# A Checklist for In-house Aviation Accident Investigations

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It is usual that in any accident, be it a fender bender automobile accident to the crash of a jumbo jet, there will be an investigation. A complex Jumbo Jet crash investigation may take almost two years to complete. Highway Patrol accidents are usually completed in 60 to ninety days.

The resulting investigation is usually satisfactory but almost always incomplete. Moreover, most investigations are conducted to enhance safety not assess blame. Therefore while the governmental agency is doing its investigation, so too, a law firm should simultaneously initiate a comprehensive investigation and initiate legal research.

The law firm's research and investigation should do far more than a Governmental investigation which is very limited in scope.

**A Law firm should**:

1) Attempt to gather facts surrounding the event called an accident
   See Checklist (this chapter)
2) Research law of various potential forums
   See Chapter …A Compendium of State Laws.
   See Chapter ….State Tests of Dauber
   See Chapter ….On Spoliation
   See addendum on Reforms
3) Research Conflicts of Law to assess which law applies
   See Chapters…Conflicts and Forum Shopping
4) Assess the damage suffered by plaintiff and /or plaintiff's decedent.
5) Attempt to assess liability of tort feasors
6) Attempt to assess the tort feasors ability to pay a verdict
   a) FELA
   b) Insurance
   c) Corporate/personal wealth
   d) Attachable assets

This Chapter suggests that most successful Plaintiff's firms utilize some sort of checklist built by experience and suited to the firms practice, location and needs. I have, in my 35 years as an aviation attorney with accident investigating expertise, had the opportunity to watch the inside operations of over 70 different law firms as they handle aviation accident matters. Most of the successful, firms do not wait on the governmental accident agency before they begin an in house checklist that initiates investigative supplemental work.

In one firm there would be a sit down meeting almost as soon as a client exited the building. The lead attorney would convene a meeting consisting of an in house investigator, a legal research specialist, and an in house specialist who was attuned to business and insurance investigations. They were given tasks and a deadline to report back as to the legal viability and value of all potential causes of action of the just opened file.

The concept was that early investigations of the nature described above was cost effective because it saved the firm from making the mistake of investing huge sums of time and money on cases where the chance of successful outcome was very risky. This paper limits itself

to a discussion of factual material available to an investigator whose job it is to conduct an investigation of an aviation accident. A person using this checklist can pair it down and recognize that some aspects may be used for other investigations such as transportation cases Car/Train/Truck/ Bus.

The sight of the accident is very important for four reasons

1. The sight of the accident may have contributed to the cause of the accident when the accident is a ground accident
2. The sight of the accident is the place the "As Found Wreckage" came to rest.
3. The sight of the accident is one player in the what law is to be applied
4. Much of any private investigation must be conducted within that forum's accepted practice and legal framework.

Many things happen at the sight of the wreckage and so many sources of factual evidence convene there for varying purposes. They may or may not possess factual information that should be collected, conserved and possibly converted into evidence.

Let's talk about the sight and who convenes there in an aviation accident. To an extent the location itself determines who convenes there and who is excluded.

There are several potential locations for air accidents:
1. inside the field boundary
2. In a city or urban area near a facility and
3. in remote land area
Or
4) In a Remote Ocean area

The usual scenario on an airport is that the tower operator and other taxiing aircraft are the first to witness the accident. They are a source of potential eye witnesses

**AN AIRPORT CRASH of AN AIRLINER**

The first responders to the accident are the airport police or Port Authority police and the airport Crash truck fire and EMS. . Often a cell phone caller from a bystander occurs simultaneously to 9/11 …Such was the case of Spannair crash at the airport at Madrid Spain.

The first job mandated by most airport emergency plans is:

1) To attempt to rescue survivors… if any
2) To fight fires
3) To make and insure accident scene is safe for investigators.
4) Then to preserve wreckage as potential evidence.
5) To restore airport or runway to routine use.

Shortly after the accident occurs the airport initiates its crash plan which generally locks down and preserves lots of evidence. It generally starts a notification process to divert aircraft from the airport and generally stops departures- Larger airports have plans that might differ and allow some other runways operation

Soon thereafter, the wreckage is cordoned off and FAA and NTSB arrive. They meet with a group of incoming specialists meet with the NTSB go teams from Washington and the NTSB announces which go team member is to be the investigator in Charge.
He conducts an investigative team meeting and assigns specialists to one of about 12 possible committees and thence there investigation is begun. He sets out rules for conduct of the

investigative process. Parties to this newly constructed team are told-Warned –that they can not divulge investigative material to any non party source unless cleared by the IIC.

Once the scene is safe investigators are allowed in and photos and videos are taken of everything before much is actually moved to a select hangar or salvage yard.

The process will generally include a large field investigation before parts are moved. Then the parts will be moved to hangars or secure areas. The DFDR and CVR are found and flown to laboratories where transcripts are made. The select committees fan out and do their various tasks

1. Structures
2. CVR
3. Digital Flight Data Recorder
4. Aircraft aerodynamics and performance
5. Human Factors
6. Aircraft Maintenance
7. Flight Crew training and performance
8. Egress and survivability
9. Crash response and emergency plan conduct
10. Air Traffic Control
11. Preflight briefing
12. Weather
13. Sabotage and Terrorism aspects –FBI until excluded
14. Wreckage review
15. Specialized laboratory and metals analysis as needed
16. and Much more

At a point in time several months into the process a Public hearing will be convened where testimony and exhibits are entered into the record. At this hearing the NTSB presides and parties to the investigation may ask questions of select witnesses who usually include airline people, FAA certification people, manufacturer's reps, ALPA safety reps and other specifically included persons.

Finally a draft report is distributed to parties and each party may make comment and addendum comments. Finally all the evidence is presented to the full board and they may deliberate and formulate both Probable cause report and issue recommendations of changes to enhance safety. The process usually takes greater than a year.

The news media has lined the fence line and over flown the wreckage with news choppers. The print media and TV media has lined the terminal and they both have taken witness statements, and victim statements as well. They have photos and videos.

**A GENERAL AVIATION ACCIDENT MAY OCCUR IN ANY OF THE SAME PLACES AN AIRLINER CRASH HAPPENS AND THE SCENARIO IS SIMILAR BUT LESS EXTENSIVE**

For the purposes of the paper I will write only the airport crash scenario which will remain similar up until you receive FAA and NTSB participation.

The first responders to the accident are the airport police or Port Authority police and the airport Crash truck fire and EMS. Often a cell phone caller from a bystander occurs simultaneously to 9/11 l

The first job mandated by most airport emergency plans is:

6) To attempt to rescue survivors… if any
7) To fight fires
8) To make and insure accident scene is safe for investigators.

9) Then to preserve wreckage as potential evidence.
10) To restore airport or runway to routine use.

Because a general aviation aircraft is small in size and the passengers are less the airport may be able to maintain some semblance of normalcy. The number of emergency vehicles is smaller and safety is more quickly established to return to regular flight operation

Shortly after the accident occurs the airport initiates its crash plan which generally locks down and preserves lots of evidence. Larger airports have plans that might differ and allow some other runways operation

Soon thereafter, the wreckage is cordoned off and FAA and NTSB arrive. The come from the local office of FAA and from a regional office of the NTSB. The NTSB may send a sole investigator typically the IIC sets up a list of Participants (parties) to the investigation. The manufacturer of airframe and engine are typically invited to participate. The NTSB investigator in charge may allow parties with technical skills required to help be allowed status

The IIC conducts an investigative team meeting and assigns specialists facets of the investigation He sets out rules for conduct of the investigative process. Parties to this newly constructed team are told-Warned –that they can not divulge investigative material to any non party source unless cleared by the IIC. Once the scene is safe investigators are allowed in and photos and videos are taken of everything before much is actually moved to a select hangar or salvage yard.

The process will generally include a quicker field investigation before parts are moved. Then the parts will be moved to hangars or secure areas. The same data is covered as in the committees formed for larger accidents. The difference is that fewer persons complete the tasks and often the IIC does most of the investigation and retrieval of data with little or no help.

He utilizes a formalized check list and a fill in the blanks reporting format. It covers things like: Structures, Aircraft aerodynamics and performance, Human Factors, Aircraft Maintenance, Flight Crew licenses, survivability, Air Traffic Control, Preflight briefing, Weather, Wreckage review, specialized laboratory and metals analysis as needed and component teardown inspections

Typically there will not be a Public Hearing for a General Aviation Accident
Finally a draft report is submitted to Washington and when approved the report becomes available to the public. A board member drafts a Board's probable cause report. Probable cause report and any recommendations of changes to enhance safety. The process usually takes about 1 year or less.

**AN URBAN CRASH**

Now let us stop and take the same aircraft that departs an airport and crashes a mile away in a business intersection of a major city. What is typical there?

The first or almost simultaneous calls go out from the Departure control that saw the aircraft go down on radar. There may have been a radio distress call as well. Departure control initiates a missing plane emergency crash plan. The city is deluged by dozens if not hundreds of 9-11 telephone calls.

The very first to the scene are pure terrified civilians who do what untrained persons do in stressful disaster situations. Some flee some become heroes and others watch as if in a shocked trance

Very shortly first responders begin arriving and police, Fire and EMS try to create order from Chaos.

People congregate at some safe distance and are herded back by police knowing that access by EMS and fire is important and people without credentials should be barred.

Barriers and crime scene tape goes up.

Soon thereafter the wreckage is cordoned off and local FAA shows up first and later the NTSB arrive. They meet with a group of incoming specialists go teams from the NTSB who appoints an investigator in Charge

THE NTSB IIC conducts an investigative team meeting and assigns specialists to one of about 12 possible committees and thence there investigation is begun. Parties to this newly constructed team are told-Warned –that they can not divulge investigative material to any non party source unless cleared by the IIC.

Once the scene is safe investigators are allowed in and photos and videos retaken of everything before much is actually moved to a select hangar or salvage yard. Again the smaller aircraft accident causes less havoc and results in a lesser investigation as described earlier.

**A REMOTE CRASH**

Here depending on the size of the aircraft the first persons that may know whether an aircraft has crashed in the FAA in the form of AIR ROUTE TRAFFIC CONTROL – (RADAR). If the aircraft is a small general aviation aircraft the FAA may not be aware it has crashed. At times it is simply that a small aircraft has not returned to the destination airport and is overdue.

Other times a single or a few eyewitnesses may report and aircraft diving down, falling down in pieces or spiraling down. Sometimes witnesses actually see a crash. The first call is a 9-11 call.

The 9-11 operator calls local sheriff, Highway patrol, and or township police. The 9-11 operators has been taught to call FAA if an aircraft crashes. The FAA will verify and Call NTSB Here depending on how remote the following will often converge on the scene

Some variety of Police -Sherriff- or Highway Patrol. Some voluntary or hospital owned EMS may converge. A volunteer fire department may converge. The accident scene may be overflow by Eye in the Sky choppers from the next big city. City news media may send a reporter. The local news paper from a small town will consider a small airplane crash near them as very important. They will cover the story far better than the remote big city rag.

The body remnants will be recovered and moved to generally a county morgue. Your death certificate may or may not be signed by a dr.

If the aircraft were an airliner its loss will be noted within minutes and its location pinpointed very rapidly. A small aircraft not under radar control may remain lost in remote areas for days, weeks, months, years or forever. Hale Boggs flying over Alaska in a small aircraft has never been found

**CHECKLIST FOR DATA RECOVERY**

An attorney contacted by a survivor or a decedents next of kin can sit back and wait on the government or he can start his own investigation. There are lots of sources of data and valuable information

**FAA files**

As part of an NTSB investigation the FAA may supply NTSB with support such as

1. FAA investigator conducting limited portions of an investigation
2. FAA putting together a weather package available to pilot before take off
3. FAA putting together a weather package given to pilot
4. Preserving and Radio tapes/transcripts from Contact with aircraft
5. Preserving and Radar ATC tapes/transcripts from Contact with aircraft
6. Pilots /Co pilot records/training /medical etc

Whatever the NTSB tasked the FAA to do in furthering the NTSB investigation is releasable under a FOIA request far in advance of the finalization and release of the final NTSB report. This of course is modified by FOIA restrictions and Privacy act restrictions. Generally speaking the FAA produced packages supplied to the NTSSB are available quickly and cheaply with few restrictions.

A lawyer should make some quick determinations by calling the FAA investigators in charge of their portion of the investigation. Generally speaking the NTSB investigator in charge can be tracked down and he will readily tell you the names and local of the FAA office that supplied investigators and data.

The data having to do with air traffic control comes through the Regional FAA control center and from locations of tower, ground, approach, departure and air enrooted control facilities

The FAA person in Charge of the investigation will preserve and retrieve data thought pertinent by the NTSB investigator in charge. Whatever the FAA gives to the NTSB investigator is then also preserved so it can be revisited later. This is often called the “FAA package” It may be known as the “FAA air Route Traffic Control Package”... “The FAA flight Planning Package”. “The FAA weather Package” The FAA flight crew training Package” “The FAA medical Package”. In short you wish everything that the FAA gathered and provided the NTSB.

You should telephonically learn what was provided or quickly ask the FAA to provide you with such identical data.

Here is the catch. The FAA FISDO or local assigned investigator knows exactly what the NTSB thinks important and wants. This person then goes to appropriate FAA facilities and requests and obtains the data. She later sends retrieved data to the NTSB to fulfill topical requests made by the NTSB investigator in charge.

The reason you react quickly is that if you do not make your FOIA request in a timely fashion data may be lost. Here’s how that happens. THE NTSB may think that certain data is not required in order to complete his report. He may therefore not request such data. Examples might be the weather was good so why include such data. The pilot was not flying under RADAR control so Radar data is not a factor. Or even though the pilot was under air Route traffic control the ARTS data is not important. Thus the NTSB may not preserve the data. If you do not retrieve it or preserve it the very tapes will be erased and re used the data gone forever

Thus a law firm in its own initiative should determine whether a FOIA request should be made to preserve, retrieve and provide such data. Typically the re use of Radar tapes is a regularly occurring situation and the FOIA request to preserve them should go out very quickly. If you wait 6 months the tapes are probably gone if the NTSB did not obtain and preserve them as part of their investigation

**EVIDENCE Obtainable from FAA**

If the aircraft was under FAA control
If aircraft had been under FAA control
The Pilots FAA Flying certificates/ licenses
The Pilots FAA medical records.
The pilots FAA disciplinary certificate actions/if any
The aircraft FAA stored ownership records.
Type certificate data for aircraft

**Ask the FAA FOIA [SEE FAA.GOV]**

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1. RADAR tapes ARTS Computer Tapes for Flight Path reconstruction
2. Communications Tower tapes and Tower transmissions all stations
3. Tower Manning Logs
4. Air Route Traffic Facility Logs
5. Pilots certificates
6. Pilot yearly medical examinations
7. Pilots FAA discipline if any recent
8. Aircraft registered Ownership
9. FAA studies
10. FAA reports.
11. FAA statistics
12. Aircraft certification Data
13. Air Worthiness Directives
14. Supplemental Type Certificates
15. Facility Check Navigation Flight test data
16. Navigational signal quality reports
17. No tams, Preps, Signets and Airiest
18. Voluntary Service Defect Reports (SDRS) formerly Malfunction and Defect(M&D) reports

**Maintenance History of the aircraft:**

It is the owner/ operators FAR duty to maintain the aircraft in an airworthy condition for so long as the aircraft is to be flown. It is further the duty of the owner to insure the aircraft is maintained appropriately and all maintenance is logged in an approved manner. These logbooks are typically an engine logbook and an airframe logbook. Certain components and replaceable parts have time limits on use and separate log book entries are required for those special parts.

The accident creates a situation where the NTSB routinely demands these logbooks as well as flight crew pilot logbooks and training records if the operator was an airline. It is typical that during the pendency of the aircraft accident investigation that the ownership of the aircraft hull now called Junk or salvage is transferred from the owner to an insurance company that has paid off the hull Damage. Thus when the NTSB investigation is over those aircraft records will be returned to the new owner (an insurance adjuster) and the pilots logs returned to the widow and training records to the airline or operator. The NTSB will analyze and print pertinent portions in their final report. Often times the owner operator and widows

will provide originals and keep copies –so sometimes data is available even while the NTSB holds original copies

**EVIDENCE obtainable from owner/ operator**
The aircraft Maintenance History to include:

The aircraft maintenance log books
The aircraft engine logbooks
The aircrafts mechanical history
The aircraft's subcomponent LRU records
The aircraft replacement subcomponents records
The aircraft AD compliance history
The aircraft compliance history with Service Bulletins and Advisory Circulars

When the Maintenance books are returned to the adjustor at salvage he might be willing to share them. The adjustor will typically be contacted by the insurer of the owner and told he is to proceed to the accident site –or contract for a salvage team to pick up and store the wreckage. Right away the hull insurer bus duty bound to investigate and determine that the hull insurance (Collision policy on a car) is paid to the owner. At that point the adjustor and insurance company own the wreckage as soon as the NTSB finishes and releases the wreckage for salvage (the junk yard)

Very often the adjustor will carefully store that wreckage as he dares not spoliator the evidence. It is a reasonable assumption that the accident will create some litigation and the wreckage is relevant material evidence. Moreover the hull insurer might hope that some lawsuit is brought that will prove that something other than his insured caused the disaster. In that case the insurance company that has paid the hull insurance may be in a position to have a subrogation interest for the hull Price. This makes a plaintiff attorney and hull insurance adjustor potential litigators on the same side of the litigation table. Thus occasionally an adjuster may be very helpful to a plaintiff. It is always good practice to test these waters through early personal inquiries.

**INSURANCE ADJUSTER HULLS INSURANCE (talk to)**

Does he have liability policy as well?
Is he responsible for storing wreckage?
Is he interested in co operating?
Does he have pictures?
Does he have witness statements?
Did he go to seen?
Is he willing to share his work product...if so…under what provisions?

**ASK NTSB FOIA [SEE NTSB.GOV]**
Here is a minute portion of data you can ask FOIA the NTSB

1. Preliminary accident report by aircraft number
2. Interim accident report by aircraft number
3. Accident report AAR by aircraft number
3. Probable Cause reports
5 Recommendations by Board for AAR
6. NTSB special safety studies
7. OLD reports other aircraft 1 through 5 above
8 NTSB safety studies
10 Query accident records by category aircraft
11. Query accident records by type aircraft
12. Query accident reports by year
13. Query accidents by Date of occurrence

14. Retrieve entire data files for an accident including Public Hearing transcripts

**ASK NASA FOIA SEE NASA.GOV]**

1. NASA ASRs Reporting Incidents
2. 13 Service Centers for special request
3. Ames Research and Dryden center has Aviation INFO

**9-11 Calls Local OPEN RECORDS ACTS**

Dispatcher 9-11 recordings FOIA-Business records.
Incoming record to 9-11 telephone numbers
Ask how to purchase files

**FIRE Local OPEN RECORDS ACTS**

What was said to dispatch trucks
Radio dispatch records
What trucks responded
Who manned trucks?
Get names of all Participants
Contact officers
Did they take official pictures?
Did they take official video?
Did they take personal pictures?
Ask how to purchase files

**EMS Local OPEN RECORDS ACTS**

What was said to dispatch EMS
Radio dispatch records
What EMS RESPONDED?
Who manned each and very car
Get names of all Participants
Contact and talk to them
Was there a report-get report –open records?
Did they take witness statements?
Contact officers
Did they take official pictures?
Did they take car video?
Did they take personal pictures?
Ask how to purchase files

**EMS TRANSPORT RECORDS of PATIENT Local OPEN RECORDS ACTS**

Usually a business record if run by State or municipality

**HOSPITAL RECORDS OF PATIENT Local OPEN RECORDS ACTS**

Usually a business record if run by State or municipality
Privacy Law applicable
Hippo Laws applicable

**DEATH CERTICFICATE**

Usually a business record if run by State or municipality
Privacy Law applicable
*Patient or next of kin release usually required
Can be obtained from state records

**TOXICIOLOGY REPORT**

Usually a business record if run by State or municipality
Privacy Law applicable
*Patient or next of kin release usually required
NTSB will require tests of Crew and releasable by NTSB as to alcohol and controlled substances only.

**AUTOPSY REPORT, If any**

Usually a business record if run by State or municipality
Privacy Law applicable
*Patient or next of kin release usually required

**POLICE /SHERRIFF/ HIGHWAY PATROL, FBI, BORDER PATROL, PORT AUTHORITY etc Local OPEN RECORDS ACTS, FBI (FOIA)**

What was said to dispatch CARS
Radio dispatch records
What CARS RESPONDED?
Who manned each and very car
Get names of all Participants
Contact and talk to them
Was there a report-get report –open records?
Did they take witness statements?
Contact officers
    Did they take official pictures?
    Did they take car video?
Did they take personal pictures?
Ask how to purchase files.

**SALVAGE YARD CLEAN UP CREWS**

What was said to dispatch crew/
Radio dispatch records.
Who hired CREW?
Who authorized crew?
Who manned each and day at salvage/
Get names of all Participants/
Contact and talk to them.
Who loaded and transported to salvage/
Did you photo as is before pick up?
Did you photo salvage truck loading /
Did you conduct photography for NTSB?
Was there a transport report-get report –open records?
Was there a salvage and transport order/
Was there a storage order/
Did they take witness statements?
Contact officers;
    Did they take any official pictures?
    Did they take any video?
Did their workers take personal pictures?
Did their workers take photos for salvage outfit?
Ask how to purchase files.

**INSURANCE ADJUSTER HULLS INSURANCE (talk to)**

Does he have liability policy as well?
Is he responsible for storing wreckage?

Is he interested in co operating?
Does he have pictures?
Does he have witness statements?
Did he go to seen?

**NEWS MEDIA**

**Local Paper:** Very often local small newspapers devote a large amount of effort in reporting, even a small aircraft accident. The reporter may also be less burdened with bureaucratic rules of larger papers and new services. Thus obtaining information may be easier.

What was said to dispatch the reporter/
What reporters responded?
Was there a reporter opened file of data?
Did the reporter take unreported witness statements?
Did reporter take photos?
Can we purchase pictures?
Corporate rules, Company policy.

**BIG City News Papers:** Here a news desk may take interest in a particular accident and send an investigative reporter to do stories of continuing interest about the accident and perhaps other similar accidents. Making friends with such reporters can be very rewarding. On the other hand the news may report a small aircraft accident on its back pages and be done with the story.

What was said to dispatch the reporter.
What reporters responded?
Was there a reporter opened file of data?
Did the reporter take unreported witness statements?
Did reporter take photos?
Can we purchase pictures?
Contact reporters and photographer
Can we purchase pictures?
Is more info it on your web sight?
Corporate rules, Company policy.

**EYE in SKY and TV coverage**

TV helicopter
TV coverage
Who was flying Chopper?
Who was Camera Man?

What was said to dispatch you to scene
IS there a larger file
Who manned each and very video attempts both ground and Hello
Was there a report-get report –open records?
Did they take witness statements?
Contact reporters and photographer
Can we purchase pictures and video?
Is more info it on your web sight?
Corporate rules, Company policy.

**OBITUARY**

Usually a news paper inclusion
Usually in newspaper of decedents residence
FUNERAL /
Usually announced in Obituary
Usually attended by decedent's friend and family.

**INSURANCE POLICIES covering accident**

Usually obtainable through state law.
Corporate rules, Company policy.

**OTHER INVESTIGATIVE TRICKS**

Go to scene
Take photos
Drive the neighborhood
Stop and ask the close by Home owners/landowners

The NTSB will restrict access to the wreckage; in rural areas they may ask the land owner to help them restrict access to the site. Often for a farm person an aircraft crash on the property is a very significant happening, even if the event was a small single engine general aviation accident.

On one such occasion I had a World War II carbine pointed at my belly by a landowner who in no unclear terms told me the Federal government didn't want any gawkers trespassing at an aircraft accident site. Later over a glass of some iced well water he opened a cigar box full of cards of every person who had been on his property. He allowed the FBI agent had said it couldn't have happened to a more deserving group of people!

The landowner or home owners in the area will be able to identify what vehicles they saw as to Police, EMS, Government vehicles and Firefighters, perhaps even the salvage vehicles. It is a good starting place.

**Tips**

When asking questions always ask who else was around
ASK for names of witnesses
Ask for Officials present, police, fire, etc
Ask for addresses and telephones if known.
Ask questions and wait for all the answer
Do not put words in witness's mouths.
Draw out answers to get all information.
Always ask for pictures from everyone you talk to.

Never ever ask questions about an aircraft movement in the air using up down left or right. Instead give the witness a model aircraft and ask them to show you what the aircraft did. This is because a left turn looks very different if you are looking at the aircraft from in front or from behind the aircraft.

Also never use terms you know but the witness did not. Example "Did the aircraft stall out "A witness might believe you meant did the engine quit or stall. You asked about oranges and got an apple answer.

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By conducting ones own investigation sometimes you get the very best proof. Down in Galveston a commuter crash occurred because the pilot left a control lock in place. Police and rescue removed people to morgues and hospitals immediately in accordance with good emergency procedures. By the time FAA and NTSB got there the pilots were gone.

Luckily a first responder took pictures that were retrievable and the pilot could be seen slumped forward his arm near the modified control pin in the yolk that should have been removed during pre flight. The three foot red pin flag and chain that that should have been there was not. Get the as found photos. They are the best evidence of conditions at crash.

Absolutely distrust a hired expert witness who will tell you what happened before a complete investigation is done. Preconceived notions are a very bad way to investigate. In Texas jargon "The fool done picked a horse before he looked at the whole herd"

A Complete investigation done by examining every scenario and every potential cause leaves the attorney with an end product arrived at by eliminating all other possibilities. This gives the attorney a Cause of action with the highest reliability and veracity as to be correct.