

OFFSHORE HELICOPTER SAFETY INQUIRY

November 5, 2009

Tara Place, Suite 213, 31 Peet Street

St. John's, NL

November 5, 2009

PRESENT:

**John F. Roil, Q.C./
Anne Fagan.....Inquiry Counsel**

**Amy Crosbie/ Canada-Newfoundland and Labrador Offshore
..... Petroleum Board (C-NLOPB)**

**Ian Wallace/ Hibernia Management and
Cecily Strickland..... Development Company (HMDC)**

Denis Mahoney/D. Blair Pritchett..... Suncor (Petro-Canada)

Stephanie Hickman. Husky Oil Operations Ltd.

Paul Barnes Canadian Association of Petroleum Producers (CAPP)

**Laura Brown Laengle/
Rolf Pritchard..... Government of Newfoundland and Labrador**

Mark FreemanDepartment of Transport Canada

Norman J. Whalen, Q.C./ Mike Cohen Cougar Helicopters Inc.

Jamie Martin.....Families of Deceased Passengers

**Kate O'Brien.....Davis Estate (Pilot) and
..... agent on behalf of Douglas A. Latto for Lanouette Estate (Co-pilot)**

**Randell Earle, Q.C..... Communications, Energy and Paperworkers Union
..... Local 2121**

David F. Hurley, Q.C. Offshore Safety and Survival Centre, Marine Institute

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2 COMMISSIONER:

3 Q. Good morning, ladies and gentlemen. Firstly,

4 I should like to extend a special welcome to

5 the family members of the persons who deceased

6 in the tragic accident of March. Not all

7 family members are here, of course, but I

8 understand there are a considerable number,

9 and I can only express the hope that somehow

10 the account which Mr. Decker will give of the

11 accident and his experience will somehow be of

12 some help to you. The wishes of the family

13 members, of course, are being exceeded to

14 family members do not wish to be on camera and

15 accordingly, there will be no cameras

16 operative in respect of you this morning.

17 Mr. Decker is here, of course, and his

18 counsel, Mr. Dan Simmons, and I welcome you

19 also. I would make the comment that some

20 months ago I wrote you, Mr. Decker, offering

21 you an opportunity, if you wished to, to do

22 what you're doing today and a few weeks ago I

23 heard from your counsel, of course, Mr.

24 Simmons, and I wish to make the comment also

25 that I appreciate your being here and to say

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1 that the last months, as we all understand,

2 have been difficult for you, both physically

3 and emotionally, but my understanding is, and

4 I believe it's so, that today you are ready to

5 tell your story and feel an obligation to do

6 so, so that people will understand, and

7 particularly families will understand what

8 happened on that day.

9 We have worked out a protocol in respect

10 of how this will go this morning because it

11 will be somewhat different from our usual

12 process. So I'm going to ask Ms. Anne Fagan,

13 Inquiry counsel, to explain the protocol that

14 we have adopted at the wish, particularly of--

15 wishes particularly of Mr. Decker and his

16 counsel. Okay, Ms. Fagan.

17 MS. FAGAN:

18 Q. Thank you, Commissioner. As you can see, the

19 room is filled to capacity, so the first thing

20 I would like to do is have what we call a

21 safety moment, because many of you are not

22 familiar with this building. I'd like you to

23 know that in the event we have to evacuate,

24 there are three doors. One door is behind the

25 curtain, so it's not obvious. The door at the

Page 3

1 back has to remain open and will remain open,

2 and a third door at the other side. There are

3 three stairwells in this building. The one in

4 the centre, which you used to come in today,

5 as well, there's a stairwell at each end of

6 the building. So if you go down either hall,

7 there's a stairwell at either end. Those

8 stairwells exit onto the back of the building.

9 Those stairs are a little steeper, so if

10 you're going to use those stairs, because try

11 and be careful because of the steepness of the

12 stairs. As well, if there's a fire, please

13 don't use the elevator. There is an elevator

14 in the building, but as most people know, it's

15 not wise and you shouldn't use an elevator if

16 there's a fire. Hopefully we won't have to

17 evacuate, but at least you now know where you

18 should go if we do.

19 As the Commissioner just stated, Mr. Dan

20 Simmons, Mr. Decker's lawyer, will summarize

21 the evidence that Mr. Decker is going to give

22 and Mr. Simmons will lead Mr. Decker through

23 his evidence. Once Mr. Decker is finished,

24 there will be a break, at which time during

25 the break, if any of the family members or any

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1 of the parties have questions, we would ask

2 that the questions be provided to me or to Mr.

3 Roil, my counsel, to put to Mr. Decker, and

4 what will happen is we've--you can write the

5 questions down. We will pass those questions

6 on to the Commissioner and the questions to

7 which Mr. Decker can respond will be asked by

8 the Commissioner after the break. So we'll

9 take a break, if you have questions, you can

10 provide the questions to us and the

11 Commissioner will ask whatever questions Mr.

12 Decker can respond to after the break, and so

13 we'll resume after a short break and that's

14 it. I'd now ask that the Registrar have Mr.

15 Decker sworn.

16 MR. ROBERT PAUL DECKER, SWORN, EXAMINATION BY MR. DANIEL

17 SIMMONS

18 REGISTRAR:

19 Q. State your name, please.

20 MR. DECKER:

21 A. Robert Paul Decker.

22 MS. FAGAN:

23 Q. Thank you, Mr. Decker. I'll now ask Mr.

24 Simmons to come forward and lead you through

25 your evidence.

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<p>1 MR. SIMMONS:</p> <p>2 Q. Good morning, Mr. Decker, Commissioner. Thank</p> <p>3 you very much for the opportunity to lead Mr.</p> <p>4 Decker through his evidence and for the</p> <p>5 arrangements that have been made on his</p> <p>6 behalf, and for the families as well here this</p> <p>7 morning.</p> <p>8 Mr. Decker, I'm going to ask you about a</p> <p>9 number of topics that have been discussed</p> <p>10 previously with Commission counsel and that</p> <p>11 we've agreed are appropriate for you to speak</p> <p>12 to today. There will be only a little bit</p> <p>13 about your personal background. We will speak</p> <p>14 a little bit about your position and your work</p> <p>15 offshore. Most of our questions will relate</p> <p>16 to the events of March 12th, 2009. We'll take</p> <p>17 those in order. We'll go through your arrival</p> <p>18 at the Cougar base at St. John's Airport, the</p> <p>19 pre-flight procedures before departure, the</p> <p>20 flight out, the events preceding the crash of</p> <p>21 the helicopter, your escape from the</p> <p>22 helicopter and the time you spent on the</p> <p>23 surface of the water before being rescued.</p> <p>24 After that, there's two other topics that</p> <p>25 I'll ask you some questions about and those</p>	<p>1 A. Yes, I have.</p> <p>2 MR. SIMMONS:</p> <p>3 Q. Okay, and who is your employer?</p> <p>4 MR. DECKER:</p> <p>5 A. I work for a company called Provincial</p> <p>6 Aerospace Limited.</p> <p>7 MR. SIMMONS:</p> <p>8 Q. When did you first begin working for</p> <p>9 Provincial?</p> <p>10 MR. DECKER:</p> <p>11 A. I began work with them January 2006.</p> <p>12 MR. SIMMONS:</p> <p>13 Q. Okay, and what position did you take up when</p> <p>14 you first started with them?</p> <p>15 MR. DECKER:</p> <p>16 A. I started off as an offshore weather and ice</p> <p>17 observer trainee.</p> <p>18 MR. SIMMONS:</p> <p>19 Q. Okay, and was that the same position you held</p> <p>20 on March 12th of this year?</p> <p>21 MR. DECKER:</p> <p>22 A. Well, I guess I had completed more training</p> <p>23 and at that time I was considered a</p> <p>24 specialist, an environmental offshore weather</p> <p>25 and ice specialist.</p>
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<p>1 are the offshore survival training that you</p> <p>2 underwent in order to work offshore and some</p> <p>3 questions regarding the survival or flight</p> <p>4 suits that you wore on the helicopter.</p> <p>5 There are a number of things I will not</p> <p>6 be asking you about. There will be no</p> <p>7 questions about any individual passengers who</p> <p>8 were on the helicopter. There will be only</p> <p>9 limited questions about your injuries, only to</p> <p>10 the extent necessary to tell your story and</p> <p>11 explain what happened to you in the helicopter</p> <p>12 and in the water, and there'll be no questions</p> <p>13 about any events or anything that happened</p> <p>14 after your rescue from the helicopter.</p> <p>15 Now if we need a break at any point, for</p> <p>16 any reason, either to stretch, you can just</p> <p>17 indicate and I'm sure there'll be no problem</p> <p>18 in taking a short break.</p> <p>19 Mr. Decker, how old are you now?</p> <p>20 MR. DECKER:</p> <p>21 A. 28.</p> <p>22 MR. SIMMONS:</p> <p>23 Q. And you're a resident of St. John's and you've</p> <p>24 lived here for most of your life, I believe?</p> <p>25 MR. DECKER:</p>	<p>1 MR. SIMMONS:</p> <p>2 Q. Okay, and in that position, have you travelled</p> <p>3 to a number of the rigs and facilities in the</p> <p>4 oil industry offshore Newfoundland?</p> <p>5 MR. DECKER:</p> <p>6 A. I worked on every facility, either drilling or</p> <p>7 production, that's worked offshore for the</p> <p>8 past four years.</p> <p>9 MR. SIMMONS:</p> <p>10 Q. Okay, and that includes the Terra Nova FPSO,</p> <p>11 the Sea Rose, and I believe a stint as a radio</p> <p>12 operator on the Hibernia platform as well,</p> <p>13 does it?</p> <p>14 MR. DECKER:</p> <p>15 A. Right.</p> <p>16 MR. SIMMONS:</p> <p>17 Q. Yes, and also exploratory drilling on some of</p> <p>18 the mobile rigs and some work on some vessels,</p> <p>19 some ships, including off Greenland as well?</p> <p>20 MR. DECKER:</p> <p>21 A. Yes, I worked on the GSF Grand Banks, the</p> <p>22 drill rig. I worked on the Rowan Gorilla VI,</p> <p>23 the Henry Goodridge, Eirik Raude and the</p> <p>24 production facilities.</p> <p>25 MR. SIMMONS:</p>

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<p>1 Q. Okay. Now we know that many workers who work 2 offshore have a regular schedule where they 3 work a certain number of weeks on and a 4 certain number of weeks off. The positions 5 that you've held, have you had a schedule like 6 that? 7 MR. DECKER: 8 A. With the company I work for, where we have 9 contracts with all the different oil companies 10 and we work on all the facilities, it's not a 11 steady three and three week on and three week 12 off rotation like many of the core crew that 13 work on the facilities have. So for me, I 14 could work three weeks on, one week off. I 15 could go back to work, if we were really busy, 16 during our ice season, so certain times of the 17 year, we were much busier, and then certain 18 times of the year when it wasn't so busy, we 19 may have longer times off in between work or 20 whatnot, but it wasn't a regular three-week-on 21 three-week-off rotation. 22 MR. SIMMONS: 23 Q. Okay. Most of your travel to those vessels 24 and offshore facilities, was it by helicopter? 25 MR. DECKER:</p>	<p>1 so we did the ice observations as well. We 2 had some other duties also to do with oil 3 spill response and machine monitoring, but our 4 primary focus was weather observations and ice 5 observation. 6 MR. SIMMONS: 7 Q. And your position, in particular - 8 MS. FAGAN: 9 Q. They can't hear Mr. Decker. 10 MR. SIMMONS: 11 Q. In the back? 12 MS. FAGAN: 13 Q. In the back. 14 MR. SIMMONS: 15 Q. Okay. Mr. Decker, you're probably going to 16 have to pull the microphone a little closer, 17 because--or someone's going to have to provide 18 some help there. We're having a bit of 19 trouble hearing you in the back, and we need 20 to make sure it's turned on there as well. 21 The light's off. Okay, good. 22 MS. FAGAN: 23 Q. And perhaps the audio people can pump up the 24 speaker. There's a speaker in the back. 25 MR. SIMMONS:</p>
<p>1 A. The majority was by helicopter. I did do some 2 vessel transfers, I guess primarily in the 3 spring when it was fog season. 4 MR. SIMMONS: 5 Q. Do you have any idea how many flights you've 6 probably made prior to March of this year? 7 MR. DECKER: 8 A. Over 50. 9 MR. SIMMONS: 10 Q. Okay, and prior to March, had you ever had any 11 incident or any concern at all about your 12 safety while on those flights? 13 MR. DECKER: 14 A. No. 15 MR. SIMMONS: 16 Q. Now your position in March was, I think, 17 senior offshore ice and environmental 18 specialist with Provincial Aerospace. Can you 19 give me just a very general outline of what 20 that job involved? 21 MR. DECKER: 22 A. We took care of anything related to 23 environmental issues. So we took care of the 24 weather observations, monitoring the weather. 25 We took care of all the ice management work,</p>	<p>1 Q. All right. 2 MS. FAGAN: 3 Q. Now that they know that he can't be heard. 4 MR. SIMMONS: 5 Q. Okay. So Mr. Decker, your job, in particular, 6 did that involve you in making observations of 7 weather conditions, ice and in particular as 8 well, the sea state? 9 MR. DECKER: 10 A. Yeah, we were constantly monitoring the 11 weather and the sea states. 12 MR. SIMMONS: 13 Q. Okay. Did your duties involve you in having 14 radio contact with the pilots of the 15 helicopters that were flying to the offshore 16 rigs? 17 MR. DECKER: 18 A. On certain facilities, yes, and on certain 19 facilities, we weren't in direct contact, but 20 the majority of the facilities, about half an 21 hour before the helicopter would arrive to the 22 facility, we would give them an update on the 23 current weather conditions and we'd give them 24 some settings that we need, their latest 25 altimeter reading and we'd just give them a</p>

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1 basic update, and if there was any change
 2 within that last half an hour, I'd contact
 3 them again.
 4 MR. SIMMONS:
 5 Q. Right. Now I'm going to go now to March 12th
 6 and the events of that day, and I'm going to
 7 ask you to take it in stages, and as we move
 8 along, I'll probably interrupt from time to
 9 time to ask some follow-up questions as you
 10 tell the story. So can you start, please,
 11 with your arrival at the Cougar terminal at
 12 St. John's airport and tell us, please, about
 13 what happened up to the time that you were
 14 ready to board the helicopter?
 15 MR. DECKER:
 16 A. I guess it was a regular day. I hadn't been
 17 home for three weeks. We were just kind of
 18 gearing up for the busy ice season, so I had
 19 got home about a week and a half before. I
 20 anticipated I would travel on the Friday, the
 21 13th, but I got a call on the Wednesday
 22 before, the night before that I was actually
 23 going to leave, asking if I could go the next
 24 morning because the ice conditions were a
 25 little bit busier than anticipated and I was

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1 going to go out with a trainee.
 2 That day, our flight was to leave at 9:00
 3 and it was a requirement that you check in an
 4 hour beforehand, so I had to check in for
 5 8:00. It was a nice clear, sunny day. It was
 6 cold, light winds. Everything seemed like a
 7 regular day.
 8 MR. SIMMONS:
 9 Q. What was the regular routine for checking in
 10 when you arrived?
 11 MR. DECKER:
 12 A. When you get to the heliport, there's usually
 13 a few minute wait out in the lobby area and
 14 then there's a call for everyone to make their
 15 way through admissions, sort of a check-in
 16 stage that if you would kind of board a
 17 regular plane, there's a check-in area, and at
 18 that station, they ask you to check in any of
 19 your medications because you can't travel with
 20 your medication. They're actually checked in
 21 a separate bag. And you're also weighed,
 22 because they need your exact weight for the
 23 helicopter payload, and they also weigh your
 24 baggage. They also review all your
 25 certifications to make sure that all the

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1 requirements to go offshore are met and that
 2 nothing has expired. They usually highlight
 3 if something is going to expire in the next
 4 couple of months. They are really good at
 5 keeping everyone up to date.
 6 MR. SIMMONS:
 7 Q. Now at some point in that process, I believe
 8 you're issued what we'll refer to as a flight
 9 suit, which generally people will call a
 10 survival suit. At what stage in the process
 11 does that happen and how did that go on March
 12 12th?
 13 MR. DECKER:
 14 A. Well, after the check-in, there's an area that
 15 you go through, it's kind of a scan, and they
 16 check your baggage, check in cell phones,
 17 because you're not permitted to take them
 18 offshore. You check in anything that you're
 19 not allowed to bring and there's a security
 20 check and then after you get through security,
 21 there's a station where you're issued your
 22 survival suit. Typically they're ready for
 23 you with your survival suit folded up. They
 24 ask your name. They scan it, and they issue
 25 the size that you've worn in the previous

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1 flights.
 2 MR. SIMMONS:
 3 Q. Right, and in this case, what size suit did
 4 you wear?
 5 MR. DECKER:
 6 A. I wear a large suit.
 7 MR. SIMMONS:
 8 Q. Okay, and I'll have some more questions for
 9 you about the suits in particular later this
 10 morning. After the suits are issued, then
 11 what's the next step in the pre-boarding
 12 procedure?
 13 MR. DECKER:
 14 A. So after that, typically you would put your
 15 suit in the briefing room and then there would
 16 be--there would be a wait until all the
 17 passengers were checked in, and then you'd
 18 wait in the briefing room until they realize
 19 if everything was going to be on time or not,
 20 and there would be a pre-flight video. Every
 21 time you were required to travel on
 22 helicopter, you'd have to watch the pre-flight
 23 video. It's about ten minutes. So you watch
 24 it on the way to the rig or the facility and
 25 then when you're coming home, you also watch

Page 17

1 it again.

2 MR. SIMMONS:

3 Q. Okay, and generally, what sort of topics are

4 covered in the pre-flight video?

5 MR. DECKER:

6 A. It's a pretty inclusive video. It starts

7 right from the check-in procedure at Cougar to

8 the immersion suits, or sorry, the survival

9 suits, how to don the survival suits, how to

10 board the helicopter to the emergency features

11 of the S-92 to what to do when you land on

12 board the rig, how to make your way to heli-

13 admin, how to pick up your luggage. It was an

14 inclusive video from start to finish.

15 MR. SIMMONS:

16 Q. At what point do you actually put on the

17 flight suit?

18 MR. DECKER:

19 A. So typically after you watch the video, Cougar

20 reps can tell you if everything is on time and

21 at that time, you put on the survival suit.

22 MR. SIMMONS:

23 Q. Right, and when you put on the survival suit,

24 can you describe whether you completely seal

25 it or what you have to do with the suit in

Page 18

1 order to be allowed to board the helicopter?

2 MR. DECKER:

3 A. You don't have to have the suit fully donned.

4 You just wear the suit with the seals relaxed

5 around the wrist and the hood is also relaxed,

6 so it's down. The only time you're required

7 to have the suit fully donned is when you're

8 either landing or departing from a facility

9 offshore.

10 MR. SIMMONS:

11 Q. And these steps that you've described, on the

12 12th of March, did all those proceed normally

13 in the usual fashion as they had for previous

14 flights that you've flown?

15 MR. DECKER:

16 A. Yes, everything was normal.

17 MR. SIMMONS:

18 Q. Okay. Can you tell me now about actually

19 boarding the helicopter and what happened

20 prior to the helicopter taking off?

21 MR. DECKER:

22 A. So, I guess, everyone's sitting around the

23 briefing room and then a Cougar ground crew

24 comes in and says, you know, "we're ready to

25 board the helicopter." So there's kind of a

Page 19

1 frantic--there's a bit of energy to get to the

2 front of the line because you really want to

3 pick the best seat. You really want a

4 comfortable seat in the helicopter. So

5 everybody kind of muscles their way to the

6 front of the line and you put on your hearing

7 protection and then you're in single file

8 line, you follow a Cougar rep out to the

9 helicopter. You board one at a time and

10 obviously everybody is looking for the most

11 comfortable seats, which are the single

12 seating so that you don't have to sit next to

13 anyone or the auxiliary fuel tank.

14 MR. SIMMONS:

15 Q. Okay. Now we have a diagram available, just

16 for purposes to help you illustrate your

17 description of boarding the helicopter and

18 where you sat, and Commissioner, this is not

19 an official diagram supplied from any source.

20 This is one that we just prepared to assist

21 Mr. Decker, and I understand it's available

22 here on the easel and it's also on the

23 monitors here for people in the room to see.

24 So Mr. Decker, can you describe for us a

25 little bit of what we see on this diagram and

Page 20

1 where you sat when you boarded the helicopter?

2 MR. DECKER:

3 A. I would have been the third seat back on the

4 starboard side, so it would have been row four

5 on the single seating on the right side of the

6 helicopter.

7 MR. SIMMONS:

8 Q. Okay, and we can see on that diagram that on

9 the starboard or right side, there's a row of

10 single seats and on the, I guess, the port or

11 the left side, there are some double seats and

12 there's also an object that's labelled

13 auxiliary fuel tank.

14 MR. DECKER:

15 A. Yes.

16 MR. SIMMONS:

17 Q. Is this the configuration, as you recall it,

18 of the helicopter that you boarded on March

19 12th?

20 MR. DECKER:

21 A. That's the same configuration.

22 MR. SIMMONS:

23 Q. And there are two seats in the front here that

24 are marked "pilots." Is there any separation

25 between the cabin that the pilots are in and

Page 21	Page 23
<p>1 the cabin that's occupied by the passengers?</p> <p>2 MR. DECKER:</p> <p>3 A. There is a bulkhead. It's kind of outlined</p> <p>4 there with those black lines. So there is a</p> <p>5 separation, but you can see the cockpit from</p> <p>6 certain areas of the cabin.</p> <p>7 MR. SIMMONS:</p> <p>8 Q. Okay, and are there windows on the helicopter</p> <p>9 for every row of seats?</p> <p>10 MR. DECKER:</p> <p>11 A. I think every row does have a window or an</p> <p>12 emergency exit.</p> <p>13 MR. SIMMONS:</p> <p>14 Q. You were in seat in what's labelled row four</p> <p>15 on the starboard side. Was there a window</p> <p>16 directly adjacent to you in that seat?</p> <p>17 MR. DECKER:</p> <p>18 A. There was.</p> <p>19 MR. SIMMONS:</p> <p>20 Q. Okay. The flights that you have taken in this</p> <p>21 particular Sikorsky S-92 helicopter, has the</p> <p>22 auxiliary fuel tank always been used or are</p> <p>23 there times when there are other</p> <p>24 configurations that do not have the auxiliary</p> <p>25 fuel tank on board?</p>	<p>1 fastened correctly and adjusted. After</p> <p>2 they're kind of confident everybody is seated</p> <p>3 away safely, they leave the helicopter and</p> <p>4 they lock the door. So they lock the door</p> <p>5 from the outside. Then typically, you</p> <p>6 actually taxi out the runway and as they're</p> <p>7 doing that, the pilots normally say what the</p> <p>8 route is for the day. So that day, they said</p> <p>9 that we're on the way to the Hibernia platform</p> <p>10 and then we'll make our way to the Sea Rose</p> <p>11 FPSO. They usually give an estimation of how</p> <p>12 long it's going to take to get there and they</p> <p>13 also tell what sort of weather conditions</p> <p>14 there are offshore. It's important because</p> <p>15 many times it's clear and sunny in town and it</p> <p>16 may be foggy offshore. So they give you an</p> <p>17 idea if there's a chance that you're going to</p> <p>18 boomerang and have to head back to town or if</p> <p>19 the weather is clear and good and everything</p> <p>20 seems copacetic.</p> <p>21 MR. SIMMONS:</p> <p>22 Q. Can you describe how the seatbelts work on</p> <p>23 that helicopter?</p> <p>24 MR. DECKER:</p> <p>25 A. They're a harness seatbelt, so there's two</p>
<p>1 MR. DECKER:</p> <p>2 A. I don't think the auxiliary fuel tank is</p> <p>3 always on board. Now Cougar does use other</p> <p>4 helicopters.</p> <p>5 MR. SIMMONS:</p> <p>6 Q. Yes.</p> <p>7 MR. DECKER:</p> <p>8 A. They have a Sikorsky S-61 also.</p> <p>9 MR. SIMMONS:</p> <p>10 Q. Um-hm.</p> <p>11 MR. DECKER:</p> <p>12 A. And they had Super Pumas before that, but I</p> <p>13 don't think they auxiliary fuel tank is always</p> <p>14 used. I think it's more to do with a</p> <p>15 requirement for how much fuel capacity they</p> <p>16 need.</p> <p>17 MR. SIMMONS:</p> <p>18 Q. So when you boarded the helicopter then on</p> <p>19 March 12th and you took your seat, what were</p> <p>20 the--what's the procedure that happens then,</p> <p>21 before the helicopter leaves?</p> <p>22 MR. DECKER:</p> <p>23 A. So after everyone has found a seat, there's a</p> <p>24 Cougar representative come on board and they</p> <p>25 make sure that everyone has their seatbelts</p>	<p>1 portions that go over your shoulder and then</p> <p>2 they kind of belt into a central point and</p> <p>3 there's a lap belt. So it's all one piece.</p> <p>4 MR. SIMMONS:</p> <p>5 Q. And how do you release the seatbelts, if you</p> <p>6 need to, when you release them?</p> <p>7 MR. DECKER:</p> <p>8 A. To release the seatbelt, you twist the release</p> <p>9 mechanism and then all three sections are</p> <p>10 released.</p> <p>11 MR. SIMMONS:</p> <p>12 Q. Okay, and is that something you can do with</p> <p>13 one hand?</p> <p>14 MR. DECKER:</p> <p>15 A. You can.</p> <p>16 MR. SIMMONS:</p> <p>17 Q. Okay, and you've said that before the doors</p> <p>18 are closed, a Cougar representative does come</p> <p>19 on board and check all the seatbelts to ensure</p> <p>20 that all the passengers have their seatbelts</p> <p>21 correctly fitted?</p> <p>22 MR. DECKER:</p> <p>23 A. They do, and they help get the shoulder straps</p> <p>24 over your shoulder and it's--I guess it's a</p> <p>25 little bit hard to fit them over the suit, so</p>

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1 they assist with everyone.

2 MR. SIMMONS:

3 Q. Okay, and you've told us that before you board

4 the helicopter, the flight suit is donned, but

5 it's relaxed with the hood down and with the

6 cuff seals not done up. Is that the way that

7 you leave the suit when you take off?

8 MR. DECKER:

9 A. It is, yeah. The suits are really warm and

10 the helicopters can get quite warm, especially

11 in the summer time, and it's much more

12 breathable if you can have the hood relaxed

13 and folded down and the zipper released as

14 much as you can.

15 MR. SIMMONS:

16 Q. Okay, good. Now you've told us that you do

17 use air protection on the helicopter and also

18 that the pilots make a preflight announcement

19 before you go. It's a helicopter, so it's

20 going to be noisy, to a certain extent. In

21 your experience, has there ever been any

22 difficulty being able to hear what the pilots

23 say in those announcements, either before

24 departure or in flight?

25 MR. DECKER:

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1 A. No, it's clear. You can hear everything. You

2 wear double hearing protection actually.

3 There's hearing plugs that you wear and then

4 you also wear the headsets that go over top of

5 them, but the speakers are loud and over the

6 vibration and the noise that the helicopter is

7 making, it's easy to hear what the pilots have

8 to say.

9 MR. SIMMONS:

10 Q. So through this process then, once you're on

11 the helicopter, of getting ready for departure

12 and actually leaving the airport, was there

13 anything unusual or was it just a normal

14 departure?

15 MR. DECKER:

16 A. No, normal departure, and I think, I forgot,

17 they also say that there's a safety briefing

18 card kind of in the pouch beside you. So it

19 kind of outlines the safety features as well,

20 just for quick reference of what the S-92 has.

21 MR. SIMMONS:

22 Q. Now what did you do then after the helicopter

23 took off and headed offshore?

24 MR. DECKER:

25 A. Shortly after the helicopter took off, I fell

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1 asleep and that was normal. I slept on most

2 of my rides out and back.

3 MR. SIMMONS:

4 Q. Okay. Can you describe what the situation was

5 when you woke up?

6 MR. DECKER:

7 A. I was woken by a passenger that was sitting

8 across the aisle. When I woke up, I wasn't

9 exactly clear that there was an emergency, but

10 I had realized that we were lower than

11 cruising or flying altitude. We were about

12 1,000 feet, so I knew that we had descended,

13 but I wasn't quite sure why, and it wasn't

14 really abnormally low for a helicopter. They

15 can fly safely at all sorts of heights, so it

16 didn't seem like there was much concern.

17 MR. SIMMONS:

18 Q. And as a weather observer, part of your

19 training is to make observations of things

20 such as the sea state and the weather

21 conditions. Was it clear, still clear at that

22 time or was the visibility restricted in any

23 way?

24 MR. DECKER:

25 A. No, the visibility was good. I can't remember

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1 if it was exactly clear, but it may have been

2 broken sky, but there was--you could see the

3 sun and it was clear. The visibility was

4 good. Yeah, it looked like ideal flying

5 conditions.

6 MR. SIMMONS:

7 Q. Could you make any observation of the sea

8 state, the condition of waves or swell on the

9 ocean?

10 MR. DECKER:

11 A. At 1,000 feet, it's really difficult to

12 determine the sea height, but the only time

13 you can really tell if it's really wavy is if

14 there's big wind wave and there's big, big

15 swell. If not, it really just looks like blue

16 water and flat. When it's windy, you get the

17 white wind wave, white caps at the top, so you

18 can tell that it's significantly windy, but

19 that day, it kind of looked relatively calm.

20 MR. SIMMONS:

21 Q. And on this day, was there any indication that

22 allowed you to judge at all what the sea state

23 was when you first looked out of the

24 helicopter after you woke up?

25 MR. DECKER:

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1 A. No, it looked calm.
 2 MR. SIMMONS:
 3 Q. Okay. Could you see land at that point?
 4 MR. DECKER:
 5 A. No.
 6 MR. SIMMONS:
 7 Q. And can you tell me what you observed about
 8 the helicopter, whether it appeared to be
 9 flying at normal speed or whether there's
 10 anything unusual about the characteristics of
 11 the helicopter flight at that time?
 12 MR. DECKER:
 13 A. No, everything seemed normal. The sound was
 14 normal. The vibration level was normal. I
 15 mean, at that time, I thought we were still
 16 cruising for the rig because I had been asleep
 17 for the turn towards land. You couldn't see
 18 land, so it's--all you can see is open water,
 19 and it seemed like we were heading for the rig
 20 and we were a bit lower.
 21 MR. SIMMONS:
 22 Q. Okay. So how did you learn then that the
 23 helicopter had turned in order to return to
 24 land?
 25 MR. DECKER:

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1 A. Shortly after I was woken, the helicopter
 2 pilot got on the PA and they said there was a
 3 major technical problem and at that time, they
 4 asked for everyone to don their survival suits
 5 and they said that we were heading for the
 6 closest land.
 7 MR. SIMMONS:
 8 Q. Okay. Prior to that point, had you had any
 9 concern at all about the situation?
 10 MR. DECKER:
 11 A. No.
 12 MR. SIMMONS:
 13 Q. Okay. How much can you remember about the
 14 pilot announcement, about what they said the
 15 nature of the problem was?
 16 MR. DECKER:
 17 A. I can't remember if they said there was a
 18 major problem with the gearbox or if they said
 19 there was a major technical problem, but I can
 20 remember knowing that there was a significant
 21 issue. I'd never had to don the survival suit
 22 on a flight before, so I thought that that
 23 meant it was more significant, but I still
 24 wasn't concerned because everything seemed to
 25 be flying normally and everything sounded

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1 fine, and also Cougar is very cautious.
 2 Whenever there were warnings, it was common
 3 that flights would go back and typically it
 4 was nothing serious. It was more of a
 5 protocol that they took upon themselves that
 6 if there was a warning that they would head
 7 back. I had never been on a flight before
 8 that headed back, but part of our job, we also
 9 track the flights, so flight following
 10 information and I mean, there is times that
 11 the flights turn around and they head back to
 12 land and everything is fine.
 13 MR. SIMMONS:
 14 Q. Okay. But this was the first time that you'd
 15 experienced a request to don the flight suit?
 16 MR. DECKER:
 17 A. This was the first time.
 18 MR. SIMMONS:
 19 Q. This was the first time, and what did you have
 20 to do then to don the suit once that request
 21 was made by the pilots? What did that
 22 involve?
 23 MR. DECKER:
 24 A. So at that time, you have to pull the hood up
 25 around your head and completely tighten and

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1 seal the zipper. The zipper is a little bit
 2 awkward on the survival suit. You have to
 3 kind of tilt your head up to the corner and
 4 tip your head back and zip it right up to your
 5 chin, and you also have seals around the
 6 cuffs, your wrists, so you tighten those seals
 7 also.
 8 MR. SIMMONS:
 9 Q. Okay, so there are -- so you tighten the seals
 10 around your wrists, you put up the hood. Is
 11 there also a seal on the hood that seals
 12 around your face?
 13 MR. DECKER:
 14 A. Yes, yeah.
 15 MR. SIMMONS:
 16 Q. Okay, and as well --
 17 MR. DECKER:
 18 A. It's not an adjustable seal. It's just kind
 19 of built into the hood. You pull the hood up
 20 and you zip up the zipper, and when the zipper
 21 is up all the way, the face should be sealed.
 22 MR. SIMMONS:
 23 Q. And are there goggles that are part of the
 24 flight suit?
 25 MR. DECKER:

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1 A. There are goggles. They're under the seats,
2 and even in the training, it's kind of an
3 optional thing.
4 MR. SIMMONS:
5 Q. Uh-hm, okay.
6 MR. DECKER:
7 A. It wasn't -- you didn't have to wear them.
8 MR. SIMMONS:
9 Q. So when the command to don the suits was
10 issued, did you comply with that?
11 MR. DECKER:
12 A. I did.
13 MR. SIMMONS:
14 Q. And did you have any difficulty with sealing
15 your cuffs, or putting up the hood, or pulling
16 up the zipper on your suit?
17 MR. DECKER:
18 A. No.
19 MR. SIMMONS:
20 Q. You were seated approximately in the
21 midsection of the helicopter, so you had a
22 view forward. Could you tell whether those
23 passengers that were within your range of
24 view, if they complied promptly and
25 appropriately with that command to don their

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1 suits?
2 MR. DECKER:
3 A. Everyone got their suits on quickly.
4 MR. SIMMONS:
5 Q. Do you know approximately how long it was
6 after you woke that this command -- this
7 announcement was made, and the command was
8 made to don the suits?
9 MR. DECKER:
10 A. I'm not sure of the timing, but it seemed
11 almost immediately.
12 MR. SIMMONS:
13 Q. Okay. Were you able to see either of the
14 pilots or see into the pilot cabin in around
15 this time?
16 MR. DECKER:
17 A. I could see the pilot cabin, but I could see
18 the pilot on the port side from my vantage
19 point.
20 MR. SIMMONS:
21 Q. Uh-hm.
22 MR. DECKER:
23 A. You don't have a real clear view because that
24 bulkhead is quite thick and there's a lot of
25 instrumentation and equipment, but you kind of

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1 can get a look up into the cockpit.
2 MR. SIMMONS:
3 Q. Uh-hm, and did you observe -- what did you
4 observe about the pilots during this time?
5 MR. DECKER:
6 A. You could see notebooks getting passed back
7 and forth, you could see hand movements back
8 and forth. A lot of the controls are above
9 them, so you could see hand motions back and
10 forth. They were pretty busy.
11 MR. SIMMONS:
12 Q. Uh-hm.
13 MR. DECKER:
14 A. I couldn't really see the pilot on the
15 starboard side, but I could see arm movements.
16 MR. SIMMONS:
17 Q. Right.
18 MR. DECKER:
19 A. But that was normal. You could see that
20 every time they took off there was a list
21 they'd follow. It seemed normal.
22 MR. SIMMONS:
23 Q. So at this point then when this announcement
24 was made and the suits were donned, had there
25 been any change that you could observe in the

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1 speed at which the helicopter was flying?
2 MR. DECKER:
3 A. No.
4 MR. SIMMONS:
5 Q. What about in the movement, had there been any
6 change in whether there was any up or down or
7 side to side movement, or anything unusual?
8 MR. DECKER:
9 A. No.
10 MR. SIMMONS:
11 Q. And any change in the sound or in the
12 vibration from the operation of the
13 helicopter?
14 MR. DECKER:
15 A. No, everything seemed normal.
16 MR. SIMMONS:
17 Q. Okay. What was the next event that occurred?
18 MR. DECKER:
19 A. I guess then it was waiting, and a couple
20 minutes after that there was a call for brace,
21 so the pilots got back on the PA and called
22 "brace" three times, which is a normal
23 command. We're trained for that command and
24 it means that the helicopter is going to
25 attempt to land. So, I guess, that's the

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<p>1 first time I thought something was serious. I 2 looked out the window and couldn't see land, 3 so I thought that this may mean they're going 4 to attempt to land on the water. So when they 5 called for brace, it means to kind of protect 6 yourself and get into position to kind of 7 withstand impact or to protect yourself. The 8 normal call for brace for would kind of cover 9 your chest, and if you have the mask on, cover 10 your face and the mask.</p> <p>11 MR. SIMMONS: 12 Q. Okay, and what did you do when the brace call 13 was made? 14 MR. DECKER: 15 A. After the brace call, pretty shortly after 16 that the helicopter started making really 17 weird motions.</p> <p>18 MR. SIMMONS: 19 Q. I'm sorry, what did you do to brace yourself, 20 did you brace yourself in the way you were 21 trained? 22 MR. DECKER: 23 A. No, I didn't. I grabbed the seat in front of 24 me. 25 MR. SIMMONS:</p>	<p>1 than planes, but going full speed ahead, 2 they're usually quite smooth. So it's usually 3 only on manoeuvres that they kind of make side 4 to side motions or up and down. When they're 5 cruising, it's much like a plane.</p> <p>6 MR. SIMMONS: 7 Q. Uh-hm. 8 MR. DECKER: 9 A. But this time there were some unusual motions. 10 There was deviation in our heading, so our 11 heading changed quickly from left to right.</p> <p>12 MR. SIMMONS: 13 Q. Uh-hm. 14 MR. DECKER: 15 A. The sound changed and there was a high pitched 16 noise, and the helicopter dropped, but then 17 the high pitched noise stopped and the 18 helicopter kind of went up again, and that 19 happened about twice.</p> <p>20 MR. SIMMONS: 21 Q. Uh-hm. 22 MR. DECKER: 23 A. And I guess at that time, that's when you 24 realize something really serious was 25 happening, and I think that's why I clung to</p>
<p>1 Q. With both arms? 2 MR. DECKER: 3 A. With both arms. 4 MR. SIMMONS: 5 Q. So you held rigidly to the seat in front of 6 you instead of crossing your arms on your 7 shoulders or over your face? 8 MR. DECKER: 9 A. Yes. 10 MR. SIMMONS: 11 Q. Okay. At the time of the brace call, had 12 there been any change in the helicopter speed, 13 movement, sound, or vibration? 14 MR. DECKER: 15 A. No. 16 MR. SIMMONS: 17 Q. And then what happened shortly after that? 18 MR. DECKER: 19 A. Shortly after that, I guess the helicopter 20 started making some erratic motions. 21 MR. SIMMONS: 22 Q. Uh-hm. 23 MR. DECKER: 24 A. I mean, it wasn't that unusual from a typical 25 landing. Helicopters make different motions</p>	<p>1 the seat ahead of me is because to kind of get 2 some stability. 3 MR. SIMMONS: 4 Q. Did the pilots make a call at that time or 5 shortly afterwards, an announcement? 6 MR. DECKER: 7 A. There was nothing else after the brace until 8 there was a call for ditching. 9 MR. SIMMONS: 10 Q. And how soon after the brace call did they 11 make the ditch call? 12 MR. DECKER: 13 A. I'm not sure on the timing, but it was pretty 14 quickly. 15 MR. SIMMONS: 16 Q. And can you just describe that for me, please? 17 MR. DECKER: 18 A. So after those motions, there was a call for 19 ditch, so they called ditch three times, 20 "ditching, ditching, ditching", and it was 21 almost as the helicopter was crashing. 22 MR. SIMMONS: 23 Q. The ditching call, is that another standard 24 call that you're trained to know what it 25 means?</p>

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<p>1 MR. DECKER:</p> <p>2 A. Everyone knows what it means.</p> <p>3 MR. SIMMONS:</p> <p>4 Q. Okay, and can you describe for me, as best you</p> <p>5 can, the motion of the helicopter as the ditch</p> <p>6 call was being made?</p> <p>7 MR. DECKER:</p> <p>8 A. I guess, almost as soon as they said "ditch",</p> <p>9 the helicopter lost control. It instantly had</p> <p>10 the bow -- the nose head down, and it was just</p> <p>11 heading straight for the ocean.</p> <p>12 MR. SIMMONS:</p> <p>13 Q. Uh-hm.</p> <p>14 MR. DECKER:</p> <p>15 A. Just before it crashed, the bow came up a</p> <p>16 little bit and it turned quickly to the</p> <p>17 starboard side.</p> <p>18 MR. SIMMONS:</p> <p>19 Q. Where were you looking when this was</p> <p>20 happening?</p> <p>21 MR. DECKER:</p> <p>22 A. I was looking out my window for most of it, so</p> <p>23 I knew when we were going to hit the water.</p> <p>24 MR. SIMMONS:</p> <p>25 Q. And do you have any recollection of the impact</p>	<p>1 A. The next thing I can remember was waking up in</p> <p>2 a submerged helicopter. The helicopter was</p> <p>3 sinking quickly with its port side down. It</p> <p>4 was instantly filled with water. There was no</p> <p>5 time that the water gradually filled in the</p> <p>6 helicopter, it was kind of as if it was</p> <p>7 sinking the same way it was dropping through</p> <p>8 the sky.</p> <p>9 MR. SIMMONS:</p> <p>10 Q. Uh-hm. What could you see, was it light or</p> <p>11 dark when you first had this first image of</p> <p>12 being conscious?</p> <p>13 MR. DECKER:</p> <p>14 A. It was dark, but you could see, because</p> <p>15 everyone's survival suit has a light and that</p> <p>16 activated by the water.</p> <p>17 MR. SIMMONS:</p> <p>18 Q. Uh-hm.</p> <p>19 MR. DECKER:</p> <p>20 A. And they did emit enough light that I could</p> <p>21 see inside the helicopter.</p> <p>22 MR. SIMMONS:</p> <p>23 Q. Were the windows and doors still in place?</p> <p>24 MR. DECKER:</p> <p>25 A. My window wasn't, and I don't think most of</p>
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<p>1 on the water?</p> <p>2 MR. DECKER:</p> <p>3 A. No.</p> <p>4 MR. SIMMONS:</p> <p>5 Q. Okay. Do you know if the rotors were turning</p> <p>6 during the "ditch" call and the descent to the</p> <p>7 water?</p> <p>8 MR. DECKER:</p> <p>9 A. Yeah, everything was turning.</p> <p>10 MR. SIMMONS:</p> <p>11 Q. And you could see the main rotors overhead?</p> <p>12 MR. DECKER:</p> <p>13 A. Well, you couldn't really see them.</p> <p>14 MR. SIMMONS:</p> <p>15 Q. Or feel them?</p> <p>16 MR. DECKER:</p> <p>17 A. But you could feel that they were moving, and</p> <p>18 also in a helicopter, the only time you really</p> <p>19 don't -- I guess, the only time you see the</p> <p>20 rotors is when it's not moving. So it was --</p> <p>21 it still seemed like the regular vibration of</p> <p>22 a fully turning rotor that was moving.</p> <p>23 MR. SIMMONS:</p> <p>24 Q. What do you next recall after the impact?</p> <p>25 MR. DECKER:</p>	<p>1 them -- I guess most of them weren't.</p> <p>2 MR. SIMMONS:</p> <p>3 Q. Otherwise, were you able to observe whether</p> <p>4 the helicopter cabin was relatively intact or</p> <p>5 not?</p> <p>6 MR. DECKER:</p> <p>7 A. It seemed like the chassis of the helicopter</p> <p>8 was intact. It was kind of like the chassis</p> <p>9 of a car, the metal framework was still</p> <p>10 completely intact, and the body was crumbled.</p> <p>11 From inside, it seemed that everything was one</p> <p>12 piece.</p> <p>13 MR. SIMMONS:</p> <p>14 Q. Okay, and what did you do then to escape from</p> <p>15 the helicopter?</p> <p>16 MR. DECKER:</p> <p>17 A. At that time there was a lot of pressure in</p> <p>18 the helicopter because the water was</p> <p>19 travelling through it quite quickly, and I</p> <p>20 guess it was really hard to operate your arms,</p> <p>21 it was hard to have any motion at all because</p> <p>22 the pressure, the forces from the helicopter</p> <p>23 sinking. The next thing I instantly did was</p> <p>24 reach for my seat belt and undo my seat belt</p> <p>25 and I pulled myself out through the window.</p>

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<p>1 The window would have been directly above me</p> <p>2 because as it was sinking on its side, it</p> <p>3 meant that the window on the side was, in</p> <p>4 fact, right above me.</p> <p>5 MR. SIMMONS:</p> <p>6 Q. Okay, so what happened then?</p> <p>7 MR. DECKER:</p> <p>8 A. Then it was a long, I guess, ascent to the</p> <p>9 surface.</p> <p>10 MR. SIMMONS:</p> <p>11 Q. Uh-hm.</p> <p>12 MR. DECKER:</p> <p>13 A. I didn't know how deep the helicopter was. At</p> <p>14 that time, I didn't know what was happening.</p> <p>15 I kind of had my hands above my head, and I</p> <p>16 could look up and I could see it was getting</p> <p>17 brighter and brighter, and, I guess,</p> <p>18 eventually my arms broke the surface and I</p> <p>19 could tell that I survived the helicopter</p> <p>20 crash, and I guess I was kind of alarmed that,</p> <p>21 you know, this happened, that this is the sort</p> <p>22 of thing that you don't really train for or</p> <p>23 expect.</p> <p>24 MR. SIMMONS:</p> <p>25 Q. Okay. While you were still in the helicopter</p>	<p>1 Q. Do you know when you were rising to the</p> <p>2 surface if you were aware of whether you still</p> <p>3 had air in your lungs or not?</p> <p>4 MR. DECKER:</p> <p>5 A. I wasn't able to blow out any more air, so I</p> <p>6 thought that, I guess, I didn't have any more</p> <p>7 air.</p> <p>8 MR. SIMMONS:</p> <p>9 Q. Do you know if you aspirated or breathed in</p> <p>10 any sea water before you broke the surface?</p> <p>11 MR. DECKER:</p> <p>12 A. I don't know what time that happened.</p> <p>13 MR. SIMMONS:</p> <p>14 Q. Now when you were first at the surface, what</p> <p>15 could you see around you?</p> <p>16 MR. DECKER:</p> <p>17 A. I guess I broke the surface, and instantly</p> <p>18 you're looking around trying to figure out</p> <p>19 what happened and to get your bearings, and I</p> <p>20 could see helicopter debris scattered along.</p> <p>21 MR. SIMMONS:</p> <p>22 Q. Uh-hm.</p> <p>23 MR. DECKER:</p> <p>24 A. It seemed to be pretty far apart.</p> <p>25 MR. SIMMONS:</p>
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<p>1 before you escaped, your survival suit had</p> <p>2 been sealed beforehand. Was there any air</p> <p>3 escape from the suit while you were</p> <p>4 underwater?</p> <p>5 MR. DECKER:</p> <p>6 A. There was air escaping from the face seal.</p> <p>7 MR. SIMMONS:</p> <p>8 Q. Uh-hm.</p> <p>9 MR. DECKER:</p> <p>10 A. So there was lots of air bubbles coming out.</p> <p>11 It kind of made it difficult to see at the</p> <p>12 beginning.</p> <p>13 MR. SIMMONS:</p> <p>14 Q. Right, okay, and that's air that would have</p> <p>15 been trapped inside the suit when you sealed</p> <p>16 it, is it?</p> <p>17 MR. DECKER:</p> <p>18 A. Right.</p> <p>19 MR. SIMMONS:</p> <p>20 Q. Okay. Do you know if you had been able to</p> <p>21 take a breath, a deep breath and hold it,</p> <p>22 prior to the impact?</p> <p>23 MR. DECKER:</p> <p>24 A. Not consciously.</p> <p>25 MR. SIMMONS:</p>	<p>1 Q. Uh-hm.</p> <p>2 MR. DECKER:</p> <p>3 A. And I could also see the two lift rafts.</p> <p>4 MR. SIMMONS:</p> <p>5 Q. Yes. They were both inflated, were they?</p> <p>6 MR. DECKER:</p> <p>7 A. They were both inflated.</p> <p>8 MR. SIMMONS:</p> <p>9 Q. Yes, and how close to you were the lift rafts?</p> <p>10 MR. DECKER:</p> <p>11 A. It's really hard to get a judge on distance</p> <p>12 because there's nothing to give you any</p> <p>13 bearing, there's nothing -- in the open ocean,</p> <p>14 things that look like they're right next to</p> <p>15 you can be miles away, but they seemed</p> <p>16 generally close. From the size of them, and</p> <p>17 where they were, they seemed pretty close.</p> <p>18 MR. SIMMONS:</p> <p>19 Q. Uh-hm. What was the sea state like when you</p> <p>20 first reached the surface?</p> <p>21 MR. DECKER:</p> <p>22 A. I guess the sea state was between two and</p> <p>23 three meters. It's hard to tell when you're</p> <p>24 in the water. It's a different vantage point.</p> <p>25 It's easier to tell from a boat.</p>

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<p>1 MR. SIMMONS: 2 Q. Okay. 3 MR. DECKER: 4 A. But it seemed fairly wavy, but not a whole lot 5 of wind wave. So it seemed it was mostly 6 swell. 7 MR. SIMMONS: 8 Q. Yeah. What was your perception of your 9 physical condition at the time when you first 10 reached the surface? 11 MR. DECKER: 12 A. Well, at first, I guess, instantly I knew that 13 I had lost complete use of my hands. 14 MR. SIMMONS: 15 Q. Uh-hm. 16 MR. DECKER: 17 A. The waves were still -- even though it was 18 swell, they seemed to be crashing over my 19 head, so I was kind of positioning myself that 20 I could keep my head out of the water. 21 MR. SIMMONS: 22 Q. Uh-hm. 23 MR. DECKER: 24 A. And -- 25 MR. SIMMONS:</p>	<p>1 Q. Right. 2 MR. DECKER: 3 A. And it makes it a little more comfortable. I 4 was able to inflate that right away. 5 MR. SIMMONS: 6 Q. Were you able to put on the survival suit 7 gloves? 8 MR. DECKER: 9 A. No, the gloves are tricky to get on, and 10 they're kind of tucked up in the sleeves under 11 a velcro portion, and even in the training in 12 warm water when you have complete dexterity 13 with your fingers, I think they're a little 14 bit tricky to get on. 15 MR. SIMMONS: 16 Q. Uh-hm. 17 MR. DECKER: 18 A. And there's also a shield that you pull over 19 from around the hood that kind of protects the 20 spray from getting on your face and I wasn't 21 able to access that either. 22 MR. SIMMONS: 23 Q. Okay, and that was due to the effect of the 24 cold on your hands that quickly it made it 25 impossible for you to either get the gloves</p>
<p>Page 50</p> <p>1 Q. The loss of use of your hands, why was that? 2 Was that an injury or was that an effect of 3 the cold water? 4 MR. DECKER: 5 A. It was instant from the cold water. 6 MR. SIMMONS: 7 Q. From the cold water. So you'd been able to 8 use your hand to release the seat belt while 9 you were in the helicopter. When you reached 10 the surface, was there anything that you 11 wanted to be able to do with your hands to 12 help your situation that you were unable to 13 because of the cold? 14 MR. DECKER: 15 A. Well, I guess I wanted to position myself so 16 that I was able to be a little more 17 comfortable. So one of the first steps is you 18 inflate your life jacket. 19 MR. SIMMONS: 20 Q. Uh-hm. 21 MR. DECKER: 22 A. And it's an inflatable collar and it keeps 23 your head out of the water a little bit. It's 24 almost like a pillow. 25 MR. SIMMONS:</p>	<p>Page 52</p> <p>1 out and put them on or get the shield over 2 your face? 3 MR. DECKER: 4 A. Yes. 5 MR. SIMMONS: 6 Q. Okay. Did you have any concern about any 7 injuries that you thought you might have 8 suffered from the crash at that point? 9 MR. DECKER: 10 A. Well, I guess, my initial reaction was that I 11 had to get to the life raft. 12 MR. SIMMONS: 13 Q. Uh-hm. 14 MR. DECKER: 15 A. So I positioned myself so that I was running 16 with the swell, so that the waves weren't 17 crashing over me. I positioned myself so I 18 was running kind of foot/head with the swell 19 and I was kind of riding the swell a little 20 more comfortably, and I guess I tried to swim 21 on my back towards the closest life raft, 22 which seemed very close at some points, but at 23 that time I knew I had pretty major injuries. 24 I had a burst vertebrae in my back, so I 25 instantly had a lot of pain in my chest, and</p>

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1 my back, and I also had a broken sternum, a
 2 broken ankle, and dislocation of my ankle, so
 3 it was quite hard to swim. It kind of seemed
 4 like a losing battle to keep heading for the
 5 life raft because at some points when I was on
 6 top of the swell and the life raft was on top
 7 of the swell, it almost seemed in arms reach,
 8 but then as I'd fall off the swell and kind of
 9 go down into the trough of the wave, or if the
 10 life raft would kind of ride down the wave, it
 11 just seemed like it was miles away. The life
 12 rafts are equipped with a sea anchor, but
 13 those anchors are only manually deployed. So,
 14 I guess, without an anchor with no one on
 15 board, it was impossible to catch it. I guess
 16 it was driving in the wind, driving in the
 17 waves, and it was a losing battle. At that
 18 time, I thought I should just try and save my
 19 energy, keep my strength, and keep warm.
 20 MR. SIMMONS:
 21 Q. Okay. Now you've said that when you were on
 22 the surface, you lined yourself up to minimize
 23 the effect of the waves washing over you. Do
 24 you know if while you were on the surface, if
 25 you aspirated or inhaled any sea water at that

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1 stage, or do you know?
 2 MR. DECKER:
 3 A. I don't really know when that happened, but I
 4 can remember coughing a lot, and, you know, at
 5 the beginning when I first got to the surface,
 6 it seemed like I was still at risk of
 7 drowning, I guess. I don't really know when I
 8 aspirated the sea water.
 9 MR. SIMMONS:
 10 Q. Okay. Could you tell whether your survival
 11 suit was intact or whether there had been any
 12 leakage of water into the suit?
 13 MR. DECKER:
 14 A. I guess, from a quick visual inspection, and
 15 the only areas I could see, everything seemed
 16 intact, but I could tell there was definitely
 17 water in my suit, and I was, you know, very
 18 cold.
 19 MR. SIMMONS:
 20 Q. Okay. So after you abandoned your attempts to
 21 reach the life raft and you positioned
 22 yourself to conserve your energy in the water,
 23 what happened then after that?
 24 MR. DECKER:
 25 A. I guess, after that time, I was trying to

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1 remain relatively calm.
 2 MR. SIMMONS:
 3 Q. Uh-hm.
 4 MR. DECKER:
 5 A. And, I guess, I looked around, I looked for
 6 land, I looked to try and figure out how far
 7 offshore we were. You don't wear a watch when
 8 you're travelling on the helicopters because
 9 the survival suits have seals, so I had no
 10 idea of the time frame. I guess, because I
 11 was asleep on the helicopter, I didn't know
 12 how far offshore we were. I was trying to
 13 figure out all these calculations of how long
 14 we would probably get to the rig, how long
 15 they would realize we weren't there. So, I
 16 guess, I was trying to figure out how long
 17 they would know.
 18 MR. SIMMONS:
 19 Q. Uh-hm.
 20 MR. DECKER:
 21 A. That something had happened. I guess, I
 22 wasn't really thinking that clearly. It was
 23 more of trying to give me peace of mind for
 24 how much time I was going to have to expect to
 25 stay in the water.

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1 MR. SIMMONS:
 2 Q. Now eventually an aircraft arrived on scene,
 3 and that was a Provincial Aerospace operated
 4 aircraft. Did you recall that?
 5 MR. DECKER:
 6 A. I can remember seeing the plane fly overhead.
 7 The entire time while I was in the water, I
 8 kept moving my fingers because I knew they
 9 seemed like they were at risk of -- they just
 10 seemed, you know, in quite pain, so I thought
 11 that I should keep moving them, and, I guess,
 12 lying on my back in the water, I had a pretty
 13 good vantage point of everything happening
 14 overhead, and from a pretty far distance I
 15 could see the plane approaching, but they were
 16 flying really high. At that time, I just
 17 continued to wave. The plane continued to
 18 fly, and, I guess, I was yelling out and
 19 hoping that they had seen me, but it was
 20 really high, and, I guess, at the speeds
 21 they're going -- their turning radius is quite
 22 large, so it seemed like they just continued
 23 to go, so I thought, oh, my God, the plane
 24 that's potentially going to see me just kept
 25 on flying by, but shortly after that it turned

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<p>1 around and then it made another approach 2 directly over me and it was quite low. At 3 that time, there was an acknowledgement that 4 they saw me. 5 MR. SIMMONS: 6 Q. They waved -- tipped the wings on the 7 airplane? 8 MR. DECKER: 9 A. They tipped their wings, and they were flying 10 so low, I remember smelling the exhaust from 11 the plane. 12 MR. SIMMONS: 13 Q. Okay. 14 MR. DECKER: 15 A. So I knew that they had seen me, and I 16 recognize the plane. It's the company I work 17 for. They do ice observations, so they have a 18 plane that flies north, and they track all the 19 ice growth and the icebergs, so I knew it was 20 our plane, or the plane that I worked for, the 21 company. 22 MR. SIMMONS: 23 Q. So what happened then between when that 24 aircraft arrived and you were eventually 25 rescued by the other Cougar helicopter that</p>	<p>1 Q. Can you recall the arrival of the Cougar 2 helicopter at the scene? 3 MR. DECKER: 4 A. Well, I remember the helicopter -- I think 5 before the helicopter arrived, there was 6 actually another plane. 7 MR. SIMMONS: 8 Q. Uh-hm. 9 MR. DECKER: 10 A. And, I guess, as the time went on, my focus 11 was much less clear. 12 MR. SIMMONS: 13 Q. Do you have any idea why your thinking became 14 less clear as time went on? 15 MR. DECKER: 16 A. Well, I guess I didn't know at the time, but I 17 assume it was because of my temperature. 18 MR. SIMMONS: 19 Q. Uh-hm. 20 MR. DECKER: 21 A. And, I guess, I was starting to go into shock. 22 MR. SIMMONS: 23 Q. Uh-hm. So tell me then what you can recall 24 about anything about the actual rescue once 25 the helicopter arrived?</p>
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<p>1 arrived on the scene? 2 MR. DECKER: 3 A. Well, I guess, the time seemed like forever. 4 I continued to wave. 5 MR. SIMMONS: 6 Q. Uh-hm. 7 MR. DECKER: 8 A. And I spoke to myself, and saying to myself 9 the entire time. I guess, then I started to 10 worry about my injuries. I thought I was 11 paralysed. I couldn't feel my legs. I guess, 12 I stayed fairly calm, and at some points I 13 could wiggle my toes, so I thought it was a 14 pretty good sign that I wasn't. 15 MR. SIMMONS: 16 Q. Uh-hm. 17 MR. DECKER: 18 A. And I think then the next thing that kind of 19 crossed my mind was how long was it going to 20 be before there's help here because I'm 21 worried of internal bleeding. I thought that, 22 you know -- from looking at me, I looked fine, 23 but I was afraid of what kind of happened from 24 the impact. 25 MR. SIMMONS:</p>	<p>1 MR. DECKER: 2 A. I guess, I continued waving, and then the 3 helicopter approached and -- I guess, before 4 that, though, while this was happening, the 5 plane kept flying overhead and I was kind of 6 thinking maybe there's a way that that plane 7 can rescue me, and, I guess, I wasn't thinking 8 as clearly, and I was hoping, well, maybe they 9 can throw some rope out and I can grab onto 10 that rope and they can slow down a little bit, 11 so obviously I wasn't thinking very clearly 12 because that can't happen. 13 MR. SIMMONS: 14 Q. Uh-hm. 15 MR. DECKER: 16 A. And then, I guess, I was anxious because I 17 knew my only chance to be rescued was from a 18 helicopter, and obviously when the helicopter 19 got on scene, I knew it was a Cougar 20 helicopter, I knew the colours, and I was 21 expecting a big Search and Rescue yellow 22 helicopter, which I think anyone would 23 probably anticipate. It flew quite low, and 24 you could feel the down draft from the rotors, 25 so I knew they were just above my head.</p>

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<p>1 MR. SIMMONS: 2 Q. How well could you see by that time? 3 MR. DECKER: 4 A. I couldn't see very well. My vision was kind 5 of sporadic, the last maybe fifteen minutes, 6 so I was almost completely blind. 7 MR. SIMMONS: 8 Q. Uh-hm. 9 MR. DECKER: 10 A. Perhaps at the time the helicopter got there, 11 maybe I could see a little bit better. I 12 don't know if I realized that that was my 13 chance for rescue. At that time, I think -- I 14 don't remember the order of things at that 15 point. There was a basket that was lowered 16 down from the Cougar helicopter. I can 17 remember making attempts to get into this. I 18 don't know if the rescue swimmer was in the 19 water and helping me get in that or not, but I 20 can remember there was no way I could get in, 21 I couldn't move, and I couldn't see well 22 enough. Then, I guess, there was an effort to 23 get into that, but shortly after they realized 24 there was no way I was going to get into this. 25 I guess, the next thing I remember is seeing</p>	<p>1 specifically the sequence of events on March 2 12th. There are two other areas I want to ask 3 you some more general questions about. That's 4 the offshore survival training, and some more 5 questions about the suits. Do you want to 6 continue with that now, or would it be an 7 appropriate time for a short break, if you 8 need one? I'm happy to continue if you wish 9 to. 10 MR. DECKER: 11 A. I think it's a good time for a break. 12 MR. SIMMONS: 13 Q. Okay, good, thank you. 14 COMMISSIONER: 15 Q. So you would like a break? 16 MR. DECKER: 17 A. Yes. 18 COMMISSIONER: 19 Q. All right then. Would fifteen minutes be 20 sufficient? 21 MR. DECKER: 22 A. Yes, it is. 23 COMMISSIONER: 24 Q. All right then. 25 (RECESS)</p>
<p>Page 62</p> <p>1 Ian Wheeler, the rescue swimmer, being lowered 2 down, and for some reason he was in the water 3 next to me, and I think I can recall him 4 saying I have to go get another piece of 5 equipment. I don't know what was happening or 6 what he was going to get, but I can remember 7 grabbing towards his shoulders and saying 8 please don't leave me here, and that's really 9 the last thing I can remember seeing. 10 MR. SIMMONS: 11 Q. Uh-hm. 12 MR. DECKER: 13 A. And then shortly after that I was hooked onto 14 his -- I was lynched up on his survival chain. 15 MR. SIMMONS: 16 Q. And I understand, Mr. Decker, you have no 17 recollection of being hoisted out of the water 18 or anything that happened on the trip back in, 19 or events after that for some time? 20 MR. DECKER: 21 A. I can't remember anything after that, and I 22 couldn't see -- I couldn't see at all then. 23 MR. SIMMONS: 24 Q. Uh-hm. Mr. Decker, that's all the questions 25 that I have concerning the events,</p>	<p>Page 64</p> <p>1 COMMISSIONER: 2 Q. Okay, Mr. Simmons. 3 MR. SIMMONS: 4 Q. Thank you, Commissioner. Mr. Decker, we know 5 that everybody who flies offshore has to do a 6 course at the Offshore Safety and Survival 7 Centre run by the Marine Institute at Foxtrap. 8 When did you first do that course? 9 MR. DECKER: 10 A. February, 2006. 11 MR. SIMMONS: 12 Q. Okay, and was that a five day course at that 13 time that you did that? 14 MR. DECKER: 15 A. That was a five day course. 16 MR. SIMMONS: 17 Q. Right, and just in a very general way, what 18 sort of topics are addressed during that 19 program? 20 MR. DECKER: 21 A. They talk about all safety related offshore 22 issues. So there's quite a bit of talk about 23 the life rafts, the life boats, what to do in 24 the event of fires, how to properly put on 25 your immersion suits, how to properly wear</p>

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<p>1 your flight suits, and, I guess, to highlight</p> <p>2 it, there's a sea day, so you actually get to</p> <p>3 use your immersion suit and kind of test</p> <p>4 things out, and you practice getting into the</p> <p>5 life raft. The other exercise, I think,</p> <p>6 that's kind of a focal point is the simulator</p> <p>7 of the helicopter, and you practice emergency</p> <p>8 escape from crashed helicopters.</p> <p>9 MR. SIMMONS:</p> <p>10 Q. Right. Now there's an acronym, HUET, H-U-E-T,</p> <p>11 which I think stands for Helicopter Underwater</p> <p>12 Emergency Trainer. That is the simulator that</p> <p>13 you referred to, is it?</p> <p>14 MR. DECKER:</p> <p>15 A. Right.</p> <p>16 MR. SIMMONS:</p> <p>17 Q. The HUET. Now for the training exercises, the</p> <p>18 sea day, the HUET, and so on, do you use the</p> <p>19 immersion suits when you do those?</p> <p>20 MR. DECKER:</p> <p>21 A. You do.</p> <p>22 MR. SIMMONS:</p> <p>23 Q. And is there a single type of suit that you</p> <p>24 train in or two?</p> <p>25 MR. DECKER:</p>	<p>1 helicopter training, maybe a whole day for the</p> <p>2 HUET exercises.</p> <p>3 MR. SIMMONS:</p> <p>4 Q. Right, and in the HUET exercises, what are the</p> <p>5 different scenarios that you train for?</p> <p>6 MR. DECKER:</p> <p>7 A. So they train for three controlled, I guess,</p> <p>8 crashes. So the first would be a crash on the</p> <p>9 water and the helicopter stays upright and</p> <p>10 floats.</p> <p>11 MR. SIMMONS:</p> <p>12 Q. Uh-hm.</p> <p>13 MR. DECKER:</p> <p>14 A. The second scenario is if the helicopter</p> <p>15 crashes on the water, stays upright, but then</p> <p>16 sinks, and the third scenario would be if a</p> <p>17 helicopter crashed into the water and then</p> <p>18 flipped upside down and rolled.</p> <p>19 MR. SIMMONS:</p> <p>20 Q. Okay. Now you've described for us your</p> <p>21 experiences on March 12th with the commands</p> <p>22 issued by the pilots to don suits, the brace</p> <p>23 command, the ditch command. Are those all</p> <p>24 consistent with the training exercises that</p> <p>25 were carried out in HUET with your initial</p>
<p>1 A. There's two suits. So there's the immersion</p> <p>2 suit that you get to use on the sea day, but</p> <p>3 there's also the flight suit, which is only</p> <p>4 used for pool exercise, and for the HUET</p> <p>5 training.</p> <p>6 MR. SIMMONS:</p> <p>7 Q. Right, and I won't get you to describe in any</p> <p>8 detail the difference, but there are</p> <p>9 differences between the two suits, are there?</p> <p>10 MR. DECKER:</p> <p>11 A. Yeah, there are differences.</p> <p>12 MR. SIMMONS:</p> <p>13 Q. Okay. The training that you did in that</p> <p>14 initial course that was specific to flying on</p> <p>15 the helicopter, included the HUET training,</p> <p>16 and it also included boarding life rafts and</p> <p>17 how you deal with that, did it?</p> <p>18 MR. DECKER:</p> <p>19 A. Right, life rafts and life boats.</p> <p>20 MR. SIMMONS:</p> <p>21 Q. How much of the five days was taken up by</p> <p>22 training that related to flying on the</p> <p>23 helicopters?</p> <p>24 MR. DECKER:</p> <p>25 A. It was quite a bit of a focus on the</p>	<p>1 training?</p> <p>2 MR. DECKER:</p> <p>3 A. Yes, they are.</p> <p>4 MR. SIMMONS:</p> <p>5 Q. Okay. In the HUET training, can you tell me a</p> <p>6 little more about what the steps are that you</p> <p>7 are taught for escaping from a helicopter once</p> <p>8 it's submerged in the water?</p> <p>9 MR. DECKER:</p> <p>10 A. Well, I guess, there's kind of different</p> <p>11 scenarios, but, I guess, the first thing would</p> <p>12 be to prepare. So you would make sure your</p> <p>13 suit is donned correctly and the seals are</p> <p>14 fastened tightly, and in the pool generally,</p> <p>15 you do use the mask. So you put the mask on,</p> <p>16 and then, I guess, the next step -- and you</p> <p>17 brace. So everybody is bracing. Then they</p> <p>18 call for ditch, and, I guess, there's a</p> <p>19 simulated helicopter crash, and the steps</p> <p>20 would be the first thing you do would be to</p> <p>21 knock out the window. I think they only</p> <p>22 require 40 pounds of force, so they're not</p> <p>23 very hard to get out. After that time, you're</p> <p>24 supposed to keep one hand sort of on the ledge</p> <p>25 of the window and another hand on the seat</p>

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<p>1 belt, and sort of a waiting game. Depending 2 on what's happening, you do different things. 3 So if the helicopter is staying upright, you 4 wait for someone to kind of take command and 5 perhaps take a leadership position to get 6 everyone off the helicopter into a life raft. 7 If the helicopter sinks, you have to wait 8 until it's fully submerged and then you kind 9 of take your last breath and you hold your 10 breath and you release your seat belt. Your 11 hand is already on the ledge, and you pull 12 yourself up, and it's similar to -- as the 13 roll.</p> <p>14 MR. SIMMONS: 15 Q. The training with the HUET is conducted in a 16 pool. Can you tell me what some of the 17 significant differences were between the 18 conditions under which you do the HUET 19 training and the circumstances that you found 20 yourself in on March 12th?</p> <p>21 MR. DECKER: 22 A. Well, I guess, the main difference is that it 23 was a real controlled setting, and it was also 24 controlled ditching. So, you know, there 25 wasn't a lot of impact, there's not a lot of</p>	<p>1 helicopter sinks, there's only two passengers 2 on board.</p> <p>3 MR. SIMMONS: 4 Q. Uh-hm.</p> <p>5 MR. DECKER: 6 A. And when you're the passenger, everyone has a 7 window seat, so there's not a time that you 8 have to wait for someone next to you to get 9 out and then follow behind them.</p> <p>10 MR. SIMMONS: 11 Q. Uh-hm.</p> <p>12 MR. DECKER: 13 A. And, I guess, those are the main differences, 14 that it's quite controlled.</p> <p>15 MR. SIMMONS: 16 Q. Right. Does the HUET simulator have an 17 auxiliary fuel tank such as the one that was 18 on the S-92 on March 12th?</p> <p>19 MR. DECKER: 20 A. I don't think it does.</p> <p>21 MR. SIMMONS: 22 Q. Through the training in the HUET, are there 23 any limits on the visibility, such as those 24 you encountered on March 12th with the 25 darkness?</p>
<p>1 force. I guess, the other issues would be or 2 the other differences would be the 3 environmental issues. So the water 4 temperature is a big difference, the salt 5 water, the water temperature. I mean, there's 6 no waves in the tank.</p> <p>7 MR. SIMMONS: 8 Q. Uh-hm.</p> <p>9 MR. DECKER: 10 A. I guess, some of the other differences are 11 that you have a coach on board who's coaching 12 you through things, and there's also a rescue 13 diver on the helicopter, and when you're doing 14 the majority of the training and, I guess, the 15 test crashes, there's only two passengers on 16 the helicopter, so you don't actually practice 17 with the full complement of all the seats 18 filled up, unless it's the controlled ditching 19 where the helicopter stays upright and 20 everybody gets off the helicopter and boards 21 the life raft.</p> <p>22 MR. SIMMONS: 23 Q. Uh-hm.</p> <p>24 MR. DECKER: 25 A. And all of the other situations when the</p>	<p>1 MR. DECKER: 2 A. No, it's with light.</p> <p>3 MR. SIMMONS: 4 Q. Okay. Now you did refresher training, I 5 believe, in January of 2009 at the Marine 6 Institute?</p> <p>7 MR. DECKER: 8 A. I did. Every three years you have to do your 9 BST recurrent, and at that time you do a two 10 day refresher.</p> <p>11 MR. SIMMONS: 12 Q. Okay, and how did that refresher course 13 differ, if any, from the original training 14 that you did?</p> <p>15 MR. DECKER: 16 A. Oh, I guess, they kind of go through things 17 much quicker. The highlight the important 18 steps of getting into the life raft. So I 19 think it's more hands-on things. You spend 20 the day in the pool. You kind of do an 21 overview of the life raft, the life boats down 22 in the harbour, how to launch those, and how 23 to properly get around in those, and then 24 there's also a portion of it that's a sea day 25 again. So the afternoon of the second day is</p>

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<p>1 supposed to be a sea day, but when I did my 2 recurrent training, the weather was such that 3 it was too cold to actually do the sea day, so 4 I don't have that, and even though my 5 certification was expired, I was granted an 6 exemption for that. 7 MR. SIMMONS: 8 Q. Because you had been unable to do the sea day? 9 MR. DECKER: 10 A. Right. 11 MR. SIMMONS: 12 Q. Now what happens on the sea day? 13 MR. DECKER: 14 A. The sea day, I guess, you put to practice all 15 the things you've learned in the course. So 16 the people in the course board a vessel in St. 17 John's Harbour, or in Conception Bay. I think 18 they have two locations, maybe in Foxtrap is 19 the other one, but I've only done it from St. 20 John's harbour, and they steam out to 21 Freshwater Bay and everybody has their 22 immersion suits, and you practice getting into 23 the water, jumping from the boat, climbing 24 back onto the boat with a scramble net, how to 25 do some survival exercises while in the water,</p>	<p>1 case of an emergency on the rigs? 2 MR. DECKER: 3 A. Sorry, can you repeat the question? 4 MR. SIMMONS: 5 Q. Which suits, the flight suits or the immersion 6 suits are available on the oil rigs and the 7 offshore facilities? 8 MR. DECKER: 9 A. I guess, at all the muster stations, it's the 10 immersion suit, and in the rooms, every room 11 is equipped with two immersion suits, but 12 because you have your flight suit in your 13 room, there's also your flight suit. 14 MR. SIMMONS: 15 Q. Okay. Now in your helicopter travel in the 16 three years that you were working for 17 Provincial Aerospace offshore, have you used 18 different types of flight suits at different 19 times? 20 MR. DECKER: 21 A. Yeah, there's been different suits. 22 MR. SIMMONS: 23 Q. Uh-hm. 24 MR. DECKER: 25 A. I think when I started they had a yellow</p>
<p>1 get in chains, and, I guess, another big thing 2 is you actually deploy the life rafts. 3 MR. SIMMONS: 4 Q. You've told us there are two different types 5 of suits that are used in training. There are 6 the flight suits that are used in the HUET 7 simulator. That's correct, I think, and there 8 are also immersion suits? 9 MR. DECKER: 10 A. That's right. 11 MR. SIMMONS: 12 Q. Which suits are used on the sea day? 13 MR. DECKER: 14 A. On the sea day, you only use the immersion 15 suit. 16 MR. SIMMONS: 17 Q. Is there any occasion in the training where 18 you use the flight suit to go into the ocean 19 water? 20 MR. DECKER: 21 A. Not into the ocean, just in the pool. 22 MR. SIMMONS: 23 Q. Now in your experience on the oil rigs and 24 vessels, which types of suits, flight or 25 immersion, are the ones that are available in</p>	<p>1 Mustang survival suit. In 2006, the fall of 2 2006, the Eirik Raude came and they had 3 different flight suits at that time. They 4 were more like the immersion suit. They were 5 kind of more neoprene based suits, and only 6 that facility actually used them. I don't 7 know if they were owned by the rig or who they 8 were owned by, but at that time we used 9 another flight suit, and then maybe in the 10 last year and a half there's been the latest 11 flight suit that's made by Helly Hansen. 12 MR. SIMMONS: 13 Q. Right. How were -- the original Mustang suits 14 that you used, how were they sized? How were 15 the sizes indicated? 16 MR. DECKER: 17 A. They were sized -- they had a number size, so 18 it was kind of 7, 8, 9, 10, 11. I think I was 19 size 11. 20 MR. SIMMONS: 21 Q. When you first began flying offshore, how did 22 you determine what size suit you should be 23 wearing? 24 MR. DECKER: 25 A. Well, in the BST, you do get to train with</p>

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1 different suits, and I think you kind of
 2 figure out which is the best fit. I mean, I
 3 guess the joke was that, you know, these suits
 4 fit no one, it's one size fits no one, and I
 5 think with the sized flight suits, they fit a
 6 little bit better, but it was kind of to fit a
 7 range of people. So, I guess, initially when
 8 you -- initially when you first went to
 9 Cougar, they kind of outfitted you with what
 10 looked would be your size, so kind of your
 11 general dimensions, and then somehow they were
 12 able to record what suit you used previously,
 13 and then the next time you would check in, you
 14 were automatically give the size again. So
 15 they had on file and on record.

16 MR. SIMMONS:
 17 Q. Now when the switch was made to the Helly
 18 Hansen suits that are in use now, I understand
 19 that those are the -- the sizes are described
 20 differently; they come in small, extra small,
 21 medium, large, et cetera. How did you
 22 determine which size suit you should be
 23 wearing when the change was made Mustang to
 24 Helly Hansen?
 25 MR. DECKER:

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1 A. I think after the change, I was -- after you
 2 check in and getting ready to get your flight
 3 suit issued, I'm not sure if Cougar had some
 4 sort of conversion that they knew if I took a
 5 size 11 suit in the Mustang suit, that I'd
 6 take a large suit in the Helly Hansen, but I
 7 think maybe they just took a quick look and
 8 kind of eyeballed what suit you would try, and
 9 you tried it, and if it didn't seem
 10 sufficient, they would obviously give you a
 11 different size suit, they were accommodating.

12 MR. SIMMONS:
 13 Q. Okay. Now one of the issues that you
 14 mentioned in relation to the current Helly
 15 Hansen suit is that people can have difficulty
 16 doing up the neck zipper on it.

17 MR. DECKER:
 18 A. The neck zippers, I guess, it's more awkward
 19 and uncomfortable.

20 MR. SIMMONS:
 21 Q. Uh-hm.

22 MR. DECKER:
 23 A. Because you really have to lift your neck and
 24 tip your head a bit, and it kind of does up to
 25 the side and it sort of cuts open around your

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1 chin. They're not very comfortable.

2 MR. SIMMONS:
 3 Q. Uh-hm.

4 MR. DECKER:
 5 A. And I think at first people were not used to
 6 this because the old suits kind of just had a
 7 collar and the hood was actually a separate
 8 piece that pulled over, but this suit is kind
 9 of all included. The hood is actually part of
 10 the suit.

11 MR. SIMMONS:
 12 Q. And you've told us that when you board the
 13 helicopter and depart on a flight out, that
 14 zipper is relaxed, it's not pulled up for the
 15 flight out, and that when the call came to don
 16 the suits, the passengers had to pull up those
 17 zippers. Was there anything done prior to the
 18 flight to ensure that passengers would be able
 19 to properly pull up those zippers if you had
 20 to?

21 MR. DECKER:
 22 A. Before you board the helicopter, Cougar comes
 23 in and they ask for people to sit down and
 24 simulate actually donning the survival suit,
 25 so they can make sure there's no stiff zippers

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1 and everybody is able to get their suit
 2 properly donned.

3 MR. SIMMONS:
 4 Q. Okay. One of the things you experienced
 5 before you escaped from the helicopter was
 6 that air escaped from inside the suit around
 7 the face shield. In training, in either your
 8 original course or the refresher, are there
 9 any procedures that are learned to deal with
 10 removing air from suits, either flight or
 11 immersion?

12 MR. DECKER:
 13 A. When you're using the immersion suit, I guess
 14 you completely don it and then there's a
 15 process to kind of make sure all the air is
 16 kind of pushed out or forced out of the suit,
 17 so you kind of, I guess, scoochy down a little
 18 bit and kind of help the air out and release
 19 it through the face seal so that they fit a
 20 little bit tighter and they're not like a
 21 balloon.

22 MR. SIMMONS:
 23 Q. And what, in the training, were you given any
 24 reason why it's important to remove as much
 25 air from the suits as possible?

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1 MR. DECKER:
 2 A. Yeah, they made a good point of why it was
 3 important. They kind of had a demo of what
 4 would happen if you did have air in your suit.
 5 So they have someone who doesn't have the air
 6 bled out through their seal and they jump into
 7 the pool and, you know, quite commonly all the
 8 air would rush to their feet, so they could
 9 come up feet first. So they do a pretty good
 10 demo of why it's important and they also
 11 suggest that if there's air in your suit and
 12 it's escaping if you're under water, that it
 13 would break the seal around the face and
 14 potentially there's a way for water to get in.
 15 MR. SIMMONS:
 16 Q. Okay, and was there any similar training done
 17 to remove the air from the flight suit?
 18 MR. DECKER:
 19 A. No, in the flight suit, you don't do it. You
 20 don't bleed the air out, and I never really
 21 thought of it at the time why not.
 22 MR. SIMMONS:
 23 Q. Okay. Once you're seated in the helicopter
 24 with your seatbelts in place, do you have any
 25 view or thought on how difficult or easy it

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1 might be to remove air from the suit once
 2 you're donning it on board the helicopter with
 3 seatbelts on?
 4 MR. DECKER:
 5 A. Well, I guess, really you can't because
 6 there's going to be air in all parts of the
 7 suit and I guess I understand there's some
 8 sort of valve in the hood which is supposed to
 9 actually bleed air out if you're submerged. I
 10 don't really remember learning about the valve
 11 on them, except I know that Cougar has a
 12 notice board and they kind of put updates and
 13 notices and it's suggested that you weren't
 14 supposed to tamper with these because they're
 15 set and they're valves and they're used to
 16 bleed the suit in the event you're in the
 17 water.
 18 MR. SIMMONS:
 19 Q. And we do know that in your case, air did
 20 escape around the face seal while you were
 21 under water. You've already told us this
 22 morning about some of the effects on you from
 23 the cold during the time that you were in the
 24 water. Have you learned since what your body
 25 temperature was when you arrived at the

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1 hospital after being rescued?
 2 MR. DECKER:
 3 A. 28 degrees.
 4 MR. SIMMONS:
 5 Q. 28 degrees Celsius. Now Mr. Decker, that's
 6 all the questions that I have for you. I
 7 understand you do have a statement prepared.
 8 One of the big questions that's been
 9 outstanding for the last nine months is how it
 10 was that you were able to survive this crash
 11 when others didn't, and I understand that in
 12 the comments you want to make, you will make
 13 some comments in relation to that question.
 14 So if you want to, you can just go ahead,
 15 please.
 16 MR. DECKER:
 17 A. Okay. I don't think that anyone will ever
 18 know why it was that I survived this disaster
 19 and the others did not. There probably is no
 20 good reason, just luck. What I do know is
 21 that I came incredibly close to losing my life
 22 also. There are several things that might
 23 have made some difference to my survival. I
 24 don't know whether they would have made a
 25 difference for anyone else or not. The first

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1 thing, I guess, I was relatively young,
 2 healthy and fit at the time of the crash.
 3 Another is that maybe the fact that I braced
 4 myself against the seat in front of me reduced
 5 the force against my chest with the helicopter
 6 hitting the water. That might have left me
 7 with a little more air in my lungs. Also,
 8 when I regained consciousness in the submerged
 9 helicopter cabin, I know that I stayed calm
 10 and I didn't panic. I was able to concentrate
 11 in getting out of the helicopter and to the
 12 surface as quickly as possible.
 13 Many people know that I have been sailing
 14 in small boats, mostly on Conception Bay,
 15 since I was quite young, and I've taught
 16 sailing at the Royal Newfoundland Yacht Club.
 17 Many times I have been thrown into the cold
 18 sea water from an overturned boat. I think
 19 that that experience meant that when the
 20 helicopter suddenly filled with icy water, I
 21 could react instinctively without having to
 22 consciously plan what I had to do. It was
 23 like a reflex to take a breath and to hold it
 24 and just stay calm until I could get to the
 25 surface. As good as the training is, a couple

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1 days of controlled immersion in that pool
 2 every few years is not enough to allow anyone
 3 to develop the instinctive reactions that they
 4 need to have a chance of escaping a helicopter
 5 crash like Cougar 491.

6 Other things were just luck. I was
 7 seated next to a window. The helicopter sank
 8 with the port side down. I was on the
 9 starboard side so that the open window next to
 10 me was above me when I released my seatbelt
 11 and the buoyancy of my suit probably helped
 12 carry me through it. Every second counted and
 13 small things like that made a very big
 14 difference.

15 I know that many family members of the
 16 passengers are here today or are listening to
 17 the broadcast. I don't know what else I can
 18 say to you other than just to tell my story as
 19 I've done here today. It could just as easily
 20 have been someone else who survived and me
 21 that did not.

22 I have already privately thanked the
 23 Cougar crew that came to my rescue on March
 24 12th, but I want to publicly thank them again
 25 here today.

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1 I hope that this Inquiry does make
 2 offshore travel by helicopter safer. I will
 3 not be flying offshore any more, but others
 4 continue to do it every day and they deserve
 5 to be able to do it safely.

6 Training to escape from a crashed
 7 helicopter is important. Having good survival
 8 suits is important, and having search and
 9 rescue capacity nearby is important. But all
 10 those things are what you need after there's
 11 been a crash into the ocean. If we really
 12 want to make offshore helicopter travel safe,
 13 what we have to do is to make sure that every
 14 helicopter does not crash. The best way to
 15 keep every offshore worker safe is to keep
 16 every helicopter in the air where it belongs.
 17 Safety starts with the helicopter and I think
 18 everything else is secondary.

19 MR. SIMMONS:
 20 Q. Thank you very much, Mr. Decker.
 21 Commissioner, I understand we'll have a short
 22 adjournment now to determine if there's any
 23 other questions for Mr. Decker.

24 COMMISSIONER:
 25 Q. Thank you, Mr. Decker. We will take a break

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1 now and questions will be handed by those who
 2 wish to ask questions to Inquiry counsel and
 3 we will go over them with you and see what
 4 questions you can answer and I will ask them
 5 then. Is that all right?

6 MR. DECKER:
 7 A. Sure.

8 COMMISSIONER:
 9 Q. Okay, thank you. We'll take a break, probably
 10 15 minutes.
 11 (BREAK)

12 COMMISSIONER:
 13 Q. Mr. Decker, we have, of course, with you, gone
 14 over the questions that have been asked. One
 15 area I'd like to clear up in the very
 16 beginning and that is that there were two or
 17 three questions asked vis-a-vis did you see
 18 anybody else or you know, what happened to
 19 other passengers, to your knowledge, anything
 20 like that, and my understanding is from you
 21 and Mr. Simmons that you'd prefer not to get
 22 into that, but that if individual family
 23 members have questions, they could be dealt
 24 with and answered by you through consultation
 25 with Mr. Simmons, and that you'd be prepared

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1 to do that. Okay.

2 Insofar as the questions of concern,
 3 there were two or three questions about the
 4 suits, about the difference between the
 5 immersion suit and the survival suit that's
 6 worn on the plane, and I think people would
 7 like you to speak about these two suits again,
 8 the differences between them. They're
 9 familiar matters to so many people who are
 10 here today, but they're not familiar to people
 11 who are literally not familiar with the
 12 process and perhaps the general public. Would
 13 you like to talk about the differences between
 14 these two suits and give us your view on them?

15 MR. DECKER:
 16 A. Well, like I said, there's two suits. There's
 17 the immersion suit, which is used at the sea
 18 day, and it's what the rigs and facilities
 19 actually have on board. It's a neoprene suit.
 20 It has tighter seals and I think it's probably
 21 more effective of keeping you dry. I guess
 22 the difference with the flight suit, which is
 23 what we wore that day and which is what you
 24 wear every day when you're travelling on
 25 helicopter, is that it's a different fabric.

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<p>1 It's a looser fabric. It has different type 2 of built-in boots which maybe it's easier to 3 walk in loading and disembarking the aircraft. 4 I think generally you would think that the 5 immersion suit is definitely better if you're 6 going to spend time in the water, because they 7 keep you dry, but for helicopter transport, 8 you do use a flight suit, which is, I guess, 9 less effective, I would think.</p> <p>10 COMMISSIONER: 11 Q. I see, okay. Another question is that you 12 mentioned that there was a sort of a rush when 13 going onto the helicopter, not when walking 14 out to it, but within the room, so that one 15 might be at the front of the queue, put it 16 that way. Would you elaborate a bit on any 17 reasons that you're aware of why that should 18 be?</p> <p>19 MR. DECKER: 20 A. Well, I guess maybe the first reason was just 21 general comfort. I can point out the seats 22 maybe.</p> <p>23 COMMISSIONER: 24 Q. Yes, okay.</p> <p>25 MR. DECKER:</p>	<p>1 COMMISSIONER: 2 Q. Yes, unless, of course, he or she had a 3 breathing apparatus.</p> <p>4 MR. DECKER: 5 A. Perhaps, but it would be really difficult 6 because this person is swimming, kicking and I 7 don't think it would be possible to escape if 8 you're seated inboard. Also, when you're 9 doing the training, there's no training that 10 you actually do with an inboard seat. You 11 only -</p> <p>12 COMMISSIONER: 13 Q. Yes.</p> <p>14 MR. DECKER: 15 A. - train with using a window seat, single seat.</p> <p>16 COMMISSIONER: 17 Q. Okay then. I have one question myself, if you 18 wouldn't mind attempting to answer it, if you 19 can, and that is when you emerged, you know, 20 from the depths, as it were, and came up onto 21 the surface of the ocean, what were the 22 factors which caused you the most difficulty? 23 Is there any way that you could rate them? 24 And by factors, I mean, the frigidity, the 25 extreme cold of the water, the fact that the</p>
<p>Page 90</p> <p>1 A. So there's only limited single seating, so all 2 of these seats on the side, these seats here, 3 and the window seats really. Everybody wants 4 to have a single seat, so these were the ones 5 that filled up quickly, along with the jump 6 seat, which was the first to go. I think it 7 may have been a comfort thing because sitting 8 back here, you'd have people on either side. 9 Sitting in this seat, you'd have somebody next 10 to you and this is not as comfortable. 11 Secondly, I think that, I mean, in the event 12 that you'd ever have to get out of the 13 helicopter, the chances of being able to 14 escape from an overturned helicopter being the 15 inside seat would be next to impossible to 16 escape. You'd have to hold your breath and 17 wait for the initial person who would be 18 directly next to the window to get out and 19 clear out of your way and their feet and 20 kicking.</p> <p>21 COMMISSIONER: 22 Q. Yes.</p> <p>23 MR. DECKER: 24 A. I just can't see how this person would ever 25 stand a chance.</p>	<p>Page 92</p> <p>1 water was salt and whether that affected your 2 sight, which I presume it did, and other 3 factors, if there are any? Would you like to 4 talk about that?</p> <p>5 MR. DECKER: 6 A. I guess the most or what I would rate the 7 highest factor would be the temperature of the 8 water, because I lost complete mobility of my 9 fingers and I wasn't able to correctly put on 10 the safety features that the flight suits 11 have. I think the next thing would probably 12 be the sea state, because I think it's a lot 13 more difficult to keep yourself floating on 14 your back in significant seas. That day, I 15 guess I was lucky it was relatively calm, but 16 it was still quite a struggle. The salt 17 water, not so bad, I don't think, and I think 18 my vision was more to do with my temperature 19 being so low and not to do with the burning of 20 the salt.</p> <p>21 COMMISSIONER: 22 Q. Oh, I see, I see, I didn't realize that.</p> <p>23 MR. DECKER: 24 A. So I think it may have been I was probably--my 25 conscious level was quite low, I would think.</p>

1 I think it was more to do with my hypothermic
 2 state. I think those would be the most -
 3 COMMISSIONER:
 4 Q. Most serious.
 5 MR. DECKER:
 6 A. - serious things to deal with would be the
 7 temperature of the water first, the sea state
 8 next, maybe salt water would be much less
 9 significant.
 10 COMMISSIONER:
 11 Q. I see, and you would relate, I suppose, sea
 12 state to wind, would you?
 13 MR. DECKER:
 14 A. Well, not necessarily. The sea is--I mean,
 15 there's all sorts of different wave patterns
 16 and some times it's just swell waves. So
 17 there'd be very little wind. So it could be
 18 wind wave would be caused by the winds in that
 19 area. So I guess swell wave is easier to
 20 survive in because the period between the
 21 waves is much longer. So it's more like a
 22 gradual ups and downs, whereas the wind wave,
 23 and if it was windy and there was white caps,
 24 it would have been a lot more flying water.
 25 COMMISSIONER:

1 CERTIFICATE
 2 We, the undersigned, do hereby certify that
 3 the foregoing is a true and correct transcript of a
 4 hearing heard on the 5th day of November, 2009 at
 5 Tara Place, 31 Peet Street, Suite 213, St. John's
 6 Newfoundland and Labrador and was transcribed by us
 7 to the best of our ability by means of a sound
 8 apparatus.
 9 Dated at St. John's, NL this
 10 5th day of November, 2009
 11 Cindy Sooley
 12 Discoveries Unlimited Inc.
 13 Judy Moss
 14 Discoveries Unlimited Inc.

1 Q. Yes.
 2 MR. DECKER:
 3 A. A lot more, but yes, so the sea states kind of
 4 depends. It varies.
 5 COMMISSIONER:
 6 Q. Well, Mr. Decker, thank you very much for
 7 doing this. This is, I suspect, helpful not
 8 only to some of the people or all of the
 9 people in the room, but to a wider audience as
 10 well, and I want to thank you and I want to
 11 thank Mr. Simmons for your help and
 12 cooperation in this. I would also like very
 13 much to thank the families and their counsel
 14 for participating in this today, and I hope
 15 that this procedure will be of help and
 16 assistance to you also. I want to thank those
 17 who have standing, and their counsel, for
 18 cooperating also with this process this
 19 morning, and that's really all, I think, that
 20 I need say at this time. So thank you very
 21 much. We'll adjourn now to resume at a later
 22 date, which is the--can you remember the date?
 23 It's a week from the coming Monday, yes. All
 24 right then, thank you very much.
 25 ADJOURNED TO NOVEMBER 16, 2009 AT 9:30 A.M.

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