 A. Yes.

14:05 10 MR. ROY: Carl, leave the cutouts out for a second,
14:06 11 please.

14:06 12 BY MR. ROY:

14:06 13 Q. All right. Line 6:

14:06 14 "QUESTION: All right. And was the general alarm on
14:06 15 the *DWH* overridden?"

14:06 16 What was your answer, sir, at line 8?

14:06 17 A. I said I did not know what the state of the alarm was that
14:06 18 day.

14:06 19 Q. "I don't know what state it was in that day."

14:06 20 That was your answer, correct?

14:06 21 A. Yes.

14:06 22 Q. Line 10:

14:06 23 "QUESTION: Had it been overridden before, to your
14:06 24 knowledge?"

14:06 25 What was yours answer at line 12?

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14:06 1 A. "Yes, in the past, we have had it overridden."

14:06 2 Q. To your knowledge, had it always been overridden for as
14:06 3 long as you had been on board the *Deepwater Horizon*?

14:06 4 A. There were times it wasn't when we were conducting
14:06 5 different tests on the system and stuff like that, but it was
14:06 6 common practice to leave the general alarm overridden.

14:06 7 Q. But on the night of April 20, 2010, you don't know whether
14:07 8 it was overridden. That's true, correct?

14:07 9 A. Nobody informed me that it wasn't, and -- but I can't say
14:07 10 that it definitely was because I wasn't at the console.

14:07 11 Q. You don't know?

14:07 12 A. I don't know.

14:07 13 Q. In the 3 1/2 years you had been on the *Deepwater Horizon*,
14:07 14 approximately, as the DPO and/or mate, every time you looked at
14:07 15 the alarm panel, the alarms were overridden, weren't they?

14:07 16 A. Not every time, no.

14:07 17 MR. ROY: Let's pull up TREC-2505 at page 141 --
14:07 18 25205.141, line 19.

14:07 19 BY MR. ROY:

14:07 20 Q. Do you remember this being asked of you, sir?

14:08 21 "QUESTION: Can you tell me under what circumstances
14:08 22 the general alarm is overridden on the *Deepwater Horizon*?"

14:08 23 Do you remember your answer at line 22?

14:08 24 MR. LI: Your Honor, I have an objection. This is a
14:08 25 different question than the question Mr. Roy had asked. This

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14:08 1 relates to the general alarm. Mr. Roy asked the question just
14:08 2 generally about alarms. Those are different things.

14:08 3 **THE COURT:** It is a different question. You might
14:08 4 want to start again.

14:08 5 **MR. ROY:** I'll be glad to straighten that up.

14:08 6 **THE COURT:** Start again and re-ask the question.

14:08 7 **BY MR. ROY:**

14:08 8 **Q.** Do you recall that the general alarm, when you -- during
14:08 9 the 3 1/2 years or so you served on the *Deepwater Horizon* prior
14:08 10 to this, that virtually every time you looked at the panel it
14:08 11 was overridden?

14:08 12 **A.** The general alarm output was overridden as common
14:08 13 practice, yes. There were times when we had it out of that in
14:08 14 order to function the alarm to sound it, but other than that,
14:09 15 it was overridden.

14:09 16 **Q.** Do you remember telling us that the reason the crew
14:09 17 overrode the alarms was to prevent false alarms in the
14:09 18 accommodations? Did you say that?

14:09 19 **A.** That is one of the reasons, yes.

14:09 20 **Q.** So that was a true statement then and now?

14:09 21 **A.** Yes.

14:09 22 **Q.** You also told us that the detectors were overridden or
14:09 23 inhibited in order to avoid false alarms, right?

14:09 24 **A.** There were detectors that were inhibited, yes, in order to
14:09 25 prevent false alarms.

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14:09 1 Q. Let's turn to the emergency shutdown system, the ESD.

14:09 2 The ESD allows the crew to shut off electrical power,
14:09 3 ventilation, and close valves in an emergency; is that true?

14:09 4 A. Can you state that again?

14:09 5 Q. The emergency shutdown system allows the crew to shut off
14:10 6 electrical power, ventilation, or close valves. That's true?

14:10 7 A. Yes.

14:10 8 Q. That was true on the night of April 20?

14:10 9 A. Yes.

14:10 10 Q. The ESD was capable of stopping all engines and
14:10 11 disconnecting all the possible sources of ignition related to
14:10 12 those engines in case of an emergency. That was true, wasn't
14:10 13 it?

14:10 14 A. It would be separate ESDs for each engine room. But, yes,
14:10 15 there were -- you had the ability to function each one, but it
14:10 16 wasn't one single button, no.

14:10 17 Q. They either could function automatically if the automatic
14:10 18 mode was allowed to work, or they could be functioned manually,
14:10 19 correct?

14:10 20 A. No.

14:10 21 Q. There was no automatic function at all?

14:10 22 A. Not for the ESD for the engine rooms, no.

14:11 23 Q. Just to close the loop, the purpose of closing to shut off
14:11 24 the electrical power, ventilation, and valving to the engine
14:11 25 rooms in the case of an emergency was to attempt to

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14:11 1 significantly reduce a major source of ignition of natural gas,
14:11 2 explosive gas. Correct?

14:11 3 A. That would be one reason that you may function an ESD for
14:11 4 an engine room.

14:11 5 Q. Shutting off the ventilation to the engines would prevent
14:11 6 gas from getting into the engines, causing an explosion,
14:11 7 correct?

14:11 8 A. Shutting the ESD for a particular engine room would shut
14:11 9 down the ventilation source and the fuel sources for that
14:11 10 engine.

14:11 11 Q. Preventing an explosion there, correct?

14:11 12 A. Potentially.

14:11 13 Q. Well, that's the purpose of closing everything off, right?

14:12 14 A. There's a number of different purposes for functioning an
14:12 15 ESD, so that's not the one reason that we have an ESD for that
14:12 16 engine. There's hundreds of them.

14:12 17 Q. Let me put it like this. If explosive gas is covering
14:12 18 your rig, is that a reason -- can that be a reason for
14:12 19 functioning the ESD for the engine rooms, to keep that
14:12 20 explosive gas from getting to the engines?

14:12 21 A. Yes. And you would select which engine room you would
14:12 22 want to ESD first, and then function that ESD for the engine --

14:12 23 Q. You would deem that to be a prudent thing to do to keep
14:12 24 that gas from the engines, wouldn't you?

14:12 25 A. If you could get to it, yes.

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14:12 1 Q. Training of the deck crew -- adequate training of the deck
14:12 2 crew, would you agree, sir, is critical to the safety and the
14:13 3 lives of those aboard the vessel?

14:13 4 A. Yes.

14:13 5 Q. Would you agree that adequate training of the deck crew is
14:13 6 critical to the safe and efficient function of the crew in an
14:13 7 emergency?

14:13 8 A. Yes.

14:13 9 Q. As chief mate in charge of the *Deepwater Horizon's* DPOs,
14:13 10 you are not aware of any of the DPOs of the *Deepwater Horizon*
14:13 11 having taken the Kongsberg Simrad safety systems fire and gas
14:13 12 systems training course; is that true?

14:13 13 A. No. Which course are you referring to?

14:13 14 Q. The Kongsberg Simrad safety systems fire and gas systems
14:13 15 training course.

14:13 16 A. I believe that course was for a system that was put on our
14:13 17 newbuilts, and we did not have that system on board the rig.

14:13 18 Q. Do you remember being asked this question, substantially,
14:14 19 in your deposition and saying you were not aware that they --
14:14 20 excuse me -- that you were not aware of any of the DPOs having
14:14 21 taken such a course?

14:14 22 A. Yes. I wasn't aware of them taking it.

14:14 23 Q. And you had not taken any yourself?

14:14 24 A. No, I had not.

14:14 25 Q. So what courses are you aware that they in fact -- your

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1 DPOs had taken prior to April 20 regarding the functioning of
2 the Kongsberg Simrad safety system, especially the fire and gas
3 systems?

4 A. They didn't offer a course that I was aware of
5 specifically for our system. So it was -- we had the manuals
6 on board, and there was on-the-job training from the people
7 that were familiar with the system. Specifically for our fire
8 and gas system, was the requirement on board.

9 Q. Short answer, on-the-job training?

10 A. Yes.

11 Q. Would you agree, as senior deck officer, that without
12 adequate and very specific emergency training that crew members
13 may not recognize the significance of what they are seeing or
14 hearing?

15 MR. LI: Objection, foundation, calls for
16 speculation.

17 MR. ROY: He is in charge of training them,
18 Your Honor.

19 THE COURT: Overruled.

20 THE WITNESS: Can you ask the question again, please.

21 BY MR. ROY:

22 Q. Would you agree, as the senior deck officer on and prior
23 to April 20, 2010, that the adequate training of your crew,
24 including the DPOs, in emergency situations, was very important
25 in helping them to be able to recognize the significance of

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14:16 1 what they see and hear during an emergency?

14:16 2 A. Yes, training is important to emergency response.

14:16 3 Q. Do you disagree with any part of my statement I just made
14:16 4 to you --

14:16 5 A. No.

14:16 6 Q. -- or my question?

14:16 7 You do not disagree with any of it?

14:16 8 A. Training is extremely important in emergency response.

14:16 9 Q. Thorough and adequate training is extremely important?

14:16 10 A. Yes.

14:16 11 Q. If you don't have thorough and adequate training, then the
14:16 12 people who serve under your command can't know what they don't
14:16 13 know, right?

14:16 14 A. I don't --

14:16 15 Q. If they haven't been taught when they see that in the
14:16 16 corner, whatever that is, can sink the ship and recognize it,
14:17 17 then they can't help stop the ship from sinking, right?

14:17 18 A. If they don't otherwise learn, you have to train them.

14:17 19 Q. So if you don't teach them, they don't know what they are
14:17 20 supposed to know, right?

14:17 21 A. You can't expect them to know if you don't personally
14:17 22 train them.

14:17 23 Q. Fair enough.

14:17 24 Now, your counsel showed you TRES-4644, page 76.

14:17 25 MR. ROY: Please bring that up, Carl. Go to the

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14:17 1 Level of Emergencies up there in Section 1.1, the top half of
14:17 2 the page.

14:17 3 **BY MR. ROY:**

14:17 4 **Q.** Do you recognize this document --

14:17 5 **A.** Yes.

14:17 6 **Q.** -- that was shown to you by your company's counsel? "Well
14:17 7 Control Shallow Gas Blowout" -- this wasn't a shallow gas
14:17 8 blowout, was it? Wasn't this well 18,000-some-odd feet deep?

14:18 9 **A.** Yes.

14:18 10 **Q.** So it wasn't a shallow gas blowout, was it?

14:18 11 **A.** No.

14:18 12 **Q.** So this section doesn't even apply, does it, to what
14:18 13 happened on April 20?

14:18 14 **A.** Your reactions would be similar for the bridge's reaction
14:18 15 to a blowout situation.

14:18 16 **Q.** All right. Well, Level 1 -- first, who has the obligation
14:18 17 on the deck crew to implement Level 1, Level 2, or Level 3 of a
14:18 18 well control emergency?

14:18 19 **A.** This would -- with a well control emergency at Level 1,
14:18 20 you would get word from the drill floor, and then the DPOs
14:18 21 would make further announcements following the information
14:18 22 given by the OIM.

14:18 23 **Q.** Who is supposed to call a Level 1 well control emergency
14:18 24 as such is defined on 44 -- 4644.76, what's up on the screen?

14:18 25 **A.** This doesn't define who is responsible on this page here.

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14:19 1 Q. Is that one of your responsibilities, on April 20, to do
14:19 2 that?

14:19 3 A. To define whether you have a kick? No.

14:19 4 Q. No, not to define it; to call a Level 1 emergency.

14:19 5 A. No, it would not be my responsibility.

14:19 6 Q. Was it the captain's responsibility?

14:19 7 A. No, it was not.

14:19 8 Q. Well, whose responsibility was it?

14:19 9 A. The OIM would call the bridge or the driller would call
14:19 10 the bridge and indicate that they were in a well control
14:19 11 situation.

14:19 12 Q. Did anybody, to your knowledge, tell the deck, the bridge
14:19 13 crew, that they were declaring a Level 1 emergency?

14:19 14 A. I don't know.

14:19 15 Q. At any point in time, were you aware that a Level 1
14:19 16 emergency existed prior to the explosion?

14:19 17 A. No, I was not.

14:19 18 Q. Level 2. Would your answers be the same if I asked you
14:19 19 who's responsible for calling a Level 2 emergency?

14:20 20 A. Yes.

14:20 21 Q. Would the answers be the same as Level 1 that you just
14:20 22 gave me?

14:20 23 A. Yes.

14:20 24 Q. And likewise, were you aware prior to the explosion that a
14:20 25 Level 2 emergency existed?

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14:20 1 A. No, I was not.

14:20 2 Q. Level 3, uncontrolled well blowout. At what point in
14:20 3 time, if ever, did someone declare a Level 3 emergency?

14:20 4 A. I'm not sure. I knew that we were in a blowout situation
14:20 5 based on what we saw.

14:20 6 Q. You saw mud?

14:20 7 A. And when I went -- when I started going to my emergency
14:20 8 stations, I wasn't part of the bridge conversations the entire
14:20 9 time. So I'm not sure specifically what time they decided that
14:20 10 they were at the Level 3 and went to abandon.

14:20 11 Q. We have a couple of things here.

14:20 12 My question was, you're not aware -- my question is:
14:20 13 You're not aware of anyone calling or sounding a Level 3
14:21 14 emergency, correct?

14:21 15 A. I don't remember somebody specifically saying it, no.

14:21 16 Q. And you certainly didn't do it?

14:21 17 A. No, I did not.

14:21 18 Q. Can we agree that once you saw mud flying up in the air
14:21 19 out of the well, at least in your own mind you felt it was a
14:21 20 Level 3?

14:21 21 A. Yes.

14:21 22 Q. Did you ever feel prior to -- well, if you felt it was a
14:21 23 Level 3 -- let me ask you this.

14:21 24 When you saw the mud, didn't you realize that if that
14:21 25 situation continued, that nothing but bad could come of it?

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1 A. Seeing the mud wasn't really an indication that nothing
2 but bad could come out of it. There's blowouts in the past
3 that have happened, and they are able to get them under
4 control. So it didn't necessarily mean we were headed for
5 disaster.

6 It obviously wasn't a good thing. It's not the way
7 operations are supposed to be going, but it doesn't necessarily
8 mean that you are not going to recover from it.

9 Q. Wouldn't it have been prudent, sir, for the bridge crew to
10 have, at the very least, sounded a Level 2 emergency alarm
11 recognizing that available equipment might not control the
12 well? Might not?

13 A. If they had the information from the drill floor that they
14 didn't think that the -- they would have to get information
15 saying that we didn't have the equipment on board to handle the
16 well. So whether or not they got that phone call, I don't
17 know. I can't answer that.

18 Q. You remember the panels where the DPOs were sitting right
19 before and after the explosions. You showed them to the Court
20 up on the screen on the demonstrative, the picture. Do you
21 remember that?

22 A. Yep.

23 Q. That's Keplinger and Fleytas -- I believe her name is. Is
24 that right?

25 A. Andrea Fleytas, yes.

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14:23 1 Q. Those were the two DPOs that night, correct?

14:23 2 A. Yes.

14:23 3 Q. You noticed the panels that they were looking at? That's
14:23 4 true, isn't it?

14:23 5 A. Which panels are you speaking of? The SVCs, the DP
14:23 6 consoles, or . . .

14:23 7 Q. Let's go to your deposition and see what panels you told
14:23 8 us about, and you tell us. My question to you right now,
14:23 9 before we do that, is: Didn't you notice the panels that your
14:23 10 DPOs were looking at when you went up to the bridge?

14:23 11 A. I saw various panels on the bridge. So which ones
14:23 12 specifically they were looking at, I don't remember.

14:23 13 Q. You were aware that they were lit up with alarms; isn't
14:24 14 that true?

14:24 15 A. Yes, there were a bunch of alarms on the bridge.

14:24 16 Q. Had you ever seen that many alarms before on your DPOs'
14:24 17 panels?

14:24 18 A. I couldn't see specifically how many alarms they had
14:24 19 because they all have the same tone. The alarms that they had
14:24 20 on the alarm screen -- I didn't notice an individual alarm
14:24 21 screen.

14:24 22 Had they had an alarm screen pulled up that you could
14:24 23 look at, you could see how many are actually functioned. But
14:24 24 other than that, the actual SVC or the DP, they only have one
14:24 25 alarm light at the top. So I didn't have an indication of the

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14:24 1 number of alarms that were going off.

14:24 2 Q. You had never had training, either as a DPO or as a deck
14:24 3 officer, on specifically what to do when so many alarms were
14:24 4 going off simultaneously. That's true, isn't it?

14:24 5 A. That's not true, no.

14:24 6 Q. You had? Where did you have that training?

14:24 7 A. You are trained constantly offshore and through the
14:24 8 industry on alarm management as far as different alarms coming
14:24 9 in, how to respond to alarms in different areas.

14:25 10 Q. Is it your testimony that you had had training, specific
14:25 11 training on what to do when the panels were lit up with as many
14:25 12 alarms as there were that night preceding this explosion? Is
14:25 13 that your testimony?

14:25 14 A. I didn't have training that specifically said this is --
14:25 15 as you state it, there's no document or no training that says
14:25 16 exactly what you just said. But we did have training on
14:25 17 response to alarms.

14:25 18 Q. Are you aware that Mr. Keplinger, in fact, has
14:25 19 testified --

14:25 20 MR. LI: Objection, Your Honor, foundation.

14:25 21 MR. ROY: Well, Your Honor, it's in the record.

14:25 22 MR. LI: Asking this witness what another witness has
14:25 23 testified --

14:25 24 MR. ROY: They have been doing it all trial,
14:25 25 Your Honor.

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14:25 1 THE COURT: We have had that throughout this trial.
14:25 2 Overruled.

14:25 3 BY MR. ROY:

14:25 4 Q. Are you aware, sir, that Mr. Keplinger was asked, "You had
14:26 5 never received training for a scenario where there are
14:26 6 contemporaneous activation of numerous detection zones going
14:26 7 off?" and that he answered, "I haven't been trained for a
14:26 8 situation like this"?

14:26 9 Were you aware that he had not been trained for a
14:26 10 situation like that?

14:26 11 A. I believe that Mr. Keplinger was pretty well trained. He
14:26 12 helped train me, and I felt comfortable responding to it. So
14:26 13 if I'm aware of what he testified to, no.

14:26 14 Q. Just so we're --

14:26 15 A. Do I feel he was competent? Yes.

14:26 16 Q. But just so we are clear, if Mr. Keplinger was asked, "You
14:26 17 had not been trained in a situation where there was
14:26 18 contemporaneous and simultaneous activation of all of the
14:26 19 detection zones on the rig?" and that his answer was, "Not for
14:26 20 all detections on the rig, not to this magnitude, no," you were
14:26 21 unaware of that?

14:26 22 MR. LI: Objection, foundation.

14:26 23 THE WITNESS: I was not aware.

14:26 24 THE COURT: Overruled.

25

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14:27 1 BY MR. ROY:

14:27 2 Q. So you did not know that Mr. Keplinger felt he had not
14:27 3 been trained in a situation where there was contemporaneous and
14:27 4 simultaneous activation of all these alarms going off across
14:27 5 the rig?

14:27 6 THE COURT: I think he said that at least twice. He
14:27 7 wasn't aware of that.

14:27 8 BY MR. ROY:

14:27 9 Q. Now, you told -- and I won't go into it again, but you
14:27 10 talked about what you heard and what you saw up on the bridge
14:27 11 and that you hit the alarm, the general alarm, walking out of
14:27 12 the bridge; isn't that right?

14:27 13 A. I did, yes.

14:27 14 Q. That's after both explosions had already happened, right?

14:28 15 A. That's after we had an explosion and we were on fire, yes.

14:28 16 Q. It's after both explosions; isn't that right?

14:28 17 A. I'm not sure what you mean by "both explosions."

14:28 18 Q. You don't know that there was more than one explosion the
14:28 19 night of April 20?

14:28 20 A. I know there's been a bunch of questions over which was
14:28 21 which. And again, I'm not sure which explosion you are talking
14:28 22 about. I know I hit the general alarm when I realized that the
14:28 23 rig was on fire and we were in that state of emergency.

14:28 24 Q. Now, when you hit the general alarm, you cannot recollect
14:28 25 if you heard the general alarm after you hit it. That's true,

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14:28 1 isn't it?

14:28 2 A. True.

14:28 3 Q. You cannot recall whether the general alarm sounded at any
14:28 4 time prior to your hitting that, true?

14:28 5 A. True.

14:28 6 Q. In fact, you definitely had not heard a general alarm
14:28 7 prior to your hitting that button?

14:28 8 A. I had not.

14:28 9 Q. True statement?

14:28 10 A. True.

14:28 11 Q. All right. When you hit the button for the general alarm,
14:29 12 you thought it was an emergency?

14:29 13 A. Yes.

14:29 14 Q. You thought it was a Level 3 emergency?

14:29 15 A. I didn't think of it in levels of emergency. I knew we
14:29 16 were in an emergency and we had to muster people and get them
14:29 17 to safer locations.

14:29 18 Q. When you hit the alarm, was it your intent that you were
14:29 19 sounding an Abandon Ship?

14:29 20 A. No, it wasn't. I can't make that call.

14:29 21 Q. Let's talk about the duties and expectations of a DPO.

14:29 22 MR. ROY: Carl, pull up 5285.11, the *DP Operations*
14:30 23 *Manual*, Transocean.

14:30 24 BY MR. ROY:

14:30 25 Q. You're familiar with that document, aren't you?

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14:30 1 A. Yes.

14:30 2 Q. You were familiar with it on April 20 of 2010, right?

14:30 3 A. Yes.

14:30 4 MR. ROY: Carl, pull out 1 --

14:30 5 BY MR. ROY:

14:30 6 Q. Was Keplinger the senior dynamic positioning officer?

14:30 7 A. Yes.

14:30 8 Q. Can we agree that the expectation of him was, the DPO is
14:30 9 the primary watch keeper at the DP control desk? His main
14:30 10 duties are the safe and efficient running of the DP system?

14:30 11 A. Yes.

14:30 12 Q. Can we agree, as it says there, he must be a fully
14:30 13 trained, qualified, and competent DPO?

14:30 14 A. Yes.

14:31 15 MR. ROY: Pull out 5285.11.2, please.

14:31 16 BY MR. ROY:

14:31 17 Q. Can we agree the DPOs must be capable of making critical
14:31 18 decisions in the absence of the chief officer or captain?

14:31 19 A. Yes.

14:31 20 Q. In fact, the DP operator on watch is not even required to
14:31 21 seek authorization to initiate a Yellow or a Red Alert should a
14:31 22 situation warrant it. That's true, isn't it?

14:31 23 A. That is true.

14:31 24 Q. That was true on the night of April 20?

14:31 25 A. Yes, it was.

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14:31 1 Q. That's got to be clearly stated to the DPs during their
14:31 2 induction, that it's the master's responsibility to ensure
14:31 3 there is no doubt of this authority and responsibility. That's
14:31 4 true, too, isn't it?

14:32 5 A. That's true.

14:32 6 Q. The EDS on the *Deepwater Horizon*, this was something that
14:32 7 you received training on as to how to function it, correct?

14:32 8 A. Yes.

14:32 9 Q. When I say "how," the mechanics of how it disconnects the
14:32 10 rig from the lower marine riser unit?

14:32 11 A. Yes.

14:32 12 Q. You never, ever, sat in a real-life simulator with
14:32 13 realtime simulated emergency things happening while you
14:33 14 simulated realtime doing this. That's true, prior to April 20?

14:33 15 A. No, I did not.

14:33 16 Q. You did not?

14:33 17 A. No.

14:33 18 Q. Is your answer you are agreeing with me?

14:33 19 A. Yes, I did not sit in a simulator.

14:33 20 Q. All right. In other words, you never received hands-on
14:33 21 realtime simulated training dealing with recognition of when to
14:33 22 operate this system as opposed to what you did receive training
14:33 23 in, which was the mechanics of how to operate it and general
14:33 24 principles. Fair statement?

14:33 25 A. No. We would actually -- they would sometimes disconnect

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1 from the bridge with the senior subsea up there and we could
2 send people there to witness that when they were doing it so
3 you would get a sense of the time frame that it takes for those
4 functions to happen.

5 We would also bring that into our tabletop exercises
6 when we would have emergency disconnect drills for the DPOs and
7 talk about that tabletop, and we would run through the time
8 frame it takes for each disconnect sequence. So they were
9 pretty aware of what it took for the disconnect sequences. I
10 believe it was 46 seconds on the *Horizon*.

11 Q. You talked about the circumstances; but once again, you
12 never sat and actually had to make the realtime instant
13 judgment calls in a simulated realtime situation?

14 A. No, we would run through the time.

15 Q. Well, how would you run through them if you are not in a
16 simulator? You would talk about it?

17 A. You could run a stopwatch and go through 46 seconds and
18 say, "Okay, that's the time you have to run through this
19 scenario."

20 Q. The scenario of how to disconnect, how to do the EDS,
21 right?

22 A. There's multiple different ways to do it. If we were
23 having a drive-off scenario, you are running through that on
24 the simulator and you're telling people, "Okay, this is the
25 rate that we are moving off. How much time do you have now to

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14:35 1 actually function disconnect? Okay. You are at yellow, and
14:35 2 you run to the next sequence."

14:35 3 So yes, we do run through it and simulate it. We do
14:35 4 not do it in a simulator; we do it tabletop on the bridge.

14:35 5 Q. I guess where I'm having the disconnect here -- and I
14:35 6 don't mean to be argumentative -- but I'm having a disconnect
14:35 7 here. It sounds to me sort of like teaching a pilot about
14:35 8 emergency situations in an aircraft without putting him in a
14:35 9 simulator to actually test his ability to see what he does
14:35 10 during those, talking about it versus realtime doing it.

14:35 11 Do you understand where I'm coming from?

14:35 12 A. Yes, but I don't agree with you. I think we do that on
14:35 13 board and we effectively cover it.

14:35 14 Q. You have the actual simulator?

14:35 15 A. No. We have a rig which is the actual device that does
14:35 16 it.

14:35 17 Q. At SUNY Maritime College, you learned the captain is
14:36 18 supposed to be in command of the vessel?

14:36 19 A. That's correct.

14:36 20 Q. On other vessels where you have been a crew member, the
14:36 21 captain is in sole command and did not split his command with
14:36 22 anyone else on board. That's true, isn't it?

14:36 23 A. Yes.

14:36 24 Q. In fact, on the fiberoptic ship that you served on, there
14:36 25 was one captain, correct?

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14:36 1 A. Yes.

14:36 2 Q. There was somebody else on board that was physically in
14:36 3 charge of the cable-laying equipment and that part of the
14:36 4 operation; but he never had authority to countermand what the
14:36 5 captain said at any time, right?

14:36 6 A. Correct.

14:36 7 Q. Let's talk about the station bill. It was shown to you as
14:36 8 Demonstrative 6588. We don't need it up. But do you recall
14:37 9 seeing it?

14:37 10 A. The station bill? Yes.

14:37 11 Q. Do you recall seeing it?

14:37 12 A. Yes.

14:37 13 Q. What's the purpose of a station bill on a vessel like the
14:37 14 *Deepwater Horizon*?

14:37 15 A. It's a means of informing the crew of their duties to take
14:37 16 in an emergency situation. It describes the chain of command
14:37 17 in an emergency situation. It informs the crew of what the
14:37 18 emergency signals are for different emergency situations, and
14:37 19 it's got general instructions to the crew of actions to take in
14:37 20 the event of an emergency.

14:37 21 Q. The only station bill I have ever participated in was on a
14:37 22 cruise ship, reporting to the lifeboats. Isn't that one of the
14:37 23 functions, reporting to the lifeboats, part of the station
14:37 24 bill, where to go, what to do?

14:37 25 A. Depending on the emergency and depending on the person

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14:37 1 that is actually reading the station bill. Each person has
14:37 2 their own duties to perform in the event of an emergency. So
14:37 3 if it's a fire emergency, some people do report to their muster
14:38 4 station. If it's toxic gas, it's a different muster station.

14:38 5 So you would have to be familiar with what type of
14:38 6 emergency it is. It's not just a matter of everybody reporting
14:38 7 to the lifeboats.

14:38 8 Q. Can we agree that for the station bill, that the station
14:38 9 bill's intended purpose is to tell people what to do, where to
14:38 10 go, and who is in charge during either a Red Alert or an
14:38 11 Abandon Ship order? Are those true statements?

14:38 12 A. Yes. It's more than that, though. There's also the
14:38 13 events to take in a gas -- a release of gas, toxic gas or
14:38 14 combustible gas, medical emergency, man overboard. There's
14:38 15 different types of emergencies that are listed on there.

14:38 16 Q. Regardless, you would agree with me that the
14:38 17 *Deepwater Horizon's* command, depending on what the vessel was
14:39 18 doing, was split between the captain and the OIM. Is that
14:39 19 right?

14:39 20 A. The person in charge was split between the captain and
14:39 21 OIM. The command would lie with the master.

14:39 22 Q. Come back.

14:39 23 A. The command would lie with the master, overall authority
14:39 24 for the vessel and the safety of the people on board.

14:39 25 Q. Wasn't the captain in charge of the safety of the vessel

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14:39 1 in navigation and the OIM in charge of the operational, the
14:39 2 drilling operations of the vessel?

14:39 3 A. Yes. That was the person in charge split between the two
14:39 4 different operations -- three operations, actually: the marine
14:39 5 aspect, emergency situations, and the drilling operations.

14:40 6 Q. Why didn't the captain sound the general alarm? Why did
14:40 7 you sound it if the captain was up there with you?

14:40 8 A. I believe that Yancy was also trying to sound the general
14:40 9 alarm at the same time that I was, at the same time that I hit
14:40 10 it. So I don't know that I'm actually the person who
14:40 11 functioned it, that actually activated it. It could have
14:40 12 happened just before I hit it. But the captain would be on the
14:40 13 bridge commanding the emergency and he is directing other
14:40 14 people what to do.

14:40 15 Q. But he didn't tell anybody that you heard or saw to sound
14:40 16 the general alarm. That's true, isn't it?

14:40 17 A. I don't know.

14:40 18 Q. Did you just spontaneously decide with the captain
14:40 19 standing up there you are going to hit the alarm?

14:40 20 A. Anybody can hit the general alarm.

14:41 21 Q. I'm asking you. That night with the captain, your
14:41 22 superior officer, standing right there with you, why did you
14:41 23 decide you're going to hit the alarm without saying, "Hey,
14:41 24 Captain, should we hit the alarm?"

14:41 25 A. It would have been more of a delay for the crews to not

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14:41 1 sound the general alarm. I'm trained in what an emergency is.
14:41 2 It was very obvious that we were in an emergency situation, and
14:41 3 I was at arm's reach to the button. So I was going to --

14:41 4 Q. You were tired -- excuse me. Go ahead.

14:41 5 A. I'm going to hit the button if there's an emergency, if
14:41 6 there's a fire. You don't have to define that as an emergency.
14:41 7 It was pretty obvious.

14:41 8 MR. LI: Your Honor --

14:41 9 MR. ROY: I'm sorry. I thought he was through.

14:41 10 MR. LI: -- with all due respect, if Counsel could --

14:41 11 MR. ROY: It's the hesitation. I apologize.

14:41 12 THE COURT: Let him finish.

14:41 13 BY MR. ROY:

14:41 14 Q. Are you through now?

14:41 15 A. Yes, I'm done.

14:41 16 Q. Can I talk?

14:41 17 A. Sure.

14:41 18 Q. Isn't the truth, sir, that you were tired of waiting for
14:41 19 the captain or anybody else to sound the general alarm and you
14:41 20 felt, for the safety of everybody, it was time to hit the
14:41 21 thing? Isn't that true?

14:42 22 A. Can you repeat the beginning of the question again.

14:42 23 Q. Isn't it true that you were tired of waiting for the
14:42 24 captain or anybody else to hit the alarm that night, and for
14:42 25 the safety of yourself and the crew, you decided you're going

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14:42 1 to hit it?

14:42 2 A. No, there was no waiting, no waiting to get tired of. So
14:42 3 no, I won't agree to that.

14:42 4 Q. Did you decide that you were going to hit it because
14:42 5 nobody else had yet hit it?

14:42 6 A. I was at arm's reach to it. Again, I don't know that
14:42 7 somebody else didn't hit it. I saw them looking to function it
14:42 8 and I was standing next to the alarm, so I hit it.

14:42 9 Q. Are you aware that Transocean had in effect one or more
14:43 10 policies on April 20 that said to the effect that while the
14:43 11 master was in charge of the vessel during an emergency, that a
14:43 12 well control event was not considered to be an emergency? Are
14:43 13 you aware of that?

14:43 14 A. I don't remember that specific document or policy. You
14:43 15 said there were a number of policies. I'm not sure what you
14:43 16 are talking about.

14:43 17 Q. Has anyone ever called the existence of such a policy to
14:43 18 your attention?

14:43 19 A. I don't remember seeing it.

14:43 20 Q. Were you aware, on April 20 of 2010, that in a well
14:44 21 control situation, that it was deemed not to be an emergency
14:44 22 and, thus, not under the captain's authority? Were you aware
14:44 23 of that?

14:44 24 A. There's a portion --

14:44 25 MR. LI: Objection, Your Honor. I'm not sure -- lack

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1 of foundation. I'm not sure what the question is.

2 **THE COURT:** I think the witness was about to answer.
3 So you can go ahead. Overruled.

4 **THE WITNESS:** There's different levels of well
5 control, and those are in the emergency response manual. So
6 there's different portions of the well control that would deem
7 it an emergency situation. So it would depend on the
8 situation -- it's situation specific.

9 If it's a kick and they are in well control, no,
10 you are not going to muster all the crews so that they can shut
11 the well in and evaluate the status of the well.

12 If the well is blowing out and the entire crew
13 is at risk, yeah, you are going to sound the emergency signal.
14 So there's -- it depends on the situation.

15 **MR. ROY:** Pull up TREN-671-047, please.

16 **BY MR. ROY:**

17 **Q.** You were shown this document during direct, and I just
18 want to clarify one thing on it. First, do you remember seeing
19 this document?

20 **A.** Yes.

21 **Q.** Do you remember answering questions from your counsel
22 today?

23 **A.** Yes.

24 **Q.** Yes?

25 **A.** Yes.

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14:45 1 MR. ROY: Go down to the very bottom, Carl, and show
14:45 2 us the date of that document.

14:45 3 BY MR. ROY:

14:45 4 Q. What's the date of that document?

14:45 5 A. March 2001.

14:46 6 MR. ROY: Pull up TREX-5643.1, please. Take the
14:46 7 cutouts out.

14:46 8 BY MR. ROY:

14:46 9 Q. Have you ever seen this document, "Transocean Integration
14:46 10 Memo"?

14:46 11 A. I believe this was shown to me in reviewing documents
14:46 12 either for the deposition -- I've seen it at some time. I
14:46 13 don't remember seeing it while I was on board, but I have seen
14:46 14 this document.

14:46 15 Q. It's dated November 20 of 2007. Do you see that?

14:46 16 A. Yes.

14:46 17 Q. It's from the executive officers and the executive vice
14:46 18 presidents of performance and assets to business unit senior
14:46 19 vice presidents and copies to a bunch of other people around
14:47 20 the world. Do you see that?

14:47 21 A. Yes.

14:47 22 Q. Were you with Transocean on November 20, 2007?

14:47 23 A. Yes.

14:47 24 Q. Are you familiar with this memo other than being shown it
14:47 25 in preparation for a deposition?

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14:47 1 A. Again, I didn't -- I hadn't seen this prior to that -- or
14:47 2 at least I don't remember seeing it prior to that. I may have.
14:47 3 I just don't remember seeing it.

14:47 4 MR. ROY: Let's go to .4, 5643.4.

14:47 5 BY MR. ROY:

14:47 6 Q. Do you see where it says: "Rig Operations. Rig Chain of
14:47 7 Command"?

14:47 8 A. Yes.

14:47 9 Q. Read those two paragraphs, please.

14:47 10 A. "There will be no changes to the current chain of command
14:47 11 and rig organization on Transocean or GlobalSantaFe rigs on
14:47 12 Day 1.

14:47 13 "The offshore installation manager will remain
14:48 14 overall responsible for the health, safety, and welfare of all
14:48 15 persons and all activities conducted onboard their respective
14:48 16 rig. The OIM is authorized and obligated to take whatever
14:48 17 actions he considers necessary to prevent injury, loss of life,
14:48 18 damage to equipment/structure, and/or loss of rig and well
14:48 19 operation integrity."

14:48 20 Q. Did anybody ever tell that to you prior to April 20, 2010,
14:48 21 that the OIM had that paramount authority as stated in
14:48 22 TREN-5643.4?

14:48 23 MR. LI: Objection, misstates the evidence.

14:48 24 MR. ROY: I just said as it states in the document.

14:48 25 THE COURT: I overrule the objection.

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14:48 1 BY MR. ROY:

14:48 2 Q. Did anybody ever tell you that?

14:48 3 A. No. But it does say that the rig's organization and
14:48 4 command structure will stay the same. So on board the *Horizon*,
14:48 5 we would have maintained the fact that the OIM and captain have
14:48 6 a dual responsibility for person in charge, and that the
14:49 7 captain would be in charge for emergency situations and overall
14:49 8 in charge, having the authority to override anything on board.

14:49 9 Q. So where it says, "The offshore installation manager will
14:49 10 remain overall responsible for the health, safety, and welfare
14:49 11 of all persons and all activities conducted onboard their
14:49 12 respective rig," that was never communicated to you prior to
14:49 13 April 20, 2010? Yes or no?

14:49 14 A. No.

14:49 15 Q. Being confronted with it now, are you still absolutely
14:49 16 sure the OIM wasn't in charge of your rig?

14:49 17 A. Absolutely.

14:49 18 Q. That puts no doubt, as a matter of corporate policy,
14:49 19 Transocean had appointed the OIM as the supreme person on that
14:49 20 rig? No doubt whatsoever in your mind? That's all I want to
14:50 21 be sure of.

14:50 22 A. This isn't a corporate policy; this is a memo.

14:50 23 Q. Well, it's from the executive officers of the company as a
14:50 24 command to all the units out there.

14:50 25 Does that not, now that you're aware of it, put any

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14:50 1 doubt in your mind at all, however slim, that the captain
14:50 2 wasn't solely in command?

14:50 3 **MR. LI:** Objection, argumentative.

14:50 4 **THE COURT:** Overruled.

14:50 5 **THE WITNESS:** It doesn't put a doubt in my mind. I
14:50 6 still -- as captain on a rig now, I have got overriding
14:50 7 authority based on the ISM Code, and that's how it works.

14:50 8 **BY MR. ROY:**

14:50 9 **Q.** That's the way it should be, right?

14:50 10 **A.** That's how it is.

14:50 11 **Q.** The bridge crew needs to be prepared for the worst case
14:50 12 scenario, correct?

14:50 13 **A.** Yes.

14:51 14 **Q.** Fire, sinking, catastrophic failures, and blowouts would
14:51 15 be some of the potential worst-case scenarios, right?

14:51 16 **A.** Yes.

14:51 17 **Q.** You knew that on April 20, 2010, correct?

14:51 18 **A.** Yes.

14:51 19 **Q.** You agree that the events of April 20 were a catastrophic
14:51 20 failure and a worst-case scenario?

14:51 21 **A.** Yes.

14:51 22 **Q.** The DPOs on April 20, 2010, were authorized to push the
14:51 23 EDS button to command the disconnect if they thought it was the
14:52 24 appropriate thing to do. True?

14:52 25 **A.** Yes.

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14:52 1 Q. You had the same authority?

14:52 2 A. Yes.

14:52 3 Q. The captain did?

14:52 4 A. Yes.

14:52 5 Q. The driller did?

14:52 6 A. Yes.

14:52 7 Q. So did the OIM?

14:52 8 A. Yes.

14:52 9 Q. So did the subsea engineer? So did the toolpusher, right?

14:52 10 A. Yes.

14:52 11 Q. You told us that a Code Red had not been called. Do you
14:52 12 remember that earlier this afternoon?

14:52 13 A. I said I wasn't aware of a Red Alert being called.

14:52 14 Q. I stand corrected. You are not aware of whether one was
14:52 15 or wasn't.

14:52 16 I ask you: If a Code Red had been called, what was
14:52 17 the driller supposed to do?

14:53 18 A. In the event of a Red Alert, depending on the scenario,
14:53 19 the driller would receive the Red Alert; they would call the
14:53 20 bridge to make sure that the Red Alert was actually functioned;
14:53 21 and they would go through the disconnect procedures from the
14:53 22 drill floor.

14:53 23 MR. ROY: Pull up TREN-4644, please, at 276.1.

14:53 24 How about .4 -- Section 1.4.4.

25

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14:53 1 BY MR. ROY:

14:53 2 Q. Section 1.4.4 at TREX-4644-276.

14:54 3 Can you read the first sentence, sir.

14:54 4 A. "At Red Alert, the driller is obligated to press EDS-1
14:54 5 Disconnect."

14:54 6 Q. And "EDS-1 Disconnect" on Red Alert disconnects the LMRP,
14:54 7 correct?

14:54 8 A. Correct.

14:54 9 Q. If there's a Yellow Alert, the driller is asked to do
14:54 10 several tasks, but in a rapidly deteriorating or developing
14:54 11 situation, if he doesn't have time to complete them, he will --
14:54 12 underlined -- initiate the EDS, correct?

14:54 13 A. Correct.

14:54 14 MR. ROY: 5285.48.1 TREX.

14:54 15 BY MR. ROY:

14:54 16 Q. Do you recognize this from the *DP Operations Manual* of
14:55 17 Transocean?

14:55 18 A. I'm not sure. It looks familiar but --

14:55 19 Q. Do you want to see the whole page to get it in context?

14:55 20 A. Yes.

14:55 21 MR. ROY: Show him the whole page, Carl.

14:55 22 A. Yes, it looks familiar.

14:55 23 BY MR. ROY:

14:55 24 Q. Do you need to study this any longer?

14:55 25 A. No, that's good.

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14:55 1 MR. ROY: Go back to the cutout, please. Can you
14:55 2 make that bigger so I can read it? Thank you.

14:55 3 BY MR. ROY:

14:55 4 Q. So according to the *DP Operations Manual*, in a DP
14:55 5 emergency, Red Alert status, can we agree that, according to
14:56 6 your company's manual on April 20, 2010, that the vessel is in
14:56 7 Red Alert status when? What's the first one?

14:56 8 A. "Environmental conditions exceed operational limits."

14:56 9 Q. What's the second one?

14:56 10 A. "The maximum limitation of the DPS has been reached."

14:56 11 Q. And the third one?

14:56 12 A. "System failure resulting in the inability to maintain
14:56 13 position control within the watch circles."

14:56 14 Q. The fourth?

14:56 15 A. "There has been a catastrophic equipment failure rendering
14:56 16 the system unusable."

14:56 17 Q. Next?

14:56 18 A. "Any other specific condition or situation identified by
14:56 19 the captain and listed in the site-specific standing orders."

14:56 20 Q. And finally?

14:56 21 A. "Any other specific condition or situation that the DPO
14:56 22 feels warrants a Red Alert."

14:57 23 Q. According to your observation, did any of these
14:57 24 circumstances exist prior to the first explosion on the rig,
14:57 25 April 20?

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14:57 1 A. No, this would have been for catastrophic failures. This
14:57 2 refers to "catastrophic equipment failures related to the DP
14:57 3 system."

14:57 4 Q. So your answer is, no, none of these circumstances
14:57 5 existed?

14:57 6 A. Environmental conditions, no.

14:57 7 Maximum limitations of the DP, no.

14:57 8 Inability to maintain position, I can't answer that
14:57 9 because I don't know when they actually lost propulsion and
14:57 10 lost power at the DP console with relation to the explosion. I
14:57 11 don't know if that happened just prior to or just after.

14:57 12 Catastrophic equipment failure, again, that would
14:57 13 have been with the explosion from the DPO's standpoint.

14:57 14 Situation identified by the captain, I don't know if
14:58 15 he rendered the situation for them.

14:58 16 And then DPOs, I don't know what they felt the
14:58 17 situation was.

14:58 18 Q. When there is a blackout on the rig, would you agree, sir,
14:58 19 there is a danger of staying connected?

14:58 20 A. There is potential danger staying connected if you have
14:58 21 got environmental conditions. If there's little to no
14:58 22 environment, there is potential to still stay connected to the
14:58 23 well with the riser restoring force.

14:58 24 Q. With a 3-knot wind and a current such as I described to
14:58 25 you from the records and which you verified, going in

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14:58 1 approximately the same direction as they were, do you feel that
14:58 2 there was a risk in case of a blackout of staying connected?

14:58 3 A. Again, I don't know. I don't know what the conditions
14:59 4 were at the time of the event. I don't know what time those
14:59 5 conditions were recorded, so I can't say -- I know that when I
14:59 6 was in a life raft under the rig, we stayed there pretty
14:59 7 easily, swimming. So we weren't getting blown around too much.

14:59 8 Q. Would you agree that Red Alert indicates the vessel is no
14:59 9 longer fully under control and that immediate action must be
14:59 10 taken to allow the vessel to leave the location, if possible?

14:59 11 A. Or get the systems back on line running, so that you can
14:59 12 maintain location.

14:59 13 Q. To your knowledge, did senior management ever come out in
14:59 14 the years you were on this rig prior to April 20, 2010, and
14:59 15 clearly emphasize during onboard familiarization the dangers of
14:59 16 remaining connected when a clearly Red Alert situation existed?
15:00 17 Yes or no, did they?

15:00 18 A. Senior level management? I'm not sure I understand the
15:00 19 question.

15:00 20 Q. Senior management.

15:00 21 A. Meaning who?

15:00 22 Q. Well, I'm using the phrase out of your manual, sir. Tell
15:00 23 me what it means to you.

15:00 24 A. For me, senior management -- direct senior management
15:00 25 would have been the rig manager.

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15:00 1 Q. Did the *Deepwater Horizon* conduct EDS drills? You believe
15:00 2 they did, I think. Right?

15:00 3 A. Yes.

15:00 4 Q. You're not sure of the frequency?

15:00 5 A. No, I'm not.

15:00 6 Q. But whenever they took place, they would be logged,
15:00 7 correct?

15:00 8 A. Yes, they would be logged.

15:00 9 Q. Well, they would be logged; that's what you told us?

15:00 10 A. Yes. I just agreed to that.

15:01 11 Q. When you say "logged" --

15:01 12 MR. ROY: Well, let's pull up, if we could,
15:01 13 Demonstrative D-6591.

15:01 14 Your Honor, may I approach the witness with a
15:01 15 notebook of the TREXs that are referenced in this
15:01 16 demonstrative?

15:01 17 THE COURT: All right.

15:01 18 MR. ROY: We will come to this momentarily.

15:01 19 BY MR. ROY:

15:01 20 Q. All right. During Mr. Ezell's examination by your
15:01 21 corporate counsel, this demonstrative, D-6591, was used. I
15:01 22 want you to look -- let's just look at the title, "Drills
15:02 23 Performed by the Drill Crew on the *Deepwater Horizon*." Do you
15:02 24 see that at the top?

15:02 25 A. Yes.

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15:02 1 Q. At the bottom, "EDS Drills." Do you see that?

15:02 2 A. Yes.

15:02 3 Q. Approximately 81 citations to TRES documents -- that's all
15:02 4 these numbers on the bottom. Do you see that?

15:02 5 A. Yes.

15:02 6 Q. -- were given in support for this demonstrative. I want
15:02 7 to walk through a few of these with you. Let's start with --

15:02 8 THE COURT: I hope you're not planning to walk
15:02 9 through 81 of them.

15:02 10 MR. ROY: Absolutely not. Transocean counsel may
15:02 11 want to on redirect, but it's not going to be me, Your Honor.
15:02 12 I just want to show him a couple and get the general drift.

15:02 13 MR. LI: I promise I won't.

15:02 14 BY MR. ROY:

15:02 15 Q. Look at the first tab, sir, which is TRES-571. It's a
15:03 16 couple of dozen pages. Do you recognize what these are? Do
15:03 17 you recognize them to be the safety drill reports?

15:03 18 A. Yes, these were drill reports that would have been
15:03 19 generated from GMS.

15:03 20 Q. Do you recognize them to be -- I ask you to accept they
15:03 21 are in chronological order -- well, reverse chronological
15:03 22 order.

15:03 23 The first one is January 31 of '10 and the last one
15:03 24 is February 14 -- no, they are not in order. I'm wrong.

15:03 25 They have February 14 of '10, April 4 of '10.

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15:03 1 Regardless, these are all the ones in Exhibit 571.

15:03 2 Do you see any evidence anywhere in Exhibit 571 of
15:03 3 what we speak?

15:03 4 A. Do you want me to look through each one of them?

15:03 5 Q. I'm looking -- I have looked through them and don't see
15:03 6 any evidence that the deck crew participated in any of these
15:04 7 drills referenced in TRES-571.

15:04 8 A. If you want me to look through each one of them, I will --

15:04 9 Q. Can you answer the question?

15:04 10 Here's the question: Did the deck crew participate
15:04 11 in the drills reflected in Exhibit 571, the safety drill
15:04 12 reports?

15:04 13 A. Again, without looking through every one of them, I'm not
15:04 14 going to answer.

15:04 15 Q. Well, I can't find a single deck officer referenced in any
15:04 16 one of these.

15:04 17 MR. LI: Your Honor --

15:04 18 THE COURT: Let me cut through this, I think.

15:04 19 Are these in evidence?

15:04 20 MR. ROY: Yes.

15:04 21 THE COURT: All right. Then --

15:04 22 MR. ROY: Well, they are going to be, Your Honor,
15:04 23 because all that was introduced was the demonstrative, and it's
15:04 24 my intention to offer these documents in support of the fact
15:04 25 that the deck crew never participated in these drills, despite

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15:04 1 the testimony of the witness.

15:05 2 **THE COURT:** We are not going to sit here and have the
15:05 3 witness go through document by document. I think you can ask
15:05 4 him a question. If he is aware of whether they did and if he
15:05 5 is aware of any particular record or -- you can point it out
15:05 6 otherwise, when the records are in evidence.

15:05 7 **MR. LI:** Your Honor, if I just may be heard for one
15:05 8 moment. This particular demonstrative is drills performed by
15:05 9 the drill crew. And so all of these exhibits relate to the
15:05 10 drill crew and it would be unlikely -- it's possible, but it
15:05 11 would be unlikely that it references the deck crew, because
15:05 12 it's not about the deck crew.

15:05 13 **THE COURT:** It does say "drill crew."

15:05 14 **MR. ROY:** Okay. With Counsel's stipulation that this
15:05 15 demonstrative and all these underlying exhibits do not provide
15:05 16 proof that the deck crew --

15:05 17 **MR. LI:** Mr. Roy, I haven't looked at them in a
15:05 18 while, but the documents speak for themselves.

15:06 19 **THE COURT:** All right. I don't think we are going to
15:06 20 sit here and have this witness --

15:06 21 **MR. ROY:** If I could, just a couple of follow-ups.

15:06 22 **THE COURT:** Go ahead.

15:06 23 **BY MR. ROY:**

15:06 24 **Q.** So, sir, if indeed, as you say, the deck crew participated
15:06 25 in these drills, where would it be evidenced?

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15:06 1 A. You have to take my word for it that we participated in
15:06 2 the drills. If the drill crew was involved in a well control
15:06 3 drill, they would call the bridge and say, "Hey, we are
15:06 4 conducting a well control drill."

15:06 5 The bridge's response to that would be their thought
15:06 6 process of looking at the wind direction and that kind of
15:06 7 stuff. A lot of times these drills happened the same time that
15:06 8 we were having our emergency drill, because a portion of the
15:06 9 emergency drill is to shut well in and secure the well. So the
15:06 10 emergency response on the marine side would be for the fire
15:06 11 emergency or for the medical emergency or for whatever
15:06 12 emergency that is and record it in GMS that way.

15:07 13 Q. Regardless, you don't remember the frequency of those
15:07 14 drills, correct?

15:07 15 A. The well control drills' frequency? No, I do not remember
15:07 16 the frequency of the well control drills.

15:07 17 Q. The EDS drills?

15:07 18 A. No, I do not.

15:07 19 Q. And the records they would be reflected in, if they are
15:07 20 logged, would be logged in your GMS, which was Transocean's
15:07 21 system for recording that and available onshore, correct?

15:07 22 A. There would be a way to track it, yes, through GMS.

15:07 23 Q. That's what you told us in your deposition, isn't it?

15:07 24 A. Yes. I agree that you would be able to find it in GMS if
15:07 25 it was logged in GMS.

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15:07 1 Q. You said, "It would be logged in the GMS, which was our
15:07 2 system for recording that"?

15:07 3 A. Yes.

15:07 4 MR. ROY: I have no other questions, Your Honor.

15:07 5 THE COURT: Does the United States have any
15:07 6 questions?

15:07 7 MS. DELEMARRE: No, Your Honor, we don't.

15:07 8 THE COURT: Alabama?

15:08 9 MR. MAZE: No, Your Honor, we don't.

15:08 10 THE COURT: Louisiana?

15:08 11 MR. KANNER: Yes, Your Honor.

15:08 12 CROSS-EXAMINATION

15:08 13 BY MR. KANNER:

15:08 14 Q. Allan Kanner for the State of Louisiana. I have you as
15:08 15 cross. I just have a few questions.

15:08 16 If I refer to "prior testimony" or "documents," I'm
15:08 17 not looking for anything cumulative, I'm just trying to point
15:08 18 you to something you may have said earlier and discuss that.
15:08 19 Is that okay?

15:08 20 A. Okay.

15:08 21 Q. Could the crew have done anything more on April 20?

15:08 22 A. As far as what, anything more?

15:08 23 Q. To avoid the disaster. Could the crew have done anything
15:09 24 more?

15:09 25 A. I'm not sure. I don't know. I don't know what each

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1 person specifically did. I would hope that it could have been
2 prevented, but I can't say that they didn't do all that they
3 could at the time.

4 Q. Sitting here today, you can't think of one thing that
5 should have changed in terms of the crew's conduct or
6 management's equipping of the rig?

7 MR. LI: Objection, Your Honor, relevance.

8 THE COURT: I think he has already answered it,
9 Mr. Kanner.

10 BY MR. KANNER:

11 Q. You know who Mr. Steve Newman is, do you not?

12 A. Yes.

13 Q. Mr. Newman came into court here --

14 MR. LI: Objection, Your Honor. There's a
15 sequestration order, and this witness can't know what
16 Mr. Newman said anyway, so there's not going to be any
17 foundation for this question.

18 THE COURT: I think the question was does he know who
19 Mr. Newman is.

20 MR. LI: He was just about to go into "Mr. Newman
21 testified" --

22 THE COURT: Well, there's a whole lot of that. We
23 have so-and-so testified, what do you think about that?

24 Go ahead. I overrule the objection.

25 MR. KANNER: Thank you.

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15:10 1 BY MR. KANNER:

15:10 2 Q. You know who Mr. Newman is, correct?

15:10 3 A. Yes, I do.

15:10 4 Q. He is your boss?

15:10 5 A. Not directly, but . . .

15:10 6 Q. Just to save time, very briefly, he came into court and
15:10 7 said at page 4521, line 8 through 11, he said: "Do I wish the
15:10 8 crew would have done more? Absolutely. I'm not sure that the
15:10 9 same emotional content is blamed . . . we have not identified
15:10 10 any management failures."

15:10 11 Do you agree the crew could have done more,
15:10 12 absolutely, that evening?

15:10 13 A. I don't know. I don't know which each individual did. I
15:10 14 know what I did, and I know I did everything that I could to
15:10 15 keep people as safe as possible. So other than what I did I
15:10 16 can't speak for what each individual person did. I couldn't be
15:10 17 in all those places at the same time.

15:11 18 Q. Has Transocean made any changes in the way it operates
15:11 19 since the disaster of *Deepwater Horizon* to avoid this sort of
15:11 20 disaster recurring?

15:11 21 MR. LI: Objection.

15:11 22 THE COURT: I sustain the objection.

15:11 23 BY MR. KANNER:

15:11 24 Q. Mr. Cunningham -- I'm sorry -- asked Mr. Newman: "So can
15:11 25 I conclude, then, from your answer" -- I'm reading, just for

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15:11 1 the record, from the official transcript, page 4640 to 4641,
15:11 2 just three or four sentences:

15:11 3 "QUESTION: So can I conclude, then, from your
15:11 4 answer, that insofar as any management failures that
15:11 5 Transocean has identified that caused or contributed to
15:11 6 the spill that the answer is zero?

15:11 7 "ANSWER: I think we have learned a lot in terms of
15:11 8 what we could have had in place at the time of the
15:12 9 accident as a result of the comprehensive investigation we
15:12 10 carried out and all of the investigation material and
15:12 11 information we have had the opportunity to review, and we
15:12 12 have made a lot of changes since then."

15:12 13 Was that a truthful statement?

15:12 14 MR. LI: Objection, Your Honor.

15:12 15 THE COURT: I sustain the objection.

15:12 16 BY MR. KANNER:

15:12 17 Q. Okay. Let me switch gears a little bit. I don't want to
15:12 18 get into a lengthy discussion of dampers, etc.

15:12 19 There were some maintenance issues associated with
15:12 20 the Transocean *Deepwater Horizon*. You would agree with that?

15:12 21 A. There was always something to perform maintenance on.

15:12 22 Q. That was identified in things like the BP audit and other
15:12 23 audits that occurred over time. The Lloyd's Register, I think
15:12 24 you talked about as well, in answers to questions on direct,
15:12 25 correct?

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15:12 1 A. And scheduled maintenance that you had to perform anyway.

15:13 2 Q. So BP never told you that the rig was unsafe, but they did
15:13 3 give you the audits, and you took advantage of those audits in
15:13 4 2005, 2008, 2009, correct?

15:13 5 A. Any time we had an audit, we would take advantage of the
15:13 6 information gained in the audit.

15:13 7 Q. Would you personally review the audits?

15:13 8 A. Yes.

15:13 9 Q. Because you were concerned about safety?

15:13 10 A. Yes.

15:13 11 Q. You disagree that there was a company philosophy of "run
15:13 12 it, break it, fix it," as indicated in the Lloyd's Register?

15:13 13 A. Yes, I disagree with that.

15:13 14 Q. You disagree with the statement in Lloyd's Register "they
15:13 15 don't know what they don't know," correct?

15:13 16 MR. LI: Objection, Your Honor. It misstates what
15:13 17 the Lloyd's Register actually says. Also on relevance.

15:13 18 THE COURT: I sustain the objection.

15:14 19 BY MR. KANNER:

15:14 20 Q. You indicated earlier you didn't lie to the Coast Guard at
15:14 21 any point in time.

15:14 22 A. No. I didn't.

15:14 23 Q. You did not lie?

15:14 24 A. I was truthful with the Coast Guard.

15:14 25 Q. That was your testimony earlier. Do you recall that?

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15:14 1 A. Yes.

15:14 2 Q. Did you -- when the Coast Guard came to do inspections,
15:14 3 did you share with them the audits you had received from other
15:14 4 third parties, such as BP, to say, "Look, this has been found
15:14 5 by other people looking at the rig, and I want to bring it to
15:14 6 your attention"?

15:14 7 A. If they asked to see specific items -- say like for ABS,
15:14 8 if we were audited by ABS, they would often share information.

15:14 9 The last time I was -- the last audit I got on the
15:14 10 rig I'm on now, we had the three of them come out at the same
15:14 11 time so that they could share that information together and
15:14 12 generate the reports together. So there was no hidden
15:14 13 information.

15:14 14 Q. My question was: Did you voluntarily give the Coast Guard
15:15 15 the results of the BP audits that you had personally reviewed
15:15 16 when they came to do their inspection and audit?

15:15 17 A. Not unless they asked for it, no.

15:15 18 Q. Do you recall if they asked for it?

15:15 19 A. No, I don't recall.

15:15 20 Q. So you withheld this information, correct?

15:15 21 MR. LI: Objection, Your Honor. Argumentative, asked
15:15 22 and answered.

15:15 23 THE COURT: Sustained.

15:15 24 MR. KANNER: Thank you.

15:15 25 Happy birthday.

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15:15 1 No further questions.

15:15 2 **THE COURT:** Halliburton next?

15:15 3 **MR. HARTLEY:** Briefly, Your Honor.

15:15 4 **CROSS-EXAMINATION**

15:15 5 **BY MR. HARTLEY:**

15:16 6 **Q.** Good afternoon, Mr. Young.

15:16 7 **A.** Good afternoon.

15:16 8 **Q.** I'm Floyd Hartley. I represent Halliburton. You may or
15:16 9 may not remember. It's been about a year and a half. You'll
15:16 10 recall when we sat down in your deposition and talked, I
15:16 11 focused on a pretty limited period of time on April 20. I'm
15:16 12 going to do the same thing today.

15:16 13 Before that, I want to follow up briefly on something
15:16 14 Mr. Roy brought up. I think in February 2010 you attended well
15:16 15 control training. Is that right?

15:16 16 **A.** Yes, I did.

15:16 17 **Q.** You know Mr. Randy Ezell, don't you?

15:16 18 **A.** Yes, I do.

15:16 19 **Q.** When Randy was here testifying, he talked about a
15:16 20 supervisory level well control course, about a weeklong course
15:16 21 offered by Transocean. Is that the course you took?

15:16 22 **A.** Yes, it is.

15:16 23 **MR. HARTLEY:** Can we show TREG-5345, please.

15:16 24 **BY MR. HARTLEY:**

15:16 25 **Q.** You will recall I showed you this in your deposition. Is

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15:16 1 this a copy of your WellCAP - IADC well control accreditation
15:16 2 certificate from that course?

15:16 3 A. Yes, it is.

15:16 4 Q. That's a weeklong course focused on the intermediate level
15:16 5 fundamentals of well control. Is that fair?

15:17 6 A. Yes.

15:17 7 Q. You'd go through well control procedures?

15:17 8 A. Yes.

15:17 9 Q. Standard kick indicators?

15:17 10 A. Yes.

15:17 11 Q. Training on how to respond to kicks?

15:17 12 A. Yes.

15:17 13 Q. And one of the things they advised you in that course, and
15:17 14 you're familiar with as of April 20, was that the key in well
15:17 15 control is to stifle an influx of hydrocarbons as early as
15:17 16 possible?

15:17 17 A. Yes, that's correct.

15:17 18 Q. So if we switch our attention, then, to April 20, I think
15:17 19 you told Mr. Li that you left the drill shack about 9:30 that
15:17 20 night to get to the drill floor.

15:17 21 A. Yes.

15:17 22 Q. You were in the drill floor for five, six, seven minutes?

15:17 23 A. I don't remember the time frame I was in there. It was a
15:17 24 fairly short period of time.

15:17 25 Q. When you left the drill floor, you ran into Caleb

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15:17 1 Holloway, who had just finished bleeding off the standpipe
15:17 2 pressure?

15:17 3 A. He said he was closing the standpipe.

15:17 4 Q. What in sort of operations would he, the floor hand like
15:17 5 Mr. Holloway, close the standpipe?

15:17 6 A. He would do that once being told by somebody in the drill
15:18 7 shack. So either the driller or the toolpusher over the radio
15:18 8 would direct him what to do. He was a floor hand, so he was
15:18 9 basically under the direction of the driller, is when he would
15:18 10 operate the standpipe.

15:18 11 Q. So if Mr. Holloway was instructed to bleed off standpipe
15:18 12 pressure, at the end of that operation he would close it and
15:18 13 then come back downstairs?

15:18 14 A. Yes, if he would have been told when to open it, when to
15:18 15 close it. So he may have been bleeding off a little bit of
15:18 16 pressure or may have been functioning the valve. But he told
15:18 17 me he was closing the standpipe.

15:18 18 Q. We're going to look at D-6709. This is a screenshot of
15:18 19 the animation of the drill shack you were shown by Mr. Li. Do
15:18 20 you recall this?

15:18 21 A. Yes, I do.

15:18 22 Q. I believe what you said was, in this left-hand side, the
15:18 23 driller's A-chair is where Dewey Revette was sitting.

15:18 24 A. Yes. It would be the left-hand side there.

15:18 25 Q. Jason Anderson, the toolpusher, was standing up to his

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15:18 1 left?

15:18 2 A. Yes.

15:18 3 Q. While you were in the drill shack, you never heard them
15:18 4 tell Mr. Holloway to bleed off the standpipe pressure?

15:19 5 A. I don't remember hearing that, no.

15:19 6 Q. Both of those individuals were in those positions, in the
15:19 7 driller's A-chair and standing adjacent thereto, the entire
15:19 8 time you were in the drill shack?

15:19 9 A. Yes, the whole time I was in there, they were right there.

15:19 10 Q. So if I understand right, you walk in and you hear
15:19 11 Mr. Revette tell Mr. Anderson, "We are seeing a differential
15:19 12 pressure"?

15:19 13 A. Yes.

15:19 14 Q. You hear Mr. Anderson say words to the effect that we are
15:19 15 going to need to circulate?

15:19 16 A. Yes.

15:19 17 Q. They tell you there's going to be a delay in the cement
15:19 18 plug because of that?

15:19 19 A. Yes. They said, "We may need to circulate" -- was how
15:19 20 they worded it. So -- and they said that because of the fact
15:19 21 they may have to circulate, there was going to be a delay.

15:19 22 Q. In that time you were in the drill shack, you have never
15:19 23 heard them call a well control event?

15:19 24 A. Not specifically, no.

15:19 25 Q. Did you -- on this demonstrative we have an emergency

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15:19 1 phone, we have a couple of telephones, and the sound power
15:19 2 phone. During the course of time you were in the drill shack,
15:19 3 they never used any of those devices to communicate with
15:20 4 anybody else on the rig about this differential pressure?

15:20 5 A. Not that I remember.

15:20 6 Q. Now, one of the things you told Mr. Li was that in a well
15:20 7 control situation it's very important to have communication
15:20 8 between the various people involved. That's true?

15:20 9 A. Yes.

15:20 10 Q. You said that particularly with respect to the bridge
15:20 11 crew, the way they would understand and know that there's a
15:20 12 well control event is if there's a communication from the drill
15:20 13 crew.

15:20 14 A. Yes.

15:20 15 Q. You never heard that happen on the evening of April 20?

15:20 16 A. I never heard that, no.

15:20 17 Q. You never saw them activate any of the BOP components?

15:20 18 A. No, I did not.

15:20 19 **MR. HARTLEY:** Mr. Young, I thank you for your time.

15:20 20 Your Honor, I pass the witness.

15:20 21 **THE COURT:** Let's go ahead and take our afternoon
15:20 22 recess. It's about 3:20. We will come back in about
15:20 23 15 minutes.

15:20 24 (Recess.)

15:23 25

15:23 1 **THE COURT:** Please be seated.

15:37 2 Before we resume testimony of the current
15:37 3 witness, let me just state for the record that before lunch
15:37 4 there were some objections the Court was asked to rule on with
15:38 5 respect to the deposition of Paul Johnson. And I believe I
15:38 6 sent word through Ben that I had -- after looking at the
15:38 7 objections in the transcript, I have sustained BP's two
15:38 8 objections.

15:38 9 **MR. BRIAN:** Your Honor, Brad Brian for Transocean.

15:38 10 I was informed of that by Ben. I don't intend
15:38 11 to reargue that. I think, just for the record, probably we
15:38 12 should put the page and line. Do you mind if I do that?

15:38 13 **THE COURT:** Go ahead.

15:38 14 **MR. BRIAN:** I think it was page 569/19 to 570/22, and
15:38 15 then 601, line 13, to 602, line 14.

15:38 16 Is that correct?

15:38 17 **MR. LANGAN:** Your Honor, that's correct.

15:38 18 **MR. BRIAN:** Your Honor, may I ask for the grounds of
15:39 19 the objection to be stated? Because I don't think they were
15:39 20 really indicated. If I could ask BP to articulate those.

15:39 21 **MR. LANGAN:** As I think I said this morning, lack of
15:39 22 foundation, argumentative, Rules 602 and 701.

15:39 23 **THE COURT:** I've read the transcript. And if this
15:39 24 was in court, I would sustain the objections to those.

15:39 25 **MR. BRIAN:** I'm not intending to reargue. I just

15:39 1 wanted the pages and lines in the record. Thank you very much.

15:39 2 **THE COURT:** Very well.

15:39 3 With respect to Mr. McKay, as I understand it,
15:39 4 this is not -- as I understand it, these are -- what's
15:39 5 highlighted and what you gave us, Mr. Brian, are additional
15:39 6 designations, pages or lines, that Transocean would like to add
15:39 7 to the previously bundled portions of Mr. McKay. Is that
15:39 8 correct?

15:39 9 **MR. BRIAN:** That's correct, Your Honor.

15:39 10 **THE COURT:** Is anyone objecting to this?

15:39 11 **MR. STERBCOW:** The PSC is, Your Honor.

15:39 12 **THE COURT:** Why don't you come up here. Let's try to
15:40 13 resolve this quickly.

15:40 14 What's the basis of your objection?

15:40 15 **MR. STERBCOW:** Simply put, Your Honor, we have gone
15:40 16 through this with Judge Shushan many, many times. And the
15:40 17 bundles were put in and it was established that they would not
15:40 18 be redacted from, added to, changed in any form or fashion.
15:40 19 And part of our discussion in working out this whole concept of
15:40 20 playing videos was that they have to be confined to bundles
15:40 21 that have been agreed upon and submitted into evidence for a
15:40 22 long time. That's the basis.

15:40 23 **MR. BRIAN:** May I respond to that? We have had --
15:40 24 Mr. Sterbcow and I had a number of discussions over the
15:40 25 weekends. And on this particular issue, we agree to disagree.

15:40 1 So I don't want any suggestion to the Court that we had agreed
15:40 2 to this. We agreed to put this issue to the Court.

15:40 3 I agree in general, and we agree and Transocean
15:40 4 agrees, and we have tried to abide by the bundles. In fact,
15:40 5 there was one deposition that we had mistakenly designated that
15:40 6 I found out was not in the bundle that they actually agreed to
15:40 7 and I withdrew it because it was not in the bundle.

15:41 8 McKay, I think, is a different situation. And
15:41 9 we have actually prepared a formal proffer, which we could file
15:41 10 if you'd like, Your Honor.

15:41 11 **THE COURT:** Just briefly tell me why -- here's what I
15:41 12 don't want to do. I don't want to open a Pandora's box here
15:41 13 where everybody -- for the rest of the trial now everybody will
15:41 14 be trying to add something. You can always say, "I didn't
15:41 15 anticipate this or that during a trial." And if I grant this,
15:41 16 am I opening a Pandora's box where other parties are going to
15:41 17 come in and want to add to bundles?

15:41 18 **MR. BRIAN:** I totally understand the Court's concern.
15:41 19 And you will see from the depo clips that we are going to play
15:41 20 after Mr. Young's testimony, we have kept ours very, very
15:41 21 short. I think a situation where Mr. Webster came in, in
15:41 22 response to questions he volunteered that they must not -- the
15:41 23 auditors and the inspectors must not have gotten the
15:41 24 information, even went so far several times to suggest that the
15:41 25 Transocean people must have withheld the information. There's

15:42 1 no basis for saying that, but he said it five or six times.

15:42 2 That is not within the four corners of his
15:42 3 report. Your Honor was absolutely clear earlier that the
15:42 4 experts had to keep within the four corners of the report. He
15:42 5 did not. He offered that testimony, and that's why we want to
15:42 6 add that just additional stuff, which is the testimony of the
15:42 7 DNV investigator who talks about the process by which they
15:42 8 reviewed maintenance records of Transocean. We have no
15:42 9 intention of going beyond that with any other deposition clip,
15:42 10 Your Honor.

15:42 11 **MR. STERBCOW:** Two things, Your Honor. Number one,
15:42 12 all of whatever Mr. Webster did or didn't do was covered on
15:42 13 cross, number one.

15:42 14 Secondly, our concern is exactly what you said.
15:42 15 We could come up with a lot of examples where people say things
15:42 16 and it's not included in a bundle or maybe they testified
15:42 17 outside of a report or testified outside of their personal
15:42 18 knowledge.

15:42 19 And if we start this with one witness -- we live
15:42 20 by certain rules during our case in chief. We've rested, and
15:43 21 we just want everybody to live by the same rules that we did.

15:43 22 **MR. BRIAN:** The first part of what Mr. Sterbcow said
15:43 23 is -- I'm not saying it's intentional --

15:43 24 **THE COURT:** When are you planning on playing this?

15:43 25 **MR. BRIAN:** We don't have to play it this afternoon.

1 We can play it tomorrow if Your Honor wants to think about it.
2 Either way.

3 **THE COURT:** You said you had something that you had
4 prepared to submit?

5 **MR. BRIAN:** We have actually prepared a two-page
6 pleading that's about ready to be stapled and to be
7 submitted --

8 **THE COURT:** Give that to Ben when it's ready this
9 afternoon.

10 **MR. BRIAN:** I will, Your Honor.

11 **THE COURT:** Then I will let you-all respond sometime
12 this evening. I will finally resolve this in the morning.
13 Okay?

14 **MR. BRIAN:** That's fine, Your Honor. Thank you very
15 much.

16 **THE COURT:** All right.

17 **MR. REGAN:** Good afternoon. Matt Regan on behalf of
18 BP, and I have Mr. Young on cross-examination. May I proceed,
19 Your Honor?

20 **THE COURT:** Yes.

21 **CROSS-EXAMINATION**

22 **BY MR. REGAN:**

23 **Q.** I'd like to start with D-4594. Mr. Young, I'm putting up
24 an organizational chart that doesn't include everyone from
25 Transocean. But just to orient us as to where you sat in the

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1 organization.

2 Do you see yourself identified over here on the right
3 side of the chart underneath Mr. Harrell and then underneath
4 Mr. Kuchta, the master? Do you see yourself there?

5 A. Yes, I do.

6 Q. You have spoken at length today about a number of
7 individuals on this chart. But the DP operators, Andrea
8 Fleytas, Yancy Keplinger, they were in the marine side of the
9 organization on the *Deepwater Horizon*, correct?

10 A. Yes.

11 MR. REGAN: If I could pull up TREN-5299.

12 BY MR. REGAN:

13 Q. This is an organization chart that's from one of the
14 Transocean emergency response manuals. Do you recognize this
15 document, Mr. Young?

16 A. Yes, I do.

17 Q. This, again, is a *Deepwater Horizon* organization chart and
18 it, again, has the OIM at the top, correct?

19 A. Yes, it does.

20 Q. Over here on the far left side, it has -- well, we see the
21 maritime group underneath the master, correct?

22 A. Yes.

23 Q. You're the chief mate underneath the master as of
24 April 20, 2010, correct?

25 A. Yes.

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15:45 1 Q. PIC, you referred to that acronym. That's person in
15:45 2 charge, correct?

15:45 3 A. Correct.

15:45 4 Q. And it says: "Underway mode: Master is in charge.
15:45 5 Drilling mode: Offshore installation manager (OIM) is in
15:45 6 charge."

15:45 7 A. Yes.

15:45 8 Q. Was that your understanding of the chain of command as of
15:45 9 April 20, 2010, on the *Deepwater Horizon*?

15:45 10 A. That was the way the person in charge was organized.

15:45 11 Q. Okay.

15:45 12 A. As far as chain of command, like, say, for an emergency,
15:45 13 the master would be in command.

15:45 14 Q. The Court has heard an explanation of how DP-powered
15:45 15 vessels get around. But with respect to a DP vessel, in
15:45 16 essence, it's always underway, correct?

15:45 17 A. While you're connected, you're making way through the
15:45 18 water just because of the current; but in essence, underway, I
15:45 19 don't really understand the question, I guess.

15:45 20 Q. Let me ask a different question.

15:45 21 In terms of the difference, how do you know when you
15:46 22 are in drilling mode versus underway mode? What's the
15:46 23 difference between those two terms?

15:46 24 A. Being connected to the wellhead.

15:46 25 Q. So you would read that as if you are connected to the

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15:46 1 wellhead, the offshore installation manager is in charge as the
15:46 2 person in charge, correct?

15:46 3 A. Correct.

15:46 4 Q. Was the *Deepwater Horizon* connected to the wellhead on
15:46 5 April 20, 2010?

15:46 6 A. It was, yes.

15:46 7 Q. You have testified earlier today that the OIM and master
15:46 8 were each in command of something. Do you recall that -- in
15:46 9 substance that testimony?

15:46 10 A. Yes.

15:46 11 Q. The captain or the master would be in charge of the safety
15:46 12 of the vessel and navigation, correct?

15:46 13 A. Correct.

15:46 14 Q. The OIM would be in charge of the operational drilling
15:46 15 operations of the vessel, correct?

15:46 16 A. Correct.

15:46 17 Q. And then in emergencies you would say the master was in
15:46 18 charge, correct?

15:46 19 A. Correct.

15:46 20 Q. How do you determine when a drilling operation becomes an
15:46 21 emergency?

15:46 22 A. It would be when you are in an emergency situation. So
15:46 23 the way that the crew would be made aware that the emergency
15:46 24 situation exists is by the general alarm and the announcement
15:46 25 being made.

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15:47 1 Q. But how is a decision made that a drilling operation has
15:47 2 reached the point of where it is now a, quote, emergency such
15:47 3 that the OIM is no longer in charge and now the master is in
15:47 4 charge?

15:47 5 A. It doesn't necessarily have to be a decision made on the
15:47 6 bridge. If somebody was to sound the general alarm from a
15:47 7 different location, that would indicate an emergency. So it
15:47 8 would be a judgment call based on the person that is deciding
15:47 9 that we have an emergency.

15:47 10 Q. Okay.

15:47 11 A. So if you had an -- like an example would be if there's a
15:47 12 person now that's having a heart attack, that's an emergency
15:47 13 situation. You are then going to go into an emergency response
15:47 14 mode, mustering the medical teams and that kind of stuff. So
15:47 15 there's various different ways that you could determine that
15:47 16 there's an emergency.

15:47 17 Q. My questions today -- I won't have too many questions, but
15:47 18 I really am focused on well control.

15:47 19 With respect to well control, in your view, how do
15:47 20 you know when well control has become an emergency such that it
15:47 21 is no longer under the command of the OIM and now is under the
15:47 22 command of the master?

15:47 23 A. It would be -- there's a couple ways that could happen.
15:47 24 It could be just by getting word from the drill floor that they
15:48 25 are in a well control situation. That well control situation

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15:48 1 doesn't necessarily mean it's an emergency situation. That's
15:48 2 by the levels that we discussed earlier. For that to be an
15:48 3 actual emergency situation, again, it would be somebody
15:48 4 deciding that that's an emergency.

15:48 5 Q. Okay.

15:48 6 A. It could be whether the OIM said it, the driller said it,
15:48 7 the captain determines it's an emergency. I could have.
15:48 8 Anybody in the control room could have. It could have been
15:48 9 anybody on board.

15:48 10 Q. Somebody needs to affirmatively state in whatever fashion,
15:48 11 "This is no longer a drilling issue, this is now an emergency
15:48 12 and the master is now in control," either state that or by
15:48 13 sounding a general alarm?

15:48 14 A. The general alarm would be an indication to the entire
15:48 15 crew and would be the quickest way to indicate to the crew that
15:48 16 that's the case.

15:48 17 Q. I think that you agreed with Mr. Roy -- let me pull up
15:48 18 TREN-5033.

15:48 19 This is an e-mail from Katie Williams in August of
15:49 20 2009. Do you recall seeing this at your deposition?

15:49 21 A. Yes.

15:49 22 MR. REGAN: If we could go to 5033.2.1.

15:49 23 BY MR. REGAN:

15:49 24 Q. Do you see I have a call-out up at the top,
15:49 25 *Deepwater Horizon*, a discussion of the master/OIM relationship?

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15:49 1 Do you see that at the top?

15:49 2 A. Yes.

15:49 3 Q. It says: "The 'Person in Charge' is assigned the legal
15:49 4 requirement to hold overriding authority in situations
15:49 5 involving safety and pollution prevention based upon written
15:49 6 procedures, policies, recognized industry safe working
15:49 7 practice, relevant codes and standards. The organizational
15:49 8 chart and approved station bill provide detailed information.

15:49 9 "Well control operations are not an 'emergency'
15:49 10 within the scope of this paragraph."

15:49 11 Did I read that correctly?

15:49 12 A. Yes.

15:49 13 Q. Is that your understanding of the policy on board the
15:49 14 *Deepwater Horizon* on April 20?

15:49 15 A. Yes. What this meant was that well control didn't
15:49 16 necessarily mean that you were in an emergency situation.
15:49 17 That's the Level 1, 2, and 3. So by saying well control, they
15:49 18 weren't dictating that that well control was actually an
15:49 19 emergency no matter what.

15:49 20 Q. It's going to require the judgment of somebody that well
15:50 21 control has progressed to a certain point to where it is no
15:50 22 longer a well control operation and is now an emergency. And
15:50 23 when that judgment is exercised, there then is a change of
15:50 24 command?

15:50 25 A. Correct.

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15:50 1 Q. And you say anyone can make that judgment, or is there a
15:50 2 list of people who are allowed to make that decision to say,
15:50 3 "We are no longer following the OIM, we are now following the
15:50 4 master"?

15:50 5 A. It's not -- a person sounding a general alarm -- myself,
15:50 6 if I was to sound the general alarm, I'm not consciously making
15:50 7 a decision to put the captain in charge. You're just
15:50 8 indicating that there's an emergency. The policy is, in an
15:50 9 emergency, the captain is in command of the vessel and he is
15:50 10 the first in charge. If he is not available, I would then take
15:50 11 over. If I'm not available beyond that, then the OIM would
15:50 12 take over.

15:50 13 Q. That's really my last question. It also requires a
15:50 14 judgment by the master or the captain, as we have been calling
15:50 15 him, that he understands he is now in an emergency situation
15:51 16 and he should take a command role and make decisions in that
15:51 17 command role, correct?

15:51 18 A. Yes, the captain would be making the command decisions.

15:51 19 Q. And in the case that the command [verbatim] was incapable
15:51 20 of making those decisions, you as the chief mate in this
15:51 21 emergency situation, you are second in command in that
15:51 22 situation, correct?

15:51 23 A. Yes, in an emergency situation.

15:51 24 Q. You talked about rig orientation, and I just want to ask
15:51 25 you a few questions following up on that.

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15:51 1 You said, in essence, that when a new person would
15:51 2 come out to the rig, there would be a series of steps they
15:51 3 would take to be oriented to the rig, particularly with respect
15:51 4 to safety issues, correct?

15:51 5 A. Correct.

15:51 6 Q. They would be checked in, and then they typically would go
15:51 7 to the theater room. They would see a video about safety.
15:51 8 They would be given some documentation and then given a welcome
15:51 9 card, correct?

15:51 10 A. Correct.

15:51 11 Q. That was the policy that took place on the *Horizon*,
15:51 12 correct?

15:51 13 A. Correct.

15:51 14 Q. I'd like to show you TREG-4942.85.

15:51 15 This is from -- does this appear to be a copy of a
15:52 16 "Welcome Onboard Card" used for the *Deepwater Horizon*?

15:52 17 A. I'm not sure if this was the current one. I think we had
15:52 18 one that was -- this doesn't look like the current version.
15:52 19 I'm not sure.

15:52 20 Q. This one is taken from Exhibit 4942.

15:52 21 MR. REGAN: If we can go to -- I think it's .85.1.

15:52 22 BY MR. REGAN:

15:52 23 Q. Do you see on the "Welcome Onboard Card" that is given to
15:52 24 people that are new to the rig that there's a section "Person
15:52 25 in Charge"?

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15:52 1 A. Yes.

15:52 2 Q. It says the overall person in charge is the offshore
15:52 3 installation manager, correct?

15:52 4 A. Yes.

15:52 5 Q. Are you aware of any instruction that new people that come
15:52 6 to the rig would receive about this bifurcation of authority;
15:52 7 that is, OIM is in charge in certain situations but master is
15:52 8 in charge of others?

15:52 9 A. Yes. They would be shown where the location of the
15:52 10 station bills are and that would explain to them that in the
15:52 11 emergency situation, the chain of command for --

15:52 12 Q. So let's go to the station bill, then. You had a
15:52 13 demonstrative board that was made up.

15:52 14 MR. REGAN: If I might approach, Your Honor? Just to
15:53 15 hold that up again.

15:53 16 BY MR. REGAN:

15:53 17 Q. Is this the actual size of the station bill as it would
15:53 18 have appeared on the rig?

15:53 19 A. It's very close.

15:53 20 Q. Very close. Just for ease of reference, I'm going to put
15:53 21 one up on the screen, but a couple predicate questions.

15:53 22 That station bill applies in the event of an
15:53 23 emergency, correct?

15:53 24 A. Correct.

15:53 25 Q. So you would need to know I am now in a, quote, emergency,

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15:53 1 to then know that the station bill applies?

15:53 2 A. Correct.

15:53 3 Q. If you believe I am in a well control situation,
15:53 4 therefore, not an emergency, you would not look at the station
15:53 5 bill?

15:53 6 A. In certain control situations.

15:53 7 MR. REGAN: If we could pull up 6588.1, just a couple
15:53 8 things on the station bill I wanted to highlight.

15:53 9 BY MR. REGAN:

15:53 10 Q. There are some general instructions on the station bill,
15:53 11 correct?

15:53 12 A. Correct.

15:53 13 Q. In the general instructions, is it accurate that the
15:53 14 *Deepwater Horizon* station bill said the following, under No. 9:
15:54 15 "While onboard, all operator, visitor, and service personnel
15:54 16 shall follow all Transocean safety instructions, rules, and
15:54 17 regulations. Failure to do so will result in their removal
15:54 18 from the rig."

15:54 19 Is that correct?

15:54 20 A. Yes, that's correct.

15:54 21 Q. That was the policy on the *Deepwater Horizon* in the
15:54 22 station bill, correct?

15:54 23 A. That was on the station bill, and the crew members were
15:54 24 instructed to follow the station bill.

15:54 25 MR. REGAN: Then with respect to the station bill

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15:54 1 itself, we can pull up the whole document, Donnie. It's
15:54 2 demonstrative -- there it is.

15:54 3 **BY MR. REGAN:**

15:54 4 **Q.** Is there anywhere on the station bill that would instruct
15:54 5 somebody at what point in time a well control event would
15:54 6 become an emergency?

15:54 7 **A.** I can't see it close enough. I don't recall. I'm used to
15:54 8 my station bill now, so I don't remember on here specifically
15:54 9 if it's got a well control.

15:55 10 **Q.** Let me hand you the giant menu, as it looks to be. I have
15:55 11 a smaller copy for you, but that's the one we have here today.

15:55 12 I don't want to take 10 minutes with it, but are you
15:55 13 familiar with anywhere on that station bill where it would
15:55 14 actually instruct somebody about this distinction between when
15:55 15 a well control event would become a, quote, emergency such that
15:55 16 the station bill would apply?

15:55 17 **A.** No. In that event you would follow the emergency
15:55 18 management plan, the emergency procedures. And beyond that,
15:55 19 that has the differentiation between when it actually goes into
15:55 20 an emergency situation and you have to alert the crews, so you
15:55 21 would go through that Level 1, Level 2, Level 3 well control
15:55 22 emergency. And they would make that call on when to
15:55 23 actually -- and the captain making the call to go to abandon,
15:55 24 and that kind of stuff would fall under Level 3.

15:55 25 **Q.** One question about the Level 1, Level 2, Level 3. You

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15:55 1 have said that at Level 3, that's when the OIM advises the
15:56 2 master and he puts it in the master's hands. Do you recall
15:56 3 giving that testimony?

15:56 4 A. He advises the master, yes, that they can no longer
15:56 5 control the well. And at that point the master would take the
15:56 6 steps that he would take either to go to an emerge -- either go
15:56 7 to muster stations for abandonment or move the rig off
15:56 8 location.

15:56 9 Q. To the extent there's an inability for those two groups to
15:56 10 communicate -- that is, the drill crew and the maritime crew,
15:56 11 with respect to what level an emergency or a well control event
15:56 12 is taking place -- do you agree that that can cause confusion
15:56 13 about whether the OIM still has control or the master still has
15:56 14 control?

15:56 15 A. No, I don't agree that there's confusion.

15:56 16 Q. Formally, under the policy, it has to be declared a
15:56 17 Level 3 to then be put in the master's hands, correct?

15:56 18 A. It does not have to be a Level 3 to be put in the master's
15:56 19 hands, no.

15:56 20 Q. Are you familiar with the bridge procedures guide?

15:56 21 A. Yes.

15:56 22 Q. Let me pull that up, TREC-3749.

15:57 23 MR. REGAN: 3749. I would like to just turn to
15:57 24 page 59, if we could, of that pdf.

15:57 25 Donnie, could you just bring up the top section

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15:57 1 under drill floor/bridge relations.

15:57 2 **BY MR. REGAN:**

15:57 3 **Q.** Mr. Young, do you see there under that section -- first of
15:57 4 all, what is this document? I forgot to ask you that. What is
15:57 5 this bridge procedures guide?

15:57 6 **A.** This is a bridge operations manual which was used by the
15:57 7 DPOs for the general watch keeping on the bridge during DP
15:57 8 operations.

15:57 9 **Q.** This is a document that would have been on the bridge when
15:57 10 you were on the *Deepwater Horizon*, correct?

15:57 11 **A.** Yes.

15:57 12 **Q.** It says in the first sentence there under Drill
15:57 13 Floor/Bridge Relations: "Although our main function as DP
15:57 14 operators is to maintain position, we must always be very
15:57 15 mindful that the drill floor is the bread winner. In most
15:58 16 situations, we need to defer to the wishes of the drill floor
15:58 17 unless they would compromise position keeping or vessel
15:58 18 safety."

15:58 19 Do you see that?

15:58 20 **A.** Yes.

15:58 21 **Q.** Based on that last sentence, would it be -- would the
15:58 22 maritime crew be able to make their own decision that a well
15:58 23 control situation had become an emergency and not wait for the
15:58 24 drill crew?

15:58 25 **A.** Yes, they would.

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15:58 1 Q. To your knowledge, on the night of April 20, the first
15:58 2 time that took place was when you actually would have hit the
15:58 3 general alarm, correct?

15:58 4 A. I can't answer that. I'm not sure if they had already
15:58 5 determined that was an emergency or not.

15:58 6 Q. Let me just ask as to you personally. As to you
15:58 7 personally, the moment where you believe, as the maritime crew,
15:58 8 you were going to declare this was an emergency and not wait
15:58 9 for the drill crew, was when you hit the general alarm?

15:58 10 A. Correct.

15:58 11 MR. REGAN: If we could then zoom out and show the
15:58 12 next section, Donnie, under well control.

15:58 13 BY MR. REGAN:

15:58 14 Q. Again, this document is written from the perspective of a
15:58 15 maritime DP operator, correct?

15:59 16 A. Yes.

15:59 17 Q. It says at the beginning: "When they are in the hole, it
15:59 18 is possible that they will take a 'kick'."

15:59 19 I just want to go down to the bottom. Feel free to
15:59 20 read the whole paragraph, but I want to ask at the very end of
15:59 21 this paragraph after you have read it.

15:59 22 A. Okay.

15:59 23 Q. Do you see the sentence: "Also remember that the Captain
15:59 24 must be made aware of the situation as soon as it develops even
15:59 25 if it means calling his quarters after hours"?

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- 15:59 1 Do you see that?
- 15:59 2 A. Yes.
- 15:59 3 Q. Was it the policy that as soon as the rig felt it took a
15:59 4 kick, that it should notify the captain or master?
- 15:59 5 A. Yes.
- 15:59 6 Q. Do you know if that took place at any time between
15:59 7 9:30 p.m. on April 20 and the explosion and fire that you saw
15:59 8 out the starboard windows of the bridge?
- 15:59 9 A. I'm not sure.
- 15:59 10 Q. Have you heard of any communication of such kind?
- 15:59 11 A. Nobody told me that that phone call had been made.
- 16:00 12 MR. REGAN: If we could pull up 3749.51.1.
- 16:00 13 BY MR. REGAN:
- 16:00 14 Q. Mr. Roy asked you about Yellow Alerts and Red Alerts. I
16:00 15 just have a few followup questions on those.
- 16:00 16 I think this exhibit was used, if not something
16:00 17 similar. I would just like to direct you to the last sentence
16:00 18 on Yellow Alerts.
- 16:00 19 Do you see Yellow Alert, the last bullet is: "Risk
16:00 20 of a well control situation outside normal operational control
16:00 21 criteria"?
- 16:00 22 Do you see that?
- 16:00 23 A. Yes.
- 16:00 24 Q. Who would make that decision?
- 16:00 25 A. This would -- this decision could be made either by the

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16:00 1 drill floor or by the marine department DPOs.

16:00 2 MR. REGAN: If we go to 3749.51.2.

16:00 3 BY MR. REGAN:

16:00 4 Q. Red Alert. I want to also direct you to the last bullet.

16:00 5 For Red Alert: "There is an imminent risk of danger
16:00 6 to the vessel and crew due to a deteriorating Well Control
16:00 7 situation."

16:01 8 Same question: Who gets to make that decision that
16:01 9 there is actually a Red Alert taking place?

16:01 10 A. Again, that could come from the drill floor, depending on
16:01 11 what they are seeing. If the bridge crew is seeing something
16:01 12 different, they could initiate that Red Alert as well.

16:01 13 Q. Again, to your knowledge, no such Yellow or Red Alerts
16:01 14 were issued on the night of April 20, correct?

16:01 15 A. I'm not sure.

16:01 16 Q. Certainly none that you were made aware of, correct?

16:01 17 A. No.

16:01 18 Q. Is that correct?

16:01 19 A. Correct.

16:01 20 Q. You were asked some questions about EDS, that is, the
16:01 21 emergency disconnect function of the BOP. We're putting aside
16:01 22 the ESD, which applies to the equipment such as the engines.
16:01 23 Okay? EDS is what my next questions are about.

16:01 24 Was it the policy on the *Horizon* that EDS drills were
16:01 25 to be executed weekly?

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16:01 1 A. Again, I'm not sure of the frequency of the drills.

16:01 2 MR. REGAN: 4647.1.1.

16:01 3 BY MR. REGAN:

16:01 4 Q. Do you see from the *Deepwater Horizon Emergency Response*
16:02 5 *Manual*, which is TREN-4647, that it states, with respect to
16:02 6 emergency disconnect activation: "The *Deepwater Horizon* crews
16:02 7 will strictly adhere to these alert actions and EDS drills will
16:02 8 be executed weekly"?

16:02 9 A. Yes.

16:02 10 Q. Were EDS drills executed weekly, to your knowledge?

16:02 11 A. I'm not sure.

16:02 12 Q. Just to clarify with respect to the exhibit, I think it
16:02 13 was at the end of Mr. Roy's examination, there was a
16:02 14 demonstrative in the notebook that he handed you. But as the
16:02 15 marine side of the house, you would not participate in the well
16:02 16 control drills that took place, correct?

16:02 17 A. We would to a certain extent. They would often receive
16:02 18 the phone calls from that. And then as far as testing of the
16:02 19 Red and Yellow Alerts, that would be done twice a day with four
16:02 20 changes and senior DPOs. There were certain portions of the
16:02 21 well control and the emergency disconnect functions that were
16:03 22 practiced daily or weekly. It just depended on which aspect it
16:03 23 was.

16:03 24 Q. If I wanted to find written documentation of an EDS drill
16:03 25 taking place, where would you think that would be noted?

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1 A. There could be -- there would be a GMS somewhere.
2 Sometimes the drills -- we had a section for the drills in
3 there that was "other." So sometimes it's difficult to find
4 each individual drill because sometimes they are logged as
5 "other." But where they would actually -- where they actually
6 put them, I'm not sure. I'm not sure if there's an actual EDS
7 drill available in there or not. I can't remember.

8 MR. REGAN: D-6722. D-6722.

9 BY MR. REGAN:

10 Q. This is a demonstrative you were shown on your direct
11 examination. I just want to clarify --

12 MR. REGAN: If we could rotate that. Thank you.

13 BY MR. REGAN:

14 Q. This is a discussion about what is manual and what is
15 automatic. Do you recall that testimony?

16 A. Correct. Yes, I remember.

17 Q. In the automatic department, just to make sure we are
18 clear, when it says "dampers are automatic," is that referring
19 to the engine room dampers?

20 A. No, it's not.

21 Q. So if we were to put the engine room on this chart, we
22 would have another manual arrow, right?

23 A. There were certain dampers that -- it depends on the group
24 of dampers that -- the group of dampers -- this depicts --
25 there's various different functions.

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16:04 1 So for the engine rooms, no, they were not an
16:04 2 automatic function. That would come with the ESD for that
16:04 3 particular engine.

16:04 4 This is a separate -- this was the fire and gas
16:04 5 logic. The engine room dampers were not part of that fire and
16:04 6 gas logic.

16:04 7 Q. I may have misunderstood the demonstrative. But just to
16:04 8 make sure my question is clear, with respect to the engine
16:04 9 rooms and the six engines that were on the rig, they had damper
16:04 10 systems and Rigsaver systems, correct?

16:04 11 A. Correct.

16:04 12 Q. Those systems had to -- required manual intervention,
16:04 13 correct?

16:04 14 A. The Rigsavers did not. The dampers for the engine rooms
16:04 15 did.

16:04 16 THE COURT: The Rigsavers would prevent the engines
16:05 17 from what? Doing what?

16:05 18 THE WITNESS: The Rigsavers, the way they worked is
16:05 19 they were an actual sensor just before the last point of intake
16:05 20 for the engines. So it would only close the damper -- it's a
16:05 21 damper that's right at the intake before it goes into the air
16:05 22 intake for the engine. The engine room dampers --

16:05 23 THE COURT: That's not the engine room itself?

16:05 24 THE WITNESS: The engine room itself is the main
16:05 25 supplies for those engines and that whole space. So those

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1 dampers were not designed to close on an automatic function,
2 just the actual intake damper on the engine itself.

3 **BY MR. REGAN:**

4 **Q.** So by design, the Rigsaver was supposed to shut off an
5 engine before it would intake hydrocarbons or something else
6 that could cause it to overspeed, correct?

7 **A.** That's the philosophy behind it. Depending on the rpm
8 that the engine's running at before it goes off, there's a lot
9 of potential for those to just suck them through, right through
10 the engine.

11 **Q.** As I understand these engines, these engine are massive.
12 Correct?

13 **A.** Yes.

14 **Q.** Locomotive-size engines, and six of them in a row,
15 correct?

16 **A.** Yes.

17 **Q.** You could power a medium-size city with the power, the
18 megawatts you could get from the power of that rig, correct?

19 **A.** Yes.

20 **Q.** To even change from 700 to 900 rpm on one of those diesel
21 motors, the engine's going to take a lot of time, correct?

22 **A.** They had fairly quick response times. They weren't real
23 slow, slow diesels.

24 **Q.** You couldn't make that equivalent to like a car tachometer
25 or something that people normally know is an engine, correct?

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16:06 1 A. No.

16:06 2 Q. I would like to now turn to -- some of this will be a
16:06 3 little duplicative, but I will try to keep it to a minimum. I
16:06 4 just want to make sure that for the record we know times and
16:06 5 locations as best we can about some of the key events of the
16:06 6 night of April 20. I'm going to start with 9:30.

16:06 7 MR. REGAN: And if we could pull up TREN-48116. And
16:07 8 then .1.2.

16:07 9 BY MR. REGAN:

16:07 10 Q. What I have, Mr. Young, is a series of schematics. I just
16:07 11 have three that I want to use, but I want to start with the
16:07 12 drill floor plan. Okay. I have that depicted. Now I'm going
16:07 13 to go to the ELMO to show it.

16:07 14 MR. REGAN: Donnie, if you could come over to the
16:07 15 ELMO. I'm going to use the zoom as best we can to make sure
16:07 16 it's clear.

16:07 17 BY MR. REGAN:

16:07 18 Q. As I understand it, Mr. Young, at 9:30, approximately, you
16:07 19 were in the driller cabin. Correct?

16:07 20 A. I would say just after that. I left the bridge about
16:07 21 9:30, so a couple minutes later.

16:07 22 Q. 9:30 to 9:32, somewhere around there? Would that be more
16:07 23 fair? Do you want to do 9:32?

16:07 24 A. Yes.

16:07 25 Q. 9:32. Now, in the driller's cabin is yourself, correct?

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- 16:07 1 A. Yes.
- 16:07 2 Q. Mr. Anderson, correct?
- 16:08 3 A. Yes.
- 16:08 4 Q. He is the toolpusher, correct?
- 16:08 5 A. Yes.
- 16:08 6 Q. Mr. Revette, correct?
- 16:08 7 A. Yes.
- 16:08 8 Q. He was the driller, correct?
- 16:08 9 A. Yes.
- 16:08 10 Q. And there was another person in the driller's cabin,
16:08 11 though, we haven't heard about, correct?
- 16:08 12 A. Yes.
- 16:08 13 Q. Who was that?
- 16:08 14 A. The Halliburton -- again, I can't remember his name now.
- 16:08 15 Q. Vincent Tabler?
- 16:08 16 A. Yes, that's right, Jason Tabler.
- 16:08 17 Q. Vincent.
- 16:08 18 A. Vince Tabler, right.
- 16:08 19 Q. He was a cementer?
- 16:08 20 A. Yes.
- 16:08 21 Q. Right around 9:32 or thereabouts, the four of you are in
16:08 22 the driller's cabin, correct?
- 16:08 23 A. I believe Vince Tabler walked in after I was already
16:08 24 there. And was there a short time, so I don't know that he was
16:08 25 in there immediately when I first got in there.

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16:08 1 Q. While you were there, you started speaking with
16:08 2 Mr. Tabler, because Mr. Anderson and Mr. Revette were working,
16:08 3 correct?

16:08 4 A. Yes.

16:08 5 Q. So they were working here by the A-chair, correct?

16:08 6 A. Yes.

16:08 7 Q. And it's the point in time when you were standing behind
16:08 8 them and you overheard Mr. Revette say to Mr. Anderson
16:09 9 something to the effect that they were seeing differential
16:09 10 pressure, correct?

16:09 11 A. Yes, but I don't know if Mr. Tabler was in there when I
16:09 12 heard that or not. I don't believe he was.

16:09 13 Q. At some point in time either Mr. Revette or Anderson
16:09 14 turned to you and spoke to you directly, correct?

16:09 15 A. Yes.

16:09 16 Q. The statement that was made -- was it Mr. Anderson or
16:09 17 Mr. Revette? Do you recall?

16:09 18 A. I believe it was Jason Anderson.

16:09 19 Q. Mr. Anderson, what did he tell you?

16:09 20 A. That there was going to be a delay for the cement job.

16:09 21 Q. Did he say that, quote, we may need to circulate the well?

16:09 22 A. Yes, he did.

16:09 23 Q. Did he say anything else to you?

16:09 24 A. That was pretty much it. That was the conversation.

16:09 25 I stepped back and -- a quick conversation with Vince

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16:09 1 Tabler and walked back. And that's when I ran into Caleb
16:09 2 Holloway.

16:09 3 Q. I am going to come to that in just one second. I want to
16:10 4 do it slowly, just to make sure that we have this confirmed.

16:10 5 Did you hear anyone say they were taking a time-out
16:10 6 for safety like you talked about earlier today?

16:10 7 A. Not specifically, no.

16:10 8 Q. Did you hear anybody say they were going to shut down rig
16:10 9 pumps?

16:10 10 A. No, I didn't.

16:10 11 Q. Was Mr. Holloway in the driller's cabin with you?

16:10 12 A. No, he was not.

16:10 13 Q. Mr. Holloway you met as you left the driller's cabin,
16:10 14 correct?

16:10 15 A. Yes.

16:10 16 Q. This is the door you went out right here, correct?

16:10 17 A. Yes.

16:10 18 Q. Then Mr. Holloway was over at the standpipe manifold,
16:10 19 correct?

16:10 20 A. Yes.

16:10 21 Q. That's -- I can turn it here so everyone can read it.

16:10 22 That's the standpipe manifold, right there, correct?

16:10 23 A. Correct.

16:10 24 Q. That's where you met Mr. Holloway, correct?

16:10 25 A. Yes.

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16:10 1 Q. So that would be you and Mr. Holloway and no one else,
16:10 2 correct?

16:10 3 A. Correct.

16:10 4 Q. Mr. Holloway told you -- pardon me. Let me zoom back
16:11 5 out -- that he had just finished closing in the standpipe,
16:11 6 correct?

16:11 7 A. Correct.

16:11 8 Q. You don't know exactly what time that was, do you?

16:11 9 A. No, I don't.

16:11 10 Q. Let me see if we can get a time on that from some of the
16:11 11 real-time data that we've looked at.

16:11 12 MR. REGAN: Let's pull up TREX-4248-95N.1.1.

16:11 13 BY MR. REGAN:

16:11 14 Q. This is a chart out of Transocean's investigation
16:11 15 document -- investigation report. And I understood you earlier
16:11 16 today that you may not have read this report. Is that correct?

16:11 17 A. I have not, no.

16:11 18 Q. Let me just point something out to you, just to give us a
16:11 19 time. Do you see here this thing that looks like a U with a
16:11 20 number 15 about it on the top of our chart? Do you see that?

16:11 21 A. Yes.

16:11 22 Q. That's between 9:36 and 9:38 p.m. Do you see that?

16:11 23 A. Yes.

16:11 24 Q. If we go down to the bottom in the chart, it says:

16:11 25 "9:36-9:38, The drill crew opens the drill pipe and bleeds the

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16:11 1 drill pipe pressure. The drill pipe is shut in, and the drill
16:12 2 pipe pressure returned"

16:12 3 Do you see that?

16:12 4 A. Yes.

16:12 5 Q. Based on the real-time data, we can see that somebody
16:12 6 closed in a standpipe right around 9:38. Do you see that?

16:12 7 A. That's what the report says.

16:12 8 Q. In terms of your physically being on the rig, you saw
16:12 9 Mr. Holloway just finishing up that activity, correct?

16:12 10 A. Yes.

16:12 11 Q. So we'll go back to the ELMO.

16:12 12 So we know that this time where you and Mr. Holloway
16:12 13 are standing right by the -- is approximately 9:38 p.m., based
16:12 14 on the document we just saw. Okay. You talked to him briefly,
16:12 15 because he was leaving, and then you made your way back to the
16:12 16 bridge, correct?

16:12 17 A. Yes.

16:12 18 Q. There's two stairwells here, if I can zoom out. Do you
16:12 19 recall which stairwell you took?

16:12 20 A. Furthest forward, right there.

16:12 21 Q. This one right here?

16:12 22 A. Yes.

16:12 23 Q. You take this stairwell right here.

16:12 24 MR. REGAN: I'm going to mark this document,
16:12 25 Your Honor, as the D-4638.

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16:13 1 BY MR. REGAN:

16:13 2 Q. You are going from the drill floor. Now you are going to
16:13 3 be on the main deck, correct?

16:13 4 A. Yes.

16:13 5 Q. We come down that stairwell. That stairwell is right
16:13 6 there. Up here -- well -- this is the bridge up here, correct?

16:13 7 A. Yes.

16:13 8 Q. This is the pipe deck, correct?

16:13 9 A. Yes.

16:13 10 Q. Casing and drill pipe, correct?

16:13 11 A. Yes.

16:13 12 Q. How did you get from this stairwell to the bridge? Do you
16:13 13 recall?

16:13 14 A. I would have gone this way, across the main deck, forward
16:13 15 into the bridge.

16:13 16 Q. So you went to the bridge a series of times that night,
16:13 17 and I just want to go through three of these events. Okay.

16:13 18 The first time you went was right after talking to
16:13 19 Mr. Holloway, correct?

16:13 20 A. Yes.

16:13 21 Q. You talked to the master, correct?

16:13 22 A. Yes.

16:13 23 Q. You told him that there was going to be a delay, correct?

16:13 24 A. Yes.

16:14 25 Q. You did not say anything to him about differential

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16:14 1 pressure or what you'd overheard between Mr. Anderson and
16:14 2 Mr. Revette, correct?

16:14 3 A. Not that I remember.

16:14 4 Q. You then went and left the bridge and went to the subsea
16:14 5 office, correct?

16:14 6 A. Yes.

16:14 7 Q. I'm going to come back to this document, but this is
16:14 8 E-4639. Subsea is on the second deck, correct?

16:14 9 A. Correct.

16:14 10 Q. Just below the bridge, correct?

16:14 11 A. Yes.

16:14 12 Q. Focus. Do you see the bridge here, or at least the
16:14 13 foundation of it?

16:14 14 A. Yes.

16:14 15 Q. So you would go down a set of stairs, and is this the
16:14 16 subsea office that you went to?

16:14 17 A. Yes.

16:14 18 Q. So a short trip right to there, correct?

16:14 19 A. Yes.

16:14 20 Q. In the subsea office you talked to two gentlemen, correct?

16:14 21 A. Yes.

16:14 22 Q. That would have been David Young; it would have been Chris
16:14 23 Pleasant. Correct?

16:14 24 A. Yes.

16:14 25 Q. And Allen Seraile. Mr. Pleasant was the subsea officer,

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16:15 1 right?

16:15 2 A. Yes.

16:15 3 Q. Mr. Seraile was an assistant driller, correct?

16:15 4 A. Yes.

16:15 5 Q. We don't have an exact time of this. But again, this is
16:15 6 after seeing Mr. Holloway. After talking to the master you go
16:15 7 right back down there, correct?

16:15 8 A. Correct.

16:15 9 Q. When you were in the subsea office -- you testified that's
16:15 10 where you heard this unusual loud noise, correct?

16:15 11 A. Correct.

16:15 12 Q. Did you see, though, that Mr. Seraile and Mr. Pleasant
16:15 13 were looking at the closed-circuit television which was focused
16:15 14 on the rig floor while you were there?

16:15 15 A. Yes. They did that after I mentioned that there was going
16:15 16 to be a delay and that the cement job wasn't going to be
16:15 17 happening at the same time.

16:15 18 Q. Okay.

16:15 19 A. Once I said that, Allen started flipping through the CCTV
16:15 20 channels.

16:15 21 Q. What did you see on the CCTV when Mr. Seraile put it on
16:15 22 the channel?

16:15 23 A. I remember him flipping through channels, and I believe he
16:16 24 made it through the shakers channel, I think. I can't remember
16:16 25 exactly what I saw.

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16:16 1 Q. Let me pull up TREN-4803.3.1, which is an interview that
16:16 2 was done of Mr. Seraile.

16:16 3 Do you see here in the middle paragraph where he
16:16 4 says, "He was looking at the TV in the bulkhead of the rig
16:16 5 floor. Chris" -- Mr. Pleasant -- "was doing the last casing
16:16 6 test."

16:16 7 We'll continue to the next highlighted sentence.

16:16 8 A. Yes.

16:16 9 Q. "He saw water coming out, then mud, and noticed they were
16:16 10 not coming out of the hole. He saw mud on the block, and it
16:16 11 was not moving. He heard pressure being released."

16:16 12 My question, Mr. Young, is: Did you see those things
16:16 13 on the TV as you were standing in that subsea office with
16:16 14 Mr. Seraile and Mr. Pleasant?

16:16 15 A. I did not, no.

16:16 16 Q. Your testimony is you were there, you heard the high
16:16 17 pressure; it was unusual to you, and you left. Correct?

16:17 18 A. Correct.

16:17 19 Q. Mr. Seraile says, "Allen said Chris and Dave Young left
16:17 20 before he did." Do you see that?

16:17 21 A. Yes.

16:17 22 Q. Do you know -- let me just ask you. You went up to the
16:17 23 bridge because you were concerned about the sound that you had
16:17 24 heard in that office, correct?

16:17 25 A. Yes.

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16:17 1 Q. Did you or anyone in the subsea pick up the phone and
16:17 2 contact somebody about the two things you had now heard,
16:17 3 differential pressure and the sound?

16:17 4 A. No, I did not.

16:17 5 Q. Did you see anyone pick up the phone and discuss what they
16:17 6 were seeing on the monitor in that office?

16:17 7 A. Again, I didn't see anything on the monitor, so I didn't
16:17 8 make any judgments based on that. But I did not see anybody
16:17 9 else make any phone calls from there, no.

16:17 10 MR. REGAN: Back to the ELMO, please.

16:17 11 BY MR. REGAN:

16:17 12 Q. So you left the subsea office, went right back up to the
16:17 13 bridge, correct?

16:17 14 A. Correct.

16:17 15 MR. REGAN: Your Honor, this is D-4640.

16:18 16 BY MR. REGAN:

16:18 17 Q. I'm going to go back now to the bridge chart. I'm back on
16:18 18 the main deck. This is now the second time that you were at
16:18 19 the bridge after 9:30, correct?

16:18 20 A. Correct.

16:18 21 Q. The master is still up in the bridge, correct?

16:18 22 A. Correct.

16:18 23 Q. This is where -- I'm not going to go through it. You have
16:18 24 testified quite a bit about it, but I think the words you
16:18 25 used -- based on what you saw when you returned to the bridge

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16:18 1 the second time, you could tell that you had a blowout,
16:18 2 correct?

16:18 3 A. Correct.

16:18 4 Q. One of the ways you could tell is that you walked over to
16:18 5 the starboard windows and you looked out them and you saw
16:18 6 debris and mud coming off of the derrick onto the rig, correct?

16:18 7 A. Correct.

16:18 8 Q. It was obvious to you that there was a blowout situation,
16:18 9 correct?

16:18 10 A. Correct.

16:18 11 Q. But the master and the DPOs, they were already on the
16:19 12 bridge by the time you got there, correct?

16:19 13 A. Correct.

16:19 14 Q. Do you agree that it should have been obvious to them?

16:19 15 A. That we were in a blowout situation?

16:19 16 Q. Yes.

16:19 17 A. I believe it was.

16:19 18 Q. But it should have been obvious to them even before you
16:19 19 got there, correct?

16:19 20 A. I don't know that they had any extra time there than I
16:19 21 did. I was there in seconds, so -- I don't know what they saw.
16:19 22 I can't vouch for what they saw.

16:19 23 Q. Let me ask the question this way. It is not the case that
16:19 24 you went over and looked in the window, looked at the derrick,
16:19 25 and then saw mud start to come out of it, correct? It was

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16:19 1 already in full -- fully coming out the well, correct?

16:19 2 A. Yeah. I don't know what it was -- I don't know if it was
16:19 3 mud or water or what. I know we were getting debris and stuff
16:19 4 was raining down on the rig.

16:19 5 Q. It was already happening by the time you got to the
16:19 6 bridge, correct?

16:19 7 A. Yes.

16:19 8 Q. Again, by the time you got there, no one had issued a
16:19 9 general alarm, to your knowledge, correct?

16:19 10 A. No.

16:20 11 Q. Is that correct?

16:20 12 A. Correct.

16:20 13 Q. Who was in charge when you got to the bridge?

16:20 14 A. The master was on the bridge. He was making calls.
16:20 15 Automatically in charge.

16:20 16 Q. Let me ask a broader question. With respect to what was
16:20 17 happening on the *Deepwater Horizon*, an ongoing blowout that you
16:20 18 can see out the windows as you're standing there, who was in
16:20 19 charge of the rig right then?

16:20 20 A. The master was in charge for the emergency response, and
16:20 21 the OIM would have been advising on any of the well control
16:20 22 events.

16:20 23 Q. Had an emergency been declared at that point?

16:20 24 A. No.

16:20 25 Q. You were shown D-6710.

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1 MR. REGAN: Bring that up, D-6710, the static
2 picture.

3 BY MR. REGAN:

4 Q. You testified about the bridge.

5 These are the starboard windows, correct?

6 A. Correct.

7 Q. One question about those windows. As I understand, you
8 can look through them and see back towards the derrick and
9 toward the rig floor, but it's an obstructed view, somewhat
10 obstructed. Correct?

11 A. You have to be right up against the window to really see.

12 Q. Can you look out those windows and see all the way across
13 to the starboard side of the rig and see pipes coming out of
14 the starboard side of the rig?

15 A. See pipes coming out of the starboard side of the rig?

16 Q. Yes, sir.

17 A. I'm not sure I understand what pipes you are talking
18 about.

19 Q. Let's go back to the ELMO.

20 So these are the starboard windows right here,
21 correct?

22 A. Yes.

23 Q. So we are forward on the rig, and port is up top,
24 starboard is down here, well center is right here.

25 My question is: Could you look out those windows and

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16:21 1 see across the pipe deck, across the knuckle boom crane, across
16:21 2 the area where the mud loggers are, across the area where the
16:21 3 cement room is, and then see down, I think, on the second
16:21 4 deck -- maybe it's on the main deck -- pipes that come out of
16:21 5 the rig over here? Would you be able to visually see from the
16:22 6 starboard windows all the way over there?

16:22 7 A. Not through the windows, no.

16:22 8 Q. Now, what you visualized in terms of the blowout through
16:22 9 those windows, that was before any explosion, correct?

16:22 10 A. Correct.

16:22 11 Q. There are CCTVs.

16:22 12 MR. REGAN: If we go to D-6710.

16:22 13 BY MR. REGAN:

16:22 14 Q. I think you -- they must hang from the ceilings. Is that
16:22 15 correct?

16:22 16 A. Yes.

16:22 17 Q. So that's these devices right here, correct?

16:22 18 A. Some of them are CCTVs and some of them are monitors for
16:22 19 other pieces of equipment.

16:22 20 Q. Was anybody on the bridge looking at the TV channels about
16:22 21 the rig floor when you walked into the rig after you left the
16:22 22 subsea office?

16:22 23 A. I'm not sure.

16:23 24 Q. The capability was there, correct?

16:23 25 A. The capability was there, yes.

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16:23 1 Q. So there was capability for one of these TVs to be looking
16:23 2 at the rig floor itself and to see mud starting to come through
16:23 3 the rotary table before we had a full-on blowout up to the top
16:23 4 of the derrick, correct?

16:23 5 A. Before we had what? Could you ask that question again?

16:23 6 Q. It was a bad question. Actually, let me just move on. I
16:23 7 think you already answered the question.

16:23 8 Do you know what channel those TVs were on that
16:23 9 night?

16:23 10 A. No, I do not.

16:23 11 Q. Would traditionally one of those CCTVs be focused on the
16:23 12 rotary table?

16:23 13 A. Very often it was focused on the rotary table because we
16:23 14 would ballast if they were rubbing a certain way. So very
16:23 15 often it would be -- you would have at least one focused on the
16:23 16 rotary table.

16:23 17 Q. Back to the ELMO.

16:23 18 So the second time you went to the bridge, you looked
16:23 19 out the starboard windows, correct?

16:23 20 A. Correct.

16:23 21 Q. You saw a blowout, correct?

16:24 22 A. Yes.

16:24 23 Q. After you saw a blowout, then you heard an engine
16:24 24 overspeed, correct?

16:24 25 A. I heard what I thought was an engine overspeeding.

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16:24 1 Q. You heard a sound that was like overspeed. Can we say
16:24 2 that?

16:24 3 A. Yes.

16:24 4 Q. Then, after that, there was an explosion, correct?

16:24 5 A. Yes.

16:24 6 Q. It's your testimony that the time it took you to go from
16:24 7 the subsea office, when you were down with Mr. Pleasant and
16:24 8 Mr. Seraile, back up to the bridge, to then look out the
16:24 9 starboard window, to then observe the blowout, to then hear the
16:24 10 sound like an overspeed, and then witness an explosion -- and
16:24 11 after the explosion, you saw fire, correct?

16:24 12 A. Yes.

16:24 13 Q. That was less than a minute. Is that your testimony?

16:25 14 A. Yes.

16:25 15 Q. Were you the only person looking out the window at those
16:25 16 events?

16:25 17 A. I'm not sure.

16:25 18 Q. Was the master looking out the window?

16:25 19 A. I'm not sure.

16:25 20 Q. Do you know what he was doing while you were looking out
16:25 21 the starboard window, watching a blowout, hearing the sound
16:25 22 like an overspeed, seeing an explosion -- feeling an explosion
16:25 23 and seeing a fire?

16:25 24 A. He was closer to the DP console, near the pillar that's
16:25 25 just aft of the DP console.

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16:25 1 Q. Once the explosion took place, you saw a ball of fire,
16:25 2 correct?

16:25 3 A. Yes.

16:25 4 Q. The rig lost power, correct?

16:25 5 A. Yes.

16:25 6 Q. And it was after it lost power that you then endeavored to
16:25 7 go hit the general alarm push button as you were leaving the
16:25 8 bridge, correct?

16:25 9 A. I'm not sure that we had totally lost power at that point.
16:25 10 I know that I hit the general alarm, seeing the fire. I
16:25 11 wouldn't know -- I don't know if we had completely lost power
16:26 12 at that point or not. We still had some lighting and radios
16:26 13 working.

16:26 14 Q. The master did not tell you to push that button, correct?

16:26 15 A. No, he did not.

16:26 16 Q. But from your perspective, the moment you pushed it --
16:26 17 whether you were doing it simultaneously with one of the DPO
16:26 18 officers or not -- that's when the emergency started, correct?

16:26 19 A. That would be the indication to everybody onboard that we
16:26 20 were in an emergency situation.

16:26 21 Q. Were you on the bridge when Chris Pleasant had a
16:26 22 discussion with the master about "permission to EDS"?

16:26 23 A. I do not think so, no.

16:26 24 Q. Let me show you TREX-5629.4.1.

16:26 25 MR. LI: Objection, Your Honor, lack of foundation.

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16:26 1 He was not on the bridge when this conversation took place.

16:26 2 MR. REGAN: It's cross-examination. I'm just going
16:26 3 to ask him if he heard these things --

16:26 4 THE COURT: Go ahead. Go ahead.

16:26 5 BY MR. REGAN:

16:26 6 Q. This is from Mr. Pleasant's interview, TREX-5629. He
16:26 7 says: "Chris was trying to make his way up to the upper deck
16:26 8 floor and met Chief Mate Dave Young. Chris saw Dale Burkeen on
16:27 9 the ground, injured, who said, 'Send me help.'

16:27 10 "So Chris went to the bridge and said, 'Dave needs
16:27 11 help.'

16:27 12 "The captain says, 'We are not EDS.'

16:27 13 "Chris said, "'F" you.'"

16:27 14 Do you see that?

16:27 15 A. Yes.

16:27 16 Q. Were you on the bridge during any conversation like that
16:27 17 between Mr. Pleasant and the master?

16:27 18 A. No, I was on main deck trying to --

16:27 19 Q. You had already gone on to the accommodations and were
16:27 20 trying to attend to the injured, correct?

16:27 21 A. This is Chris talking about when I sent him from main deck
16:27 22 to get help, because I ran into him on main deck.

16:27 23 Q. Let me ask -- Ms. Fleytas was also on the bridge at this
16:27 24 time, correct?

16:27 25 A. Yes.

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16:27 1 MR. REGAN: Pull up 4472.5.6.

16:27 2 BY MR. REGAN:

16:27 3 Q. In her interview for the Transocean investigation I have
16:27 4 up here, just a couple other questions, again, whether you were
16:27 5 there when these statements may or may not have been made.
16:27 6 That's the premise of my question here, Mr. Young.

16:28 7 Do you see at the top the first -- second paragraph,
16:28 8 she says: "One of the crew members from the drill floor called
16:28 9 and said, 'We have a well control issue,' and hung up."

16:28 10 Do you see that?

16:28 11 A. Yes.

16:28 12 Q. Do you have any recollection of hearing that while you
16:28 13 were on the bridge?

16:28 14 A. No, I don't.

16:28 15 Q. Then in the next paragraph is an indication: "Andrea hit
16:28 16 the general alarm, but it didn't initially turn on."

16:28 17 Did you see Ms. Fleytas try to hit the general alarm?

16:28 18 A. I saw Yancy and Andrea standing near the acoustic panel.
16:28 19 I don't know which one of them was trying to function the
16:28 20 alarm.

16:28 21 Q. Here it says: "After about one-minute, Chris Pleasant
16:28 22 returned and went to the BOP panel."

16:28 23 I don't think we saw it on this morning's direct
16:28 24 exam, but there's a BOP panel in the bridge, correct?

16:28 25 A. Yes.

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16:28 1 Q. It has an EDS button in the bridge, correct?

16:29 2 A. Yes. It's a more-than-one-button push, but it's on the --
16:29 3 it is on the bridge.

16:29 4 Q. So you have the capability to EDS from the bridge?

16:29 5 A. Yes.

16:29 6 Q. Then it says: "Captain never indicated or announced
16:29 7 'Abandon rig.'"

16:29 8 Then it says: "Dave Young suited up, and people were
16:29 9 congregating by the BOP panel."

16:29 10 Again, does that refresh your recollection as to
16:29 11 whether you may have been on the bridge when Mr. Pleasant and
16:29 12 the master had a conversation about whether to EDS?

16:29 13 A. At one point -- this would have been later. This is after
16:29 14 I had come back from being near Dale Burkeen, because I hadn't
16:29 15 suited up the first time I was at Dale Burkeen. So this was
16:29 16 later. I came back into the bridge, suited up, and that's when
16:29 17 Mike Mayfield left with me from the bridge. So this -- some
16:29 18 time had gone past.

16:29 19 Q. The interview notes may not be perfect in terms of the
16:29 20 order that events took place. Is that fair?

16:29 21 A. Correct.

16:29 22 Q. That's the nature of interview notes, correct?

16:29 23 A. You see more of them than I do.

16:30 24 Q. We have.

16:30 25 Then the next paragraph, again, just seeing whether

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16:30 1 you may have been in the bridge. It says: "She took it upon
16:30 2 herself to activate the mayday GMDSS alarms. She told the
16:30 3 captain that she had issued the distress signal.

16:30 4 "The captain turned to her and cursed and said, 'Did
16:30 5 I give you authority to do that?'"

16:30 6 Did you witness anything like that take place,
16:30 7 Mr. Young?

16:30 8 A. No, I did not.

16:30 9 MR. REGAN: You can take that down.

16:30 10 BY MR. REGAN:

16:30 11 Q. You testified that you left the bridge -- back to the
16:30 12 ELMO -- and you went out into the accommodation space and were
16:30 13 attending to the injured, and also someone had fallen from the
16:30 14 starboard crane, correct?

16:30 15 A. To start, Dale Burkeen was on main deck, so that was not
16:30 16 inside the accommodations. From here, leaving, it's pretty
16:30 17 scattered memory as far as which thing I did first.

16:30 18 Q. I'm not going to try to draw it on the chart. I just --
16:30 19 I'm just trying to get you back to the time you got back to the
16:30 20 bridge.

16:30 21 So you laid out some fire hoses, laid out some of the
16:31 22 fire equipment so that others who came behind you would have
16:31 23 the equipment they needed to do their job, correct?

16:31 24 A. Yes.

16:31 25 Q. Then you attended to Mr. Burkeen and others who were

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16:31 1 injured; some, very badly injured, correct?

16:31 2 A. Yes.

16:31 3 Q. At one point, you were standing underneath a fire as you
16:31 4 were attending to the injured, correct?

16:31 5 A. Yes.

16:31 6 Q. And then -- you had a radio in your hand, correct?

16:31 7 A. Yes.

16:31 8 Q. Then you made your way back to the bridge, correct?

16:31 9 A. Yes.

16:31 10 Q. So this will be the third time you are on the bridge, and
16:31 11 was this the point in time where you walked in and the master
16:31 12 asked you to, quote, Put a hose on the fire?

16:31 13 A. I'm not sure which time that actually happened. I was
16:31 14 through the bridge a number of times. I was having trouble
16:31 15 with my radio for communication, and I don't know if it's that
16:31 16 the -- we had a repeater on board which could have been damaged
16:31 17 with the explosion. So I don't know if that's the reason that
16:31 18 I couldn't communicate with the bridge, or there was just too
16:32 19 much communication on the radio. So I was using -- I was
16:32 20 having to go to the bridge for communication for different
16:32 21 stuff.

16:32 22 So that's -- I was there one time where I got Mike
16:32 23 Mayfield; tried to get back to Dale Burkeen to get him out; I
16:32 24 was back again reporting on the situation of the fire; I was
16:32 25 back again to tell them both boats had gone. So that was my

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16:32 1 means of communication, was actually just putting my head in
16:32 2 the bridge, telling them what was going on, and then leaving
16:32 3 again.

16:32 4 Q. So numerous trips back and forth once the explosion had
16:32 5 happened and the fire had happened?

16:32 6 A. Yes.

16:32 7 Q. So whether it's the third time or -- let me just say
16:32 8 multiple times, to be fair to your prior answer -- there was a
16:32 9 time where you went to the bridge and the master told you that
16:32 10 he wanted you to put a hose on the fire, correct?

16:32 11 A. Yes.

16:32 12 Q. When he said that to you, you pulled him outside; is that
16:32 13 correct?

16:32 14 A. Yes.

16:32 15 Q. Did you pull him over to the door of the bridge?

16:32 16 A. Yes, on the starboard side of the bridge next to the
16:32 17 handrail.

16:32 18 Q. This door right here; is that correct?

16:32 19 A. Yes.

16:33 20 Q. So you physically opened the door to the -- for the
16:33 21 master, took him outside, and had him look at what was
16:33 22 happening on the rig, correct?

16:33 23 A. Yes.

16:33 24 Q. You did that because you needed him to understand the
16:33 25 gravity of the situation of what was happening there, correct?

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16:33 1 A. Yes.

16:33 2 Q. You did not think, to that point in time, he understood
16:33 3 the magnitude of the situation, correct?

16:33 4 A. Yes. And it's my responsibility as chief mate and
16:33 5 on-scene command to make him understand what the situation is
16:33 6 on-scene. So that was our scene at the time.

16:33 7 Q. Understood, Mr. Young.

16:33 8 What was his reaction as you walked him out the door
16:33 9 on this starboard catwalk and had him turn and look at the rig?

16:33 10 A. He went back inside and I went back down. I told him I
16:33 11 was going back down to continue to put people on the lifeboats.
16:33 12 So as far as his reaction, he didn't -- I mean, I'm not sure
16:33 13 exactly what he did after that. I left the bridge immediately
16:34 14 after letting him know that information.

16:34 15 Q. Did he appear to be confused to you?

16:34 16 A. No. I wouldn't say he was confused. He --

16:34 17 Q. Did he appear --

16:34 18 A. -- moved with a purpose back to the bridge, and at that
16:34 19 point, I was getting ready to start rigging the life raft to
16:34 20 deploy.

16:34 21 Q. Did he appear to be taking decisive action?

16:34 22 A. I have no reason to believe he wasn't.

16:34 23 Q. Did the captain tell you to "calm down" after you told him
16:34 24 that, quote, We have an uncontrollable fire?

16:34 25 A. I don't remember.

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16:34 1 MR. REGAN: If we can pull up 4472.6.1.

16:34 2 BY MR. REGAN:

16:34 3 Q. And I'm almost finished here.

16:34 4 This is again from Ms. Fleytas's -- if I'm
16:34 5 pronouncing her name correctly -- interview notes. Do you see
16:34 6 that at least she reported in the second paragraph: "Dave
16:34 7 Young came in and told the captain, quote, We have an
16:35 8 uncontrollable fire.

16:35 9 "The captain told Dave to, quote, calm down.

16:35 10 "Andrea issued a second mayday call.

16:35 11 "Dave said, quote, We have an uncontrollable fire and
16:35 12 are aborting.

16:35 13 "The captain said to stand by and wait."

16:35 14 Do you see those words in this interview, Mr. Young?

16:35 15 A. Yes, I do.

16:35 16 Q. Based on your recollection of being there that evening,
16:35 17 did that take place?

16:35 18 A. Again, I don't remember actually saying that we were
16:35 19 aborting anything. I do remember telling the captain that we
16:35 20 had an uncontrollable fire. I don't remember him telling me to
16:35 21 calm down. But at that point, I did tell him that we were
16:35 22 loading boats. As you would do even for a fire emergency,
16:35 23 before you abandon, you are going to have them as ready as
16:35 24 possible if you do have to go abandon, so . . .

16:35 25 Q. Finally --

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16:35 1 MR. REGAN: We can take that down.

16:35 2 BY MR. REGAN:

16:35 3 Q. Was there any point in time -- back to the ELMO, please.

16:35 4 Was there any point in time in any of these visits to

16:36 5 the bridge that night -- really, the second and third or

16:36 6 multiple times -- where you heard anyone on the bridge say that

16:36 7 the EDS should be functioned?

16:36 8 A. That it should be functioned?

16:36 9 Q. Yes.

16:36 10 A. I don't remember --

16:36 11 Q. Punch out?

16:36 12 A. -- hearing. No, I don't remember hearing an actual

16:36 13 indication that somebody was making that call.

16:36 14 Q. That evening -- I apologize for asking a slightly similar

16:36 15 question, but just to confirm, between 9:30 and the time that

16:36 16 you evacuated the rig, you never heard an EDS order from

16:36 17 anybody, correct?

16:36 18 A. No, but at the same time, I wasn't at the location where

16:36 19 it would have it have been made -- that call would have been

16:36 20 made for very long at all.

16:36 21 Q. Understood. I'm just asking about your own recollection

16:36 22 and what you saw, as being somebody that was there.

16:36 23 MR. REGAN: Lastly, let me pull up TREX-5296.

16:37 24 BY MR. REGAN:

16:37 25 Q. Have you ever seen your interview notes that were taken

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16:37 1 from an interview you gave to the Transocean investigation team
16:37 2 on or about June 1, 2010?

16:37 3 A. The first time I saw portions of it were in the -- during
16:37 4 my deposition, but beyond that, no, I hadn't seen the entire --

16:37 5 Q. As somebody who was interviewed -- as you said earlier --
16:37 6 or maybe I said, there's been a lot of interview notes in this
16:37 7 case. But you were interviewed by a couple of people for
16:37 8 Transocean, correct?

16:37 9 A. Yes.

16:37 10 Q. You were not giving a witness statement, were you?

16:37 11 A. No.

16:37 12 Q. You were not testifying like you are here today in court
16:37 13 or in your deposition, correct?

16:37 14 A. Correct.

16:37 15 Q. You were engaged in a discussion, correct?

16:37 16 A. Yes.

16:37 17 Q. They were asking you questions and you were doing your
16:37 18 best to relay what you remembered, correct?

16:37 19 A. Yes.

16:37 20 Q. You did not control what they wrote down, correct?

16:37 21 A. No.

16:37 22 Q. They didn't show you what you wrote down and ask you
16:37 23 whether it was accurate after it was done, correct?

16:37 24 A. I did not see them after I was done, before they were
16:37 25 submitted, no.

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16:37 1 Q. As the person being interviewed by these engineering
16:37 2 teams, you had no control over what somebody decided to write
16:38 3 down or not write down based on how you explained something,
16:38 4 correct?

16:38 5 A. No.

16:38 6 Q. Is that correct?

16:38 7 A. Correct.

16:38 8 MR. REGAN: So let's go to page 3, if we could, of
16:38 9 the pdf, and then go ahead and zoom in there, the first
16:38 10 paragraph -- first full paragraph.

16:38 11 BY MR. REGAN:

16:38 12 Q. Do you see in your interview notes, it says: "David
16:38 13 arrived on the rig floor at approximately account 9:30 p.m. He
16:38 14 was talking with to Caleb Holloway (floorhand), Jason Anderson
16:38 15 (roustabout), and Dewey Revette (driller) about differential
16:38 16 pressures."

16:38 17 Do you see that?

16:38 18 A. Yes.

16:38 19 Q. Is that accurate?

16:38 20 A. No.

16:38 21 Q. Mr. Holloway wasn't in the rig -- driller's cabin,
16:38 22 correct?

16:38 23 A. No, he was not.

16:38 24 Q. We see there down on the bottom, last sentence: "David
16:38 25 went downstairs to the subsea office."

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- 16:38 1 That happened, correct?
- 16:38 2 A. Correct.
- 16:38 3 Q. Chris Pleasant and Allen Seraile were there, correct?
- 16:38 4 A. Yes.
- 16:38 5 Q. And then it says, "Chris and Allen flipped through the
16:38 6 channels on the CCTV"; correct?
- 16:38 7 A. Yes.
- 16:39 8 Q. Go to the next full paragraph. It then says: "Allen saw
16:39 9 water coming through the rotary, but David did not notice it."
16:39 10 Do you see that?
- 16:39 11 A. Yes.
- 16:39 12 Q. Does that seem like the interviewer was writing down
16:39 13 something about the interviewer's own thoughts versus what you
16:39 14 had seen?
- 16:39 15 A. Again, without me seeing it, I don't know. I mean, I --
16:39 16 it doesn't really make a lot of sense for them to see -- that
16:39 17 doesn't make much sense.
- 16:39 18 Q. You read it the same way I did.
16:39 19 Then it says, five lines down: "There was an
16:39 20 explosion, and he heard the engines overspeed."
16:39 21 Do you see that?
- 16:39 22 A. Yes.
- 16:39 23 Q. The order of those should be flipped, correct?
- 16:39 24 A. Yes.
- 16:39 25 Q. Then it says: "He was not sure if that is what he heard,

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16:39 1 but after speaking with others, it is what he thought he
16:39 2 heard."

16:39 3 Do you see that?

16:39 4 A. Yes.

16:39 5 Q. Is that accurate?

16:39 6 A. Yes. Again, I -- it's -- I didn't know what it was, but
16:40 7 after finding out that we had lost power -- and this is when we
16:40 8 were back on the *Bankston*, they'd said they lost power. So it
16:40 9 was an assumption.

16:40 10 Q. Again, Mr. Young, in fairness to you, you were just giving
16:40 11 the information as best as you knew to engineers who were
16:40 12 interviewing you and not in any particular order but just doing
16:40 13 your best to help out, correct?

16:40 14 A. Yes.

16:40 15 Q. This is within six weeks of what had to be one of the most
16:40 16 difficult experiences of anybody's life, correct?

16:40 17 A. Yes.

16:40 18 Q. Finally, have you ever seen the handwritten notes that
16:40 19 were taken of the interview that you were given?

16:40 20 A. No.

16:40 21 MR. REGAN: TREX-50306, page 17. These are the
16:40 22 handwritten notes, and I just want to focus on one new part.

16:40 23 If we could go to page 18. Then right dead
16:40 24 center in the middle, do you see -- highlight right there,
16:40 25 Donnie, down. There you go.

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16:40 1 BY MR. REGAN:

16:41 2 Q. Do you see in the handwritten note, it says, "Noticed
16:41 3 diverter gas coming out of" -- and it looks like somebody wrote
16:41 4 "derrick" and then crossed it out and wrote "diverter."

16:41 5 Do you see that?

16:41 6 A. Yes.

16:41 7 Q. Did you notice diverter gas coming out of the diverter?

16:41 8 A. I noticed, when I was over next to Dale Burkeen, that
16:41 9 there was fire over that area. And the diverter was over
16:41 10 there, so that's what I -- that's what I noticed, is that was
16:41 11 on fire, and the fire was also going over our head.

16:41 12 Q. You were making an assumption based on your knowledge of
16:41 13 the location of the starboard diverter pipe, the 14-inch pipe,
16:41 14 that perhaps fluid was coming out of there, correct?

16:41 15 A. It was on fire coming out of the diverter pipe.

16:41 16 Q. You also know that there's an over -- a relief pipe in
16:41 17 that exact same location that's a 6-inch line for the mud-gas
16:41 18 separator?

16:41 19 A. Yes.

16:41 20 Q. Is it possible that what you were seeing was coming out of
16:41 21 the 6-inch line?

16:41 22 A. No, it was out of the larger diverter line.

16:41 23 Q. You are positive that you could tell the difference as to
16:41 24 which line it was coming out of?

16:41 25 A. Yes.

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16:41 1 Q. What's your basis for that?

16:41 2 A. It's a much larger line.

16:42 3 Q. Based on the size of the fire?

16:42 4 A. No, the size of the line.

16:42 5 Q. Did you physically see the line -- see the fluid exiting
16:42 6 the line?

16:42 7 A. I didn't see fluid; I saw fire out of the line.

16:42 8 Q. The diverter -- you understand how the diverter works in
16:42 9 terms of that well center?

16:42 10 A. Not specifically, no.

16:42 11 Q. Do you understand what the rating is of the packer in that
16:42 12 diverter, at what point it would be overwhelmed so that all the
16:42 13 lines would be available?

16:42 14 A. I believe it's 5000 psi.

16:42 15 Q. When you were -- at some point after, I believe you were
16:42 16 in the lifeboat -- let me just ask you: At some point, you
16:42 17 thought you believed you saw the traveling block fall.
16:42 18 Correct?

16:42 19 A. Yes.

16:42 20 Q. Do you recall how long -- when in time was that?

16:42 21 A. I couldn't give you a time. It was before the last
16:42 22 lifeboat had left. But the first lifeboat had already gone.

16:43 23 Q. Again, did you physically see the traveling block actually
16:43 24 fall from the derrick and land on the rig floor?

16:43 25 A. I didn't actually see it land on the rig floor. It didn't

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16:43 1 make much noise when it got to the rig floor, so I don't know
16:43 2 that it actually landed there or went through.

16:43 3 Q. So to be clear, what did you see with respect to the
16:43 4 traveling block falling?

16:43 5 A. You could see the drawworks wires part and see the
16:43 6 traveling block begin to fall.

16:43 7 Q. Just for the Court's benefit, the drawworks wires are what
16:43 8 support the traveling block or top drive inside the derrick,
16:43 9 correct?

16:43 10 A. Correct.

16:43 11 Q. So if those wires parted, that means actually this massive
16:43 12 piece of equipment is no longer being suspended in the derrick,
16:43 13 correct?

16:43 14 A. Correct.

16:43 15 Q. You saw it no longer being suspended and just start to
16:43 16 free fall down, correct?

16:43 17 A. Correct.

16:43 18 Q. That was after the explosion had taken place, correct?

16:43 19 A. Yes. The derrick had already been on fire at that point.

16:43 20 Q. With respect to the visit that took place on the bridge of
16:43 21 both the Transocean executives and the BP executives, is it
16:43 22 true that in your view that did not affect the performance of
16:43 23 any of the marine department duties that night?

16:44 24 A. In my view it did not, no.

16:44 25 Q. With respect generally to your work on the

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16:44 1 *Deepwater Horizon*, I think you have testified earlier that you
16:44 2 believe it had an exemplary safety record, correct?

16:44 3 A. Yes.

16:44 4 Q. You were very proud of the people that worked on the rig,
16:44 5 correct?

16:44 6 A. Yes.

16:44 7 Q. You were proud of the achievements of that rig, correct?

16:44 8 A. Yes.

16:44 9 Q. To your knowledge, nobody from BP ever asked you or your
16:44 10 crew to do something that you considered unsafe, correct?

16:44 11 A. No.

16:44 12 Q. Is that correct?

16:44 13 A. Correct.

16:44 14 MR. REGAN: Thank you, Mr. Young.

16:44 15 THE COURT: Cameron?

16:44 16 MR. BECK: No questions.

16:44 17 THE COURT: Transocean?

16:44 18 MR. LI: Your Honor, no questions.

16:44 19 THE COURT: You are done, sir. Thank you.

16:44 20 Who is the next witness for Transocean?

16:44 21 MR. BRIAN: Your Honor, Brad Brian for Transocean.

16:44 22 We intend now to play the -- I'll call it the consolidated
16:44 23 video for Mr. Wolfe. I can provide your staff with the
16:45 24 transcript. Then we will play Mr. Odom and Mr. Neal. That
16:45 25 will take us until about 5:45. I think I can play the reduced

1 Paul Johnson video as well.

2 **THE COURT:** If we get to 5:45, we will probably call
3 it a day.

4 **MR. BRIAN:** Mr. Ambrose is the next witness. He is a
5 lengthy witness. He's across the street. We could start him
6 and just give his background --

7 **THE COURT:** I don't think that makes any sense.

8 **MR. BRIAN:** If I may approach, Your Honor?

9 **MR. HAYCRAFT:** While Mr. Brian is doing that in
10 connection with the deposition excerpts of expert Jeff Wolfe,
11 and I understand Transocean has submitted his expert report, we
12 have a motion.

13 We object to the portions of the report that
14 rely, in part or in whole, upon excluded material such as the
15 Marine Board of Investigation testimony and the Marine Board of
16 Investigation report, as well as the Republic of the Marshall
17 Islands' investigative report, which itself relied on the MBI
18 report and testimony.

19 The Court has already ruled that those materials
20 are excluded and we have a list of page and line
21 designations -- page and footnote designations or citations
22 that Mr. Wolfe makes to those sources.

23 **THE COURT:** In the report?

24 **MR. HAYCRAFT:** In the report.

25 **THE COURT:** Why don't you -- obviously, if you can

16:46 1 work out redacting whatever you think needs to come out before
16:46 2 the report itself is submitted.

16:46 3 **MR. HAYCRAFT:** Well, what I prefer is to have this
16:46 4 lodged in the record, the page --

16:46 5 **THE COURT:** We can do that. That's easier.

16:46 6 **MR. BRIAN:** I'm happy to confer with counsel over the
16:46 7 evening.

16:46 8 **THE COURT:** If we can just lodge the objections in
16:46 9 the record, that will work, too.

16:46 10 **MR. BRIAN:** In connection with Mr. Wolfe, Your Honor,
16:46 11 because he is not with us, we prepared four very brief
16:47 12 demonstratives that simply compare four portions of
16:47 13 Mr. Webster's testimony and four direct quotes from
16:47 14 Mr. Wolfe's -- I think they are direct quotes -- from
16:47 15 Mr. Wolfe's report. I would propose to play those at the
16:47 16 conclusion of -- display those at the conclusion of Mr. Wolfe's
16:47 17 testimony.

16:47 18 **THE COURT:** How long does his video take?

16:47 19 **MR. BRIAN:** Because we added the consolidated
16:47 20 portions, it's about 48 and a half minutes.

16:47 21 **THE COURT:** Let's go ahead and play it.

16:47 22 (Jeff Wolfe testified by video deposition.)

16:53 23 **THE COURT:** Stop it for a second.

16:53 24 I'm sorry. We can resume.

16:53 25 (Video deposition continued.)

17:35 1 **MR. BRIAN:** Your Honor, we are now going to put up on
17:35 2 the screen to display and publish the old-fashioned report, the
17:35 3 four short demonstratives that we will offer into evidence.

17:35 4 The first is marked as D-6768. I don't see a
17:36 5 need to read them out loud, Your Honor. I will just give you a
17:36 6 few moments to look at them.

17:36 7 **THE COURT:** You are contrasting the testimony of
17:36 8 these two witnesses?

17:36 9 **MR. BRIAN:** Webster's testimony -- I believe it's
17:36 10 trial testimony -- and Mr. Wolfe from either his report or his
17:36 11 supplemental report.

17:36 12 **THE COURT:** Okay.

17:36 13 **MR. BRIAN:** The next one, Your Honor, is D-6769.
17:36 14 D-6770.

17:36 15 **THE COURT:** All right.

17:36 16 **MR. BRIAN:** D-6771.

17:37 17 **THE COURT:** All right. I've seen them.

17:37 18 **MR. BRIAN:** Thank you, Your Honor. We will now
17:37 19 proceed to play Mr. Odom's depo clip. I think it's about five
17:37 20 or six minutes, Your Honor.

17:37 21 **THE COURT:** Okay.

17:37 22 (Michael Odom testified by video deposition.)

17:43 23 **MR. BRIAN:** Your Honor, we will now play Mr. Neal's
17:43 24 short video clip.

17:43 25 (B. Neal testified by video deposition.)

17:51 1 **MR. MILLER:** Your Honor, Kerry Miller for Transocean.
17:51 2 It's about 8 minutes to 6:00, I believe.

17:51 3 **THE COURT:** We are going to recess for the day.

17:51 4 **MR. MILLER:** In terms of tomorrow, Your Honor, I made
17:51 5 a prediction -- I called it a best guess -- over the weekend in
17:51 6 an e-mail to counsel and Ben that we would -- Transocean would
17:51 7 conclude its case tomorrow. Your Honor, we are going to call
17:51 8 Bill Ambrose at 8:00 tomorrow morning to testify.

17:51 9 Additionally, we have two videos remaining to
17:51 10 play, Paul Johnson and Mr. McKay. I know Your Honor is looking
17:51 11 at the McKay situation. Those are only 20 minutes total, no
17:51 12 matter what two videos.

17:51 13 **THE COURT:** Remind me who Mr. Ambrose is again.

17:51 14 **MR. MILLER:** Ambrose is a director of maintenance at
17:51 15 Transocean. He was also the person at Transocean who was
17:51 16 responsible for Transocean's internal report. It's likely,
17:51 17 Your Honor, that Mr. Ambrose's testimony is going to be
17:52 18 lengthy, as has been the case with other witnesses. Again, I
17:52 19 made the prediction over the weekend that we would be done
17:52 20 tomorrow, and that may be the case.

17:52 21 An additional issue, Your Honor, is Transocean
17:52 22 had listed one additional will-call witness, and this was part
17:52 23 of the weekend discussion over e-mail. And that was Mr. Daun
17:52 24 Winslow. He is in town. However, Your Honor, in light of the
17:52 25 testimony, the lengthy testimony of Mr. Young today, in light

17:52 1 of the testimony of Mr. Ezell in the plaintiffs' case, in light
17:52 2 of the testimony of Mr. Ambrose tomorrow, quite frankly,
17:52 3 Your Honor, those on the Transocean side feel pretty
17:52 4 comfortable that Mr. Winslow's testimony would be cumulative at
17:52 5 this point. We want to make a final decision tonight, but we
17:52 6 are pretty certain we think it would be cumulative.

17:52 7 Paul is not here. I think he left for the
17:52 8 Passover dinner. There have been some other e-mails with the
17:52 9 PSC, and I had a conversation with Paul yesterday. At one
17:52 10 point they thought they wanted to call him, and then when they
17:53 11 looked at the testimony, they came to the same conclusion that
17:53 12 we did, which was it looked like Mr. Winslow would be
17:53 13 cumulative. I think, at some point today, Mike Brock e-mailed
17:53 14 Brad Brian and said, "But we may want to call him. BP may want
17:53 15 to call him."

17:53 16 The situation with Mr. Winslow was he was on
17:53 17 board the rig on April 20. He is an onshore employee, but he
17:53 18 was on board the rig on April 20. He would cover issues such
17:53 19 as bridge crew response. We heard a lot about that today. He
17:53 20 would cover issues such as rig maintenance. We heard a lot
17:53 21 about that today. We will hear about that tomorrow too.

17:53 22 Mr. Winslow is currently living in Canada, and
17:53 23 he is scheduled to go to work in India at some point later on
17:53 24 in the spring. What we said to both the PSC and to BP is, if
17:53 25 we follow through and decide not to call him, we would like to

17:53 1 be able to release the man. We don't want to have to call him
17:53 2 back to New Orleans three weeks from now or a month from now.
17:53 3 I think the PSC has said, "If y'all don't call him, we don't
17:53 4 want him." I think right now BP is the only party who has
17:54 5 expressed some interest in calling him.

17:54 6 We would ask Your Honor that, if BP does want to
17:54 7 call him, to let us know tomorrow so that the man can go on
17:54 8 with the rest of his life.

17:54 9 **THE COURT:** Mr. Brock.

17:54 10 **MR. BROCK:** Yes, Your Honor. We don't agree that he
17:54 11 is completely duplicative of things that you have already heard
17:54 12 about, and I did advise Mr. Brian last night that we would like
17:54 13 to reserve the right to call Mr. Winslow in our case, as he is
17:54 14 a will-call witness and that would be consistent with the
17:54 15 protocol that we have in place.

17:54 16 Mr. Brian has suggested that we look at his
17:54 17 deposition to see if we might be able to get comfortable with
17:54 18 the idea of playing some videotape of Mr. Winslow in our case.
17:54 19 That suggestion was just made mid-morning, and we are working
17:54 20 on that. So I have committed to letting them know hopefully
17:54 21 tonight -- but, if not, first thing in the morning -- about the
17:55 22 deposition designations we would play if we decide to go that
17:55 23 route or, if not, to say that we believe we need him live. We
17:55 24 will do that.

17:55 25 **THE COURT:** All right. Very well.

17:55 1 So it sounds like Transocean will very likely
17:55 2 conclude its case by sometime tomorrow afternoon.

17:55 3 **MR. MILLER:** We have one long live witness and about
17:55 4 20 minutes of video if Mr. Winslow is not called.

17:55 5 **THE COURT:** I've got a copy of an e-mail from
17:55 6 Halliburton, Mr. Godwin.

17:55 7 **MR. GODWIN:** Yes, Your Honor.

17:55 8 **THE COURT:** Listing witnesses -- your witnesses,
17:55 9 Nathaniel Chaisson?

17:55 10 **MR. GODWIN:** Yes, sir, Your Honor, Nathaniel
17:55 11 Chaisson.

17:55 12 **THE COURT:** Then you've got Dr. Ravi, which I haven't
17:55 13 ruled on yet.

17:55 14 **MR. GODWIN:** Yes, Your Honor.

17:55 15 **THE COURT:** Richard Vargo.

17:55 16 **MR. GODWIN:** We have updated the list since the one
17:55 17 you have there, Judge, last night.

17:55 18 **THE COURT:** The one I have I got as of this morning.
17:55 19 Did you change that?

17:55 20 This is the order I have: Chaisson, Ravi maybe,
17:56 21 Vargo, Strickland, Gagliano, Hudson, and Beck.

17:56 22 **MR. GODWIN:** The list that I sent out, I sent -- I
17:56 23 believe it was last night I sent it, Judge. It may have gone
17:56 24 this morning early, but it listed Chaisson; Dr. Ravi, depending
17:56 25 upon Your Honor's ruling; and then I think it listed

17:56 1 Strickland. And then Vargo was going to be put over until next
17:56 2 week because of something that had come up this week with him.

17:56 3 But we did list all the witnesses that we would
17:56 4 have through tomorrow, with the understanding that, by noon
17:56 5 Wednesday of this week, Judge, we would give a full listing of
17:56 6 all those witnesses we would have next week.

17:56 7 I also gave either last night or this morning
17:56 8 the identity of four video clips, short video clips that we
17:56 9 will run Wednesday, if need be, to finish the day.

17:56 10 **THE COURT:** Then you have other witnesses listed
17:56 11 as -- I'm not sure what this means. After those witnesses,
17:56 12 your e-mail says, "In addition, HESI has listed the following
17:56 13 as will-call witnesses, who have not been formally announced as
17:57 14 appearing at trial." And there's one, two, three, four, five,
17:57 15 six, seven, eight -- nine additional witnesses. What's the
17:57 16 situation with those persons?

17:57 17 **MR. GODWIN:** The list that -- what we did, Judge, we
17:57 18 said, "Here's what is going to be the complete list of all the
17:57 19 witnesses that HESI may call during the trial. We want to
17:57 20 definitively give the list that we will have, as you asked us
17:57 21 to do about a week ago for this week, which we have now done,
17:57 22 to go through this Wednesday, with the understanding that, by
17:57 23 this Wednesday at noon, pursuant to protocol and your orders,
17:57 24 we will tell the ones we are going to have next week. And we
17:57 25 will be very specific, Judge, of those that we do and do not

17:57 1 intend to call. There won't be any guesswork about it.

17:57 2 **THE COURT:** Here's my other question for you.

17:57 3 **MR. GODWIN:** Yes, sir.

17:57 4 **THE COURT:** I'm counting. If we include Dr. Ravi,
17:57 5 one, two, three, four, five, six, seven -- eight on both lists.
17:57 6 You have eight different experts listed.

17:58 7 **MR. GODWIN:** Those are all not going to be called,
17:58 8 Judge.

17:58 9 **THE COURT:** I hope not.

17:58 10 **MR. GODWIN:** No, they are not. And I have told
17:58 11 everybody that, Judge. We have informed everyone of that.

17:58 12 **THE COURT:** So which ones are you definitely not
17:58 13 calling?

17:58 14 **MR. GODWIN:** In terms of definitely not calling --

17:58 15 **THE COURT:** Experts, I'm talking about.

17:58 16 **MR. GODWIN:** I can't tell you -- I can tell you this,
17:58 17 Judge. Here's the ones that it looks like we will be calling,
17:58 18 the people we think we will be calling. That's Nathaniel
17:58 19 Chaisson.

17:58 20 **THE COURT:** He is not an expert. I'm talking about
17:58 21 experts.

17:58 22 **MR. GODWIN:** I'm going through the list here just so
17:58 23 you'll know the witnesses, the ones that I feel like I'm going
17:58 24 to call.

17:58 25 Nathaniel Chaisson, Your Honor. Dr. Ravi, who

17:58 1 is an expert, cement expert. Richard Vargo. Mr. Strickland,
17:58 2 he is an expert, Your Honor. Jesse Gagliano, a fact witness,
17:58 3 not an expert. Stevick, he is an expert, Your Honor. So we
17:58 4 have got seven witnesses, Judge, that I think that we are
17:58 5 likely to call. There may be one or two more.

17:59 6 **THE COURT:** Here's what I'm trying to figure out.
17:59 7 How many experts do you now plan to call? Who are they, and
17:59 8 why do you need so many experts?

17:59 9 **MR. GODWIN:** I think we are going to need probably
17:59 10 three or four, at the outside, Judge.

17:59 11 **THE COURT:** Why? What kind of experts are they?

17:59 12 **MR. GODWIN:** We have an expert on cementing
17:59 13 Your Honor, which is Dr. Ravi. We have an expert, Your Honor,
17:59 14 on process safety.

17:59 15 **THE COURT:** Who is that?

17:59 16 **MR. YORK:** Hudson.

17:59 17 **MR. GODWIN:** We are not going to call Mr. Hudson.
17:59 18 We're not going to call him.

17:59 19 Who is the other one?

17:59 20 **MR. GODWIN:** Stevick on BOP, Judge. Gene Beck on mud
17:59 21 logging and drilling operations, Judge.

17:59 22 So there's no duplication of any of those
17:59 23 experts.

17:59 24 **THE COURT:** So you are down to three experts
17:59 25 potentially.

17:59 1 MR. GODWIN: A cement expert --

17:59 2 THE COURT: Cement, if I allow him to testify, would
18:00 3 be Dr. Ravi, right?

18:00 4 MR. GODWIN: Yes, Judge.

18:00 5 MR. MAZE: You didn't mention Strickland, John, that
18:00 6 time, of the ones you were definitely calling. You said
18:00 7 earlier you were calling Strickland, but you didn't say
18:00 8 Strickland just now.

18:00 9 MR. GODWIN: I thought I did.

18:00 10 Strickland is on information provided to Jesse
18:00 11 Gagliano, including M57B, Your Honor.

18:00 12 THE COURT: What's his expertise?

18:00 13 MR. GODWIN: He's a petrophysicist, Your Honor. He
18:00 14 is going to be talking about the information that Jesse
18:00 15 Gagliano needed from BP in order to do --

18:00 16 THE COURT: It takes a petrophysicist to tell me
18:00 17 that?

18:00 18 MR. GODWIN: It won't take long, Judge.

18:00 19 THE COURT: Can't Jesse Gagliano tell me that?

18:00 20 MR. GODWIN: He is going to tell you a lot of it, but
18:00 21 this other gentleman is going to talk about the importance of
18:00 22 BP identifying this M57B zone that was not disclosed to Jesse
18:00 23 and Halliburton until after this lawsuit was actually begun,
18:01 24 Your Honor.

18:01 25 THE COURT: We will have to see about that.

18:01 1 MR. GODWIN: Okay, sir.

18:01 2 THE COURT: But other than him, you have a cementing
18:01 3 expert potentially, Ravi.

18:01 4 MR. GODWIN: Yes, sir.

18:01 5 THE COURT: You've got a mud logging and drilling
18:01 6 expert, Mr. Beck.

18:01 7 MR. GODWIN: Right.

18:01 8 THE COURT: And a BOP expert, Mr. Stevick.

18:01 9 MR. GODWIN: Yes, sir.

18:01 10 Any others?

18:01 11 THE COURT: We have heard a lot about BOPs already in
18:01 12 this case. Is he going to say anything different than I have
18:01 13 heard from the other experts already?

18:01 14 MR. GODWIN: I'm going to be reviewing it, Judge,
18:01 15 this week; and if he is not, he is not going to be called.

18:01 16 THE COURT: I'm not saying you don't have a right to
18:01 17 call your own expert, but if it gets cumulative, you may not
18:01 18 need to call him. You all have examined all these experts and,
18:01 19 I assume, gotten out of them some opinions that you might be
18:01 20 able to use.

18:01 21 MR. GODWIN: We understand Your Honor's concern about
18:01 22 moving things along, and I have represented to you, Judge --

18:01 23 THE COURT: All I'm saying is, if you are going to
18:01 24 call another BOP expert that's going to say essentially what
18:01 25 one of the other experts has already said, that's not going to

18:02 1 be very helpful to me.

18:02 2 MR. GODWIN: If he does, it's going to be very short.
18:02 3 And it's not going to be cumulative, Your Honor.

18:02 4 MR. UNDERHILL: May I ask a clarification question of
18:02 5 Don, Your Honor?

18:02 6 THE COURT: Yes.

18:02 7 MR. UNDERHILL: Don, are you calling either
18:02 8 Mr. Bolado or Lewis?

18:02 9 MR. GODWIN: We may call Sam Lewis. That's a maybe,
18:02 10 a maybe.

18:02 11 MR. UNDERHILL: He is an expert, correct?

18:02 12 MR. GODWIN: He's an expert.

18:02 13 And Bolado, we don't plan to call at this time.
18:02 14 But as I said in my communications --

18:02 15 THE COURT: Wait, wait, wait. Talk to me, and stand
18:02 16 over here so we can hear you.

18:02 17 MR. GODWIN: I'm sorry, Judge.

18:02 18 THE COURT: Now, you've just added another expert in
18:02 19 response to Mr. Underhill, Mr. Lewis. What kind of expert is
18:02 20 he?

18:02 21 MR. GODWIN: He will be a cementing expert,
18:02 22 Your Honor, only in the event that I can't call Dr. Ravi. If I
18:02 23 call Dr. Ravi, I'm not going to need Lewis.

18:02 24 THE COURT: Okay. Well, hopefully you all will
18:02 25 continue working on this.

18:02 1 MR. GODWIN: Judge, we have worked on it.

18:02 2 THE COURT: I know you have, and I appreciate that.

18:02 3 MR. GODWIN: We have. Thank you.

18:02 4 THE COURT: Anybody have anything else?

18:02 5 All right. We'll recess until 8:00 a.m. in the
18:02 6 morning.

18:02 7 (Proceedings adjourned.)

18:02 8 * * *

9 CERTIFICATE

10 I, Toni Doyle Tusa, CCR, FCRR, Official Court
11 Reporter for the United States District Court, Eastern District
12 of Louisiana, do hereby certify that the foregoing is a true
13 and correct transcript, to the best of my ability and
14 understanding, from the record of the proceedings in the
15 above-entitled matter.

16
17
18 s/ Toni Doyle Tusa
19 Toni Doyle Tusa, CCR, FCRR
20 Official Court Reporter
21
22
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	5749/15 5754/6 5767/22 5768/17 5768/24 5769/3 5769/18 5769/22 5771/7 5773/8 5776/1 5776/23 5778/13 5779/1 5785/19 5787/2 5787/24 5788/14 5795/10 5795/20 5797/15 5797/22 5798/20 5799/13 5800/17 5800/19 5800/22 5803/6 5803/25 5805/14 5811/21 5817/11 5818/14 5818/18 5821/15 5827/24 5828/9 5829/5 5832/14 5840/1 5841/7 5842/14 5847/6 5885/11 5886/17 5886/18 5888/4 20004 [2] 5731/22 5733/4 2001 [1] 5797/5 20044 [2] 5731/17 5732/6 2005 [1] 5815/4 2007 [5] 5749/22 5751/23 5751/25 5797/15 5797/22 2008 [2] 5751/25 5815/4 2009 [2] 5815/4 5831/20 2010 [24] 5729/5 5739/5 5745/23 5749/15 5749/15 5754/15 5767/22 5768/25 5769/3 5771/7 5776/23 5787/2 5795/20 5798/20 5799/13 5800/17 5800/22 5803/6 5805/14 5817/14 5827/24 5828/9 5829/5 5874/2 2011 [1] 5747/12 2013 [2] 5729/7 5736/2 21 [3] 5758/16 5762/13 5762/13 2179 [1] 5729/4 22 [4] 5747/12 5749/15 5771/23 5822/14 22 degrees [1] 5740/10 2211 [1] 5733/20 2216 [1] 5731/6 227 degrees [1] 5740/7 22nd [1] 5730/10 23451 [1] 5730/10 25 [2] 5729/7 5736/2 2505 [1] 5771/17 25205 [4] 5747/7 5748/7 5755/21 5769/24 25205.141 [1] 5771/18 2615 [1] 5730/6 276 [1] 5802/2 276.1 [1] 5801/23	4140.2 [1] 5752/21 4310 [1] 5731/3 435 [1] 5730/16 44 [1] 5778/24 4472.5.6 [1] 5866/1 4472.6.1 [1] 5872/1 450 [1] 5731/10 4500 [1] 5734/5 4521 [1] 5813/7 4536 [1] 5729/9 4594 [1] 5826/23 46 [2] 5789/10 5789/17 4638 [1] 5852/25 4639 [1] 5854/8 4640 [2] 5814/1 5857/15 4641 [1] 5814/1 4644 [2] 5777/24 5801/23 4644.274 [1] 5767/8 4644.76 [1] 5778/24 4647 [1] 5843/5 4647.1.1 [1] 5843/2 48 [1] 5883/20 4803.3.1 [1] 5856/1 48116 [1] 5847/7 4942 [1] 5834/20 4942.85 [1] 5834/14
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<p>7</p> <p>7-5395 [1] 5731/10 700 [1] 5846/20 701 [3] 5732/16 5732/19 5822/22 70113 [1] 5729/24 70130 [6] 5730/7 5730/13 5731/7 5732/17 5733/24 5734/15 70139 [1] 5732/20 70163 [1] 5733/7 70360 [1] 5730/16 70458 [1] 5730/19 70501 [1] 5733/18 70502 [1] 5729/21 70801 [1] 5730/23 70804 [1] 5732/13 75270 [1] 5734/10 76 [1] 5777/24 7611 [1] 5731/16 77002 [1] 5733/10 77006 [1] 5731/4 77010 [2] 5734/5 5734/13 77098 [1] 5733/21 7778 [1] 5734/16</p>	<p>5776/25 5781/3 5810/24 5839/22 5861/5 5887/1 5887/17 5893/20 aboard [3] 5738/5 5751/5 5775/3 aborting [2] 5872/12 5872/19 about [104] 5738/8 5738/10 5738/10 5738/14 5738/16 5743/20 5744/16 5746/22 5748/2 5748/2 5748/15 5748/16 5752/14 5753/20 5753/23 5754/7 5755/4 5755/11 5755/22 5760/3 5762/21 5763/8 5764/17 5764/19 5772/2 5782/8 5785/10 5785/22 5786/21 5789/7 5789/11 5789/16 5790/7 5790/10 5791/7 5795/16 5796/2 5801/24 5809/12 5812/20 5812/23 5814/24 5815/9 5817/9 5817/19 5817/20 5818/19 5821/4 5821/22 5821/22 5825/7 5826/1 5826/6 5827/6 5833/24 5834/7 5835/6 5837/14 5837/25 5838/13 5841/14 5842/20 5842/23 5844/14 5847/5 5847/20 5848/11 5850/6 5851/20 5853/25 5856/23 5857/2 5857/24 5860/4 5860/7 5860/18 5861/20 5864/22 5865/21 5866/21 5867/12 5873/21 5874/2 5875/15 5876/13 5881/25 5883/20 5884/19 5885/2 5886/19 5886/21 5886/21 5887/12 5887/21 5888/3 5889/21 5890/1 5890/15 5890/20 5892/14 5892/21 5892/25 5893/11 5893/21 above [2] 5753/4 5895/15 above-entitled [1] 5895/15 Abramson [1] 5730/5 ABS [2] 5816/7 5816/8 absence [1] 5787/18 absolutely [6] 5799/15 5799/17 5807/10 5813/8 5813/12 5825/3 academy [1] 5763/14 accept [1] 5807/20 accepted [1] 5756/3 accident [2] 5762/20 5814/9 accommodation [1] 5868/12 accommodations [3] 5772/18 5865/19 5868/16 according [4] 5744/7 5803/4 5803/5 5803/23 account [1] 5875/13 accreditation [1] 5818/1 accurate [4] 5836/13 5874/23 5875/19 5877/5 achievements [1] 5881/7 acoustic [1] 5866/18 acronym [1] 5828/1 across [9] 5741/25 5785/4 5853/14 5860/12 5861/1 5861/1 5861/1 5861/2 5882/5 action [3] 5757/8 5805/9 5871/21 actions [4] 5759/22 5791/19 5798/17 5843/7 activate [2] 5821/17 5868/2 activated [1] 5793/11 activation [8] 5753/1 5753/24 5769/18 5769/20 5784/6 5784/18 5785/4 5843/6 activities [2] 5798/15 5799/11 activity [1] 5852/9 actual [10] 5758/17 5782/24 5790/14 5790/15 5831/3 5835/17 5844/6 5845/19 5846/2 5873/12 actually [38] 5736/16 5740/17 5745/1 5746/9 5750/20 5757/20 5768/25 5782/23 5788/25 5789/12 5790/1 5790/9 5792/1 5793/10 5793/11 5801/20 5804/9 5815/17 5824/6 5824/9 5826/5 5832/18 5837/14 5837/19 5837/23 5840/2 5842/9 5844/5 5844/5 5862/6 5869/13 5870/1</p>	<p>5872/18 5879/23 5879/25 5880/2 5880/11 5892/23 actually: [1] 5793/4 actually: the [1] 5793/4 add [5] 5753/19 5823/6 5824/14 5824/17 5825/6 added [3] 5823/18 5883/19 5894/18 addition [1] 5889/12 additional [5] 5823/5 5825/6 5885/21 5885/22 5889/15 Additionally [1] 5885/9 additions [1] 5736/19 adequate [6] 5775/1 5775/5 5776/12 5776/23 5777/9 5777/11 adhere [1] 5843/7 adjacent [1] 5820/7 adjourned [1] 5895/7 admission [1] 5759/5 advantage [2] 5815/3 5815/5 advise [1] 5887/12 advised [3] 5758/11 5759/13 5818/13 advises [2] 5838/1 5838/4 advising [1] 5859/21 affect [1] 5880/22 affirmatively [1] 5831/10 aft [1] 5863/25 after [35] 5781/19 5785/14 5785/15 5785/16 5785/25 5804/11 5822/6 5824/20 5840/21 5840/25 5847/20 5848/23 5853/18 5855/6 5855/6 5855/15 5857/19 5861/21 5862/23 5863/4 5863/11 5864/6 5866/21 5867/13 5871/13 5871/14 5871/23 5874/23 5874/24 5877/1 5877/7 5879/15 5880/18 5889/11 5892/23 afternoon [14] 5729/14 5736/1 5737/21 5737/22 5738/3 5738/4 5801/12 5817/6 5817/7 5821/21 5825/25 5826/9 5826/17 5888/2 again [46] 5747/1 5750/12 5756/12 5763/4 5766/24 5769/8 5772/4 5772/6 5773/4 5776/20 5785/9 5785/21 5789/11 5794/22 5795/6 5798/1 5804/12 5805/3 5808/13 5827/17 5827/18 5831/3 5835/15 5840/14 5842/10 5842/13 5843/1 5848/14 5855/5 5857/7 5859/8 5862/5 5866/4 5867/10 5867/25 5869/24 5869/25 5870/3 5872/4 5872/18 5876/15 5877/6 5877/10 5879/23 5885/13 5885/18 against [1] 5860/11 ago [1] 5889/21 agree [42] 5739/3 5740/3 5740/6 5740/9 5740/12 5741/9 5745/12 5750/19 5750/21 5750/24 5759/15 5767/11 5767/15 5769/6 5769/9 5769/13 5775/2 5775/5 5776/11 5776/22 5780/18 5787/8 5787/12 5787/17 5790/12 5792/8 5792/16 5795/3 5800/19 5803/5 5804/18 5805/8 5810/24 5813/11 5814/20 5823/25 5824/3 5824/3 5838/12 5838/15 5858/14 5887/10 agreed [6] 5806/10 5823/21 5824/1 5824/2 5824/6 5831/17 agreeing [1] 5788/18 agrees [1] 5824/4 ahead [11] 5767/24 5794/4 5796/3 5809/22 5812/24 5821/21 5822/13 5865/4 5865/4 5875/9 5883/21 aided [1] 5734/21 air [9] 5752/6 5763/12 5763/19 5764/9 5765/14 5765/22 5766/10 5780/18 5845/21</p>
<p>8</p> <p>81 [2] 5807/3 5807/9 820 [1] 5729/23 8:00 [2] 5885/8 5895/5</p>	<p>5776/25 5781/3 5810/24 5839/22 5861/5 5887/1 5887/17 5893/20 aboard [3] 5738/5 5751/5 5775/3 aborting [2] 5872/12 5872/19 about [104] 5738/8 5738/10 5738/10 5738/14 5738/16 5743/20 5744/16 5746/22 5748/2 5748/2 5748/15 5748/16 5752/14 5753/20 5753/23 5754/7 5755/4 5755/11 5755/22 5760/3 5762/21 5763/8 5764/17 5764/19 5772/2 5782/8 5785/10 5785/22 5786/21 5789/7 5789/11 5789/16 5790/7 5790/10 5791/7 5795/16 5796/2 5801/24 5809/12 5812/20 5812/23 5814/24 5815/9 5817/9 5817/19 5817/20 5818/19 5821/4 5821/22 5821/22 5825/7 5826/1 5826/6 5827/6 5833/24 5834/7 5835/6 5837/14 5837/25 5838/13 5841/14 5842/20 5842/23 5844/14 5847/5 5847/20 5848/11 5850/6 5851/20 5853/25 5856/23 5857/2 5857/24 5860/4 5860/7 5860/18 5861/20 5864/22 5865/21 5866/21 5867/12 5873/21 5874/2 5875/15 5876/13 5881/25 5883/20 5884/19 5885/2 5886/19 5886/21 5886/21 5887/12 5887/21 5888/3 5889/21 5890/1 5890/15 5890/20 5892/14 5892/21 5892/25 5893/11 5893/21 above [2] 5753/4 5895/15 above-entitled [1] 5895/15 Abramson [1] 5730/5 ABS [2] 5816/7 5816/8 absence [1] 5787/18 absolutely [6] 5799/15 5799/17 5807/10 5813/8 5813/12 5825/3 academy [1] 5763/14 accept [1] 5807/20 accepted [1] 5756/3 accident [2] 5762/20 5814/9 accommodation [1] 5868/12 accommodations [3] 5772/18 5865/19 5868/16 according [4] 5744/7 5803/4 5803/5 5803/23 account [1] 5875/13 accreditation [1] 5818/1 accurate [4] 5836/13 5874/23 5875/19 5877/5 achievements [1] 5881/7 acoustic [1] 5866/18 acronym [1] 5828/1 across [9] 5741/25 5785/4 5853/14 5860/12 5861/1 5861/1 5861/1 5861/2 5882/5 action [3] 5757/8 5805/9 5871/21 actions [4] 5759/22 5791/19 5798/17 5843/7 activate [2] 5821/17 5868/2 activated [1] 5793/11 activation [8] 5753/1 5753/24 5769/18 5769/20 5784/6 5784/18 5785/4 5843/6 activities [2] 5798/15 5799/11 activity [1] 5852/9 actual [10] 5758/17 5782/24 5790/14 5790/15 5831/3 5835/17 5844/6 5845/19 5846/2 5873/12 actually [38] 5736/16 5740/17 5745/1 5746/9 5750/20 5757/20 5768/25 5782/23 5788/25 5789/12 5790/1 5790/9 5792/1 5793/10 5793/11 5801/20 5804/9 5815/17 5824/6 5824/9 5826/5 5832/18 5837/14 5837/19 5837/23 5840/2 5842/9 5844/5 5844/5 5862/6 5869/13 5870/1</p>	<p>5872/18 5879/23 5879/25 5880/2 5880/11 5892/23 actually: [1] 5793/4 actually: the [1] 5793/4 add [5] 5753/19 5823/6 5824/14 5824/17 5825/6 added [3] 5823/18 5883/19 5894/18 addition [1] 5889/12 additional [5] 5823/5 5825/6 5885/21 5885/22 5889/15 Additionally [1] 5885/9 additions [1] 5736/19 adequate [6] 5775/1 5775/5 5776/12 5776/23 5777/9 5777/11 adhere [1] 5843/7 adjacent [1] 5820/7 adjourned [1] 5895/7 admission [1] 5759/5 advantage [2] 5815/3 5815/5 advise [1] 5887/12 advised [3] 5758/11 5759/13 5818/13 advises [2] 5838/1 5838/4 advising [1] 5859/21 affect [1] 5880/22 affirmatively [1] 5831/10 aft [1] 5863/25 after [35] 5781/19 5785/14 5785/15 5785/16 5785/25 5804/11 5822/6 5824/20 5840/21 5840/25 5847/20 5848/23 5853/18 5855/6 5855/6 5855/15 5857/19 5861/21 5862/23 5863/4 5863/11 5864/6 5866/21 5867/13 5871/13 5871/14 5871/23 5874/23 5874/24 5877/1 5877/7 5879/15 5880/18 5889/11 5892/23 afternoon [14] 5729/14 5736/1 5737/21 5737/22 5738/3 5738/4 5801/12 5817/6 5817/7 5821/21 5825/25 5826/9 5826/17 5888/2 again [46] 5747/1 5750/12 5756/12 5763/4 5766/24 5769/8 5772/4 5772/6 5773/4 5776/20 5785/9 5785/21 5789/11 5794/22 5795/6 5798/1 5804/12 5805/3 5808/13 5827/17 5827/18 5831/3 5835/15 5840/14 5842/10 5842/13 5843/1 5848/14 5855/5 5857/7 5859/8 5862/5 5866/4 5867/10 5867/25 5869/24 5869/25 5870/3 5872/4 5872/18 5876/15 5877/6 5877/10 5879/23 5885/13 5885/18 against [1] 5860/</p>

<p>A</p> <p>aircraft [1] 5790/8</p> <p>al [2] 5729/8 5729/11</p> <p>Alabama [5] 5730/4 5732/7 5732/8 5732/10 5811/8</p> <p>alarm [56] 5769/7 5769/10 5769/13 5769/17 5769/21 5769/21 5770/5 5770/14 5770/17 5771/6 5771/15 5771/22 5772/1 5772/8 5772/12 5772/14 5781/10 5782/20 5782/20 5782/22 5782/25 5783/8 5785/11 5785/11 5785/22 5785/24 5785/25 5786/3 5786/6 5786/11 5786/18 5793/6 5793/9 5793/16 5793/19 5793/20 5793/23 5793/24 5794/1 5794/19 5794/24 5795/8 5829/24 5830/6 5831/13 5831/14 5833/5 5833/6 5840/3 5840/9 5859/9 5864/7 5864/10 5866/16 5866/17 5866/20</p> <p>alarms [19] 5771/15 5772/2 5772/17 5772/17 5772/23 5772/25 5782/13 5782/15 5782/16 5782/18 5782/19 5783/1 5783/3 5783/8 5783/9 5783/12 5783/17 5785/4 5868/2</p> <p>alert [37] 5742/21 5742/23 5743/4 5743/15 5743/16 5743/20 5743/21 5743/25 5744/2 5744/3 5744/4 5744/5 5749/9 5767/6 5768/25 5769/4 5787/21 5792/10 5801/13 5801/18 5801/19 5801/20 5802/4 5802/6 5802/9 5803/5 5803/7 5803/22 5805/8 5805/16 5837/20 5841/19 5842/4 5842/5 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