

UNITED STATES OF AMERICA  
UNITED STATES COAST GUARD

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\* In the matter of: \*  
\* \* \* \* \*  
\* THE MARINE BOARD OF INVESTIGATION \*  
\* FOR THE CAPSIZING OF THE \*  
\* LIFTBOAT *SEACOR POWER* IN \*  
\* THE GULF OF MEXICO ON APRIL 13, 2021 \*  
\* \* \* \* \*  
\*\*\*\*\*

HOUMA, LOUISIANA

MONDAY  
AUGUST 2, 2021

8:00 a.m. – 2:32 p.m.

## APPEARANCES

### U.S. Coast Guard

CAPTAIN TRACY PHILLIPS, Presiding Officer

MR. ANDREW LAWRENCE

MR. ERIC VERDIN

LT SHARYL PELS, Legal Counsel

LT ANTHONY ALGER, Recorder

PAC ELIZABETH BORDELON, Media Liaison

CWO4 LAWRENCE BLEVINS, Family Liaison

### National Transportation Safety Board

MR. ANDREW EHLERS, Investigator in Charge

MR. MICHAEL KUCHARSKI

MR. MARCEL MUISE

### Parties in Interest

MS. ANTONIA APPS, Esq.

MR. GARY HEMPHILL, Esq.

MR. PETER TOMPKINS, Esq.

Seacor Marine, LLC and Falcon Global Offshore, LLC

MR. GERARD WHITE, Esq.

MR. JOHN PRESTON, Chief Surveyor Offshore  
American Bureau of Shipping (ABS)

MR. PAUL STERBCOW, Esq.

First Mate Bryan Mires

### Also Present:

MR. RICHARD MARTIN, Esq.

(on behalf of Mr. Dwayne Lewis)

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**PROCEEDINGS**

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2  
3 **CAPT Phillips:** The time now is 0800 on August 2<sup>nd</sup> 2021, this hearing is now in  
4 session. Good morning ladies and gentlemen I'm Captain Tracy Phillips, United States  
5 Coast Guard. I'm the Chair of the Coast Guard Marine Board of Investigation and the  
6 Presiding Officer of these proceedings. The Commandant of the Coast Guard has  
7 convened this board under the authority of Title 46 United States Code, Section 6301  
8 and Title 46 Code of Federal Regulations Part 4 to investigate the circumstances  
9 surrounding the capsizing of the SEACOR POWER with the loss of 13 lives on April  
10 13<sup>th</sup>, 2021 while transiting the Gulf of Mexico. I would like to take this opportunity to  
11 express my condolences to the family and friends of the 13 crew members who were  
12 lost at sea. I note many of you are attending today's session and more are watching on  
13 the live web stream, thank you for joining us today. Other than myself the members of  
14 this board include Mr. Andrew Lawrence and Mr. Eric Verdin, both of the United States  
15 Coast Guard. The Legal Counsel to this board is Lieutenant Sharyl Pels. The recorder  
16 is Lieutenant Anthony Alger. In addition to the members that I've already introduced  
17 we're also joined here by the board's media liaison, Chief Petty Officer Elizabeth  
18 Bordelon, and board's family liaison Chief Warrant Officer Lawrence Blevins. The  
19 National Transportation Safety Board is also charged with the responsibility of  
20 determining the cause, or probable cause of a marine casualty under the provisions of  
21 Section 304A1E of the Independent Safety Board Act of 1974. For this reason the  
22 NTSB representatives will participate fully in these hearings and may make  
23 recommendations about the scope of the hearings, may call and examine witnesses

1 and may submit or request additional evidence. The NTSB is represented here today  
2 by Mr. Andrew Ehlers, Investigator in Charge for the NTSB's SEACOR POWER  
3 investigation. Mr. Michael Kucharski as the Operation's Group Chair, and Mr. Marcelle  
4 Muise as the Survival Factors Group Chair. Mr. Michael Richards is also participating  
5 as the NTSB's Weather Group Chair, but he is not present here today. I will now briefly  
6 discuss the purpose of the Marine Board of Investigation. Our investigation was  
7 convened in order to determine the factors that contributed to the incident. This hearing  
8 will examine a variety of different topics including the incident, events leading up to the  
9 incident, weather, search and rescue efforts, the condition of the vessel, the owner, the  
10 charterer and the regulatory scheme which applied to the vessel. Once we identify what  
11 contributed to the incident then we will make recommendations in order to prevent  
12 similar casualties from occurring in the future. This may include recommendations for  
13 new laws or regulations. Our Marine Board will determine whether there's evidence that  
14 any act of misconduct, inattention to duty, negligence or willful violation of the law on the  
15 part of any licensed or certificated person contributed to the casualty. The Board will  
16 also determine whether there's enough evidence that any Coast Guard personnel or  
17 any representative or employee of any other Government agency or any other person  
18 caused or contributed to the casualty. Upon completion of the investigation this Marine  
19 Board will submit its report of findings, conclusions and recommendations to the  
20 Commandant of the United States Coast Guard. I will now discuss the parties in  
21 interest. The Coast Guard has designated several parties in interest to this  
22 investigation. In Coast Guard casualty investigations a party in interest is an individual,  
23 organization or other entity that under the existing evidence or because of his or her

1 position may have been responsible for or contributed to the casualty. A party in interest  
2 may also be an individual, organization or other entity having a direct interest in the  
3 investigation and demonstrating the potential for contributing significantly to the  
4 completeness of the investigation or otherwise enhancing the safety of life and property  
5 at sea through participation as a party in interest. All parties in interest have a Statutory  
6 right to employee counsel to represent them, to cross-examine witnesses and to have  
7 witnesses called on their behalf. Witnesses who are not designated as parties in  
8 interest may be assisted by counsel for the purpose of advising them concerning their  
9 rights, however, such counsel are not permitted to examine or cross-examine other  
10 witnesses or otherwise participate in the investigation. I will now read the list of those  
11 organizations and individuals whom I have previously designated as parties in interest.  
12 After I read the name of each organization or individual, I ask that counsel announce  
13 their appearance on behalf of their client. SEACOR Marine, LLC.

14 **MS. Apps:** Good morning. For SEACOR Marine, LLC and also Falcon Global  
15 Offshore, LLC, counsel present are Antonia Apps, Gary Hemphill, and Peter Tompkins.  
16 Thank you.

17 **CAPT Phillips:** Thank you. American Bureau of Shipping.

18 **Mr. White:** Good morning. I'm Jerry White outside counsel for the American Bureau of  
19 Shipping. Seated to my left is Mr. John Preston. Mr. Preston is the ABS's Chief  
20 Surveyor Offshore.

21 **CAPT Phillips:** Thank you. Mr. Bryan Mires, First Mate on SEACOR POWER.

22 **Mr. Sterbcow:** Good morning, Paul Sterbcow on behalf of First Mate Bryan Mires.

1       **CAPT Phillips:** Thank you. I will now introduce Mr. Andrew Ehlers who will say a few  
2 words on behalf of the NTSB.

3       **Mr. Ehlers:** Good morning. Again I'm Andrew Ehlers, Investigator in Charge of the  
4 National Transportation Safety Board's investigation into this accident. The safety  
5 board is the independent Federal agency which under the Independent Safety Board  
6 Act of 1974 is required to determine the cause or probable cause of this accident and  
7 issue a report of facts, conditions and circumstances related to it. The NTSB may make  
8 recommendations for measures to prevent similar accidents. The NTSB has joined this  
9 hearing to avoid duplicating the development of facts. Never the less I do wish to point  
10 out that this does not preclude the NTSB from developing additional information  
11 separately from this proceeding if that becomes necessary. At the conclusion of this  
12 hearing the NTSB will analyze the facts of this accident and determine the probable  
13 cause independent of the Coast Guard. At a future date a separate report of the NTSB  
14 findings will be issued which will include our official determination of the probable cause.  
15 If appropriate the safety board will issue recommendations to correct safety problems  
16 discovered during the investigation. These recommendations may be made in advance  
17 of this report. On a personal note and on behalf of the entire NTSB I want to express  
18 my sincere condolences to the families of those who lost their lives in this tragedy.

19       **CAPT Phillips:** Thank you Mr. Ehlers. I will now review some information regarding  
20 testimony and evidence. The marine board will place all witnesses under oath. When  
21 testifying under oath a witness is subject to the Federal laws and penalties pertaining to  
22 perjury for making false statements under Title 18 United States Code Section 1001.  
23 Penalties include a fine up to \$250,000 or imprisonment up to 5 years or both. This



1 investigation will explore many different sources of information. Since the date of the  
2 casualty the NTSB and the Coast Guard have conducted substantial evidence collection  
3 activities. And some of that previously collected evidence will be considered during  
4 these hearings. The marine board has already designated 227 exhibits. I'm now  
5 admitting these exhibits into the record. The marine board has provided all the parties  
6 in interest with copies of these exhibits along with an index listing all the exhibit names  
7 and numbers. This index will assist all parties with identifying any exhibits that will be  
8 referenced during these proceedings. I will now provide a brief overview of what is  
9 included in the exhibits that we've already designated. Exhibit 1 is a factual overview of  
10 the vessel and the incident. Exhibits 2 through 23 contain information pertaining to  
11 weather on the day of the incident and search and rescue efforts. Exhibits 24 through  
12 31 provide details regarding the vessel's loading at the time of departure. Exhibits 32 to  
13 49 include Coast Guard documentation and regulatory information. Exhibits 50 through  
14 80 contain documents from the American Bureau of Shipping. Exhibits 81 through 108  
15 have information that was provided by SEACOR Marine including a number of plans  
16 detailing the vessel's arrangements. Exhibits 109 through 111 are transcripts of  
17 previous interviews for witnesses who will not be present at this hearing. Exhibits 112  
18 and 114 are weather videos. Exhibits 113 and 115 through 145 are additional items  
19 provided by SEACOR Marine. Exhibits 146 through 155 are documentation provided by  
20 NTSB. Exhibits 156 to 179 include information related to Bristow Helicopters, which  
21 assisted with the response to this incident. Exhibits 180 through 201 contain additional  
22 pictures and videos related to the incident. Exhibits 202 through 222 have additional  
23 information provided by SEACOR Marine. Exhibits 223 to 224 are two additional

1 witness transcripts. And finally exhibits 225 through 227 include weather and  
2 emergency beacon data. Should any person have or believe he or she has information  
3 not brought forward may be of direct significance that person is urged to bring that  
4 information to my attention by emailing [accidentinfo@uscg.mil](mailto:accidentinfo@uscg.mil).

5 We'll now discuss COVID-19 measures. This marine board has taken many  
6 precautions to mitigate the risks of the spread of COVID-19. All of these measures are  
7 now posted to the investigation's media website. Of note all attendees are required to  
8 wear masks at all time, except while actively giving testimony or questioning a witness.  
9 Every person here has been subjected to a temperature check before entering the  
10 hearing and is provided distance seating in the audience. I will now review the hearing  
11 rules for all participants and observers. First we would like to minimize any disruptions  
12 to the board to witnesses. Please remain silent during questioning. Any talking or loud  
13 noises that are distracting to the board or the witness will result in a recess. And the  
14 audience member engaged in the distracting behavior will received one warning.  
15 Please do not enter and exit the hearing room during witness testimony unless  
16 absolutely necessary. Second, silence all cellphones. Please exit the hearing room to  
17 make or receive phone calls. Third, please treat the witnesses and all other participants  
18 with respect. The witnesses are appearing before the board to provide valuable  
19 information that will assist this investigation. Please be courteous to the witnesses and  
20 respect their right to privacy, both inside and outside the hearing room. Fourth, all  
21 media interviews must be conducted outside of the hearing venue. The members of the  
22 press are welcome to attend the hearing and an area has been set aside for the press  
23 during the proceedings. The news media may interview hearing attendees or witnesses

1 if they agreeable, but these interviews shall be conducted outside of the hotel building.

2 Any witness interviews shall be conducted after I have released the witness from these

3 proceedings. Finally, hearing attendees shall remained masked at all times and shall

4 comply with other posted COVID protection measures. Hearing participants may

5 remove their mask during questioning and testimony. Any failure to follow the hearing

6 rules will result in one warning. If an individual continues to engage in the same

7 behavior after receiving a warning, that individual will be removed. Warnings or removal

8 of audience members can cause significant delays in the proceedings, so we ask for

9 your cooperation in following these rules throughout this important event. The marine

10 board will now take the oath. Lieutenant Alger, the board recorder has been previously

11 sworn and will administer the oath.

12 **Recorder:** Board members please stand and raise your right hand. Do you swear that

13 you will faithfully perform the duties incumbent upon you as a member of this marine

14 board of investigation and that you will examine and inquire into the manner that this is

15 now before you without partialities, so help you God?

16 [All board members responded, I do].

17 **Recorder:** Please be seated.

18 **CAPT Phillips:** Thank you Lieutenant Alger. This concludes this opening statement.

19 The board will now show Coast Guard Exhibit 1 which is a factual overview of the

20 SEACOR POWER and the casualty voyage on April 13, 2021. I will now turn the

21 microphone over to Mr. Eric Verdin who will provide you with a description of Coast

22 Guard Exhibit 1.

1 **Mr. Verdin:** This is, this presentation is listed as Coast Guard Exhibit 1. It is intended  
2 to show the basic and factual information about the last voyage of the SEACOR  
3 POWER up to the incident as it was in route to its next job assignment. Here we have  
4 some basic vessel information and dimensions. The vessel was 175 feet long with a  
5 103 foot beam. The vessel had three legs which were 265 foot long able to lift the  
6 vessel completely out of the water as it's illustrated here in this picture. The vessel was  
7 able to house up to 50 personnel on board. The vessel had 19 persons on board on the  
8 day of the incident. The SEACOR POWER was a U.S. flag vessel that complied with  
9 46 Code of Federal Regulations subchapter L. The classification society was American  
10 Bureau of Shipping. The vessel was built in 2002 by SEMCO. The vessel was owned  
11 by Falcon Global Offshore and operated by SEACOR Marine. On the day of the  
12 incident the vessel was on charter for Talos Energy, LLC. These are the names of the  
13 19 persons on board when the vessel departed the dock the day of the incident. This  
14 weather information was sent to the vessel the morning of the incident via email from  
15 the SEACOR dispatcher. This picture is of the vessel taken right after it left Bollinger  
16 Dock in Port Fourchon. This slide shows an aerial view of the departure point in Port  
17 Fourchon, the last recorded locations of SEACOR POWER, the incident site and the  
18 destination, main pass 1:38. Here we see the vessel's automatic identification systems,  
19 AIS track line including times starting from the point of departure at the Bollinger Dock  
20 to the final and current location. We will next take a closer look at the vessel's route  
21 through Port Fourchon. This is the point at which the vessel began its voyage through  
22 the port and headed out to sea. The vessel began its voyage that day from Bollinger  
23 Dock. Here we have two photos of the vessel prior to leaving the Bollinger Dock. In

1 these two photos the vessel is slightly elevated with the pads on the bottom. The top  
2 photo shows the gangway is still deployed. The bottom photo shows the gangway  
3 removed just prior to getting underway. Here we have two photos of the vessel just as  
4 it's departing Bollinger Dock. The top photo shows the vessel afloat with the pads off the  
5 bottom, the bottom photos shows the vessel backing away from the dock and getting  
6 underway. This slide shows the location of the next set of cameras the vessel passed  
7 on its way out of the slip which are located at Schlumberger Dock. This is a photo of  
8 the vessel taken as it was passing the Schlumberger Dock. The next set of cameras  
9 the vessel passed was located at C Port dry dock. There are three cameras in that  
10 location. We have pictures of 2 from those cameras. This photo was captured by the  
11 camera facing North. And this photo was captured by the camera facing West as the  
12 vessel continued making its way out of the flotation canal and about to enter Bayou  
13 Lafourche. The next camera the vessel passed was the camera on the main  
14 communication tower in Port Fourchon. Here we can see the vessel making its way  
15 southbound in Bayou Lafourche heading for Bell Pass. The next camera is located at  
16 the Baroid Dock. This camera is looking South and will capture the pictures of the  
17 SEACOR POWER as it continues South for the Gulf. Here we can see the vessel its  
18 continuing to make its way Southbound in Bayou Lafourche. Here we can see the  
19 vessel approaching the Northern part of Bell Pass. And this picture shows the vessel  
20 making its way outbound in Bell Pass. Now here we can see the track line of the  
21 vessel's movement offshore once it got out of Bell Pass. Boxes here give the time, the  
22 heading, the course and the speed of the vessel until the signal stopped. Note the  
23 heading is the compass reading illustrating the direction that the bow is pointing. The

1 course is the actual direction of the vessel's movement caused by the effects of the  
2 environment. Such as the winds, the waves and the current. The first block, top left  
3 hand corner, starting from the top moving downward, top left hand corner the time,  
4 1519, vessel's heading was 133, the actual course was 144 degrees, speed 3 knots.  
5 Second block down time 1529, vessel's heading 150 degrees, course 154 degrees,  
6 speed 5 knots. Third block down time 1535, heading 143 degrees, course 171 degrees,  
7 speed 7 knots. Fourth block down time 1537, heading 99 degrees, course 139 degrees,  
8 speed 6 knots. The last AIS transmission which is the fifth block down time is 1539,  
9 heading 084 degrees, course 145 degrees, speed 5 knots. The time 1542, excuse me,  
10 time 1542 is the location that the EPIRB transmission was received. The dot, the last  
11 dot on the bottom of the slide shows the vessel's wreck location. Here is a short video  
12 that shows everything we've just discussed as well as movement – of numerous other  
13 vessels as the SEACOR POWER leave the port. You can also see the lift boat ROCK  
14 FISH moving from one location to another between the times of 1340 and 1442. If you  
15 look to the top left hand corner you can see the time clock. Again the time on the last  
16 AIS transmission from the SEACOR POWER was at 1539. This video also shows all  
17 the movement, activity of that day of other vessels. [Played video] Here is the list of  
18 survivors recovered from the incident. Here are the names of the persons that perished  
19 the day of the incident. In total 13 of the 19 persons on board perished from that  
20 incident. This concludes Coast Guard presentation Exhibit 01. I will now turn it over to  
21 Captain Phillips.

22 **CAPT Phillips:** Thank you Mr. Verdin. At this time I want to ask everyone in the room  
23 to please stand for a moment of silence in respect to those persons who were lost at

1 sea as a result of this casualty. [Stood for moment of silence]. Thank you. You may  
2 now be seated. We will now take a recess before calling our first witness, Captain Ted  
3 Duthu. The recess will last until approximately 9:15 or possibly 9:30. The board is now  
4 in recess. The time is 0827. Thank you.

5 *The hearing recessed at 0827, 2 August 2021*

6 *The hearing was called to order at 0915, 2 August 2021.*

7 **CAPT Phillips:** The time is 0915 on August 2<sup>nd</sup>, 2021. This hearing is now in session.  
8 As a reminder we ask all persons in the room to please wear a mask at all times unless  
9 you're actively participating in questioning or giving testimony. We will now hear  
10 testimony from Captain Ted Duthu. Lieutenant Alger can you please administer the  
11 oath?

12 **Recorder:** Good morning. Please raise your right hand. A false statement given to an  
13 agency of the United States is punishable by a fine and or imprisonment under 18 U.S.  
14 Code 1001. Knowing this do you solemnly swear that the testimony you're about to  
15 give will be the truth, the whole truth and nothing but the truth, so help you God?

16 **WIT:** I do.

17 **Recorder:** Please be seated. For the record please if you could state your full name  
18 and spell your last.

19 **WIT:** Ted Duthu, D-U-T-H-U

20 **Recorder:** Alright. And if you could identify if your counsel is present or to confirm your  
21 representation.

22 **WIT:** I'm by myself here.

23 **Recorder:** Thank you.

1       **CAPT Phillips:** Thank you Lieutenant Alger. Good morning Captain.

2       **WIT:** Good morning.

3       **CAPT Phillips:** Thank you for being here with us today.

4       **WIT:** Alright.

5       **CAPT Phillips:** Can you tell us where you're currently employed and how long you've  
6       been there?

7       **WIT:** I'm employed for All Coast, LLC and I've been there 7 years.

8       **CAPT Phillips:** Okay. And what's your position with All Coast?

9       **WIT:** I'm a Captain.

10      **CAPT Phillips:** Can you describe for us what your general responsibilities are in that  
11      position?

12      **WIT:** My responsibilities consist of making sure the boat's in the operable condition to  
13      keep this boat on the job. Make sure everybody on the boat is safe. And do the job that  
14      I was assigned to do.

15      **CAPT Phillips:** Okay. Are you assigned to one particular boat at all times or do you  
16      jump from boat to boat?

17      **WIT:** I jump from boat to boat. But I was – my regular boat is the ROCK FISH. But its  
18      in for Coast Guard right now, so I'm on a different boat now.

19      **CAPT Phillips:** Do you have any licenses or certificates?

20      **WIT:** I have a 200 master's.

21      **CAPT Phillips:** And tell us a little bit about your experience on lift boats. How long  
22      have you been working on them?



1       **WIT:** I started off working for All Coast in 2014. At first I didn't know what I had stepped  
2 into. Because that was the first time ever working on one of these boats. But after the  
3 first year I trained under a younger fellow. I was – I started with them, I was 55 years  
4 old. I trained under a 30 year old. And at first All Coast didn't understand, or they  
5 understood but they couldn't seem to get in – takes about, you know I was 55 at the  
6 time and training under a 30 year old. And I explained to them, if this 30 year old guy  
7 been working here, I think he was there 10 years and he knows everything about this  
8 boat, well that saying teaching an old dog new tricks that don't work. Because he  
9 taught me how to operate this boat. And I learned from him. And I work under three  
10 other Captains after him. Two other Captains after him. Until I think it was a year later  
11 when All Coast turned me loose and I went to the ROCK FISH. So I've been on the  
12 ROCK FISH between the 7 years, on and off for 7 years. But the last three years I was  
13 on the ROCK FISH.

14       **CAPT Phillips:** Thank you. There may be some folks in the audience that don't know  
15 what a lift boat is. Could you just give us a brief description of what a lift boat is?

16       **WIT:** A lift boat is a barge with three legs on it. It has a port leg on the bow, the  
17 starboard leg and you've got a stern leg. You can drive these legs and tag bottom and  
18 pull the boat out of the water.

19       **CAPT Phillips:** Thank you. And what did you do before you worked on lift boats? Tell  
20 us about some of your other experience at sea.

21       **WIT:** I was running small crew boats for TK Towing.

22       **CAPT Phillips:** And how long did you work on crew boats?

1 **WIT:** I think I worked for them a year and I got laid off. Before that I was running utility  
2 boats. Working out in the Gulf. I worked there about a year and a half and then I got  
3 laid off.

4 **CAPT Phillips:** When did you start working on boats?

5 **WIT:** I started at an early age. I started at the age of 13 working with my dad on a  
6 shrimp boat. When school would let out that was my summer vacation work. At the  
7 age of 17 when I graduated high school I didn't know what I wanted to do. I had all  
8 kinds of goals I wanted to set. Where I wanted to work. My dad had three shrimp boats  
9 at the time and I decided I was going to go work for him. And the day after graduation  
10 he turned me loose as a Captain on one of his boats.

11 **CAPT Phillips:** Thank you. During your time in the marine industry did you ever work  
12 for SEACOR?

13 **WIT:** No ma'am.

14 **CAPT Phillips:** Okay. Thank you. So now I would like to talk about April 13<sup>th</sup> and go  
15 through what you saw that day. So can you just kind of walk us through from the  
16 morning when you got up and just take us through that whole day, what happened, what  
17 you remember, what you saw?

18 **WIT:** That morning I got up at, like every morning I get up at 5 O'clock every morning.  
19 Start doing paperwork to get the day started. At 6 O'clock we'd go through safety  
20 meetings every morning. I was on the wire line job. We were at Bay Morchan [sic]  
21 Block 2, Charlie Gulf doing wire line work. And we stayed there until about I guess  
22 about 1330, 1335. When the wire line operator came to me and he told me we had to  
23 move. Well I went upstairs to the wheelhouse, checked my weather report, looked at

1 the wind, alright this feels good enough to move. The seas were about 3 to 5. I don't  
2 know, 10 to 15 miles per hour wind. So I jacked the boat down in the water, got the legs  
3 free, we backed away from that location, pulled the legs up. That was strong current.  
4 The current was running to the East about 1.5 knots. But once I got the legs up I took  
5 off to the West. I was headed to South 1024 Sugar Dog. I don't know it's just a habit I  
6 got, if I see another boat you know I look, I watch. I seen this, I look on the AIS, I seen  
7 the SEACOR POWER coming out of Belle Pass. And I continued on transit to Sugar  
8 Dog. It was, the seas and the winds stayed about the same until I got to my location.  
9 When I got on location the winds were about 15 to 20 with 3 to 5 foot seas. I had to get  
10 on the West side of this structure, but the current was moving at 1.5 knots to the East.  
11 You know and I started thinking this is going to be task. Well I dropped the legs down,  
12 tagged bottom, stopped the boat and then kind of assessed what my next move was  
13 going to be. Well I pulled the legs up some to where just the tip of these pads were on  
14 bottom and I moved in slow. It took me about 15 minutes to get on location from that  
15 time. I got on location at 1430. At 1445 is when I was at my final position. Jacked the  
16 boat up out of the water. I was about 4 foot, 5 foot off the seas to where the seas didn't  
17 slam the bottom of the boat. And me and the deckhand upstairs so we walked out and  
18 just observed and seen the POWER coming. And then all of a sudden the cloud, the  
19 sky got dark. And he asked me what was – I said from the weather report I got this  
20 morning there was a weak cold front moving in. I said it's moving pretty fast so I guess  
21 it's going to be over with, I said the wind might blow, but from my weather report I got  
22 that morning it gave 3 to 5, 20 to 25 knot winds. I said it might last a little while, it might  
23 not. It might just blow over and I said cold fronts at that time of the year don't usually

1 bring a blast with it. So we walked out on the port side of the wheelhouse and we  
2 watched the POWER coming. And he got just about off my port stern, I couldn't tell how  
3 far he was. But we could see him. It started drizzling so we walked inside. And then  
4 that's when all hell broke loose. It started raining. We could still see him, but the winds  
5 picked up and it started raining harder. We lost sight of him. I kept on looking at, we  
6 got a Rose Point system on there. I kept on looking. I see him on Rose Point. I could  
7 see he was still moving. Then all of a sudden, when I walked in the winds were 30, 35  
8 knot. But then when we lost sight of him I glanced at the wind gauge and the wind was  
9 up to 95 miles an hour. I stood in that wheelhouse, I never moved from where I was. I  
10 kept my eye on that wind gauge. I would look at the AIS, I could see him moving. Then  
11 all of a sudden we lost sight of him on the AIS. Normally when the weather gets bad  
12 AIS goes out. And I told the deckhand, I said well the weather got bad maybe the  
13 communications – the antenna here, it got bad, I don't know. But I stayed up there and  
14 watched that wind gauge for about an hour. It stayed at 95 miles an hour with no letting  
15 up. I was standing next to the door on the port side of the wheelhouse looking to the  
16 front. Looking to the side. The sea was slamming the bottom of the boat. And I didn't  
17 want to take a chance – I thought about jacking the boat up, but then I said if I'm jacking  
18 up and a wave comes in and slams this boat what's going to happen? So you know I  
19 said these waves that are slamming the bottom we'll assess the situation once this  
20 calms down. Well I was looking outside and there came this wave, my rescue boat is  
21 on the, it's on the port side right behind my port leg. A wave came and went, let me  
22 see, let me go back. This rescue boat is about 10 foot off the deck on a rack. The  
23 wave that came from the port side and went completely over this rescue boat. Then I

1 started, you know, I've been out there – I've been on the Gulf for 44 years. I used to  
2 shrimp for a living. I used to shrimp in rough waters. That was – shrimping on a boat  
3 was, when it got rough, the more it got rough the better it was. I never stopped. I never  
4 got scared. But on this day when this happened, you know I didn't know what to think.  
5 What's about to happen. This boat was swaying back and forth. It felt like this boat was  
6 dancing. But I looked and we were still in one position, but you know all kind of stuff  
7 was going through my head about what's going to happen, what can happen. And but  
8 when we walked in the deckhand that was with me he went downstairs to his room. I  
9 was up there by myself. And he came up to the stairs to the wheelhouse and he said  
10 the water is coming in the back door from the rain and the wind. I said dog the door  
11 down more and I said try to stop some of it. Well he stayed down there and he did it  
12 then. He asked me how the wind was I said man the wind is at 95 miles an hour this  
13 wind ain't letting up. I had a radio on 16, one on 10. Channel 10 we monitored the field.  
14 Every now and then the field would call me, how are you doing, ya'll alright? You know  
15 they were constantly checking on us on what was going on. 16 I could hear some boats  
16 out there talking about how bad the seas and the winds were. And you know one thing  
17 led to another and then it started to die down. The wind subsided to about 60 to 65  
18 miles. The rain kind of let up. And my deckhand hollered at me, he said look off the  
19 starboard stern. Well I opened the door and I walked outside and I'm looking, I didn't  
20 think to look over the horizon. I thought something had happened on the ROCK FISH.  
21 So I looked down at the deck, I'm looking all over, I didn't see anything. So walked  
22 inside I said I don't see anything. He walks up, we opened the door and he pointed. He  
23 said it don't look good. That's when we seen the SEACOR POWER laying on its side. I

1 said we need to do something. Got on the radio made a mayday call. Within 30 minutes  
2 the GLENN, the Cutter, the GLENN HARRIS was on scene. Then we called a field boat  
3 we had working with us, he came. And went around to where the bow was and they  
4 started looking for people in the water. And then from there it, I mean it just went on.  
5 That's what I experienced that day. You know I didn't know none of these guys on the  
6 boat, on the SEACOR POWER, but you know what I mean it don't make a difference.  
7 We're all mariner brothers out there whether I know you or not. If I can help you I'll help  
8 you. Whether we work for the same company or not. You know we're all out there.  
9 There's some guys out there that if they don't work for you they're not going to help you.  
10 I've been through that already. You know, but working for my dad as long as I did he  
11 always told me if somebody's in need lend a helping hand. Even though he don't work  
12 for you, or he don't work for the same company you need to help out. And that's how  
13 I've always been. So that day when we made that mayday call, you know we were just  
14 helping out. Because I heard mayday calls from some of the other boats, but I never  
15 heard a mayday call coming off the SEACOR POWER. You know this, to me this  
16 happened quick where they didn't have time to do this. But I really, from listening to the  
17 radio I didn't hear no transmission in that aspect. And as far as that weather coming  
18 through, you know I double checked my weather report I didn't get that on the weather  
19 report. I don't remember hearing it over the radio where Coast Guard send weather  
20 alerts. In the field we always monitor 16 and the field radio. I always have a radio at  
21 16. And if it came through I never heard it. Because if I had seen that before I moved I  
22 would have never moved. Because it took me an hour from where I was to get where  
23 my final position was. And I talked to the office and I told them that. I said if I had seen

1 this weather report that this was coming I would have never moved. I would have  
2 stayed where I was. Because I just made it to where I was. Fifteen minutes later I  
3 would be laying, the ROCK FISH would be laying on its side not too far from the  
4 SEACOR POWER. But the only difference between these two boats, the SEACOR  
5 POWER is sticking out of the water. The ROCK FISH they would have never seen it.  
6 This is a small boat, it's a 125 class lift boat. It would have been under water.

7 **CAPT Phillips:** Thank you very much. That's very helpful. I want to go back and just  
8 ask a couple follow up questions about what you told us about that day. I think you said  
9 you were starting to jack up about 1430, and you said you took 15 minutes to jack up?

10 **WIT:** It was 1430 when I got on location. I tagged, usually when I get on location we  
11 tag about 100, 150 feet off location.

12 **CAPT Phillips:** Okay.

13 **WIT:** That's about how far I tagged because the current was, like I said it had a strong  
14 current to the East and I had to get on the West side. So the current was to my stern  
15 and the seas were coming, the seas were coming from the Southeast or the East, I  
16 don't remember. But you know I had to fight this current and the seas to get on  
17 location. So that's – it took me 15 minutes to move in. I was moving in slow. It didn't  
18 take me 15 minutes to jack up. It took me 15 minutes from the time I arrived on  
19 location. And we usually get, my catwalk is 30 foot long. We get between 20, 25 feet  
20 from location to where I put the catwalk out for them to transit from the boat to the  
21 platform.

22 **CAPT Phillips:** Okay. So the 15 minutes to move onto location is normal than – is  
23 longer than normal?

1       **WIT:** Yeah that's longer than normal. Because usually I get to the location, if weather  
2 conditions are right, I'll get on location in 5 minutes.

3       **CAPT Phillips:** Okay.

4       **WIT:** Give or take.

5       **CAPT Phillips:** And then once you were on location how long does it take you to bring  
6 your hull up out of the water?

7       **WIT:** I was asked that question. At first I told them between 5 and 10 minutes. But  
8 once the weather subsided I left that location and went to another location in shallower  
9 water. I didn't time how long it took to get this boat out of the water. I think, where I  
10 was I was in right at, I was in about 50 foot of water. I went to a location I was about 30  
11 foot of water. We stayed there a couple of days and had to go back to Sugar Dog  
12 where I was. Well when I got there I took a stop watch and when my legs tagged  
13 bottom and I started to jack up I hit the stop watch. It took me 6.48 seconds to get this  
14 boat jacked up out of the water. So she jacks up about 7 foot a minute. So that's what  
15 – that depth of water it takes about 7 minutes to get out of water, give or take.

16       **CAPT Phillips:** Thank you. And you said ROCK FISH is 125 foot plus?

17       **WIT:** Yes.

18       **CAPT Phillips:** So that means the legs are 125 feet tall?

19       **WIT:** Yeah the legs are 125 foot tall.

20       **CAPT Phillips:** And you said there the water was 50 feet deep?

21       **WIT:** Yes.

22       **CAPT Phillips:** So the weather forecast, you said you got a weather forecast in the  
23 morning and what was that forecast again?



1       **WIT:** Forecast gave me 3 to 5 foot seas, but 15 to 20.

2       **CAPT Phillips:** And did you get any other forecast during the day or just the one from  
3 the morning?

4       **WIT:** We get one at 4:30 in the morning and then you get one at right at 2 O'clock in  
5 the afternoon.

6       **CAPT Phillips:** And that's a schedule every day?

7       **WIT:** Yes.

8       **CAPT Phillips:** You get one in morning and one in the afternoon?

9       **WIT:** Right.

10       **CAPT Phillips:** Okay. And where do those weather forecast come from?

11       **WIT:** It comes from Storm GEO.

12       **CAPT Phillips:** Okay. And how do those come to your boat?

13       **WIT:** By email.

14       **CAPT Phillips:** Okay. And do you have other ways to get weather reports when you're  
15 out at sea?

16       **WIT:** Over the radio sometimes on 16 or 22 Coast Guard. Broadcast weather  
17 conditions.

18       **CAPT Phillips:** And does the ROCK FISH have NAVTEX?

19       **WIT:** No.

20       **CAPT Phillips:** Do you know how you would get a special marine warning if the  
21 weather service issued something during the day, that they tagged it as special marine  
22 warning? Do you know how you would get that?

23       **WIT:** Over radio. I think it's on channel 22, Coast Guard channel.

1       **CAPT Phillips:** So you said you get weather about 4:30 and about 2 every day. I know  
2 you were moving at the time, did you get the 2 O'clock forecast from Storm GEO?

3       **WIT:** I don't remember looking at the 2 O'clock forecast when I got on location. But I  
4 think I looked at it the next day and they didn't have none of this weather on this  
5 weather forecast.

6       **CAPT Phillips:** Sounds like you were watching the wind gauge a lot that day. Is your  
7 wind gauge on the ROCK FISH in knots or miles per hour?

8       **WIT:** Miles per hour.

9       **CAPT Phillips:** Do you know where on the boat the wind gauge is located?

10       **WIT:** The wind gauge is located on the starboard side of the wheelhouse. Are you  
11 talking about inside or outside?

12       **CAPT Phillips:** Oh outside, sorry.

13       **WIT:** Outside is on the starboard side of the wheelhouse up top.

14       **CAPT Phillips:** So it's on top of the superstructure?

15       **WIT:** Yes.

16       **CAPT Phillips:** Do you know about how high off the water that is? How many decks  
17 up is it?

18       **WIT:** Mmm. I want to say about 50, 60 feet from the bottom of the hull.

19       **CAPT Phillips:** Okay, thank you. And you said the winds you saw that day were at 95  
20 miles per hour and it stayed that way?

21       **WIT:** Yeah they stayed that way, I watched that wind gauge. I didn't take my eye off  
22 this wind gauge. You know every now and then I would look out at the seas, but I was

1 focused on that wind gauge. And it stayed like that, I mean it never let down for about  
2 an hour.

3 **CAPT Phillips:** Lieutenant Alger bring up Exhibit 144 please. So we received a  
4 picture, we've been told it's a picture of the wind gauge on the ROCK FISH. So I would  
5 like you take a look at the picture and tell me if this picture looks familiar.  
6 [Showing Exhibit 144].

7 **WIT:** Yes.

8 **CAPT Phillips:** Did you take that picture?

9 **WIT:** I took that picture, yes.

10 **CAPT Phillips:** Can you tell us when you took it?

11 **WIT:** I took this picture a couple days later. Because I don't remember who asked me  
12 for the wind speed. And I was sitting there and I remembered that this wind gauge has  
13 a memory. And as long as you don't reset this wind gauge it keeps the highest winds  
14 that were – that it registered, the highest wind it registered. This was a couple days  
15 later and that wind gauge hadn't been, it still hasn't been reset.

16 **CAPT Phillips:** And so this gauge is showing the maximum wind that the gauge has  
17 recorded?

18 **WIT:** Yes.

19 **CAPT Phillips:** And this is the highest wind speed you think that happened on April  
20 13<sup>th</sup>?

21 **WIT:** Yeah from the memory of that wind gauge that was the highest, because if it had  
22 been any higher or any lower I don't think it would have showed me that.

23 **CAPT Phillips:** Okay.

1       **WIT:** This 112 I'm talking about.

2       **CAPT Phillips:** Thank you. And then you told us it stayed at 95 for a long time and  
3 then you said it subsided a little bit to 60 to 65 miles an hour. How long would you say it  
4 was at that level, 60 to 65?

5       **WIT:** 60 to 65 this was most of the night. Because after this happened you know the  
6 guys that work with me wanted me to go lay down, but after this happened, you know  
7 just kind of touched me and I would go lay down and I have to, well once the winds  
8 subsided from 95 to 60 I jacked the boat up to stop the waves from slamming the  
9 bottom. After I did that I went to my room. I laid down, I was just in bed maybe 5  
10 minutes, waves were slapping the bottom. Go back to the wheelhouse and jack up. I  
11 jacked up three times that night. And it was like that most of the night at 60 to 65.

12       **CAPT Phillips:** Thank you. And can you tell us what direction the wind was coming  
13 from most of the time?

14       **WIT:** I think the wind was coming from the Northeast. Yeah I think it's from the  
15 Northeast it's coming from.

16       **CAPT Phillips:** Did you ever notice any shift like it was coming from one direction for a  
17 while then it shifted and it was coming from a drastically different direction?

18       **WIT:** I don't recall.

19       **CAPT Phillips:** Okay.

20       **WIT:** I don't recall if it shifted.

21       **CAPT Phillips:** And I think you said, let's talk about the seas a little bit. I think you said  
22 before or as you were jacking up they were about 3 to 5 feet.

23       **WIT:** Yeah about 3 to 5.

1       **CAPT Phillips:** Okay. And can you tell us how they progressed and how they changed  
2 over the day?

3       **WIT:** That morning when I got up the seas were about 3 to 5 that morning. And then  
4 from the time I moved to the time I got on location at the next location they were about 3  
5 to 5. Up until the time the winds picked up. And when the winds picked up I knew they  
6 went from 3 to 5 to, like I said that rescue boat is 10 foot off the deck and at that time I  
7 was 6 foot off, 5 foot off the water when I got on location. I mean the seas were running  
8 anywhere from 6 to 12, 6 to 6 to 15 foot seas until that strong wave come through and  
9 that must have been a 25 foot sea that come over that rescue boat. Being as high as I  
10 was off the water and the height of that rescue boat.

11       **CAPT Phillips:** That was the highest wave you think? Or was that kind of the  
12 average?

13       **WIT:** That was the highest. The average was about 5 to 10. Well about, well, no they  
14 were higher than that. About 10 to 12 foot seas they had. Because by the time I jacked  
15 up the third time I was about 15 to 20 foot off the, higher than well beam.

16       **CAPT Phillips:** Thank you. And then tell me a little bit about the visibility. So before  
17 the storm came through what would you say your visibility was?

18       **WIT:** Visibility that day went, from the time I moved, I mean I had clear visibility up until  
19 the time it started raining. And then visibility got, I don't know, as far as I could see I  
20 guess was about 7 miles, 8 miles. And then as the rain progressed right before I lost  
21 sight of the SEACOR POWER when he was behind my stern was about, I could only  
22 see about a mile away up until the time I lost visual contact with him.

23       **CAPT Phillips:** And in the thick of the storm what would you say the visibility was?

1       **WIT:** Zero. I could see the platform that was in front of me, but that's all I could see.

2       **CAPT Phillips:** And you say you're usually about 20 to 25 feet from that platform?

3       **WIT:** Yeah.

4       **CAPT Phillips:** Did you talk with the SEACOR POWER at all that day on the radio?

5       **WIT:** No.

6       **CAPT Phillips:** Okay. When she was coming out of Bell Pass did she look normal to  
7       you?

8       **WIT:** Yes.

9       **CAPT Phillips:** Did you notice anything unusual?

10       **WIT:** No. She was riding pretty level. You know from right before she got astern of  
11       me, you know we could see her pretty good. And she was riding level.

12       **CAPT Phillips:** And when you're – you said during the highest winds you thought  
13       about jacking up but you decided not to. Can you tell me a little more about that?

14       **WIT:** Yeah when the waves started slamming the bottom of the boat I thought about  
15       jacking up but then the seas were getting – the seas were getting higher, the wind was  
16       getting stronger and you know like I said, I had all kinds of stuff going through my head.  
17       You know I thought about what if I start jacking up a wave comes and shifts this boat.  
18       Because it felt like at times that that boat was moving sideways. Even though the legs  
19       was on bottom. And you know it was just maybe, I don't know I had all kind of stuff  
20       going through my head. So that's why I stayed where I was until this wind subsided  
21       some.

22       **CAPT Phillips:** And you said you felt like the ROCK FISH was swaying or dancing?

1 **WIT:** She was swaying port to starboard. She was dancing on them legs. She was  
2 swaying side to side.

3 **CAPT Phillips:** Have you ever felt the ROCK FISH do that before?

4 **WIT:** She sways when the wind gets high, but never like this.

5 **CAPT Phillips:** Have you been on other lift boats when you have that same sensation?

6 **WIT:** I've been on other boats, but they sway some like a normal sway the ROCK FISH  
7 had when the seas pick up or the wind picks up. But never like this.

8 **CAPT Phillips:** When the weather cleared and you saw the SEACOR POWER on its  
9 side and you said you made a call, who did you call?

10 **WIT:** What was that again?

11 **CAPT Phillips:** You said you made a call when you saw the SEACOR on its side.  
12 Who did you call?

13 **WIT:** The deckhand that was up there with me got on his phone and Googled SEACOR  
14 and he got the SEACOR Headquarters out of Houston. And they gave him the number  
15 to the Houma office.

16 **CAPT Phillips:** And do you know what time that was?

17 **WIT:** This was right after, I don't know. I don't recall what time that was.

18 **CAPT Phillips:** Okay. And you said you called the Coast Guard too.

19 **WIT:** We made a mayday call when we first saw the SEACOR on its side.

20 **CAPT Phillips:** And the Coast Guard responded to that mayday call?

21 **WIT:** Yeah responded to the mayday call. I gave the LAT and LONG where we was.  
22 And told them the SEACOR POWER is laying on its side. From where it was it looked  
23 like it was closer than where it sat. We told them about a half a mile from us. Once,

1 well about 30 minutes later is when the GLENN HARRIS, the Cutter GLENN HARRIS  
2 arrived and he was on location where the SEACOR POWER was. I pin pointed him on  
3 my Rose Point and he was three quarters of a mile away.

4 **CAPT Phillips:** And that call to the Coast Guard was made on Channel 16?

5 **WIT:** Yes.

6 **CAPT Phillips:** You said that GLENN HARRIS came and then you said you called one  
7 of the boats you were working with?

8 **WIT:** We called a field boats that works with us in Bay Marchan field?

9 **CAPT Phillips:** Do you know what the name of that boat was?

10 **WIT:** The IRADA [sic].

11 **CAPT Phillips:** Do you know how long, about how long it took them to get there?

12 **WIT:** The IRADA [sic] got there about from where he was about 10 minutes.

13 **CAPT Phillips:** Okay. Let's shift a way a little bit from the day of. I just want to ask  
14 you some general questions about the ROCK FISH and your experience on lift boats.  
15 What was the ROCK FISH's typical drafts?

16 **WIT:** Four feet.

17 **CAPT Phillips:** And what do you usually, what kind of trim does she usually have?

18 **WIT:** Generally about, hmm, foot and a half, two foot maybe.

19 **CAPT Phillips:** What are the operating limits for the ROCK FISH?

20 **WIT:** Wind wise and seas wise, you're talking about?

21 **CAPT Phillips:** Yeah.



1       **WIT:** We can't move if seas are over 5 feet. And we just watch the winds and sea.  
2       Anything over 5 foot seas we don't move, even though the winds are not that high, over  
3       5 foot we don't move. But wind wise over 25, I guess it's over 25 miles per hour.

4       **CAPT Phillips:** Now are you allowed to be out in greater winds if you're jacked up?

5       **WIT:** What was that?

6       **CAPT Phillips:** If the boat is jacked up are the operating limits different where you're  
7       allowed to stay out longer or in higher winds? Or is it the same. If you have any of  
8       those conditions whether you're in the water or jacked up and you -----

9       **WIT:** Well we jacked up. You know as long as we're stable on bottom, as long as the  
10      legs are stable on bottom we could sit there. But I think this boat's operating limits is  
11      right at 100 miles per hour, maybe a little bit more.

12      **CAPT Phillips:** Okay. Does the ROCK FISH have wet or dry pads?

13      **WIT:** Wet or what?

14      **CAPT Phillips:** Wet or dry pads.

15      **WIT:** Dry pads.

16      **CAPT Phillips:** Okay. And when you start jacking your legs down do you ever get a  
17      list?

18      **WIT:** Sometimes. It all depends. Sometimes one leg is faster than the other. So you  
19      always know which leg tags first. But the list, once it tags we stop jacking that leg to get  
20      the other leg caught up.

21      **CAPT Phillips:** Okay.

22      **WIT:** You know level it out.

1     **CAPT Phillips:** Before they tag on their way down do you list when they're both going  
2     down?

3     **WIT:** Sometimes depending on the sea state. You know the boat rocks from side to  
4     side, but as far as when the legs are going down, like it's been the two weeks it just  
5     calm out there and there's no list unless one leg tags faster than the other. But as far  
6     as when the legs are going down when the boat is sitting in the water, no.

7     **CAPT Phillips:** Thank you. You worked on a lot, it sounds like you've worked on a lot  
8     of different types of boats throughout your career. How would you compare lift boats  
9     stability to the stability of other boats?

10    **WIT:** Lift Boat is in a class all by itself. When I got hired on with ALL Coast I walked in,  
11    they looked at my resume they told me I was hire on, you know. But I thought they  
12    were going too fast for me. I said we've got this boat, it's an animal all by itself.  
13    Because I said I can take any other boat on the Gulf, go to a platform and I'm good.  
14    These boats here you jack up on the wrong side you don't know what's on bottom.  
15    When you jack up at the wrong side you step on the gas pipeline or oil pipeline you're in  
16    trouble. Something's going to happen. And, but anywhere we go, any location we  
17    move to the field sends us a safe jacking lane. We know what side – they know what  
18    side we need to get on, they tell us, but they send a map and we go by the map that  
19    they send. Unless if it's in a tight spot they send survey out to put us on location. But  
20    for the most part there ain't too many areas in Bay Marchand where we need a survey.  
21    They send us a safe jacking map and we just go by the map.

22    **CAPT Phillips:** Okay. And how about while the boat's underway before the legs go  
23    down, how would you describe the stability?

1 **WIT:** When I'm transiting from one, once the legs are up and we start moving  
2 depending on the sea state if we side sea, you know she's going to roll back and forth.  
3 Or if we got the sea to the stern or the bow it's, when the seas coming from the stern  
4 she's going to, you know yawl back and forth from bow to stern, but.

5 **CAPT Phillips:** Okay. Does the ROCK FISH move cargo from location to the other?

6 **WIT:** Sometimes.

7 **CAPT Phillips:** Okay. And when you do that do you tie the cargo down while it's on  
8 deck?

9 **WIT:** Sometimes we do, sometimes we don't. Depending how far we transiting from.

10 **CAPT Phillips:** Alright I'm going to pause there and see if other folks have questions.  
11 Mr. Verdin?

12 **Mr. Verdin:** Good morning Captain.

13 **WIT:** Morning.

14 **Mr. Verdin:** Good morning Captain Ted. A couple of questions before we get started.  
15 The Captain just asked you about transiting. And you mentioned Bay Marchand. Bay  
16 Marchand is what, can you explain to the audience. I'm familiar with Bay Marchand, but  
17 for the audience could you describe what Bay Marchand is?

18 **WIT:** What Bay Marchand, where it's located?

19 **Mr. Verdin:** Basically, yes. Where it's located and what it is, that you mean by Bay  
20 Marchand.

21 **WIT:** Bay Marchand is an oil field right off of Port Fourchon.

22 **Mr. Verdin:** Right.

1 **WIT:** Anywhere from a mile off the beach till 6 miles I think. The last platforms on the  
2 Southern end right at 7 miles from the beach. So it's right off of Port Fourchon.

3 **Mr. Verdin:** Right. So Bay Marchand is normally, it's the oil field that's right off Port  
4 Forchon, mainly on East side of the Bell Pass?

5 **WIT:** Yeah on the East side of Bell Pass, yeah.

6 **Mr. Verdin:** And that's typically where you work, right? You don't go much further than  
7 that, you run the contract right there to operate that field, it's a field vessel?

8 **WIT:** That's where we charter at, they send us where they need us at. But this is  
9 where we've been staying at in Bay Marchand.

10 **Mr. Verdin:** So with relation to carrying cargo from one location to the next it's usually  
11 it's just a basic field move so you might be going a half mile, maybe a couple miles, 2, 3,  
12 maybe 5 miles at the most?

13 **WIT:** Yeah. Anywhere from, you could be at one location and the platform is right next  
14 door you might move a quarter of a mile. But it's anywhere from about a quarter of a  
15 mile to about, we don't go – I've never been out there at the farthest edge of the field  
16 that's 7 mile. Well I was when the SEACOR POWER capsized, I was 6 miles from the  
17 beach at that location. But there's a couple more wells about a mile further off. I've  
18 never been that far.

19 **Mr. Verdin:** But you stay offshore mainly 24/7 just working that field primarily?

20 **WIT:** Yes.

21 **Mr. Verdin:** You talked about you and your deckhand. It's just you and your crew at  
22 the time that you moved or did you have additional personnel on board, anybody, wire

1 line, I think you said you had wire line equipment on board? Did you have an operator  
2 or somebody else on board?

3 **WIT:** I had the wire line operator and his help on board with us.

4 **Mr. Verdin:** You said the ROCK FISH is significantly smaller than the POWER,  
5 SEACOR POWER. Can you tell me how many decks that the ROCK FISH has on  
6 board?

7 **WIT:** Well there's four decks, well no three decks. There's four sections of the  
8 superstructure. There's a galley on the main deck then we got second level cabin  
9 where third parties sleeps at. And then there's a third level where the crew is situated.  
10 And then the wheelhouse is on top of the third level.

11 **Mr. Verdin:** Okay, thank you. The, is there any internal stairwells to get from one level  
12 to the next, or do you have to go outside exterior stairwells or is there interior stairwells?

13 **WIT:** There's no internal stairwell, but from the third level to the wheelhouse there's an  
14 internal stairwell. For me to get from, my bedroom is right below the wheelhouse. So  
15 there's an internal stairwell there for me to get to the wheelhouse.

16 **Mr. Verdin:** And you said your deckhand was talking to you, communicating with you  
17 from his stateroom or from the galley?

18 **WIT:** He was on the third level at the back door.

19 **Mr. Verdin:** So he was just – so he was just hollering at you from the back of the third  
20 level up to the bridge communicating that way?

21 **WIT:** Yeah. Where I was standing at the stairwell was right there and the door's about  
22 8 foot from the stairwell. He was at the back door.

1 **Mr. Verdin:** And you know where the wire line operator and his helper were at that  
2 time?

3 **WIT:** The wire line operator was on the second level in his room. The helper, the cook  
4 and my other hand was in the galley.

5 **Mr. Verdin:** Also Captain asked you about wet pads and dry pads. Can you describe  
6 what that is, the difference between them? What is a wet pad and what is a dry pad?

7 **WIT:** A wet pad, that pad takes on water when you submerge it in water. A dry pad is  
8 totally enclosed. No water can get in.

9 **Mr. Verdin:** Okay. Is there some vessels that have wet pads? Or are they all dry  
10 pads?

11 **WIT:** Some vessels have wet pads.

12 **Mr. Verdin:** Okay one more question I believe. When you talked about tagging, when  
13 you approach a facility and you tag it. Can you describe what that means?

14 **WIT:** Tagging means when you get to a location, you know these lift boats are not like  
15 other boats, a normal boat. So to try to help you stop this boat you drop the legs down  
16 where they tag bottom. That way you know if the current is running bad or the seas are  
17 kind of high, or the winds, it helps you make a decision on – it helps you to move in  
18 other words. You tag it gives you time to, okay this is I need to do this or do that. And  
19 you can pick up the leg once you tag. We don't try to drag these pads because it uses  
20 the bottom of them, we pick them up to where you got some resistance, but not that  
21 much. And it helps you come in slower than normal where the pads aren't on bottom.  
22 But that's what tagging is. Once you get there it helps you slow or stop the boat there  
23 for a minute, whatever time you need.

1 **Mr. Verdin:** Thank you Captain Ted. One more thing Captain Ted I meant to start off  
2 with this. As a mariner myself, professional mariner with a license I share your  
3 sentiment of sailing and having a brotherhood out there. I thank you for what you did  
4 and I thank you for being here. Thank you, sir.

5 **WIT:** Thank you.

6 **CAPT Phillips:** Thank you Mr. Verdin. Mr. Ehlers?

7 **Mr. Ehlers:** Thank you Captain for being here. I just got some follow up questions.  
8 We'll go to the ROCK FISH and the parameters you gave for the ROCK FISH. You  
9 mentioned the draft of 4 feet. When you're underway what's your freeboard normally?

10 **WIT:** Freeboard is about -----

11 **Mr. Ehlers:** How much hull do you have above the water to the main deck?

12 **WIT:** That's a six foot hull, eight foot hull. That's 8 foot hull. I have about 4 foot of  
13 freeboard.

14 **Mr. Ehlers:** Okay. And you mentioned the trim of 1.5 to 2 feet. Is that by the bow or  
15 the stern?

16 **WIT:** The stern.

17 **Mr. Ehlers:** You just explained to Mr. Verdin tagging. When you're putting the legs  
18 down what's the process for making sure that you're in a good location to put your legs  
19 down? Can you put the legs down anywhere? Or do you have to get permission to put  
20 legs down?

21 **WIT:** Like I said before we got a safe jacking map from the field. And anytime we move  
22 location they tell us, well this is your next location. I pretty much have all the locations  
23 for Bay Marchand. They sent, over the years I've been there every time they send us a

1 safe jacking map. You know I keep that in a binder so when they tell me I'm going here  
2 over in the binder I find that location, pull the safe jacking map back and put it in the  
3 dash in front of me. And that's what we go by. We can't just jack up on any side we  
4 want. We go by where they tell us we're going. And they always ask, you have the  
5 safe jacking map? I tell them yeah I have it. Well you know where to get, that's what  
6 they me.

7 **Mr. Ehlers:** What if you had to jack up in an emergency? What would you do there?

8 **WIT:** That's a good question. Well on this Rose Point system it shows where the  
9 pipelines are running. You know if you've got to jack up in an emergency I always look  
10 at my Rose Point. Well I'll give you an instance. When I left Bay Marchand with the  
11 ROCK FISH to bring it to Port Iberia I transited in from Bay Marchand going west. At 6  
12 O'clock that evening, well about 5:30 I looked at my Rose Point chart I seen where I  
13 was, I called Fugro asked them for a safe jacking map area. I gave them my LAT,  
14 LONG and then they tell me how far in from a pipeline if there's any in the area. But just  
15 looking at this you could pretty much look at it and see if there's a pipeline, but you  
16 know in an emergency you got to do what you got to do.

17 **Mr. Ehlers:** When you call Fugro how long does it take to get a safe jacking position?

18 **WIT:** About anywhere from 5 to 10 minutes. Most of the time when I call they do it with  
19 me on the phone. Sometimes I give them my LAT, LONG it takes them a while to bring  
20 up where you're at and they call you back. Anywhere from 5 to 10 minutes.

21 **Mr. Ehlers:** Back to the weather reports that you received from Storm GEO you said  
22 you get two reports a day. Have you ever gotten a report out of cycle, in other words a



1 storms was rolling through, do they ever send you information other than those two  
2 times a day, or is it just two times a day?

3 **WIT:** When there's a storm we get, we get them often. They send alert often. Just like  
4 I was on the boat I was getting alerts about 21, 22, I was getting that three or four times  
5 a day.

6 **Mr. Ehlers:** How do those alerts come to you?

7 **WIT:** By email.

8 **Mr. Ehlers:** Do you have a computer up on the bridge in the wheelhouse?

9 **WIT:** No it's in the Captain's room. Well on the ROCK FISH it's on the bridge. But the  
10 other boats I worked on they're in the Captain's quarters.

11 **Mr. Ehlers:** So on the ROCK FISH you get those – when those reports come in you  
12 can see them?

13 **WIT:** Yeah.

14 **Mr. Ehlers:** You mentioned that you didn't hear anything over the radio as far as a  
15 weather warning over bridge to bridge radio. After the accident did you hear anything  
16 for the rest of the evening over bridge to bridge, any warnings, weather warnings over  
17 bridge to bridge radio?

18 **WIT:** After this happened while being on 16, yeah a few times Coast Guard came over  
19 Pan-Pan about the weather alerts?

20 **Mr. Ehlers:** That evening?

21 **WIT:** Yes.

22 **Mr. Ehlers:** You mentioned the current being pretty heavy when you were getting into  
23 position. Is that unusual current or is that area normally have currents of that speed?

1       **WIT:** On different occasions you will experience that. Some days you won't experience  
2       no current at all. But I mean it could be a calm day that current is going to be rolling out  
3       there. And when I left that – my first location that day usually what I do is when I get in  
4       the water I pulled the legs up and let the boat drift, see how fast that current is drifting  
5       me one way or the other. That way when I get to the next location, you know, I know  
6       what I have to do. But once I get to the next location I stop, normally they want us to  
7       stop, stop 500 feet from the location. Once I get about 500 feet I start running the legs  
8       out of gear and the boat is floating in the water and then I see which way the current is  
9       going I know what I have to do. Either if the current is coming from the bow I know I  
10      have to give more force to go forward. If it's coming from the stern pushing me into it,  
11      you know I know what maneuver, what I have to do.

12      **Mr. Ehlers:** If I can try and rephrase what you told me. So the current you experienced  
13      that day it's not always there, but it's not necessarily unusual to have a current, is that  
14      correct?

15      **WIT:** Right.

16      **Mr. Ehlers:** Lieutenant Alger can you bring up Exhibit 144 again, the wind gauge.  
17      [Showing Exhibit 144]. Just a quick question on the wind gauge. Do you know when it  
18      was reset prior to the accident?

19      **WIT:** I reset it, I usually reset this wind gauge once a month.

20      **Mr. Ehlers:** Once a month. Any idea how long before that accident before the accident  
21      that would have been?

22      **WIT:** Maybe the month before.

1 **Mr. Ehlers:** In the period before the accident was there ever a period of high winds that  
2 you experienced?

3 **WIT:** No.

4 **Mr. Ehlers:** So do you believe that this measure here 112 happened on the accident  
5 day?

6 **WIT:** Yes. Because, well I'll put it to you like this. I thought the one the platform in Bay  
7 Marchand they clocked winds at 110 at one location. So you know I know this, it got  
8 scary out there.

9 **Mr. Ehlers:** Yes, sir. You mentioned early on that, if I can say it correctly a cold front  
10 of this season don't bring a blast. First of all can you tell me what you mean by a blast?

11 **WIT:** Strong winds, strong seas. Usually in the winter time when a cold front comes  
12 through, you know we know what to expect. But this early in April we had cold front  
13 before then, before this happened. It never got to this point.

14 **Mr. Ehlers:** So the cold fronts with a blast are those normally summer time cold fronts  
15 coming through? Or is that, or did I get that wrong, is it winter time that comes with a  
16 blast?

17 **WIT:** It's winter time.

18 **Mr. Ehlers:** Winter time, okay. So this was unusual for this time of year?

19 **WIT:** Yes.

20 **Mr. Ehlers:** Okay. The blast that you're talking about is that a consistent wind or is it  
21 just a wind at the beginning of say a thunderstorm or a storm?

22 **WIT:** Usually when a cold front comes through it blow, but I've never seen a cold front  
23 blow, well unless it has thunderstorms, I seen it get as high as 50 miles per hour, but

1 usually a cold front we see anywhere from 30 to 40 miles per hour. But it don't last but  
2 maybe a few hours. But the seas get up some but not as high as it got this day.

3 **Mr. Ehlers:** The weather around that time period in April do you remember was it  
4 unusually cold or unusually warm for that time of year?

5 **WIT:** It wasn't cold and it wasn't warm, it was about -----

6 **Mr. Ehlers:** About normal?

7 **WIT:** About normal, yeah.

8 **Mr. Ehlers:** You mentioned making a mayday call to the Coast Guard and contacting  
9 SEACOR. Do you know who you talked to at SEACOR when you got the Houma  
10 office?

11 **Mr. Ehlers:** A fella named Michael.

12 **Mr. Ehlers:** Okay. Do you know what his position was?

13 **WIT:** No.

14 **Mr. Ehlers:** Okay. And did you speak to him or was it the deckhand?

15 **WIT:** My hand spoke to him first. And then he gave me the number and then listened  
16 to the radio anytime they picked up somebody I would call them and let them know, well  
17 they pick up this guy. We was giving him information back and forth on what was going  
18 on.

19 **Mr. Ehlers:** The same person every time you talked to Mr. Michael?

20 **WIT:** Yeah that was his number.

21 **Mr. Ehlers:** Okay. So you just kept giving him regular updates?

22 **WIT:** Yes.

23 **Mr. Ehlers:** Did you contact anyone else, any other companies, authorities?

1 **WIT:** No.

2 **Mr. Ehlers:** Alright. That's all I have. Thank you very much Captain.

3 **CAPT Phillips:** Thank you Mr. Ehlers. Mr. Muise.

4 **Mr. Muise:** Thank you Captain I just have a few follow ups as well. Did the ROCK  
5 FISH suffer any damage at all in the wind storm or did you lose any equipment over the  
6 side?

7 **WIT:** No.

8 **Mr. Muise:** And does anybody ashore either with your company or with your client  
9 know at all times how many people you have on board?

10 **WIT:** Yes.

11 **Mr. Muise:** And who would that be?

12 **WIT:** With our company we work for we got to send them a POB every day, every  
13 morning. They want a POB. Every morning we send a morning report to All Coast  
14 office. And they know how many people are on the boat.

15 **Mr. Muise:** Okay. And the last thing you mentioned the pipeline in your Rose Point  
16 chart. Is that the standard navigation chart or are you getting information from Fugro or  
17 from your client that's also displayed on your Rose Point? In other words is that data  
18 displayed on top of the navigational chart?

19 **WIT:** Can you repeat that?

20 **Mr. Muise:** Your Rose Point chart, that should be just a standard navigational chart. It  
21 has pipelines on it.

22 **WIT:** Right.

1 **Mr. Muise:** Are you also putting Fugro data into Rose Point or data from the client for  
2 pipelines?

3 **WIT:** No this is just on this Rose Point chart.

4 **Mr. Muise:** It's just the standard NOAA chart that you're looking at?

5 **WIT:** Right.

6 **Mr. Muise:** Okay. Thank you Captain. Please pass our thanks to your crew as well.

7 **CAPT Phillips:** Thank you Mr. Muise. There's still some additional questions, we're  
8 going to give some other folks an opportunity to ask. But we've been going a little while.  
9 Would you like to take a break?

10 **WIT:** Yes, ma'am.

11 **CAPT Phillips:** Okay. Thank you. We will take a 12 minute break. The hearing will  
12 reconvene at 1050. We're now in recess. The time is 1034.

13 *The hearing recessed at 1034, 2 August 2021*

14 *The hearing was called to order at 1050, 2 August 2021.*

15 **CAPT Phillips:** The time is 1050, this hearing is now in session. Captain I have a  
16 couple more questions for you then I'm going to ask some other folks to ask some  
17 questions of you. Did you know any of the crew members on the SEACOR POWER on  
18 the day of the accident?

19 **WIT:** No, ma'am.

20 **CAPT Phillips:** I'm now going to see if SEACOR Marine and Falcon Global has any  
21 questions for you.

22 **Ms. Apps:** Yes Captain Phillips we have questions, thank you. Captain Duthu, my  
23 name is Antonia Apps, I represent SEACOR Marine. Before I ask you any questions I

1 just want to thank you for your time today and on behalf of SEACOR Marine to thank  
2 you in particular for all your efforts and the way you helped on April 13<sup>th</sup>. I want to start  
3 by asking you about the movement of the ROCK FISH from one location to the second  
4 location on April 13<sup>th</sup>. Why was it you were moving from point A to point B on that day?

5 **WIT:** Well I had finished the work they were doing that first location and they had work  
6 to do at the next location I moved to.

7 **Ms. Apps:** So your company asked you to move from one location to the other?

8 **WIT:** Well the field, the company we were working for asked me to move from point A  
9 to point B.

10 **Ms. Apps:** And do you remember approximately what time you learned where you got  
11 that request to move from point A to point B?

12 **WIT:** It was around 1300.

13 **Ms. Apps:** About 1:30 in the afternoon?

14 **WIT:** I want to say about 1 O'clock. They always give me a heads up. Because wire  
15 line has to break down their work before we transit.

16 **Ms. Apps:** And before you jacked down and got underway did you check to see if there  
17 were any weather updates?

18 **WIT:** Yes.

19 **Ms. Apps:** And I assume you didn't see anything that gave any kind of indication of  
20 what you later experienced?

21 **WIT:** No I didn't see any of that.

1 **Ms. Apps:** When you, if I can now ask you a couple questions about when you got to  
2 the location you were going to. I think you said you arrived near the location around  
3 1430, around 2:30 p.m., Central Time? Is that right?

4 **WIT:** Yes.

5 **Ms. Apps:** And then as you got closer it took you another 10 or 15 minutes to get  
6 exactly where you needed to be, is that right?

7 **WIT:** Yes.

8 **Ms. Apps:** And can you tell us, is that when you start jacking up? Or do you start  
9 jacking up before the end of the 15 minutes? Do you remember when it is exactly you  
10 started jacking up?

11 **WIT:** Well I got there at 2:30 I tagged, well it's what we call soft tag. I soft tagged,  
12 looked at the weather conditions and the current and I started moving in slow. Well  
13 2:45 when I got in position to where I needed to be, that's when I started jacking the  
14 boat out of the water.

15 **Ms. Apps:** So from 2:45, it would have taken you about another 5 or 10 minutes to fully  
16 -----

17 **WIT:** Yes.

18 **Ms. Apps:** Jack up there.

19 **WIT:** Yes.

20 **Ms. Apps:** After you finished jacking up is that when you stepped outside and felt that it  
21 was drizzling rain?

22 **WIT:** Well after I finished jacking up I walked out. It started drizzling maybe 5, 10  
23 minutes later. About 5 minutes maybe.



1 **Ms. Apps:** And I think you already testified to this, but at the time the winds were 25, or  
2 under 25 as the drizzle was starting.

3 **WIT:** Yes.

4 **Ms. Apps:** And then you said at some point it got to 95 miles an hour. You went back  
5 inside, into the wheelhouse at that time.

6 **WIT:** Yes.

7 **Ms. Apps:** Do you remember how long it took to get from approximately 25 miles per  
8 hour to the 95?

9 **WIT:** Well when I stepped outside it was blowing 20 to 25 and then the sky got dark  
10 and then cloud passed it went from 25 to 30 to 35. When it started drizzling we walked  
11 in and I was inside maybe 5 minutes and that wind gauge went from 35 to 95.

12 **Ms. Apps:** And you talked a little bit about the visibility when Captain Phillips asked  
13 you some questions about that. Did you also take a video recording of the conditions at  
14 the time?

15 **WIT:** Yes.

16 **Ms. Apps:** With permission may we play the video?

17 **CAPT Phillips:** Yes.

18 **Ms. Apps:** Lieutenant Alger the video is Coast Guard Exhibit 114. [Playing video].  
19 And if you can tell us if this is the video.

20 **WIT:** Yes.

21 **Ms. Apps:** And you were standing on the bridge when you were, or in the wheelhouse  
22 when you were taking this video, is that right?

23 **WIT:** Yes.

1 **Ms. Apps:** Captain Phillips I have no further questions for Captain Duthu, thank you.

2 **WIT:** Yes, ma'am.

3 **CAPT Phillips:** Thank you Ms. Apps. Captain can you just tell us in this video, the way  
4 it appeared on the screen was that oriented sideways or was that oriented vertically?

5 **WIT:** That was vertically.

6 **CAPT Phillips:** So this yellow bar that's appearing across the screen is that a handrail  
7 or that the stanchion that goes up and supports something on the bridge?

8 **WIT:** I can't really tell. Looks like it – looks like its sideways. I think that's a crane pole.  
9 And that was laying down. Yeah this definitely is, it's sideways the way it is. That's why  
10 I can't make it out.

11 **CAPT Phillips:** Okay so this yellow post is a handrail?

12 **WIT:** I don't remember if I caught the handrail. It might be the handrail in front of the  
13 wheelhouse. But the structure behind that's the helo port to the left side corner right  
14 there. This video is turned sideways.

15 **CAPT Phillips:** Okay. Thank you. Alright. First Mate's representative do you have  
16 any questions?

17 **Mr. Sterbcow:** Yes, thank you. Captain my name is Paul Sterbcow I represent the  
18 First Mate on the SEACOR POWER, Bryan Mires. I appreciate you being here. Let me  
19 ask you something about that video. Can you tell us whether or not you could have  
20 been able to, as a vessel Captain, would you have done anything to save the ROCK  
21 FISH had you been underway and going through that?

22 **WIT:** I can't answer that question because I wasn't moving at the time. So I don't know  
23 what to tell you.

1 **Mr. Sterbcow:** Would you agree that what we're looking at the video far exceeds the 5  
2 foot and 25 mile an hour limit that you talked about for the ROCK FISH before?

3 **WIT:** Yes, sir.

4 **Mr. Sterbcow:** And is it true that the morning report that you received at 4:30 indicated  
5 the possibility of 3 to 5 and 20 to 25 winds, remember that 4:30 report?

6 **WIT:** That's the weather report I got that morning, yes.

7 **Mr. Sterbcow:** And when you moved at 1:30 to your second location you said you  
8 checked the weather again?

9 **WIT:** I checked the weather before I moved at 1:30.

10 **Mr. Sterbcow:** Had you gotten any updated information from potential 3 to 5 foot seas  
11 and 20 to 25 mile an hour winds that you had at 4:30 in the morning?

12 **WIT:** Well that was the same weather forecast I got that morning. We don't usually get  
13 one until I said about 2 O'clock in the afternoon.

14 **Mr. Sterbcow:** Okay. Having said that then at this point when you moved at 1:30 and  
15 you arrived at 2:30 aboard the ROCK FISH did you have any information about a  
16 special marine warning that had been issued by National Weather Service at 12:08  
17 p.m.?

18 **WIT:** Before I transited and while I was transiting I didn't hear no special marine  
19 forecast.

20 **Mr. Sterbcow:** There was one issued at 12:08 p.m. and then another at 2:27 p.m. you  
21 did not, aboard the ROCK FISH you didn't receive either one of those?

22 **WIT:** No.

1 **Mr. Sterbcow:** And had you received one or the other and they contained information  
2 that they predicted potential winds in excess of 34 knots and said boats could sustain  
3 damage or capsize, would that have concerned you as the Captain of the ROCK FISH?

4 **WIT:** Yes it would have.

5 **Mr. Sterbcow:** Had you received that report at 12:08 do you think you would have  
6 taken that into consideration when you moved at 1:30?

7 **WIT:** Yes I wouldn't have moved.

8 **Mr. Sterbcow:** I don't have anything further. Thank you very much.

9 **CAPT Phillips:** Thank you Mr. Sterbcow. American Bureau of Shipping.

10 **Mr. White:** Good afternoon Captain my name is Jerry White I represent ABS. As far as  
11 the location of the platform that you jacked up next to at approximately 1430 or 1445  
12 that afternoon, what's the actual name or designation of that platform?

13 **WIT:** That was South 1024 SD, Sugar Dog.

14 **Mr. White:** Okay, South 1024 SD.

15 **WIT:** Yeah.

16 **Mr. White:** Referred to as Sugar Dog. Now based on your testimony I understood that  
17 you would have jacked up next to that platform at about 1445 that afternoon, correct?

18 **WIT:** Yes.

19 **Mr. White:** And at that time how much had you jacked up at 1445?

20 **WIT:** With the seas running 3 to 5 I jacked up about, I always get a foot or two higher  
21 than the seas so they don't slam the bottom. I was about 6 foot out of the water, but  
22 about a foot above the seas.

1 **Mr. White:** How much would you approximate the depth of the hull on the ROCK FISH  
2 is?

3 **WIT:** I think she's got a 8 foot hull, it might be 6 foot, but I think it's 8 foot.

4 **Mr. White:** And your draft approximately that day was about 4 feet?

5 **WIT:** Yes.

6 **Mr. White:** Correct. In response to one of the questions from before you indicated the  
7 freeboard was about 4 feet.

8 **WIT:** Yes.

9 **Mr. White:** From 1445 until the time that the SEACOR POWER could not been seen  
10 on the AIS is it fair to say that the winds continued to build?

11 **WIT:** Yes.

12 **Mr. White:** And is it fair to say that the winds, at least in the initial forecast was 30 to 35  
13 miles per hour and that increased based on your observation of the anemometer to  
14 somewhere around 95 miles per hour?

15 **WIT:** Yes.

16 **Mr. White:** And as far as the seas when you first jacked up what were the height of the  
17 seas based on your recollection?

18 **WIT:** The seas were 3 to 5.

19 **Mr. White:** And is it fair to say up until to the point that you could no longer the  
20 SEACOR POWER on AIS that the waves or the seas continued to build?

21 **WIT:** Yeah that the seas continued to build once we lost sight of the SEACOR  
22 POWER.

1 **Mr. White:** And then at one point I understood that a wave had gone over the side of  
2 the ROCK FISH and it fell or landed in the close vicinity to the rescue boat, is that  
3 correct?

4 **WIT:** Repeat that.

5 **Mr. White:** I understand there was a sea that came over the side of the ROCK FISH  
6 that was as high as the rescue boat, is that correct?

7 **WIT:** Yes.

8 **Mr. White:** And can you explain to us what the approximate height is of the rescue boat  
9 above the deck, the main deck of the ROCK FISH?

10 **WIT:** The rescue boat is about 10 foot above the main deck.

11 **Mr. White:** And if you were jacked up approximately 5 or 6 feet, what do you think the  
12 height of that wave was?

13 **WIT:** It had to be anywhere from 20 to 25 foot sea that come over that rescue boat.

14 **Mr. White:** Once you determined that the SEACOR POWER had capsized what was  
15 the timeframe that winds or the seas, withdrawn. Once you determined that the  
16 SEACOR POWER had capsized did the wind or the seas continue to build, or did there  
17 come a time when the winds and seas subsided?

18 **WIT:** When we first got visual contact of the SEACOR laying on its side the winds were  
19 between 60 and 65 miles. The seas had subsided to about 6 to 8, 7 to 9.

20 **Mr. White:** Based on your testimony I understood that you also conferred or at some  
21 point spoke to the platform concerning their observations of the wind, is that correct?

22 **WIT:** Yes.

23 **Mr. White:** And was that this very same platform that you were alongside?

1 **WIT:** No, sir.

2 **Mr. White:** Can you tell us what platform provided that wind information?

3 **WIT:** This was a platform in the middle of the field. I don't remember if its, I know K&N,  
4 but I don't know if it's Bay Marchand 2 or Bay Marchand 3.

5 **Mr. White:** Okay. Did you speak to them over the radio or how did you determine what  
6 they had remembered or observed concerning windspeed?

7 **WIT:** I didn't speak to them I heard them over the radio talking to the main platform of  
8 the wind they were experiencing at that location.

9 **Mr. White:** And as far as the platform that you were alongside during the course of the  
10 incident does that platform, to the best of your understanding monitor the wind and  
11 waves?

12 **WIT:** No.

13 **Mr. White:** Would you typically have any discussions with a platform like the one you  
14 were alongside concerning any weather data that they may have collected?

15 **WIT:** No, sir, there was nobody on that.

16 **Mr. White:** Captain I have nothing further. Thank you for your testimony.

17 **WIT:** Yes, sir.

18 **CAPT Phillips:** Thank you Mr. White. I have two final questions. Two final questions  
19 for you. But before that I would like to see if Mr. Ehlers has some additional questions.

20 **Mr. Ehlers:** Captain I just have some quick questions about the video we just saw  
21 which was Exhibit 114. Who specifically took that video?

22 **WIT:** I did.

23 **Mr. Ehlers:** You took that video?

1 **WIT:** Yes.

2 **Mr. Ehlers:** And were you on the bridge at that time?

3 **WIT:** Yes.

4 **Mr. Ehlers:** Okay. And could you estimate how high above the water you were at that  
5 time? Not counting the waves.

6 **WIT:** That was my initial jack up position. Like I said I was a foot above the seas and I  
7 was about 6 foot out of the water.

8 **Mr. Ehlers:** Okay, thank you Captain.

9 **WIT:** Yes, sir.

10 **CAPT Phillips:** Thank you. Mr. Verdin.

11 **Mr. Verdin:** Thank you Captain. Captain Ted you said that your rescue boat was 10  
12 feet above the deck. Was that 10 feet from the bottom of the rescue boat or 10 feet at  
13 the top of the rescue boat?

14 **WIT:** About 10 foot at the top of the rescue boat.

15 **Mr. Verdin:** Okay. Also you said that you spoke to a manned facility, K&N, you talked  
16 to K&N which is the – a maned facilities, there's usually living quarters for that field, is  
17 that correct? Dispatcher.

18 **WIT:** No I didn't to speak to them on that. I heard them transmit over the radio what  
19 wind speed they were monitoring. But they got two fellas that live on there.

20 **Mr. Verdin:** Okay. Was this a marine radio or was this a field radio, company radio?

21 **WIT:** This is the marine radio.

22 **Mr. Verdin:** Okay, so it's a marine radio. So all of the other vessels in the area can  
23 hear it as well?



1 **WIT:** Yes.

2 **Mr. Verdin:** The facility that you jacked up next to, I think you said Sugar Dog?

3 **WIT:** Yes.

4 **Mr. Verdin:** Was this a manned or unmanned platform?

5 **WIT:** It's an unmanned.

6 **Mr. Verdin:** Okay so the only ones there were you and your crew and the two wire line  
7 employees?

8 **WIT:** Yes.

9 **Mr. Verdin:** That's all I've got Captain. Thank you.

10 **CAPT Phillips:** Thank you Mr. Verdin. Captain do you have any ideas or  
11 recommendations about how to prevent something like this from happening in the  
12 future?

13 **WIT:** I always monitor my weather condition before any move I make. It could be a  
14 clear day. It could be as clam as it wants to be. I look at my weather forecast, look at  
15 the wind before I make a decision because you never know when something is going to  
16 come up. Even though you don't hear it over the radio or have it on your weather report  
17 you've got to be mindful of weather conditions because the weather can pop up any  
18 time.

19 **CAPT Phillips:** Thank you. Do you have anything else you would like to tell us?  
20 Anything we didn't ask you about?

21 **WIT:** No, ma'am.

22 **CAPT Phillips:** Okay.

1 **WIT:** Well I came here today you know to testify to help you all determining on what  
2 happened here so this doesn't happen again. You know I experienced this and in the  
3 44 years I've been offshore I've never had an experience nothing like this. And you  
4 know being on these types of boats it's, I don't know. It's a lot different than any other  
5 boat you're going to work on. These boats are not made for high winds, rough weather.  
6 But you know I just hope this testimony I gave you all can help you all, you know try to  
7 figure what happened so it can be prevented in the future.

8 **CAPT Phillips:** Thank you very much. Thank you for being here. Your testimony was  
9 very helpful for us. So we appreciate you coming. And thank you very much for your  
10 actions out there on the day of the accident. Your quick thinking and your quick  
11 reactions saved lives. We appreciate it. You're now released as a witness at this  
12 Marine Board of Investigation hearing. Thank you for your cooperation. If I later  
13 determine that this board needs additional information from you I will contact you. If you  
14 have any questions about these proceedings please contact Lieutenant Anthony Alger,  
15 our Recorder over here. We will recess until 1300 when we will hear from our next  
16 witness. The hearing is now in recess. The time is 1117. Thank you.

17 *The hearing recessed at 1117, 2 August 2021*

18 *The hearing was called to order at 1300, 2 August 2021.*

19 **CAPT Phillips:** The time is 1300, this hearing is now in session. As a reminder we  
20 would like to minimize any disruptions to the board and to the witnesses. Please remain  
21 silent during questioning. Please do not enter and exit the hearing room during witness  
22 testimony unless absolutely necessary. And as a reminder please silence all cell

1 phones. We will now hear testimony from Mr. Dwayne Lewis. Lieutenant Alger can you  
2 please administer the oath?

3 **Recorder:** Please stand and raise your right hand. A false statement given to an  
4 agency of the United States is punishable by a fine and or imprisonment under 18 U.S.  
5 Code 1001. Knowing this do you solemnly swear that the testimony you're about to  
6 give will be the truth, the whole truth and nothing but the truth, so help you God?

7 **WIT:** I do.

8 **Recorder:** Please be seated. For the record state your full name and spell your last  
9 please.

10 **WIT:** My name is Dwayne S. Lewis, and L-E-W-I-S.

11 **Recorder:** Identify your counsel if present to confirm representation.

12 **Counsel:** Good afternoon Captain Phillips, members of the board. I'm Richard Martin  
13 of New Orleans and I represent Mr. Lewis in connection with this proceeding and the  
14 limitation proceeding in the Eastern District of Louisiana.

15 **Recorder:** Thank you, sir. Could you spell your last name for us?

16 **Counsel:** M-A-R-T-I-N.

17 **Recorder:** Thank you.

18 **Counsel:** Yes, sir. Thank you.

19 **CAPT Phillips:** Thank you Lieutenant Alger. Mr. Lewis I'm just going to start with  
20 some background questions. Can you tell us where you're currently employed?

21 **WIT:** I'm employed as an independent consultant, subcontracting through Thomas,  
22 Collins and Holloway.

23 **CAPT Phillips:** Great. Can you say the name of the company again?

1       **WIT:** Thomas, Collins and Holloway.

2       **CAPT Phillips:** Okay, thank you. And how long have you worked for that company?

3       **WIT:** Fifteen years.

4       **CAPT Phillips:** Can you just describe your position and what your role is?

5       **WIT:** I represent the oil company on location for various projects ensuring that the  
6       approved procedures are followed, all safety aspects are followed and I contact or  
7       liaison through the – between company and anything offshore.

8       **CAPT Phillips:** Who did you work for before you worked for this company?

9       **WIT:** Schlumberger.

10      **CAPT Phillips:** And how long did you work for them?

11      **WIT:** Ten years.

12      **CAPT Phillips:** How long have you been working in the maritime industry?

13      **WIT:** I've been working offshore approximately 20, 30 years.

14      **CAPT Phillips:** How much of that time have you worked on lift boats?

15      **WIT:** Probably 25. Between Schlumberger and consultant, 25 years. Before that I  
16      worked on drilling rigs, roughneck.

17      **CAPT Phillips:** Say that again. Before that you worked on?

18      **WIT:** Before Schlumberger worked as a roughneck on the rigs.

19      **CAPT Phillips:** Thank you. And in your current job do you move from lift boats to other  
20      types of vessels? Or do you always work on lift boats?

21      **WIT:** No it just depends on the job. We work lift boats, on platforms. Which the  
22      platform being structure, manned platforms.

1 **CAPT Phillips:** How much of the time would you say you spend on the lift boats as  
2 compared to, as a percentage?

3 **WIT:** It just depends. I mean it could be 50 percent, it could be, you know a third.

4 **CAPT Phillips:** Do you hold any professional licenses or certificates?

5 **WIT:** I hold a well control certificate.

6 **CAPT Phillips:** Any others?

7 **WIT:** We do all the safety training. There's certificates for that. Be it blood born  
8 pathogen, water supply or things of that nature.

9 **CAPT Phillips:** Tell us about some of these other shipboard related training.

10 **WIT:** I mean of course blood born pathogen its all first aid. Water survival, that's just to  
11 assist us in surviving. If an aircraft goes down it's basically geared toward your Huet,  
12 which is helicopter transportation. And of course well control is in the event we have an  
13 undesirable event while working on the well.

14 **CAPT Phillips:** Good. So first aid, water survival, well control. Others that you can  
15 think of?

16 **WIT:** There's marine debris. There's CPR, all your basic stuff to go offshore and work.

17 **CAPT Phillips:** And does your company pay for you to get those training courses? Or  
18 do you do that on your own?

19 **WIT:** The safety stuff I'm reimbursed. Well control they pay 50 percent.

20 **CAPT Phillips:** When was the last time you had water survival training?

21 **WIT:** Water survival was due at this year which I did not attend. But it's every four  
22 years.

23 **CAPT Phillips:** So the last time you had it was about four years ago?

1       **WIT:** Yes, ma'am.

2       **CAPT Phillips:** And who do you – who did you take that training with?

3       **WIT:** I took it with, that company is no longer in business. It was a little small outfit in  
4       Broussard, Louisiana.

5       **CAPT Phillips:** Okay, thank you. Have you received any specialized training related to  
6       lift boats?

7       **WIT:** No, ma'am.

8       **CAPT Phillips:** Have you received any specialized training related to the SEACOR  
9       POWER itself?

10      **WIT:** No, ma'am.

11      **CAPT Phillips:** Okay. I would like to talk a little bit about what happened on day of  
12      April 13<sup>th</sup>. If you could just start at the beginning of the day and walk us through  
13      everything you remember from that day.

14      **WIT:** My day started at 4 O'clock in the morning when I arrived to the lift boat. I  
15      offloaded my cargo, had coffee with the cook. I went and brought my truck to the Martin  
16      North Dock because that's where TALOS Dock is at, Martin North. Then I got a ride  
17      back to the Bollinger Yard. I waited for the crew to arrive making sure that the  
18      personnel that was working for TALOS went and checked in at their dock and then we  
19      had to wait for the SEACOR POWER to do their crew change. Once crew change was  
20      completed we did a safety meeting with the Captain and his crew and everyone on  
21      board. Discussing what we was going to do as far as crane work and stuff like that.  
22      Once the meeting was conducted, or concluded the guys all went to get their bags and  
23      bring em' up to their rooms. And one guy came to me and said he had an incident that I

1 needed to fill out a report. So while they were starting with all the crane work myself,  
2 the Cardinal supervisor and the engine person was in my office doing an incident report.  
3 Once the incident report was concluded they went outside and they started spotting  
4 equipment on the vessel. And then I was trying to get set up and ready to start a report.  
5 I mean I went out and I checked on them to see how they was coming. And gathered  
6 more trucking tickets and did all that I had to do with that. And I guess it was about, I  
7 don't know a quarter to 12 I went in to eat. And the Captain called me on the  
8 Guytronics and asked me if I had any other equipment coming. I told him I didn't know  
9 let me check with the docks. So I called the dock. Spoke to them for a second. I went  
10 outside and got with the Captain. I told him no we was done. And so he said okay we  
11 need to pull the walkway there's lighting off in the distance. So we went ahead and  
12 pulled off the – picked up the gangway and then I went back in and he got on the  
13 Guytronics and told everyone we were fixing to depart for sea to stay inside. So I  
14 finished eating, I went up to my office. Me and another guy Mr. Rozands we was in my  
15 office just shooting the shit and then about 3 O'clock the Captain came in, we had  
16 already left, so about 3 O'clock the Captain came in and gave me the POB. And he  
17 said oh this is where your enjoying bullshitting. I said yeah we're in here bullshitting.  
18 So he left and then Cooper and I walked outside on the deck. He smoked a cigarette. I  
19 called the dispatcher and apologized for not calling em' at 12:30 and telling them we  
20 left, left the dock. Cooper said he was going to go in and take a nap. And I said no, but  
21 I went into my room anyway. Took my boots off and laid down on the bed. I dozed off  
22 and then I felt the boat roll. When I felt the boat roll, well let me back up a minute.  
23 Because I know the question is going to be asked. While Cooper and I were outside it

1 had just started to rain. And the seas were roughly 2 to 3 foot. So that's when Cooper  
2 said he was going to take a nap and then I went into my room. I laid down on the  
3 blanket, dozed off and the boat rolled. When I felt it roll I jumped up and I grabbed my  
4 life jacket. Because I bring my own life jacket offshore. So I grabbed my life jacket and  
5 while I was going to put it on the TV and the shelves flew at me off the wall. And I was  
6 like oh ship what the hell. And I looked out the window and I could see the deck which I  
7 shouldn't have been able to see the deck, but I saw deck. It was sideways. I said oh  
8 my God. So I went and I – anytime you go on a lift boat most of the time in their safety  
9 orientation they'll tell you, your window is your way out in the case of an emergency.  
10 Push on the window and the window will go out. So I went and I pushed on that window  
11 as hard as I could and it would never budge. I grabbed my steel toed boot because  
12 that's all I had and I beat on the window, nothing happened. So I went to the door and I  
13 opened the door and the hallway is now a shaft. That boat, what you said earlier 125  
14 feet wide, well that's a 125 foot shaft that I'm looking down. So the mate, well James,  
15 you all got him listed as a Captain but he came out of the mate's room. He said well the  
16 boat flipped. And I didn't say it out loud but I sure thought it, you know no shit. So he  
17 goes and he's digging around. I'm like what the hell are we going to do. So he spotted  
18 a fire extinguisher outside the door, outside of my door. And we got that fire  
19 extinguisher and I went back to the window and I started beating on the window with the  
20 fire extinguisher. And James, James climbed over that void, that shaft and he came  
21 into my room. He said man we've got to break this window to get out. I said I need  
22 some help. So I started beating on the window again and then I passed him the fire  
23 extinguisher and he would beat, he would pass it. So we passed it back, I don't know 3,



1 4, 5 times. And then the window broke while he was hitting on the window. So he gets  
2 on the window seal and he goes man do you know where the life jackets are? And I'm  
3 like, you're the mate you don't know where the life jackets are. So I go and I get him a  
4 life jacket. And he says well how many life jackets do they got? I said well there's two  
5 bunks, there's two life jackets. So I grabbed the second life jacket and as I'm handing it  
6 to him I realize I don't have a whistle or a light on my personal life jacket. Where's it at?  
7 I don't know, but it's not there. So I gave him the life jacket but turned back and that life  
8 jacket is gone. Where did it go? It went in the water. How did it get there, I don't know  
9 it's in the water now. So he said we've got to get out of here now. Then he's gone. So  
10 I'm standing in the window, now the waves are crashing in and it's throwing me about in  
11 the room, back and forth. And of course the wall, or the ceiling is now the wall. So in  
12 order to pull myself up I'm just reaching and I'm grabbing wires that's in the ceiling and  
13 I'm pulling myself up. And I'm standing in the window and I'm like I'm not getting in  
14 there. I mean it's still, you know 3 feet below, whatever. I'm not getting out of here, I'm  
15 staying. No I'm not getting in there. So I get tossed around a few more times. The last  
16 time I said give me the strength to get out. So I got up and when I got up I noticed the  
17 water was over the window seal. I said I've got to get out. So when I went to get out I  
18 got half way out then a wave went and started pushing me back in and I held on. And  
19 then when the water rushed out it sucked me straight down. And then I came up then I  
20 started floating away. While I was floating away I felt a rope and I grabbed it. And  
21 when I grabbed that rope they had about, I don't know four or five guys on the  
22 superstructure yelling at me. And all I could do was think what the hell you're yelling at  
23 me for it ain't my fault, I didn't ask for this. I mean I couldn't see who it was, cause you

1 try to look and water just splashes in your eyes. The rope got away from me and I  
2 started drifting. There was a boat that passed, I tried yelling at it, but he never heard.  
3 So you fight the seas. You know they say in training you make yourself as big as you  
4 can so you try to lay on your back. But for whatever reasons every time I tried that it  
5 turned me, it orientated my body to where the waves would just splash in my face so I  
6 just made myself into a ball. When you're getting beat up and then you're just begging  
7 God to please calm the seas, please calm the seas. And then you talk to your dead  
8 mom and tell her you're not ready to see her. I don't know I was thankful there was a  
9 Chouest boat coming and I waved as much as I could and the boat turned towards me.  
10 And I said they see me, they see me. So he's coming towards me. But he stops, I don't  
11 know 75, 50, 75 yards away and I'm like what are you all doing? So then another boat  
12 backs down in the back of this Chouest boat, backs down and gets along the side. I'm  
13 like what are they doing. So about that time the Motor Vessel MR LOYD crosses the  
14 bow of this Chouest boat. And it just so happened they saw me. So when they saw me  
15 they started to back down towards me and a big wave came and then the back of the  
16 boat came up, you could see the propellers. I'm like oh shit this ain't going to be good.  
17 This ain't going to be good at all. But they threw the life ring to me and they went to pull  
18 me towards the boat, the boat picked up again and I'm like I can't let go of this life ring,  
19 but the boat's going to land on top of me and I said oh God. I just held on to the life  
20 ring. They let out about 40 yards of rope to where they could walk to the front of the  
21 boat. And then they pulled me to the emergency ladder that they set in place. Then I  
22 crawled on the emergency ladder and just laid down on that deck. And then finally one  
23 of the guys he reassured me that he wouldn't let me go that he was going to help me.

1 We got up the ladder and I got on the boat. And that's about the end – the vomiting and  
2 all that other good stuff that came along. That's about the end of it.

3 **CAPT Phillips:** Thank you very much. You did a good job. I can't imagine. We  
4 appreciate it. I'll just ask you some follow up questions kind of about that last little part  
5 of what you described. So you said you were in your cabin napping.

6 **WIT:** Yes.

7 **CAPT Phillips:** Did you hear anything unusual?

8 **WIT:** No. ma'am.

9 **CAPT Phillips:** Sometimes professional mariners, even in their sleep they know  
10 something is different.

11 **WIT:** No, ma'am. The only thing that I heard was while the boat was rolling the Captain  
12 blew the horn. That's all I heard.

13 **CAPT Phillips:** Do you have any sense of what time it was?

14 **WIT:** Yeah. Approximately 3:30, 3:45.

15 **CAPT Phillips:** You looked at your watch or?

16 **WIT:** No. I mean I was fully dressed. I didn't want to nap long. I don't typically nap  
17 long when I'm fully dressed.

18 **CAPT Phillips:** When the boat rolled on its side were there any lights on?

19 **WIT:** To be honest with you the light in my room was off so I don't know. I never  
20 thought about trying to turn it on. When I opened up the door to look down the hallway  
21 there were no lights.

22 **CAPT Phillips:** When you were first pulled into the water what would you estimate the  
23 seas were?

1       **WIT:** 10 to 12 foot.

2       **CAPT Phillips:** Do you have any sense of how strong the wind was?

3       **WIT:** No but it was blowing. And the wind was a torrential downpour. Lighting  
4       everywhere.

5       **CAPT Phillips:** Do you have any sense of how far you could see?

6       **WIT:** Probably 500 yards. I'm sorry 500 feet.

7       **CAPT Phillips:** Okay, thank you. And I know you were napping, but when the boat  
8       rolled was it – did you feel any rocking beforehand?

9       **WIT:** No, ma'am.

10      **CAPT Phillips:** Or was this just one motion?

11      **WIT:** I felt one big roll and when I jumped up it continued until it crashed. It was  
12      thumping stop.

13      **CAPT Phillips:** Do you have any sense of how long that took?

14      **WIT:** A couple of minutes. Not long at all.

15      **CAPT Phillips:** You talked about the weather immediately after you were pulled out of  
16      the boat. Can you walk us through what the weather did over the time you were in the  
17      water?

18      **WIT:** Rain, high winds, high seas, lightning.

19      **CAPT Phillips:** The whole time?

20      **WIT:** Yes, ma'am.

21      **CAPT Phillips:** Did it ever start to change at all?

22      **WIT:** No, ma'am.

1       **CAPT Phillips:** It sounds like you've been out at sea for a long time. Have you ever  
2 seen weather like this before?

3       **WIT:** I mean you see bad weather during fronts when there's a, what do you call that a  
4 frontal lines that's gonna pass. But to say I've seen it this bad, no.

5       **CAPT Phillips:** What made this worse than other times? The wind or the waves or  
6 the?

7       **WIT:** I was in the water. I should have never been in the water.

8       **CAPT Phillips:** Do you have any sense of how long you were in the water?

9       **WIT:** Three to four hours.

10       **CAPT Phillips:** Was it still light when the boat picked you up?

11       **WIT:** Yes, ma'am.

12       **CAPT Phillips:** Was it still raining?

13       **WIT:** Yes, but not as bad.

14       **CAPT Phillips:** Was there still lightning?

15       **WIT:** A little bit.

16       **CAPT Phillips:** How do you think the boat saw you when they finally identified that you  
17 were in the water?

18       **WIT:** Well the Captain had his crew in the wheelhouse looking out while he was  
19 operating the vessel. And they happened to pass close enough to where they did see  
20 me.

21       **CAPT Phillips:** Were you still waving at that point?

22       **WIT:** Yes I was.

23       **CAPT Phillips:** And I know you said the first life jacket you grabbed didn't have a light.

1       **WIT:** That's my personal life jacket. That's the one I rode this thing out in. My life  
2 jacket, with no light and no whistles. That's correct.

3       **CAPT Phillips:** Okay. So you didn't get a chance to switch?

4       **WIT:** No, ma'am.

5       **CAPT Phillips:** Thank you. What kind of life jacket was it?

6       **WIT:** Type 1.

7       **CAPT Phillips:** Is that something the company provides to you or is that something  
8 you?

9       **WIT:** No that was my personal life jacket.

10       **CAPT Phillips:** Do you know how old it was?

11       **WIT:** I would have to say it was probably three years old.

12       **CAPT Phillips:** Besides the light did everything else work on it?

13       **WIT:** On the life jacket, yeah. I mean I was able to correctly secure it. But no light, no  
14 whistle.

15       **CAPT Phillips:** Were you injured when the boat picked you up?

16       **WIT:** I now have a permanent scar on my pinky finger. I had cuts and bruises  
17 elsewhere. And just like calf sprain, strain or something like that. That's pretty much all  
18 I had thankfully.

19       **CAPT Phillips:** What kind of medical treatment did the crew provide for you when they  
20 picked you up?

21       **WIT:** They didn't give me any medical treatment. They just provided me with dry  
22 clothes and water.

1       **CAPT Phillips:** I'm going to pause there and see if any of the other board members  
2       have questions about the incident itself. And then once we're done with some of the  
3       incident questions we'll go back and I'll ask you some background questions and more  
4       of the history kind of leading up to it.

5       **WIT:** Yes, ma'am.

6       **CAPT Phillips:** Mr. Ehlers.

7       **Mr. Ehlers:** Thank you, sir. Just a couple of questions here. The, you said you're an  
8       independent contractor. Do you – are you contracted by name or do you have a  
9       company that you belong to or that's part of who you are?

10      **WIT:** I have an LLC. The name of my LLC is Blue Water Consulting. And I'm  
11      subcontracted through Thomas, Collins, and Holloway.

12      **Mr. Ehlers:** Thank you. You mentioned that you didn't renew your water survival  
13      training, is that because you haven't had an opportunity to do that or you didn't need to  
14      do that?

15      **WIT:** No, sir. I can no longer go back offshore.

16      **Mr. Ehlers:** That was prior to the accident you just hadn't had an opportunity to take  
17      that training, or?

18      **WIT:** My card was not yet expired. I had a few months left.

19      **Mr. Ehlers:** Okay. You mentioned an incident that you had to fill out a report for I think  
20      before you left the pier.

21      **WIT:** Yes, sir.

22      **Mr. Ehlers:** What was that incident?

1       **WIT:** An individual with Cardinal called to me tripped while entering the vessel and  
2       scrapped his shin so we had to do an incident report.

3       **Mr. Ehlers:** What requirement is it to do an incident report?

4       **WIT:** All incidents are reported no matter how minor.

5       **Mr. Ehlers:** Who did you report that to?

6       **WIT:** I report that to TALOS Energy.

7       **Mr. Ehlers:** And is it their form that you used?

8       **WIT:** Yes, sir.

9       **Mr. Ehlers:** And the person that had the incident were they able to continue work?

10       **WIT:** Yes, sir.

11       **Mr. Ehlers:** My last question you mentioned, you said your window was your way out.

12       **WIT:** That's correct.

13       **Mr. Ehlers:** Was that something that was briefed to you at the orientation in the  
14       morning?

15       **WIT:** Not on this particular day, no ma'am, no, sir. It's every other lift boat that I've ever  
16       been on that's how it was stated.

17       **Mr. Ehlers:** It wasn't spoken that particular morning?

18       **WIT:** No, sir.

19       **Mr. Ehlers:** That's all I have.

20       **CAPT Phillips:** Thank you Mr. Ehlers. Mr. Muise.

21       **Mr. Muise:** Good afternoon. I just have a few follow ups as well. Mr. Rozands, what  
22       was his position on board?



1       **WIT:** Mr. Rozands was an employee of Major Equipment. He was a scaffold builder  
2       and pump operator.

3       **Mr. Muise:** Do you know what stateroom he was assigned to?

4       **WIT:** No, sir. He was on the first floor or the O1 level, I was on the O3 level.

5       **Mr. Muise:** My last question is how would you rate your own swimming capabilities?

6       **WIT:** Mine?

7       **Mr. Muise:** Yes, sir.

8       **WIT:** I don't know how to swim.

9       **Mr. Muise:** Okay, thank you.

10      **CAPT Phillips:** Thank you Mr. Muise. Mr. Kucharski.

11      **Mr. Kucharski:** Thank you Captain. Mr. Lewis thank you so much for being here and  
12      reliving this with us.

13      **WIT:** Yes, sir.

14      **Mr. Kucharski:** You mentioned that worked for Chalmers, Collins, Altwell for a number  
15      of years is that correct?

16      **WIT:** Chalmers, Collins and Altwell. Yes, sir.

17      **Mr. Kucharski:** How about TALOS did you work for them?

18      **WIT:** What it is I'm subcontracted to Chalmers, Collins and Altwell who is contracted to  
19      TALOS. If that makes any sense.

20      **Mr. Kucharski:** It does, thank you. And so have you worked with many captains from  
21      the fleet, different fleets, different lift?

22      **WIT:** I've worked with Mr. Terrio before. He's the boat Captain. Mr. David Terrio. I've  
23      worked with him before.

1 **Mr. Kucharski:** And other boat captains, have you worked with other boat captains?

2 **WIT:** Yes, sir. Several.

3 **Mr. Kucharski:** And you mentioned that you had a meeting leaving port?

4 **WIT:** Prior to departing port, or prior to spotting the equipment on the boat we had a  
5 meeting.

6 **Mr. Kucharski:** And was that meeting any different from those that you've had with  
7 other captains?

8 **WIT:** This one was shorter than some. Depending on the person conducting the  
9 meeting or the company. Yes they're different. I mean if you go with some companies  
10 and captains they have a sheet that they follow line by line. Where some captains  
11 generalize it.

12 **Mr. Kucharski:** And was weather at all discussed during that time?

13 **WIT:** No, sir.

14 **Mr. Kucharski:** Was a service used to provide weather information for the accident  
15 voyage?

16 **WIT:** Was there weather information provided?

17 **Mr. Kucharski:** Yeah. A service. Did you use some kind of service?

18 **WIT:** Yes. I get a weather reporter every morning from Wilkins which is site specific for  
19 TALOS Energy. In other words all their locations that are manned has a weather report.

20 **Mr. Kucharski:** And was that your responsibility to get this weather company so to  
21 speak as part of your contract?

22 **WIT:** No, sir.

23 **Mr. Kucharski:** Then who, was it Chalmers, Altwell?

1 **WIT:** No, sir. What it is when we're offshore trying to plan our operations we have to  
2 take the weather into consideration. And TALOS Energy has the account with Wilkins  
3 Weather which provided – they provided my name and email address to the person that  
4 distributes the reports. So that's how I get the report.

5 **Mr. Kucharski:** So TALOS Energy -----

6 **WIT:** TALOS provided the report, that's correct.

7 **Mr. Kucharski:** Have you used any other services in the past besides Wilkins?

8 **WIT:** If you're able to get a password to one then you can. But unfortunately for me I  
9 had lost or damaged my previous laptop so I had a new laptop and I didn't have any  
10 passwords from those other providers. Be it the one that the previous witness  
11 mentioned but you need a password to access which I didn't have.

12 **Mr. Kucharski:** So would you typically use some of those other ones if you're going out  
13 on a job?

14 **WIT:** Yeah sure to compare them. Because the information – all you have is what is  
15 provided to you. I've not seen one that's right yet.

16 **Mr. Kucharski:** So besides the departure weather that you looked at do you also get –  
17 have you seen any services that give you a notification somewhere?

18 **WIT:** No, sir, I have not.

19 **CAPT Phillips:** Mr. Kucharski I'm going to go through more about the day of and kind  
20 of some more specifics. If you have questions about the immediate right before the roll,  
21 right after the roll let's do those now and then we'll go kind of through the background  
22 later.

1 **Mr. Kucharski:** Okay. So you looked out the window, when you said you looked out  
2 the window.

3 **WIT:** Yes, sir.

4 **Mr. Kucharski:** The boat was going over.

5 **WIT:** The boat was already over when I looked out the window.

6 **Mr. Kucharski:** And did you get a glimpse before at all looking out at anything?

7 **WIT:** No, sir. I was sleeping.

8 **Mr. Kucharski:** And where was this window on the vessel?

9 **WIT:** The window if you walk into the stateroom it's centered of the wall facing the  
10 deck.

11 **Mr. Kucharski:** Facing the foredeck?

12 **WIT:** That's correct.

13 **Mr. Kucharski:** And was this the same window that you eventually -----

14 **WIT:** That is the same window that we got out of.

15 **Mr. Kucharski:** Did you notice any movement of any the cranes or any deck gear, prior  
16 to?

17 **WIT:** No, sir, I did not notice them. In fact, you know while I was standing at the  
18 window I never even noticed that the crane was missing until several days later looking  
19 at pictures on the web that I noticed that the crane was missing.

20 **Mr. Kucharski:** And from the time, first off did it list at all a little bit? This is extremely  
21 critical.

22 **WIT:** No, sir. No, sir. When I went outside approximately 3:05 and the only reason  
23 why I know it was 3:05 was I not only looked at my watch but when I later spoke to the

1 dispatch he told me he sent the email out letting everybody know we left at 3:10. But to  
2 answer your question no. Looking from the deck, the little porch next to the door, no I  
3 did not notice any list.

4 **Mr. Kucharski:** And then so the actual capsizing event when you first started to feel it  
5 go over, it went over, you say it's about 2 minutes?

6 **WIT:** Plus or minus 2 minutes.

7 **Mr. Kucharski:** Plus or minus 2 minutes. Thank you.

8 **CAPT Phillips:** Thank you Mr. Kucharski. I want to go back now and get some more  
9 information, some follow up from things that happened earlier in the day. How much  
10 sleep did you get the night before the accident?

11 **WIT:** Probably 5 hours.

12 **CAPT Phillips:** And how about the night before?

13 **WIT:** Five, six hours. My routine, my daily routine believe it or not is I typically go to  
14 bed at 6 O'clock in the evening. I lay down and watch TV. If I doze off, I doze off. If I  
15 don't, I don't. And I may get up you know a couple times during the night to use the  
16 restroom or whatever. But I typically get up on an average day in between 3:30 and 4  
17 O'clock every day.

18 **CAPT Phillips:** So being at the dock at 4 a.m. was -----

19 **WIT:** I left my house at 1 O'clock.

20 **CAPT Phillips:** But that's kind of your normal schedule?

21 **WIT:** I always give myself extra time. You never know what's going to happen on the  
22 road.

23 **CAPT Phillips:** So you said you got there at 4, off loaded some cargo.

1       **WIT:** Yes, ma'am. My offshore bag, my computer bag and the tool bag that I carry  
2 offshore.

3       **CAPT Phillips:** Okay. Then you said you went to the Martin North Dock.

4       **WIT:** Yes.

5       **CAPT Phillips:** Came back to Bollinger.

6       **WIT:** Yes, ma'am.

7       **CAPT Phillips:** Do you know about what time you got back to Bollinger?

8       **WIT:** Back to Bollinger, probably 5 O'clock.

9       **CAPT Phillips:** And then how long did the crew change take?

10       **WIT:** To be honest with you those crew changes typically don't take that long because  
11 a lot of your captains communicate the night before. So I don't think it probably took  
12 them 20 minutes.

13       **CAPT Phillips:** So do you know about when you got on board the POWER?

14       **WIT:** When I got on board the POWER?

15       **CAPT Phillips:** Umm hmm.

16       **WIT:** Well I got on it at 4, off loaded, I got back at 5 and I was on the boat.

17       **CAPT Phillips:** Oh you went right on the boat?

18       **WIT:** Yes, ma'am.

19       **CAPT Phillips:** Okay. So then the crew change was done about?

20       **WIT:** The new crew showed up roughly at 6 O'clock.

21       **CAPT Phillips:** Six, thank you. Do you know what time the incident happened that you  
22 talked about, with the shin?

23       **WIT:** Probably around 7, 7ish, somewhere in there.

1       **CAPT Phillips:** And then you said the question about whether there was any more  
2 equipment was coming about a quarter to 12?

3       **WIT:** 12, quarter to 12, somewhere in there. Because I just sat down to eat. And then I  
4 called Martin North because I knew that I needed to get an aluminum box for all the  
5 soap pads, environmental box to dispose of. And I didn't see it arrive so I called them  
6 and they said yeah it had arrived at Bollinger. So I walked outside and they pointed it  
7 out to me on the deck. So yeah somewhere in that area.

8       **CAPT Phillips:** Thank you. And I know you said you had a safety meeting in the  
9 morning but it sounded like that was crane work, is that right?

10       **WIT:** That was for crane work and advising everyone on board the secured areas, you  
11 know the wheelhouse is a secured area. The engine room is a secured area. In back  
12 of the, or in the kitchen area that's all secured areas. Just that sort of typical stuff.  
13 That's about it.

14       **CAPT Phillips:** Who was that meeting with?

15       **WIT:** The meeting was with everyone on board. The SEACOR and the contractors on  
16 board.

17       **CAPT Phillips:** And who was presenting the information?

18       **WIT:** The liftboat Captain. Mr. David.

19       **CAPT Phillips:** So he talked about secured areas. Can you walk me through the other  
20 topics he went over?

21       **WIT:** In the event of an emergency the muster point was amidships by the inflatable  
22 rafts. When there was also any mention of the life jacket box there. Once again the  
23 restricted areas. In the event there was an incident he needed to be notified so he

1 could pass on to SEACOR. Primarily a lot of emphasis was on the safety during the  
2 crane operations.

3 **CAPT Phillips:** Did you hear anything about how to get out of the inside of the boat?

4 **WIT:** No, ma'am.

5 **CAPT Phillips:** Did you hear anything about the lifesaving equipment that's on the  
6 POWER?

7 **WIT:** As I mentioned the life rafts with the life jacket box amidships, that's it.

8 **CAPT Phillips:** Did you get any training on how to use any of those?

9 **WIT:** No, ma'am.

10 **CAPT Phillips:** How long would you say that briefing lasted?

11 **WIT:** Fifteen, twenty minutes.

12 **CAPT Phillips:** Did anybody have any questions during that briefing?

13 **WIT:** No, ma'am.

14 **CAPT Phillips:** Is that pretty similar to the briefings you get when you go on a lift boat?

15 **WIT:** Once again it varies from Captain and company. If you go, I mean if I want to use  
16 it as an example, Aries Marine has a laminated sheet that their Captain goes line by  
17 line. Other companies, Alliance or SEACOR they may generalize it. But Aries Marine  
18 every time I've ever been on one of their boats it's line by line on their sheet.

19 **CAPT Phillips:** Thank you. I know you've already described to us where you were  
20 staying, which one was your cabin but I just want to pull up drawings.

21 **WIT:** Yes, ma'am.

22 **CAPT Phillips:** So that we can make sure we understand exactly which on it was.  
23 Lieutenant Alger could you please bring up Exhibit 96. [Showing Exhibit]. This is a



1 diagram of the O3 deck on the SEACOR POWER. Forward is towards the top of the  
2 diagram. So starboard would be on the right side of the diagram. Looking at this could  
3 you tell us which cabin you were in?

4 **WIT:** Forward top. The two man next to the office.

5 **CAPT Phillips:** The one that say VIP?

6 **WIT:** Yes, ma'am.

7 **CAPT Phillips:** Thank you. Then Lieutenant Alger could you bring up the picture of  
8 that stateroom? [Showing Exhibit]. So we're looking at Exhibit 202 page 84. Does this  
9 look like the cabin you were in?

10 **WIT:** Yes, ma'am.

11 **CAPT Phillips:** And is page 85 the same room?

12 **WIT:** There you go.

13 **CAPT Phillips:** Okay. And so as we're looking at this picture is this looking forward  
14 towards the front of the ship?

15 **WIT:** Yes, ma'am.

16 **CAPT Phillips:** And so the window that you went out, is that the window?

17 **WIT:** That's the black square in the middle.

18 **CAPT Phillips:** It's covered by a curtain?

19 **WIT:** That's correct.

20 **CAPT Phillips:** And what's the door you see on the right hand side there?

21 **WIT:** That's the restroom, or the head.

22 **CAPT Phillips:** And where was the fire extinguisher?

23 **WIT:** Outside of the room in the hall. Next to the door, the stateroom door.

1       **CAPT Phillips:** Thank you. So can you go back to Exhibit 96 please? [Showing  
2       Exhibit]. So you said Captain Gracien was in one of the rooms near you. Do you know  
3       which one he was in?

4       **WIT:** Across – across from the VIP room.

5       **CAPT Phillips:** So in this picture that's the one -----

6       **WIT:** It would be the bottom, bottom starboard.

7       **CAPT Phillips:** Bottom left?

8       **WIT:** Yes, ma'am.

9       **CAPT Phillips:** That says four man crew?

10      **WIT:** Yes, ma'am.

11      **CAPT Phillips:** And was there anybody else staying on the same deck as you?

12      **WIT:** I would assume that, and that's all I can do, but that's the floor for the boat crew,  
13      SEACOR personnel. So I'm sure there were others in there.

14      **CAPT Phillips:** But you're not aware of who was where?

15      **WIT:** No, ma'am.

16      **CAPT Phillips:** Thank you.

17      **WIT:** Yes, ma'am.

18      **CAPT Phillips:** Thank you Lieutenant Alger. Who is responsible for loading the deck?

19      **WIT:** The boat Captain and the crew.

20      **CAPT Phillips:** The crew was operating the crane?

21      **WIT:** Yes, ma'am.

22      **CAPT Phillips:** Did you get involved in the loading at all?

1       **WIT:** I went back and forth to ensure that all the equipment needed for the job was put  
2       on the boat.

3       **CAPT Phillips:** Did they ask you any questions about where to put the equipment?

4       **WIT:** No, ma'am. The boat Captain told the contractors because they were involved  
5       because it was their equipment they spotted. Told them that everything needed to be  
6       centered of the deck.

7       **CAPT Phillips:** And did anyone tie the cargo down before you left?

8       **WIT:** No, ma'am. I've never seen cargo strapped down on a lift boat.

9       **CAPT Phillips:** In your opinion why do you think that is?

10       **WIT:** Well a lift boat like the previous witness stated is not designed to travel in rough  
11       seas. So if there's – if they encounter rough seas they stop, and jack up and get out of  
12       the water.

13       **CAPT Phillips:** Thank you. Do you know who keeps track of how much each item  
14       weighs when they load it on to deck?

15       **WIT:** It would be, on a lift boat I'm sure it's the Captain or the Mate or even the  
16       Engineer. Because they have to do a stability report before they leave.

17       **CAPT Phillips:** But you don't know who was doing that on the day of the incident?

18       **WIT:** I think it was Mr. Mires that was walking around with a clipboard that day, I'm not  
19       sure. But I think it was him.

20       **CAPT Phillips:** Do you ever look at the draft marks before the boat gets underway?

21       **WIT:** Do I ever look at the draft marks before the boat gets underway? No, ma'am.

22       **CAPT Phillips:** On this particular day can you tell us how the boat was riding when she  
23       went out of port?

1       **WIT:** It was pretty level.

2       **CAPT Phillips:** So you didn't notice a list?

3       **WIT:** No, ma'am.

4       **CAPT Phillips:** Did you notice if the front or the back was higher?

5       **WIT:** No. Never noticed anything like that. And typically, I say typically but on most lift  
6       boats the back rides a little bit lower than the front because there's more weight on the  
7       back with the quarters, the engine room, the fuel and the water. So it's typically heavier  
8       in the back than it is in the front.

9       **CAPT Phillips:** Have you ever been on a lift boat that didn't have much freeboard and  
10      you felt like it was less than normal?

11      **WIT:** No. I guess it just depends on the lift boats. Because there's some that ride high  
12      in the water and there's some that ride a little lower. And with that being said, and the  
13      only reason why I say that is because sometimes when you ride and it's a little choppy  
14      you can see the splash coming on the deck whereas some of them doesn't get any  
15      water on the deck.

16      **CAPT Phillips:** Okay. And how would you say the POWER was on your scale?  
17      Would you say it was on the high end?

18      **WIT:** On my scale I would say it was a little higher. Because I don't – when I stepped  
19      out to – outside to call and spoke to Cooper I don't recall seeing any water on the deck.  
20      Like I said it was 2 to 3 foot seas.

21      **CAPT Phillips:** When you get on a lift boat does anybody ever tell you what the  
22      operating limits are? Like the seas, or the maximum seas or maximum winds?

1       **WIT:** No, ma'am. A lot of times when that comes up its if we're at the end of a project  
2       and we need to move, be it to go in or move to a different location and it looks a little  
3       rough the Captain will say no we can't jack down. And that's pretty much the end of it.  
4       But I've never – I've never been on a lift boat that traveled in anything more than 5 feet.  
5       So I would imagine, 5 feet like the Captain said would probably be the general cutoff.  
6       But to say specifically no one's ever told me.

7       **CAPT Phillips:** Since you brought it up, I'll just ask you a little bit more about that. So  
8       you said you've been on jobs where the Captain says it's too rough to jack down?

9       **WIT:** Yes, ma'am.

10      **CAPT Phillips:** How does that interaction work?

11      **WIT:** I would go upstairs and say hey, let me just throw a generic name out there,  
12      James we need to jack down and move over to – go in we're done. He'll check the  
13      weather, look outside and see what the seas are doing. He will look at the structure to  
14      try to figure out which way the current's moving and try and gauge how fast it's moving  
15      then he'll make the call. He'll either say we're good to go or we can't go.

16      **CAPT Phillips:** And when they tell you that what happens next?

17      **WIT:** I go back down to my office. And then I may check with him periodically, be it an  
18      hour or two and if the answer is no then its no.

19      **CAPT Phillips:** Do you have to report that back to anyone?

20      **WIT:** No we just give them the update just tell them that we can't jack down due to  
21      weather.

22      **CAPT Phillips:** The day of the accident did you hear anybody, any of the crew  
23      members say there was anything wrong with the SEACOR POWER?

1       **WIT:** No, ma'am.

2       **CAPT Phillips:** And when you got underway do you know if any of the doors were  
3       open on the boat?

4       **WIT:** I have no idea because when I finished eating there's a stairwell in this boat. So I  
5       went up the interior stairs. So I can't tell you if the watertight doors were closed or not, I  
6       don't know downstairs. I know they were closed upstairs because that's that door I  
7       went out of.

8       **CAPT Phillips:** And I think you said earlier that right when you were getting ready to  
9       get underway somebody said stay inside.

10      **WIT:** Yes the Captain said for everyone to stay inside. That we was going out to sea.  
11      On some lift boats the gentlemen at the end asked earlier if that boat had an interior  
12      staircase or not. If there's no interior staircase then you have to go downstairs outside  
13      the vessel to get to the galley, to get anything to drink or snack on. So other than that  
14      they don't want anyone outside while traveling.

15      **CAPT Phillips:** So the vessel has an inside stairwell.

16      **WIT:** Then there's no need to go outside.

17      **CAPT Phillips:** And so Captains will usually tell you to stay inside?

18      **WIT:** Yes. Stay inside.

19      **CAPT Phillips:** So on the day of the accident it wasn't unusual to hear that?

20      **WIT:** No, ma'am.

21      **CAPT Phillips:** Did you ever go up to the bridge while the boat was underway?

22      **WIT:** No, ma'am I did not.

23      **CAPT Phillips:** Do you know who was on watch while you were getting underway?

1 **WIT:** No, all I know is what I've read on the internet as far as that goes.

2 **CAPT Phillips:** Did you say you made a phone call?

3 **WIT:** Yes I call Martin North, I told them had departed the dock at 12:30.

4 **CAPT Phillips:** Did you make any other phone calls?

5 **WIT:** No, ma'am I didn't. I mean in the morning I made back and forth phone calls with  
6 communication, you know trying to get the communications up and running because we  
7 had our own internet service and the group that had the boat previously within TALOS –  
8 the clerk changed the passwords so I needed to try and get a password to access the  
9 internet. So I was communicating on my cell phone back and forth with them, those  
10 guys.

11 **CAPT Phillips:** Okay. What time was that about?

12 **WIT:** Anywhere from 9 O'clock to 12:30, give or take, somewhere in there. It was back  
13 and forth trying to get it to work. Unplugging phone lines and plugging phone lines, that  
14 sort of stuff.

15 **CAPT Phillips:** When you go out on a lift boat are you relying on their internet  
16 connection or do you bring you something to give you your own internet connection?

17 **WIT:** Ninety percent of the time we use the lift boat's communications package. It's all  
18 included in the day rate. And it saves time as far as de-mobbing and mobbing  
19 communication package. If they, you know if they don't have wires ran already it could  
20 take several hours for the communication to come in and run wires through the ceiling  
21 and all that other good stuff.

22 **CAPT Phillips:** When you're working on a lift boat do you have stop work authority?

23 **WIT:** Everyone has stop work authority. Lift boat, platform it doesn't matter.

1       **CAPT Phillips:** What does that mean?

2       **WIT:** If we something that's unsafe that can potentially could cause injury or an  
3       environmental issue anyone has the right to call all stop and stop the job.

4       **CAPT Phillips:** Have you used that before?

5       **WIT:** Yes, ma'am I have.

6       **CAPT Phillips:** Give us an example of a time you've used that.

7       **WIT:** We were doing a well at South Tim 34 and the guys got on a little platform that  
8       goes around the wellhead and it didn't feel sturdy to them so we went and we looked at  
9       it and it was rotten. So we called an all stop, got the construction company out to build a  
10       new platform before we moved on. So it took them a couple of days to build it so we  
11       just sat there and waited for them to build it.

12       **CAPT Phillips:** Have you seen a vessel's Captain use stop work authority?

13       **WIT:** Yes. They tend to use the stop work with lightning. But as I tell them and I tell my  
14       crew you don't use stop work for lightning. That is – that's something that we do all the  
15       time. That's a safety, or safe work practices to stop for lightning. Anytime you see  
16       lightning within 10 miles we stop. So to use stop work with lightning would be if you  
17       called stop work and then I came along and said no you can finish doing that lift or  
18       whatever, then you use stop work. But just generally use it for lightning, it's a safe  
19       observation, safe work practices in my opinion.

20       **CAPT Phillips:** So other than lightning have you seen Captain's use that?

21       **WIT:** No, ma'am. Everybody, I mean everybody tries to do everything safely to be  
22       honest with you. As far as someone just going out of the way to where somebody  
23       needs to use stop work, no.



1       **CAPT Phillips:** Have you ever seen any incidents were one person said we need to  
2 stop and another person said keep going?

3       **WIT:** No, ma'am, I have not.

4       **CAPT Phillips:** I'm going to pass it over to Mr. Verdin to see if he has some questions.

5       **Mr. Verdin:** Yes, ma'am. Thank you Captain. I have a couple of questions Mr. Lewis.  
6 You said previously, I'm going to go back a little bit. You said previously the Motor  
7 Vessel Mr. LLOYD?

8       **WIT:** Yes, sir. The Motor Vessel Mr. LLOYD picked me up, rescued me.

9       **Mr. Verdin:** Rescued you. And you said you sustained a few injuries, minor injuries.

10       **WIT:** Scratches and bruises, yes, sir.

11       **Mr. Verdin:** And a cut finger.

12       **WIT:** I've got where the skin was removed pretty deep, I've got a permanent scar.

13       **Mr. Verdin:** You said the crew on the Mr. LLOYD had not provided you with any  
14 medical assistance.

15       **WIT:** No, sir.

16       **Mr. Verdin:** Did they provide you with any first aid or any other -----

17       **WIT:** They asked me if I was okay, I said I'm fine, let's see if we can find somebody.

18       **Mr. Verdin:** Okay. So they didn't provide you with any bandages or anything?

19       **WIT:** No, sir. I didn't, to be honest with you I didn't realize the cuts and bruises until  
20 after I got in the ambulance.

21       **Mr. Verdin:** Okay. Alright, stop work authority.

22       **WIT:** Yes, sir.

1 **Mr. Verdin:** Could you give me a general definition of what stop work authority means  
2 for the audience for those that are not familiar with what that means?

3 **WIT:** Stop work authority is a practice whereas any individual on location sees or thinks  
4 anything is unsafe which will cause intimate harm or danger to the environment has the  
5 right or the right to stop the job.

6 **Mr. Verdin:** Okay. So if I'm a new guy and I'm operating on the deck, maybe I'm  
7 loading some equipment, helping loading out crane operations and I walk in, take a  
8 quick swig of water and I walk back out and I forget to bring my hardhat with me. And  
9 you stop me and warn me and remind me to grab my hardhat, is that stop work  
10 authority or is that not stop work authority or how does that fit into the definition?

11 **WIT:** Well I mean I've never called stop work authority for that, no. I kindly reminded  
12 him to put his hardhat on to make sure he had everything before returning to the deck.  
13 No I did not call stop work authority for that.

14 **Mr. Verdin:** Would that fit in somewhere in that type of definition? Does it not meet the  
15 definition of stop work authority?

16 **WIT:** I guess it could. In a sense that way you stop the job and then you remind  
17 everyone you know to put their hardhat on. But let's be honest, I've been in the oil field  
18 for 30 years, I can tell you several times where I've forgot to put my safety glasses on  
19 and I went out in the deck. I mean it happens. In my opinion if it's something, you know  
20 yes, you could use that as stop work authority. But if it's something out of ordinary, let's  
21 say that we removed the hole cover on the deck and they removed it prior to putting up  
22 a barricade, although nothing happened I'm going to call stop work authority and remind  
23 them that even though you had a hole watch there's a barricade right there that you

1 could have installed prior to removing that hole cover. Because statistically the person  
2 that removes the hole cover is going to be the one that falls in it.

3 **Mr. Verdin:** Okay. I'm just trying to get an understanding. Why would I use stop work  
4 authority on one and not – is there something procedure, paperwork, additional  
5 paperwork, anything?

6 **WIT:** No, if you use stop work authority, I mean if there's some additional stuff, sure. I  
7 mean you go back to your JSA, there's a spot on the JSA for stop work authority, okay.  
8 You mitigate whatever the underlying issue may be. Because you're not going to  
9 eliminate all hazards, all you can do is try to mitigate. And then you notify the safety  
10 department that, hey we called a stop work authority, this is why we called it. This is  
11 what we did to mitigate it.

12 **Mr. Verdin:** I'm just trying to get a clarification.

13 **WIT:** I mean once again just like the lightning, wearing a hardhat that's safe practices.

14 **Mr. Verdin:** Right, but there are other things safe practices. The foundation, the  
15 gangway we just talked about.

16 **WIT:** The barricade. The hole barricade.

17 **Mr. Verdin:** Yeah. I mean putting up safeguards and stuff around there to prevent  
18 people from accessing it. That's general safe practice. I'm just trying, and I'm not trying  
19 to press. I'm just trying to get why would – is there a formal process or something that I  
20 would say one thing is not a stop work authority, something like I forget my hardhat, or  
21 like in your case lightning would not be considered stop work authority. Is there a  
22 paperwork process that would – is there something like if I told you stop work authority?

23 **WIT:** There's not a checklist to say that A is a stop work authority, B is not, no, sir.

1 **Mr. Verdin:** Okay. That's what I'm trying to get. Thank you.

2 **WIT:** Yes, sir.

3 **CAPT Phillips:** Thank you Mr. Verdin. Mr. Lawrence.

4 **Mr. Lawrence:** Thank you Captain. Mr. Lewis thanks for being here telling your story,  
5 it's very difficult. What were you going out to do at Main Pass 138 for that voyage?

6 **WIT:** We was going to do a recompletion. We was going to perforate the new zone,  
7 bring a new zone on, on our well.

8 **Mr. Lawrence:** What type of equipment do you need to do that?

9 **WIT:** Well this particular job you would need coil tubing, we need E-line, slick line, we  
10 pumping equipment, cement equipment.

11 **Mr. Lawrence:** About how much equipment is that for, do you know by weight how  
12 much that would be, how many truckloads?

13 **WIT:** Well I mean I think we had about 10 truckloads, give or take. But whenever  
14 you're messing with coil tubing it varies, it depends on the length and the size of the coil  
15 tubing that you're using. To say how much everything weighed I couldn't tell you.

16 **Mr. Lawrence:** Okay. You said the crew wanted to spot everything right down the  
17 centerline of the lift boat.

18 **WIT:** The boat captain told them to put everything center of the vessel because we had  
19 such a long trip.

20 **Mr. Lawrence:** Okay. Do you have a say of where you get to put equipment so that it's  
21 easy to work with?

22 **WIT:** No, sir. My authority doesn't go into effect until once we're on location and jacked  
23 up and ready to go to work.

1 **Mr. Lawrence:** How long did you anticipate the work taking at Main Pass 138?

2 **WIT:** Approximately two weeks with the lift boat.

3 **Mr. Lawrence:** Was there any urgency to get it done? Was there an emergency out  
4 there or something?

5 **WIT:** No, sir. In fact, you know we was scheduled to leave a couple days earlier, but  
6 SEACOR had called and requested a couple of extra days because they had to do  
7 some work to the crane. So that time was afforded to them with no discussion.

8 **Mr. Lawrence:** Okay. Was – so when you got to Bollinger dock, was SEACOR coming  
9 back on hire, was that? Was that their set up?

10 **WIT:** Yes, sir.

11 **Mr. Lawrence:** So they were off hire at Bollinger for repairs?

12 **WIT:** I can only assume. I don't get involved in that, that's the logistics manager's job.

13 **Mr. Lawrence:** Did you or Talos have any incentive to complete the work early or to  
14 get out to Main Pass 138 early?

15 **WIT:** No, sir.

16 **Mr. Lawrence:** So there's no timelines or anything given to your subcontract?

17 **WIT:** No, sir.

18 **Mr. Lawrence:** Thank you. No further questions.

19 **CAPT Phillips:** Thank you Mr. Lawrence. Mr. Ehlers.

20 **Mr. Ehlers:** Thanks again Mr. Lewis, just a couple follow ups here. Once you got  
21 underway, the vessel got underway, did you ever go down to the galley?

22 **WIT:** No, sir I did not.

1 **Mr. Ehlers:** Okay. And then as the vessel was rolling over and you woke up did the  
2 furniture, we saw the picture with the bed and the desk, did the furniture ever move,  
3 come off the wall?

4 **WIT:** The TV and the shelf just below the TV flew off the wall at me.

5 **Mr. Ehlers:** The bedding and the desk?

6 **WIT:** The bedding ended up on the floor because not realizing the orientation of the  
7 vessel after I opened the door and spoke to the Mate, or James I said well what's this  
8 door, and before he could say anything I opened it and it was the head. So that wall  
9 that you showed the door, the exit door that was now the floor.

10 **Mr. Ehlers:** And the fixed furniture it stayed in place?

11 **WIT:** Yes.

12 **Mr. Ehlers:** Thank you.

13 **WIT:** Yes, sir.

14 **CAPT Phillips:** Thank you Mr. Ehlers. Mr. Kucharski.

15 **Mr. Kucharski:** Yes, thank you Captain. Mr. Lewis thanks for being so patient. Would  
16 you be considered a client representative?

17 **WIT:** Yes, sir. I am.

18 **Mr. Kucharski:** Have you ever seen any portion of SEACOR's safety management  
19 system or their charter agreement with SEACOR, TALOS?

20 **WIT:** No, sir I have not.

21 **Mr. Kucharski:** You mentioned, I believe you said, correct me if I'm wrong, that you've  
22 never seen cargo secured on a lift boat.

23 **WIT:** I've never seen cargo secured on a lift boat.

1 **Mr. Kucharski:** So would that also suffice it to say that your personnel never secured  
2 any cargo?

3 **WIT:** I've never secured any cargo.

4 **Mr. Kucharski:** I don't want to belabor this and I apologize, it would be very helpful for  
5 us. So going over again the motion going over. Did you hear any wind sounds, water  
6 sounds, anything like that?

7 **WIT:** No, sir.

8 **Mr. Kucharski:** Nothing?

9 **WIT:** No, sir.

10 **Mr. Kucharski:** And another when you said, I believe you said that you estimated the  
11 height of the seas when you first got into the water.

12 **WIT:** Yes, sir.

13 **Mr. Kucharski:** Were 10 to 12 feet.

14 **WIT:** Yes, sir.

15 **Mr. Kucharski:** Did you use anything to gauge that height like where you can tell, on  
16 the superstructure or anything? How did you gauge that?

17 **WIT:** Well I can't gauge it to the superstructure because I'm standing in the window  
18 that's part of the superstructure. All I have to go by is the deck that's laying down on its  
19 side.

20 **Mr. Kucharski:** So you gauged ----

21 **WIT:** So I'm basically gauging it against the wall. That's all I had.

22 **Mr. Kucharski:** Thank you.

23 **WIT:** Yes, sir.

1       **CAPT Phillips:** Thank you Mr. Kucharski. It's been almost an hour and fifteen  
2 minutes.

3       **WIT:** Let's go, keep it going.

4       **CAPT Phillips:** Okay. Sounds good. At this time I'm going to ask ABS if they have  
5 any questions for the witness.

6       **Mr. White:** Good afternoon Mr. Lewis. My name is Jerry White, I represent ABS. As  
7 far as Wilkins Weather that you mentioned do the weather reports from Wilkins Weather  
8 that arrived in the morning and afternoon, are they also supplied to SEACOR or do you  
9 just receive them?

10       **WIT:** I just received that from TALOS Energy. I don't know what SEACOR gets.

11       **Mr. White:** Nothing further. Thank you.

12       **CAPT Phillips:** Thank you Mr. White. Representative for the First Mate.

13       **Mr. Sterbcow:** Mr. Lewis good afternoon, Paul Sterbcow I represent First Mate Bryan  
14 Mires, you know him. You know Bryan?

15       **WIT:** Yes, sir.

16       **Mr. Sterbcow:** Did you have any interaction with him that morning that you can recall,  
17 from the time that you were both there until you departed?

18       **WIT:** Yeah we shot the shit on the deck. I mean we talked about how the SEACOR  
19 POWER was the only 265 working and the sister ship was in dry dock in such bad  
20 shape that it would never go back to work.

21       **Mr. Sterbcow:** Anything else besides that?

22       **WIT:** No, sir.

23       **Mr. Sterbcow:** That you can remember. Any weather related discussion?



1 **WIT:** No, sir.

2 **Mr. Sterbcow:** I noticed you said that the boat was at the Bollinger at the shipyard  
3 dock. Do you know why it would have been there, if any reason rather than the Martin  
4 Dock where the Talos facility was located?

5 **WIT:** Yes, sir. It's too big to go the Martin North Dock. It's got a helo port on the back  
6 of it.

7 **Mr. Sterbcow:** Do you know what work, if any had been done at the Bollinger Dock  
8 from the time that the SEACOR POWER previously arrived from up to the time you got  
9 there that morning?

10 **WIT:** They had some crane work that they needed to get done.

11 **Mr. Sterbcow:** Beyond crane repair you don't have any more specifics?

12 **WIT:** That's all I know about.

13 **Mr. Sterbcow:** Do you know how long it took?

14 **WIT:** A couple of days I would imagine. That's what we waited on. And when we got  
15 there they were still putting fiberglass grating around the walkway.

16 **Mr. Sterbcow:** So they were still working on it when you got there that morning?

17 **WIT:** Yes, sir.

18 **Mr. Sterbcow:** Was the work completed to your knowledge?

19 **WIT:** Yes, sir.

20 **Mr. Sterbcow:** You mentioned that, I think you mentioned Captain Ledt said something  
21 right before you all shoved off that you mentioned something about lightning in the  
22 distance?

1 **WIT:** Yes he said there was lightning off in the distance that we needed to pull the  
2 walkway.

3 **Mr. Sterbcow:** Pull the walkway meaning you needed to leave?

4 **WIT:** Well I mean if we were ready to go, yes.

5 **Mr. Sterbcow:** Okay. And this was around 12:30ish?

6 **WIT:** Around 12:30ish.

7 **Mr. Sterbcow:** At least you as the client rep and the company man did you have any  
8 knowledge of a prior special marine warning bulletin that had been issued for this area  
9 at 12:08?

10 **WIT:** No, sir I did not.

11 **Mr. Sterbcow:** When you called the office, or called Talos around 3 O'clock to let them  
12 know that you all had left at 12:30 did they bring any weather related concerns up to you  
13 at that point?

14 **WIT:** No, sir they did not.

15 **Mr. Sterbcow:** And do you know where the Talos representative was located that you  
16 spoke to? Where was he physically?

17 **WIT:** He was at Martin North Dock.

18 **Mr. Sterbcow:** So he was in Fourchon?

19 **WIT:** Yes, sir he was.

20 **Mr. Sterbcow:** Again 2:27 p.m. based on what you're telling me I think I know the  
21 answer, but let's put this on the record. No knowledge of a subsequent bulletin at 2:27  
22 p.m. predicting weather that exceeded the capabilities of the SEACOR POWER in your  
23 voyage area?

1 **WIT:** No, sir.

2 **Mr. Sterbcow:** Did you have any weather warning from any source whatsoever that  
3 you all may be sailing in an area where the weather could very well exceed the wind  
4 and wave capabilities of this vessel?

5 **WIT:** No, sir.

6 **Mr. Sterbcow:** That's all I have. Thanks very much.

7 **CAPT Phillips:** Thank you Mr. Sterbcow. SEACOR Marine and Falcon Global.

8 **Ms. Apps:** Yes Captain. Thank you Captain Phillips. Mr. Lewis my name is Antonia  
9 Apps I represent SEACOR Marine. Thank you very much for your time today. I just  
10 have a few follow up questions. You were asked a couple of times about the crane  
11 work on the deck that happened shortly before the POWER departed. Do you recall?

12 **WIT:** You talking about spotting the equipment?

13 **Ms. Apps:** Yes. Were the cranes important to the work that you were going to perform  
14 when you got the Main Pass?

15 **WIT:** Yes, ma'am.

16 **Ms. Apps:** And so making sure that the cranes were in good operating condition was  
17 important to you before you left?

18 **WIT:** Absolutely.

19 **Ms. Apps:** And I think you might have mentioned this, but you and TALOS afforded  
20 SEACOR all the time they needed to get -----

21 **WIT:** That's correct.

22 **Ms. Apps:** The appropriate repairs done.

23 **WIT:** That's correct.

1 **Ms. Apps:** And to your knowledge all of the appropriate repairs were completed before  
2 Captain Ledet set sail?

3 **WIT:** To my knowledge, yes.

4 **Ms. Apps:** Just a couple of follow up questions on the safety departure orientation that  
5 you had after the crew change in the morning before you set sail.

6 **WIT:** Umm huh.

7 **Ms. Apps:** I think you said it included crane safety.

8 **WIT:** Yes, ma'am.

9 **Ms. Apps:** And discussed the secure locations of the vessel.

10 **WIT:** Yes, ma'am.

11 **Ms. Apps:** And I think you said also, correct me if I'm wrong, Captain Ledet discussed  
12 the muster point and the roll call in the event of an emergency.

13 **WIT:** In the event of an emergency we were to meet amidships next to the inflatable  
14 deployable rafts and there was a life jacket box there.

15 **Ms. Apps:** And Captain Ledet pointed out the life jackets on the vessel, is that right?

16 **WIT:** No he didn't walk up there and point them out he mentioned them.

17 **Ms. Apps:** Did you understand where they were located?

18 **WIT:** Yes, ma'am.

19 **Ms. Apps:** I just want to ask you a couple of questions about a phone call you made  
20 back to TALOS. So you were – before you made the phone call you were sitting inside?

21 **WIT:** I was inside the office.

22 **Ms. Apps:** And at the time was Captain Ledet there as well?

1 **WIT:** No what it is it's the VIP office so Captain Ledet came down from his office or the  
2 wheelhouse to bring me a copy of the POB.

3 **Ms. Apps:** And what is the POB?

4 **WIT:** Persons on board.

5 **Ms. Apps:** And what did you do with that information that he gave you?

6 **WIT:** I made a copy of it and I gave it back to him. And I put in on the desk because I  
7 was not quite ready to start my report.

8 **Ms. Apps:** And then you went outside after you did that? You went outside to make a  
9 phone call?

10 **WIT:** After I finished speaking to Mr. Ledet I stepped outside, yes, ma'am.

11 **Ms. Apps:** And just to be clear when you stepped outside you're outside of the lodging  
12 on the little landing?

13 **WIT:** I'm outside of the O3 level watertight door on a little deck.

14 **Ms. Apps:** And at the time how was the visibility?

15 **WIT:** Visibility was great.

16 **Ms. Apps:** And I think you said already but the seas were around 2 to 3 feet.

17 **WIT:** Two to three foot.

18 **Ms. Apps:** And when you made the phone call back to the dock to tell them that you  
19 left how long do you think you were on the phone with them?

20 **WIT:** A minute or two.

21 **Ms. Apps:** Had it started raining while you were still on the call or did it start raining  
22 after you finished speaking?

23 **WIT:** No it started raining while I was outside.

1 **Ms. Apps:** And how heavy was the rain when you were just out there?

2 **WIT:** I mean it was big drops. If you could see the rain drops hitting the water from how  
3 many ever feet you are up in the air I would say that's a big drop.

4 **Ms. Apps:** But was it light, even if the drops were big? Was it light rain?

5 **WIT:** Yeah it was light. It was just starting.

6 **Ms. Apps:** So you went back inside?

7 **WIT:** Yes, ma'am.

8 **Ms. Apps:** And what did you do? You said you went then to lie down in your bunk.

9 Did you do anything between going back inside and lying down on your bunk?

10 **WIT:** No, ma'am.

11 **Ms. Apps:** How many minutes do you think passed between the time you finished your  
12 call and the time you laid down?

13 **WIT:** I mean if you want to show the exhibit the door, when you enter in it's actually two  
14 doors. It's a watertight exterior door, it's approximately 5 feet, then there's another  
15 opening and my door is right there on the left. Fifteen seconds, I don't know. I went in,  
16 took my boots off. Sat on the bed, took my boots off and laid down.

17 **Ms. Apps:** And then you went to sleep?

18 **WIT:** Yes, ma'am. I dozed off, yes. If I had to guess 20 to 30 minutes at the most.

19 **Ms. Apps:** At the time you went to sleep you had no concern about the weather?

20 **WIT:** No, ma'am.

21 **CAPT Phillips:** There was some discussion about the plans, would you like to see the  
22 schematics?

23 **Ms. Apps:** Captain that's okay, but I appreciate it.

1       **CAPT Phillips:** Thank you.

2       **Ms. Apps:** Just one moment. Just one last question. You mentioned that the horn  
3       sounded.

4       **WIT:** Yes, ma'am.

5       **Ms. Apps:** And did that wake you up?

6       **WIT:** No, ma'am. I was up. The boat rolled and I jumped up. And I went to grab my  
7       life jacket. The shit flew off the wall and then I heard the horn.

8       **Ms. Apps:** And was the horn long and continuous?

9       **WIT:** It was long and continuous, yes, ma'am.

10      **Ms. Apps:** Thank you. Captain Phillips I have no further questions. Thank you for  
11      your time Mr. Lewis.

12      **CAPT Phillips:** Thank you Ms. Apps. I think some of the Coast Guard folks have a few  
13      more questions and some of the NTSB folks have a few more questions.

14      **WIT:** That's fine.

15      **CAPT Phillips:** Mr. Verdin.

16      **Mr. Verdin:** Thank you Captain. Thank you Mr. Lewis. Just a couple more questions  
17      here. You said Captain Ledet walked up to your room and said it was time to pull the  
18      gangway in.

19      **WIT:** I was in galley. He called me on the Guytronics, I was in the galley when he did  
20      that. And when he came to my office we was underway already.

21      **Mr. Verdin:** What did he mean about pulling the gangway in? Was he instructing you  
22      to pull the gangway or just informing you?

1 **WIT:** No, no. He said we needed to pull the gangway if we were done. That there was  
2 lightning, because we don't operate the crane when there's lightning.

3 **Mr. Verdin:** That's what I wanted to know.

4 **WIT:** Yes, sir.

5 **Mr. Verdin:** Thank you.

6 **CAPT Phillips:** Thank you Mr. Verdin. Mr. Muise.

7 **Mr. Muise:** Thank you Captain. Mr. Lewis you mentioned that you had your own  
8 personal life jacket.

9 **WIT:** Yes, sir.

10 **Mr. Muise:** Type 1 life jackets come in a variety of different styles.

11 **WIT:** That's correct.

12 **Mr. Muise:** Was yours the jacket style or was it the horse collar type?

13 **WIT:** Jacket.

14 **Mr. Muise:** And the two that were in your room were they?

15 **WIT:** Horse collar.

16 **Mr. Muise:** Those were horse collars. And your window, you mentioned that some of  
17 them are emergency egress on other boats. Was this, the window in your room on this  
18 particular boat labeled as an emergency escape, emergency egresses or escape?

19 **WIT:** I don't recall seeing anything, sir. But on every other lift boat I was on, 25 years  
20 that's your way out in the case of an emergency.

21 **Mr. Muise:** On those boats are those windows actually labeled as emergency  
22 escapes? Or was this something that was passed on to you in orientation or during  
23 training?



1 **WIT:** I really can't answer that question. I don't recall.

2 **Mr. Muise:** Okay. Thank you.

3 **CAPT Phillips:** Thank you Mr. Muise. Mr. Kucharski.

4 **Mr. Kucharski:** Yes, thank you Captain. Mr. Lewis time interval from when it went over  
5 until you actually got out of the house, about?

6 **WIT:** From the time it rolled until the time I got out. It seemed like a lifetime, but I would  
7 have to say probably 15, no more than 20 minutes.

8 **Mr. Kucharski:** And you have good detail from what I'm hearing. When you looked at  
9 the crane, crane arrangement where it secured, the cradle, the block. You've been on a  
10 lot of lift boats. Was it any different on there, did you see other cradles where they have  
11 any kind of strap over it, the crane or anything like that? Did you see any of that?

12 **WIT:** No there's no latch that goes over any cradle that I've ever seen. The difference  
13 between this crane and other cranes on lift boats is this particular lift boat the cranes  
14 went over legs. Whereas the pedestal is not welded down to the deck, it actually goes  
15 around the leg. But to say if there's a cradle latch or latching device, no, sir. I've never  
16 see one.

17 **Mr. Kucharski:** Thank you. Thank you Captain.

18 **CAPT Phillips:** Thank you Mr. Kucharski. Had you sailed with Captain Ledet before?

19 **WIT:** Yes I have.

20 **CAPT Phillips:** What's your impression of the Captain?

21 **WIT:** He was very conservative, very good at his job.

22 **CAPT Phillips:** Thinking back on the incident is there anything that you can think of  
23 that might have helped you that day that you didn't have?

1       **WIT:** Well you know yeah. Now they have 'em – I received a picture from an individual  
2 his son worked on a SEACOR boat after the incident, and I don't know which boat it  
3 was but it was they working for Cox Energy. And he sent me a picture of a window  
4 breaker that is now installed on that particular vessel at every window. So to say if that  
5 was there or some sort of latching mechanism whenever they built the vessel perhaps  
6 would have helped.

7       **CAPT Phillips:** Thank you. Anything else?

8       **WIT:** Anything to break that window could have been tethered to that wall and saddle  
9 would have helped.

10       **CAPT Phillips:** When you got the report from the Captain about the number of persons  
11 on board do you remember how many POB it was?

12       **WIT:** You know to be honest with you I didn't look at it. But if you stop and try to figure  
13 it out I know how many people was in my group. And I kind of, I thought it was 18 to be  
14 honest with you. But no I didn't look at the official count from the Captain to answer  
15 your question.

16       **CAPT Phillips:** Thank you. Do you have any ideas or recommendations on how to  
17 prevent something like this in the future?

18       **WIT:** Yes I do. I mean I think no matter what equipment or the size of the load I think it  
19 needs to be strapped down. Either welded or chained and bindered. A window  
20 breaking device at every window because let's face it they tell you to push the window.  
21 Because a lot of your older boats has a rubber seal around that window to answer your  
22 question. They tell you to push that window out. But if that window is submerged  
23 underneath the water there's no way you're going to be able to push that window out

1 due to the pressure on the outside. Also I think what they need to do is the aircraft life  
2 jackets that they use in helicopters I think those life jackets need to be in the staterooms  
3 on all vessels. Because when that boat is submerged under the water those things  
4 don't stay in the spot that you saw them when everything was calm. It's floating above  
5 your head, you don't know where it's at. If you have the lifesaving equipment like on a  
6 helicopter it's not activated until you pull a string for the CO2 cartridge. Thereby you  
7 can grab it and get it out. You won't be sucked up to the ceiling once you are able to  
8 break that window.

9 **CAPT Phillips:** Thank you.

10 **WIT:** Can I say one last thing?

11 **CAPT Phillips:** Yes please.

12 **WIT:** I saw, and of course this was on the internet and stuff like that. And I know  
13 there's a couple of people out there pushing for EPIRB's personal EPIRB devices for  
14 individuals on watercraft. If there's a way of affixing it to a life jacket that would  
15 probably, because once again I've been in the oil field 30 years, numerous times I've  
16 gone outside on the deck without my safety glasses, I've also walked out without my  
17 hardhat, I'm just as guilty as anyone else. So there's no way a man is going to  
18 remember to grab an EPIRB. I've worked in H2S environments where you had to have  
19 a personal sensor to tell if there's H2S and countless times I've walked outside and  
20 went to work without it. So to say get an EPIRB for everybody it would need to be  
21 affixed to something, not just on – depending on an individual to personally put it on  
22 everyday it sounds good, but I don't think it's realistic. So if you could affix it to a life  
23 jacket or something I think that would be a great idea.

1       **CAPT Phillips:** Thank you. That's helpful. Is there anything else you want to tell us  
2 that we haven't asked you about?

3       **WIT:** No, I think that's it.

4       **CAPT Phillips:** Thank you very much for being here. I can't tell you enough how much  
5 this is helpful and how valuable this is to our investigation. Really appreciate it. You're  
6 now released as a witness at this Marine Board of Investigation hearing. Thank you for  
7 your cooperation. If I later determine that we need additional information from you I will  
8 contact you through your counsel. If you have any questions about the investigation  
9 you may contact the board Recorder, Lieutenant Anthony Alger over there by the  
10 computer. The hearing is now in recess until 0800 tomorrow, Tuesday, August 3<sup>rd</sup>. The  
11 time is now 1432. Thank you.

12               *The hearing recessed at 1432, 2 August 2021.*

UNITED STATES OF AMERICA  
UNITED STATES COAST GUARD

In the Matter of:

THE MARINE BOARD OF INVESTIGATION INTO THE CAPSIZING OF THE L/B  
SEACOR POWER ON 13 APRIL 2021 WHILE TRANSITING THE GULF OF  
MEXICO

I, [REDACTED], an officially designated and qualified  
Court Reporter of the United States Coast Guard, hereby certify  
that the foregoing proceedings were taken by me and transcribed  
by me, and is a true record of the testimony of all witnesses,  
and of the proceedings herein contained. I further certify that  
there is no interest attached, either financially or by virtue  
of relationship with any party hereto, on my part.

[REDACTED]

Court Reporter/Paralegal Specialist  
U. S. Coast Guard, Eighth District